



The Town Of Clayton  
Work Session Meeting Agenda  
Monday, October 19, 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.)*

a. Draft Minutes

[Cover - Minutes - Pdf](#)  
[9-21-15 DRAFT Minutes](#)

b. Certificate of Sufficiency - Voluntary Annexation - 2015-51-ANX - Johnston County ABC Store

[Cover - Certificate of Sufficiency - 2015-51-ANX - Johnston County ABC Store](#)  
[Clerk's Certificate of Sufficiency - 2015-51-ANX - Johnston County ABC Store](#)

**POTENTIAL ACTION:** Approval of Consent Agenda as Presented

**4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

a. Eagle Scout Recognition - K9 Project

[Cover - Eagle Scout Recognition](#)

b. Electricities Financial Stability Award

[Cover - Electricities Financial Stability Award](#)

- c. Johnston County Health Economic Development Proposal - 3D Mammogram Unit  
[3D Mammography Case Statement](#)
- d. Introduction of John Hamlin  
[Cover - Introduction of John Hamlin](#)

## 5. ADMINISTRATIVE ITEMS

- a. Warranty and Public Easement Acceptance  
[Cover - Warranty & Public Easement Acceptance](#)  
[Britthaven Warranty Acceptance](#)  
[Moss Creek Subdivision Warranty](#)

**POTENTIAL ACTION:** Place on November 2, 2015 Consent Agenda

- b. Veterans Day Proclamation  
[Cover - Veterans Day Proclamation](#)  
[Veterans Day Proclamation](#)

**POTENTIAL ACTION:** Place on November 2, 2015 Consent Agenda

## 6. PUBLIC HEARINGS

- a. Gordon Tract - Rezoning - RZ 2014-21  
[Cover - Gordon Trac Rezoning - RZ 2014-21](#)

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

- b. Gordon Tract Subdivision - PSD 2014-95  
[Cover - Gordon Tract Subdivision - PSD 2014-95](#)

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

## 7. ITEMS SCHEDULED FOR THE REGULAR MEETING

- a. Creech Tract 1 - Wynwood Major Subdivision 15-27-01-SD

[Cover - Creech Tract 1 - Wynwood 15-27-01-SD](#)  
[Application - Creech Tract 1 - Wynwood 15-27-01-SD](#)  
[Staff Report Creech Tract 1 -Wynwood 15-27-01-SD](#)  
[Map Creech Tract 1 -Wynwood 15-27-01-SD](#)  
[Neighborhood Meeting Creech Tract 1 - Wynwood 15-27-01-SD](#)  
[Traffic Impact Analysis Creech Tract 1 - Wynwood](#)  
[Master Plans Creech Tract 1 - Wynwood 15-27-01-SD](#)

**POTENTIAL ACTION:** Set Public Hearing for November 2, 2015

- b. Fire Advisory Board and Firefighter Relief Fund Board Vacancies  
[Cover - Fire Advisory Board Vacancies](#)  
[Fire Advisory Board Application - Hardee](#)  
[Fire Advisory Board Application - Sutphin](#)

**POTENTIAL ACTION:** Place on November 2, 2015 Consent Agenda

- c. Planning Board Vacancy  
[Cover - Planning Board Vacancy](#)  
[Planning Board Application - Evans](#)

**POTENTIAL ACTION:** Place on November 2, 2015 Consent Agenda

- d. Voluntary Annexation - 2015-51-ANX - Johnston County ABC Store  
[Cover - Voluntary Annexation 2015-51-ANX - Johnston County ABC Store](#)  
[PublicNotice - 2015-51-ANX - Johnston County ABC Store](#)  
[Plat - 2015-51-ANX - Johnston County ABC Store](#)  
[Award Letter - Clayton Pedestrian Connector](#)

**POTENTIAL ACTION:** Set Public Hearing for November 2, 2015

- e. Blinson Office Rezoning - 15-40-01-RZ  
[Cover - Blinson Office 15-40-01-RZ](#)  
[Staff Report - Blinson Office 15-40-01-RZ](#)  
[Staff Report - Blinson Office 15-40-01-RZ](#)  
[Application - Blinson Office 15-40-01-RZ](#)  
[Neighborhood Meeting - Blinson Office 15-40-01-RZ](#)  
[Neighboring Property Owner's Consent - Blinson Office 15-40-01-RZ](#)

**POTENTIAL ACTION:** Set Public Hearing for November 2, 2015

- f. Grand Plaza Rezoning 15-47-01-RZ  
[Cover - Grand Plaza 15-47-01-RZ](#)  
[Application - Grand Plaza 15-47-01-RZ](#)  
[Staff Report - Grand Plaza 15-47-01-RZ](#)  
[Map - Grand Plaza 15-47-01-RZ](#)  
[Neighborhood Meeting - Grand Plaza 15-47-01-RZ](#)

**POTENTIAL ACTION:** Set Public Hearing for November 2, 2015

- g. Award Bid - Clayton Pedestrian Connector  
[Cover - Clayton Pedestrian Connector Project](#)  
[Resolution - Clayton Pedestrian Connector](#)  
[Bid Tabulations - Clayton Pedestrian Connector](#)  
[Bid Opening Responsive Checklist - Clayton Pedestrian Connector](#)

**POTENTIAL ACTION:** Place on November 2, 2015 Consent Agenda

## 8. ITEMS CONTINGENT FOR THE REGULAR MEETING

## 9. ITEMS FOR DISCUSSION

## 10. OLD BUSINESS

- a. Electric Rate Analysis  
[Cover - Electric Rate Analysis](#)  
[Electric Rate Analysis Report](#)

**POTENTIAL ACTION:** Approval/Disapproval of Adjusted Electrical Rates

- b. Johnston County Parks & Recreation Master Plan Resolution  
[Cover JC Parks & Rec Master Plan Resolution](#)  
[Resolution of Support PR Plan](#)

**POTENTIAL ACTION:** Approval/Disapproval of Resolution

- c. RWAC - Pritchard Road Signal Agreement with NCDOT  
[Cover - RWAC - Pritchard Road Signal](#)

[RWAC Pritchard Signal Agreement](#)

**POTENTIAL ACTION:**

Approval/Disapproval of Agreement

**11. STAFF REPORTS**

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
- d. Other Staff
  - Status Report: Cooper Neighborhood Assessment Plan/Schedule
  - Status Report: Streetscape Tree Replacement - Main Street

**12. OTHER BUSINESS**

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

**13. ADJOURNMENT**

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

**AGENDA LOCATION:**

Consent

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Draft Minutes

**DESCRIPTION:**

Draft of September 21, 2015 Regular Meeting and September 21, 2015 Closed Session Minutes are presented for approval.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Administration

**PRESENTER:**

Kimberly Moffett

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

Draft Minutes from September 21, 2015 Closed Session will be sent under separate cover.

**Date:**

**Action Taken:**

**Information Provided:**

**Town of Clayton  
Town Council  
September 21, 2015  
Minutes**

**Present: Mayor McLeod, Mayor Pro Tem Grannis, Council Member Satterfield, Council Member Holder, Council Member Lawter, Council Member Thompson**

**Staff Present: Steve Biggs, Nancy Medlin, Tommy Roy, Kimberly Moffett, Katherine Ross, David DeYoung, Robert McKie, Chief Bridges, Stacy Beard, Tim Simpson and Larry Bailey**

**1. CALL TO ORDER**

Mayor McLeod called the meeting to order at 6:33 p.m. and led the Pledge of Allegiance and offered the Invocation.

**2. ADJUSTMENT OF THE AGENDA**

Ms. Medlin requested that a Closed Session pursuant to NCGS 143-318.11(a)(3) be added to the agenda. This item was added as Item 12c.

It was also requested that Items 6a & 6b – Gordon Tract Rezoning RZ-2014-21 and Gordon Tract Subdivision PSD-2014-95 be tabled until October 5, 2015.

**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  
**ACTION:** Placed on October 5, 2015 Consent Agenda
- b. Domestic Violence Awareness Month Proclamation  
**ACTION:** Placed on October 5, 2015 Consent Agenda

**5. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- a. Community & Senior Services of Johnston County  

Neal Davis, Executive Director for Community & Senior Services of Johnston County offered an update of programs/services currently being offered for seniors. He spoke about expansion of programs in Clayton community and soliciting guidance help for additional space and potential sites. He suggested a work study group of community representation be formed to assistance in finding additional space. There was discussion regarding the size of space required.

Conversation also included the issues facing many senior centers and the increasing senior population using those services. Ms. Coley who is the Community Services Director for Johnston County stated they are dreaming big and looking for a 15-20,000 square foot space. Mayor McLeod stated he would love to see a new senior center in Clayton and discussion continued regarding models and what might be most appropriate for a capital campaign. Ms. Coley stated the board was fully engaged and ready and willing to explore any and all options and projects. Ms. Coley further stated she continue to strive to work hard to maintain that all services are free. She further stated that services are available to all seniors.

Council Member Lawter asked if a list of services currently provided were available. Ms. Coley said she would provide a list of services.

Mayor McLeod stated the Council would take this under advisement and figure out exactly what can be done and when.

**b. Report on Recent CALEA Evaluation**

Chief Bridges stated the on-site evaluation and report went extremely well. He provided a brief background on the accreditation, which was created in the late 1970's to bring professional standard to law enforcement.

Chief Bridges stated the Clayton Police Department sought advanced law enforcement gold standards, which is voluntary. Clayton is one of the first law enforcement agencies to pursue this. The goals are to measure not only the policies of the department but also if the accreditation is working for the community as well as the level of effectiveness. Chief Bridges also provided additional information regarding standards necessary to achieve a gold rating.

With regard to the assessment report, there were no findings, which is virtually unheard of. We are in compliance with 484 standards and there were no negatives entries in the final report. This equates to a 20% reduction in liability rates. The Official Award will be received in November.

Mayor Pro Tem Grannis thanked Chief Bridges and the entire police department for what they do on a daily basis.

Council Member Holder offered this thanks for a job well done.

Council Member Satterfield also offered his congratulations as did Mayor McLeod.

## **6. PUBLIC HEARINGS**

**a. Gordon Tract Rezoning - RZ 2014-21**

**ACTION: Tabled to October 5, 2015**

- b. Gordon Tract Subdivision - PSD 2014-95

**ACTION:** Tabled to October 5, 2015

## 7. ITEMS SCHEDULED FOR THE REGULAR MEETING

- a. 2016 Town Council Meeting Schedule

Amend schedule by removing the first July 2016 meeting.

**ACTION:** Placed on October 5, 2015 Consent Agenda with amendment

- b. 2016 Holiday Schedule

**ACTION:** Placed on October 5, 2015 Consent Agenda

- c. Budget Amendments

Mr. McKie presented three budget amendments. The first amendment dealt with the Vector Truck Lease, the second with Unspent Revenue Bond Funds and the third with General Fund and General Fund and Police Special Revenue Fund.

**ACTION:** Placed on October 5, 2015 Consent Agenda

- d. Substation Project Resolution

Mr. McKie stated this was a reimbursement resolution that would allow the town to reimburse itself as costs are incurred during the building of the substation.

**ACTION:** Placed on October 5, 2015 Consent Agenda

- e. Sewer Allocation Request

A request of an additional sewer allocation of 24,480 was received for 102 new single family residential units at East Village.

**ACTION:** Placed on October 5, 2015 Consent Agenda

- f. 2015 Christmas Parade

The 2015 Christmas Parade will be held on Saturday – December 12, 2015. Requested road closures are as follows; Main Street from US Business 70 to Robertson from 11:00 a.m. – 5:00 p.m., Robertson Street from 2:30 -6:00 p.m. and

Lombard Street between Main and Second Streets from 11:00 a.m. to 5:00 p.m.  
Attendance is estimated at 10,000.

**ACTION:** Placed on October 5, 2015 Consent Agenda

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

Mr. DeYoung provided information regarding this rezoning. Request to rezone 180.76 acres that were recently included in Clayton's ETJ by House Bill 343 from the Industrial-Light County Zoning to Industrial-Light Town Zoning. Proposed zoning would be similar and compatible to surrounding use. Surrounding uses are designated as Industrial-Light, Residential-estate and Agricultural-Residential.

These parcels were not a part of the 2008 Growth Plan as they were not located within Clayton's jurisdiction at that time. The parcels were designated as 'primary Growth Areas' by JC Future Land Use Map. Properties directly located south and west of the parcels are included in Clayton's Strategic Growth Plan and are designated to be Industrial. Therefore, Industrial-Light would be consistent with the Strategic Growth Plan.

Both the Planning Board and Staff recommend approval.

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

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

Mr. DeYoung provided information regarding this rezoning. Request is the rezoning of 3.76 acres from Neighborhood Business (B-3) to Planned Development Residential (PD-R) in anticipation of the inclusion of the existing Arbors at East Village Planned Development.

Proposed zoning would be similar to uses surrounding the property. Parcel directly to north of the site was rezoned to PD-R in order to accommodate The Arbors 1 @ East Village, and the property to the east is proposed to be rezoned at the same and developed into a residential subdivision. Parcels to the west and south are currently vacant.

2008 Strategic Growth Plan designates this site as Commercial and Residential-Light. Surrounding properties to the north, east and west are designated the same and property directly south is zoned as Industrial. When the 2008 plan was created the proposed use/area was not anticipated for this parcel, however, since that time the town has started to incorporate this type of use into this area, therefore it is deemed compatible to allow this property to be rezoned to PD-R.  
plan

Applicant is requesting a waiver to allow an alternative landscape buffer along East Front Street. This would be for a modified Class C. Staff is in agreement.

Required neighborhood meeting was held.

Staff is recommending approval of the requested rezoning as well as approval of the waiver request.

There was a brief discussion regarding concern about the buildings being so close to the path. Mr. DeYoung stated that the front and back of the buildings are very consistent and are very attractive. Also addressed was concern about having beauty of area diminished by having towels, etc. hanging from the building.

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

i. Fisher Street Two Family Home - 15-39-01-SUP

Applicant is requested a Special Use Permit to develop a two-family home in an R-8 zoning district. This area is a transitional area. History was provided regarding this request. Initial thought was to have a split level home with a mother-in-law suite, however, after conversations with applicant it was thought it best to market this as a two family home and as soon as a second stove is added a Special Use Permit is required.

The structure is a 2,148 square foot home and access will be provided by two separate driveway locations. One will be located off of Fisher Street and the second off of Starling Street.

Setback is less than what is required because this neighborhood was developed prior to the current setbacks. The code allows for reduced setbacks in situations such as this as long as they are not less than that of neighboring properties. Setbacks are similar to closest neighbor. Some trees will be provided and some existing vegetation will remain.

The property is currently vacant and an under-utilized property. It is consistent with the Strategic Growth Plan and Unified Development Code. The applicant has addressed the Findings of Fact. The required neighborhood meeting was held.

The Planning Board and staff are recommending approval.

Mayor Pro Tem Grannis stated he wasn't overly excited and asked that applicant be prepared to discuss proposed storage unit to be constructed.

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

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

Mr. DeYoung stated Hocutt Baptist Church has 13 properties under their control at this time. Seven of those properties are located on the east side Robertson currently zoned R-6 and six properties on the west side of Robertson that are zoned R-8. Most of these parcels are already part of Hocutt Baptist Church but there are some new ones that were recently purchased by the church. Two of these properties were purchased from individuals and those persons were given life time rights, meaning they could remain living in these homes until their death. Another property was purchased that was a dilapidated structure that was torn down. Additional properties were purchased on the west side of Robertson Street and three structures were recently taken down and that area has been turned into a temporary parking lot. An additional property on the corner was also purchased with intent to also take that building down. Another property was also purchased with intent to use that house as a residence for the music teacher. Applicant requested to rezone all the above to Office-Institutional. Staff for the most part agrees, however, when you get to the west side of Robertson it is starting to encroach on an existing residential neighborhood.

Staff has proposed a split rezoning for overall. One being Office-Institutional for existing church facility and Office-Institutional with Special Use District for facilities on the west side of Robertson Street. This will allow protection regarding further encroachment into the residential area.

Zoning is consistent with the Strategic Growth Plan and applicant has addressed the criteria. Staff is recommending approval as stated.

Council Lawter stated he had concerns regarding parcel with the O-I Special Use and its encroachment into residential area. His concern related to the buffers and he asked if we were limited to the buffers that already exist or would we be able to have stricter requirements for buffers. Mr. DeYoung stated he believed we could use the buffers in our code that we utilize for incompatible areas and further stated with regard to parking lot separation there could be an area between that buffer and the parking that we designate as a no parking area or do some the limitations to keep the parking from the residences permanently. There was a conversation regarding the balance of needs of existing non-residential uses downtown with the needs of maintaining the historical character of a residential area.

Attorney Ross pointed out that any conditions would need to be accomplished through the special use permit and not rezoning.

Council Member Satterfield stated he desires for churches to have the ability to grow and also understands the need for parking but also wants to ensure the appearance is appropriate.

Mayor Pro Tem Grannis questioned a drainage issue on the south eastern corner of the property and asked if this would be addressed at the Public Hearing. Mr. DeYoung stated it would be.

Council Member Thompson stated he had concerns that we were entering into dangerous trend and allowing all properties to be purchased and turned into parking lots.

Council Member Holder stated he believed we are going to see this happen more often but downtown Clayton needs additional parking and feels this is progress.

**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. Deputy Town Manager
- b. Town Attorney
- c. Town Clerk
- d. Other Staff

Mr. Biggs stated that the demolition project of the ABC Plumbing Building would begin on September 29, 2015.

**12. OTHER BUSINESS**

- a. Informal Discussion & Public Comment
- b. Council Comments  
Mayor Pro Tem Grannis acknowledged the Chamber and Town regarding Harvest Festival. He stated it was an excellent event and noticed that trash was eliminated on a very timely basis. Feels everything went very smoothly.  
Council Member Lawter offered his appreciated to James Lipscomb who brought vision and life into the Harvest Festival several years ago.
- c. Town Council went into Closed Session pursuant to NCGS 143-318(a)(3) at 7:35 p.m.

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

**13. ADJOURNMENT**

Council returned from Closed Session at 8:09 p.m. With there being nothing further the meeting was adjourned.

**ACTION:**                   Adjournment

**Motion:**                    Mayor Pro Tem Grannis

**Second:**                   Council Member Lawter

**Vote:**                        Unanimous

Duly adopted this the 19<sup>th</sup> day of October, 2015 while in regular session.

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**Jody L. McLeod**  
Mayor

**ATTEST:**

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

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

**AGENDA LOCATION:**

Consent

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Certificate of Sufficiency - Voluntary Annexation - 2015-51-ANX - Johnston County ABC Store

**DESCRIPTION:**

The Town Clerk certifies the sufficiency of the application regarding Voluntary Annexation 2015-51-ANX.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Administration

**PRESENTER:**

Kimberly Moffett

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**ANNEXATION PETITION 2015-51-ANX  
Johnston County Board of Alcoholic Control  
Parcel 05G02002T  
Contiguous 1.02 Acres**

**CERTIFICATE OF SUFFICIENCY**

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

I, Kimberly A. Moffett, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 19<sup>th</sup> day of October, 2015.

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

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

**AGENDA LOCATION:**

Introductions & Special Presentations

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Eagle Scout Recognition - K9 Project

**DESCRIPTION:**

Eagle Scout Thomas Culpepper will be present to be recognized for his recent Eagle Scout Project. Also present will be Officer Vause and K9 Major. Public Information Officer Beard will offer a PowerPoint to highlight the project completed by Thomas.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Administration

**PRESENTER:**

Stacy Beard, Public Information Officer

**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:**

October 19, 2015

**ITEM TITLE:**

Electricities Financial Stability Award

**DESCRIPTION:**

Mr. Cecil Rhodes, Vice President, NCEMPA will present Financial Stability Award to Ms. Ann Game, Customer Service Department.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Customer Service Department

**PRESENTER:**

Ann Game

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



Join Our Quest To Protect  
The Women In Your Life!



## JOHNSTON HEALTH 3-D MAMMOGRAPHY SYSTEMS CAPITAL CAMPAIGN



Three-dimensional mammography has been deemed the 'game changer' in the fight against breast cancer, giving women a better fighting chance at survival. That is exactly what we, at Johnston Health, want to provide to the women in our communities.

## Why Is Cancer Screening By Mammography So Crucial?

Every year, over 200,000 women in the U.S. are diagnosed with breast cancer, meaning that one in every eight women are likely to develop this cancer at some point in their lifetime. As if those statistics aren't unfortunate enough, the percentage that do develop breast cancer will also have increased chances of the cancer spreading to other parts of the body. This leaves a total of nearly 40,000 battles, more importantly, lives lost to this detrimental disease.

For a cancer that is so invasive, prognosis is highly dependent upon the stage of the disease. If the tumor is small and in its beginning stages, it can be most easily curable. However, in such a stage that typically produces no symptoms, how is one supposed to go about easily treating and curing an infirmity that they are not even aware they have? This is where screenings and their



*The conventional mammogram suite at our Clayton Imaging Center.*

significance truly come into play. Because 79% of new cases of breast cancer and 88% of breast cancer deaths occur among women around 50 years of age and older, the American Cancer Society recommends that all women 40 years of age and older attain routine self-examinations and mammography screenings for breast cancer.

Combined results from randomized screening trials suggest that mammography reduces the risk of dying from breast cancer by 15% to 20% and

is the most effective screening tool used in regards to detecting early stages of the cancer.



Dr. Regina Ryan  
Chief Of Staff  
Johnston Health

## Is Breast Cancer On The Rise In Our Area?

Cancer is the second leading cause of death in Johnston County and breast cancer remains the most commonly diagnosed invasive malignancy among women.

According to the North Carolina Department of Health & Human Services, incidences of breast cancer in NC are increasing every year.

For 2015, it is projected that there will be 9,772 new cases, with 166 of those in Johnston County.



Shawn Leagan  
Patient Navigator  
Johnston Health

## How Does This Relate To Women In Johnston County?

Breast cancer is the top diagnosed cancer at Johnston Health and 84% of Johnston Health's patients are from Johnston County. Nearly 75% of the women diagnosed were between the ages of 50-89 years old.

As of 2014, the Johnston County population stood at 181,423, an approximate 3,500 resident increase in the matter of just a year and a 12,500

resident increase over four years. Almost 65% of the population of Johnston County is female.



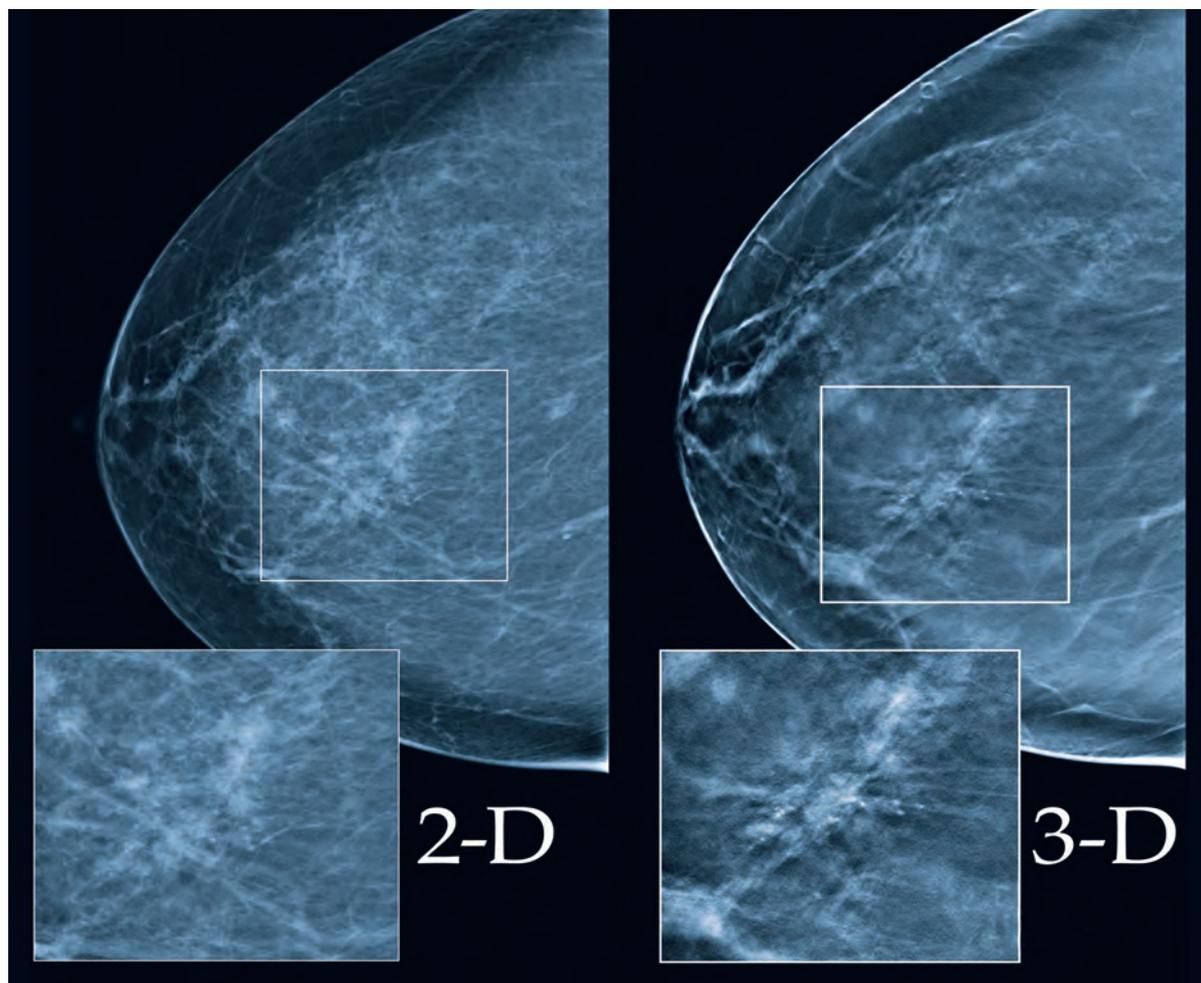
Arqueta Lindsey  
Oncology Social Worker  
Johnston Health

## What Is 3-D Mammography And How Is It Different From Conventional Digital Mammography?

A conventional digital mammogram creates a two-dimensional image of the breast from two X-ray images of each breast. With the new three-dimensional (3-D) mammography, radiologists can now obtain several images taken at different angles in an arc through the breasts using lower radiation doses. This breast imaging technique combines the information of the individual scans to create three-dimensional views of breast tissues. It is now being used for even earlier and more accurate detection. This is especially valuable with high risk patients and those with dense breast tissue.

Though 3-D mammography is approved by the U.S. Food and Drug Administration (FDA), its relative newness isn't yet considered the standard of care for breast cancer screening so it is not available at all hospitals and mammogram facilities. Both Johnston Health locations are currently using only two-dimensional (2-D) mammograms.

Dr. Jeff Jones  
Radiologist  
Johnston Health



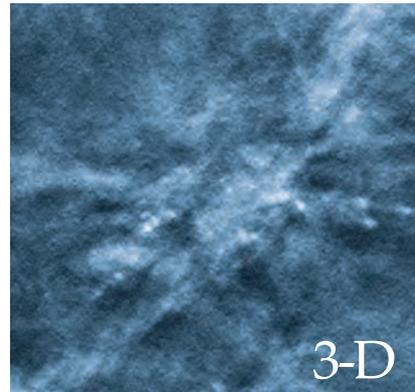
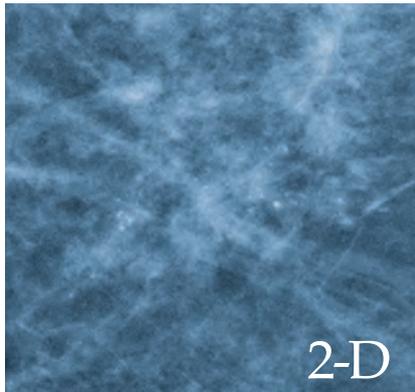
*This simultaneous view of a 2D mammogram (left) and a 3-D mammogram (right) show the amazing difference in texture, formation and definition between the two.*

## Are 3-D Mammograms More Effective Than Conventional Digital Mammograms?

The difference in the two types of images is obvious, even to the untrained eye. Multiple studies have proven that 3-D mammography along with conventional mammograms, detects more breast cancers and leads to fewer call-backs and false-positives, compared to just the conventional 2-D mammography alone. In fact, a study presented back in December of 2103, at the Radiological Society of North America Annual Meeting found, when comparing both 2-D and 3-D mammogram recall and detection rates, that 3-D

mammograms had 15.6% fewer false-positives and revealed 22% more cancers, opposed to the conventional mammogram itself.

High breast tissue density has also been shown to be a strong, independent risk factor in the development of cancer, and the conventional mammogram has simply not yet been proven capable enough to provide the kind of image deemed necessary in seeing clearly through dense breast tissue.



Dr. Jonathan Lozevski  
Radiologist  
Johnston Health

## Are There Particular Circumstances In Which 3-D Mammography Is More Essential?

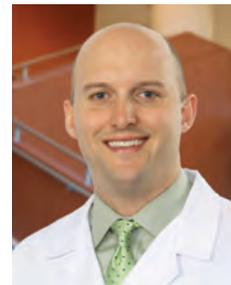
YES! Johnston Health needs 3-D mammography to help provide more efficient technology in the early detection of breast cancer, especially in the screening of denser breast tissue, because of the clarity and better quality of imaging. With dense breast tissue there is an increased amount of connective tissue that can be hard to differentiate from the thickening caused by tumors and can also mask tumors so that they do not show up on a conventional 2-D silhouette.

3-D mammograms create a composite image from multiple images taken in an arc around the breast. When composited, the resulting image shows a dimensional rendering of the irregularity.

This enables doctors to see the size, shape and configuration much more clearly and thus better differentiate between dense tissue and tumors.

Researchers found that 3-D mammography bumped up breast cancer detection rates by more than 40%. At the same time, there was a 15% dip in the number of women who had to return for more tests because of a suspicious mammogram finding.

Three-dimensional mammography has been deemed the 'game changer' in the fight against breast cancer, giving women a better fighting chance at survival. That is exactly what we want to provide to the women in our communities at Johnston Health.



Dr. Cary Bizzell  
Radiologist  
Johnston Health

## PUTTING FACES ON THE NEED:

Johnston Health Radiologist Dr. Cary Bizzell And His Wife Jackie Can Tell You First Hand About The Importance Of 3-D Mammography And The Difference It Could Make In The Lives Of Families Here At Home.

*“It would mean the world to me, and to other women - especially those in high risk groups like me - to have this level of early detection here, close to home and family.”*

Jackie Bizzell  
Clayton, NC



Radiologist Cary Bizzell, MD, is without a doubt as vested and passionate about this campaign as anyone can be. He is a Foundation Board member and Chairman of the Communications & Stewardship committee. He is also a radiologist who will benefit from the equipment in his work here at Johnston Health. But, most importantly, this 3-D mammography equipment can be very crucial to the well-being of his wife, Jackie.

Jackie was in her last year of grad school and Cary his last year in med school when they began dating.

*“I shared my medical history with Cary, telling him that when I was 11 years old, I had Hodgkin’s Lymphoma and was treated with chemo and radiation. Cary realized something that not many primary care physicians are aware of - that women who had this history had a 50% higher risk of developing breast cancer- the same as those with the genetic factor.” Jackie tells us. “He became, and has remained my greatest health advocate. Because of his profession he was able to persuade my physician to prescribe an alternating regimen of mammograms and MRI scans every six months. Thankfully, I have been cancer free for 26 years. When you have a health risk like this looming over you, peace of mind is so valuable. Having the best screening available is the best route to peace of mind. ”*

*“I knew that earliest possible detection would always give the best outcome,” says Dr. Bizzell, “and with her being in such a high risk demographic we have pushed for the best possible screening methods. This past year her breast surgeon upgraded her screening regimen to include the new 3-D mammograms because they are much more revealing, especially with high risk patients and those with dense breast tissue.”*

*“I am so thankful for Cary. I have been so blessed to have a husband who is so knowledgeable and caring. I trust him with my health above anyone,” says Jackie. “He loves this hospital, in fact he, and our youngest son were born at Johnston Health. But, now I find myself needing routine 3-D mammograms which are not available anywhere in the county, much less in the very hospital where Cary works as a radiologist. I am having to travel into Wake county, through nerve racking traffic, and away from Cary’s personal oversight to get the level of screenings I need. It would mean the world to me, and to other women, especially those in high risk groups like me, to have this level of early detection here, close to home and family.”*

Dr. Cary Bizzell & Jackie Bizzell  
Clayton, NC

## How Does Not Having This Latest Technology Affect Johnston Health And Our Patients?

The most obvious impact is not being able to provide the best available diagnostics for women in our communities. In situations of high risk patients with family history and those with dense breast tissue who need to have 3-D mammograms to be assured of early detection, they currently have no alternative to pursuing this technology in neighboring counties. This puts them on the road with the risks and costs of travel.

Additionally, early diagnosis can result in less invasive procedures and less aggressive treatment. This results in less expense to our patients as well as to our hospital.

There are also negative effects for our hospitals and physicians. When patients leave the area seeking better technology, they most often continue their future care in the places where they find this technology readily available rather than return to Johnston Health and the local physician practices.



Ruth Marler  
Chief Nursing Officer  
Chief Operating Officer  
Johnston Health

### Michele Grady's Story Tells How Pursuit Of Better Detection Technology Affected Her Health Care Choices.

Michele Grady of Kenly serves on the capital campaign committee for the Johnston Health Foundation. As we worked on the 3-D mammogram project, we found that this very situation had affected Michele personally. Her story addresses how availability affects patients as well as our hospital and medical practices.



*"Mammography impacted my life early on - both of my Grandmothers had breast cancer and my Dad's sister died from breast cancer. So, early in my adulthood, I was put on a routine of mammograms. Conventional mammograms were the only thing available and I was constantly called back in for additional images because the quality of the mammograms did not allow a definitive diagnosis. On several instances, I had to endure painful biopsy procedures that scared me to death. Thankfully, they were benign.*

*About 10 years ago, I was listening to Dr. Allen Mask on WRAL and he was telling about how one radiology center in Wake County had the latest and greatest in breast cancer detection - digital mammography.*

*I went there and found that the new procedure eliminated almost all call backs. Most importantly, they could get a better image and diagnosis without invasive procedures. In spite of the fact that Johnston Health soon had digital capabilities, I continued to travel because I had developed an emotional attachment to where I was because of my peace of mind. About three years ago, they integrated new 3-D mammography. That new*

*technology took things to a higher level of clarity and confidence - especially with the fact that I had dense breast tissue on top of my genetic factor.*

*In a situation where you have a constant fear of what might be found - or missed - I found a greater peace of mind, which is so valuable. It was worth the time and travel for that higher level of detection. But, had all this been here, close to home, at the time I was making my decision, I would have been so thankful.*

*With this technology available here, others can find what I found - here, close to home."*

Michele Grady  
Kenly, NC

## What Are The Goals Of The Johnston Health Foundation Through This Matching Funds Capital Campaign?

Our goal is simple - to put in place in each of our two hospitals, in Smithfield and Clayton, a 3D Mammography Suite. Each of these state of the art machines costs \$500,000, meaning we need a total of \$1,000,000 to complete the project. But, if you and others like you can raise enough money to purchase one of these, Johnston Health has pledged to pull from its budget matching funds to enable us to place one in each of our hospitals.

So, the goal of our campaign is to raise \$500,000 and to bring a much higher level of diagnostic intervention to the women of Johnston County and neighboring areas.

