

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



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

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

MAY 06, 2013

AGENDA

MAYOR AND TOWN COUNCIL

**MAYOR JODY L. MCLEOD
MAYOR PRO TEM MICHAEL GRANNIS
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ART HOLDER
COUNCILMAN R.S. "BUTCH" LAWTER, JR.
COUNCILMAN JASON THOMPSON**

TOWN STAFF

**STEVE BIGGS, TOWN MANAGER
SHERRY L. SCGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE REGULAR MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, MAY 6, 2013
6:30 PM

THE CLAYTON CENTER
COUNCIL CHAMBERS

1. CALL TO ORDER

Pledge of Allegiance
Invocation – Mayor Jody L. McLeod

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a. Draft minutes from April 15, 2013, work session; April 15, 2013, closed session; and April 1, 2013, closed session.
- b. Community Shred Event – Thursday, June 6, 2013, from 2:30 PM to 4:30 PM, Town Square Parking lot.
- c. Background Check Policy.
- d. Meter Tampering Fees.
- e. Warranty acceptance for public water, sewer, and associated storm drainage utilities for Spring Branch Commercial Subdivision, Phase 1.

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Presentation of Certificate of Achievement for Excellence in Financial Reporting (CAFR) for fiscal year ended June 30, 2012.

5. PUBLIC HEARINGS

- a. Public hearing for planned development district request PDD 2013-05, revision to Riverwood Ranch master plan.
- b. Evidentiary hearing for preliminary subdivision request SUB 2013-06, for lots 6 – 9 of Riverwood Ranch.
- c. Public hearing for planned development district request PDD 2013-11, Stallings Station Senior Apartments.
- d. Evidentiary hearing for planned development district request PDD 2013-09, Bristol at Cobblestone.

6. OLD BUSINESS

- a. Status of 110 West Front Street, former Red & White Store.

7. **NEW BUSINESS**
 - a. Proclamation recognizing May 2013 as “Older Americans Month.”
 - b. Resolution of request for North Carolina Department of Transportation participation in improvements to Grifols/Novo emergency access road.

8. **STAFF REPORTS**
 - a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - d. Other Staff

9. **OTHER BUSINESS**
 - a. Informal Discussion & Public Comment.
 - b. Council Comments.

10. **ADJOURNMENT**

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3a

Meeting Date: 5/6/13

TITLE: DRAFT MINUTES FROM THE APRIL 15, 2013, WORK SESSION MEETING; DRAFT MINUTES FROM THE APRIL 15, 2013, CLOSED SESSION MEETING; AND DRAFT MINUTES FROM THE APRIL 1, 2013, CLOSED SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
5-06-13	Approval.	DRAFT 4/15/2013 work Session meeting minutes. <i>**DRAFT 4/15/2013 & 4/1/2013 closed session Meeting minutes will be Hand-delivered.</i>

**MINUTES
CLAYTON TOWN COUNCIL
APRIL 15, 2013**

The second regular meeting of the Clayton Town Council for the month of April was held on Monday, April 15, 2013, at 6:30 PM at Town Hall, 111 East Second Street.

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

ALSO PRESENT: Steve Biggs, Town Manager; Jamie Schwedler, Town Attorney; Sherry Scoggins Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Bruce Naegelen, Downtown Development Coordinator; Stacy Beard, Public Information Officer; Catherine Whitely, Human Resources Director; Ann Game, Customer Service Director; Tim Simpson, Public Works & Utilities Director; Tommy Roy, Information Services Technician; Wayne Bridges, Interim Police Chief; Robert McKie, Finance Director

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 6:33 PM. Mayor McLeod gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

The following adjustment of the agenda was requested:

- Other Business (Item 10c), Closed Session to seek instruction from the Council for real estate negotiation in accordance with NC GS 143-318.11(a)(5).

It was the consensus of the Council to proceed with the agenda with the adjustment.

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Thompson seconded the motion. The motion carried unanimously with the following action agenda items approved at 6:34 PM:

- Item 3a. Draft minutes from the April 1, 2013, regular meeting.
- Item 3b. Scheduling of the following hearings for the Monday, May 6, 2013, Council meeting:
 - PDD 2013-05, Riverwood Ranch
 - SUB 2013-06, Lots 6-9 of Riverwood Ranch

- PDD 2013-11, Stallings Station Senior Apartments
- PDD 2013-09, Bristol at Cobblestone

ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS

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

Town Manager Steve Biggs stated Police Chief Glen Allen is retiring the end of this month. He stated he is pleased to announce that Captain Wayne Bridge will serve as the Interim Police Chief.

Item 4b. Presentation of Derby Day Proclamation.

Mayor McLeod read the following proclamation into the record:

PROCLAIMING MAY 4, 2013, AS CLAYTON ROTARY DERBY DAY

WHEREAS, the inaugural Kentucky Derby was held on May 17, 1875; and

WHEREAS, the Kentucky Derby takes place on the first Saturday of May in Churchill Downs and is known as “The Run for the Roses”; and

WHEREAS, the Clayton Rotary Clubs desire to bring the pageantry and tradition of the Derby to Clayton; and

WHEREAS, the Clayton Rotary Clubs will hold its second annual Clayton Rotary Derby Day on May 4, 2013, at Portofino Equestrian Neighborhood of Clayton off of NC 42 HWY East; and

WHEREAS, the Clayton Rotary Derby Day will have events for families staged in the paddocks, arenas, and stable of Portofino and offer riding demonstrations and exhibits; and

WHEREAS, the Clayton Rotary Derby Day will have social events that include a ladies’ hat contest, fashion show, barbeque, mint juleps, and live music; and

WHEREAS, the Clayton Rotary Clubs desire is for the Derby Day to continue as the signature annual fundraising event and to become a major equine event; and

WHEREAS, the Rotary’s principal motto is ‘Service Above Self;’ and

WHEREAS, funds raised during the Clayton Rotary Derby Day will assist in the efforts of awarding scholarships for graduating high school seniors; assist

in community efforts such as Serve the Need, Salvation Army, and YMCA; and undertake clean drinking water projects in developing countries; and

WHEREAS, the Town of Clayton is “*The Premier Community for Active Families*” and the Clayton Town Council established as a goal to “Expand Leisure Opportunities.”

NOW, THEREFORE, the Honorable Mayor and Clayton Town Council do hereby proclaim Saturday, May 4, 2013, as “**Clayton Rotary Derby Day**” and urge citizens to participate in and support the Clayton Rotary Clubs and the Clayton Rotary Derby Day.

Duly proclaimed this 15th day of April 2013, while in regular session.

Mayor McLeod presented the proclamation to a member of the Clayton Rotary Club.

Item 4c. Presentation by representative of the United States Department of Agriculture (USDA) for additional loan funding for the Clayton-Raleigh infrastructure project.

Town Manager Steve Biggs provided the following background on the Clayton-Raleigh infrastructure project. He stated the Town is pursuing a connection of its wastewater to the City of Raleigh treatment plant. He stated this is based on an agreement from 2006. He added the Town has a similar agreement with Johnston County. He stated connection to the City of Raleigh was deferred due to the slowdown of the economy and demand for capacity. He stated the Town has a permitted design. He stated after review by the State, it was recommended to modify the original design and the modification would place the facility above the 500 year floodplain rather than the 100 year floodplain. He stated this change created additional cost to the Town. He stated the Town is pleased that Rural Development stepped forward and is available to offer the Town an additional low interest loan to finance this modification.

Ms. Julia Johnson, Area Specialist with Rural Development of the United States Department of Agriculture, stated last July she presented a letter of conditions for a loan with Rural Development for this project. She stated this evening she is before the Council to present a letter of amended conditions for a subsequent loan with Rural Development not to exceed \$271,000 for the Clayton-Raleigh force main project. She reviewed the documentation included in the Council’s agenda packet; herewith attached and incorporated into the record. She stated the action requested this evening is approval of the subsequent loan in the amount of \$271,000 at a rate of 3.5% for a 40-year term.

Councilman Holder motioned to suspend the Council’s rule in order to take action; Councilman Lawter and Councilman Thompson simultaneously seconded the motion. Motion carried unanimously at 6:43 PM.

Ms. Johnson stated she enjoys working with the Town of Clayton. She stated she appreciates the hard work of Mr. Tim Simpson on the Town of Clayton elevated tank project. She stated she is looking forward to the completion of that project by June.

Councilman Satterfield motioned to accept the Rural Development loan resolution not to exceed \$271,000 as presented. Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 6:44 PM.

Item 4d. Presentation of Community Shred Event request.

Downtown Development Coordinator Bruce Naegelen stated the request is for the Town to host its first Community Shred Event at the Town Square on Thursday, June 6, 2013, from 2:30 PM to 4:30 PM in partnership with Pro Shred. He stated this is an opportunity for citizens to safely dispose of documents that contain personal identification information. He stated the request is for the use of the Town Square parking lot and to close the lot from 7 AM to 5 PM to set up the truck. He stated traffic would flow one-way. He stated the Town Clerk and Officer Jernigan will meet to finalize the layout of the event.

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

Downtown Development Coordinator Bruce Naegelen stated he overlooked including this request on the agenda and he is not seeking action this evening. He stated the Chamber of Commerce is requesting to change the Harvest Festival schedule to include a concert on Thursday evening. He stated the request is to use the Town Square and close Fayetteville Street between Second and Main Streets beginning Thursday, September 19 at 3 PM and reopening on Saturday, September 21 at 11 PM. He stated he is seeking Council guidance on this request.

Mayor McLeod stated he does not wish to create a conflict with Cultural Arts or the residents.

ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

Item 5a. Presentation of background check policy.

Town Manager Steve Biggs provided the following background on this item. He stated the Town has policies in place; however, they were not written. He stated this is the process of placing this item in writing.

Human Resources Director Catherine Whitley stated this item is in the agenda packet. She stated she is available for questions.

Mayor Pro Tem Grannis stated in the first paragraph under purpose the last sentence reads, “Town will conduct background checks on persons hired for initial employment at the Town and current employees who change jobs or otherwise become subject to a background check as indicated in this policy.” He stated he questions that sentence because it implies that those background checks will not be done until after a person is hired. He stated when speaking with Human Resources Director Whitley, she indicated that would actually be done prior to an offer of employment. He requested to amend this statement.

Human Resources Director Whitley stated candidates considered for hiring complete a form for a background check. She stated if the candidate is a final candidate, then the form is activated to perform the background check.

Mayor Pro Tem Grannis stated he is amenable to consent with the incorporation of that change.

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

Item 5b. Presentation of meter tampering fees.

Customer Service Director Ann Game stated this is a request to adjust the meter tampering fees. She stated research of neighboring municipalities was included in the agenda packet. She stated currently the Town charges \$100 per metering tampering incident. She stated in 2012 the Town had 12 cases of meter tampering and in 2013, the Town has seven cases of meter tampering to date. She stated by North Carolina General Statute the Town may charge \$500. She stated the proposal is the fee be adjusted to \$300 for each meter tampering incident with an additional \$200 if the electric bucket truck is used.

Based upon question by Council, Customer Service Director Game stated persons are already disconnected when meter tampering incidents occur. She added when the meter tampering is found, the meter is pulled and a plastic cover is inserted and the meter is sealed (booted).

Town Manager Biggs stated this is a safety issue.

Based upon question by Council, Customer Service Director Game stated there have been instances of re-occurrence for meter tampering. She stated the Town cannot deny power if the customer pays the fees. She added the police are involved in each meter tampering incident.

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

Item 5c. Presentation of planned development district request PDD 2013-05, revision to Riverwood Ranch master plan

Planning Director David DeYoung provided a PowerPoint overview of Planned Development District PDD 2013-05, Riverwood Ranch master plan; PowerPoint herewith attached:

- **Fred Smith Company is requesting a modification of a 266.94 acre tract**
- **Originally approved in 2008 and reapproved in April 2012**
- **Approval in 2012 included two new lots – Lots 8 and 9**
- **New request includes modification of the following lots:**
 - **Increase the size of Lot 7**
 - **Reduce the size of Lot 8**
 - **Reduce the size of Lot 9**
 - **Increase the size of Phase 2D**
- **Class C buffer will be provided around the entire perimeter**
- **Recreation and open space has been in place**
 - **Almost 200 acres of open space and it will most likely increase with the phases coming in**
- **Traffic impact analysis recommended when a request is received for either Lot 6 or 7**
- **Request is consistent with strategic growth plan**
- **Request is consistent with unified development code**
- **No opposition was received at the neighborhood meeting**
- **Staff recommended approval of the rezoning subject to the five previous conditions**
- **Planning Board recommended the request based on staff presentation**

Based upon question by Council, Planning Director DeYoung reviewed Lots 6 and 7.

This item is slated for public hearing at the May 6, 2013, Council meeting.

Item 5d. Presentation of preliminary subdivision request SUB 2013-06, for lots 6 – 9 of Riverwood Ranch.

Planning Director David DeYoung provided the following PowerPoint presentation of preliminary subdivision request SUB 2013-06, for lots 6-9 for Riverwood Ranch; PowerPoint herewith attached:

- **Modification to lots 6-9; contingent to the approval of the modified master plan for Riverwood Ranch**
- **Lot 9 has been to the Planning Board for a senior, 55+, apartment facility**
 - **Approved by the Planning Board and subject to approval of the master plan by the Town Council**

- Senior Center is eligible for funding due to proximity of a pharmacy
- 12.02 acres is within this request
- Request is consistent with strategic growth plan
- Request is consistent with unified development code
- No opposition was received at the neighborhood meeting
- Staff recommended approval with the five previously approved conditions
- Planning Board recommended approval based upon staff presentation

This item is slated for evidentiary hearing at the May 6, 2013, Clayton Town Council meeting.

Item 5e. Presentation of planned development district request PDD 2013-11, Stallings Station Senior Apartments.

Planning Director David DeYoung provided a PowerPoint presentation of planned development district PDD 2013-11, Stallings Station Senior Apartments; PowerPoint herewith attached:

- Request to rezone 3.09 acres to planned development mixed use
- Request is for a master site plan for a 42 unit senior (55+) apartment complex
- Located on Shotwell Road south of US 70 Business HWY
- Request is for a minor subdivision to divide the lot into two parcels
- Remaining portion of the split parcel will remain R-10, Residential
- Three story, 42 unit senior apartment complex, maximum of 50 foot height
- Site slopes dramatically to a riparian buffer on the west side
- Building will locate to the front of the site
- 41% of site is impervious
- Access is off Shotwell Road at the north side of the site
 - Egress at the south side of Shotwell Road will be a right out only headed toward the Clayton Community Center
- Alternative parking plan is requested
 - Requested alternative parking plan is consistent with other requests in the Town and surrounding communities
- Multiple building materials are being used: brick, hardy plank or aluminum siding
- Porte cache on the west side of the building
- Architecture is consistent on all four sides
- Stream to the west that will not be impacted
- Applicant requests a buffer waiver from Class C to a Class A
 - Difference between Class C and Class A is the amount of materials
 - Reduction of one canopy tree for 100 linear feet and reduction of shrubbery as well
- Riparian buffer will be on the west and it will exceed the Town Code requirements
- Request is consistent with the Town's Strategic Growth Plan

- Request is consistent with the Town’s Code of Ordinances if approved with the waivers
- Alternative parking plan was approved by the Planning Board
- Staff is recommending approval of the landscape buffer waiver from Class C to Class A
 - Based upon the building being close to the street, the building will be the predominant feature as parking is at the rear of the building
- Staff is recommending approval of the rezoning request subject to the approval of 11 conditions
- Planning Board recommended approval of the rezoning

Based upon question by Council, Planning Director DeYoung stated the senior apartments across the street are set-back a little farther from the street than proposed senior apartments.

