



The Town Of Clayton  
Work Session Meeting Agenda  
Monday, September 21, 2015 @ 6:30 PM  
Council Chambers

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**1. CALL TO ORDER**

Pledge of Allegiance and Invocation

**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.)*

**4. ADMINISTRATIVE ITEMS**

- a. Clayton Band Classic Day Proclamation

[Cover - Clayton Band Classic Day - Pdf](#)

[Clayton Band Classic Proclamation](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- b. Domestic Violence Awareness Month Proclamation

[Cover - Domestic Violence Awareness - Pdf](#)

[Domestic Awareness Month Proclamation](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

**5. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- a. Community & Senior Services of Johnston County

[Cover - Senior Services Presentation - Pdf](#)

- b. Report on Recent CALEA Evaluation  
[Cover - CALEA Evaluation - Pdf](#)

## 6. PUBLIC HEARINGS

- a. Gordon Tract Rezoning - RZ 2014-21  
[Cover - RZ 2014-21 - Pdf](#)  
[Staff Report - Gordon Tract Rezoning - RZ 2014-21.pdf](#)  
[Planning Board Recommendation.pdf](#)  
[Consistency Stmt - Gordon Tract rezoning.pdf](#)

**POTENTIAL ACTION:** Table - Date to be Determined

- b. Gordon Tract Subdivision - PSD 2014-95  
[Cover - Gordon Tract Sub - PSD 2014-95 - Pdf](#)  
[Staff Report - Gordon Tract Subdivision - PSD 2014-95.pdf](#)  
[Planning Board Recommendation.pdf](#)

**POTENTIAL ACTION:** Table - Date to be Determined

## 7. ITEMS SCHEDULED FOR THE REGULAR MEETING

- a. 2016 Town Council Meeting Schedule  
[Cover 2016 TC Meeting Schedule - Pdf](#)  
[2016 Town Council Meeting Schedule - DRAFT](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- b. 2016 Holiday Schedule  
[Cover 2015 Holiday Schedule - Pdf](#)  
[2016 Holiday Schedule - DRAFT](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- c. Budget Amendments  
[Cover Budget Amendments - Pdf](#)  
[Fund 300 Budget Amendment Vactor Truck](#)  
[Fund 310 Budget Amendment Unspent Revenue Bond Funds](#)  
[General Fund & Police Special Revenue Fund-Budget Amendment](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- d. Substation Project Resolution  
[Cover Substation Project - Pdf](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- e. Sewer Allocation Request  
[Cover Sewer Allocation Request - Pdf](#)  
[Sewer Allocation Request - East Village.](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- f. 2015 Christmas Parade  
[Cover 2015 Christmas Parade - Pdf](#)  
[Christmas Parade Report](#)

**POTENTIAL ACTION:** Place on October 5, 2015 Consent Agenda

- g. Novo Nordisk Southeast Property Rezoning - 15-37-01-RZ  
[Cover Novo Nordisk 15-37-01-RZ - Pdf](#)  
[StaffReport NovoNordisk](#)  
[Map - NovoNordisk](#)  
[Application - NovoNordisk](#)  
[HB 343](#)  
[NeighborhoodMeetingLetter](#)  
[Meeting Notes and Roster - NovoNordisk](#)  
[Planning Board Recommendation - NovoNordisk](#)  
[Advertising 15-37-01-RZ, 12-05-03-PDD, 10-18-01-RZ](#)

**POTENTIAL ACTION:** Set Public Hearing - October 5, 2015

- h. The Arbors at East Village Phase 2 Rezoning - 12-05-03-PDD  
[Cover - Arbors at East Village Phase 2 Rezoning - 12-05-03-PDD - Pdf](#)  
[Staff Report - Arbors](#)  
[Map Updated - Arbors](#)  
[Application - Arbors](#)  
[Neighborhood Meeting Letters & Minutes](#)  
[Planning Board Recommendation - Arbors](#)  
[Approval Letter - Arbors](#)

**POTENTIAL ACTION:** Set Public Hearing - October 5, 2015

- i. Fisher Street Two Family Home - 15-39-01-SUP
  - [Cover - Fisher Street SUP - Pdf](#)
  - [Staff Report - Fisher Street](#)
  - [Map Fisher Street](#)
  - [Application - Fisher Street](#)
  - [Submission Plans - Fisher Street](#)
  - [Neighborhood Meeting - Fisher Street](#)
  - [Planning Board Recommendation - Fisher Street](#)
  - [Advertising Fisher Street SUP](#)

**POTENTIAL ACTION:** Set Public Hearing - October 5, 2015

- j. Hocutt Baptist Church Rezoning - 10-18-01-RZ
  - [Cover - Hocutt Baptist Church Rezoning - Pdf](#)
  - [Staff Report - Hocutt Baptist](#)
  - [Map - Hocutt Baptist](#)
  - [Application - Hocutt Baptist](#)
  - [Neighborhood Meeting - Hocutt Baptist](#)
  - [Planning Board Recommendation - Hocutt Baptist](#)

**POTENTIAL ACTION:** Set Public Hearing - October 5, 2015

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

**9. ITEMS FOR DISCUSSION**

**10. OLD BUSINESS**

**11. STAFF REPORTS**

- a. Town Manager
- b. Town Attorney

- c. Town Clerk
- d. Other Staff

## **12. OTHER BUSINESS**

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

## **13. ADJOURNMENT**

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

**AGENDA LOCATION:**

Administrative Items

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Clayton Band Classic Day Proclamation

**DESCRIPTION:**

Request received to recognize October 17, 2015 as Clayton Band Classic Day. Proclamation will be presented at the October 5, 2015 Town Council Meeting.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Administration

**PRESENTER:**

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

# Proclamation

**WHEREAS**, the Clayton Band Classic was established in 1986 with the purpose of conducting competition among interested High School Marching Bands, to increase student interest, to bring out their musical talents, and to create pride in the local school band; and

**WHEREAS**, the Clayton Band Boosters will sponsor the 29<sup>th</sup> Annual Clayton Band Classic on October 17, 2015 at Clayton High School; and

**WHEREAS**, the Clayton Band Classic has won numerous awards to include; a Six Time National Regional Finalist at the Bands of America Event, 2005 NC State Champions at the United States Scholastic Band Association, Multiple Time Grand Champions at various local competitions, 2008 WGI (Winter Guard International) Color Guard Finalist, 2007 WGI Open Percussion Bronze Medalist, 2009 WGI Open Percussion Silver Medalist, 2013 WGI Open Percussion World Champion Gold Medalist as well as 6 Superior Ratings in Music Performance Assessment; and

**WHEREAS**, the Clayton Band Classic promises to provide citizens of the Clayton area community the opportunity to enjoy all the sights, sounds, and pageantry of watching the extraordinary talent of high school bands perform;

**NOW, THEREFORE, LET IT BE PROCLAIMED** by the Honorable Mayor and Town Council of the Town of Clayton that October 17, 2015, be recognized as:

CLAYTON BAND CLASSIC DAY

Duly adopted this 5<sup>th</sup> day of October, 2015.

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Jody L. McLeod  
Mayor

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

**AGENDA LOCATION:**

Administrative Items

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Domestic Violence Awareness Month Proclamation

**DESCRIPTION:**

Request received to proclaim October 2015 as Domestic Violence Awareness Month. Presentation of Proclamation will take place at the October 5, 2015 Town Council Meeting.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Administration

**PRESENTER:**

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

# *P*roclamation

**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender and income levels; and

**WHEREAS**, domestic violence is widespread and affects over one million Americans each year; and

**WHEREAS**, one in three Americans have witnessed an incident of domestic violence; and

**WHEREAS**, children that grow up in violent homes are believed to be abused and neglected at a higher rate than the national average; and

**WHEREAS**, only a coordinated community effort will put a stop to this heinous crime; and

**WHEREAS**, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about prevention of domestic violence and to show support for Harbor of Johnston County and other local organizations and individuals who provide critical advocacy, services and assistance to victims.

**NOW, THEREFORE, LET IT BE PROCLAIMED** by the Honorable Mayor and Town Council of the Town of Clayton that October, 2015 be recognized as:

*Domestic Violence Awareness Month*

Duly adopted this 5<sup>th</sup> day of October, 2015.

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Jody McLeod  
Mayor

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

**AGENDA LOCATION:**

Introductions & Special Presentations

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Community & Senior Services of Johnston County

**DESCRIPTION:**

Neal Davis will be present to discuss possible partnership opportunities with the Town of Clayton.

**POTENTIAL ACTION:**

None – Informational Only

**DEPARTMENT:**

Administration

**PRESENTER:**

Steven Biggs

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

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

**AGENDA LOCATION:**

Introductions & Special Presentations

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Report on Recent CALEA Evaluation

**DESCRIPTION:**

Chief Bridges will present information regarding the recently completed CALEA Evaluation.

**POTENTIAL ACTION:**

None – Informational Only

**DEPARTMENT:**

Police Department

**PRESENTER:**

Chief R.W. Bridges

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

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

**AGENDA LOCATION:**

Public Hearings

**Meeting Date:**

September 8, 2015

**ITEM TITLE:**

RZ 2014-21 - Rezoning - Gordon Tract

**DESCRIPTION:**

Applicant is requesting to rezone 61.29 acres located east of Glen Laurel Rd., from Residential Estate - R-E (Town) and Agricultural Residential -AR (County) to Residential-8 - R-8

**POTENTIAL ACTION:**

Other

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung, Planning Director

**ITEM HISTORY:**

**Date:**

August 17, 2015

**Action Taken:**

Presentation & Public Hearing Set for September 8, 2015

**Information Provided:**

Staff Report

**Date:**

**Action Taken:**

**Information Provided:**



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

Planning Board  
July 27, 2015

## STAFF REPORT

### Application Number: RZ2014-21 Project Name: Gordon Tract Rezoning

**Tag #:** 05i04012, 05i04012a, 05i04012b, 05i04012c, 05i04012d, 05i04012e, 05i04012f, 05i04012g, 05i04012h, 05i04012i, 05i04012r, 05e99007h, 05e99007s

**Town Limits/ETJ:** Currently ETJ, with three of the parcels located within Johnston County. To be annexed into the Town.

**Overlay:** Watershed Protection Overlay

**Applicant:** Dalton Engineering and Associates PA

**Owner:** CGC Properties LLC, and Powhatan Road Limited Partnership

**Location:** The property is located east of Glen Laurel Road, and stretches from Vinson Road to Powhatan Road. Powhatan Elementary School borders the parcel on the northeast.

**Public Noticing:**

- Neighborhood meeting July 2, 2015
- Sign posted July 20, 2015
- Letters mailed prior to August 27, 2015
- Newspaper ad posted prior to August 25, 2015

**REQUEST:** Rezoning from Residential-Estate (R-E) (Town) and Agricultural Residential (AR) (County) to Residential-8 (R-8).



**SITE DATA:**

**Acreage:** 61.29± acres

**Existing Use:** Agriculture and some residential that will be removed.

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**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-10 and Residential-Estate (R-E)	Rural residential
South	County Agricultural Residential (AR) and some County Light Industrial (I-1)	Agriculture and rural residential
East	County Agricultural Residential (AR) and Residential-10 (Town)	Agriculture, large-lot rural residential subdivision, and Powhatan Elementary School to the north-northeast
West	Residential-Estate (R-E)	Rural residential subdivision

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**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting to rezone 61.29 ± acre property located at the northeast corner of Powhatan Road and Glen Laurel Road from Residential-Estate to Residential-8. Historically, the property was used for residential (mobile home park) and agricultural uses with some accessory outdoor storage. Since a portion of the property is located outside of the Town’s Extraterritorial Planning Jurisdiction (ETJ), the property owner has entered into an annexation agreement with the Town. With the annexation agreement in place, Johnston County has authorized the Town to process the development application for the entire property.

**Compatibility with Surrounding Land Uses**

The uses surrounding the subject property are primarily agricultural or rural residential which is compatible with the R-8 zoning district. The site is in the Watershed Protection Overlay, which limits the density to 2 dwelling units per acre. The two adjacent developments, Powhatan Glen and Stallings Station are developed closer to one dwelling unit per acre.

**Access/Streets:**

The subject property will ultimately be developed as a single-family subdivision with internal public streets. The property also adequate frontage to facilitate connections to Gordon Rd and Glen Laurel Road, providing ingress/egress to the development. Additional connections to stub out streets will be required during subdivision approval.

**Consistency with the Strategic Growth Plan**

The 2008 Strategic Growth Plan designates this area as a “Residential-Light”. This rezoning is consistent with the intent of the Future Land Use for these and surrounding lands.

**Consistency with Overlays**

The entire property is located in the Watershed Protection Overlay District and subject to the development limitations of that classification. The primary restriction limits residential development to two dwelling units per acre or a maximum impervious surface area of 36 percent.

**CONSIDERATIONS:**

- Rezoning are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.

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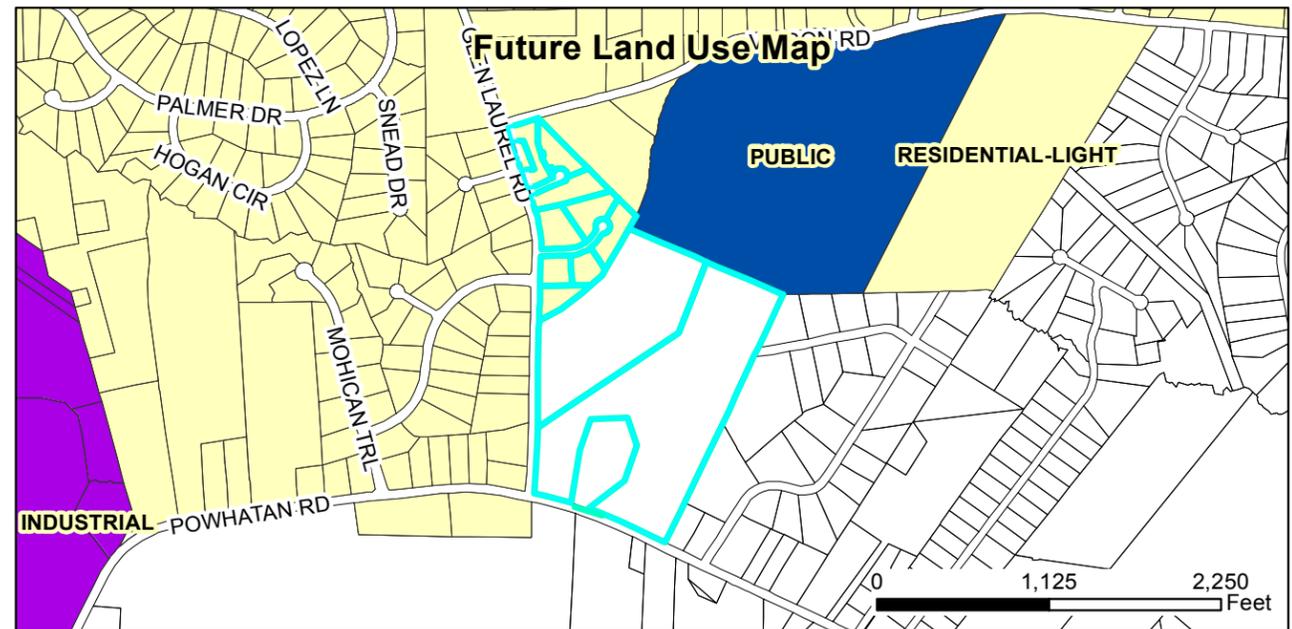
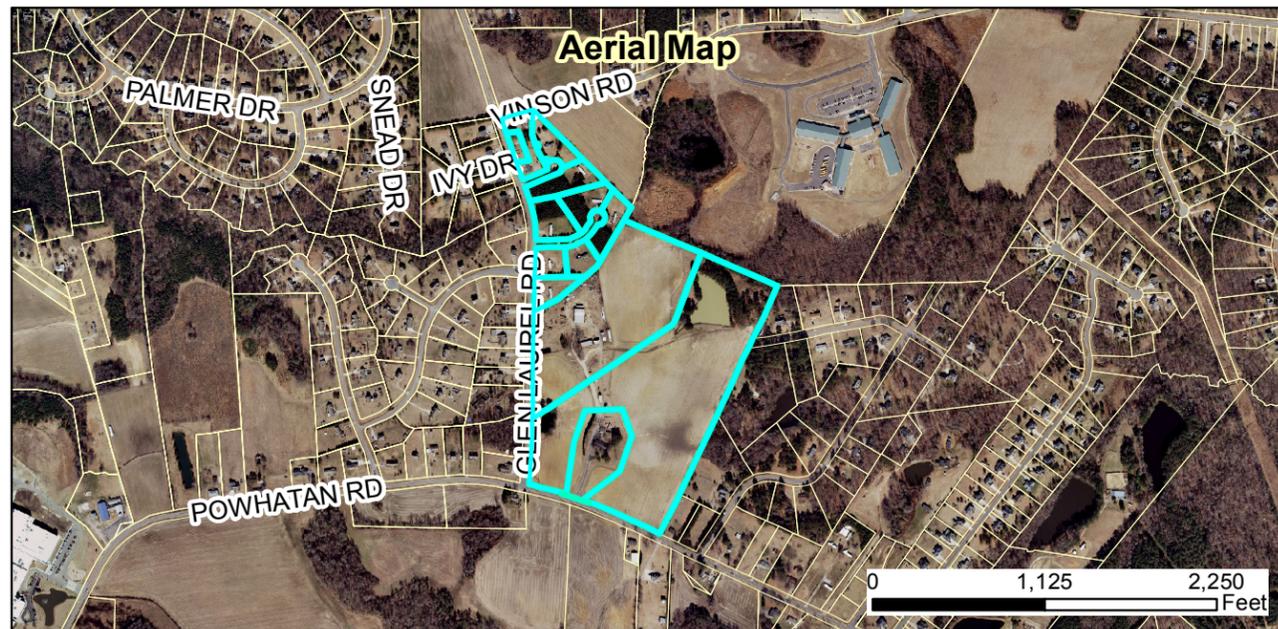
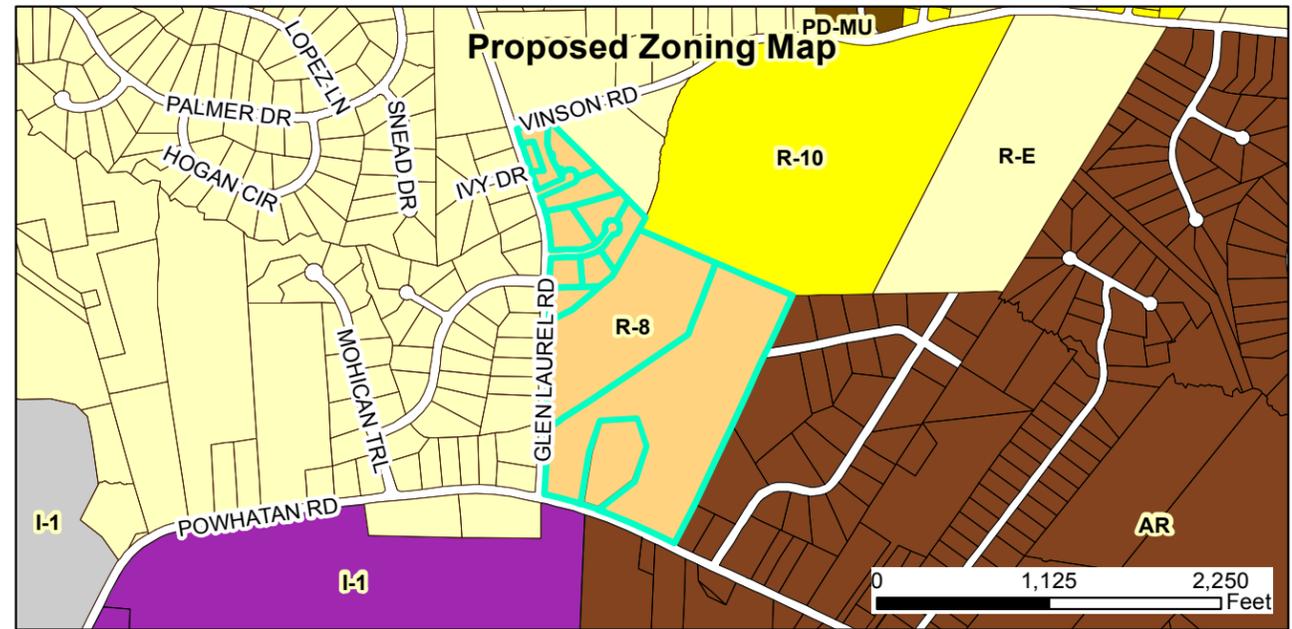
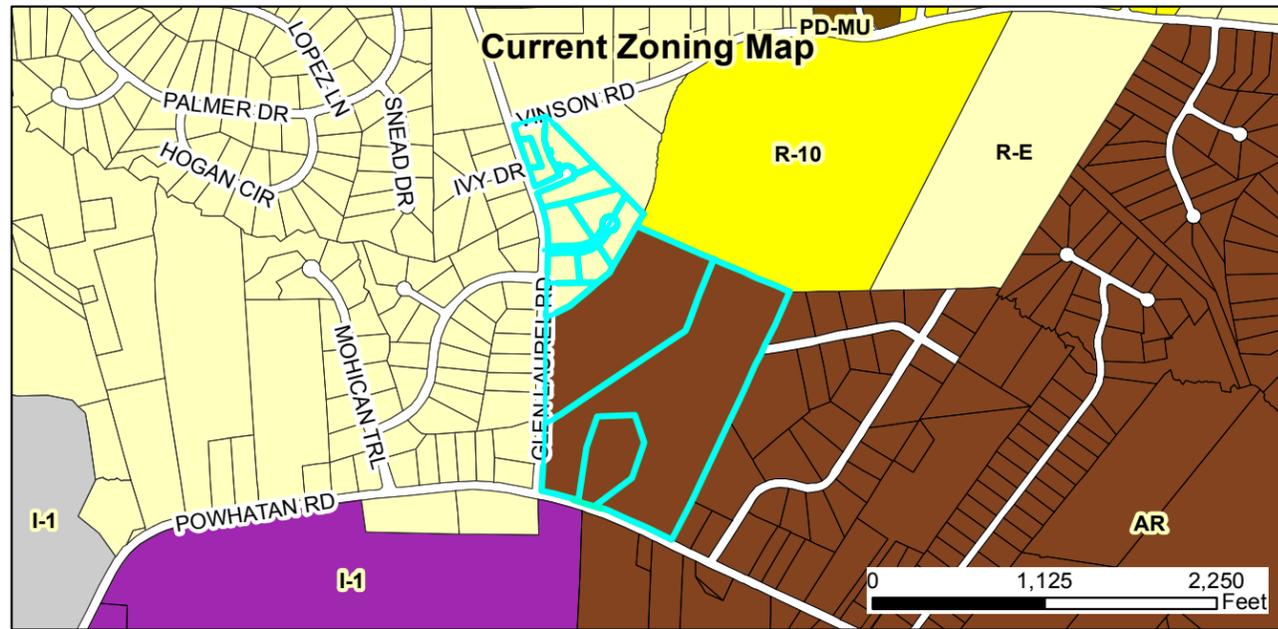
**STAFF RECOMMENDATION:**

Staff is recommending approval of the rezoning of the subject parcel.

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**ATTACHMENTS:**

- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials



**RZ2014-21 Gordon Tract Rezoning**  
**Request: Rezoning from R-E (Town) and AR (County) to R-8 (Town)**  
**PSD2014-95 Gordon Tract Subdivision**  
**Request: 177 single family detached residential units**  
 Applicant: Dalton Engineering and Associates, PA  
 Property Owner: CGC Properties LLC and Powhatan Road Limited Partnership  
 Tag #: 05i04012, 05i04012a, 05i04012b, 05i04012c, 05i04012d, 05i04012e,  
 05i04012f, 05i04012g, 05i04012h, 05i04012i, 05i04012r, 05e99007h, 05e99007s



- Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

07/17/2015

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

Document Path: O:\PLANNING\REZONING\Rezoning\2014\RZ 2014-21 Gordon Tract Rezoning\Maps\Maps Gordon Tract RZ2014-21 .mxd





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: Gordon Tract      Acreage of Property: 31.74 acres ( approx. )  
 Parcel ID Number: See list, attached.      Tax ID: See list, attached.  
 Deed Book: See list, attached.      Deed Page(s): See list, attached.  
 Address: Glen Laurel Road  
 Location: On the East side of Glen Laurel Road, between the Vinson Road / Glen Laurel Road intersection and the Powhatan Road / Glen Laurel Road intersection.  
 Existing Use: Residential and Agriculture      Proposed Use: Residential Subdivision  
 Existing Zoning District: R-E ( Town of Clayton ) and AR ( Johnston County )  
 Requested Zoning District: R-10 Open Space Subdivision  
 Is project within a Planned Development:       Yes       No  
 Planned Development District (if applicable): n/a  
 Is project within an Overlay District:       Yes       No  
 Overlay District (if applicable): n/a

### FOR OFFICE USE ONLY

File Number: 2014-21      Date Received: 3/5/14      Amount Paid: 500<sup>00</sup>

**OWNER INFORMATION:**

**Name:** See list, attached.  
**Mailing Address:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_ **Fax:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**APPLICANT INFORMATION:**

**Applicant:** Dalton Engineering & Associates, P.A.  
**Mailing Address:** Post Office Box 426 Clayton, NC 27528  
**Phone Number:** (919) 550-4740 **Fax:** (919) 550-4741  
**Contact Person:** Jonathan Barnes  
**Email Address:** jbarnes@daltonengineering.com

**REQUIRED PLANS AND SUPPLEMENTAL INFORMATION**

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

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

**JUSTIFICATION STATEMENT**

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

The Owners of subject properties are requesting the rezoning of approximately 31.74 acres, adjacent to Glen Laurel Road. Approximately 12.68 acres is located within the Town of Clayton E.T.J., and approximately 18.96 acres is located within Johnston County zoning jurisdiction. A 'Petition Requesting Annexation' for the 31.74 acres has been submitted to the Town, and the acreage is pending annexation.

**APPROVAL CRITERIA**

*All applications for a Rezoning must address the following findings:*

- 1. Consistency with the adopted plans of the Town.

The subject property is proposed to be zoned R-10 Open Space Subdivision and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.

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

The subject property is proposed to be zoned R-10 Open Space Subdivision and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.

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

The subject property is proposed to be zoned R-10 Open Space Subdivision and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.

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

The capacity of public facilities in the area is adequate to support the proposed use of the anticipated development.

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

The subject property is proposed to be zoned R-10 Open Space Subdivision and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

The subject property is proposed to be zoned R-10 Open Space Subdivision and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.  
No adverse effects upon adjoining properties are expected.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

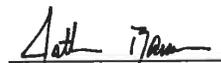
The development of this property would be beneficial to the Town of Clayton as well as surrounding businesses.

### 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.*

DALTON ENGINEERING  
AND ASSOCIATES, P.A.

CONTACT : JONATHAN BARNES  
Print Name

  
Signature of Applicant

3/4/14  
Date

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);

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.

## ADJACENT PROPERTY OWNERS LIST

Project Name: GORDON TRACT

*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
167804-84-7129	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605
167804-93-0658	Eugene and Betty Sue Woodall	484 Packing Plant Road Smithfield, NC 27577
168803-03-5526	County of Johnston	P.O. Box 1049 Smithfield, NC 27577
168803-02-2456	Samuel and Kimberly Bowles	513 Green Path Clayton, NC 27527
168803-01-1958	Rickie Avate	508 Green Path Clayton, NC 27527
167804-82-4105	Ralph and Patsy Hester	109 Glen Laurel Rd. Clayton, NC 27527
167804-82-4229	Trevor and Kathryn Beyma	135 Glen Laurel Rd. Clayton, NC 27527
167804-82-4443	Gary and Jennifer Fuller	148 Ridgemont Dr. Columbia, SC 29212-8690
167804-82-4650	Robert and Sharon Parrish	189 Glen Laurel Rd. Clayton, NC 27527
167804-82-4877	Rita and Nathan Byars	245 Glen Laurel Rd. Clayton, NC 27527
167804-83-4043	Kenneth and Donna Watson	315 Glen Laurel Rd. Clayton, NC 27527
167804-83-3290	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-3343	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-2439	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167804-83-2635	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167800-85-1849	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605



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

## OWNER'S CONSENT FORM

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

**Project Name:** Gordon Tract **Submittal Date:** 3/4/14

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

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

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

Charles B. Gordon, Jr.  
(Name - type, print clearly)

*Charles B. Gordon, Jr.*  
(Signature)  
Clayton, North Carolina 27528

Post Office Box 327  
(Address)

(City, State, Zip)

**AGENT INFORMATION:**

Dalton Engineering and Associates, P.A.  
(Name - type, print clearly)

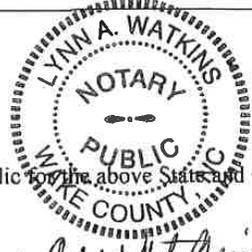
*John Jam*  
(Signature)  
Clayton, North Carolina 27528

Post Office Box 426  
(Address)

(City, State, Zip)

STATE OF North Carolina  
COUNTY OF Johnston

Sworn and subscribed before me March 4, 2014, a Notary Public for the above State and County, this the 4 day of March, 2014.



SEAL

*Lynn A. Watkins*  
Notary Public Lynn A. Watkins

My Commission Expires: 12-7-2016

Parcel Information :

<u>Parcel I.D.</u>	<u>Tax I.D.</u>	<u>D.B.</u>	<u>PG.</u>	
1. 167804-83-5516	05I04012	03119	0725	
2. 167804-83-5732	05I04012A	03119	0725	
3. 167804-83-7557	05I04012B	03119	0725	
4. 167804-83-7391	05I04012C	03119	0725	
5. 167804-83-7047	05I04012D	03119	0725	
6. 167804-83-9137	05I04012E	03119	0725	
7. 167804-93-1057	05I04012F	03119	0725	
8. 167804-82-9830	05I04012G	03119	0725	
9. 167804-82-7738	05I04012H	03119	0725	
10. 167804-82-7631	05I04012I	03119	0725	
11. 167804-92-1555	05I04199R	03544	0488	( Note : portion of tract. )
12. 167804-91-5923	05E99007H	03544	0488	( Note : portion of tract. )

Owner Information :

1. CGC Properties, L.L.C.  
113 State Avenue  
Suite 101  
Clayton, North Carolina 27520
  
2. Powhatan Road Limited Partnership  
Post Office Box 327  
Clayton, North Carolina 27528  
( 919 ) 553 – 7904 ( office )  
( 919 ) 553 – 3706 ( fax )

## LETTER OF TRANSMITTAL

**TO:** Town of Clayton      **ATTENTION:** EMILY BEDDINGFIELD  
**DATE:** 3/5/14      **REFERENCE:** GORDON TRACT

We are sending You:

- |                                |  |
|--------------------------------|--|
| <u>        </u> PLANS          | <input checked="" type="checkbox"/> CHECK        |
| <u>        </u> SPECIFICATIONS | <u>        </u> COPY OF LETTER                   |
| <u>        </u> REVISED PLANS  | <input checked="" type="checkbox"/> APPLICATIONS |
| <u>        </u> PERMITS        | <u>        </u> OTHER                            |

Copies	Date	Dwg. #	Description
9			REZONING APPLICATION
9			OWNER'S CONSENT FORM
1			APPLICATION FEE - CHECK # 3209 : \$ 250.00
			CHECK # 1513 : \$ 250.00

These are transmitted as checked below:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> For Approval | <u>        </u> Revisions As Requested  |
| <u>        </u> As Requested                     | <u>        </u> Return Corrected Copies |
| <u>        </u> Review & Comment                 | <u>        </u> Make Corrections Needed |
| <u>        </u> For Your Use                     | <u>        </u> Other                   |

COMMENTS

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THANK YOU

Jonathan Barnes



## ADJACENT PROPERTY OWNERS LIST

Project Name: GORDON TRACT

*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. 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. Please use a separate sheet if necessary*

*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
167804-84-7129	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605
167804-93-0658	Eugene and Betty Sue Woodall	484 Packing Plant Road Smithfield, NC 27577
168803-03-5526	County of Johnston	P.O. Box 1049 Smithfield, NC 27577
168803-02-2456	Samuel and Kimberly Bowles	513 Green Path Clayton, NC 27527
168803-01-1958	Rickie Avate	508 Green Path Clayton, NC 27527
167804-82-4105	Ralph and Patsy Hester	109 Glen Laurel Rd. Clayton, NC 27527
167804-82-4229	Trevor and Kathryn Beyma	135 Glen Laurel Rd. Clayton, NC 27527
167804-82-4443	Gary and Jennifer Fuller	148 Ridgemont Dr. Columbia, SC 29212-8690
167804-82-4650	Robert and Sharon Parrish	189 Glen Laurel Rd. Clayton, NC 27527
167804-82-4877	Rita and Nathan Byars	245 Glen Laurel Rd. Clayton, NC 27527
167804-83-4043	Kenneth and Donna Watson	315 Glen Laurel Rd. Clayton, NC 27527
167804-83-3290	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-3343	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-2439	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167804-83-2635	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167800-85-1849	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605

# Dalton Engineering

and Associates, P.A.



March 10, 2014

167804-84-7129  
167800-85-1849  
TGS Properties, LLC.  
514 Daniels Street  
Suite 414  
Raleigh, NC 27605

Dear Clayton Area Property Owner:

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

Meeting Date: Wednesday, March 26, 2014

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

Time: 6:00 pm.

Type of Application: Rezoning

General Description: Rezoning land for residential subdivision.

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

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Barnes". The signature is written in a cursive style.

Jonathan Barnes  
Dalton Engineering and Associates, P.A.  
(919) 550-4740

cc. Clayton Planning Dept

**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**RZ 2014-21 Gordon Tract Rezoning**

On July 27, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

approve the request;

deny the request.