Chuck Elliott  
President & CEO  
Johnston Health



## Why Is This Campaign Necessary When Johnston Health Has The Backing Of A UNC Health Care Partnership?

Our capital appetite is large, but our piggybank is too small to afford everything that we need as a hospital to service our community's health care needs. Our partnership with UNC Health Care netted a one time financial influx that allowed us to complete the hospital at Clayton, but Johnston Health remains self-funded. On average, Johnston Health only earns about 1% from patient revenues, well short of the 3% needed for routine capital expenditures. We have to make tough decisions and typically some equipment has to be postponed to future years.

Johnston Health must generate \$4.00 in gross patient charges to earn \$1.00 in net patient revenue. However, a \$50,000 gift nets the same cash as \$200,000 in patient charges and a \$500,000 gift nets the same cash as \$2 million in patient charges.

For every dollar we are able to collect from all sources, including insurance companies, Medicare, Medicaid and from the patients themselves, we are able to apply, at most, 3 pennies (3%) into the piggybank for capital needs.

Philanthropic gifts have been the difference in Johnston Health being able to move forward on equipment purchases, expansions and building new facilities like the SECU Hospice House.



Bobby Parker  
Chairman Of The Board  
Johnston Health

## Will Insurance Cover The Use Of 3-D Mammograms And, If Not, Will The Use Of These Machines Increase The Cost Of Mammograms For Patients?

The payment from insurance companies for this technology is equivalent to the payment for the current mammography exam. A patient's cost will be no different than they experience with their current insurance carrier.

However, many of our patients have no ability to pay for required services. Johnston Health has several programs to assist patients. The Angel Fund along with our charity care policies insure that all

patients regardless of their ability to pay will have access to this service. Johnston Health provided \$10,000,000 in charity care for Johnston County residents during its most recent fiscal year.

Tracey Carson  
Admin. Director  
Patient Services  
Johnston Health



# Join Our Quest To Protect The Women In Your Life -



## Today And For Generations To Come!

Johnston County has, for the past several years, been the fastest growing county in North Carolina. Breast cancer already has a large impact on our population. As that population continues to increase, so will the number of women needing the benefit of early detection and prompt treatment.

We are asking you to become a part of this effort. There is a quote featured in our Johnston

Health Foundation Brochure that states: "To plant a tree with no expectation of ever sitting under its shade is the essence of selfless giving." We hope that is the case with your participation in this campaign. We hope that you, a friend, or a loved one are never in a situation in which this equipment reveals cancer. But the truth is that we never know who your gift to this campaign will benefit - or when.

## How Long Will It Take To Get These Machines In Place?

The time needed to get these machines in use is literally up to you. As soon as we have these funds pledged for the cost of one machine, both will be ordered.

Unlike some of our recent projects which have required months of construction, these will be able to be installed and put into use within a few weeks of being acquired.

## How Can I Be A Part Of This Exciting Campaign?

Contributing to this effort is easy and simple. You will find in this information packet a contribution form. Simply fill out this form and return it to the Johnston Health Foundation.

As with our recent campaign to build the SECU Hospice House, the returns through lives affected by your generosity will be immediate.

**For more information, contact us at:**  
919-938-7169 or via email at [foundation@johnstonhealth.org](mailto:foundation@johnstonhealth.org)  
[www.johnstonhealth.org/foundation](http://www.johnstonhealth.org/foundation)

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

**AGENDA LOCATION:**

Introductions & Special Presentations

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Introduction of John Hamlin

**DESCRIPTION:**

Stacy Beard will introduce John Hamlin who will serve as the new Assistant Public Information Officer

**POTENTIAL ACTION:**

**DEPARTMENT:**

Administration

**PRESENTER:**

Stacy Beard, Public Information Officer

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

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

**AGENDA LOCATION:**

Administrative Items

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Warranty and Public Easement Acceptance

**DESCRIPTION:**

BRITTHAVEN: Warranty acceptance requested for public water, sewer and all pertinent utility easements. All punch list items have been addressed and recording draws have been accepted. Following warranty, final inspection will be completed and all deficient items corrected by developer's contract prior to final acceptance.

MOSS CREEK: Final Lift of asphalt pavement has been installed. Upon expiration of warranty period, pavement and base course condition will be evaluated and any identified faults corrected by the developer prior to final acceptance.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Engineers/Inspection

**PRESENTER:**

Chriw Rowland

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530  
  
VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530  
  
WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Kimberly Moffett, Town Clerk  
From: Chris Rowland, Construction Project Administrator *CR*  
Copy: Dave DeYoung, Planning Director  
Jonathan Barnes, Dalton Engineering  
Date: October 2, 2015  
Subject: Britthaven

Please place a warranty acceptance request for the subject public water, sewer, and all pertinent utility easements on the next available agenda. All punch list items have been addressed and record drawings have been accepted. Following said warranty, a final inspection will be done and all deficient items corrected by the developer's contractor prior to final acceptance.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

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VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Daniel Blackburn, Blackburn Engineering  
Dave DeYoung, Planning Director

Date: October 9, 2015

Re: **Moss Creek Subdivision, Phases 3 & 4**

The referenced final lift of asphalt pavement has been installed. Please schedule Council action for the acceptance of this work, subject to a one-year warranty period. Upon expiration of the warranty period, pavement and base course condition will be evaluated and any identified faults corrected by the developer prior to final acceptance.

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

**AGENDA LOCATION:**

Administrative Items

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Veterans Day Proclamation

**DESCRIPTION:**

Proclamation presented for approval and presentation at the November 2, 2015 Town Council Meeting. It is anticipated Town employees who are veterans will be honored.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Administration

**PRESENTER:**

Kimberly Moffett

**ITEM HISTORY:**

**Date:**

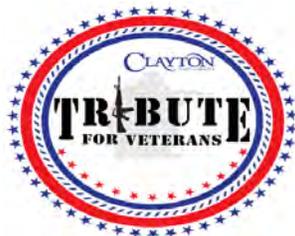
**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



## Veterans Day 2015 Proclamation

**WHEREAS**, The Town Council of Clayton along with all our citizens have the privilege to come together to honor you, **our veterans**, and to commemorate the legacy of profound service you have upheld in pursuit of our freedom; and

**WHEREAS**, on this Veterans Day and everyday let us pause to reflect on the sacrifices all of those men and women, who have put on the uniform to serve in the United States military. Let us honor our veterans, who proved their heroism and love of our country time and time again; and

**WHEREAS**, we must remain committed that their sacrifice will never be forgotten, and that their lives will always be remembered not only on this day but everyday; and

**WHEREAS**, our community has a continuing sense of gratitude to those who have given so much in the defense of the freedoms which we all enjoy as Americans; and

**WHEREAS**, on this patriotic occasion, the Honorable Mayor and Town Council wish to honor through recognition, Town of Clayton employees who have served our country as veterans and continue serving our community as local government employees as well as all service members; and

**NOW, THEREFORE, LET IT BE PROCLAIMED** by the Honorable Mayor and Town Council of the Town of Clayton that all citizens join together for our "TRIBUTE FOR VETERANS" on Sunday, November 8, 2015 at The Clayton Center

Duly Adopted this the 2<sup>nd</sup> day of November 2015.

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

\_\_\_\_\_  
Michael Grannis, Mayor Pro Tem

\_\_\_\_\_  
Bob Satterfield, Council Member

\_\_\_\_\_  
R.S. "Butch" Lawter Jr., Council Member

\_\_\_\_\_  
Art Holder, Council Member

\_\_\_\_\_  
Jason Thompson, Council Member

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

**AGENDA LOCATION:**

Public Hearings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Gordon Tract - Rezoning - RZ 2014-21

**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:**

Approval/Disapproval

**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:**

September 8,  
2015

**Action Taken:**

Tabled - September 21, 2015  
September 21, 2015 - Tabled - October 5, 2015  
October 5, 2015 - Tabled - October 19, 2015

**Information Provided:**

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

**AGENDA LOCATION:**

Public Hearings

**Meeting Date:**

October 19, 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:**

Approval/Disapproval

**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:**

September 8,  
2015

**Action Taken:**

Tabled - September 21, 2015  
September 21, 2015 - Tabled - October 5, 2015  
October 5, 2015 - Tabled - October 19, 2015

**Information Provided:**

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Creech Tract 1 - Wynwood Major Subdivision 15-27-01-SD

**DESCRIPTION:**

Applicant request preliminary subdivision plat approval to develop 181 single-family detached residential lots.

**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

## 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:   Modification to Approved Preliminary Plat  
Major: \_\_\_\_\_ Minor:   
 New Subdivision Master Plan

Name of Project: Creech Tract Master Plan <sup>Residential</sup> Acreage of Property: 141.06 Acres

Tag #: 05G01012A NC PIN: 165907-69-6977

Location: 1294 Shotwell Road, Clayton, NC 27520

Number of Lots (existing): 0 (Proposed) 181 Min Lot Size: 7,000 sf

Zoning District: PD-MU Electric Provider: Undetermined

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 17 2015 Amount Paid: \_\_\_\_\_ File Number: 15-27-01-SD  
Town of Clayton  
Planning Department

**PROPERTY OWNER INFORMATION**

**Name:** Everland Lee LLC  
**Mailing Address:** P.O. Box 748, Clayton, NC 27528  
**Phone Number:** 919-553-2085 **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 type="checkbox"/>	<input type="checkbox"/>			
6. Preliminary Plat Subdivision Requirements Checklist form, completed and signed <i>Checklist is included in this packet</i>	<input type="checkbox"/>				
7. Plat sheet(s) meeting requirements of the Requirements Checklist	<input 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 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 checked="" type="checkbox"/>	<input 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 checked="" 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 Planned Unit Development with a mix of uses. The residential portion of the development will contain a mixture of detached single-family lots, townhouses, condominiums and apartments. The commercial area is planned to be developed as a neighborhood retail shopping center to serve the needs of the Creech Tract and surrounding communities. Access to the development will utilize the existing roadway system off of Shotwell Road and Covered Bridge 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.  
Print Name

CONTACT: JONATHAN BARNES  
*[Signature]*  
Signature of Applicant

6/8/15  
Date

**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.

~~The proposed development will meet the required specifications for the Planned Use Development in the Town of Clayton Unified Development Code.~~

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

(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 mixed use development will create an integrated feel and help produce a sense of community that will enhance adjoining developments and properties as well.~~

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

(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: CREECH TRACT - MASTER PLAN

DALTON ENGINEERING  
AND ASSOCIATES, P.A.  
Print Name

CONTACT : JONATHAN BARNES  
[Signature]  
Signature of Applicant

6/8/15  
Date

## ADJACENT PROPERTY OWNERS LIST

**Project Name:** Creech 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
175000-50-7961	COLCLOUGH, THOMAS M & CASSANDRA M	73 COVERED BRIDGE RD, Clayton NC 27520
175000-61-0033	JOHNSON, SANDRA SLOAN & LEU, DONALD J	103 COVERED BRIDGE ROAD, Clayton NC 2752
175000-61-2181	CREECH, DAVID WAYNE	143 COVERED BRIDGE RD, Clayton NC 27520
175000-61-4196	WHITE, DAVID GEORGE & AMY CREECH	207 COVERED BRIDGE RD, Clayton NC 27520
175000-61-8207	MCLOUGHLIN, RICHARD & LINDA	271 COVERED BRIDGE RD, Clayton, NC 27520
175000-71-0303	REYES, OSCAR TORRES	313 COVERED BRIDGE RD, Clayton, NC 27520
175000-71-3402	RAY, MICHAEL A & LISA S	363 COVERED BRIDGE ROAD, Clayton, NC 27520
175000-82-5012	EVERETT AND BERNICE JONES TRUST	41 STONE DRIVE, Brevard, NC 28712
175000-71-6230	HOUSE OF HOPE OF NC, INC	PO BOX 339, Clayton NC 27528
175000-70-8511	PRAJAPATI, RUPESH & CANDACE	552 CRESTDALE DR, CLAYTON, NC 27520
175000-70-8270	BROWN, CASEY RANDALL & MEGHAN WAGNER	547 CRESTDALE DR, CLAYTON, NC 27520
165908-99-1166	MIMS, ALLEN L JR	920 CITY RD, CLAYTON, NC 27520
165912-87-5175	ADAMS, DONALD C	1340 OLD DRUG STORE RD, GARNER, NC 27529
165908-77-6737	JUAREZ, JOSE LISANDRO	PO BOX 733, CLAYTON, NC 27520
165908-77-5598	BEASLEY, MICHAEL JAMES	164 LIBERTY LANE, CLAYTON, NC 27520
165912-77-5292	PENA, HECTOR	156 LIBERTY LANE, CLAYTON, NC 27520
165911-77-3038	FRAMPTON, ROBERT EUGENE JR	148 LIBERTY LN, CLAYTON, NC 27520

165911-77-3010	NAZARI, ZABIJULLAH & RAHIMA	111 SWORDGAGE DRIVE, CARY, NC 27513
165911-67-9097	AMERICAN LEGION	
165911-67-9268	AMERICAN LEGION POST 71	1300 OLD US 70 HWY W, CLAYTON, NC 27520
165907-67-5741	BANKS, NILOUS I	101 LAKESIDE DRIVE, CLAYTON, NC 27520
165907-67-5892	CHESTNUT, KERRY SCOTT & BARBARA	103 LAKESIDE DR, CLAYTON, NC 27520
165907-67-6943	BRITT, BETTY B & WILLIAM R JR	105 LAKESIDE DR, CLAYTON, NC 27520
165907-68-6095	JONES, HELEN S	109 LAKESIDE DRIVE, CLAYTON, NC 27520
165907-68-7288	MOORE, ALFRED RAY & AGNES	203 LAKESIDE DR, CLAYTON, NC 27520
165907-68-7491	BLACKMON, DILLION D & BOBBIE LOU	207 LAKESIDE DR, CLAYTON, NC 27520
165907-68-7520	FIFIELD, CAROL A	215 LAKESIDE DRIVE, CLAYTON, NC 27520
165907-68-2665	ALLEN, HENRIETTA O	1414 WOODCREST DR, CLAYTON, NC 27520
165907-58-9376	SECU*RE INC	PO BOX 25279, RALEIGH, NC 27611
165907-58-8257	JOHNSON, RICKIE L	1414 W OLD US 70 HWY, CLAYTON, NC 27520
165907-59-7141	PHILLIPS, DOUGLAS D, ANN B	925 THANKSGIVING FIRE RD, SELMA, NC 27576
165907-59-3304	POWELL, WILLIAM JR, DORIS H	146 JAMESON AVE, WOODLAND, NC 27897
165907-59-3631	BRYANT, ROYASTINE & MARY FRANCES	2 ANNIE V DRIVE, CLAYTON, NC 27520
165907-59-3981	SEAGRAVES, GINA L & NEWSOME, W KENT	1 ANNIE V DRIVE, CLAYTON, NC 27520
175000-50-4310	HILL, HARVEY G JR & REGINA W	210 SNOWBERRY LN, SMITHFIELD, NC 27577
175000-50-4631	KELLY, DIANA ELLIS & KEVIN EUGENE	1 SEVEN OAKS DRIVE, CLAYTON, NC 27520
175000-41-8275	CREASY, KATHRYN ANN & DONALD J	1577 SHOTWELL RD, CLAYTON, NC 27520



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

September 28, 2015

## STAFF REPORT

**Application Number:** 15-27-01-SD

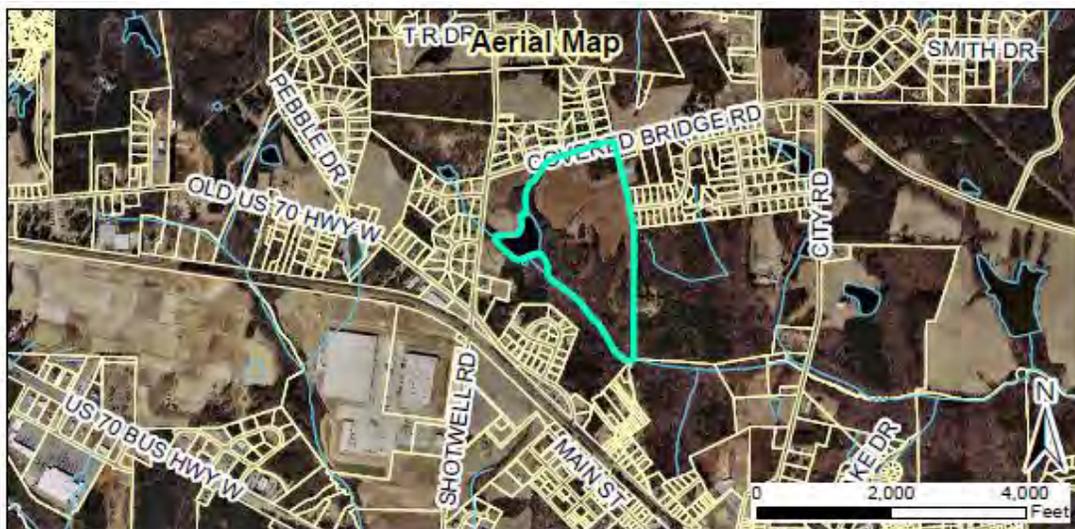
**Project Name:** Creech/Wynwood Manor – Tract 1, Residential Master Plan

**NC PIN / Tag #:** 165907-69-6977 / 05g01012a  
**Town Limits/ETJ:** Town limits  
**Overlay:** none  
**Applicant:** Jerry Dalton, Dalton Engineering and Associates  
**Owner:** Everland Lee LLC  
**Location:** Site address: 1294 Shotwell Rd. The property is located south of Covered Bridge Rd, and east of Shotwell Rd.

**Public Noticing:**

- Neighborhood meeting August 17, 2015
- Sign posted prior to September 5, 2015
- Letters mailed prior to October 21, 2015
- Newspaper ad posted prior to October 21, 2015

**REQUEST:** The applicant is requesting preliminary subdivision plat approval (acting as a Residential Master Plan) to develop 181 single-family detached residential lots, within Town Limits.



Page 1 of 12

**SITE DATA:**

**Acreage:** 87.4± acres  
**Existing Use:** Agriculture

**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
<b>North</b>	Residential Estate (R-E)	Single-family residential (on 1± acre lots)
<b>South</b>	Residential Estate (R-E) and Planned Development-Mixed Use (PD-MU)	Single-family residential (on ½± acre lots) and vacant/agricultural for the PD-MU zoned parcels.
<b>East</b>	Residential Estate (R-E)	Single-family residential (on ½± acre lots) for parcels in the Cassedale subdivision, and vacant and/or agricultural for the remainder of adjacent parcels (Mims property)
<b>West</b>	Residential Estate (R-E) for parcels across Shotwell Rd, and Planned Development Mixed Use (PD-MU) for the remainder of the Creech parcel	Single-family residential (on 1± acre lots) for parcels across Shotwell Rd, and vacant and/or agricultural for the remainder of the Creech parcel

**DEVELOPMENT DATA:**

**Proposed Uses:** 181 single family detached residential units with clubhouse/pool amenity building, greenway, and mini-park.

**Number of Stories:** Single family units, maximum height of 35 feet; Clubhouse, max. height of 45’.

**Min. lot size:** 7,000 square feet

**Impervious Surface:** Max. 75% per residential lot, 50% for entire development

**Required Parking:** 2 spaces per unit

**Proposed Parking:** 2 spaces per unit

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

**Access/Streets:** One access point will be provided via a new driveway off of Covered Bridge Road, across from Trotters Run Court. A connection will be made to the east to Crestdale Drive, which connects to the Cassedale Subdivision. Three stub-outs will be provided to future developments, one to the east (Mims Property), one to the south across the creek (to ultimately connect to Parkview Subdivision and Main Street (Old US Hwy 70)), and one to the west toward the portion of the Creech parcel located near the intersection of Covered Bridge Road and Shotwell Road.

**Water/Sewer Provider:** Town of Clayton

**Electric Provider:** Town of Clayton

**STAFF ANALYSIS:**

**Overview**

The applicant is requesting preliminary subdivision plat approval (acting as a Residential Master Plan) to build 181 single-family detached residential units on the eastern portion (87.4 acres) of the Crech parcel. The proposed development will be very similar to an open space subdivision, consisting of three phases, and will include greenways, a mini-park, and a clubhouse/pool amenity. A road connection will be made across the riparian buffer to Tract 4 for future connectivity, as well as a stub-out to Tract 2 (on the corner of Shotwell Road and Covered Bridge Road). The majority of access to the 181 homes will come from a single, full-access entrance off of Covered Bridge Road. The western border of the project is the pond, creek, and associated riparian buffer.

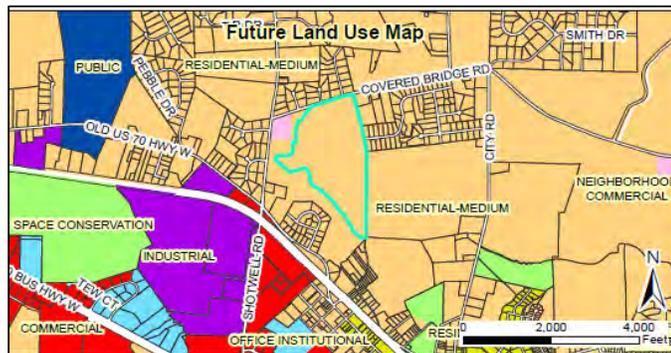


The overall property, excluding areas (Tracts 2-4) that will remain currently undeveloped (and are primarily divided from the residential section by the creek and stream buffer) will function generally as an open space subdivision with a clubhouse/pool amenity building. Open Spaces, a mini-park, and greenways are scattered throughout the project. Greenways are proposed to be provided along Covered Bridge Road as well. The impervious summary and site breakdown for the development is provided below.

<b>IMPERVIOUS AREA CALCULATIONS</b>				
	TOTAL AREA (square feet)	PERCENTAGE OF TOTAL SITE	IMPERVIOUS AREA (square feet)	IMPERVIOUS PERCENTAGE
RESIDENTIAL LOTS	1,938,777	50.93%	1,454,083	75%
RIGHT-OF-WAY (street, sidewalk, & ROW dedication)	512,889	13.47%	272,506	53.13%
TOTAL RESOURCE CONSERVATION AREAS	670,698	17.62%	0	0%
TOTAL OPEN SPACE (includes pool, clubhouse, amenities, greenways, internal sidewalks and features in parks etc.)	573,704	15.08%	177,743	30.98%
STORMWATER BMP	43,969	1.16%	0	0%
LANDSCAPING BUFFERS	66,195	1.74%	0	0%
<b>TOTAL AREA (TRACT 1)</b>	<b>3,806,232</b>	<b>100%</b>	<b>1,904,332</b>	<b>50.03%</b>

**Consistency with Adopted Plans:**

- Comprehensive Plan**  
The request is consistent with the Strategic Growth Plan.
- Unified Development Code**  
The proposed development is generally consistent with the Unified Development Code (UDC), with additional discussion of specific elements below.



**Compatibility with Surrounding Land Uses**

The proposed use – residential subdivision – is generally consistent with current adjacent uses, which are for the most part single family residential subdivisions and vacant/agricultural land. The proposed minimum residential lot size (7,000 square feet, or 0.16 acres) is somewhat smaller than surrounding lots in residential subdivisions, with the majority of directly adjacent residential lots being between 0.5 and 1.0 acres (21,780 square feet to 43,560 square feet) in size, more or less. The lots as drawn on the plans are of varying sizes, but 7,000 square feet is the regulating size.

**Development Standards**

The proposed Creech / Wynwood Manor development standards describe noticeably smaller lots than surrounding residential development, most of which is zoned Residential-Estate. The overall density of the Creech / Wynwood Manor project is proposed at 2.07 units per acre, which accounts for open space, riparian buffers, the pond, and landscaping buffers.

Given the stated minimum lot sizes for the proposed development, the maximum building coverages and maximum impervious surface allowable per lot are higher than the adjacent residential uses. However, it is important to note that these development standards are per lot, and not for the entire development, which has considerable natural and recreational areas (32±% of total site).

Regardless, at the minimum lot size of 7,000 square feet and with a maximum building coverage of 70%, fully 4,900 square feet of the typical minimum lot could be covered by the building itself. Therefore, staff suggests

that the ‘maximum building coverage’ and ‘maximum impervious surface per lot’ standards should be adjusted to be more reflective of the actual type of development that is intended.

The proposed setbacks for Creech / Wynwood Manor are also less stringent than most other setbacks allowed in current Open Space subdivisions within the Town (see table below). Staff suggests that the front setback be revised to 20 feet, to be more reflective of the nature of surrounding residential development.

Comparison of setbacks*					
	Lesser setbacks ←————→ Greater setbacks				
	Creech / Wynwood Manor	Town Zoning Residential-6 (R-6)**	Town Zoning Residential-8 (R-8)	Town Zoning Residential-10 (R-10)	Town Zoning Residential-Estate (R-E)
Front (ft)	10	20	20	25	21
Side interior (ft)	5	6	6	6	9
Side street (ft)	10	10	10	15	15
Rear (ft)	15	20	15	15	18
*Since Creech/Wynwood Manor is most comparable to an Open Space Subdivision (which allows reduced parameters and/or more dense development), the figures above represent the Town’s requirements for Open Space subdivisions.					
**No Open Space subdivision is allowed in R-6, so conventional R-6 standards are provided.					

**Landscaping and Buffering**

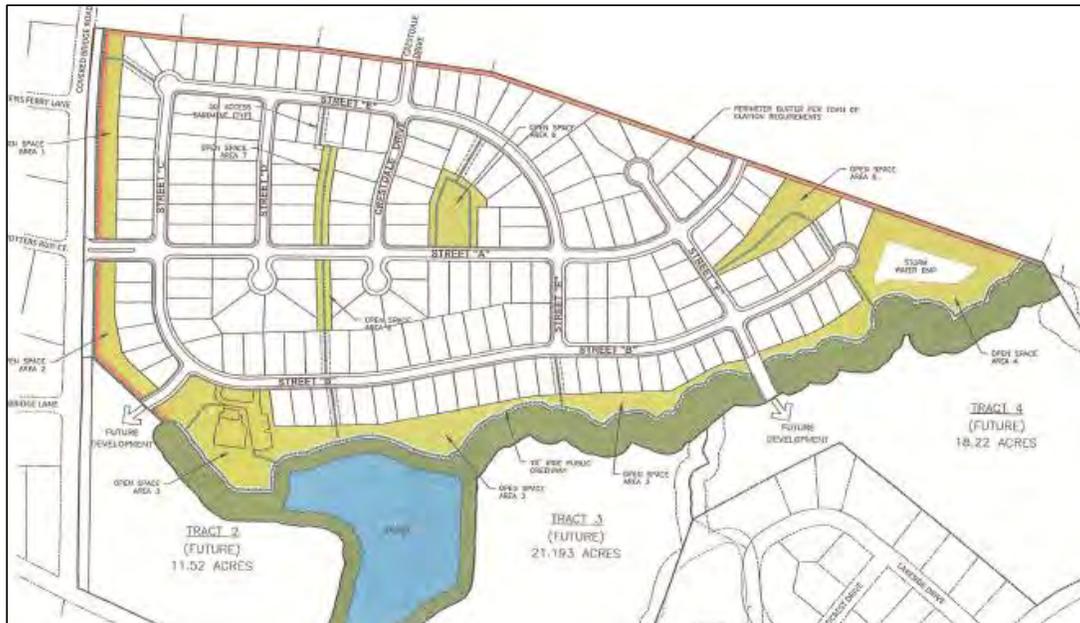
A 15 foot Class C perimeter buffer is provided along the boundary of the property, as required by Code. This is would provide a continuous 6’ visual buffer through either wall, berm, fence, evergreen hedge, or combination thereof. A maximum slope for berms of 3:1 is allowable.

**Recreation and Open Space**

Planned Developments such as this are required to meet or exceed the requirements of Open Space subdivisions. In this case, that means that 12.5% of the net site (total site area minus Resource Conservation Areas) will be provided as Open Space. Further, 25% of the total Open Space must be developed as active recreation. Resource Conservation Areas and Open Space are exclusive of each other. The table below summarizes the Open Space for the proposed development.

There is ample Open Space adjacent to the greenway that runs along the riparian buffer. This greenway will eventually tie into the Sam’s Branch greenway that is part of the Parkview subdivision. Another section of greenway runs along Covered Bridge Road between the landscape buffer and the right-of-way of Covered Bridge Road.

OPEN SPACE, GREENWAYS AND OTHER RECREATION			
	OPEN SPACE (ACRES)	ACTIVE REC. AREA (ACRES)	PERCENTAGE
PASSIVE OPEN SPACE	9.513		72.23%
ACTIVE RECREATION AREAS	3.657		27.76%
IMPROVED AREAS (pool, clubhouse property, developed parks)		0.954	
GREENWAY (paved surface area only)		1.674	
SIDEWALK (paved surface area only)		1.029	
<b>TOTAL OPEN SPACE (TRACT 1)</b>	<b>13.17</b>		<b>100%</b>
NOTE: Per Town of Clayton development standards, greenways must have a minimum of 2.5’ of cleared graded grass on each side. This area does not count toward active recreation area, and is not included in the active recreation calculations above.			



An Open Space area and internal greenway that runs between Street “D” and Crestdale Drive is the minimum required width to be considered Open Space (50’), and includes a greenway connecting Street “E” to the greenway along the riparian buffer. This Open Space Area 7 incorporates the required minimum pedestrian connectivity of a 30’ wide passage.

Open Space Areas 1 and 2 are located between Covered Bridge Road and the lots backing up to it. These Open Spaces are the minimum Code-required width (50’) to be considered Open Space. They are located between a landscape buffer and the back of residential lots. Adequate access is provided, and the adjacent greenway ties into the riparian greenway.

Staff recommends that all lots backing up to or adjacent to Open Space areas be limited to a maximum fence height of 4’, to preserve the visibility and safety of these areas. Should a 50’ wide open space area become lined with 6’ tall privacy fences, staff feels it would create an unsafe condition, and so visibility and public accessibility should be preserved.

With regards to active recreation, the Clubhouse/Pool amenity area counts toward the active recreation area. It is further described in the Plans. The area of the greenway trails (width x length) also counts toward active recreation. The Clubhouse/Pool amenity area and the Mini-Park are adequately connected to the development by greenways and sidewalks. All greenways along Covered Bridge Road and the riparian buffer are intended to be dedicated to the Town following construction.

**Environmental**

Resource conservation areas (water bodies, 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. The Resource Conservation Areas

table describes acreage of each resource type. These are exclusive of Open Space, and are not considered part of net site area when calculating required open space for the development.

RESOURCE CONSERVATION AREAS		
	ACRES	PERCENTAGE
RIPARIAN BUFFER AREAS	10.02	85.07%
OPEN WATER BODIES AND PONDS	5.38	34.93%
100-YEAR FLOODPLAIN	0	0%
<b>TOTAL RESOURCE CONSERVATION AREAS (TRACT 1)</b>	<b>15.40</b>	<b>100%</b>

**Access/Streets**

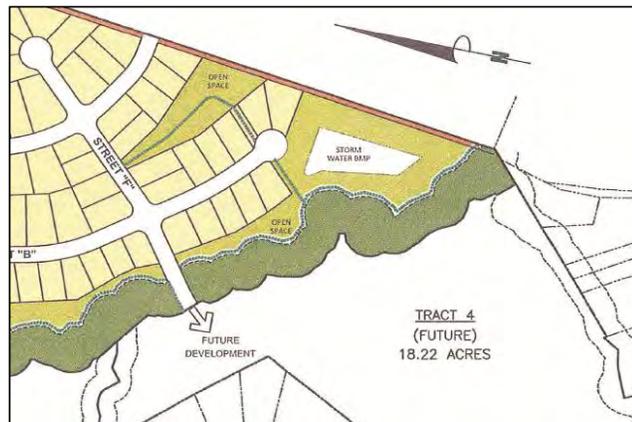
Access is intended via a new, full-access driveway off of Covered Bridge Road, that aligns with Trotters Run Court. There will be a secondary access through the Cassedale Subdivision (Crestdale Drive). Stub-outs are provided to Tract 2, and to Tract 4 (across the riparian buffer). When Tract 4 is developed, it is intended to ultimately connect the residential development through to Old US Hwy 70. The roads are intended to be a 27' back-to-back paved section inside a 50' public rights-of-way, with street trees planted in a 6' wide planting strip just behind the curb. On road sides with sidewalks, this tree strip will separate sidewalks and pedestrians from traffic. The street tree species will be vetted through staff to determine species that will not overly distress adjacent pavement, curbs, and sidewalks.

It is worth noting that Parkview Subdivision, which is currently being constructed southeast of the Creech property, is ultimately envisioned as connecting to the proposed road network in the Creech property via a future road connection (Street "F") through Tract 4 of the Creech property. This connection would provide a tertiary access point for Parkview, as well as for this proposed development. The timeframe for this connection is uncertain, but it will increase fire/ems/police access when constructed.

**Multi-Modal Access**

Sidewalks are provided along one side of each street, with greenways provided throughout the development. Staff believes this trade-off increases pedestrian connectivity within the development while preserving pedestrian safety. Adequate access points throughout the development are provided to the greenway system.

Adequate pedestrian connectivity is created by the greenways (mentioned in the Recreation and Open Space section above) and the sidewalks that are located on one side of each street. The tradeoff for sidewalks on one side of the street (instead of both) is at the developer's request (waiver from UDC Section 155.602(H)) in consideration for their provision of greenways throughout the development.



### **Traffic Impact Analysis**

See excerpted findings provided as an attachment to this report. As currently proposed, this development will not trigger significant improvements on adjacent roadways. NCDOT and the developer will finalize these details between their organizations. The developer is providing adequate right-of-way for future improvements on Covered Bridge Road along this portion of the project.

### **Architecture/Design**

Please see the plans. The applicant has proposed a minimum size of 2,000 square feet for homes. By current state law, the Town is restricted from requiring architectural details for single family residential homes. The Clubhouse/Pool amenity area will be as described on the plans. Staff finds the specifications for the Clubhouse/Pool amenity area to be sufficient for this development.

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

- Waiver from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street, in order to provide 10' greenway on a one-for-one dollar basis.

### **Planned Development Review Criteria**

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

#### Definition:

Definition of PD-MU (§155.200(A)(3)(d)): "The PD-MU district is intended to provide coordinated mixed-use developments which include light industrial, commercial, office, educational, civic, institutional, residential and service uses within a planned development with appropriate perimeter buffering and open space. The variety of land uses available in this district allows flexibility to respond to market demands and the needs of tenants which provides for a variety of physically and functionally integrated land uses."

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

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

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

1. Compliance with all applicable requirements of the UDC;
2. Consistency with the Clayton General Design Guidelines;
3. Conformance of the proposal with the stated purpose of the requested planned development district;

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

Preliminary Plat Findings of Fact

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

---

**CONSIDERATIONS:**

- The applicant is requesting Preliminary Subdivision Plat approval, functioning as a Master Plan, for a 181 unit residential subdivision.
  - This approval is subject to final approval by Town Council.
  - Lot dimensions and setbacks could be modified to be more consistent with surrounding residential uses.
- 

**FINDINGS:**

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. These 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:

**General**

1. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plat, with the final Conditions of Approval inserted, and meeting the requirements of the Conditions of Approval and all requested revisions, shall be submitted to Planning Department for final approval.
2. The development of the property is limited to the parameters established on the Master Plan as approved by the Town Council. Modifications to the approved Master Plan / Preliminary Subdivision Plan or Master Plan Document shall require review and approval in accordance with Section 155.705 of the Unified Development Code.