Based upon question by Council, Planning Director DeYoung stated the buffer across the front reduces the number of new tree plantings. He added he is OK with the request.

Based upon question by Council, Planning Director DeYoung stated the difference between a Class C buffer and a Class A buffer is one canopy tree and two shrubs per 100 linear feet along the north, south, and east property lines. He added there is approximately 1,000 linear feet along the three sides. He added a Class A buffer does not require a berm or a wall. He stated from staff’s perspective a wall or berm is not needed along Shotwell Road.

Mayor McLeod stated his concern is aesthetics as he does not want folks looking out their window at a clay hole that is undeveloped forever.

Mayor Pro Tem Grannis stated he prefers the Class C for the buffer plantings and he is willing to waive the berm requirement.

Planning Director DeYoung stated the developer is in attendance and he will speak with the developer.

This item is slated for public hearing at the May 6, 2013, Council meeting.

Item 5f. Presentation of planned development district request PDD 2013-09, Bristol at Cobblestone.

Planning Director David DeYoung provided a PowerPoint presentation of planned development district PDD 2013-09, Bristol at Cobblestone; PowerPoint herewith attached:

- Modification to previously approved master plan referred to as Pine Grove from 2006

- **New owner has acquired this site**
- **91.52 acre site**
- **Original approval was for 264 units**
- **New proposal is for 260 units with improved circulation**
- **Single family residential**
- **Access will be off of Champion Street**
- **Private recreation amenity will be at the main entrance to the development**
- **Development will be in phases**
- **Phase one includes the private recreation area in the front and includes proposed greenways**
 - **Greenway continues towards the Town’s sewer plant along Little Creek and could connect with the Clayton Community Center pedestrian connector**
- **12.25 conservation area**
- **Little Creek is along the west**
- **Town owns property back there as well along with a 100 flood plain**
- **In addition to the 12.25 conservation area the developer is proposing 21 acres of open space**
- **Applicant requesting a wastewater allocation of 66,500 gpd**
- **Request is consistent with Strategic Growth Plan**
- **Zoning criteria and the master plan criteria are met**
- **Class C buffer will be along the entire property**
- **Neighborhood meeting was held on March 13, 2013, and the following concerns were expressed:**
 - **Traffic on Champion Street**
 - **Traffic study completed when originally brought in and approved**
- **Staff is recommending approval with 14 conditions [nine conditions from original approval and five new conditions]**
- **Planning Board is in favor of recommending approval as presented by staff**

Based upon question by Council, Planning Director DeYoung stated the recreation amenities and greenways are included in phase one. He stated a bond will be required for the recreation amenities. He stated the recreation amenities are to be completed by the end of phase one and prior to the onset of phase two.

Based upon question by Council, Planning Director DeYoung stated the pool information has not yet been requested. He stated that will come in as a separate site plan approval by the Planning Board.

This item is slated for public hearing at the May 6, 2013, Council meeting.

Item 5g. Presentation of resolution requesting badge and service side arm.

Town Manager Steve Biggs provided background on the resolution request.

Councilman Satterfield motioned to approve the resolution as presented. Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 7:19 PM.

Item 5h. Presentation of resolution for a tax structure that promotes economic development for North Carolina inclusive of municipal corporations.

Town Manager Steve Biggs stated the resolution is in response to Council request about pending legislation.

Councilman Satterfield motioned in favor of the resolution as presented; Councilman Lawter seconded the motion. Motion carried unanimously at 7:19 PM.

Item 5i. Presentation of ordinance enacting and adopting a supplement to the Code of Ordinances for the Town of Clayton.

Town Clerk Sherry Scoggins stated the request is for those ordinances adopted by the Council from November 7, 2011, to December 4, 2012.

Councilman Satterfield motioned to approve the ordinance as presented. Councilman Lawter seconded the motion. Motion carried unanimously at 7:20 PM.

Item 5j. Presentation of proclamation for NC Domestic Violence Proclamation 100 Day.

Councilman Satterfield motioned to approve the proclamation as presented. Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 7:21 PM.

Item 5k. Presentation of Municipal Clerks Week proclamation.

Councilman Satterfield motioned to approve the proclamation as presented. Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 7:21 PM.

Item 5l. Presentation of warranty acceptance for public water, sewer, and associated storm drainage utilities for Spring Branch Commercial Subdivision, Phase 1.

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

ITEM 6. ITEMS CONTINGENT FOR THE REGULAR MEETING

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

ITEM 7. ITEMS FOR DISCUSSION

No items for discussion were presented to the Council.

ITEM 8. OLD BUSINESS

Item 8a. Status of 110 West Front Street, former Red & White Store.

Town Manager Steve Biggs stated this item is being tracked. He stated he had communication with the owner this past week. He stated the Town received a letter of opinion from a structural engineer on certain elements related to the building. He stated his understanding is the owner, Mrs. Smith, is looking to partner with someone who is interested in renovating the building. He stated in order for the item to go forward, documentation has been requested.

ITEM 9. STAFF REPORTS

Item 9a. Town Manager

Town Manager Steve Biggs stated earlier this evening the Town received notice from NCDOT that authorization of release of funds for the Front Street Extension project was approved.

Public Works & Utilities Director Tim Simpson stated notice of funding authorization was anticipated on April 22. He stated advertising was targeted for Sunday, April 28 and would run for three weeks; pre-bid meeting about a week into the advertising period; bid opening about May 22 or May 23. He stated this could move the timeline up a week.

Based on question by Council, Public Works & Utilities Director Tim Simpson stated the construction estimate is a year from start to finish.

Town Manager Biggs stated there has been some discussion to financially incent the contractor with early completion of this project. He stated the particulars would be brought back to Council for discussion and instruction.

Item 9b. Town Attorney

Town Attorney Jamie Schwedler stated no additional report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated there is no Board of Adjustment meeting in April and the next meeting is slated for May 15, 2013.

Town Clerk Sherry Scoggins stated on Thursday, April 18, 2013, a second grade class from Riverwood Elementary will visit Downtown Clayton. She stated the visit is to reinforce the civics unit on Community Helpers. She stated if an elected official would like to welcome our young patrons and share what he does for the community, please be at the Clayton Center by 10:20.

Item 9d. Other Staff

Public Information Officer Stacy Beard stated this morning the Town hosted a delegation from the City of Kannapolis. She stated the City of Kannapolis is looking to build a City Hall and Police Department and they visited the Clayton Center as a model for their endeavor.

ITEM 10 OTHER BUSINESS

Item 10a. Informal Discussion & Public Comment.

No informal discuss and public comment were presented to the Town Council.

Item 10b. Council Comments.

Councilman Holder stated the drawings in front of Council are the result of the Rotary Club asking if there was some project they could do for the Town of Clayton; herewith attached and incorporated into the record. He stated he directed them toward the Mountains-to-Sea Trail (MST), to fabricate and place benches and picnic tables. He added he requested the inclusion of East Clayton Community Park. He stated Parks & Recreation Director Larry Bailey stated ten picnic tables and ten park benches would be appreciated. He stated he has worked up the materials cost and the Clayton Rotary Club will submit a grant to Rotary International. He stated these have not yet been built and this is being provided as information to the Town Council.

Councilman Thompson stated he attended the ElectriCities meeting in Wake Forest last week. He stated it was informative and he will provide a copy of the presentation to the Clerk to scan and share with the Council.

Item 10c. Closed Session to seek instruction from the Council for real estate negotiation in accordance with NC GS 143-318.11 (a) (5).

Councilman Lawter motioned to go into closed session to discuss real estate negotiation. Councilman Satterfield seconded the motion. Motion carried at 7:29 PM.

Councilman Satterfield motioned to return to open session. Councilman Holder seconded the motion. Motion carried unanimously at 7:51 PM.

ITEM 11. ADJOURNMENT

With there being no further business brought before the Council, Councilman Thompson motioned to adjourn; Councilman Lawter seconded the motion. Motion carried unanimously at 7:52 PM.

Duly adopted by the Clayton Town Council this ____ day of May 2013, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 3b

Meeting Date: 5/06/13

TITLE: COMMUNITY SHRED EVENT REQUEST.

DESCRIPTION: Staff respectfully requests the temporary use and closure of the Town Square Parking lot for a Community Shred Event on Thursday, June 6, 2013. The temporary closure is from 7 AM to 5 PM and the event is slated from 2:30 PM to 4:30 PM.

The event is slated for residents with a two bag or two box limit on a first come first served basis.

At its April 15, 2013, meeting, it was the consensus of the Council to place this item on the consent agenda.

RELATED GOAL: Think Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	N/A.
5-06-13	Approval.	Staff Report.



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

SPECIAL EVENTS COMMITTEE REPORT

Application Number: 2013-0465
Event Name: Community Shred Event
Event Date(s): June 6, 2013
Location: Town Square Parking Lot, 110 W Main Street

Downtown/Town Limits/ETJ: Downtown

Applicant: Sherry Scoggins, Town Clerk, Town of Clayton

Contact: Sherry Scoggins, (919) 553-5002 x5004,
sscoggins@townofclaytonnc.org

Committee Meeting: March 28, 2013

Attendance: Barry Rose, Electric Dept.; Steve Blasko, Public Works; Lee Barbee, Fire Chief; Tony Atkinson, Fire Marshall; Capt. John Coley & Andy Jernigan, PD; Dede Bumgarner, Zoning Admin; Stacy Beard, PIO; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator; GUESTS: Sherry Scoggins, TOC; Mary Beth Roberti & Diane Bean, Clayton Chamber of Commerce.

EVENT LOCATION: Town Square Parking Lot, 110 W Main Street

EVENT DESCRIPTION:

- First time event
- 2:30 pm – 4:30 pm
- Opportunity for citizens to safely dispose of documents that contain personal identification information (2 bag limit)
- For residents within Town Limits only
- No businesses
- Town of Clayton & ProShred partnering with event
- Estimated Attendees per day: 100+

SERVICES REQUESTED:

- Parking lot closure: 7:00 am – 5:00 pm
 - Cones at both entrances (O'Neil & Fayetteville streets)
 - Signage for one-way traffic control within parking lot
-

COMMITTEE ANALYSIS AND COMMENTARY:

3/28/2013 Committee Mtg:

- Cones to be delivered and set by Public Works
 - Andy Jernigan (PD) and Ms Scoggins will finalize site lay-out
-

COMMITTEE CONDITIONS

- **Action Issues:**
 - Final site layout due by May 15
-

COMMITTEE ACTIONS:

- Recommended approval
 - Send Staff Report to Town Clerk to schedule presentation on April 15 Town Council agenda
-

TOWN COUNCIL CONSIDERATIONS

- Closure of Town Square Parking lot
 - 7:00 am – 5:00 pm
 - June 6, 2013
-

TOWN COUNCIL ACTION/COMMENTS

-
-

DOCUMENTATION RECEIVED:

- Special Event Application
 - Site Map
-

POST EVENT REVIEW:

Scheduled: June 27, 2013

-

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

Agenda Item: 3c

Meeting Date: 5/06/13

TITLE: BACKGROUND CHECK POLICY.

DESCRIPTION: Attached.

At its April 15, 2013, meeting, Council discussed this item. It was the consensus of the Council to amend the last sentence in the first paragraph under purpose and place this item on the consent agenda.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	DRAFT policy.
5-06-13	Approval.	Policy (amended).

Purpose

It is the policy of the Town of Clayton to hire highly qualified employees who contribute to the overall success of the Town's strategic goals. This policy allows the Town the right to obtain additional information to assist in evaluating an applicant's qualifications and suitability for employment. Prior to a job offer, the Town will conduct background checks on persons hired for initial employment at the Town and current employees who change jobs or otherwise become subject to a background check as indicated in this policy.

This policy is applicable to all interns and final internal or external candidates and to current employees who have been recommended for hire or promotion. Volunteers who will have contact or responsibilities which include contact with youth, alcohol and/or money are subject to this policy. Individuals who provide volunteer services that are limited in nature (such as a lecture or presentation), and who have no direct individual contact with, or oversight of youth participants, are not subject to the background check requirement. Town committees and elected officials are excluded from this Policy.

Procedures

The Town will use a third-party vendor to conduct the criminal background check and the process shall comply with the applicable requirements of the Fair Credit Reporting Act (FCRA). Each job applicant or current employee to whom this policy applies will be required to sign an authorization allowing the Town to obtain specific reports as a condition of employment. Failure to provide a signed authorization will result in the rejection of an applicant's employment application and/or disciplinary action including the possible termination of a current employee.

Prior to conducting the pre-employment background check the following must be completed by the final candidate:

- Town of Clayton employment application
- Applicant Authorization and Consent for Release of Information Form

If convictions are found, the job relatedness of the convictions will be determined by the Human Resources Department and the hiring department head. The decision will be documented in writing. The Town's decision will be based on the following factors:

- The nature or gravity of the offense or offenses
- The time that has passed since the conviction and/or completion of the sentence
- The nature of the job sought

Human Resources will communicate one of three outcomes to the hiring manager:

- an employment endorsement or
- a disqualification based on falsification of application materials or background check release, or
- a non-endorsement based on the background check facts as they relate to the position. If the hiring manager and HR do not concur on the hiring endorsement, the ultimate decision is determined by the Town Manager.

Before taking an adverse action that is based in whole or in part on the information collected as part of the pre-employment background check, a copy of the adverse information and an Adverse Information Form must be sent to the candidate.

To give the candidate time to respond to the adverse information, the employer must wait an appropriate length of time between notifying the candidate that an adverse action will be taken, and actually taking the adverse action. After a waiting period of five (5) business days following notification of the adverse information to the candidate, the adverse Decision Form should be sent to the candidate.

No candidate may commence work or volunteer activities until the background check is completed. A discovery of falsification, including misrepresentation or failure to disclose relevant information as part of the recruitment and application process, will disqualify a candidate from employment consideration. If the candidate is a current employee, falsification may also subject the individual to disciplinary action up to and including dismissal.

Scope and Types of Background Checks

Criminal history and sex offender checks will be conducted for the final candidate(s) for all positions, interns and volunteers.

Credit History will be conducted on final candidates for employment where the job duties include responsibility for initiating or affecting financial transactions or other related duties will be subject to credit history check. Human Resources is responsible for determining the job duties for which a credit history check is conducted, and is responsible for ensuring a job-related need for conducting the check. The credit report will be used as a factor in establishing employment eligibility. Candidates will be provided with a summary of his or her rights under the FCRA. The Fair Credit Reporting Act imposes specific disclosure requirements on employers that use consumer credit reports to establish an individual's eligibility for employment or evaluate an employee for promotion, reassignment, or retention.

Motor vehicle checks will be conducted on the final candidate(s) for any positions that require the individual to drive a Town vehicle as a regular part of their job responsibilities or when a dedicated vehicle is provided to the employee for the purpose of conducting Town business. An employee who does not routinely operate Town vehicle will be required to present his or her driver's license each time a Town owned vehicle is used for Town business. When the employee picks up the keys to the vehicle, he or she will be required to present a current driver's license for review to their immediate supervisor or Department Head. Under no circumstances will an employee be permitted to obtain the keys without presenting a current driver's license. Employees who operate a Town vehicle as part of their regular employment duties will be required to present his or her driver's license as requested and will be required, through random checks, to present his or her license on a bi-annual basis. Any time an employee who operates a vehicle in the course of Town business has his or her driver's license revoked or suspended or has a court ordered restriction imposed on his or her license, the employee must inform his or her supervisor and the Human Resources department. This includes an employee who uses his or her own vehicle in the course of conducting Town business.

