

AGENDA
CLAYTON PLANNING BOARD MEETING
SEPTEMBER 22, 2014
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 FROM THE JULY 28, 2014 AND AUGUST 25, 2014 MEETINGS**
- IV. REPORTS AND COMMENTS**
- V. OLD BUSINESS**
- VI. NEW BUSINESS**
 - A. SP 2014-88 Stallings Mill Apartments
Major Site Plan approval for 288 apartment units at the NW corner of Shotwell Road and US 70 Bus Hwy W, part of the previously approved Promenade Planned Development.
 - B. RZ 2014-116 Rezoning at 443 E Second Street
Rezoning request to amend approximately 0.13 acres from B-2 (neighborhood business) to B-1 (central business)
- VII. INFORMAL DISCUSSION AND PUBLIC COMMENT**
- VIII. ADJOURN**

TOWN OF CLAYTON, NORTH CAROLINA

TRANSCRIPT OF THE PROCEEDINGS
PLANNING BOARD
JULY 28, 2014, SESSION

Worley Reporting
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Raleigh, NC 27675
919-870-8070

1 CHAIRMAN PRICE: It's the appointed time,
2 so I'll call the July meeting of the Clayton
3 Planning and Zoning Board to order and ask for a
4 roll call.

5 MS. LANZOLLA: Bucky Coats?

6 BOARD MEMBER COATS: Here.

7 MS. LANZOLLA: Dana Pounds?

8 BOARD MEMBER POUNDS: Present.

9 MS. LANZOLLA: Frank Price?

10 CHAIRMAN PRICE: Here.

11 MS. LANZOLLA: David Teem?

12 BOARD MEMBER TEEM: Here.

13 MS. LANZOLLA: Sarah Brooks?

14 BOARD MEMBER BROOKS: Here.

15 MS. LANZOLLA: Ronald Johnson?

16 BOARD MEMBER JOHNSON: Here.

17 MS. LANZOLLA: Jim Lee?

18 BOARD MEMBER LEE: Here.

19 MS. LANZOLLA: Marty Bizzell?

20 BOARD MEMBER BIZZELL: Here.

21 MS. LANZOLLA: Bob Ahlert?

22 BOARD MEMBER AHLERT: Here.

23 MS. LANZOLLA: Jean Sandaire?

24 No Response

25 MS. LANZOLLA: James Lipscomb?

26 BOARD MEMBER LIPSCOMB: Here.

27 MS. LANZOLLA: Bob Satterfield?

1 COUNCILMAN SATTERFIELD: Present.

2 MS. LANZOLLA: And, last but not least,
3 it's Mr. Grannis -- no.

4 CHAIRMAN LEE: He's not here.

5 CHAIRMAN PRICE: Okay. And are there any
6 adjustments to the agenda?

7 MR. DEYOUNG: We have no adjustments
8 tonight, other than the minutes will be postponed
9 until the August meeting.

10 CHAIRMAN PRICE: All right. Annual
11 billing reports and comments?

12 MR. DEYOUNG: We have no reports and
13 comments tonight.

14 CHAIRMAN PRICE: No old business, I
15 trust?

16 MR. DEYOUNG: You trust correct.

17 CHAIRMAN PRICE: Then that gets us right
18 down in a hurry to Item 6, new business. Item A,
19 PSD 2014-12; Riverwood Ranch Phase 2A, preliminary
20 subdivision. Preliminary subdivision plan approval
21 for 15 single-family lots within the Riverwood
22 Ranch Planned Development located off Pritchard
23 Road within the town limits.

24 MR. DEYOUNG: As the Chairman said, this
25 is a preliminary subdivision plan or preliminary

1 plat for 2014-12 Riverwood Ranch Phase 2A. This
2 would be the first residential portion that's being
3 by -- let me rephrase that. This will be the first
4 single-family residential portion being put into
5 Riverwood Ranch. It is for 15 lots and the phase
6 is directly -- kind of directly across from where
7 the senior living facility is now. The site for the
8 15lots is 4.06 acres.

9 The whole Riverwood Ranch is zoned
10 planned development mixed use. Of course,
11 this is consistent with the approved master plan,
12 and I already told you it was across from
13 the apartments. The proposed density for this
14 section is 3.7 dwelling units per acre.
15 The lots range in size from just under two-
16 tenths of an acre to 2.7 -- 0.27 acres. The
17 maximum impervious is 45 percent for all of Phase
18 2A with a maximum 4,000 square feet per lot and it
19 also has a 45 percent building coverage per lot.

20 The setbacks that were set as a part of
21 the master plan approval were 20 front, six side,
22 12 street side and five rear, and the access to the
23 space is off of Future Stetson Lane which also
24 services the 55 plus.

25 Now, this is the layout. As you can see,

1 the entrance to these 15 lots lines up in front of
2 the entrances to the 55 plus community. It is the
3 first single-family residential phase in the
4 development.

5 Landscaping buffering: street trees are
6 required at a rate of one tree per lot or every 40
7 linear feet. The size of those trees are
8 two-and-a-half inch caliper or eight feet in height
9 at planting. There is a landscape easement reserve
10 along Stetson Lane for future plantings. That is
11 not a requirement of the code. I don't know if you
12 can really see it on this plan, but the developer
13 has put that in to beautify that entryway as you're
14 coming into the development. So that's extra
15 plantings that will be put into the subdivision.

16 Recreation and open space is not required
17 with this phase. The developer has planned for --
18 master planned this along with Riverwood Athletic
19 Club as we've talked about so many times, so there
20 would be shared use of the facilities with
21 Riverwood Athletic Club, Lions Gate as well as
22 Riverwood Golf Club as are [inaudible] that are
23 associated with Riverwood Athletic Club.

24 The Applicant will be putting five-foot
25 sidewalks on both sides of the street as required
26 by code. We don't anticipate any environmental

1 impacts on this site and there are no waivers
2 or deviations from our code requirements.

3 In terms of compatibility with
4 surrounding land uses, the dimensions of the lots
5 are consistent with the density of all the adjacent
6 phases in this master plan community and provisions
7 for a traffic signal to be placed at the
8 intersection of Pritchard Road and Athletic Club
9 Boulevard have been discussed with the developer
10 for some time. As you know, there's a new phase.
11 We talked about that when it came through the
12 Dupree Tract, and what was agreed to
13 was, at the time 75 new residential are issued,
14 whether it's over on the Riverwood Athletic Club
15 Side new phases or on the Riverwood Ranch side,
16 that a signal would be put at that intersection.
17 Also what would trigger it is the development of a
18 commercial out parcel. So, any of the commercial
19 out parcels that are remaining in that area would
20 automatically trigger it, or if 24 months have
21 passed, the developer has agreed. So we put a date
22 in there; that's September 1st 2016. That'll be
23 pretty much through the full approval process by
24 then. So those are the three things that can
25 trigger a signal light. It could happen as soon as

1 any commercial development shows up so it could be
2 tomorrow, or it could be 24 months from now.

3 In terms of consistency with the
4 strategic growth plan, it is consistent with Goal
5 2, managing growth producing quality development.
6 As I stated, it is consistent with our Unified
7 Development Code. The Applicant has also addressed
8 the findings of fact which have been made part of
9 the staff report as an attachment 1.

10 Staff is recommending approval of
11 Riverwood Phase 2A, preliminary subdivision
12 plat with the conditions of approval listed
13 in the staff report and the Applicant is here if
14 you have any questions regarding this, and I'm more
15 than happy to answer any questions you may have.

16 CHAIRMAN PRICE: Questions of Mr. DeYoung
17 before we call on the Applicant? All right.
18 Hearing none, we'll call on the Applicant.

19 MR. SMITH: Fred Smith, 632 Marcellus
20 Way. David just said all that needed to be said.
21 I'm just here to answer any questions that you may
22 have.

23 CHAIRMAN PRICE: Any questions of the
24 Applicant? Well, Mr. Smith, thank you for coming
25 and you didn't really have to dress up for us.

1 MR. SMITH: Well, you know, I thought you
2 might say something about that. You know, some of
3 us have to work for a living and my goal in life is
4 that one day I can come into this Council chambers
5 with shorts and flip-flops like Bob Satterfield
6 [laughter].

7 COUNCILMAN SATTERFIELD: You're welcome
8 to any time [laughter].

9 CHAIRMAN PRICE: All right. This is --
10 you've heard the staff recommendation for approval.
11 It's part of a master been that's been previously
12 approval -- approved. Mr. Lipscomb?

13 BOARD MEMBER LIPSCOMB: I represent
14 Fred Smith Co. fot sale of these lots and I'd like
15 - to be recused

16 CHAIRMAN PRICE: Yes, sir, you need to be
17 recused.

18 BOARD MEMBER LIPSCOM: I'll step down.

19 BOARD MEMBER BROOKS: This is for
20 approval?

19 CHAIRMAN PRICE: This is for approval.

20 BOARD MEMBER BROOKS: I mean
21 For recommendation?

22 MR. DEYOUNG: It is a recommendation of
23 approval as a preliminary plan has to be approved
24 also by a town council. So this will be --

1 CHAIRMAN PRICE: Okay. I'm sorry. I
2 misunderstood, excuse me.

3 BOARD MEMBER BROOKS: I recommend
4 that we approve the petition as presented.

5 CHAIRMAN PRICE: Okay. We -- I think
6 somebody beat you to it. Motion by Miss Brooks,
7 second by Miss Pounds. Is there any discussion?
8 Hearing none, all in favor, indicate by saying
9 aye?

10 (Voice vote.)

11 CHAIRMAN PRICE: Any opposed by like
12 sign? It's approved unanimously. Item B, SP
13 2014-65, outdoor temporary storage. Vacant site
14 plan approval for outdoor temporary storage
15 facility to support an existing enclosed temporary
16 storage facility located off US 70 Business Highway
17 West within the town limits. And you see the
18 PIN Number. Yes, Ms. Beddingfield? Okay. Mr.
19 Lee needs to be recused from this [laughter]. I'll
20 tell you what, you guys on the Planning Board must
21 be doing well lately.

22 BOARD MEMBER LEE: Or at least moving.

23 CHAIRMAN PRICE: Ms. Beddingfield?

24 MS. BEDDINGFIELD: Emily Beddingfield
25 with the Town Planning Department. As stated, this

1 is a request for temporary outdoor storage. It's
2 located on a currently vacant lot behind Gerber
3 Collision and Liberty Auto and includes -- actually
4 includes the driveway that comes off of US 70
5 Business Highway West and also provides access to
6 those two businesses, as well as access to the site
7 in question. This is related to the temporary
8 storage located to the sort of northwest of the
9 site, which currently does not have any outdoor
10 storage. So this is sort of an expansion of a sort
11 to accommodate the need to store things like boats
12 and vehicles and other things that people store
13 outside that wouldn't fit in a storage unit.

14 The site is 2.29 acres. It is Zone B-3,
15 Highway Business. The proposed use, again, is a
16 storage area. The proposed landscaping is a
17 gravel lot and privacy fencing all the way around
18 that lot, as well as landscaping, has been
19 proposed. The landscaping along the front would be
20 evergreen Leyland Cypress trees to provide
21 additional screening from US 70 and even from those
22 two businesses to the north.

23 No parking is required with this request.
24 Again, it's simply storage, and access is off of
25 that existing driveway which currently dead-ends

1 right at the property.

2 There is a Class C buffer requirement
3 along the southwest -- I guess you can call it the
4 south property boundary. However, there is --
5 Little Creek runs behind the property so there is a
6 50-foot riparian buffer as well as additional
7 buffer provided via existing wetlands which cannot
8 be impacted. So there is a lot of vegetation on
9 the rear of the property and the Applicant
10 proposed, and staff has concurred, that that
11 existing vegetation does meet the intent and
12 requirement of a Class C buffer.

13 As I noted, in addition to all of the
14 existing vegetation along that south property
15 border, there is also some vegetation to be
16 installed around the perimeter of the fencing, as
17 well as along that front perimeter would be a more
18 intensive vegetation of the evergreen trees to grow
19 up and block the outdoor storage, which is a
20 requirement of our code.

21 31 percent of the lot would be
22 impervious, and gravel lots are considered to be
23 impervious. Staff is not expecting any
24 environmental impacts. As I noted, there are
25 wetlands, there is a riparian buffer, there is the

1 100-year floodplain; all those exist from this lot,
2 but the site has been designed such that the
3 wetland areas and all of the resource conservation
4 areas are not impacted. And there is also an
5 existing greenway easement which runs along the
6 property as well, just to make note of that.

7 There is no signage requested at this
8 time, but any signage would need to meet the
9 requirements of our Unified Development Code and
10 receive a sign a permit.

11 So here we've got an aerial of the
12 existing site. You can see how it connects to US
13 70 Business and sits directly behind those two
14 businesses; Gerber and Liberty Auto. You can also
15 see the existing pond and the sewer easement is
16 sort of that area that runs behind it that looks
17 like it's cleared out and then you can see all of
18 the existing vegetation to the rear of the
19 property.

20 And then on the screen now we have the
21 proposed site plan which shows the proposed gravel
22 lot as well as the proposed landscaping. And, as
23 you can see, the lot's designed -- the gravel lot
24 is designed to wrap around and follow, sort of, the
25 perimeter of the wetland and 100-year floodplain so

1 as to avoid it.

2 At this time there is no connection
3 planned to the existing temporary storage unit.
4 That 100-year floodplain kind of juts up right
5 between the two properties which made it a little
6 bit more difficult for that connection to happen.
7 It's a possibility in the future, but at this time
8 it's not a request.

9 The proposed development is generally
10 consistent with the strategic growth plan objective
11 2.1, balanced development, old and new. It is
12 consistent with the requirements of the Unified
13 Development Code and a neighborhood meeting was
14 held on June 17th as required. There were no
15 attendees at that meeting.

16 So, staff is recommending approval with
17 conditions as recommended by staff in the staff
18 report, and I've got one additional condition that
19 we've added, referencing the resource conservation
20 areas. And we added a Condition Number 4 which
21 states that "resource conservation areas shall
22 remain undisturbed except as permitted in Section
23 155-500 of the Unified Development Code." 155-500
24 is the section of the code that deals with resource
25 conservation areas and what you can and cannot do

1 in those. So it's the three original conditions
2 plus that fourth. And with that I'm happy to
3 answer any questions and our Applicant is in the
4 audience.

5 CHAIRMAN PRICE: Any questions of staff
6 regarding the outdoor storage?

7 BOARD MEMBER COATS: Is
8 the -- the access road, is that currently paved?

9 MS. BEDDINGFIELD: It is.

10 BOARD MEMBER COATS: It is, okay. I
11 couldn't see on my copy.

12 MS. BEDDINGFIELD: It is paved. I
13 should've mentioned it.

14 BOARD MEMBER AHLERT: Is that a finished
15 pavement or is that first layer?

16 MS. BEDDINGFIELD: I believe it's
17 finished.

18 BOARD MEMBER AHLERT: It's finished?
19 Okay.

20 CHAIRMAN PRICE: Any other questions?
21 Okay. Thank you. All right. We'll call on the
22 Applicant. Come on up, Alsey. I knew you were
23 here for something tonight.

24 MR. GILBERT: I had to. I just had to.
25 Normally I would walk in, get an agenda and leave.

1 It's pretty simple. It's tucked away back in the
2 back. They're just expanding it for outdoor
3 service of storage boats, RVs, stuff like that.
4 The temp storage is already adjacent. Other than
5 that, I can't think of anything that strikes me.

6 CHAIRMAN PRICE: Okay. Any questions for
7 the Applicant? Looks like you got off easy, no
8 questions.

9 BOARD MEMBER POUNDS: [Inaudible].

10 MR. GILBERT: Hmm? No, I actually have
11 only work clothes since I've been in the woods.

12 BOARD MEMBER POUNDS: [Inaudible].

13 MR. GILBERT: I have on shorts and a
14 t-shirt. As hot as it's been the last few days,
15 it's warranted when you work outside.

16 COUNCILMAN SATTERFIELD: I understand.

17 BOARD MEMBER POUNDS: [Inaudible].

18 CHAIRMAN PRICE: All right. So, thank
19 you. Questions, discussion?

20 BOARD MEMBER AHLERT: Mr. Chairman?

21 CHAIRMAN PRICE: Mr. Ahlert?

22 BOARD MEMBER AHLERT: I don't have any
23 concerns with this particular proposal, but I do
24 have a concern; are we setting a precedent by
25 having open storage on a major thoroughfare through

1 the Town? And if there will be another proposed
2 site like this right on the roadway and we turned
3 it down, would the courts overturn us?

4 CHAIRMAN PRICE: That's a good question.

5 BOARD MEMBER AHLERT: That's just my
6 concern.

7 MR. DEYOUNG: I think we would evaluate
8 each site on its own merits, especially with
9 regards to screening and buffering requirements
10 that go along with these types of facilities. This
11 one's unique in that it's tucked so far back off of
12 70. It's really not on 70. It's off of 70. It's
13 kind of behind the old Sonic site --

14 BOARD MEMBER AHLERT: I understand that,
15 but I don't --

16 MR. DEYOUNG: Yeah, and we --

17 BOARD MEMBER AHLERT: Like I said, I
18 don't have any concerns with this particular one,
19 but are we setting a precedent that might open a
20 door for right on 70? And that if we
21 turned it down, would a court overrule us?

22 MR. DEYOUNG: I -- you know, I can't
23 really say what a court would do. I think what we
24 would do in that case is we would be looking for
25 additional screening for outdoor storage. We've

1 actually had similar uses that have had come
2 forward. Some that come to mind are we just
3 approved an outdoor storage expansion for the
4 self-service storage on Powhatan Road. There was a
5 commercial site kind of at -- on the west end of
6 town at 70 that had an outdoor storage component
7 that actually had some frontage on 70 and we put a
8 major screening component on that and they ended up
9 not building on that site and moving to a different
10 site because it was too onerous, I think, on the --
11 on the site and on the Applicant.

12 And I would say that ties to the best use
13 associated with lots on 70. I don't think
14 self-service storage or outdoor storages would be,
15 at this point as we are running -- I don't want to
16 say running out of lots on 70, but we're certainly
17 not as open on 70 as we once were. But any change
18 of use for an existing lot to accommodate outdoor
19 storage would be significantly screened for 70. It
20 would not be visible from 70, so I don't think
21 we're setting any precedents here.

22 BOARD MEMBER AHLERT: Thank you.

23 CHAIRMAN PRICE: And staff has
24 recommended to approve with these conditions. And
25 it appears that it's tucked back in there and the

1 automobile body repair shop next door utilizes
2 similar spaces behind it anyways, so it's not
3 totally something new at this location and it
4 doesn't seem to be that visible from 70.

5 BOARD MEMBER TEEM: I'll make a motion to
6 approve with the four conditions.

7 CHAIRMAN PRICE: Motion from Mr. Teem to
8 approve the four conditions as recommended by
9 staff. Is there a second?

10 BOARD MEMBER COATS: Second.

11 CHAIRMAN PRICE: Second by Mr. Coats. Is
12 there further discussion? All in favor make it
13 known by saying aye.

14 (Voice vote.)

15 CHAIRMAN PRICE: Opposed, like sign.
16 It's unanimous. We'll move on to Item C, SUP
17 2014-85, RNC Entertainment, 12809 US 70 Business
18 West, special use permit approval requesting to
19 allow a video sweepstakes operation business
20 internet café -- café, at the address, within an
21 existing building in a outparcel parcel of the
22 Walmart shopping plaza. And this would be -- we'll
23 call it where it's located in a former Blockbuster
24 space and this has been sitting vacant for some
25 time now. Ms. Beddingfield?

1 MS. BEDDINGFIELD: Emily Beddingfield
2 with the Town Planning Department. As you stated,
3 this is a video sweepstakes operation. These
4 businesses go under several names; internet café is
5 a common one, internet sweepstakes. Our code
6 policy has it as video sweepstakes operation. They
7 are requesting to locate in the former Blockbuster
8 location. They are retrofitting the interior of
9 the site, but no exterior site modifications are
10 requested. Typically, our video sweepstakes
11 operations are a conditional use permit for the
12 code. However, this is a special use district.

13 Every property in the Walmart plaza, with
14 the exception of the old Wendy's which is being
15 converted right now to a restaurant, is zoned B-3S
16 which is Highway Business Special Use District. So
17 that means any use that is
18 included in that initial special use permit, you
19 need to come before Council, and the Planning Board
20 first for a special use permit approval. There is
21 no additional need for a conditional-use permit.
22 The special use permit sort of overrides that. So
23 that's why it's before you all tonight.

24 The whole site is 1.82 acres. There are
25 a couple businesses on the site. This is just one

1 of them. The tenant space is 5,664 square feet
2 that's currently a vacant tenant space. As I
3 noted, there are no site improvements proposed or
4 required. We did calculate the parking
5 requirements for this use, along with the other
6 uses existing in that little plaza -- little
7 building there, the in-line shopping center, and
8 there is adequate parking available on the site and
9 the site meets the landscaping requirements that
10 were originally required.

11 So code requirements that have been put
12 in place for video sweepstakes operations; we have
13 a few of them. One is that unaccompanied persons
14 under the age of 18 are prohibited from entering
15 the premises. Another is that the hours of
16 operation are limited. They're limited to Sunday
17 through Thursday, 9:00 a.m. to 1:00 a.m. and from
18 Friday and Saturday from 9:00 a.m. to 2:00 a.m.
19 There is also a limit of 100 machines at each
20 location. The Applicant has requested a maximum of
21 80 machines, so they are within that limit, and
22 they have agreed to the hours of operation.

23 Of course, the associated site plan with
24 this special use permit is Site Plan 02-27, was
25 approved back in 2002, and the Walmart Plaza itself

1 was approved under Special Use Permit of 02-01 also
2 in 2002.

3 So, on the screen we've got a proposed
4 layout provided by the Applicant. We pre-request a
5 layout to show -- basically confirm the number of
6 terminals which is used not only as part of the
7 review, but as part of the potential privilege
8 license that's issued. The floor plan doesn't get
9 approved by Council, but it's part of the
10 consideration.

11 And here's a graphic of the site. Of
12 course, it's in the old Blockbuster location, I
13 think, as most of us know it, here next to Capital
14 Bank. And, as you can see, it's a large parking
15 lot. They have adequate parking on site.

16 The proposed request is generally
17 consistent with the strategic growth plan, and that
18 would be Objective 2.1, Balanced Development Old
19 and New. The use is consistent with the Unified
20 Development Code, if the special use permit is
21 approved by the Town Council. The Applicant has
22 addressed the findings of fact, which were accepted
23 as part of a complete application and made part of
24 the record as Attachment 1 of the staff report.
25 And, of course, those findings must be met for the

1 approval or denial of the request.

2 As far as the surrounding land uses, it
3 is surrounded by other commercial uses. All the
4 uses in the Walmart Plaza, a mix of retail
5 and restaurant and another internet café. A
6 neighborhood meeting was held on July 18th and
7 there were no attendees.

8 So, staff is recommending that if Town
9 Council reaches positive conclusions on the
10 required findings of fact, that the special use
11 permit be subject to the recommended conditions of
12 approval which were provided in the staff report.
13 Again, the Planning Board tonight is making a
14 recommendation to the Town Council on whether or
15 not to approve, as well as the conditions that were
16 listed in the staff report. And I am happy to
17 answer any questions you may have and our
18 applicant, Mr. Roe, is in the audience this
19 evening.

20 BOARD MEMBER COATS: I have a question.
21 Can you go back to the floor plan that shows the
22 location of the games? Are all the games around
23 the outside or are there some in the middle way?

24 MS. BEDDINGFIELD: There's some in the
25 middle. You can see we've got 10 computer

1 terminals here and then, I don't know if you'd call
2 this the middle, but --

3 BOARD MEMBER COATS: So that -- that --
4 that -- oh, I'm sorry.

5 MS. BEDDINGFIELD: No --

6 BOARD MEMBER COATS: I see the outside,
7 okay. And then the other question I have; how
8 many -- how many actual parking spaces are there
9 out in that lot?

10 MS. BEDDINGFIELD: I believe there were
11 59. I can tell you for sure. I've think I've got
12 it in --

13 BOARD MEMBER COATS: If you have 80
14 machines, that's a possibility of 80 people. How
15 did we arrive at the fact that they -- I don't know
16 how popular this place is going to be, so if you
17 have 80 people go in there to play the machines and
18 all 80 cars, there's certainly not enough parking
19 there.

20 MS. BEDDINGFIELD: Our code sets a
21 standard of the greater of either one space per 200
22 square feet or one space for three seats. In this
23 case, one space for three seats was the greater
24 number, which resulted in -- oh, I'm sorry, the
25 square footage actually resulted in the greater

1 number which was 28 parking spaces. And that
2 standard was pulled from what other cities and
3 other codes have found to work for them. We did do
4 some research when applying that code. It's
5 something that's in our car park code currently.

6 BOARD MEMBER COATS: For that type of
7 business?

8 MS. BEDDINGFIELD: Uh-huh.

9 BOARD MEMBER COATS: Okay. I understand.

10 CHAIRMAN PRICE: Other questions? Mr.
11 Ahlert?

12 BOARD MEMBER AHLERT: Yes. Is the
13 bathroom sufficient for 80 people?

14 MS. BEDDINGFIELD: That would be a
15 building code question that I am not able to
16 answer. They -- they will need to, you know, apply
17 for any building permits associated with the
18 development and the internal renovations and, at
19 that point, it will be reviewed for compliance with
20 the building code.

21 CHAIRMAN PRICE: Mr. Lee?

22 BOARD MEMBER LEE: Did you say there was
23 another internet café out there? Because I'm not
24 familiar with it.

25 MS. BEDDINGFIELD: There is.

1 BOARD MEMBER LEE: Back in that
2 shopping center.

3 MS. BEDDINGFIELD: Uh-huh. There is
4 another one in that shopping center. I forget
5 which name -- which one is there. P&K perhaps.

6 CHAIRMAN PRICE: it's -- it's --

7 MS. BEDDINGFIELD: It's in the
8 corner.

9 CHAIRMAN PRICE: Yeah, it's back in the
10 area closer to where Dollar Tree --

11 BOARD MEMBER TEEM: And the Chinese
12 Buffet.

13 CHAIRMAN PRICE: -- and Chinese Buffet
14 used to be.

15 MS. BEDDINGFIELD: Uh-huh.

16 CHAIRMAN PRICE: Unfortunately,
17 They've struggled back there.

18 BOARD Member TEEM: Near Cece's Pizza?

19 CHAIRMAN PRICE: When -- yeah, that was a
20 great draw for that area.

21 BOARD MEMBER COATS: Yeah, the age 18
22 restriction; that they have to be accompanied by an
23 adult to be 18 and under, is that kind of a state
24 code or is that consistent with what these things
25 do or?

1 MS. BEDDINGFIELD: It was something set
2 by the Council when the -- when we added video
3 sweepstakes operations to the code. Just wanted to
4 ensure that any safety concerns were addressed.
5 It's not a state --

6 BOARD MEMBER COATS: Does that mean
7 that if you go you have to be 18-years old?

8 MS. BEDDINGFIELD: Excuse me?

9 BOARD MEMBER COATS: They would have to
10 be accompanied -- anybody under 18 would have to be
11 accompanied by an adult.