3. The Master Plan / Preliminary Subdivision Plan is considered a preliminary plat. Individual phases are subject to final plat review.
4. Modifications to quality, style, and materials that are determined by the Planning Director not to meet or exceed the original intent or do not classify as “minor” modifications per the Unified Development Code shall require major review and approval.
5. Development fees shall be paid prior to Final Plat approval for each phase. For phases requiring Site Plan review, fees shall be paid prior to issuance of building permits.
6. The review and approval of project water, sewer, storm drainage and street construction drawings must be submitted to and approved by the Public Works Department.
7. A homeowners’ association (HOA) document shall be provided to the Town Planning Staff for review and recorded by the developer prior to final plat approval of the first residential phase. The HOA document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

#### **Parks/Recreation/Open Space**

8. Resource Conservation Areas (RCAs) 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.
9. Neighborhood parks, phases of greenway, and recreational amenities, including the clubhouse/pool site, shall be reviewed as Minor Site Plans prior to construction.
10. The clubhouse and pool shall be permitted and under construction (or bonded) prior to the issuance of a Certificate of Occupancy for the last unit in Phase 1, and prior to the beginning of Phase 2.
11. Lots directly adjacent to Open Space shall be restricted to fence heights of 4’ or less, to preserve the visibility and safety of the Open Spaces. Furthermore, such fence height restriction shall be recorded on the deed for each lot.
12. Five foot wide sidewalks or ten foot wide multi-use paths shall be installed along at least one side of all roadways within the development as identified in the Master Plan. Where sidewalks are on only one side of the road, the developer shall provide a minimum ten-foot wide paved greenway/multi-use trails within the development on an equivalent basis based on cost. An Engineer’s estimate which documents the cost allocations (in linear footage) between the deleted five foot concrete sidewalk and the proposed 10 foot asphalt multi-use path is required. Any cost shortage between the required five foot sidewalk and 10 foot multi-use path shall be paid as a fee-in-lieu.
13. All sidewalks and greenways shall be bonded or constructed prior to plat recordation for the associated phase, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
14. Street trees for residential lots shall be installed prior to the issuance of a certificate of occupancy for the unit.

15. The acreage of recreation and open space, and active recreation areas identified in the Master Plan shall be considered minimum requirements and may not be reduced without approval by the Town Council. The recreation areas shall be constructed concurrent with the construction of the associated phase and shall be installed or bonded prior to issuance of the 1<sup>st</sup> certificate of occupancy for that phase.

**Development Standards**

16. Final location and configuration of mail center and/or Cluster Mailbox Units (CBUs) shall be determined in the final plat/site plan review (as applicable) for Phase 1. CBU's are required to have vehicular access/parking, as well as sidewalk /pedestrian access and must be approved by the Planning Department and the United States Postal Service.
17. All lots with pedestrian or drainage easements shall observe setbacks for all structures (including fences) from those easement lines as if those easement lines were the property lines.

**Roadways and Access:**

18. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
19. The Right-of-Way (ROW) dedication along Shotwell Road shall occur prior to Phase 1.
20. The Future Roadway Connection to Phase 2 shall be built or bonded prior to the issuance of a certificate of occupancy for the 1<sup>st</sup> unit in Phase 1.

**Landscaping /Environmental**

21. All required vegetated buffers and plantings shall be installed concurrently with construction of the associated phase of the development and shall be completely installed or bonded prior to issuance of a certificate of occupancy for that phase.
  22. Street tree species shall be approved by the Town Engineer and Town Planning Director as part of individual phase final plat / major site plan review.
  23. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to the UDC requirements.
  24. Prior to site grading and construction activities, tree protection fencing shall be installed around all Resource Conservation Areas. Once the tree protection fence is installed, it must be inspected by the Planning Department prior to construction activity.
-

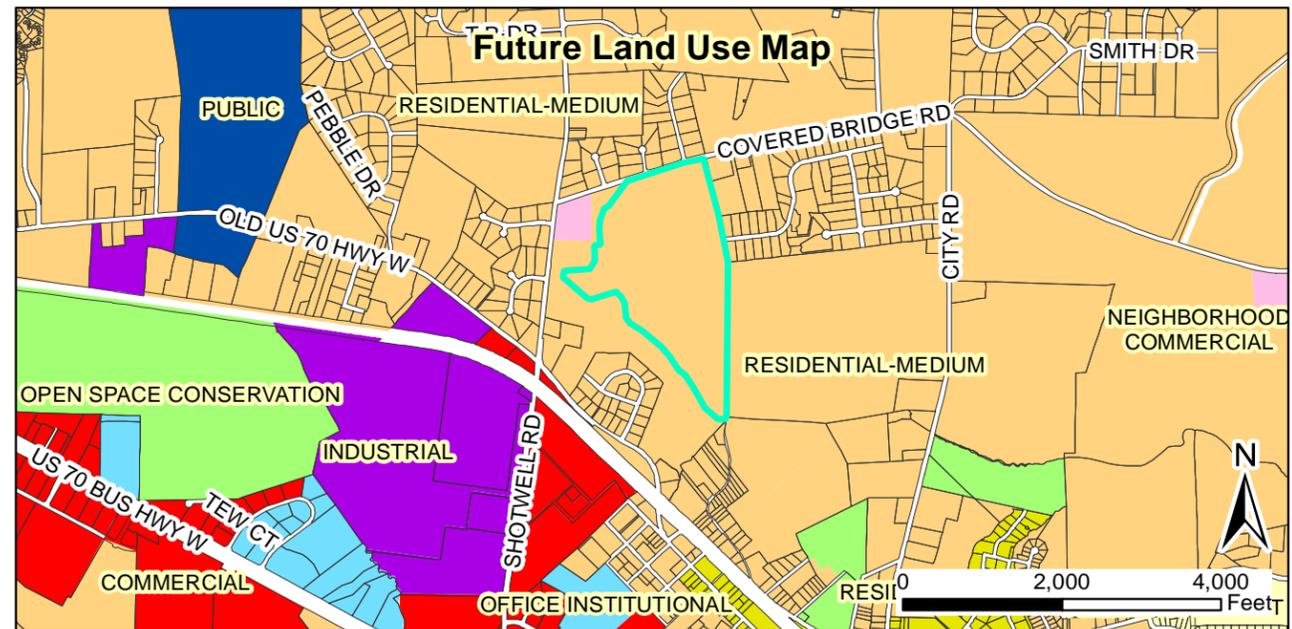
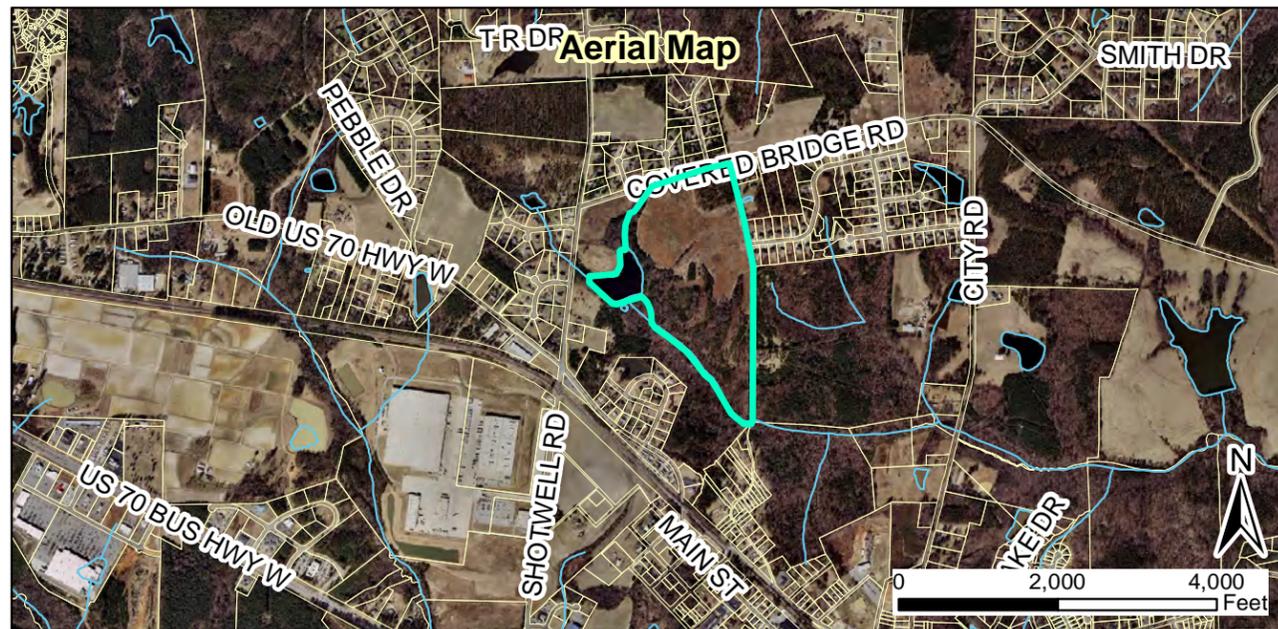
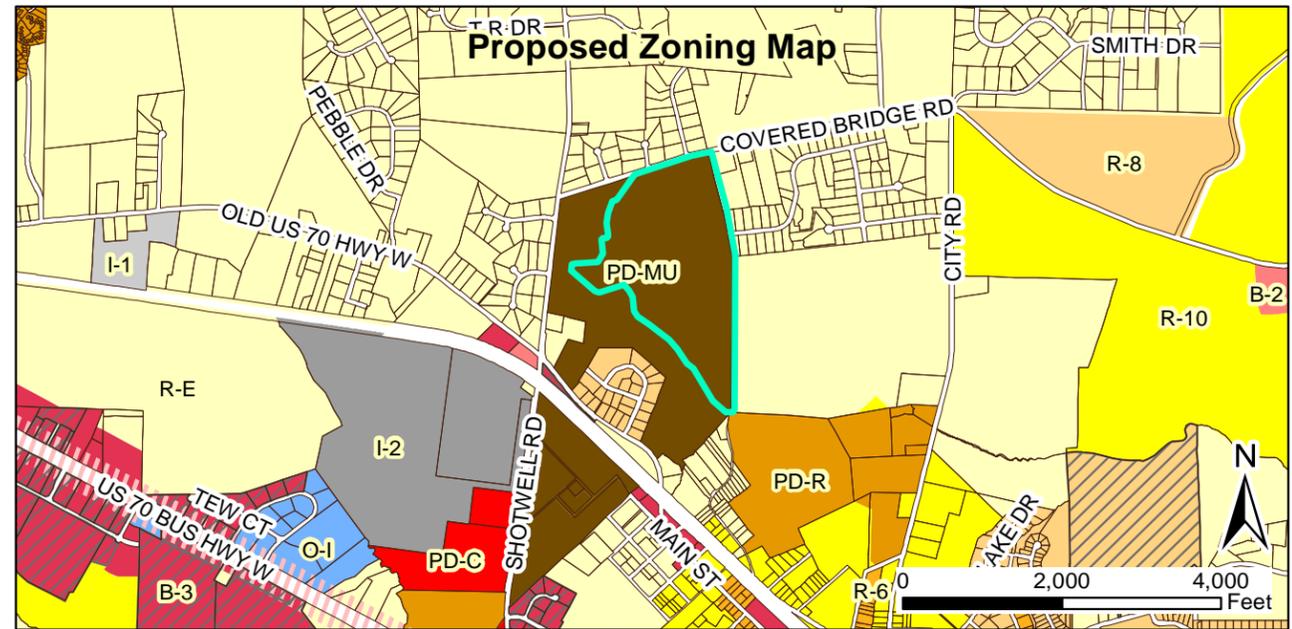
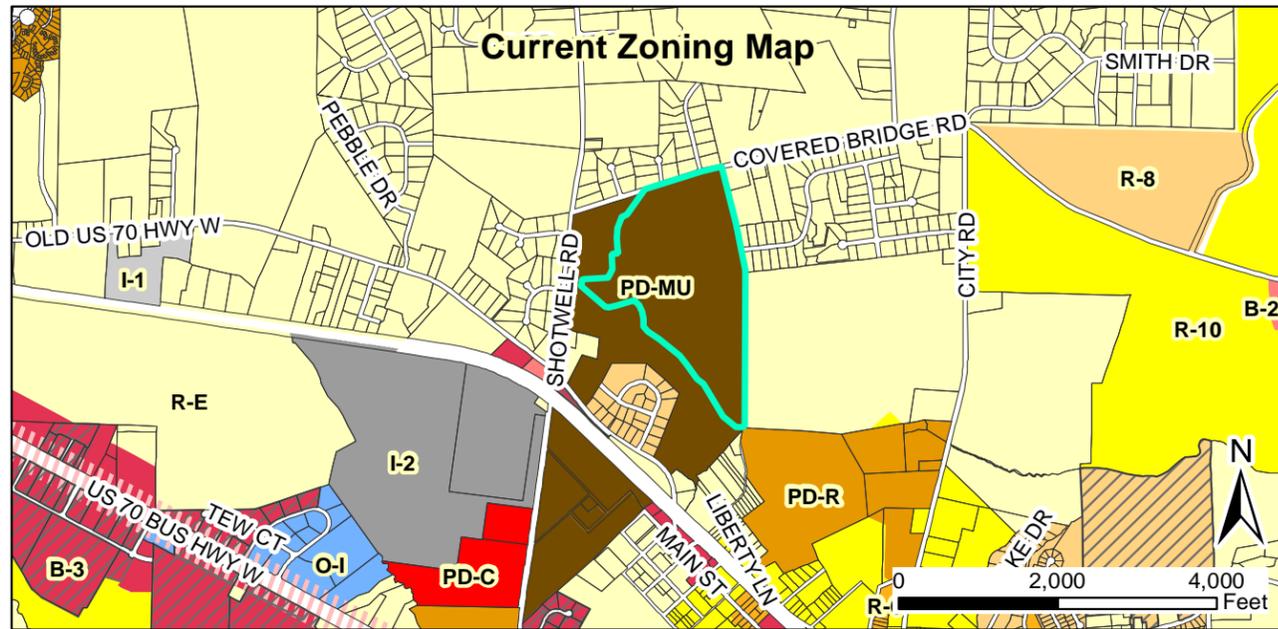
**STAFF RECOMMENDATION:**

Staff is recommending approval with conditions of the Preliminary Subdivision Plat acting as a Master Plan for the subject parcel.

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**ATTACHMENTS:**

- 1) Staff report maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Site Plan
- 5) Traffic Impact Analysis (excerpt only)



**15-27-01-SD - Creech-Wynwood Manor Subdivision**  
**Request: Planned Development subdivision with 181 lots**

Applicant: Dalton Engineering and Associates PA  
 Property Owner: Everland Lee LLC  
 Parcel ID Number: eastern portion of 165907-69-6977  
 Tag #: eastern portion of 05g01012a

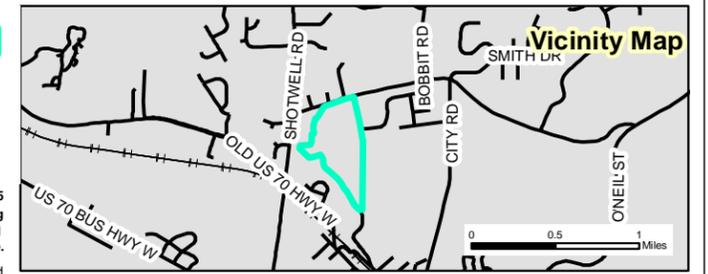


- Approx. Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

08/17/2015

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

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2015\15-27-01-SD Creech Property - Wynwood - Tract 1 SF Residential Master Plan\Maps\Staff Rpt Map - 15-27-01-SD - Creech-Wynwood.mxd



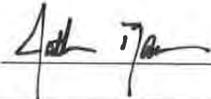
## NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: August 17, 2015

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

Printed Name: Jonathan Barnes

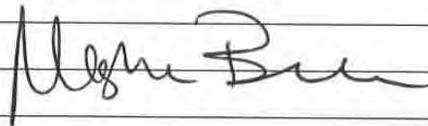
Signature: 

Date of Meeting: September 3, 2015 Time of Meeting: 6:30 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.*

Concern over property values as they compare to Cassedale. Fitting four homes into equivalent space for one Cassedale property. Buffer between Cassedale and new development appears extremely inadequate. Many small children (4 under age 2) at end of ~~Cassedale~~ Crestdale, only 2 outlets, concern over traffic (heavy!) and being able to play safely.



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

November 2014

Page 6 of 18

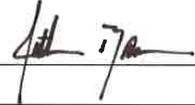
## NEIGHBORHOOD MEETING SUMMARY FORM

### FILL OUT THE FOLLOWING:

Date of Mailing: August 17, 2015

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

Printed Name: Jonathan Barnes

Signature: 

Date of Meeting: September 3, 2015 Time of Meeting: 6:30 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.

lot sizes at 7000 sqft (I had previously understood lots could be 5000 sqft) with 5 foot setbacks will be a sad new trend for Clayton. Really dread to see lots so small in our pretty town. I don't think there is currently a precedent for such small lots. Very unattractive and will surely drop property values for neighbors.

Don't see any contribution to the community at large, i.e. site for school, fire, etc. that this fuel.

Shayic patterns are obviously a concern. Surely an entry needs to be on Shotwell Rd, which should be widened using land from the church property — not taking land from property owners already living on Shotwell properties.

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

November 2014



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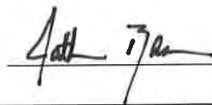
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**Meeting Summary/Minutes:** *provide a summary of the discussion held at the meeting, including issues raised and any changes made by the applicant as a result of the meeting.*

*Concerned about traffic congestion at the entrance to Cove Bridge Rd - Shiloh Jam*

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

November 2014

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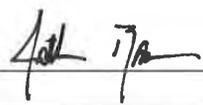
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Location of Meeting: Dalton Engineering and Associates, P.A. 446 East Main Street Clayton, NC

**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.

Our concerns are traffic impact, lack of noise buffer to surrounding properties. In addition to the size of lots and lack of space between houses.

Next, proposed commercial use and multi family use. We feel that the smell, noise, nuisance of commercial use should be removed from any submittals for this or any future development.

Multi family use is not desirable!!!

We have no issues with residential (single family) houses strongly context commercial and/or multi family development.

Diana E. Kelly  
(DIANA E. Kelly)

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

November 2014

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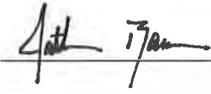
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Printed Name: Jonathan Barnes

Signature: 

Date of Meeting: September 3, 2015 Time of Meeting: 6:30 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.

We reside at 408 Covered Bridge. Our concern is having 9 lots abutt our property. The traffic impact on us.

We are a therapeutic facility. safety would be a huge concern.

Monica Wells - 550-8181  
349-4938

408 Covered Bridge Rd  
PO Box 339  
Clayton, NC 27528

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

November 2014

Page 6 of 18

## 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 / September 3, 2015

	NAME	ADDRESS
1	Jonathan Barnes	446 East Main Street Clayton, NC 27520
2	Monica Mills	408 covered Bridge Rd
3	Diana E. Kelly	1 Seven Oaks Drive, Clayton NC
4	Meghan Brown	547 Crestdale Dr.
5	Judy Jones	Everett Jones Farm
6	Alfred Moore	203 Lakeside Dr.
7	Shelton Jones	Everett Jones Farm
8	Larry Jones	Everett Jones Farm
9	Zabi Nazari	146 Liberty Ln
10		
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20		

## 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 / September 3, 2015

	NAME	ADDRESS
1	Kit Creasy	1577 Shotwell Rd
2	John Creasy	"
3	Ruth McLaughlin	291 Covered Bridge Rd Clayton
4	HECTOR PETA	156 LIBERTY LN
5	MICHAEL BEASLEY	164 Liberty Ln
6	BARBARA Beasley	164 Liberty LN
7	KERRY CHESTNUT	103 LAKESIDE DR.
8	Lee Nims	920 City Rd
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# Traffic Impact Analysis

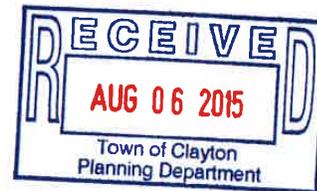
For

## “Creech Subdivision”

Site Plan Development  
Clayton, Johnston County, North Carolina



**Morton & Morton**  
*Design Services, PLLC*  
4700 Homewood CT, Suite 200  
Raleigh, North Carolina 27609  
(919) 882-6066



REVISED  
July 22, 2015



7-22-2015

## Executive Summary

### Project Background

A residential development (Creech Subdivision) is being proposed in Clayton, North Carolina. This development location is bordered by Shotwell Road to the west and Covered Bridge Road to the north (Figure 1).

Phase 1 of the proposed development site is expected to be completed by 2018 and consist of the following land use:

- 68 single-family detached homes

Build-out of the proposed development site is expected to be completed by 2021 and consist of the following land use:

- 180 single-family detached homes

Vehicular access to the development is proposed for one main entrance street along Covered Bridge Road directly across from a street called Trotters Run. At build-out the development will provide access to Crestdale Drive in the Cassedale subdivision on the east side of the Creech Subdivision.

Based on discussions with the Town of Clayton, the following intersections (Figure 2) were included in the study area and were analyzed for existing and future conditions:

- US 70 Business and SR 1553 (Shotwell Road)  
Signalized
- SR 1004 (Old US 70/Garner Road) and SR 1553 (Shotwell Road)  
Signalized
- SR 1553 (Shotwell Road) and SR 1700 (Covered Bridge Road)  
Unsignalized
- SR 1700 (Covered Bridge Road) and SR 1709 (City Road)/Smith Drive  
Unsignalized
- SR 1700 (Covered Bridge Road) and Brookhill Drive  
Unsignalized
- SR 1700 (Covered Bridge Road) and SR 1700 (Covered Bridge Road)/O'Neil Street  
Unsignalized

Morton & Morton Design Services, PLLC  
Traffic Engineers

Analysis was performed under four scenarios: Existing (2016), Phase 1 (2018), Background (2021) and Build (2021) conditions. The Existing (2016) scenario includes AM and PM peak hour analysis based on turning movement count data collected in October 2014 and April 2015. The Build (2021) scenario includes Background (2021) volumes and number of site trips generated by the proposed development to the existing roadway geometrics.

In addition, the Town of Clayton discussed the need for this Traffic Impact Analysis to include traffic volumes from two additional site developments proposed in the general vicinity. The Town of Clayton provided TIA's to Morton & Morton Design Services, PLLC for the "Parkview" development southeast of the "Creech Subdivision" development and the "Shotwell Apartments" development south southwest of the "Creech Subdivision" development. Additional site traffic from these two developments were included in the Phase 1 (2018) and Background (2021) conditions.

Trip generation conducted for the "Creech Subdivision" was determined using trip generation rates and equations published in the Transportation Engineers' *Trip Generation Manual, Eighth Edition*, and suggested method of calculation in the NCDOT's "*Rate vs. Equation*" spreadsheet.

#### **Existing (2016) Conditions**

Existing analyses was conducted based on current roadway geometrics and intersection turning movement counts.

As reported in Table 2, Level-of-Service Summary, the signalized intersection US 70 Business and SR 1553 Shotwell Road operates at an unacceptable level of service E during the PM peak hour.

The westbound approach for the unsignalized intersection of SR 1553 (Shotwell Road) and SR 1700 (Covered Bridge Road) functions at level of service E during the PM peak hour and the intersection of SR 1700 (Covered Bridge Road) and SR 1700 (Covered Bridge Road/O'Neil Street) eastbound approach functions at level of service F during the PM peak hour.

At unsignalized intersections, a level of service E is generally considered acceptable only if the side street encounters delay. However, side streets typically function at level of service F during peak hour traffic periods if traffic volumes do not warrant a traffic signal to assist side street traffic. Table 3 provides a general description of the various LOS categories and delay ranges.

**Phase 1 (2018) Conditions**

Phase 1 (2018) conditions account for existing traffic with projected annual growth rate of 3.2% and the number of site trips generated by the proposed development. The development is proposed to consist of the following land use:

- 68 single-family detached homes

Table 1 summarizes estimated **weekday** traffic generated by the proposed development. For unadjusted **weekday** traffic the project was found to generate 365 trips in and 365 trips out on a daily basis, 14 trips in and 43 trips out in the AM peak hour, and 47 trips in and 27 trips out in the PM peak hour.

Land Use Code	Land Use	24 Hour		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out
			"Creech Subdivision"				
210 (DU)	Single Family Homes (68)	365	365	14	43	47	27
	<b>Total Driveway Volumes</b>	<b>365</b>	<b>365</b>	<b>14</b>	<b>43</b>	<b>47</b>	<b>27</b>

The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

**Background (2021) Conditions**

Background (2021) scenario includes existing traffic with projected annual growth. The Town of Clayton recommended using an annual growth rate of 3.2% for Background (2021) scenarios. This growth rate was applied to the existing traffic volumes to account for the normal growth between the base year (2016) and the build year (2021). Also there are two other approved developments in the vicinity of the Creech Subdivision, Parkview development with 280 single family homes and 50 townhomes and Shotwell Apartments development with 288 apartments. These two developments are projected to be constructed prior to the build-out of Creech Subdivision.

Based on Background (2021) analysis, the study area intersections are projected to continue operating at acceptable levels of service during AM and PM peak hours except for the signalized US 70 Business and SR 1553 (Shotwell Road) intersection which is projected to degrade from LOS D to LOS F in the AM peak hour and LOS E to LOS F in the PM peak hour.

The westbound approach at the unsignalized intersection of SR 1553 (Shotwell Road) and SR 1700 (Covered Bridge Road) is projected to degrade from LOS D to LOS F in the AM peak hour and LOS E to LOS F in the PM peak hour.

The eastbound approach at the unsignalized intersection of SR 1700 (Covered Bridge Road) and SR 1700 (Covered Bridge Road/O'Neil Street) is projected to degrade from the existing LOS F in the PM peak hour.

Site traffic associated with the two additional site developments, "Parkview" development and the "Shotwell Apartment" development was included in the Phase 1 (2018) and Background (2021) analysis.

**Build (2021) Conditions**

The Build (2021) scenario includes Background (2021) volumes and number of site trips generated by the proposed development to the existing roadway geometrics. The development is proposed to consist of the following land use:

- 180 single-family detached homes

Table 2 summarizes estimated **weekday** traffic generated by the proposed development. For unadjusted **weekday** traffic the project was found to generate 893 trips in and 893 trips out on a daily basis, 34 trips in and 102 trips out in the AM peak hour, and 112 trips in and 66 trips out in the PM peak hour.

Land Use Code	Land Use	24 Hour		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out
			"Creech Subdivision"				
210 (DU)	Single Family Homes (180)	893	893	34	102	112	66
	<b>Total Driveway Volumes</b>	<b>893</b>	<b>893</b>	<b>34</b>	<b>102</b>	<b>112</b>	<b>66</b>

Morton & Morton Design Services, PLLC  
*Traffic Engineers*

The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

### **Roadway Improvement Recommendations**

The proposed “Creech Subdivision” development for Phase 1 (2018) and for Build-out (2021) will have minimal impact the surrounding street network. Without any development, Background growth of traffic by 2021 will create a need for roadway improvements.

The signalized intersection of US 70 Business and SR 1553 (Shotwell Road) currently operates at LOS D (acceptable) during the AM peak period and LOS E (unacceptable) during the PM peak period. Background growth is expected to degrade this intersection to LOS F during both the AM and PM peak period. Roadway widening and additional storage lanes may need to be considered for future growth at this intersection.

The unsignalized intersection of SR 1553 (Shotwell Road) and SR 1700 (Covered Bridge Road) currently operates at LOS D (acceptable) during the AM peak period and LOS E (acceptable) during the PM peak period. Background growth is expected to degrade this intersection to LOS F during both the AM and PM peak period. The Westbound approach on SR 1700 (Covered Bridge Road) can be restriped to allow for a 100' right turn lane with taper. An exclusive 250 ft NB right turn lane and a traffic signal will improve delay and level of service to LOS C in the AM and PM peak periods for both Background (2021) and Build (2021) scenario's.

The unsignalized intersection of SR 1700(Covered Bridge Road) and SR 1700 (Covered Bridge Road)/O'Neil Street currently operates at LOS C (acceptable) during the AM peak period and LOS F (unacceptable) during the PM peak period. Background growth is expected to degrade this intersection to LOS D during the AM peak hour and LOS F during the PM peak hour. A traffic signal will improve delay and level of service to LOS C in both the AM and PM peak period for both Background (2021) and Build (2021) scenario.

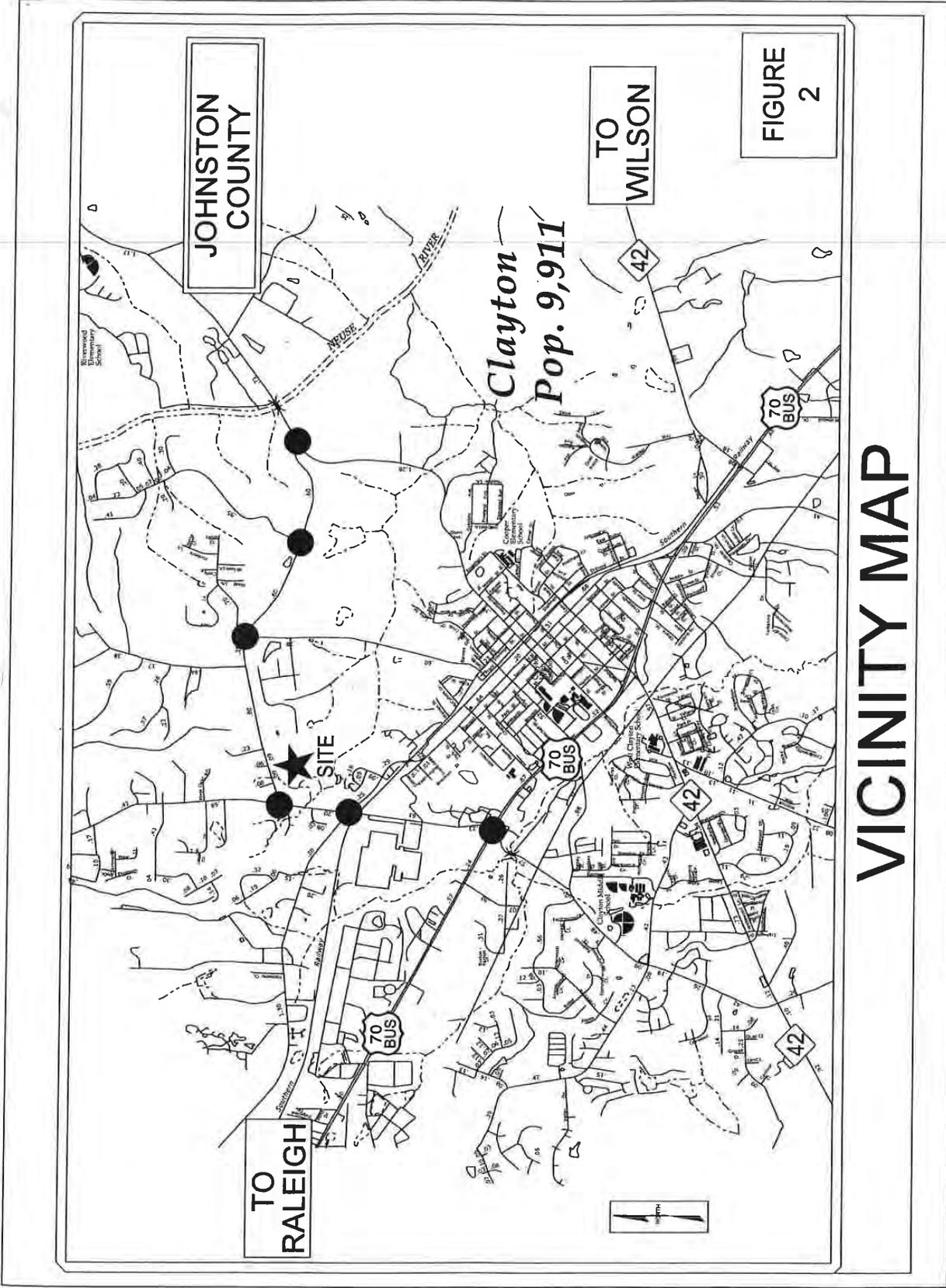


FIGURE  
2

VICINITY MAP

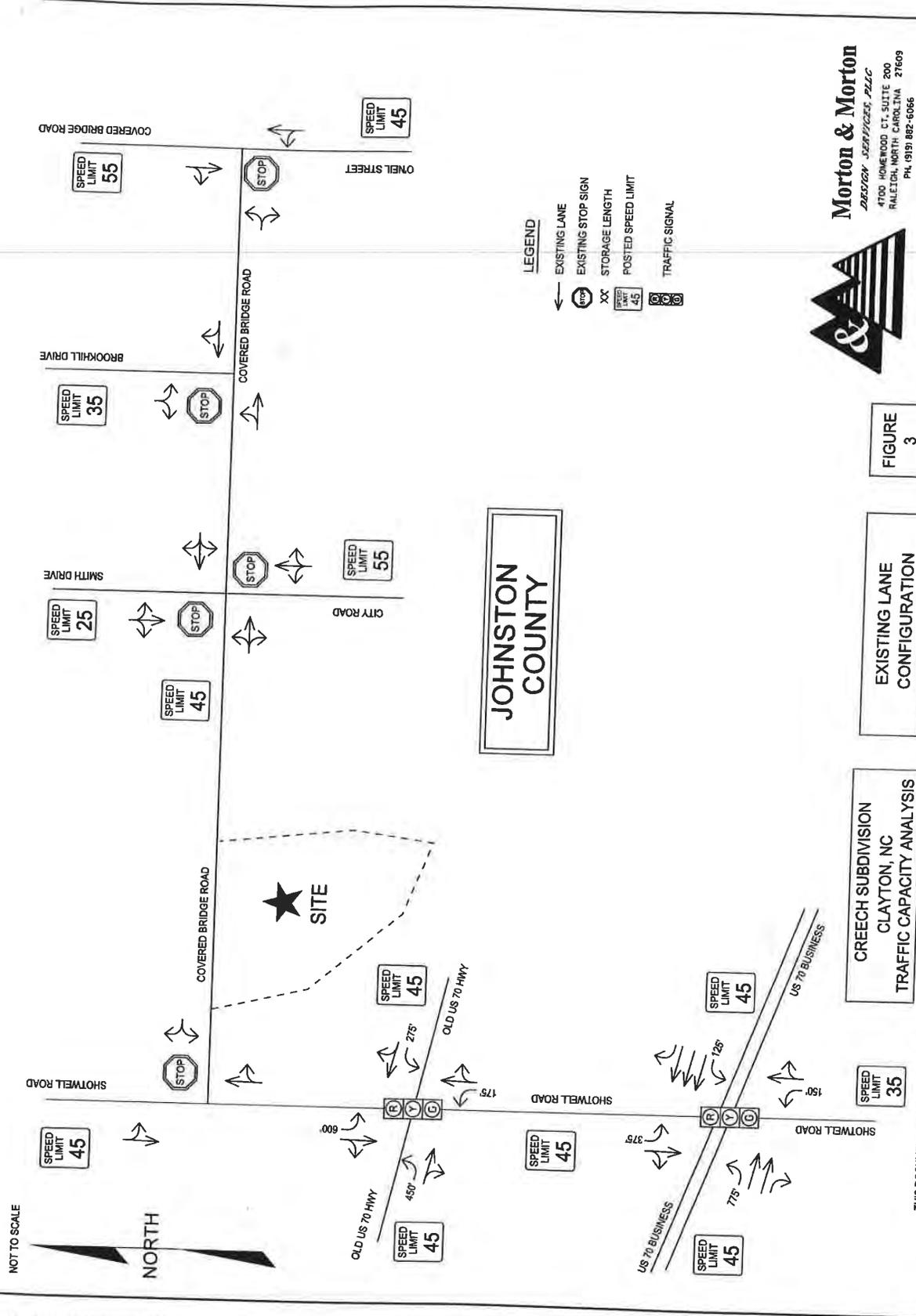
### Level of Service

The levels of service range is from A through F, based on the average control delay experienced by vehicles traveling through the intersection during peak hours. The traffic engineering profession generally accepts level of service D as an acceptable operating condition for signalized intersections. Level of service E is generally an acceptable operating condition for unsignalized intersections.