The Town is under no obligation to modify an employee's employment requirements or to reassign the employee based on the revocation, suspension or restriction.

Confirmation that the candidate has the degree or educational level required for the position, or as stated on the resume or application, can be conducted by requiring the candidate to submit an official transcript. Official transcripts must be received in a sealed envelope from the college, university or school system in question and must be a certified copy.

The North Carolina Department of Justice sets the qualification for the employment and retention of police officers including but not limited to standards addressing the minimum age, education, physical standards and mental status, citizenship, and good moral character (N.C. General Statute §17C-10). In addition, Chapter 12 of the North Carolina Administrative Code controls the extent, scope and use of a background investigation and further places specific eligibility limitations on an applicant's prior criminal history. In the event one of the mandatory State standards conflicts with this policy, then the State standard shall control and shall be followed by the Town of Clayton and the Clayton Police Department.

Responsibilities:

The Human Resources Department shall be responsible for the coordination of the policy.

Human Resources will maintain background checks records centrally in accordance with records retention guidelines.

Duly adopted by the Clayton Town Council this 6th day of May 2013, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 3d

Meeting Date: 5/06/13

TITLE: METER TAMPERING FEES.

DESCRIPTION: Attached.

At its April 15, 2013, meeting, it was the consensus of the Council to place this item on the consent agenda.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Memorandum & Excerpt Of proposal for the Town's Comprehensive List of Fees & Charges.
5-06-13	Approval.	Memorandum & Excerpt Of proposal for the Town's Comprehensive List of Fees & Charges.

To: Mayor and Town Council

From: Ann Game, Customer Service Director

Re: Meter Tampering

Purpose: Meter tampering poses a safety issue not only for residents but for Town of Clayton personnel. The greatest danger is fire or possible electrocution. In calendar year 2012, the Customer Service department issued penalties of \$2,323 which included 12 meter tampering situations and 5 penalties for meter damage. Listed below are comparisons of meter tampering fees in other towns and municipalities.

Jurisdiction	1 st occurrence	2 nd occurrence	3 rd occurrence	Are police contacted?
Selma	\$150	\$250	\$500	yes
Apex	\$250 + \$150 reconnection fee			no
New Bern	\$400			yes
Wake Forest	\$300 + \$25.75 reconnection fee			yes
Greenville	\$100	\$100	\$100	yes – only after 2 nd occurrence
Lumberton	\$300			no
Lexington	\$250			no
Rocky Mount	\$200			no
Clayton Recommended Fee	\$300 & additional \$200 if bucket truck is needed			yes

Under the authority of GS 14-151.1, the Town has the authority to charge a meter tampering fee of up to \$500. Currently the Town charges \$100 per meter tampering. After thorough review of the fees currently charged by other jurisdictions, it is our recommendation that the Town Council adopt a meter tampering fee of \$300. An additional charge of \$200 would be applied if it becomes necessary to have the bucket truck disconnect services at the pole. We feel that this recommended fee structure is consistent with and within the range of similar fees charged by other jurisdictions. If approved the fees will be implemented immediately.

CUSTOMER SERVICE DEPARTMENT

- I. Individuals and management companies may request a printout of their account free of charge. [In accordance with NC GS 132-1.1(c) Public Enterprise Billing Information – Billing information compiled and maintained by a city providing utility services in connection with the ownership or operation of a public enterprise is **not** a public record.]

- II. \$20.00 Returned Check Charge (*amended 6/19/1995*). Any check returned to the Town of Clayton for any purpose, will be assessed a returned check charge of \$20.00. The check and returned check must be paid for in cash. The returned check charge will be waived if a letter, from the bank, which the subject check was drawn on, is received noting the return was due to bank error.

- III.
 - A. \$ 25 - Connection Fee
 - B. \$ 25 – (Appearance on) Cutoff List Fee
 - C. \$ 20 - Returned Check Charge
 - D. \$300 -- Meter Tampering Fee [NC 14-151.1] or \$500 – Meter Tampering Fee if the bucket truck is needed [\$300 Meter tampering fee plus \$200 bucket truck fee] – *As adopted by the Clayton Town Council on May 6, 2013.*
 - E. Non-Residential Utility Deposits (includes business, commercial and industrial) - Deposits are determined by taking an average of 2 months bills if location is already an established business. For a newly established business, use will be estimated based on a comparable location.
 - F. Residential Utility Deposits – *As adopted by the Clayton Town Council on April 2, 2012:*
 - To avoid posting a deposit a customer can provide proof of their social security number and provide a Statement of Account History from their current utility provider demonstrating good payment history with no late payments, no returned checks, no returned drafts and no disconnects for nonpayment within the immediate preceding 12 months.
 - Participating Deposit: To qualify for the Participating Deposit, a new customer must provide proof of their social security number and sign up for bank draft and budget bill when they establish service. Their deposit, collected prior to establishing utilities, is as follows:

Electric	\$150
Water	\$50
Sewer	\$50
Irrigation (if applicable)	\$50
Total	\$250 - \$300

After 6-months of successful bank drafts, the customer's deposit will be applied to their account. If after 6 month of service the deposit cannot be credited to the customer's account due to unsuccessful bank drafts, the account will be subject to review on the Budget Bill anniversary date.

- **Non-Participating Deposit:** To qualify for a Non-Participating Deposit, a customer must provide proof of their social security number and may decline participation in the bank draft and budget bill programs. A higher deposit will apply to the customer's account and will be collected prior to establishment of service. In addition, a premium deposit will be added to the customer's bill over the next 12 months.

Electric	\$300
Water	\$50
Sewer	\$50
Irrigation (if applicable)	\$50

\$400 - \$450 collected at time of account creation

Premium - billed over 12 month period

Electric	\$100
Water	\$10
Sewer	\$10
Irrigation (if applicable)	\$10

Additional \$10/month for 1-year

The deposit shall be refunded, net of any outstanding bill, only at the time of account closing.

High Risk Deposit: Customers who choose not to provide proof of their social security numbers are classified as high risk and are subject to a higher deposit:

Electric	\$800
Water	\$120
Sewer	\$120
Irrigation`	\$120

Participation in budget billing or bank draft will not have any impact on deposit levels for customers in the high risk category. The deposit shall be refunded, net of any outstanding bill, only at the time of account closing.

At any time, based on payment history, disconnects for nonpayment, and returned checks, customers may be required to pay a higher deposit.

Duly adopted by the Clayton Town Council and effective upon adoption this 6th day of May 2013, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 3e

Meeting Date: 5/06/13

**TITLE: WARRANTY FOR PUBLIC WATER, SEWER, AND ASSOCIATED
STORM DRAINAGE UTILITIES FOR SPRING BRANCH
COMMERCIAL SUBDIVISION, PHASE 1.**

DESCRIPTION: Attached.

**At its April 15, 2013, meeting, it was the consensus of the
Council to place this item on the consent agenda.**

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Memorandum.
5-06-13	Approval.	Memorandum.

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector *CR*

Copy: Jonathan Barnes, Dalton Engineering
David DeYoung, Planning Director

Date: March 12, 2013

Re: Spring Branch Commercial Subdivision, Phase 1

Please place a warranty acceptance request for the referenced public water, sewer, & associated storm drainage utilities on the next available agenda. Record drawings have been reviewed and accepted. Following Council acceptance, the utilities will be subject to a one-year warranty period. Following the warranty period, a final inspection will be done and all deficient items corrected prior to final acceptance.

received
3-13-2013 *RS*

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

Agenda Item: 4a

Meeting Date: 5/6/13

TITLE: PRESENTATIONS OF CERTIFICATION OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING (CAFR) FOR FISCAL YEAR ENDED JUNE 30, 2012.

DESCRIPTION: The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Clayton by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive “spirit of disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
5-06-13	Presentation.	None.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 5a

Meeting Date: 5/06/13

TITLE: PUBLIC HEARING FOR PLANNED DEVELOPMENT DISTRICT REQUEST PDD 2013-05, REVISION TO RIVERWOOD RANCH MASTER PLAN.

DESCRIPTION: Planned Development District request PDD 2013-05 is a revision to Riverwood Ranch Master plan. The applicant is requesting approval to modify the existing master plan for Riverwood Ranch to revise Lots 7-9 and Phase 2D. Modifications include changes to the ration of mix of uses and lot configuration. [The planned development district was initially adopted as PDD 08-01 and subsequently amended with request PDD 12-07.] At its March 25, 2013, meeting, the Planning Board voted to Recommend approval of the rezoning to PD-MU and master plan modification with the conditions recommended in the staff report.

This item is slated for public hearing at the May 6, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Application, Neighborhood Meeting information, Staff Report, Aerial Map, Site maps for: PDD 2013-05, PDD 08-01, & PDD 12-07.
5-06-13	Public Hearing.	PDD Hearing Procedures, Applications, Neighborhood Meeting Information, Staff Report, Aerial Map, Site Maps for: PDD 2013-05, PDD 08-01 & PDD 12-07; Motion Form / Statement of Reasonableness & Consistency.

**TOWN OF CLAYTON
PLANNED DEVELOPMENT DISTRICTS
(PD-R, PD-C, PD-I, PD-MU)
HEARING PROCEDURES**

- 1. HEARING:** The Mayor shall call the hearing and announce the case.
- 2. RULES OF PROCEDURE:** The Town Attorney introduces the planned development rezoning procedures and evidentiary hearing procedures (if applicable). If a protest petition has been received, the Town Attorney will announce if it meets the requirements to invoke the super majority rule; and if applicable, explain the super majority rule. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
- 3. STAFF REPORT:** The staff shall give its report.
- 4. APPLICANT TESTIMONY:** The applicant shall be called to present their case. The applicant is responsible for successfully addressing the following rezoning Master Plan Approval Criteria [155.705(K)]:
 - a. Compliance with 155.203(K) and all other applicable requirements of this chapter;
 - b. Consistency with the Clayton General Design Guidelines;
 - c. Conformance of the proposal with the stated purpose of the requested planned development district;
 - d. Compatibility of the proposed development with the adjacent community;
 - e. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;
 - f. Self-sufficiency of each phase of the overall project;
 - g. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;
 - h. The fiscal impact of the proposal and the proposed financing of required improvements;
 - i. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community; and
 - j. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

In addition, the applicant will also address the required findings of fact for preliminary subdivision approval [155.706(I) (10)]:

1. Consistency with the adopted plans and of policies of the Town.
2. The subdivision meets all required specifications of this chapter.

3. The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.
4. The subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.
5. **OPPOSITION TESTIMONY:** Those speaking in opposition to the application shall be called upon to present their case.
6. **APPLICANT REBUTTAL:** The applicant and/or those in support shall be provided an opportunity to rebut the testimony provided by the opposition.
7. **OPPOSITION REBUTTAL:** Those in opposition shall be provided an opportunity to rebut testimony provided by the applicant.
8. **COUNCIL INQUIRY:** The Council may ask questions of the applicant, opposition, or staff at this time. There shall be no time limit except that the Mayor shall be responsible for keeping questions and responses relevant and factual.
9. **DELIBERATION:** The Mayor shall call the Council into deliberation. Once called into deliberation, no person may address the Council and no questions may be asked by Council to the public.
10. **UTILITY ALLOCATION (WHEN APPLICABLE):** In the event of pending action on a utility allocation request related to the case and after deliberation, the Council shall take action on the utility allocation in accordance with related policies and procedures.
11. **REZONING APPROVAL CRITERIA [155.705(J)]:** In connection with its legislative decision on a rezoning request, the Town Council may consider factors including, but not limited to, the following:
 - a. Consistency with the adopted plans and policies of the town;
 - b. Suitability of the subject property for uses permitted by the current versus the proposed district;
 - c. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the town;
 - d. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and storm water drainage facilities for the proposed use;

- e. It has been determined that the legal purposes for which zoning exists are not contravened;
- f. 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; and
- g. 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.

12. ACTION BY TOWN COUNCIL FOR THE REZONING [155.705(I)]:

The Town Council may:

- ↳ Approve the rezoning,
- ↳ Deny the rezoning, or
- ↳ Send the rezoning back to the Planning Director for additional consideration.

Concurrently with adopting, denying, or remanding any rezoning, the Town Council shall:

- ↳ Adopt a statement describing whether its action is consistent with the adopted plans and policies of the Town; and
- ↳ Explain why the Town Council considers the action taken to be reasonable and in the public interest.

13. ACTION BY TOWN COUNCIL FOR THE PRELIMINARY SUBDIVISION FINDINGS FOR DECISION: After deliberation of the evidence has been completed and action on the utility allocation (when applicable) and the rezoning request; each finding shall be discussed in turn and a motion, second and vote shall be made selecting one of the three alternatives for each finding. A majority vote shall prevail.

14. ACTION – APPLICATION: Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application. Failure of any single criteria to achieve majority approval by the Council shall necessitate a decision against the application. A majority vote for approval for all of the four criteria shall necessitate a decision in favor of the application.

DC Adams Engineering, Inc.

404 Swann Trail
Clayton, NC 27527

Office: 919-763-7278
donnied@dcadamspe.com
Firm License # C-3894

February 1, 2013

David DeYoung, AICP
Planning Director
Town of Clayton
111 E. Second Street
Clayton, NC 27527



Subject: Rezoning Application
Riverwood Ranch

Dear Mr. DeYoung,

Please find attached a Rezoning Application for Riverwood Ranch (an extension of Riverwood Athletic Club). I am submitting this application on behalf of the owner, Riverwood on the Neuse, LLC. Here are some details to help better understand this project and application:

Master Plan Revision:

Only lots 7-9 and Phase 2D of the Master Plan have been revised as follows:

1. Lot 7 has been increased in size (+0.93 acres) to 3.03 acres with no change in use (commercial).
2. Lot 8 has been reduced in size (-2.58 acres) to 1.22 acres and changed from Senior Housing to Residential.
3. Lot 9 has been reduced in size (-0.24 acres) to 6.16 acres with no change in use (Senior Housing).
4. Phase 2D has been increased in size (+0.2 acres) to 16.3 acres with no change in use (Residential).

I hope that this synopsis assists you in the review of the attached application package. Please feel free to give me a call with any questions that may arise – 919-763-7278.

Sincerely,

Donald C. Adams, Jr., PE



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

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

Project Name: RIVERWOOD RANCH AND RIVERWOOD HAVEN **Submittal Date:** 2/1/2013

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

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

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

Riverwood on the Neuse, LLC
 (Name - type, print clearly)
400 Riverwood Dr
 (Address)

[Signature]
 (Signature)
Clayton, NC 27527
 (City, State, Zip)

AGENT INFORMATION:

Donnie Adams, DC Adams Engineering, Inc
 (Name - type, print clearly)
404 Swann Trail
 (Address)

[Signature]
 (Signature)
Clayton, NC 27527
 (City, State, Zip)

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me SUSAN V JONES, a Notary Public for the above State and County, this the 1ST day of FEBRUARY, 2013.