12 MS. BEDDINGFIELD: Yes.

13 BOARD MEMBER COATS: Is the adult 18 or
14 21?

15 MS. BEDDINGFIELD: 18.

16 BOARD MEMBER COATS: So you could
17 actually have an 18-year old go in there with five
18 or six 14-year olds.

19 MS. BEDDINGFIELD: Technically speaking,
20 yes, the way the code reads.

21 CHAIRMAN PRICE: Any other questions of
22 staff? If not, thank you, Ms. Beddingfield. We'll
23 call on the Applicant.

24 MR. ROE: Good Evening, Tony Roe,
25 pleasure to be here tonight. If anyone has any

1 questions I'd be more than happy to answer to my
2 best of my abilities.

3 BOARD MEMBER TEEM: This goes to the
4 question about parking spaces; do you feel like
5 there's ample parking for --

6 MR. ROE: The other sweepstakes that I've
7 actually have --

8 BOARD MEMBER TEEM: the use?

9 MR. ROE: Uh-huh, that I have knowledge
10 for; usually the parking space that this actual lot
11 provides is usually a lot more than what I'm used
12 to from what I've seen from previous businesses.
13 We don't expect, of course, to fill up all the 80
14 computer stations. Rarely does it ever get filled
15 up to that extent, but it's for -- from our
16 perspective yeah, I think it's going to fit, pretty
17 much. And also, the hours where the sweepstakes
18 actually brings in pretty much a good amount of
19 traffic, it's usually after hours, after about 7
20 o'clock, so it shouldn't clash with the Radio Shack
21 or H&R Block.

22 BOARD MEMBER TEEM: Thank you.

23 CHAIRMAN PRICE: Mr. Lee?

24 BOARD MEMBER LEE: What's the -- you've
25 got an extra room in here.

1 MR. ROE: Oh, that's a little -- that
2 little space in the middle over there?

3 BOARD MEMBER LEE: The big square over
4 here.

5 MR. ROE: This is another -- it's just a
6 kind of a separated area. What we want to do is we
7 actually -- there is also this space that you see
8 that's not filled in. We're going to actually make
9 this a lounge area. The one -- the actual space in
10 the middle that you're referring to, we wanted to
11 kind of have another twist -- kind of a different
12 atmosphere, maybe a little more chic, modern, in
13 that space. So it's just kind of a different kind
14 of a scene that we want to provide for the actual
15 establishment.

16 BOARD MEMBER LEE: It's just still
17 internet gambling going on over there?

18 MR. ROE: I'm sorry?

19 BOARD MEMBER LEE: It's still just
20 internet gambling?

21 MR. ROE: Just internet, pretty much.
22 And also just to kind of go into the system that
23 we're going to be using; they are going to be all
24 pre-revealed systems.

25 BOARD MEMBER LEE: All what?

1 MR. ROE: It's called pre-revealed
2 system, which is completely mandated and approved
3 by the State. That's the only system that we're
4 going to use. We're not going to have anything
5 like any stand-up games or any non-reviewed games
6 which, unfortunately, some places do, but we're not
7 going to that. And they're all Blue Diamond
8 as well. That's the program company name that
9 we're going to be using and, once again,
10 everything's pretty much approved by the State
11 of North Carolina.

12 BOARD MEMBER TEEM: Do you allow food and
13 drinks? Can people bring their own food and drink?

14 MR. ROE: We're going to provide all
15 that. We're going to provide all food.
16 Also on the weekends we're going to provide
17 catering as well. You know, if the traffic is
18 to a point where it brings in enough people. But
19 as far as, you know, just beverages and snacks and
20 food, that's all going to be pretty much provided
21 from us.

22 BOARD MEMBER TEEM: Okay. Alcohol?

23 MR. ROE: No alcohol whatsoever.

24 BOARD MEMBER TEEM: Okay.

25 CHAIRMAN PRICE: Any other questions?

1 All right. Thank you very much.

2 MR. ROE: Thank you so much.

3 CHAIRMAN PRICE: This will be a
4 recommendation to the Town Council since all of
5 the -- well, the Walmart Shopping Center
6 is special use. They will approve this
7 and then that -- upon approval, that's the only use
8 that can be made of the property. I should say if
9 approved, that's the only use that can be made of
10 this particular segment of the property.

11 BOARD MEMBER JOHNSON: Motion to approve
12 the plan.

13 CHAIRMAN PRICE: Motion by Mr. Johnson
14 [inaudible] approve.

15 BOARD MEMBER TEEM: Second.

16 CHAIRMAN PRICE: Second by Mr. Teem. Is
17 there any discussion?

18 BOARD MEMBER LEE: Yes.

19 CHAIRMAN PRICE: Mr. Lee?

20 BOARD MEMBER LEE: I don't think an
21 internet place has anything going for Clayton. I
22 know Clayton can use tax money. I don't think
23 that we need another internet café inside the same
24 shopping center. I don't think that this -- I
25 don't think it presents the correct view of Clayton
26 for people

1 passing by [inaudible] our Town. If I had -- I
2 didn't, but if I had voting on those, I
3 would have voted against it and I would vote
4 against this tonight, and I don't think it's
5 appropriate for the Town of Clayton.

6 CHAIRMAN PRICE: That's -- as the staff
7 pointed out, it does meet the UDC -- requirements
8 of the UDC so the Council has -- and these gambling
9 or the sweepstakes parlors met certain requirements
10 from the State of North Carolina which, of course,
11 supersede Clayton's zoning rules. It supersedes
12 Clayton's requirements, but apparently from what
13 the testimony has been given, it meets both. So it
14 will be up to the Town Council to make a final
15 decision as to the appropriateness of the
16 use.

17 In my opinion, it's set for the Town
18 Council. You can certainly vote differently
19 tonight.

20 BOARD MEMBER LEE: Yes, it will be up to
21 the Council. We're just a recommending body and
22 I -- I expect them to be lone wolf on this, but
23 I do disagree with some of these things in here
24 about that it will not adversely affect the
25 adopted plan policy. It will violate the
26 character of the

1 existing standards of development,
2 and I think it does violate the
3 standards of the development. I don't think -- if
4 I was building a shopping center, I wouldn't want
5 it in there. I just don't think it brings in
6 the right kind of crowd for the shopping center. I
7 think it will further bring about the death of a
8 lot of those buildings there. That's my view
9 here and I'm sticking to it.

10 CHAIRMAN PRICE: That's your story.

11 BOARD MEMBER LEE: And I'm sticking to
12 it, yes.

13 CHAIRMAN PRICE: Well, I appreciate -- I
14 certainly appreciate your opinion, Jim, and anybody
15 else's opinion of either for or against.

16 BOARD MEMBER BROOKS: Well, I do think
17 that we should state the nobody attended the
18 meeting like Radio Shack -- was it Radio
19 Shack?

20 CHAIRMAN PRICE: Radio Shack.

21 BOARD MEMBER TEEM: Radio Shack, and the
22 bank.

23 BOARD MEMBER LEE: Yes.

24 BOARD MEMBER TEEM: Nobody is here
25 tonight to oppose, so --

1 BOARD MEMBER LEE: There's not a
2 precedent of what Council can't do. They sent to
3 every single address of people outside of the city
4 and outside of this county. They went to
5 Louisiana, Tennessee, Arkansas and Raleigh.
6 Nothing -- nobody local. I'm sorry, I
7 shouldn't be entering the debate. I'm sorry.

8 CHAIRMAN PRICE: Well, they've sent --
9 they were sent as required by statute.

10 BOARD MEMBER LEE: Yes, they followed the
11 law. That's right.

12 BOARD MEMBER COATS: Now, it's like
13 has police department weighed in on this?

14 CHAIRMAN PRICE: I'll have to address
15 that question to the staff.

16 MS. BEDDINGFIELD: We did propose that
17 question to the town police department. They
18 reviewed the crime reports and incidents at the
19 three existing internet sweepstakes in town. They
20 told us -- Captain Herring told me that they did
21 not pose what they considered to be a significant
22 threat or anything over and above what they see at
23 other, sort of, 24-hour type establishments. So
24 they -- they don't single out internet sweepstakes

1 as being particularly dangerous.

2 CHAIRMAN PRICE: Ok.

3 MS. BEDDINGFIELD: Or -- and creating
4 more crime calls than any other.

5 BOARD MEMBER COATS: But it will be the
6 Town of Clayton Police Department which will be
7 required to do the enforcement as far as the state
8 law is concerned, right?

9 MS. BEDDINGFIELD: Yes.

10 BOARD MEMBER TEEM: No I don't think so.

11 MS. BEDDINGFIELD: No.

12 BOARD MEMBER COATS: So, who will do the
13 enforcement?

14 MS. BEDDINGFIELD: Well, I think
15 different communities handle it different ways. We
16 would be looking at the State to handle that. I
17 thought your question was for if there were crime
18 incidents at the site.

19 BOARD MEMBER POUNDS: I think if you
20 check with the sheriff's department and ask them
21 about Clayton Ratpacks, you'll find a
22 whole lot more incidences there. We just approved
23 one behind the CVS. They were defined as internet
24 sweepstakes.

25 BOARD MEMBER AHLERT: Mr. Chairman?

1 CHAIRMAN PRICE: Yes.

2 BOARD MEMBER AHLERT: We're having a
3 debate that's personal views. The Town of Clayton
4 has decided that internet cafés, as long as they
5 meet the State's statutes, are acceptable in the
6 town. So why are we having this debate?

7 BOARD MEMBER POUNDS: It's not -- it's
8 not --

9 BOARD MEMBER AHLERT: It is --
10 -- that's -- in compliance with code.

11 CHAIRMAN PRICE: It's part of the code,
12 so --

13 BOARD MEMBER POUNDS: It's kind of the
14 same thing with the outdoor storage. You're
15 concerned about setting a precedent, but it meets
16 the code, so that pretty much rounds up.
17 Same thing

18 CHAIRMAN PRICE: Well, we have a motion
19 by Mr. Johnson and second by Ms. -- no, it's Mr. --

20 BOARD MEMBER TEEM: It's Mr. Teem.

21 BOARD MEMBER POUNDS: Mr. Teem.

22 CHAIRMAN PRICE: Mr. Teem [laughter],
23 excuse me. So we'll call the question; all in
24 favor, [inaudible] by saying aye?

25 (Voice vote.)

1 CHAIRMAN PRICE: Opposed, like sign.

2 (Voice vote.)

3 CHAIRMAN PRICE: Okay. Let the record
4 show that Mr. Lee voted in opposition. So that
5 brings us down to informal discussion and public
6 comment; is there any? Well, it looks like our
7 crowd has all gonem so I don't guess we
8 got any. Motion to adjourn?

9 BOARD MEMBER COATS: So moved.

10 CHAIRMAN PRICE: So moved by Mr. Coats.

11 MALE SPEAKER: Second.

12 CHAIRMAN PRICE: All in favor can stand
13 up and go home.

TOWN OF CLAYTON, NORTH CAROLINA

TRANSCRIPT OF THE PROCEEDINGS
PLANNING BOARD
AUGUST 25, 2014, SESSION

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

1 BOARD CLERK: Frank Price?
2 CHAIRMAN PRICE: Present.
3 BOARD CLERK: David Teem?
4 VICE-CHAIRMAN TEEM: Here.
5 BOARD CLERK: Sarah Brooks?
6 BOARD MEMBER BROOKS: Here.
7 BOARD CLERK: Ron Johnson?
8 BOARD MEMBER JOHNSON: Here.
9 BOARD CLERK: Jim Lee?
10 BOARD MEMBER LEE: Here.
11 BOARD CLERK: Marty Brizzell? Bob
12 Ahlert? Jean Sandaire? James Lipscomb?
13 BOARD MEMBER LIPSCOMB: Here.
14 BOARD CLERK: Bob Satterfield? And if we
15 could just please make sure that we speak loudly
16 and clearly into the microphones since we will be
17 sending the information to the transcriptionist,
18 that would be very helpful.
19 CHAIRMAN PRICE: We'll certainly try to.
20 Thank you, ma'am. Are there any adjustments to the
21 agenda, since it's as long as it is?
22 MR.DEYOUNG: No adjustments.
23 CHAIRMAN PRICE: All right. Thank you.
24 Approval of the minutes of June 23rd. Any
25 correction, additions or -- Sarah?

1 BOARD MEMBER BROOKS: I had one, but I
2 left my note in the car, but it had to do with on
3 the minutes there was a motion I made and it said,
4 I think, that they couldn't understand, I guess,
5 the last part of that. Can I just e-mail that
6 tomorrow and --

7 MR. DEYOUNG: We can update that.

8 BOARD MEMBER BROOKS: Yeah.

9 CHAIRMAN PRICE: Did anybody else find
10 any corrections, additions, submissions? Hearing
11 none, I'll entertain a motion for approval of those
12 minutes based on the correction that Ms. Brooks
13 will clear up.

14 BOARD MEMBER POUNDS: I'll make a motion.

15 VICE-CHAIRMAN TEEM: Second.

16 CHAIRMAN PRICE: Motion by Ms. Pounds,
17 second by Mr. Teem. All in favor let it known by
18 saying aye.

19 (Voice vote.)

20 CHAIRMAN PRICE: Opposed, like sign?
21 It's unanimous. Oh, I guess I should say we have
22 some absences tonight, but we do have a quorum so
23 we can conduct the Town's business. Reports and
24 comments, Ms. Beddingfield?

25 MS. BEDDINGFIELD: No reports.

1 CHAIRMAN PRICE: Oh, we're doing well
2 (laughter). Old business?

3 MS. BEDDINGFIELD: No old business.

4 CHAIRMAN PRICE: New business?

5 Right away it's SP 2014-81, Leesh
6 Management Office at 108 Butternut Lane, major site
7 plan approval for a new office at 108 Butternut
8 Lane. Ms. Beddingfield?

9 MS. BEDDINGFIELD: Thank you. Emily
10 Beddingfield with the Town Planning Department. The
11 Applicant for this major site plan request is
12 requesting approval of a site plan for a 3,223
13 square foot office.

14 COUNCILMAN SATTERFIELD: Present.

15 MS. BEDDINGFIELD: Good evening,
16 Councilman Satterfield. The address is 108
17 Butternut Lane, and this is a one-and-a-half story,
18 specifically a contractor's office, which our code
19 does distinguish between contractor's offices and
20 general offices. Biggest difference between the
21 two is essentially the parking requirement, which
22 is -- contractor's offices require a little bit
23 more parking because they expect a bit more traffic
24 than a standard office will. And you can see on
25 the map here it is on that little vacant lot that

1 sits between the existing Scott Lee Homes Building
2 on the west side of the site there on Pinecroft
3 Drive and between the Neighborhood Academy of Music
4 is located immediately adjacent to the east.

5 Access is off of Butternut Lane. The
6 site has frontage on both Butternut Lane and NC-42
7 Highway West. However, like the other properties
8 along Butternut Lane, access will be off of
9 Butternut and not Highway 42. The site sits on the
10 Thoroughfare of Overlay District. Of course, all
11 of our properties which front on NC-42 West and
12 East are part of the Thoroughfare Overlay District,
13 so it is subject to the requirements of that
14 district, which essentially include a street yard
15 buffer and additional plantings that wouldn't
16 normally be required for a site of this type.

17 The existing use is vacant. It is zoned
18 office institutional and, again, the proposed use
19 is a contractor's office.

20 The maximum height proposed for this
21 building is 35 feet as a 1.5 story building. The
22 proposed impervious is 46.3 percent; a maximum of
23 75 percent would be permitted on this site, so they
24 are within the restrictions there. Fifteen parking
25 spaces are required per the code requirements for a

1 contractor's office, and 15 spaces have been
2 provided, including one handicapped space, and that
3 is at a rate of one space per 200 square feet.

4 The site meets all applicable code
5 standards for landscaping, including the enhanced
6 plantings required for location along the
7 Thoroughfare Overlay District. That also includes
8 that 20-foot street yard buffer that I noted
9 earlier in which no buildings or major structures
10 can be located.

11 There are no environmental impacts
12 anticipated with this site. It does not include
13 any 100-year floodplain zones, no wetlands,
14 or anything of that nature.

15 There are no signs requested at this
16 time. However, any signage would be required to
17 receive a sign permit and meet all standards of our
18 Unified Development Code.

19 Site design; the building is essentially
20 consistent with the buildings to the east and the
21 west in that it sits closer to NC-42 with access
22 off of Butternut Lane and a parking lot to the
23 front, with frontage on Butternut Lane. So the
24 lane -- and I've got some architectural renderings
25 coming up here, but the building is direct façade,

1 which is consistent with other buildings along that
2 road, so it will sort of just fit in, in that way.

3 On the screens now I've got an aerial
4 view of the site, just to give you a different
5 perspective as to how the site relates to the
6 parcels to the east and west; again, the existing
7 Scott Lee Homes site to the west and the music
8 academy to the east. There are no cross-
9 connections proposed to those parking lots.
10 It's something that was discussed,
11 but it was not an option that was available either
12 due to practical reasons or just the inability to
13 make those connections with the property owners and
14 the site grading issues between sites.

15 On the screen now are the plans for the
16 site itself. Again, you can see the building
17 fronting closest to NC-42 West with the parking lot
18 directly accessed off of Butternut Lane. There is
19 a little bit of a sidewalk that cuts down around
20 the west side of the building to an entrance that
21 is on the 42-West side of the property, and that's
22 something that's required by building code.

23 This is the Butternut Lane side of the
24 building that has been proposed. We've got a mix
25 of split-faced block on the bottom layer

1 of the building, red brick along the majority of
2 the façade with white siding as an accent feature
3 there near the roof.

4 There is a garage to the right which will provide
5 access for materials to be deposited into the
6 contractor's office for display or storage.

7 What you see here is the elevation as
8 will be seen from Highway 42, a little bit
9 simplified from the elevation facing Butternut
10 because it's not the primary frontage and the
11 Applicant expressed that they felt that the trees
12 that would be planted along Highway 42, that
13 accommodation of the vegetation and this elevation
14 would provide a nice view.

15 The two sides of the building; the
16 architectural features are carried around all four
17 sides of the building as is required with the
18 number of windows and that door on the west side or
19 south side, depending on how you look at it.

20 The proposed development is generally
21 consistent with Town's Strategic Growth Plan, the
22 Town's Unified Development Code. A neighborhood
23 meeting was held on July 29th. There were two
24 attendees and, per the summary of the meeting
25 provided by the Applicant, there was no opposition,

1 just some general questions about the nature of the
2 request.

3 Staff is recommending approval of the
4 site plan as provided in the packet, with the
5 conditions as recommended by staff. And I am happy
6 to answer any questions that you may have.

7 CHAIRMAN PRICE: Mr. Lee?

8 BOARD MEMBER LEE: Did you say that
9 garage door was for storage access?

10 MS. BEDDINGFIELD: It is. That was an
11 intended design feature to serve the use as a
12 contractor's office. The intent here is for
13 Scott Lee Homes, to the west there, is actually
14 moving into this building and they indicated they
15 were going to need access to that drive -- to that
16 garage.

17 BOARD MEMBER LEE: The drawings don't
18 match. It says that's the west side, but I think
19 it's the south side.

20 MS. BEDDINGFIELD: It is. When you look
21 at this site plan, it's actually -- you can almost
22 imagine it's skewing to the right, and I know it's
23 a little bit confusing. You have to call it the
24 southwest side, I suppose. Or the north --

25 BOARD MEMBER LEE: Okay, the --

1 MS. BEDDINGFIELD: Or the northwest side.

2 BOARD MEMBER LEE: The side that you
3 provided will face the highway?

4 MS. BEDDINGFIELD: It's facing Butternut
5 Lane. The side with the garage on it is facing
6 Butternut Lane.

7 BOARD MEMBER LEE: That's facing
8 Butternut.

9 MS. BEDDINGFIELD: Yes, it is.

10 CHAIRMAN PRICE: Yes, sir. That's
11 inside, what I would consider inside the --

12 BOARD MEMBER LEE: I'd call -- call that
13 the north side.

14 MS. BEDDINGFIELD: I did the same thing
15 and had to take a look at the directions on each of
16 the architectural elevations to be sure of what was
17 being proposed and I guess that, if you look, north
18 is actually up -- like a dot like this way. So
19 this would technically be sort of the northwest
20 elevation.

21 BOARD MEMBER LEE: Okay. So we're
22 putting a garage door on a building with no -- okay
23 I think that's concrete here.

24 MS. BEDDINGFIELD: Yes.

25 BOARD MEMBER LEE: Okay. Okay. It does

1 have concrete, but okay --

2 MS. BEDDINGFIELD: It does have access.

3 BOARD MEMBER LEE: They have a garage
4 door into the ground --

5 MS. BEDDINGFIELD: No.

6 BOARD MEMBER LEE: Or into the highway,
7 okay. So now I think --

8 MS. BEDDINGFIELD: That is not the case.

9 BOARD MEMBER LEE: Okay. That was my
10 Biggest thing to try to understand. The next
11 thing, what about the sidewalk? Okay. Pretend
12 you're in front; the sidewalks; if you look at
13 the sidewalks, they're not here. The -- there is
14 sidewalk along Pinecroft which Scott Lee cross --
15 right, the place does not have sidewalk. And at
16 42, I know it's a hill there. I don't know if
17 People may use that or something, but it's
18 not showing the sidewalks across the front at this
19 property on 42.

20 MS. BEDDINGFIELD: You're right.
21 Typically, our code would require a sidewalk in
22 front of any commercial site. We took a look back
23 at the, you know, original subdivision approvals
24 for this site and this entire on both sides of
25 Butternut Lane were approved as a subdivision, as a

1 commercial subdivision and, in that approval,
2 sidewalk was approved on one side of the road. It
3 would be similar to a subdivision -- residential
4 subdivision being built out, where it was
5 originally approved with sidewalk on one side of
6 the street.

7 BOARD MEMBER LEE: Okay.

8 MS. BEDDINGFIELD: So --

9 BOARD MEMBER LEE: And I see
10 the building on either side has sidewalk on 42.

11 MS. BEDDINGFIELD: Uh-huh.

12 BOARD MEMBER LEE: But I just wanted to
13 find out if they were supposed to have a sidewalk.

14 It sounds like it's not required.

15 MS. BEDDINGFIELD: There's not in this
16 space, but we did research into that question.

17 BOARD MEMBER LEE: That sounds like
18 (inaudible) research (inaudible) on 42. Okay.
19 Thank you, ma'am.

20 MS. BEDDINGFIELD: You're welcome.

21 CHAIRMAN PRICE: Are there other
22 questions of staff? Hearing none, thank you, Ms.
23 Beddingfield, and we'll call on the Applicant.

24 MR. LANE: Good evening, Board. Kirk
25 Lane, True Line Surveying. We represent the

1 Applicant which is Leesh Management. Ms.
2 Beddingfield has explained the situation of this --
3 the proposed site plan. I'm here to answer any
4 questions you may have of the Applicant.

5 CHAIRMAN PRICE: Mr. Grannis?

6 MR. GRANNIS: It's not really a question,
7 but from the elevations on Page A1 and A2, they're
8 showing two different elevations to the
9 west. So one of those should be changed to the
10 other elevations we find on other sides.
11 That was the front of the building and back of the
12 building (inaudible) west elevations.

13 MR. LANE: Okay. It's to Tony Dawson
14 (ph) who prepared those and I'll make him aware of
15 that.

16 CHAIRMAN PRICE: Any other questions of
17 the Applicant?

18 BOARD MEMBER LEE: I just have a couple.
19 This building is setup to 42, you've got some -- on
20 that road along 42 there's a number of sites --
21 this is probably for staff actually.
22 Some of the buildings are set back off the road and
23 some are set forward. I think we'll want to have
24 them all -- instead of zig-zagging in and out
25 along 42.

1 CHAIRMAN PRICE: This one's going to be
2 set -- as the site plan said, it's going to be set
3 all the way forward towards 42 --

4 BOARD MEMBER LEE: Yup, which will
5 match --

6 CHAIRMAN PRICE: -- which matches up with
7 one -- yeah.

8 BOARD MEMBER LEE: Which are my thoughts
9 are, then, the vacant lots that are beyond that
10 concept -- staff addressed the concerns -- it
11 gets the job done.

12 CHAIRMAN PRICE: Okay. Any other
13 questions? Thank you, Kirk.

14 MR. LANE: Thank you.

15 CHAIRMAN PRICE: Good to see you again.

16 MR. LANE: Thank you.

17 CHAIRMAN PRICE: All right. Is there any
18 discussion? Is there anyone in the audience who
19 would like to comment on this? Yes, ma'am, please
20 come forward.

21 MS. TORCIANO: I'm so sorry; I wanted to
22 comment about something else.

23 CHAIRMAN PRICE: Okay. Very fine, we'll
24 get to that next.

25 MS. TORCIANO: Yes.

1 BOARD MEMBER BROOKS: I move for approval
2 of the site plan.

3 BOARD MEMBER COATS: Second.

4 CHAIRMAN PRICE: Motion and second for
5 approval of the site plan. Is there any discussion
6 on the motion? Hearing none, I'll assume you're
7 ready to vote. All in favor, let it known by
8 saying aye.

9 (Voice vote.)

10 CHAIRMAN PRICE: Opposed, like sign? I'm
11 sorry -- motion by Ms. Brooks, second by Mr. -- Mr.
12 Coats.

13 BOARD MEMBER COATS: Thank you.

14 CHAIRMAN PRICE: Get it down, make it
15 easy for the transcription. All right. That is
16 the one item of new business under six, and now
17 we'll go to Item 7 which is informal discussion and
18 public comment. Please come forward and identify
19 yourself for the record.

20 MS. TORCIANO: Hello, everybody. My name
21 is Dorothea Torciano, and I am the owner of 123
22 East Horne Street and I've owned that for several
23 years and I'm so happy that finally I was able to
24 move in and become a full-time resident of Clayton
25 as I've been looking forward to doing this for a

1 long time.

2 I had a few questions and concerns
3 because, a little over a year ago, Horne Methodist
4 did purchase the property next door to me and they
5 did take down that house, which was truly an
6 eyesore and in bad condition. I am just concerned
7 because they do have the intention of making it a
8 parking lot. I have discussed it with them in the
9 past and the business manager, Mr. Brewer, he did
10 assure me -- he was very nice to me, several times.
11 He said after they tore down the house they were
12 just going to put some grass in and that they
13 weren't ready to do anything and they weren't sure,
14 because I know there's a whole situation with the
15 other house on the corner and everything was fine.

16 It's just I really want to know how many
17 vehicles does it take for it to be a parking lot?
18 And I know they didn't do anything officially, but
19 there are lots of large vehicles there. There were
20 five, the other day there were six, some of them
21 commercial. They have things -- I mean, they're
22 not even parking that they own that property --
23 they're parking at the back. They have it all on
24 the curb and I'm concerned because I bought into
25 this town at a time when everyone was into having a

1 historic downtown and now the downtown is becoming
2 a parking lot and I'm very upset because I really
3 very much looked forward to coming down here and
4 now there's exhaust and smoke coming into my house.

5 So I'm -- that's just my question. I
6 don't expect you to truly have an answer for me. I
7 just want to throw it out there.

8 CHAIRMAN PRICE: I think our planning
9 director will try to answer your question.

10 MR. DEYOUNG: I actually have an answer.

11 CHAIRMAN PRICE: Okay, good.

12 MR. DEYOUNG: I got your message this
13 morning.

14 MS. TORCIANO: Thank you very much.

15 MR. DEYOUNG: And I looked into it. We
16 will be issuing a warning to the church tomorrow
17 for the number of vehicles that are parked on that
18 site. As you know, it is still zoned as a
19 residential lot, and they are using it for -- it's
20 basically an accessory to the church at this point
21 to store vehicles. The maximum that we would allow
22 them to store on that as a residential would be
23 what we would normally see with a single-family
24 residential which would be up to two vehicles.