Level of Service description – *TRB, Highway Capacity Manual*

Table 3			
Highway Capacity Manual - Level of Service & Control Delay Criteria			
Signalized Intersection		Unsignalized Intersection	
LOS	Control Delay Per Vehicle (sec)	LOS	Control Delay Per Vehicle (sec)
A	< 10	A	< 10
B	> 10 and < 20	B	> 10 and < 15
C	> 20 and < 35	C	> 15 and < 25
D	> 35 and < 55	D	> 25 and < 35
E	> 55 and < 80	E	> 35 and < 50
F	> 80	F	> 50

Level of service analysis was performed for nearby intersections during the AM and PM peak hours on a typical weekday using *Synchro/Sim Traffic Version 7*. The Existing (2016) scenario analysis utilized the existing signal plans from NCDOT and are included in this report in Appendix C. A summary of the findings for the Existing (2016) scenario level of service can be found in Table 4 and the output from the Synchro/ HCS analysis can be found in Appendix D.



NOT TO SCALE  
NORTH

- LEGEND**
- ← EXISTING LANE
  - ⊘ EXISTING STOP SIGN
  - XX STORAGE LENGTH
  - 45 POSTED SPEED LIMIT
  - ⊘ ⊘ ⊘ TRAFFIC SIGNAL

JOHNSTON COUNTY

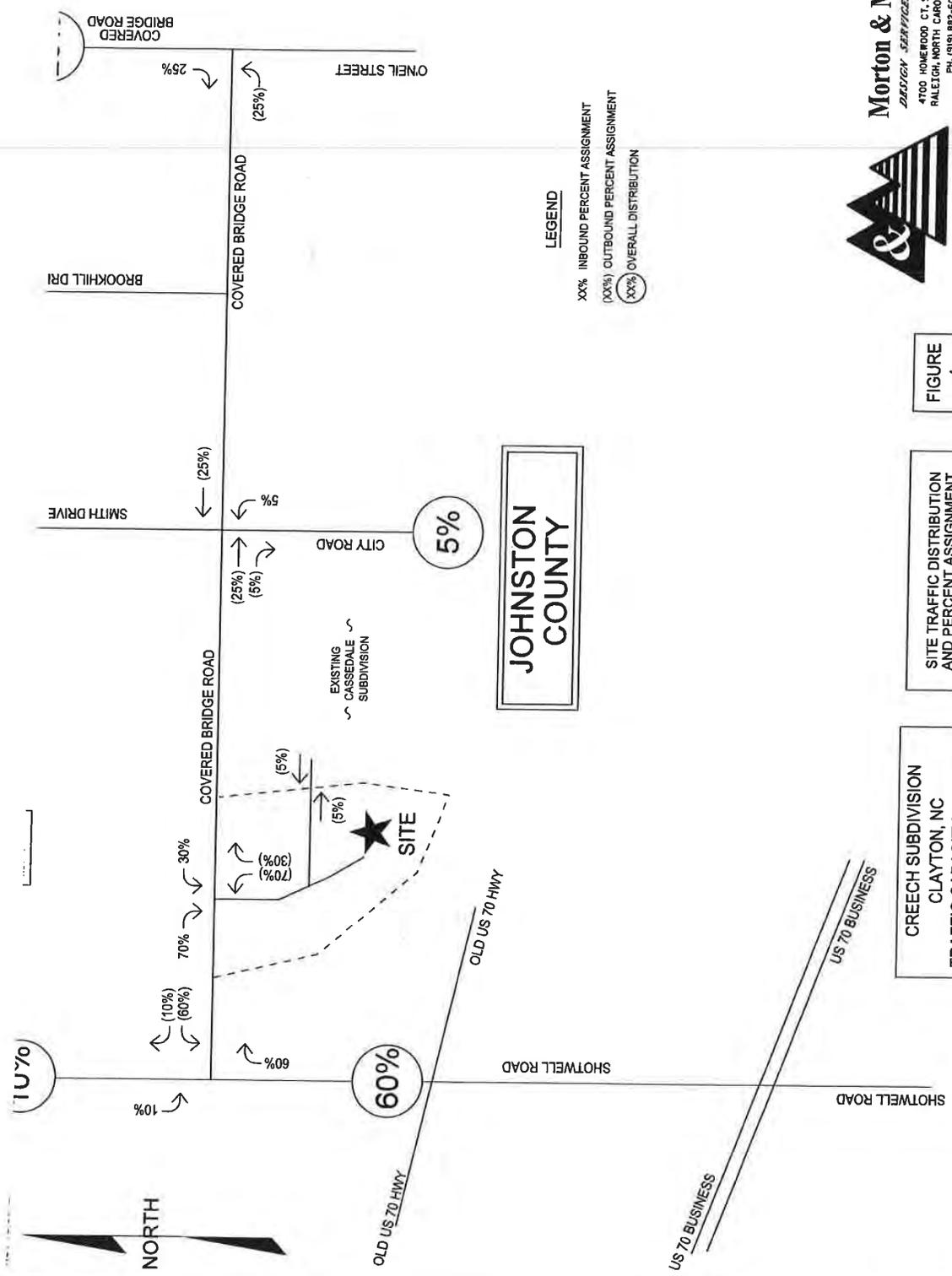
**Morton & Morton**  
DESIGN SERVICES, PLLC  
4700 HUNTERWOOD CT. SUITE 200  
RALEIGH, NORTH CAROLINA 27609  
PH. (919) 882-6066

FIGURE 3

EXISTING LANE CONFIGURATION

CREECH SUBDIVISION  
CLAYTON, NC  
TRAFFIC CAPACITY ANALYSIS

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY MORTON & MORTON DESIGN SERVICES, PLLC SHALL BE WITHOUT LIABILITY TO MORTON & MORTON DESIGN SERVICES, PLLC.



**LEGEND**

- XXX% INBOUND PERCENT ASSIGNMENT
- (XXX%) OUTBOUND PERCENT ASSIGNMENT
- XXX% OVERALL DISTRIBUTION

**JOHNSTON COUNTY**

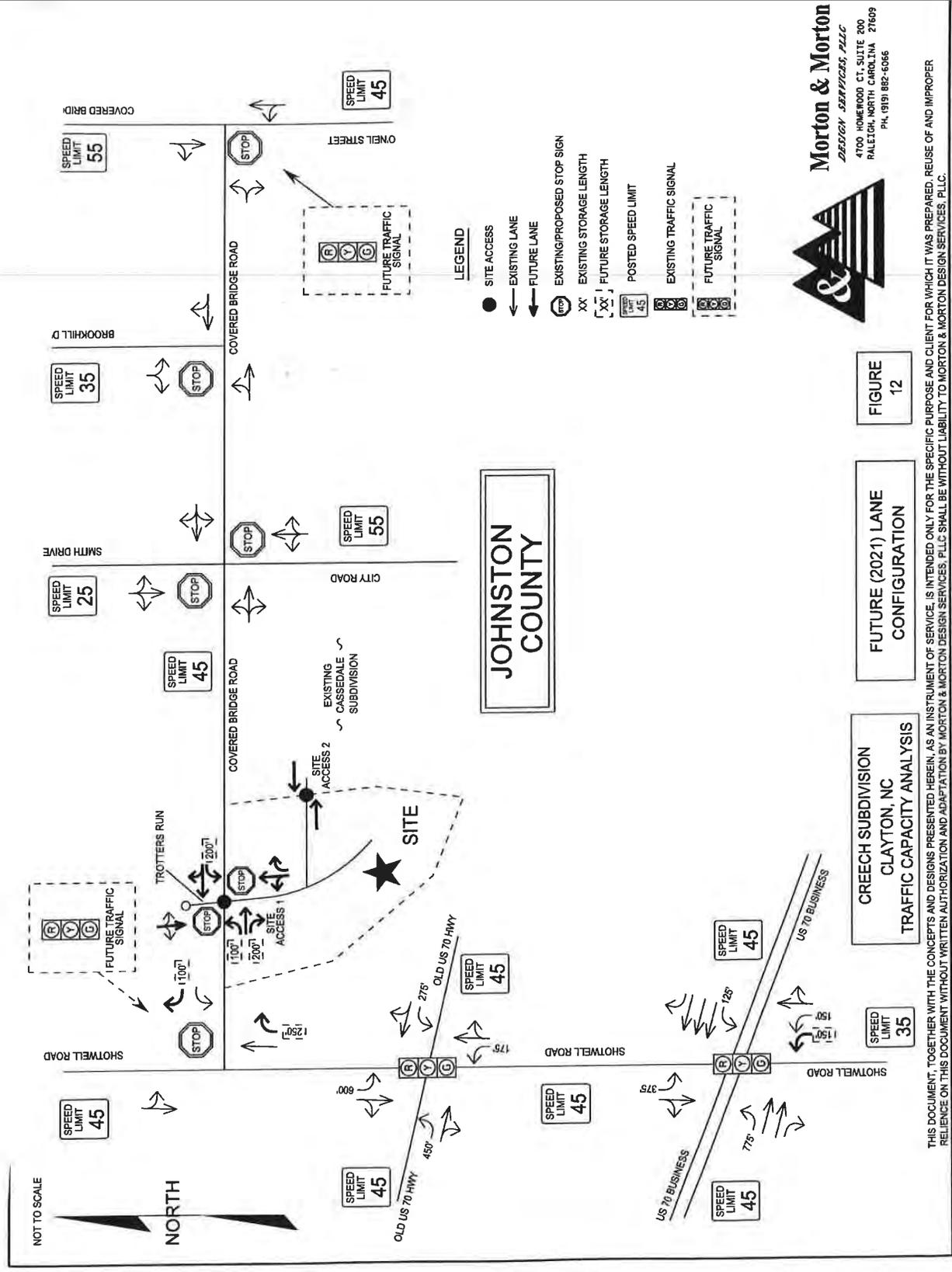


FIGURE  
4

SITE TRAFFIC DISTRIBUTION  
AND PERCENT ASSIGNMENT

CREECH SUBDIVISION  
CLAYTON, NC  
TRAFFIC CAPACITY ANALYSIS

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**JOHNSTON COUNTY**



**FIGURE 12**

**FUTURE (2021) LANE CONFIGURATION**

**CREECH SUBDIVISION  
CLAYTON, NC  
TRAFFIC CAPACITY ANALYSIS**

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Morton & Morton Design Services, PLLC  
Creech Subdivision

Table 4 Level-of-Service Summary		
Condition	AM Peak-Hour LOS (Delay)	PM Peak-Hour LOS (Delay)
<b>US 70 Business at Shotwell Road (Signalized)</b>		
Existing (2016) Traffic	D (48.8)	E (57.4)
Phase 1 (2018) Traffic	E (59.0)	E (68.2)
Background (2021) Traffic	E (68.4)	F (83.1)
Build-out (2021) Traffic	F (81.0)	F (97.4)
<b>Old US 70 (Garner Road) at Shotwell Road (Signalized)</b>		
Existing (2016) Traffic	D (35.2)	D (41.2)
Phase 1 (2018) Traffic	D (39.5)	D (44.4)
Background (2021) Traffic	D (42.1)	D (47.8)
Build-out (2021) Traffic	D (48.3)	D (53.6)
<b>Shotwell Road at Covered Bridge Road (Unsignalized)</b>		
Existing (2016) Traffic	WB - D (26.6)	WB - E (42.0)
Phase 1 (2018) Traffic	WB - F (52.4)	WB - F (119.4)
Background (2021) Traffic	WB - F (75.0)	WB - F (168.3)
Build-out (2021) Traffic	WB - F (183.5)	WB - F (395.8)
Build-out Improvement (2021) Traffic	WB - C (21.1)	WB - C (29.7)
<b>Covered Bridge Road at Site Access #1 (Unsignalized)</b>		
Build-out (2021) Traffic	C (16.1)	C (22.9)
<b>Covered Bridge Road at City Road/Smith Drive (Unsignalized)</b>		
Existing (2016) Traffic	NB - B (11.7) SB - B (11.7)	NB - B (14.8) SB - B (13.8)
Phase 1 (2018) Traffic	NB - B (13.1) SB - B (12.2)	NB - C (17.3) SB - C (15.0)
Background (2021) Traffic	NB - B (13.8) SB - B (12.7)	NB - C (19.3) SB - C (16.1)
Build-out (2021) Traffic	NB - B (14.1) SB - B (12.7)	NB - C (20.3) SB - C (16.1)
<b>Covered Bridge Road at Brookhill Drive (Unsignalized)</b>		
Existing (2016) Traffic	SB - B (11.0)	SB - B (11.4)
Phase 1 (2018) Traffic	SB - B (11.3)	SB - B (12.2)
Background (2021) Traffic	SB - B (11.8)	SB - B (12.2)
Build-out (2021) Traffic	SB - B (11.8)	SB - B (12.2)
<b>Covered Bridge Road at O'Neil Street (Unsignalized)</b>		
Existing (2016) Traffic	EB - C (19.6)	EB - F (56.3)
Phase 1 (2018) Traffic	EB - C (22.9)	EB - F (96.3)
Background (2021) Traffic	EB - D (27.0)	EB - F (167.5)
Build-out (2021) Traffic	EB - D (28.6)	EB - F (216.6)
Build-out Improvement (2021) Traffic	EB - C (21.0)	EB - C (32.9)

Signal

Signal

### **Findings and Conclusions**

All intersections are expected to operate with short delays for minor street approaches in both the AM and PM peak hours at project build-out with the exception of the following intersections:

The unsignalized intersection of Shotwell Road at Covered Bridge Road is expected to degrade from existing LOS D to LOS F in the AM Peak hour for both background and build-out conditions and LOS E to LOS F during the PM Peak hour during both background and build-out conditions.

- Restripe the westbound approach for a 100' right-turn lane with taper.
- For the northbound approach construct an exclusive 250' right-turn lane from a shared through/right-turn lane.
- For future growth consideration should be taken to install a traffic signal.

The unsignalized intersection of Covered Bridge Road at O'Neil Street currently operates at LOS F during the PM Peak hour and is expected to operate at an unacceptable LOS F during both background and build-out conditions for the PM Peak hour.

- For future growth consideration should be taken to install a traffic signal.

The intersection of US 70 Business at Shotwell Road is expected to degrade from existing LOS D to LOS F in the AM Peak hour for both background and build-out conditions and LOS E to LOS F during the PM Peak hour during both background and build-out conditions. The traffic analysis indicates that this intersection is projected to continue operating at an unacceptable LOS F for background and build traffic conditions.

- Construct an additional 150' northbound left turn lane.

The rest of the study intersections are projected to operate at acceptable levels of service under both the Background (2021) and Build (2021) conditions. Therefore, no further improvements are recommended.

A summary of the LOS results across scenarios is shown in Table 4, and the resulting future lane configuration and traffic control for 2021 are shown in Figure 12.

#### **Covered Bridge Road and entrance to "Creech Subdivision" (Access #1)**

The traffic operations analysis indicates that this intersection for the proposed "Creech Subdivision" development is projected to have minimal impacts to the roadway network in the study area.

- Construct the "Creech Subdivision" entrance ( Access #1) for a northbound stop-controlled approach to provide for two egress lanes, a shared through/left turn lane and an exclusive right turn lane.

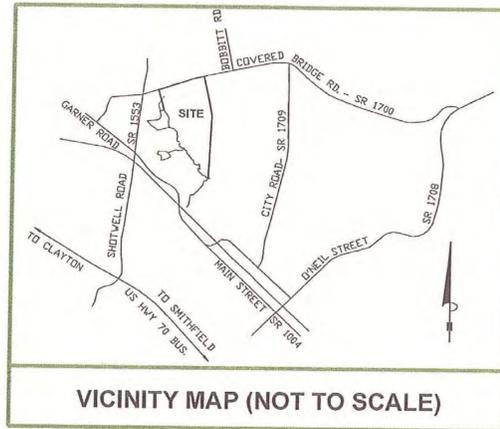
Morton & Morton Design Services, PLLC  
*Traffic Engineers*

- Construct two ingress lanes, one exclusive 200' right turn lane and one exclusive 200' left turn lane on Covered Bridge Road at the entrance to the "Creech subdivision".

**Crestdale Drive connector to Cassedale subdivision - Access #2**

The build-out the development will provide access to the Cassedale subdivision via Crestdale Drive on the east side of the Creech Subdivision.

This Access #2 will provide one egress and one ingress lane, both lanes will be exclusive through lanes which will serve only as a connector between the two subdivisions.



# MASTER PLAN

FOR

## WYNWOOD MANOR

A MIXED USE PLANNED UNIT DEVELOPMENT

### TOWN OF CLAYTON - JOHNSTON COUNTY, NC

#### INDEX TO DRAWINGS

- SHEET 1 - COVER SHEET
- SHEET 2 - SURVEY & EXISTING CONDITIONS
- SHEET 3 - MASTER PLAN
- SHEET 4 - DEVELOPMENT PHASING PLAN
- SHEET 5 - VEHICULAR CIRCULATION PLAN
- SHEET 6 - NEIGHBORHOOD DESIGN PLAN
- SHEET 7 - PARKS OPEN SPACE AND PEDESTRIAN CIRCULATION PLAN
- SHEET 8 - AMENITIES AND CLUBHOUSE PLAN
- SHEET 9 - UTILITIES AND STORMWATER MANAGEMENT

#### ENGINEER

DALTON ENGINEERING AND ASSOCIATES, P. A.  
 446 EAST MAIN STREET P. O. BOX 426  
 CLAYTON, NC 27520 CLAYTON, NC 27528  
 (919) 550-4740 - FAX (919) 550-4741

#### SURVEYOR

TRUE LINE SURVEYING, P. C.  
 205 WEST MAIN STREET  
 CLAYTON, NC 27520  
 (919) 359-0427

#### OWNER & DEVELOPER

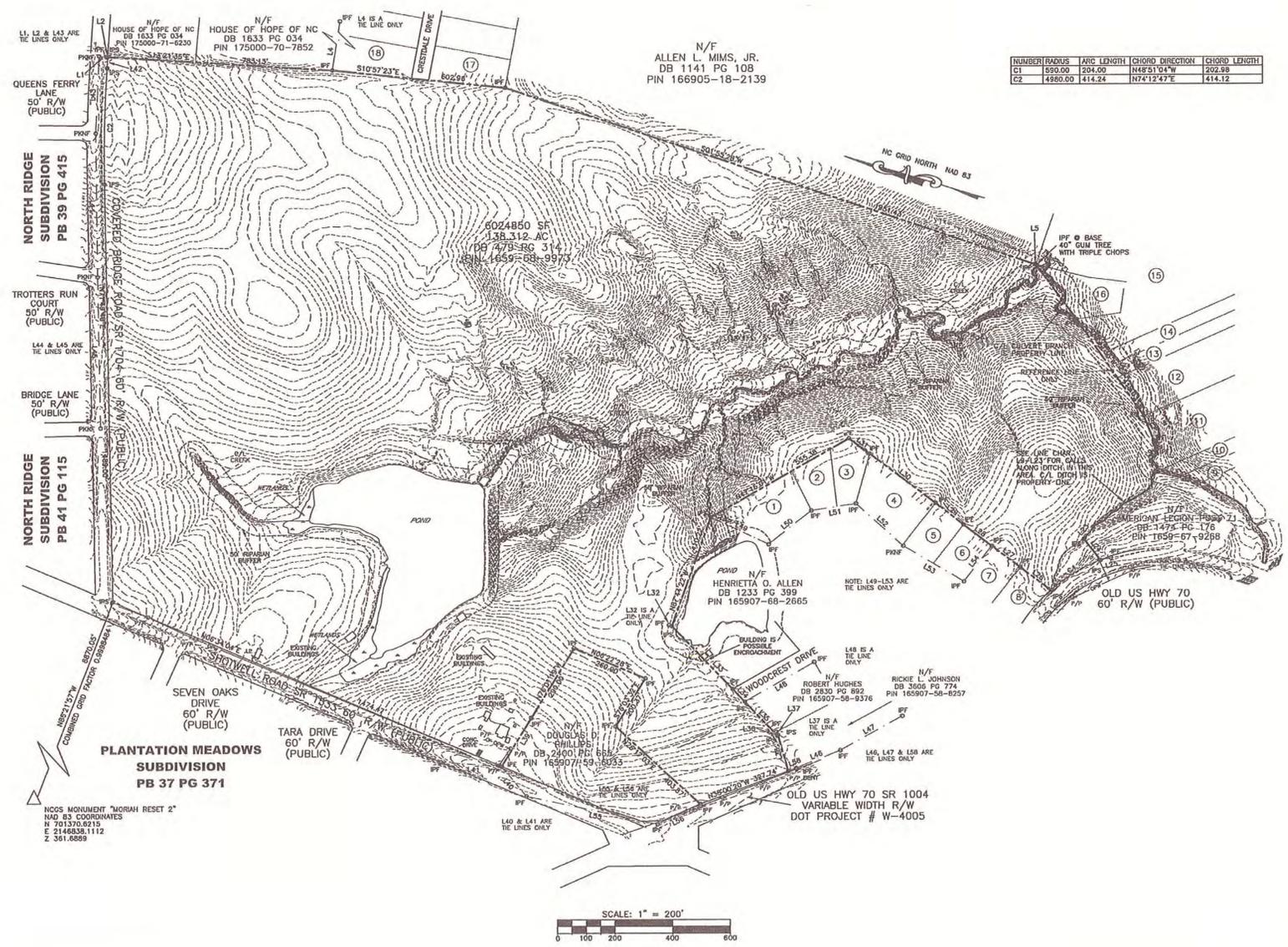
EVERLAND LEE, LLC  
 P. O. BOX 748  
 CLAYTON, NC 27528  
 (919) 553-2085

Dalton Engineering  
 and Associates, P. A.



COVER		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 1 OF 9





N/F  
ALLEN L. MIMS, JR.  
DB 1141 PG 108  
PIN 166905-18-2139

NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	590.00	204.00	N49°51'04"W	202.98
C2	4860.00	414.24	N74°12'47"E	414.12

NUMBER	DIRECTION	DISTANCE
L1	S13°21'58"E	24.55
L2	S13°21'58"E	5.05
L3	N76°35'48"E	376.37
L4	N81°29'00"E	372.99
L5	S01°55'28"W	3.87
L6	S36°56'29"W	241.75
L7	S51°39'15"W	82.35
L8	S61°13'44"W	49.52
L9	N66°41'55"W	29.01
L10	S27°35'00"W	34.60
L11	N66°23'08"W	25.79
L12	N86°49'30"W	19.61
L13	S72°01'18"W	22.88
L14	N72°38'17"W	28.21
L15	N48°53'22"W	45.85
L16	N46°42'47"W	51.00
L17	N63°10'51"W	24.09
L18	N48°08'19"W	50.18
L19	N66°28'14"W	53.95
L20	N40°34'34"W	24.67
L21	N50°14'15"W	16.98
L22	N71°39'41"W	26.78
L23	N66°38'31"W	32.49
L24	S35°34'04"W	84.64
L25	S29°44'34"E	37.13
L26	N20°32'59"E	135.00
L27	N20°39'02"E	128.01
L28	N20°32'10"E	124.75
L29	N20°55'30"E	125.05
L30	N20°33'11"E	289.93
L31	N16°53'59"E	90.38
L32	N03°01'11"E	10.03
L33	S29°55'55"W	308.10
L34	S30°00'14"W	62.33
L35	S29°56'38"W	165.30
L36	S46°46'29"E	3.17
L37	N44°49'59"E	12.89
L38	S57°18'59"W	132.84
L39	N76°00'26"W	200.00
L40	S34°18'04"W	137.25
L41	N12°41'51"W	211.58
L42	N76°35'46"E	40.50
L43	S75°28'48"W	275.03
L44	S72°12'15"W	612.55
L45	S71°49'48"W	538.35
L46	S36°18'18"E	155.58
L47	S46°24'35"E	247.60
L48	S47°18'21"E	279.64
L49	S06°29'02"W	222.28
L50	S56°42'24"E	189.52
L51	S29°51'41"E	156.68
L52	S29°23'43"W	223.41
L53	S13°58'13"W	749.85
L54	S69°20'35"E	159.94
L55	S04°34'50"E	487.42
L56	S42°49'33"E	185.07
L58	S38°00'20"E	28.94



SURVEY & EXISTING CONDITIONS		
Job: 13003	Date: 6/17/15	Revision:
File: Master_Plan	Drawn: WJB	Sheet: 2 OF 9



IMPERVIOUS AREA CALCULATIONS				
	TOTAL AREA (square feet)	PERCENTAGE OF TOTAL SITE	IMPERVIOUS AREA (square feet)	IMPERVIOUS PERCENTAGE
RESIDENTIAL LOTS	1,938,777	50.93%	1,454,083	75%
RIGHT-OF-WAY (street, sidewalk, & ROW dedication)	512,889	13.47%	272,506	53.13%
TOTAL RESOURCE CONSERVATION AREAS	670,698	17.62%	0	0%
TOTAL OPEN SPACE (includes pool, clubhouse, amenities, greenways, internal sidewalks and features in parks etc.)	573,704	15.08%	177,743	30.98%
STORMWATER BMP	43,969	1.16%	0	0%
LANDSCAPING BUFFERS	66,195	1.74%	0	0%
<b>TOTAL AREA (TRACT 1)</b>	<b>3,806,232</b>	<b>100%</b>	<b>1,904,332</b>	<b>50.03%</b>

**SUMMARY INFORMATION - TRACT 1**

DEVELOPMENT NAME: WYNWOOD MANOR (TRACT 1)  
 TOTAL AREA CONTAINED WITHIN TRACT 1: 87.379 AC (3,806,232 S.F.)  
 PARCEL PIN: 165907-69-6977

**OWNER:**  
 EVERLAND LEE, LLC  
 P.O. BOX 748  
 CLAYTON, NC 27528

PROPERTY IS LOCATED WITHIN THE TOWN OF CLAYTON  
 ZONING: PD-MU

PROPERTY IS NOT LOCATED WITHIN A WATERSHED PROTECTION OVERLAY

TOTAL LOTS: 181  
 DENSITY: 2.07 LOTS PER ACRE

AREA IN RIPARIAN BUFFER: 10.02 ACRES

PROPERTY IS NOT LOCATED IN FEMA DESIGNATED FLOOD PLAIN

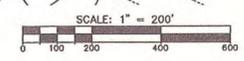
ELECTRIC PROVIDER: TOWN OF CLAYTON  
 WATER PROVIDER: TOWN OF CLAYTON  
 SEWER PROVIDER: TOWN OF CLAYTON

EXISTING IMPERVIOUS AREA: NONE  
 PROPOSED IMPERVIOUS AREA: SEE CHART ON THIS SHEET

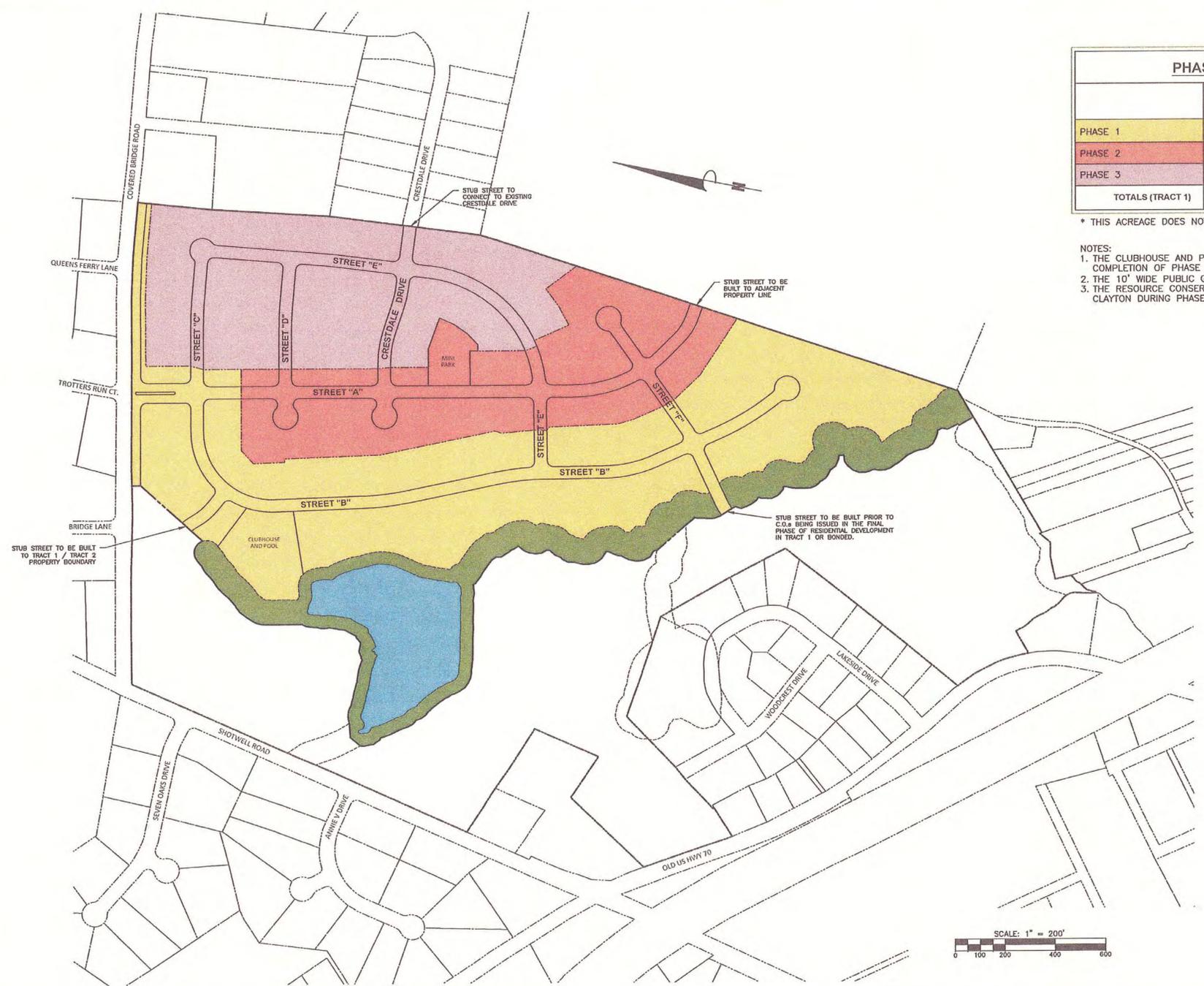
EXISTING USE: VACANT  
 PROPOSED USE:  
 TRACT 1: SINGLE FAMILY RESIDENTIAL, 181 LOTS

**LEGEND:**

- RECREATIONAL OPEN SPACE
- LANDSCAPE BUFFER
- RESOURCE CONSERVATION AREA
- SINGLE-FAMILY RESIDENTIAL USE
- 10' WIDE PUBLIC GREENWAY



MASTER PLAN		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 3 OF 9



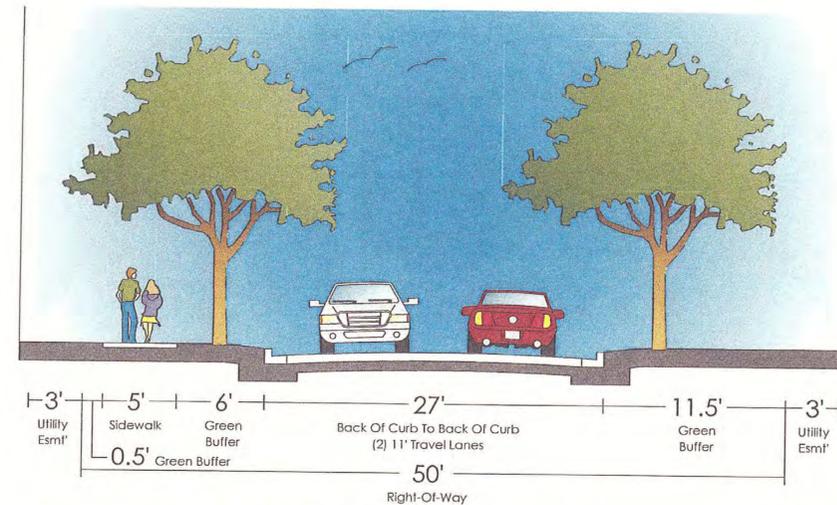
PHASING PLAN (TRACT 1)				
	LOTS	ACREAGE (ACRES)	DENSITY (LOTS PER ACRE)	ANTICIPATED BUILD OUT DATE
PHASE 1	70	32.74	2.14	JULY 2016
PHASE 2	49	17.22	2.85	JANUARY 2018
PHASE 3	62	22.02	2.81	JULY 2019
TOTALS (TRACT 1)	181	71.98*	2.51	

\* THIS ACREAGE DOES NOT INCLUDE THE RESOURCE CONSERVATION AREA.

NOTES:  
 1. THE CLUBHOUSE AND POOL AMENITIES WILL BE COMPLETED PRIOR THE COMPLETION OF PHASE ONE.  
 2. THE 10' WIDE PUBLIC GREENWAY WILL BE CONSTRUCTED DURING PHASE ONE.  
 3. THE RESOURCE CONSERVATION AREAS SHALL BE DEDICATED TO THE TOWN OF CLAYTON DURING PHASE 1.



DEVELOPMENT PHASING PLAN		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 4 OF 9



**WYNWOOD MANOR RESIDENTIAL STREET** Street Concept - Elevation

NOTE: THE DETAIL ABOVE IS CONCEPTUAL IN NATURE AND IS NOT DRAWN TO A CERTAIN SCALE. ALL DESIGN FEATURES AND LANDSCAPING WILL COMPLY WITH THE TOWN OF GLAYTON REQUIREMENTS.

**LEGEND:**

- RESIDENTIAL STREET (27' B/B) WITH SIDEWALKS
- 10' WIDE PUBLIC GREENWAY



VEHICULAR CIRCULATION PLAN		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 5 OF 9

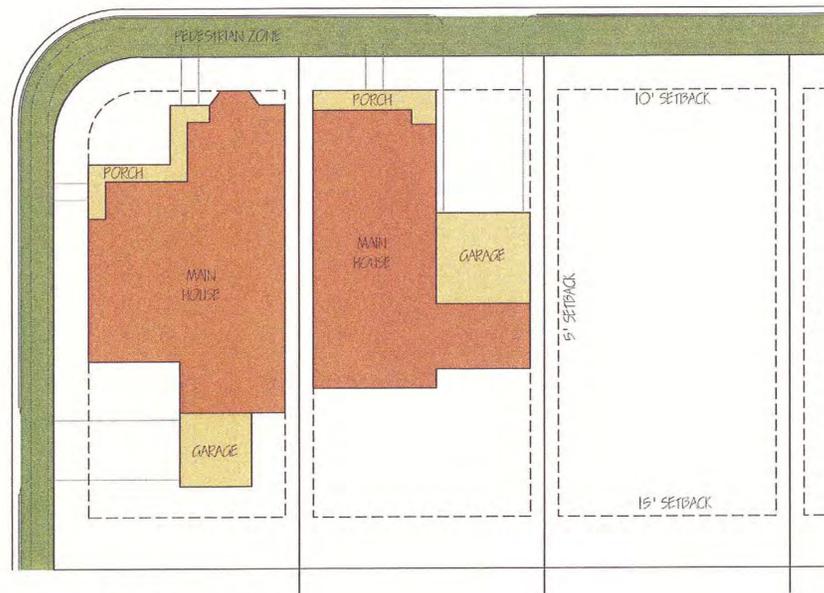
## Single-Family - Detached Homes

Detached Single-Family homes shall be the primary lot type within the development. The lot size can vary but shall be a minimum of 7,000 square feet.