SEAL



[Signature]
 Notary Public

My Commission Expires: 02/14/15



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

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 \$400.00 for a rezoning to a Standard District. A rezoning to a Planned Development District requires a fee of \$500.00 + \$5.00 per lot or unit for residential uses or \$500.00 + \$5.00 per acre for non residential uses. 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: RIVERWOOD RANCH Acreage of Property: 266.94 AC
 Parcel ID Number: 177100-11-0255 + 17000-18-3995 Tax ID: 16I02026B + 16I02049D
 Deed Book: 03658 Deed Page(s): 966
 Address: N/A (ADJACENT TO 2165 PRITCHARD RD)
 Location: ADJACENT TO FOOD LION SHOPPING CENTER ON PRITCHARD RD

Existing Use: PDD-MU Proposed Use: PDD-MU
 Existing Zoning District: PDD-MU
 Requested Zoning District: PDD-MU

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): PDD-MU
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: <u>2013-05</u>	Date Received: <u>2/11/13 AB</u>	Amount Paid: <u>535.⁰⁰</u>
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OWNER INFORMATION:

Name: RIVERWOOD ON THE NEUSE, LLC
Mailing Address: 400 RIVERWOOD DR, CLAYTON, NC 27520
Phone Number: 919-550-8086 Fax: _____
Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION:

Applicant: DC ADAMS ENGINEERING, INC.
Mailing Address: 404 SWANN TRAIL, CLAYTON, NC 27527
Phone Number: 919-763-7278 Fax: _____
Contact Person: DONNIE ADAMS
Email Address: donnie@dcaadamspe.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.

THIS REZONING APPLICATION IS BEING SUBMITTED AS A SIMPLE UPDATE (REVISION TO THE CURRENTLY APPROVED MASTER PLAN FOR RIVERWOOD RANCH. THE CHANGES IMPACT A COUPLE OF COMMERCIAL LOTS (LOTS 7 & 8) AND THE SENIOR HOUSING LOT (LOT 9). THE EXTERNAL BOUNDARY OF THIS APPROVED PDD-MU HAS NOT CHANGED.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

THE REVISIONS TO THE APPROVED MASTER PLAN ARE MINOR AND ARE CONSISTENT WITH ADOPTED PLANS OF THE TOWN OF CLINTON.

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

THE REVISIONS ARE WITHIN THE CURRENT PDD-MU. THE COMBINATION OF USES WORK TOGETHER TO BENEFIT THE COMMUNITY.

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

THE REVISIONS DO NOT HAVE A MEASURABLE IMPACT ON THE BALANCE OF USES BUT ADDRESS SPECIFIC DEMANDS WITHIN 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.

THE REVISIONS DO NOT CREATE ADDITIONAL IMPACTS ON PUBLIC FACILITIES AND SERVICES BEYOND THE ORIGINAL PDD-MU PLAN. AS STATED INITIALLY, NECESSARY INFRASTRUCTURE IMPROVEMENTS WILL BE MADE AS DEVELOPMENT OCCURS.

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

THE LEGALITY OF THIS ZONING HAS NOT BEEN VIOLATED.

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

- THIS PDD-MU IS AN EXTENSION OF RIVERWOOD ATHLETIC CLUB AND WILL BE IN HARMONY WITH THE SURROUNDING AREA, ADDING VALUE TO THE COMMUNITY.

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

- THIS PDD-MU WILL PROVIDE NEEDED RETAIL SERVICES AND SENIOR LIVING OPPORTUNITIES, BENEFITING THIS AREA OF THE TOWN.

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.

Dewald C. Adams, Jr
Print Name

[Signature]
Signature of Applicant

1/30/2013
Date

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

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

THE REVISIONS TO THE APPROVED MASTER PLAN ARE MINOR AND ARE CONSISTENT WITH ADOPTED PLANS OF THE TOWN OF CLINTON.

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

THE REVISIONS ARE WITHIN THE CURRENT PDD-MU. THE COMBINATION OF USES WORK TOGETHER TO BENEFIT THE COMMUNITY.

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

THE REVISIONS DO NOT HAVE A MEASURABLE IMPACT ON THE BALANCE OF USES BUT ADDRESS SPECIFIC DEMANDS WITHIN 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.

THE REVISIONS DO NOT CREATE ADDITIONAL IMPACTS ON PUBLIC FACILITIES AND SERVICES BEYOND THE ORIGINAL PDD-MU PLAN. AS STATED INITIALLY, NECESSARY INFRASTRUCTURE IMPROVEMENTS WILL BE MADE AS DEVELOPMENT OCCURS.

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

THE LEGALITY OF THIS ZONING HAS NOT BEEN VIOLATED.

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

- THIS PDD-MU IS AN EXTENSION OF RIVERWOOD ATHLETIC CLUB AND WILL BE IN HARMONY WITH THE SURROUNDING AREA, ADDING VALUE TO THE COMMUNITY.

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

- THIS PDD-MU WILL PROVIDE NEEDED RETAIL SERVICES AND SENIOR LIVING OPPORTUNITIES, BENEFITING THIS AREA OF THE TOWN.

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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.

Dewald C. Adams, Jr
Print Name

[Signature]
Signature of Applicant

1/30/2013
Date



March 1, 2013

Zogreo, LLC/Wilder Investor, LLC
702 Oberlin Road, Suite 100
Raleigh, NC 27605

Re: Riverwood Ranch
Clayton, NC

Dear Madame/Sir:

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

Meeting Date: March 11, 2013
Location: Riverwood Golf Shop
Time: 7:00
Type of Application: Major Site Plan/Master Plan Revision
General Description: Fred Smith Company will build a 60 unit facility for seniors on the Food Lion side of Pritchard Road.

If you have any questions prior to or after this meeting, please contact us at (919) 550-8086, ext 249.

Sincerely,

Brian Strickland

cc: Clayton Planning Dept.

DC Adams Engineering, Inc.

404 Swann Trail
Clayton, NC 27527

Office: 919-763-7278
dennie@dcadamspe.com
Firm License # C-3894

February 28, 2013

David DeYoung, AICP
Planning Director
Town of Clayton
111 E. Second Street
Clayton, NC 27527

Subject: **SP 2013-04 RIVERWOOD HAVEN (MAJOR SITE PLAN)**
 PDD 2013-05 RIVERWOOD RANCH PDD REVISION (REZONING/PDD)
 PSD 2013-06 RIVERWOOD RANCH LOTS 6-9 (MAJOR SUBDIVISION)
 Neighborhood Meeting Minutes and Roster

Dear Mr. DeYoung,

Please find attached a copy of the minutes and roster for the Neighborhood Meeting held March 11, 2013 for the above referenced projects.

Please feel free to give me a call with any questions that may arise – 919-763-7278.

Sincerely,



Donald C. Adams, Jr., PE

Riverwood Haven/Riverwood Ranch Neighborhood Meeting

Date: March 11, 2013

Location: Riverwood Golf Club

Time Started: 7:08PM

Donnie Adams: Introduced the plan about the senior facility at Riverwood. Showed the master plan and site plan specific to the senior housing including the building.

Mrs. Mayo looked at the maps and did not have any questions. She stated that she owns Image Builders which is right beside the new development.

Mrs. Mayo: Stated that the project will benefit the community in many ways.

Mr. O'Neal: Asked if the stormwater would be collected/treated.

Mr. Adams: Stated that the stormwater would be collected and properly released per the Clayton/Johnston County Stormwater policies

Mr. O'Neal: Also asked if the senior center was all one building and if the property in front was commercial.

Mr. Adams referred him to the master plan and indicated that there are commercial tracks between the senior site and the pharmacy/gas station/grocery.

Mr. O'Neal: He asked when ground is supposed to be broken.

Mr. Smith: Explained the approval process and the uncertainty of construction commencement. It should be sometime in August, but it is a very big project.

Mr. O'Neal: Asked if this project was similar to the one near Lion's Gate.

Mr. Smith: Stated the concept/operation would be the same as Lion's Springs.

Mr. O'Neal: Commented that this project will be a very nice addition to the community.

Mr. Adams made a final call for questions or concerns and closed the meeting at 7:20PM.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC Adams Engineering, Inc

Location/Date: Riverwood Golf Club / 3/11/2013

	NAME	ADDRESS
1	Bonnie Mayo	516 Medlin Rd Clayton 27527
2	ERIC OWEL (GAIL SMITH OWEL)	4353 COVERED BRIDGE RD CLAYTON NC 27527
3	Donnie Adams (DC Adams Engineering)	404 Seward Trail, Clayton, NC 27527
4	FRED SMITH	400 Riverwood Dr, Clayton, NC 27527
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Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

STAFF REPORT

Application Numbers: PDD 2013-05 (Rezoning/Master Plan Modification)

Project Name: Riverwood Ranch Master Plan Modification
NC PIN: 177100-11-0255, 177000-18-3995
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: DC Adams Engineering, Inc.
Owners: Riverwood on the Neuse, LLC
Agents: Donnie Adams

Neighborhood Meeting: Held March 11, 2013

PROJECT LOCATION: The project is located adjacent to the Food Lion shopping center on Pritchard Road, within the town limits of Clayton.

REQUEST: The applicant is requesting approval to modify the existing master plan for Riverwood Ranch to revise lots 7-9 and Phase 2D. Modifications include changes to the ratio of mix of uses and lot configuration.

SITE DATA:

Acreage: 266.94 acres
Present Zoning: PD-MU
Proposed Zoning: PD-MU
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: Uses in the master plan include single family, duplexes, multi-family, commercial, senior apartments, and a club house site. No new uses are proposed as part of this application.

Buildings: N/A. Site development is not proposed as part of this master plan modification.

Number of Stories: n/a

Impervious Surface: n/a

Required Parking: n/a

Proposed Parking: n/a

ENVIRONMENTAL: Several streams and resource conservation areas run through the property. These are to be preserved as open space and riparian buffers will not be impacted.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Residential Estate (R-E), Agriculture
	Existing Use:	Single Family Residential, Agricultural
South:	Zoning:	Residential-10 (R-10), Highway Business (B-3)
	Existing Use:	Riverwood Athletic Club
East:	Zoning:	Residential Estate (R-E)
	Existing Use:	Residential/Agriculture
West:	Zoning:	Residential-10 (R-10)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting approval of modifications to the existing master plan for Riverwood Ranch. The master plan was originally approved as in 2008 (project #PDD 08-01) and last revised in 2012 (project #PDD 2012-07). The 2012 modification changed the proposed mix of uses (added senior housing and additional commercial outparcels), phasing lines and lot configuration.

The current requested modifications include revisions to lots 7-9 and Phase 2D of the master plan to include the following:

1. Lot 7 has been increased in size (+0.93 acres) to 3.03 acres with no change in use (commercial).
2. Lot 8 has been reduced in size (-2.58 acres) to 1.22 acres and changed from Senior Housing to Residential.
3. Lot 9 has been reduced in size (-0.24 acres) to 6.16 acres with no change in use (Senior Housing).
4. Phase 2D has been increased in size (+0.2 acres) to 16.3 acres with no change in use (residential).

- **Consistency with the Strategic Growth Plan**

The proposed uses are consistent with the Strategic Growth Plan.

- **Consistency with the Unified Development Code**

The proposed rezoning and master plan are consistent with and meet the applicable requirements of the Unified Development Code (UDC).

- **Compatibility with Surrounding Land Uses**

This is already an approved use and is compatible with surrounding land uses. Staff does not feel the proposed modifications will reduce compatibility with surrounding uses.

- **Landscaping and Buffering**

No new landscaping or buffering is proposed as a part of this request. A Class “C” buffer is required around the perimeter of the Planned Development.

- **Recreation and Open Space**

All open space requirements are satisfied by the recreation and open space provided at Riverwood Athletic Club per an agreement that was part of the original master plan approval in which open space was calculated based on both Riverwood Athletic Club and Riverwood Ranch. In addition to the 126.62 acres provided at Riverwood Athletic Club property, 55.46 acres of open space is provided in the master plan for Riverwood Ranch (21% of total acreage of Riverwood Ranch). Recreation fees will be required for residential development at Riverwood Ranch.

- **Signs**

All signage will be required to comply with Town of Clayton UDC requirements.

- **Site Design**

All development on the site will be required to receive site plan or subdivision approval.

- **Architecture**

Not applicable.

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

None.

OTHER:

FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.

ACCESS/STREETS: The applicant is not requesting to change the already-approved access.

WATER/SEWER PROVIDER: Town of Clayton

ELECTRIC PROVIDER: Town of Clayton or Progress Energy

CONSIDERATIONS

- This request is to support a modification to an existing master site plan.
-

FINDINGS:

When adopting or rejecting the rezoning to PD-MU, the Town Council shall approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

The applicant has addressed the Master Plan Approval Criteria outlined in UDC Section 155.705(K). The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

RECOMMENDATION:

Staff is recommending approval of the rezoning to PD-MU and master plan modification with the following conditions:

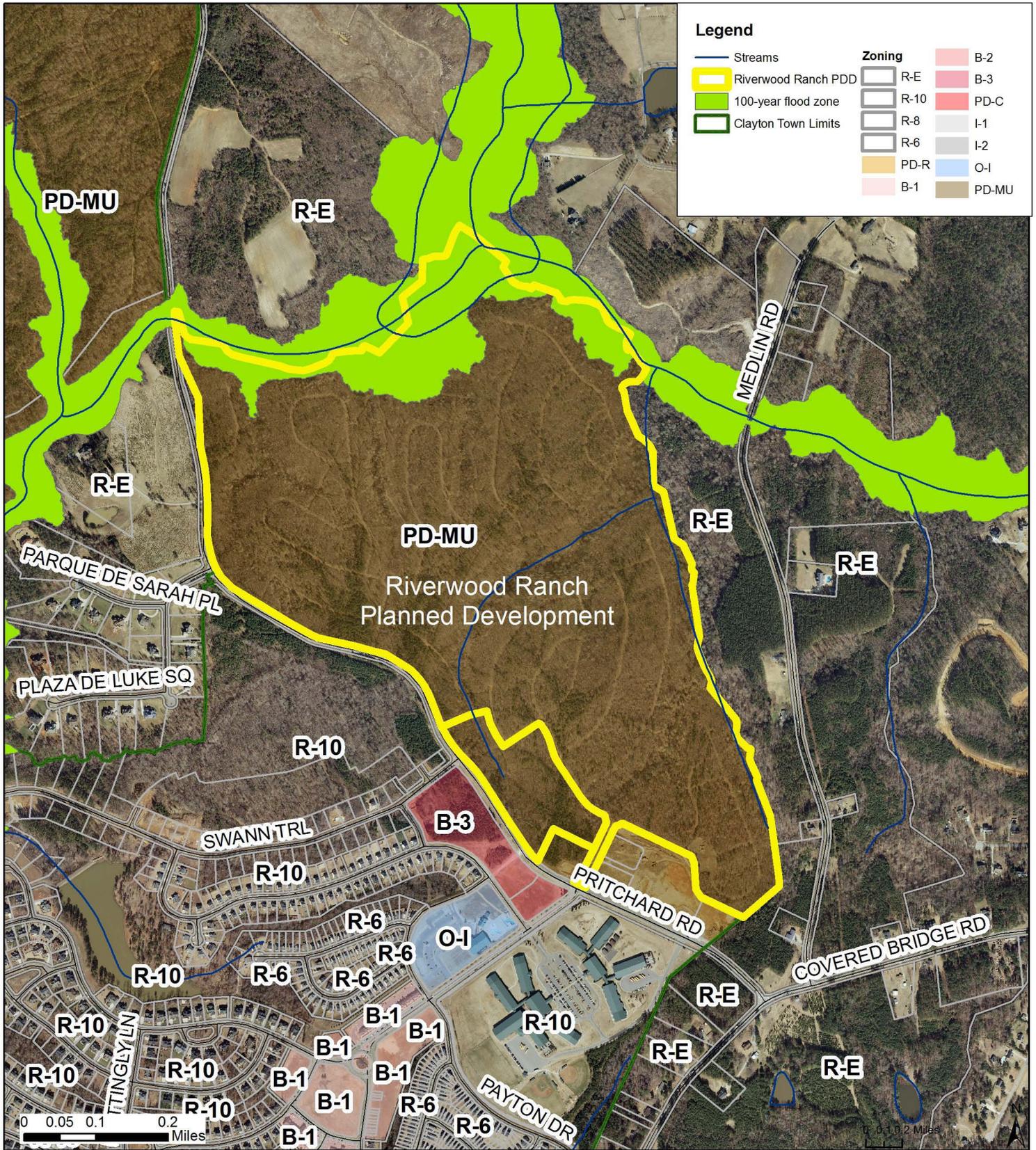
Previous Conditions from past Master Plan approval:

1. A final plan for improvements to Pritchard Road in Phases 1 & 2, based upon recommendations and review comments for the Traffic Impact Analysis, shall be approved by NCDOT, the Town of Clayton, and the developer prior to approval of any driveway permits. (amended by Planning Board)
 - A full 12 foot lane from the eastern property line to the intersection of Riverwood Athletic Club Blvd. to be constructed with a right turn lane to NCDOT standards at driveway as shown in the TIA
 - Left turn lane into the development from the east bound approach on Pritchard Rd will be constructed
 - Driveway one will be a left and right in and right out only design (no left out movement)
 - A full 12 foot lane and right turn lanes at driveways along Pritchard Rd shall be required across the frontage of Phase 2 as that phase develops and a right turn lanes at the intersection of Riverwood Athletic Club Blvd at the westbound approach will be required
 - Dedication of 20 feet additional right-of-way on Pritchard Rd will be required on all frontage of Riverwood Ranch and a five foot sidewalk to Town of Clayton standard will be constructed on this frontage as well, plus easement
 - The improvements specified in TIA for the intersection of Pritchard and Covered Bridge Rd's must be constructed prior to development beyond Phase 2 of Riverwood Ranch
 - When warranted, a traffic signal must be installed at the developer's expense at intersection of Riverwood Athletic Blvd and Pritchard Rd
 - All driveway connections to Pritchard Rd will require a minimum protective stem of 100 feet
2. Site plans for the commercial areas and multi-family development must be approved by the Planning Board.
3. A wastewater allocation request must be submitted and approved by Town Council prior to recording the Master Plan.

4. Plans for all public facilities shall be approved by the Town of Clayton Public Works Department subject to their specifications.
 5. A revised Traffic Impact Analysis taking into account the modifications to the development plan must be approved prior to the issuance of a Zoning Compliance Permit for commercial Lot 6 or 7.
-

PLANNING BOARD RECOMMENDATION:

At their regularly scheduled meeting on March 25, 2013, the Planning Board voted to recommend approval of the rezoning to PD-MU and master plan modification with the conditions recommended in the staff report.



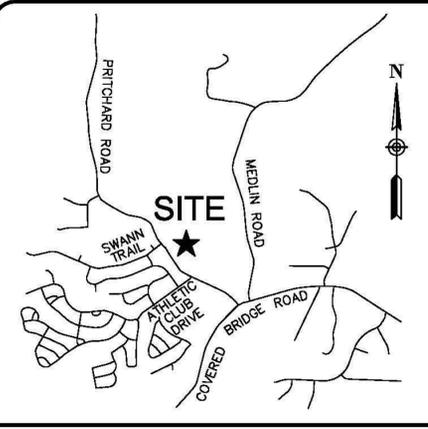
Riverwood Ranch Planned Development Master Plan Modification

Applicant: DC Adams Engineering, Inc.
 Property Owner: Riverwood on the Neuse, LLC
 Parcel ID Numbers: 177100-11-0255, 177000-18-3995
 File Number: PDD 2013-5



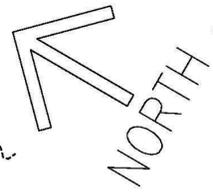
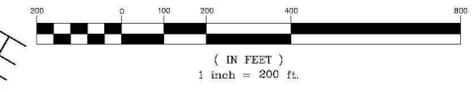
Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





VICINITY MAP

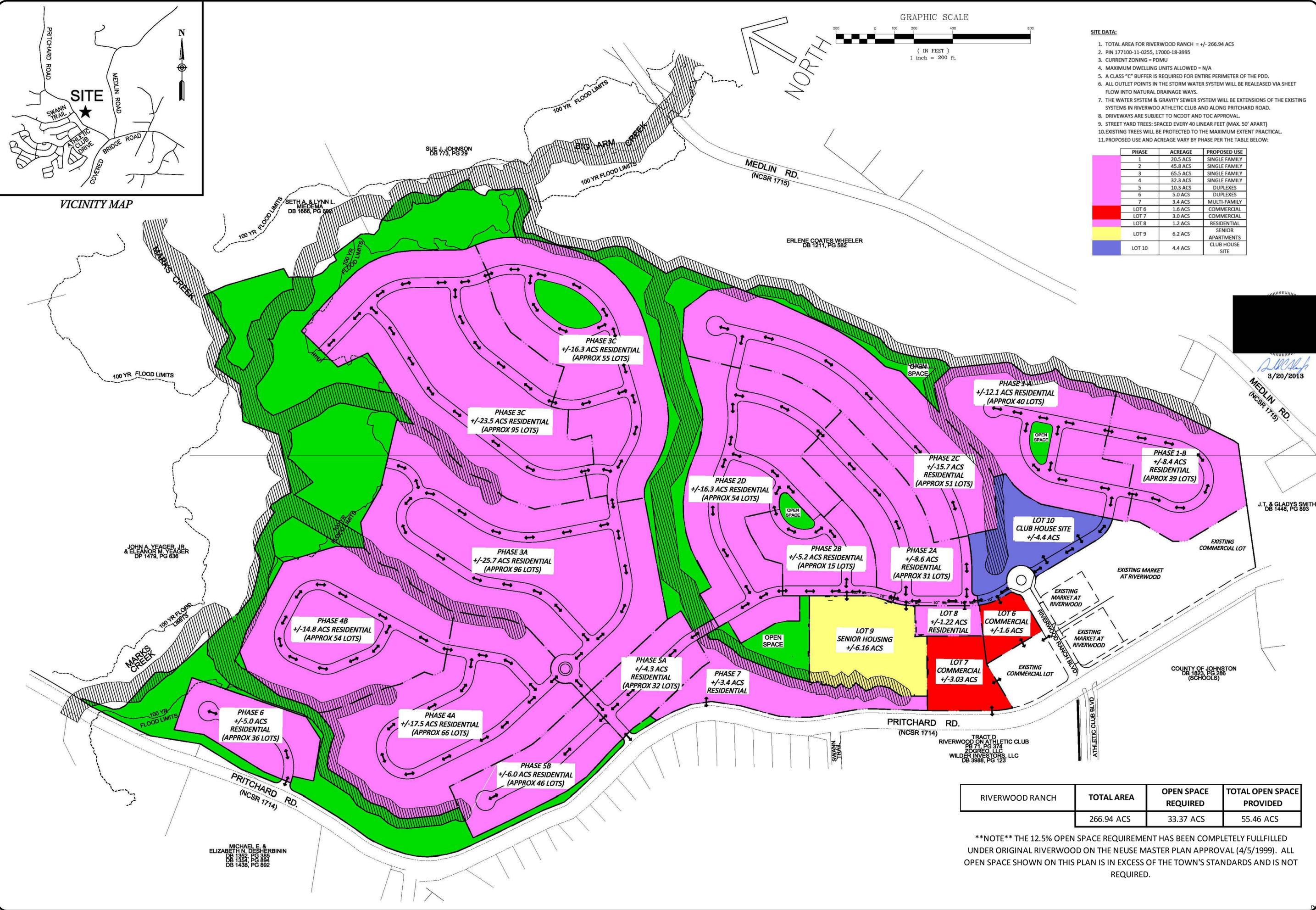
GRAPHIC SCALE



SITE DATA:

1. TOTAL AREA FOR RIVERWOOD RANCH = +/- 266.94 ACS
2. PIN 177100-11-0255, 17000-18-3995
3. CURRENT ZONING = PDMU
4. MAXIMUM DWELLING UNITS ALLOWED = N/A
5. A CLASS "C" BUFFER IS REQUIRED FOR ENTIRE PERIMETER OF THE PDD.
6. ALL OUTLET POINTS IN THE STORM WATER SYSTEM WILL BE RELEASED VIA SHEET FLOW INTO NATURAL DRAINAGE WAYS.
7. THE WATER SYSTEM & GRAVITY SEWER SYSTEM WILL BE EXTENSIONS OF THE EXISTING SYSTEMS IN RIVERWOOD ATHLETIC CLUB AND ALONG PRITCHARD ROAD.
8. DRIVEWAYS ARE SUBJECT TO NCDOT AND TOC APPROVAL.
9. STREET YARD TREES: SPACED EVERY 40 LINEAR FEET (MAX. 50' APART)
10. EXISTING TREES WILL BE PROTECTED TO THE MAXIMUM EXTENT PRACTICAL.
11. PROPOSED USE AND ACREAGE VARY BY PHASE PER THE TABLE BELOW:

PHASE	ACREAGE	PROPOSED USE
1	20.5 ACS	SINGLE FAMILY
2	45.8 ACS	SINGLE FAMILY
3	65.5 ACS	SINGLE FAMILY
4	32.3 ACS	SINGLE FAMILY
5	10.3 ACS	DUPLEXES
6	5.0 ACS	DUPLEXES
7	3.4 ACS	MULTI-FAMILY
LOT 6	1.6 ACS	COMMERCIAL
LOT 7	3.0 ACS	COMMERCIAL
LOT 8	1.2 ACS	RESIDENTIAL
LOT 9	6.2 ACS	SENIOR APARTMENTS
LOT 10	4.4 ACS	CLUB HOUSE SITE



3/20/2013

J.T. & GLADYS SMITH
DB 1448, PG 893

COUNTY OF JOHNSTON
DB 1825, PG 288
(SCHOOLS)

JOHN A. YEAGER, JR.
& ELEANOR M. YEAGER
DP 1478, PG 636

SETH A. & LYNN L.
MIEDEMA
DB 1666, PG 582

SUE J. JOHNSON
DB 778, PG 29

ERLENE COATES WHEELER
DB 1211, PG 582

MICHAEL E. &
ELIZABETH N. DESHERBININ
DB 1822, PG 365
DB 1354, PG 894
DB 1436, PG 682

TRACT D
RIVERWOOD ON ATHLETIC CLUB
DB 71, PG 374
ROGUE, LLC
WILDER INVESTORS, LLC
DB 3988, PG 123

RIVERWOOD RANCH	TOTAL AREA	OPEN SPACE REQUIRED	TOTAL OPEN SPACE PROVIDED
	266.94 ACS	33.37 ACS	55.46 ACS

NOTE THE 12.5% OPEN SPACE REQUIREMENT HAS BEEN COMPLETELY FULLFILLED UNDER ORIGINAL RIVERWOOD ON THE NEUSE MASTER PLAN APPROVAL (4/5/1999). ALL OPEN SPACE SHOWN ON THIS PLAN IS IN EXCESS OF THE TOWN'S STANDARDS AND IS NOT REQUIRED.

DC ADAMS ENGINEERING, INC
 404 SWANN TRAIL, CLAYTON, NC 27527
 dominic@dcadamspe.com (919) 763-7278 FIRM # C-3894
 RIVERWOOD RANCH
 FRED SMITH COMPANY
 400 RIVERWOOD DR., CLAYTON, NC 27527
 MASTER PLAN
 FILE # 177100-11-0255
 DESIGN: DCA
 DRAWN: DCA
 CHECKED: DCA
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: N/A
 DATE: 12/21/2011
 JOB NO.:
 SHEET: 1 of 1

MASTER PLAN FOR: RIVERWOOD RANCH TOWN OF CLAYTON, N.C.

OWNER: RIVERWOOD ON THE NEUSE, LLC
400 RIVERWOOD DR
CLAYTON, NC 27527
DB 1722, PG 405
DB 1722, PG 407
DB 3353, PG 385

RESIDENTIAL MINIMUM SETBACK REQUIREMENTS

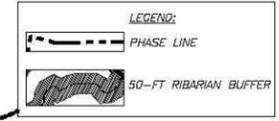
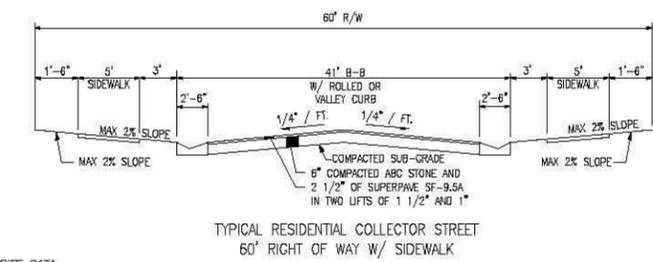
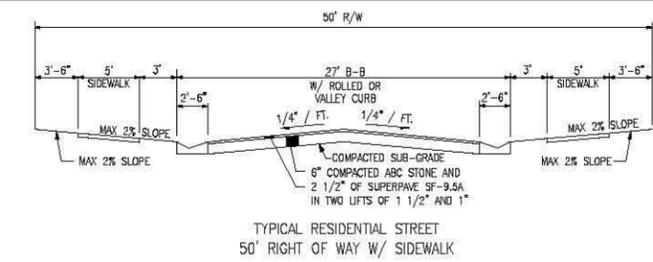
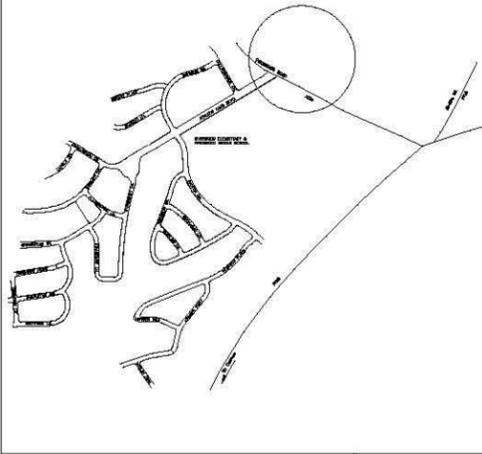
TYPE	STREET FRONT	STREET SIDE	SIDE	REAR
SFD(*)	20'	10'	6'	15'
MF(**)	20'	10'	0/6'	15'

COMMERCIAL MINIMUM SETBACK REQUIREMENTS

STREET FRONT	STREET SIDE	SIDE	REAR
25' MIN	25'	15/30(*)	30'

* - ABUTTING RESIDENTIAL DISTRICT

* - SINGLE FAMILY DETACHED, PHASES 1A, 1B, 2A, 2B, 2C, 3A, 3B, 3C, 4A, 4B
** - MULTI-FAMILY (DUPLEX), PHASES 5A, 5B, 6



VICINITY MAP (NOT TO SCALE)

