

AGENDA
CLAYTON PLANNING BOARD MEETING

Monday, April 27, 2015

6:00 PM

TOWN COUNCIL CHAMBERS

111 E. SECOND STREET

For Information: (919) 553-5002

I. CALL TO ORDER

II. ADJUSTMENTS TO THE AGENDA

III. APPROVAL OF MINUTES

- A. **January 26, 2015 Meeting**
- B. **February 23, 2015 Meeting**
- C. **March 23, 2015 Meeting**

IV. REPORTS AND COMMENTS

V. OLD BUSINESS

VI. NEW BUSINESS

A. RZ 2014-99 Magnolia Pointe Rezoning

Request to rezone 13.89 acres located on the west side of Shotwell Road, between US 70 Business Highway West and Amelia Church Road from Planned Development Mixed Use (PD-MU) and Residential-10 (R-10) to Residential-8 (R-8).

B. PSD 2014-97 Magnolia Pointe Major Subdivision

Request to approve a major preliminary subdivision for a property located on the west of Shotwell Road, between US 70 Business Highway West and Amelia Church Road.

C. Text Amendment – Modification to Article 2 of the Unified Development Code

Addition of a new non-residential zoning category to the residential zoning districts established under Section 155.200 of the Unified Development Code.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT

VIII. ADJOURN

**MINUTES
CLAYTON PLANNING BOARD
JANUARY 26, 2015**

The regular meeting of the Clayton Planning Board for the month of January was held at 6:00pm at Town Hall, 111 East Second Street.

PRESENT: Frank Price (Chair) (ETJ), David Teem (Vice Chair) (TL), George “Bucky” Coats (TL), Jim Lee (ETJ), Ronald L. Johnson (TL), Dana Pounds (ETJ), Marty D. Bizzell (ETJ), Robert J. Ahlert (TL), James Lipscomb (ETJ) [Alt.], Jean M. Sandaire (TL) [Alt.], Sarah Brooks (TL); Bob Satterfield (Councilman); Michael Grannis (Councilman)

ABSENT: N/A

ALSO PRESENT: David DeYoung, Planning Director; Emily Beddingfield, Planner; Jay McLeod, Planner; John McCullen, Town Engineer; Stacy Beard, Public Information Officer; Rebecca Powers, Clerk to Planning Board

I. CALL TO ORDER:

At 6:02PM Frank Price called the meeting to order and explains that there is no need to take roll as it is obvious that all Board members are present.

II. ADJUSTMENTS TO THE AGENDA:

Mr. DeYoung states that there are a couple of adjustments to the agenda. First is swearing in a few members that are being reappointed. That would include Frank Price, Marty Bizzell, and David Teem. At 6:04PM the Clerk to the Planning Board swears in all three members for reappointment.

Mr. DeYoung moves on to the next item on the agenda which is to select a Chair and Vice Chair. Sarah Brooks nominates Frank Price for Chair. Bucky Coats seconds the motion. The Board votes and it passes unanimously at 6:05PM.

Bucky Coats nominates David Teem as Vice Chair. Dana Pounds seconds the motion and it passes unanimously at 6:05PM.

III. APPROVAL OF MINUTES FROM THE OCTOBER 27, 2014 AND NOVEMBER 17, 2014 MEETINGS:

Mr. Price moves on to the approval of the October 27, 2014 and November 17, 2014 meeting minutes. David Teem points out that the only correction he sees is that Mr. Price was not present at the November 17th meeting, where as the minutes shows him present. David

DeYoung states that will be updated. Mr. Price makes a motion to approve both the October and November minutes with the one correction. David Teem seconds the motion and it passes unanimously at 6:06PM.

IV. REPORTS/COMMENTS:

David DeYoung states that there are no reports or comments.

V. OLD BUSINESS:

Mr. DeYoung states that there is none and they move on to new business.

VI. NEW BUSINESS:

A. SUP 2014-143 Murdock Solar Farm

B. SP 2014-144 Murdock Solar Farm

Jay McLeod introduces SUP 2014-143 and SP 2014-144 with the following PowerPoint presentation; herewith attached and incorporated into the record.

Jay first explains that the Special Use Permit for the Solar Farm will run concurrently with the Site Plan for the Solar Farm and will therefore be presented together. He also points out that the approval of the Site Plan is contingent upon the approval of the Special Use Permit.

PLANNING DEPARTMENT

**SP 2014-144 & SUP 2014-143
Murdock Solar Farm Site Plan &
Special Use Permit**

Request:

- ◆ Site Plan to allow 21± acres of Solar Farm (solar panel field) on a 31.9 acre parcel
- ◆ Subject to Council approval of SUP2014-143, Special Use Permit to allow Solar Farm in R-E

Aerial Map



0 0.1 0.2 Miles

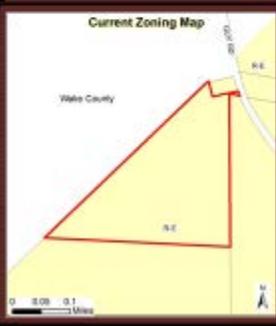


PLANNING DEPARTMENT

Murdock Solar Farm Site Plan



- ◆ Size: 31.9 acres
- ◆ Proposed Use:
 - Solar Farm
- ◆ Overlay: none
- ◆ Surrounding Uses:
 - Ag or vacant
 - Single Family Residential

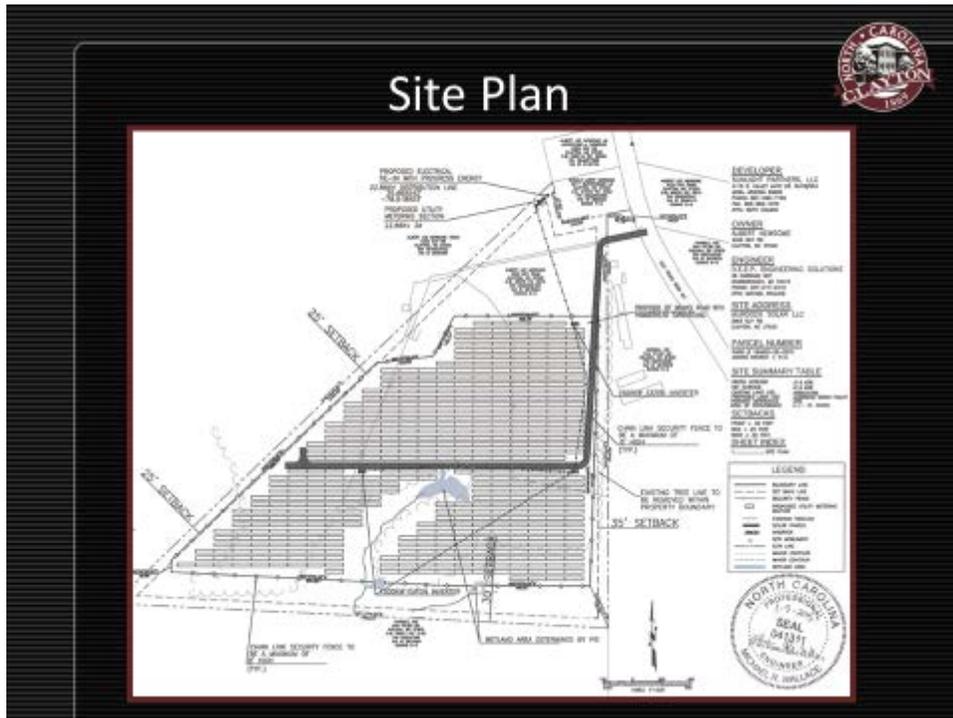


Murdock Solar Farm Site Plan



Development Data

- ◆ Proposed Development:
 - 21± acres of solar panels
 - Max height: 12' above ground
- ◆ Impervious: Est. less than 2,000 sq. ft.
- ◆ Parking
 - Proposed: 1 space for maintenance
- ◆ Access: 20' wide internal gravel road
 - Access easement off of Guy Rd



Murdock Solar Farm Site Plan

Development Data

- ◆ **Landscaping:**
 - 12' to 15' tall (within 3-5 years) evergreen landscaping buffer around entire solar farm area
 - Year-round visual barrier
- ◆ **Signage:** none.



Murdock Solar Farm Site Plan

The proposed development is generally consistent with:

- ◆ Strategic Growth Plan
- ◆ Unified Development Code
 - The proposed use is consistent with the UDC if SUP2014-143 is approved.
- ◆ Neighborhood Meeting:
 - Held January 6th, 2014



PLANNING DEPARTMENT

Murdock Solar Farm Site Plan

Staff Recommendation:

- ◆ Approval of the Site Plan (SP2014-144) with conditions listed in the staff report.
- ◆ Recommendation to Town Council of approval of the Special Use Permit (SUP2014-143) with conditions as listed in the staff report.

PLANNING DEPARTMENT

Murdock Solar Farm Site Plan

Conditions:

1. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.
2. Following Board approvals, three copies of the Final Site Plan and Landscape Plan meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
3. All mechanic equipment (excluding the electrical tie-in and utility metering area) must be completely screened from view from outside of the site.
4. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
5. A site/landscape inspection by the Planning Department shall be required prior to issuance of a certificate of occupancy. All site improvements shall be installed prior to the site inspection.

Bucky Coats asks if any of this land falls in Wake County since it is right on the border. Jay answers that no, it does not. Mr. Ahlert asks if Wake County is involved at all since the property borders the county lines. Jay explains that the adjacent property owner has been informed, but that no one from the Wake County Planning Department has been involved. Mr. Ahlert repeats his questions and explains that he doesn't mean the property owners, but the county itself. Mr. DeYoung explains that Wake County was not notified of this project as it was not necessary seeing how there are other solar farms on the county borders and one in particular very near this site. They move on to the applicant's presentation since there are no other questions for Jay.

Mike Fox, Attorney representing the applicant, of 100 North Green Street Greensboro, NC approaches to present. He passes out a pamphlet for the Board. He explains that there will be three others speaking tonight. These people will include Keith Colson of Sunlight Partners, Solar Engineer Tommy Cleveland, and Appraiser Rich Kirkland. He also points out that the property owner is present.

Mr. Fox briefly covers the pamphlets that he had distributed, explaining different versions of the site plans, panel specifications, topographical views, and aerial photos of landscaping buffer. He explains next that the pamphlet includes a history on Sunlight Partners, photos of other North Carolina solar farms, Mr. Cleveland's background and opinion on the proposed solar farm, and finally the appraiser's findings on whether or not the solar farm will impact the property's value.

Mr. Fox then states that he feels that he and the other presenters will provide evidence sufficient to gain approval of the Planning Board and offers to answer any questions.

Keith Colson approaches the podium. He begins with explaining ownership and background of Sunlight properties and what they specialize in. Mr. Colson next explains that they have done a lot of these solar farms here in North Carolina and compliments Jay and Emily on their efforts and work on this project.

Mr. Colson next presents further on Jay's presentation stating that they beefed up the landscape buffer beyond what was required with evergreen trees and better screening. He next addresses the neighborhood meeting and states that there were two attendees, one neighbor and the property owner's son, whose questions were answered. Mr. Colson closes and asks if there are any questions.

Sarah Brooks asks about an electric fence that was mentioned in the plans and that they said they would be removing it. Is that correct? Mr. Colson states that the fence will be removed and will be replaced by a standard chain link fence 8 feet tall.

Mr. Price asks if the evergreen trees will be in front of the chain link fence in order to hide the fence from view. Mr. Colson answers yes. Mr. Lee asks if the fence will be painted in order to look more camouflage. Mrs. Brooks points out that there is no road frontage and asks whether or not that is correct. Mr. Colson answers that there is no road frontage.

Mr. Bizzell asks if there is an access easement or are you proposing to obtain one? Mr. Colson answers that the plan is to move the easement two lots down to an Albert Lee Jr.'s lot and that is being drawn up right now. Mr. Bizzell also asks if they will be leasing the property. Mr. Colson answers in the affirmative.

Tommy Cleveland approaches the podium and proceeds to give his background as an engineer and explains that he is there today as a private engineer presenting on solar farm technology in general and answer any questions. Mr. Cleveland begins by explaining what solar panels are made of, how the panels produce electricity, and that they are not environmentally hazardous. He goes on to say that once the end of life marker on a panel is reached, the maker will pick them up and dispose of them properly. Mr. Cleveland explains that three inverters will be onsite that are easy to install and remove. He also points out that nothing will come off or leak from the panels into the land, air, or water. He closes stating that he does not think this project will cause an environmental or health problems and offers to answer any questions.

Bob Ahlert asks if water run-off from the panels will cause ruts. Mr. Cleveland states that that could be a possibility, but vegetation should help prevent that. He adds that it's never been a problem before.

David Teem asks if there will be any noise. Mr. Cleveland states that there is a slight audible hum during the day when you are standing right next to them, but when you are 50 to 100 feet away you don't hear them anymore. He also points out that they make no noise at night.

Bucky Coats asks about sun reflection. Mr. Cleveland explains that at sunrise and sunset there is a minimal reflection.

Ronald Johnson asks if there are batteries off-site. Mr. Cleveland explains that energy is used as it's made and therefore no need for batteries.

Marty Bizzell asks what they will be using to control vegetation. Mr. Cleveland refers to Keith Colson. Mr. Colson explains that they usually use a slow growing grass and weed from time to time. He further states that the idea is to perform maintenance only a couple of times a year and that traffic at the site will be decrease after the initial three months.

Mr. Fox calls on Rich Kirkland to the podium. Mr. Richland introduces himself and explains that he has been appraising the area for 19 years and was hired by the applicant to determine what if any impact the solar farm would have on the surrounding properties and homes. Mr. Richland starts by explaining exactly how you determine that impact and refers to a solar farm that was built in Goldsboro, NC and a nearby subdivision as well as another solar farm in Chatham County with similar findings as the Goldsboro farm and surrounding properties.

Mr. Richland concluded that all match pairs that he conducted showed no hazardous or problematic impact on property value. He offers to answer any questions.

Mr. Fox addresses the Board again stating that they have addressed all four findings of fact. Number one being that there are no material endangerment to public health and safety. Number two is that the project meets all code and ordinance requirements. Third is that the project will not injure the value of adjoining property owners. And finally, the project will not adversely affect adopted plans and policies or void the character of adjoining properties. Mr. Fox closes thanking the Board for their time and asks for recommendation for the approval of the site plan and special use permit.

Mr. Price asks if there are any questions or members of the audience that would like to address the Board.

Adam Newsome, the grandson of Elizabeth Newsome who owns the property that would house the solar farm, and the son of Larry Newsome, an adjacent property owner approaches the podium. Mr. Newsome states that he and his father are against the solar farm and that his father's and neighbor's driveways are those in question for accessing the solar farm. Mr. Newsome states that he has been denied the ability to see the lease by his grandmother. He goes on explaining that he wished his grandmother would have confided in him and his father more and that he feels the applicant has not been forthcoming with the details of the project.

Mr. Newsome expands on what he knows as far as the lease, stating that it is a 15 year lease with three renewable leases. He feels like the heirs should have some kind of say since the current owners will not be around for the full terms of these leases.

Dana Pounds states to Mr. Newsome that she understands where he's coming from, but to please understand that the Board does not get involved in family matters. Mrs. Pounds asks if Mr. Newsome's grandmother is competent and in fact owns her land. Mr. Newsome states that yes it is her land and yes she is competent but not sure if all details have been explained to her.

Jim Lee states that he knows the property owner and has for a long time and as soon as he heard about the project he called Elizabeth Newsome to make sure she was doing what she thought was right and that this is a decision that she is in charge of. Mr. Newsome thanks the Board and leaves the podium.

Mr. Price asks if there are any other questions or comments and hearing none points out that the Board needs to make a recommendation to the Town Council for the special use permit. Jim Lee makes a motion to recommend approval to the Town Council. David Teem seconds the motion. Bob Ahlert asks them to wait and shares his concern about the construction of the driveway and the cost of keeping it cleaned up. David DeYoung states that it is an NCDOT roadway. Therefore NCDOT would be responsible for approving a driveway permit and would also be responsible for paving the driveway apron. The vote to recommend approval of the special use permit passes unanimously at 6:51PM.

Bob Ahlert makes a motion to approve of the site plan. Sarah Brooks seconds the motion. Marty Bizzell asks if an access easement needs to be obtained as a condition. David DeYoung states that staff will not let them do anything until they have the access easement. The vote to approve the site plan passes unanimously at 6:52PM.

C. PSD 2014-145 Lionsgate Phases 7A-7D

Mr. Price moves on to Item C., PSD 2014-145 Lionsgate Phase 7A-7D. Emily Beddingfield approaches the podium and presents the following PowerPoint presentation; herewith attached and incorporated into the record.

PLANNING DEPARTMENT

**PSD 2014-145
LionsGate Phases 7A-7D
Preliminary Plat (Major Subdivision)**

Request:

- ◆ Approval of a major subdivision to allow 82 townhome units within the LionsGate Planned Development.
- ◆ Applicant: DC Adams Engineering (Donnie Adams)



0 0.05 0.1 Miles

PLANNING DEPARTMENT

LionsGate Phases 7A-7D



Site Data:

- ◆ 10.31 acres total
- ◆ Zoning:
 - PD-MU
- ◆ Existing Use:
 - Vacant
- ◆ South of Amelia Church Road; East of Middleton St and Daycare
- ◆ Proposed Uses:
 - Townhomes



PLANNING DEPARTMENT

LionsGate Phases 7A-7D



Development Data

- ◆ 82 Townhome Lots (1 unit per lot)
- ◆ Consistent with Master Plan
- ◆ Max impervious for combined phases 7A-7D is 60%
- ◆ Landscaping/Buffer:
 - Class C Buffer provided along Amelia Church Rd within the 35 foot greenway easement. Buffer installation will be delayed until greenway is installed.
 - Alternative Buffer compliance requested from Planning Board to remove berm/wall/fence requirement due to greenway location and associated widened buffer
 - Street trees provided along Fieldspar

PLANNING DEPARTMENT



LionsGate Phases 7A-7D

Development Data

- ◆ Trash/Recycling:
 - Per new solid waste ordinance, dumpsters are required for multi-family development
- ◆ Recreational:
 - Requirements met by overall development
 - Proposed park is consistent with acreage on Master Plan and will require separate Minor Site Plan review/approval and construction or bonding prior to Certificate of Occupancy for Phase 7A

PLANNING DEPARTMENT



LionsGate Phases 7A-7D

Development Data

- ◆ Environmental:
 - Riparian buffers must comply with state standards
- ◆ Access: Middleton Street
- ◆ Multi-Modal:
 - Sidewalks on both sides of the street where parking and townhomes are located.



LionsGate Phases 7A-7D

The proposed development is generally consistent with:

- ◆ Strategic Growth Plan
- ◆ Unified Development Code (if Landscape Buffer Alternative Compliance is approved)
- ◆ The applicant has addressed the required Findings of Fact, which are incorporated into the record as an attachment to the Staff Report.

Neighborhood Meeting:

- ◆ Not required – part of an approved Master Plan



LionsGate Phases 7A-7D

Staff Recommendation:

- ◆ Approval of the Alternative Landscape Buffer Compliance for the Class C Buffer
(Decision by Planning Board)
- ◆ Approval of PSD 2014-145 with the conditions listed in the staff report
(Recommendation to Town Council by Planning Board)

Conditions of approval



1. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
2. Approval is subject to approval of a revision to the approved Master Plan for LionsGate to ensure consistency between the proposed subdivision of Phases 7A-7D and the specifications of the Master Plan.
3. Development shall be consistent with the specifications and conditions of approval associated with the approved LionsGate Planned Development Master Plan.
4. A site/landscape inspection by the Planning Department shall be required prior to issuance of a certificate of occupancy for each phase of the development. All site improvements shall be installed prior to the final site inspection.
5. The park shall be approved via a Minor Site Plan and built prior to issuance of a Certificate of Occupancy for phase 7A.

Conditions of approval



6. All development fees shall be paid prior to final plat recordation.
7. The bike trail shall be constructed prior to the issuance of a certificate of occupancy for the associated phase.
8. Sidewalks shall be constructed or bonded prior to issuance of a Certificate of Occupancy for the associated building.
9. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
10. The review and approval of project water, sewer, storm drainage and street construction drawings shall be approved by the Public Works Department prior to issuance of building permits. Two sets of these drawings must be submitted for approval to Public Works Department when they become available.

Dana Pounds asks what the easiest way to modify 5 is. Mrs. Beddingfield states that the Board can make a recommendation to approve with a modification to condition number 5 stating that the recreation site can be built as a part of phase 7A. Bucky Coates asks Emily why staff was in favor of the 5th condition listed. Mrs. Beddingfield states that it is typical to see a park built as a part of a development and not with the first building that is built, especially when there are other recreational amenities available. There are no other questions for Emily.

Fred Smith, 632 Marcellus Way, approaches the podium to address the Board. He states that staff has done a great job explaining the project and he is happy to answer any questions. Mr. Smith give another reason for waiting on the build of the recreation site stating that it could be damaged if built before the other construction. Dana Pounds asks what the time frame is for the greenway construction. Mr. Smith states that he is not the Town Manager so he cannot answer the question. David DeYoung states that staff is in the process of obtaining easements, so looking at later this year. Bucky Coates asks if Fred is in agreement with the dumpsters. Mr. Smith answers no sir, it is not his favorite but doesn't think he has much of a say. He goes on to state that if it is what they have to do then they will do it.

There are no more questions and no public comment. Mr. Price states that there are two motions. One is the recommendation to Town Council and the other is the approval of the alternative landscaping plan.

Sarah Brooks makes a motion to approve the alternative landscaping plan. Dana Pounds seconds the motion and it passes unanimously at 7:07PM.

Dana Pounds makes a motion to approve the recommendation of the preliminary subdivision request with the modification to condition number 5 that the recreation site will be built with phase 7A instead of prior to phase 7A. David Teem seconds the motion and it passes unanimously at 7:07PM.

- D. PDD 2014-127 Steeplechase Planned Development – Rezoning to PD-MU***
- E. PSD 2014-128 Steeplechase Planned Development – Master Plan/Preliminary Subdivision Plan***

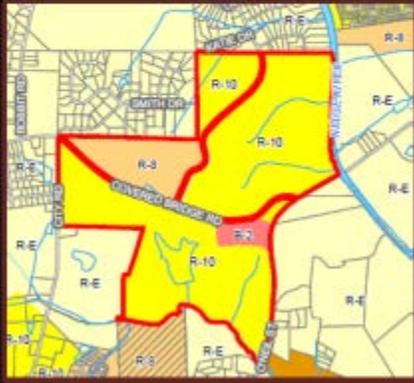
Mr. Price moves on to item D. and E., PDD 2014-127 and PSD 2014-128. David DeYoung approaches the podium. David asks that anyone from the community that cares to speak, to please sign in at the podium with their name and address for the record. David introduces PDD 2014-127 and PSD 2014-128 with the following PowerPoint presentation; herewith attached and incorporated into the record.

PLANNING DEPARTMENT

**RZ 2014-127 and PSD 2014-128
Steeplechase Planned Development**

Request:

- ◆ Two separate approvals:
 - 1. RZ 2014-127 Rezoning of 82.9 acres from B-2, R-8 and R-10 to PD-MU
 - 2. PSD 2014-128 Approval of a Master Plan acting as a Preliminary Subdivision Plat
- ◆ Applicant:
 - Galaxy NC, LLC, c/o Wakefield Development



A map of the Steeplechase Planned Development area. The map shows several parcels outlined in red. The central and largest parcel is colored yellow and labeled 'R-10'. To its north and west are smaller parcels colored orange, labeled 'R-8'. The map also shows surrounding streets like 'SMITH DR', 'MATE DR', 'CONCORD BRIDGE RD', and 'CITY RD', and other zoning areas like 'R-E' and 'R-1'.

Dave points out that there are two separate recommendations, not approvals, and that the rezoning is for 631 acres, not the 82.9 acres stated on the first slide.

PLANNING DEPARTMENT

Steeplechase Planned Development

- ◆ History
 - Approx. 631 Acres
 - Rezoned to R-8, R-10 and B-2 in 2005
 - Annexed into Town limits on March 20, 2006
 - Approved as the “Biltmore” by Town Council August 21, 2006



An aerial photograph of the Steeplechase Planned Development area. A red line outlines the boundary of the development. The map shows a mix of wooded areas and developed lots. Streets visible include 'SMITH DR', 'MATE DR', 'CONCORD BRIDGE RD', 'CITY RD', 'ONEIL ST', 'HAWKWOOD LN', and 'ROBERT RD'.

PLANNING DEPARTMENT

Steeplechase Planned Development

- ◆ 2006 – Known as Biltmore
 - Rezoned to R-8, R-10 and B-2
 - Approved for:
 - 1,174 Single Family
 - 1,120 Townhomes
 - 57,000 SF Commercial
 - Wastewater Allocation
 - 563,480 GPD
 - Reserved School Site
 - 23.38 Acres
 - *Plan Approval Expired*



PLANNING DEPARTMENT

Steeplechase Planned Development

- ◆ Located within the Town Limits
- ◆ Rezoning Requested from R-8, R-10 and B-2 to PD-MU



David explains that although the plan approval expired, the rezoning stays the way it was approved back in 2006. The zones are not developable as they stand now. He goes on to explain that if the property were developed with the zones as they are, there would be no landscape buffer requirements and more units per acre would be allowed. David states that development as is would not be beneficial for the Town or surrounding properties. David then

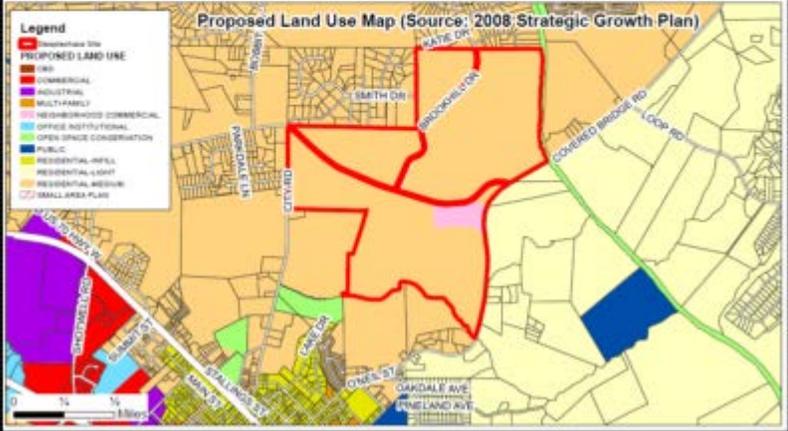
explains that the developer is asking to rezone to PD-MU, which is consistent with the Town’s existing and future land use.