### LOT STANDARDS

1. Lot standards shall be as follows:
  - a. The minimum lot size shall be 7,000 square feet and no maximum is established.
  - b. The minimum lot width shall be 50' and no maximum is established. (around culdesacs frontage shall be 40')
  - c. The minimum lot depth shall be 100' and no maximum is established.
  - d. The maximum lot coverage shall be 70%.
  - e. The maximum lot impervious area shall be 75%.
2. Setbacks shall be as follows:
 

Front Setback - Minimum	10'
Side Interior Setback	5'
Side Street Setback - Minimum	10'
Rear Setback - Minimum	15'
Height - Maximum	35'



TYPICAL LOT: SINGLE-FAMILY

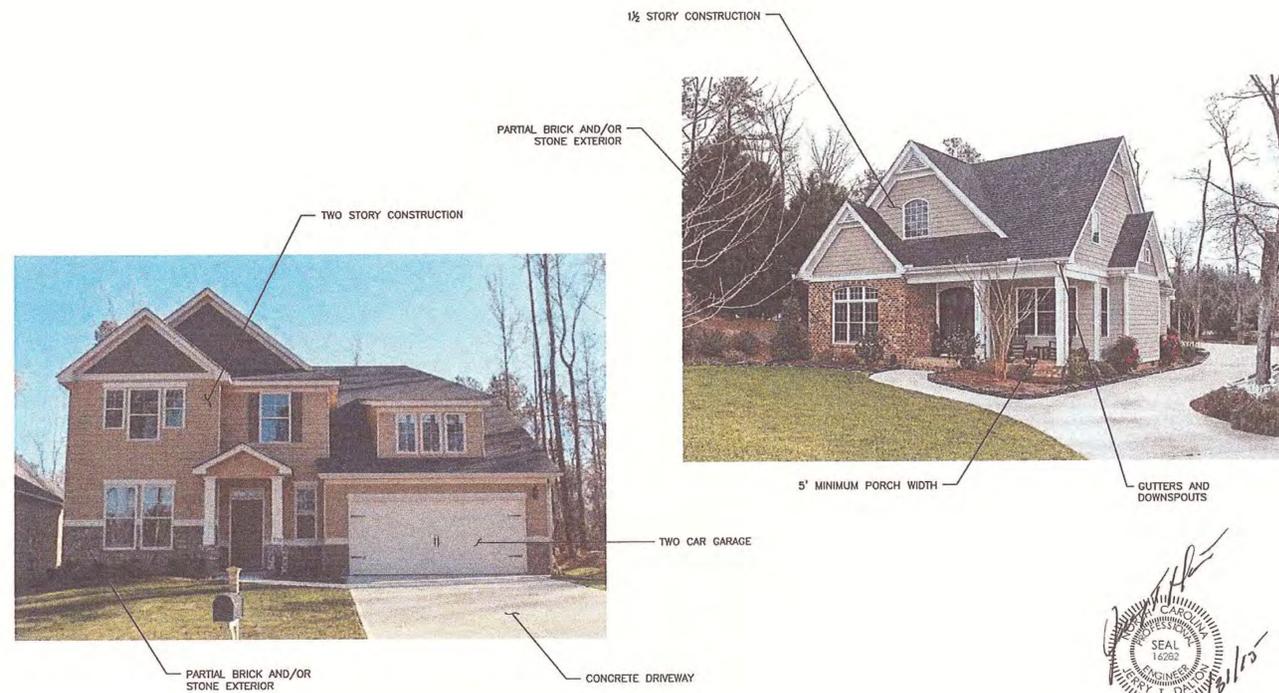
3. Where the lot is a corner lot, garages and parking may be accessed from the side street where possible.
4. The buildable zone is the area defined and bounded by the setbacks on all property lines.
5. Street trees shall be located in the planting strip between the back of curb and the sidewalk. Trees shall be located no farther than 40' on center.

### PERMITTED USES AND DIMENSIONAL STANDARDS

1. Residences shall consist of detached Single-Family homes. Garages may be detached or attached.
2. Accessory buildings permitted by the Homeowners Association must follow the regular standards associated with the Town of Clayton for setbacks and the number of accessory buildings allowed.

### ARCHITECTURAL AND CONTEXTUAL STANDARDS

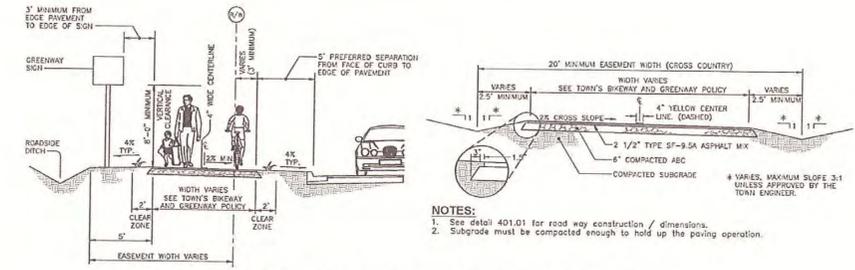
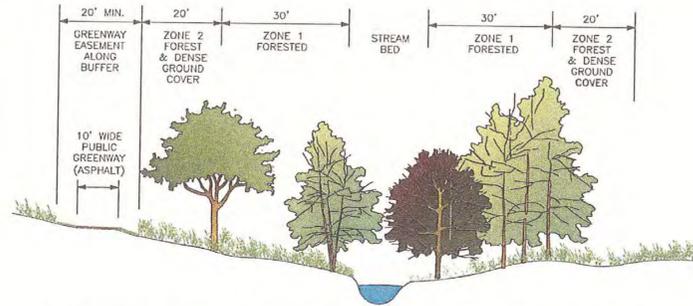
1. Architectural styles and features shall be consistent with the standard set forth by the Architectural Review Committee. (see separate documentation for this committee)
2. Facade elements and other minor building placement criteria will vary on homes.
3. Minimum features for single-family homes shall include the following:
  - one and one half or two story construction.
  - 2,000 square foot minimum size.
  - Partial brick and/or stone exterior.
  - Two car garage.
  - Concrete driveway.
  - Gutters and downspouts.
  - 5' minimum porch width.



NEIGHBORHOOD DESIGN PLAN		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 6 OF 9

**OPEN SPACE REQUIREMENTS - TRACT 1**

Wynwood Manor (Tract 1) contains ±87.379 acres. The recreation open space is calculated using the net land area after subtracting the permanently protected open spaces. These are areas in riparian buffers, wetlands, etc. The net land area after subtracting the ± 15.40 acres of permanently protected open space within the development is ± 71.98 acres. Based on 12.5% of net area in Tract 1, a total of 9.00 acres of recreation open space is required. All greenways will be built to Town of Clayton standards and will be open to the public. All open space, landscape buffers and recreation areas within the development will be privately maintained by the Homeowners Association.



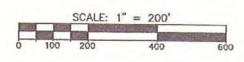
**NOTES:**  
 1. See detail 401.01 for road way construction / dimensions.  
 2. Subgrade must be compacted enough to hold up the paving operation.

**10' WIDE PUBLIC GREENWAY ALONG RIPARIAN BUFFER**



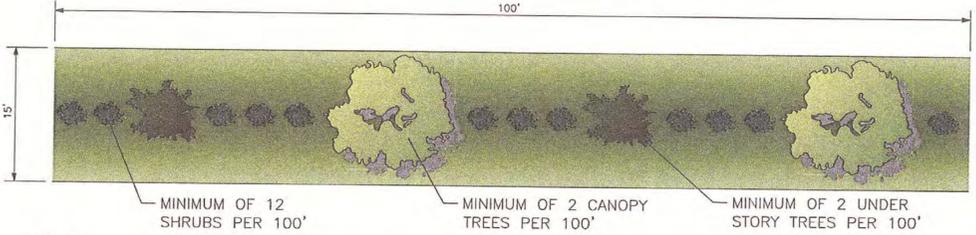
**LEGEND:**

- RECREATIONAL OPEN SPACE
- LANDSCAPE BUFFER
- RESOURCE CONSERVATION AREA
- 10' WIDE PUBLIC GREENWAY



OPEN SPACE ACERAGE			
AREA	SQ.FT.	*GREENWAY	NET AREA (sq.ft. / acres)
1	35,778	500	35,278 0.81
2	28,037	N/A	28,037 0.64
3	208,888	**3,970	204,918 4.70
4	88,178	**1,859	86,319 1.98
5	47,066	4,007	43,059 0.99
6	40,116	5,766	34,350 0.79
7	12,539	3,465	9,074 0.21
8	17,401	2,508	14,893 0.34
GREENWAY			72,931 1.674
SIDEWALK			44,845 1.029
<b>TOTAL</b>			<b>573,704 13.17</b>

\* The area of greenway only includes the greenway area within that particular open space area.  
 \*\* The area of greenway along the riparian buffer has not been included in the open space area at all.



**NOTES:**  
 1. THE BUFFER SHALL INCLUDE A WALL, OPAQUE FENCE, HEDGE, BERM, OR COMBINATION THEREOF WITH A MINIMUM HEIGHT OF 6' AT INSTALLATION.  
 2. ALL SPECIES OF PLANT MATERIALS SHALL MEET THE TOWN OF CLAYTON REQUIREMENTS.  
 3. CANOPY TREES ARE REQUIRED TO BE A MINIMUM OF 8' IN HEIGHT (2.5" CALIPER), AND UNDERSTORY TREES ARE REQUIRED TO BE A MINIMUM OF 6' IN HEIGHT (2" CALIPER), REGARDLESS OF LOCATION.

**CLASS "C" LANDSCAPE BUFFER DETAIL**

OPEN SPACE, GREENWAYS AND OTHER RECREATION			
	OPEN SPACE (ACRES)	ACTIVE REC. AREA (ACRES)	PERCENTAGE
PASSIVE OPEN SPACE	9.513		72.23%
ACTIVE RECREATION AREAS	3.657		27.76%
IMPROVED AREAS (pool, clubhouse property, developed parks)		0.954	
GREENWAY (paved surface area only)		1.674	
SIDEWALK (paved surface area only)		1.029	
<b>TOTAL OPEN SPACE (TRACT 1)</b>	<b>13.17</b>		<b>100%</b>

NOTE: Per Town of Clayton development standards, greenways must have a minimum of 2.5' of cleared graded grass on each side. This area does not count toward active recreation area, and is not included in the active recreation calculations above.

RESOURCE CONSERVATION AREAS		
	ACRES	PERCENTAGE
RIPARIAN BUFFER AREAS	10.02	65.07%
OPEN WATER BODIES AND PONDS	5.38	34.93%
100-YEAR FLOODPLAIN	0	0%
<b>TOTAL RESOURCE CONSERVATION AREAS (TRACT 1)</b>	<b>15.40</b>	<b>100%</b>



**PARKS, OPEN SPACE AND PEDESTRIAN CIRCULATION PLAN**

Job: 13003 Date: 6/17/15 Revision:  
 File: COVER Drawn: WJB Sheet: 7 OF 9

## Amenity and Clubhouse

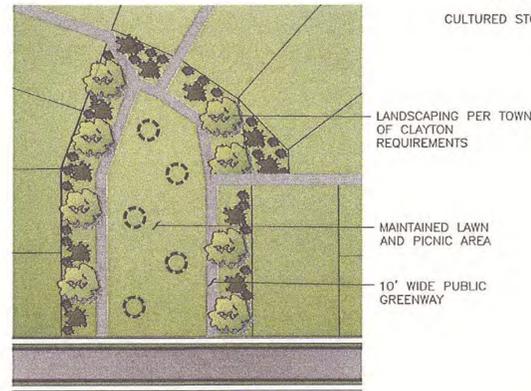
The development will provide several amenities throughout the project to enhance the lives of the residents. The centerpiece of the amenities is a community center / clubhouse to serve all residents. The cabana type clubhouse will feature a community pool with convenient vehicular and pedestrian access. Another featured amenity will be a mini-park centrally located and developed in Phase 2. In addition, sidewalks, green way connections and more open space areas for passive recreation will be located throughout the community. All of these areas will be maintained by the homeowners association. The clubhouse / pool area will be required to submit a site plan to the Town of Clayton for review and approval.

### LOT STANDARDS

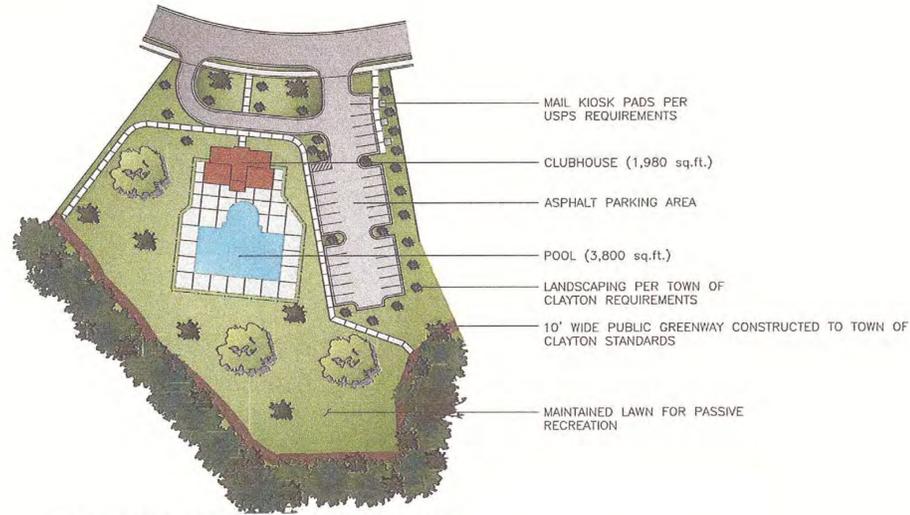
1. Minimum and maximum lot dimensions shall be as follows:
  - a. There is no minimum lot size established.
  - b. There is no minimum lot width established.
  - c. There is no minimum lot depth established.

2. Setbacks shall be as follows:

Front Setback - Minimum	15'
Side Interior Lot Setback	5' (10' Min. between blgs.)
Side Street Setback - Minimum	10'
Rear Setback - Minimum	15'
Height - Maximum	45'



**MINI-PARK CONCEPTUAL PLAN**  
SCALE: 1"=60'



**CLUBHOUSE AREA CONCEPTUAL PLAN**  
SCALE: 1"=60'



**CLUBHOUSE REAR (POOL SIDE) ELEVATION**  
SCALE: 1"=60'



**CLUBHOUSE FRONT ELEVATION**  
SCALE: 1"=60'



**CLUBHOUSE LEFT SIDE ELEVATION**  
SCALE: 1"=60'



AMENITIES AND CLUBHOUSE PLAN		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 8 OF 9

## Utilities and Stormwater Management

### PUBLIC UTILITIES AND INFRASTRUCTURE

Required improvements shall be made as development occurs within each area of development. Infrastructure will be designed so that it will accommodate the entire community at total build-out. At the time of Plan preparation, the developer will meet with Town Staff to determine critical construction priorities for phased utility improvements as development occurs.

### SANITARY SEWER

Per the Town of Clayton engineering staff, the Town has adequate capacity to accommodate the necessary sanitary sewer services for this project. The estimated waste water peak flow for the single-family area, the multi-family residential area and the commercial area are shown in figure 8.1. The entire development will connect to an existing public sanitary sewer system that is part of the Sam's Branch Interceptor in coordination of other area developments. Sewer main extensions and service connections to the Town's sewer systems will be approved, prior to construction, by the Engineering Department and in accordance with the general guidelines and regulations of the Town. It is the Town's policy to utilize gravity sewer extension to provide sewer services to serve the project.

### WATER

Public water is available to the site via a series of 8-inch and 12-inch water mains. A 12-inch water main is present on Covered Bridge Road and an 8-inch water main is present on Shotwell Road. Connections will be made and extended throughout the property to provide a system of inner-connected mains that supply residents and property owners an adequate potable water supply as well as maintain sufficient pressures to provide fire protection.

### STORMWATER RUNOFF AND DRAINAGE

Storm water runoff will be collected in an adequately sized storm drainage system that runs throughout the development. Discharge will be into the respective tributaries of Sam's Branch maintaining existing drainage patterns. Plans are to utilize the existing farm pond on the property to help meet the stormwater requirements. Additional wet detention ponds and other BMP devices may be required with this development. A stormwater management plan will be designed that complies with all the nitrogen and stormwater runoff control requirements in the Town's ordinance and by all pertinent regulatory agencies. Devices and control measures may be physically located outside of the current phase under construction so as to meet the requirements of the approved stormwater plan.

Figure 8.1 - Estimate of total peak wastewater flow for Wynwood Manor (Tract 1)

<u>Wynwood Manor</u>			Requested:	<u>7/1/2016</u>	<u>1/1/2018</u>	<u>7/1/2019</u>	<u>Totals</u>	
Single Family 4 bdrm	<u>Approx Total</u> 181 units		Daily Flow:	23,450 units	16,415 units	20,770 units	60,635	
Clubhouse / Recreation	2.06 Acres		Daily Flow:			2,472 acres	2,472	
				23,450	16,415	23,242		
<b>Town of Clayton - Acceptable Values</b>								
Single Family:								
Flow/Unit (gal/day)	335 (4 bdrm)							
Clubhouse / Recreation								
1200 gal/day/acre	2.06 Acres							
<b>Total Anticipated flow requirements (gpd) --</b>							<b>63,107</b>	



UTILITIES AND STORMWATER MANAGEMENT		
Job: 13003	Date: 6/17/15	Revision:
File: COVER	Drawn: WJB	Sheet: 9 OF 9

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Fire Advisory Board Vacancies

**DESCRIPTION:**

Consideration for approval of appointment to fill two current unexpired terms on the Fire Advisory Board. The first vacancy would be vacated by Walter H. Langdon and is requested to be filled by Jo Ann Hardee, with a term expiration of 12/31/2015. The second vacancy would be vacated by Larry Such and is requested to be filled by Matthew Sutphin, with a term expiration of 12/31/2016. Additionally James Cash has requested to step down from the Firefighters Relief Fund Board and it is requested this vacancy be filled by Jimmy D. McLaurin Jr.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Fire Department

**PRESENTER:**

Lee Barbee, Fire Chief

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



## ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- Planning & Zoning Board
- Board of Adjustment
- Downtown Development Assoc.
- Clayton Library Board
- Recreation Advisory Committee
- Fire Dept. Advisory Board
- Public Arts Advisory Board

**PLEASE NOTE:** In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

**Please type or use dark ink.**

Name: Jo Ann B. Hardee

Mailing Address: 2697 Government Rd. Clayton, NC 27520

Physical HOME Address: same

Phone Number (HOME): 919-631-9588 <sup>cell#</sup> 919-359-9411 (WORK)

FAX Number: \_\_\_\_\_ Mobile Number: 919-631-9588

Email Address: jhardee@triangleinsurancegroup.com

\*Female  \*Male  \*Race White

Employer: Triangle Insurance

Occupation: Agent

\*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: Lifetime

Do you live in the Clayton? Corporate Limits: Yes  No  ETJ: Yes  No

How did you find out about this board or committee? Facebook  Website  TV

Newspaper  Email  Twitter  Mail  Other Inquiry

Outline your qualifications and why you wish to serve the board/committee you indicated.

Insurance Agent understands importance of the Fire Department and protection classes.

State why you would be an asset to this board or committee. Lived in Clayton all my life and understand insurance rating requirements and deal with residents of the Clayton Fire District.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No  Yes  If Yes, explain:

**PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.**

Boards/Committees/Civic	From	To
<u>Chamber of Commerce</u>	_____	_____
<u>Business Networking International</u>	_____	_____
_____	_____	_____
_____	_____	_____

John Starace  
Signature

9-21-15  
Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoffett@townofclaytonnc.org)



# ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- Planning & Zoning Board
- Board of Adjustment
- Downtown Development Assoc.
- Clayton Library Board
- Recreation Advisory Committee
- Fire Dept. Advisory Board
- Public Arts Advisory Board

**PLEASE NOTE:** In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

**Please type or use dark ink.**

Name: Matthew Sutphin

Mailing Address: 593 Winding Wood Dr. Clayton 27520

Physical HOME Address: " "

Phone Number (HOME): 919-422-4925 (WORK) 919-553-1520

FAX Number: \_\_\_\_\_ Mobile Number: 919-422-4925

Email Address: msutphin@townofclaytonnc.org

\*Female  \*Male  \*Race White / caucasian

Employer: Town of Clayton

Occupation: Captain @ Fire Dept.

\*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: 10 yrs

Do you live in the Clayton? Corporate Limits: Yes  No  ETJ: Yes  No

How did you find out about this board or committee? Facebook  Website  TV

Newspaper  Email  Twitter  Mail  Other \_\_\_\_\_

Outline your qualifications and why you wish to serve the board/committee you indicated.

I wish to serve to help with planning for the future  
of the fire department. I serve as a captain, so I have  
special interest and insight.

State why you would be an asset to this board or committee. I have

experience in the fire service and knowledge about the  
operation and vision.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No  Yes  If Yes, explain:

**PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.**

Boards/Committees/Civic	From	To
<u>Clayton FD</u>	<u>2005</u>	<u>present</u>
<u>wellness committee - TOC</u>	<u>2012</u>	<u>present</u>
_____	_____	_____
_____	_____	_____

[Signature]  
Signature

9/19/15  
Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoffett@townofclaytonnc.org)

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Planning Board Vacancy

**DESCRIPTION:**

Request to approve appointment to fill current unexpired term vacancy on Planning Board. This position would be for an ETJ Alternate with term expiration of 12/31/2016. Candidate is Nathan Evans

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung, Planning Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



Rec  
7/28/15

## ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and **a**ppreciates your interest in serving the Town. This application is designed to gather **in**formation to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more **th**an one, please submit a separate application for each board.

CHOOSE ONE:

- Planning & Zoning Board
- Board of Adjustment
- Downtown Development Assoc.
- Clayton Library Board
- Recreation Advisory Committee
- Fire Dept. Advisory Board
- Public Arts Advisory Board

**PLEASE NOTE:** In accordance with **N**orth Carolina law, this application is a public record and will be disclosed upon request and **with**out notice. If there is any information you do not want released to the public, please do not **inc**lude it.

**Please type or use dark ink.**

Name: Nathan Evans

Mailing Address: 124 Plaza De Luke Sq, Clayton 27527

Physical HOME Address: 124 Plaza De Luke Sq, Clayton 27527

Phone Number (HOME): 919 345 6729 (WORK) 919 345 6729

FAX Number: n/a Mobile Number: 919 345 6729

Email Address: nathan@nlevans.com

\*Female  \*Male  \*Race white

Employer: self

Occupation: real estate investor

\*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: JUNE 2007

Do you live in the Clayton? Corporate Limits: Yes  No  ETJ: Yes  No

How did you find out about this board or committee? Facebook  Website  TV

Newspaper  Email  Twitter  Mail  Other town councilman

Outline your qualifications and why you wish to serve the board/committee you indicated.

I am a life long resident of Clayton, active in the community and have a strong understanding of development, construction, etc. and the issues surrounding them.

State why you would be an asset to this board or committee. My development

experience, my desire to see Clayton grow and prosper the proper way

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No  Yes  If Yes, explain:

Potentially, I could have a subdivision come before the board.

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
<u>Archway Foundation, Board of Directors</u>	<u>inception - 2012</u>	<u>current</u>
<u>Clayton Civitan</u>	<u>2009 ±</u>	<u>2012 ±</u>
_____	_____	_____
_____	_____	_____

[Signature]  
Signature

7-28-15  
Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoffett@townofclaytonnc.org)

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

JC Board of Alcoholic Control - Voluntary Annexation - 2015-51-ANX

**DESCRIPTION:**

Request for voluntary annexation of 1.02 contiguous acres.

**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:**

## **PUBLIC NOTICE**

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 2, 2015, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2015-51-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at a point, said point being an iron pipe found along the southern right-of-way of US 70 BUS Hwy W, Clayton Township, Johnston County. Point further described as a northeastern corner of the Heavner Properties 1997 property as recorded in Deed Book 1664 Page 549, Johnston County NC Registry. Point further described as having NC Grid Coordinates of N 696182.3355, E 2151479.6844. Thence from said point, leaving the southern right-of-way of US 70 BUS Hwy W in a southerly direction a bearing and distance of S 29°07'26" W 58.56 feet to an iron pipe found and the POINT OF BEGINNING. Said point being the northwestern corner of the Johnston County Board of Alcoholic Control property as recorded in Deed Book 927 Page 73. Thence a bearing and distance of S 61°02'24" E 175.01 feet to an iron pipe found. Thence a bearing and distance of S 28°57'50" W 254.99 feet to an iron pipe found. Thence a bearing and distance of N 61°09'07" W 174.81 feet to an iron pipe found. Thence a bearing and distance of N 28°55'09" E 255.33 feet to an iron pipe found and the POINT OF BEGINNING and containing 1.025 acres (44630 square feet) according to a plat by True Line Surveying, P.C., entitled "Boundary Survey for Johnston County Board of Alcoholic Control", dated August 11, 2015 and recorded in Plat Book 81 Page 436, Johnston County Registry.

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

Kimberly A. Moffett, CMC  
Town Clerk  
Town of Clayton  
919-553-5002 ext. 5004

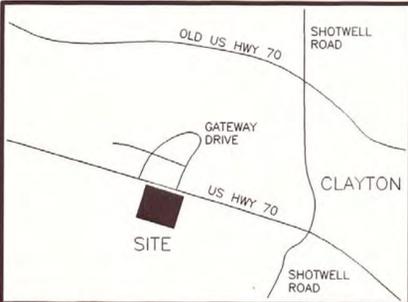
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Clayton News-Star

Please advertise on the following date:

October 21, 2015

Affidavit of publication required.



VICINITY MAP (NOT TO SCALE)

PROPERTY SHOWN HEREON IS \_\_\_\_\_ IS \_\_\_\_\_ IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FEMA FLOOD HAZARD PANEL NO. 3720165900 J EFFECTIVE DATE: DECEMBER 2, 2005

THIS SURVEY:

- 1) CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- 2) IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- 3) IS ONE OF THE FOLLOWING:
  - a) IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
  - b) IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE
  - c) IS A CONTROL SURVEY
- 4) IS OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
- 5) FROM THE INFORMATION AVAILABLE, THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION OF THE PROVISIONS (1) THROUGH (4).

8-11-15 DATE SURVEYOR

SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

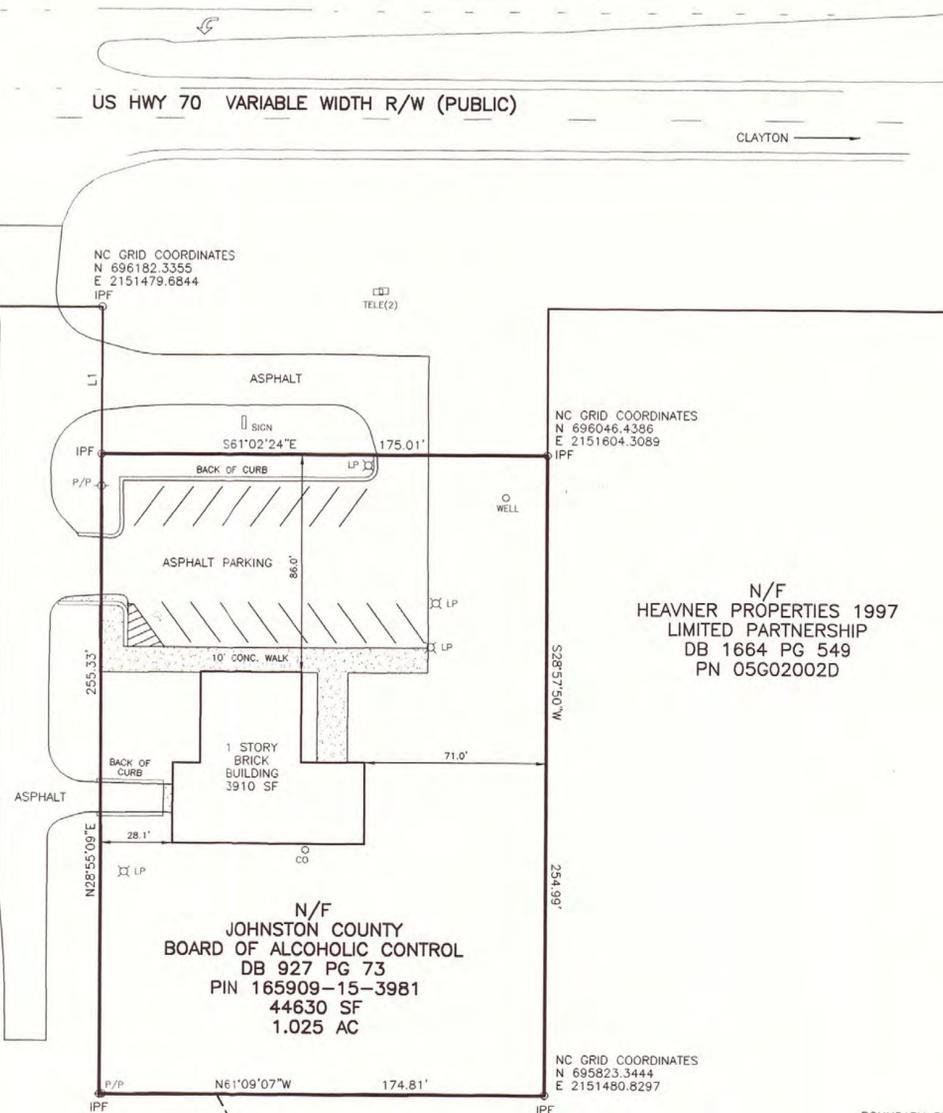
8-11-15 DATE SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
 I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 927, PAGE 73, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 927, PAGE 73; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000±; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1-CENT ACCURACY CLASSIFICATION (95% CONFIDENCE) USING RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. THAT THIS PLAT MEETS THE REQUIREMENT OF G.S. 47-30 SECTION F-11 3a. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 11 DAY OF Aug, A.D. 2015



N/F HEAVNER PROPERTIES 1997 LIMITED PARTNERSHIP DB 1664 PG 549 PN 05G02002C

N/F HEAVNER PROPERTIES 1997 LIMITED PARTNERSHIP DB 1664 PG 549 PN 05G02002C



NC GRID COORDINATES  
 N 696182.3355  
 E 2151479.6844

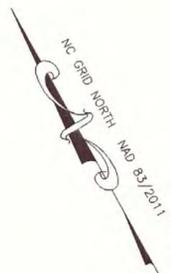
NC GRID COORDINATES  
 N 696046.4386  
 E 2151604.3089

NC GRID COORDINATES  
 N 695823.3444  
 E 2151480.8297

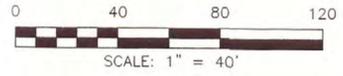
N/F JOHNSTON COUNTY BOARD OF ALCOHOLIC CONTROL DB 927 PG 73 PIN 165909-15-3981 44630 SF 1.025 AC

- 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) NO HORIZONTAL CONTROL FOUND WITHIN 2000' OF SURVEY
  - 6) GRID TIE BY GPS
  - 7) ZONING: R-E
  - 8) PARENT TRACT DEED DB 927 PG 73
  - 9) NC PIN NO. 165909-15-3981
  - 10) PARCEL NO. 05G02002T

REFERENCES:  
 DB 927 PG 73  
 DB 1664 PG 549



LINE	BEARING	DISTANCE
L1	N29°07'26"E	58.56'



STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
 THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS 13 DAY OF August 2015 AT 8:22:58 AM  
 CRAIG OLIVE BY *Jeff Racine*  
 REGISTER OF DEEDS Deputy Register of Deeds  
 RECORDED IN PB 81 PG 436

Duplicate

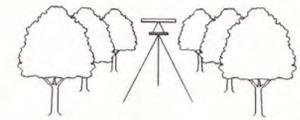
LEGEND

- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- CMF CONCRETE MONUMENT FOUND
- PKNF PARKER-KALON NAIL FOUND
- PKNS PARKER-KALON NAIL SET
- RIS RAILROAD SPIKE
- CSF COTTON SPIKE FOUND
- CSS COTTON SPIKE SET
- CC CONTROL CORNER
- CP COMPUTED POINT
- 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
- PG PAGE
- LF LINEAR FEET
- LS LOT HAS OFFSITE SEWER
- LSL OFFSITE SEWER LOT
- LSR RECOMBINATION LOT
- 15R STREET ADDRESS
- 100 LINES NOT SURVEYED

SURVEYED BY:	TL5
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	BOUNDARY.DWG
SURVEY DATE:	8-4-15
JOB NO.	2538.001

JOHNSTON COUNTY BOARD OF ALCOHOLIC CONTROL  
 CLAYTON TOWNSHIP, JOHNSTON COUNTY  
 NORTH CAROLINA  
 AUGUST 11, 2015

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



October 7, 2015

Mr. Tim Simpson, P.E.  
Public Works & Utilities Director  
653 Hwy 42 West  
Clayton, NC 27520

**RE: *EL-5100OB, Clayton Pedestrian Connector – Award Recommendation***

In the Clayton Operations Center at 2:00 pm on August 20, 2015, the bidding for the above referenced project was closed. The bids received were opened, and the apparent low bidder was Fred Smith Company.

The bid calculations were confirmed and there was no mathematical error in any of the bid forms. The bid amount for Narron Contracting Inc., S.T. Wooten Corporation and Fred Smith Company were accurate.

With these results, we find Fred Smith Company to be acceptable and in compliance with the contract documents.

We recommend the Town award the construction contract for the EL-5100OB Clayton Pedestrian Connector to Fred Smith Company for the amount of \$1,291,921.00. The Bid tabulations are attached.

If you have any questions, please call me at (919)-678-4139. We look forward to beginning construction of this project.

Sincerely,

KIMLEY-HORN and ASSOCIATES, INC.

A handwritten signature in cursive script that reads "Cathy Murrell".

Cathy Murrell, P.E.

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Blinson Office Rezoning - 15-40-01-RZ

**DESCRIPTION:**

Request to rezone parcel from R-8 to O-R

**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  
September 28, 2015

## STAFF REPORT

### Application Number: 15-40-01-RZ Project Name: Blinson Office Rezoning

**NC PIN / Tag #:** 166917-01-5123 / 05012001 & 166917-01-4066 / 05013001  
**Town Limits/ETJ:** Town  
**Overlay:** None  
**Applicant:** Curk Lane, True Line Surveying  
**Owner:** Blinson RE Holdings LLC / James & John Lipscomb  
**Location:** Located off of South Lombard Street, between Canady Street and Andrews Street.