Recommendation(s) made this 27 day of July 2015 while in regular session.

Signed:

  
Frank Price, Planning Board Chair

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

RZ2014-21, Gordon Tract Rezoning

The Town Council of the Town of Clayton hereby states:

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

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

- Objective 2.5 – More Housing Opportunities: Beyond Starter Homes

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

\_\_\_\_\_ ,

the above referenced zoning amendment is reasonable and in the public interest.

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

**AGENDA LOCATION:**

Public Hearings

**Meeting Date:**

September 8, 2015

**ITEM TITLE:**

Gordon Tract Subdivision - PSD 2014-95

**DESCRIPTION:**

Request for approval of major preliminary subdivision for a property located to the east of Glen Laurel Rd., between Vinson and Powhatan Roads.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung, Planning Director

**ITEM HISTORY:**

**Date:**

August 17, 2015

**Action Taken:**

Presentation & Set Public Hearing for September 8, 2015

**Information Provided:**

Staff Report / Planning Board Recommendation

**Date:**

**Action Taken:**

**Information Provided:**



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

July 27, 2015

## STAFF REPORT

### Application Number: PSD 2014-95 Project Name: Gordon Tract Subdivision

**Tag #:** 05i04012, 05i04012a, 05i04012b, 05i04012c, 05i04012d, 05i04012e, 05i04012f, 05i04012g, 05i04012h, 05i04012i, 05i04012r, 05e99007h, 05e99007s

**Town Limits/ETJ:** Currently ETJ, with three of the parcels located within Johnston County. To be annexed into the Town.

**Overlay:** Watershed Protection Overlay

**Applicant:** Dalton Engineering and Associates PA

**Owner:** CGC Properties LLC, and Powhatan Road Limited Partnership

**Location:** The property is located east of Glen Laurel Road, and stretches from Vinson Road to Powhatan Road. Powhatan Elementary School borders the parcel on the northeast.

**Public Noticing:**

- Neighborhood meeting July 2, 2015
- Sign posted July 20, 2015
- Letters mailed prior to August 27, 2015
- Newspaper ad posted prior to August 25, 2015

**REQUEST:** Preliminary Plat (Subdivision) to allow development of a R-8 residential subdivision with 164 detached, single family residential units.



Page 1 of 5

**SITE DATA:**

**Acreeage:** 61.29± acres  
**Existing Use:** Agriculture and some residential that will be removed prior to development.

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**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-10 and Residential-Estate (R-E)	Rural residential
South	County Agricultural Residential (AR) and some County Light Industrial (I-1)	Agriculture and rural residential
East	County Agricultural Residential (AR) and Residential-10 (Town)	Agriculture, large-lot rural residential subdivision, and Powhatan Elementary School to the north-northeast
West	Residential-Estate (R-E)	Rural residential subdivision

---

**DEVELOPMENT DATA:**

Proposed Uses: Single family detached residential units  
Buildings: 177 dwelling units  
Number of Stories: Maximum height of 35 feet  
Density/Impervious: Maximum 36% impervious surface or 2 dwelling units per acre (because of Watershed Protection Overlay). Applicant has chosen 36% impervious for entire site, which equates to 31.75% (3,329 SF) impervious per lot  
Proposed Density: 2.88 units/acre  
Required Parking: 2 spaces per unit  
Proposed Parking: 2 spaces per unit  
Minimum lot area: 8,000 SF  
Fire Protection: Town of Clayton  
Access/Streets: Primary access to Glen Laurel Road (1) and Powhatan Road (1)  
Water/Sewer Provider: Town of Clayton  
Electric Provider: TBD

---

**STAFF ANALYSIS:**

**Overview**

The applicant is requesting preliminary subdivision plat approval for 177 dwelling units in three phases. Approval of this preliminary subdivision plat is subject to approval of Rezoning RZ2014-21. A portion of the property is located outside of the Town's Extraterritorial Planning Jurisdiction (ETJ), so the property owner has entered into

an annexation agreement with the Town. With the annexation agreement in place, Johnston County has authorized the Town to process the development application for the entire property. Under the annexation agreement, the Town will be providing water and sewer services, police and fire protection, and assuming responsibility for the public roads, once accepted by Town Council.

**Consistency with Adopted Plans:**

- **Comprehensive Plan**  
The request is consistent with the Strategic Growth Plan.
- **Unified Development Code**  
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC). Individual lot development specifications including building placement, driveway placement, etc. will be required to meet all Town standards and be consistent with the provisions of the approved subdivision plan and R-8 development standards.

**Compatibility with Surrounding Land Uses**

The uses surrounding the subject property are primarily agricultural or rural residential which is compatible with the R-8 zoning district. The site is in the Watershed Protection Overlay, which limits the density to 2 dwelling units per acre. The two adjacent developments, Powhatan Glen and Stallings Station are developed closer to one dwelling unit per acre.

**Landscaping and Buffering**

A 20 foot Class B perimeter buffer is provided along the boundary of the property.

**Recreation and Open Space**

A fee-in-lieu for recreation and open space is being accepted for the subdivision.

**Environmental**

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

**Access/Streets**

The subject property will ultimately be developed as a single-family subdivision with internal public streets. The property also adequate frontage to facilitate connections to Gordon Rd and Glen Laurel Road, providing ingress/egress to the development. Additional connections/stub out streets are required and shown on the subdivision plan.

**Multi-Modal Access**

Sidewalks are provided along both sides of the street and will extend fully around the cul-de-sac. A 20 foot access point is provided access from the cul-de-sac sidewalk to the intersection of Powhatan Road and Glen Laurel Road.

**Garbage / Recycling**

Roll-out carts.

**Architecture/Design**

None.

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

None.

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**CONSIDERATIONS:**

- The applicant is requesting Preliminary Subdivision Plat approval.
  - This approval is subject to approval of RZ2014-21.
- 

**FINDINGS:**

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

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**CONDITIONS:**

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

1. Following Council approvals, three copies of the approved Master Plan/Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to Planning Department.
2. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
3. All utility acreage and nutrient offset fees, and recreation and open space fees are due prior to plat recordation. Capacity fees shall be due prior to the issuance of each building permit.
4. Approved street names and addresses shall be applied to the plat prior to recording.
5. The street connections to Glen Laurel Road(SR 1902) and Powhatan Road (SR 1901) shall be approved by NCDOT prior to recording final plats.
6. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
7. Homeowners Association (HOA) documents/covenants which provide for provide for the perpetual maintenance and management of all common facilities within the subdivision must be recorded prior to any plat recordation.

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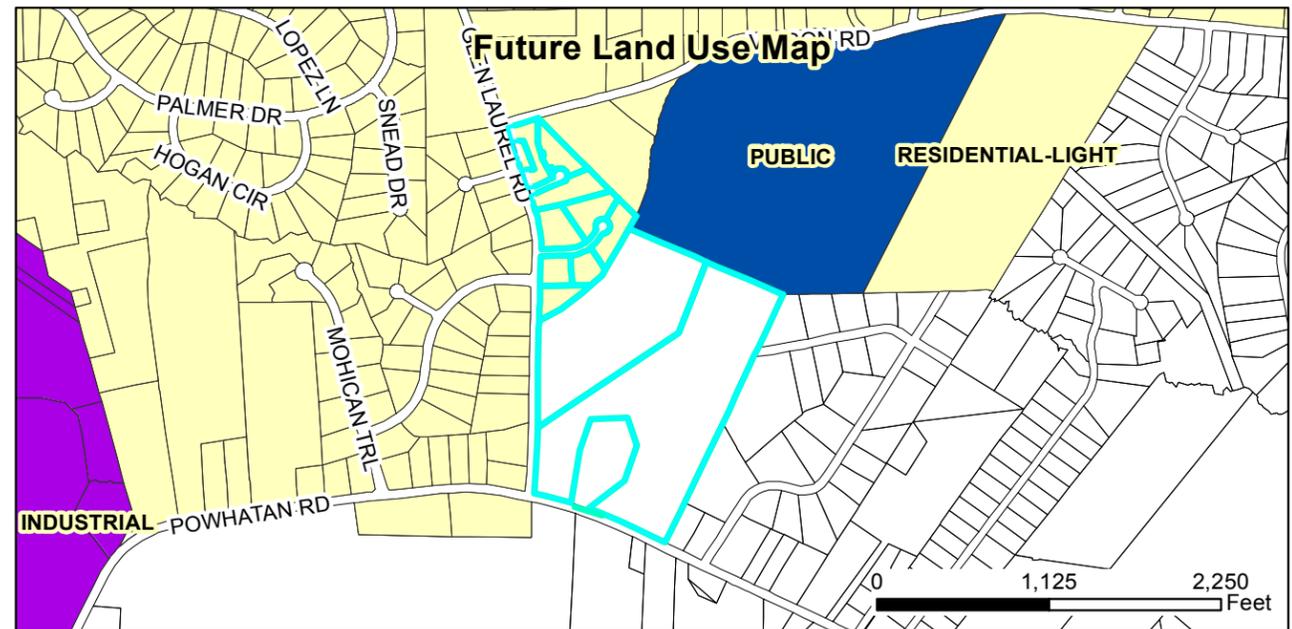
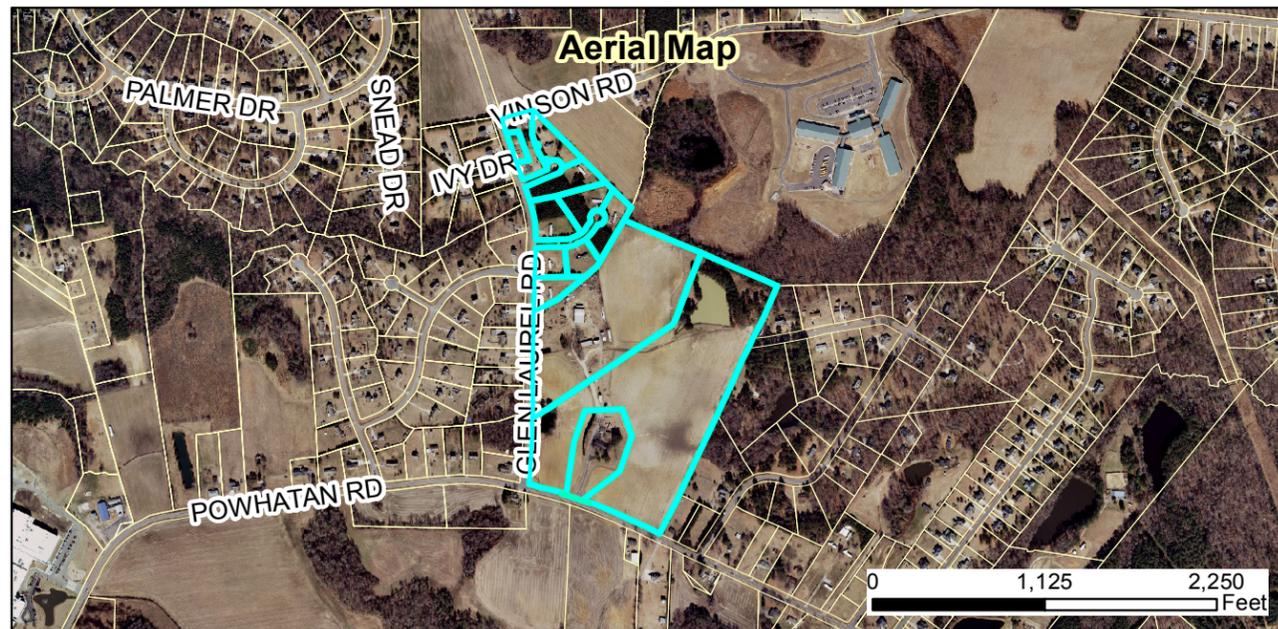
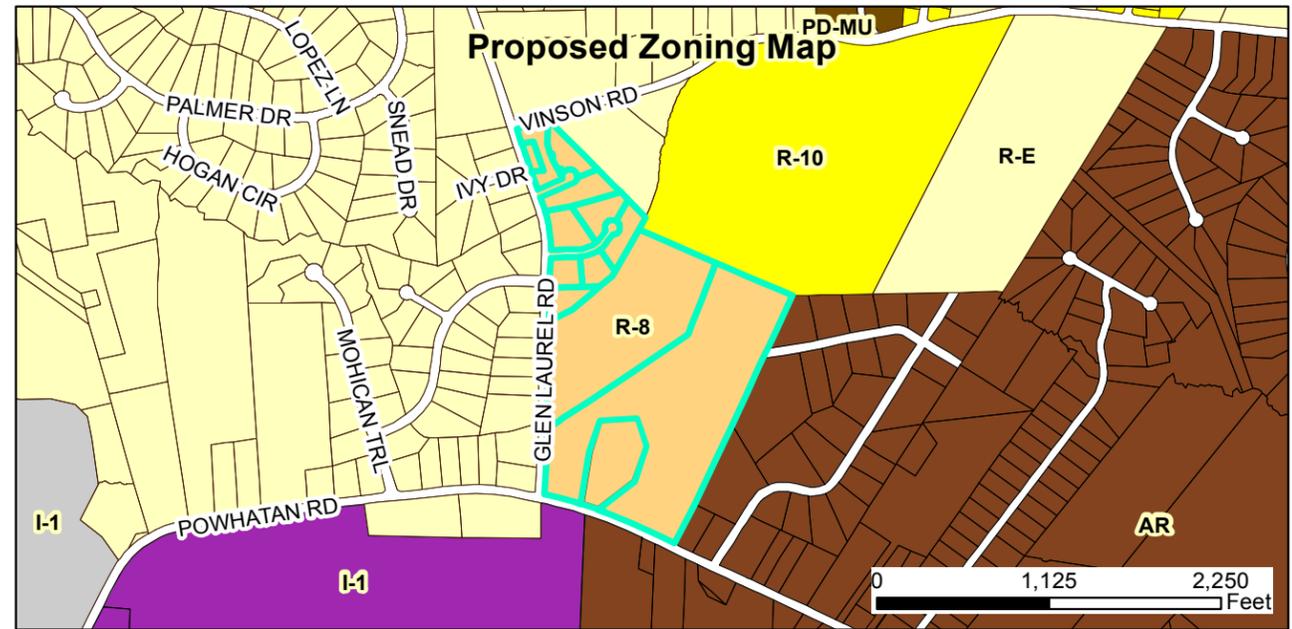
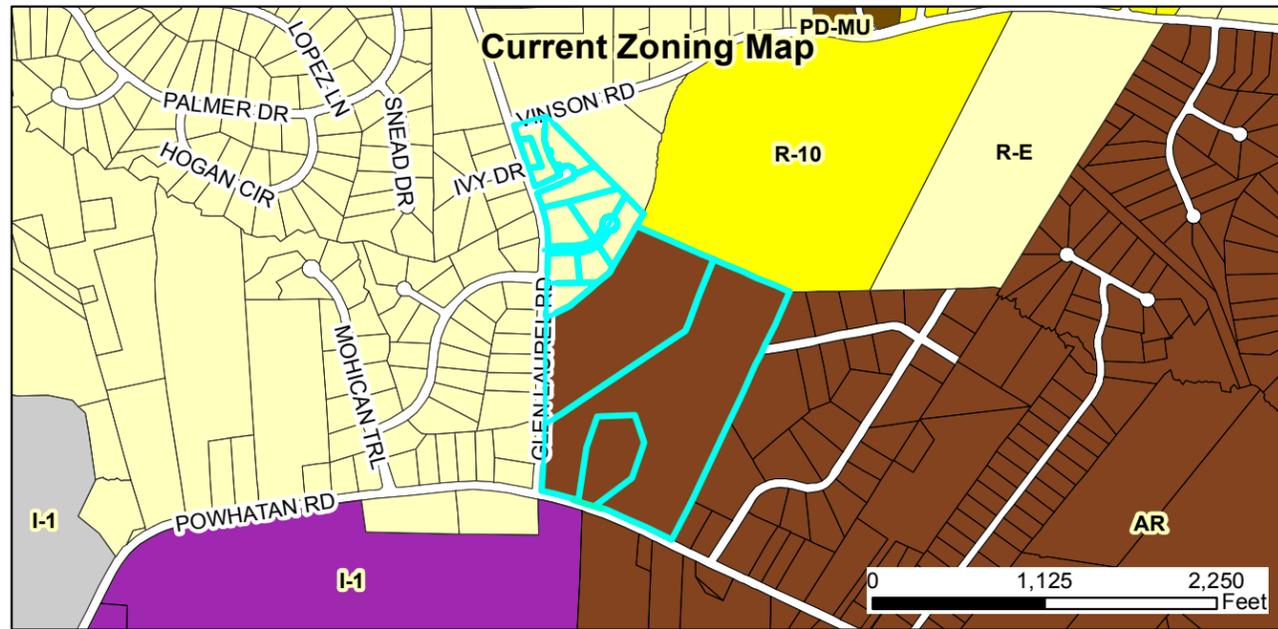
**STAFF RECOMMENDATION:**

Staff is recommending approval of the rezoning of the subject parcel.

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**ATTACHMENTS:**

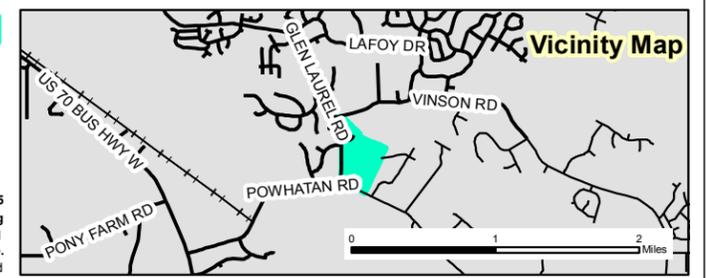
- 1) Staff Report Maps
- 2) Site Plan
- 3) Application
- 4) Neighborhood Meeting Materials



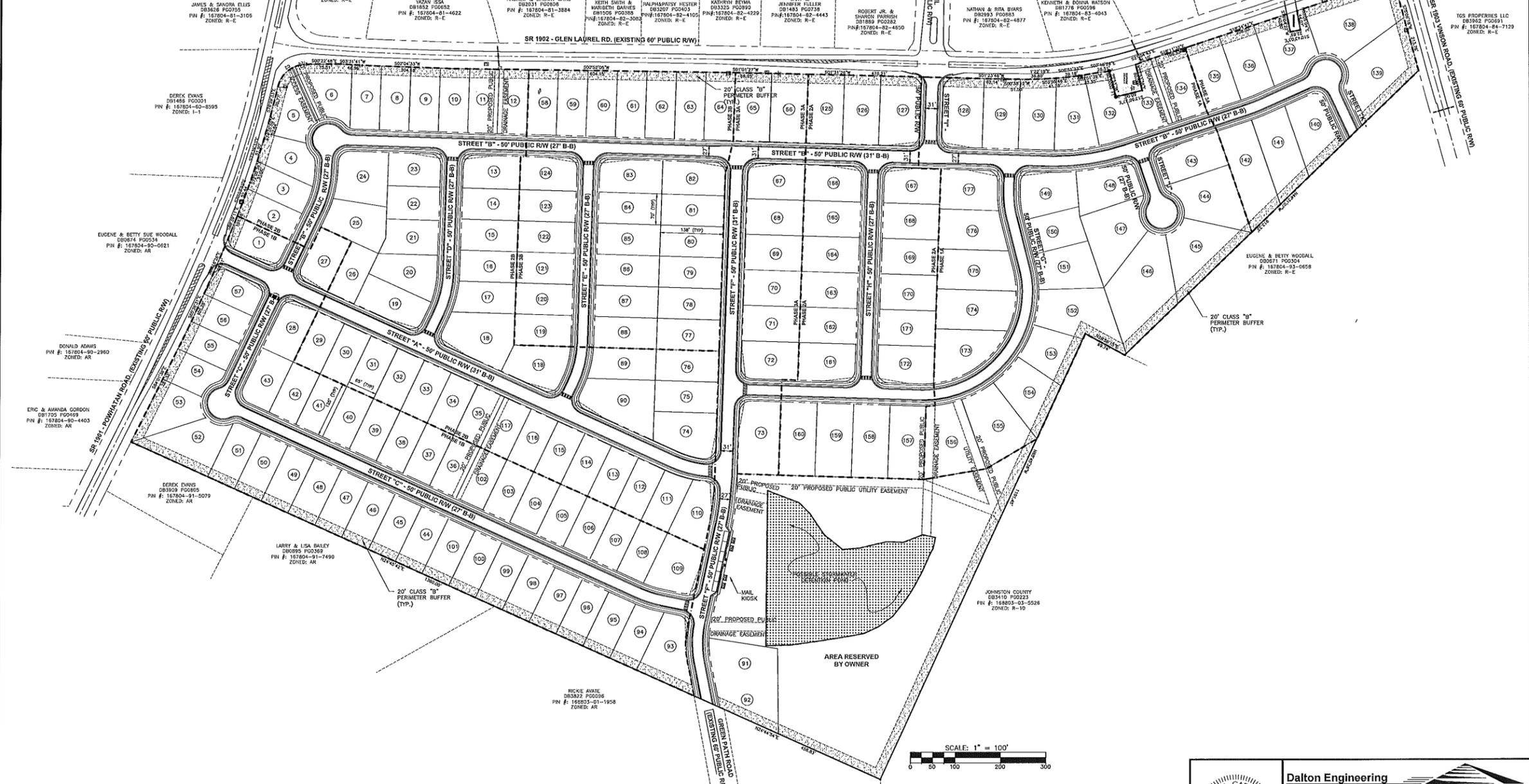
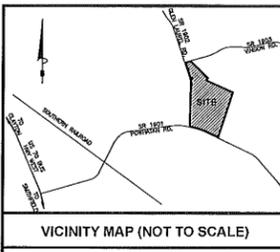
**RZ2014-21 Gordon Tract Rezoning**  
**Request: Rezoning from R-E (Town) and AR (County) to R-8 (Town)**  
**PSD2014-95 Gordon Tract Subdivision**  
**Request: 177 single family detached residential units**  
 Applicant: Dalton Engineering and Associates, PA  
 Property Owner: CGC Properties LLC and Powhatan Road Limited Partnership  
 Tag #: 05i04012, 05i04012a, 05i04012b, 05i04012c, 05i04012d, 05i04012e,  
 05i04012f, 05i04012g, 05i04012h, 05i04012i, 05i04012r, 05e99007h, 05e99007s



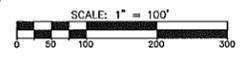
Site   
 Special Use District   
 Thorough Fare Overlay   
 Scenic Highway Overlay   
 Produced by: TOC Planning  
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



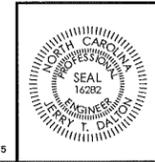
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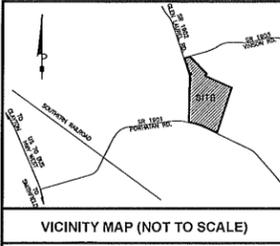
**NOTES:**  
 THE 10'x70' SIGHT TRIANGLES SHALL TAKE PRECEDENCE OVER ANY SIGN EASEMENTS.  
 THE FINAL PLAT WILL ENSURE THAT ALL DRAINAGE EASEMENTS INTERSECT THE PUBLIC RIGHT-OF-WAY ALONG A LOT LINE. DRAINAGE EASEMENTS WITHIN THE INTERIOR OF THE PROJECT MAY OR MAY NOT COMPLETELY CENTER ALONG A LOT LINE.



**PRELIMINARY SUBDIVISION PLAN**  
 FOR  
**GORDON FARM**  
 TOWN OF CLAYTON - JOHNSTON COUNTY, NC  
 REVISION 001: ADDRESSED TOWN OF CLAYTON COMMENTS - 6/22/15



**Dalton Engineering and Associates, P. A.**  
 448 East Main Street  
 P.O. Box 426  
 Clayton, NC 27520  
 (919) 550-4740  
 Fax (919) 550-4741  
 Job: 13014 Date: 11/6/14 Revision: 001  
 File: PRELIMINARY Drawn: WJB Sheet: 1 OF 4

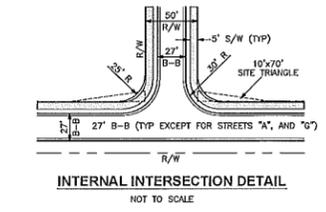
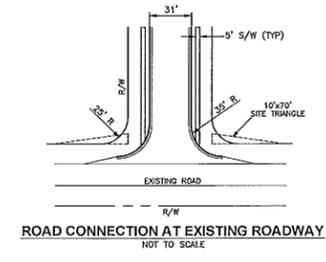
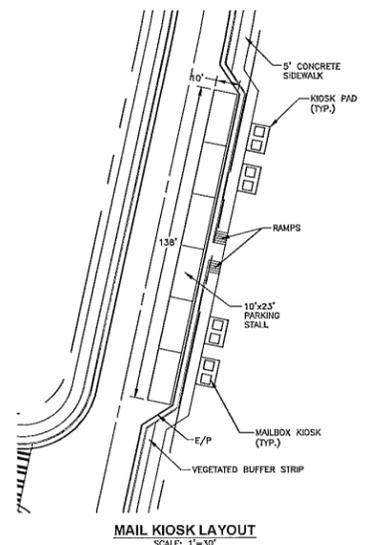


- NOTES:
- CONSTRUCTION DRAWINGS ARE TO BE SUBMITTED TO THE TOWN OF CLAYTON PUBLIC WORKS ENGINEERING DIVISION FOR REVIEW AND APPROVAL.
  - N.C.D.O.T. DRIVEWAY PERMIT APPROVAL IS REQUIRED FOR ROADWAY CONNECTION TO POWHATAN ROAD AND GLEN LAUREL ROAD.
  - ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNITED DEVELOPMENT CODE.
  - STREET YARD TREES ARE REQUIRED ALONG ALL INTERNAL RIGHTS OF WAY AT A RATE OF ONE CANOPY TREE PER LOT, OR ONE FOR EVERY 40 LINEAR FEET (SPACED A MAXIMUM OF 50 FEET APART) IN ACCORDANCE WITH UDC SECTION 155.402 (F).
  - AS PER JOHNSTON COUNTY GIS, A 100-YEAR FLOODPLAIN DOES NOT EXIST ON THIS PROPERTY.
  - NCDD WILL REVIEW AND APPROVE ASSOCIATED IMPROVEMENTS/ALTERATIONS TO GLEN LAUREL ROAD AND POWHATAN ROAD.
  - INFRASTRUCTURE RELATED CONSTRUCTION DRAWINGS WILL BE REVIEWED BY PUBLIC WORKS - ENGINEERING DIVISION.
  - STRUCTURE RELATED DRAWINGS WILL BE PERMITTED, REVIEWED, AND INSPECTED IN ACCORDANCE WITH NORTH CAROLINA BUILDING CODE BY THE TOWN OF CLAYTON BUILDING INSPECTORS.
  - GRADE UTILITY EASEMENTS TO TOWN OF CLAYTON STANDARDS.
  - CONSTRUCTION/UTILITY PLANS TO BE REVIEWED AND APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.

LOT SUMMARY	
LOT #	PARCEL AREA
1	8503 SF
2	8440 SF
3	8779 SF
4	9365 SF
5	10875 SF
6	13343 SF
7	9405 SF
8	9385 SF
9	9364 SF
10	9366 SF
11	9413 SF
12	9481 SF
13	9240 SF
14	8750 SF
15	8750 SF
16	8753 SF
17	9157 SF
18	15617 SF
19	11323 SF
20	11073 SF
21	9357 SF
22	8865 SF
23	8550 SF
24	12910 SF
25	11717 SF
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54	8096 SF
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57	8078 SF
58	9550 SF
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63	9893 SF
64	9960 SF
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68	10000 SF
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71	10000 SF
72	10491 SF
73	14718 SF
74	12407 SF
75	9684 SF
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81	9684 SF
82	10242 SF
83	10242 SF
84	9684 SF
85	9684 SF
86	9684 SF
87	9684 SF
88	9683 SF
89	9986 SF

LOT SUMMARY	
LOT #	PARCEL AREA
90	16208 SF
91	12385 SF
92	11893 SF
93	13526 SF
94	8959 SF
95	8737 SF
96	8757 SF
97	8776 SF
98	8796 SF
99	8816 SF
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121	8759 SF
122	8750 SF
123	8750 SF
124	9241 SF
125	12416 SF
126	12446 SF
127	13792 SF
128	13850 SF
129	12594 SF
130	12787 SF
131	13209 SF
132	11787 SF
133	9538 SF
134	12183 SF
135	12057 SF
136	11963 SF
137	14402 SF
138	24051 SF
139	21849 SF
140	13948 SF
141	14697 SF
142	17776 SF
143	11784 SF
144	16119 SF
145	17934 SF
146	26232 SF
147	16402 SF
148	12311 SF
149	11650 SF
150	9882 SF
151	12572 SF
152	18361 SF
153	10828 SF
154	13477 SF
155	16671 SF
156	17709 SF
157	13205 SF
158	13200 SF
159	13200 SF
160	13200 SF
161	10491 SF
162	10000 SF
163	10000 SF
164	10000 SF
165	10000 SF
166	9886 SF
167	9873 SF
168	10000 SF
169	10000 SF
170	10000 SF
171	10000 SF
172	10468 SF
173	13573 SF
174	15441 SF
175	15089 SF
176	12872 SF
177	11385 SF

NOTE: A MINIMUM LOT AREA OF 8,000 SF IS REQUIRED.



IMPERVIOUS SURFACE AREA SUMMARY

- TOTAL AREA CONTAINED WITHIN TRACT = 61.29 AC. OR 2,670,029.39 S.F.
- MAXIMUM ALLOWABLE IMPERVIOUS SURFACE AREA = 961,210 S.F. x 36%
- AREA CONTAINED WITHIN BUILDING LOTS = 1,855,239.89 S.F.
- ALLOWABLE IMPERVIOUS SURFACE AREA WITHIN LOTS = 589,328 S.F. x 31.76%
- IMPERVIOUS SURFACE CONTAINED WITHIN ASPHALT AND C & G = 281,825 S.F.
- IMPERVIOUS SURFACE CONTAINED WITHIN CONCRETE SIDEWALK = 99,057 S.F.
- TOTAL PROPOSED IMPERVIOUS SURFACE AREAS = 589,328 S.F. + 281,825 S.F. + 99,057 S.F. = 961,210 S.F.

B. 961,210 S.F. = 961,210 S.F. (OKAY) MAXIMUM PROJECT IMPERVIOUS = 36.00%  
(MAXIMUM IMPERVIOUS PER LOT = 589,328 S.F. / 177 LOTS = 3,329 S.F./LOT)

SUMMARY INFORMATION

DEVELOPMENT NAME: GORDON FARM  
PARCEL IDENTIFICATION:

PARCEL ID	TAX ID	D.B.	P.G.
1. 167804-83-5516	0504012A	03119	0725
2. 167804-83-5732	0504012A	03119	0725
3. 167804-83-7557	0504012B	03119	0725
4. 167804-83-7391	0504012C	03119	0725
5. 167804-83-7047	0504012D	03119	0725
6. 167804-83-9137	0504012E	03119	0725
7. 167804-83-1027	0504012F	03119	0725
8. 167804-83-8930	0504012G	03119	0725
9. 167804-82-7738	0504012H	03119	0725
10. 167804-82-1031	0504012I	03119	0725
11. 167804-82-1555	0504192R	03544	0489
12. 167804-81-0923	0504007H	03544	0489
13. 167804-81-0564	0504007S	04270	0489

TOTAL AREA CONTAINED WITHIN TRACTS: 61.29 AC.  
TOTAL FLOOD AREA: 0.00 AC.  
NET USEABLE LAND: 61.29 AC.  
TOTAL AREA IN OPEN SPACE PROVIDED: 6.80 AC.

MAX DENSITY IN WATERSHED PROTECTION AREA 2 UNITS/ACRE OR 36% IMPERVIOUS DENSITY PROPOSED: 2.88 DWELLING UNITS PER ACRE  
TOTAL NUMBER OF UNITS PROPOSED: 177

TOTAL 177 SINGLE-FAMILY RESIDENTIAL  
MINIMUM LOT AREA: 8,000 S.F.  
MIN. LOT WIDTH: 80'  
MIN. FRONT SETBACK: 25'  
MIN. SIDE INTERIOR SETBACK: 10'  
MIN. SIDE SETBACK: 15'  
MIN. REAR SETBACK: 25'

AREA IN SIDEWALKS: 99,057 S.F.  
AREA IN PAVEMENTS: 281,825 S.F.  
LINEAR FEET OF STREETS: 9,466 LF.