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Future Land Use Map Designation – Residential Medium



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

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Why Planned Development Zoning?
 - Requires Master Plan
 - UDC establishes approval criteria for Planned Development Master Plans (provided in staff report)
 - Establishes overall maximum density/intensity
 - Establishes overall form of the community
 - Requires higher standards than a “straight” subdivision
 - Encourages comprehensive design, increases buffer requirements, requires additional recreation and open space, and establishes timing of required improvements

David states that traffic will be addressed later in the evening.

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Development Request
 - 631 Acres
 - 445 Acres / 2,200 Dwelling Units
 - 10 acres / 75,000 SF of Commercial
 - 65 acres of Recreation / Open Space
 - 111 acres of Resource conservation areas
 - 24 acres reserved for School Site



David states that the first traffic study was initially done in two phases. He explains that the study will be redone as more detail is needed in regards to traffic improvements and that the improvements will be tied to the development phases.

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Phasing
 - 36 Phases
 - Phases 1-15 south of Covered Bridge Road
 - Phases 16-34 north of Covered Bridge Road
 - Phases 13-14 are reserved for future School
 - Phase 35 is active recreation
 - Commercial is “Future” Phase
- ◆ *Note: Roadway Improvements will be tied to phasing!*



David states that the NCDOT layout (shown above) will change. He explains that the numbers from the traffic study did not match the master plan numbers. First, the developer will have to address issue NCDOT has already pointed out, but will also have to readdress their traffic numbers. David also mentions that the signal light at Shotwell Road is already warranted and that it would be expected that NCDOT would build that signal at any time. There is no signal light shown at City Road, as City Road is currently being modified by NCDOT. He states that NCDOT did not state what they are planning in regards to that intersection and staff has asked to be notified and hope to hear from them soon. David then addresses the signal light at Brookhill Drive as being shown as a phase 2 improvement. He then explains that staff doesn't feel like that is the best idea and are recommending a roundabout. Lastly, he briefly mentions another phase 2 signal light at the intersection of Covered Bridge Road and North O'Neil Street. He points out that he doesn't have all of the traffic answers tonight, but he, the developer, and NCDOT will be having active conversations to address and resolve them.

PLANNING DEPARTMENT

Steeplechase Planned Development

- ◆ Pedestrian Circulation, Recreation & Open Space
 - Sidewalks / Greenway along all roads
 - Active Recreation:
 - 7 acre Clubhouse
 - 3 acres of Private Greenway
 - 3 acres of Public Greenway
 - 19 acres of Parks
 - Passive Recreation:
 - 30 acres Open Space
 - 16 acre Pond
 - 95 acres Conservation



The map shows a network of roads in red and green, with various green spaces and a pond. A legend on the right side of the map lists different types of greenways and recreation areas with corresponding colors.

PLANNING DEPARTMENT



Steeplechase Planned Development

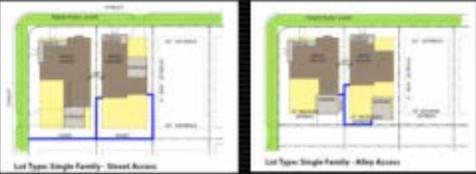
- ◆ Housing units/density:
 - Maximum 4 units per acre / 2,200 units
 - Mix of housing types (choices are set in Master Plan and may include single family, townhome, condos, and apartments)
 - All dimensional standards set by the Master Plan
 - Exact layout not established
 - Housing type and design must be consistent with vision established in Master Plan

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Detached Homes Dimensional Standards:
 - Single Family
 - Max 75% impervious per lot
 - Max 70% building coverage per lot
 - Minimum Lot Size: 4,500 square feet
 - Max height: 35 feet
 - Setbacks established Master Plan Document



PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Attached Homes Dimensional Standards:
 - Single Family & Townhomes
 - Max 75% impervious per lot
 - Max 70% building coverage per lot
 - Minimum Lot Size: 1,000 square feet
 - Max height: 45 feet
 - Setbacks established in Master Plan Document



Lot Type: Townhome / SF - Alley Access Lot Type: Townhome / SF - Street Access Lot Type: Townhome / SF - Surface Parking

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Multi-Family Dimensional Standards:
 - Condominiums and Apartments
 - Max 80% impervious per lot
 - Max 80% building coverage per lot
 - Max height: 55 feet
 - Setbacks established in Master Plan Document



Lot Type: Multi-Family - Surface Parking Lot Type: Multi-Family - Alley Access

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Commercial Area:
 - 75,000 SF of Commercial
 - Max 75% impervious per lot
 - Max 75% building coverage
 - Max height: 80 feet
 - Allows for upper story offices and residences
 - Setbacks established in Master Plan Document



PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Amenities and Clubhouse:
 - [Landscape plan showing a circular area with trees and a building]
 - [Photograph of a wooden pergola structure]
 - [Landscape plan showing a long, narrow area with trees and a building]
 - [Photograph of a large clubhouse building with a pool area]
 - [Landscape plan showing a small area with trees and a building]
 - [Photograph of a brick wall with a sign]

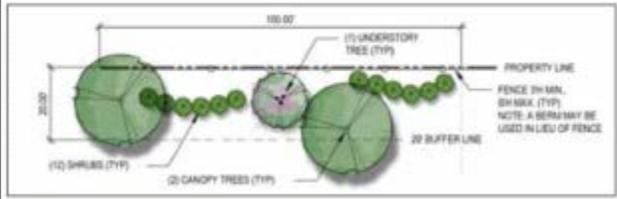
David explains some of the amenities stating there will be both active and passive parks, gazebos, a clubhouse and a pool, along with walking trails. He also mentions that the development's sign package will need to be approved by the Planning Department separately at a future date.

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Buffers:
 - Class “C” Buffers required around entire perimeter
 - Where able, existing vegetation and natural areas will be preserved / substituted to meet Class C Buffer requirements



PERIMETER LANDSCAPE BUFFER: CLASS C (typical)

PLANNING DEPARTMENT



Steeplechase Planned Development

Waivers

- ◆ Waiver from the Town-approved cross-sections. Proposed street Cross-Sections have been proposed and shown in the Master Plan.
- ◆ Waiver from §155.602(H), which requires sidewalks on both sides of all streets. Allow construction of 10 foot paved multi-use path / greenway on a linear foot-for-foot basis, in place of a fee-in-lieu.
- ◆ Waiver from §155.602(G) which states that “No residential street cul-de-sac serving lots less than 20,000 square feet in size shall exceed 700 feet in length.” The request is to allow a cul-de-sacs with a length greater than 700 feet to serve lots less than 20,000 square feet in size with approval from the Town of Clayton Fire Marshal.

PLANNING DEPARTMENT



Steeplechase Planned Development

- ◆ Consistency with the Strategic Growth Plan:
 - Proposed Land Use Map
 - Objectives 1.2, 2.1, 2.5
- ◆ Consistency with the UDC
 - Consistent if the rezoning is approved, and the waiver requests are approved.
- ◆ Applicant has addressed Findings of Fact for the Master Plan / Preliminary Subdivision Plat
 - Accepted by staff as a part of a complete application
 - Made part of the public record as an attachment of the Staff Report
- ◆ Neighborhood Meeting: Held October 27, 2014

PLANNING DEPARTMENT



Steeplechase Planned Development

Staff Recommendation:

- ◆ Approval of RZ 2014-127 from R-8, R-10 and B-2 to PD-MU.
- ◆ Approval of PSD 2014-128 subject to the conditions of approval as modified by staff.
- ◆ Approval of the three requested waivers

PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

1. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plat meeting the requirements of the Conditions of Approval 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 and the Master Plan Document (regulating 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 with the exception that Condo/Apartment/Townhome areas that will not be further subdivided, and Commercial phases, shall be reviewed as a Major Site Plan.
4. The developer shall reserve the portion of the site shown as a "potential school site" for 18 months from the date of the approval. If developed as a school, the development of the school site will be reviewed as a Major Site Plan.
5. Neighborhood parks and recreational amenities, including the clubhouse site, shall be reviewed as Minor Site Plans prior to construction.
6. The clubhouse and trail system around the pond shall be permitted and under construction prior to the issuance of a Certificate of Occupancy for the 251st residential unit.
7. A combination of dedication and fee-in-lieu may be utilized to meet recreation and open space requirements. To meet requirements, additional recreation area must be dedicated or a recreation fee-in-lieu shall be required at the established rate to supplement the dedicated land (land considered Resource Conservation Areas does not count toward meeting recreation and open space requirements).
8. Annexation of any land not currently within Town Limits shall be required prior to Final Plat approval for the first phase of the development.

Mr. Price asks for clarification that everything other than the Mims property is currently in the Town's limits. David answers in the affirmative.

PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

9. 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.
10. All traffic improvements required by NCDOT and the Town shall be installed prior to the issuance of a certificate of occupancy for the phase (as shown on the overall phasing plan with the Master Plan Document/ Regulating Plan) that generates the need for the improvement. The necessary right-of-way for Covered Bridge Road (interior to the project), North O'Neil Street, and City Road shall be dedicated as a part of the first phase (as indicated in the Traffic Study Prepared by Davemport) of the development. The necessary right-of-way for Brookhill Drive and Covered Bridge Road (north of its intersection with North O'Neil Street) shall be dedicated as a part of the second phase (as indicated in the Traffic Study Prepared by Davemport) of the development.
11. All roof mounted and ground mechanical equipment not associated with single family detached residential development must be completely screened from view.
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 may be installed prior to the issuance of a Certificate of Occupancy of the unit.
14. Internal greenways shall be constructed or bonded prior to the first Certificate of Occupancy for the associated phase.
15. All greenways shall meet Town of Clayton standards with a minimum paved width of 10 feet.
16. 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 a certificate of occupancy for that phase.
17. Where a greenway is placed in the same location as a required buffer, that buffer width shall be expanded by a minimum of 15 feet to accommodate the trail and required plantings.

PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

18. A 10' greenway shall be constructed along one side of Covered Bridge Road and North O'Neil Street for the entire project frontage concurrent with necessary roadway improvements. A greenway shall also be constructed along the project frontage adjacent to City Road concurrent with or prior to the construction of a phase which abuts City Road, and shall be installed or bonded prior to issuance of a Certificate of Occupancy for that phase.
19. All required vegetated buffers and plantings, including street trees, 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.
20. A mix of housing types shall be required at the minimum percentages set by the Master Plan and shall be selected from the list of housing type options presented in the Master Plan Document (regulating plan). In no case shall the overall project density exceed 4 units per acre.
21. A mix of housing elevations (variations in architectural features), styles, and colors along each block is required to ensure visual interest and variety. Housing elevations shall be submitted along with each final plat review and shall be reviewed to ensure consistency with the architectural standards presented in the Master Plan and requirement this condition of approval.
22. Final location and configuration of Cluster Mailbox Units (CBUs) shall be determined in the final plat/site plan review (as applicable) for each phase. CBU's are required to have vehicular access/parking, as well as sidewalk/pedestrian access and must be approved by the Planning Department and the United States Postal Service.
23. 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.
24. No more than 250 certificates of occupancy may be issued within the subdivision until the required third access has been constructed or bonded for construction.

Mr. Price points out that the mailbox clusters are a new requirement by the post office no the Town and that it has been made a condition because we don't necessarily trust the post office to check. David confirms that statement, stating that it is out of the Town's and staff's control.

PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

25. 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.
26. A Master Sign Plan shall be required prior to installation or approval of any signage. All signs shall require review and approval pursuant to §155.713.
27. Final design of individual elements identified within the Regulating Plan (such as typical lighting, recreation, or architectural elevations) may be modified during individual phase review without need to modify the Regulating Plan, but shall be approved by staff and shall respect (or exceed) the intent and vision of the original approval/design shown in the Regulating Plan, including but not limited to quality, style, and materials. Modifications that are determined by the Planning Director not to meet or exceed the original intent or do not classify as "minor" modifications per the Unified Development Code shall require major review and approval.
28. 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.
29. 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.
30. 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.
31. A homeowners' association (HOA) document shall be reviewed by staff and recorded prior to final plat 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.

David concludes his presentation by explaining that the developer and their staff are present to give another presentation and answer any questions and that there are plenty of members of the audience that would like to share their opinions. He points out that staff cannot give any definitive answers regarding traffic tonight. He states that if recommended to Town Council the project would move to the February work session. He also states that there will need to be a joint meeting to address and adjust some of the traffic issues between now and then. David then offers to answer any questions.

Bucky Coats points out that the relocation of Covered Bridge Road is not mentioned in any of the conditions and asks at what point that would be required. David responds stating that it would be part of the initial phase of the development but that he is unsure and would need to get with NCDOT, but in the meantime the old road would still be used until new section is built. Frank Price points out that the Covered Bridge Road relocation would be necessary for the planned extension to Hwy 42. David confirms that to be true and states that there is a north collector that was planned and is on long range transportation plans that the Covered Bridge realignment would align with that.

Bob Ahlert asks what the Brookhill cross-section would look like. David explains that the Brookhill cross-section was set with the previous project and was a 60 foot right of way with a 41 foot back to back section with sidewalks. He says that he thinks they will stick to that, unless the developers think that a 10 foot greenway would be a better option.

David Teem asks if the school is built, would there be another traffic study. David answers that yes it would probably require one and that the school board would have one done based on the type of school. Michael Grannis asks if there has been any dialogue with the Board of Education. David explains that yes, he has spoken with the Town's liaison who sits on the Technical Review Committee, as well as Donna White, a Board of Adjustment member that works with the Board of Education. He also points out that the developer has spoken with the facilities contact of the school district.

Michael Grannis goes on to ask about the possibility of a joint Planning Board and Town Council meeting. He asks David to compare the normal approval/denial timeline versus the timeline of a combined effort. David explains that a normal time line for a Planned Development is 90 days. He also states that staff has asked for multiple postponements already due to the wait on traffic studies. He explains that the next step would be the Town Council work session on February 16, 2015 and would then move to the March 2, 2015 Public Hearing. David states that a good intermediate step may be to have it go to the work session on the February 16, 2015 and then have a joint meeting on February 23, 2015 after the regularly scheduled Planning Board meeting. Then, based on comfort level, the project could move on to the March 2, 2015 Town Council meeting or be tabled for another day. Michael Grannis points out that we need to work hard to keep the public informed along the way. Frank Price then points out that the Board will hear from the public tonight, but to keep in mind that this meeting is not the official Public Hearing. He further explains that the official Public Hearing is with Town Council, after the Planning Board has made their recommendation. He then recognizes that there are traffic issues that still need to be worked out and that staff and the Planning Board intend to those

entirely worked out and that the Town is doing everything possible to ensure that this project, with potential positive impacts, will not also carry negative impacts.

Bob Satterfield and David DeYoung run through the calendar again confirming meeting dates based on the idea that the project stays on its current schedule.

Dana Pounds asks if Steeplechase is the adopted name for this project and points out a potential 911 issue since there is another subdivision with the same name. David states that he and staff will need to talk with the developer and 911.

Marty Bizzell asks to clarify whether or not the Planning Board will be making a vote at the end of the joint meeting on February 23, 2015. David states that he isn't quite sure and it may be some kind of joint recommendation. Mr. Price states that the recommendation tonight would be to proceed on that schedule. Mr. DeYoung agrees. Mr. Price asks if there are any other questions for staff. There are none and the Board moves on to hearing from the developer and their staff.

Ken Thompson with J. Davis Architects, the project landscape architect, approaches the podium. Mr. Thompson thanks the Board and David for his presentation. He states that because David did such a great job he will not repeat all that was said but is there to answer any questions the Board may have.

David Teem asks what the time table is for complete build out, roughly. Mr. Thompson states that is difficult to answer. He explains that they have a couple of interested builders but not sure. He says that it could be a couple of years or 8 to 10 years. Frank Price mentions that the traffic study said 5 years and that must be speculation. Mr. Thompson confirms that yes that is speculation.

Jean Sandaire asks if there has been any indication of the location of the school when speaking with the school district. Mr. Thompson explains that the location in the plans is based on the location from the Biltmore project. He also points out that they have reached out to the school district but they have been pretty unresponsive. Mr. Sandaire then asks if any of the 31 conditions give the developer a little heartburn. Mr. Thompson responds with 'no'.

Jim Lee states that there are a lot of unknowns that are a concern of the community and that there has been concern about a lack of contact with the community. Mr. Lee then asks if they would be willing to sit down and talk with these folks one on one. Mr. Thompson states that they would and points out that the letters of notification were sent and the neighborhood meeting took place, (people in the audience stating that they did not receive any letters). Mr. Thompson then states that they sent letters to the people that were required. Jim Lee goes on to say that he was present for most of those neighborhood meetings and the information was mostly broad or general. He thinks that most of these community members have specific personal concerns and may need a little hand holding. Mr. Lee states that it looks like the developers are doing a great job within the requirements, but some folks seem to have been left out. Mr. Thompson explains that they notified the folks that were required to be notified, but it is hard to invite

people that he doesn't know to invite. Mr. Price states that the Town can help by getting the notice out and may be best to have another meeting after Town Council has reviewed it a bit.

Marty Bizzell states that he is a resident of Ole Mill Stream himself and asks if there has been any consideration to extend the class c buffer down Covered Bridge Road and Brookhill. Mr. Thompson identifies the perimeter and states that the buffer will be extended. Mr. Bizzell then mentions that there seems to be a lot of traffic being channeled down Brookhill to Covered Bridge and asks if any other access roads have been considered, such as City Road. Mr. Thompson states that the current plan is based on the old Biltmore project and recommendations from NCDOT. He thinks they can take a look at that and see what can be done, although if the school takes the proposed site, they won't be able to go out to City Road. Mr. Bizzell asks if the school site considered in the traffic study. Mr. Thompson answers 'no'. Mr. Bizzell points out the concern over there being no signal at City Road, especially if the school site moves forward.

Sarah Brooks asks who would be responsible for any improvements, the school board or the county, if the school board does take the proposed property. Mr. Thompson explains that if the school board took the property right away, then the school board would be responsible, if not, then the developer would be responsible.

Mr. Price opens the floor to community comments once questions are done for the developer's representative.

Mark Altman of 115 Debban Drive in Ole Mill Stream approaches the podium. He states that he is on the HOA Board for Ole Mill Stream and is an advocate for growth and not a proponent of what is being proposed if done properly. He states that he feels that there are a lot of questions concerning compatibility and capacity in regards to the project, particularly traffic. He points out the accuracy issues of the traffic impact analysis, mentioning that only 5 points of access were studied when 9 are being proposed along with other traffic concerns. Mr. Altman states that he thinks it would be premature to approve a plan with that many unanswered questions. He then moves on to the issue of compatibility stating that he is in favor of the rezoning as its beneficial, but would like stronger buffers. He points out phases 25 and 31 stating there should be stronger buffers as the development proposed in those phases are not consistent with the surrounding estate lots. He states that there seems to be a push to get this through, but would like to suggest that the Board table a motion tonight and have a joint meeting where the community is invited. He reiterates that there are just not enough answers. He then encourages the Board to recognize that this is a paramount project in Clayton and as someone who works in this industry he is usually on the side of the applicant. In this case there are too many holes to make a decision at this point. He wants to see this proceed in a more controlled and orderly fashion as the ordinance says it should be. Mr. Altman then refers to the Town's website where it states the job of the Planning Board. He points out that there have been no housing market studies and questions how this development will affect surrounding property values. He suggests that an expert be called on to determine that. He states that if the community were to get their questions answered he thinks that most of them would be ok with the project moving forward, although some folks will always be against it.

Mr. Price assures everyone that that is exactly what the Planning Board and eventually Town Council is trying to do. He explains that they appreciate the community's concern and will weigh all factors before taking any action.

Willard Whitley of 2000 Kevin Court in Smith Ridge subdivision approaches the podium. He states that he is not within the city limits, but is being controlled by the Planning Board. He explains that Smith Drive has existing issues and is not up to far already. He then talks about school bus, students, and other safety issues with the increased traffic that would come with the proposed development. Mr. Whitley states that the traffic produced by the development would impact his quality of life. He then states that the road was maintained once, 4 months ago, since 1996. He mentions that he and some of the neighbors have done repairs on the road themselves over the years. He understands the need for access points, but doesn't want them there in Smith Ridge.

Trish Harrington of 107 Jasmine Drive approaches the podium. She states that she moved to Clayton 8 years ago because of its beauty, open space, animals, people and warmness of this town and it has been devastating over the last 10 years. She states that builders used to build around the trees and ponds, but now they plow everything down and don't replace the vegetation. She states that there is a direct correlation between no vegetation and traffic, as during the fall and winter months you can see and hear everything due to it being flat and overdeveloped. She states that the traffic and noise pollution is becoming a problem and destroying the natural habitat. Ms. Harrington mentions other park projects and the displacement of trees and even a cemetery was removed. Mr. Price points out that the cemetery was relocated, not removed. He then states that the Town wants to leave and recreate as much natural habitat as possible.

Thomas (inaudible) Smith Ridge resident approaches the podium. He states that he moved there in 1997 for what it was and wants to keep the neighborhood the way it was when he moved in. He explains that Smith Ridge doesn't have the capacity to withstand the increased traffic, as well as Missy and William Lanes. He states that his rights are being impacted by allowing hundreds of cars to go down roads when they're already not being maintained. Mr. Price states that Smith Ridge was developed under the county's criteria, not the Town and that the stub outs were county requirements. He states that he believes that the roads within that subdivision are NCDOT's responsibility. Mr. Price corrects himself that all of the streets within Smith Ridge are private except the state owned Smith Drive.

Chris Connell of 333 Collinsworth Drive approaches the podium. He states that he likes living in the South and appreciates what the developer is trying to do and knew this would eventually happen. He then explains that how it is going to happen is his only concern and that the way things are currently laid out doesn't seem to be the best way. He states that the developer should invest in some public communication and maybe some of these questions would be answered, but because they are not he doesn't think the decision should be rushed. He asks the Board to slow down and make the right decision.

Mike Hill of 2013 Missy Lane approaches the podium. Mr. Hill starts by stating that Missy Lane is a private street. He asks if they make Missy Lane a public street, will they in fact make the streets within the proposed development private, and how would that be fair. He then discusses the townhomes and the eyesore that they would be from his property. He states that there isn't a buffer high enough to cover that. He continues by stating that if the school goes in right across the street from the townhomes how scary the traffic would be. Mr. Hill questions what the layout of housing types would be throughout the development and thinks that the surrounding homeowners need to know what they will be looking at. He wants what the surrounding homeowners have and the new to be compatible. He reiterates again that taking their private road away for public access to the new development is not right. Jim Lee states that there needs to be evidence that Missy Lane is in fact a private road, because you cannot attach if it's a private road.

Jean Woodley of 2004 William Lane approaches the podium. She explains that her concerns are traffic and crime. She doesn't think that her small road can handle the increased traffic. She asks who will maintain their road since they are not within the city limits. She states that she is also concerned with the townhomes and the buffer, as she doesn't want to have to see them and would prefer single family dwellings instead.

James Carson of 2008 Missy Lane approaches the podium. Mr. Carson expressed his concern about the increased traffic on a road that is only 3/10 of a mile long and sits at a 45 degree angle going straight up a hill, along with a blind spot from the sun at one location. He states that these conditions, along with increased traffic, will only increase the risk for accidents. He also questions who will maintain the road. He states that he is for the development, but doesn't think the harsh traffic is doable.

Mr. Price explains that connectivity was planned for and is part of any normal development and unfortunately Smith Ridge and the others are not in our jurisdiction. Mr. DeYoung addresses the streets that funnel into that area and states that if there were an accident or emergency there needs to be more than one way in and out. He explains that our code requires access points based on the number of residences. He also states that the connection points are not intended as access points.

Neal Shultz of 2005 Donna Court approaches the podium. He states that he would like an invite to the developers meeting. He explains that his concern is safety and comfort. He states that increased traffic will not allow for them to get out and walk. Mr. Price explains again that the connections are not to add traffic to the streets, but to provide connectivity.

Lisa Mills of 2205 Smith Drive approaches the podium. She explains that her kids walk the streets and therefore she doesn't want more traffic. She thinks that the increased traffic will eventually cause an accident. She also states that the developer wouldn't be having any issues if he made all the lots estate lots and moved the access points. She closes stating that she wants to be given back to the county.

Paul Robinson of 2304 Smith Drive approaches the podium. He states that it is unrealistic to say that the connector streets won't become access streets. He explains that they may have a

better outcome if the builder and the Town would come to the neighbors and talk about this and answer more of their questions. He states that he has tried reaching out to the Town and the developer and received no response except that they had received his email. He goes on to explain that the development is affecting him on two sides and if Smith Drive comes through it would be three sides. He suggests fencing the road off so it doesn't become a cut through. He states that they should all work together to make this a great community. Mr. Robinson and Mr. Price have a brief back and forth related to the opportunity of community meetings.

Thomas Connell of 2000 Missy Lane approaches the podium. He explains that this development reminds him of when he lived in Dallas and experienced another turn-key community. He stated that the HOA keeps it locked down, but that the developer owns 52% of the community and make all the rules and whatever changes they want to. He goes into detail about the terrible things he saw with that particular community in Dallas. He states that he doesn't think the development has been investigated enough and asks that the Board takes their time.

Paul Staebler of 2200 Smith Ridge approaches the podium. He explains that his main concern is having the side streets that are private, remain private or unconnected. He suggests that the Board recommend the rezoning, but nothing at else at this time so that the developer can move forward and work out some of the issue presented.

Clyde Sorenson of 104 Alan Lane approaches the podium. He explains that he is concerned with the hydrology of the area based on the density and units per acre proposed. He states that he has a small pond that's below the eastern most ridge and with the watershed close by he worries about the state of the pond. He points out that the whole subdivision is on a ridge and water runs down both sides, so density should be addressed. Mr. Price explains that storm water design is influential in the design of the project and that the Town will ensure that it is handled properly.

Carol Anderson of 1274 Brookhill Drive approaches the podium. She explains that everyone is envisioning this project completed, but asks that it be considered what the impact on property values will be over the next potentially ten years of ongoing construction. She suggests phasing to minimize the impact. She also asks that they consider all roads, seeing how 5,000 cars will be traveling on them. Ms. Anderson states that the builder keeps referring to the 2006 Biltmore plan and they need to be focusing on a plan for the 2015 year that it is now and suggests trying to push traffic to another area.

Mr. Price asks if there is anyone else in the audience that would like to speak and points out that the applicant has stayed the duration of the meeting to hear all of their concerns.

Shawn Martin of 125 Claire Drive approaches the podium. He states that he is a police officer and his concern is that with these large scale developments with a small contingent of apartments comes increased crime. He goes on to explain that most people who invest in a home are trying to avoid the apartment environment. He states that he has patrolled Wakefield developments in Raleigh and the apartments are not advertised and doesn't believe that there are apartments in those developments. He closes stating that it sounds like the ball is rolling on this and just doesn't want them to overlook the apartment's impact.