**Public Noticing:**

- Neighborhood meeting August 27, 2015
- Sign Posted September 18, 2015
- Letters mailed to adjacent property owners prior to October 23, 2015
- Newspaper ad noticed prior to October 21, 2015

**REQUEST:** Request to rezone the parcel from Residential-8 (R-8) to Office-Residential (O-R).



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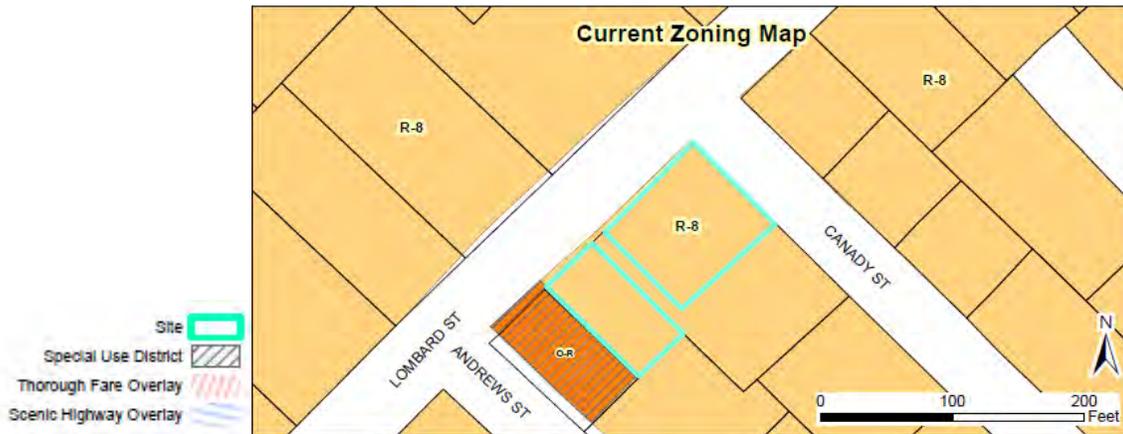
**SITE DATA:**

**Acreage:** .31 acres  
**Existing Uses:** Single Family Homes

---

**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-8	Single-Family Residential
South	Residential-8	Single-Family Residential
East	Residential-8	Single-Family Residential
West	Residential-8 & Office-Residential (SUD)	Office & Single-Family Residential



---

**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting to rezone two parcels from R-8 to O-R. This would allow the properties to act as both residential uses and office uses. This zoning designation would be less intense than the O-I zoning designation, while maintaining the residential character of the neighborhood.



---

**Compatibility with Surrounding Land Uses**

The proposed zoning would be similar and compatible to the surrounding uses. Currently, the subject properties are surrounded by single-family homes along with one residential office. Because the properties are looking to rezone to O-R rather than O-I, the residential environment will be maintained in the area allowing it to blend in with the surrounding single-family residences.

**Consistency with the Strategic Growth Plan**

In Clayton's 2008 Strategic Growth Plan, these parcels and all surrounding parcels are designated as "residential-infill". Since the zoning district of O-R is intended to accommodate both small-scale office uses and single-family residential units, it is consistent with the Strategic Growth Plan.

---

**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.

---

**APPROVAL CRITERIA:**

The applicant has addressed the Approval Criteria outlined in §155.704. The applicant's responses are included as an attachment to the Staff Report.

---

**STAFF RECOMMENDATION:**

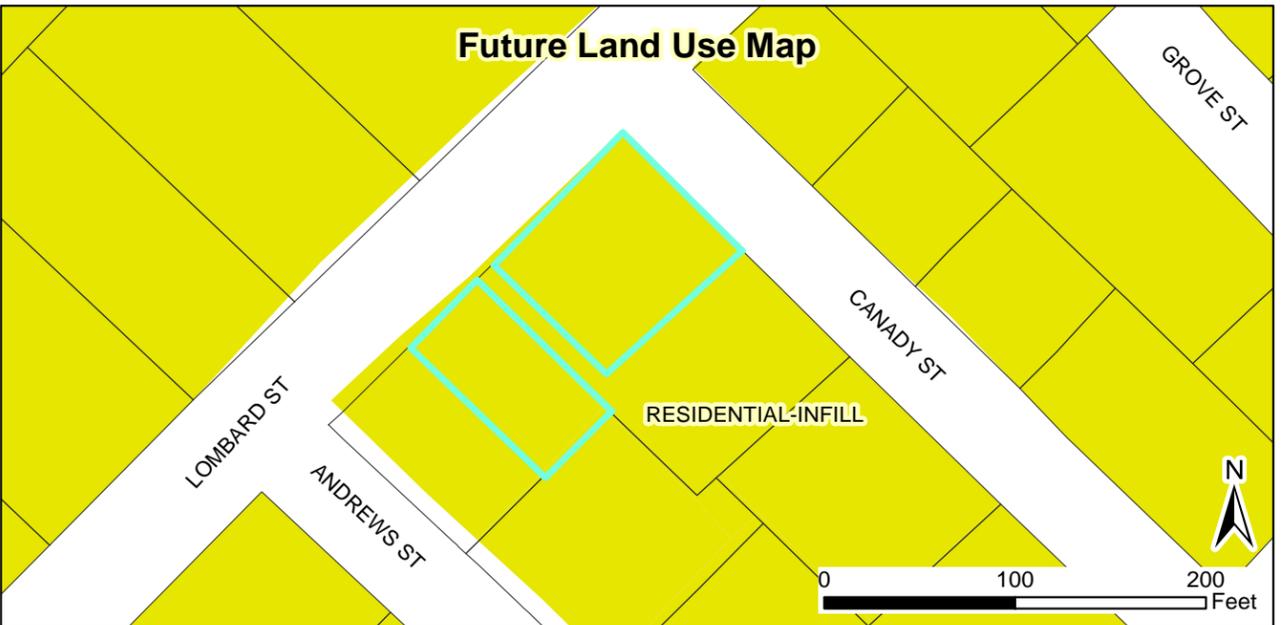
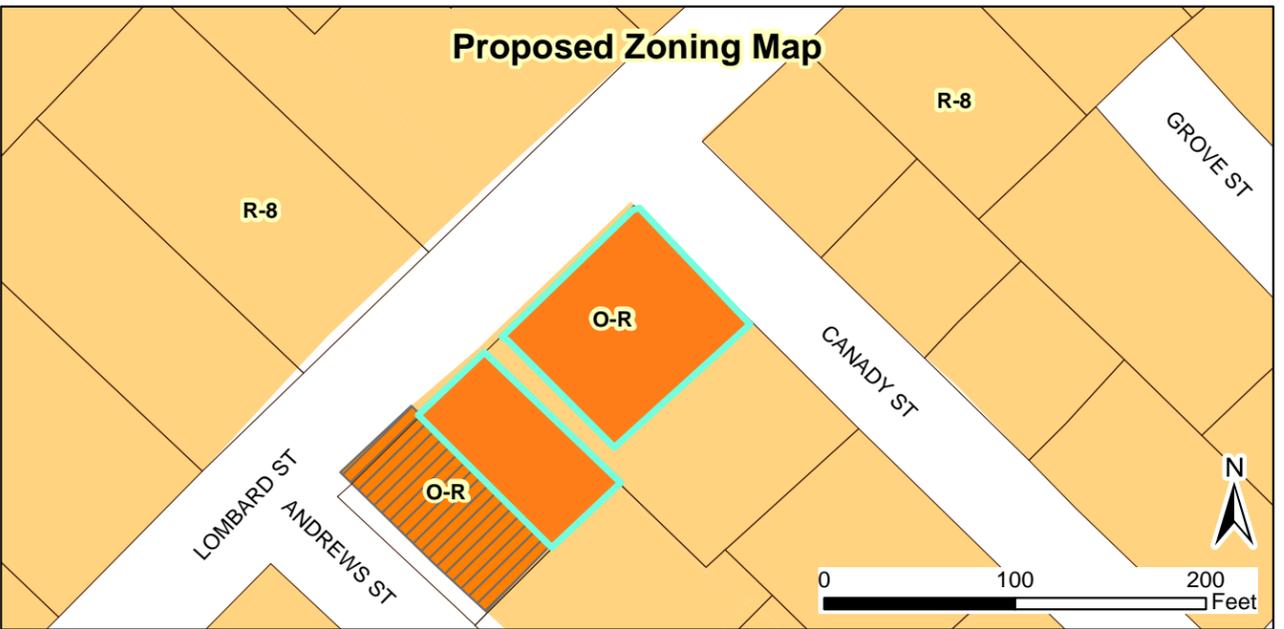
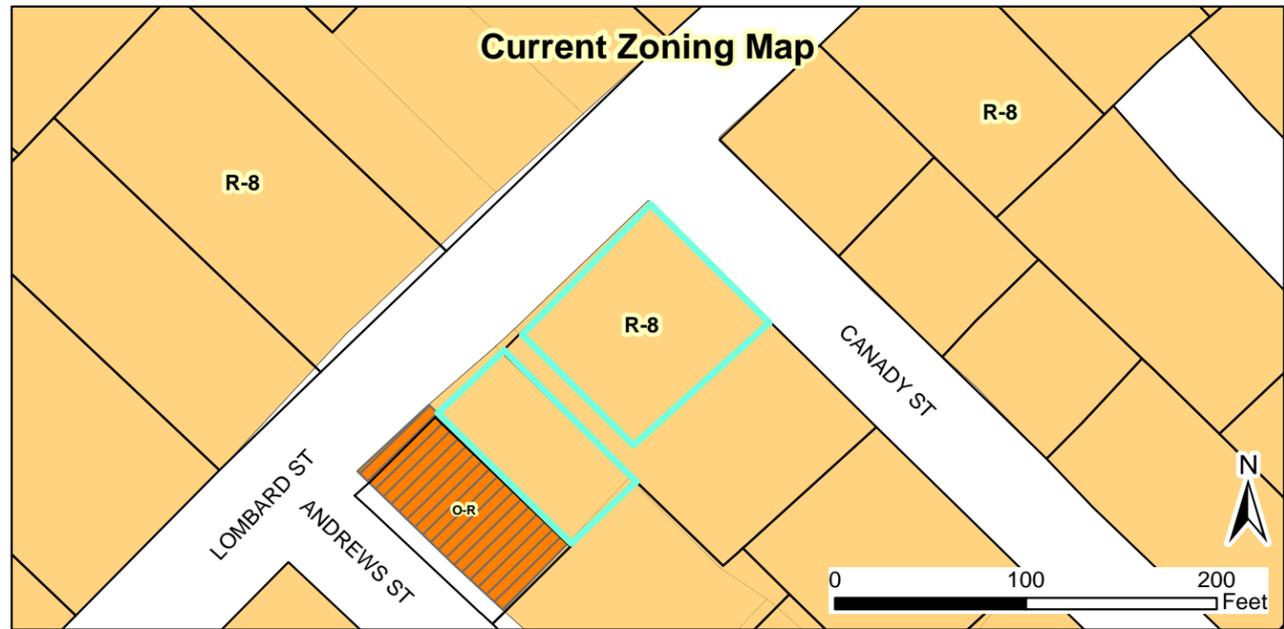
Staff is recommending approval of the rezoning of the subject parcel.

---

Staff Report  
15-40-01-RZ Blinson Office Rezoning

**ATTACHMENTS:**

- 1) Staff Report Maps
- 2) Application
- 3) Neighboring Property Addition
- 4) Neighborhood Meeting Materials



**15-40-01-RZ Blinson Office Rezoning**  
**Request: Rezoning from R-8 to O-R**  
 Applicant: True Line Surveying  
 Property Owner: Blinson RE Holdings, LLC  
 Parcel ID Number: 166917-01-5123 & 166917-01-4066  
 Tag #: 05012001 & 05013001



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

09/16/2015

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

Document Path: O:\PLANNING\REZONING\Rezoning\2015\15-40-01-RZ Blinson Office rezoning\Maps\StaffReportMap\_BlinsonRezoning&SitePlan.mxd





FILE COPY

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: Blinson RE Holdings LLC Acreage of Property: 0.200  
County Tag Number: 05012001 NC PIN: 166917-01-5123  
Address/Location: 415 S. Lombard St., Clayton

Existing Zoning District: R-8  
Proposed Zoning District: O&R  
Is project within an Overlay District?  No  
 Yes (list): \_\_\_\_\_

### APPLICANT INFORMATION

Applicant: True Line Surveying  
Mailing Address: 205 W. Main St., Clayton  
Phone Number: 919-359-0427 Fax: 919-359-0428  
Contact Person: Curk Lane  
Email Address: curk@truelinesurveying.com

**FOR OFFICE USE ONLY**  
Date Received: \_\_\_\_\_ Amount Paid: \$500 File Number: 15-40-01-RZ

January 2015

Page 1 of 10



**PROPERTY OWNER INFORMATION**

Name: Blinson RE Holdings, LLC  
 Mailing Address: 486 NC Hwy 42 W Suite 200 Clayton, NC 27520  
 Phone Number: 919-550-6100 Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**EXPLANATION OF PROJECT**

*Please provide detailed information concerning all requests. Attach additional sheets if necessary.*  
Rezoning 1 lot owned by Blinson RE Holdings, LLC at the corner of S. Lombard and Canady St. Streets from R-8 to O&R. Changing use of property. Residential to small service business (residential).

**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:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>7/30/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments)	<input type="checkbox"/>		<input checked="" type="checkbox"/>		
3. Completed application	<input checked="" type="checkbox"/>		<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"/>	<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 checked="" 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. - Plat showing property to be rezoned, matching legal description.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
7. Adjacent property owners list	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>	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"/>		<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.

~~Lombard corridor to downtown, commercial use is in agreement with the grown plan.~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

~~Current use is residential. Proposed is office/residential because of its frontage on Lombard St.~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

~~Proposed change of zoning to O&R is a good transitional zoning between residential and downtown commercial.~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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.

~~All streets and utilities are in place.~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

~~Yes.~~

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

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.

~~No adverse effect on adjoining property owners. O&R already exists on that block along Lombard St.~~

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

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.

~~Change to O&R will benefit everyone along this corridor as a transition zone between residential and downtown.~~

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

**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.*

Curk T. Lane  
Print Name

  
Signature of Applicant

7/30/15  
Date

## ADJACENT PROPERTY OWNERS LIST

**Project Name:** Blinson RE Holdings LLC

*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
166917-01-6222	SOUTH FAYETTEVILLE STREET LLC	603 SOUTH FAYETTEVILLE STREET CLAYTON, NC 27520-0000
166917-01-6176	AMELIA SUE CREECH C/O SUE CLARK	10 CATES CT., HILLSBOROUGH, NC 27278-0000
166917-01-5045	STEVE L. REGNER & MELANIE R. REGNER	828 PARKRIDGE DRIVE CLAYTON, NC 27527-0000
166917-01-6050	<b>TILLEY M. PRESTON</b>	409 CANADY ST. CLAYTON, NC 27520-2504
166917-00-5927	JESSE V. CORBETT, JR. & JANICE CORBETT	1020 RIDGE DR CLAYTON, NC 27520-0000
166917-01-4066	JAMES H. LIPSOMB & JOHN V. LIPSCOMB	107 STONE LANE CLAYTON, NC 27520-0000
166917-01-4022	JAMES H. LIPSOMB & JOHN V. LIPSCOMB	107 STONE LANE CLAYTON, NC 27520-0000
166917-01-4205	<b>BRANDON M. DODICK</b>	410 S LOMBARD ST CLAYTON, NC 27520-2521
166917-01-3210	KIMBERLY M. POWELL & SHAWN POWELL	418 LOMBARD STREET CLAYTON, NC 27520-0000



**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:** Blinson RE Holdings LLC **Address or PIN #:** 166917-01-5123

**AGENT/APPLICANT INFORMATION:**

True Line Surveying (Name - type, print clearly) 205 W. Main St. (Address)  
Clayton, NC 27520 (City, State, Zip)

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

Rezoning Application  
Minor Site Plan

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:**

Lisa B. Denny (Name - type, print clearly) 480 NC Hwy 42 Suite 200 (Address)  
Lisa B. Denny (Owner's Signature) Clayton, NC 27520 (City, State, Zip)

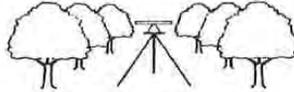
STATE OF NC  
 COUNTY OF Johnston



I, Molly L. Herring, a Notary Public for the above State and County, this 29th day of July, 2015.

Molly L. Herring  
 Notary Public  
 My Commission Expires: 11/5/19

# TRUE LINE SURVEYING, P.C.



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 Johnson 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 27, 2015

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

Time: 6:00 PM

Type of Application: Rezoning

General Description: rezoning 1 lot owned by Blinson RE Holdings, LLC at the corner of S. Lombard and Canady St. Streets from R-8 to O&R. Changing use of property. Residential to small service business (residential).

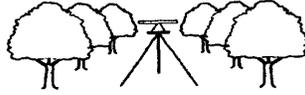
If you have any question prior to or after this meeting, you may contact True Line Surveying at (919) 359-0427.

Sincerely,

Curk T. Lane  
True Line Surveying

205 W. Main Street, Clayton, NC 27520  
(919) 359-0427 • Fax: (919) 359-0428

## TRUE LINE SURVEYING, P.C.



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 Johnson 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 27, 2015

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

Time: 6:00 PM

Type of Application: Rezoning

General Description: rezoning 1 lot owned by Blinson RE Holdings, LLC at the corner of S. Lombard and Canady St. Streets from R-8 to O&R. Changing use of property. Residential to small service business (residential).

If you have any question prior to or after this meeting, you may contact True Line Surveying at (919) 359-0427.

Sincerely,

A handwritten signature in black ink, appearing to read "Curk T. Lane". The signature is fluid and cursive, with a long horizontal stroke at the end.

Curk T. Lane  
True Line Surveying

205 W. Main Street, Clayton, NC 27520  
(919) 359-0427 • Fax: (919) 359-0428

## ADJACENT PROPERTY OWNERS LIST

**Project Name:** Blinson RE Holdings LLC

*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
166917-01-6222	SOUTH FAYETTEVILLE STREET LLC	603 SOUTH FAYETTEVILLE STREET CLAYTON, NC 27520-0000
166917-01-6176	AMELIA SUE CREECH C/O SUE CLARK	10 CATES CT., HILLSBOROUGH, NC 27278-0000
166917-01-5045	STEVE L. REGNER & MELANIE R. REGNER	828 PARKRIDGE DRIVE CLAYTON, NC 27527-0000
166917-01-6050	TILLEY M. PRESTON	409 CANADY ST. CLAYTON, NC 27520-2504
166917-00-5927	JESSE V. CORBETT, JR. & JANICE CORBETT	1020 RIDGE DR CLAYTON, NC 27520-0000
166917-01-4066	JAMES H. LIPSOMB & JOHN V. LIPSCOMB	107 STONE LANE CLAYTON, NC 27520-0000
166917-01-4022	JAMES H. LIPSOMB & JOHN V. LIPSCOMB	107 STONE LANE CLAYTON, NC 27520-0000
166917-01-4205	BRANDON M. DODICK	410 S LOMBARD ST CLAYTON, NC 27520-2521
166917-01-3210	KIMBERLY M. POWELL & SHAWN POWELL	418 LOMBARD STREET CLAYTON, NC 27520-0000

# NEIGHBORHOOD MEETING SUMMARY FORM

**FILL OUT THE FOLLOWING:**

Date of Mailing: 8/3/15

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

Printed Name: Molly Herring Signature: Molly Herring

Date of Meeting: 8/27/15 Time of Meeting: 6pm

Location of Meeting: True Line Surveying

**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.

Nobody showed up.

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

## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: True Line Surveying

Location/Date: True Line

	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: Blinson rezoning (15-40-01-RZ) Address or PIN #: 05013001

**AGENT/APPLICANT INFORMATION:**

Curk Lane  
 (Name - type, print clearly)

True Line Surveying  
205 W. Main St  
 (Address)  
Clayton, NC 27520  
 (City, State, Zip)

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

rezoning.

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:**

[Signature]  
 (Name - type, print clearly)  
JAMES LARSON  
 (Owner's Signature)

3407 BARBER MDR RD  
 (Address)  
CLAYTON NC 27520  
 (City, State, Zip)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

Sworn and subscribed before me \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
 Notary Public  
 My Commission Expires: \_\_\_\_\_

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

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Grand Plaza Rezoning 15-47-01-RZ

**DESCRIPTION:**

Request to rezone from B-3-SUD to B-3

**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:**



**PROPERTY OWNER INFORMATION**

Name: Mohamed & Sons, Inc. Grand Plaza, LLC  
 Mailing Address: PO Box 1236 Smithfield NC 27577 PO Box 1528, Clayton NC 27528  
 Phone Number: 919-601-9993 Fax: 919-828-5700  
 Email Address: c/o jperricone@partnerscrnc.com

**EXPLANATION OF PROJECT**

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

Request to change zoning from B-3 SUD to B-3 for and existing strip center and small adjacent lot.

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

*The following items must accompany a Rezoning application.*

To be completed by the applicant: <i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>			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: <u>08/21/2015</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Review Fee (\$500 for standard rezoning <u>OR</u> \$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). <b>Deeds &amp; Recorded Plats</b>	<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. - Plat showing property to be rezoned, matching legal description.	<input type="checkbox"/>	<input checked="" 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.  
Shopping centers across the country were negatively impacted during the recession. The removal of the Special Use District overlay for this shopping center is in line with the Town's post-recession support of business expansion in existing shopping centers to ensure they remain thriving members of the Town's economic base.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Suitability of the subject property for uses permitted by the current vs. the proposed district.  
B-3 zoning represents the typical zoning for the majority of strip shopping centers across the Town, and is appropriate for the subject property which has been in operation since 2005.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.  
The combination of the recession and the rise of Internet Retail has impacted the mix of services beyond retail being delivered through shopping centers from strip centers to full scale indoor malls. The trends include expansion into office use, including medical to fill space and create traffic for all tenants. This is reflected locally even in new grocery anchored centers like the Market At Riverwood and the Harris Teeter anchored Flowers Plantation center. The expansion of uses is part of keeping centers viable locally, regionally and nationally.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
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 shopping center (subject property) has been in operation since 2005 and the proposed zoning change will have no impact on the referenced resources.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. It has been determined that the legal purposes for which zoning exists are not violated.  
Based on a pre-application meeting between the Town Planning staff and the applicant, all parties agree the proposed rezoning is legal and consistent with the zoning of similar properties throughout the Town.  


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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.  
No adverse impact is foreseen. Considering the zoning change will support keeping the subject property viable in to the future, it will be beneficial to the surrounding properties.  


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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.  
Failing shopping centers become a blight upon a community and a drain on resources. The long term viability of the Town's commercial properties is in the public's best interest; success breeds more success.  


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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.*

Jim Pericole  
 Print Name

*Jim Pericole*  
 Signature of Applicant

5/31/2015  
 Date



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

## OWNER'S CONSENT FORM

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

Project Name: GRAND PLAZA Address or PIN #: 164900-98-4001

**AGENT/APPLICANT INFORMATION:**

JIM PERRICONE  
(Name - type, print clearly)

1652 E Booker Dairy Rd  
(Address)  
Smithfield NC 27577-9405  
(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*):

REZONING: B-3 SUD to B-3

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:**

Mohamed & Sons, Inc.  
(Name - type, print clearly)

PO Box 1236  
(Address)

[Signature]  
(Owner's Signature)

Smithfield NC 27577-1236  
(City, State, Zip)

STATE OF North Carolina  
COUNTY OF Johnston

Sworn and subscribed before me Teresa A. Daughtry, a Notary Public for the above State and County, this the 25 day of August, 2015.

SEAL

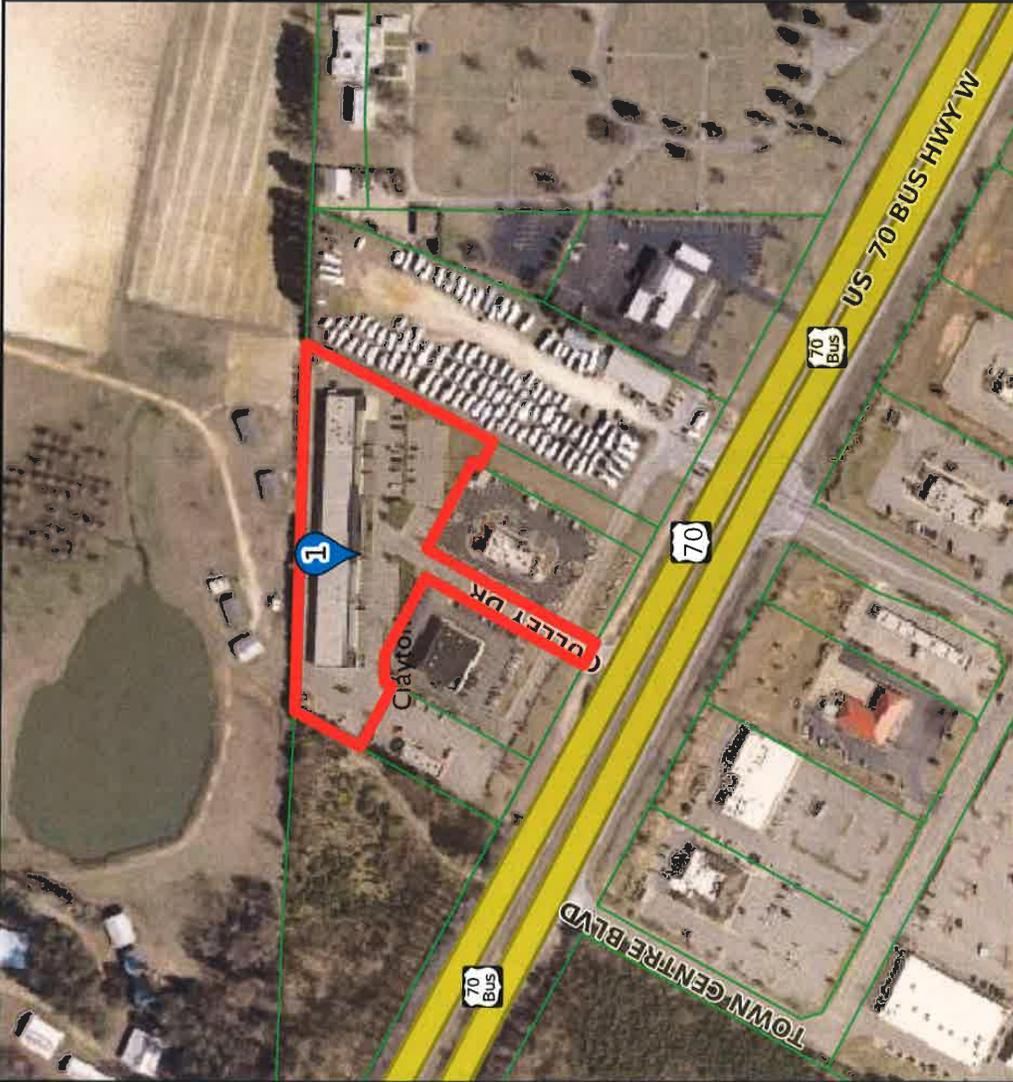
Teresa A. Daughtry  
Notary Public

My Commission Expires: Aug. 21, 2017



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

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



**Result 1**

id: 05G01201  
 Tag: 05G01201  
 Tax Unique Id: 4228484  
 NCPin: 164900-98-4001  
 Mapsheet No: 1649  
 Owner Name 1: MOHAMED & SONS INC  
 Owner Name 2:  
 Mail Address 1: PO BOX 1236  
 Mail Address 2:  
 Mail Address 3: SMITHFIELD, NC 27577-0000  
 Site Address 1: 876 GULLEY DR  
 Site Address 2: CLAYTON, NC 27520-  
 Book: 02977  
 Page: 0750  
 Market Value: 2619620  
 Assessed Acreage: 2.87  
 Calc. Acreage: 2.88  
 Sales Price: 3200000  
 Sale Date: 2005-09-15  
 Township: Clayton  
 Flood Panel: 3720164900 J | 2005-12-02  
 Water District: Clayton Water District  
 ETJ: Clayton  
 City Limits: Clayton  
 Town Zoning: B-3-SUD  
 County Zoning: N/A  
 OverLay Zoning: N/A  
 EMS District: STA4  
 Fire District: Claytex  
 Law District: CWST  
 Census Tract: 410  
 Electric District: CPL-GARNER

**Voting District: NORTH CLAYTON 2**

Special Tax N/A

Scale: 1:3152 - 1 in. = 262.63 feet

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

Johnston County GIS  
August 24, 2015



Johnston County 09-15-2005  
NORTH CAROLINA  
Real Estate  
Excise Tax \$6,400.00

notary/notaries public  
is/are certified to be correct.  
*[Signature]*  
Deputy - Assistant - Register of Deeds

FILED Sep 15, 2005  
AT 01:40:00 pm  
BOOK 02977  
START PAGE 0756  
END PAGE 075  
INSTRUMENT # 8223

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 6,400.00  
Parcel Identifier No. 05G01201 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: J. Lee Hatch, 3560 US Highway 301 South/P.O. Box 1689, Smithfield, NC 27577

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 29th day of August, 2005, by and between

GRANTOR	GRANTEE
Plaza Development Company LLC a NC Limited Liability Company 1623 Old Louisburg Road Raleigh, NC 27604	Mohamed & Sons Inc P. O. Box 1236 Smithfield, NC 27577

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Clayton, Clayton Township, Johnston County, North Carolina and more particularly described as follows:

BEING all of Lot 2, containing 3.80 acres as shown on map entitled "Grand Plaza LLC" and drawn by Aalsey J. Gilbert, PLS and recorded in Plat Book 62, page 418, Johnston County Registry.

LESS and EXCEPT Site 2, containing 1.15 acres as shown on map entitled "Grand Plaza LLC" drawn by Aalsey J. Gilbert, PLS and recorded in Plat Book 62, page 420, Johnston County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2498 page 42.

A map showing the above described property is recorded in Plat Book 62 page 420.

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002  
Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609







**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: Grand Plaza .33acs. Address or PIN #: 164900-97-4678

**AGENT/APPLICANT INFORMATION:**

Jim Perricone  
(Name - type, print clearly)

1652 E Booker Dairy Rd  
(Address)  
Smithfield NC 27577-9405  
(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*):

Rezoning: B-3 SUD to B-3

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:**

Grand Plaza LLC  
(Name - type, print clearly)

5940 Perkins Road  
(Address)

[Signature]  
(Owner's Signature)

Baton Rouge, Louisiana 70808  
(City, State, Zip)

STATE OF Louisiana  
COUNTY OF East Baton Rouge Parish

Sworn and subscribed before me Brenda Sompayrac, a Notary Public for the above State and County, this the 28th day of August, 2015.

SEAL

[Signature]  
Notary Public

My Commission Expires: Life

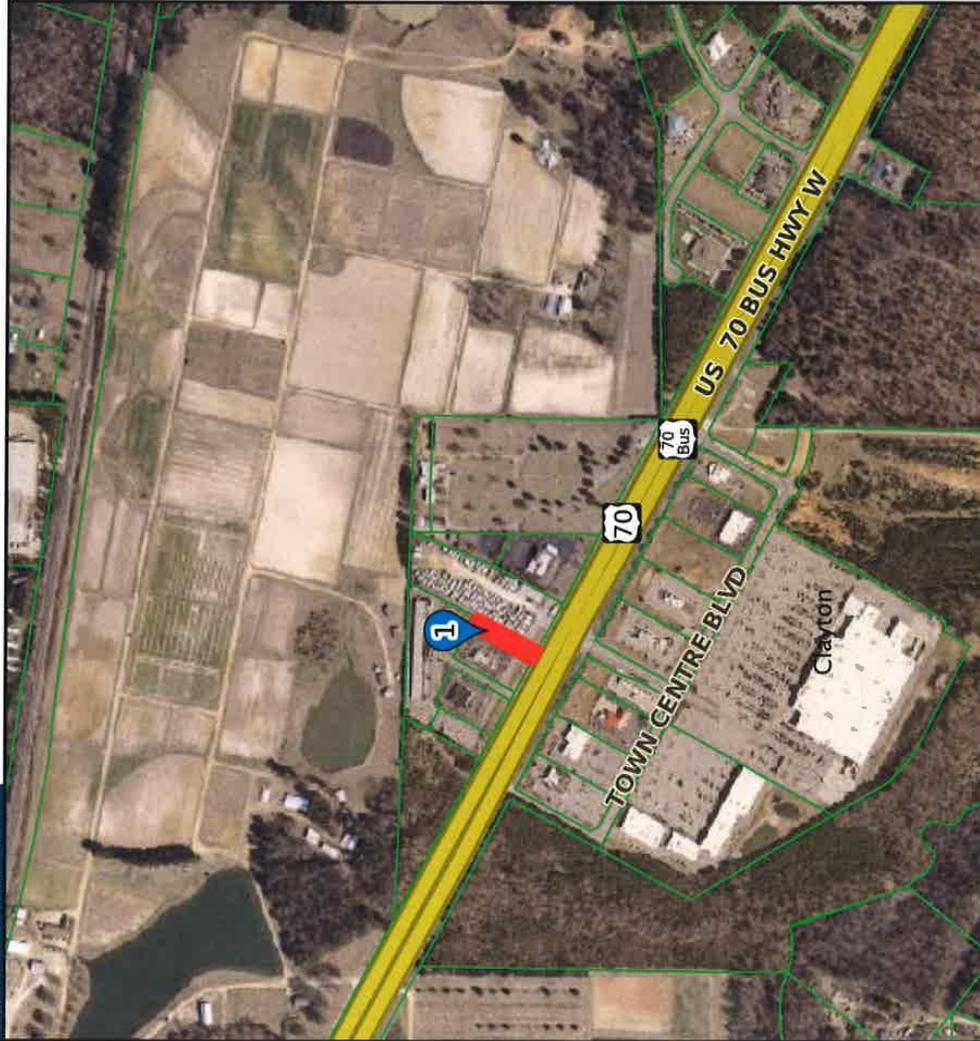
BRENDA SOMPAYRAC  
NOTARY PUBLIC ID #39375  
STATE OF LOUISIANA  
MY COMMISSION IS FOR LIFE

October 2013



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

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



**Result 1**

**id:** 05G01201D  
**Tag:** 05G01201D  
**Tax Unique Id:** 4276962  
**NCPin:** 164900-97-4678  
**Mapsheet No:** 1649  
**Owner Name 1:** GRAND PLAZA LLC  
**Owner Name 2:**  
**Mail Address 1:** 5940 PERKINS RD  
**Mail Address 2:**  
**Mail Address 3:** BATON ROUGE, LA 70808-4281  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 04486  
**Page:** 0470  
**Market Value:** 29270  
**Assessed Acreage:** 0.33  
**Calc. Acreage:** 0.33  
**Sales Price:** 29500  
**Sale Date:** 2014-08-15



Scale: 1:8225 - 1 in. = 685.41 feet

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

Johnston County GIS  
August 25, 2015

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed 08/15/2014 11:07:44 AM  
DEED BOOK: 4486 PAGE: 470-472 INSTRUMENT # 2014428050  
Real Estate Excise Tax: \$59.00 Deputy/Assistant Register of Deeds: Amy Zieverink

### NORTH CAROLINA NON-WARRANTY DEED

Excise Tax: \$59

Parcel Identifier No. 164900-97-4678

Parcel ID# 05G01201D

Verified by Johnston County on the \_\_\_\_ day of August, 2014 By:

Prepared by and return to: Eljis & Winters LLP (DLH) P.O. Box 33550, Raleigh, NC 27636

Brief description for the Index: 0.33 acres US Hwy 70

THIS DEED made this 11 day of August, 2014, by and between

GRANTOR	GRANTEE
<b>Plaza Development Company, LLC</b> a North Carolina limited liability company 442 ½ East Main Street Clayton, NC 27520	<b>Grand Plaza, LLC</b> a North Carolina limited liability company <u>5940 Perkins Road</u> <u>Baton Rouge, LA 70808</u>

As used herein, Grantor and Grantee shall include the parties, their heirs, successors, and assigns.

WITNESSETH, that Grantor, for valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, have and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Johnston County, North Carolina and more particularly described on **EXHIBIT A**, attached hereto and incorporated herein by reference (the "Property"):

The Property was acquired by Grantor by instrument recorded in Book 2498, Page 42, Johnston County Registry.