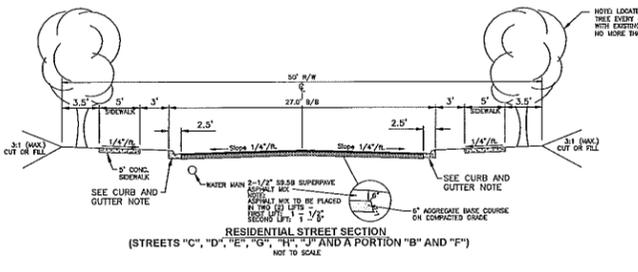
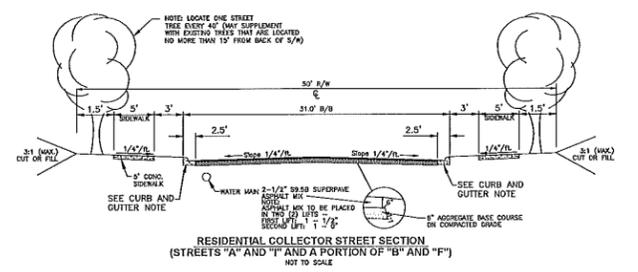
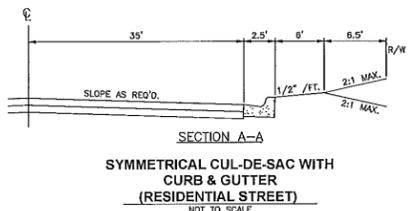
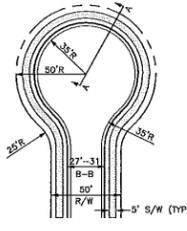
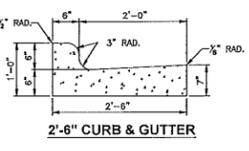
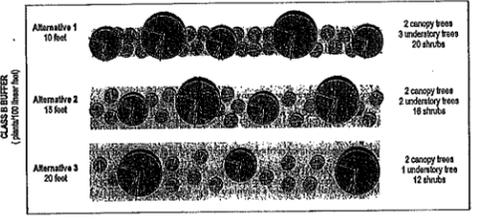
WATER SYSTEM PROVIDER: TOWN OF CLAYTON  
SANITARY SEWER SYSTEM PROVIDER: TOWN OF CLAYTON  
ELECTRICAL SERVICE PROVIDER: DUKE ENERGY PROGRESS OR TOWN OF CLAYTON. (NOTE: TO BE DETERMINED).

ZONING DISTRICT: R-E AND AR  
WATERSHED PROTECTION AREA: YES  
PROPOSED ZONING: R-E

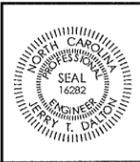
INSIDE CITY LIMITS? SITE IS WITHIN THE TOWN OF CLAYTON EU (ANNEXATION PENDING)

OWNER INFORMATION:  
1. CUP PROPERTIES, LLC  
POST OFFICE BOX 10798  
WILMINGTON, NORTH CAROLINA 28404  
2. POWHATAN ROAD LIMITED PARTNERSHIP  
POST OFFICE BOX 327  
CLAYTON, NORTH CAROLINA 27528  
(919) 553-7904 (OFFICE)

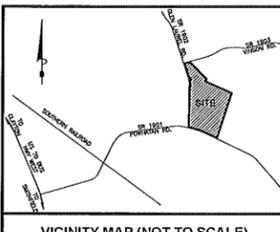
PRELIMINARY LAYOUT PREPARED BY:  
DALTON ENGINEERING AND ASSOCIATES, PA.  
POST OFFICE BOX 428  
CLAYTON, NC 27528  
(919) 550-4740



PRELIMINARY SUBDIVISION PLAN FOR GORDON FARM TOWN OF CLAYTON - JOHNSTON COUNTY, NC  
REVISION 001: ADDRESSED TOWN OF CLAYTON COMMENTS - 6/22/15

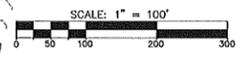
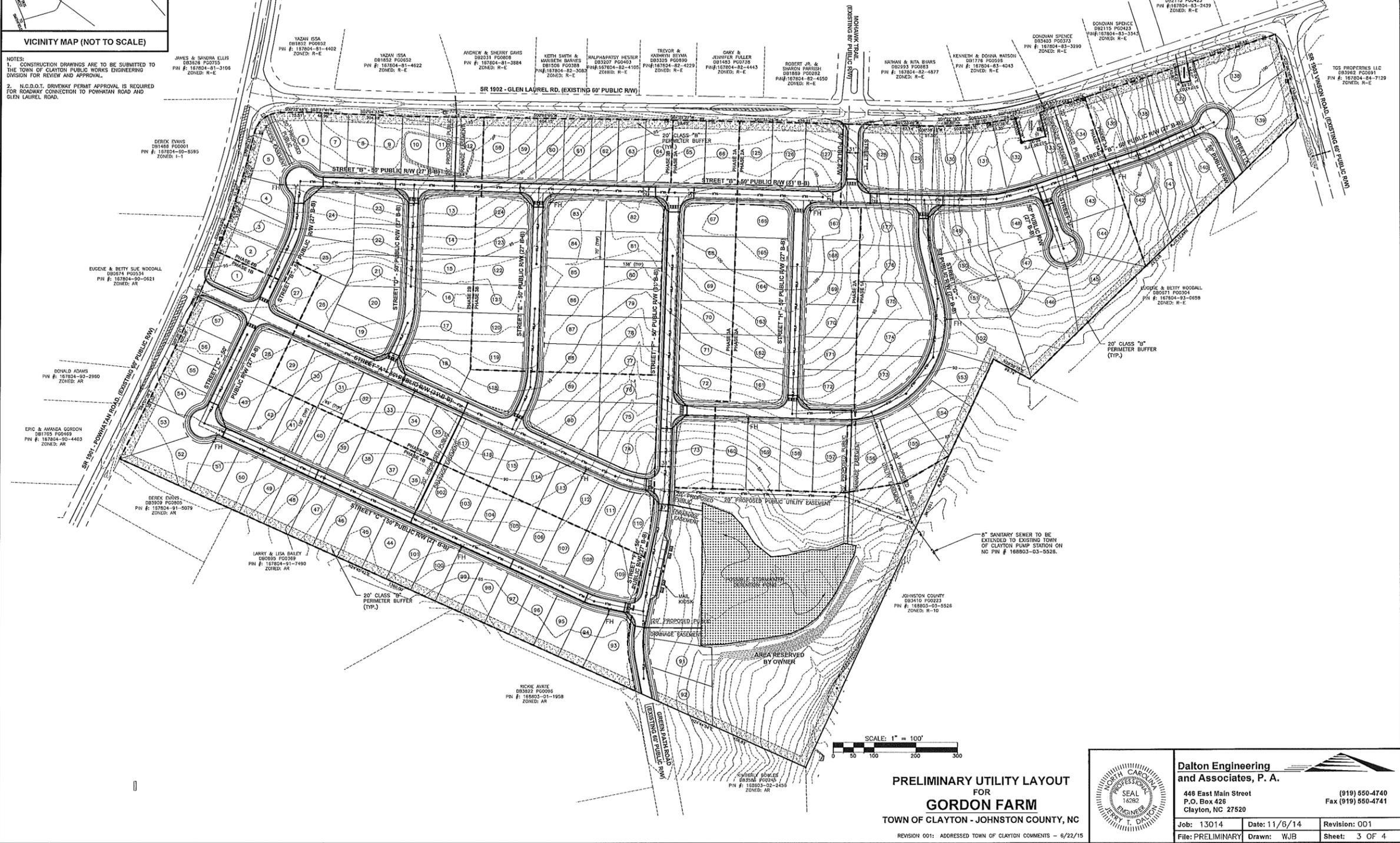
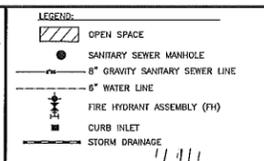


Dalton Engineering and Associates, P. A.  
446 East Main Street P.O. Box 426 Clayton, NC 27520  
(919) 550-4740 Fax (919) 550-4740  
Job: 13014 Date: 11/6/14 Revision: 001  
File: PRELIMINARY Drawn: WJB Sheet: 2 OF 4



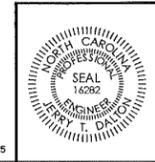
VICINITY MAP (NOT TO SCALE)

NOTES:  
 1. CONSTRUCTION DRAWINGS ARE TO BE SUBMITTED TO THE TOWN OF CLAYTON PUBLIC WORKS ENGINEERING DIVISION FOR REVIEW AND APPROVAL.  
 2. N.C.D.O.T. DRIVEWAY PERMIT APPROVAL IS REQUIRED FOR ROADWAY CONNECTION TO POWHATAN ROAD AND GLEN LAUREL ROAD.

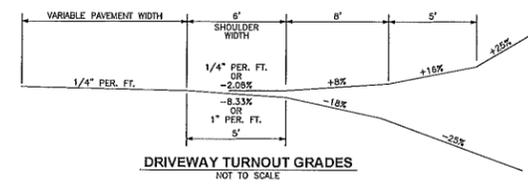
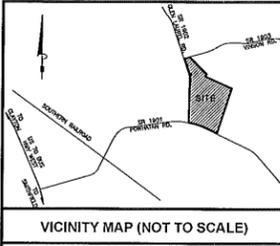


**PRELIMINARY UTILITY LAYOUT  
 FOR  
 GORDON FARM  
 TOWN OF CLAYTON - JOHNSTON COUNTY, NC**

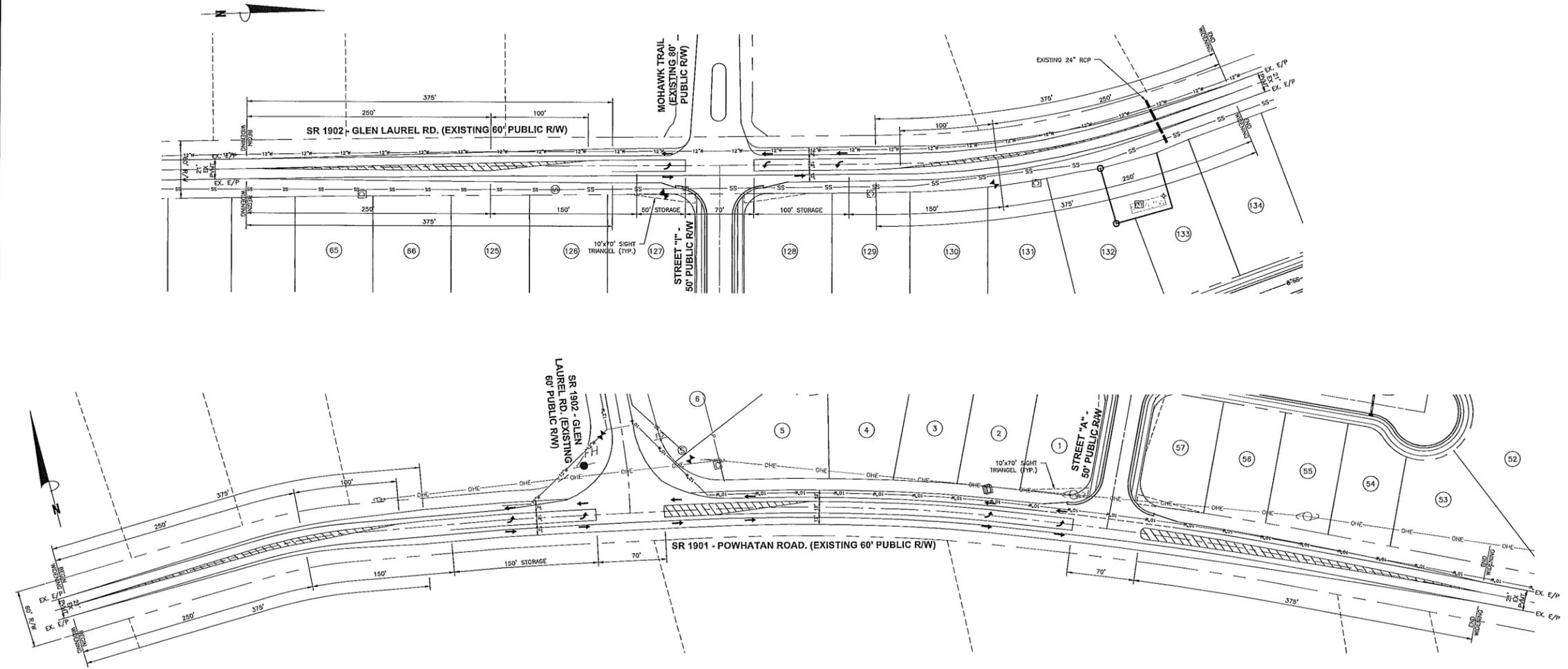
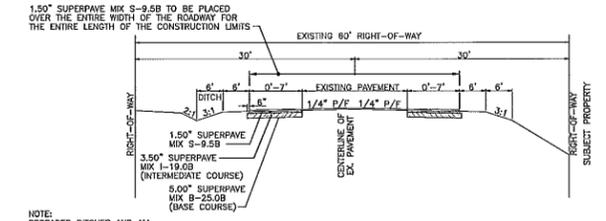
REVISION 001: ADDRESSED TOWN OF CLAYTON COMMENTS - 6/22/15



<b>Dalton Engineering and Associates, P. A.</b>		
448 East Main Street P.O. Box 426 Clayton, NC 27520		(919) 550-4740 Fax (919) 550-4741
Job: 13014	Date: 11/6/14	Revision: 001
File: PRELIMINARY	Drawn: WJB	Sheet: 3 OF 4

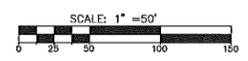


- NOTES TO CONTRACTOR:**
1. THIS CONSTRUCTION SHALL CONSIST OF THE ROADWAY WIDENING OF SR 1901 & SR 1902 REQUIRED FOR THE LEFT TURN LANE AND SYMMETRICAL WIDENING FOR GORDON TRACT SUBDIVISION, AS SHOWN ON THIS PLAN. THE CONSTRUCTION SHALL ALSO INCLUDE THERMAL STRIPING, INSTALLATION OF PAVEMENT MARKERS, AND THE PLACEMENT OF THE FINAL PAVEMENT OVERLAY.
  2. THE CONSTRUCTION SHALL CONFORM TO N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
  3. THERMOPLASTIC PAVEMENT MARKINGS AND RAISED PAVEMENT MARKERS SHALL BE INSTALLED WITHIN THE TURN LANE CONSTRUCTION LIMITS IN ACCORDANCE WITH N. C. DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS.
  4. TRAFFIC FLOW SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION BY MEANS OF FLAGGERS.



**CALL BEFORE YOU DIG!**  
 NORTH CAROLINA LAW REQUIRES NOTIFICATION OF THE UNDERGROUND FACILITY OWNER NOT LESS THAN TWO (2) BUT NO MORE THAN TEN (10) WORKING DAYS PRIOR TO EXCAVATION OR DEMOLITION.  
**North Carolina One-Call Center, Inc.**  
 www.nccoc.org  
 1-800-632-4949

SOME WATER, SANITARY SEWER, ELECTRIC, TELEPHONE AND CABLE SERVICES COULD EXIST ALONG THE CONSTRUCTION ROUTE THAT MAY NOT BE SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE PROPER UTILITY IN ADVANCE TO LOCATE THESE SERVICES.



**ROADWAY WIDENING AND TURN LANE IMPROVEMENTS SHEET FOR GORDON FARM TOWN OF CLAYTON - JOHNSTON COUNTY, NC**

**REVIEW ONLY**  
 NOT FOR CONSTRUCTION

**Dalton Engineering and Associates, P. A.**  
 446 East Main Street  
 P.O. Box 428  
 Clayton, NC 27620  
 (919) 550-4740  
 Fax (919) 550-4741

Job: 13014	Date: 5/26/15	Revision:
File: MASTER	Drawn: WJB	Sheet: 1 OF 1



# TOWN OF CLAYTON

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

## SUBDIVISION: MAJOR SUBDIVISION (Preliminary Subdivision Plat)

Pursuant to Article 7, §155.706 of the Unified Development Code (UDC), an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a subdivision of land. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application fees: Major Preliminary Subdivision Plat: \$400.00 + \$5.00 per lot  
Modifications to approved plans:  
Major Modification: \$400.00 + \$5.00 per lot modified  
Minor Modification: \$200.00 + \$5.00 per lot modified

See §155.706(F) of the UDC for a definition of Major vs. Minor Subdivisions.  
See §155.706(I) for Preliminary Plat approval (major subdivision) process/approval information.  
See §155.203(F), (G), and (H) for information on Conventional vs. Open Space Subdivisions.  
See §155.706(N) for information on minor and major modifications.  
See UDC Article 6 for Subdivision Standards.

### SITE INFORMATION

New Major Subdivision  
Conventional:  Open Space:   
 New Subdivision Master Plan  
 Modification to Approved Preliminary Plat  
Major: \_\_\_\_\_ Minor:

Name of Project: Gordon Tract Subdivision Acreage of Property: 61.29 Acres

Tag #: See list, attached NC PIN: See list, attached

Location: 2990 Powhatan Road, Clayton, NC 27527

Number of Lots (existing): 0 (Proposed) 177 Min Lot Size: 8,000 sf

Zoning District: R-8 Electric Provider: Duke

Wastewater:  Septic  Sewer (check one) Water:  Well  Public/Private Water (check one)

Recreation/Open Space Requirement:  Fee in lieu  Land Dedication – Acreage: \_\_\_\_\_

### FOR OFFICE USE ONLY

Date Received: JUN 03 2015 Amount Paid: \_\_\_\_\_ File Number: PSD 2014-95  
Town of Clayton  
Planning Department

**PROPERTY OWNER INFORMATION**

**Name:** See list, attached \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_ **Fax:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**APPLICANT INFORMATION**

**Applicant:** Dalton Engineering & Associates PA \_\_\_\_\_  
**Mailing Address:** PO Box 426, Clayton, NC 27528 \_\_\_\_\_  
**Phone Number:** 919-550-4740 \_\_\_\_\_ **Fax:** \_\_\_\_\_  
**Contact Person:** Jonathan Barnes \_\_\_\_\_  
**Email Address:** jbarnes@daltonengineering.com \_\_\_\_\_

**REQUIRED INFORMATION (to be submitted with the application)**

*The following items must accompany the application:*

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
<i>Submit 9 copies of all materials unless otherwise directed by staff</i>					
1. A pre-application meeting was held with Town Staff. Date: _____	<input checked="" type="checkbox"/>				
2. Completed Application	<input checked="" type="checkbox"/>				
3. Review Fee	<input checked="" type="checkbox"/>				
4. Findings of Fact, signed <i>Not required for minor modifications. Form is included in this packet.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Owner's Consent Form <i>Required if applicant is not the property owner. Included in this packet</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Preliminary Plat Subdivision Requirements Checklist form, completed and signed <i>Checklist is included in this packet</i>	<input checked="" type="checkbox"/>				
7. Plat sheet(s) meeting requirements of the Requirements Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
8. If subdivision waivers are requested, applicant must attach a separate typed document requesting the waivers. The document must specifically list the waivers requested, including Code references, and must address the 4 considerations outlined in §155.706(l)(7).	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Adjacent Property Owners List	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
10. Road Name Application <i>Included in this packet</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
11. Wastewater allocation request OR verification of wastewater allocation <i>Letter format, to the attention of the Town Manager.</i>	<input type="checkbox"/>	<input type="checkbox"/>			

12. A signed and sealed Traffic Impact Analysis (required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Neighborhood Meeting Notice Letter* See sample letter and meeting requirement, included in this packet. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
14. Neighborhood Meeting summary form* Included in this packet – NOT submitted with application. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development		<input checked="" type="checkbox"/>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.		
15. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list. This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.	<input type="checkbox"/>	<input type="checkbox"/>			

### EXPLANATION OF PROJECT

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

The owner is requesting approval to develop subject property as a conventional residential subdivision. The subdivision consist of 61.29 acres subdivided into 177 residential lots with a minimum of 8,000 sf per lot. Access to the development will utilize the existing roadway system off of Powhattan Road and Glen Laurel Road. Improvements include curb and gutter streets with sidewalk, storm drainage and public water and sewer services provided by the Town of Clayton. All improvements are to meet current Town of Clayton specifications.

### APPLICANT AFFIDAVIT

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

DALTON ENGINEERING  
AND ASSOCIATES P.A.  
JONATHAN BAILES

Print Name

*[Signature]*  
Signature of Applicant

6/2/15  
Date

November 2014

Page 3 of 17

**FINDINGS OF FACT**

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

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

~~A rezoning Application has been submitted to rezone the property to R-8. The proposed development conforms to the R-8 zoning.~~

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

~~The subject property will complement the surrounding properties and is consistent with surrounding development. The location of subject property in relation to downtown Clayton will encourage continued residential growth and development of the surrounding properties.~~

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

~~The subject project will provide proper distribution of traffic to avoid congestion to the public in the immediate area. The project will utilize connection to existing infrastructure to provide products and services to the public that are desired and will not be an endangerment to the environment or the public.~~

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

~~The proposed development of the subject property is consistent with the overall development plan of the Town.~~

Project Name: Gordon Tract Subdivision

**DALTON ENGINEERING  
AND ASSOCIATES, P.A.**  
JONATHAN BARNES

Print Name

*Jonathan Barnes*  
Signature of Applicant

6/2/15  
Date

## MAJOR SUBDIVISION – PRELIMINARY PLAT REQUIREMENTS CHECKLIST

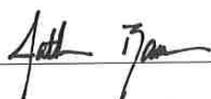
The applicant is responsible for completing this checklist. Please sign and submit with the completed application.

To be completed by the applicant:			Staff:
	Yes	N/A	
<b>GENERAL (ALL SHEETS):</b>			
1. Plans are a maximum of 24" x 36", folded to an 8.5" x 11" format, with a scale no smaller than 1 inch = 100 feet (scale of 1" = 20' to 60' preferred).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Separate <b>sheets for each</b> : Subdivision Plan, Preliminary Engineering Plan, Existing Conditions. Information in this checklist should be placed on the appropriate sheet. (Additional sheets may be required depending on scope of the project).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Multiple sheets are consecutively numbered (e.g. Sheet 1 of 4).	<input checked="" type="checkbox"/>		
4. Engineer/Surveyor Logo Box (name, address, phone number, fax, and e-mail, if applicable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Name of subdivision (including phase numbers if applicable) and plan type (Subdivision, Final Plat, Exempt Plat, or Recombination).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Revision Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>PRELIMINARY PLAN SHEET:</b>			
7. Name of township, county, and state in which the property is located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Vicinity sketch/map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Surveyor or professional engineer's name and seal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Date of survey and plat preparation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Provide the following project data in <u>Tabular</u> form:			
- Area of tract in square feet and acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Parcel Identification # (and/or Tag #)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Owner's name and address	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Within Town limits or ETJ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Zoning District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Overlay District (if applicable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Indicate if the site is within a Watershed Protection Overlay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Total Number of Lots	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Number of lots per acre (density)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Acreage in Resource Conservation Areas (UDC §155.500)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Annexation # (if applicable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- FEMA designated flood plain and floodway (include FIRM panel reference number and effective date) or certification that no flood plain exists within the subdivision.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Electric Provider			
- Water Provider (or indicate if well)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

To be completed by the applicant:			Staff:
	Yes	N/A	
- Sewer Provider (or indicate if septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Impervious (existing and proposed, square feet and %) – provide impervious for overall development and per lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Maximum allowed impervious	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Existing Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
- Proposed Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. An accurately positioned north arrow indicating true north, magnetic north, North Carolina grid (“NAD 83” or “NAD 27”), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to an old deed or plat bearings, the date and the source (if known) the index was originally determined is clearly indicated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. The exact course and distance of every boundary line of the tract to be subdivided, fully dimensioned (metes and bounds) along with the location of intersecting boundary lines of adjoining lands in accordance with the North Carolina General Statutes § 47-30 – Plats and subdivisions; mapping requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Accurate location and description of all monuments, markers and control points.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. Show the 100 year flood plain, riparian buffer, wetlands, and any Resource Conservation Areas on all sheets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Blocks numbered consecutively throughout entire subdivision with lots numbered consecutively in each block. Lot numbers shall be placed in a circle or labeled “Lot ___”.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Phase lines. Phases are clearly labeled.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
18. The name and location of all adjoining subdivisions and adjoining lot property lines drawn with dotted lines at the same scale. Include the names of adjacent landowners.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
19. Location and width of all existing and proposed rights-of-way, Resource Conservation Areas, easements and areas dedicated to public use with the purpose of each stated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
20. Location of safe sight triangles at project ingress/egress points, or as required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
21. Minimum building setbacks /envelope are noted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
22. All dimensional standards are shown in table format. Dimensional standards shall include: min. lot size, min. lot width, max building coverage, max impervious surface (entire subdivision), max impervious surface (per lot, in %), density, max height, and min dwelling unit size.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
23. Location of all existing and proposed easements, labeled as “public” or “private” and labeled with easement type.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
24. Width and type of any buffers and easements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
25. Indicate the boundaries of any utility or greenway easements dedicated to the Town of Clayton and label “To Be Dedicated to the Town of Clayton.”	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
26. Proposed streets are labeled, named and dimensioned. Correct street cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

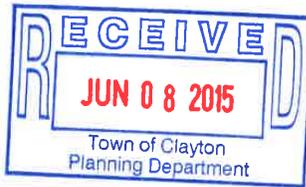
To be completed by the applicant:			Staff:
	Yes	N/A	
section detail provided. Label street type based on definitions in §155.602(D). If streets are private: - All private streets shall be maintained by a designated responsible party. The party shall be noted on the plat. - Streets are labeled "Private Streets – No Town Maintenance." Street names must be approved by Town of Clayton via a Road Name Application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
27. Lengths of all cul-de-sacs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
28. Identify proposed traffic control signs and striping.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
29. Location, purpose and dimensions of non-residential areas (such as parks, playgrounds, open space, churches, school sites, etc.) - All open space, parks, and similar common areas shall be maintained by a designated responsible party. The party shall be noted on the plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
30. Resource Conservation Areas must be shown and dimensioned on the plat. The following note must also be provided: "The Resource Conservation Area shown hereon is provided per the requirements of Article 5 of the Town of Clayton's Unified Development Code. This Resource Conservation Area must be preserved in perpetuity per the standards of the Unified Development Code"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
31. Proposed stormwater retention/detention features and dimensions. If fenced, include fence location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
32. Existing and proposed sidewalk system, access ramps, and crosswalks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
33. Identify alternative modes of transportation including school stops, pedestrian connections, bicycle paths and bicycle racks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
34. Show how streets are connected to property lines ("stub-out" streets) to provide for cross-connectivity and development on adjacent parcels. Show cross-access easements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
35. Location of clustered mailboxes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
36. Location and orientation of freestanding signs (signage is permitted separately).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
LANDSCAPING PLAN SHEET (See §155.402 for Landscaping Requirements)			
37. Show location, width, and type of all landscape buffers.	<input type="checkbox"/>	<input type="checkbox"/>	
38. Provide a plant list summary table which includes: - A planting key identifying the various planting elements - The quantity of each type of plant material proposed - The size, height, caliper and spacing of plant material proposed - The Botanical and common names of plant material proposed	<input type="checkbox"/>	<input type="checkbox"/>	
39. If common landscaped areas are provided, provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant	<input type="checkbox"/>	<input type="checkbox"/>	

To be completed by the applicant:			Staff:
	Yes	N/A	
species must be used).			
40. Location, species, and caliper of any existing trees that will remain on site. If used to meet planting requirements, make note of what requirements are fulfilled by the preserved trees.	<input type="checkbox"/>	<input type="checkbox"/>	
EXISTING CONDITIONS SHEET:			
41. On the existing conditions sheet, provide topography with two-foot contour intervals, showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.	<input type="checkbox"/>	<input type="checkbox"/>	
42. Location of all existing buildings and structures, water/sewer/gas infrastructure, underground structures, easements, or other existing features.	<input type="checkbox"/>	<input type="checkbox"/>	
43. Existing structures, existing streets and roadway improvements, and existing utilities within 100 feet of the site.	<input type="checkbox"/>	<input type="checkbox"/>	
44. Label adjacent property acreage, owners, and zoning districts.	<input type="checkbox"/>	<input type="checkbox"/>	
45. Label subject parcel property owner, acreage, and zoning.	<input type="checkbox"/>	<input type="checkbox"/>	
PRELIMINARY ENGINEERING PLAN SHEET:			
46. Show subdivision layout, streets, and all pertinent information from subdivision plat sheet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
47. Identify curb radii for all internal and external vehicular use areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
48. Location of all existing and proposed utilities (water, sewer, electric, natural gas, etc.).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
49. Location of all existing and proposed drainage structures.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
50. Location of all existing and proposed fire hydrants.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
51. Location of all existing and proposed easements, labeled as "public" or "private."	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
52. Show street cross-sections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
53. Indicate method of slope stabilization measures for all slopes steeper than 2.5:1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
54. Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
OTHER			
55. If subdivision includes townhomes, include architectural elevations sheet, noting construction materials, finishes and colors, height, and number of stories.	<input type="checkbox"/>	<input type="checkbox"/>	
56. Any other information considered by either the applicant or the Town to be pertinent to the review.	<input type="checkbox"/>	<input type="checkbox"/>	

Signed by Applicant:  Date: 6/2/15

November 2014

Page 13 of 17



**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: GORDON FARM Address or PIN #: SEE LIST, ATTACHED.

**AGENT/APPLICANT INFORMATION:**

DALTON ENGINEERING  
AND ASSOCIATES, P.A.  
 (Name - type, print clearly)

P.O. Box 426  
 (Address)  
CLAYTON, NC 27528  
 (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*):

MAJOR SUBDIVISION APPLICATION  
REZONING APPLICATION

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:**

Charles B Gordon Jr  
 (Name - type, print clearly)

P.O. Box 327  
 (Address)

Charles B Gordon Jr  
 (Owner's Signature)

Clayton N.C. 27520  
 (City, State, Zip)

STATE OF North Carolina  
 COUNTY OF Wake



Sworn and subscribed before me Lynn A. Watkins, a Notary Public for the above State and County, this the 8 day of June, 2015.

SEAL

Lynn A. Watkins  
 Notary Public

My Commission Expires: 12-7-2016

Owner Information :

1. CGC Properties, L.L.C.  
113 State Avenue  
Suite 101  
Clayton, North Carolina 27520
  
2. Powhatan Road Limited Partnership  
Post Office Box 327  
Clayton, North Carolina 27528  
(919) 553 - 7904 ( office )  
(919) 553 - 3706 ( fax )

## ADJACENT PROPERTY OWNERS LIST

Project Name: GORDON FARM

*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
167804-84-7129	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605
167804-93-0658	Eugene and Betty Sue Woodall	484 Packing Plant Road Smithfield, NC 27577
168803-03-5526	County of Johnston	P.O. Box 1049 Smithfield, NC 27577
168803-02-2456	Samuel and Kimberly Bowles	513 Green Path Clayton, NC 27527
168803-01-1958	Rickie Avate	508 Green Path Clayton, NC 27527
167804-82-4105	Ralph and Patsy Hester	109 Glen Laurel Rd. Clayton, NC 27527
167804-82-4229	Trevor and Kathryn Beyma	135 Glen Laurel Rd. Clayton, NC 27527
167804-82-4443	Gary and Jennifer Fuller	148 Ridgemont Dr. Columbia, SC 29212-8690
167804-82-4650	Robert and Sharon Parrish	189 Glen Laurel Rd. Clayton, NC 27527
167804-82-4877	Rita and Nathan Byars	245 Glen Laurel Rd. Clayton, NC 27527
167804-83-4043	Kenneth and Donna Watson	315 Glen Laurel Rd. Clayton, NC 27527
167804-83-3290	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-3343	Donovan Spence	331 Hereford Dr. Clayton, NC 27520
167804-83-2439	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167804-83-2635	Sharon Whitley	317 Hereford Dr. Clayton, NC 27520
167800-85-1849	TGS Properties, L.L.C.	514 Daniels St., Suite 414 Raleigh, NC 27605

Project Name: GORDON FARM

*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
<del>167804-82-4443</del>	<del>Gary and Jennifer Fuller</del>	<del>148 Ridgemont Dr. Columbia, SC 29212-8690</del>
167804-82-4229	Trevor and Kathryn Fuller	135 Glen Laurel Rd. Clayton, NC 27527
<del>167804-82-4105</del>	<del>Ralph and Patsy Hester</del>	<del>109 Glen Laurel Rd. Clayton, NC 27527</del>
167804-82-3082	Keith Smith and Maribeth Barnes	81 Glen Laurel Rd. Clayton, NC 27527
167804-81-3884	Sherry and Andrew Davis	55 Glen Laurel Rd. Clayton, NC 27527
167804-81-4622	Yazan Hassan Issa	23 Glen Laurel Rd. Clayton, NC 27527
167804-81-4402	Yazan Hassan Issa	23 Glen Laurel Rd. Clayton, NC 27527
167804-81-3106	James and Sandra Ellis	2007 Ridge Ct. Clayton, NC 27520
167804-60-8595	Novo Nordisk Pharm Ind	3612 Powhatan Rd. Clayton, NC 27527
167804-90-0621	Eugene and Betty Woodall	484 Packing Plant Rd. Smithfield, NC 27577
167804-90-2960	Donald Adams	2925 Powhatan Rd. Clayton, NC 27527
167804-90-4403	Eric and Amanda Gordon	2909 Powhatan Rd. Clayton, NC 27527
167804-91-5079	Derek Evans	2894 Powhatan Rd.. Clayton, NC 27527
167804-91-7490	Larry and Lisa Bailey	2901 Powhatan Rd.. Clayton, NC 27527
<del>168803-01-1958</del>	<del>Rickie Avate</del>	<del>508 Green Path Clayton, NC 27527</del>
<del>168803-02-2456</del>	<del>Kimberly Bowles</del>	<del>513 Green Path Clayton, NC 27527</del>

GORDON



## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Dalton Engineering and Associates, P.A.

Location/Date: Dalton Engineering and Associates, P.A. 446 East Main Street Clayton, NC / 7/2/15

	NAME	ADDRESS
1	Jonathan Barnes	446 East Main Street Clayton, NC
2	Rita D. Jones	2452 Vinson Rd Clayton NC
3	Betty Woodall	484 Packing Plant Rd Smithfield NC
4	Rick Avate	508 GREEN PATH CLAYTON NC
5	MARGARET AVATE	508 GREEN PATH CLAYTON NC
6	Sharon Parrish	189 Glen Laurel Rd
7	Robert Parrish	" Clayton NC
8	Lisa Bailey	2901 Powhatan Rd, Clayton
9	Larry Bailey	2901 Powhatan Rd, Clayton
10		
11		
12		
13		
14		
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16		
17		
18		
19		
20		



# NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: 6/19/15

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

Printed Name: Jonathan Barnes Signature: [Handwritten Signature]

Date of Meeting: 7/2/15 Time of Meeting: 7:30 p.m.