Trish Harrington approaches the podium once more to speak briefly to crime. Mr. Price asks if there is anyone else wishing to speak. There is no one.

Mr. Price states that it is the Board's responsibility tonight to make a recommendation to Town Council and a preliminary recommendation to Town Council and request joint meeting at which time a recommendation can be made. Bob Ahlert suggests making a recommendation to Town Council to change the zoning to PD-MU. Mr. Price asks if they can recommend one without the other. Emily Beddingfield states that you can make one without the other, but they are contingent upon one another. Mr. Price clarifies that the Planning Board can make a recommendation to approve the rezoning contingent upon the site plan approval. Emily states that she thinks that language is correct. Mr. Price asks Mr. Ahlert if that is the motion that he wants to make and Mr. Ahlert confirms that that is correct.

Mr. DeYoung points out that Dana is absent now and the Board will have to declare an alternate as a voting member. Mr. Price declares James Lipscomb as the voting member and Mr. Lipscomb seconds Mr. Ahlert's motion to recommend the rezoning. Jim Lee asks that they hold for a moment, as he's not sure that they should recommend only one and asks if it does them any good. Mr. Price explains again that since they are separate they can in fact approve the rezoning and it doesn't tie them to making any recommendation on the site plan until a later date. Jim Lee clarifies that they won't have to make a decision until after the joint meeting with Town Council. Mr. Price confirms that that is correct.

Marty Bizzell states that he is not comfortable making any recommendations on either tonight with the issues that were brought up and states that he cannot vote on them tonight. Frank Price points out that there is a motion and a second on the floor for the rezoning. Jim Lee states that it will reduce confusion to do them together. Mr. DeYoung states that since there is a motion and a second it needs to go to vote. Mr. Price repeats again that the motion and second on the floor is to recommend the rezoning contingent on the master site plan approval by Town Council. Mr. Lipscomb states that he doesn't understand why it can't be rezoned without the master plan being approved. Mr. DeYoung states that any planned development require a master plan approval associated with the rezoning. Mr. Price reiterates the motion and second on the floor. Bob Ahlert withdraws his motion since he didn't understand. Mr. Price states that he'll entertain the motion to move forward with the joint Town Council meeting on February 23, 2015. Mr. DeYoung explains that they will need a motion and a vote to move on to that joint meeting. He also points out that whether they address the item tonight or not, it will still move on to Town Council even if it's with a recommendation of denial. Jim Lee would like to motion the joint meeting and a condition that the community gets their meeting with the developer before the Planning Board and Town Council joint meeting. Bucky Coats seconds the motion. Mr. Price and Mr. DeYoung clarify the time and date of the joint meeting as 7pm on February 23, 2015 and also clarify that this is a continuation not a tabled item. The vote is passed unanimously at 9:25pm.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT

Mr. Price states that the meeting is still in motion. Mr. Lipscomb expresses concern about the stub outs at Missy and Williams Lanes and the concern about through traffic. Bob Ahlert suggests putting in a fence that only public safety would have access to. Mr. DeYoung states that since a vote has been taken at this point, this discussion is more or less comments and that it was staff that recommended the tie-ins, not the developer. He goes on to explain that he thinks there is still a safety issue and staff will discuss it with public safety between now and then, but he will not be making a decision on his own about it.

VII. ADJOURN

David Teem makes a motion to adjourn. Sarah Brooks seconds the motion and it passes unanimously at 9:28pm.

Duly adopted this 27th day of April 2015, while in regular session.

X

Frank Price
Planning Board Chairman

ATTEST:

X

Rebecca Powers
Clerk to Planning Board

**MINUTES
CLAYTON PLANNING BOARD
FEBRUARY 23, 2015**

The regular meeting of the Clayton Planning Board for the month of February was held at 6:00pm at Town Hall, 111 East Second Street.

PRESENT: Frank Price (Chair) (ETJ), David Teem (Vice Chair) (TL), George “Bucky” Coats (TL), Jim Lee (ETJ), Ronald L. Johnson (TL), Dana Pounds (ETJ), Marty D. Bizzell (ETJ), Robert J. Ahlert (TL), James Lipscomb (ETJ) [Alt.], Jean M. Sandaire (TL) [Alt.], Sarah Brooks (TL); Bob Satterfield (Councilman); Michael Grannis (Councilman)

ABSENT: N/A

ALSO PRESENT: David DeYoung, Planning Director; Jay McLeod, Planner; John McCullen, Town Engineer; Stacy Beard, Public Information Officer; Rebecca Powers, Clerk to Planning Board

I. CALL TO ORDER:

At 6:00PM Frank Price called the meeting to order and states that all Board members are present.

II. ADJUSTMENTS TO THE AGENDA:

Mr. DeYoung states that there are no adjustments to the agenda.

III. APPROVAL OF MINUTES FROM THE JANUARY 26, 2015 MEETINGS:

Mr. Price states that the approval of the January 26, 2015 meeting minutes will be postponed.

IV. REPORTS/COMMENTS:

David DeYoung states that there are no reports or comments.

V. OLD BUSINESS:

- A. PDD 2014-127 Steeplechase Planned Development – Rezoning to PD-MU***
- B. PSD 2014-128 Steeplechase Planned Development – Master Plan/Preliminary Subdivision Plan (REVISED)***

Mr. Price introduces PDD 2014-127 and PSD 2014-128

David DeYoung approaches the podium and presents the information below along with the following PowerPoint presentation; herewith attached and incorporated into the record. Mr. DeYoung states that staff will be presenting update on the Steeplechase rezoning PDD 2014-127 and master plan 2014-128 together, but they will need two separate votes. He states that he recognizes members of the audience that have been looking for specific changes and this is what he will be presenting on.

David DeYoung begins by explaining that the school site has been enlarged to 28+/- acres and the condition will move from 18 months to 24 months.

Mr. DeYoung then explains the updates that staff has asked for on the south side stating that the commercial parcel has been reduced to 9.9 acres, which is about half the original size. He also points out that all entrances onto Covered Bridge Road to be lined up with each other, in order to minimize conflict points. He states that they also asked for a collector road at North O'Neil Street which was updated. Mr. DeYoung states that the connection to Smith Ridge Estates has been removed from the project and the townhomes have been moved away from Smith Ridge and replaced with single family homes.

Mr. DeYoung then explains the changes on the north side stating that access points still remain in Smith Ridge Estates and will go on to Town Council or action. Brookhill Drive will either have sidewalks on both sides or a 10 foot multipurpose path on one side. He also points out multiple other multipurpose paths and greenways that will be connecting into the Sam's Branch greenway. This will now allow for the possibility of greenway throughout the neighborhood. He then states that they are recommending Brookhill Drive has a 31 foot back to back or a multipurpose path. He shows some other cross sections as options. He also explains that staff asked the developer to switch trees to the opposite side or the sidewalks.

Mr. DeYoung explains that staff is still recommending approval of rezoning and master plan with conditions and approval of the three waivers.

Mr. DeYoung then moves on to traffic stating that they are further along than most people think. Mr. DeYoung explains that Covered Bridge Road from North O'Neil to City Road, what NCDOT recommended, staff thinks is extreme. Planning staff is requesting the dedication of a 110 foot right of way and realignment of Covered Bridge Road. He goes on to give a little more detail. He states that they are suggesting a 31 foot back to back for Brookhill Drive and to ultimately take that road over from NCDOT and make it a Town road. Mr. DeYoung then addresses North O'Neil Street and City Road updates. He then discusses intersection improvements and gives details about Covered Bridge, Brookhill, City Road, and Shotwell. Mr. DeYoung explains that these improvements will be phase by phase. He states that that brings everyone up to speed for now. He explains that there have been nine submittals for this project, which is pretty extreme for any development. Mr. DeYoung states that staff has tried to consider public comments and staff concerns when making these updates and he then turns it over to the developer. Mr. Price asks if there are any questions for Mr. DeYoung. There are none. Mr. Price states that it seems that a lot has been worked out and commends David and the developer.

Ken Thompson of J. Davis architects approaches the podium and states that David once again has covered the majority of what needed to be addressed. Mr. Thompson does go on to comment on a few other important design factors. He first touches on the Earp pond stating that they will be making it a centerpiece. He explains that walkability was an important factor with this project, as they wanted everyone to be able to walk to the amenities. Mr. Thompson states that he feels that the development team has been as accommodating as possible and that they are definitely better now than when they started. He goes on explaining that the development is made up of 1/3 open/recreational space and as the cross sections show, there are sidewalks and/or greenways available on all roads.

Mr. Thompson briefly covers some ideas for entry ways, amenity placement, and pocket parks. He explains that more will be added throughout the development process. He then discusses lot plans and explains that they are creating strong streetscapes and a nice street presence. Next he shows images of some of the amenities, including retail space where they are leaving the option open to go vertical. Mr. Thompson wraps up and passes the discussion on to Kem Ard.

Kem Ard of Wakefield Development approaches the podium. He states that he has been a Clayton resident since 1974. He explains that he has been listening to concerns and states that some of the previous meetings have been a little contentious. He states that he understands that connections are not wanted in Smith Ridge and Ole Mill Stream. He explains that they have no problem removing them from the project just hope those residents understand the difficulties of a one way in and one way out scenario. He points out that Wakefield has a good track record with planned development communities. He states that moving the townhomes away from Smith Ridge does hurt the project, but wants the residents to know that they are listening to their concerns. He closes by asking for the Town's support.

Mr. Price asks if there are any questions for Mr. Ard. Michael Grannis asks when the pool and clubhouse would be completed. Mr. Ard states that in their plan it states that they will pull the permit for the clubhouse at the 251st building permit. Mr. Grannis asks what size the pool will be. Mr. Ard states that it will be at least a junior Olympic size. Mr. Grannis asks about a kiddie pool. Mr. Ard states that it's possible, but can't commit to it at the moment. Mr. Grannis asks about clubhouse size and amenities within. Mr. Ard states that the clubhouse will be about 4,000 square feet and house meeting rooms, a possible fitness room, and pool equipment.

Marty Bizzell commends Mr. Ard for listening and for moving the townhomes away. He reiterates the concern over buffers at the last meeting and asks what that buffer will be now that the townhomes have been moved. Mr. Ard states that now that the townhomes have been moved there will be a 20 foot buffer. Mr. Bizzell then asks if staff will be tying the traffic improvements to a condition. Mr. DeYoung confirms that that is correct. Mr. Ard follows up with that stating that they are pushing to get more traffic info and hopes to get it this week.

Jim Lee asks about the minimum of two parking spaces for homes, including the garage as one of the spaces. Mr. Ard confirms that. Mr. Lee states that he could see a problem with street

parking and would it be possible to have two spaces plus the garage. Mr. Ard states that they will look into that and goes on to explain that some neighborhoods still have a parking problem even when the extra space is given. Mr. Lee follows up stating that they've done a good job getting all of this together. Mr. Ard states that David DeYoung has worn them out, but that it's been a pleasure working with him.

David DeYoung states that neighbors wanted an updated traffic count at City Road and Covered Bridge. He explained that new count meters were installed yesterday and will have an update soon. Mr. Price mentions that the Covered Bridge and North O'Neil improvements were discussed and there will be a connector over to 42 East.

Mr. Price opens the floor for audience comment and reminds them that the official Public Hearing for this item will be March 2, 2015.

Lisa Mills of 2205 Smith Drive approaches the podium and reiterates that she doesn't want a connection in Smith Ridge and appreciates them moving the townhomes.

Jean Woodley of 2004 William Lane approaches the podium and thanks staff and the developer for listening to their concerns and reiterates that she still doesn't want the connection on Smith Road.

Mark Altman of 115 Debar Lane approaches the podium and states that he is a member of their HOA and is somewhat speaking on their behalf. He asks again that the Board hold off on making any decisions until all of the traffic has been reviewed and cleared up. He then mentions the 20 foot buffer as a trade-off for moving the townhomes from bordering Smith Ridge, but since that has nothing to do with Ole Mill Stream therefore he would still like a higher and wider buffer with well-kept vegetation. Ms. Mills approaches the podium again to ask that if they extend the buffer for Ole Mill Stream, that they do it for Smith Ridge as well.

James Carson of 2008 Missy Lane approaches the podium and states that he thought he heard it said that no decisions would be made until all traffic revisions were done, so he is appalled to see that the items are on the agenda again for a decision. Mr. Price thanks him and clarifies that the traffic study has been submitted and been reviewed by NCDOT, what the Town is asking that improvements and phasing be taken into consideration. He states that he hopes that helps.

Mr. Price then moves to the Board since there are no more comments. He states that there are two items to deliberate on. Mr. Lipscomb states that he is not a voting member tonight, but wants to say that he does support the project and thinks that staff and the developer have done a great job. Mr. Bizzell goes back to the buffer issue and asks if the developer would consider conditioning a larger buffer, similar to what Mr. Altman suggested. Mr. Price asks if that is specific to Smith Ridge and Ole Mill Stream. Mr. Bizzell states both, but that most of the concern now rests in Ole Mill Stream and the lots that will back up to that neighborhood. He points out that if there was some lot definition it may not be as big of an issue. Mr. Ard states that they will

take a look and see how it affects the site plan. Mr. Price asks if anyone would like to entertain a motion.

Bucky Coats makes a motion to recommend approval of planned development/rezoning to the Town Council. Dana Pounds seconds the motion and after Mr. Price clarifies that this vote is for the rezoning it passes unanimously at 6:48PM.

Mr. Price states that item B, master plan approval revision is now up for a motion. Sarah Brooks makes a motion to recommend approval to Town Council with conditions. David Teem seconds the motion. Marty Bizzell goes back to the buffer condition. David DeYoung explains that it doesn't need a condition that it will be addressed and reassures Mr. Bizzell that it won't be lost. The vote passes unanimously at 6:50PM.

David DeYoung explains that they need to vote on the three waivers. Bob Ahlert makes a motion to recommend approval of the three waivers. Bucky Coats seconds the motion and it passes unanimously at 6:51PM. Mr. Price states that all three will move on to the Town Council meeting being held on March 2, 2015.



Planning Board
February 23, 2015

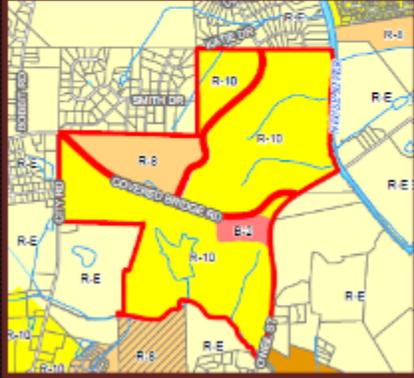
PLANNING DEPARTMENT



RZ 2014-127 and PSD 2014-128 Steeplechase Planned Development

Request:

- ◆ Two separate approvals:
 - 1. RZ 2014-127 Rezoning of 631 acres from B-2, R-8 and R-10 to PD-MU
 - 2. PSD 2014-128 Approval of a Master Plan acting as a Preliminary Subdivision Plat
- ◆ Applicant:
 - Galaxy NC, LLC, c/o Wakefield Development



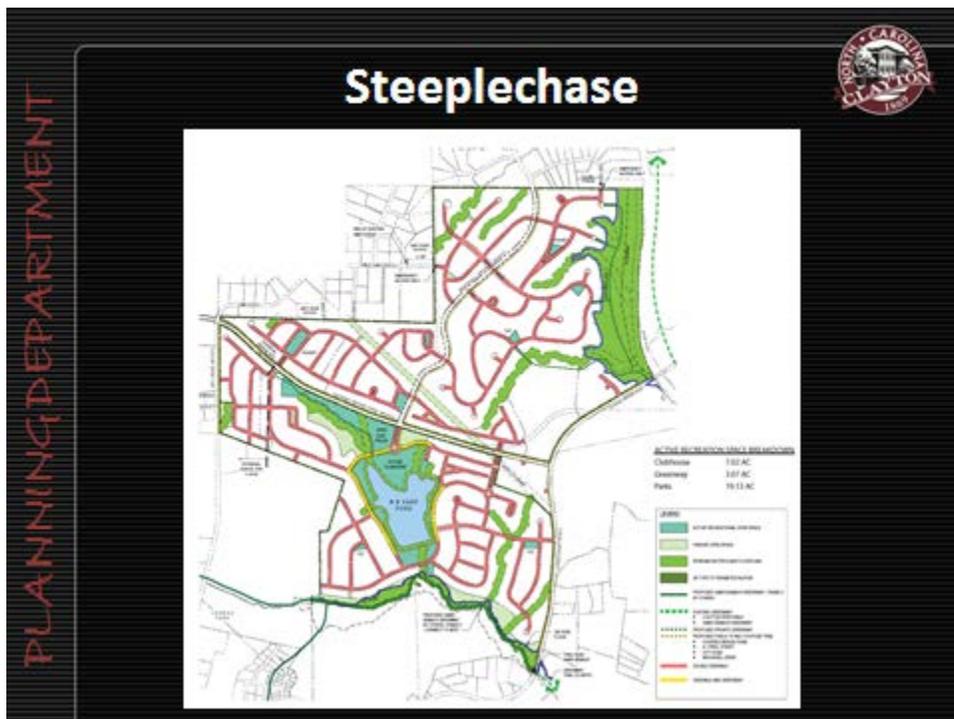
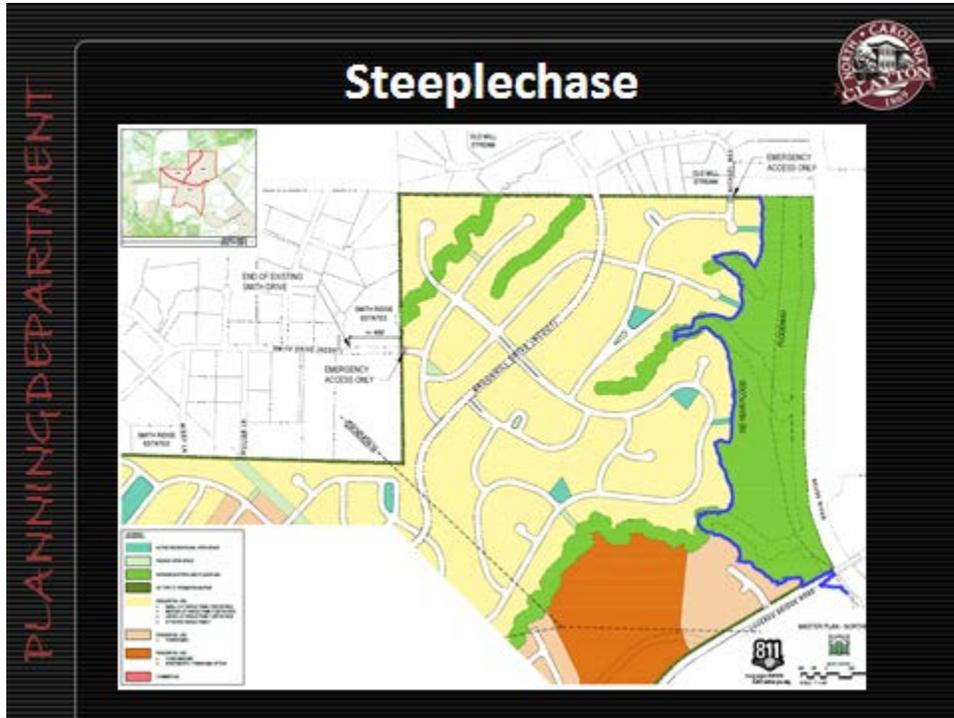
PLANNING DEPARTMENT



Steeplechase







PLANNING DEPARTMENT

Steeplechase

The site plan is divided into several sections, each with a title and scale:

- RESIDENTIAL STREET OPTION 1** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 2** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 3** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 4** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 5** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 6** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 7** (SCALE 1/8" = 1'-0")
- RESIDENTIAL STREET OPTION 8** (SCALE 1/8" = 1'-0")
- UTILITY** (SCALE 1/8" = 1'-0")
- NOTES** (SCALE 1/8" = 1'-0")

NOTES:

1. ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS SUBJECT TO CHANGE AND SHOULD BE VERIFIED BY THE OWNER PRIOR TO CONSTRUCTION.
2. THE UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS SUBJECT TO CHANGE AND SHOULD BE VERIFIED BY THE OWNER PRIOR TO CONSTRUCTION.
3. THE UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS SUBJECT TO CHANGE AND SHOULD BE VERIFIED BY THE OWNER PRIOR TO CONSTRUCTION.

SCALE: 1/8" = 1'-0"

PLANNING DEPARTMENT

Steeplechase Planned Development

Staff Recommendation:

- ◆ Approval of RZ 2014-127 from R-8, R-10 and B-2 to PD-MU.
- ◆ Approval of PSD 2014-128 subject to the conditions of approval as modified by staff.
- ◆ Approval of the three requested waivers



PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

1. Following Board approval, three copies of the Master Plan / Preliminary Subdivision Plat meeting the requirements of the Conditions of Approval 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 and the Master Plan Document (regulating 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 155.703 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 with the exception that Condo/Apartment/Townhome areas that will not be further subdivided, and Commercial phases, shall be reviewed as a Major Site Plan.
4. The developer shall reserve the portion of the site shown as a "potential school site" for 18 months from the date of the approval. If developed as a school, the development of the school site will be reviewed as a Major Site Plan.
5. Neighborhood parks and recreational amenities, including the clubhouse site, shall be reviewed as Minor Site Plans prior to construction.
6. The clubhouse and trail system around the pond shall be permitted and under construction prior to the issuance of a Certificate of Occupancy for the 251st residential unit.
7. A combination of dedication and fee-in-lieu may be utilized to meet recreation and open space requirements. To meet requirements, additional recreation area must be dedicated or a recreation fee-in-lieu shall be required at the established rate to supplement the dedicated land (land considered Resource Conservation Areas does not count toward meeting recreation and open space requirements).
8. Acquisition of any land not currently within Town Limits shall be required prior to final Plat approval for the first phase of the development.

PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

9. 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.
10. All traffic improvements required by NCDOT and the Town shall be installed prior to the issuance of a certificate of occupancy for the phase (as shown on the overall phasing plan with the Master Plan Document/Regulating Plan) that generates the need for the improvement. The necessary right-of-way for Covered Bridge Road (internal to the project), North O'Neil Street, and City Road shall be dedicated as a part of the first phase (as indicated in the Traffic Study Prepared by Davensport) of the development. The necessary right-of-way for Broadhill Drive and Covered Bridge Road (north of its intersection with North O'Neil Street) shall be dedicated as a part of the second phase (as indicated in the Traffic Study Prepared by Davensport) of the development.
11. All roof mounted and ground mechanical equipment not associated with single family detached residential development must be completely screened from view.
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 or an equivalent based on cost. An engineer's estimate which documents the cost allocations (in linear footage) between the dedicated 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 may be installed prior to the issuance of a Certificate of Occupancy of the unit.
14. Internal greenways shall be constructed or bonded prior to the first Certificate of Occupancy for the associated phase.
15. All greenways shall meet Town of Clayton standards with a minimum paved width of 10 feet.
16. The storage 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. This recreation area shall be constructed concurrent with the construction of the associated phase and shall be installed or bonded prior to issuance of a certificate of occupancy for that phase.
17. Where a greenway is placed in the same location as a required buffer, that buffer width shall be expanded by a minimum of 25 feet to accommodate the trail and required plantings.

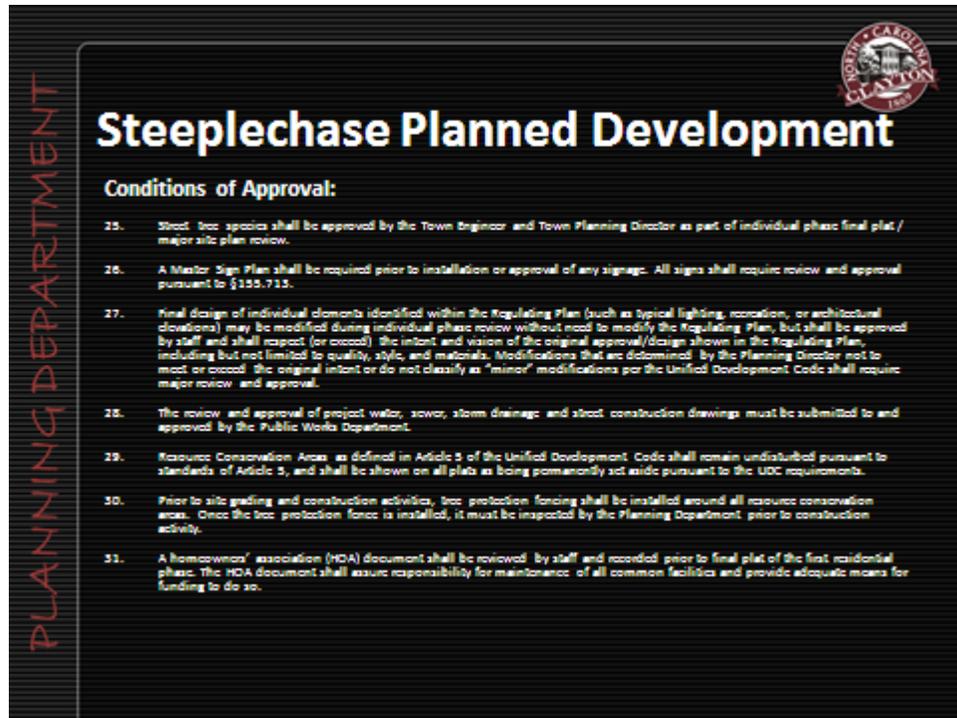
PLANNING DEPARTMENT



Steeplechase Planned Development

Conditions of Approval:

18. A 10' greenway shall be constructed along one side of Covered Bridge Road and North O'Neil Street for the entire project footprint, concurrent with necessary roadway improvements. A greenway shall also be constructed along the project footprint adjacent to City Road concurrent with or prior to the construction of a phase which abuts City Road, and shall be installed or bonded prior to issuance of a Certificate of Occupancy for that phase.
19. All required vegetated buffers and plantings, including street trees, 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.
20. A mix of housing types shall be required at the minimum percentages set by the Master Plan and shall be selected from the list of housing type options presented in the Master Plan Document (regulating plan). In no case shall the overall project density exceed 4 units per acre.
21. A mix of housing elevations (variations in architectural features), styles, and colors along each block is required to ensure visual interest and variety. Housing elevations shall be submitted along with each final plat review and shall be reviewed to ensure consistency with the architectural standards presented in the Master Plan and requirement this condition of approval.
22. Final location and configuration of Cluster Mailbox Units (CBUs) shall be determined in the final plat/site plan review (as applicable) for each phase. CBUs 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.
23. 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.
24. No more than 150 certificates of occupancy may be issued within the subdivision until the required third access has been constructed or bonded for construction.