The Property does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

#952917

**EXHIBIT A****Legal Description**

BEGINNING at an iron stake in the northern right-of-way line of U.S. Highway 70 West, said iron stake also being set in the southeastern corner of Site 3, Plat Book 62, Page 419, Johnston County Registry and running along the eastern property line of said Site 3 North 33 degrees 01 minute 10 seconds East approximately 300 feet to a point; thence, running South 56 degrees 58 minutes 50 seconds East approximately 44.09 feet to a point located in the eastern property line of Lot 2, Plat Book 62, Page 419, Johnston County Registry; thence, running along the eastern property line of said Lot 2 South 31 degrees 29 minutes 27 seconds West approximately 300.11 feet to a point located in the northern right-of-way line of U.S. Highway 70 West; thence, running along the northern right-of-way line of U.S. Highway 70 West 52.10 feet to the point and place of BEGINNING and being that parcel of land having Johnston County Tax Identification Number 05G01201D and being the remaining parcel of land that is owned by Plaza Development Company, LLC in the Grand Plaza Shopping Center.





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  
September 28, 2015

## STAFF REPORT

**Application Number:** 15-47-01-RZ  
**Project Name:** Grand Plaza Rezoning

**NC PIN / Tag #:** 164900-98-4001 / 05G01201 & 164900-97-4678 / 05G01201D  
**Town Limits/ETJ:** Town  
**Overlay:** Special Use District, Thorough Fare Overlay District  
**Applicant:** Jim Perricone, Commercial Realty  
**Owner:** Mohamed & Sons, Inc. & Grand Plaza LLC  
**Location:** Located on Gulley Drive, off of US 70 BUS HWY W, across from the Wal-Mart shopping center

**Public Noticing:**

- Neighborhood meeting September 14, 2015
- Sign Posted September 18, 2015
- Letters mailed to adjacent property owners prior to October 23, 2015
- Newspaper ad noticed prior to October 21, 2015

**REQUEST:** Request to rezone the parcel from Highway Business-Special Use District (B-3-SUD) to Highway Business (B-3).



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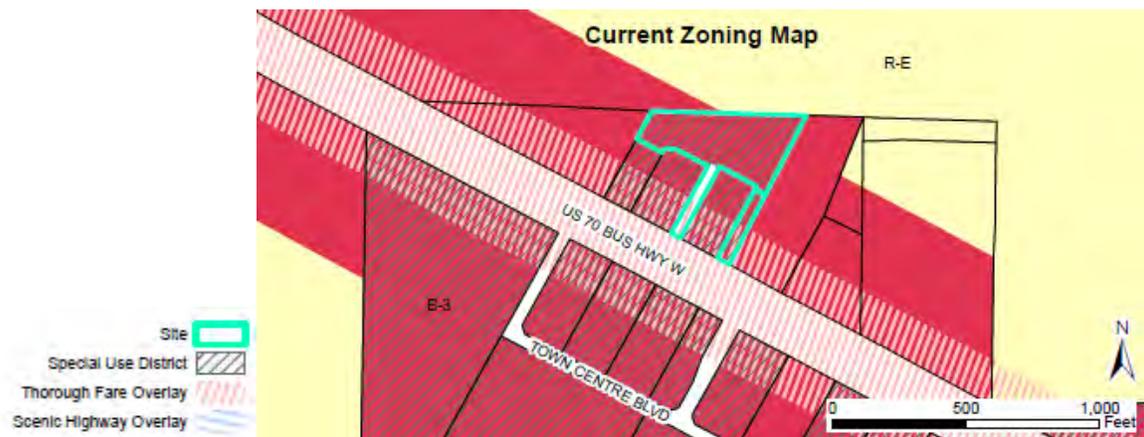
**SITE DATA:**

**Acreage:** 3.2 acres  
**Existing Uses:** Commercial/Retail & Vacant

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**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-Estate	Agricultural
South	Highway-Business (Special Use District)	Commercial
East	Highway-Business	Commercial
West	Highway-Business	Commercial, Vacant

**STAFF ANALYSIS AND COMMENTARY:****Overview**

The applicant is requesting to rezone the subject parcels from B-3 (SUD) to B-3, in order to remove the Special Use District designation from the properties. Special Use Districts require all potential uses to go through the special use process in order to operate, regardless of what the base zoning district allows. The intent of the applicant is to attract more businesses and development on these subject parcels through the removal of the special use district.



**Compatibility with Surrounding Land Uses**

The proposed zoning change is compatible with the surrounding land uses. The surrounding land uses are primarily commercial with some farmland directly north of the subject properties. Since the subject parcels will remain commercial uses, they are compatible with the surrounding land uses.

**Consistency with the Strategic Growth Plan**

The proposed zoning change is consistent with Clayton’s 2008 Strategic Growth Plan, which designates these parcels as “Commercial”. Since the proposed change is to simply remove the special use overlay, these parcels will keep their base zoning district of Highway-Business which maintains the intent of the Strategic Growth Plan.

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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.

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**APPROVAL CRITERIA:**

The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant’s responses are incorporated as an attachment to the Staff Report.

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**STAFF RECOMMENDATION:**

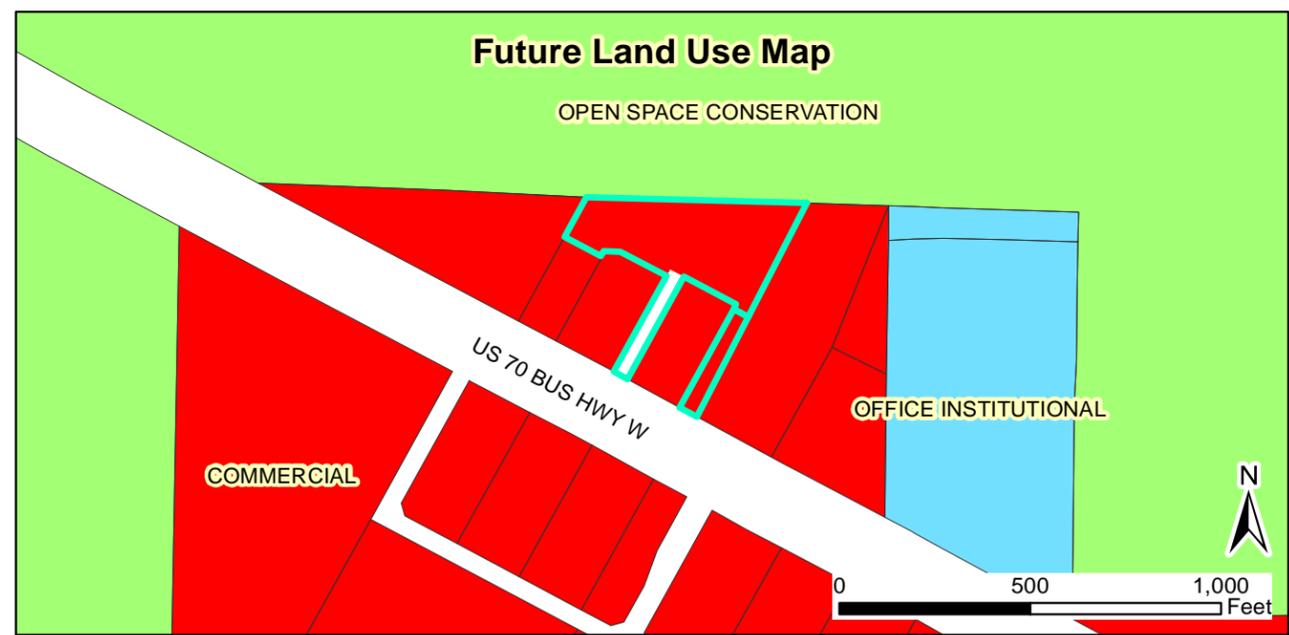
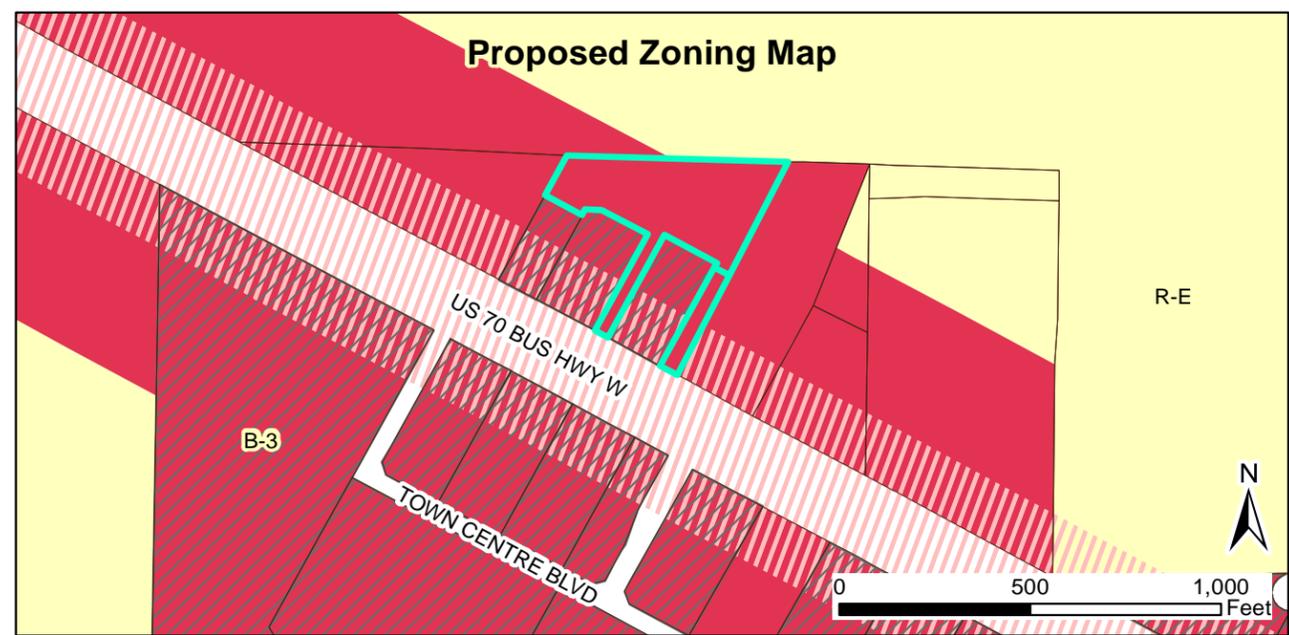
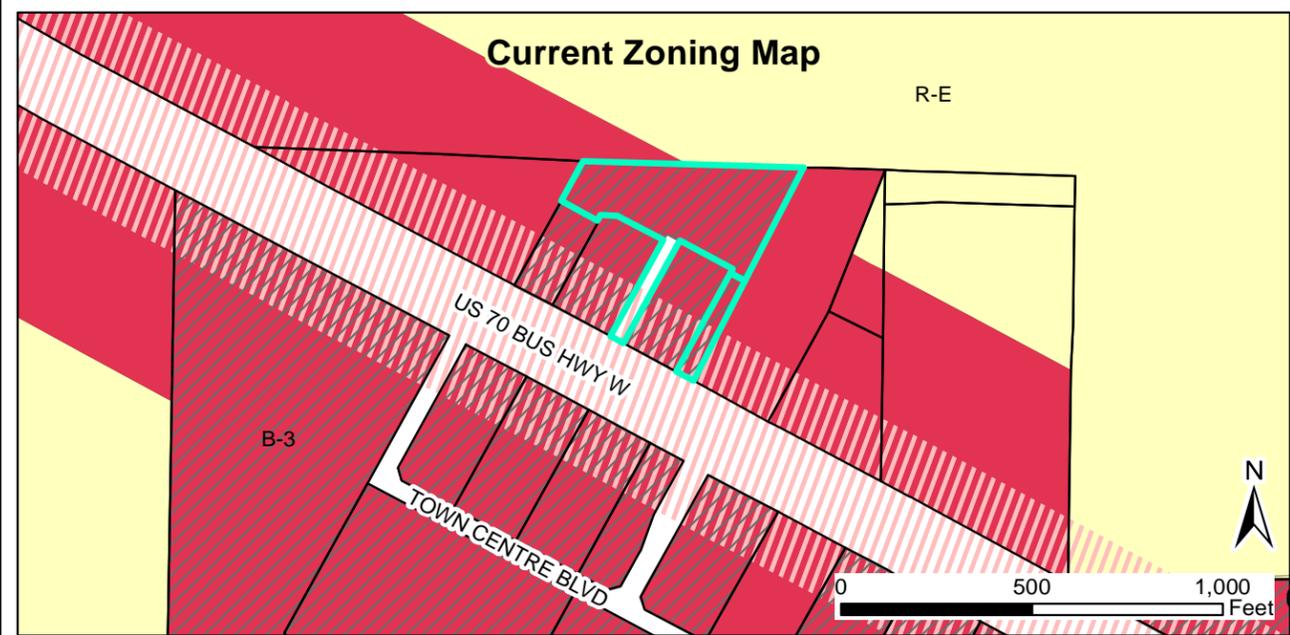
Staff is recommending approval of the rezoning of the subject parcel.

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Staff Report  
15-47-01-RZ Grand Plaza Rezoning

**ATTACHMENTS:**

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



**15-47-01-RZ Grand Plaza Rezoning**  
**Request: Rezoning from B-3-Special Use District to B-3.**

Applicant: Jim Perricone c/o Partners Commercial Realty  
 Property Owner: Mohamed & Sons, Inc and Grand Plaza, LLC  
 Parcel ID Number: 164900-98-4001 & 164900-97-4678  
 Tag #: 05g01201 & 05g01201d

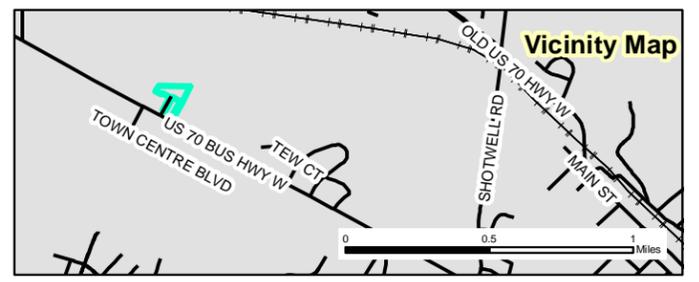


- Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

09/15/2015

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

Document Path: O:\PLANNING\REZONING\Rezoning\2015\15-47-01-RZ Grand Plaza Rezoning\Maps\StaffReportMap\_GrandPlazaRezoning.mxd





September 1, 2015

Dear Clayton Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a change in zoning (removal of **Special Use District** overlay) for an existing shopping center and a small strip of land 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.

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Meeting Date: **Monday, September 14, 2015** Meeting Time: **6:00 PM**

Meeting Location: **868 Gulley Dr, Clayton NC 27520**

Type of Application: **Rezoning**

Project/Proposal Property Address: **876 Gulley Dr, Clayton NC 27520**

Description of Project/Proposal: **Change Zoning From B-3 SUD to B-3**

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At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A map appropriate to the proposed change showing roads and neighboring properties, including zoning.
3. An explanation of the current and proposed zoning.

A map is enclosed with this letter showing the location of the property that is subject to this application for a zoning change.

If you have any questions prior to or after this meeting, you may contact me at 919-585-5321. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

Jim Perricone  
Partners Commercial Realty  
Agent for Mohamed & Sons, Inc. & Grand Plaza, LLC (Applicants)

cc: Town of Clayton Planning Dept.

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1652 E Booker Dairy Rd, Smithfield NC 27577-9405  
919-585-5571 (O) ♦ [www.partnerscrnc.com](http://www.partnerscrnc.com) ♦ 919-585-5572 (F)



# NEIGHBORHOOD MEETING SUMMARY FORM

**FILL OUT THE FOLLOWING:**

Application: Rezone 2 parcels from B-3 SUD to B-3

Date of Mailing: September 1, 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: James P. Perricone Signature: 

Date of Meeting: September 14, 2015 Time of Meeting: 6 PM

Location of Meeting: 868 Gulley Dr, Clayton NC 27520

**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.*

The only attendee was Cathy Herring representing the NC Dept. of Agriculture.

An overview of the application was presented and the attendee was given a copy of the application.

The discussion focused on

- 1. an explanation of the zoning types, including zoning surrounding the subject parcels,
- 2. changes in uses for shopping centers as the retail economy changes, and
- 3. the specific use that prompted the rezoning application.

The attendee was satisfied and no changes to the application are required.

The meeting began at 6:00 PM and ended at 6:46 PM

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



**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

# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

**Project:** Grand Plaza Rezoning

**Application:** Rezone from B-3 SUD to B-3

**Location/Date:** 868 Gulley Dr, Clayton NC/6 PM Monday, September 14, 2015

	NAME	ADDRESS
1	<i>Cathy Herring</i>	<i>13587 US 70 west Business Clayton, NC</i>
2		
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**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**

Items Scheduled for Regular Meetings

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Award Bid - Clayton Pedestrian Connector

**DESCRIPTION:**

Information regarding the bidding process for the project will be presented. Request will be made to award project to the low bidder, Fred Smith Company.

**POTENTIAL ACTION:**

Place on Consent Agenda

**DEPARTMENT:**

Public Works/Operations

**PRESENTER:**

Tim Simpson, Public Works Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**TOWN OF CLAYTON  
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF  
OF THE TOWN OF CLAYTON A CONTRACT AND ANY CHANGE  
ORDERS WITHIN THE BUDGETED AMOUNT WITH FRED SMITH  
COMPANY FOR THE CLAYTON PEDESTRIAN CONNECTOR PROJECT**

**WHEREAS**, the Clayton Town Council desires to work cooperatively with the North Carolina Department of Transportation on the project known as the Clayton Pedestrian Connector (EL-5100 OB); and

**WHEREAS**, the Clayton Pedestrian Connector Project will improve mobility for Clayton residents and visitors; and

**WHEREAS**, the Clayton Pedestrian Connector Project is funded in part by the North Carolina Department of Transportation and all project expenditures beyond the Municipal Agreement approved amount of \$1,196,586 will be considered part of Clayton's Local Match.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF CLAYTON THAT:**

The Mayor of the Town of Clayton is hereby authorized to execute on behalf of the Town of Clayton the construction contract with Fred Smith Company in the amount of \$1,291,921.00 and any change orders within the budgeted amount for the Clayton Pedestrian Connector Project pending concurrence by the North Carolina Department of Transportation.

Duly adopted by the Clayton Town Council this 2nd day of November 2015 while in regular session.

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

**ATTEST:**

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

TIP No.: **EL-5100OB, Clayton Pedestrian Connector**  
Route: Clayton Community Center to Lombard Street/Hamby Street Intersection  
Location: Clayton, NC

County: **Johnston**

Line Item	Sec No	Pay Item	Quantity	Unit	Fred Smith		ST Wooten		Narron	
					Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	800	Mobilization	1	LS	\$ 65,000.00	\$ 65,000.00	\$ 15,000.00	\$ 15,000.00	\$ 65,800.53	\$ 65,800.53
2	801	Construction Surveying	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 17,500.00	\$ 17,500.00
3	200	Clearing and Grubbing (5.3 Acres)	1	LS	\$ 164,500.00	\$ 164,500.00	\$ 60,000.00	\$ 60,000.00	\$ 78,000.00	\$ 78,000.00
4	200	Supplemental Clearing and Grubbing	0.5	ACR	\$ 4,000.00	\$ 2,000.00	\$ 25,000.00	\$ 12,500.00	\$ 15,000.00	\$ 7,500.00
5	225	Unclassified Excavation	2100	CY	\$ 24.00	\$ 50,400.00	\$ 25.00	\$ 52,500.00	\$ 24.00	\$ 50,400.00
6	225	Undercut Excavation	400	CY	\$ 50.00	\$ 20,000.00	\$ 55.00	\$ 22,000.00	\$ 35.00	\$ 14,000.00
7	230	Borrow Excavation	2200	CY	\$ 28.00	\$ 61,600.00	\$ 40.00	\$ 88,000.00	\$ 28.00	\$ 61,600.00
8	SP	Rock Excavation	260	CY	\$ 65.00	\$ 16,900.00	\$ 300.00	\$ 78,000.00	\$ 80.00	\$ 20,800.00
9	250	Removal of Existing Asphalt Pavement	275	SY	\$ 12.50	\$ 3,437.50	\$ 16.00	\$ 4,400.00	\$ 12.50	\$ 3,437.50
10	265	Select Granular Material	500	CY	\$ 40.00	\$ 20,000.00	\$ 40.00	\$ 20,000.00	\$ 43.00	\$ 21,500.00
11	270	Geotextile for Soil Stabilization	650	SY	\$ 7.00	\$ 4,550.00	\$ 8.00	\$ 5,200.00	\$ 4.00	\$ 2,600.00
12	300	Foundation Conditioning Material, Minor Structures	60	TON	\$ 35.00	\$ 2,100.00	\$ 65.00	\$ 3,900.00	\$ 35.00	\$ 2,100.00
13	300	Foundation Conditioning Geotextile	160	SY	\$ 8.00	\$ 1,280.00	\$ 8.00	\$ 1,280.00	\$ 8.00	\$ 1,280.00
14	310	15" RC Pipe Culverts, Class III	56	LF	\$ 48.00	\$ 2,688.00	\$ 33.00	\$ 1,848.00	\$ 48.00	\$ 2,688.00
15	310	18" RC Pipe Culverts, Class III	32	LF	\$ 50.00	\$ 1,600.00	\$ 38.00	\$ 1,216.00	\$ 50.00	\$ 1,600.00
16	310	12" RC Pipe Culverts, Class IV	56	LF	\$ 55.00	\$ 3,080.00	\$ 27.00	\$ 1,512.00	\$ 55.00	\$ 3,080.00
17	310	15" RC Pipe Culverts, Class IV	68	LF	\$ 60.00	\$ 4,080.00	\$ 38.00	\$ 2,584.00	\$ 60.00	\$ 4,080.00
18	310	18" RC Pipe Culverts, Class IV	80	LF	\$ 63.00	\$ 5,040.00	\$ 44.00	\$ 3,520.00	\$ 63.00	\$ 5,040.00
19	310	24" RC Pipe Culverts, Class IV	108	LF	\$ 64.00	\$ 6,912.00	\$ 54.00	\$ 5,832.00	\$ 64.00	\$ 6,912.00
20	310	30" RC Pipe Culverts, Class IV	40	LF	\$ 75.00	\$ 3,000.00	\$ 70.00	\$ 2,800.00	\$ 75.00	\$ 3,000.00
21	310	36" RC Pipe Culverts, Class IV	20	LF	\$ 200.00	\$ 4,000.00	\$ 87.00	\$ 1,740.00	\$ 100.00	\$ 2,000.00
22	310	24" HDPE Pipe Culverts	8	LF	\$ 100.00	\$ 800.00	\$ 43.00	\$ 344.00	\$ 100.00	\$ 800.00
23	310	15" CS Pipe Culverts, 0.064" Thick	10	LF	\$ 150.00	\$ 1,500.00	\$ 108.00	\$ 1,080.00	\$ 150.00	\$ 1,500.00
24	340	Pipe Removal	16	LF	\$ 100.00	\$ 1,600.00	\$ 30.00	\$ 480.00	\$ 100.00	\$ 1,600.00
25	500	Fine Grading	1	LS	\$ 15,318.00	\$ 15,318.00	\$ 56,500.00	\$ 56,500.00	\$ 12,200.00	\$ 12,200.00
26	SP	Granite Screenings	145	TON	\$ 24.00	\$ 3,480.00	\$ 40.00	\$ 5,800.00	\$ 21.00	\$ 3,045.00
27	520	Aggregate Base Course	2525	TON	\$ 27.00	\$ 68,175.00	\$ 32.00	\$ 80,800.00	\$ 27.00	\$ 68,175.00
28	545	Incidental Stone Base	100	TON	\$ 30.00	\$ 3,000.00	\$ 65.00	\$ 6,500.00	\$ 30.00	\$ 3,000.00
29	610	Asphalt Concrete Base Course, Type B25.0B	135	TON	\$ 75.00	\$ 10,125.00	\$ 132.00	\$ 17,820.00	\$ 90.00	\$ 12,150.00
30	610	Asphalt Concrete Intermediate Course, Type I19.0B	50	TON	\$ 80.00	\$ 4,000.00	\$ 160.00	\$ 8,000.00	\$ 95.00	\$ 4,750.00
31	610	Asphalt Concrete Surface Course, Type S9.5B	40	TON	\$ 85.00	\$ 3,400.00	\$ 190.00	\$ 7,600.00	\$ 100.00	\$ 4,000.00
32	610	Asphalt Concrete Surface Course, Type SF9.5A	1025	TON	\$ 45.00	\$ 46,125.00	\$ 100.00	\$ 102,500.00	\$ 55.00	\$ 56,375.00
33	620	Asphalt Binder for Plant Mix	80	TON	\$ 525.00	\$ 42,000.00	\$ 500.00	\$ 40,000.00	\$ 555.00	\$ 44,400.00
34	840	Pipe Plugs	1	CY	\$ 515.15	\$ 515.15	\$ 540.00	\$ 540.00	\$ 560.00	\$ 560.00
35	SP	Flowable Fill	5	CY	\$ 350.00	\$ 1,750.00	\$ 325.00	\$ 1,625.00	\$ 350.00	\$ 1,750.00
36	840	Masonry Drainage Structures	7	EA	\$ 2,000.00	\$ 14,000.00	\$ 2,370.00	\$ 16,590.00	\$ 3,000.00	\$ 21,000.00
37	840	Masonry Drainage Structures	1	LF	\$ 550.00	\$ 550.00	\$ 2,370.00	\$ 2,370.00	\$ 550.00	\$ 550.00
38	840	Frame with Grate, STD 840.04	1	EA	\$ 500.00	\$ 500.00	\$ 540.00	\$ 540.00	\$ 485.00	\$ 485.00
39	840	Frame with Two Grates, STD 840.16	1	EA	\$ 550.00	\$ 550.00	\$ 540.00	\$ 540.00	\$ 525.00	\$ 525.00
40	840	Frame with Grate & Hood, STD 840.03, Type E	2	EA	\$ 500.00	\$ 1,000.00	\$ 540.00	\$ 1,080.00	\$ 485.00	\$ 970.00
41	840	Frame with Cover, STD 840.54	5	EA	\$ 500.00	\$ 2,500.00	\$ 540.00	\$ 2,700.00	\$ 485.00	\$ 2,425.00
42	846	1'-6" Concrete Curb & Gutter	27	LF	\$ 10.50	\$ 283.50	\$ 25.00	\$ 675.00	\$ 20.00	\$ 540.00
43	846	2'-6" Concrete Curb & Gutter	345	LF	\$ 14.00	\$ 4,830.00	\$ 25.00	\$ 8,625.00	\$ 17.00	\$ 5,865.00
44	848	4" Concrete Sidewalk	390	SY	\$ 28.00	\$ 10,920.00	\$ 36.00	\$ 14,040.00	\$ 29.00	\$ 11,310.00

10/7/2015

Line Item	Sec No	Pay Item	Quantity	Unit	Fred Smith		ST Wooten		Narron	
					Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
45	848	Concrete Curb Ramp (NCDOT)	7	EA	\$ 1,050.00	\$ 7,350.00	\$ 1,000.00	\$ 7,000.00	\$ 1,200.00	\$ 8,400.00
46	848	Concrete Curb Ramp (Greenway)	4	EA	\$ 950.00	\$ 3,800.00	\$ 1,000.00	\$ 4,000.00	\$ 1,200.00	\$ 4,800.00
47	SP	Crosswalk Detectable Surfaces (24" x 48")	5	EA	\$ 450.00	\$ 2,250.00	\$ 54.00	\$ 270.00	\$ 400.00	\$ 2,000.00
48	848	6" Concrete Driveway	45	SY	\$ 35.00	\$ 1,575.00	\$ 60.00	\$ 2,700.00	\$ 68.00	\$ 3,060.00
49	SP	Post and Cable Fence	370	LF	\$ 20.00	\$ 7,400.00	\$ 27.00	\$ 9,990.00	\$ 35.00	\$ 12,950.00
50	SP	Hinged Metal Bollard	3	EA	\$ 750.00	\$ 2,250.00	\$ 1,000.00	\$ 3,000.00	\$ 1,450.00	\$ 4,350.00
51	SP	Wood Bollard	8	EA	\$ 300.00	\$ 2,400.00	\$ 500.00	\$ 4,000.00	\$ 330.00	\$ 2,640.00
52	SP	Metal Gate	1	EA	\$ 1,250.00	\$ 1,250.00	\$ 2,225.00	\$ 2,225.00	\$ 2,000.00	\$ 2,000.00
53	858	Adjustment of Drop Inlets	1	EA	\$ 450.00	\$ 450.00	\$ 540.00	\$ 540.00	\$ 450.00	\$ 450.00
54	858	Adjustment of Manholes	2	EA	\$ 450.00	\$ 900.00	\$ 540.00	\$ 1,080.00	\$ 450.00	\$ 900.00
55	858	Adjustment of Meter Boxes or Valve Boxes	2	EA	\$ 450.00	\$ 900.00	\$ 431.00	\$ 862.00	\$ 450.00	\$ 900.00
56	859	Convert Existing Drop Inlet to Junction Box with Manhole	2	EA	\$ 2,500.00	\$ 5,000.00	\$ 108.00	\$ 216.00	\$ 2,500.00	\$ 5,000.00
57	876	Rip Rap, Class B	62	TON	\$ 90.00	\$ 5,580.00	\$ 65.00	\$ 4,030.00	\$ 88.00	\$ 5,456.00
58	876	Geotextile for Drainage	1090	SY	\$ 5.00	\$ 5,450.00	\$ 8.00	\$ 8,720.00	\$ 5.00	\$ 5,450.00
59	901	Contractor Furnished, Type E Sign	13	SF	\$ 19.95	\$ 259.35	\$ 13.00	\$ 169.00	\$ 15.00	\$ 195.00
60	903	Supports, 3-LB Steel U-Channel	168	LF	\$ 6.50	\$ 1,092.00	\$ 4.50	\$ 756.00	\$ 5.00	\$ 840.00
61	904	Sign Erection, Type E	14	EA	\$ 75.00	\$ 1,050.00	\$ 40.00	\$ 560.00	\$ 100.00	\$ 1,400.00
62	907	Disposal of Support, U-Channel	9	EA	\$ 1.00	\$ 9.00	\$ 40.00	\$ 360.00	\$ 30.00	\$ 270.00
63	1105	Temporary Traffic Control	1	LS	\$ 35,000.00	\$ 35,000.00	\$ 15,000.00	\$ 15,000.00	\$ 25,000.00	\$ 25,000.00
64	1205	Thermoplastic Pavement Marking Lines (8", 120 Mils)	650	LF	\$ 2.50	\$ 1,625.00	\$ 4.35	\$ 2,827.50	\$ 4.00	\$ 2,600.00
65	1205	Thermoplastic Pavement Marking Lines (24", 120 Mils)	415	LF	\$ 6.00	\$ 2,490.00	\$ 13.00	\$ 5,395.00	\$ 15.00	\$ 6,225.00
66	1605	Temporary Silt Fence	10,450	LF	\$ 1.95	\$ 20,377.50	\$ 2.50	\$ 26,125.00	\$ 3.25	\$ 33,962.50
67	SP	Sediment Tube	7	EA	\$ 200.00	\$ 1,400.00	\$ 15.00	\$ 105.00	\$ 200.00	\$ 1,400.00
68	SP	Filter Sack Inlet Protection	7	EA	\$ 160.00	\$ 1,120.00	\$ 500.00	\$ 3,500.00	\$ 160.00	\$ 1,120.00
69	1610	Stone for Erosion Control, Class A	435	TON	\$ 55.00	\$ 23,925.00	\$ 65.00	\$ 28,275.00	\$ 62.00	\$ 26,970.00
70	1610	Stone for Erosion Control, Class B	60	TON	\$ 60.00	\$ 3,600.00	\$ 65.00	\$ 3,900.00	\$ 64.00	\$ 3,840.00
71	1610	Sediment Control Stone	55	TON	\$ 60.00	\$ 3,300.00	\$ 60.00	\$ 3,300.00	\$ 60.00	\$ 3,300.00
72	1615	Temporary Mulching	2	ACR	\$ 1,100.00	\$ 2,200.00	\$ 1,600.00	\$ 3,200.00	\$ 2,500.00	\$ 5,000.00
73	1620	Seed for Temporary Seeding	8	LB	\$ 50.00	\$ 400.00	\$ 2.25	\$ 18.00	\$ 10.00	\$ 80.00
74	1620	Fertilizer for Temporary Seeding	0.5	TON	\$ 1,000.00	\$ 500.00	\$ 1,190.00	\$ 595.00	\$ 1,500.00	\$ 750.00
75	SP	Tree Protection Fence	1,460	LF	\$ 1.80	\$ 2,628.00	\$ 2.00	\$ 2,920.00	\$ 2.10	\$ 3,066.00
76	1630	Silt Excavation	145	CY	\$ 18.00	\$ 2,610.00	\$ 40.00	\$ 5,800.00	\$ 18.00	\$ 2,610.00
77	1631	Matting for Erosion Control	1,650	SY	\$ 2.00	\$ 3,300.00	\$ 5.00	\$ 8,250.00	\$ 3.50	\$ 5,775.00
78	SP	Mud Mat	245	LF	\$ 100.00	\$ 24,500.00	\$ 121.00	\$ 29,645.00	\$ 110.00	\$ 26,950.00
79	SP	Permanent Soil Reinforcement Mat	605	SY	\$ 6.00	\$ 3,630.00	\$ 8.00	\$ 4,840.00	\$ 3.50	\$ 2,117.50
80	1632	1/4" Hardware Cloth	800	LF	\$ 4.00	\$ 3,200.00	\$ 4.00	\$ 3,200.00	\$ 6.00	\$ 4,800.00
81	SP	18" Temporary Pipe	24	LF	\$ 35.00	\$ 840.00	\$ 38.00	\$ 912.00	\$ 35.00	\$ 840.00
82	1639	Special Stilling Basins	2	EA	\$ 250.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 4,000.00	\$ 8,000.00
83	SP	Wattle	260	LF	\$ 12.00	\$ 3,120.00	\$ 15.00	\$ 3,900.00	\$ 10.00	\$ 2,600.00
84	1660	Seeding & Mulching	4	ACR	\$ 1,600.00	\$ 6,400.00	\$ 3,115.00	\$ 12,460.00	\$ 2,500.00	\$ 10,000.00
85	1660	Mowing	2.5	ACR	\$ 250.00	\$ 625.00	\$ 150.00	\$ 375.00	\$ 600.00	\$ 1,500.00
86	1661	Seed for Repair Seeding	35	LB	\$ 3.00	\$ 105.00	\$ 11.00	\$ 385.00	\$ 12.00	\$ 420.00
87	1661	Fertilizer for Repair Seeding	0.5	TON	\$ 1,000.00	\$ 500.00	\$ 1,886.00	\$ 943.00	\$ 1,200.00	\$ 600.00
88	1662	Seed for Supplemental Seeding	100	LB	\$ 3.00	\$ 300.00	\$ 2.25	\$ 225.00	\$ 5.00	\$ 500.00
89	1665	Fertilizer Topdressing	1	TON	\$ 750.00	\$ 750.00	\$ 1,135.00	\$ 1,135.00	\$ 1,500.00	\$ 1,500.00
90	SP	Response for Erosion Control	10	EA	\$ 200.00	\$ 2,000.00	\$ 215.00	\$ 2,150.00	\$ 500.00	\$ 5,000.00
91	1670	Mulch for Planting	25	CY	\$ 39.00	\$ 975.00	\$ 85.00	\$ 2,125.00	\$ 55.00	\$ 1,375.00
92	1670	Juniperus Virginiana	345	EA	\$ 16.00	\$ 5,520.00	\$ 20.00	\$ 6,900.00	\$ 36.00	\$ 12,420.00
93	SP	Timber Boardwalk (-L2- Sta 39+00.00)	1	LS	\$ 130,000.00	\$ 130,000.00	\$ 115,000.00	\$ 115,000.00	\$ 165,000.00	\$ 165,000.00
94	SP	Timber Boardwalk (-L2- Sta 41+38.00)	1	LS	\$ 78,000.00	\$ 78,000.00	\$ 72,000.00	\$ 72,000.00	\$ 113,000.00	\$ 113,000.00
95	SP	Prefabricated Bridge (-L2- Sta 40+93.00) (45' Span)	1	LS	\$ 175,000.00	\$ 175,000.00	\$ 135,000.00	\$ 135,000.00	\$ 197,000.00	\$ 197,000.00

10/7/2015

Line Item	Sec No	Pay Item	Quantity	Unit	Fred Smith		ST Wooten		Narron	
					Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
96	866	Chain Link Fence, 96" Fabric	500	LF	\$ 15.00	\$ 7,500.00	\$ 18.00	\$ 9,000.00	\$ 19.00	\$ 9,500.00
97	866	Metal Line Posts for 96" Chain Link Fence	43	EA	\$ 7.00	\$ 301.00	\$ 80.00	\$ 3,440.00	\$ 52.00	\$ 2,236.00
98	866	Metal Terminal Posts for 96" Chain Link Fence	5	EA	\$ 125.00	\$ 625.00	\$ 130.00	\$ 650.00	\$ 160.00	\$ 800.00
					<b>TOTAL</b>	<b>\$ 1,291,921.00</b>	<b>TOTAL</b>	<b>\$ 1,340,554.50</b>	<b>TOTAL</b>	<b>\$ 1,381,811.03</b>

10/7/2015

**Town of Clayton**  
**Bid Opening Responsiveness Checklist**

**Date & Time:** August 20, 2015 at 2:00 pm  
**Project Name:** EL-5100OB Clayton Pedestrian Connector  
**Project Number:** N/A  
**Completed By:** Kimley-Horn and Associates, Inc.