Location of Meeting: Dalton Engineering and Associates, P.A. 446 East Main Street Clayton, NC

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

(1) As an owner of farmland on Vinson Road that joins the subdivision I am concerned about a fence or berm of some sort being constructed along the property line to prevent trespassing onto our crops.

(2) Also, we have no intent to develop our field. The street does not need to deadend at the field. This is a perfect way for children to ride the bikes or 4-wheelers onto our field.

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

November 2014 Farm Owner

Page 6 of 18

Betty O. Woodall HSH Packing Plant Rd Smithfield NC



# NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: 6/19/15

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

Printed Name: Jonathan Barnes Signature: [Handwritten Signature]

Date of Meeting: 7/2/15 Time of Meeting: 7:30 p.m.

Location of Meeting: Dalton Engineering and Associates, P.A. 446 East Main Street Clayton, NC

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

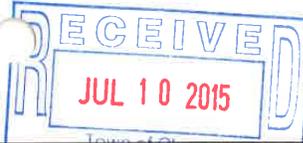
- ① Issue of the family cemetery - shown on map - NOT TO BE DESTROYED  
Need to maintain access for maintenance - ditch is steep + we usually park in yard of the house near it.  
How will we keep access when lots are sold + developed?  
Would the developers want to do any relocation? If so, the family would need to be informed + approve it.
- ② Lots are too small - will cause major traffic congestion.
- ③ Road to farm on Vernon Rd. needs to be removed + just be a cul-de-sac. Also, there should be a divider (NOT TREES) between lots + the farm lot.
- ④ Should fence in + protect the ponds.

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

November 2014

Page 6 of 18

*Rita O. Jones, descendant of the Cemetery residents*



# NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: 6 / 19 / 15

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

Printed Name: Jonathan Barnes Signature: [Handwritten Signature]

Date of Meeting: 7/2/15 Time of Meeting: 7:30 p.m.

Location of Meeting: Dalton Engineering and Associates, P.A. 446 East Main Street Clayton, NC

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

## \* Wetland \*

1. Stallings Station Sub division has a pond - that homeowners property backs up and is a property value - concern that pond will dry up - drop property value of house  
CONCERN ABOUT POND!
2. Stalling Station sub division roads cannot handle ~~XXXX~~ ~~more~~ additional traffic  
Stalling Station does not have gutters - run off - no curbs
3. Too many houses - make lots bigger  
Way too many - Lisa Bailey
- 4- Need at least a berm or divider between stalling station sub division - homeowners prefer a berm.
5. Price of Houses - ?? Really small houses !? !?
- 6 Traffic

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

November 2014

7. Indian Artifacts -
8. Street Lights

*Margaret Austin*  
*[Handwritten Signature]*

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

**PSD 2014-95 Gordon Tract Subdivision**

On July 27, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

approve the request with the conditions presented by staff;

approve the request with the following modified or added conditions:

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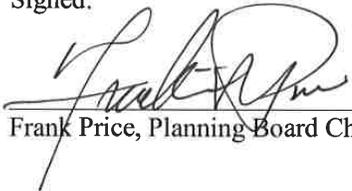
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deny the request.

Recommendation(s) made this 27 day of July 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

2016 Town Council Meeting Schedule

**DESCRIPTION:**

Attached please find proposed 2016 Town Council Meeting Schedule

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Administration

**PRESENTER:**

Kimberly Moffett

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**TOWN OF CLAYTON  
2016 TOWN COUNCIL MEETING SCHEDULE**

**WHEREAS**, the Clayton Town Council exists to conduct the business of the citizens; and

**WHEREAS**, the Clayton Town Council meetings are held the first and third Monday of the month at 6:30 p.m. in the Council chamber of the Town Hall, unless otherwise noted; and

**WHEREAS**, each meeting of the Clayton Town Council is open to the public, except as provided by NC G.S. 143-318.11; and

**WHEREAS**, the Clayton Town Council may amend the yearly meeting schedule in accordance with NC G.S. 143-318.12:

<b>TOWN OF CLAYTON 2016 CALENDAR TOWN COUNCIL MEETINGS</b>		
<b>MONTH</b>	<b>REGULAR SESSION</b>	<b>WORK SESSION</b>
January	January 4, 2016	January 19, 2016 (Tuesday)
February	February 1, 2016	February 15, 2016
March	March 7, 2016	March 21, 2016
April	April 4, 2016	April 18, 2016
May	May 2, 2016	May 16, 2016
June	June 6, 2016	June 20, 2016
July	July 5, 2016 (Tuesday)	July 18, 2016
August	August 1, 2016	August 15, 2016
September	September 6, 2016 (Tuesday)	September 19, 2016
October	October 3, 2016	October 17, 2016
November	November 7, 2016	November 21, 2016
December	December 5, 2016	December 19, 2016

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of Clayton hereby adopts the 2016 Clayton Town Council Schedule as presented.

Duly adopted this 5<sup>th</sup> day of October, 2015 while in regular session.

\_\_\_\_\_  
Jody McLeod  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly A. Moffett, CMC  
Town Clerk

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

2016 Holiday Schedule

**DESCRIPTION:**

Attached please find proposed 2016 Holiday Schedule for the Town of Clayton.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Administration

**PRESENTER:**

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**TOWN OF CLAYTON  
2016 HOLIDAY SCHEDULE**

**WHEREAS**, it is the policy of the Town of Clayton to follow the holiday schedule provided by the State of North Carolina for its employees; and

**WHEREAS**, the below 2016 Holiday Schedule was retrieved from the State of North Carolina website:

<b>2016 Holiday Schedule</b>		
<b>Holiday</b>	<b>Observance Date</b>	<b>Day of Week</b>
New Year's Day	January 1, 2016	Friday
Martin Luther King Jr.'s Birthday	January 18, 2016	Monday
Good Friday	March 25, 2016	Friday
Memorial Day	May 30, 2016	Monday
Independence Day	July 4, 2016	Monday
Labor Day	September 5, 2016	Monday
Veteran's Day	November 11, 2016	Friday
Thanksgiving	November 24 & 25, 2016	Thursday and Friday
Christmas	December 23, 26 & 27, 2016	Friday, Monday and Tuesday

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of Clayton hereby adopts the 2016 Holiday Scheduled as presented.

Duly adopted this 5<sup>th</sup> day of October, 2015 while in regular session.

\_\_\_\_\_  
Jody McLeod  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly A. Moffett, CMC  
Town Clerk

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Budget Amendments

**DESCRIPTION:**

Mr. McKie will present additional information regarding three budget amendments.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Finance Department

**PRESENTER:**

Mr. Robert McKie, Finance Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**Town of Clayton  
Amendment to the FY 15-16 Budget**

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON  
that the following amendments shall be made to the FY 15-16 Budget:

**Fund: Water & Sewer Fund**

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Expenditures			
300-56-60-52 35	Maintenance & Repair – Equipment \$10,950	+12,000	\$22,950
300-56-90-57 045	Debt Service Vactor Truck Capital Lease \$0	+44,530	\$44,530
300-56-95-58 50	Capital Outlay \$318,740	+282,470	\$601,210
Revenues			
300-56-00-48 05	Misc. Finance Capital \$0	+339,000	\$339,000

Amendment necessary to budget the finance capital and related expenditures for the purchase of a new Vactor truck for the Water and Sewer System, which is required for compliance with G.S. 159-15

Duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2015 while in regular session.

\_\_\_\_\_  
Jody L. McLeod  
Mayor

Attest:

\_\_\_\_\_  
Kimberly A. Moffett  
Town Clerk

**Town of Clayton  
Amendment to the FY 15-16 Budget**

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON  
that the following amendments shall be made to the FY 15-16 Budget:

**Fund: Electric Fund**

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Expenditures			
310-57-95-58 00	Capital Projects \$665,815	+152,468	\$818,283
310-57-95-58 50	Capital Outlay \$109,351	+112,700	\$222,051
Revenues			
310-57-00-48 99	Fund Balance Appropriated \$0	+265,168	\$265,168

Amendment necessary to budget unspent funds received from the issuance of the 2015 Revenue Bond for the following items, which is required for compliance with G.S. 159-15:

1. Ashcroft – \$72,726
2. Hwy 42 Project – \$25,501
3. Walden Woods – \$54,241
4. Warehouse Expansion – \$112,700

Duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2015 while in regular session.

\_\_\_\_\_  
Jody L. McLeod  
Mayor

Attest:

\_\_\_\_\_  
Kimberly A. Moffett  
Town Clerk

Town of Clayton  
Amendment to the FY 15-16 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 15-16 Budget:

**Fund: General Fund and Police Special Revenue Fund**

Line Item	Previous Appropriation	Adjustment	Revised Appropriation
<b>Expenditures</b>			
100-50-00-55 06	Drug Seizure Funds – State \$0	+6,943	\$6,943
212-55 05	Drug Seizure Funds – Federal \$0	+8,092	\$8,092
<b>Revenue</b>			
100-40-00-48 99	Fund Balance Appropriated \$702,278	+6,943	\$709,221
212-48 99	Fund Balance Appropriated \$0	+8,092	\$8,092

-Explanation: Amendment necessary to reflect the appropriation of Fund Balance to purchase equipment for police investigations with the proceeds from unauthorized substance tax distributions (USTD) from the State and forfeited property from the U.S. Department of Justice Asset Forfeiture Program, which were received in prior years. The General Statutes (G.S. 105-113.113) mandates the Department of Revenue to distribute 75% of the USTD funds to the local law enforcement agency that conducted the investigation of a dealer that led to the assessment. The State establishes a special nonreverting account for the USTD funds. The Controlled Substances Act, Section 881(e)(3) of Title 21, United States Code authorizes the sharing of forfeited property. All funds received from USTD and the forfeiture program are restricted to directly enhancing the law enforcement activities of the Clayton Police Department.

Duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2015 while in regular session.

\_\_\_\_\_  
Jody L. McLeod  
Mayor

Attest:

\_\_\_\_\_  
Kimberly A. Moffett  
Town Clerk

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Substation Project Resolution

**DESCRIPTION:**

Mr. McKie will present additional information regarding Resolution and Reimbursement of Substation Project.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Finance Department

**PRESENTER:**

Mr. Robert McKie

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Sewer Allocation Request

**DESCRIPTION:**

Mr. Simpson will present information regarding request for additional sewer allocation regarding East Village.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Public Works/Operations

**PRESENTER:**

Mr. Tim Simpson

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



Development IQ™

DATE: August 28, 2015  
TO: Mr. Tim Simpson, PE  
Public Works Director  
Town of Clayton  
FROM: Mark Gramling  
RE: East Village- Additional Sewer Allocation Request

Please reference attached. In addition to the attached sewer allocation we would like to request the following breakdown, listed below.

Land Use	Use	Units	Gallons/ Day/Unit (gpd)	Total (gpd)
1. New Single Family Residential		102	240	24,480
		102		24,480

The additional request for sanitary sewer allocation for the East Village project is 24,480 gpd.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gramling".

Mark Gramling

---

3715 Neil Street  
Raleigh, NC 27605

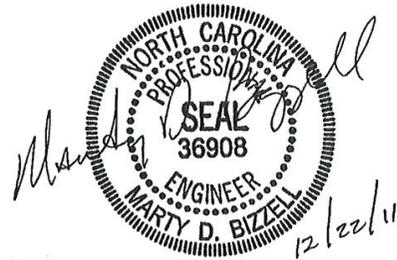
(919) 827-1790

Info@timugroup.com  
www.TimuGroup.com



BASS, NIXON & KENNEDY, INC., CONSULTING ENGINEERS  
 6310 Chapel Hill Road, Suite 250, Raleigh, NC 27607  
 919-851-4422 FAX 919-851-8968 www.BNKinc.com

DATE: December 22, 2011  
 TO: Mr. Tim Simpson, PE  
 Public Works Director  
 Town of Clayton  
 FROM: Marty D. Bizzell, PE, CPESC  
 RE: East Village – Sewer Allocation Request



The following represents the request for sanitary sewer allocation for the East Village Planned Development. Listed below is a breakdown by land unit as well as a total request for the entire project.

Land Unit	Use	Units	Gallons/Day/Unit (gpd)	Total (gpd)
1	Multi-Family (Apartments)	192	240	46,080
2	Single Family Residential	20	240	4,800
3	Single Family/Townhomes	35	240	8,400
4	Single Family Residential	26	240	6,240
5	Single Family Residential	15	240	3,600
6	Single Family Residential	34	240	8,160
7	Single Family Residential	35	240	8,400
8	Single Family Residential	20	240	4,800
9	Single Family/Townhomes	13	240	3,120
		<b>390</b>		<b>93,600</b>

The total request for sanitary sewer allocation for the East Village project is 93,600 gpd.

Please contact me with any questions or concerns.

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

2015 Christmas Parade

**DESCRIPTION:**

The 2015 Christmas Parade is scheduled to be held on Saturday, December 12, 2015. This event is organized by the Clayton Chamber of Commerce and street closures are requested.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

Mr. David DeYoung

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



Town  
 Planning  
 111 E. Second Street, Clay  
 P.O. Box 879, Clay  
 Phone:  
 Fax:

**SPECIAL EVENT ACTION ITEM REPORT**

**Planning Staff Contact: Stephanie Ross: 919-280-1278**

**EVENT INFORMATION:**

Event Name: Christmas Parade File Number: 2015-19  
 Event Description: Christmas Parade  
 Event Date(s): December 12, 2015 Event Time(s): 3:00 pm to 5:00 pm  
 Event Location: Main Street  
 Event Coordinator: Polly Mudd Contact Number: 919-255-2662  
 Contact Email: [polly@claytonchamber.com](mailto:polly@claytonchamber.com)  
 Attendees (Per Day): 10,000

**TOWN SERVICES REQUESTED:**

Department / Division	Requested Services	Date/Time	Primary Contact	Contact Phone #
Town Council / DOT	Road Closure Approval: ~Main Street from US 70 Bus to Robertson ~Robertson St ~Smith Street ~Lombard between Main & Second	12/12/15 11:00 - 5:00 pm 2:30-6:00 pm 11:00-4:00 pm 11:00-5:00 pm	Stephanie Ross	(919) 359-9349
Public Works	10 Rollout Trash Carts along Main & Horne Square (no recycle)	Deliver: 12/11/15 Pickup: 12/14/15	Steve Blasko	(919) 359-1287
	Barricades and Cones – according to Police Department Planning Document	Deliver: 12/11/15 Pickup: 12/14/15	Steve Blasko	(919) 359-1287
Police Dept.	Put barricades in place to close Main Street and side roads accessing Main Street at 11:00 according to Police Department Planning Document with assistance from Chamber of Commerce volunteers. REOPEN Main Street no later than 6:00 pm	Close: 12/12/15 11:00 pm Open: by 6:00 pm	Lt. Ken Lunger	(919) 796-6814 (cell)
	Put barricade on Robertson Street just north of the Walgreen & Rite Aid driveways from 3:00 pm to 6:00 pm. Traffic will be allowed south only to US 70.	Close: 2:00 pm Open: 6:00 pm	Lt. Ken Lunger	(919) 796-6814 (cell)

**STAFF USE:**

SEC Approval	<input type="checkbox"/> Approved	Date:	<input type="checkbox"/> No Council Action needed
	<input type="checkbox"/> Denied		
Council Action	Presentation	Date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
	Consent Agenda	Date:	Date:
Pending Actions	<input type="checkbox"/> DOT Road Closure Approval		
	<input type="checkbox"/> ABC Permit Submittal		
	<input type="checkbox"/> Other	<input type="checkbox"/> Issue Permit Date:	

(SEC – Special Event Committee)

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Novo Nordisk Southeast Property Rezoning - 15-37-01-RZ

**DESCRIPTION:**

Request to rezone parcels from Industrial-Light I-1, County Zoning to Industrial Light I-1, Town Zoning.

**POTENTIAL ACTION:**

Set Public Hearing

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



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

Planning Board  
August 24, 2015

## STAFF REPORT

**Application Number:** 15-37-01-RZ

**Project Name:** Novo Nordisk Southeast Property Rezoning

---

**NC PIN / Tag #:** 167804-60-8595 / 05I05008A & 167804-50-7128 / 05E99010N  
**Town Limits/ETJ:** ETJ  
**Overlay:** None  
**Applicant:** Town of Clayton  
**Owner:** Novo Nordisk Pharm IND  
**Location:** Located south of Powhatan Road, east and north of the railroad tracks, and southwest of the intersection of Glen Laurel Road and Powhatan Road

**Public Noticing:**

- Neighborhood meeting August 11, 2015
- Sign Posted August 20, 2015
- Newspaper ad prior to September 23, 2015

**REQUEST:** Request to rezone the parcels recently included in Clayton's ETJ by House Bill 343 the from Industrial-Light (I-1, County Zoning) to Industrial-Light (I-1, Town Zoning).

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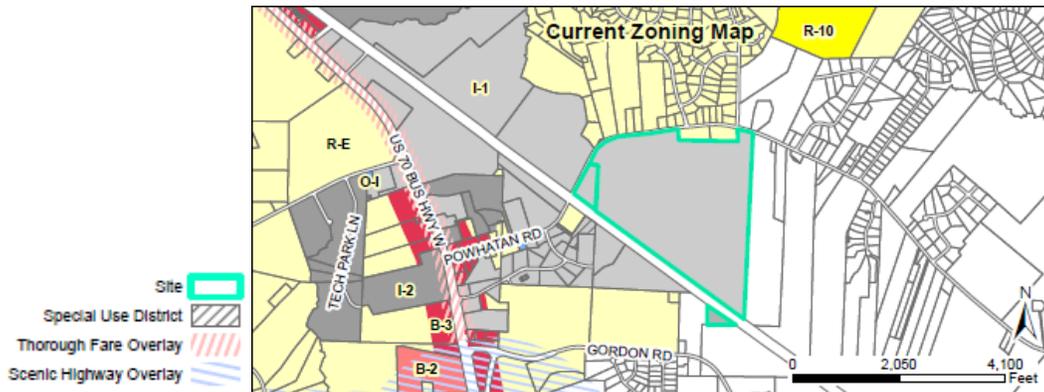
**SITE DATA:**

**Acres:** 180.76 acres  
**Existing Uses:** Vacant



**ADJACENT ZONING AND LAND USES:**

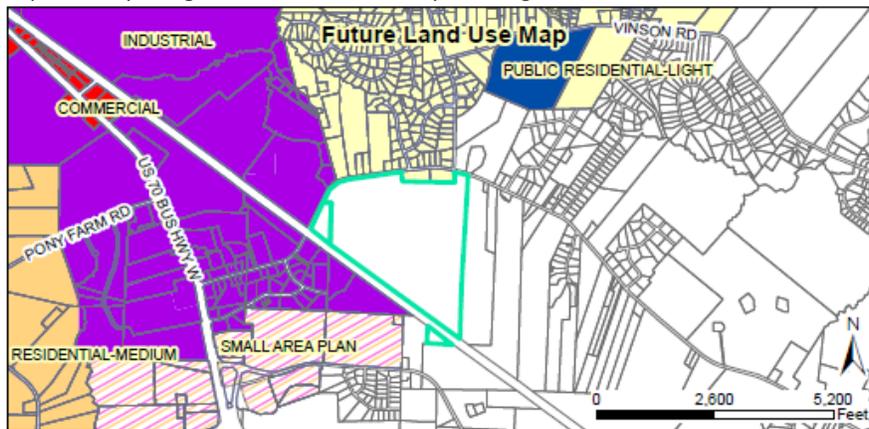
Direction	Zoning	Existing Use
North	Residential-Estate, Agricultural-Residential (County)	Residential, Vacant
South	Industrial-Light, Agricultural-Residential (County)	Vacant, North Tech Park
East	Agricultural-Residential (County)	Vacant
West	Industrial-Light	Novo Nordisk Pharmaceutical



**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The Town is requesting to rezone 180.76 acres following the annexation of the parcels into the Town's ETJ due to the House Bill 343 from the 2015 session. The proposed rezoning maintains the Industrial Light zoning of the parcel, as it was previously designated under the County's zoning.



Staff Report  
15-37-01-RZ Novo Nordisk SE Property

**Compatibility with Surrounding Land Uses**

The proposed zoning would be similar and compatible to the surrounding uses. The properties surrounding the subject parcels are designated as Industrial-Light, Residential-Estate, and Agricultural-Residential.

**Consistency with the Strategic Growth Plan**

These parcels were not a part of Clayton’s 2008 Strategic Growth Plan because they were not located within Clayton’s jurisdiction at the time. The parcels were designated as “Primary Growth Areas” via Johnston County’s Future Land Use Map. However, the properties located directly south and west of the subject parcels are included in Clayton’s Strategic Growth Plan and are designated to be “Industrial”. Therefore, the Industrial Light (I-1) zoning district would be consistent with the Strategic Growth Plan of Clayton.

---

**CONSIDERATIONS:**

- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.

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**FINDINGS:**

The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant’s Findings of Fact are incorporated into the record as an attachment to the Staff Report.

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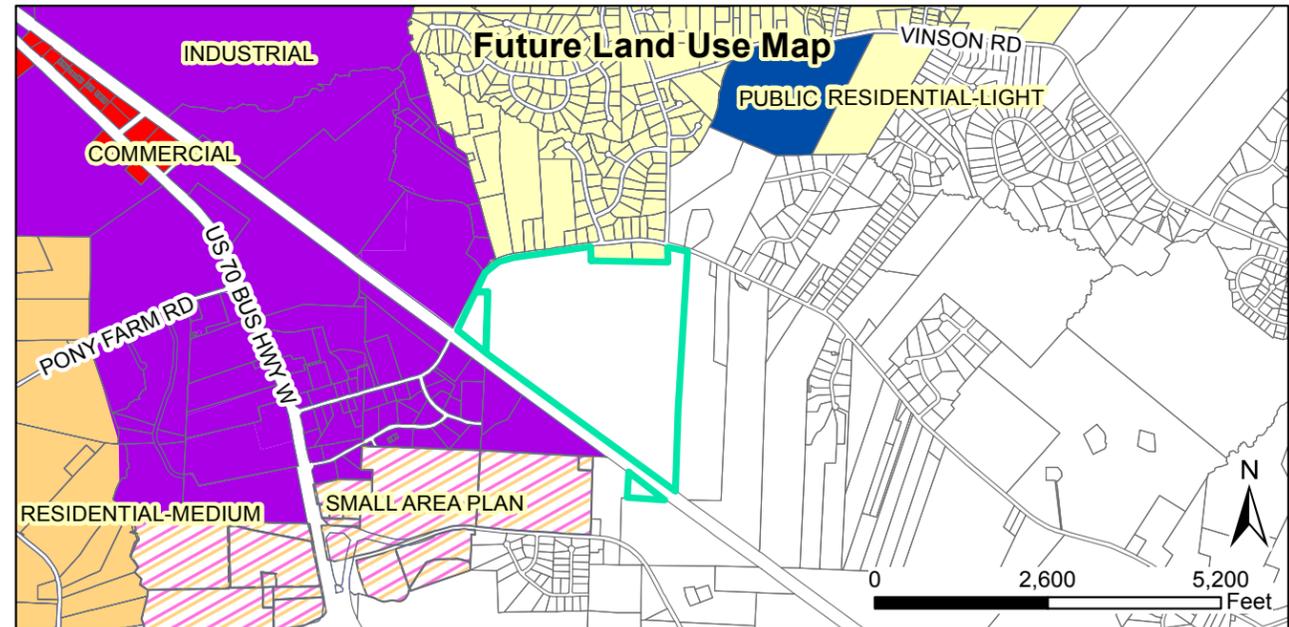
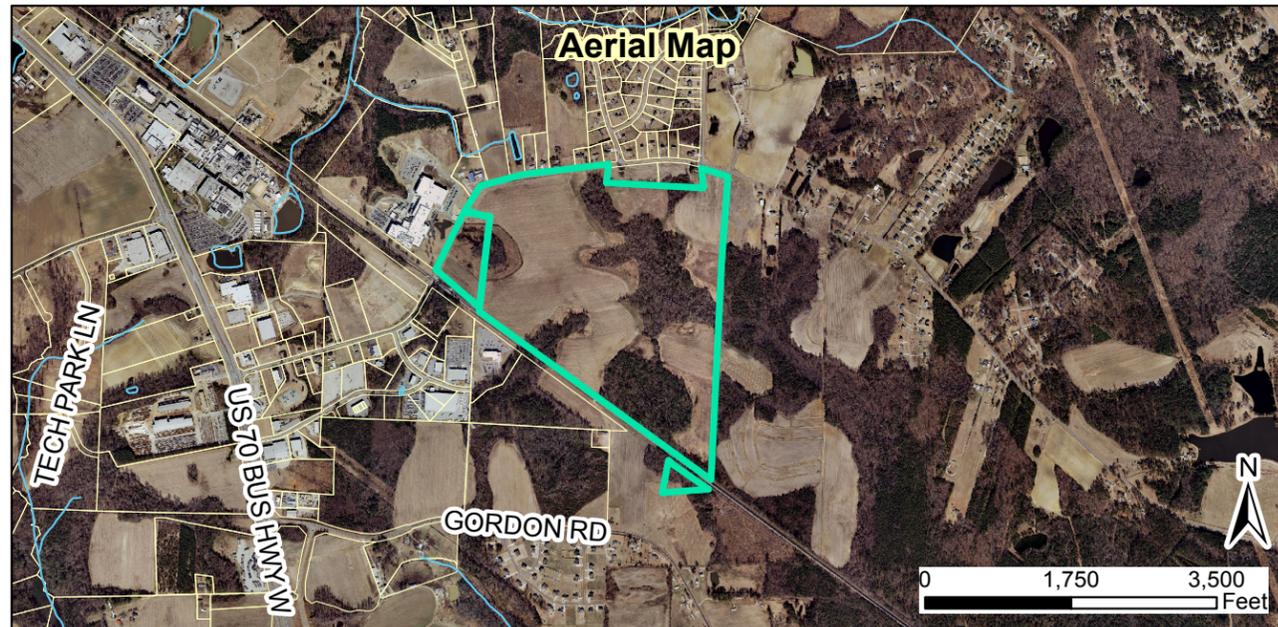
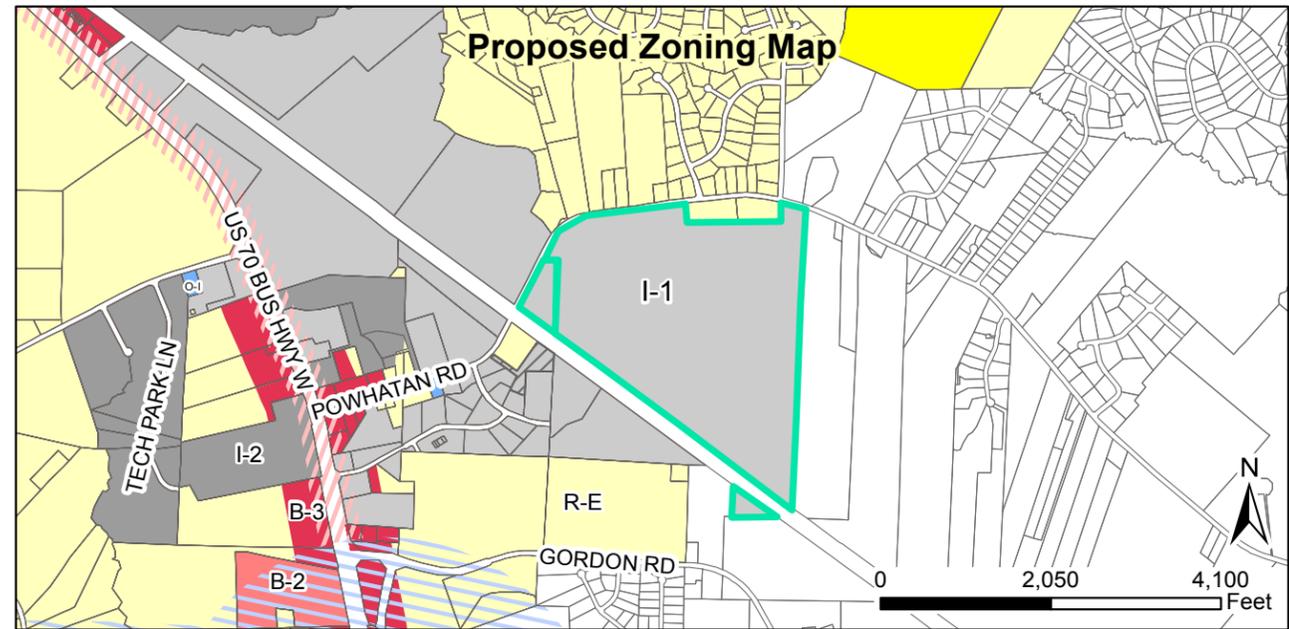
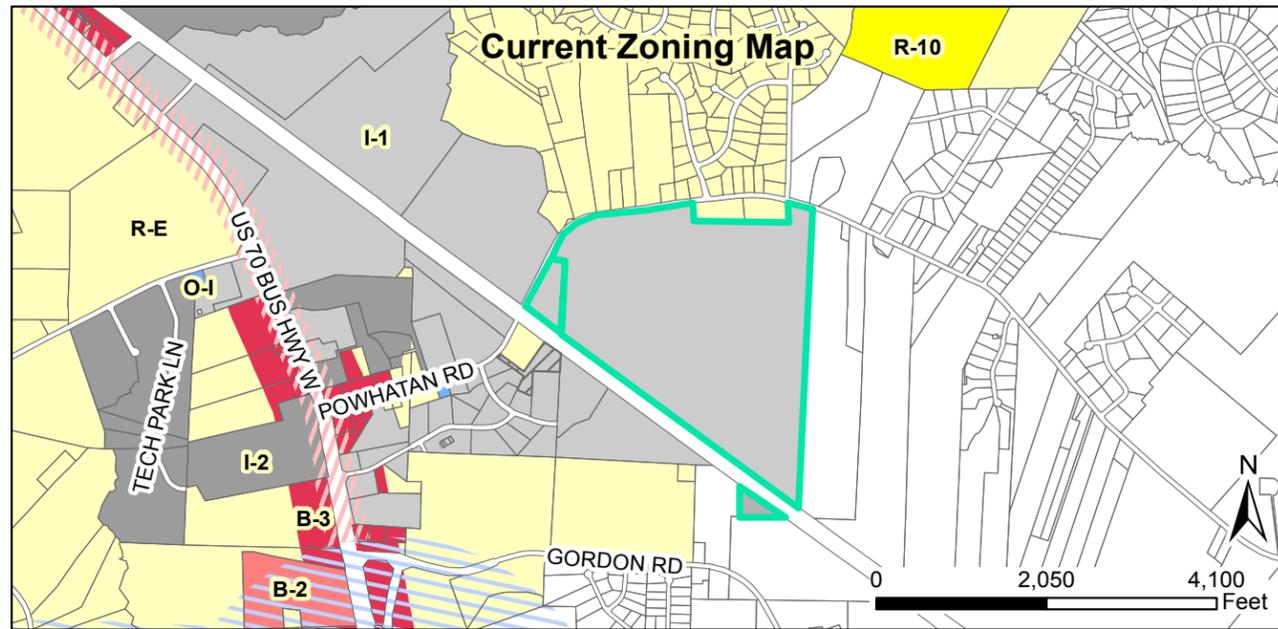
**STAFF RECOMMENDATION:**

Staff is recommending approval of the rezoning of the subject parcel.

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**ATTACHMENTS:**

- 1) Staff Report Maps
- 2) Application
- 3) House Bill 343
- 4) Plat Map – book 46 page 431
- 5) Neighborhood Meeting Materials

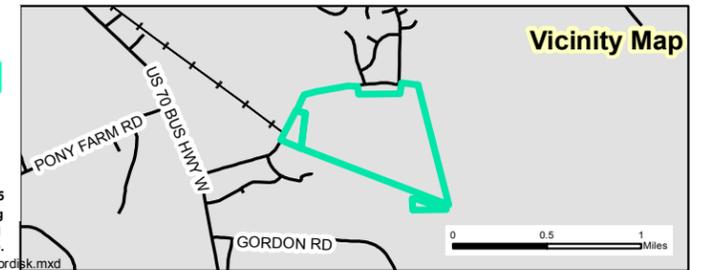


**15-37-01-RZ Novo Nordisk Southeast Property Rezoning  
Request: Rezoning from I-1 (County) to I-1 (Town)**

Applicant: Town of Clayton  
 Property Owner: Novo Nordisk Pharm IND  
 Parcel ID Number: 167804-60-8595 & 167804-50-7128  
 Tag #: 05I05008A & 05E99010N



- Site
  - Special Use District
  - Thorough Fare Overlay
  - Scenic Highway Overlay
- Produced by: TOC Planning  
 07/27/2015  
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\REZONING\Rezoning\2015\15-37-01-RZ Novo Nordisk Southeast Property Rezoning\Maps\StaffReportMap\_NovoNordisk.mxd



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.

Application fee: Standard Rezoning: \$500.00  
 Rezoning to Planned Development District: \$1,000.00 + \$5.00 acre  
*All fees are due when the application is submitted.*

*Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.*

### SITE INFORMATION

Name of Project: Novo Nordisk Southeast Property Rezoning Acreage of Property: 174.92  
 County Tag Number: 05109008 A & 05E99010N NC PIN: 167804-60-8595 & 167804-50-7128  
 Address/Location: 362 Peachtree Belvedere, NC 27527-0000

Existing Zoning District: I-1 (County)  
 Proposed Zoning District: I-1 (Town)  
 Is project within an Overlay District?  No  
 Yes (list): \_\_\_\_\_

### APPLICANT INFORMATION

Applicant: Town of Clayton - Planning Dept.  
 Mailing Address: 111 E. Second St Clayton, NC 27520  
 Phone Number: 919-553-5002 Fax: 919-553-1720  
 Contact Person: David DeYoung  
 Email Address: ddeyoung@townofclaytonnc.org

### FOR OFFICE USE ONLY

Date Received: 7-29-15 Amount Paid: Town Initiated File Number: 15-37-01-R2

**PROPERTY OWNER INFORMATION**

Name: Novo Nordisk Pharm IND  
 Mailing Address: 3612 Powhatan Rd Clayton, NC 27527  
 Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**EXPLANATION OF PROJECT**

*Please provide detailed information concerning all requests. Attach additional sheets if necessary.*  
Town initiated rezoning following the addition of  
the parcels into the ETJ due to the House Bill 343  
from the 2015 session.