VI. NEW BUSINESS:

David DeYoung states that there is no other business this evening.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT

Mr. Price asks if there is any other public comment and points out that Allen Mims, one of our county commissioners is here and what an honor. Mr. Mims approaches the podium and states that he thought this was a joint meeting. Mr. Price explained that they didn't think they'd have all the wrinkles worked out before hand, but they were discussed at the Town Council work session last Thursday.

VII. ADJOURN

Jim Lee makes a motion to adjourn. David Teem seconds the motion and it passes unanimously at 6:54pm.

Duly adopted this 27th day of April 2015, while in regular session.

X

Frank Price
Planning Board Chairman

ATTEST:

X

Rebecca Powers
Clerk to Planning Board

**MINUTES
CLAYTON PLANNING BOARD
MARCH 23, 2015**

The regular meeting of the Clayton Planning Board for the month of March was held at 6:00pm at Town Hall, 111 East Second Street.

PRESENT: Frank Price (Chair) (ETJ), David Teem (Vice Chair) (TL), George “Bucky” Coats (TL), Jim Lee (ETJ), Ronald L. Johnson (TL), Marty D. Bizzell (ETJ), Robert J. Ahlert (TL), James Lipscomb (ETJ) [Alt.], Sarah Brooks (TL); Bob Satterfield (Councilman)

ABSENT: Dana Pounds (ETJ), Jean M. Sandaire (TL) [Alt.], Michael Grannis (Councilman)

ALSO PRESENT: David DeYoung, Planning Director; Jay McLeod, Planner; John McCullen, Town Engineer; Stacy Beard, Public Information Officer; Rebecca Powers, Clerk to Planning Board

I. CALL TO ORDER:

At 6:02PM Frank Price called the meeting to order and Rebecca Powers took roll.

II. ADJUSTMENTS TO THE AGENDA:

Mr. DeYoung states that item C. is being withdrawn upon the applicant’s request and items F., G., and H. are being postponed, the first two due to the applicant and the last due to staff needing to finish up a couple of things.

III. APPROVAL OF MINUTES FROM THE DECEMBER 17, 2014 MEETINGS:

Mr. Price states that the December 17, 2014 meeting minutes need to be approved and asks if there are any corrections or additions. Hearing none, David Teem makes a motion to approve the minutes. Bob Ahlert seconds the motion and it passes unanimously at 6:06PM.

IV. REPORTS/COMMENTS:

David DeYoung states that there are no reports or comments.

V. OLD BUSINESS:

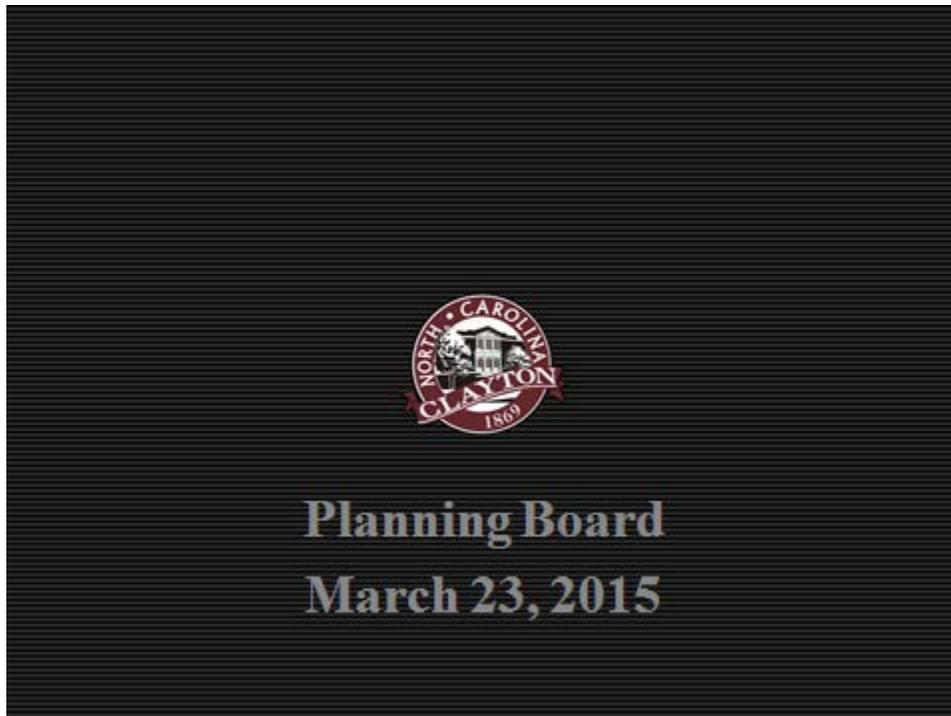
David DeYoung states that there is no old business.

VI. NEW BUSINESS:

A. 14-126-01-RZ Proctor's Place Rezoning

Mr. Price moves to item A., Proctor's Place Rezoning.

Jay McLeod approaches the podium and introduces 14-126-01-RZ with the following PowerPoint presentation; herewith attached and incorporated into the record.



PLANNING DEPARTMENT

14-126-01-RZ

Proctor's Place east parking lot Rezoning

Request:

- ◆ Rezoning of 0.75 acres from R-6 (Residential) to B-2 (Neighborhood Business)

Applicant / Owner:

- ◆ Calvary Chapel / Sherald & Donald Lee



PLANNING DEPARTMENT

14-126-01-RZ

Proctor's Place east parking lot Rezoning

- ◆ Existing Use: Overflow parking lot - gravel



PLANNING DEPARTMENT

14-126-01-RZ

Proctor's Place east parking lot Rezoning

◆ Future land use

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

Legend

- Single family
- PROPOSED LAND USE
- COMMERCIAL
- INDUSTRIAL
- MULTI-FAMILY
- NEIGHBORHOOD COMMERCIAL
- OFFICE INSTITUTIONAL
- OPEN SPACE CONSERVATION
- PUBLIC
- RESIDENTIAL INFILL
- RESIDENTIAL LIGHT
- RESIDENTIAL MEDIUM
- SMALL AREA PLAN

14-126-01-RZ

Proctor's Place east parking lot Rezoning

The proposed development is generally consistent with:

- ◆ Strategic Growth Plan
 - Goal 2: Manage Growth Producing Quality Development
 - Proposed Land Use Map
 - Inconsistent with Residential Infill (Updated Land Use Map)
 - Consistent with current surrounding uses
- ◆ Surrounding Land Uses
 - Compatible with B-2: Apartments and Offices on either side; Single Family Residential across the street
- ◆ Neighborhood Meeting:
 - Held February 16, 2015

PLANNING DEPARTMENT

14-126-01-RZ

Proctor's Place east parking lot Rezoning

Staff Recommendation:

- ◆ Approval of the Rezoning of the subject property from R-6 to B-2

*Planning Board shall make a recommendation.
Final decision shall be made by Town Council.*



Questions/Discussion



David Teem asks if the lot will be used for parking. Mr. McLeod answers in the affirmative. Mr. Price explains that if this is approved for recommendation, the item will go to Town Council for a final decision. He then asks if the applicant is in the audience. Mr. Sherald Lee approaches the podium. He explains that he is the owner of the property and they plan to use the lot for overflow parking for the church located next door. He then offers to answer any questions. Jim Lee asks

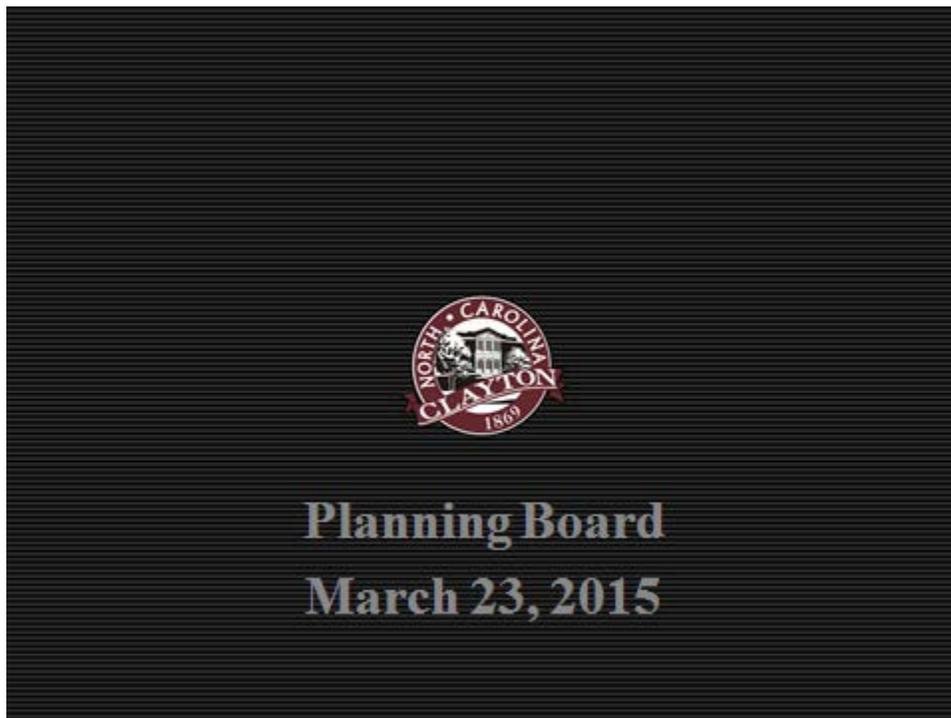
about the narrow lanes in between and asks if they are paper streets and should they be abandoned beforehand. David DeYoung states that they are staying on their own property so the roads wouldn't interfere therefore there was no need to abandon the paper streets. Mr. DeYoung then points out after deliberating with Sherald Lee that the paper streets have in fact already been abandoned.

Sarah Brooks makes a motion to recommend the rezoning to Town Council. David Teem seconds the motion. Mr. DeYoung jumps in to ask if there is anyone from the community. There are none so they move back to the vote. The vote passes unanimously at 6:13PM.

B. 15-05-01-RZ Horne Memorial Rezoning I

Mr. Price moves on to item B., Horne Memorial Rezoning I.

Jay McLeod approaches the podium and introduces 15-05-01-RZ with the following PowerPoint presentation; herewith attached and incorporated into the record.



PLANNING DEPARTMENT

15-05-01-RZ

Horne Memorial Church Rezoning I

Request:

- ◆ Rezoning of 0.71 acres from R-6 (Residential) to O-I (Office-Institutional)

Applicant / Owner:

- ◆ True Line Surveying / Horne Memorial Church

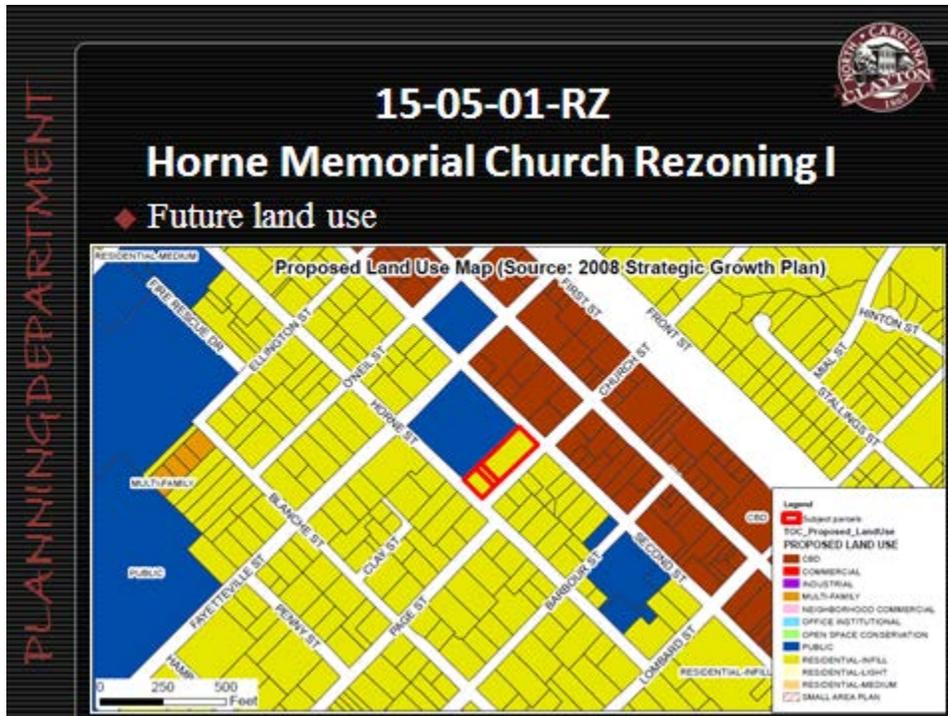


PLANNING DEPARTMENT

15-05-01-RZ

Horne Memorial Church Rezoning I





- 15-05-01-RZ
- ### Horne Memorial Church Rezoning I
- The proposed development is generally consistent with:
- ◆ Strategic Growth Plan
 - Goal 2: Manage Growth Producing Quality Development
 - Proposed Land Use Map
 - Inconsistent with Residential Infill
 - Consistent with current surrounding uses - institutional
 - ◆ Surrounding Land Uses
 - Consistent with O-I: Town Hall, Women's Club
 - Border between intensive uses of downtown businesses and less intensive uses of historic residential neighborhood.
 - ◆ Neighborhood Meeting:
 - Held on January 21, 2015 and February 23, 2015.

PLANNING DEPARTMENT

15-05-01-RZ

Horne Memorial Church Rezoning I

Staff Recommendation:

- ◆ Approval of the Rezoning of the subject property from R-6 to O-I.

*Planning Board shall make a recommendation.
Final decision shall be made by Town Council.*



Questions/Discussion



Bucky Coats asks if the applicant will have to come back for a conditional use permit if the rezoning is approved. Mr. DeYoung explains that no they do not since they are an existing nonconforming parcel and moving to consistency with the current code. Mr. Price states that he was surprised to see that they were not already O-I, as he thought that's what the whole entire block was zoned. Mr. Bizzell asks if a church is already an existing use within their current

zoning then what is the point of rezoning. Jay McLeod explains that the purpose is to recombine them into one parcel, which will help with the nonconforming status and give them the flexibility to further grow. There are no other questions for staff and Mr. Price calls on the applicant.

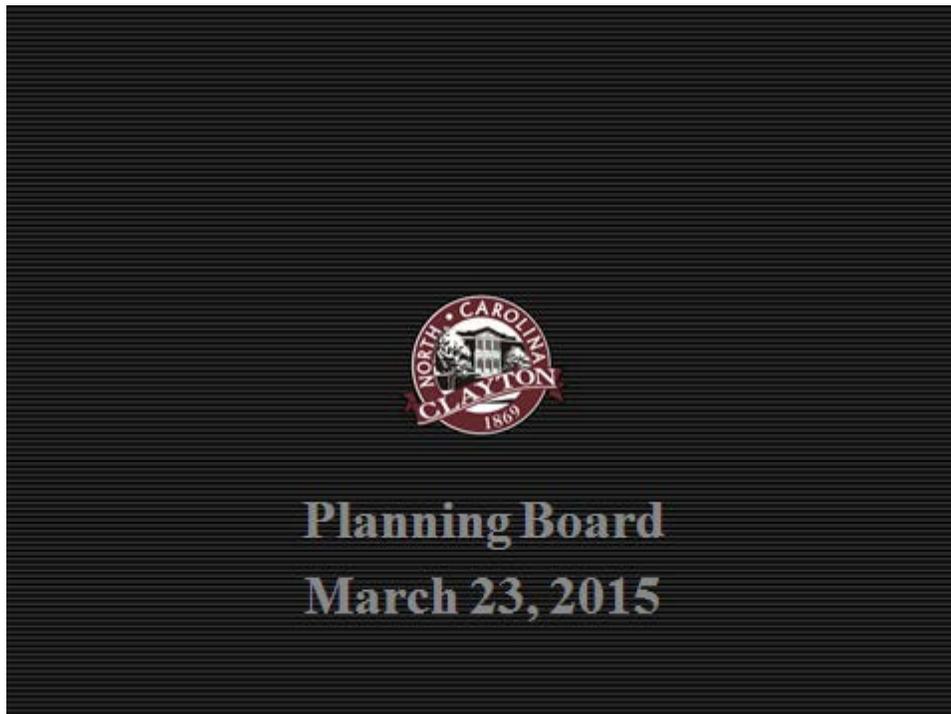
Curk Lane of True Line Surveying approaches the podium as the representative of Horne Memorial. He explains that they will be following up with a recombination which will allow for some house cleaning and the possible use of the Lassiter House. He further explains that the lots are too small and this will help with future plans for the church since O-I allows for more than one building per lot. Mr. Price points out that there are no questions for the applicant and no audience comment.

Bucky Coats makes a motion to recommend approval. David Teem seconds the motion and it passes unanimously at 6:21PM.

- C. 15-05-02-RZ Horne Memorial Rezoning II – WITHDRAWN**
- D. 15-08-02-RZ RWAC Raven's Ridge Phase 8C Rezoning**
- E. 15-08-01-SUB RWAC Raven's Ridge Phase 8C Major Subdivision/Master Plan Modification**

Mr. Price moves on to items D. and E., RWAC Raven's Ridge 8C Rezoning and Major Subdivision/Master Plan Modification.

David DeYoung explains that items D. and E. will be presented together, but points out that they are separate requests. David DeYoung introduces 15-08-02-RZ and 15-08-01-SUB with the following PowerPoint presentation; herewith attached and incorporated into the record.

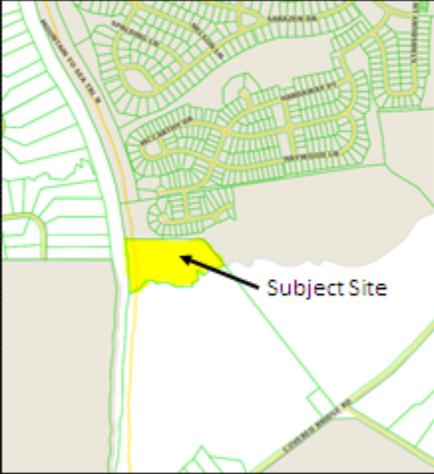


PLANNING DEPARTMENT

15-08-01-SUB and 15-08-02-RZ RWAC Raven's Ridge Phase 8C Rezoning and Subdivision

Two Separate Requests:

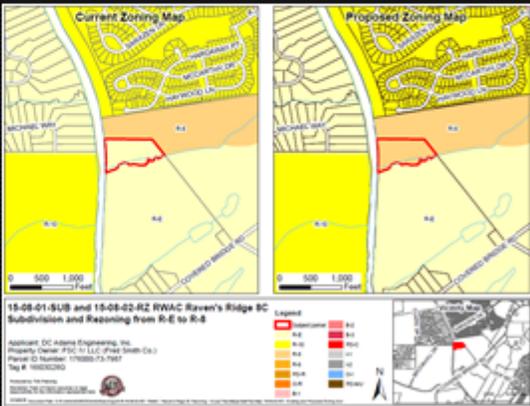
- ◆ 1. Rezoning of 8.2 recently annexed acres from R-E to R-8
- ◆ 2. Subsequent approval of a modification to the RWAC master plan to include this land, including preliminary subdivision plan.
- ◆ Applicant/Developer: DC Adams Engineering Inc. / FSC IV, LLC.



PLANNING DEPARTMENT

Raven's Ridge Phase 8C Rezoning

- ◆ Size: 8.2 acres
- ◆ Existing Zoning: Residential – Estate (R-E)
- ◆ Existing Use: – Vacant/Agriculture
- ◆ Proposed Zoning: – R-8
- ◆ Adjacent to the Riverwood Athletic Club subdivision
- ◆ Neighborhood meeting held: 03/12



15-08-01-SUB and 15-08-02-RZ RWAC Raven's Ridge 8C Subdivision and Rezoning from R-E to R-8

Applicant: DC Adams Engineering, Inc.
Property Owner: FSC IV, LLC (FSC South Co.)
Parcel ID Number: 171888-73-7987
Map #: 150808020

Scale: 1" = 1,000 Feet



PLANNING DEPARTMENT



Raven's Ridge Phase 8C Rezoning

- ◆ Proposed Zoning is compatible with proposed FLU



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

Legend

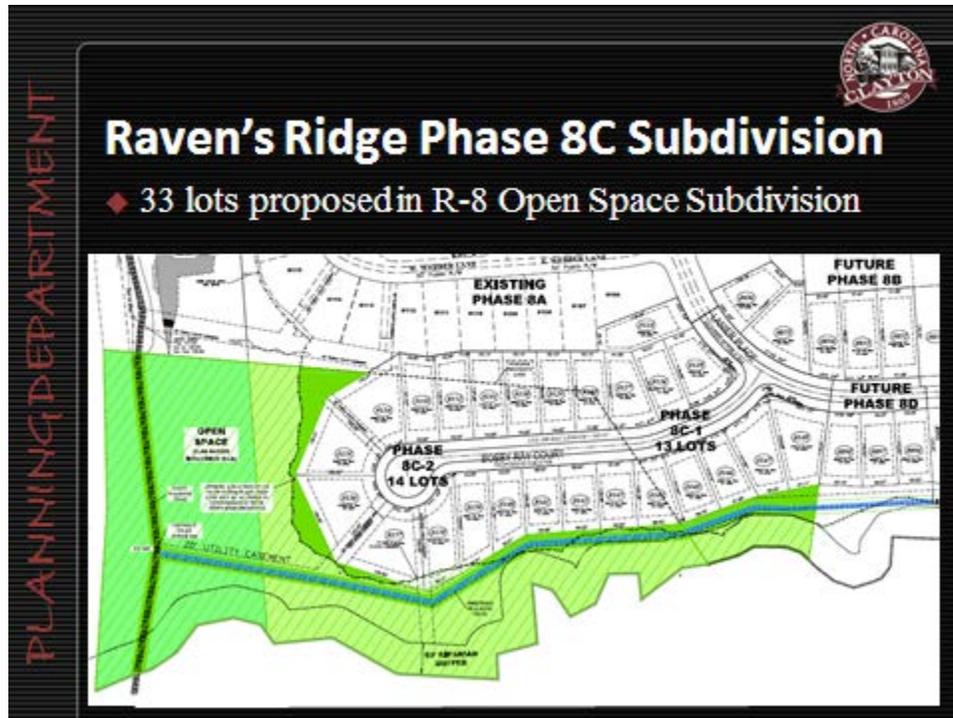
- R-E (Residential-Estate)
- PROPOSED LAND USE
- R-8 (Residential -8)
- COMMERCIAL
- INDUSTRIAL
- MULTIFAMILY
- NEIGHBORHOOD COMMERCIAL
- OFFICE INSTITUTIONAL
- OPEN SPACE CONSERVATION
- PUBLIC
- RESIDENTIAL INFILL
- RESIDENTIAL LIGHT
- RESIDENTIAL MEDIUM
- SMALL AREA PLAN

PLANNING DEPARTMENT



Raven's Ridge Phase 8C Rezoning

- ◆ Rezoning of 8.2 acres from R-E (Residential-Estate) to R-8 (Residential -8)
- ◆ Inclusion of the 8.2 acres into Riverwood Athletic Club (administrative addition)
- ◆ Site development will require preliminary subdivision plan approval (concurrently requested as 15-08-01-SUB).
- ◆ Access: Property is accessible internally from the Riverwood Athletic Club subdivision (Pritchard Road)



David DeYoung points out that they aren't really adding 33 lots, it's closer to 12-13 lots since there are about 16-17 lots that already exist as part of the existing phase 8C.

The image is a slide titled 'Raven's Ridge Phase 8C Subdivision' with a red 'PLANNING DEPARTMENT' label on the left and a circular logo in the top right corner. The slide lists the following requirements and standards:

- ◆ **Landscaping & Buffering:**
 - Consistent with an R-8 Open Space Subdivision
- ◆ **Development Standards:**
 - R-8 Open space Requirements
- ◆ **Recreation & Open Space:**
 - Recreation requirements for Raven's Ridge are satisfied by the Master Plan, and amenities are shared with Riverwood Athletic Club
- ◆ **Waivers or Deviations:**
 - Waiver request from Section 155.602 of the UDC to allow an alternate cross section

PLANNING DEPARTMENT



Raven's Ridge Phase 8C Subdivision

- ◆ Waiver request
 - Waiver request from Section 155.602 of the UDC to allow an alternate cross section for phases 8A-E, 9. Cross-section does not include sidewalks or has a grassed swale in place of curb and gutter.
 - Cross-section is consistent with other streets in RWAC.
 - In lieu of sidewalks, a 6-foot pedestrian easement provided on the lot-side of the swale.
 - Fee-in-lieu for sidewalks will be required.
 - Applicant has noted that swale system is more environmentally friendly.
 - Four criteria as outlined in Section 155.706(I)(7), addressed by the applicant and provided to the Board for review.

PLANNING DEPARTMENT



Raven's Ridge Phase 8C Subdivision

- ◆ Compatibility with surrounding land uses:
 - Dimensions of lots are consistent with density of adjacent phases.
- ◆ Request is consistent with the UDC
- ◆ Applicant has addressed Findings of Fact
 - Accepted by staff as a part of a complete application
 - Made part of public record as attachment to the Staff Report



Raven's Ridge Phase 8C Rezoning

The proposed development is generally consistent with:

- ◆ Strategic Growth Plan
 - Goal 2: Manage Growth Producing Quality Development
 - Consistent with Proposed Land Use Map, which designates land as “residential-medium.”
- ◆ Surrounding Land Uses
 - Zoning dimensional standards are consistent with the requirements of the adjacent zoning to the north (RWAC)
- ◆ Neighborhood Meeting:
 - Held March 12, 2015



PLANNING DEPARTMENT

Raven's Ridge Phase 8C Rezoning and Subdivision

Staff Recommendation on 15-08-02-RZ Rezoning

- ◆ Approval of the Rezoning of the subject property from R-E to R-8

Staff Recommendation on 15-08-01-SUB Subdivision

- ◆ Approval with conditions as stated in the staff report of the Preliminary Subdivision of the subject property to allow 33 lots
- ◆ Approval of the waiver request for the proposed alternate street cross-section

*Planning Board shall make a recommendation.
Final decision shall be made by Town Council.*



Questions/Discussion



Subdivision conditions 15-08-01-SUB

CONDITIONS:

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

- ◆ 1. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
- ◆ 2. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
- ◆ 3. The proposed 10' wide multi-use/greenway will be constructed and tied into the existing Neuse River greenway prior to the Certificate of Occupancy being issued for the first dwelling unit.