OPEN SPACE CALC.	TOTAL AREA	USEABLE OPEN SPACE	PASSIVE (RCA) OPEN SPACE	TOTAL OPEN SPACE
RIVERWOOD RANCH	266.94 AC	28.56 AC	25.90 AC	55.46 AC
RIVERWOOD ATHLETIC CLUB (REV.)	525.91 AC	82.20 AC	1.42 AC	126.62 AC
TOTALS:	792.85 AC	111.76 AC	27.32 AC	182.08 AC

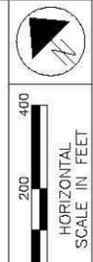
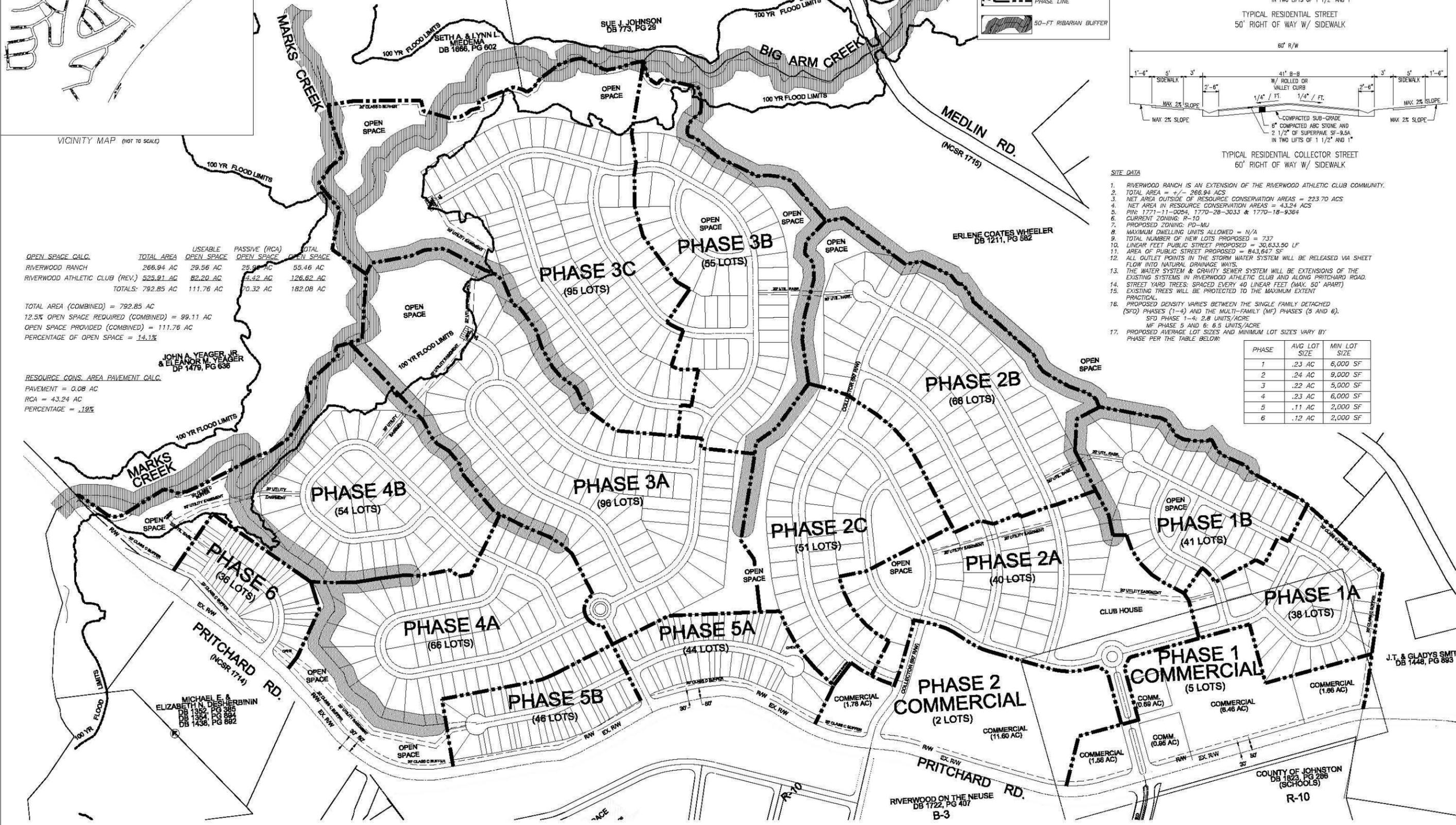
TOTAL AREA (COMBINED) = 792.85 AC
12.5% OPEN SPACE REQUIRED (COMBINED) = 99.11 AC
OPEN SPACE PROVIDED (COMBINED) = 111.76 AC
PERCENTAGE OF OPEN SPACE = 14.1%

RESOURCE CONS. AREA PAVEMENT CALC.
PAVEMENT = 0.08 AC
RCA = 43.24 AC
PERCENTAGE = .19%

SITE DATA

- RIVERWOOD RANCH IS AN EXTENSION OF THE RIVERWOOD ATHLETIC CLUB COMMUNITY.
- TOTAL AREA = +/- 266.94 ACS
- NET AREA OUTSIDE OF RESOURCE CONSERVATION AREAS = 223.70 ACS
- NET AREA IN RESOURCE CONSERVATION AREAS = 43.24 ACS
- PIN: 1771-11-0054, 1770-28-3033 & 1770-18-9364
- CURRENT ZONING: R-10
- PROPOSED ZONING: PD-MU
- MAXIMUM DWELLING UNITS ALLOWED = N/A
- TOTAL NUMBER OF NEW LOTS PROPOSED = 737
- LINEAR FEET PUBLIC STREET PROPOSED = 30,633.90 LF
- AREA OF PUBLIC STREET PROPOSED = 843,647 SF
- ALL OUTLET POINTS IN THE STORM WATER SYSTEM WILL BE RELEASED VIA SHEET FLOW INTO NATURAL DRAINAGE WAYS.
- THE WATER SYSTEM & GRAVITY SEWER SYSTEM WILL BE EXTENSIONS OF THE EXISTING SYSTEMS IN RIVERWOOD ATHLETIC CLUB AND ALONG PRITCHARD ROAD.
- STREET YARD TREES: SPACED EVERY 40 LINEAR FEET (MAX. 50' APART)
- EXISTING TREES WILL BE PROTECTED TO THE MAXIMUM EXTENT
- PROPOSED DENSITY VARIES BETWEEN THE SINGLE FAMILY DETACHED (SFD) PHASES (1-4) AND THE MULTI-FAMILY (MF) PHASES (5 AND 6).
SFD PHASE 1-4: 2.8 UNITS/ACRE
MF PHASE 5 AND 6: 6.5 UNITS/ACRE
- PROPOSED AVERAGE LOT SIZES AND MINIMUM LOT SIZES VARY BY PHASE PER THE TABLE BELOW:

PHASE	AVG LOT SIZE	MIN LOT SIZE
1	.23 AC	6,000 SF
2	.24 AC	9,000 SF
3	.22 AC	5,000 SF
4	.23 AC	6,000 SF
5	.11 AC	2,000 SF
6	.12 AC	2,000 SF



DRAWN BY: J. HAYES STREET
DESIGNED BY: KFC
CHECKED BY: KFC
REVIEWED BY: KFC

ADR DELTA
Space Partner

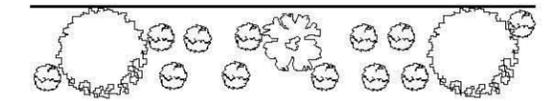
FRED SMITH COMPANY

TITLE SHEET

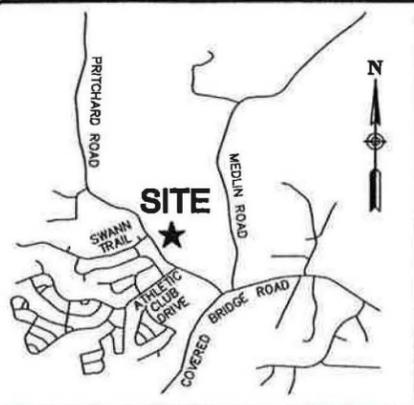
RIVERWOOD RANCH
TOWN OF CLAYTON, N.C.

25 AUG 08
JOB # 086101

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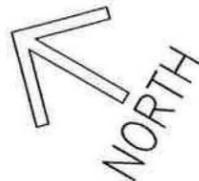
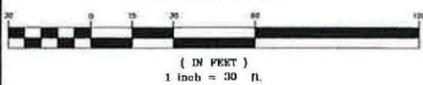


CLASS C BUFFER - 20' PLANTS/100 LINEAR FEET
1 WALL OR BERM
2 CANOPY TREES
1 UNDERSTORY TREE



VICINITY MAP

GRAPHIC SCALE

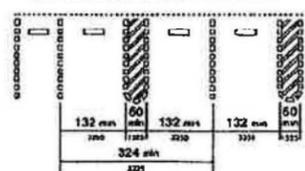


LOT 9
SENIOR HOUSING
(6.395 AC)

BUILDING SETBACKS

LOCATION	REQUIRED	PROVIDED
FRONT	25'	59.0'
SIDE	15'	NORTH=86.5' / SOUTH=43.0'
REAR	30'	81.8'

ADA PARKING DETAIL

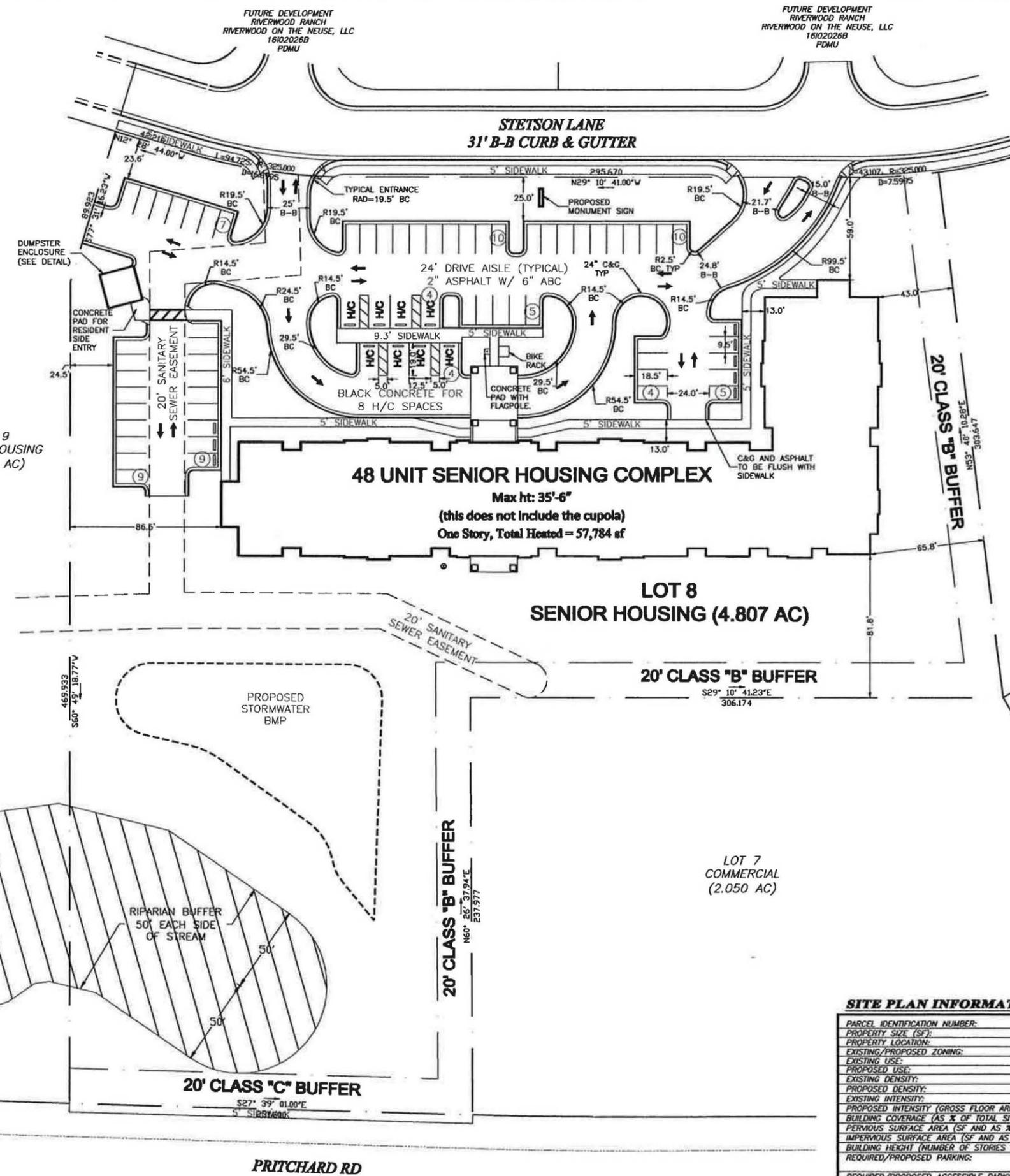


Universal Parking Space Design

Fig. A5
Parking Space Alternatives

Figure A5b
Parking Space Alternatives
Universal Parking Space Design

NOTE: TOWN OF CLAYTON REQUIREMENTS ARE MORE STRINGENT AS INDICATED ON THIS PLAN



48 UNIT SENIOR HOUSING COMPLEX

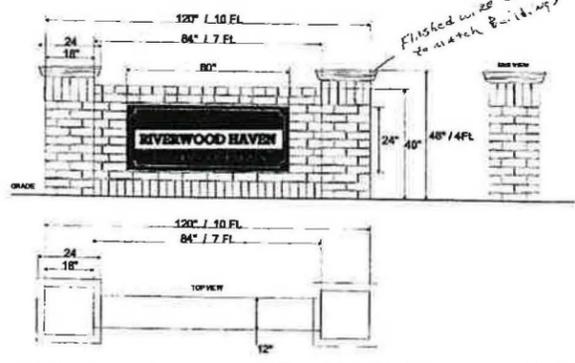
Max ht: 35'-6"
(this does not include the cupola)
One Story, Total Heated = 57,784 sf

LOT 8
SENIOR HOUSING (4.807 AC)

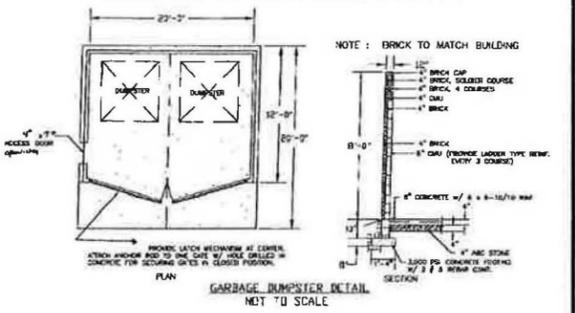
LOT 6
COMMERCIAL
(1.614 AC)

LOT 7
COMMERCIAL
(2.050 AC)

MONUMENT SIGN DETAIL



DUMPSTER ENCLOSURE DETAIL



SITE PLAN INFORMATION:

PARCEL IDENTIFICATION NUMBER:	16102009J
PROPERTY SIZE (SF):	209,418 SF / 4.807 ACS
PROPERTY LOCATION:	INSIDE TOWN LIMITS
EXISTING/PROPOSED ZONING:	PDMU/B-3 UNDERLYING
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL SUPPORT - SENIOR MULTI-FAMILY UNITS
EXISTING DENSITY:	N/A
PROPOSED DENSITY:	1 BUILDING / 24 - 2 BEDROOM UNITS AND 24 - 1 BEDROOM UNITS
EXISTING INTENSITY:	N/A
PROPOSED INTENSITY (GROSS FLOOR AREA (SF)):	58,918 SF (29,459 SF/FLOOR)
BUILDING COVERAGE (AS % OF TOTAL SITE):	14.1%
PERVIOUS SURFACE AREA (SF AND AS % OF TOTAL SITE):	168,100 SF / 80.3%
IMPERVIOUS SURFACE AREA (SF AND AS % OF TOTAL SITE):	41,318 SF / 19.7%
BUILDING HEIGHT (NUMBER OF STORIES & FEET):	2 STORY BLDGS / +/- 35' 6" W/O CUPOLA AND +/- 41' 0" W/ CUPOLA
REQUIRED/PROPOSED PARKING:	78 SPACES / 67 SPACES (1.5/1.75 SPACES PER 1BED/2BED UNITS) REQUESTED ALTERNATIVE STANDARD TO PARKING REQUIREMENTS (1.39 SPACES/UNIT).
REQUIRED/PROPOSED ACCESSIBLE PARKING:	3 / 8 ACCESSIBLE SPACES
ANTICIPATED DAILY WASTEWATER FLOW:	8640 GPD (24-1BDRM UNITS & 24-2BDRM UNITS=72 BDRMS @120 GPD/BDRM)



DC ADAMS ENGINEERING
404 SWANN TRAIL
CLAYTON, NC 27527
(919) 763-1778

RIVERWOOD HAVEN
A SENIOR LIVING COMMUNITY
FRED SMITH COMPANY
400 RIVERWOOD DR. CLAYTON, NC 27527

SITE PLAN

FILE: 16102009J-SENIOR
PROJECT: RIVERWOOD HAVEN
DRAWN: DCA
CHECKED: DCA
DATE: 12/21/2011
JOB NO.:
SHEET: 1 of 6

**MOTION GRANTING WASTEWATER ALLOCATION
[Not applicable]**

~~Motion for Wastewater Allocation Request: N/A~~

MOTION GRANTING REZONING APPROVAL

Motion:

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

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

**CONSISTENCY AND REASONABLENESS STATEMENT
PDD-MU 2013-05**

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES PDD-MU 2013-05 is consistent with the Town of Clayton Strategic Growth Plan.

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that PDD-MU 2013-05 is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of Section 155.705 (J) of the Unified Development Code of the Town of Clayton, PDD-MU 2013-05 is reasonable and in the public interest.

Duly adopted by the Clayton Town Council this ____ day of May 2013.

ATTEST:

Jody L. McLeod, Mayor

Sherry L. Scoggins, MMC Town Clerk

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

Agenda Item: 5b

Meeting Date: 5/06/13

**TITLE: EVIDENTIARY HEARING FOR PRELIMINARY SUBDIVISION
REQUEST SUB 2013-06, FOR LOTS 6 – 9 OF RIVERWOOD RANCH.**

DESCRIPTION: The project is located adjacent to the Food Lion shopping center on Pritchard Road and within the corporate limits. The applicant is requesting preliminary subdivision approval of lots 6 through 9 within the Riverwood Ranch planned development.
At its March 25, 2013, meeting, the Planning Board voted to recommend approval of the preliminary subdivision with the conditions recommended in the staff report.
This item is slated for public hearing at the May 6, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Application, Neighborhood Meeting information, Staff Report, Aerial Map, & Site Plan.
5-06-13	Evidentiary Hearing.	Subdivision Hearing Procedures, Application, Neighborhood Meeting Information, Staff Report, Aerial Map, Site Plan, & Motion Form.

Town of Clayton Subdivision Review Application Hearing Procedure

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

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

DC Adams Engineering, Inc.

404 Swann Trail
Clayton, NC 27527

Office: 919-763-7278
dennie@dcadamspe.com
Firm License # C-3894

February 1, 2013

David DeYoung, AICP
Planning Director
Town of Clayton
111 E. Second Street
Clayton, NC 27527

Subject: Subdivision Application
Riverwood Ranch



Dear Mr. DeYoung,

Please find attached a Subdivision Application for Riverwood Ranch (an extension of Riverwood Athletic Club). I am submitting this application on behalf of the owner, Riverwood on the Neuse, LLC. Here are some details to help better understand this project and application:

Subdivision Plan:

1. The preliminary subdivision plat will be a subdivision and recombination map that includes this site as well as the remainder of the 'Old Tract 3" (PB 74, PG 19) and a portion of the larger Riverwood on the Neuse, LLC shown on same plat.

It's my understanding that the review/approval of this subdivision plan will run consistent with and be contingent upon the approval of the revised Master Plan for Riverwood Ranch submitted as a Rezoning Application. Please feel free to give me a call with any questions that may arise – 919-763-7278.

Sincerely,

Donald C. Adams, Jr., PE



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

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

Project Name: RIVERWOOD RANCH AND RIVERWOOD HAVEN **Submittal Date:** 2/1/2013

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

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

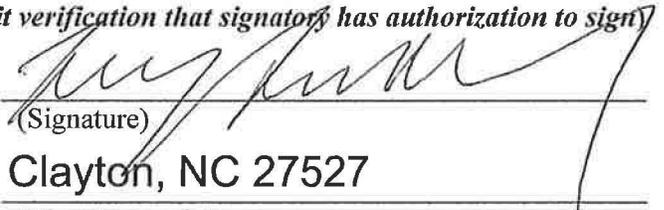
OWNER INFORMATION: *(Corporations must submit verification that signatory has authorization to sign)*

Riverwood on the Neuse, LLC

(Name - type, print clearly)

400 Riverwood Dr

(Address)



 (Signature)
Clayton, NC 27527

 (City, State, Zip)

AGENT INFORMATION:

Donnie Adams, DC Adams Engineering, Inc

(Name - type, print clearly)

404 Swann Trail

(Address)



 (Signature)
Clayton, NC 27527

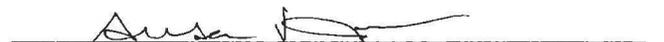
 (City, State, Zip)

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me SUSAN V JONES, a Notary Public for the above State and County, this the 1ST day of FEBRUARY, 2013.

SEAL





Notary Public

My Commission Expires: 02/14/15



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

SUBDIVISION APPLICATION

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

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

- *Minor Subdivision: \$200.00 +5.00/lot.*
- *Major Subdivision: 2-15 Lots = \$200.00 +5.00/lot; 16-40 Lots = \$300.00 +5.00/lot; 41-80 Lots = \$400.00 +5.00/lot; 81+ Lots = \$500.00 +5.00/lot; and. Open Space Subdivision = \$500.00 + \$5/lot.*
- *Final Plat: \$250.00*
- *Exempt Map/Recombination: \$50.00*

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

SUBDIVISION TYPE:

Application Type:

- Minor Subdivision
 Major Subdivision
 Final Plat
 Exempt Map
 Recombination

SITE INFORMATION:

Name of Project: RIVERWOOD RANCH Acreage of Property: _____
 Preliminary Plat Approval Date (if applicable): _____
 Parcel ID Number: 17000-18-3995/177100-11-0255 Tax ID: 16J020490/16J020268
 Location: ADJACENT TO RIVERWOOD RANCH BLVD / FOOD LION SHOPPING CENTER
 Section(s): LOTS 6-9 Phase(s): _____
 Number of Lots (Existing): 2 PARCELS (Proposed): 4 NEW LOTS Min. Lot Size: N/A
 Zoning District: PDD-MU Planned Development? (Y/N): Y Electric Provider: PROGRESS ENERGY
 Specific Use: SENIOR HOUSING, COMMERCIAL, RESIDENTIAL
 Recreation/Open Space Requirement: Fee in lieu Land Dedication (acreage) _____

FOR OFFICE USE ONLY

File Number: 2013-06 Date Received: 7/11/13 AB Amount Paid: 220.00

OWNER INFORMATION:

Name: RIVERWOOD ON THE NOUSE, LLC
Mailing Address: 400 RIVERWOOD DR, CLAYTON, NC 27520
Phone Number: 919-550-8086 Fax: _____
Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION:

Applicant: DC ADAMS ENGINEERING, INC
Mailing Address: 404 SWANN TRAIL, CLAYTON, NC 27527
Phone Number: 919-763-7278 Fax: _____
Contact Person: DONNIE ADAMS
Email Address: donnie@dcadamspe.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Donnie Adams
Print Name

[Signature]
Signature of Applicant

1/30/2013
Date

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

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

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

THIS SUBDIVISION MEETS REQUIREMENTS OF THE TOWN SUBDIVISION REGULATIONS AND CONFORMS TO THE UDC.

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

THIS SUBDIVISION IS CONSISTENT WITH THE APPROVED MASTER PLAN AND WILL BE A BENEFIT TO THE COMMUNITY.

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

THIS SUBDIVISION IS DESIGNED TO PROVIDE PROPER AND SAFE INGRESS & EGRESS TO PROPERTY FROM EXISTING AND PROPOSED STATE AND TOWN STREETS.

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

THIS PLAN IS PART OF THE OVERALL MASTER PLAN FOR THE DEVELOPMENT AND IS CONSISTENT WITH PLANNING POLICIES ADOPTED BY THE TOWN.

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

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

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

THIS SUBDIVISION MEETS REQUIREMENTS OF THE TOWN SUBDIVISION REGULATIONS AND CONFORMS TO THE UDC.

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THIS PLAN IS PART OF THE OVERALL MASTER PLAN FOR THE DEVELOPMENT AND IS CONSISTENT WITH PLANNING POLICIES ADOPTED BY THE TOWN.



March 1, 2013

Zogreo, LLC/Wilder Investor, LLC
702 Oberlin Road, Suite 100
Raleigh, NC 27605

Re: Riverwood Ranch
Clayton, NC

Dear Madame/Sir:

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

Meeting Date: March 11, 2013
Location: Riverwood Golf Shop
Time: 7:00
Type of Application: Major Site Plan/Master Plan Revision
General Description: Fred Smith Company will build a 60 unit facility for seniors on the Food Lion side of Pritchard Road.

If you have any questions prior to or after this meeting, please contact us at (919) 550-8086, ext 249.

Sincerely,

Brian Strickland

cc: Clayton Planning Dept.

DC Adams Engineering, Inc.

404 Swann Trail
Clayton, NC 27527

Office: 919-763-7278
dennie@dcadamspe.com
Firm License # C-3894

February 28, 2013

David DeYoung, AICP
Planning Director
Town of Clayton
111 E. Second Street
Clayton, NC 27527

Subject: **SP 2013-04 RIVERWOOD HAVEN (MAJOR SITE PLAN)**
 PDD 2013-05 RIVERWOOD RANCH PDD REVISION (REZONING/PDD)
 PSD 2013-06 RIVERWOOD RANCH LOTS 6-9 (MAJOR SUBDIVISION)
 Neighborhood Meeting Minutes and Roster

Dear Mr. DeYoung,

Please find attached a copy of the minutes and roster for the Neighborhood Meeting held March 11, 2013 for the above referenced projects.

Please feel free to give me a call with any questions that may arise – 919-763-7278.

Sincerely,



Donald C. Adams, Jr., PE

Riverwood Haven/Riverwood Ranch Neighborhood Meeting

Date: March 11, 2013

Location: Riverwood Golf Club

Time Started: 7:08PM

Donnie Adams: Introduced the plan about the senior facility at Riverwood. Showed the master plan and site plan specific to the senior housing including the building.

Mrs. Mayo looked at the maps and did not have any questions. She stated that she owns Image Builders which is right beside the new development.

Mrs. Mayo: Stated that the project will benefit the community in many ways.

Mr. O'Neal: Asked if the stormwater would be collected/treated.

Mr. Adams: Stated that the stormwater would be collected and properly released per the Clayton/Johnston County Stormwater policies

Mr. O'Neal: Also asked if the senior center was all one building and if the property in front was commercial.

Mr. Adams referred him to the master plan and indicated that there are commercial tracks between the senior site and the pharmacy/gas station/grocery.

Mr. O'Neal: He asked when ground is supposed to be broken.

Mr. Smith: Explained the approval process and the uncertainty of construction commencement. It should be sometime in August, but it is a very big project.

Mr. O'Neal: Asked if this project was similar to the one near Lion's Gate.

Mr. Smith: Stated the concept/operation would be the same as Lion's Springs.

Mr. O'Neal: Commented that this project will be a very nice addition to the community.

Mr. Adams made a final call for questions or concerns and closed the meeting at 7:20PM.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC Adams Engineering, Inc

Location/Date: Riverwood Golf Club / 3/11/2013

	NAME	ADDRESS
1	Bonnie Mayo	516 Medlin Rd Clayton 27527
2	ERIC OWEL (GAIL SMITH OWEL)	4353 COVERED BRIDGE RD CLAYTON NC 27527
3	Donnie Adams (DC ADAMS ENGINEERING)	404 SOUTHW TRAIL, CLAYTON, NC 27527
4	FRED SMITH	400 RIVERWOOD DR, CLAYTON, NC 27527
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Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Numbers: PSD 2013-06 (Major Subdivision)
Project Name: Riverwood Ranch Subdivision Lots 6-9
NC PIN: 177000-18-3995
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: DC Adams Engineering, Inc.
Owners: Riverwood on the Neuse, LLC
Agents: Donnie Adams

Neighborhood Meeting: Held March 11, 2013

PROJECT LOCATION: The project is located adjacent to the Food Lion shopping center on Pritchard Road, within the town limits of Clayton.

REQUEST: The applicant is requesting preliminary subdivision approval for lots 6 through 9 within the Riverwood Ranch planned development.

SITE DATA:

Acreage: 12.02 acres
Present Zoning: PD-MU
Proposed Zoning: PD-MU
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: Uses in the master plan (per the master plan also under review for approval, PDD 2013-05) for these lots include:

Lot 6: Commercial
Lot 7: Commercial
Lot 8: Residential
Lot 9: Senior Apartments

Buildings: n/a

Number of Stories: n/a

Impervious Surface: n/a
Required Parking: n/a
Proposed Parking: n/a

ENVIRONMENTAL: A stream and riparian buffer runs through Lot 9. A 50 foot riparian buffer is provided and development is not proposed within the riparian buffer. Resource conservation areas.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Residential Estate (R-E), Agriculture
	Existing Use:	Single Family Residential, Agricultural
South:	Zoning:	Residential-10 (R-10), Highway Business (B-3)
	Existing Use:	Riverwood Athletic Club
East:	Zoning:	Residential Estate (R-E)
	Existing Use:	Residential/Agriculture
West:	Zoning:	Residential-10 (R-10)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting preliminary subdivision plat approval for a subdivision and recombination map that includes a portion of the “Old Tract 3” (PB 74, PG 19) and a portion of the larger Riverwood on the Neuse, shown on the same plat.

The review and approval of this subdivision is contingent upon to the approval of the revised master plan for Riverwood Ranch (project #PDD 2013-05), which is being reviewed concurrently with this subdivision request and the site plan for Riverwood Haven Senior Apartments (project #SP2013-4).

- **Consistency with the Strategic Growth Plan**

The proposed subdivision is consistent with the Strategic Growth Plan.

- **Consistency with the Unified Development Code**

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

- **Consistency with Master Plan**

The proposed subdivision is consistent with the Riverwood Ranch master plan, if the master plan modifications are approved.