25 So we will be asking them, until such

1 time that they come through with the rezoning and
2 associated site plan approval, to remove the excess
3 vehicles from that lot.

4 CHAIRMAN PRICE: All right. Wonderful.
5 We got you an answer tonight.

6 MS. TORCIANO: Thank you very much. I
7 really appreciate it.

8 CHAIRMAN PRICE: All right. Is there any
9 other -- oh, I'm sorry. Okay?

10 MR. DEYOUNG: It's under a separate
11 topic, but it's informal discussion.

12 CHAIRMAN PRICE: Absolutely.

13 MR. DEYOUNG: I also wanted to let the
14 Board know that we did shortlist and select a firm
15 to do our update to our comprehensive plan. We
16 have selected the firm LandDesign out of Charlotte
17 to do that. We are now under -- we are now moving
18 forward with the scope, and hopefully we'll enter a
19 contract in the next couple of weeks.

20 CHAIRMAN PRICE: Great. Okay. Is there
21 any -- any other items of discussion or comment
22 of -- for --

23 BOARD MEMBER LEE: Yes.

24 CHAIRMAN PRICE: Yes, sir. Oh, Jim Lee
25 has got something for us.

1 BOARD MEMBER LEE: Oh, August the 8th --
2 August the 8th, Mr. Tim Lee, made the right choice.
3 I assume since they can't spell my name or anything
4 the rest will be wrong too, but I have for you,
5 suitable for framing, saying that for once in my
6 career the Board -- this Planning Board -- I made a
7 good choice (laughter).

8 CHAIRMAN PRICE: Thank you very much.
9 I'm sure -- I'm sure most of the Planning Board
10 members saw that in the paper and wondered who Tim
11 Lee is.

12 BOARD MEMBER LEE: Yeah, that's right.

13 BOARD MEMBER BROOKS: I knew who Tim Lee
14 was.

15 BOARD MEMBER LEE: (Inaudible)

16 (Laughter).

17 CHAIRMAN PRICE: Mr. Satterfield, no
18 comments?

19 COUNCILMAN SATTERFIELD: I'm good.

20 CHAIRMAN PRICE: All right. We missed --
21 we missed by one minutes of having a 20-minute
22 bulls-eye -- I mean, meeting -- Planning Board
23 meeting, but I'll entertain a motion to adjourn.

24 VICE-CHAIRMAN TEEM: Motion to adjourn.

25 CHAIRMAN PRICE: Mr. Teem, everybody in
26 the Planning Board, you can stand up and go home.



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

*Planning Board
September 22, 2014*

STAFF REPORT

Application Number: SP 2014-88 (Major Site Plan)
Project Name: Stallings Mill Apartments (formerly known as The Promenade)

NC PIN / Tag #: 165910-45-3301 / 05G02205C
Town Limits/ETJ: Town Limits
Overlay: Thoroughfare Overlay District
Applicant: Withers & Ravenel, c/o Loftie G. Smith, PE
Owners: Promenade Apartments, LLC
Developer: Caviness & Cates

Neighborhood Meeting: Not required – project is part of a previously approved Planned Development
Public Noticing: Property posted September 12th, 2014

Related Projects: PDD 2013-68 (Rezoning to PD-R and Master Plan), approved 12/2/13

PROJECT LOCATION: The project is located at the northwest corner of Shotwell Road and US 70 Bus Hwy W.

REQUEST: The applicant is requesting site plan approval for a 288 dwelling unit apartment complex near the intersection of Shotwell Road and US 70 Bus Hwy W.

SITE DATA:

Acreage: 22.49 acres
Present Zoning: Planned Development – Residential (PD-R)
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: Residential Apartment Complex
Buildings: 12 apartment buildings (24 units/building) plus a clubhouse and poolhouse building
of units: 288 apartment units (72 one-bedroom units, 192 two-bedroom units, and 24 three-bedroom units)

Density: 11.76 units/acre (13 units/acre max permitted per approved Master Plan PDD 2013-68)

Number of Stories: Three stories; max height of 48 feet

Impervious Surface: 9.64 acres (42.87%)

Required Parking: 576 spaces (§155.401(C)(2): 1 space per 1 bedroom unit, 2 spaces per units with 2 bedrooms or more, plus 1 space per 4 units)

UNIT	# UNITS	PARKING REQUIRED	
		REQUIRED PER UNIT	TOTAL SPACES REQUIRED
1 BDRM	72	1	72
2-3 BDRM	216	2	432
1 PKG PER 4 UNITS	288/4 = 72	72	72
TOTAL	288		576

Proposed Parking: 568 spaces (includes 50 garages, spaces in front of the garages, and 13 handicap parking spaces). Applicant has submitted an Alternative Parking Plan for approval by the Planning Board.

Fire Protection: Town of Clayton Fire Department

Access/Streets: Access will be provided via two gated entrances, off of Shotwell Road and US 70 Bus Hwy W.

Water/Sewer Provider: Town of Clayton

Electric Provider: Duke Energy

ADJACENT ZONING AND LAND USES:

North: Zoning: Planned Development – Commercial (PD-C)
Existing Use: Vacant

South: Zoning: US 70 Bus Hwy W; Planned Development – Commercial (PD-C)
Existing Use: Pine Hollow Commons Commercial Planned Development located across US 70 Bus Hwy W

East: Zoning: Planned Development – Mixed Use (PD-MU), Highway Business (B-3), Planned Development – Commercial (PD-C)
Existing Use: Vacant, Child Care Facility (across Shotwell Road), Gas Station

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

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting site plan approval for a gated 288 unit apartment complex. The request is associated with the previously approved Planned Development known as “The Promenade” which rezoned the property to Planned Development – Residential (PD-R), project # PDD 2013-68, approved by Town Council December 2, 2013. A master plan for the site was concurrently approved which permitted the use of the site as an apartment complex and set the maximum density at 13 units per acre. The approval ordinance is attached to this report.

Consistency with the Strategic Growth Plan

The proposed development 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).

Consistency with Master Plan

The proposed development is consistent with the design, use, and conditions of the associated planned development master plan (project #PDD 2013-68).

Landscaping and Buffering

The site plan meets all applicable elements of the UDC landscaping requirements.

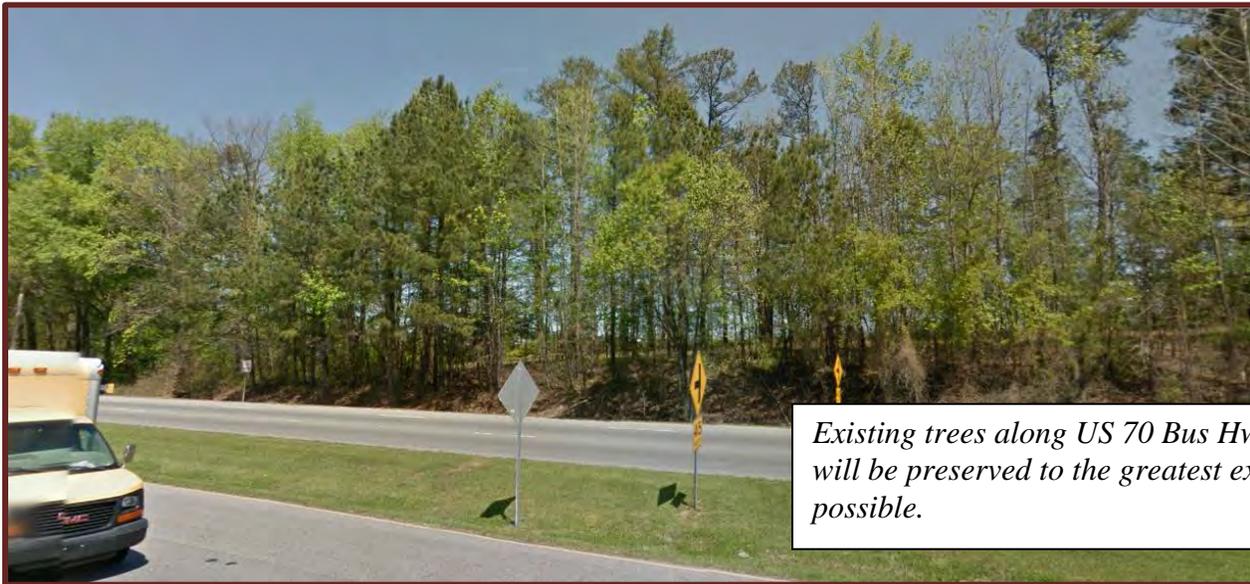
A Class C buffer is required on all sides of any planned development, and is provided here via a 20 foot Class C buffer. Class C buffers include the requirement for a six foot high opaque screening, which may be accomplished by a fence, berm, wall, landscaping, or combination thereof. Currently, a six foot privacy fence is proposed along the north property line, with a six foot ornamental fence proposed along US 70 Bus Hwy W and Shotwell Road.

The western property line includes a 50 foot riparian buffer, as well as additional forested land that will remain undisturbed to the limits of an existing sanitary sewer easement. The existing vegetation in these undisturbed areas is sufficient to meet the intent of the Class C buffer and no plantings are required along the western portion of the property.

Vegetation and trees will also be preserved along US 70 Bus Hwy W, in addition to the Class C Buffer along that property line. These trees are a mix of pine and hardwoods.



Existing vegetation along the western property border will be left undisturbed, including a 50 foot riparian buffer along Little Creek.



Recreation and Open Space

The site includes a clubhouse, pool, poolhouse, outdoor grill area, and playground, as well as open space in the center of the development. Several access points to these recreational areas are provided via sidewalk access.

Environmental

A portion of the site along the western border is located within the 100 year flood plain. The site plan shows development within this flood plain. The applicant is working with the Town Engineer to take the necessary steps for approval, including a letter of map amendment with FEMA to show the floodplain line has been moved. No development will be permitted in this area until this flood plain has been modified.

The required 50 foot riparian buffer will be left undisturbed in accordance with Article 5 of the Unified Development Code.

Signs

A monument sign is proposed at each entrance and will include the name of the development encased in decorative stone. All signage will be required to obtain a sign permit and meet standards of the Unified Development Code.

Access/Streets

The site is accessed from two entrances, including on off of Shotwell Road and one off of US 70 Bus Hwy W. A stub-out connection is provided at the Shotwell Road connection to the lot to the south, to provide convenient and safe access when that site is developed.

A traffic impact analysis (TIA) was completed as part of the approval process for the Promenade Planned Development. The TIA called for the following improvements:

Shotwell Road Access (Access #1):

- Construct the eastbound Access #1 stop-controlled approach to provide for one ingress lane and two egress lanes, an exclusive left-turn lane and a shared through/right-turn lane that provides at least 100 feet of full storage with an appropriate taper.
- Restripe the southbound right-turn lane and westbound right-turn lane to shared through/right-turn lanes. A left-turn arrow should also be painted on the northbound left-turn lane, which is an existing two-way left-turn lane.

US 70 Bus Hwy W Access (Access #2):

- Construct an exclusive westbound right-turn lane along US 70 Business that provides at least 100 feet of full storage with an appropriate taper.
- Construct the southbound Access #2 stop-controlled approach to provide for one ingress lane and one egress, a right-turn only lane.

See the graphic below, taken from the TIA, which provides the above-noted recommendations in visual form.

The NCDOT has reviewed the TIA and did not suggest any modifications to the recommendations in the TIA, but a driveway permit has not yet been issued.

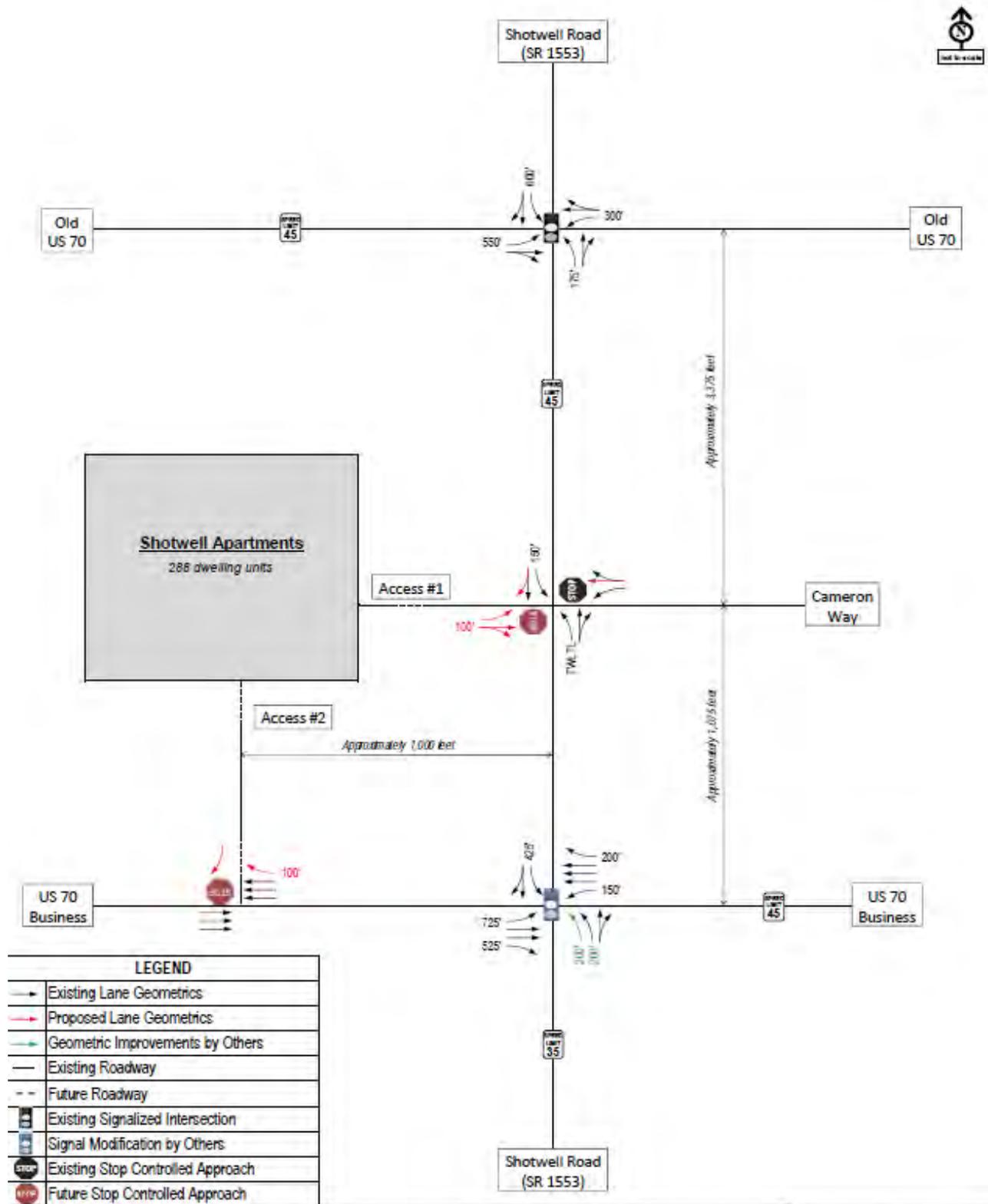


Figure 10
Future (2016) Lane Geometrics and Traffic Control

Shotwell Apartments
Clayton, NC



Multi-Modal Access

All sidewalks are proposed at 6 feet in width, and pedestrian access is provided throughout the development. Sidewalks are provided such that a pedestrian can make a loop around the interior of the development without having to walk in the road or grass. In addition, the sidewalks were designed to allow safe passage from the garages to the apartment complexes, so pedestrians do not need to walk in the roadway or grass to reach their apartment building. Marked crosswalks are provided wherever the sidewalks cross the roads.

Sidewalk is provided along Shotwell Road, outside of the proposed fence. This will allow for future sidewalk connections along Shotwell Road as adjacent properties are developed.

Sidewalk along US 70 Bus Hwy W was considered at the time of the Master Plan approval, but was not required by staff for two primary reasons: no destinations to the west along with the presence of Little Creek and a large flood plain, and steep grade of the site in that area. To preserve pedestrian connectivity, staff worked with the applicant to provide sidewalk access to the property to the east as well as sidewalk along Shotwell Road (see condition #4 of the Master Plan approval PDD 2013-68).

Sidewalk connection is also provided to the triangular lot to the east (currently vacant and owned by Tri-Arc foods), along the proposed stub-out / future access to that site. This will permit easy access to future development on that site, as well as the Bojangles restaurant and convenience store, also located just east of the site. Pedestrian connections closer to US 70 Bus Hwy W were considered, but due to grading issues safe passage could not be provided without constructing steep stairs.

One bike rack per building is provided, including a bike rack in front of the clubhouse.

Architecture

Proposed architecture is consistent with the architectural concepts approved as part of the planned development master plan, and includes a mix of shingle, stone veneer, and vinyl siding.

Other Site Design Features

A stormwater feature is proposed in the southwest corner of the development. This "BMP" will be surrounded by black vinyl coated chain link for safety.

Mailboxes will be located in the clubhouse.

Wastewater Allocation

Wastewater allocation for this site in the amount of 71,280 gallons per day was approved by Town Council resolution on September 2, 2014.

Waivers/Deviations/Variations from Code Requirements

An alternative parking request has been submitted and must be approved by the Planning Board.

CONSIDERATIONS

- The Planning Board approves major site plans.
 - The Planning Board approves Alternative Parking Plans.
-

RECOMMENDATION:

Recommendation #1: Staff is recommending approval of the site plan with the conditions listed below.

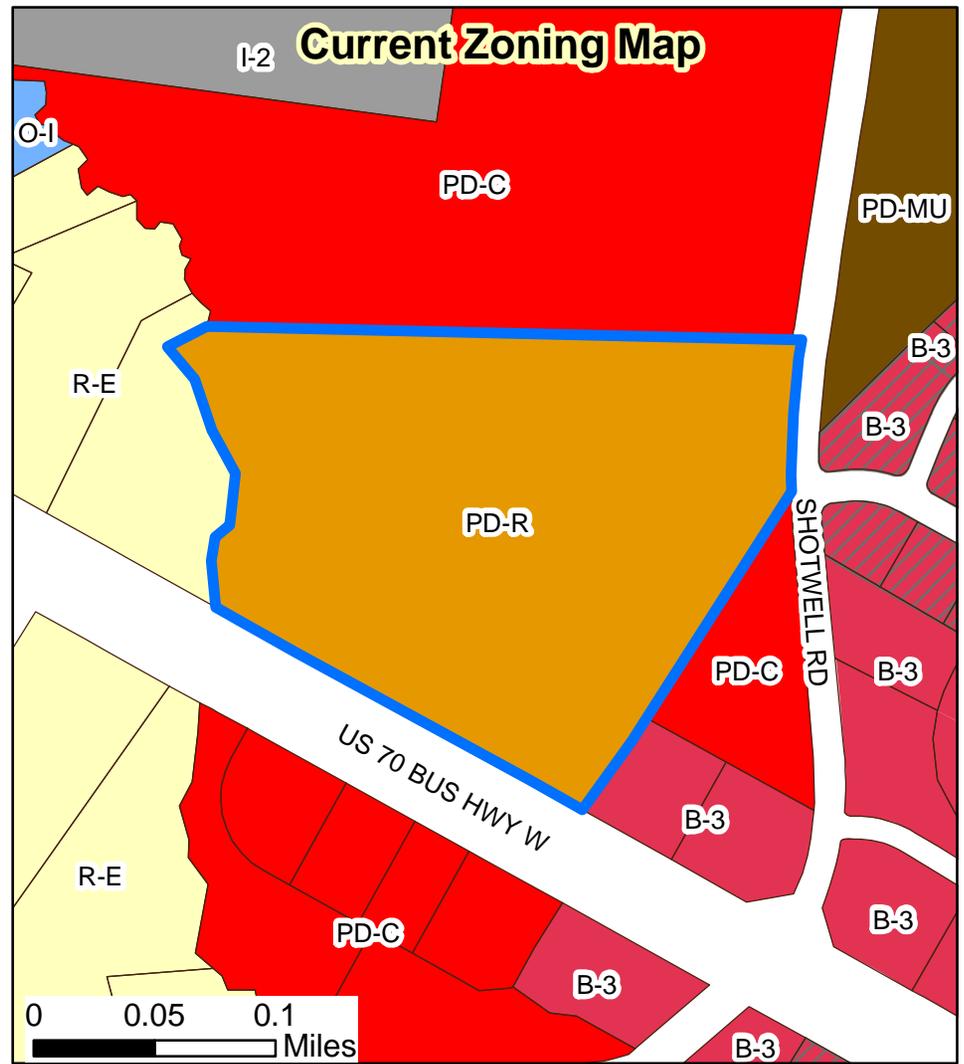
Recommendation #2: Staff is recommending approval of the alternative parking plan to allow 568 parking spaces in lieu of the required 576 spaces.

Recommended Conditions of Approval:

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. The development of the site shall be subject to the Conditions of Approval of the associated approved Planned Development Master Plan (see PDD # 2013-68).
3. Following Board approvals, three copies of the Final Site Plan, Landscape Plan, Details Sheet, and Architectural Elevations meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
4. All roof mounted and ground mechanic equipment must be completely screened from view.
5. Existing 100 year flood zone encroachment issues shall be resolved before any non-drainage related improvements occur in the impacted area.
6. The riparian buffer area shall be protected and delineated during construction with the typical orange temporary fencing. This fencing shall be removed upon completion of construction.
7. Driveway Permits must be approved by NCDOT prior to the issuance of a Building Permit.
8. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
9. Utility fees shall be paid to the Town prior to issuance of any building permits.
10. Utility construction plans shall be approved by the Public Works Department prior to issuance of building permits.
11. A site/landscape inspection by the Planning Department shall be required prior to issuance of a certificate of occupancy for each building. All site improvements shall be installed prior to the site inspection.

12. Perimeter landscaping along the south and east property lines shall be installed prior to the issuance of a CO. Perimeter landscaping along the north property line shall be installed when the buildings adjacent to the north buffer are constructed.
13. Roadway Improvements required by NCDOT to US 70 Business Highway West and Shotwell Road (SR 1553) shall be installed or bonded prior to the issuance of a certificate of occupancy for the first building.
14. All signage shall require a sign permit from the Planning Department prior to installation and shall meet standards of the Unified Development Code.

ATTACHMENTS: 1) Map, 2) Alternative Parking Plan Request, 3) Recorded Ordinance for Promenade Planned Development PDD 2013-68, 4) Application, 5) Site Plan



Stallings Mill Apartments - Site Plan

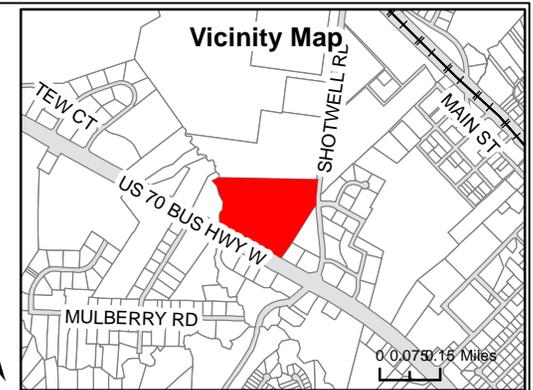
Applicant: Withers & Ravenel (Loftie Smith, PE)
 Property Owner: Promenade Apartments, LLC
 Parcel ID Number: 165910-45-3301
 Tag #: 05G02205C
 File Number: SP 2014-88

Produced by: TOC Planning

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



9/9/14



September 12, 2014

Ms. Emily Beddingfield
Town of Clayton
Planning Department
111 E. Second Street
Clayton, NC 27520

RE: Stallings Mill Apartments
Parking Reduction Request
Town of Clayton No. SP 2014-88
W&R No. 02130305.00

Dear Ms. Beddingfield:

On behalf of the owner and developer of the Stalling Mill Apartment site, we are requesting a parking reduction. The current Town of Clayton parking requirement is for 576 parking spaces to serve the proposed 288 units. We are requesting a reduction of this number by eight spaces to provide a total of 568 parking spaces. This is a request for a reduction of 1.4%.

The total number of bedrooms proposed is 528 and this request will provide forty parking spaces in excess of a one space per bedroom ratio which, based on our experience, should provide sufficient parking for the site.

If you have any questions or need additional information please contact us.

Sincerely,

WITHERS & RAVENEL



Loftie Smith, P.E.

Filed in JOHNSTON COUNTY, NC
CRAIG OLIVE, Register of Deeds
Filed 02/18/2014 09:05:19 AM
DEED BOOK: 4413 PAGE: 195-202
INSTRUMENT # 2014411375
Real Estate Excise Tax \$0.00
Deputy/Assistant Register of Deeds pwoodall

**TOWN OF CLAYTON
ORDINANCE FOR PDD-R 2013-68
PLANNED DEVELOPMENT DISTRICT – RESIDENTIAL
GRANTED
[Previously granted as PDD-C 2008-04 (portion of PDD-C 08-04)]
MASTER PLAN FOR PDD-R 2013-68
APPROVED**

On the date listed below, the Town Council for the Town of Clayton met and held a hearing to consider the following rezoning application:

Applicant: Caviness & Cates Building and Development Company

Owner: Walthom Group VII, LLC

Property Location: Northwest intersection of US HWY 70 Business West and Shotwell Road

Tax Parcel Number: Parcel 05G02205C

**Proposed Use
Of Property:** Planned Development District – Residential

Meeting Date: December 2, 2013

Having heard all the evidence and argument presented at the hearing, the Town Council finds that the application is complete, is in accordance with the Strategic Growth Plan, is in compliance with all of the applicable requirements of the Clayton Unified Development Ordinance for the planned development district proposed, and that, therefore, the application to rezone the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Clayton Unified Development Ordinance.

On the date listed below, the Town Council for the Town of Clayton met and held a hearing to consider the following master plan:

Applicant: Caviness & Cates Building and Development Company
Owner: Walthom Group VII, LLC
Property Location: Northwest intersection of US HWY 70 Business West and Shotwell Road
Tax Parcel Number: Parcel 05G02205C
Proposed Use Of Property: Planned Development District – Residential
Meeting Date: December 2, 2013

The Clayton Town Council approved the attached master plan for development in the Planned Development District established by the granting of rezoning application PDD-R 2013-68, with the following conditions:

- 1) The development of the site is limited to the site design and uses as indicated on the master plan approved by the Town Council. Modifications may require additional review and approvals.
- 2) Development of the site is subject to site plan review and approval in accordance with the master plan.
- 3) Common architectural elements, entry features, and pedestrian connectivity shall be included in the site design for the overall development.
- 4) Sidewalks must be constructed by the developer along Shotwell Road and throughout the development to ensure pedestrian connectivity. Where viable, pedestrian connections to adjacent development shall be provided.
- 5) A wastewater allocation request must be approved by the Town Council.
- 6) Driveway Permits must be approved by NCDOT prior to the issuance of a zoning compliance permit.
- 7) The perimeter landscaping must be installed prior to the issuance of a Certificate of Occupancy.
- 8) All development fees shall be paid to the Town prior to issuance of a Certificate of Occupancy.
- 9) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval shall be void and of no effect.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Town has caused this approval to be issued in its name.