Subdivision conditions 15-08-01-SUB

CONDITIONS (con't):

- ◆ 4. All development fees shall be paid prior to final plat recordation, except that Capacity fees shall be paid prior to issuance of building permits.
- ◆ 5. 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.
- ◆ 6. RCAs shall be protected with orange fencing during the construction of adjacent parcels. Fencing shall be installed prior to any clearing and/or grading.
- ◆ 7. An updated wastewater allocation request must be approved by the Town Manager.

Frank Price asks for clarification on the fact there are three motions requested. Mr. DeYoung answers in the affirmative. There are no questions for staff so Mr. Price calls on the applicant. Fred Smith approaches the podium and states that Mr. DeYoung did such a great job that he doesn't have anything to add. James Lipscomb states that he would like to abstain, due to his relationship with the applicant.

Ronald Johnson makes a motion to recommend approval of the rezoning. David Teem seconds the motion and it passes unanimously at 6:31PM.

David Teem makes a motion to recommend approval of the subdivision. Sarah Brooks seconds the motion and it passes unanimously at 6:32PM.

Jim Lee makes a motion to recommend approval of the waivers. David Teem seconds the motion and it passes unanimously at 6:33PM.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT

There is no informal discussion or public comment.

VII. ADJOURN

Sarah Brooks makes a motion to adjourn. David Teem seconds the motion and it passes unanimously at 6:33pm.

Duly adopted this 27th day of April 2015, while in regular session.

X

Frank Price
Planning Board Chairman

ATTEST:

X

Rebecca Powers
Clerk to Planning Board



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

Planning Board
April 16, 2015

STAFF REPORT

Application Number: RZ 2014-99
Project Name: Magnolia Pointe Rezoning

NC PIN / Tag #: 165914-33-6257 / 05B02031V
Town Limits/ETJ: Town Limits
Overlay: NA
Applicant: ASCO Builders Inc., c/o Matt Shephens (mattshephens@bellsouth.net)
Owner: ASCO Builders Inc.

Neighborhood Meeting: meeting pending

Public Noticing:

- sign posted April 17, 2015
- letters mailed TBD, 2015
- newspaper ad TBD, 2015

PROJECT LOCATION: The property is located on Shotwell Road, in between US 70 Bus Hwy W and Amelia Church Rd. This vacant parcel is across Shotwell Rd from Lion's Spring.

REQUEST: The applicant is requesting approval to rezone 13.89 acres at the location described above from Planned Development Mixed Use (PD-MU) and Residential-10 (R-10) to Residential-8 (R-8).

SITE DATA:

Acreage: 13.89 acres
Present Zoning: Planned Development Mixed Use (PD-MU) and Residential-10 (R-10)
Proposed Zoning: Residential-8 (R-8)
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

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

South:	Zoning:	Planned Development Mixed Use (PD-MU) and Office-Institutional (O-I)
	Existing Use:	Lion’s Gate planned development and a doctor’s office.
East:	Zoning:	Residential-Estate (R-E)
	Existing Use:	Lion’s Gate planned development (approved for townhome development) and Lion’s Spring retirement residential
West:	Zoning:	Residential-Estate (R-E)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting approval for rezoning of the subject property to Residential-8. The applicant has indicated that if approved, the site would be developed as an open-space subdivision.

R-8 permits development of single family lots with a minimum of 8,000 square feet in a conventional subdivision. If developed as an open space subdivision, single family lots are permitted at a minimum of 6,000 sf, or 4,800 sf if alley-loaded. Duplexes, townhomes, and multi-family development are permitted only with a Special Use Permit.

Compatibility with Surrounding Land Uses

The site is bounded on three sides by some form of residential use. The site is currently vacant and has been graded. This rezoning request is running concurrently with a subdivision plan for the same property (PSD2014-97). The rezoning and proposed development is compatible with surrounding uses.

Access/Streets:

The property fronts on and is currently accessed from Shotwell Road.

Consistency with the Strategic Growth Plan

This rezoning is consistent with the Strategic Growth Plan, Goal 2.5: “More Housing Opportunities: Beyond Starter Homes.”

CONSIDERATIONS:

- The applicant is requesting a rezoning from PD-MU and R-10 to R-8, in anticipation of a R-8 Open Space Residential Subdivision.
 - Rezonings are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with an adopted plans and policies of the town and explaining why the board considers the action taken to be reasonable and in the public interest.
-

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning.

PLANNING BOARD RECOMMENDATION:

ATTACHMENTS:

- 1) Aerial Map
- 2) Existing and Proposed Zoning Map
- 3) Proposed Land Use Map
- 4) Table 2.1 – allowed uses
- 5) Application
- 6) Neighborhood Meeting Materials (if available)
- 7) Planning Board Motion Form

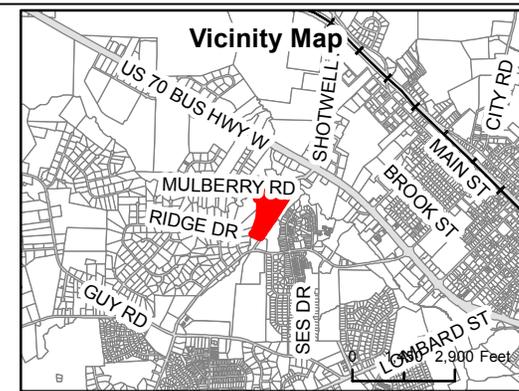


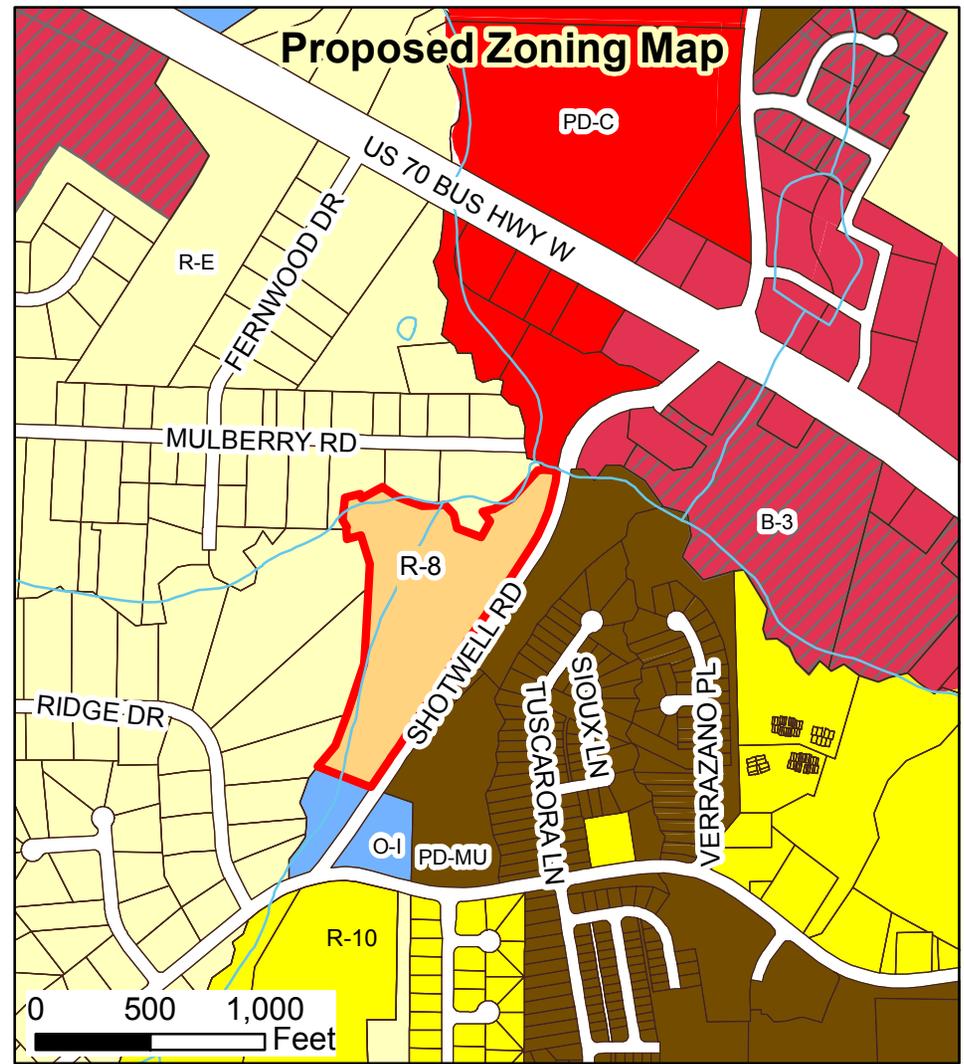
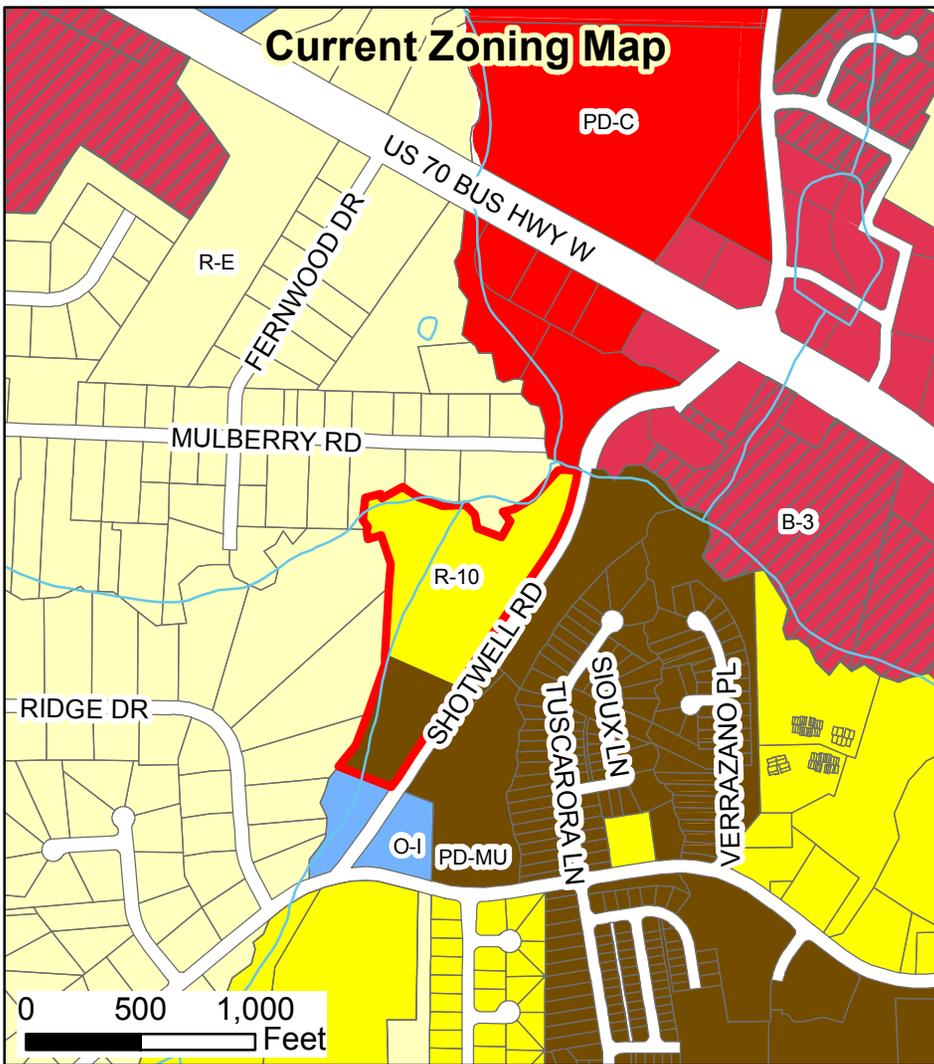
**PSD2014-97 and RZ2014-99 Magnolia Pointe Subdivision
Subdivision and Rezoning from R-10 and PD-MU to R-8**

Applicant: ASCO Builders Inc
 Property Owner: ASCO Builders Inc
 Parcel ID Number: 165914-33-6257
 Tag #: 05B02031V

Produced by: TOC Planning

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





PSD2014-97 and RZ2014-99 Magnolia Pointe Subdivision Subdivision and Rezoning from R-10 and PD-MU to R-8

Applicant: ASCO Builders Inc
 Property Owner: ASCO Builders Inc
 Parcel ID Number: 165914-33-6257
 Tag #: 05B02031V

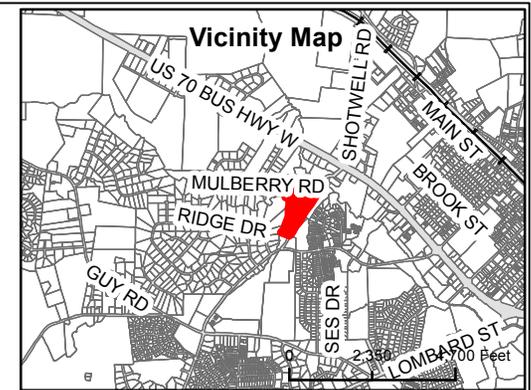
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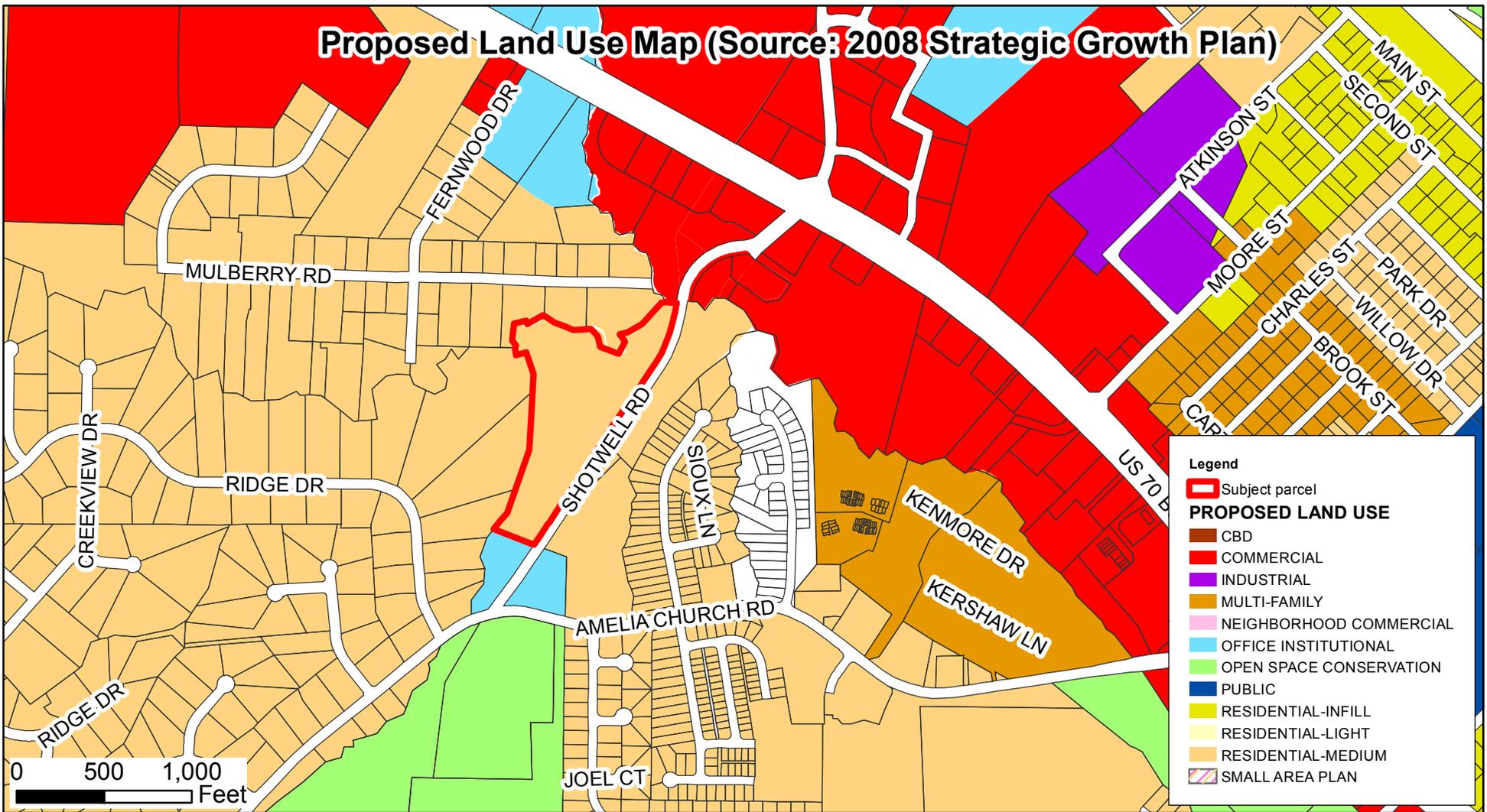


Legend

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



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



Proposed Land Use Map (Source: 2008 Strategic Growth Plan) PSD2014-97 and RZ2014-99 Magnolia Pointe Subdivision Subdivision and Rezoning from R-10 and PD-MU to R-8

Applicant: ASCO Builders Inc
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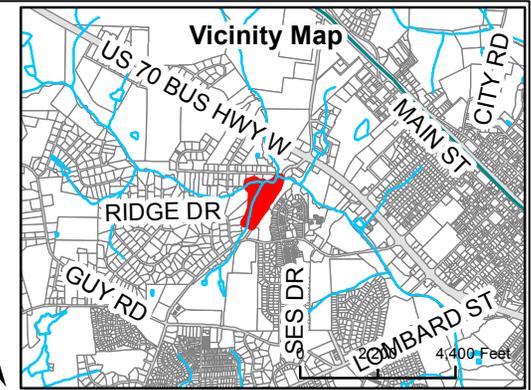


Table 2-1 Use Regulations

Use Type	Zoning Districts											Specific Use Section	
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2		
Residential Uses													
Adult Care Home (2-6 Adults)	P	P	P	P									§155.301(A)
Adult Care Home (7-12 Adults)	S	S	S	S		C	S	S	S				§155.301(A)
Adult Care Home (13+ Adults)						C	S	S	S				§155.301(A)
Alley Loaded House		P	P	P									§155.301(B)
Apartments		S	S	S	S	S	S	S	S				§155.301(C)
Boarding House				C		P		P					§155.301(D)
Child Care Home	C	C	C	C	C								§155.301(E)
Manufactured Home	P												§155.301(F)
Manufactured Home Park	S												§155.301(G)
Nursing Home (Congregate Living Facility)	C			C		P		S	P				§155.301(H)
Two family House		S	S	S	S								§155.301(I)
Townhouse		S	S	S	S	S	S	S	S				§155.301(J)
Security/Caretaker Quarters	C								C				§155.301(K)
Single Family House	P	P	P	P									§155.301(L)
Upper-story Residence	S	S	S	S	S	P	P	P	P				§155.301(M)
Zero Lot Line House		P	P	P									§155.301(N)
Public and Civic Uses													
Assembly, Not For Profit	S					P			P				§155.302(A)
Cemetery	P								P				§155.302(B)
Church or Place of Worship	C	C	C	C		C		C	C				§155.302(C)
College or University						P							§155.302(D)
Day Care (Supervision for 3-8)	C	C	C	C	C								§155.302(E)
Day Care (Supervision for 9+)	C	C	C	C	C	P	P	C	P				§155.302(E)
Government Service	S	S	S	S	P	P	P	P	P	P	P		§155.302(F)
Hospital or Medical Center						P			P				§155.302(G)
School (Elementary or Secondary)	S	S	S	S		S							§155.302(H)
School (Technical, Trade or Business)	S	S	S	S		P	P		P	P	P		§155.302(I)
Recreational Uses													
Entertainment, Indoor						C	C	C	P	P			§155.303(A)
Entertainment, Outdoor									C	P			§155.303(B)
Fitness Center						C	C	C	P	P			§155.303(C)
Golf Course	P	P	P	P									§155.303(D)
Gun Range							S	S	S	S	S	S	§155.303(E)
Park, Active	S	S	S	S	S	S	S	S	S	S	S	S	§155.303(F)
Park, Passive	C	C	C	C	P	P	C	C	C	C	C	C	§155.303(G)
Stable, Private	P												§155.303(H)
Agricultural Uses													
Agriculture, Livestock	C											C	§155.304(A)
Agriculture, Sales and Service	P											C	§155.304(B)
Nursery	P					P	P	C	P				§155.304(C)
Commercial Uses													
Adult Oriented Business									S		S		§155.305(A)
Bed and Breakfast	P					P	P	P	P				§155.305(B)
Car Wash/Auto Detailing						C	C	P	P				§155.305(C)
Contractor Office						C	C		P	P	P		§155.305(D)
Contractor Storage Yard									C	C	P		§155.305(E)
Convenience Store with Gas Sales							C	C	P	P	P		§155.305(F)
Creative Studio					P	P	P	P	P				§155.305(G)
Financial Institution					P	P	P	P	P				§155.305(H)
Funeral Home				C	P	P	P	P	P				§155.305(I)
Hotel/Motel						S	S	S	P				§155.305(J)
Kennel	C							C					§155.305(K)
Laundry Services							C		C	P	P		§155.305(L)
Lounge, Cocktail							S		S	S	S		§155.305(M)
Microbrewery							P		P	P	P		§155.305(N)

Abridged Use Table, created: March 16, 2015
 Town of Clayton, NC

Use Type	Zoning Districts											Specific Use Section
	Residential				Nonresidential							
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	
Newspaper Publisher									P	P	P	\$155.305(O)
Office, General					P	P	P	P	P	P		\$155.305(P)
Office, Medical					P	P	P	P	P	P		\$155.305(Q)
Outdoor Seating/Sidewalk Cafe						C	P	C	C			\$155.305(R)
Pawn Shop									C	P		\$155.305(S)
Radio or Television Studio									P	P	P	\$155.305(T)
Restaurant, Drive-Through								C	C	C		\$155.305(U)
Restaurant, General						C	P	P	P	C		\$155.305(V)
Retail Sales, General							P		P			\$155.305(W)
Retail Sales, Neighborhood							P	P	P			\$155.305(X)
Self-storage Facility									C	P	P	\$155.305(Y)
Service, General							P		P			\$155.305(Z)
Service, Neighborhood							P	P	P			\$155.305(AA)
Tattoo Parlor									S			\$155.305(BB)
Towing Service and Storage									C	C	C	\$155.305(CC)
Vehicle Repair or Service									S	P	P	\$155.305(DD)
Vehicle Sales and Rental									P	P	P	\$155.305(EE)
Veterinary Clinic						C	C	C	P			\$155.305(FF)
Video Sweepstakes Operations										S		\$155.305(GG)
Industrial Uses												
Building Supplies, Wholesale									C	P	P	\$155.306(A)
Crematorium										P	P	\$155.306(B)
Gas and Fuel, Wholesale										P	P	\$155.306(C)
Laboratory, Research						P			P	P	P	\$155.306(D)
Manufacturing, Limited										P	P	\$155.306(E)
Manufacturing, General										C	P	\$155.306(F)
Manufacturing, Heavy											P	\$155.306(G)
Research and Development						P			P	P	P	\$155.306(H)
Warehouse, Freight Movement									C	P	P	\$155.306(I)
Utilities												
Recycling Center										P	P	\$155.307(A)
Renewable Energy Facility	S									C	P	\$155.307(B)
Telecommunication Facility	S	S	S	S	S	S	S	S	S	S	S	\$155.307(C)
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	\$155.307(D)
Utility, Major										P	P	\$155.307(E)
Waste Service										C	P	\$155.307(F)
Key:												
P – Permitted												
C – Conditional Use permitted in the zoning district only if approved by the Board of Adjustment (BOA) (§ 155.710)												
S – Special Use permitted in the zoning district only if approved by the Town Council (TC)) (§ 155.711)												

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2007-05-02, passed 5-7-07; Am. Ord. 2009-06-06, passed 6-1-09; Am. Ord. 2009-08-03, passed 8-3-09; Am. Ord 2014-12-02, passed 12-1-14)



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

AMENDED APPLICATION

REZONING APPLICATION

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

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

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

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

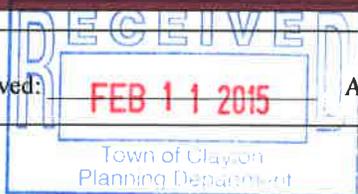
SITE INFORMATION:

Name of Project: MAGNOLIA POINTE Acreage of Property: 13.89
 Parcel ID Number: 165914-33-6257 Tax ID: 05A02031V
 Deed Book: 0255B Deed Page(s): 0010
 Address: SHOTWELL ROAD
 Location: SHOTWELL ROAD

Existing Use: VACANT Proposed Use: RESIDENTIAL
 Existing Zoning District: PD-MU AND R-10
 Requested Zoning District R-8
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: 2014-99 Date Received: FEB 11 2015 Amount Paid: _____



APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

THIS PLAN IS CONSISTENT WITH THE SURROUNDING AREA.
SHOTWELL ROAD CONSIST OF O-I, PD-MU AND B-3 ZONINGS.

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

THE USES PERMITTED ARE VERY SIMILAR. THE PROPOSED
DISTRICT WOULD ALLOW MORE AGREEABLE LOT STANDARDS FOR
THIS UNIQUELY SHAPED PARCEL.

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

THIS CHANGE WOULD ALLOW RESIDENTIAL USES CLOSE BOTH
TO THE TOWN PARK AND SHOPPING ALONG SHOTWELL RD.

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.

THIS IS A REPLACEMENT PLAN FOR A DIFFERENT
STYLE HOUSING PLAN THAT WAS PREVIOUSLY APPROVED.
THE IMPACT ON TOWN FACILITIES WOULD HAVE VERY
MINOR CHANGE.

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

NO VIOLATIONS EXIST

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

THE PROPOSED CHANGE SHOULD HAVE NO CHANGES TO ADJOINING PROPERTY.

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.

YES.

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.