**REQUIRED INFORMATION (to be submitted with the application)**

*The following items must accompany a Rezoning application.*

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>					
1. A pre-application conference was held with Town of Clayton staff. Date: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
3. Completed application	<input checked="" type="checkbox"/>				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. <i>If property to be rezoned is a portion of a parcel:</i>					
- Property legal description typed (10 pt. font or greater). The legal description must also be submitted electronically in Microsoft Word format.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
- Plat showing property to be rezoned, matching legal description.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7. Adjacent property owners list	<input type="checkbox"/>	<input type="checkbox"/>			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.		
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town - thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

**APPROVAL CRITERIA**

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

- The property is zoned I-1 (county) and will be rezoned to ~~I-1~~ I-1 (Town). The surrounding properties are also zoned I-1.
- The rezoning is consistent with the adopted plans of the town.

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

The property will be permitted for the same uses if rezoned.

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

- ~~The proposed rezoning improves the balance of uses.~~
- The rezoning maintains the existing balance of uses.

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.

No change in use currently. These concerns will be addressed if the use changes in the future.

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

The legal purposes for which zoning exists is not violated.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

There shall be no adverse effect upon 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.

No one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

**APPLICANT AFFIDAVIT**

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

Town-initiated *Jm*

Print Name

Signature of Applicant

07/29/2015  
Date

January 2015

Page 4 of 10

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

3

HOUSE BILL 343  
Committee Substitute Favorable 4/9/15  
Senate Finance Committee Substitute Adopted 7/22/15

Short Title: Clayton/Wallace ETJ Areas. (Local)

Sponsors:

Referred to:

March 25, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF  
3 CLAYTON AND DEFINING THE EXTRATERRITORIAL JURISDICTION AREA OF  
4 THE TOWN OF WALLACE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** In addition to the authority provided in G.S. 160A-360, the Town of  
7 Clayton may exercise the powers granted in Article 19 of Chapter 160A of the General Statutes  
8 in the following areas:

9 First Tract:

10 BEING all of that certain tract or parcel of land designated as Tract 1 containing  
11 5.879 acres, according to plat of survey entitled "Boundary survey for Novo Nordisk Biochem,  
12 Inc., property of: John A. Wilson, Jr., (Tract 1) and George H. Coats, III, and wife, Duba M.  
13 Coats (Tract 2-6), Clayton Township, Johnston County, North Carolina" dated May 17, 1995,  
14 and updated November 17, 1995, prepared by Michael D. Goodfred, Registered Land  
15 Surveyor, of Kenneth Close, Inc., Land Surveying, and recorded in Plat Book 46, Page 431,  
16 Johnston County Registry, and being all of that certain tract or parcel of land conveyed to John  
17 A. Wilson, Jr., by deed recorded in Book 1102, Page 840, Johnston County Registry.

18 TOGETHER with all right, title, and interest of Grantor in and to the rights-of-way  
19 of Southern Railroad and N.C.S.R. 1901 (Powhatan Road).

20 Second Tract:

21 BEING all of Tract 2 consisting of 0.823 acres as shown on a plat captioned "Novo  
22 Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46,  
23 page 431, of the Johnston County Registry, said description therein, being incorporated herein  
24 by reference, for a more complete and accurate description.

25 Third Tract:

26 BEING all of Tract 3 consisting of 3.557 acres as shown on a plat captioned "Novo  
27 Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46,  
28 page 431, of the Johnston County Registry, said description therein, being incorporated herein  
29 by reference, for a more complete and accurate description.

30 Fourth Tract:

31 BEING all of Tract 4 consisting of 118.395 acres, including 6.045 acres of Tract 4  
32 which is in the right-of-way of Southern Railroad, as shown on a plat captioned "Novo Nordisk  
33 Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46, page 431,  
34 of the Johnston County Registry, said description therein, being incorporated herein by  
35 reference, for a more complete and accurate description.



1 Fifth Tract:

2 BEING all of Tract 5 consisting of 33.884 acres, including 5.547 acres of Tract 5  
3 which is in the right-of-way of Southern Railroad, as shown on a plat captioned "Novo Nordisk  
4 Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46, page 431,  
5 of the Johnston County Registry, said description therein, being incorporated herein by  
6 reference, for a more complete and accurate description.

7 LESS AND EXCEPT all of Tract 5A located in Johnston County, North Carolina,  
8 containing approximately 8.012 acres, as shown on that certain plat entitled "Property of  
9 Johnston County Industrial Development Corporation," prepared by W. Stanton Massengill,  
10 P.L.S., recorded in Plat Book 63, Page 331, Johnston County Registry, to which plat reference  
11 is hereby made for a more particular description of same.

12 Sixth Tract:

13 BEING all of Tract 6 consisting of 55.387 acres, exclusive of railroad, as shown on  
14 a plat captioned "Novo Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is  
15 recorded in Plat Book 46, page 431, of the Johnston County Registry, said description therein,  
16 being incorporated herein by reference, for a more complete and accurate description. The  
17 southernmost boundary of this tract runs along the northernmost right-of-way of Southern  
18 Railroad.

19 **SECTION 2.(a)** Section 1 of Chapter 580 of the Session Laws of 1995 reads as  
20 rewritten:

21 "Section 1. The Charter of the Town of Wallace, being Chapter 94 of the 1987 Session  
22 Laws, is amended by adding a new section to read:

23 "Section 1.4. **Extraterritorial jurisdiction.** In addition to any areas where the Town of  
24 Wallace exercises territorial jurisdiction under Article 19 of Chapter 160A of the General  
25 Statutes, the town shall have territorial jurisdiction under that Article in the following described  
26 area:

27 In Duplin County, beginning at a point on the existing extraterritorial jurisdiction boundary  
28 line one-half mile south of the center line of NC Highway 41, and continuing from that point in  
29 an easterly direction along a route one-half mile south of the center line of NC Highway 41 to a  
30 point one-half mile east of the Interstate 40 eastern right-of-way boundary line; continuing  
31 from that point in a northwesterly direction along a route one-half mile east of the Interstate 40  
32 eastern right-of-way boundary line to a point one-half mile north of the center line of NC  
33 Highway 11; continuing from that point in a southwesterly direction along a route one-half mile  
34 north of the center line of NC Highway 11 to a point where it intersects with the existing  
35 extraterritorial jurisdiction boundary line; and including all of the area located within the  
36 described boundary. Excluded from that described extraterritorial jurisdiction area is  
37 the following described territory: where the previously described line is intersected at a  
38 point located at North 88°45'53" East a distance of 361.54 feet to a point in the center of  
39 the pavement of S.R. No. 1944 (Rivenbark Town Road); and South 31°03'31" West a  
40 distance of 116.65 feet from a nail in the center of the intersection of NC Hwy 11 and  
41 S.R. No. 1944 (Rivenbark Town Road); Running thence from the point of beginning  
42 South 31°03'31" West a distance of 671.27 feet to a point; continuing from that point  
43 South 32°42'54" West a distance of 362.97 feet to a point; continuing South 71°46'03"  
44 East a distance of 241.26 feet to a point; continuing South 32°16'17" West a distance of  
45 221.27 feet to a point; continuing South 38°36'00" East a distance of 525.83 feet to a  
46 point; continuing North 29°32'30" East a distance of 107.38 feet to a point; continuing  
47 South 68°52'40" East a distance of 327.38 feet to a point; continuing South 29°46'48"  
48 West a distance of 500.66 feet to an iron rod with NC Grid coordinates (NAD 1983) of  
49 North = 372,432.573 feet and East = 2,312,937.885 feet; continuing South 43°26'06" East  
50 a distance of 2162.19 feet to a point; continuing South 42°46'07" East a distance of  
51 1755.49 feet to a point; continuing North 73°29'06" East a distance of 343.33 feet to a

1 point; continuing South 16°30'54" East a distance of 105.64 feet to a point; continuing  
2 South 33°02'26" East a distance of 73.67 feet to a point; continuing South 11°45'56"  
3 East a distance of 271.34 feet to a point; continuing South 17°30'31" East a distance of  
4 118.02 feet to a point; continuing South 56°50'02" East a distance of 64.99 feet to a  
5 point; continuing South 42°51'48" East a distance of 89.74 feet to a point in the center  
6 line of NC Highway 41; continuing along the center line of NC Highway 41 South  
7 33°01'41" West a distance of 623.97 feet to a point; continuing South 60°43'52" East a  
8 distance of 785.16 feet to a point; continuing South 19°54'10" West a distance of  
9 258.24 feet to a point; continuing South 65°09'27" East a distance of 1816.52 feet to a  
10 point."

11           **SECTION 2.(b)** Relinquishment of authority by the Town of Wallace shall be  
12 effective when this act becomes law. Upon relinquishment of the jurisdiction over an area that  
13 Wallace is regulating under Article 19 of Chapter 160A of the General Statutes, the city  
14 regulations and powers of enforcement shall remain in effect until (i) Duplin County has  
15 adopted the regulation or (ii) a period of 120 days has elapsed following the effective date of  
16 this act, whichever is sooner. During this period, Duplin County may hold hearings and take  
17 other measures that may be required in order to adopt county regulations for the area.

18           **SECTION 3.** This act is effective when it becomes law.



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

August 3, 2015

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of the intent of the Town of Clayton to rezone properties adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. This rezoning has been triggered following the addition of these properties to the Town of Clayton Extraterritorial Planning Jurisdiction (ETJ). Whenever land is added to a Town's ETJ, a rezoning must be initiated to transition the properties from the previous County zoning to the new Town zoning.

Per Town of Clayton regulations, a neighborhood meeting will be held to provide information to area residents about the nature of the rezoning. A representative of the Town will be present to explain the rezoning, answer questions, and solicit comments.

Meeting Date: August 13, 2015

Location: Town of Clayton Council Chambers, Clayton Town Hall 111 E. Second Street, Clayton, NC 27520

Time: 6:00pm

Type of Application: Rezoning

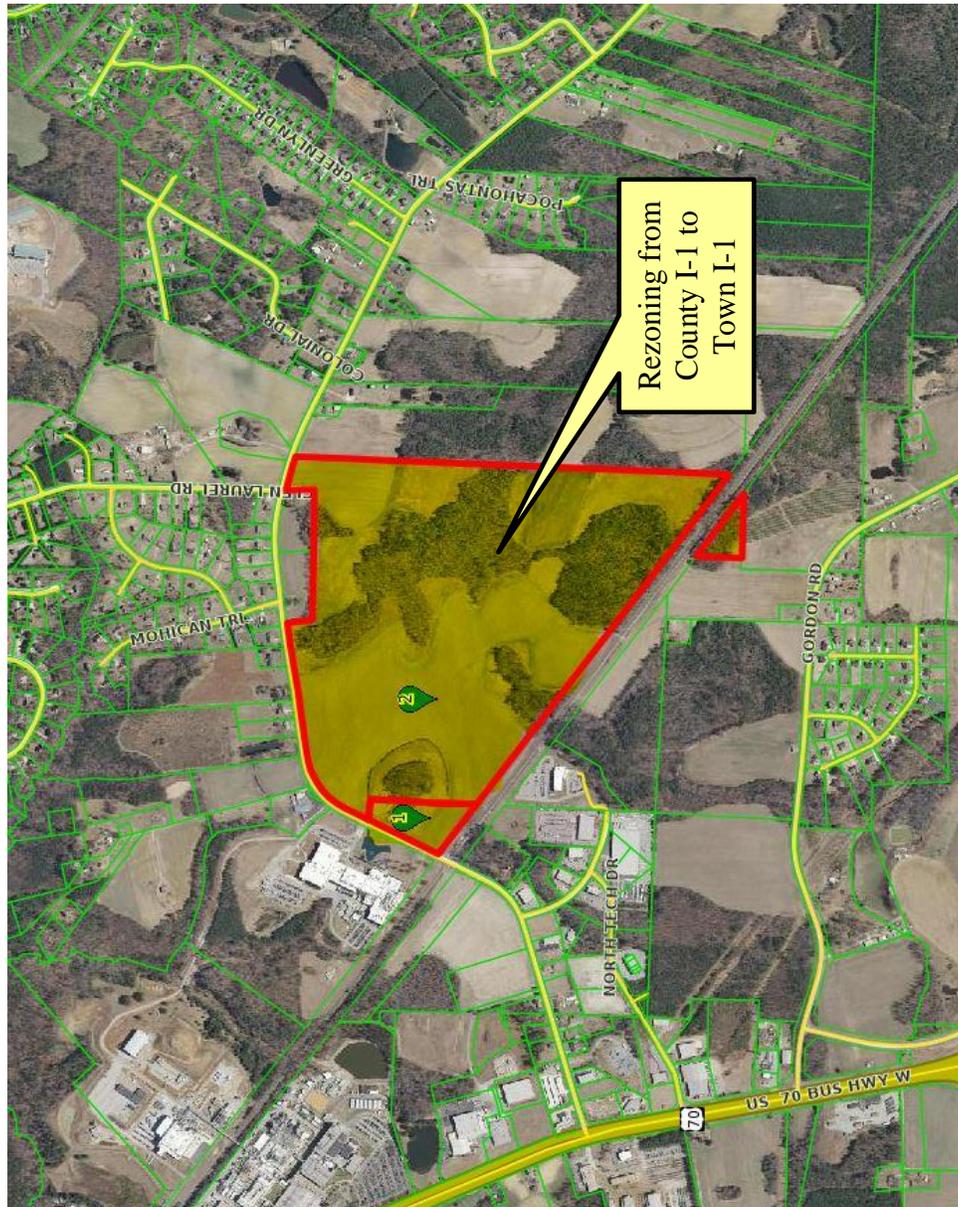
General Description: Rezoning approximately 174.92 acres located at PIN: 167804-60-8595 and approximately 5.88 acres located at PIN: 167804-50-7128. These parcels are both located between Powhatan Road and Gordon Road, east of NC 70 Hwy Business (see map). The properties are currently zoned as Light Industrial (I-1, County Zoning), and are proposed to be rezoned to Light Industrial (I-1, Town Zoning).

If you have any questions prior to or after this meeting, you may contact me at 919-359-2120. You may also email me at [hhogg@townofclaytonnc.org](mailto:hhogg@townofclaytonnc.org)

Sincerely,

Haley Hogg, CZO  
Town Planner  
Town of Clayton

cc: File folder: 15-37-01-RZ



# NEIGHBORHOOD MEETING SUMMARY FORM

## FILL OUT THE FOLLOWING:

Application: Novo Nordisk Southeast Property rezoning (15-37-01-RZ)  
Date of Mailing: JUN 31<sup>st</sup>, 2015

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

Printed Name: Haley Hogg Signature: Haley Hogg

Date of Meeting: 08/13/2015 Time of Meeting: 6:00 PM

Location of Meeting: Town Hall lobby

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

no one attended.

-JM.

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

## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Novo Nordisk Southeast Property Rezoning (15-37-01-RZ)

Applicant: Town-initiated

Location/Date: Town Hall lobby, 08/13/2015, 6:00 PM

	NAME	ADDRESS
1	JAY McLEOD	Town of Clayton
2	Haley Hogg	" " "
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**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**15-37-01-RZ Novo Nordisk Southeast Property Rezoning**

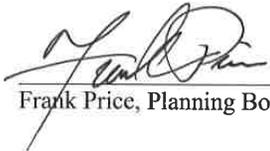
On August 24, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

- approve the request;
- deny the request.

Recommendation(s) made this 24 day of August 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair

### **PUBLIC NOTICE**

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday, October 5, 2015, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following:

- **Hocutt Baptist Church Rezoning, 10-18-01-RZ,** request to rezone parcels 165916-93-2442, 165916-93-4366, 165916-93-3255, 165916-93-5286, 165916-93-2577, 165916-93-1567, 165916-83-9670, 165916-93-0614, 165916-93-0770, 165916-93-1726, 165916-83-9608, 165916-93-0844, 165916-93-1921. The requested change is from Residential-6 (R-6) and Residential-8 (R-8) to Office-Institutional (O-I) and Office-Institutional-Special Use District (O-I-SUD). Parcels east of Robertson Street (165916-93-4366, 165916-93-2442, 165916-93-1567, 165916-93-2635, 165916-93-2577, 165916-93-3255, 165916-93-5289) are requested to be rezoned to O-I, and parcels west of Robertson Street (165916-93-0844, 165916-83-9608, 165916-83-9670, 165916-93-0614, 165916-93-0770, 165916-93-1726) are requested to be rezoned to O-I-SUD.
- **Novo Nordisk SE Property Rezoning, 15-37-01-RZ,** request to rezone parcels 167804-60-8595 and 167804-50-7128. The requested change is from Industrial-1 (I-1, County Zoning) to Light Industrial (I-1, Town Zoning). These parcels were recently included in the Town of Clayton's ETJ by House Bill 343, and are required to be rezoned to a Town zoning district within 60 days of inclusion. This rezoning will satisfy that requirement.
- **Arbors at East Village Phase II Rezoning, 12-05-03-PDD,** request to rezone parcel 166806-48-5833. The requested change is from Highway Business (B-3) to Planned Development-Residential (PDD-R).

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts

**without modification of the request or additional public hearing.**

**This is an open meeting and the public is invited to attend.**

**Haley Hogg, Planner  
919-553-5002**

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**The Clayton News Star  
Please advertise on the following dates:  
September 23, 2015  
September 30, 2015**

**Affidavit of publication required.**

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

The Arbors at East Village Phase 2 Rezoning - 12-05-03-PDD

**DESCRIPTION:**

Request rezoning 3.76 from Neighborhood Business (B-3) to Planned Development - Residential (PD-R)

**POTENTIAL ACTION:**

Set Public Hearing

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



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

Planning Board  
August 24, 2015

**STAFF REPORT**

**Application Number: 12-05-03-PDD**  
**Project Name: The Arbors at East Village Phase 2 Rezoning**

**NC PIN / Tag #:** 166806-48-5833 / 05037011A  
**Town Limits/ETJ:** Town Limits  
**Overlay:** None  
**Applicant:** Bass, Nixon, and Kennedy, Inc.  
**Owner:** East Village Investments, LLC  
**Location:** The project is located at the intersection of East Front Street and Bent Branch Loop.

**Public Noticing:**

- Neighborhood meeting August 13, 2015
- Sign posted August 13, 2015
- Adjacent Property Letters mailed, prior to September 25, 2015
- Newspaper Ad published, prior to September 23, 2015

**REQUEST:** Rezoning 3.76 acres from Neighborhood Business (B-3) to Planned Development-Residential (PD-R), in anticipation of inclusion in the existing Arbors at East Village Planned Development.

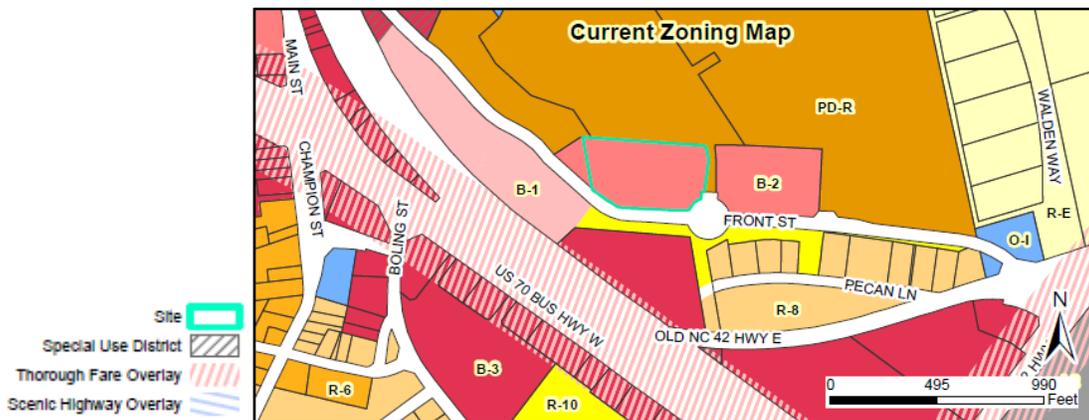
**SITE DATA:**

**Acreage:** 3.76 acres  
**Existing Use:** Vacant



**ADJACENT ZONING AND LAND USES:**

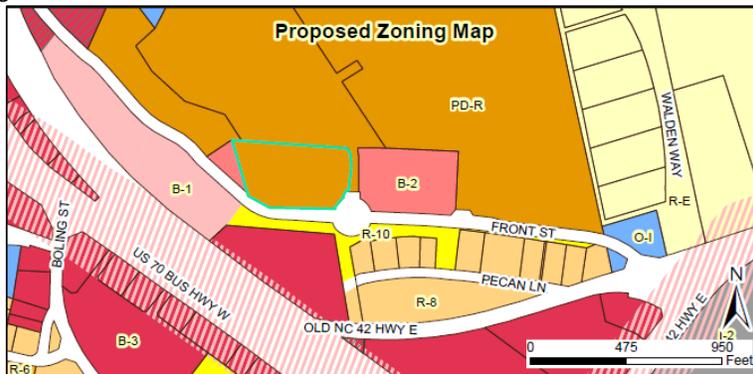
Direction	Zoning	Existing Use
North	Planned Development-Residential (PD-R)	Residential Apartments (Arbors at East Village Phase I)
South	Residential-10 (R-10) and Highway Business (B-3)	Vacant and Commercial
East	Neighborhood Business (B-2) and Planned Development-Residential (PD-R)	Vacant
West	Central Business (B-1) and Planned Development-Residential (PD-R)	Vacant



**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting to rezone to rezone 3.76 acres from Neighborhood-Business (B-2) to Planned Development-Residential (PD-R) in anticipation of a development of apartment buildings as an extension of The Arbors at East Village.

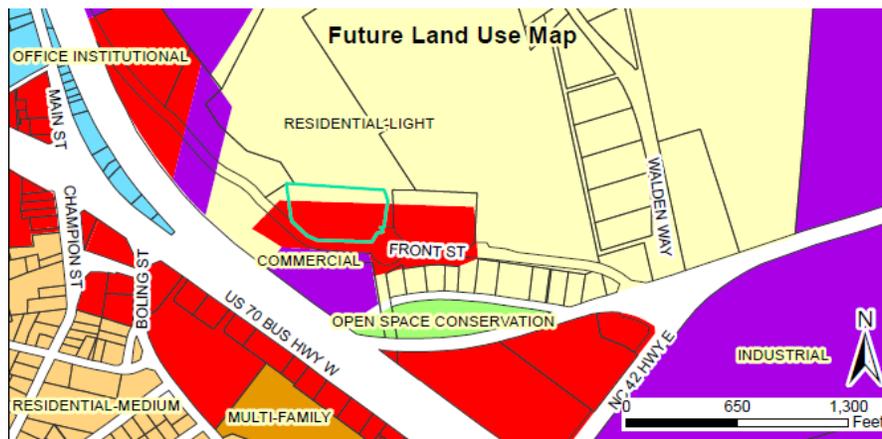


**Compatibility with Surrounding Land Uses**

The proposed zoning would be similar and compatible to uses that are surrounding the property. The parcel directly to the North of the site was rezoned to PD-R to accommodate The Arbors I at East Village apartments, and the property to the East is proposed to be rezoned to the same and developed into a residential subdivision. The parcels directly to the west and the south are currently vacant.

**Consistency with the Strategic Growth Plan**

The 2008 Strategic Growth Plan designates this site as Commercial and Residential-Light, with the surrounding properties to the North, East, and West as the same and the property directly South as Industrial. When this plan was created in 2008, the proposed use was not anticipated for this parcel. However, since the plan was created, the town has begun to incorporate this use into this area. The Arbors at East Village Phase 1 is located directly to the North of the property and was rezoned to PD-R for development. Therefore, it would be compatible to allow this property to be rezoned to PD-R and developed as an extension of The Arbors at East Village I.



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**CONSIDERATIONS:**

- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
- This rezoning is running concurrently with a Major Site Plan for Arbors at East Village II.

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**FINDINGS:**

The applicant has addressed the Rezoning Approval Criteria outlined in §155.705. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

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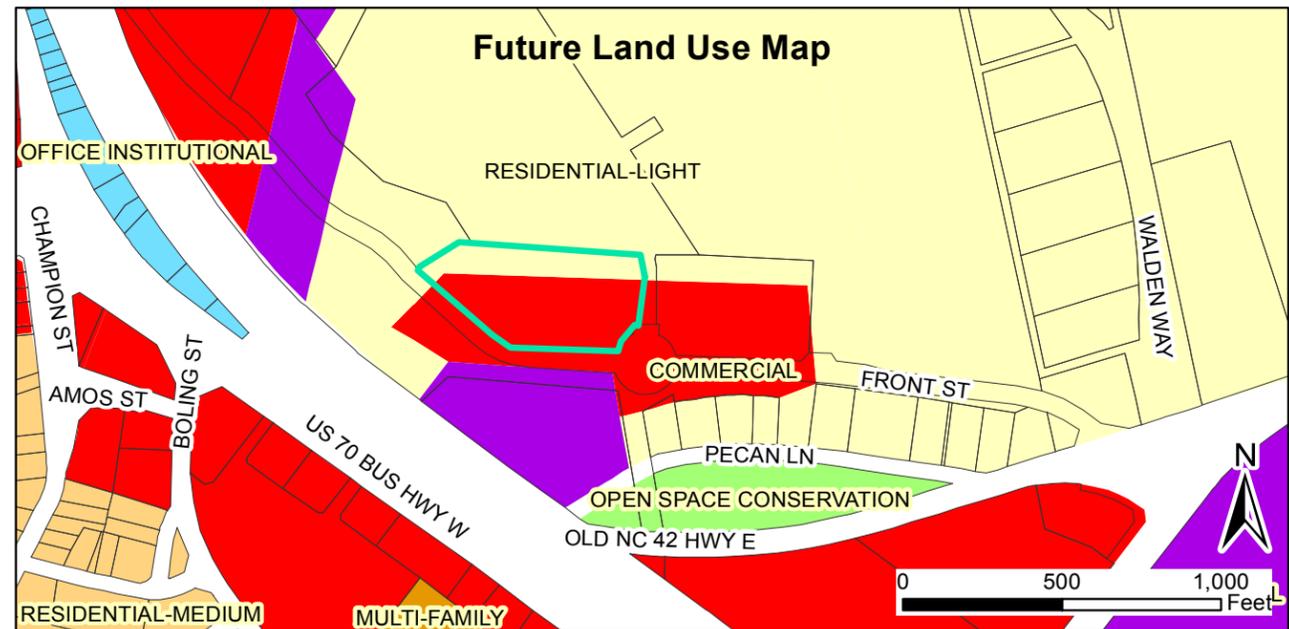
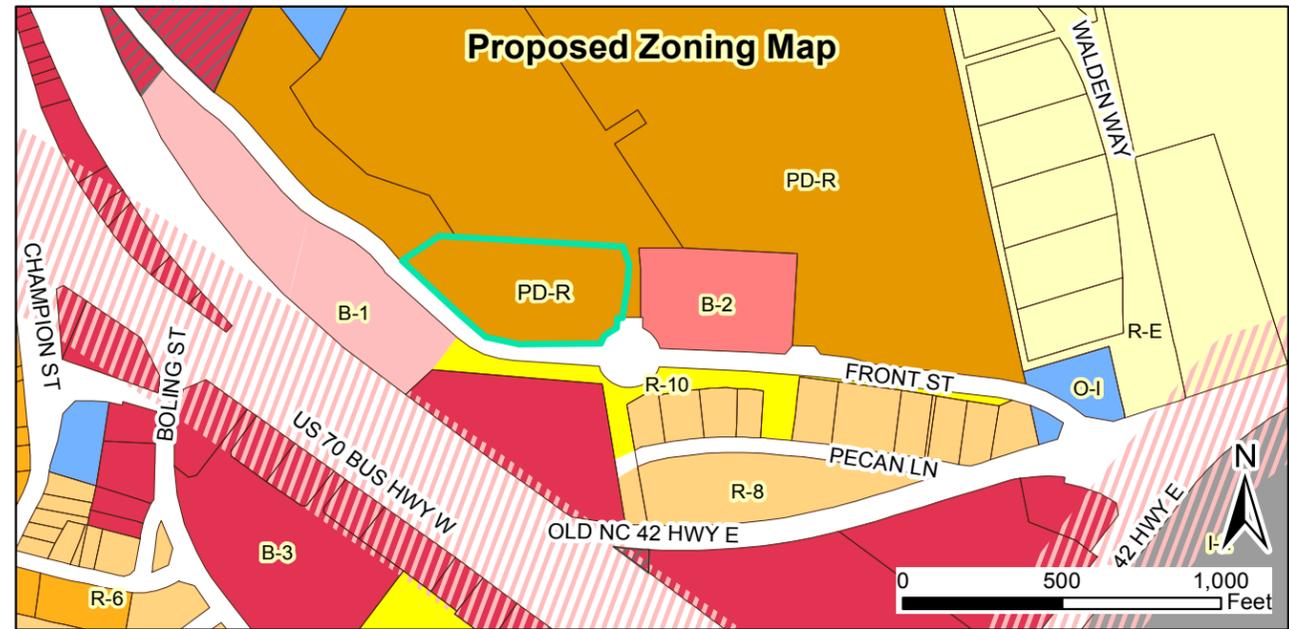
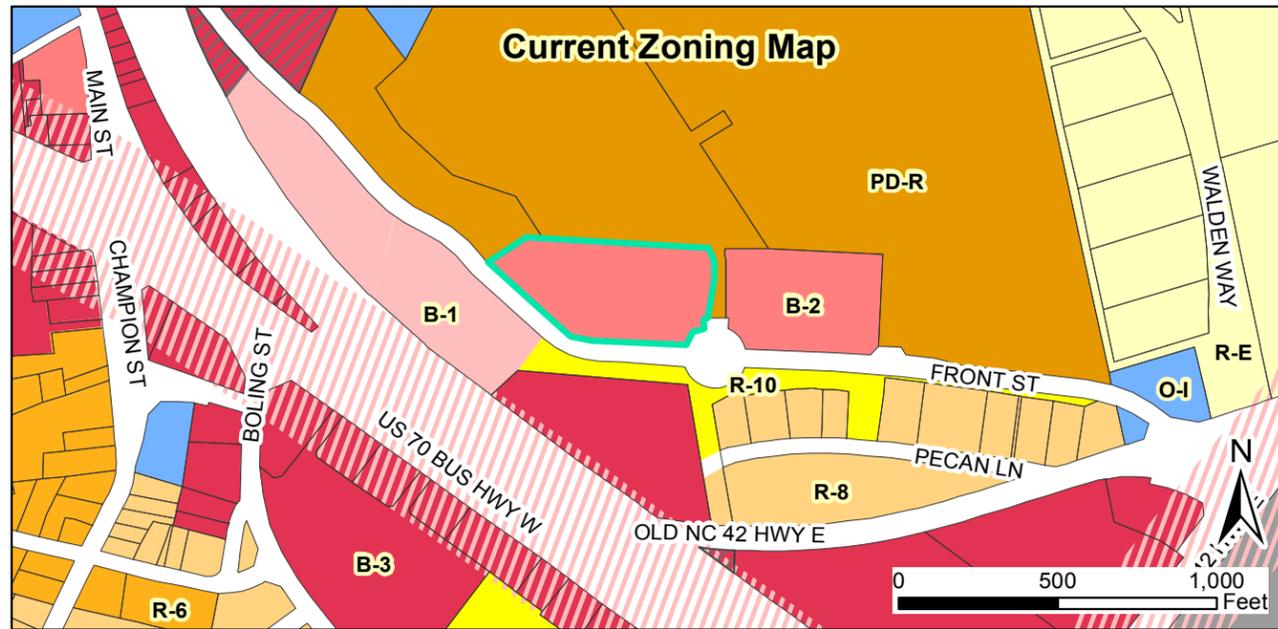
**STAFF RECOMMENDATION:**

Staff is recommending approval of the rezoning of the subject parcel.

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**ATTACHMENTS:**

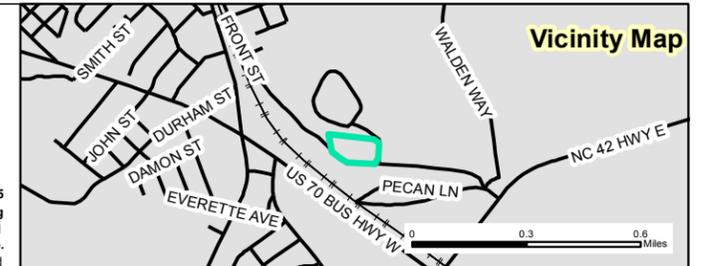
- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Email modifying rezoning



**12-05-03-PDD The Arbors at East Village Phase 2 Rezoning**  
**Request: Rezoning from B-2 to PD-R**  
**12-05-02-SP The Arbors at East Village Phase 2 Master Site Plan**  
**Request: New 3 building, 72 apartment unit addition to Arbors at East Village**  
 Applicant: Bass, Nixon, and Kennedy, Inc.  
 Property Owner: East Village Investments, LLC  
 Parcel ID Number: 166806-48-5833  
 Tag #: 05037011A



09/14/2015  
 Produced by: TOC Planning  
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





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.