TOWN OF CLAYTON

BY: [Signature]
Jody L. McLeod,
Mayor

ATTEST:

[Signature] (SEAL)
Sherry L. Scoggins, MMC
Town Clerk



NORTH CAROLINA
JOHNSTON COUNTY

I, Amber Bond, a Notary Public, do hereby certify that Sherry L. Scoggins personally appeared before me this day and acknowledged that she is Town Clerk of the Town of Clayton and that by authority duly given and as the act of the Town, the foregoing instrument was signed in its name by Jody L. McLeod, Mayor of the Town of Clayton.

Witness my hand and notarial seal this the 4th day of February 2013.

Amber Bond

Notary Public - Amber Bond
(Printed Name)

NC County of Commission: Johnston

Commission expires: August 21, 2017



Watson G. Caviness (printed name), of Caviness & Cates Building and Development Company., applicant, of the above-identified property for the above Planned Development District Permit, does hereby acknowledge receipt of this Planned Development District Permit issued by the Clayton Town Council. The undersigned does hereby acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

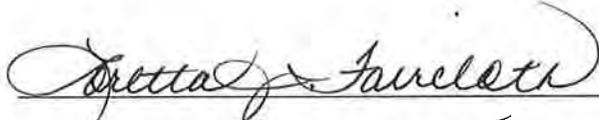

Signature of applicant

NORTH CAROLINA
Cumberland COUNTY

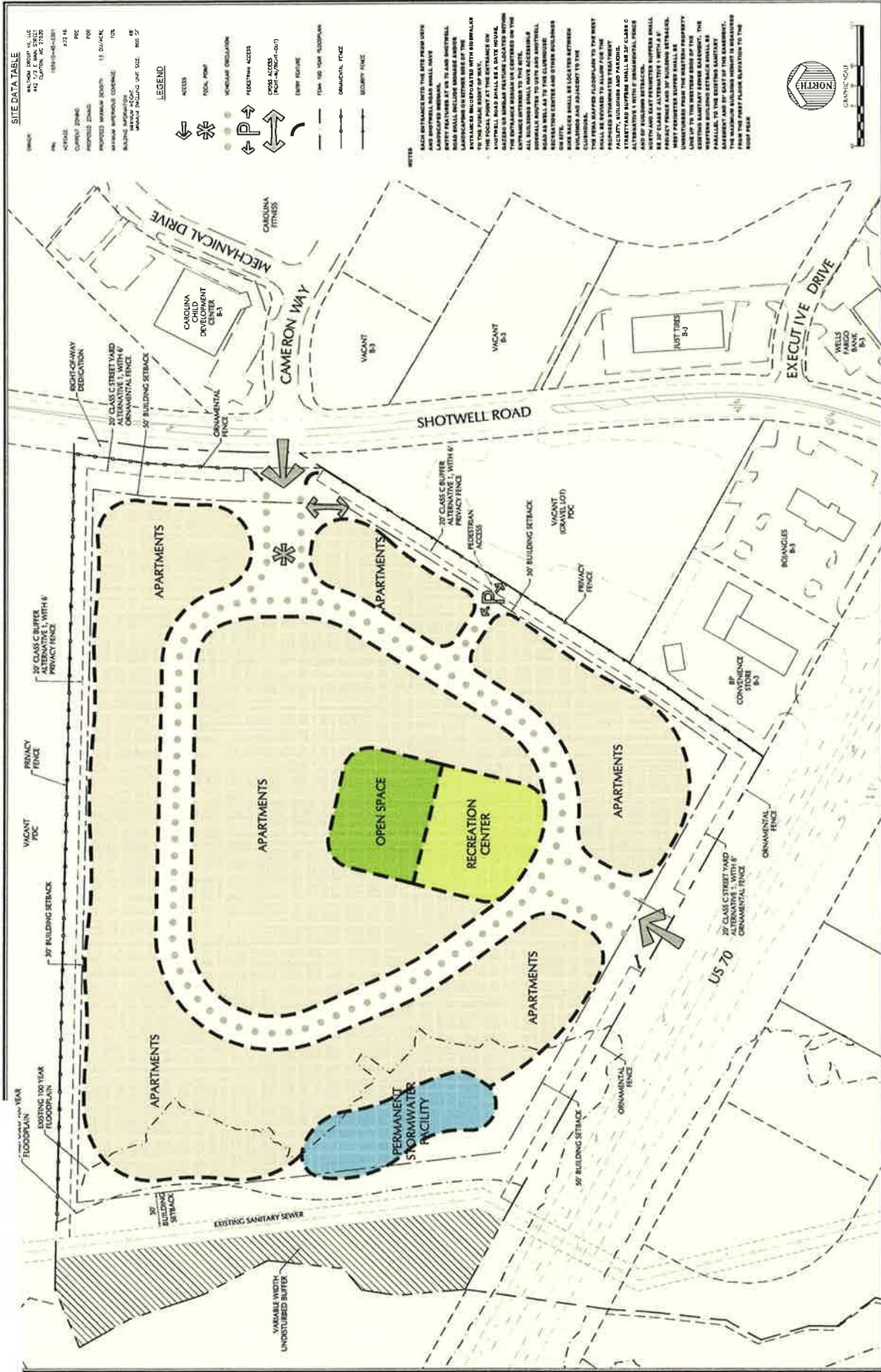
I, Loretta J. Faircloth, a Notary Public in and for said County and State, do hereby certify that Watson G. Caviness (applicant) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 21st day of January, ²⁰¹⁴ ~~2013~~.




Notary Public Loretta J. Faircloth
(Printed Name)
NC County of Commission: Cumberland
June 8, 2018
Commission expires: June 8, 2018

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.



SITE DATA TABLE

OWNER	WALTON GROUP, LLC
PROJECT NO.	44
DATE	08/11/2011
SCALE	1/8" = 1'-0"
PROJECT NAME	THE PROMENADE
PROJECT ADDRESS	372.46
PROJECT ZONING	ROR
PROPOSED ZONING	ROR
PROPOSED MAPSHEET NUMBER	13
PROPOSED MAPSHEET DATE	07/26
PROPOSED MAPSHEET SCALE	1/8" = 1'-0"
PROPOSED MAPSHEET SHEET NO.	002
PROPOSED MAPSHEET SHEET TOTAL	002
PROPOSED MAPSHEET SHEET NO.	002
PROPOSED MAPSHEET SHEET TOTAL	002

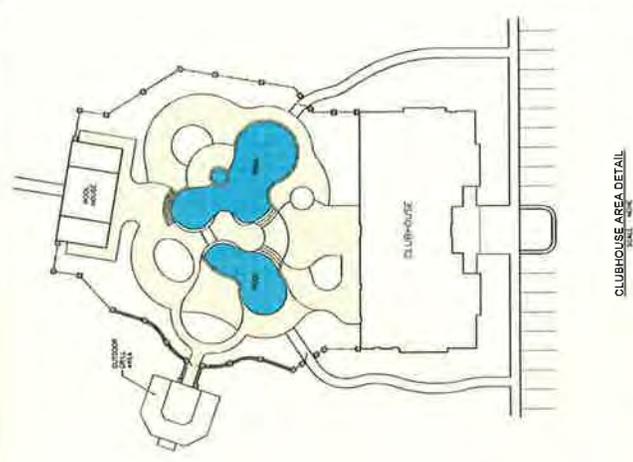
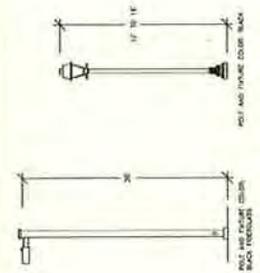
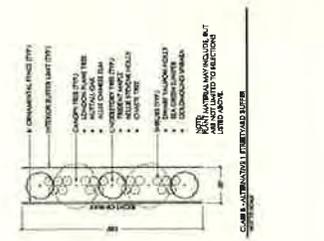
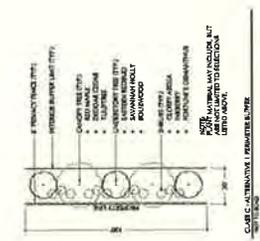
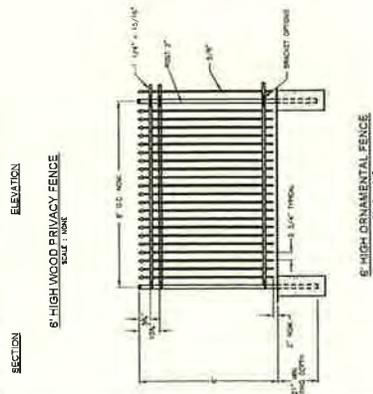
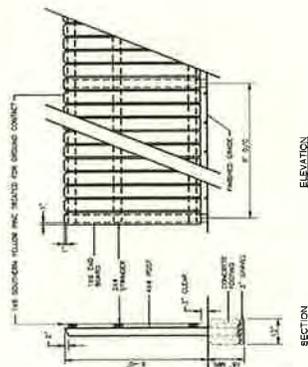
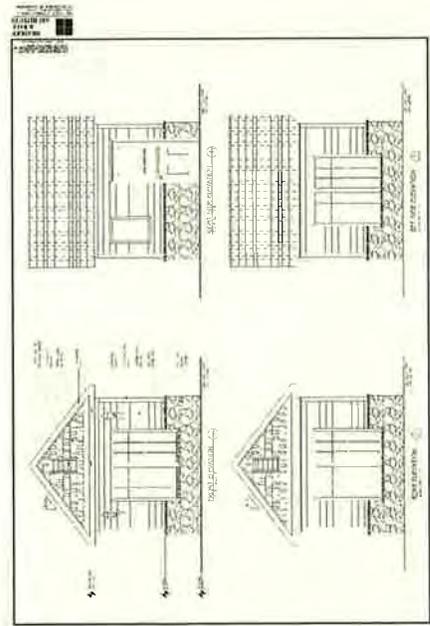
LEGEND

- ACCESS
- FOOT PATH
- VEHICULAR CIRCULATION
- PEDESTRIAN ACCESS
- BIKE LANE
- BIKE ACCESS
- BIKE LANE (RIGHT-OF-WAY)
- ENTRY FEATURE
- 100 YEAR FLOODPLAIN
- ORNAMENTAL FENCE
- SECURITY FENCE

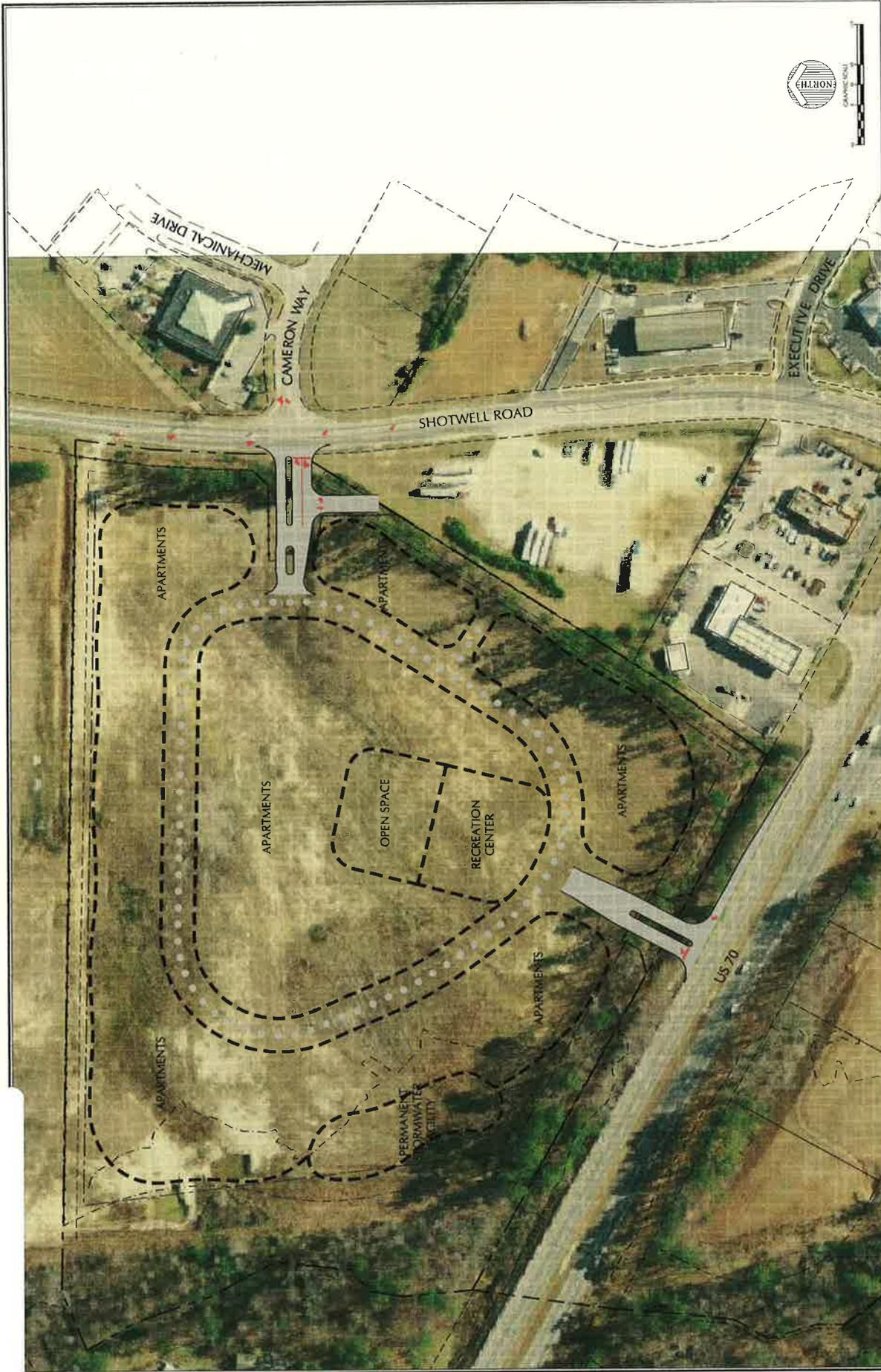
NOTES

ALL SETBACKS SHOWN ON THIS SITE PLAN ARE TO BE MAINTAINED AND SHALL NOT BE ALTERED OR CHANGED WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF CLAYTON. ALL SETBACKS SHOWN ON THIS SITE PLAN ARE TO BE MAINTAINED AND SHALL NOT BE ALTERED OR CHANGED WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF CLAYTON. ALL SETBACKS SHOWN ON THIS SITE PLAN ARE TO BE MAINTAINED AND SHALL NOT BE ALTERED OR CHANGED WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF CLAYTON.

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.



This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.



<p>WITHERS & RAVENEL ENGINEERS PLANNERS SURVEYORS 11714 Wake Forest Road, Cary, North Carolina 27513 Tel: 919.487.2000 Fax: 919.487.2001 www.wr-engineers.com</p>		<p>4 OF 4</p>
<p>THE PROMENADE Johnston County, North Carolina</p>		<p>PUBLIC ROAD IMPROVEMENTS</p>
<p>Scale: 1" = 100'</p>	<p>North Arrow</p>	<p>Project No: 18-0001</p>
<p>Client: W. R. Rouse</p>	<p>Date: 11/20/2018</p>	<p>Sheet No: 4 OF 4</p>
<p>Drawn By: [Name]</p>	<p>Checked By: [Name]</p>	<p>Project No: 18-0001</p>
<p>Scale: 1" = 100'</p>	<p>North Arrow</p>	<p>Project No: 18-0001</p>

Small text at the bottom of the page, likely a disclaimer or copyright notice.



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

REZONING APPLICATION

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

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

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

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

SITE INFORMATION:

Name of Project: The Promenade Acreage of Property: 22.46
 Parcel ID Number: 165910-45-3301 Tax ID: 05G02205C
 Deed Book: 3231 Deed Page(s): 695-700
 Address: n/a US 70 Business
 Location: North side of US 70 Business near intersection with Shotwell Road

Existing Use: Vacant Proposed Use: 288 Apartment Units
 Existing Zoning District: PD-C
 Requested Zoning District PD-R (Apartments)
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): PD-C
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): Thoroughfare

FOR OFFICE USE ONLY

File Number: 2013-68 Date Received: 9/3/13 Amount Paid: _____

OWNER INFORMATION:

Name: Walthom Group VII, LLC

Mailing Address: 442 ½ East Main Street Clayton, NC 27540

Phone Number: 919-553-5400

Fax: 919-550-3814

Email Address: clopez@walthomgroup.com

APPLICANT INFORMATION:

Applicant: Caviness & Cates

Mailing Address: 639 Executive Place Suite 400 Fayetteville, NC 28305

Phone Number: 910-481-0501

Fax: 910-481-0587

Contact Person: Don Mizelle (919) 868-3592

Email Address: don@longleafds.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

JUSTIFICATION STATEMENT

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

The current and projected demand for multi-family units in the area coupled with this site's location, site characteristics, and the availability of public infrastructure make a PD-R (multi-family) re-zoning request a viable option that will allow for the development of this site. At the time of the last rezoning of this site to PD-C in 2008, the site was proposed to accommodate a commercial shopping center with an anchor tenant, in-line shops, and numerous outparcels and parking areas. Due to various factors, that plan was never realized. It appears the highest and best use of this site may not be for commercial purposes but rather for multi-family apartments.

Apartments are often located adjoining or within close proximity to existing or planned commercial areas and employment centers that provide convenient access for apartment residents. In Clayton, apartments are allowed as special uses in many commercial zoning districts further demonstrating the compatibility of the uses. This site is well suited for multi-family use due to its location near such existing uses. Access to US 70 Business and Shotwell Road make for convenient access to and from the site. Compared to the shopping center proposed under the existing PD-C zoning district, the rezoning of this site to allow 288 multi-family units will likely lessen projected impacts to the existing transportation system as well.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

The conceptual plan attached to this rezoning petition will comply with the Town's land usage ordinance, land use and transportation plans, and other development standards as applicable to the project.

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

The subject property is capable of supporting both the uses allowed by the current zoning district as well as the proposed multi-family district. The attached concept plan illustrates how the site can support up to 288 multi-family dwelling units while providing the required buffers, parking, stormwater treatment areas, and other requirements of the Town of Clayton. Commercial and multi-family projects often exist in close proximity to one another; a fact that makes this site suitable for either use.

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

The predominate developed land uses along US 70 Business in this area are commercial uses. The change in use to multi-family would allow for a better balance of complimentary land uses in the immediate area. The multi-family use of the site would provide its residents with access to the numerous commercial services, employment opportunities, and services located within close proximity to this site. In addition the change in use to multi-family would help address a need for market rate multi-family housing in the area and support existing commercial development.

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

The Town of Clayton has confirmed that water and sewer capacity exist to serve this site if developed as an apartment site with 288 units. Stormwater treatment will be handled on-site via new devices designed to serve the project. The internal roadway and driveway system will be designed to provide safe and efficient ingress and egress to US 70 Business and Shotwell Road. Most schools county-wide are currently experiencing capacity issues; however, apartment developments typically contribute fewer new students to the school system than single-family developments on a per unit basis. The expected 2.5 year build-out of this development should provide time for the school system to find ways to accommodate this and other on-going residential growth.

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

The rezoning of this site from PD-C to PD-R would not violate any legal purposes for which zoning exists as the zoning district proposed is an allowed district within the Town of Clayton. The site plan and its associated conditions noted on the plan are proposed in general accordance with Town development and zoning standards for the proposed use.

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 majority of the adjoining property owners to the north and east of the site are developed commercial properties or undeveloped properties zoned for non-residential uses. Multi-family uses such as the one proposed, are typically compatible with most non-residential uses such as those that currently adjoin the site. The residential parcels that adjoin the site to the west should benefit from a "down zoning" of the site from commercial to multi-family in that the intensity of the use will be less than previously planned under the existing commercial district. Furthermore, this site when developed, will provide buffers per the Town's code to provide a visual separation of uses between dissimilar uses where needed.

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

The change in use from commercial to multi-family will not be detrimental to the general public. The use, if allowed will be subject to the Town's development requirements for access, buffers, stormwater, etc. Additionally the change in use from commercial to multi-family could reduce the traffic impact associated with the development of this site as traffic generated from 22 acres of commercial generally would be more impactful upon the immediate road network than the 288 units of multi-family proposed with this rezoning petition.

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.

Watson Burgess
Print Name

Watson Burgess
Signature of Applicant

8/28/13
Date



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

OWNER'S CONSENT FORM

Name of Project: The Promenade Submittal Date: 9/3/2013

OWNERS AUTHORIZATION

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

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Clayton to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

[Signature] Jim Lee 8-25-13
 Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify 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.

[Signature] Watson Caviness 8/25/13
 Signature of Owner/Applicant Print Name Date

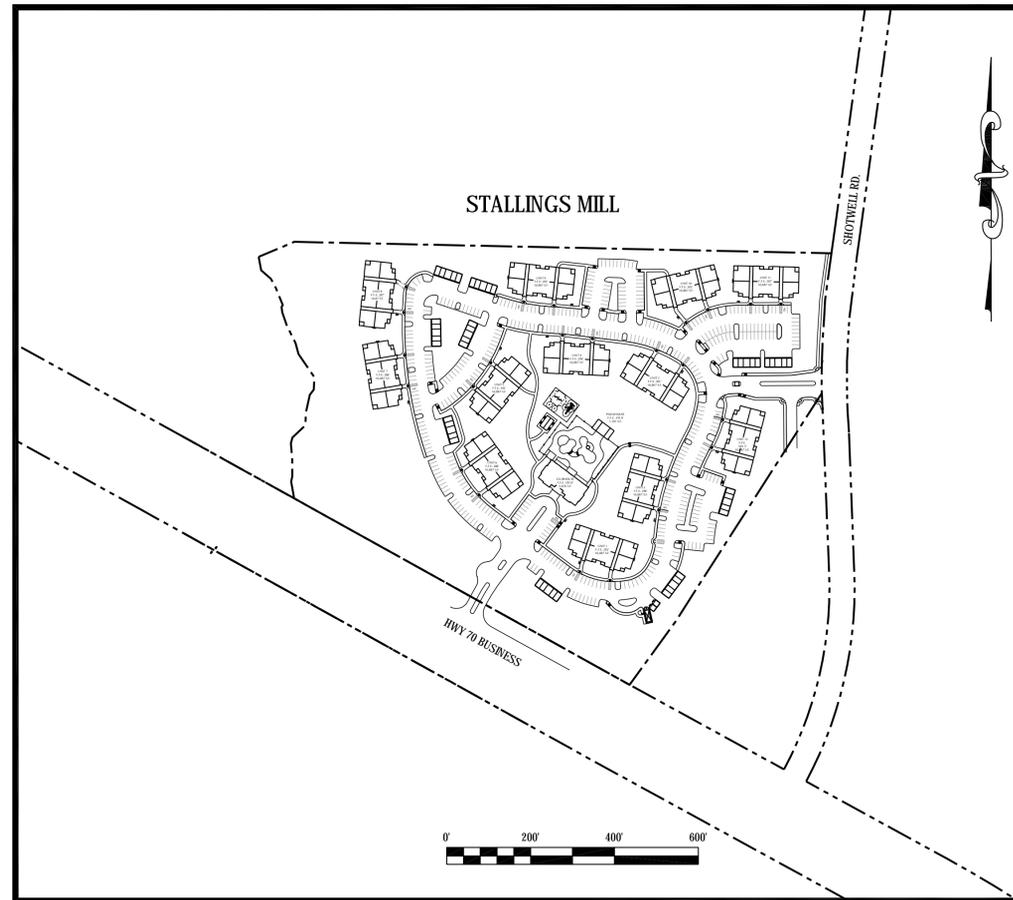
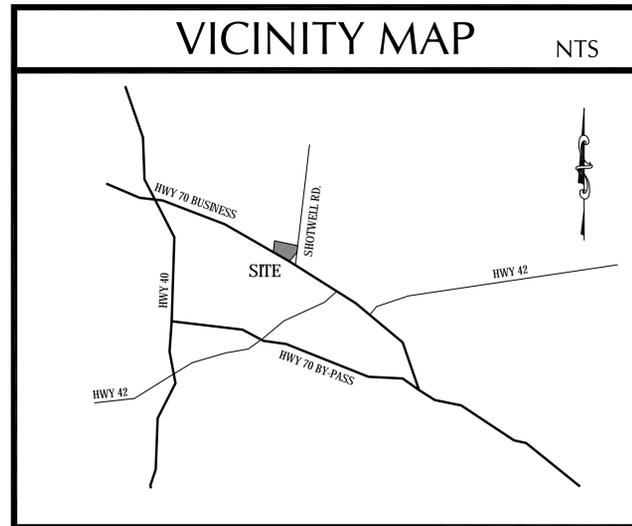
FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

SITE PLANS FOR STALLINGS MILL

U.S. HIGHWAY 70
CLAYTON, NORTH CAROLINA
JULY 08, 2014

SITE PLAN DRAWINGS
FOR STALLINGS MILL
DATE: JUNE 30, 2014
REV. 1 TRC COMMENTS 1st REVIEW 08/29/2014
REV. 2 TRC COMMENTS 2nd REVIEW 09/12/2014



INDEX OF SHEETS	
COVER SHEET	SHT C0.0
EXISTING CONDITIONS	SHT C0.1
SITE PLAN	SHT C1.0
GRADING AND STORM DRAINAGE PLAN	SHT C2.0
UTILITY PLAN	SHT C3.0
STORMWATER PLAN	SHT C4.0
DETAILS	SHT C5.0
POOL HOUSE FLOOR PLAN	SHT C6.0
APARTMENT ELEVATIONS	SHT C6.1
APARTMENT FLOOR PLANS	SHT C6.2
LANDSCAPE PLAN	SHT L1.0
LANDSCAPE DETAILS	SHT L1.1
LIGHTING PLAN	SHT L2.0
FIRE TRUCK MOVEMENT	SHT EX1.0

OWNER	ARCHITECT
PROMINADE APARTMENTS, LLC c/o CAVINESS & CATES, LLC 639 EXECUTIVE PLACE, SUITE 400 FAYETTEVILLE, NC 28305 OFFICE: (910) 481-0501 ATTN: MAGGIE LOCKWOOD	BRADLEY & BALL ARCHITECTS, PA 5921-H WEST FRIENDLY AVENUE GREENSBORO, NC 27410 (336) 294-5052