Matthew Stephens
Print Name

[Handwritten Signature]
Signature of Applicant

8/1/14
Date

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

Being that certain parcel of land (Tract 4) in Clayton Township, Johnston County, North Carolina and lying North of Shotwell Road (S.R. 1553), east of property owned by William W. Smith, South Landmark Sub, and being more particularly described as follows:

Beginning at an existing pk nail in the centerline of Shotwell Road (S.R. 1553), said public right of way being 60 feet at western side of property; thence from said existing pk nail along the line of William W. Smith North $65^{\circ}41'30''$ West 282.81 feet to an existing iron stake; thence North $45^{\circ}56'41''$ East 118.86 feet to a point; thence North $22^{\circ}53'42''$ East 376.52 feet to an existing iron stake; thence North $06^{\circ}44'06''$ East 307.97 feet to an existing iron stake; thence North $06^{\circ}44'06''$ East 130.00 to a point; thence North $15^{\circ}21'42''$ West 130.75 feet to a point in center of little creek; thence along the center of little creek the following bearings and distances;

South $77^{\circ}44'33''$ West 60.33 feet

North $01^{\circ}09'33''$ East 54.10 feet

North $34^{\circ}39'10''$ West 35.44 feet

North $10^{\circ}06'53''$ East 95.19 feet

North $82^{\circ}19'22''$ East 60.10 feet

South $11^{\circ}50'22''$ East 20.49 feet

North $82^{\circ}30'09''$ East 51.52 feet

North $64^{\circ}26'30''$ East 104.20 feet

South $53^{\circ}15'10''$ East 79.23 feet

South $65^{\circ}55'10''$ East 113.40 feet

South $89^{\circ}09'00''$ East 100.68 feet

South $40^{\circ}53'20''$ East 56.41 feet

South $08^{\circ}24'04''$ East 62.66 feet

South $65^{\circ}49'09''$ East 113.42 feet

North $31^{\circ}51'10''$ East 78.80 feet

North $33^{\circ}15'50''$ West 54.00 feet

North $82^{\circ}07'52''$ East 47.52 feet

North $63^{\circ}53'01''$ East 95.70 feet

North $45^{\circ}39'41''$ East 165.30 feet

thence along the center of little creek South $84^{\circ}53'56''$ East 82.65 feet to an existing pk nail in the center of Shotwell Road (S.R. 1553), said road having a 60 feet public right of way; thence along the center of Shotwell Road (S.R. 1553) the following bearings and distances;

South $16^{\circ}20'55''$ West 37.87 feet

South $16^{\circ}16'36''$ West 99.62 feet

South $20^{\circ}46'58''$ West 100.38 feet

South $29^{\circ}56'22''$ West 99.87 feet

South $36^{\circ}07'14''$ West 99.90 feet

South $37^{\circ}16'27''$ West 151.85 feet

South $37^{\circ}23'54''$ West 339.76 feet

South $37^{\circ}05'57''$ West 531.30 feet

South $38^{\circ}03'06''$ West 99.91 feet

South $38^{\circ}46'54''$ West 60.49 feet to the point and place of beginning and containing 14.94 acres.

FILED
JOHNSTON COUNTY
CRAIG OLIVE
REGISTER OF DEEDS

FILED Sep 30, 2003
AT 11:00:00 am
BOOK 02558
START PAGE 0010
END PAGE 0011
INSTRUMENT # 48501

Johnston County 09-30-2003
NORTH CAROLINA
Real Estate
Excise Tax \$380.00

Johnston County, North Carolina
CRAIG OLIVE Register of Deeds
The following certificate(s) of
BRENDA E JONES

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

Excise Tax \$ 360

Tax Lot No. _____ Parcel Identifier No. 05G02031V
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to Richard O. Gamble, P. O. Box 1777, Raleigh, NC 27602
This instrument was prepared by Richard O. Gamble, Atty.

Brief Description for the index

Lot 4, containing 14.94 acres, Bullard Property

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 29th day of September, 2003, by and between

GRANTOR

THE STEPHENS CENTER, INC.

GRANTEE

ASCO BUILDERS, INC.

319 Chapanoke Road, Suite 106
Raleigh, NC 27603

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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 Township, Johnston County, North Carolina and more particularly described as follows:

BEING all of Lot 4, containing 14.94 acres, more or less, according to a survey entitled "Survey & Map for Donald E. Bullard" by Southwind Surveying & Mapping, Inc., dated May 5, 1993 and recorded in Plat Book 42, Page 437, Johnston County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1542, Page 307.

A map showing the above described property is recorded in Plat Book 42, Page 437

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Subject to easements, restrictions and rights of way of record, if any.

Subject to 2003 ad valorem property taxes and subsequent years.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

THE STEPHENS CENTER, INC.

By: Algie I. Stephens
Algie I. Stephens, President

USE BLACK INK ONLY

(SEAL)

(SEAL)

(SEAL)

(SEAL)



NORTH CAROLINA, _____ County.

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of . .

My commission expires:

1/10/05

Brenda E. Jones Notary Public

SEAL-STAMP



NORTH CAROLINA, _____ County.

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Algie I. Stephens personally came before me this day and acknowledged that he is President of THE STEPHENS CENTER, INC., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him as President. Witness my hand and official stamp or seal, this 30th day of September, 2003.

My commission expires:

1/10/05

Brenda E. Jones Notary Public



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information.

Query Parcel 1

Tag: 05G02031V
 NCPin: 165914-33-6257
 Mapsheet No: 165914
 Owner Name1: ASCO BUILDERS INC
 Owner Name2:
 Mail Address1: 319 CHAPANOKE RD STE 102
 Mail Address2:
 Mail Address3: RALEIGH NC 27603-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 02558
 Page: 0010
 Market Value: 194760
 Assessed Acreage: 13.89
 Calc Acreage: 13.89
 Sale Price: 180000
 Sale Date: 2003-09-30



1 inch = 389 feet

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

Date August 1, 2014

ParcelID	Name1	Name2	Address1	Address2	City	State	Zip
05G02031Z	LIONSGATE VILLAGE LLC	A NC LIMITED LIABILITY COMPANY	400 RIVERWOOD DRIVE		CLAYTON, NC	27520	--000
05G02192P	CORBETT, JESSE V JR	CORBETT, JANICE	1020 RIDGE DR		CLAYTON, NC	27520	--000
05G02031V	ASCO BUILDERS INC		319 CHAPANOKE RD	STE 102	RALEIGH, NC	27603	--000
05G02009N	BALDIES RESTAURANT GROUP LLC		6101 NC HIGHWAY 42 W		GARNER, NC	27529	--844
05G02195F	PHILLIPS, ERNEST LUTRELL &	PHILLIPS, CYNTHIA HOCUTT	1012 RIDGE DRIVE		CLAYTON, NC	27520	--000
05G02195E	ARCHIE, ADISON I	HOUNACKI, KATELYNN E	925 MULBERRY RD		CLAYTON, NC	27520	--212
05G02200H	PLEASANT, JAMES ANDREW		1008 RIDGE DR		CLAYTON, NC	27520	--966
05G02200F	WALLACE, RUTH WELCH, CARL	MEZYNSKI, MELISSA ANN	124 BURKWOOD LN		RALEIGH, NC	27609	--000
05G02194F	HEDAYATZADEH, MELISSA ANN		1600 S BRENTWOOD BLVD,	STE 770	ST LOUIS, MO	63144	--000
05G02005M	FOSTER PARTNERS LLC		45 SHOTWELL ROAD		CLAYTON, NC	27520	--000
05G02009P	MEHAN MEDICAL LLC		252 COOPER BRANCH RD		CLAYTON, NC	27520	--000
05G02009I	HOWARD, E FRANK JR		A NC LIMITED LIABILITY COMPANY	400 RIVERWOOD DRIVE	CLAYTON, NC	27520	--000
05G02010B	LIONSGATE VILLAGE LLC		7706 SIX FORKS RD	SUITE 202	RALEIGH, NC	27615	--000
05G02065P	LIONS SPRING HOUSING ASSOC LLC		921 MULBERRY RD		CLAYTON, NC	27520	--212
05G02196M	HUTH, DONALD W HUTH, GERRY H		1016 RIDGE DR		CLAYTON, NC	27520	--966
05G02192Q	STEPHENSON, JAMES W	STEPHENSON, MARY			CLAYTON, NC	27520	--966

LIONSGATE VILLAGE LLC
400 RIVERWOOD DRIVE
CLAYTON,NC 27520-000

CORBETT, JESSE V JR
1020 RIDGE DR
CLAYTON,NC 27520-000

ASCO BUILDERS INC
319 CHAPANOKE RD STE 102
RALEIGH,NC 27603-000

BALDIES RESTAURANT GROUP LLC
6101 NC HIGHWAY 42 W
GARNER,NC 27529-844

PHILLIPS, ERNEST LUTRELL &
917 MULBERRY ROAD
CLAYTON,NC 27520-000

ARCHIE, ADISON L
1012 RIDGE DRIVE
CLAYTON,NC 27520-000

PLEASANT, JAMES ANDREW
925 MULBERRY RD
CLAYTON,NC 27520-212

WALLACE, RUTH
1008 RIDGE DR
CLAYTON,NC 27520-966

HEDAYATZADEH, MELISSA ANN
124 BURKWOOD LN
RALEIGH,NC 27609-000

FOSTER PARTNERS LLC
1600 S BRENTWOOD BLVD, STE 770
ST LOUIS,MO 63144-000

MEEHAN MEDICAL LLC
45 SHOTWELL ROAD
CLAYTON,NC 27520-000

HOWARD, E FRANK JR
252 COOPER BRANCH RD
CLAYTON,NC 27520-000

LIONSGATE VILLAGE LLC
400 RIVERWOOD DRIVE
CLAYTON,NC 27520-000

LIONS SPRING HOUSING ASSOC LLC
7706 SIX FORKS RD SUITE 202
RALEIGH,NC 27615-000

HUTH, DONALD W
921 MULBERRY RD
CLAYTON,NC 27520-212

STEPHENSON, JAMES W
1016 RIDGE DR
CLAYTON,NC 27520-966

**Turn off 'Fit To Page' in
print dialog before printing.
Label Type: Av5160
17 labels printed

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
REZONING**

PDD 2014-99 Magnolia Pointe Rezoning

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

Recommendation to the Town Council to

approve the request with the conditions presented by staff;

approve the request with the following modified or added conditions:

deny the request.

Recommendation(s) made this ___ day of _____ while in regular session.

Signed:

Frank Price, Planning Board Chair



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

*Planning Board
April 20, 2015*

STAFF REPORT

Application Number: PSD 2014-97
Project Name: Magnolia Pointe Major Subdivision – Preliminary Plat

NC PIN / Tag #: 165914-33-6257 / 05B02031V
Town Limits/ETJ: Town Limits
Overlay: NA
Applicant: ASCO Builders Inc., c/o Matt Shephens (mattshephens@bellsouth.net)
Owner: ASCO Builders Inc.

Neighborhood Meeting: meeting pending

Public Noticing:

- sign posted April 17, 2015
- letters mailed TBD, 2015
- newspaper ad TBD, 2015

PROJECT LOCATION: The property is located on and west off of Shotwell Road, between US 70 Bus Hwy W and Amelia Church Rd. It is a vacant lot directly across from Lion's Spring development.

REQUEST: The applicant is requesting preliminary subdivision plat approval for the major subdivision of the subject property to allow between 35 and 40 single family detached residential units.

SITE DATA:

Acreeage: 13.89 acres
Existing Zoning: Planned Development Mixed Use (PD-MU) and Residential-10 (R-10)
Proposed Zoning: Residential-8 (R-8) (a concurrent rezoning application exists (RZ 2014-99) to rezone to R-8)
Existing Use: Vacant
Existing Impervious: None - property is vacant.

DEVELOPMENT DATA:

Proposed Uses: single family detached residential units in an R-8 Open Space Subdivision

Buildings:	37 residential units
Number of Stories:	Maximum height of 35 feet
Impervious Surface:	Maximum 55% impervious for overall development
Required Parking:	2 spaces per unit
Proposed Parking:	2 spaces per unit
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	Two access points onto Shotwell Road.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Town of Clayton

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Residential-Estate (R-E)
	Existing Use:	Single Family Residential
South:	Zoning:	Planned Development Mixed Use (PD-MU) and Office-Institutional (O-I)
	Existing Use:	Lion’s Gate single-family subdivision and a medical office.
East:	Zoning:	Residential-Estate (R-E)
	Existing Use:	Lion’s Gate single-family subdivision and Lion’s Spring retirement residential
West:	Zoning:	Residential-Estate (R-E)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting preliminary subdivision plat approval for a new single family residential subdivision. This would be an Open-Space R-8 subdivision and is running concurrently with a rezoning (RZ2014-97).

Consistency with the Strategic Growth Plan

The request is consistent with the Strategic Growth Plan.

Consistency with the Unified Development Code

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

Compatibility with Surrounding Land Uses

This use is compatible with surrounding residential uses.

Landscaping and Buffering

A perimeter landscape buffer (Class C) is required along the entire boundary of the property. An existing sewer easement is along the northern border. A riparian buffer, which includes 100-year floodplain resource conservation area, exists on the western and northern borders of the project and will be used to achieve the landscaping buffer along those sides.

The proposed buffer along Shotwell Rd, in lieu of a traditional Class C buffer, is Leyland Cypress trees, spaced 10' on center. Leyland Cypress trees are fast growing and can eventually become 70' tall and 15' wide. At 10' on center, they should provide an almost immediate evergreen visual screen.

Recreation and Open Space

The development will meet the requirements of an Open-Space Subdivision, through a 0.44 acre active recreation site and a 3.78 passive open space site.

Environmental

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

Signs

Signage will be located at the entrances to the project, and will occur as a separate sign application. They will not be allowed to encroach upon the safe sight triangles at the intersections.

Access/Streets

Access will be from Shotwell Road, and will require driveway permits from NCDOT. The "bump-out" turn in the road within the development, on the west side, has been approved by the Town Engineer.

Multi-Modal Access

Sidewalks are provided along both sides of all streets. A sidewalk will be provided along Shotwell Road along the entirety of the parcel.

Garbage / Recycling

Roll-out garbage cans will be utilized.

Architecture/Design

The request is for a single family detached home subdivision. As it has been designed as an Open Space Subdivision, minimum lot sizes are 6,000 square feet (per standards for R-8 zoning).

Waivers/Deviations/Variances from Code Requirements

The applicant may request an alternate landscape buffer along Shotwell Rd.

CONSIDERATIONS:

- The applicant is requesting Preliminary Subdivision Plat approval of a R-8 Open Space Residential Subdivision.
- This approval is subject to concurrent approval of RZ2014-99 Magnolia Pointe rezoning to R-8.

- Preliminary Subdivision Plats (major subdivisions) are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - The applicant appears to be proposing an alternative landscape buffer along Shotwell Rd, in the form of Leyland Cypress, planted 10' on center.
-

FINDINGS:

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

CONDITIONS:

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

1. Following Board approvals, three copies of the final Preliminary Subdivision Plat meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
2. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plat. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
3. All development fees shall be paid prior to final plat recordation, except that Capacity fees shall be paid prior to issuance of building permits.
4. A sidewalk shall be constructed along Shotwell Rd along the entirety of the parcel, site, or development, including areas that will remain undeveloped or are reserved for future development.
5. No buildings shall be constructed within 20' of any riparian buffer, per UDC §155.502(D).
6. A Class C buffer (or other Planning Dept. approved buffer) will be installed on the perimeter of the development, per Open-Space Subdivision development regulations. A waiver must be obtained for any alternate landscape buffer areas.
7. Five foot wide sidewalks shall be installed on both sides of all internal roads, including around the entirety of all cul-de-sacs, and shall be constructed or bonded prior to plat recordation for the associated phase.
8. A homeowners' association document shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.
9. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in

perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.

10. The perimeter landscaping buffer along Shotwell Rd must be installed prior to the issuance of a Certificate of Occupancy for the first dwelling.
11. All scheduled improvements to Shotwell Rd must be constructed or bonded prior to the issuance of a Certificate of Occupancy for the first dwelling.
12. An updated wastewater allocation request must be approved by the Town Manager.

STAFF RECOMMENDATION:

Staff recommends approval of the preliminary subdivision with the conditions listed above.

Planning Board Recommendation:

ATTACHMENTS:

- 1) Aerial Map
- 2) Existing and Proposed Zoning Map
- 3) Subdivision Findings of Fact
- 4) Preliminary Subdivision Plat
- 5) Application
- 6) Neighborhood Meeting Materials (if available)
- 7) Planning Board Motion Form

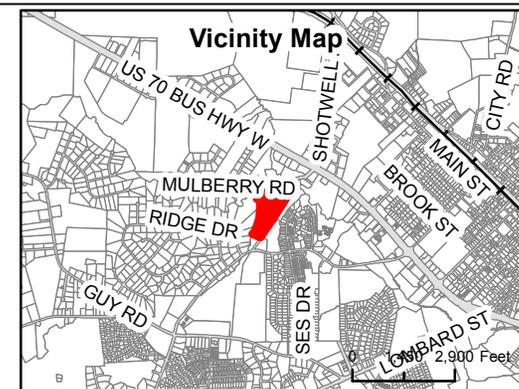


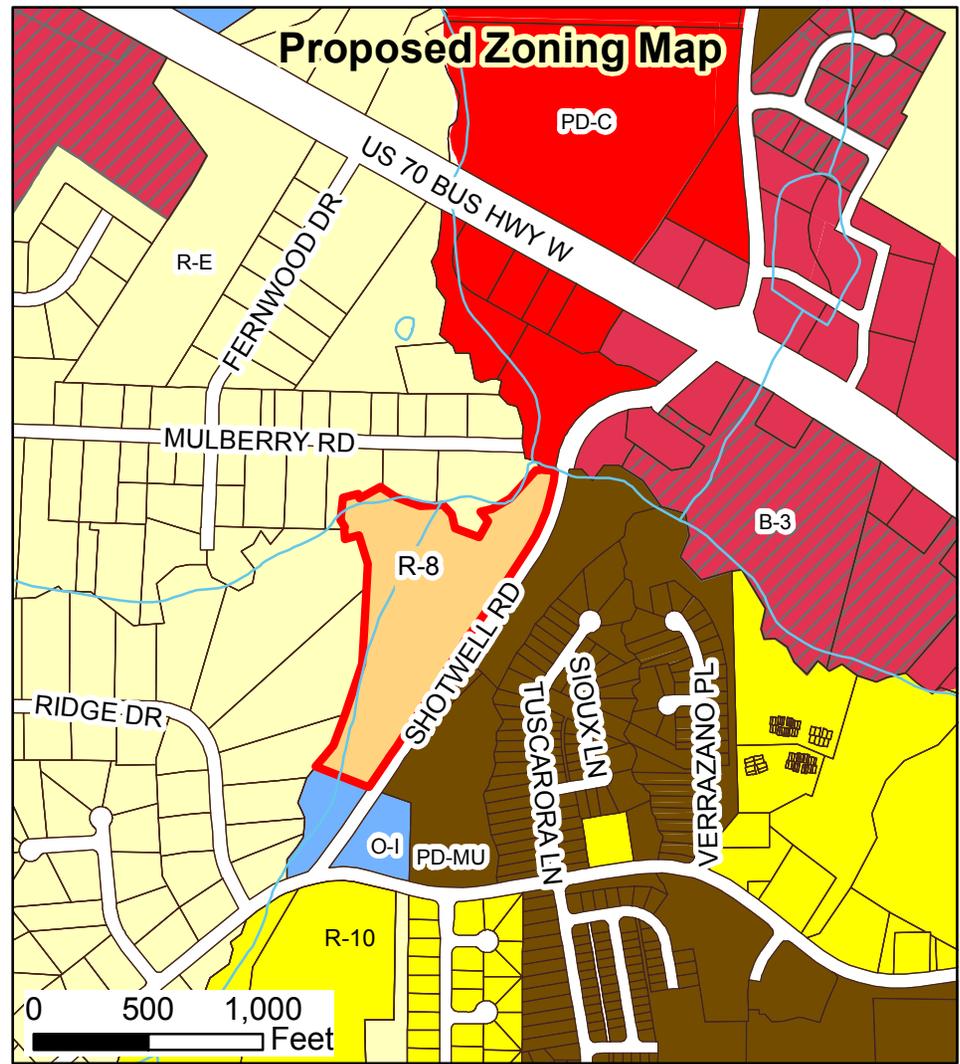
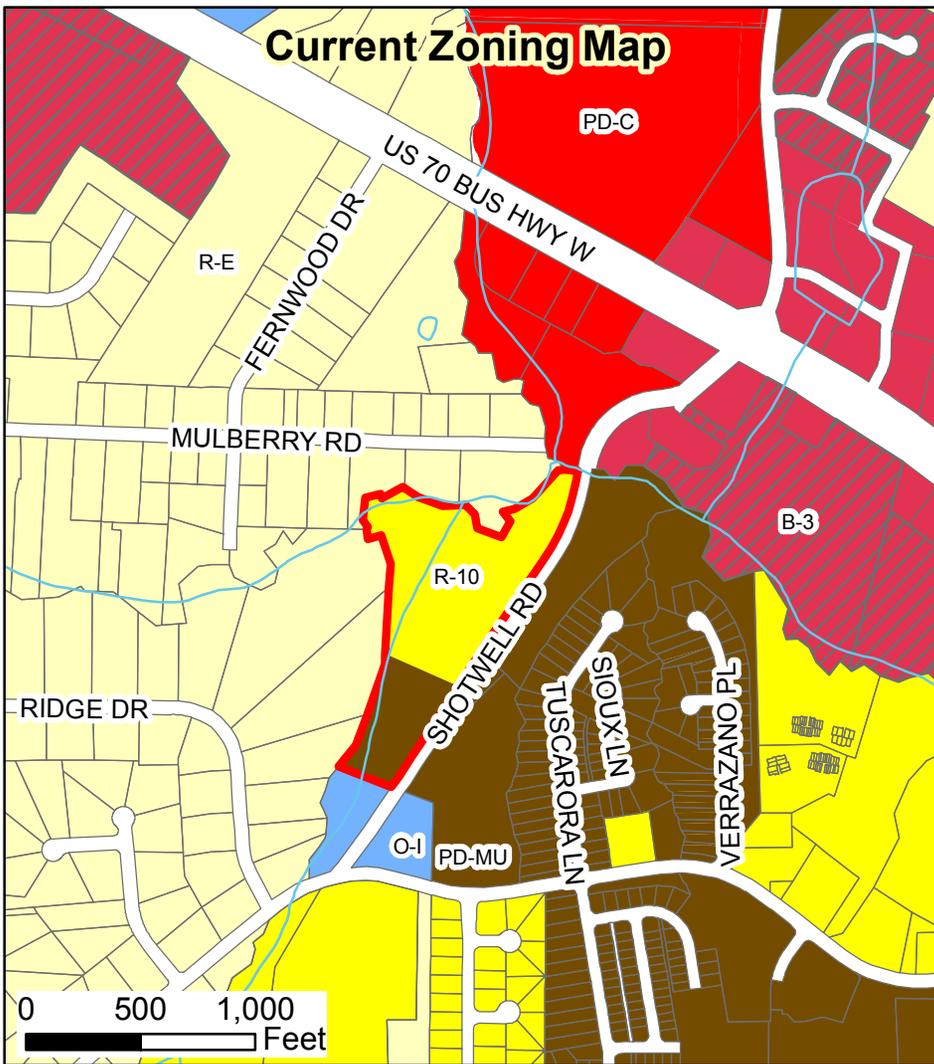
**PSD2014-97 and RZ2014-99 Magnolia Pointe Subdivision
Subdivision and Rezoning from R-10 and PD-MU to R-8**

Applicant: ASCO Builders Inc
 Property Owner: ASCO Builders Inc
 Parcel ID Number: 165914-33-6257
 Tag #: 05B02031V

Produced by: TOC Planning

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





PSD2014-97 and RZ2014-99 Magnolia Pointe Subdivision Subdivision and Rezoning from R-10 and PD-MU to R-8

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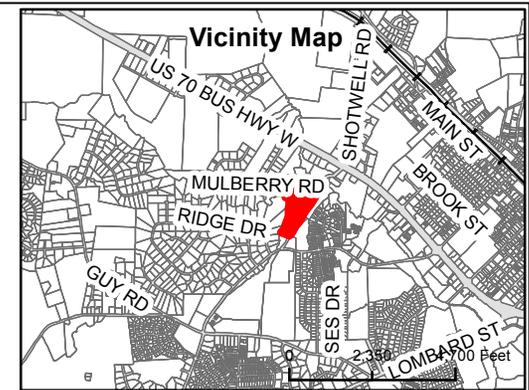
Produced by: TOC Planning

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



Legend

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



APPLICANT STATEMENT - MAJOR SUBDIVISIONS ONLY

Section 155.706(1)(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 SUBDIVISION WILL MEET THE STANDARDS SET FORTH IN THE PROPOSED R-8 ZONING APPLICATION

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

THIS SMALL SUBDIVISION WILL FILL IN AN AREA DESIGNED FOR A RESIDENTIAL DEVELOPMENT SUCH AS THIS

- (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.

SUBDIVISION WILL HAVE TWO ENTRANCES AND SHOW IMPROVEMENTS ALONG SHOTWELL ROAD.

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

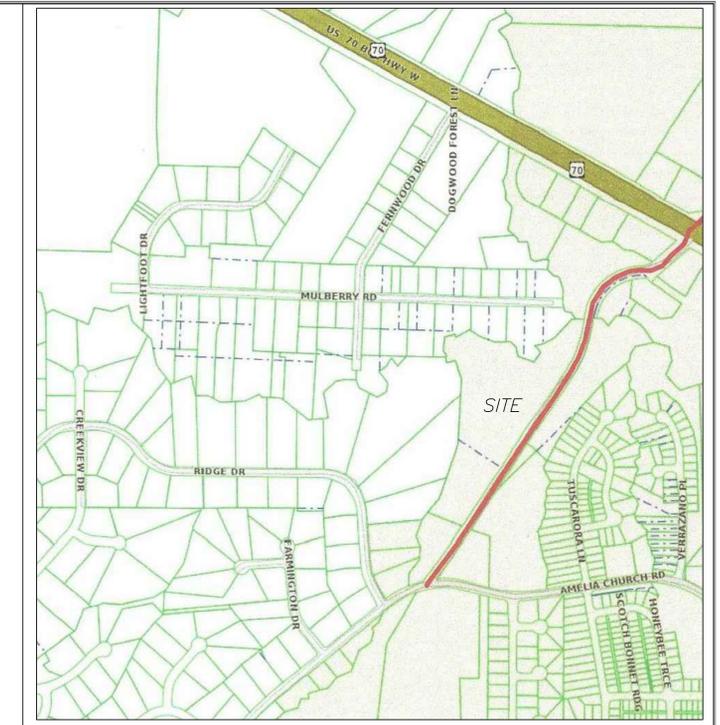
THIS PLAN CONFORMS WITH THE TOWN'S DEVELOPMENT PLANS ALONG THIS ROADWAY.

PRELIMINARY PLANS MAGNOLIA POINTE SUBDIVISION

(FORMERLY KNOWN AS EDENTON SUBDIVISION)

OWNER/DEVELOPER: ASCO BUILDERS INC.