Application fee: Standard Rezoning: \$500.00  
 Rezoning to Planned Development District: \$1,000.00 + \$5.00 acre  
*All fees are due when the application is submitted.*

*Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.*

### SITE INFORMATION

Name of Project: The Arbors at East Village Phase 2 Acreage of Property: 4.14  
 County Tag Number: 05037011A NC PIN: 1688.06-48-5833  
 Address/Location: Lot 4 East Village; Intersection of E. Front Street and Bent Branch Loop

Existing Zoning District: B-2  
 Proposed Zoning District: PD-R  
 Is project within an Overlay District?  No  
 Yes (list): Water Supply Watershed

### APPLICANT INFORMATION

Applicant: Bass, Nixon and Kennedy, Inc.  
 Mailing Address: 6310 Chapel Hill Road, Suite 250, Raleigh, NC 27607  
 Phone Number: 919-851-4422 Fax: 919-851-8968  
 Contact Person: Marty D. Bizzell, PE, CPESC  
 Email Address: marty.bizzell@bnkinc.com

**FOR OFFICE USE ONLY**

Date Received: <span style="color: red; font-weight: bold; font-size: 1.2em;">JUL 02 2015</span>	Amount Paid: _____	File Number: _____

## APPROVAL CRITERIA

*All applications for a Rezoning must address the following findings:*

1. Consistency with the adopted plans of the Town.

~~The Town's proposed Land Use Plan designates the property as commercial. The property is boarded to the north by residential multi-family use, zoned PD-R and would be an extension of the existing development and PD-R.~~

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

~~The property is well suited for the uses proposed in the PD-R. Public infrastructure is existing that is adequate to support the use.~~

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

~~The property is located near the gateway to the Downtown District. There is a demand for housing near the downtown area. The rezoning to PD-R would help to supply a demand for housing in the area and would help to compliment the existing business district in the downtown area.~~

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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.

~~Adequate public facilities exist to support the proposed use. E. Front Street Extension has recently been completed to provide access to downtown and to Hwy. 42. A 20" water main has recently been installed within the Front Street Extension right-of-way. A sewer pump station has recently been completed in East Village which has adequate capacity for sewer requirements. Adequate storm drainage facilities have been constructed with E. Front Street Extension and East Village.~~

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## 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 meeting in electronic or hard copy format:

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



# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

**Applicant:** \_\_\_\_\_

**Location/Date:** \_\_\_\_\_

	NAME	ADDRESS
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**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:** The Arbors at East Village Phase 2 **Address or PIN #:** 1668.06-48-5833

**AGENT/APPLICANT INFORMATION:**

Marty D. Bizzell, PE, CPESC  
(Name - type, print clearly)

6310 Chapel Hill Rd., Ste. 250  
(Address)  
Raleigh, NC 27607  
(City, State, Zip)

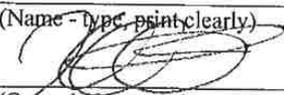
I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests below*):

Rezoning Preliminary Site Plan Approval  
Construction Plan Approval and Permitting

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:**

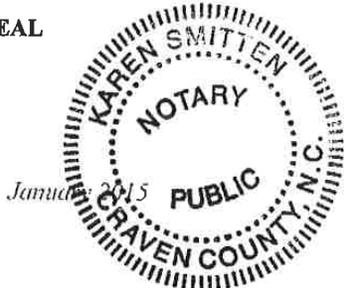
Hubert G. Tolson, III, East Village Investments, LLC  
(Name - type, print clearly)  
  
(Owner's Signature)

227 East Front Street  
(Address)  
New Bern, NC 28560  
(City, State, Zip)

STATE OF North Carolina  
COUNTY OF Craven

Sworn and subscribed before me Hubert G. Tolson, III a Notary Public for the above State and County, this the 30<sup>th</sup> day of June, 2015.

SEAL



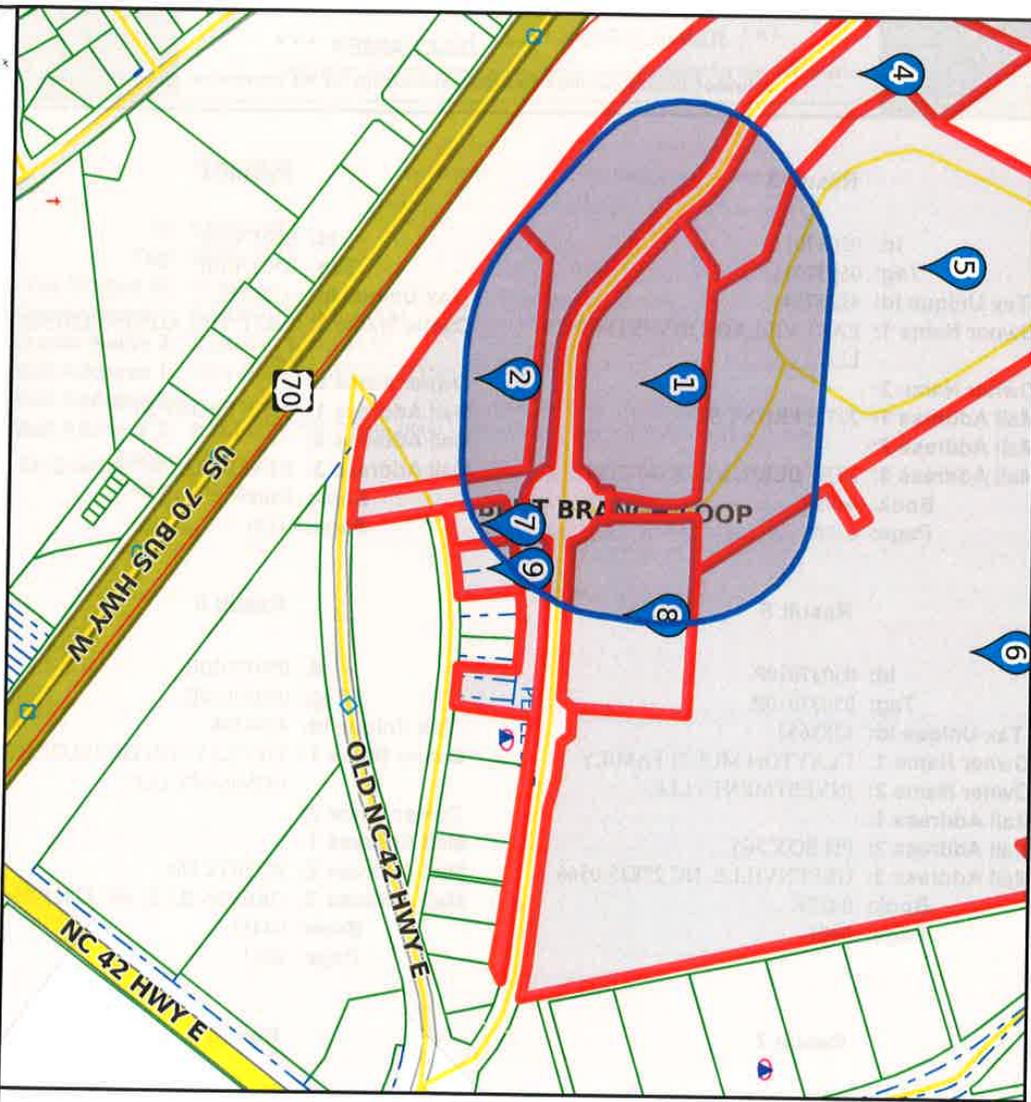
  
Notary Public  
My Commission  
Expires: 9-6-19

PROPERTY DESCRIPTION  
LOT 4 – EAST VILLAGE OF CLAYTON



BEGINNING at a point in the northeastern right-of-way of Front Street, a 60 ft. public right-of-way, said point being the northwest corner of Lot 4 of East Village of Clayton Subdivision as referenced in Plat Book 78, Page 113-114 and recorded in the Johnston County Registry, said point also being the southeast corner of Lot 2 of the said subdivision; thence leaving the said right-of-way of Front Street and with the common line of said Lots 2 and 4, N 55°38'57"E, 149.22 feet to a point; thence S 87°57'12"E, 554.11 feet to a point on a curve having a radius of 91.50 feet; thence with the said curve as it turns to the right an arc length of 34.61 feet and having a chord bearing of S 28°00' 08"E and a chord distance of 34.41 feet to a point; thence S 17°09' 53"E, 3.34 feet to a point on a curve having a radius of 141.50 feet; thence with the said curve as it turns to the right an arc length of 47.45 feet and having a chord bearing of S 07°33'33"E and a chord distance of 47.22 feet to a point; thence S 02°02'48"W, 33.72 feet to a point; thence S 06°46'01"W, 85.07 feet to a point; thence S 02°02'48"W, 28.75 feet to a point; thence N 89°13'55"W, 17.60 feet to a point; thence S 00°59'38"W, 33.35 feet to a point on a curve having a radius of 100.00 feet; thence with the said curve as it turns to the left an arc length of 76.40 feet and having a chord bearing of S 45°31'47"W and a chord distance of 74.55 feet to a point in the northern right-of-way of said Front Street; thence continuing with the said Front Street right-of-way, S 88°02'12"W, 20.40 feet to a point; thence N 89°21'26"W, 180.07 feet to a point; thence N 87°45'51"W, 68.27 feet to a point on a curve having a radius of 220.00 feet; thence with the said curve as it turns to the right an arc length of 152.27 feet and having a chord bearing of N 67°56'05"W and a chord distance of 149.25 feet to a point; thence N 48°06'25"W, 281.67 feet to the Point and Place of BEGINNING and containing 4.1366 acres.

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



Scale: 1:5030 - 1 in. = 419.16 feet  
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

**Result 1**

id: 05037011A  
Tag: 05037011A  
Tax Unique Id: 4225727  
Owner Name 1: EAST VILLAGE INVESTMENTS LLC  
Owner Name 2:  
Mail Address 1: 227 E FRONT ST  
Mail Address 2:  
Mail Address 3: NEW BERN, NC 28560-2145  
Book: 04099  
Page: 0330

**Result 2**

id: 05037010D  
Tag: 05037010D  
Tax Unique Id: 4225714  
Owner Name 1: WIL-THOM LLC  
Owner Name 2:  
Mail Address 1: 203 FLAMINGO DRIVE  
Mail Address 2:  
Mail Address 3: CLAYTON, NC 27520-0000  
Book: 01659  
Page: 0602





BASS, NIXON & KENNEDY, INC., CONSULTING ENGINEERS  
6310 CHAPEL HILL ROAD, SUITE 250, RALEIGH, NC 27607  
919/851-4422 FAX 919/851-8968 [www.bnkinc.com](http://www.bnkinc.com)

August 4, 2015

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: August 13, 2015

Location: The Arbors at East Village Apartments Clubhouse – 56 Bent Branch Loop,  
Clayton, NC 27527

Time: 6:00 p.m.

Type of Application: Rezoning and Site Plan for Phase 2 of The Arbors at East Village  
Apartments

General Description: Phase 2 of the Arbors at East Village Apartments consisting of 3  
buildings containing 72 residential apartment units.

---

If you have any questions prior to or after this meeting, you may contact us at  
919-851-4422.

Sincerely,

A handwritten signature in black ink that reads "Marty D. Bizzell". The signature is written in a cursive style.

Marty D. Bizzell, PE, CPESC

cc: Clayton Planning Dept.



**ID: 05037011A  
EAST VILLAGE INVESTMENTS LLC  
227 E. FRONT STREET  
NEW BERN, NC 28560-2145**

**ID: 05037010D  
WIL-THOM LLC  
203 FLAMINGO DRIVE  
CLAYTON, NC 27520**

**ID: 05037010R  
CLAYTON MULTI FAMILY INVESTMENTS  
LLC  
PO BOX 566  
GREENVILLE, NC 27835-0566**

**ID: 05037010E  
TH CLAYTON DEVELOPMENT COMPANY  
LLC  
PO BOX 566  
GREENVILLE, NC 27835-0566**

**ID: 05G02191D  
GREG C & ANGELA V JONES  
118 PECAN LANE  
CLAYTON, NC 27527**

**ID: 05H01199A  
WILLIAM W & JEAN W BARBOUR  
7501 HOLLY SPRINGS DRIVE  
RALEIGH, NC 27606**

**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**12-05-03-PDD The Arbors at East Village Phase II Rezoning**

On August 24, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

- approve the request;  
 deny the request.

(insert any modifications to the request here):

Entire Parcel

---

Recommendation(s) made this 24 day of August 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair



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

---

August 25, 2015

Marty Bizzell  
Bass, Nixon, and Kennedy, Inc.  
6310 Chapel Hill Rd Ste. 250  
Raleigh, NC 27607

**Re:** 12-05-02-SP The Arbors at East Village Phase II Major Site Plan  
**Parcel ID:** 166806-48-5833    **Tag:** 05037011A  
**Location:** Lot 4 of East Village; Intersection of E. Front Street and Bent Branch Loop

Dear Mr. Bizzell,

On August 24, 2015, the Planning Board approved the above referenced request for major site plan approval of 3 additional apartment buildings as an extension of The Arbors at East Village Phase I.

You will need to submit three copies of revised plans for final approval. Please note the following considerations and make necessary adjustments to the plans before submitting these revisions for final approval:

1. Since the site plan/rezoning requests include the entire parcel now, please adjust the density table to show the total acreage. Or, alternatively, you may make a note next to the table stating that the original "cut-off" portion will be "reserved by owner". If this is done, please show a distinct line on the site plan where the cut-off was, and label that area of the parcel as "reserved by owner".
2. Please provide the correct amount for the impervious area of total open space under the "Impervious Surface" table.
3. This approval is contingent upon Rezoning approval for project 12-05-03-PDD by Town Council.
4. A Zoning Compliance Permit and Building Permit are required to begin construction.
5. A final site / landscape inspection shall be required when all site elements are installed. Contact the Planning Department.

Page 1 of 3

Please note that this approval is subject to the following conditions in addition to the six Conditions required for the Arbors (SP-2012-06):

1. The conditions of approval shall be recorded on the final approved site plan.
2. Final approval of the Site Plan (12-05-02-SP) is subject to the approval of the rezoning request 12-05-03-PDD by Town Council.
3. The required amenities for the Arbors I shall be constructed or bonded prior to the first certificate of occupancy at the Arbors II. In particular, the missing greenway connections on the western edge (from parking lot to Front Street) and northeastern edge of the parcel (to the common property line with East Village single family section).
4. This approval is contingent upon Rezoning approval for project 12-05-03-PDD by Town Council.

---

**ADDITIONAL INFORMATION:** *Please read below for more information on the above Conditions of Approval and additional information that will assist you as you move forward in the development process.*

**Zoning Compliance Permit:** As noted in the Conditions of Approval, a Zoning Compliance Permit must be secured. The permit application is available on the Town Planning Department website or in the Planning Department. Permit shall be submitted to the Planning Department for review and approval.

- Submit a copy of this approval letter with the Zoning Permit application.
- If Building Permits are required, please submit the Zoning Permit application along with the Building Permit application materials to the Planning Department.

**Building Permit:** If required, building permits must be secured from the Building/Inspections Department. Please contact the Building / Inspections Department at 919-359-9354 for more information or to determine if a building permit will be required. As noted above, please submit *initial* building permit materials to the Planning Department along with the Zoning Compliance Permit application.

**Utility Review:** The review and approval of project water, sewer, storm drainage and street construction drawings is a separate process. Two sets of these drawings must be submitted for approval to Public Works Department when they become available.

**Final Landscape/Site Inspection:** Please contact the Planning Department to schedule a site and landscape inspection when all site improvements, including landscaping, are complete and installed. *Final Certificate of Occupancy may not be received until this inspection is complete.*

**Validity of Site Plan:** The development of the site may now proceed in accordance with this approval. In order to establish vested rights from the approved site plan, the proper permits must be issued within two years from the date of approval.

Thank you for your cooperation in the review and approval process for this development. If you should have any questions regarding this matter please feel free to contact the Planning Department.

Sincerely,

A handwritten signature in cursive script that reads "Haley Hogg".

Haley Hogg, CZO  
Town Planner

**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**12-05-02-SP The Arbors at East Village Phase 2 Major Site Plan**

On August 24, 2015 the Planning Board heard the above-referenced request and made the following vote:

approve the request;

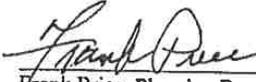
approve the request with the following modified or added conditions:

w/ conditions in staff report

deny the request.

Decision(s) made this 24 day of August 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Fisher Street Tw Family Home - SUP

**DESCRIPTION:**

Applicant is requesting a Special Use Permit to develop a two-family home in an R-8 zoning district.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



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

August 24, 2015

## STAFF REPORT

**Application Number:** 15-39-01-SUP

**Project Name:** Fisher Street Two-Family Home special use permit

**NC PIN / Tag #:** 166917-00-5716 / 05013028  
**Town Limits/ETJ:** Town Limits  
**Overlay:** None  
**Applicant:** James Lipscomb  
**Owner:** James & Valerie Lipscomb  
**Location:** 501 Fisher Street, adjacent to Andrews Street between Fisher Street and Starling Street

**Public Noticing:**

- Neighborhood meeting August 14, 2015
- Sign posted August 20, 2015
- Newspaper ad prior to September 23, 2015

**REQUEST:** The applicant is requesting a special use permit to develop a two-family home in an R-8 zoning district.

**SITE DATA:**

**Acreage:** 0.14 acres  
**Existing Use:** Vacant



**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-8 (R-8)	Single-Family Residences and Two-Family Home
South	Residential-8 (R-8)	Single-Family Residences
East	Residential-8 (R-8)	Single-Family Residences
West	Residential-8 (R-8)	Single-Family Residences

**DEVELOPMENT DATA:**

Proposed Uses: Two-Family Home  
 Buildings: 1 building  
 Impervious Surface: 2,148 square feet (28.1%)  
 Fire Protection: Town of Clayton  
 Access/Streets: Access will be provided via two separate driveway access locations. One will be located off of Fisher Street, with the second located off of Starling Street.  
 Water/Sewer Provider: Town of Clayton  
 Electric Provider: Town of Clayton

**STAFF ANALYSIS:**

**Overview**

The applicant is requesting a special use permit approval to develop a two-family home in an R-8 zoning district. This is project is running concurrently with minor site plan application (15-39-02-SPM).



**Consistency with Adopted Plans:**

- **Strategic Growth Plan**  
The 2008 Strategic Growth Plan designates this site and all surrounding properties as “Residential-Infill”. The plan does not specify what type of residential uses the area was envisioned to be used for, and there is currently a two-family home (duplex) located just north of the subject property. Since the property will still be developed for a residential use, it is consistent with the Strategic Growth Plan.
- **Unified Development Code**  
The proposed development is consistent and meets the applicable requirements of the Unified Development Code (UDC).

**Associated Site Plan**

The two-family home will be a total of 952 square feet under roof, with one unit accessible from Fisher Street and separate basement unit accessible from Starling Street. There will be two separate driveways for the residents, one located off of Starling Street and the other located off of Fisher Street. The driveway/parking area off of Fisher Street will have two separate entrances and porches. The driveway/parking area off of Starling Street will have its own entrance and porch as well.

The setbacks are less than what is required by Code in a R-8 residential subdivision. This is because this neighborhood was developed prior to the current setbacks. The Code allows for reduced setbacks in situations like this, so long as they are not less than that of neighboring properties. The setbacks for the proposed two-family home are similar to their closest neighbor, and are acceptable to Planning Staff.

**Landscaping and Buffering**

No landscape buffering is required between residential uses in a residential neighborhood. The applicant has provided street trees in adequate quantity for the proposed site plan.

**Recreation and Open Space**

N/A

**Environmental**

N/A

**Signs**

N/A

**Multi-Modal Access**

There is an existing 4’ concrete sidewalk located along Fisher Street. The existing sidewalk along the property on the Fisher Street will remain. There will be no sidewalk access to the basement unit, as there is currently no sidewalk along Starling Street.

**Architecture**

The architectural elevations are acceptable to staff.

**Waivers/Deviations/Variations 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 adequately addressed the Findings of Fact expressly established by Chapter 155.711(l) of the UDC, and these Findings are accepted as part of the completed application.

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**CONSIDERATIONS:**

- The Town Council approves Special Use Permits. The Planning Board shall make a recommendation to the Town Council.
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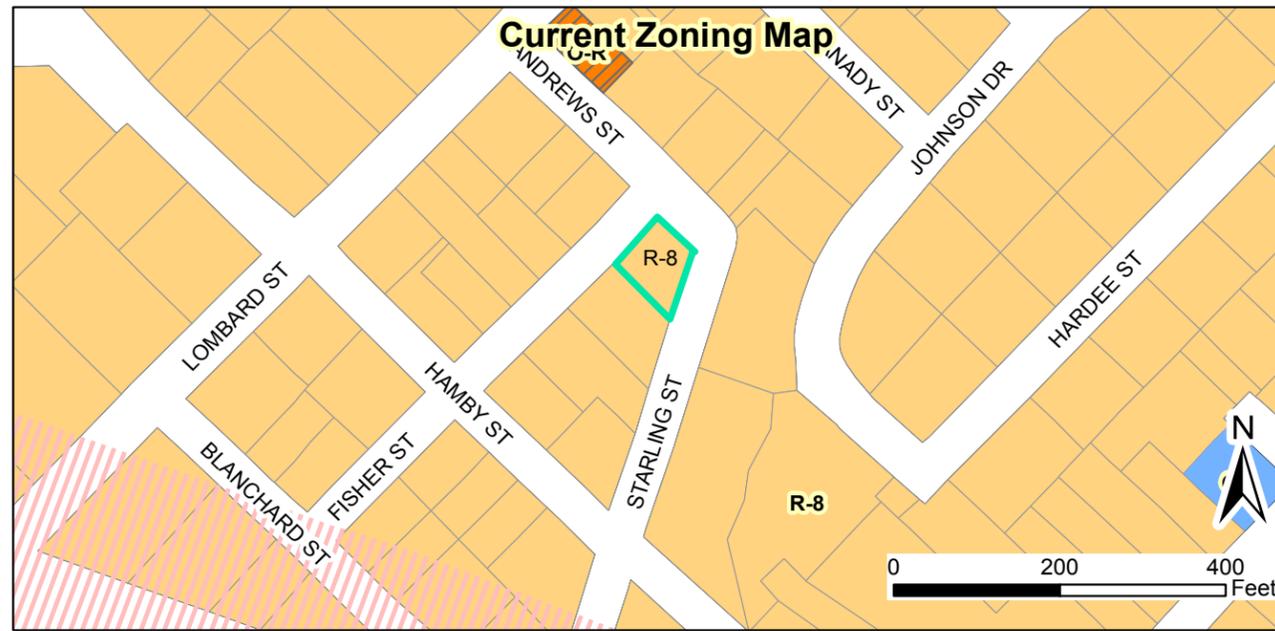
**RECOMMENDATION:**

Staff is recommending approval of the Special Use Permit

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**ATTACHMENTS:**

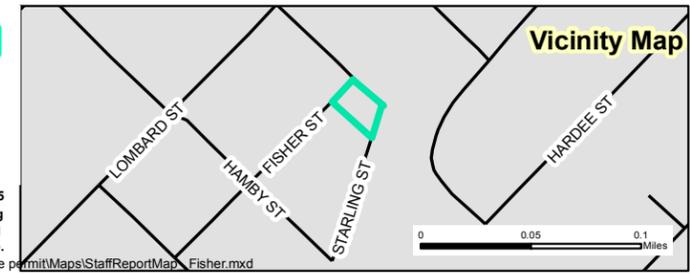
- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials



**15-39-01-SUP- Fisher St Two-Family Home Special Use**  
**Request: Special Use Permit**  
**15-39-02 SPM- Fisher Two-Family Home Minor Site Plan**  
**Request: Two-Family Home**  
 Applicant: James Lipscomb  
 Property Owner: James & Valerie Lipscomb  
 Parcel ID Number: 166917-00-5716  
 Tag #: 05013038



- Site
  - Special Use District
  - Thorough Fare Overlay
  - Scenic Highway Overlay
- 08/18/2015  
 Produced by: TOC Planning  
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: \\TOC-FILE-01\Shares\ComDev\Planning\PLANNING\SPECIAL USE\2015\15-39-01-SUP - Fisher St Two-Family Home - special use permit\Maps\StaffReportMap\_Fisher.mxd



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 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 have the potential to create incompatibilities with adjacent uses.*

*Fee: The application fee is \$400.00. All fees are due when the application is submitted. A Site Plan application (major or minor, as applicable) and fee is required for all new / modified development.*

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

### APPLICATION TYPE

New Special Use Permit                       Major Modification to an approved SUP  
 Permit Modified: \_\_\_\_\_

### SITE INFORMATION

Name of Project: ~~James LLC Fisher Street home~~ <sup>501</sup> Two-family home duplex      Acreage of Property: 0.14 acres  
 Parcel ID Number: ~~166917-00-5716~~ 166917-00-5716      Tax ID: ~~05013038~~ 05013038  
 Deed Book: 4219      Deed Page(s): 590  
 Address/Location: 501 Fisher Street Clayton NC 27520

Existing Use: vacant lot      Proposed Use: 2 family home

Is project within a Planned Development?       No       Yes

Planned Development District (if applicable): \_\_\_\_\_

Is project within an Overlay District:       No       Yes

Overlay District (if applicable): \_\_\_\_\_

### OFFICE USE ONLY

Date Received: <u>AUG 03 2015</u>	Amount Paid: <u>\$400.00</u>	Permit Number: <u>15-39-01-SUP</u>
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**PROPERTY OWNER INFORMATION**

Name: James and Valerie Lipscomb  
 Mailing Address: 3407 Barber Mill Road Clayton NC 27520  
 Phone Number: 919-422-4704 Fax: \_\_\_\_\_  
 Email Address: James@myHTR.com

**APPLICANT INFORMATION**

Applicant: James Lipscomb  
 Mailing Address: 3407 Barber Mill Road Clayton NC 27520  
 Phone Number: 919-422-4704 Fax: \_\_\_\_\_  
 Contact Person: James Lipscomb  
 Email Address: James@myHTR.com

**REQUIRED INFORMATION (to be submitted with the application)**

The following items must accompany a Special Use Permit (CUP) application.

To be completed by the applicant:	To be completed by the applicant:		To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
2. Review Fee (\$400)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
3. Completed application (9 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
4. Owner's Consent Form (9 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		✓
5. Adjacent property owners list (9 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		✓	
7. Signed and sealed traffic impact analysis (2 copies)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	✓	✓	✓
9. Neighborhood meeting notice letter (9 copies) See sample letter and meeting requirements included in this packet	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) Form is included in this packet	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

Note: More information may be requested by the Planning Department depending on the project

**REQUIRED FINDINGS OF FACT**

*Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use 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 developed according to the plans as submitted and approved.  
The proposed 2 family dwelling is in keeping with the character of the homes in the neighborhood and will not materially endanger the public health or safety of the neighborhood.

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 proposed 2 family home meets all requirements of the Town of Clayton's Code or Ordinance and there are other multi-family structures immediately adjacent to the site.

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 proposed 2 family home will be the newest and more expensive than most homes in the immediate neighborhood. There will be no detrimental impact on the surrounding homes or 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.  
The proposed 2 family home 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.

**EXPLANATION OF PROJECT**

*Please provide detailed information concerning all requests. Attach additional sheets if necessary.*  
See attached floorplan and elevations of proposed 2 family home. This home contains a total of 2,328 square feet. The basement has a 628 square foot one bedroom suite that can be accessed from the primary dwelling or from the rear of the structure. This basement suite could be rented with the primary dwelling as a 4 bedroom 3 full bath home or by locking off the stairway the basement suite can be rented as a stand alone dwelling unit. We plan on having 2 separate onsite parking pads to accomadate atleast 2 cars on each pad (see attached preliminary plat) Owner would like to reserve the right to have the basement accessed from the exterior of the structure only with no internal stair access.

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**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.*

<u>JAMES LIPSCOMB</u> Print Name	<u></u> Signature of Applicant	<u>8-3-15</u> Date
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<u>Valerie Lipscomb</u>	<u>Valerie Lipscomb</u>	<u>8-3-15</u>
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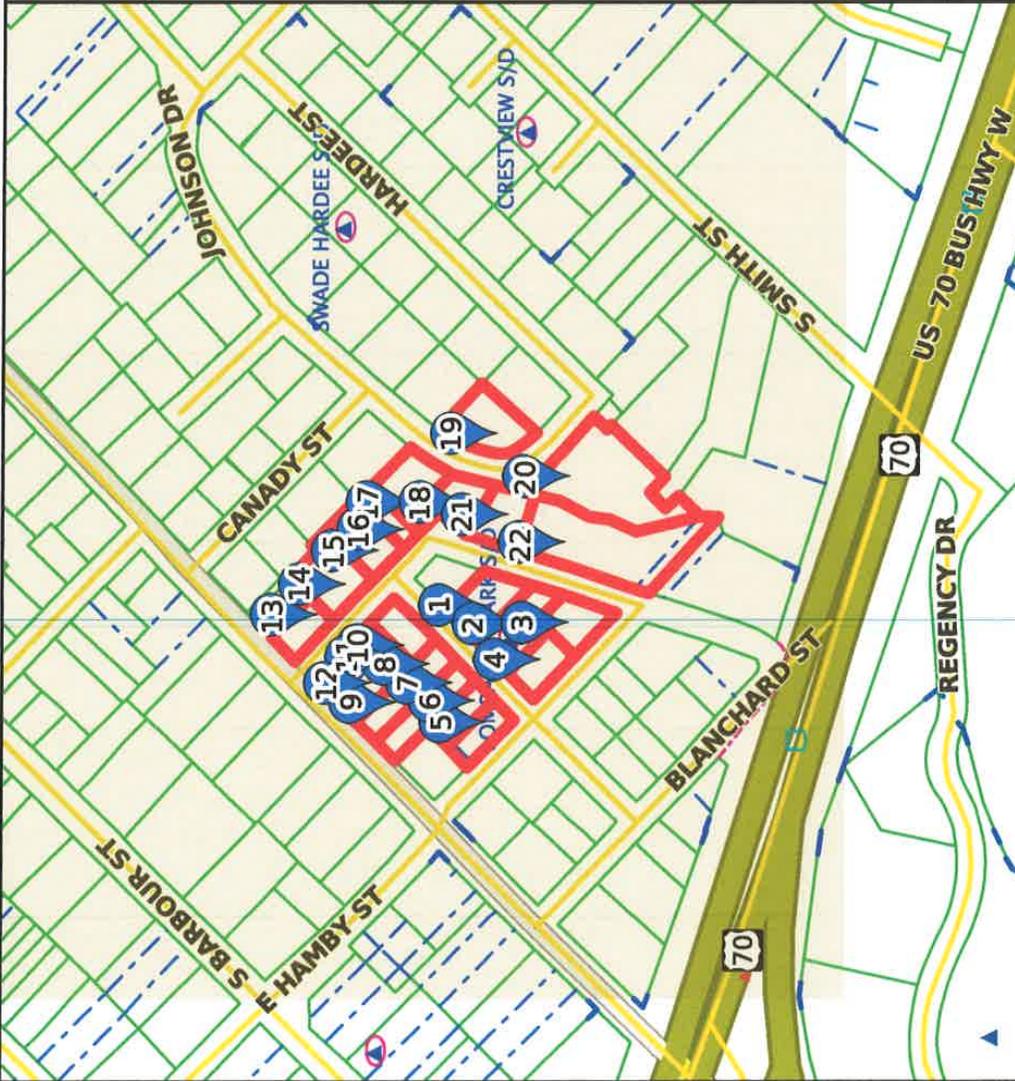


LIST FOR MAILING TO NEIGHBORS



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

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



Result 1

id: 05013056  
 Tag: 05013056  
 Tax Unique Id: 4166295  
 NCPin: 166917-00-3692  
 Mapsheet No: 166917  
 Owner Name 1: SOUTH FAYETTEVILLE STREET LLC  
 Owner Name 2:  
 Mail Address 1: 603 SOUTH FAYETTEVILLE STREET  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1: 513 FISHER ST  
 Site Address 2: CLAYTON, NC 27527-  
 Book: 03422  
 Page: 0887  
 Market Value: 60460  
 Assessed Acreage: 1  
 Calc. Acreage: 0.213  
 Sales Price: 0  
 Sale Date: 2007-09-20

Scale: 1:3488 - 1 in. = 290.69 feet

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





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

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Result 2

id: 05013029 ✓  
 Tag: 05013029  
 Tax Unique Id: 4166292  
 NCPin: 166917-00-3576  
 Mapsheet No: 166917  
 Owner Name 1: JONES, WILLIAM HAROLD  
 Owner Name 2: JONES, SANDRA B  
 Mail Address 1: 1791 WORTHINGTON RD  
 Mail Address 2:  
 Mail Address 3: GREENVILLE, NC 27858-8374  
 Site Address 1: 515 FISHER ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 01438  
 Page: 0853  
 Market Value: 68280  
 Assessed Acreage: 1  
 Calc. Acreage: 0.239  
 Sales Price: 0  
 Sale Date: 1995-04-20

Result 3 ✓

id: 05013031  
 Tag: 05013031  
 Tax Unique Id: 4166274  
 NCPin: 166917-00-3466  
 Mapsheet No: 166917  
 Owner Name 1: MONSEES, MARIE STALLINGS  
 Owner Name 2: CARROLL, DIANNE STALLINGS  
 Mail Address 1: 107 TEASEL COURT  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27527-0000  
 Site Address 1:  
 Site Address 2:  
 Book: 03394  
 Page: 0145  
 Market Value: 81340  
 Assessed Acreage: 1  
 Calc. Acreage: 0.174  
 Sales Price: 0  
 Sale Date: 2007-08-02