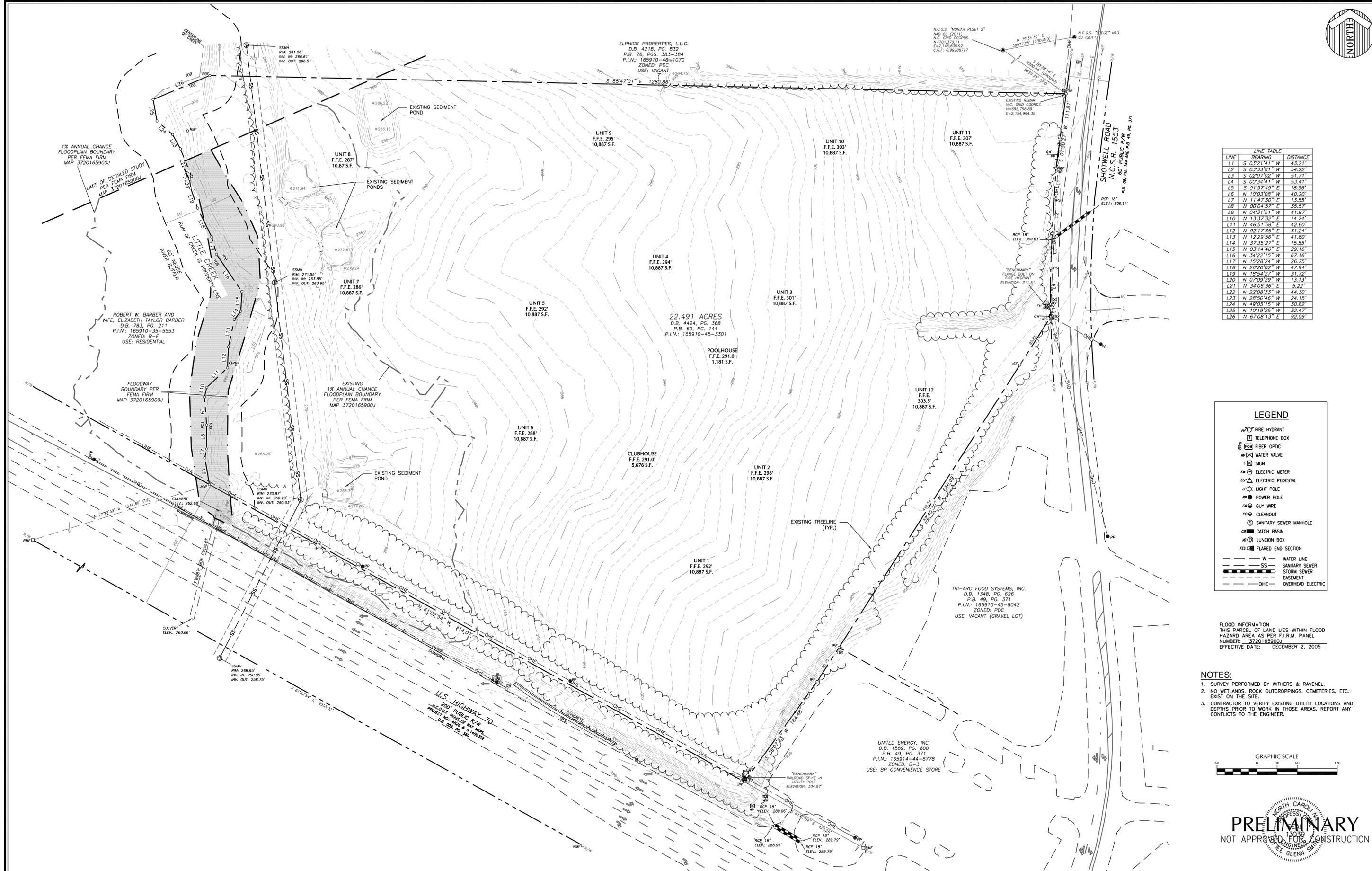
PREPARED BY:

WITHERS & RAVENEL
ENGINEERS | PLANNERS | SURVEYORS
111 MacKenan Drive Cary, North Carolina 27511 tel: 919-469-3340 www.withersravenel.com License No. C-0832

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION
GLENN SHINE

K:\1\1\1-000\10005-Hwy_70 - Shotwell Road.pdf\CAD\Construction Drawings\000 Cover.dwg - Friday, September 12, 2014 12:29 PM - WMSD, TMSMS



LINE	BEARING	DISTANCE
L1	S 03°21'41" W	43.21'
L2	S 03°33'01" W	54.22'
L3	S 02°07'02" W	51.71'
L4	S 00°34'41" W	53.41'
L5	S 01°57'49" E	18.56'
L6	N 10°03'08" W	40.20'
L7	N 11°47'30" E	13.55'
L8	N 00°04'57" E	35.57'
L9	N 04°31'51" W	41.87'
L10	N 13°37'32" E	14.74'
L11	N 46°51'58" E	42.60'
L12	N 02°17'35" E	31.24'
L13	N 12°29'56" E	41.80'
L14	N 37°35'27" E	15.55'
L15	N 03°14'40" E	29.16'
L16	N 34°22'15" W	67.16'
L17	N 15°28'24" W	26.75'
L18	N 28°20'02" W	43.94'
L19	N 18°54'27" W	31.72'
L20	N 07°09'29" W	13.13'
L21	N 34°06'36" E	5.22'
L22	N 22°08'33" W	44.30'
L23	N 28°50'46" W	24.15'
L24	N 49°05'15" W	30.82'
L25	N 10°19'25" W	32.47'
L26	N 67°08'13" E	92.09'

LEGEND	
	FIRE HYDRANT
	TELEPHONE BOX
	FIBER OPTIC
	WATER VALVE
	SIGN
	ELECTRIC METER
	ELECTRIC PEDESTAL
	LIGHT POLE
	POWER POLE
	GUY WIRE
	CLEANOUT
	SANITARY SEWER MANHOLE
	CATCH BASIN
	JUNCTION BOX
	FLARED END SECTION
	WATER LINE
	SANITARY SEWER
	STORM SEWER
	EASEMENT
	OVERHEAD ELECTRIC

FLOOD INFORMATION
 THIS PARCEL OF LAND LIES WITHIN FLOOD HAZARD AREA AS PER F.I.R.M. PANEL NUMBER: 3720165900J
 EFFECTIVE DATE: DECEMBER 2, 2005

- NOTES:
1. SURVEY PERFORMED BY WITHERS & RAVENEL.
 2. NO WETLANDS, ROCK OUTCROPPINGS, CEMETERIES, ETC. EXIST ON THE SITE.
 3. CONTRACTOR TO VERIFY EXISTING UTILITY LOCATIONS AND DEPTHS PRIOR TO WORK IN THOSE AREAS. REPORT ANY CONFLICTS TO THE ENGINEER.



PRELIMINARY
 NOT APPROVED FOR CONSTRUCTION

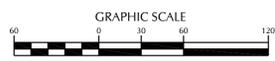
Professional Engineer Seal: NORTH CAROLINA PROFESSIONAL ENGINEER, No. 13039, WITHERS & RAVENEL, INC., GLENN SMITH

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

Designer	TFW	Scale	1"=60'
Drawn By	JWC	Date	07/08/2014
Checked By	LGS	Job No.	02130305

STALLINGS MILL Town of Clayton Johnston County North Carolina	EXISTING CONDITIONS	WITHERS & RAVENEL ENGINEERS PLANNERS SURVEYORS 115 MacKenan Drive Cary, North Carolina 27511 tel: 919-469-3340 www.wITHERSRAVENEL.com License No. C-0832	Sheet No. C0.1
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K:\1\13-0305-000\3720165900-001_Existing Conditions.dwg - Friday, September 12, 2014 1:26:13 PM - WITHERS, THOMAS

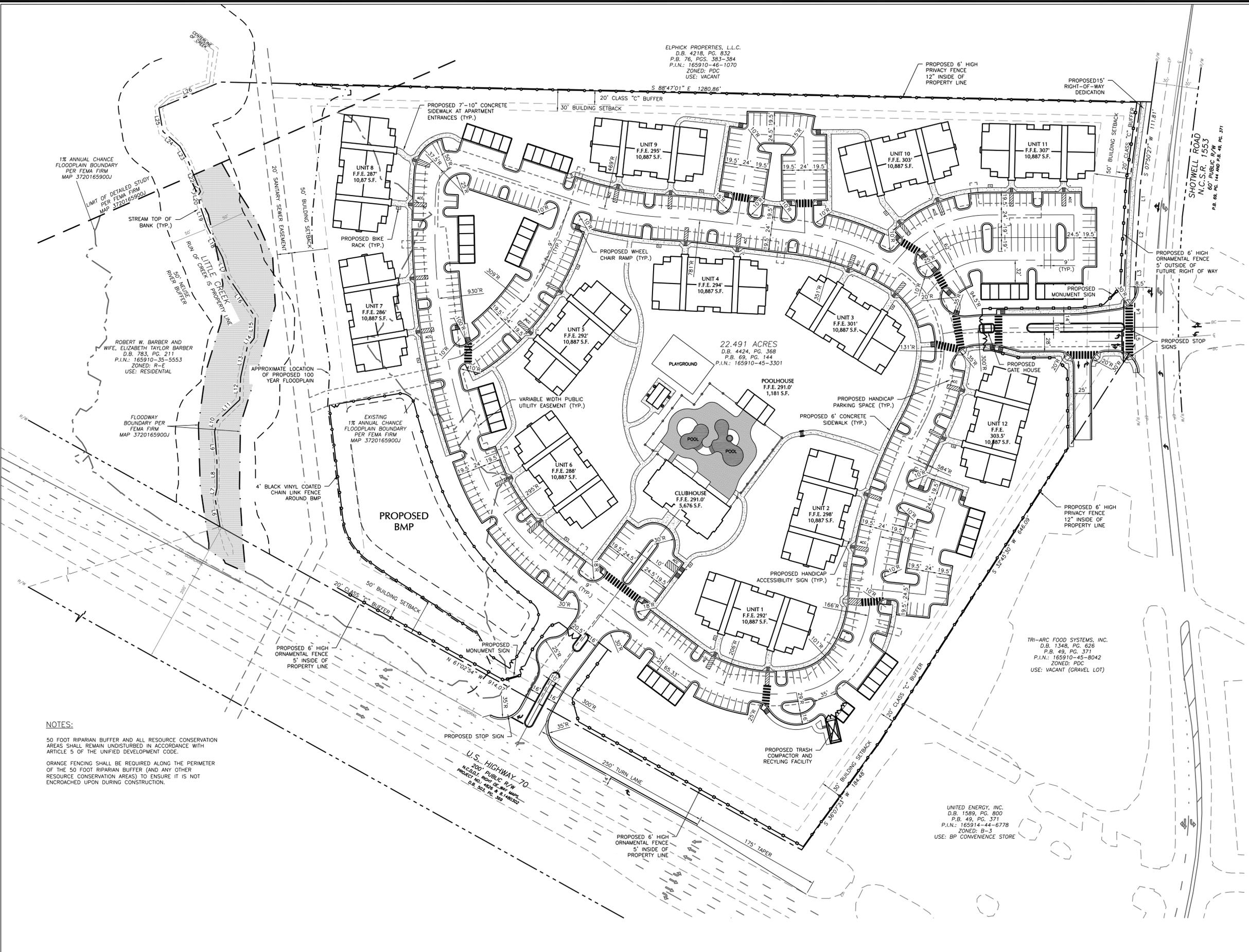


SITE DATA TABLE

STALLINGS MILL SITE PLANS	
ADDRESS : HIGHWAY 70	
PIN : 165910-45-3301	
PROPERTY LOCATION: TOWN LIMITS	
ZONING DISTRICT: PDR	
OVERLAY DISTRICT: THOROUGHFARE OVERLAY DISTRICT	
EXISTING USE: VACANT	
PROPOSED USE: APARTMENTS	
OWNER:	PROMENADE APARTMENTS, LLC c/o CAVINESS AND CATES, LLC 639 EXECUTIVE PLACE, SUITE 400 FAYETTEVILLE, NC 28305
PROPERTY SIZE:	22.49 ± ACRES
DEED BOOK AND PAGE:	3231, 695
PLAT BOOK & PAGE:	69, 144
DENSITY:	13 DU/ACRE MAX - 292 DU MAX 24 DU/BUILDING 288 DU PROPOSED
BUILDING COVERAGE:	3.52 AC (153,131 SF) - 15.63%
PERVIOUS COVERAGE:	12.85 AC (559,746 SF) - 57.14%
IMPERVIOUS COVERAGE:	9.64 AC (419,983 SF) - 42.87%
RESOURCE CONSERVATION AREA:	
RIPARIAN BUFFER AREA :	36,159 SF 0.83 AC
100 YEAR FLOOD PLAIN:	71,762 SF 1.65 AC
TOTAL :	107,921 SF 2.48 AC
BUILDING INFORMATION:	
MAXIMUM HEIGHT:	48'
MINIMUM DWELLING UNIT SIZE:	800 SF
PARKING:	REQUIRED SPACES: 576 SPACES (1 BDRM - 72 x 1, 2 & 3 BDRM - 216 x 2, VISITOR - 288/4) PROVIDED: 568 SPACES (468 SPACES + 50 GARAGE UNITS + 50 GARAGE APRONS)
HANDICAP PARKING (INCLUDED IN PARKING ABOVE):	11 ACCESSIBLE SPACES REQUIRED 13 ACCESSIBLE SPACES PROVIDED ALL ARE VAN ACCESSIBLE

NOTE:
FLOOD PLAIN DEVELOPMENT WILL TAKE PLACE IN CONFORMANCE WITH TOWN REQUIREMENTS.

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION



NOTES:

50 FOOT RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNIFIED DEVELOPMENT CODE.

ORANGE FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50 FOOT RIPARIAN BUFFER (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCRoACHED UPON DURING CONSTRUCTION.

K:\1\13-0201\30305-Hwy 70 - Shotwell Road App\CAD\Construction Drawings\13-0 Site Plan.dwg - Friday, September 12, 2014 12:26:46 PM - WAKSO, THOMAS

No.	Revision	Date	By	Designer	Scale
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS	TFW	1"=60'
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS	JWC	07/08/2014
				Checked By	Job No.
				LGS	02130305

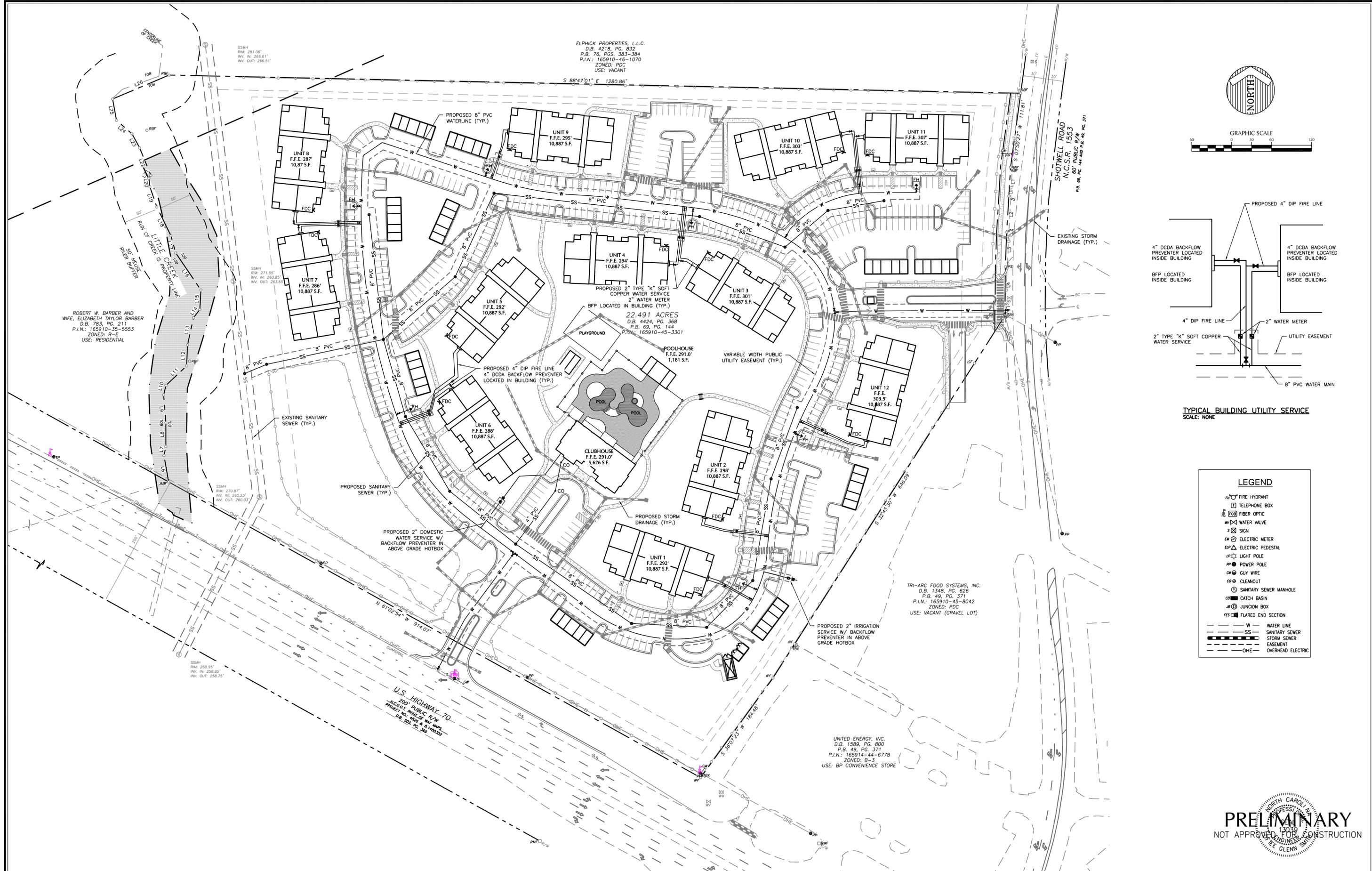
STALLINGS MILL
Town of Clayton
Johnston County
North Carolina

SITE PLAN

WITHERS & RAVENEL
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115 MacKenan Drive Cary, North Carolina 27511 tel: 919-469-3340 www.wITHERSRAVENEL.COM License No. C-0832

Sheet No.
C1.0

K:\1\13-0303\130305-Hwy 70 - Shotwell Road 130305\Construction Drawings\130305-Utility Plan.dwg - Friday, September 12, 2014 1:30:13 PM - WITHESS, THOMAS

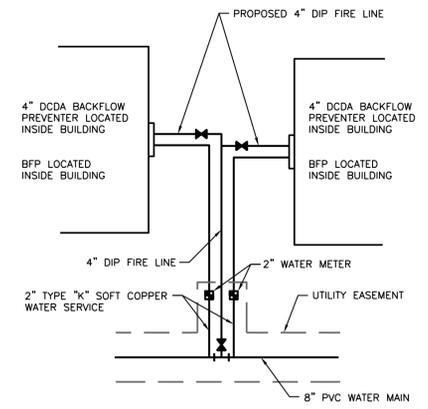
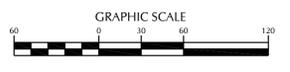


ELPHICK PROPERTIES, L.L.C.
 D.B. 4218, PG. 832
 P.B. 76, PGS. 383-384
 P.I.N.: 165910-46-1070
 ZONED: PDC
 USE: VACANT

ROBERT W. BARBER AND WIFE, ELIZABETH TAYLOR BARBER
 D.B. 783, PG. 211
 P.I.N.: 165910-35-5553
 ZONED: R-F
 USE: RESIDENTIAL

TRI-ARC FOOD SYSTEMS, INC.
 D.B. 1348, PG. 626
 P.B. 49, PG. 371
 P.I.N.: 165910-45-8042
 ZONED: PDC
 USE: VACANT (GRAVEL LOT)

UNITED ENERGY, INC.
 D.B. 1589, PG. 800
 P.B. 49, PG. 371
 P.I.N.: 165914-44-3778
 ZONED: B-3
 USE: BP CONVENIENCE STORE



TYPICAL BUILDING UTILITY SERVICE
 SCALE: NONE

LEGEND	
	FIRE HYDRANT
	TELEPHONE BOX
	FIBER OPTIC
	WATER VALVE
	SIGN
	ELECTRIC METER
	ELECTRIC PEDESTAL
	LIGHT POLE
	POWER POLE
	GUY WIRE
	CLEANOUT
	SANITARY SEWER MANHOLE
	CATCH BASIN
	JUNCTION BOX
	FLARED END SECTION
	WATER LINE
	SANITARY SEWER
	STORM SEWER
	EASEMENT
	OVERHEAD ELECTRIC

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

Designer	TFW	Scale	AS NOTED
Drawn By	JWC	Date	07/08/2014
Checked By	LGS	Job No.	02130305

STALLINGS MILL
 Town of Clayton
 Johnston County
 North Carolina

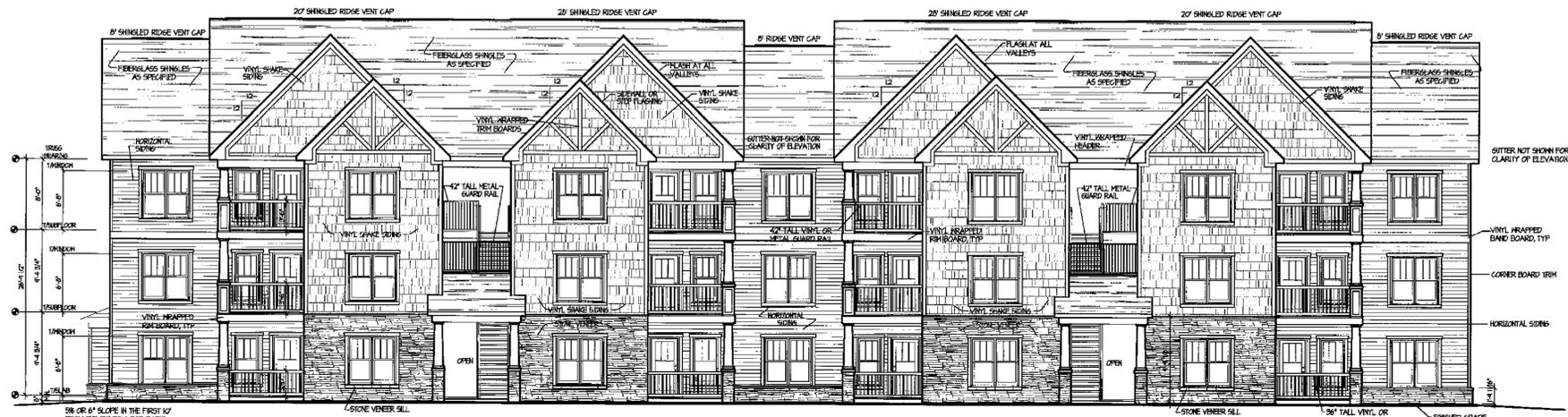
UTILITY PLAN

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Sheet No.
C3.0



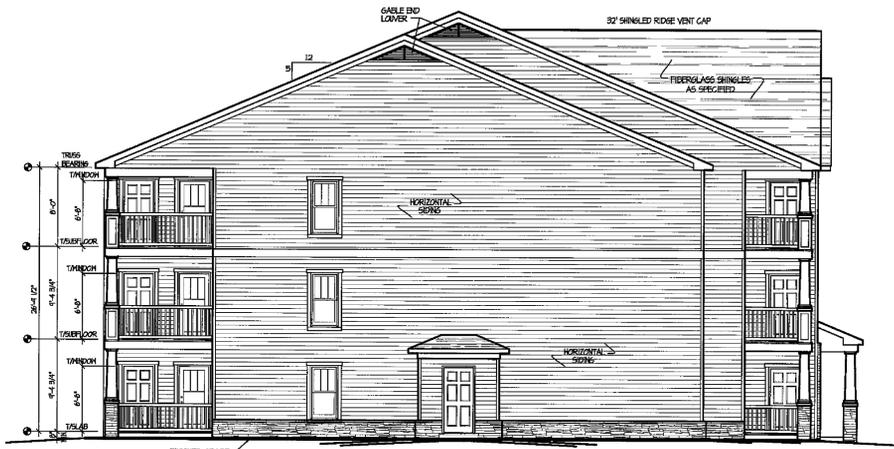
PRELIMINARY
 NOT APPROVED FOR CONSTRUCTION



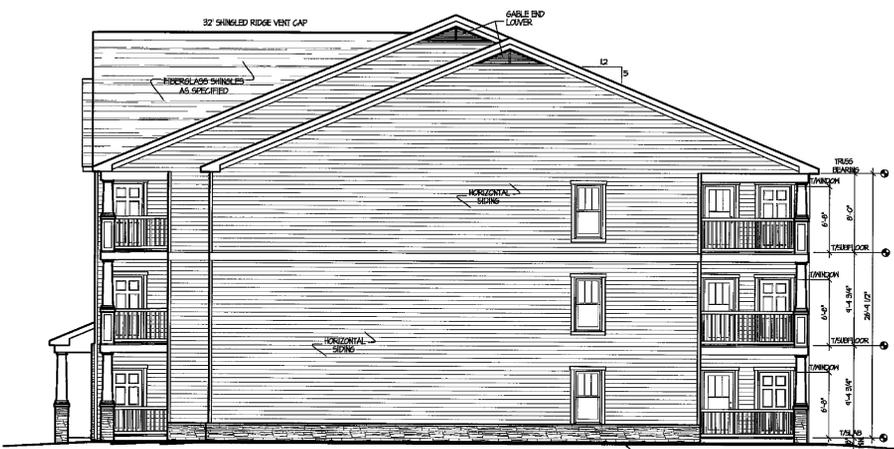
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



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



LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION
NORTH CAROLINA PROFESSIONAL ENGINEER
13039
GLENN SMITH

K:\1\13-0303\30305-Rev. 07 - Showell Road High Quality Construction Drawings\06.0 Floor Plans.dwg - Friday, September 12, 2014, 1:25:12 PM - WARD, THOMAS

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

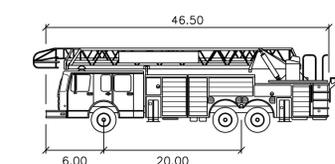
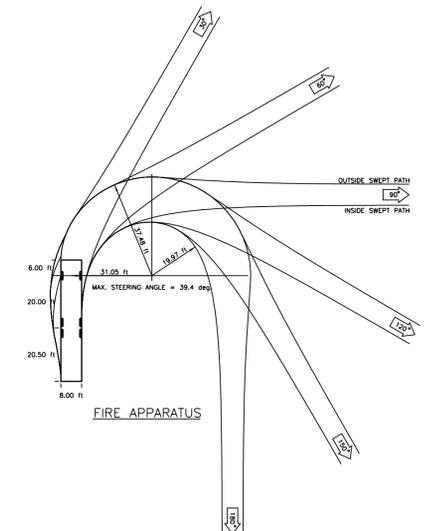
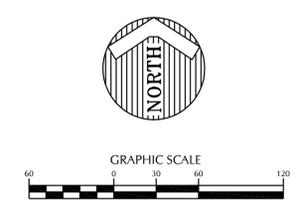
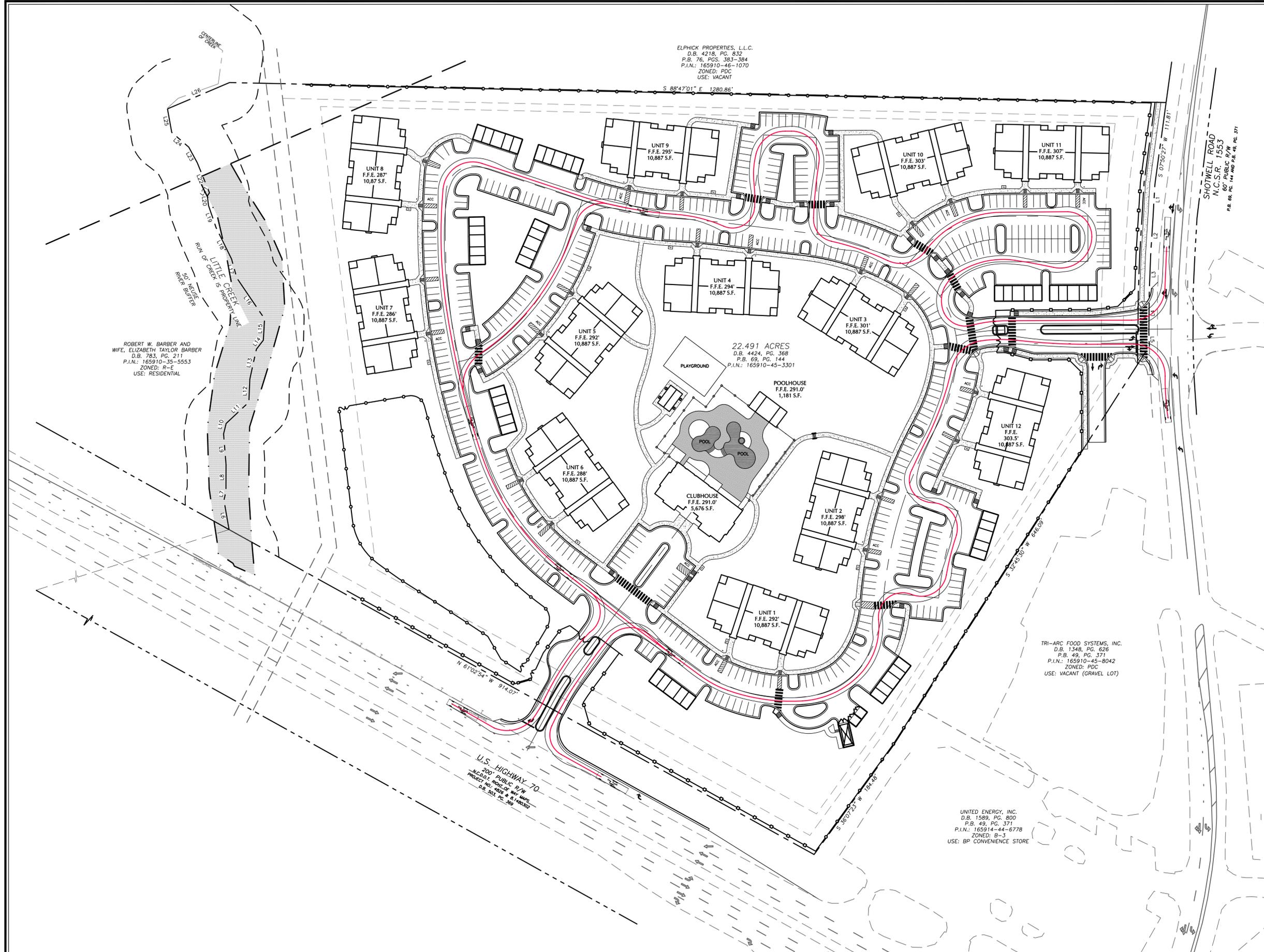
Designer: TFW Scale: AS NOTED
 Drawn By: JWC Date: 07/08/2014
 Checked By: LGS Job No.: 02130305