319 CHAPANOKE ROAD SUITE 106
RALEIGH, NC 27603



VICINITY MAP
SCALE: 1"=500'

INDEX TO PLANS

SHEET 1	COVER SHEET
SHEET 2	PRELIMINARY SITE PLAN
SHEET 3	PRELIMINARY UTILITY PLAN
SHEET 4	PRELIMINARY GRADING AND DRAINAGE PLAN
SHEET 5	PRELIMINARY LANDSCAPE PLAN
SHEET 6	PRELIMINARY ROAD WIDENING PLAN

STEWART – PROCTOR
ENGINEERING and SURVEYING

319 CHAPANOKE ROAD SUITE 100
RALEIGH, NC 27603
TEL. 919 779-1855 FAX 919 779-1661

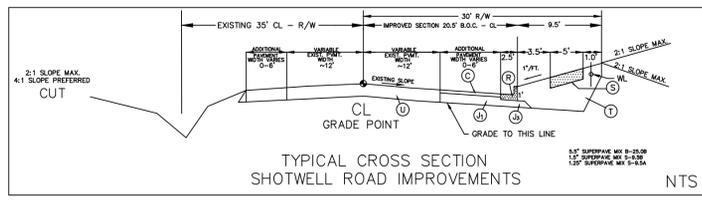
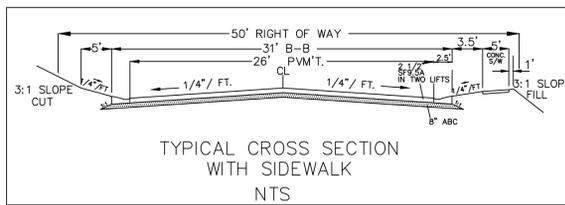
SURVEY INFORMATION FROM
MAP BY MICHAEL D. BARR
PROFESSIONAL LAND SURVEYOR
PO BOX 30217
RALEIGH, NC 27622-0217
(919) 783-6918

FOR REVIEW ONLY—
NOT FOR CONSTRUCTION
PLAN IS SUBJECT TO REVISIONS DURING
THE CONSTRUCTION APPROVAL PROCESS



GENERAL PROJECT NOTES

- A PRE-CONSTRUCTION MEETING SHALL BE HELD WITH THE TOWN OF CLAYTON PRIOR TO START OF CONSTRUCTION.
- ALL WORK AND MATERIALS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF CLAYTON.
- CONTRACTOR SHALL OBTAIN A COPY OF THE CURRENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF CLAYTON TO REFER TO DURING CONSTRUCTION OF THE PROJECT. SEE CONST. DRAWINGS AND DETAIL SHEETS.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING ABOVE AND BELOW GROUND UTILITIES IN THE AREA PRIOR TO CONSTRUCTION AND COORDINATE THE RELOCATION OF THESE UTILITIES WITH THE APPROPRIATE AUTHORITIES.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH NORTH CAROLINA SEDIMENT AND EROSION CONTROL ORDINANCE.
- ALL STREET CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CLAYTON AND THE NORTH CAROLINA DEPT. OF TRANSPORTATION.



CODE	PAVEMENT SCHEDULE
(1)	1.5\"/>

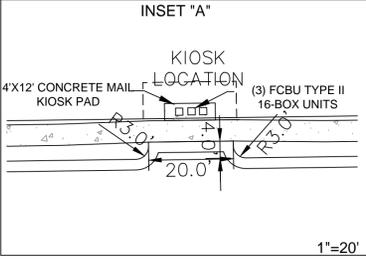
Code	Use Type	Lot Standards	Open Space Subdivision Standards	Minimum Setbacks (ft)	Building Standards						
1-8	Single Family	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Lot Coverage (%)	Min. Impervious Surface (%)	Front	Side	Back	Min. Height (ft.)	Min. Dwelling Area (sq. ft.)	Accessories

SITE DATA

TOTAL SITE AREA: 13.75 AC.
 RESERVED BY OWNER: 1.19 AC.
 DEVELOPED ACREAGE: 12.56 AC.
 NUMBER OF LOTS: 37
 MAX. ALLOWED DENSITY: 7.0 UNITS/ACRE
 PROPOSED DENSITY: 2.95 UNITS/ACRE
 OPEN SPACE: 4.39 AC.
 100-YR FLOOD PLAINS (RCA): 1.61 AC.
 RIPARIAN BUFFER OUTSIDE 100 YR (RCA): 0.78 AC.
 TOTAL RESOURCE CONSERVATION AREAS: 2.39 AC.
 ACTIVE PARK AREA: 0.44 AC.
 PASSIVE AREA: 1.24 AC.
 STORMWATER POND AREA: 0.32 AC.
 LINEAR FEET OF STREET: 1,450 ft
 AREA IN STREETS: 1.79 AC.
 IMPERVIOUS IN STREETS: 1.49 AC.
 AREA IN LOTS: 6.38 AC.
 AVERAGE LOT SIZE: 7,511 SF.
 SMALLEST LOT SIZE: 6,500 SF.
 MAX. IMPERVIOUS SURFACE PER LOT: 55%
 ZONED: R-8
 OWNER: ASCO BUILDERS INC.
 PARCEL ID#: 165914-33-6257
 SETBACKS: 20' FRONT
 15' REAR
 6' SIDE
 10' CORNER

SITE WITHIN TOWN LIMITS AND OUTSIDE OF THE WATERSHED PROTECTION OVERLAY

- NOTES:**
- PRESENT LAND USE IS WOODED AND FALLOW.
 - ALL STREETS WITHIN THE SUBDIVISION SHALL HAVE A MIN. 50' R/W.
 - ALL CUL-DE-SACS WILL HAVE A R.O.W. RADIUS OF 50'
 - ALL STREET INTX. SHALL HAVE A 25' RADIUS ALONG THE R.O.W.
 - ALL STREET INTX. SHALL HAVE A 30' RADIUS ALONG THE E.O.P.
 - ALL STREETS WILL BE PUBLIC AND CONSTRUCTED TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARDS
 - WATER SYSTEM WILL CONSIST OF TOWN OF CLAYTON.
 - SEWER SYSTEM WILL CONSIST OF TOWN OF CLAYTON.
 - ALL EROSION CONTROL MEASURES WILL BE COMPLIED WITH DURING CONSTRUCTION
 - ALL FEDERAL FLOOD HAZARD REGULATIONS WILL BE COMPLIED WITH DURING CONSTRUCTION
 - ALL STATE AND LOCAL GOVERNMENT APPROVALS SHALL BE SUBMITTED TO THE SUBDIVISION OFFICE BEFORE FINAL PLAT APPROVAL
 - TOPO FIELD SURVEYED BY MICHAEL D. BARR.
 - CONTOUR INTERVAL IS 2'
 - BOUNDARY INFORMATION TAKEN FROM OTHERS, ACTUAL BOUNDARY SURVEY IN PROGRESS BY THIS OFFICE.
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 - ALL STORM DRAINAGE PIPES SHALL HAVE A F.E.S. AT THE OUTLET.
 - ALL STORM DRAINAGE PIPES SHALL HAVE AN ENERGY DISSIPATOR AT THE OUTLET.
 - NO LOT TO HAVE DIRECT ACCESS TO SHOTWELL ROAD
 - COMMON AREAS (DETENTION POND, OPEN SPACE, KIOSK) TO BE MAINTAINED BY HOME OWNER ASSOCIATION.
 - PROPOSED ROADS TO BE DEDEDICATED TO THE TOWN OF CLAYTON AND PUBLICLY MAINTAINED



LOCATION, QUANTITY, AND PLACEMENT OF DRAINAGE PIPES AND EROSION CONTROL DEVICES MAY VARY TO BETTER CONFORM TO FIELD CONDITIONS.

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BYRON & JOYCE HAYNES
 DB 1180, PG. 106
 TAX #: 1659-22-8465
 AR/R-40/20
 RESIDENTIAL

JAMES & MARY STEPHENSON
 DB 915, PG. 142
 TAX #: 1659-23-9747
 AR/R-40/20
 RESIDENTIAL

JESSE & JANICE CORBETT
 DB 874, PG. 771
 TAX #: 1659-23-8059
 AR/R-40/20
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DONALD HULTH
 DB 1898, PG. 194
 TAX #: 1659-33-2711
 AR/R-40/20
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ERNEST & CYNTHIA PHILLIPS
 DB 1898, PG. 194
 TAX #: 1659-33-4762
 AR/R-40/20
 RESIDENTIAL

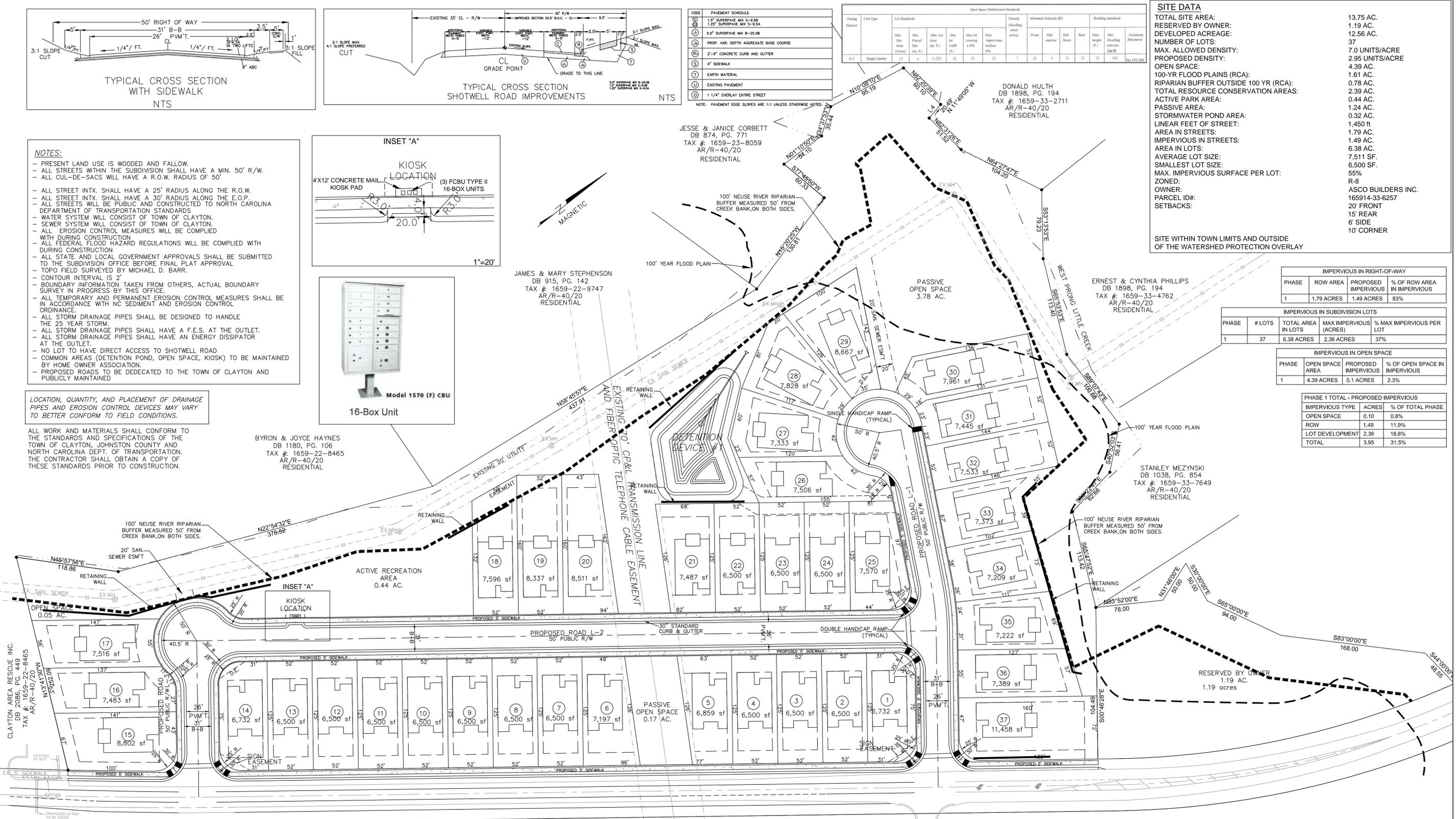
STANLEY MEZYNSKI
 DB 1038, PG. 854
 TAX #: 1659-33-7649
 AR/R-40/20
 RESIDENTIAL

IMPERVIOUS IN RIGHT-OF-WAY			
PHASE	ROW AREA	PROPOSED IMPERVIOUS	% OF ROW AREA IMPERVIOUS
1	1.79 ACRES	1.49 ACRES	83%

IMPERVIOUS IN SUBDIVISION LOTS			
PHASE	# LOTS	TOTAL AREA IN LOTS	% MAX IMPERVIOUS PER LOT
1	37	6.38 ACRES	2.36 ACRES
			37%

IMPERVIOUS IN OPEN SPACE			
PHASE	OPEN SPACE AREA	PROPOSED IMPERVIOUS	% OF OPEN SPACE IN IMPERVIOUS
1	4.39 ACRES	0.1 ACRES	2.3%

PHASE 1 TOTAL - PROPOSED IMPERVIOUS		
IMPERVIOUS TYPE	ACRES	% OF TOTAL PHASE
OPEN SPACE	0.10	0.8%
ROW	1.49	11.9%
LOT DEVELOPMENT	2.36	18.8%
TOTAL	3.95	31.5%



NC SR 1553 SHOTWELL ROAD 60' R/W

LIONSGATE VILLAGE
 DB 2207, PG. 867
 TAX #: 1659-42-3853
 R-10
 RESIDENTIAL

LIONSGATE VILLAGE
 DB 2207, PG. 867
 TAX #: 1659-43-2406
 R-10
 RESIDENTIAL

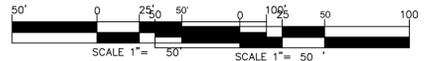


SURVEY INFORMATION FROM MAP BY MICHAEL D. BARR
 PROFESSIONAL LAND SURVEYOR
 PO BOX 30217
 RALEIGH, NC 27622-0217
 (919) 783-6918

NOTE:
 THERE ARE NO EXISTING BUILDINGS ON SITE.
 OPEN SPACE TO BE OWN AND MAINTAIN BY HOMEOWNERS ASSOCIATION

OWNER/DEVELOPER
 ASCO BUILDERS INC
 C/O MATT STEPHENS
 319 CHAPANOKE ROAD SUITE 106
 RALEIGH, NC 27603

FOR REVIEW ONLY—
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 PLAN IS SUBJECT TO REVISIONS DURING
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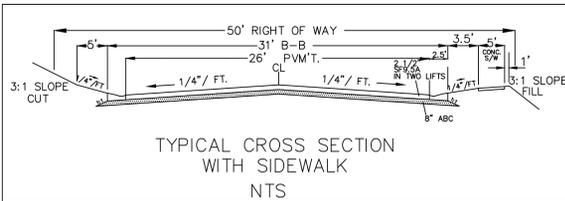


STEWART-PROCTOR, PLLC
 ENGINEERING and SURVEYING
 319 CHAPANOKE ROAD SUITE 100
 RALEIGH, NC 27603
 TEL. 919 779-1855 FAX 919 779-1661

DATE 1-9-15	SURVEYED BY OTHERS	JOB
SCALE 1"=50'	DRAWN BY MLS	DWG. NO.
REVISIONS 4-14-15		SA-SHOTWELL

PRELIMINARY SITE PLAN FOR
MAGNOLIA POINTE SUBDIVISION

TOWN OF CLAYTON	NORTH CAROLINA
JOHNSTON COUNTY	OWNER
ZONED R-8	P.I.N. 1659-43-3036



- NOTES:**
- PRESENT LAND USE IS WOODED AND FALLOW.
 - ALL STREETS WITHIN THE SUBDIVISION SHALL HAVE A MIN. 50' R/W.
 - ALL CUL-DE-SACS WILL HAVE A R.O.W. RADIUS OF 50'
 - ALL STREET INTX. SHALL HAVE A 25' RADIUS ALONG THE R.O.W.
 - ALL STREET INTX. SHALL HAVE A 30' RADIUS ALONG THE E.O.P.
 - ALL STREETS WILL BE PUBLIC AND CONSTRUCTED TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARDS
 - WATER SYSTEM WILL CONSIST OF TOWN OF CLAYTON.
 - SEWER SYSTEM WILL CONSIST OF TOWN OF CLAYTON.
 - ALL EROSION CONTROL MEASURES WILL BE COMPLIED WITH DURING CONSTRUCTION
 - ALL FEDERAL FLOOD HAZARD REGULATIONS WILL BE COMPLIED WITH DURING CONSTRUCTION
 - ALL STATE AND LOCAL GOVERNMENT APPROVALS SHALL BE SUBMITTED TO THE SUBDIVISION OFFICE BEFORE FINAL PLAT APPROVAL
 - TOPO FIELD SURVEYED BY MICHAEL D. BARR.
 - CONTOUR INTERVAL IS 2'
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GENERAL UTILITY NOTES:

ALL WORK, PLACEMENT, LOCATION, INSTALLATION, AND MATERIALS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF CLAYTON. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL VERIFY THE LOCATION, ABOVE AND BELOW GROUND, OF ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL COORDINATE THE RELOCATION OF ANY CONFLICTING UTILITIES WITH THE APPROPRIATE AUTHORITIES. CONTRACTOR SHALL INFORM THE TOWN OF CLAYTON AND THE ENGINEER OF ANY CONFLICTING UTILITIES. ELECTRIC SERVICE TO THE SITE SHALL BE COORDINATED WITH THE APPROPRIATE ELECTRICAL SERVING AUTHORITY. TELEPHONE SERVICE TO THE SITE SHALL BE COORDINATED WITH THE APPROPRIATE TELEPHONE SERVING AUTHORITY. NATURAL GAS SERVICE, IF ANY, TO THE SITE SHALL BE COORDINATED WITH THE APPROPRIATE TELEPHONE SERVING AUTHORITY.

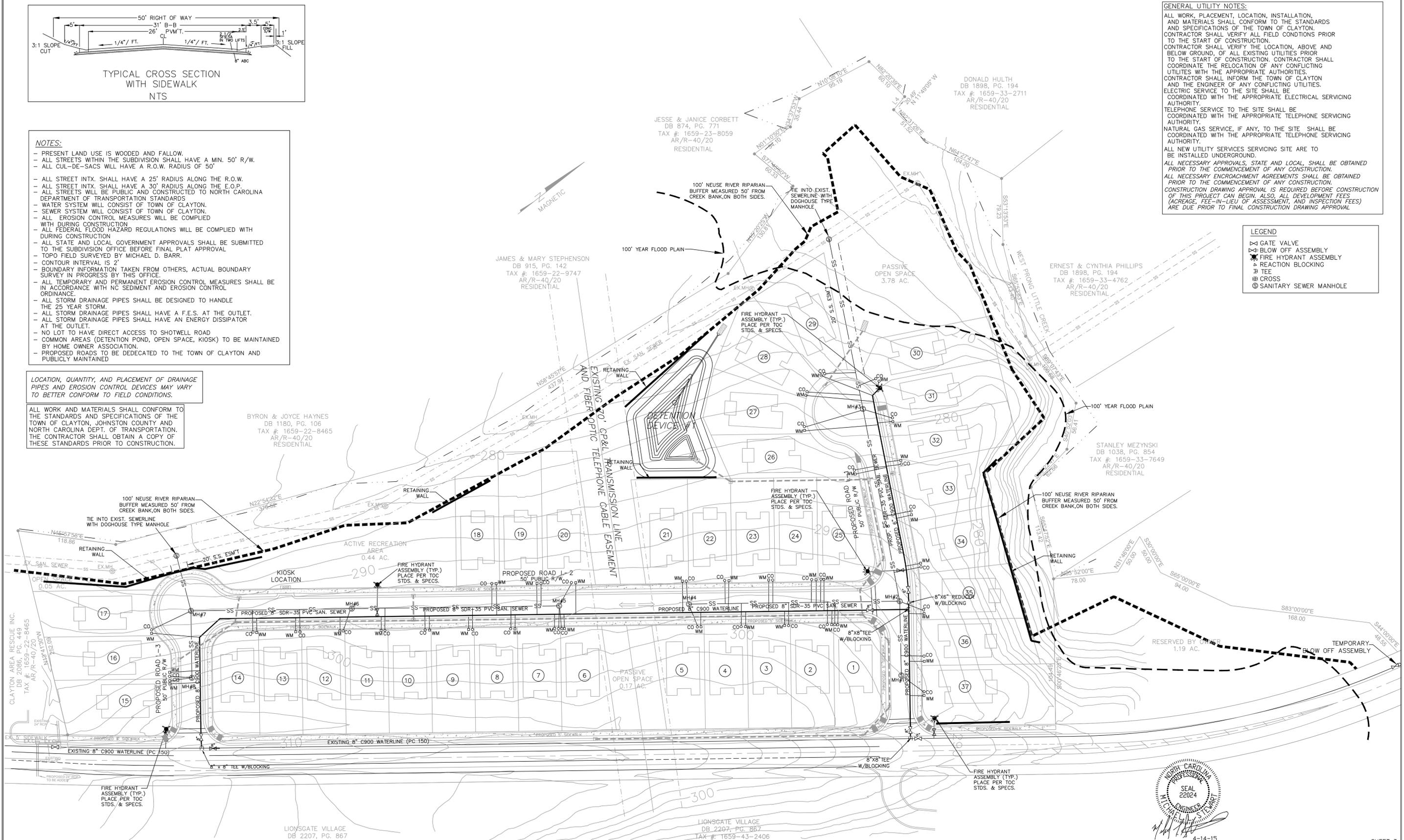
ALL NEW UTILITY SERVICES SERVING SITE ARE TO BE INSTALLED UNDERGROUND.

ALL NECESSARY APPROVALS, STATE AND LOCAL, SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

ALL NECESSARY ENCROACHMENT AGREEMENTS SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

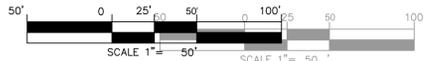
CONSTRUCTION DRAWING APPROVAL IS REQUIRED BEFORE CONSTRUCTION OF THIS PROJECT CAN BEGIN. ALSO, ALL DEVELOPMENT FEES (ACREAGE FEE-IN-LIEU OF ASSESSMENT, AND INSPECTION FEES) ARE DUE PRIOR TO FINAL CONSTRUCTION DRAWING APPROVAL

- LEGEND**
- ⊠ GATE VALVE
 - ⊠ BLOW OFF ASSEMBLY
 - ⊠ FIRE HYDRANT ASSEMBLY
 - ⊠ REACTION BLOCKING
 - ⊠ TEE
 - ⊠ CROSS
 - ⊠ SANITARY SEWER MANHOLE



OWNER/DEVELOPER
 ASCO BUILDERS INC
 C/O MATT STEPHENS
 319 CHAPANOKE ROAD SUITE 106
 RALEIGH, NC 27603

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 RALEIGH, NC 27622-0217
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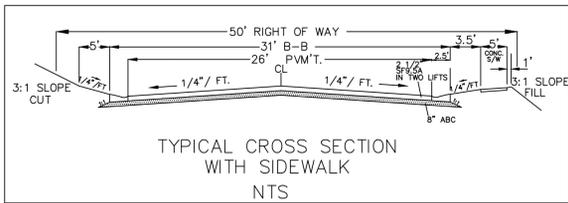
STEWART-PROCTOR, PLLC
 ENGINEERING and SURVEYING
 319 CHAPANOKE ROAD SUITE 100
 RALEIGH, NC 27603
 TEL. 919 779-1855 FAX 919 779-1661

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PRELIMINARY UTILITY PLAN FOR
 MAGNOLIA POINTE SUBDIVISION

TOWN OF CLAYTON	NORTH CAROLINA
JOHNSTON COUNTY	OWNER
ZONED R-10	P.I.N. 1659-43-3036





GENERAL EROSION CONTROL NOTES

PLAN SHALL BE USED FOR EROSION CONTROL MEASURES ONLY.

PLACEMENT AND LOCATION OF EROSION CONTROL MATERIALS AND DRAINAGE STRUCTURES MAY VARY TO BETTER CONFORM TO FIELD CONDITIONS.

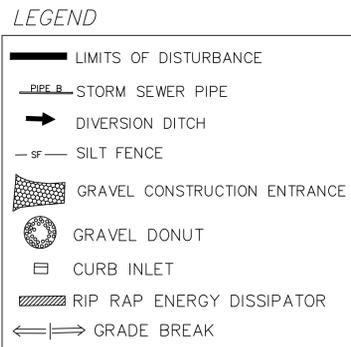
THE TOWN OF CLAYTON AND/OR NCDCNR RESERVES THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES SHOULD THE PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE.

ALL REQUIRED PERMITS SHALL BE OBTAINED PRIOR TO THE START OF CONSTRUCTION.

SEE EROSION CONTROL DETAIL SHEET FOR DETAILS, CONSTRUCTION SEQUENCE, SEEDING SPECIFICATIONS AND SEEDING SCHEDULE.

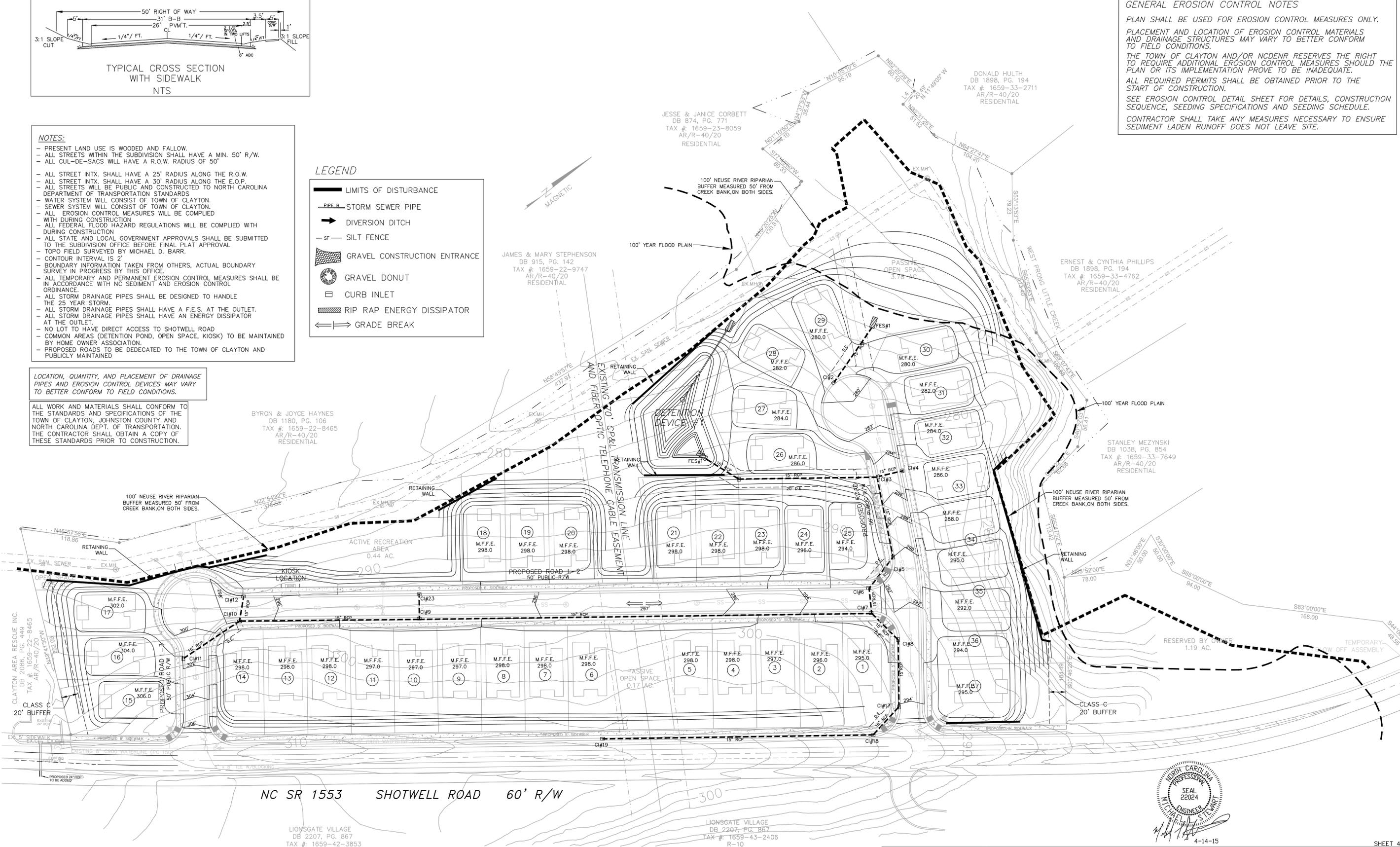
CONTRACTOR SHALL TAKE ANY MEASURES NECESSARY TO ENSURE SEDIMENT LADEN RUNOFF DOES NOT LEAVE SITE.