Result 4 ✓

id: 05013030  
 Tag: 05013030  
 Tax Unique Id: 4222781  
 NCPin: 166917-00-2591  
 Mapsheet No: 166917  
 Owner Name 1: ELLEN, KATHY C  
 Owner Name 2:  
 Mail Address 1: 502 HAMBY ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1: 502 E HAMBY ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 01770  
 Page: 0377  
 Market Value: 74630  
 Assessed Acreage: 1  
 Calc. Acreage: 0.157  
 Sales Price: 0  
 Sale Date: 1998-12-01

Result 5 ✓

id: 05013027  
 Tag: 05013027  
 Tax Unique Id: 4275172  
 NCPin: 166917-00-1664  
 Mapsheet No: 166917  
 Owner Name 1: VERRINDER, DAVID EDWARD  
 Owner Name 2: VERRINDER, SUE  
 Mail Address 1: 412 HAMBY ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-2731  
 Site Address 1: 412 E HAMBY ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 04404  
 Page: 0952  
 Market Value: 80410  
 Assessed Acreage: 0.15  
 Calc. Acreage: 0.147  
 Sales Price: 0  
 Sale Date: 2014-01-21



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Result 6 ✓

id: 05013026  
 Tag: 05013026  
 Tax Unique Id: 4226552  
 NCPin: 166917-00-2615  
 Mapsheet No: 166917  
 Owner Name 1: PLANTY, SANDRA FAYE LEE  
 Owner Name 2:  
 Mail Address 1: 516 FISHER ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-2507  
 Site Address 1: 516 FISHER ST  
 Site Address 2: CLAYTON, NC 27527-  
 Book:  
 Page:  
 Market Value: 61960  
 Assessed Acreage: 1  
 Calc. Acreage: 0.118  
 Sales Price: 0  
 Sale Date:

Result 7 ✓

id: 05013023  
 Tag: 05013023  
 Tax Unique Id: 4222770  
 NCPin: 166917-00-2701  
 Mapsheet No: 166917  
 Owner Name 1: JOHNSON, PHILLIP MORRIS  
 Owner Name 2: JOHNSON, MYRNA  
 Mail Address 1: 513 S LOMBARD ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-2522  
 Site Address 1: 513 S LOMBARD ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 00727  
 Page: 0615  
 Market Value: 82320  
 Assessed Acreage: 0.22  
 Calc. Acreage: 0.224  
 Sales Price: 0  
 Sale Date: 1972-01-01

Result 8 ✓

id: 05013025  
 Tag: 05013025  
 Tax Unique Id: 4166289  
 NCPin: 166917-00-2773  
 Mapsheet No: 166917  
 Owner Name 1: HOOKER, DEBORAH ANNE  
 Owner Name 2:  
 Mail Address 1: 510 FISHER STREET  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1: 510 FISHER ST  
 Site Address 2: CLAYTON, NC 27527-  
 Book: 03205  
 Page: 0904  
 Market Value: 56260  
 Assessed Acreage: 1  
 Calc. Acreage: 0.13  
 Sales Price: 91500  
 Sale Date: 2006-09-27

Result 9 ✓

id: 05013022  
 Tag: 05013022  
 Tax Unique Id: 4156637  
 NCPin: 166917-00-2709  
 Mapsheet No: 166917  
 Owner Name 1: WALTERS, LUTHER A  
 Owner Name 2: WALTERS, KATHERINE C  
 Mail Address 1: 5715 HIGHWAY 85 N  
 Mail Address 2:  
 Mail Address 3: CRESTVIEW, FL 32536-9003  
 Site Address 1: 509 S LOMBARD ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 04628  
 Page: 0707  
 Market Value: 49750  
 Assessed Acreage: 1  
 Calc. Acreage: 0.109  
 Sales Price: 76000  
 Sale Date: 2015-07-20



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

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

Result 10 ✓

id: 05013025A  
 Tag: 05013025A  
 Tax Unique Id: 4166290  
 NCPin: 166917-00-3747  
 Mapsheet No: 166917  
 Owner Name 1: JONES, JOHNNY BATTLE  
 Owner Name 2:  
 Mail Address 1: 413 BLANCHARD ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-2701  
 Site Address 1: 504 FISHER ST  
 Site Address 2: CLAYTON, NC 27527-  
 Book: 03585  
 Page: 0774  
 Market Value: 63630  
 Assessed Acreage: 1  
 Calc. Acreage: 0.146  
 Sales Price: 0  
 Sale Date: 2008-08-07

Result 11 ✓

id: 05013025B  
 Tag: 05013025B  
 Tax Unique Id: 4166291  
 NCPin: 166917-00-3821  
 Mapsheet No: 166917  
 Owner Name 1: BROWN, DEBORAH JEAN  
 Owner Name 2:  
 Mail Address 1: 419 EAST MAIN STREET  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1: 411 ANDREWS ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 03672  
 Page: 0998  
 Market Value: 51560  
 Assessed Acreage: 1  
 Calc. Acreage: 0.117  
 Sales Price: 0  
 Sale Date: 2009-03-20

Result 12 ✓

id: 05013021  
 Tag: 05013021  
 Tax Unique Id: 4234956  
 NCPin: 166917-00-2865  
 Mapsheet No: 166917  
 Owner Name 1: FESTEJOS ENTERPRISES INC  
 Owner Name 2:  
 Mail Address 1: 905 E MAIN ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-2629  
 Site Address 1:  
 Site Address 2:  
 Book: 04388  
 Page: 0902  
 Market Value: 111080  
 Assessed Acreage: 1  
 Calc. Acreage: 0.221  
 Sales Price: 0  
 Sale Date: 2013-12-05

Result 13 ✓

id: 05013002  
 Tag: 05013002  
 Tax Unique Id: 4234645  
 NCPin: 166917-01-4022  
 Mapsheet No: 166917  
 Owner Name 1: LIPSCOMB, JAMES H  
 Owner Name 2: LIPSCOMB JOHN V &  
 Mail Address 1: 107 STONE LANE  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1: 401 ANDREWS ST  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 02613  
 Page: 0072  
 Market Value: 126950  
 Assessed Acreage: 1  
 Calc. Acreage: 0.13  
 Sales Price: 0  
 Sale Date: 2003-12-31



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

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

Result 22 ✓

id: 05013008  
Tag: 05013008  
Tax Unique Id: 4217675  
NCPin: 166917-00-5478  
Mapsheet No: 166917  
Owner Name 1: ONEAL, WILLIAM R  
Owner Name 2: 517 STARLING ST  
Mail Address 1: 517 STARLING ST  
Mail Address 2:  
Mail Address 3: CLAYTON, NC 27520-2524  
Site Address 1:  
Site Address 2:  
Book: 04035  
Page: 0439  
Market Value: 128620  
Assessed Acreage: 0.71  
Calc. Acreage: 0.7  
Sales Price: 0  
Sale Date: 2011-10-17

Result 23

*Duplicate ✓*

~~id: 05013008  
Tag: 05013008  
Tax Unique Id: 4217675  
NCPin: 166917-00-5478  
Mapsheet No: 166917  
Owner Name 1: ONEAL, WILLIAM R  
Owner Name 2: 517 STARLING ST  
Mail Address 1: 517 STARLING ST  
Mail Address 2:  
Mail Address 3: CLAYTON, NC 27520-2524  
Site Address 1:  
Site Address 2:  
Book: 04035  
Page: 0439  
Market Value: 128620  
Assessed Acreage: 0.71  
Calc. Acreage: 0.7  
Sales Price: 0  
Sale Date: 2011-10-17~~

**August 3, 2015**

**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.**

**See attached explanation letter, floor plan and plat map.**

**Sincerely,**

**James and Valerie Lipscomb, applicant**

James and Valerie Lipscomb  
3407 Barber Mill Road  
Clayton NC 27520

August 3 2015

To: Neighbors within 100 feet of 501 Fisher Street Clayton NC 27520  
(Vacant Lot on corner of Fisher and Andrews Street)

From: James and Valerie Lipscomb

Re: Special Use Permit request required Neighborhood meeting to discuss  
proposed 2 family home to be built at 501 Fisher Street (meeting required by  
Town of Clayton)

A Neighborhood Meeting will be held on Friday August 14<sup>th</sup>, 2015 at McCullers  
Whitaker and Hamer Law Office located at 425 Lombard Street Clayton NC 27520.  
The purpose of the meeting will be to discuss a proposal to build a new 2 Family  
Home on the above referenced property. The 2 Family Home that is proposed is  
simply a 1500 square foot 1 and ½ story home that has a 650 square basement  
apartment that could be rented separately from the primary dwelling. Enclosed is a  
copy of the proposed floor plan and elevation for the home and the proposed site  
plan.

The Town of Clayton Planning Board will consider the proposed 2 Family Home at  
their meeting at 6pm on Monday August 24<sup>th</sup> 2015.

If you cannot make the meeting on August 14<sup>th</sup> from 6pm to 7:30 pm please feel free  
to call me at 919-422-4704 to discuss the proposal.

Sincerely,



James Lipscomb

cc. Town of Clayton Planning Department



1 Opt. 2 Front Elevation  
1/8" = 1'-0"



2 Opt. 2 Rear Elevation  
1/8" = 1'-0"

**McCLENTIC DESIGN**  
 PO Box 763  
 Clayton NC, 27528  
 phone 339 987-0437  
 www.mcclecticdesign.com

**James and  
 Valerie  
 Lipscomb  
 Rental House**

**Elevations - Opt. 2**

Project number	2012R014	<b>ASK-4</b>
Date	07-19-15	
Drawn by	Author	
Checked by	Checker	
Scale		1/8" = 1'-0"

7/19/2015 8:10:46 PM



① Opt. 2 Left Elevation  
1/8" = 1'-0"



② Opt. 2 Right Elevation  
1/8" = 1'-0"

**McCLENTIC DESIGN**

PO Box 763  
Clayton NC, 27528  
phone 339 987-0437  
www.mcclecticdesign.com

**James and  
Valerie  
Lipscomb  
Rental House**

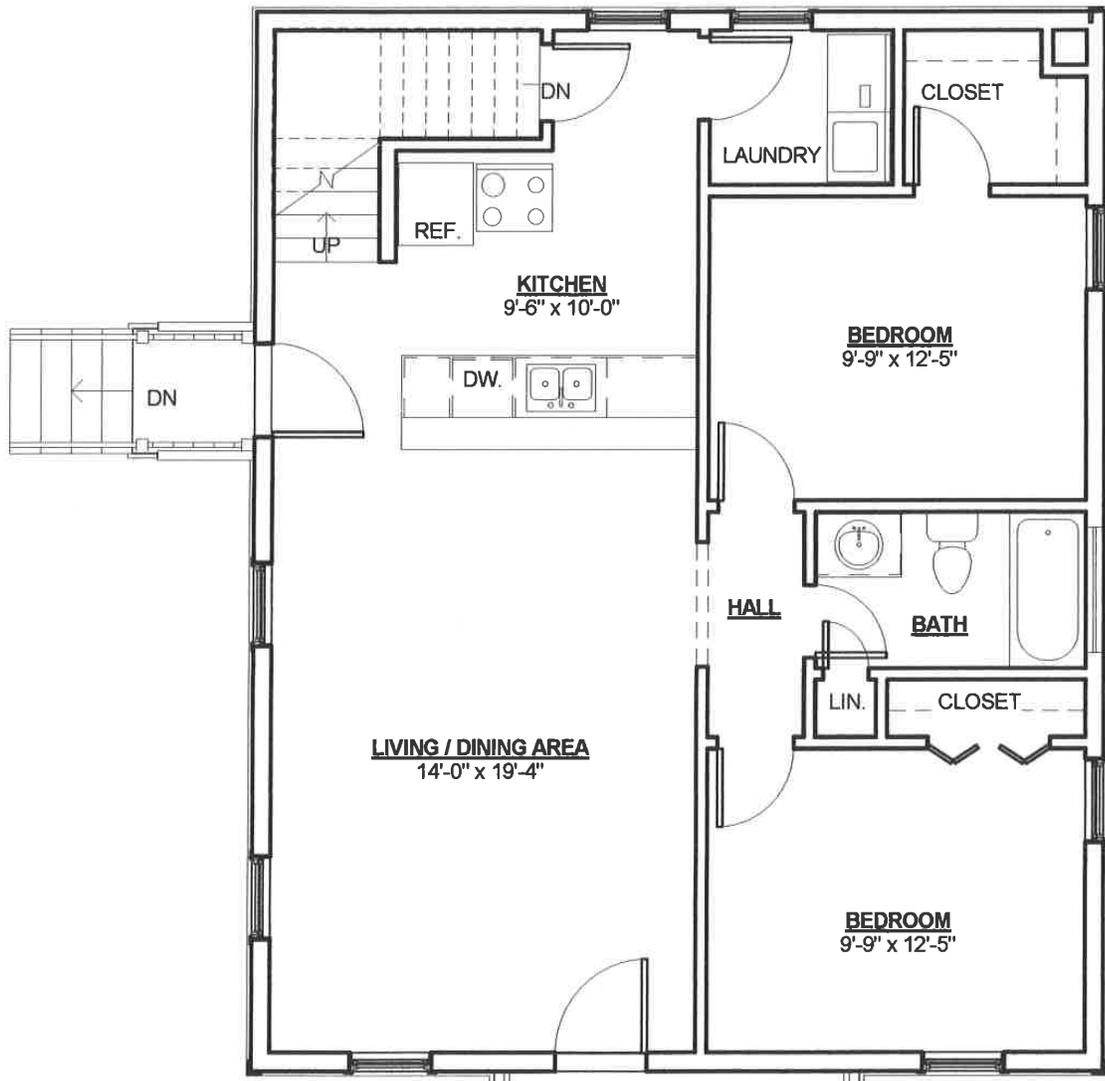
**Elevations - Opt. 2**

Project number	2012R014
Date	07-19-15
Drawn by	Author
Checked by	Checker

**ASK-5**

Scale 1/8" = 1'-0"

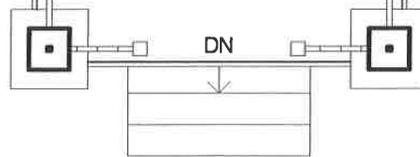
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**Building Area - Conditioned Space**

Basment - 876 square feet  
 1st floor - 879 square feet  
 2nd floor - 628 square feet  
 Total 2328 square feet

**FRONT PORCH**



① **First Floor Plan**  
 3/16" = 1'-0"

**McCLENTIC DESIGN**

PO Box 763  
 Clayton NC, 27528  
 phone 339 987-0437  
 www.mcclecticdesign.com

**James and  
 Valerie  
 Lipscomb  
 Rental House**

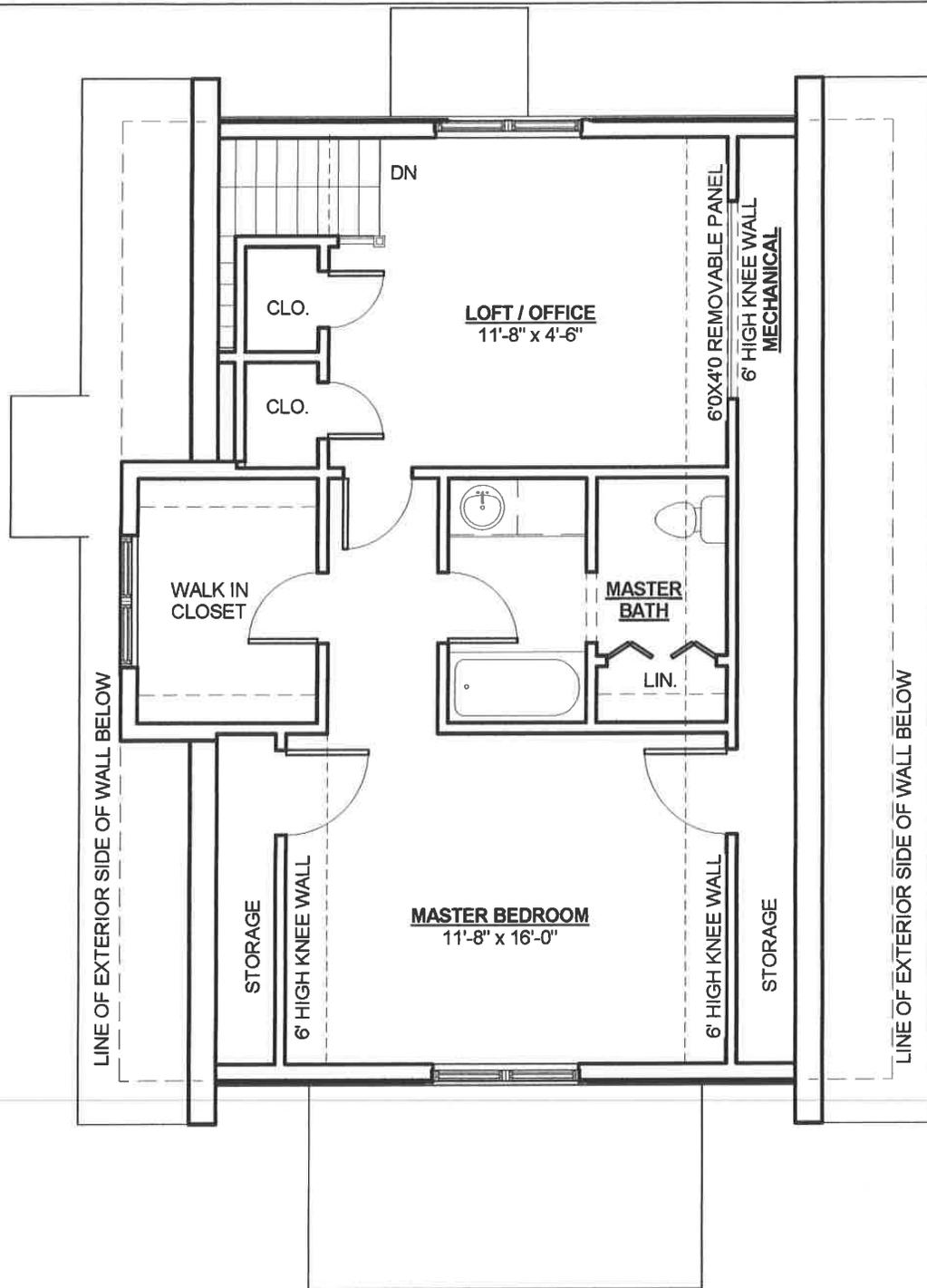
**First Floor - Opt. 2**

Project number	2012R014
Date	07-19-15
Drawn by	Author
Checked by	Checker

**ASK-2**

Scale 3/16" = 1'-0"

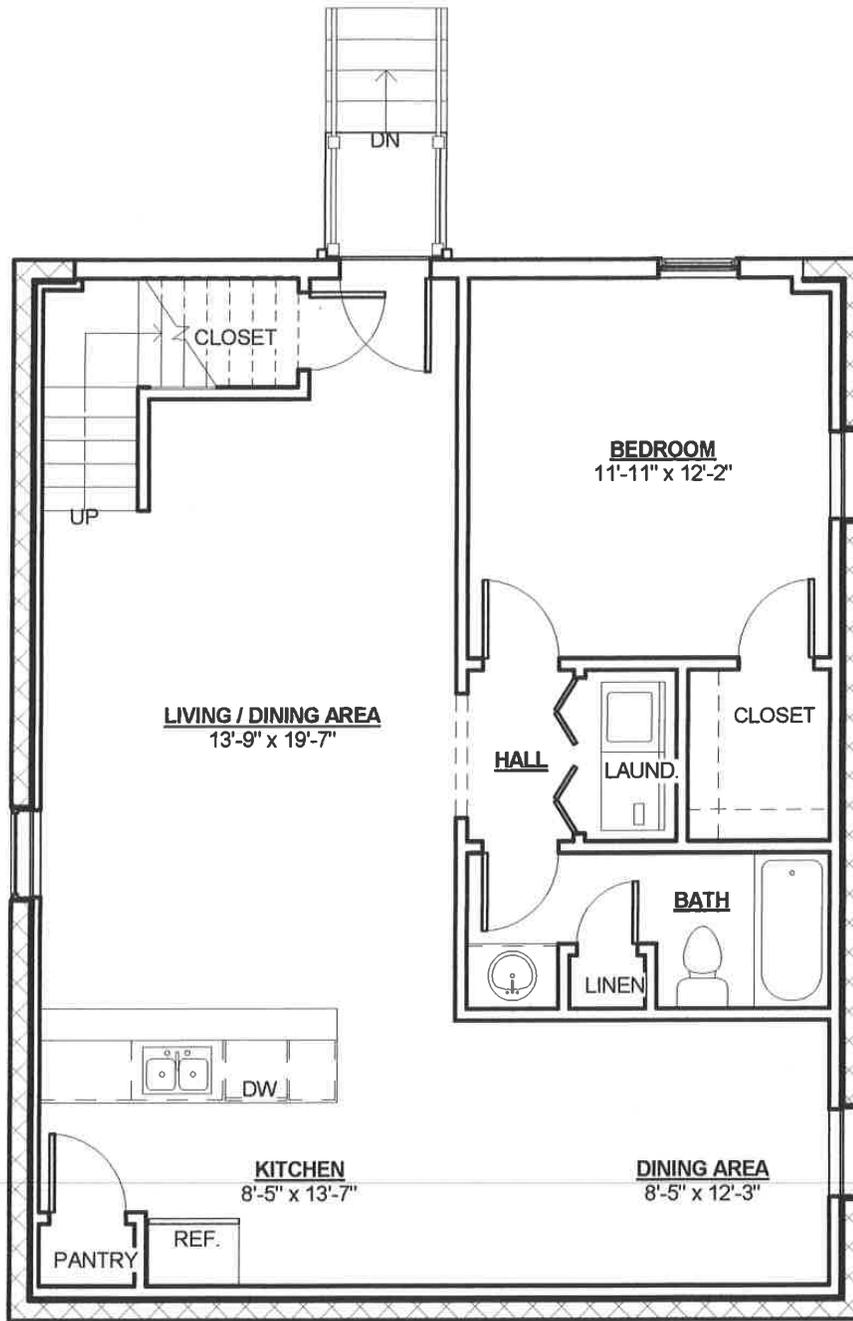
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1 Second Floor Plan  
 3/16" = 1'-0"

<b>McCLENTIC DESIGN</b> PO Box 763 Clayton NC, 27528 phone 339 987-0437 www.mcclenticdesign.com	<b>James and Valerie          Lipscomb          Rental House</b>		<b>2nd Floor Plan - Opt. 2</b>			
			Project number	2012R014	<b>ASK-3</b>	
			Date	07-19-15		
			Drawn by	Author		
			Checked by	Checker		
				Scale 3/16" = 1'-0"		

7/19/2015 8:10:45 PM



① **Basement**  
3/16" = 1'-0"

<b>McCLENTIC DESIGN</b> PO Box 763 Clayton NC, 27528 phone 339 987-0437 www.mcclecticdesign.com	<b>James and Valerie Lipscomb Rental House</b>	<b>Basement - Opt. 2</b>		<b>ASK-1</b>
		Project number	2012R014	
		Date	07-19-15	
		Drawn by	Author	
		Checked by	Checker	
		Scale 3/16" = 1'-0"		

7/19/2015 8:10:45 PM



VICINITY MAP (NOT TO SCALE)

MINIMUM BUILDING SETBACKS  
ZONING: R-8

FRONT	25 FEET
SIDE	10 FEET
REAR	25 FEET
CORNER SIDE	15 FEET

NOTES:

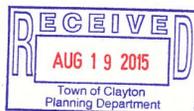
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
- 2) AREAS COMPUTED BY COORDINATE METHOD.
- 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
- 5) ZONING: R-8
- 6) NC PIN NO. 166917-00-5716
- 7) POWER TO BE SUPPLIED BY TOWN OF CLAYTON
- 8) SITE IS LOCATED WITHIN PLANNING JURISDICTION OF THE TOWN OF CLAYTON
- 9) CURRENT OWNER OF TRACT: JAMES & VALERIE LIPSCOMB  
3407 BARBER MILL ROAD  
CLAYTON, N.C. 27520

SITE DATA

AREA IN SITE	7630 SF
LOT COVERAGE	0.175 AC
IMPERVIOUS SURFACE AREA	1096 SF 14.4% OF SITE 2148 SF 28.1% OF SITE

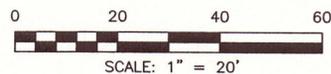
PLANT LEGEND

- CANOPY TREE - RED MAPLES, RED OAK, GREEN ASH, OR NUTTALL OAK  
MINIMUM HEIGHT OF 6 FEET WITH 2.5 IN CALIPER
- UNDERSTORY TREE - DOGWOODS, YOSHINO CHERRY, YAUPON WEEPING HOLLIES, AND MAGNOLIA WILL BE PLANTED  
15' APART WITH A MINIMUM HEIGHT OF 4 FEET WITH 1.5 IN CALIPER
- SHRUB - HOLLY, BOXWOODS, SWEETSPICE & SPIREA; PLANTED ON 3' CENTER WITH A MINIMUM HEIGHT OF 12 INCHES
- EXISTING CANOPY TREE
- EXISTING UNDERSTORY TREE
- EXISTING SHRUB



**JAMES HOWARD LIPSCOMB**  
AND  
**VALERIE LANGDON LIPSCOMB**

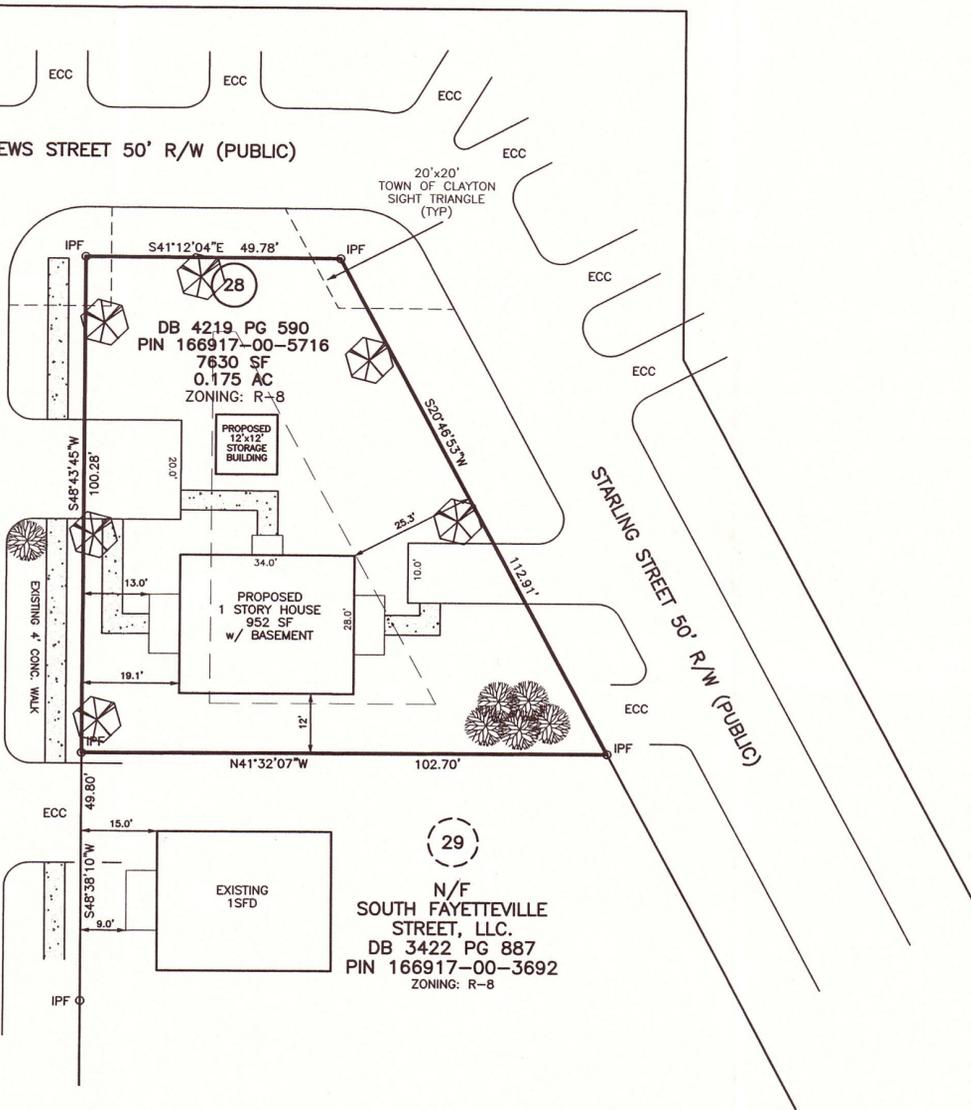
CLAYTON TOWNSHIP, JOHNSTON COUNTY  
NORTH CAROLINA  
AUGUST 18, 2015



ANDREWS STREET 50' R/W (PUBLIC)

FISHER STREET 50' R/W (PUBLIC)

STARLING STREET 50' R/W (PUBLIC)



LEGEND

- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- ◻ CMF CONCRETE MONUMENT FOUND
- ◻ PKNF PARKER-KALON NAIL FOUND
- ◻ PKNFS PARKER-KALON NAIL SET
- RIS RAILROAD SPIKE
- CSF COTTON SPIKE FOUND
- CSS COTTON SPIKE SET
- CC CONTROL CORNER
- ECC EXISTING CURB CUT
- P/P POWER POLE
- OPW OVERHEAD POWER LINE
- R/W RIGHT OF WAY
- S.F. SQUARE FEET
- AC ACRE
- DB DEED BOOK
- PB PLAT BOOK
- BOM BOOK OF MAPS
- PS PAGE
- LF LINEAR FEET
- 1SS LOT HAS OFFSITE SEWER
- 1SSL OFFSITE SEWER LOT
- 1SR RECOMBINATION LOT
- [---] STREET ADDRESS
- [---] LINES NOT SURVEYED

SURVEYED BY:

DRAWN BY: MIKE

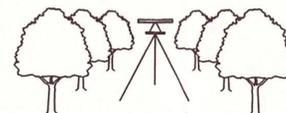
CHECKED BY:

DRAWING NAME: SITEPLAN.DWG

SURVEY DATE:

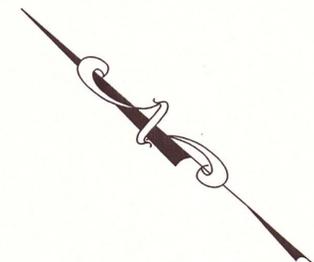
JOB NO. 522.007

**TRUE LINE SURVEYING, P.C.**



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

C-1859



August 14, 2015

Jame LLC

Fisher Street Two Family Home Neighborhood meeting notes

Meeting started at 6:00 pm

5 neighbors showed up for the meeting see attached sign in sheet.

The following questions were asked at the meeting-

Daniel Smith stated he thought the lot was un-buildable since it had sat for so long undeveloped. *I reviewed the site plan with the neighbors and discussed set backs etc..... and that the proposed home plan was designed specifically for this lot.*

All the residents stated a great concern that the home located at 420 Andrews Street owned by Kevin Lamm was bringing down the entire neighborhood and that the Town needs to enforce minimum housing codes on this property ASAP. A large majority of the meeting revolved around this topic. *I stated that I would include this concern in the minutes.*

Deborah Hooker stated her desire that I keep the maple tree that is in the Right of Way along Fisher Street. *I told Deborah I would do everything possible to keep the tree.*

Several residents expressed concerns about the general conditions of sidewalks in the overall neighborhood. Some side walks have been replaced other need work. Some concern was noted with the town installing replacement sidewalks with out the grass strip between the back of curb and the sidewalk.

Questions were asked about rent rates. *I stated the basement unit would rent for \$695.00 and the upstairs unit would be \$995.00*

Daniel Smith stated he would like me to take down the sweet gum tree across the street from his home. *I stated I would take the tree down but upon further investigation I learned the tree is in the Right of Way and is not in the way of any proposed improvements I will be making on the lot, if my budget allows I will remove this tree.*

# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

**Applicant:** jame LLC Fisher

**Location/Date:** \_\_\_\_\_

	NAME	ADDRESS
1	Daniel Smith	509 Starling Street/Clayton, NC <sup>27520</sup>
2	Deborah Hooker	510 Fisher St 27520
3	Myna Johnson	513 S. Lombard St 27520
4	Sue & David Verrinder	412 Hamby St.
5		
6		
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11		
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13		
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18		
19		
20		

**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**15-39-01-SPM Fisher St Two-Family Home Special Use Permit**

On August 24, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

approve the request;

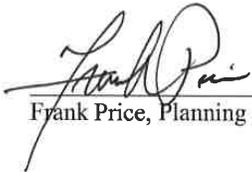
approve the request with the following modified or added conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

deny the request.

Recommendation(s) made this 24 day of August 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair

**PUBLIC NOTICE**

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, October 5, 2015 at 6:30 PM at Town Hall, 111 East Second Street, to consider special use application 15-39-01-SUP Fisher Street Two-Family Home. This application is for a Special Use Permit for a two-family home to be located in an R-8 zoning district; parcel number 166917-00-5716.

During an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner  
919-553-5002

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The Clayton News Star

Please advertise on the following dates:  
September 23, 2015  
September 30, 2015

Affidavit of publication required.