STALLINGS MILL
 Town of Clayton
 Johnston County
 North Carolina

APARTMENT ELEVATIONS
 WITHERS & RAVENEL
 ENGINEERS | PLANNERS | SURVEYORS
 115 MacKenan Drive Cary, North Carolina 27511 tel: 919-469-3340 www.withersravenel.com License No. C-0832

Sheet No.
C6.1

K:\1\13-0303-03035-Hwy 70 - Shotwell Road App\CAD\Construction Drawings\0310 Fire Truck Movement.dwg - Friday, September 12, 2014 1:38:30 PM - W:\MSD, THOMAS



FIRE APPARATUS	FEET
WIDTH	: 8.00
TRACK	: 8.00
LOCK TO LOCK TIME	: 6.00
STEERING ANGLE	: 40.10

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

Professional Engineer Seal: NORTH CAROLINA PROFESSIONAL ENGINEER, No. 13339, T. GLENN SMITH

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

Designer	TFW	Scale	AS NOTED
Drawn By	JWC	Date	07/08/2014
Checked By	LGS	Job No.	02130305

STALLINGS MILL
Town of Clayton
Johnston County
North Carolina

FIRE TRUCK MOVEMENT

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Sheet No.
EX1.0

GENERAL LANDSCAPE NOTES

- TREE PROTECTION FENCE SHALL SURROUND ALL EXISTING PLANTINGS AND EXISTING BUFFER AREAS WHERE APPLICABLE AND SHALL BE MAINTAINED UNTIL ALL SITE WORK IS COMPLETE. THE FENCE SHALL BE REMOVED PRIOR TO THE FINAL SITE INSPECTION FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- NO CHANGES TO ANY ASPECT OF THIS SITE PLAN, INCLUDING BUT NOT LIMITED TO LANDSCAPING, GRADING, BUILDING ELEVATIONS (ESPECIALLY COLOR), LIGHTING, OR UTILITIES WILL BE MADE WITHOUT THE APPROVAL OF THE DEVELOPMENT REVIEW COMMITTEE OF THE TOWN OF CLAYTON.
- ALL EXTERIOR SITE LIGHTING WILL BE DESIGNED TO PREVENT OFF-SITE GLARE.
- THE SITE SHALL BE STABILIZED AND SEEDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY (CO).
- ALL ABOVE GROUND UTILITY EQUIPMENT (AND FACILITIES ASSOCIATED WITH ON-SITE ELECTRIC, TELEPHONE, GAS, CABLE, OR OTHER SIMILAR UTILITY) AND ENCLOSED TRASH CONTAINMENT SHALL BE SCREENED BY THE ELEMENTS OF A TYPE B (SEMI-OPAQUE) BUFFER YARD TO A SIX (6) FEET IN HEIGHT OR THE HEIGHT OF THE UTILITY OR ENCLOSURE, WHICHEVER IS LESS.
- NO TREE SHALL BE LOCATED WITHIN 10 FEET OF A LIGHT POLE OR 12 FEET FROM ELECTRICAL TRANSFORMERS.
- THIS PLAN IS FOR PLANTING PURPOSES ONLY. FOR INFORMATION REGARDING GRADING, WALLS, ETC., REFER TO THE SITE AND GRADING PLANS.
- ALL PLANTS AND PLANTING PROCEDURES SHALL MEET OR EXCEED A.N.L.A. STANDARDS AS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK", 2004 OR LATER EDITION.
- ALL TREES AND SHRUBS SHALL BE FULL, WELL-BRANCHED PLANTS WHICH ARE CHARACTERISTIC TO THE SPECIES.
- ALL CANOPY TREES TO BE A MINIMUM OF 2" CALIPER AND 8' HEIGHT. ALL UNDERSTORY TREES 1 1/2" CALIPER, 6' HEIGHT AND SHRUBS 18", 3 GAL. CONTAINER AT TIME OF INSTALLATION.
- PLANT MATERIAL LOCATED WITHIN A REQUIRED SIGHT DISTANCE MAINTENANCE EASEMENT SHALL BE MAINTAINED AT A HEIGHT LESS THAN 24 INCHES OR LIMBED UP TO A MINIMUM HEIGHT OF SIX FEET.
- ALL PLANT BEDS TO BE MULCHED WITH A MINIMUM OF 3" OF CLEAN PINE STRAW OR SHREDDED HARDWOOD BARK AT THE DISCRETION OF THE DEVELOPER. ALL PLANT GROUPINGS SHALL BE MULCHED AS ONE BED.
- 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.
- ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.

U.D.O. LANDSCAPE REQUIREMENTS

- PERIMETER BUFFER REQUIREMENTS:**
 TYPE C BUFFER, ALTERNATIVE 1:
 - FOR EVERY 100 LINEAR FEET, THERE SHALL BE AT LEAST 3 CANOPY TREES, 2 UNDERSTORY TREES AND 12 SHRUBS.
 - 2,720 LF = 84 CANOPY TREES, 82 UNDERSTORY TREES, AND 326 SHRUBS REQUIRED (SEE BUFFER DETAIL ON SHEET L1.1)
- PARKING LOT SCREENING:**
 SCREEN PARKING FROM ADJACENT EXISTING RIGHT OF WAYS WITH A CONTINUOUS EVERGREEN HEDGE.
- PARKING LOT LANDSCAPING:**
 - 1 CANOPY TREE IN EACH PARKING LOT ISLAND.
- SITE INTERIOR LANDSCAPE REQUIREMENTS:**
 - 20% OF THE TOTAL LOT AREA SHALL BE LANDSCAPED.
 - 925,720 SF OF SITE = 185,144 SF REQUIRED LANDSCAPING AREA.
 - 38,796 SF OF RCA COUNTS TOWARD 21% OF REQUIRED LANDSCAPING.
 - 146,348 SF REVISED REQUIRED LANDSCAPING AREA.
 - PER 1,000 SF 1 CANOPY TREE, 1 UNDERSTORY TREE, & 2 SHRUBS SHALL BE PLANTED = 146 TREES, 146 UNDERSTORY TREES, 293 SHRUBS REQUIRED.
 - LANDSCAPING PROVIDED WITHIN VEHICULAR USE AREAS MAY BE COUNTED TOWARD THE SITE INTERIOR LANDSCAPE REQUIREMENT. TOTAL NUMBERS OF PLANT REQUIREMENTS SHALL BE ADDED FROM PLANT SCHEDULE ON SHEET L1.0 & L1.1.

BMP #1 SHALLOW WATER (NORMAL POOL TO 6" BELOW) = 3,136 S.F. 50 HERB. PLANTS / 200 S.F. = 784 PLANTS

PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
HERBACEOUS	196	IVI	Iris virginica	Southern Blue Flag Iris	CONT.	4" Pot	24" O.C.	
	195	PEV	Peltandra virginica	Arrow arum	CONT.	4" Pot	24" O.C.	
	160	POC	Pontedericia cordata	Pickersweed	CONT.	4" Pot	24" O.C.	
	117	SAC	Saururus cernuus	Lizard's tail	CONT.	4" Pot	24" O.C.	
	116	SCT	Schoenoplectus tabernaemontani	Softstem Bulrush	CONT.	4" Pot	24" O.C.	

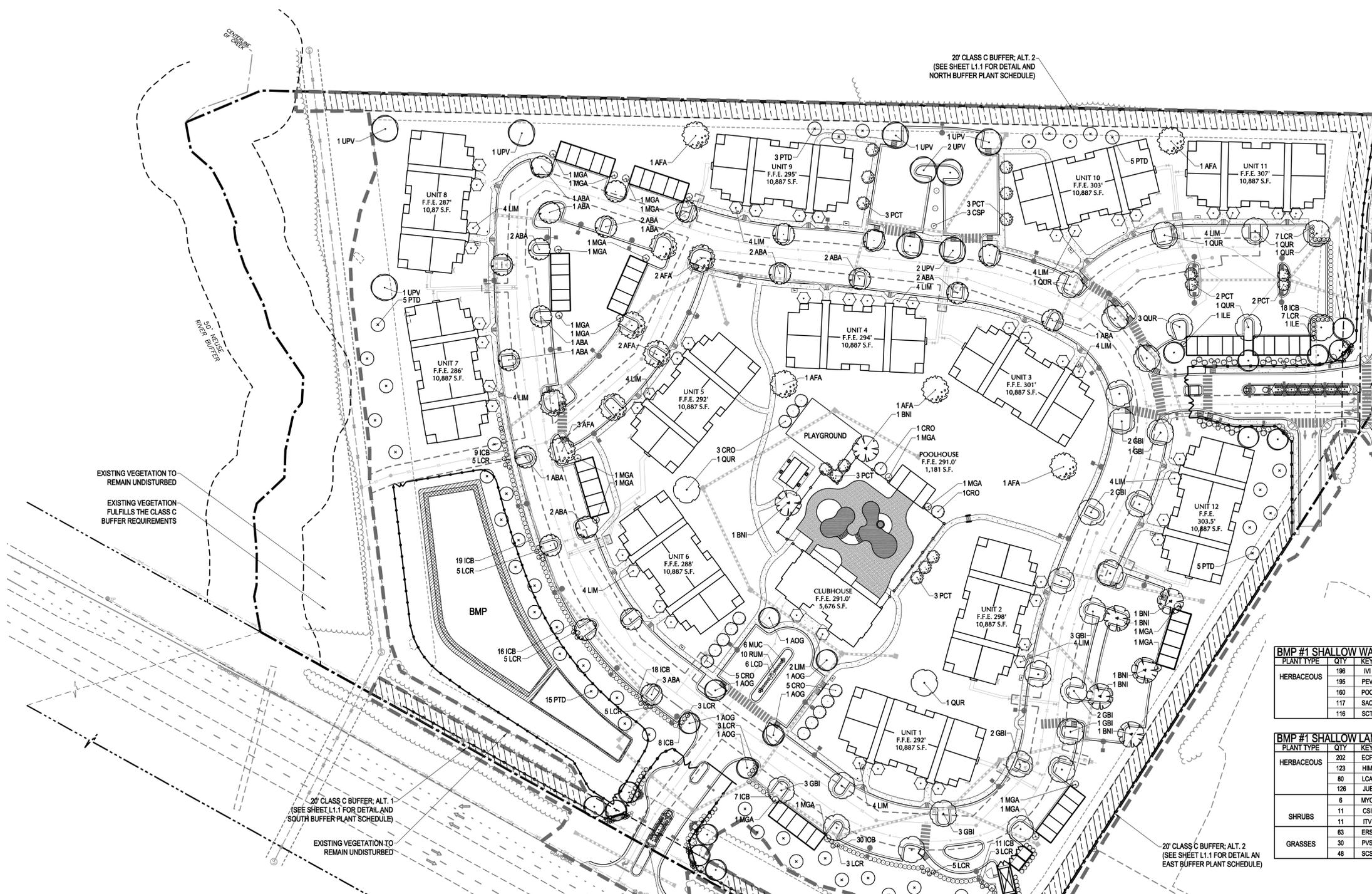
BMP #1 SHALLOW LAND (NORMAL POOL AND ABOVE) = 3,536 S.F. SEE RIGHT FOR PLANT CALCULATIONS

PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
HERBACEOUS	202	ECP	Echinacea purpurea	Coneflower	CONT.	4" Pot	24" O.C.	
	123	HIM	Hibiscus moscheutos	Rose Mallow	CONT.	4" Pot	24" O.C.	
	80	LCA	Lobelia cardinalis	Cardinal Flower	CONT.	4" Pot	24" O.C.	
	126	JUE	Juncus effusus	Soft Rush	CONT.	4" Pot	24" O.C.	
SHRUBS	6	MYC	Myrica cerifera	Wax Myrtle	CONT.	3 Gal.	30" MIN	5' O.C.
	11	CSI	Cornus sericea 'sasan'	Red Twig Dogwood	CONT.	3 Gal.	30" MIN	5' O.C.
	11	ITV	Itea virginica	Sweetgum	CONT.	3 Gal.	30" MIN	5' O.C.
GRASSES	63	ERS	Eragrostis spectabilis	Purple Love Grass	CONT.	1 Gal.	24" O.C.	
	30	PVS	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	CONT.	3 Gal.	24" O.C.	
	48	SCS	Schizachyrium scoparium	Little Bluestem	CONT.	1 Gal.	24" O.C.	

SHALLOW WATER - 0" to 6" BELOW NORMAL POOL
 - +/- 3,134

SHALLOW LAND - 0" to 12" ABOVE NORMAL POOL
 - +/- 3,536

- SHALLOW LAND PLANTING TABULATIONS**
- HERBACEOUS PLANTS PROPOSED FOR 60% OF SHALLOW LAND AREA (2,122 S.F.)
 50 PLANTS/200 S.F. = 531 PLANTS REQUIRED
 - SHRUBS PROPOSED FOR 20% OF SHALLOW LAND AREA (707 S.F.)
 8 SHRUBS/200 S.F. = 28 SHRUBS REQUIRED
 - GRASSES PROPOSED FOR 20% OF SHALLOW LAND AREA (707 S.F.)
 40 GRASSES/200 S.F. = 141 GRASSES REQUIRED



STALLINGS MILL PLANT SCHEDULE 09.12.14

PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
CANOPY TREES	22	ABA	Acer buergerianum 'ABMT'	Aeryn Trident Maple (STD)	B&B	2 1/2"	6'-8'	MATCHED
	10	AFA	Acer x freemanii 'Autumn Blaze'	Autumn Blaze Maple	B&B	2 1/2"	6'-8'	MATCHED
	7	AOG	Acer rubrum 'October Glory'	October Glory Red Maple	B&B	2 1/2"	6'-8'	MATCHED
	7	BNI	Betula nigra	River Birch	B&B	2 1/2"	6'-8'	MATCHED
	19	GBI	Ginkgo biloba	Ginkgo	B&B	2 1/2"	6'-8'	MATCHED
	45	PTD	Pinus taeda	Loblolly Pine	B&B	2 1/2"	6'-8'	MATCHED
	11	QUR	Quercus rubra	Red Oak	B&B	2 1/2"	6'-8'	MATCHED
	9	UPV	Ulmus parvifolia 'Emer II'	Chinese Lacebark Elm	B&B	2 1/2"	6'-8'	MATCHED
UNDERSTORY TREES	17	CRO	Cercis reticulata 'Oklahoma'	Redbud	B&B	1"	6'-8'	MATCHED
	3	CSP	Cupressus sempervirens	Italian Cypress	B&B	1"	6'-8'	MATCHED
	27	ILE	Ilex x 'Emily Bruner'	Emily Bruner Holly	B&B	2"	8'-10'	MATCHED
	10	LIM	Lagerstroemia indica 'Muskegee'	Muskegee Crape Myrtle	B&B	2"	8'-10'	MATCHED
	19	MGA	Magnolia grandiflora 'TMGH'	Alta Southern Magnolia	B&B	2"	8'-10'	MATCHED
	16	PCT	Prunus cerasifera 'Thundercloud'	Purple Leaf Plum	B&B	2"	8'-10'	MATCHED
	129	ICB	Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	CONT.	3 Gal.	30" MIN	5' O.C.
SHRUBS	6	LDC	Loropetalum chinense 'Daruma'	Daruma Chinese Witchhazel	CONT.	3 Gal.	30" MIN	5' O.C.
	51	LCR	Loropetalum chinense 'Ruby'	Ruby Chinese Witchhazel	CONT.	3 Gal.	30" MIN	5' O.C.
	6	MUC	Muhlenbergia capillaris	Pink Muhly Grass	CONT.	3 Gal.	18"-24"	36" O.C.
	21	MYC	Myrica cerifera	Wax Myrtle	CONT.	3 Gal.	30" MIN	5' O.C.
	10	RUM	Raphirolepis umbellata 'Minor'	Minor India Hawthorn	CONT.	3 Gal.	30" MIN	36" O.C.

No.	Revision	Date	By	Designer	Scale
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS	TFW	AS NOTED
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS	JWC	07/08/2014

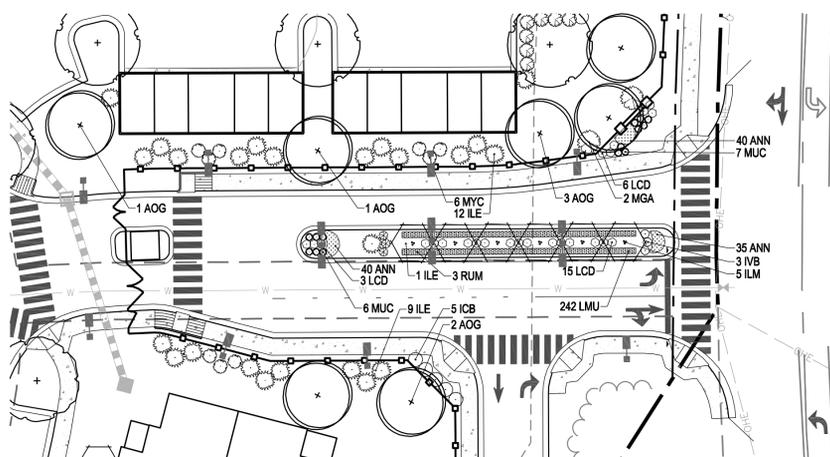
STALLINGS MILL
 Town of Clayton
 Johnston County
 North Carolina

LANDSCAPE PLAN

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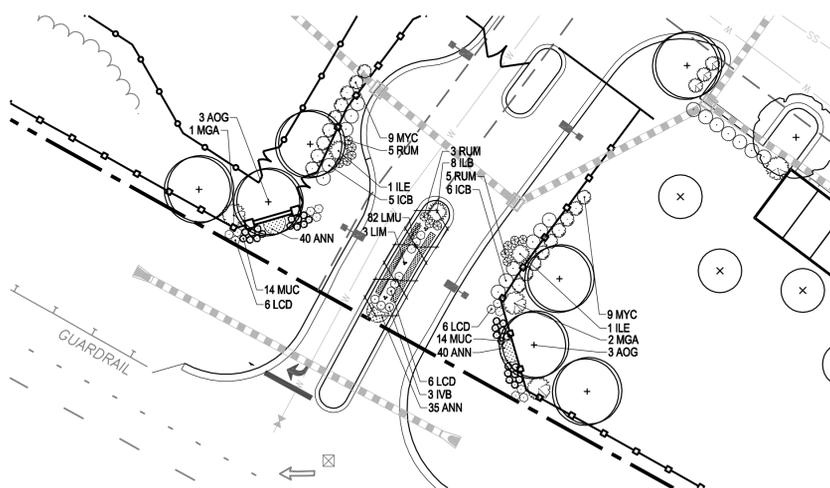
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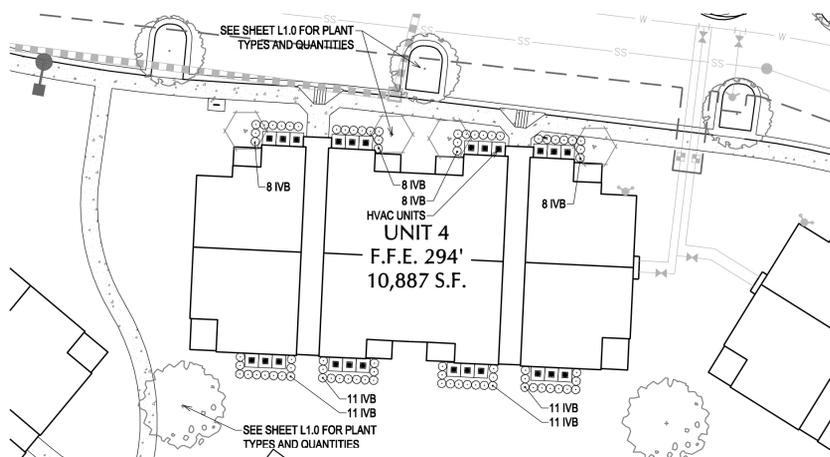
STALLINGS MILL (SHOTWELL) ENTRANCE PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
TREES	7	AOG	<i>Acer rubrum</i> 'October Glory'	October Glory Red Maple	B&B	3"	12'-14'	MATCHED
	10	ILE	<i>Ilex x 'Emily Bruner'</i>	Emily Bruner Holly	B&B	2"	8'-10'	MATCHED
	6	LM	<i>Lagerstroemia indica</i> 'Muskogee'	Muskogee Crape Myrtle	B&B	2"	8'-10'	MULTI-STEM, MATCHED
	2	MGA	<i>Magnolia grandiflora</i> 'TMGH'	Ala Southern Magnolia	B&B	2"	8'-10'	MATCHED
	11	KB	<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly	CONT.	3 Gal	30" MIN	36" O.C.
	3	WB	<i>Ilex vomitoria</i> 'Bordeaux'	Bordeaux Dwarf Yaupon Holly	CONT.	3 Gal	30" MIN	36" O.C.
SHRUBS	31	LCD	<i>Loropetalum chinense</i> 'Dunama'	Dunama Chinese Witchhazel	CONT.	3 Gal	30" MIN	36" O.C.
	6	MYC	<i>Myrica cerifera</i>	Wax Myrtle	CONT.	3 Gal	30" MIN	60" O.C.
	15	RUM	<i>Raphiolepis umbellata</i> 'Minor'	Minor India Hawthorn	CONT.	3 Gal	30" MIN	36" O.C.
	137	ANN	Seasonal Color Annuals	Annuals (replaced each year)	CONT.	flat	varies	12" O.C.
GROUND COVER	240	LMU	<i>Liriope muscari</i>	Liriope	CONT.	1 Gal	8'-12'	15" O.C.
	16	MUC	<i>Muhlenbergia capillaris</i>	Pink Muhly Grass	CONT.	3 Gal	18'-24'	36" O.C.

SHOTWELL ROAD ENTRANCE PLANTING CONCEPT
SCALE: 1" = 30'



STALLINGS MILL (HWY 70) ENTRANCE PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
TREES	6	AOG	<i>Acer rubrum</i> 'October Glory'	October Glory Red Maple	B&B	2 1/2"	12'-14'	MATCHED
	3	ILE	<i>Ilex x 'Emily Bruner'</i>	Emily Bruner Holly	B&B	2"	8'-10'	MATCHED
	3	LM	<i>Lagerstroemia indica</i> 'Muskogee'	Muskogee Crape Myrtle	B&B	2"	8'-10'	MULTI-STEM, MATCHED
	3	MGA	<i>Magnolia grandiflora</i> 'TMGH'	Ala Southern Magnolia	B&B	2"	8'-10'	MATCHED
SHRUBS	13	KB	<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly	CONT.	3 Gal	30" MIN	36" O.C.
	3	WB	<i>Ilex vomitoria</i> 'Bordeaux'	Bordeaux Dwarf Yaupon Holly	CONT.	3 Gal	30" MIN	36" O.C.
	18	LCD	<i>Loropetalum chinense</i> 'Dunama'	Dunama Chinese Witchhazel	CONT.	3 Gal	30" MIN	36" O.C.
	10	MYC	<i>Myrica cerifera</i>	Wax Myrtle	CONT.	3 Gal	30" MIN	60" O.C.
	13	RUM	<i>Raphiolepis umbellata</i> 'Minor'	Minor India Hawthorn	CONT.	3 Gal	30" MIN	36" O.C.
GROUND COVER	119	ANN	Seasonal Color Annuals	Annuals (replaced each year)	CONT.	flat	varies	12" O.C.
	110	LMU	<i>Liriope muscari</i>	Liriope	CONT.	1 Gal	8'-12'	15" O.C.
	28	MUC	<i>Muhlenbergia capillaris</i>	Pink Muhly Grass	CONT.	3 Gal	18'-24'	36" O.C.

U.S. HIGHWAY 70 ENTRANCE PLANTING CONCEPT
SCALE: 1" = 30'



STALLINGS MILL (SHOTWELL) ENTRANCE PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
SHRUBS	76	IVB	<i>Ilex vomitoria</i> 'Bordeaux'	Bordeaux Dwarf Yaupon Holly	CONT.	3 Gal	30" MIN	36" O.C.