	Bid Documents								
	Cover Sheet	Proposal Form	Addendum Acknowledged	Bid Amount	Signature Sheet	Non-Collusive	Listing of DBE	DBE %	Bid Bond
<u>Bidders Name</u>	1	F-1 to F-2	F-1	F-3 to F-7 (Addendum No. 1)	F-8	F-9 to F-14	F-17 and F-18	F-18	F-19 to F-25
Narron Contracting, Inc.	x	x	x	\$1,381,811.03	x	x	x	5.00%	x
ST Wooten Corporation	x	x	x	\$1,340,554.50		x	x	2.80%	sheet not signed, bb attached
Fred Smith Company	x	x	x	\$1,291,921.00	x	x	x	9.75%	x

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

**AGENDA LOCATION:**

Introductions & Special Presentations

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Electric Rate Analysis

**DESCRIPTION:**

Report regarding Electrical Rate Analysis was provided by Mr. Andy Givens of Cardinal Energy Services at the October 5, 2015 Town Council Meeting. Approval/disapproval of rates is requested this event.

**POTENTIAL ACTION:**

Approval/Disapproval

**DEPARTMENT:**

Administration

**PRESENTER:**

**ITEM HISTORY:**

**Date:**

October 5, 2015

**Action Taken:**

Presentation by Andy Givens of Cardinal Energy Services

**Information Provided:**

Electrical Rate Analysis

**Date:**

**Action Taken:**

**Information Provided:**

# **The Town of Clayton**

## **FY2016 Retail Rate Analysis and Rate Proposal**

**October 2015**

**Andrew C Givens  
Cardinal Energy Service, Inc.  
603 N West St  
Suite 103  
Raleigh, NC. 27612**

# **The Town of Clayton**

## **FY2016 Retail Rate Analysis and Rate Proposal**

**October 2015**

### **Executive Summary**

Cardinal Energy Service Inc. has been engaged by the Town of Clayton to review the retail electric rates, the change in the power cost and other expenses, and make recommendations regarding the rates for FY 2016 and succeeding years. To do this Cardinal Energy carried out a Revenue Requirements study using FY2016 as the test year. The Revenue Requirements study used the FY 2016 budget adopted by the Town in June 2015 as the starting point. We then made adjustments to reflect the reduced power cost and other typical level of expenses that the Town expects to recover in the rates during the test year. These estimates were extended to the FY 2017, FY2018, and FY2019. This study calculated the net margins and debt service coverage earned under the current rates, and established the reduction in revenue that was compatible with the Town's financial objectives.

It was clear from the Revenue Requirements study that without the power cost decrease, the Town would need a rate increase of 2% to 5% in FY 2016. However, with the power cost decrease the Town could reduce the total rate revenue by 4.5% in November 2015. At this lower rate level, the Town will be able to currently fund the budgeted FY2016 capital projects, meet other expected budgeted expenses, have debt service coverage of 1.3, and carry forward a small fund balance to help stabilize rates in the 2018-2019 time period.

Cardinal Energy proposes that the recommended rate changes take effect on November 1, 2015.

# The Town of Clayton

## FY2016 Retail Rate Analysis and Rate Proposal

October 2015

### 1) Introduction

Cardinal Energy Service, Inc. was engaged by the Town of Clayton to review the town's electric rates, and to develop new rates that reflect the Electric Department requirements in the 2016 Fiscal Year, and to provide for rate stability in subsequent years. This review was conducted to reflect three recent changes, including; 1) the reduction in the Town's power cost as a result of the sale of NC Eastern Municipal Power Agency's electric generation; 2) the capital related expenses for system expansion and the addition of a new substation; and 3) the overall increase in operating expenses. Cardinal Energy has carried out this review using a FY 2016 Test Year, and has developed proposed rates that should provide rate stability into FY 2018.

### 2) Rate Analysis

The proposed rates are based on a revenue requirements analysis. In a Revenue Requirements analysis we examined the revenue generated by the current rates, the margin produced at the test year level of expenses, and establish the revenue increase or decrease required to balance the revenue and expenses for the test period. For the Town of Clayton the study began with a review of the approved FY 2106 electric department budget. The primary goals for the study, in addition to covering the operating expenses and power cost included the funding of the budgeted capital projects, and was to meet the 1.25 coverage requirements included in the Town's financial policy. While the FY 2016 period was used as the test year for the analysis, the analysis was projected through FY 2019 in order to develop rates that are stable beyond the current year.

The energy usage for a utility varies over time and with the weather, and it is necessary to analyze the retail billing data and related wholesale purchase data to develop realistic revenue and power cost estimates for the adjusted revenue requirements study. The detailed FY 2015 customer usage and revenue data was reviewed and a detailed test year revenue projection was made. This was necessary to insure that the proposed rates can be properly compared to the current rates, both for the current test year and for the future years of concern. Similarly, the wholesale power purchases and power cost for the same test year period was reviewed to establish the comparable test year power cost estimate.

In addition to the revenue and the power cost estimates for the test year analysis, we paid particular attention to the capital projects and the other capital outlays for 2016 and subsequent years. Also the contractor services, and support services were reviewed to determine which components were being capitalized and which should be included in the current rates. For the purpose of the test year revenue requirements study, the data from the budget was adjusted to establish rates that properly reflected the revenue needed for the current fiscal year.

The primary focus of the revenue requirements analysis was to develop rates that met the revenue requirements for FY 2016. However, rate stability was also important when making this change. The Revenue Requirements Study looked out beyond FY2016 to include FY2017, FY2018, and FY 2019. As the study progressed, it was clear that the rising power cost after 2016, as well as the rising debt service cost, and the other rising cost of operation after 2016 will continue to put upward pressure on the rates. We expect that by FY 2018 it will be necessary for the Town management and Council to review the decisions regarding capital projects and debt financing, as a way to provide rate stability as the Town grows and the expenses increase.

The discussion below provides more detail concerning the power cost and the capital related cost during the test year.

**a) Power Cost**

In the Spring of 2015, the Town of Clayton and the other members of the NC Eastern Municipal Power Agency (NCEMPA) approved the sale of the ownership interest in five power plants that are primarily owned and operated by Duke Energy Progress. NCEMPA purchased the interest in these plants in 1981 as a way of stabilizing the wholesale power cost and insuring a long term supply of power. With the changes in the power industry and related factors, the ownership of this resource created higher power cost for the participants in recent years. This was expected to continue into the future and the decision was made to sell the generation.

**Figure 1 - Power Cost Impact of the NCEMPA Rate Change  
NCEMPA Projections – April 2015**

	Calendar Year				
	2015	2016	2017	2018	2019
<b>2014 Rates - AR-Rates</b>					
Annual Cost - \$		\$9,865,000	\$10,447,000	\$11,045,000	\$11,472,000
Average Cost	9.00¢	9.39¢	9.80¢	10.20¢	10.44¢
<b>New Rates Implemented 2015 - FR Rates</b>					
Annual Cost - \$		\$8,761,000	\$9,169,000	\$9,567,000	\$9,903,000
Average Cost	8.13¢	8.34¢	8.60¢	8.84¢	9.01¢
<b>Rate Decrease</b>					
Annual Savings - \$		\$1,104,000	\$1,278,000	\$1,478,000	\$1,569,000
Cumulative Savings		\$1,104,000	\$2,382,000	\$3,860,000	\$5,429,000

Figure 1 shows the difference between the projected power cost under the prior rate structure, the “AR rates”, and the rates structure implemented in 2015, the “FR rates.” NCEMPA has provided estimates of the future power cost under the alternative rate structures. These estimates show that the cumulative savings to the Town are \$5,429,000 for the period through 2019. It is important to notice that under both the prior rate and the new rate, the power cost will increase over 10% by 2019. Thus there will continue to be upward pressure under the new rates.

**b) Capital Improvements and Debt Service**

As the Town’s electric system grows, it is necessary to make annual system improvements and periodic major additions to the system. When feasible, the town has included some or all of these cost in the current budget and paid for them out of the current rates. As needed, the Town has sold bonds to finance a portion of the costs of the annual system improvements. With the debt financing, the financial impact is spread out over the following years when the new facilities are serving the customers. The Town has budgeted for \$775,166 Electric Department capital projects and capital outlay in FY 2016. The reduction in the power cost gives the Town the flexibility to finance these capital expenditures through current revenues and the Town does not anticipate selling bonds for ongoing capital improvements in FY 2016.

The known major capital projects have been included in the analysis and their impact is reflected in the rates in the period through FY 2019. The Town has begun the engineering and planning for a new substation and delivery point that goes into service in 2016 or 2017. The cost of this project is budgeted to be \$6,000,000, and the cost will be financed with additional bonds. Other annual capital projects for the FY 2017 - FY 2019 period may impact the sufficiency of the rates. During this period the, Town will have the management flexibility regarding the timing and the financing of these projects. For the purposed of this study, it has been assumed that the projects will be funded currently in FY2016 and FY2017, and that some debt financing may be used in FY2018 and FY2019.

A significant aspect of the debt financing is the coverage provisions of the Town’s financial policy. Under this policy, the Town is required to establish electric rates that will produce a net margin, before the debt service payment of 125% of the debt service owed by the Town. This is a major consideration in developing the proposed rates.

Figure 2 shows the projected debt service for the FY 2016 – FY 2019 period. This is reflected in the projections.

**Figure 2 - Bond Debt Service**

	Fiscal Year			
	2016	2017	2018	2019
2012 Rolling Stock Bonds	\$81,031	\$81,031	\$54,021	\$0
2014 System Bonds	\$137,800	\$135,850	\$133,900	\$131,950
2015 System Bonds	\$139,344	\$137,800	\$135,850	\$133,900
2016 Expansion Bonds	\$0	\$271,000	\$270,000	\$570,000
Future Bonds			\$35,000	\$70,000
<b>Total Debt Service</b>	<b>\$358,175</b>	<b>\$624,681</b>	<b>\$628,771</b>	<b>\$905,850</b>

### 3) Results of the Revenue Requirements Study

The results of the Clayton Revenue Requirements Study in Figure 3.

The Revenue Requirements Study was done to determine the test year adjusted margin at the current rates and at an adjusted expense level. As discussed above, the expenses have been adjusted to reflect the operating and capital related expenses that should be included in the electric service rates.

Section I of the Figure4 shows the annual electric sales revenues, under the current retail rates will be \$12,712,037. With an annual growth rate of 2.5%, the revenue is expected to grow to \$13,650,029 by FY 2019.

Section II shows the projected system expenses for the test year and the three following years. The power cost is approximately 68% of the total expenses. The power cost was calculated using the detailed wholesale billing units for the tear year, and the new NCEMPA FR-1 rate which went into effect July 1, 2015. NCEMPA has also provided information regarding future power cost increases which go into effect on January 1, of each year. To calculate the fiscal year power cost for FY 2016, the power cost rates for 2015 and 2016 were averaged, and multiplied times the estimated wholesale demand and energy. This was done for each of the succeeding years.

The electrical department operating expenses show a growth of approximately 3.4% annually based on 5% escalation of the salary and benefits and 2.5% escalation of non-employee expenses. The debt service over the four years are based on the debt service schedules for each existing bond, and an estimated debt service for the future bonds .

The capital outlay and projects in FY 2016 is \$775,166. In the future years it is shown at the lower level of \$110,000. For certain future projects the Town will have the option to adjust the schedule capital projects, and decision whether to fund such projects through current rates or by bonds. In the process of developing this rate proposal, the capital projects originally budgeted in the FY 2016 budget were reviewed, and it was determined that the Town had the opportunity to fund these project currently, and to review future capital projects each year. This consideration will allow the management the ability to provide the rate stability over the next four years.

The net margin in FY2016 using the current retail rates, as shown in Section III, is \$491,826. This gives the Town the leeway to reduce the revenues by that amount and still have the balanced electric department budget. The net margin is higher in FY 2017 due to the lower current year capital spending. However, in FY2018 and 2019 the margin declines due to higher operation costs and debt service.

**Figure 3 - Revenue Requirements Study**

<b>Revenue Requirements Study</b>				
				9.23
		<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
		<b>Test Year</b>	<b>(Future)</b>	<b>(Future)</b>
				<b>FY 2019</b>
				<b>(Future)</b>
<b>I. Revenues</b>				
A	Sales of Electricity - 2014 Rates	12,712,037	13,017,013	13,329,613
B	Permits & Fees	312,600	318,852	325,229
C	Other Revenue	13,470	13,739	14,014
D	Total Revenue	<b>13,038,107</b>	<b>13,349,604</b>	<b>13,668,857</b>
<b>II. Expenses</b>				
A	Wholesale Power Purchase Expense	8,551,377	9,088,699	9,626,848
B	NCEMPA Debt Defeasement	538,418	538,418	538,418
C	Electrical Operations	1,499,254	1,550,213	1,603,489
D	Payment -in-lieu-of-taxes	35,250	35,250	35,250
E	Debt Service	358,175	624,681	628,771
F	Capital Outlay	775,166	110,000	110,000
G	Gen Fund - Franchise Tax	0	0	0
H	Gen Fund - Support Services	788,642	670,345	600,000
I	Total Expenditures	<b>\$12,546,281</b>	<b>\$12,617,606</b>	<b>\$13,142,776</b>
<b>III. Margin &amp; Coverage at Current Retail Rates</b>				
	Net Margin - 2014 Rates	<b>\$491,826</b>	<b>\$731,998</b>	<b>\$526,081</b>
	<u>Debt Service Coverage Requirement</u>			<b>\$23,993</b>
	Net Margin Before Debt Service	<b>\$850,001</b>	<b>\$1,356,679</b>	<b>\$1,154,851</b>
	Annual Debt Service	<b>\$358,175</b>	<b>\$624,681</b>	<b>\$905,850</b>
	Coverage - 2014 Rates	<b>2.37</b>	<b>2.17</b>	<b>1.84</b>

**4) Rate Design Strategy and Guidelines**

To implement the rate changes, and pass the savings to the customers we propose the following strategy and rate design guidelines.

- a) Rate strategy. We recommend a 4.5% reduction to the total retail rate revenue with an effective date of November 1, 2015. This is shown in Figure 4 below.

**Figure 4 – Recommend Overall Revenue Reduction**

	<b>Fiscal Year</b>			
	2016	2017	2018	2019
1. Net Margin – 2014 Rates	\$491,826	\$731,998	\$526,081	\$23,993
2. Percent Rate Reduction	<b>4.5%</b>	<b>4.5%</b>	<b>4.5%</b>	
3. Revenue Reduction – 12 months	\$572,042	<b>\$585,766</b>	<b>\$599,833</b>	
4. Revenue Reduction - 8 months	<b>\$381,361</b>			

The proposed decrease, together with the use of the fund balance from year to year, will allow the Town to maintain the level of this rate level into 2018. While a decrease greater than 4.5% may be feasible for FY 2016, it is not recommended because a further rate adjustment would be required within 12 to 18 months.

- b) The rates should pass the savings to all of the customer classes, with the exception of the lighting rates and the municipal rates. The lighting rates are excluded because the energy cost is a smaller part of the expenses of lighting service, and there are a wide variety of lighting services. The municipal accounts are excluded in order to maximize the savings to the retail customers. This allows a greater reduction for the other rates.
- c) The savings for all customer classes, including those with demand rates, should have the savings in the energy component of the rate. This reflects the reduction in the power cost, which is predominantly in the energy component. Also by leaving the demand rate in place, the demand customers will continue to have the rate incentives for peak load control.
- d) Effort has been made to provide the maximum rate savings for the electric customers as well as rate stability over the next 3 or 4 years. For the Test Year, FY 2016, the proposed rates should allow the Town to fund the current year capital projects as well as carry a fund balance forward for rate stabilization to the following years.
- e) In order to pass the savings to the customers, the proposed rates have been designed to be implemented November 1, 2015. On this schedule they should meet the financial guidelines for FY 2016.

**5) Rate Changes for Each Customer Class**

- 1. Residential Rates - The proposed annual savings for the residential customers is approximately \$405,516, or a reduction in the electric cost approximately 4.8%. The proposed customer charge will remain unchanged at the current rate of \$6.95 per month. The total energy charge is reduced by 0.65¢ per kWh, or from 12.83¢ to 12.18¢ per kWh. The fuel adjustment charge will be reduced to \$0.0. The proposed Residential rate is shown in Figure 4.1 below.

**Residential Rate Proposal**  
**Figure 4.1**

Rate Component	Current Rates		Proposed Rates		Increase
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$6.95	\$435,261	\$6.95	\$435,261	
<b>Base Energy Charge</b>	\$0.1172	\$7,311,759	\$0.1218	\$7,598,739	
<b>Fuel Adjustment</b>	\$0.0111	\$692,496	\$0.0000	\$0	
<b>Total</b>		\$8,439,516		\$8,034,000	(\$405,516)
<b>Average</b>		\$0.1353		\$0.1288	(4.80%)

- 2. Small General Service Rates - The proposed annual savings for the Small General Service customers is approximately \$11,032, or a reduction in the electric cost approximately 4.80%. The customer charge will remain at \$15.00. The fuel

adjustment charge will be reduced to \$0.0 and the total energy charge for each energy block of the Small General Service rate will be reduced by 0.673¢ per kWh. The proposed Small General Service rate is shown in Figure 4.2 below

**Small General Service Rate Proposal**  
**Figure 4.2**

	Current Rates		Proposed Rates		Increase
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$15.00	\$31,642	\$15.00	\$31,642	
<b>Base Energy Charge</b>					
<b>1<sup>st</sup> Block: to 750 kWh</b>	\$0.13176	\$117,207	\$0.13613	\$121,095	
<b>2<sup>nd</sup> Block: next 2000 kWh</b>	\$0.08606	\$51,028	\$0.09043	\$53,619	
<b>3<sup>rd</sup> Block: add. kWh</b>	\$0.07455	\$11,688	\$0.07892	\$12,373	
<b>Fuel Adjustment</b>	\$0.01110	\$18,196	\$0.0	\$0	
<b>Total</b>		\$229,761		\$218,729	(\$11,032)
<b>Average</b>		\$0.1402		\$0.1334	(4.80)%

3. Medium General Service Rates - The proposed annual savings for the Medium General Service customers is approximately \$83,952, or a reduction in the electric cost approximately 4.71%. The customer charge will remain at \$20.00. The fuel adjustment charge will be reduced to \$0.0 and the total energy charge for each energy block of the Medium General Service rate will be reduced by 0.51¢ per kWh. The current and proposed Medium General Service rates are shown in Figure 4.3 below.

**Medium General Service Rate Proposal**  
**Figure 4.3**

	Current Rates		Proposed Rates		Change
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$20.00	\$23,329	\$20.00	\$23,329	\$0
<b>Demand – all kw</b>	\$7.56	\$359,958	\$7.56	\$359,958	
<b>Base Energy – all kWh</b>	\$0.07225	\$1,213,110	\$0.07826	\$1,314,020	
<b>Fuel Adjustment</b>	\$0.0111	\$186,374	\$0.0000	\$0	
<b>Total</b>		\$1,782,374		\$1,697,307	(\$85,463)
<b>Average</b>		\$0.1062		\$0.1011	(4.79%)

4. Coincident Peak Rate (CP) – Clayton has four customers served on the CP rate. The proposed savings for the Coincident Peak rate customers is \$36,229 or a reduction in the electric cost approximately 4.79%. The customer charge will remain unchanged at \$75.00 per month. The fuel adjustment charge will be reduced to \$0.0 and the total energy charge for the Coincident Peak rate will drop by 0.436¢ per kWh. The CP Demand charge and the Excess Demand charge will not change. In this way, the

incentives provided by the demand rate remain as they are, and the load con troll savings to the customer go untouched.

### Coincident Peak Rate Proposal

Figure 4.4

	Current Rates		Proposed Rates		Increase
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$75.00	\$3,600	\$75.00	\$3,600	
<b>Demand Charge</b>					
<b>CP kw Demand</b>	\$18.00	\$227,232	\$18.00	\$227,232	
<b>Excess kw</b>	\$3.50	\$29,281	\$3.50	\$29,281	
<b>Generation Credit</b>					
<b>Base Energy Charge</b>	\$0.0487	\$404,590	\$0.05549	\$460,597	
<b>Fuel Adjustment</b>	\$0.0111	\$92,236	\$0.0000	\$0	
<b>Total</b>		\$756,939		\$720,710	(\$36,229)
<b>Average</b>		\$0.0911		\$0.0867	(4.79%)

5. General Service Time-of-Use Rate (TOU) - The proposed savings for the General Service – TOU customers is \$3,495 or a reduction in the electric cost approximately 4.79%. The customer charge will remain unchanged at \$50.00 per month. The fuel adjustment charge will be reduced to \$0.0 and the total energy charge for each energy block of the General Service - TOU rate will be reduced by 0.553¢ per kWh. The current and proposed General Service – TOU rates are shown in Figure 4.5 below.

### General Service, Time-of Use Rate Proposal

Figure 4.5

	Current Rates		Proposed Rates		Increase
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$50.00	\$1,800	\$50.00	\$1,800	
<b>Demand Charge</b>	\$17.27	\$28,659	\$17.27	\$28,659	
<b>Base Energy Charge</b>	\$0.05627	\$35,560	\$0.06184	\$39,080	
<b>Fuel Adjustment</b>	\$0.0111	\$7,015	\$0.0000	\$0	
<b>Total</b>		\$73,034		\$69,539	(\$3,495)
<b>Average</b>		\$0.1156		\$0.1100	(4.79%)

6. Institutional Service Rate - The proposed annual savings for the Institutional Service customers is \$9,698 or a reduction in the electric cost approximately 4.8%. The proposed customer charge will remain unchanged at \$10.00. The fuel adjustment charge will be reduced to \$0.0 and the total energy charge for the Institutional Service rate will be reduced by 0.57¢ per kWh. The current and proposed Institutional Service rates are shown in Figure 4.6 below.

**Institutional Service Rate Proposal**  
**Figure 4.6**

	Current Rates		Proposed Rates		Increase
	Rate	Revenue	Rate	Revenue	
<b>Customer Charge</b>	\$10.00	\$4,244	\$10.00	\$4,244	
<b>Base Energy Charge</b>					
<b>1<sup>st</sup> Block: to 600 kWh</b>	\$0.12623	\$27,077	\$0.13163	\$28,235	
<b>2<sup>nd</sup> Block: next 1900 kWh</b>	\$0.10871	\$40,466	\$0.11411	\$42,476	
<b>3<sup>rd</sup> Block: add. kWh</b>	\$0.10009	\$111,568	\$0.10549	\$117,587	
<b>Fuel Adjustment</b>	\$0.0111	\$18,886	\$0.0000	\$0	
<b>Total</b>		\$202,240		\$192,542	(\$9,698)
<b>Average</b>		\$0.1189		\$0.1132	(4.8%)

Municipal Service and Area Light Rates – In order to maximize the rate savings to the customers of the Town, we propose that the municipal service rate and the various lighting rates remain unchanged.

**Town of Clayton**  
2015 Retail Rate Study

**Comparison of the Revenue - Current and Revised Rates**

	Test Year	Current Rates			Revised Rates			Rate Impact	
	Units	Rates	Revenue	Avg.	Rates	Revenue	Avg.	\$	%
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<b>1. Residential</b>									
Bills	62,628	\$ 6.95	\$435,261		\$6.95	\$435,261			
Energy - Base	62,387,020	\$0.11720	\$7,311,759		\$0.1218	\$7,598,739		\$286,980	
Fuel Adjustment	62,387,020	\$0.0111	\$692,496		\$0.0000	\$0		(\$692,496)	
Subtotal	62,387,020		\$8,439,516	13.53		\$8,034,000	12.88	(\$405,516)	-4.80%
<b>2. Small General Service - EC</b>									
Bills	2,109	\$ 15.00	\$31,642		\$15.00	\$31,642			
Energy									
1st block	889,552	\$ 0.13176	\$117,207		\$0.13613	\$121,095		(\$3,887)	
2nd block	592,934	\$ 0.08606	\$51,028		\$0.09043	\$53,619		(\$2,591)	
3rd Block	156,785	\$ 0.07455	\$11,688		\$0.07892	\$12,373		\$685	
Fuel Adjustment	1,639,271	\$ 0.01110	\$18,196		\$0.00000	\$0		(\$18,196)	
Total Small Gen. Serv	1,639,271		\$229,761	14.02		\$218,729	13.34	(\$11,032)	-4.80%
<b>3. Medium General Service - MGS 1</b>									
Bills	1,166	\$ 20.00	\$23,329		\$20.00	\$23,329			
Demand - all kw	47,613	\$ 7.56	\$359,958		\$7.56	\$359,958			
Energy - all kwh	16,790,447	\$ 0.07225	\$1,213,110		\$0.07826	\$1,314,020		\$100,911	
Fuel Adjustment	16,790,447	\$ 0.01110	\$186,374		\$0.00000	\$0		(\$186,374)	
Total Medium Gen. Serv	16,790,447		\$1,782,771	10.62		\$1,697,307	10.11	(\$85,463)	-4.79%
<b>4. Coincident Peak Rate</b>									
Bills	48	\$ 75.00	\$3,600		\$75.00	\$3,600			
Demand									
CP kw	12,624	\$ 18.00	\$227,232		\$18.00	\$227,232			
Excess kw	8,366	\$ 3.50	\$29,281		\$3.50	\$29,281			
Energy	8,309,518	\$0.0487	\$404,590		\$0.05543	\$460,597		(\$56,006)	
Fuel Adjustment	8,309,518	\$0.0111	\$92,236		\$0.00000	\$0		\$92,236	
Total Coincident Peak F	8,309,518		\$756,939	9.11		\$720,710	8.67	(\$36,229)	-4.79%
<b>5. General Service TOU</b>									
Bills	36	\$ 50.00	\$1,800		\$50.00	\$1,800			
Demand - all kw	1,659	\$ 17.27	\$28,659		\$17.27	\$28,659			
Energy - all kwh	631,960	\$0.05627	\$35,560		\$0.06184	\$39,080		(\$3,520)	
Fuel Adjustment	631,960	\$0.01110	\$7,015		\$0.00000	\$0		\$7,015	
Total Medium Gen. Serv	631,960		\$73,034	11.56		\$69,539	11.00	(\$3,495)	-4.79%
<b>6. Institutional Service</b>									
Bills	424	\$ 10.00	\$4,244		\$10.00	\$4,244			
Energy									
1st 600 kwh	214,503	\$0.12623	\$27,077		\$0.13163	\$28,235		(\$1,158)	
next 1900 kwh	372,236	\$0.10871	\$40,466		\$0.11411	\$42,476		(\$2,010)	
all additional	1,114,676	\$0.10009	\$111,568		\$0.10549	\$117,587		(\$6,019)	
Fuel Adjustment	1,701,415	\$0.01110	\$18,886		\$0.00000	\$0		\$18,886	
Total Institutional	1,701,415		\$202,240	11.89		\$192,542	11.32	(\$9,698)	-4.80%
<b>7. Municipal Use</b>									
Bills	689				\$0.00				
Demand - all kw	20,134				\$0.00				
Energy - all kwh	6,034,591	\$0.08514	\$513,794		\$0.08514	\$513,794			
Total Municipal Use			\$513,794	8.51		\$513,794	8.51	\$0	0.00%
<b>8 Lighting Service</b>									
Bills	20,765								
Energy - all kwh			\$0						
Total Lighting Service			\$200,983			\$200,983		\$0	0.00%
Total Rate Revenue	97,494,222		\$12,199,037	12.51		\$11,647,604	11.95	(\$551,434)	-4.5%

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

**AGENDA LOCATION:**

Old Business

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

Johnston County Parks & Recreation Master Plan Resolution

**DESCRIPTION:**

The JCVB has asked that the attached resolution on the County Recreation Master Plan be approved by local municipalities before they go to the Johnston County Commissioners for their approval. Donna Bailey-Taylor from the Johnston County Visitors Bureau will be present.

**POTENTIAL ACTION:**

Approval/Disapproval

**DEPARTMENT:**

Parks + Recreation

**PRESENTER:**

Larry Bailey

**ITEM HISTORY:**

**Date:**

October 5, 2015

**Action Taken:**

Placed on October 19, 2015 Agenda for additional discussion.

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



Resolution #2015-45

**RESOLUTION ADOPTING THE  
JOHNSTON COUNTY PARKS AND RECREATION PLAN**

**WHERE AS**, the Johnston County Sports Council, a committee of the Johnston County Tourism Authority, recognized the potential for sports and recreation to drive community growth and provide services to residents throughout the county; and

**WHERE AS**, all local municipalities and civic groups engaged in recreation pursuits may use the Johnston County Parks and Recreation Master Plan for planning purposes and individual grant applications to improve and development recreation facilities in their perspective communities; and

**WHERE AS**, all local municipalities and civic groups may use the Johnston County Parks and Recreation Master Plan as a tool to promote parks and recreation in the area, to direct priorities for parks and recreation services, to guide planning for expected growth, to provide general plan policy guiding land use and public services, to understand the public's issues and desires, and to identify funding gaps and directly meeting them; and

**WHERE AS**, the community partners may use the Johnston County Parks and Recreation Master Plan to determine needs for facilities/programs, have a policy framework for partnerships with the Johnston County Planning Department, and compare services to avoid duplication; and

**WHERE AS**, the Johnston County Parks and Recreation Master Plan may be adopted as part of the Johnston County Land Use Plan as it pertains to public lands, and development of future county recreation facilities, and in particular the completion of the Mountains to the Sea Trail; and

**WHERE AS**, the Johnston County Parks and Recreation Master Plan has several immediate, short and long term recommendations of value that require a county representative to facilitate; and

**NOW, THEREFORE, LET IT BE RESOLVED THAT:** *Town of Clayton*, adopts the Johnston County Parks and Recreation Master Plan as the official document of record for county recreation planning and development, and encourages the Johnston County Commissioners to pursue key recommendations in the plan for the betterment of recreation in Johnston County.

On behalf of the  
*Town of Clayton*

\_\_\_\_\_ Date \_\_\_\_\_  
Jody McLeod, Mayor of Clayton

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

**AGENDA LOCATION:**

Old Business

**Meeting Date:**

October 19, 2015

**ITEM TITLE:**

RWAC - Pritchard Road Signal Agreement with NCDOT

**DESCRIPTION:**

Mr. DeYoung will provide brief update on this item.

**POTENTIAL ACTION:**

**DEPARTMENT:**

Planning + Zoning

**PRESENTER:**

David DeYoung, Planning Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

## Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

**Entity:** Town of Clayton

**County:** Johnston

**WBS Element:** 36249.3514

**Scope:** The Project consists of the installation of a traffic signal at the intersection of Pritchard Road (SR 1714) and Athletic Club Boulevard.

**Funding:**

**Type:** Receivable

**Total Cost:** \$110,000

**Traffic Agreement Type:** DOT Construction

Agreement ID # 5845

NORTH CAROLINA  
JOHNSTON COUNTY

**TRAFFIC – DOT CONSTRUCTION AGREEMENT**

DATE: 10/12/2015

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION

AND

WBS Elements: 36249.3514

TOWN OF CLAYTON

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Clayton, hereinafter referred to as the "Municipality".

**WITNESSETH:**

WHEREAS, the Department and the Municipality propose to make certain traffic control improvements under said project in Johnston County; and,

WHEREAS, the Municipality has agreed to participate in the cost of the project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

**SCOPE OF THE PROJECT**

1. The Project consists of the installation of a traffic signal at the intersection of Pritchard Road (SR 1714) and Athletic Club Boulevard.

**PHASES OF THE WORK:**

2. The Department shall be responsible for phases of the project which include planning, design, construction and contract administration. All work shall be done in accordance with Departmental standards, specifications, policies and procedures.
3. All work shall be contained within the existing right of way. If additional right of way is required, the Municipality, at no expense or liability whatsoever to the Department, shall convey to the Department, any additional right of way and/or easements required for said project. Acquisition of right of way shall be accomplished in accordance with policies and procedures set forth in the North Carolina Right of Way Manual. The Municipality shall indemnify and save harmless the Department from any

Agreement ID # 5845

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and all claims for damages that might arise on account of said right of way acquisition, drainage and construction easements for the construction of said project.

4. The Municipality, without cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the project. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the project.

## **FUNDING**

4. The Municipality shall reimburse the Department one hundred percent (100%) of the actual cost of all work performed by the Department, including administrative costs. Based on the estimated cost of \$110,000, the Municipality shall submit a check to the Department's Division Engineer upon execution of this Agreement by the Municipality. Upon completion of the project, if actual costs exceed the amount of payment, the Municipality shall reimburse the Department any underpayment within sixty (60) days of invoicing by the Department. If the actual cost of the work is less than \$110,000, the Department shall reimburse the Municipality any overpayment. The Department shall charge a late payment penalty and interest on any unpaid balance due in accordance with G.S. 147-86.23.

## **MAINTENANCE**

5. Upon completion of the project, the traffic control equipment shall be owned and controlled by the Department and the maintenance of the completed signal installation shall be accomplished in the same manner as maintenance of other State system signalized intersections.
6. In the event of damage to the metal poles, the Department shall install "in-kind" metal poles if funding is available from the damage claim or the Municipality. However, if said funding is not available, the Department reserves the right to install wooden poles in lieu of metal poles (if applicable).

## **ADDITIONAL PROVISIONS**

7. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor ( i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

ATTEST: TOWN OF CLAYTON

BY: \_\_\_\_\_ BY: \_\_\_\_\_

TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

Approved by \_\_\_\_\_ of the local governing body of the Town of Clayton as

attested to by the signature of Clerk of said governing body on \_\_\_\_\_ (Date)

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Federal Tax Identification Number

\_\_\_\_\_

(SEAL)

Remittance Address:

Town of Clayton

\_\_\_\_\_

\_\_\_\_\_

DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(CHIEF ENGINEER)

DATE: \_\_\_\_\_

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_