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

September 21, 2015

**ITEM TITLE:**

Hocutt Baptist Church Rezoning - 10-18-01-RZ

**DESCRIPTION:**

Requesting rezoning from Residential-6 and Residential-8 to Office-Institutional

**POTENTIAL ACTION:**

Set Public Hearing

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung, Planning Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



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

Planning Board  
 August 24, 2015

**STAFF REPORT**

**Application Number: 10-18-01-RZ**  
**Project Name: Hocutt Baptist Church Rezoning**

**NC PIN:** 165916-93-2442, 165916-93-4366, 165916-93-3255, 165916-93-5286, 165916-93-2577, 165916-93-1567, 165916-83-9670, 165916-93-0614, 165916-93-0770, 165916-93-1726, 165916-83-9608, 165916-93-0844, 165916-93-1921

**Tag #:** 05018036, 05019035A, 05019030, 05019040, 05019029, 05019028, 05023001A, 05023001, 05023002, 05023003, 05023042, 05023055, 05023004

**Town Limits/ETJ:** Town Limits

**Overlay:** None

**Applicant:** Green Engineering, PLLC

**Owner:** Hocutt Baptist Church

**Location:** Northwest corner of Robertson Street and Second Street and the majority of the block between Robertson Street and Ellington Street (east and west) and Second Street and Horne Street.

**Public Noticing:**

- Neighborhood meeting August 11, 2015
- Sign Posted August 18, 2015
- Newspaper ad, prior to September 23, 2015

**REQUEST:** Rezoning from Residential-6 and Residential-8 to Office-Institutional.

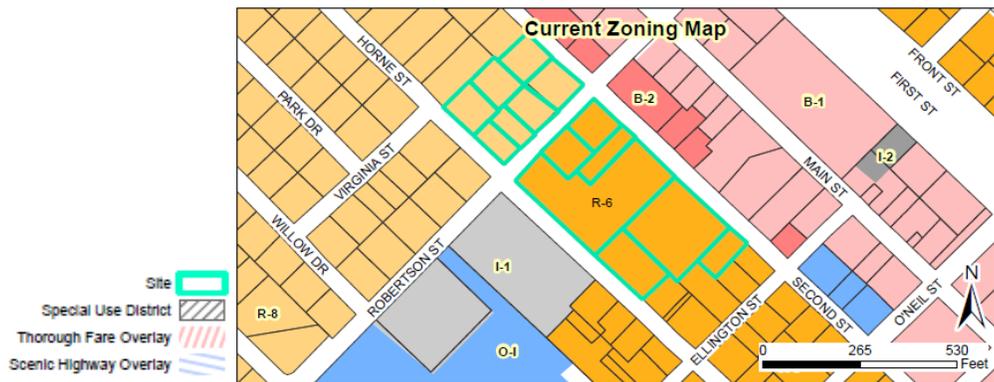
**SITE DATA:**

**Acreage:** 5.45 acres **Existing Uses:** Residential, Vacant, Church



**ADJACENT ZONING AND LAND USES:**

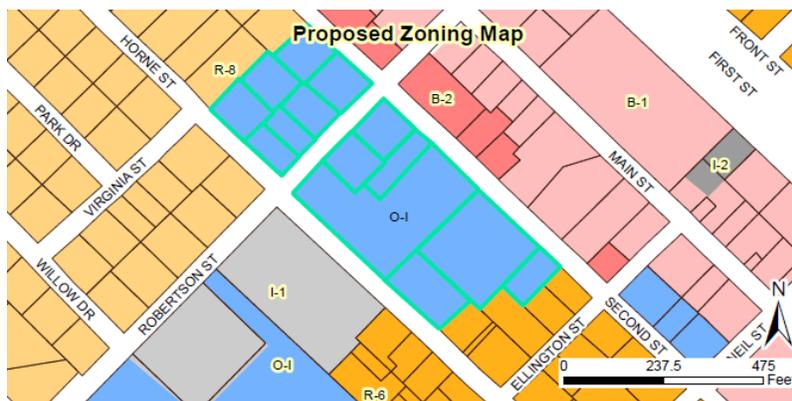
Direction	Zoning	Existing Use
North	Neighborhood Business, Central Business	Single-Family Residential, Church, Commercial
South	Residential-8	Fire Department, School, Single-Family Residential
East	Neighborhood Business, Central Business	Single-Family Residential, Commercial
West	Residential-8, Light Industrial, Residential-6	Single-Family Residential



**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting to rezone 5.187 acres from Residential-6 (R-6) and Residential-8 (R-8) to Office-Institutional (O-I). The site is the current Hocutt Baptist Church campus, accompanied by church-owned properties, as well as some properties to which the Church holds "life rights".

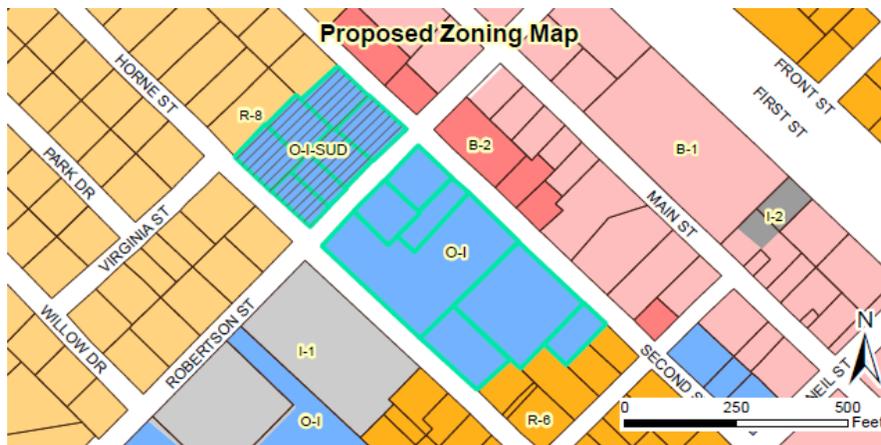


The rezoning is in anticipation of a future church campus master plan for this site. The master plan currently envisions sanctuary expansion, daycare, outdoor gathering space, and parking lot expansion. The parking is

planned to be across Robertson Street from the existing sanctuary. However, if this property is rezoned, any use allowable in O-I is acceptable. Any uses adjacent to residential properties would require appropriate landscape buffering to ensure compatibility.

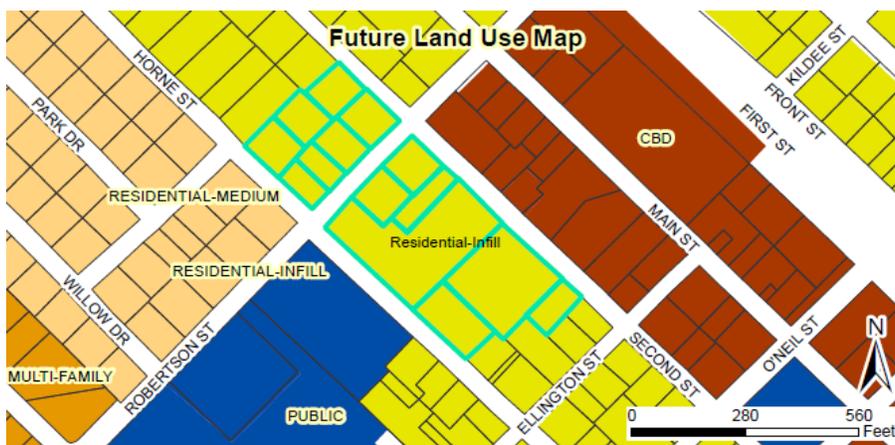
**Compatibility with Surrounding Land Uses**

The proposed zoning would be similar and compatible to uses that are surrounding the subject parcels. There are currently some commercial properties, a church, and some public facilities located adjacent to the subject parcels. While there are also several residential properties in the area, the O-I use may provide a buffer between the commercial strip to the northeast of the parcels and the residential parcels located to the west and the southwest of the parcels. Staff is recommending that the parcels on the west side of Roberson Street receive a Special Use District designation so that impacts on the existing residential neighborhood can be mitigated.



**Consistency with the Strategic Growth Plan**

The 2008 Strategic Growth Plan designates these parcels as Residential Infill, surrounded by areas designated as Residential-Medium, CBD, and Public. The continuation of the Hocutt Baptist Church campus is consistent with the needs of the community and the land use that has existed for many decades on this property.



**CONSIDERATIONS:**

- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
  - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
- 

**FINDINGS:**

The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

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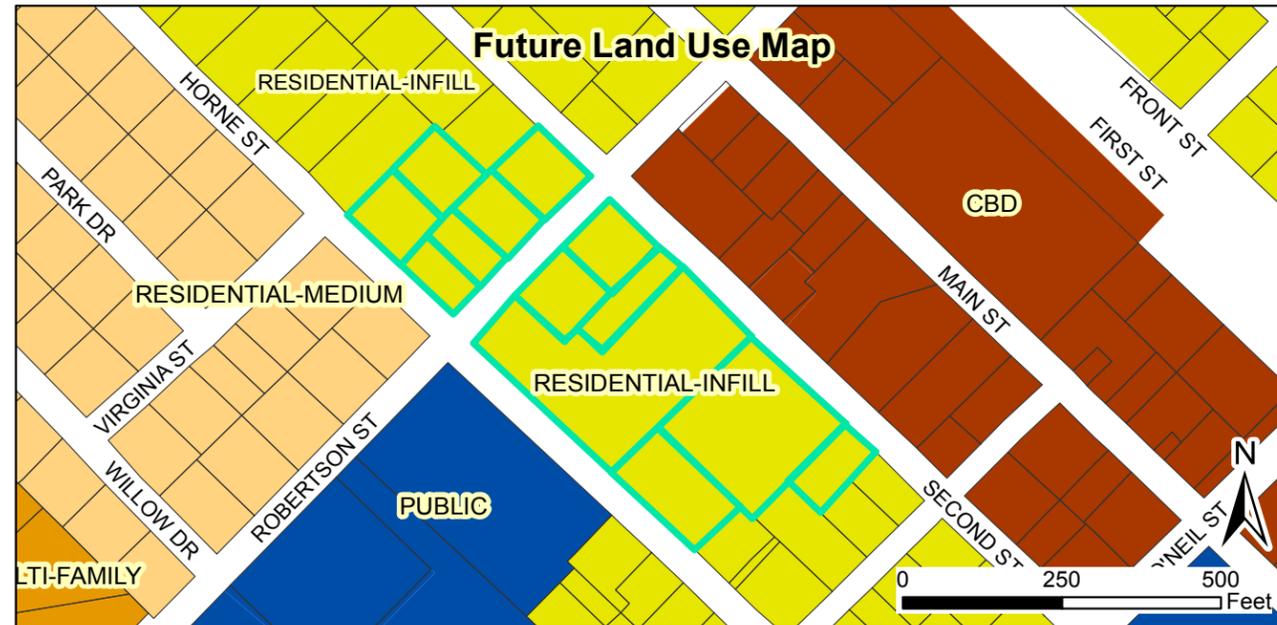
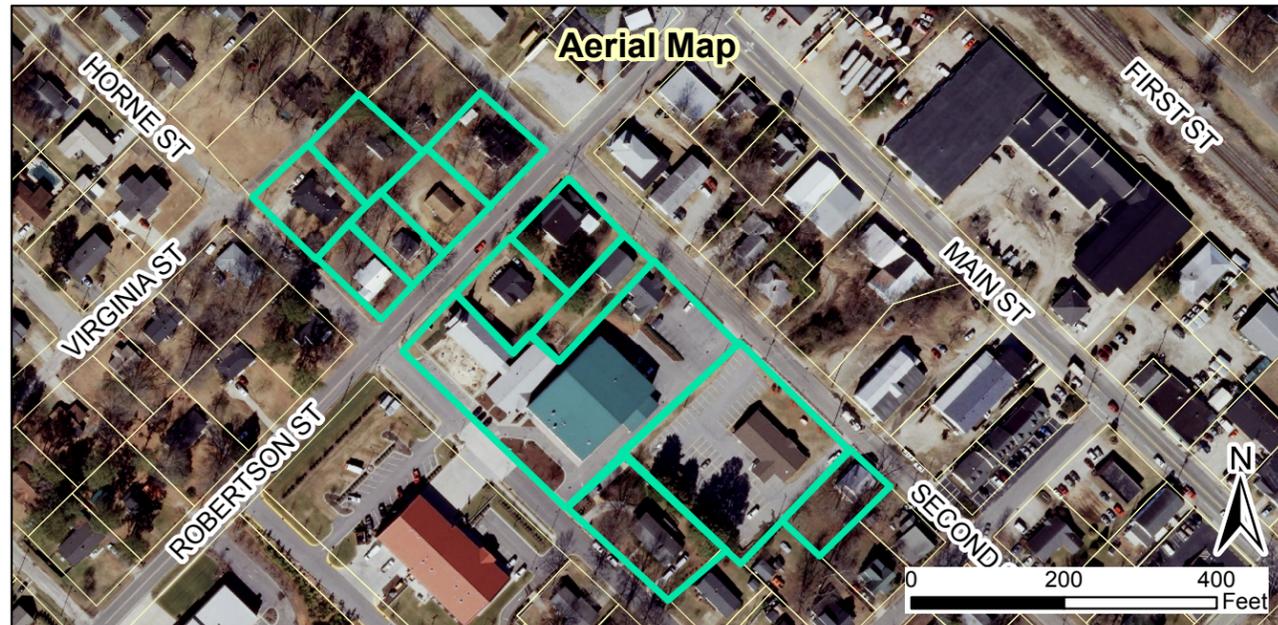
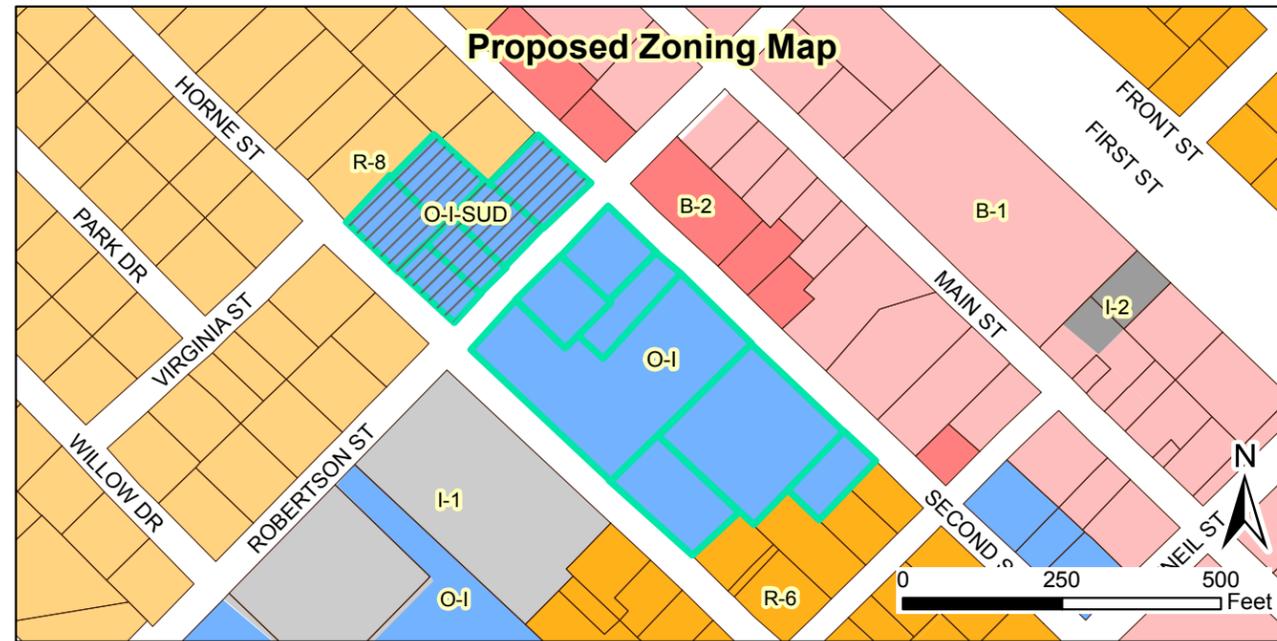
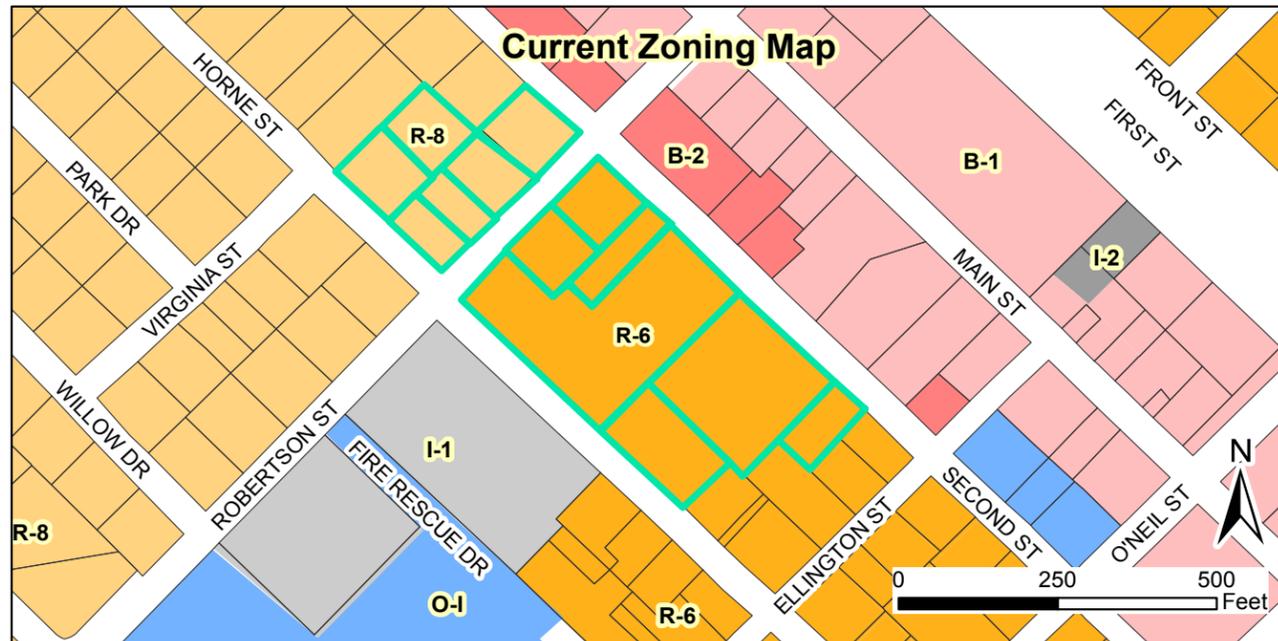
**STAFF RECOMMENDATION:**

Staff is recommending approval of the rezoning of the subject parcel including the addition of a Special Use District designation over the seven parcels located west of Robertson Street.

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**ATTACHMENTS:**

- 1) Staff Report Maps
  - a. As proposed by applicant
  - b. As proposed by Planning Department
- 2) Application
- 3) Neighborhood Meeting Materials



**10-18-01-RZ Hocutt Baptist Church Rezoning  
Request: Rezoning from R-6 & R-8 to O-I  
With Proposed Special Use District**

Applicant: Green Engineering, PLLC  
Property Owner: Hocutt Baptist Church  
Parcel ID Number: 165916-93-3255  
Tag #: 05019030

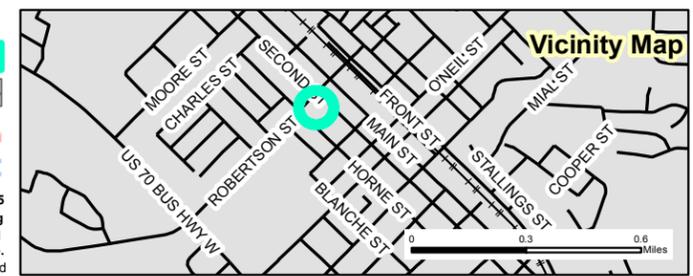


- Approx. Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

08/17/2015

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

Document Path: O:\PLANNING\REZONING\Rezoning\2015\10-18-01-RZ Hocutt Baptist Church Rezoning\Maps\Staff Rpt Map - w SUD - 10-18-01-RZ HocuttBaptist.mxd





**PROPERTY OWNER INFORMATION**

**Name:** Hocutt Baptist Church

**Mailing Address:** 314 W. Home St. Clayton, NC 27520

**Phone Number:** 919-553-6650 **Fax:** 888-503-6822

**Email Address:** pastorsteve@hocuttbaptist.com

**EXPLANATION OF PROJECT**

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

Rezoning of all of the Hocutt Baptist Church Property located between Home St. and Second St. In Clayton.

Parcel 05023042 is to be occupied as a rental until current renter find a new location.

Parcel 05019027 is a life estate and is to be occupied as a dwelling until death

**REQUIRED INFORMATION (to be submitted with the application)**

*The following items must accompany a Rezoning application.*

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
<b>Submit 9 copies of all materials unless otherwise noted or directed by staff</b>					
1. A pre-application conference was held with Town of Clayton staff. Date: <u>MAY 4<sup>th</sup> 2015</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments)	<input checked="" type="checkbox"/>				
3. Completed application	<input checked="" type="checkbox"/>				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	<input type="checkbox"/>				
6. <i>If property to be rezoned is a portion of a parcel:</i>					
- Property legal description typed (10 pt. font or greater). The legal description must also be submitted electronically in Microsoft Word format.	<input type="checkbox"/>	<input type="checkbox"/>			
- Plat showing property to be rezoned, matching legal description.	<input type="checkbox"/>	<input type="checkbox"/>			
7. Adjacent property owners list	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	<input checked="" type="checkbox"/>				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	<input checked="" type="checkbox"/>				

## APPROVAL CRITERIA

*All applications for a Rezoning must address the following findings:*

1. Consistency with the adopted plans of the Town.

~~This is an existing Church facility and parcels directly adjacent. This facility is shown on the current Town of Clayton's plans and its present use will continue. This rezoning will make the current use of the property more consistent with the Land Use Ordinance.~~

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

~~The proposed rezoning will more closely match the current use of the property and allow for future expansion.~~

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

~~The proposed change is in zoning only, not in use for the majority of the request. The remaining portions will allow for expansion of the church facility to meet the growing needs.~~

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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 zoning change will not impact public schools as it is not a residential use. Roads, water, sewer, and stormwater facilities are already in place for the current and future uses~~

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

~~The current and proposed use is Church or place of worship which is a permittable use under 155.202 of the UDO in the O-I District.~~

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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.

~~Hocutt Baptist is an existing church. This rezoning will allow for its current use and allow for expansions of its facilities and parking areas.~~

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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 property is not intended for resale or investment. It is to be used for church facilities.~~

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**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.*

Sean P. Hein  
Print Name



Signature of Applicant

6-30-2015  
Date

January 2015

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LIST OF PROPERTIES TO BE REZONED:

<u>County Tag</u>	<u>NCPin</u>	<u>Current Owner</u>	<u>Site Address</u>	<u>Current Zoning</u>	<u>Area (AC from GIS)</u>
05018036	165916-93-2442	Hocutt Baptist Church	320 W Horne St	R-6	1.513
05019035A	165916-93-4366	Hocutt Baptist Church	W Second St	R-6	0.981
05019030	165916-93-3255	Hocutt Baptist Church	314 W Horne St	R-6	0.424
05019040	165916-93-5289	Hocutt Baptist Church	311 W Second St	R-6	0.202
05019029	165916-93-2577	Hocutt Baptist Church	345 W Second St	R-6	0.219
05019028	165916-93-1567	Cleo L Barbour / Hocutt	209 S Robertson St	R-6	0.254
05023001A	165916-83-9670	Hocutt Baptist Church	250 S Robertson St	R-8	0.167
05023001	165916-93-0614	Hocutt Baptist Church	214 S Robertson St	R-8	0.157
05023002	165916-93-0770	Hocutt Baptist Church	210 S Robertson St	R-8	0.233
05023003	165916-93-1726	Hocutt Baptist Church	S Robertson and Second	R-8	0.274
05023042	165916-83-9608	Chad Anthony Kerner	416 W Horne St	R-8	0.263
05023055	165916-93-0844	Chad Anthony Kerner	416 W Horne St	R-8	0.25
05023004	165916-93-1921	Rodney Lynch	403 W Second St	R-8	0.25

Total Number of Parcels:

13

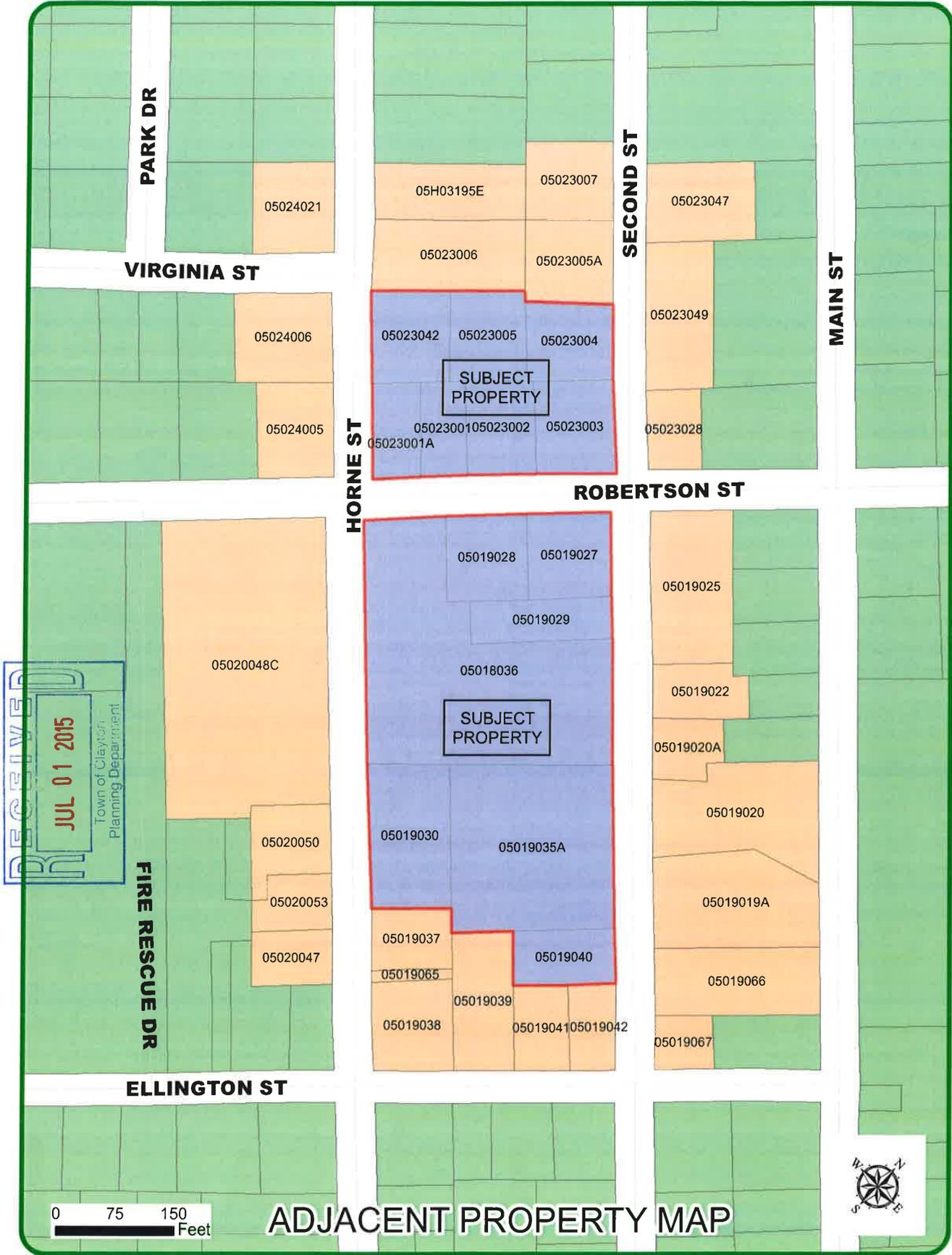
Total Area (AC from GIS):

5.187

LIST OF ADJACENT PROPERTIES WITHIN 100' OF PROPERTY TO BE REZONED:

<u>County Tag</u>	<u>NCpin</u>	<u>Current Owner</u>	<u>Mailing Address</u>	<u>Town</u>	<u>State</u>	<u>Zip</u>
05019020A	165916-93-5686	New Trinity Missionary Baptist Church	PO Box 827	Clayton	NC	27528
05023005A	165916-83-9980	Mary Christine Barbour & Sidnie J Barbour	184 Horatio Ct	Clayton	NC	27520
05023049	165916-93-1926	Raymond E. Lee & Jean B. Lee	2117 Shotwell Rd	Clayton	NC	27520
05019039	165916-93-5147	Mary Lu Stott & Harvey Nelson Stott	241 S Ellington St	Clayton	NC	27520
05023047	165916-94-0059	Raymond Earl Lee Jr. & Lisa Williams Lee	11950 Cleveland Rd	Garner	NC	27529
05024021	165916-83-6689	James Keith Green	310 S Virginia St	Clayton	NC	27520
05019037	165916-93-4137	Wilhelmina Blinson Wall	310 W Horne St	Clayton	NC	27520
05020048C	165916-93-0247	Town Of Clayton (Fire Station)	PO Box 879	Clayton	NC	27520
05023028	165916-93-2835	New Trinity Missionary Baptist Church	115 Robertson St	Clayton	NC	27520
05019042	165916-93-6266	Mable M. Howard	303 W 2nd St	Clayton	NC	27520
05019041	165916-93-6221	Tony Burn & Deborah Burn	120 Loop Rd	Clayton	NC	27527
05023007	165916-83-8997	Rodney Lynch	411 W 2nd St	Clayton	NC	27520
05019066	165916-93-7473	Graham Rentals LLC	315 W Main St	Clayton	NC	27520
05020047	165916-93-3034	Bettie Alford	309 W Horne St	Clayton	NC	27520
05024005	165916-83-8581	Bryan E. Belvin	PO Box 746	Clayton	NC	27528
05020053	165916-93-2099	Ashley L. Graham	313 W Horne ST	Clayton	NC	27520
05019020	165916-93-7608	D Grey Satterfield	223 E Blanche St	Clayton	NC	27520
05019025	165916-93-3763	New Trinity Missionary Baptist Church	115 Robertson St	Clayton	NC	27520
05019022	165916-93-5752	New Trinity Missionary Baptist Church	PO Box 827	Clayton	NC	27528
05023006	165916-83-8759	Theibert H. Johnson & Susie F. Johnson	504 W Horne St	Clayton	NC	27520
05020050	165916-93-3212	Elton H. Thompson & Betty L. Thompson	317 W Horne St	Clayton	NC	27520
05019019A	165916-93-7577	New Trinity Missionary Baptist Church	115 Robertson St	Clayton	NC	27520
05019038	165916-93-5101	Roger Morris Benson	220 Ellington St	Clayton	NC	27520
05019065	165916-83-4164	Wilhelmina Blinson Wall	310 W. Horne St	Clayton	NC	27520
05019067	165916-93-7353	Ellington Street LLC	2045 Walden Way	Clayton	NC	27527
05024006	165916-83-8508	Jeffrey A. Cantrell	12873 Darnick Ct	Clayton	NC	20136
05H03195E	165916-83-8817	Theibert H. Johnson & Susie F. Johnson	504 W. Horne St	Clayton	NC	27520

Total Number of Properties: 27  
 Total Number of Property Owners: 21



June 29, 2015

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an rezoning application filed with the Town of Clayton, on behalf of Hocutt Baptist Church, 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 the application, answer questions, and solicit comment.

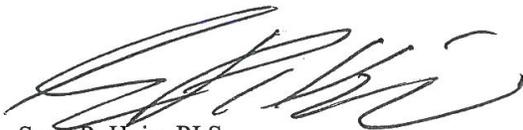
Meeting Date: **August 11, 2015 at 7:00 pm**

Meeting Location: **Chapel (Old Sanctuary) at Hocutt Baptist Church  
314 W. Horne St. Clayton, NC 27520**

The purpose for this rezoning request is to have the properties that are being used by Hocutt Baptist Church to be more in alignment with the Town of Clayton's desire for this kind of land use. The proposed use will continue to be that same as it currently is: Religious Institution/Church. The new zoning will allow for current and future, buildings and parking to meet current town standards.

Please see the enclosed map that shows the subject property to be rezoned. If you have any questions prior to the meeting, you may contact Sean P. Hein with Green Engineering, PLLC at 252-237-5365.

Sincerely,

A handwritten signature in black ink, appearing to read "S.P. Hein".

Sean P. Hein, PLS



## NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: JULY 10, 2015

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

Printed Name: SEAN P. HEN Signature: \_\_\_\_\_

Date of Meeting: 8-11-2015 Time of Meeting: 7:00pm

Location of Meeting: HOCUTT BAPTIST

**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.

Neighbors mostly curious about what the church is doing.  
Talked about the overall concept, with new building & parking.  
No definite plans for newly acquired properties, most likely  
parking. Showed required town buffers for adjacent to  
R-zonings. Meeting lasted about 30 min.

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

## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: HOCUTT BAPTIST

Location/Date: HOCUTT BAPTIST      8-11-2015

	NAME	ADDRESS
1	Thelbert Johnson	504 W Horne
2	W. K. Kullback	310 W. Horne
3	Mary Lu + Nelson Stott	214 Ellington St
4	Renee Benson	220 Ellington St
5	Steve Roy	Pastor, Hocutt Baptist
6	SEAN P. HEIM	Green Engineering
7	Alvin Thompson	115 S. Robertson, St Chrys, Va
8	Rob Smith	2005 Olive Tree Ln Clayton
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**TOWN OF CLAYTON  
COUNCIL MOTION SHEET  
ZONING ORDINANCE AMENDMENT**

**10-18-01-RZ Hocutt Baptist Church Rezoning**

On August 24, 2015 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

approve the request;

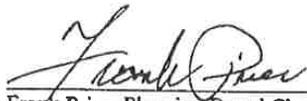
deny the request.

(insert any modifications to the request here):

- Remove Parcel 165916-93-1921 from rezoning request
- Designate Special Use District west of Robertson Street (6 parcels)

Recommendation(s) made this 24 day of August 2015 while in regular session.

Signed:

  
\_\_\_\_\_  
Frank Price, Planning Board Chair