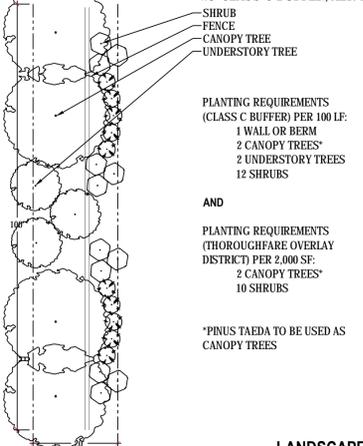
TYPICAL APARTMENT FOUNDATION LANDSCAPE PLAN
1" = 30'

STALLINGS MILL NORTH PERIMETER BUFFER PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
CANOPY	56	QPA	<i>Quercus palustris</i>	Pin Oak	B&B	2 1/2"	12'-14'	MATCHED
UNDERSTORY	42	INS	<i>Ilex x 'Nellie R. Stevens'</i>	Nellie Stevens Holly	B&B	2"	8'-10'	MATCHED
SHRUBS	167	ABG	<i>Abelia x grandiflora</i>	Glossy Abelia	CONT.	3 Gal	30" MIN	MATCHED
	140	LRO	<i>Ligustrum japonicum</i> 'Rotundifolium'	Curly Leaf Ligustrum	CONT.	3 Gal	30" MIN	MATCHED

STALLINGS MILL EAST PERIMETER BUFFER PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
CANOPY	29	QPA	<i>Quercus palustris</i>	Pin Oak	B&B	2 1/2"	12'-14'	MATCHED
UNDERSTORY	22	INS	<i>Ilex x 'Nellie R. Stevens'</i>	Nellie Stevens Holly	B&B	2"	8'-10'	MATCHED
SHRUBS	87	ABG	<i>Abelia x grandiflora</i>	Glossy Abelia	CONT.	3 Gal	30" MIN	MATCHED
	73	LRO	<i>Ligustrum japonicum</i> 'Rotundifolium'	Curly Leaf Ligustrum	CONT.	3 Gal	30" MIN	MATCHED

STALLINGS MILL SOUTH PERIMETER BUFFER PLANT SCHEDULE								09.12.14
PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	CALIPER	HEIGHT	NOTES
CANOPY	17	QPA	<i>Quercus palustris</i>	Pin Oak	B&B	2 1/2"	12'-14'	MATCHED
UNDERSTORY	17	INS	<i>Ilex x 'Nellie R. Stevens'</i>	Nellie Stevens Holly	B&B	2"	8'-10'	MATCHED
SHRUBS	69	ABG	<i>Abelia x grandiflora</i>	Glossy Abelia	CONT.	3 Gal	30" MIN	MATCHED
	57	LRO	<i>Ligustrum japonicum</i> 'Rotundifolium'	Curly Leaf Ligustrum	CONT.	3 Gal	30" MIN	MATCHED

BUFFER PLANTING STANDARDS
20' CLASS C BUFFER, ALT. 1



PLANTING REQUIREMENTS (CLASS C BUFFER) PER 100 LF:
1 WALL OR BERM
2 CANOPY TREES*
2 UNDERSTORY TREES
12 SHRUBS

AND

PLANTING REQUIREMENTS (THOROUGHFARE OVERLAY DISTRICT) PER 2,000 SF:
2 CANOPY TREES*
10 SHRUBS

*PINUS TAEDA TO BE USED AS CANOPY TREES

LANDSCAPE
TOWN OF CLAYTON U.D.O.

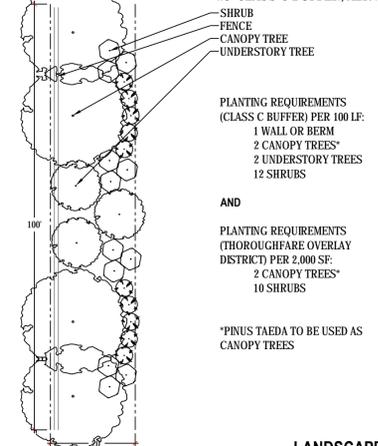
SPACING 'D'	ROW 'A'	PLANTS/S.F.
6" o.c.	5.2'	4.61
8" o.c.	6.93'	2.60
10" o.c.	8.66'	1.66
12" o.c.	10.4'	1.15
15" o.c.	13.0'	0.73
18" o.c.	15.6'	0.51
24" o.c.	20.8'	0.29
30" o.c.	26.0'	0.18
36" o.c.	31.30'	0.12
4" o.c.	3.46'	-7.25
5" o.c.	4.33'	-4.61
6" o.c.	5.2'	-3.20
8" o.c.	6.93'	-1.80
10" o.c.	8.66'	-1.16

*NUMBER OF PLANTS PER 100 S.F.

PLANT SPACING CHART

NOT TO SCALE

BUFFER PLANTING STANDARDS
20' CLASS C BUFFER, ALT. 2



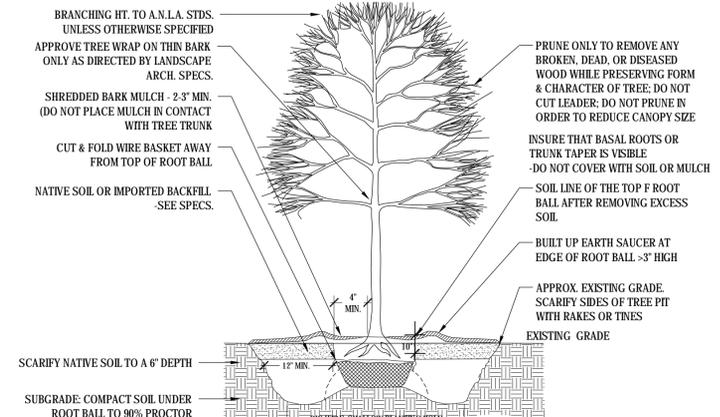
PLANTING REQUIREMENTS (CLASS C BUFFER) PER 100 LF:
1 WALL OR BERM
2 CANOPY TREES*
2 UNDERSTORY TREES
12 SHRUBS

AND

PLANTING REQUIREMENTS (THOROUGHFARE OVERLAY DISTRICT) PER 2,000 SF:
2 CANOPY TREES*
10 SHRUBS

*PINUS TAEDA TO BE USED AS CANOPY TREES

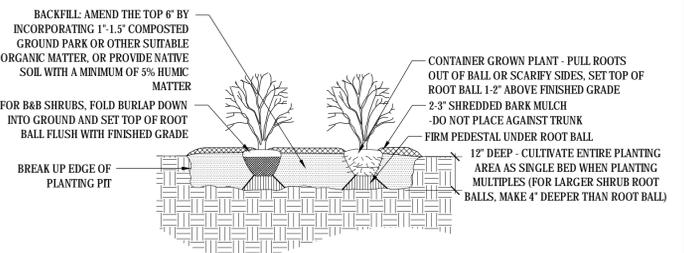
LANDSCAPE
TOWN OF CLAYTON U.D.O.



- TREE PLANTING NOTES:
- IF TREES SETTLE OR ARE BLOWN OUT OF PLUMB POSITION, THEY SHOULD BE STRAIGHTENED BY MAKING ADJUSTMENTS TO THE POSITION OF THE ROOTBALL - NOT BY PUSHING ON THE TRUNK AND/OR TIGHTENING THE GUY WIRE. TREES SHALL BE STRAIGHTENED DURING THE LIFE OF THE PROJECT AS THEY GET OUT OF PLUMB, NOT JUST AT THE END OF THE PROJECT.
 - BALL DEPTHS ON SOME TREES IN A SINGLE GROUP MAY VARY. IF DEPTHS VARY, ALL TREES IN A GROUP SHOULD BE SET SO THAT THE BASE OF THE TRUNKS WILL APPEAR TO BE AT THE SAME RELATIVE ELEVATION ABOVE GRADE.
 - NO DECIDUOUS OR EVERGREEN TREES WILL BE ACCEPTED IF THERE IS MORE THAN ONE LEADER, UNLESS THE TREE IS SPECIFIED AS MULTI-TRUNK.
 - CONTRACTOR TO VERIFY THAT ADEQUATE DRAINAGE EXISTS PRIOR TO PLANTING.
 - STAKING OF TREES IS NOT RECOMMENDED, EXCEPT ON WINDY SITES OR IF TREES ARE 3" CALIPER AND LARGER. IF STAKING IS DONE, FLEXIBLE STRAPS - NOT HOSE AND WIRE - SHOULD BE USED AND MUST BE REMOVED AT APPROPRIATE TIME. PROPERTY OWNER IS RESPONSIBLE FOR REPLACEMENT OF DESTROYED OR DAMAGED TREES.
 - ALL TREES SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MOST RECENT EDITION (2004 OR LATER) OF AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY A.N.L.A.
 - A ROOT COLLAR EXCAVATION FOR ALL TREES SPECIFIED WILL BE DONE BY THE TOWN ARBORIST TO ENSURE THAT TREES WERE PLANTED/GROWN TOO DEEPLY BY THE SOURCE (NURSERY). LANDSCAPE CONTRACTOR SHALL HAVE SUPPLIER MARK GROUND LEVEL LINE ABOVE ROOTBALL. IF TOWN ARBORIST DETERMINES THAT THERE IS EXCESSIVE SOIL OVER ROOT CROWN, THESE TREES WILL BE REJECTED.

TREE PLANTING DETAIL

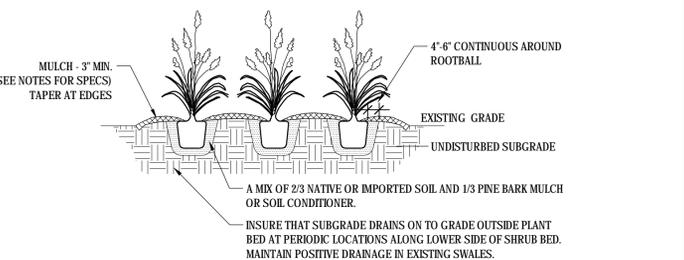
NOT TO SCALE



- BACKFILL: AMEND THE TOP 6" BY INCORPORATING 1"-1.5" COMPOSTED GROUND PORK OR OTHER SUITABLE ORGANIC MATTER, OR PROVIDE NATIVE SOIL WITH A MINIMUM OF 5% HUMIC MATTER
- FOR B&B SHRUBS, FOLD BURLAP DOWN INTO GROUND AND SET TOP OF ROOT BALL FLUSH WITH FINISHED GRADE
- CONTAINER GROWN PLANT - PULL ROOTS OUT OF BALL OR SCARIFY SIDES, SET TOP OF ROOT BALL 1'-2" ABOVE FINISHED GRADE
- 2'-3" SHREDDED BARK MULCH - DO NOT PLACE AGAINST TRUNK
- FIRM PEDESTAL UNDER ROOT BALL
- 12" DEEP - CULTIVATE ENTIRE PLANTING AREA AS SINGLE BED WHEN PLANTING MULTIPLES FOR LARGER SHRUB ROOT BALLS, MAKE 4" DEEPER THAN ROOT BALL

SHRUB PLANTING DETAIL

NOT TO SCALE



ORNAMENTAL GRASS PLANTING DETAIL

NOT TO SCALE



PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

No.	Revision	Date	By	Designer	Scale
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS	TFW	AS NOTED
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS	JWC	07/08/2014

Checked By	JWC	Job No.	02130305
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STALLINGS MILL
Town of Clayton
Johnston County
North Carolina

LANDSCAPE DETAILS

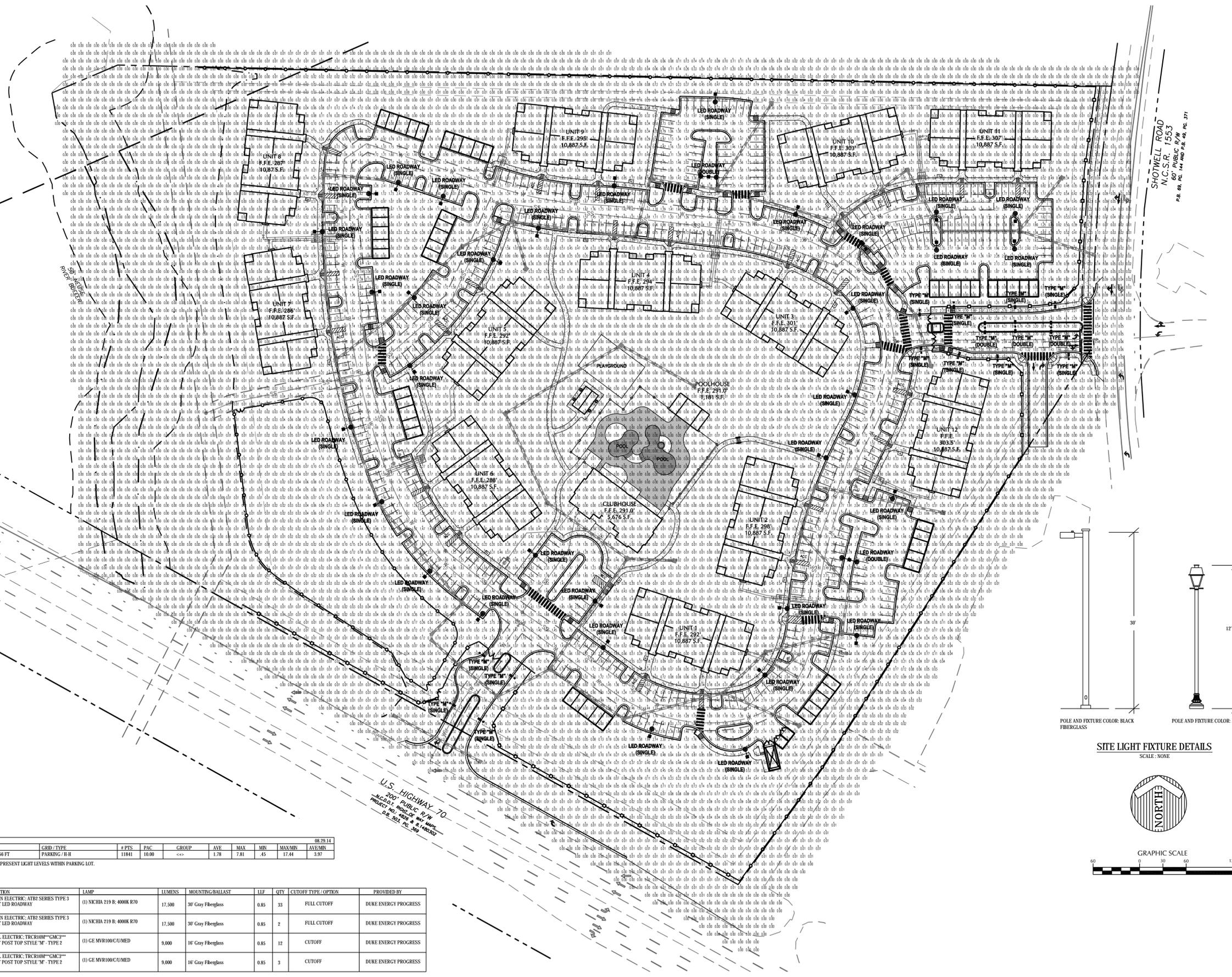
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Sheet No.

L1.1

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STALLINGS MILL CALCULATION SUMMARY

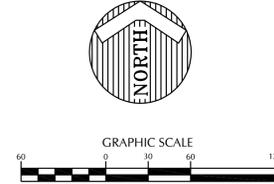
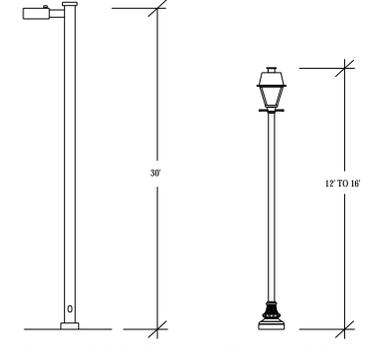
AREA NAME	DIMENSIONS	GRID / TYPE	# PITS	PAC	GROUP	AVE	MAX	MIN	MAX/MIN	AVG/MIN
BOUNDARY	1392.73 X 1172.56 FT	PARKING / B.H	11841	10.00	<>>	1.78	7.81	.45	17.44	3.97

*AVG/MAX/MIN AND MAX/MIN AND AVG/MIN REPRESENT LIGHT LEVELS WITHIN PARKING LOT.

PROPOSED LIGHT FIXTURE

TYP	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING/BALLAST	LUF	QTY	CUTOFF TYPE/OPTION	PROVIDED BY
LED ROADWAY (SINGLE)	●	AMERICAN ELECTRIC: ATR2 SERIES TYPE 3 215 WATT LED ROADWAY	(1) NICHIA 219 B-4000K R70	17,500	30' Gray Fiberglass	0.85	33	FULL CUTOFF	DUKE ENERGY PROGRESS
LED ROADWAY (DOUBLE)	●●	AMERICAN ELECTRIC: ATR2 SERIES TYPE 3 215 WATT LED ROADWAY	(1) NICHIA 219 B-4000K R70	17,500	30' Gray Fiberglass	0.85	2	FULL CUTOFF	DUKE ENERGY PROGRESS
TYPE 'M' (SINGLE)	■	GENERAL ELECTRIC: TRC100™-CMC™™ 100 WATT POST TOP STYLE 'M' - TYPE 2	(1) GE MVR100/UMED	9,000	16' Gray Fiberglass	0.85	12	CUTOFF	DUKE ENERGY PROGRESS
TYPE 'M' (DOUBLE)	■■	GENERAL ELECTRIC: TRC100™-CMC™™ 100 WATT POST TOP STYLE 'M' - TYPE 2	(1) GE MVR100/UMED	9,000	16' Gray Fiberglass	0.85	3	CUTOFF	DUKE ENERGY PROGRESS

SITE LIGHT FIXTURE DETAILS
SCALE: NONE



Outdoor Lighting Roadway LED

Light source: LED
Wattage: 75, 100, 215
LED Type: E5 Type II (Single Head)
LED Type: E5 Type III (Double Head)
LED Type: E5 Type III (Double Head)
CIESA: E5 Type III (Double Head)
Color Temperature: 4,000K
Warm-up and hold-up time: Instant on (no warm-up or restrike time)

Fixture available:	Mounting height:	Color:
Fluorescent	25', 30', 35'	Black
Fluorescent	25', 30', 35'	Black (add-on cut-off)
Vandal	25', 30', 35'	Black
Metal (street lighting)	25', 30', 35'	Gray

Benefits:
Little or no maintenance cost
Design services by lighting professionals included
Maintenance included
Electricity included
Warranty included
One low monthly cost per year (includes ball)
Lifetime operation
Backed by over 40 years of experience

Benefits:
Free or reduced for other projects
Meets industry standards and lighting ordinances
Eliminates top and unshielded light spill
Less expensive than traditional services
Worry free
Convenience and savings for you
Proven: leader in maintenance and service
A name you can trust today... and tomorrow

Outdoor Lighting Roadway LED

Light source: LED
Wattage: 75, 100, 215
LED Type: E5 Type II (Single Head)
LED Type: E5 Type III (Double Head)
LED Type: E5 Type III (Double Head)
CIESA: E5 Type III (Double Head)
Color Temperature: 4,000K
Warm-up and hold-up time: Instant on (no warm-up or restrike time)

Fixture available:	Mounting height:	Color:
Fluorescent	12', 16'	Black
Decorative aluminum	12', 16'	Black
Smooth concrete	12', 16'	Black
Fluted concrete	13'	Black

Benefits:
Free or reduced for other projects
Design services by lighting professionals included
Maintenance included
Electricity included
Warranty included
One low monthly cost per year (includes ball)
Lifetime operation
Backed by over 40 years of experience

Benefits:
Free or reduced for other projects
Meets industry standards and lighting ordinances
Eliminates top and unshielded light spill
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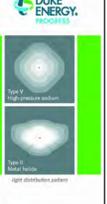
Outdoor Lighting Post Top Style M

Light source: High pressure sodium
Wattage: 100, 150, 250
LED Type: E5 Type II (Single Head)
LED Type: E5 Type III (Double Head)
CIESA: E5 Type III (Double Head)
Color Temperature: 4,000K
Warm-up and hold-up time: Instant on (no warm-up or restrike time)

Fixture available:	Mounting height:	Color:
Fiberglass	12', 16'	Black
Decorative aluminum	12', 16'	Black
Smooth concrete	12', 16'	Black
Fluted concrete	13'	Black

Benefits:
Free or reduced for other projects
Design services by lighting professionals included
Maintenance included
Electricity included
Warranty included
One low monthly cost per year (includes ball)
Lifetime operation
Backed by over 40 years of experience

Benefits:
Free or reduced for other projects
Meets industry standards and lighting ordinances
Eliminates top and unshielded light spill
Less expensive than traditional services
Worry free
Convenience and savings for you
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NOT APPROVED FOR CONSTRUCTION

No.	Revision	Date	By
1	TRC COMMENTS - 1st REVIEW	08/29/14	LGS
2	TRC COMMENTS - 2nd REVIEW	09/12/14	LGS

Designer	TFW	Scale	AS NOTED
Drawn By	JWC	Date	07/08/2014
Checked By	LGS	Job No.	02130305

STALLINGS MILL

LIGHTING PLAN

Town of Clayton Johnston County North Carolina

WITHERS & RAVENEL

ENGINEERS | PLANNERS | SURVEYORS

115 MacKenan Drive Cary, North Carolina 27511 tel: 919-469-3340 www.withersravenel.com License No. C-0832

Sheet No. L2.0



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
September 22, 2014*

STAFF REPORT

Application Number: RZ 2014-116 (Rezoning)
Project Name: Rezoning of 0.13 acres at 443 E Second Street to B-1

NC PIN / Tag #: 166917-11-5431 / 05011047
Town Limits/ETJ: Town Limits
Overlay: Downtown Overlay District
Applicant: Battle Moore Robertson
Owner: Battle Moore Robertson

Neighborhood Meeting: Held September 4, 2014
Public Noticing: Property posted September 12th

PROJECT LOCATION: The property is located at the southwest corner of the intersection of E Second Street and Hardee Street.

REQUEST: The applicant is requesting approval to rezone 0.13 acres at 443 E Second Street from Neighborhood Business (B-2) to Central Business (B-1).

SITE DATA:

Acreage: 0.13 acre
Present Zoning: Neighborhood Business (B-2)
Proposed Zoning: Central Business (B-1)
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

North: Zoning: Central Business (B-1)
Existing Use: Commercial (Lipscomb's Daycare, Lewis Tire & Auto)

South: Zoning: Neighborhood Business (B-2)
Existing Use: Commercial (Compare Foods grocery store / shopping center)

East: Zoning: Office & Institutional (O-I)
Existing Use: Morning Glory Inn Bed & Breakfast

West: Zoning: Neighborhood Business (B-2)
Existing Use: Commercial (Laundromat)

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting approval for rezoning of the subject property from Neighborhood Business (B-2) to Central Business (B-1). The site is currently vacant and includes one parcel totaling 0.13 acres. The site is approximately 54 feet wide and 106 feet deep.

The primary reason for this rezoning has to do with required building setbacks. The building setback and dimensional requirements for each are shown below. Dimensions are for setbacks adjacent to non-residential zoning districts/uses:

Zoning District	Setbacks (min)				Building Standards (max)		
	Street/Front	Side Interior	Side Street	Rear	Bldg Height	Building Coverage	Impervious Surface
B-1	0*	0	0	0	50	100%	100%
B-2	20	10	10	20	35	50%	75%

*Maximum street/front setback is 10 feet in the B-1 zoning district

The B-2 building setbacks would not permit the building to be brought up closer to the street (which would be consistent with existing buildings to the west), nor would it permit the building to be constructed to connect to the existing building to the west. Thus, the current zoning district is prohibiting the site from being developed in a way that is consistent with immediately adjacent properties.

Staff supports consistency in building construction and placement, and as such is in support of this request.

Further, on an infill lot this small it could be difficult to fit both a commercial building and parking lot on the site. The B-1 zoning parking requirements are quite flexible and account for the fact that there is ample street parking, providing greater flexibility in site design and construction.

Compatibility with Surrounding Land Uses

The permitted uses in both the B-2 and B-1 zoning districts are provided as an attachment. Generally, uses permitted in the B-1 and B-2 district are quite similar and staff does not feel the differences in permitted uses would reduce compatibility with surrounding properties.

Though the other commercial properties on the south side of E Second Street on this block are zoned B-2, properties immediately across the street are zoned B-1. Further, at least two buildings (Clayton Glass and the laundromat) are non-conforming structures due to the required building setbacks in the B-2 zoning district (these buildings were likely built prior to the assignment of the B-2 zoning district).

As noted above, the rezoning would allow the site to be developed in a way that is more consistent with the construction of lots immediately adjacent to the west, bringing the building closer to the sidewalk and allowing the possibility of a connection to the building to the west. Staff feels the B-1 zoning would allow a development that is more appropriate for this site.

Consistency with the Strategic Growth Plan

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

- 1.4 More Investment Dollars Downtown by Private Sector
- 2.1: Balanced Development: Old & New
- 3.6 Encourage Redevelopment of Deteriorated Areas (encouragement of in-fill development)

The requested rezoning is *not* consistent with the Strategic Growth Plan “Proposed Land Use Map,” which identifies the property as Residential-Medium (see attached map). However, staff feels the application of this residential Proposed Land Use Category is not appropriate for properties on this block fronting E Second Street, as all properties are commercial in use and staff would argue should continue to be as Clayton’s downtown continues to develop. It is for this reason that despite the inconsistency with the Proposed Land Use Map, staff would support the rezoning.

Consistency with the Downtown Master Plan

The Downtown Master Plan encourages construction of commercial buildings to be placed closer to the street. Because the B-1 zoning district supports a reduced front building setback, staff feels the rezoning would place the lot in closer compliance with the goals of the Downtown Master Plan.