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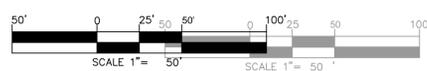
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 (919) 783-6918



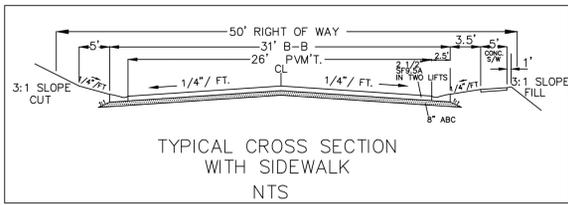
STEWART-PROCTOR, PLLC
 ENGINEERING and SURVEYING
 319 CHAPANOKE ROAD SUITE 100
 RALEIGH, NC 27603
 TEL. 919 779-1855 FAX 919 779-1661

DATE 1-9-15	SURVEYED BY OTHERS	JOB	TOWN OF CLAYTON	NORTH CAROLINA
SCALE 1"=50'	DRAWN BY MLS	DWG. NO.	JOHNSTON COUNTY	OWNER
REVISIONS 4-14-15		SA-SHOTWELL	ZONED R-10	P.I.N. 1659-43-3036



4-14-15

SHEET 4



SUGGESTED PLANTING LIST

TREES	QUANTITY
BRADFORD PEAR (PYRUS CALLERYANA) 2.5" CAL., 8' HT.	12
RED MAPLE (ACER RUBRUM) 2.5" CAL., 8' HT.	53
LELAND CYPRUS 2" CAL., 8' HT.	92

SHRUBS

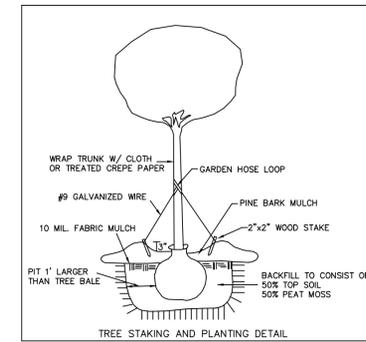
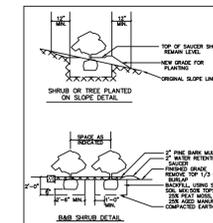
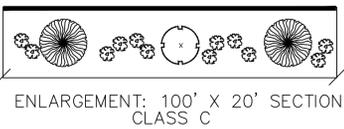
BOXWOODS 18" MIN. HT.	
COMMON LAUREL CHERRY (PRUNUS LAUROCEASUS) 36" MIN. HT.	

GENERAL NOTES

ALL PLANTS AND PLANTING PROCEDURES TO MEET OR EXCEED A.A.N. STANDARDS AS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" 1986 OR LATEST EDITION.

ALL TREES AND SHRUBS SHALL BE FULL WELL BRANCHED PLANTS WHICH ARE TYPICAL OF THE SPECIES.

DEAD OR DECAYING PLANT MATERIAL SHALL BE REPLACED WITHIN SIX MONTHS WITH TYPICAL PLANT MATERIAL.

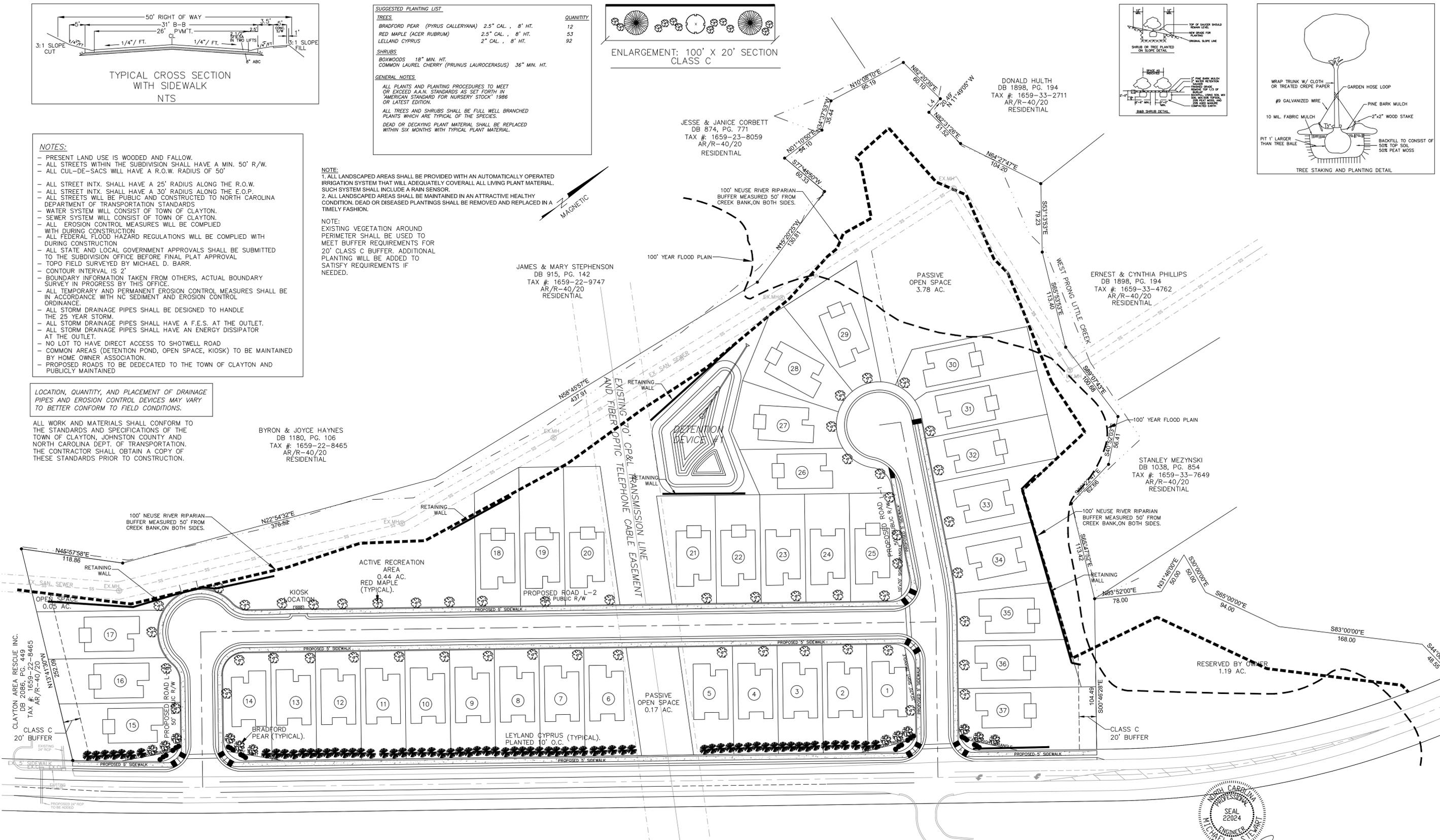


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- NOTE:**
1. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN AUTOMATICALLY OPERATED IRRIGATION SYSTEM THAT WILL ADEQUATELY COVER ALL LIVING PLANT MATERIAL. SUCH SYSTEM SHALL INCLUDE A RAIN SENSOR.
 2. ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.
- NOTE:**
- EXISTING VEGETATION AROUND PERIMETER SHALL BE USED TO MEET BUFFER REQUIREMENTS FOR 20' CLASS C BUFFER. ADDITIONAL PLANTING WILL BE ADDED TO SATISFY REQUIREMENTS IF NEEDED.

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CLAYTON AREA RESCUE INC.
DB 2086, PG. 449
TAX #: 1659-22-8465
AR/R-40/20
262.08

BYRON & JOYCE HAYNES
DB 1180, PG. 106
TAX #: 1659-22-8465
AR/R-40/20
RESIDENTIAL

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DB 2207, PG. 867
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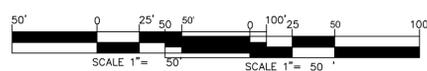
LIONSGATE VILLAGE
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R-10
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4-14-15

OWNER/DEVELOPER
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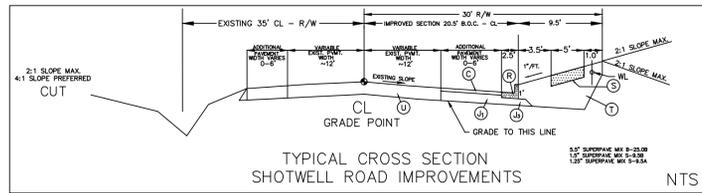
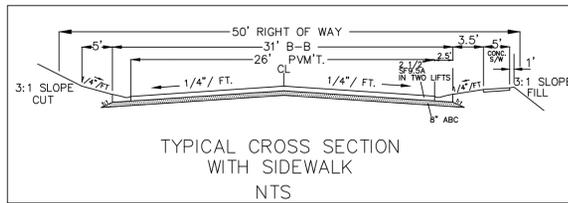
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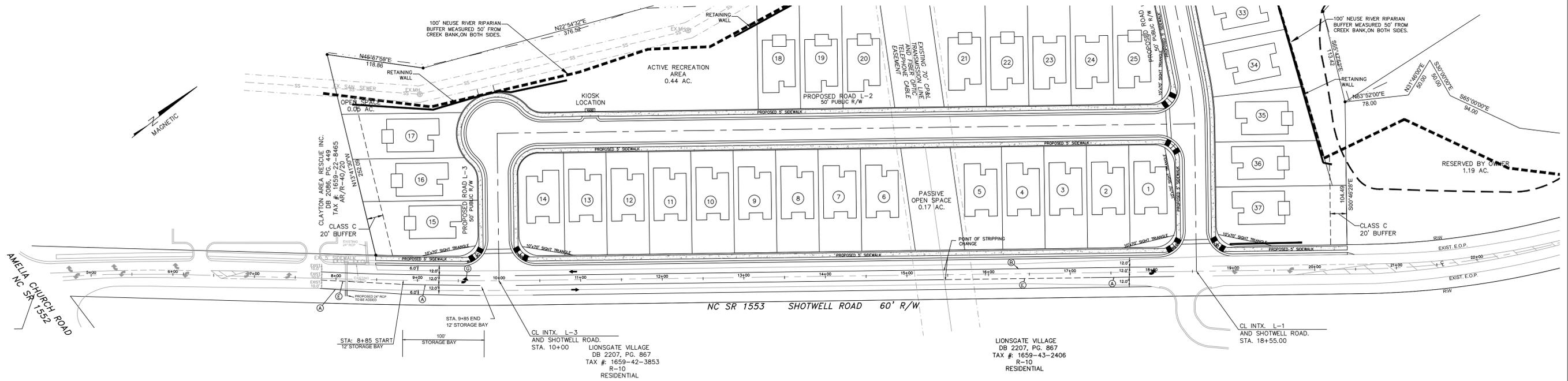
PRELIMINARY LANDSCAPE PLAN FOR
MAGNOLIA POINTE SUBDIVISION

TOWN OF CLAYTON	NORTH CAROLINA
JOHNSTON COUNTY	OWNER
ZONED R-10	P.I.N. 1659-43-3036

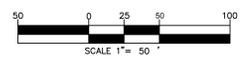


CODE	PAVEMENT SCHEDULE
(1)	1.5\"/>

NOTE: PAVEMENT EDGE SLOPES ARE 1:1 UNLESS OTHERWISE NOTED.



OWNER/DEVELOPER
 ASCO BUILDERS INC
 C/O MATT STEPHENS
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PAVEMENT MARKING SCHEDULE

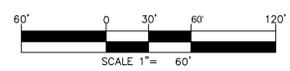
- A 4" SOLID WHITE (THERMO PLASTIC)
- B 4" DOUBLE SOLID YELLOW (THERMO PLASTIC)
- C 4" SOLID YELLOW LINE (THERMO PLASTIC)
- D 4" x 10" SKIPPED WHITE LINE (THERMO PLASTIC)
- E 4" x 2" MINI SKIPPED WHITE WHITE LINE (THERMO PLASTIC)
- F 4" SOLID YELLOW LINE W/ 10" SKIPPED YELLOW LINE INSIDE
- G TURN ARROWS - WHITE (THERMO PLASTIC)

1. CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS ON FINAL WEARING SURFACE AS SHOWN.
2. CONTRACTOR SHALL REMOVE ALL EXISTING CONFLICTING PAVEMENT MARKINGS.
3. CONTRACTOR SHALL REPLACE ALL EXISTING MARKINGS DISTURBED DURING CONSTRUCTION.
4. CONTRACTOR SHALL CONTACT N.C. DOT TO INSPECT THE PAVEMENT "PRE-MARKINGS" PRIOR TO FINAL PAVEMENT MARKING PLACEMENT.
5. ALL MARKING SHALL COMPLY WITH THE MUTCD STANDARDS AND SPECIFICATIONS.

GENERAL NOTES:

PLANS REFLECT A CONCEPTUAL VIEW OF PROPOSED ROADWAY IMPROVEMENTS
 CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION
 CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO GRADING FOR ROADWAY IMPROVEMENTS
 CONTRACTOR SHALL VERIFY EXISTING TYPICAL SECTION PRIOR TO CONSTRUCTION
 ALL WORK SHALL BE DONE IN ACCORDANCE TO NC DOT STANDARDS AND SPECIFICATIONS
 ALL MARKING, SIGNAGE, AND STRIPPING SHALL BE DONE IN ACCORDANCE TO MUTCD
 PLAN SHOWN IS NOT BASED ON FIELD SURVEYED INFORMATION

FOR REVIEW ONLY--
 NOT FOR CONSTRUCTION
 PLAN IS SUBJECT TO REVISIONS DURING
 THE CONSTRUCTION APPROVAL PROCESS



LOCATION, QUANTITY, AND PLACEMENT OF DRAINAGE PIPES AND EROSION CONTROL DEVICES MAY VARY TO BETTER CONFORM TO FIELD CONDITIONS.

ALL WORK AND MATERIALS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF CLAYTON, JOHNSTON COUNTY AND NORTH CAROLINA DEPT. OF TRANSPORTATION. THE CONTRACTOR SHALL OBTAIN A COPY OF THESE STANDARDS PRIOR TO CONSTRUCTION.



SP	STEWART-PROCTOR, PLLC ENGINEERING and SURVEYING 319 CHAPANOKE ROAD SUITE 100 RALEIGH, NC 27803 TEL. 919 779-1855 FAX 919 779-1661		PRELIMINARY ROAD WIDENING PLAN FOR MAGNOLIA POINTE SUBDIVISION	
	DATE 1-9-15	SURVEYED BY OTHERS	JOB	TOWN OF CLAYTON
	SCALE 1"=60'	DRAWN BY MLS	DWG. NO.	JOHNSTON COUNTY
	REVISIONS 4-14-15		SA-SHOTWELL	OWNER
			ZONED R-10	P.I.N. 1659-43-3036



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

REVISED

SUBDIVISION APPLICATION

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

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

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

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

SUBDIVISION TYPE:

Application Type:

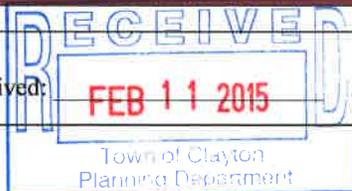
- Minor Subdivision
 Major Subdivision
 Final Plat
 Exempt Map
 Recombination

SITE INFORMATION:

Name of Project: MAGNOLIA BUNTE Acreage of Property: 13.89
 Preliminary Plat Approval Date (if applicable): _____
 Parcel ID Number: 165914-33-6257 Tax ID: _____
 Location: SHOTWELL ROAD
 Section(s): _____ Phase(s): _____
 Number of Lots (Existing): _____ (Proposed): 38 Min. Lot Size: 6250 SF
 Zoning District: R-B Planned Development? (Y/N): N Electric Provider: CLAYTON
 Specific Use: RESIDENTIAL
 Recreation/Open Space Requirement:
 Fee in lieu
 Land Dedication (acreage) _____

FOR OFFICE USE ONLY

File Number: 2014-97 Date Received: FEB 11 2015 Amount Paid: 600 = (8/5/14)



OWNER INFORMATION:

Name: ASCO BUILDERS INC
Mailing Address: 319 CHAPANOKE RD. SUITE 102 RALEIGH NC 27603
Phone Number: 919 779-8649 Fax: 919 779-7952
Email Address: MATT STEPHENS@BELLSOUTH.NET

APPLICANT INFORMATION:

Applicant: SAME
Mailing Address: _____
Phone Number: _____ Fax: _____
Contact Person: MATT STEPHENS
Email Address: _____

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

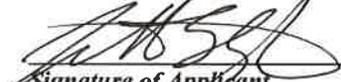
The following items must accompany a Subdivision Plan application. This information is required, except where otherwise noted:

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

APPLICANT AFFIDAVIT

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

Matthew Stephens
Print Name


Signature of Applicant

2-11-15
Date

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

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

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

THE SUBDIVISION WILL MEET THE STANDARDS SET FORTH IN THE PROPOSED R-8 ZONING APPLICATION

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

THIS SMALL SUBDIVISION WILL FILL IN AN AREA DESIGNED FOR A RESIDENTIAL DEVELOPMENT SUCH AS THIS

- (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.

SUBDIVISION WILL HAVE TWO ENTRANCES AND SHOW IMPROVEMENTS ALONG SHOTWELL ROAD.

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

THIS PLAN CONFORMS WITH THE TOWN'S DEVELOPMENT PLANS ALONG THIS ROADWAY.



**Town of Clayton
Planning Department**
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
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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: MAGNOLIA POINTE Address or PIN #: 165914-33-6257

AGENT/APPLICANT INFORMATION:

MATT STEPHENS
(Name - type, print clearly)

319 CHAPANOKE RD. SUITE 102
(Address)
RALEIGH, NC. 27603
(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*):

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:

Matthew Stephens
(Name - type, print clearly)
[Signature]
(Owner's Signature)

319 Chapanoke Rd, Ste 102
(Address)
Raleigh, NC 27603
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Wake

Sworn and subscribed before me Brenda E. Jones, a Notary Public for the above State and County, this the 1st day of August, 2014.



Brenda E. Jones
Notary Public

My Commission Expires: June 17, 2015

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

PSD 2014-97 Magnolia Pointe Subdivision

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

Recommendation to the Town Council to

approve the request with the conditions presented by staff;

approve the request with the following modified or added conditions:

deny the request.

Recommendation(s) made this ___ day of _____ while in regular session.

Signed:

Frank Price, Planning Board Chair

ARTICLE 2: ZONING DISTRICTS

§ 155.200 DISTRICTS ESTABLISHED

To carry out the provisions of this Chapter, within the jurisdiction of the Town, the following zoning districts are established.

(A) *General Use Districts*

(2) *Nonresidential*

(h) PF | Public Facilities. The PF district is established to provide a coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of publicly owned or operated lands. Notwithstanding those public uses permitted elsewhere in this Code, the PF district is primarily intended for, although not limited to, public parks and recreation areas, public buildings and facilities, and other capital improvements of a significant nature.

§ 155.202 - Table 2-1 Use Regulations

Use Type	Zoning Districts												Specific Use Section
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	
Residential Uses													
Adult Care Home (2-6 Adults)	P	P	P	P									\$155.301(A)
Adult Care Home (7-12 Adults)	S	S	S	S		C	S	S	S				\$155.301(A)
Adult Care Home (13+ Adults)						C	S	S	S				\$155.301(A)
Alley Loaded House		P	P	P									\$155.301(B)
Apartments		S	S	S	S	S	S	S	S				\$155.301(C)
Boarding House				C		P		P					\$155.301(D)
Child Care Home	C	C	C	C	C								\$155.301(E)
Manufactured Home	P												\$155.301(F)
Manufactured Home Park	S												\$155.301(G)
Nursing Home (Congregate Living Facility)	C			C		P		S	P				\$155.301(H)
Two family House		S	S	S	S								\$155.301(I)
Townhouse		S	S	S	S	S	S	S	S				\$155.301(J)
Security/Caretaker Quarters	C								C			C	\$155.301(K)
Single Family House	P	P	P	P									\$155.301(L)
Upper-story Residence	S	S	S	S	S	P	P	P	P				\$155.301(M)
Zero Lot Line House		P	P	P									\$155.301(N)
Public and Civic Uses													
Assembly, Not For Profit	S					P			P			P	\$155.302(A)
Cemetery	P								P			P	\$155.302(B)
Church or Place of Worship	C	C	C	C		C		C	C				\$155.302(C)
College or University						P						P	\$155.302(D)
Day Care (Supervision for 3-8)	C	C	C	C	C								\$155.302(E)
Day Care (Supervision for 9+)	C	C	C	C	C	P	P	C	P				\$155.302(E)
Government Service	S	S	S	S	P	P	P	P	P	P	P	P	\$155.302(F)
Hospital or Medical Center						P			P			P	\$155.302(G)
School (Elementary or Secondary)	S	S	S	S		S						P	\$155.302(H)
School (Technical, Trade or Business)	S	S	S	S		P	P		P	P	P	P	\$155.302(I)
Recreational Uses													
Entertainment, Indoor						C	C	C	P	P		P	\$155.303(A)
Entertainment, Outdoor									C	P		P	\$155.303(B)
Fitness Center						C	C	C	P	P		P	\$155.303(C)

Use Type	Zoning Districts												Specific Use Section
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	
Golf Course	P	P	P	P								<u>P</u>	\$155.303(D)
Gun Range							S	S	S	S	S	<u>S</u>	\$155.303(E)
Park, Active	S	S	S	S	S	S	S	S	S	S	S	<u>P</u>	\$155.303(F)
Park, Passive	C	C	C	C	P	P	C	C	C	C	C	<u>P</u>	\$155.303(G)
Stable, Private	P												\$155.303(H)
Agricultural Uses													
Agriculture, Livestock	C										C		\$155.304(A)
Agriculture, Sales and Service	P										C		\$155.304(B)
Nursery	P					P	P	C	P			<u>P</u>	\$155.304(C)
Commercial Uses													
Adult Oriented Business									S		S		\$155.305(A)
Bed and Breakfast	P					P	P	P	P				\$155.305(B)
Car Wash/Auto Detailing						C	C	P	P				\$155.305(C)
Contractor Office						C	C		P	P	P		\$155.305(D)
Contractor Storage Yard									C	C	P		\$155.305(E)
Convenience Store with Gas Sales							C	C	P	P	P		\$155.305(F)
Creative Studio					P	P	P	P	P				\$155.305(G)
Financial Institution					P	P	P	P	P				\$155.305(H)
Funeral Home			C		P	P	P	P	P				\$155.305(I)
Hotel/Motel						S	S	S	P				\$155.305(J)
Kennel	C							C					\$155.305(K)
Laundry Services							C		C	P	P		\$155.305(L)
Lounge, Cocktail							S		S	S	S		\$155.305(M)
Microbrewery							P		P	P	P		\$155.305(N)
Newspaper Publisher									P	P	P		\$155.305(O)
Office, General					P	P	P	P	P	P		<u>P</u>	\$155.305(P)
Office, Medical					P	P	P	P	P	P			\$155.305(Q)
Outdoor Seating/Sidewalk Cafe						C	P	C	C				\$155.305(R)
Pawn Shop									C	P			\$155.305(S)
Radio or Television Studio									P	P	P		\$155.305(T)
Restaurant, Drive-Through								C	C	C			\$155.305(U)
Restaurant, General						C	P	P	P	C			\$155.305(V)
Retail Sales, General							P	P	P				\$155.305(W)
Retail Sales, Neighborhood							P	P	P				\$155.305(X)
Self-storage Facility									C	P	P		\$155.305(Y)
Service, General							P	P	P				\$155.305(Z)
Service, Neighborhood							P	P	P				\$155.305(AA)
Tattoo Parlor									S				\$155.305(BB)
Towing Service and Storage									C	C	C		\$155.305(CC)
Vehicle Repair or Service									S	P	P		\$155.305(DD)
Vehicle Sales and Rental									P	P	P		\$155.305(EE)
Veterinary Clinic						C	C	C	P				\$155.305(FF)
Video Sweepstakes Operations										S			\$155.305(GG)
Industrial Uses													
Building Supplies, Wholesale									C	P	P		\$155.306(A)
Crematorium										P	P		\$155.306(B)
Gas and Fuel, Wholesale										P	P	<u>P</u>	\$155.306(C)
Laboratory, Research						P			P	P	P		\$155.306(D)
Manufacturing, Limited										P	P		\$155.306(E)
Manufacturing, General										C	P		\$155.306(F)
Manufacturing, Heavy											P		\$155.306(G)
Research and Development						P			P	P	P		\$155.306(H)
Warehouse, Freight Movement									C	P	P		\$155.306(I)
Utilities													
Recycling Center										P	P	<u>P</u>	\$155.307(A)
Renewable Energy Facility	S									C	P	<u>P</u>	\$155.307(B)
Telecommunication Facility	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>	\$155.307(C)
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	\$155.307(D)
Utility, Major										P	P	<u>P</u>	\$155.307(E)
Waste Service										C	P	<u>P</u>	\$155.307(F)