CONSIDERATIONS:

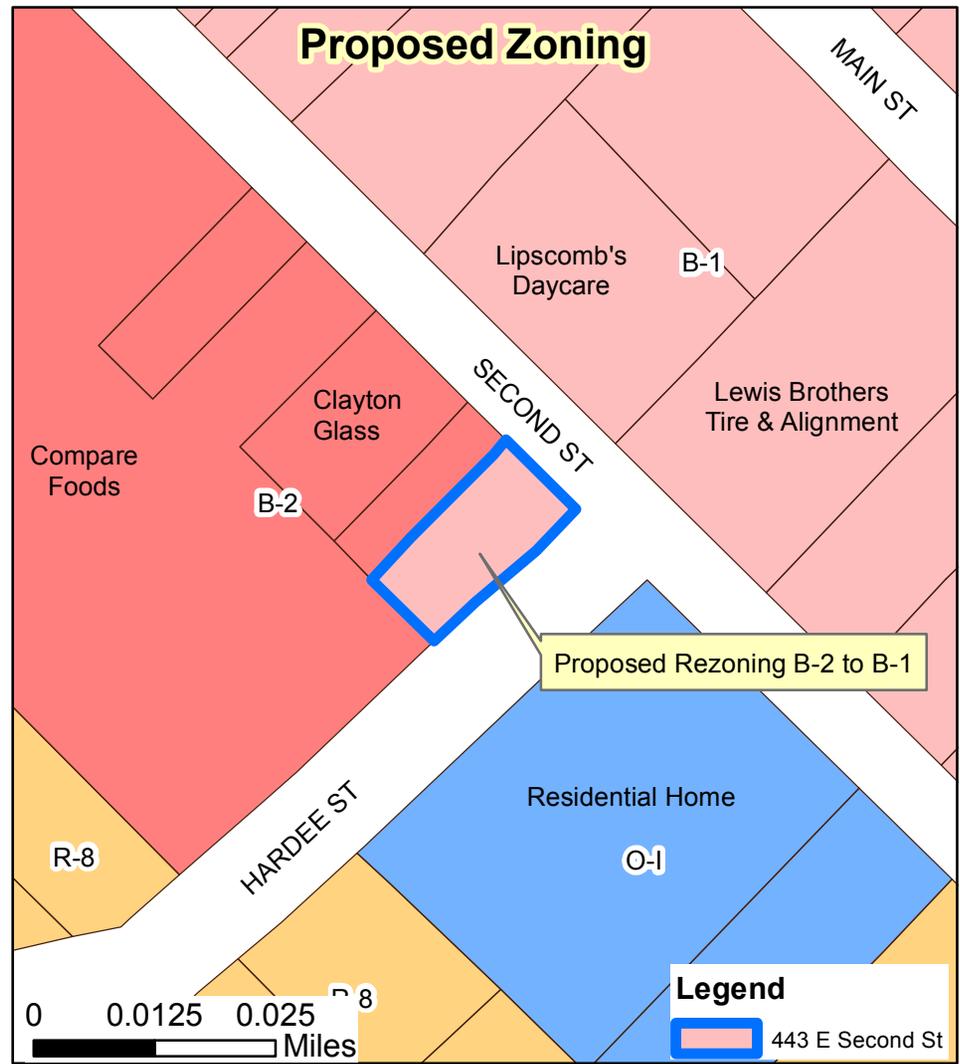
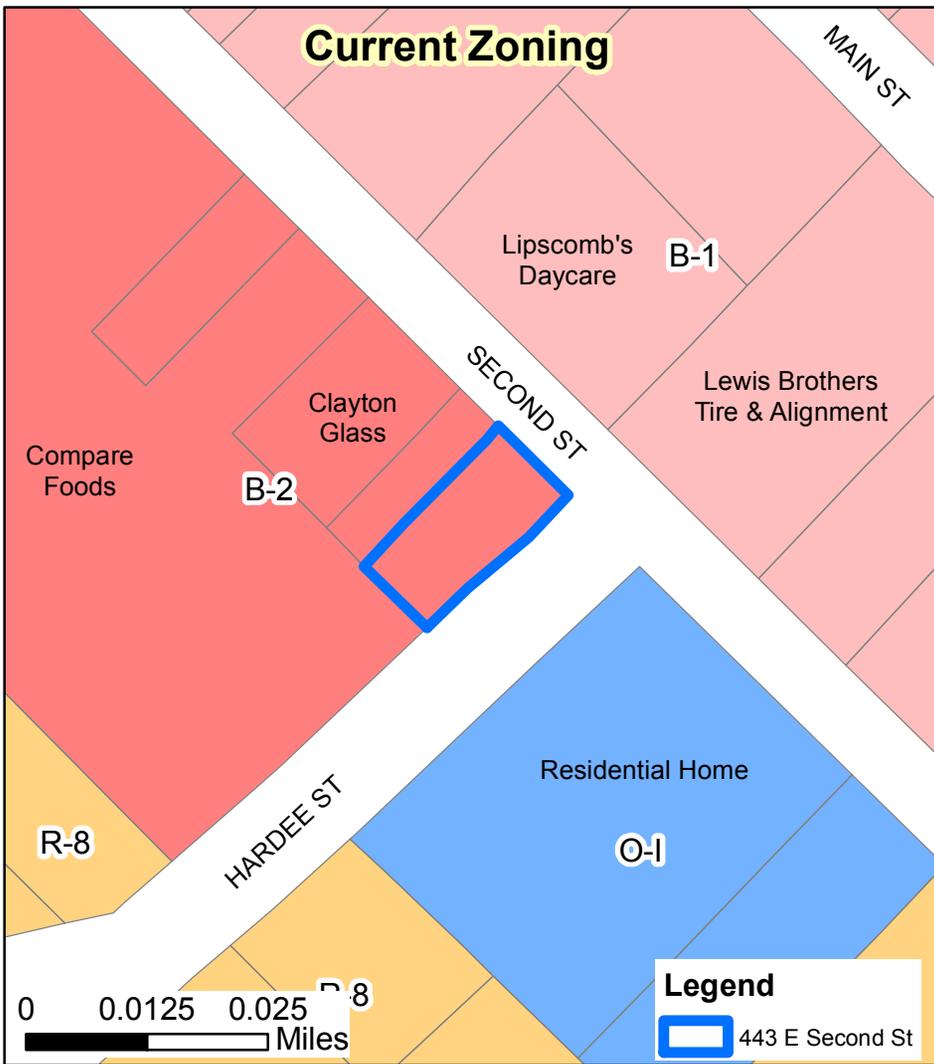
- The applicant is requesting a rezoning from B-2 to B-1.
- Rezoning are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with an adopted plans and policies of the town and explaining why the board considers the action taken to be reasonable and in the public interest.

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning.

PLANNING BOARD RECOMMENDATION:

ATTACHMENTS: 1) Zoning Map, 2) Aerial Map, 3) Proposed Land Use Map, 4) List of uses allowed in the B-1 and B-2 zoning district, 5) Application, 4) Neighborhood Meeting Materials

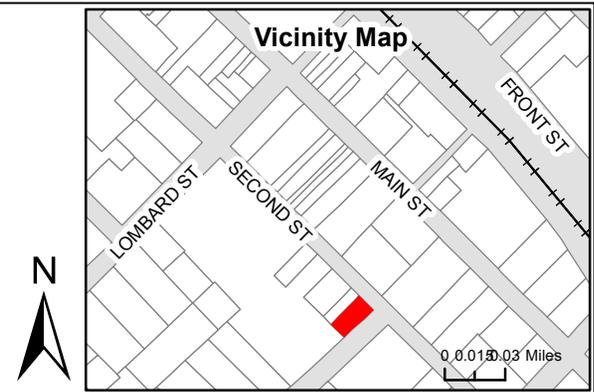


443 E Second St - Rezoning from B-2 to B-1

Applicant: Battle M. Robertson
 Property Owner: Battle M. Robertson
 Parcel ID Number: 166917-11-5431
 Tag #: 05011047
 Address: 443 E Second St
 File Number: RZ 2014-116

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

9/12/14





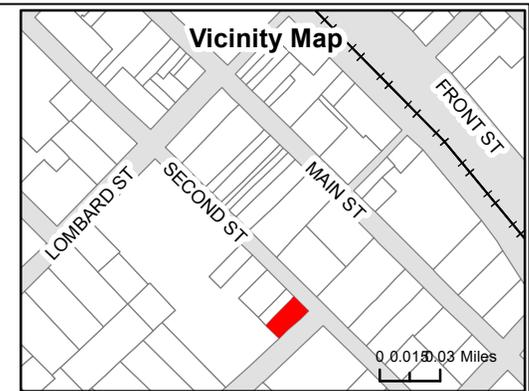
443 E Second St - Rezoning from B-2 to B-1

Applicant: Battle M. Robertson
 Property Owner: Battle M. Robertson
 Parcel ID Number: 166917-11-5431
 Tag #: 05011047
 Address: 443 E Second St
 File Number: RZ 2014-116

Produced by: TOC Planning

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9/12/14



Proposed Land Use - Per the 2008 Strategic Growth Plan

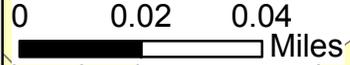
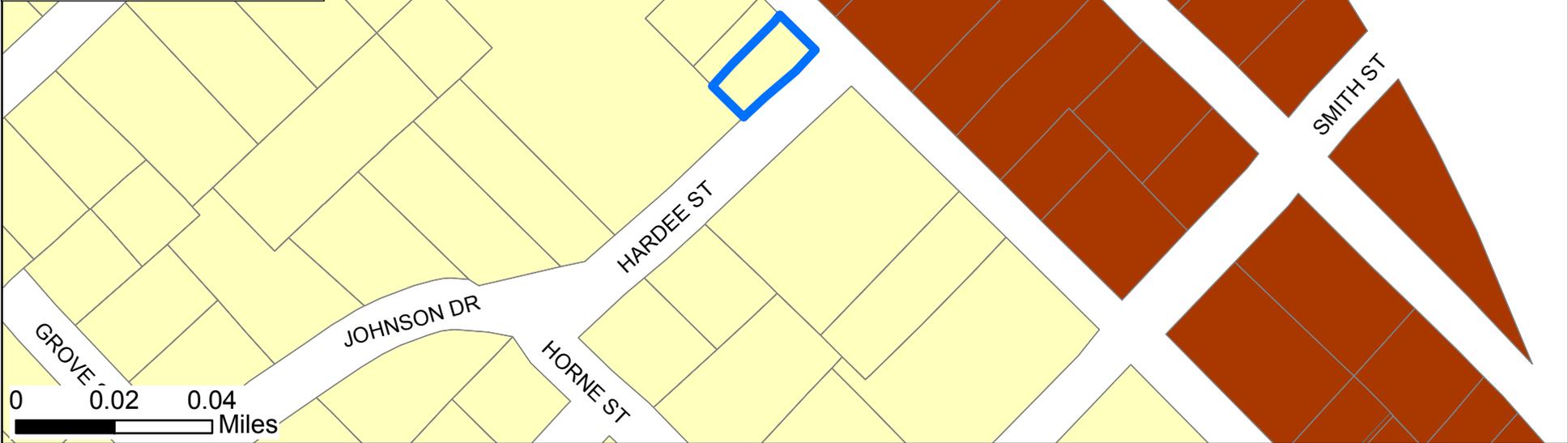
Legend

 443 E Second St

TOC Proposed LandUse

PROPOSED LAND USE

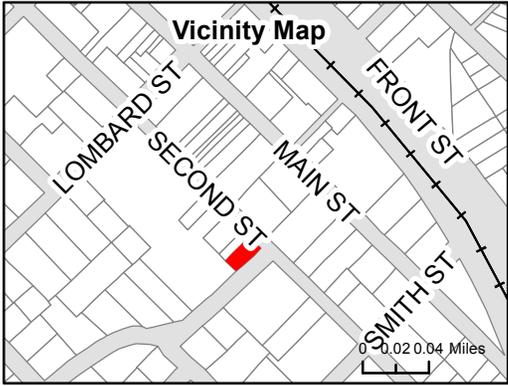
-  CBD
-  COMMERCIAL
-  INDUSTRIAL
-  MULTI-FAMILY
-  NEIGHBORHOOD COMMERCIAL
-  OFFICE INSTITUTIONAL
-  OPEN SPACE CONSERVATION
-  PUBLIC
-  RESIDENTIAL-INFILL
-  RESIDENTIAL-LIGHT
-  RESIDENTIAL-MEDIUM
-  SMALL AREA PLAN



Proposed Land Use Map (Source: 2008 Strategic Growth Plan) Rezoning at 443 E Second Street - B-2 to B-1

Applicant: Battle M. Robertson
 Property Owner: Battle M. Robertson
 Parcel ID Number: 166917-11-5431
 Tag #: 05011047
 Address: 443 E Second St
 File Number: RZ 2014-116

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



§155.202(B)(2), Table 2-1 Use Regulations Table.
 Uses permitted in the B-1 and B-2 zoning district, as of 9-16-14.

USE TYPE	ZONING	
	B-1	B-2
RESIDENTIAL USES		
Adult Care Home (2-6 Adults)		
Adult Care Home (7-12 Adults)	S	S
Adult Care Home (13+ Adults)	S	S
Alley Loaded House		
Apartments	S	S
Boarding House		P
Child Care Home		
Manufactured Home		
Manufactured Home Park		
Nursing Home (Congregate Living Facility)		S
Two family House		
Townhouse	S	S
Security/Caretaker Quarters		
Single Family House		
Upper-story Residence	P	P
Zero Lot Line House		
PUBLIC AND CIVIC USES		
Assembly, Not For Profit		
Cemetery		
Church or Place of Worship		C
College or University		
Day Care (Supervision for 3-8)		
Day Care (Supervision for 9+)	P	C
Government Service	P	P
Hospital or Medical Center		
School (Elementary or Secondary)		
School (Technical, Trade or Business)	P	
RECREATIONAL USES		
Entertainment, Indoor	C	C
Entertainment, Outdoor		
Fitness Center	C	C
Golf Course		
Gun Range	S	S
Park, Active	S	S
Park, Passive	C	C
Stable, Private		
AGRICULTURAL USES		
Agriculture, Livestock		
Agriculture, Sales and Service		

COMMERCIAL USES		
Adult Oriented Business		
Bed and Breakfast	P	P
Car Wash/Auto Detailing	C	P
Contractor Office	C	
Contractor Storage Yard		
Convenience Store with Gas Sales	C	C
Creative Studio	P	P
Financial Institution	P	P
Funeral Home	P	P
Hotel/Motel	S	
Kennel		C
Laundry Services	C	
Lounge, Cocktail	S	
Microbrewery	P	
Newspaper Publisher		
Office, General	P	P
Office, Medical	P	P
Outdoor Seating/Sidewalk Cafe	P	C
Pawn Shop		
Radio or Television Studio		
Restaurant, Drive-Through	C	C
Restaurant, General	P	P
Retail Sales, General	P	
Retail Sales, Neighborhood	P	P
Self-storage Facility		C
Service, General	P	
Service, Neighborhood	P	P
Tattoo Parlor		
Towing Service and Storage		
Vehicle Repair or Service		
Vehicle Sales and Rental		
Veterinary Clinic	C	C
Video Sweepstakes Operations	C	C
INDUSTRIAL USES		
Building Supplies, Wholesale		
Crematorium		
Gas and Fuel, Wholesale		
Laboratory, Research		
Manufacturing, Limited		
Manufacturing, General		
Manufacturing, Heavy		
Research and Development		
Warehouse, Freight Movement		

UTILITIES		
Recycling Center		
Renewable Energy Facility		
Telecommunication Facility	S	S
Utility, Minor	P	P
Utility, Major		
Waste Service		

Key:
A blank cell in the use table indicates that a use is not permitted in the respective district.
P – Permitted
C – Conditional Use permitted in the zoning district only if approved by the Planning Board (PB) (§ 155.710)
S – Special Use permitted in the zoning district only if approved by the Town Council (TC)) (§ 155.711)



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

REZONING APPLICATION

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

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

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

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

SITE INFORMATION:

Name of Project: _____ Acreage of Property: _____
 Parcel ID Number: 05011047 Tax ID: 3839313
 Deed Book: _____ Deed Page(s): _____
 Address: ~~NOT YET ASSIGNED~~ 443 E. Second St.
 Location: NORTH SIDE OF HARDEE ST AT JUNCTION OF
E SECOND ST ADJACENT TO DRY CLEANERS
 Existing Use: Vacant Proposed Use: Commercial
 Existing Zoning District: B-2
 Requested Zoning District: B-1
 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: <u>2014-116</u>	Date Received: <u>SEP 08 2014</u>	Amount Paid: <u>\$500⁰⁰</u>
Town of Clayton Planning Department		

X

OWNER INFORMATION:

Name: BATTLE MOORE ROBERTSON

Mailing Address: 2801 GLENWOOD GARDEN LN. STE 107

Phone Number: _____ Fax: N/A

Email Address: N/A

X

APPLICANT INFORMATION:

Applicant: SAME AS ABOVE

Mailing Address: _____

Phone Number: _____ Fax: _____

Contact Person: _____

Email Address: _____

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

JUSTIFICATION STATEMENT

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

CHANGE ZONING FROM B-2 TO B-1 WHERE THE VACANT LOT MAY BE USED AS COMMERCIAL IN THE FUTURE.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

The owner DART as HIS Agent has any awareness of any present or future adopted plans for this property or any adjacent property.

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

THE SUBJECT LOT IS ZONED B-2 WHICH HAS A MIN. OF 6000 S.F. SIZE. THIS LOT HAS 5400 S.F. AND WITH THE SET BACKS OF B-2, IT IS NOT SUITABLE FOR ANY KIND OF COMMERCIAL USE.

B-1 ZONING HAS NOT ^{MIN} SET BACKS OR SIZE REQUIREMENTS.

THE OWNER ALSO OWNS THE ADJOINING BLD. (THE DRY CLEANING WHICH IS ALSO ZONED B-1)

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

ANY COMMERCIAL BUILDING CONSTRUCTED IN THE FUTURE WOULD BE A SMALL OFFICE BLD OR SMALL RETAIL BUSINESS.

THIS WOULD BE A GOOD FIT FOR THE AREA AND THE TOWN.

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.

ANY COMMERCIAL USE WOULD NOT PLACE A STRESS ON SCHOOLS, ROADS OR RECREATIONAL FACILITIES.

ALL PUBLIC SERVICES SUCH AS WATER, ELE. SERVICES SEWER AND DRAINWATER FACILITIES ARE IN THE FRONT OF PROPERTY AS WELL AS ALONG HARDEE ST.

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

THIS IS NOT "SPOT ZONING" THE ADJACENT PROPERTY IS ZONED B-1 AS WELL AS 4 OTHER WITHIN 150 FEET +/-

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.

LETTERS TO LAND OWNERS WILL BE MAILED ON OR ABOUT AUGUST 25TH FOR A MEETING TO GET THEIR OPINIONS & INPUT.

MRS. EMILY BEDDINGFIELD (PLANNER) POINTED OUT TO THOSE WHO SHOULD RECEIVE A NOTICE TO ATTEND THE MEETING.

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.

NONE IS KNOWN. THE CHANGE WILL FIT IN NICELY WITH THE GENERAL AREA

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.

* BATTLE M ROBERTSON
Print Name

* Battle M Robertson
Signature of Applicant

* 8-14-17
Date



**Town of Clayton
Planning Department**

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

OWNER'S CONSENT FORM

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

Project Name: VACANT LOT 2ND ST Address or PIN #: 65011047

AGENT/APPLICANT INFORMATION:

CHARLES L WILLIAMS
(Name - type, print clearly)

39 WHETSTONE CT
(Address)
FOUR OAKS NC 27524
(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):

CHANGE ZONING FROM B-2 TO B-1

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:

BATTLE M ROBERTSON
(Name - type, print clearly)

2801 CLENWOOD GARDENS LANE UNIT 107
(Address)

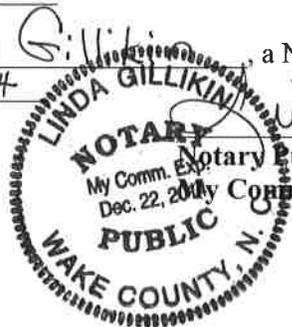
Battle M Robertson
(Owner's Signature)

RALEIGH NC 27608
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Wake

Sworn and subscribed before me Linda Gillikin, a Notary Public for the above State and County, this the 27th day of August, 2014

SEAL

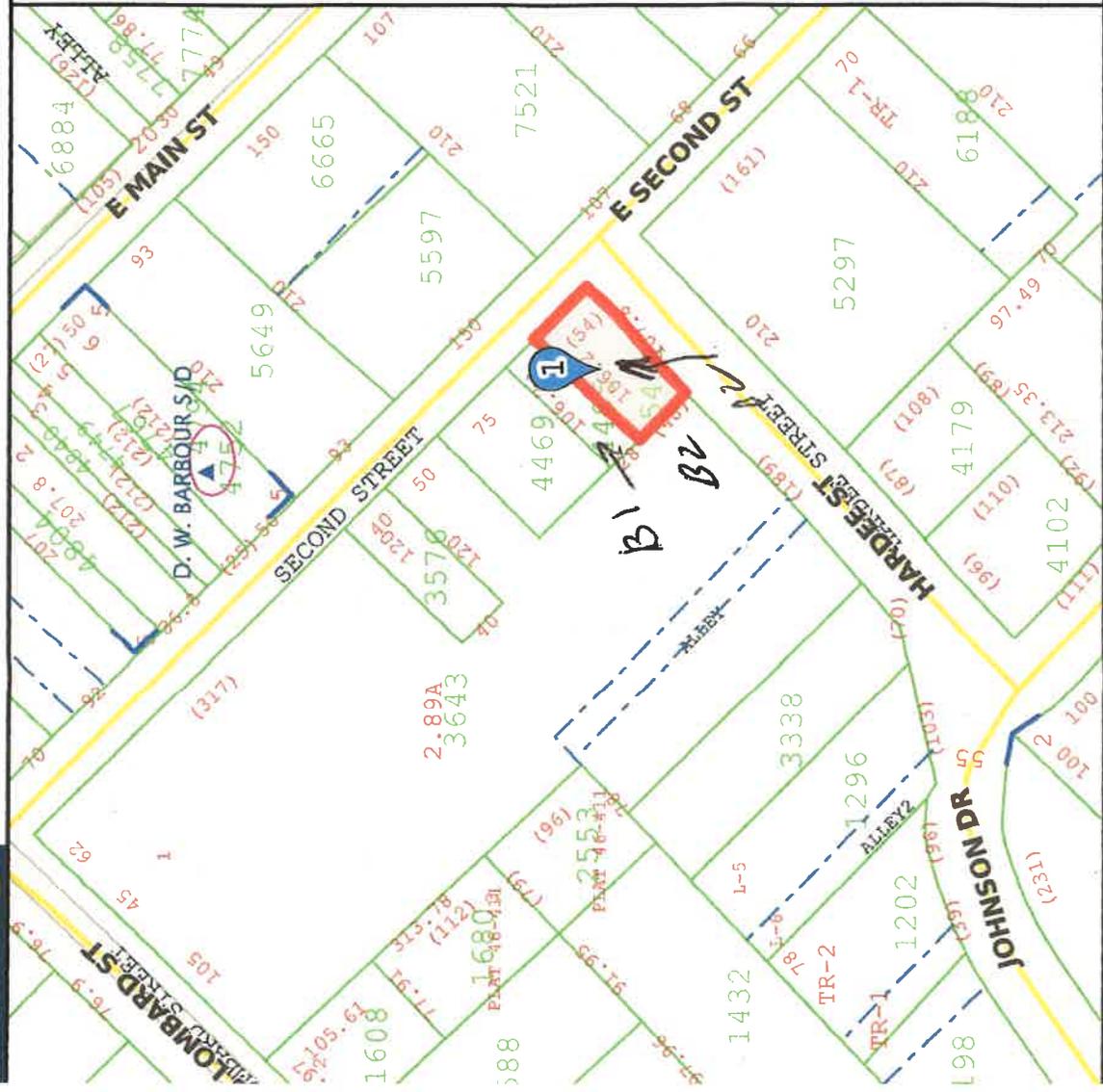


Linda Gillikin
Notary Public
Commission Expires: 12-22-2014



*** DISCLAIMER ***

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



Result 1

id: 05011047
 Tag: 05011047
 Tax Unique Id: 3839313
 NCPin: 166917-11-5431
 Mapsheet No: 166917
 Owner Name 1: ROBERTSON, BATTLE MOORE
 Owner Name 2:
 Mail Address 1: 2801 GLENWOOD GARDEN LN
 Mail Address 2: STE 107
 Mail Address 3: RALEIGH, NC 27608-1237
 Site Address 1:
 Site Address 2:

Book:
 Page:
 Market Value: 37840
 Assessed Acreage: 1
 Calc. Acreage: 0.125
 Sales Price: 0
 Sale Date:

Scale: 1:1510 - 1 in. = 125.85 feet

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



NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: BATTLE "BATT" MOORE ROBERTSON

Location/Date: Jones CAFE MAIN ST CLAYTON

	NAME	ADDRESS
1	AVA C SPENCE	4579 C BARBER MILL RD CLAYTON NC 27520
2	MRS. CRUMPLER -	AVA'S FINANCE ADVISOR
3	JOYCE L. CANADY	315 CRESCENT DR CLAYTON NC 27520
4	PAM BUMGARDEN -	JOYCE'S DAUGHTER
5	MICHELLE SEALEY	1001 CORPORATE PARKWAY RALEIGH, NC 27610
6	STEPHEN W SLOGGINS'	FINANCE OFFICER
7		
8		
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20		

MEETING AS OF SEPTEMBER 4TH, 2014 AT JONES CAFÉ , MAIN STREET
CLAYTON, N.C

RE: REZONING OF THE BATTLE "BATT" ROBERTSON LOT FROM B-2 TO
TO B-1 AT THE CORNER OF EAST SECOND STREET AND HARDEE STREET.

AT 7 P.M. I MET WITH 3 PROPERTY OWNERS WHICH RECEIVED THEIR
LETTERS CONCERNING THE RE-ZONING OF THE SUBJECT LOT.

I INTRODUCED MYSELF AND EXPLAINED IN GERNERAL AND DETAIL WHY
THE MEETING WAS CALLED AND THE REASON THEREOF.

MRS. AVA SPENCE, OWNER OF THE ADJACENT SHOPPING CENTER OPEN
THE DISSCUSION ABOUT THE PARKING IF A BUILDING WAS
CONSTRUCTED ON THE LOT. SHE EXPRESSED CONCERNS SHE DID NOT
WANT PEOPLE PARKING ON HER PROPERTY. IT WAS EXPLAINED TO HER
THERE WERE NO PLANS AT THE PRESENT OR NEAR FUTURE TO DO
ANYTHING WITH THE LOT AND WHEN SOMETHING WAS DONE, THE
PLANNING/ZONING DEPARTMENT WOULD REQUIRE SO MANY PAKING
SPACES, MOST LIKELY FROM SECOND STREET, BEFORE A BUILDING
PERMIT WAS GRANTED. SHE WAS SATISFIED AND HAD NO FURTHER
QUESTIONS.

MRS. JOYCE CANADY SAID IT WOULD BE A GREAT THING FOR THE
TOWN OF CLAYTON AND WOULD HELP THE DOWNTOWN GROW.

AN AGENT FOR STEPHEN SCOGGINS SAID SHE HAD NO QUESTIONS AND WOULD RECOMMEND TO MR. SCOGGINS TO SUPPORT THE R-ZONNING.

ONE OWNER, JOHN ROBERTSON CALLED TO GET INFORMATION CONCERNING HIS LETTER AND SAID HE WOULD NOT ATTEND BUT WOULD SUPPORT THE RE-ZONING.

THE MEETING WAS ADJOINED AT 8 P.M. WITH MY APPRECIATION FOR THEIR ATTENDANCE.

CHARLES L. WILLIAMS, AGENT FOR

Charles L. Williams
BATT M. ROBERTSON



**Preferred
Solutions**

PO Box 646, Clayton, NC 27528
Ph. 625-9206 or 585-2419

Charles L. Williams, Consultant
Estates, Large or Small ■ Debt Problems
Real Estate ■ Personal Property

LEWIS BROTHERS TIRE & ALIGNMENT

451 E. MAIN STREET

CLAYTON, N.C. 27520

PARCEL NO.05011023

AUGUST 22, 2014

DEAR CLAYTON AREA PROPERTY OWNER

THE PURPOSE OF THIS LETTER IS TO NOTIFY YOU OF AN APPLICATION FILED WITH THE TOWN OF CLAYTON FOR A LAND USE PROPSAL ADJACENT TO, OR IN CLOSE PROXIMITY TO, PROPERTY SHOWN IN YOUR OWNERSHIP BY THE JOHNSTON COUNTY TAX RECORDS. PER TOWN OF CLAYTON REGULATIONS, A NEIGHBORHOOD MEETING WILL BE HELD TO POVIDE INFORMATION TO AREA RESIDENTS ABOUT THE NATURE OF THE PROPOSAL. A REPRESENTATIVE OF THE APPLICANT WILL BE PRESENT TO EXPLAIN THEIR APPLICATION, ANSWER QUESTIONS, AND SOLICIT CMMENTS.

THE MEETING PLACE: JONES CAFÉ

TYPE OF APPLICATION: REZONING

**GENERAL DESCRIPTION: FROM B2 TO B1 OF A VACANT LOT AT THE
CORNER OF E. SECOND ST AND HARDEE STREET.**

**IF YOU HAVE ANY QUESTIONS PROPR TO OR AFTER THIS MEETING, YOU
MAY CALL US AT 919-625-9206 OR AFTER 7 PM AT 919-300-1119.**

SINCERELY,

CHARLES L. WILLIAMS, AGENT

APPLICANT IS BATTLE "BATT" M. ROBERTSON

CC: CLAYTON PLANNING DEPT.