- **Landscaping and Buffering**

n/a.

- **Recreation and Open Space**

A greenway easement is proposed within Lot 9 to provide access for potential greenway extensions.

- **Signs**

All signage will be required to comply with Town of Clayton UDC requirements.

- **Site Design**

All development on the site will be required to receive site plan approval.

- **Architecture**

n/a.

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

None.

OTHER:

FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.

ACCESS/STREETS: The applicant is not requesting to change the already-approved access.

WATER/SEWER PROVIDER: Town of Clayton

ELECTRIC PROVIDER: Town of Clayton or Progress Energy

CONSIDERATIONS

- Approval of the preliminary subdivision is contingent upon the approval of the Riverwood Ranch master plan modifications. The decision on Riverwood Ranch shall be made first, and if approved, a decision shall be made on the preliminary subdivision.
-

FINDINGS:

Section 155.706(l)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. The applicant has addressed the

Major Subdivision Approval Criteria outlined in UDC Section 155.706(I)(10). The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

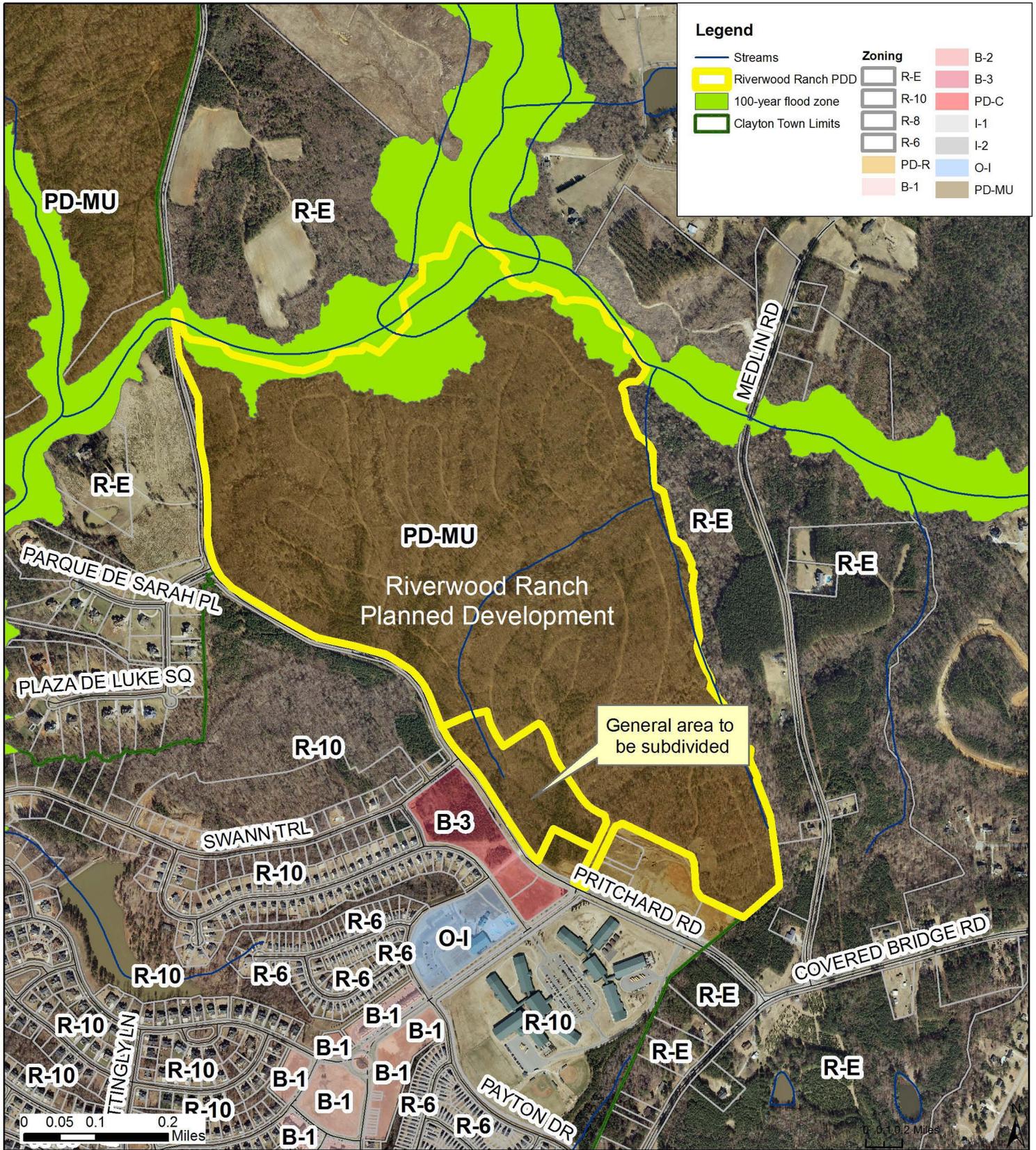
RECOMMENDATION:

Staff is recommending approval of the preliminary subdivision with the following conditions:

1. Approval of the subdivision is contingent upon approval of the modifications to the Riverwood Ranch Master Plan.
2. Upon final plat, the 20 foot wide greenway easement extending from the property line of the lot and adjacent the riparian corridor, and connecting to the sanitary sewer easement (and then running along the same geography as the sanitary sewer easement to the edge of the property) shall be recorded.
3. Resource conservation areas shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument for permanent protection shall include clear restrictions on the use of the of resource conservation area. These restrictions shall include all restrictions contained in this section, as well as any further restrictions the applicant chooses to place on the use of the resource conservation areas. Where appropriate, the instrument shall allow for stream or habitat restoration.
4. Development of each lot is subject to site plan review and approval.
5. Development is subject to the requirements and standards set forth in the Riverwood Ranch Planned Development Master Plan.

PLANNING BOARD RECOMMENDATION:

At their regularly scheduled meeting on March 25, 2013, the Planning Board voted to recommend approval of the preliminary subdivision with the conditions recommended in the staff report.



Riverwood Ranch Planned Development Subdivision, Lots 6-9

Applicant: DC Adams Engineering, Inc.
 Property Owner: Riverwood on the Neuse, LLC
 Parcel ID Numbers: 177100-11-0255, 177000-18-3995
 File Number: PDD 2013-5

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

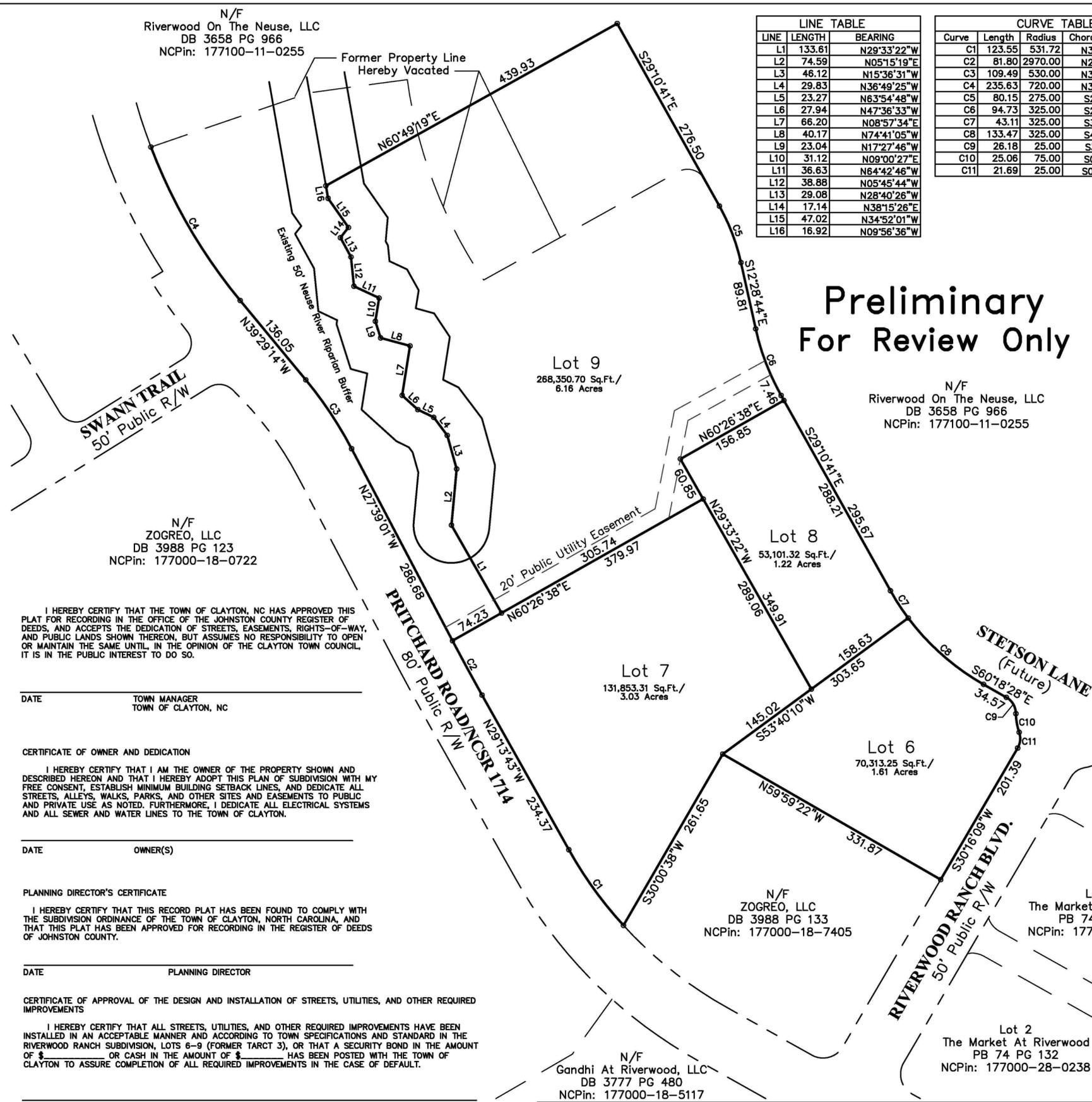


STATE OF NORTH CAROLINA COUNTY _____

Filed for Registration at _____ M. _____ in the _____ Register of Deeds Office Recorded in Book _____ Page _____ BY _____ REGISTER OF DEEDS

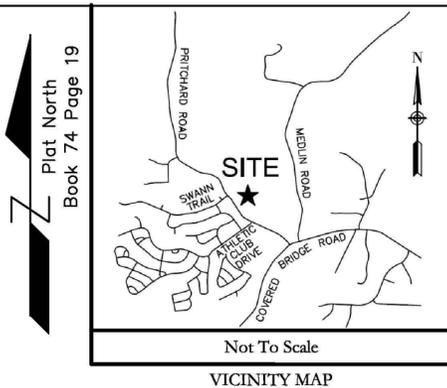
STATE OF NORTH CAROLINA COUNTY _____ Review Officer of _____ County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording. DATE: _____ REVIEW OFFICER _____

STATE OF NORTH CAROLINA COUNTY _____ certify that this plat was drawn under my supervision from an actual survey made under my supervision or deed description recorded in Book _____ page _____ that the boundaries not surveyed are clearly indicated as drawn from information found in book _____ page _____ that the ratio of precision as calculated is 1:_____ that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____ A.D., 20____. _____ Land Surveyor Reg. # _____



LINE	LENGTH	BEARING
L1	133.61	N29°33'22"W
L2	74.59	N05°15'19"E
L3	46.12	N15°36'31"W
L4	29.83	N36°49'25"W
L5	23.27	N63°54'48"W
L6	27.94	N47°36'33"W
L7	66.20	N08°57'34"E
L8	40.17	N74°41'05"W
L9	23.04	N17°27'46"W
L10	31.12	N09°00'27"E
L11	36.63	N64°42'46"W
L12	38.88	N05°45'44"W
L13	29.08	N28°40'26"W
L14	17.14	N38°15'26"E
L15	47.02	N34°52'01"W
L16	16.92	N09°56'36"W

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	123.55	531.72	N35°44'46"W	123.27
C2	81.80	2970.00	N28°26'22"W	81.80
C3	109.49	530.00	N33°34'08"W	109.30
C4	235.63	720.00	N30°06'44"W	234.58
C5	80.15	275.00	S20°49'43"E	79.87
C6	94.73	325.00	S20°49'43"E	94.39
C7	43.11	325.00	S32°58'42"E	43.08
C8	133.47	325.00	S48°32'34"E	132.53
C9	26.18	25.00	S30°18'28"E	25.00
C10	25.06	75.00	S09°52'39"E	24.94
C11	21.69	25.00	S05°24'39"W	21.02



Preliminary For Review Only

NOTES

ALL INTERIOR LOTS SHALL HAVE 10' EASEMENT, 5' EACH SIDE ALL LOT LINES.

A 5' DRAINAGE AND UTILITY EASEMENT SHALL LIE INSIDE ALL EXTERIOR BOUNDARY LINES.

A 10' WIDE GRADING, SLOPE, DRAINAGE AND UTILITY EASEMENT IS RESERVED ON THE LOT SIDE OF AND ADJACENT TO ALL STREET RIGHT-OF-WAYS.

MINIMUM BUILDING SETBACK LINES:
 NON-RESIDENTIAL STREET YARD - 25 FEET
 RESIDENTIAL STREET YARD - 30 FEET
 SIDE YARD - 15 FEET
 REAR YARD - 30 FEET

CURRENT ZONING: PD-MU, UNDERLYING ZONE B-3

IRON PIPES AT ALL PROPERTY CORNERS UNLESS SHOWN OTHERWISE.

TOTAL AREA IN TRACT = 12.02 ACRES±

TOTAL NUMBER OF LOTS = 4

WATER AND SEWER PROVIDED BY THE TOWN OF CLAYTON.

ELECTRICITY PROVIDED BY PROGRESS ENERGY.

MAP NUMBER: 1770

PIN NUMBER: 177000-18-3995

TAG NUMBER: 16102049D

NO NC8S MONUMENT FOUND WITHIN 2000 FT.

THE SUBJECT PROPERTY GRAPHICALLY APPEARS NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY NORTH CAROLINA FLOOD PLAIN MAP NO. 3720177000 J, EFFECTIVE DECEMBER 2, 2005.

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

N/F
 ZOGREO, LLC
 DB 3988 PG 123
 NCPin: 177000-18-0722

N/F
 Riverwood On The Neuse, LLC
 DB 3658 PG 966
 NCPin: 177100-11-0255

Lot 9
 268,350.70 Sq.Ft./
 6.16 Acres

Lot 8
 53,101.32 Sq.Ft./
 1.22 Acres

Lot 7
 131,853.31 Sq.Ft./
 3.03 Acres

Lot 6
 70,313.25 Sq.Ft./
 1.61 Acres

Lot 5
 The Market At Riverwood
 PB 74 PG 132
 NCPin: 177000-28-1429

Lot 4
 The Market At Riverwood
 PB 74 PG 132
 NCPin: 177000-28-3331

Lot 2
 The Market At Riverwood
 PB 74 PG 132
 NCPin: 177000-28-0238

N/F
 Gandhi At Riverwood, LLC
 DB 3777 PG 480
 NCPin: 177000-18-5117

DATE _____ TOWN MANAGER
 TOWN OF CLAYTON, NC

CERTIFICATE OF OWNER AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC AND PRIVATE USE AS NOTED. FURTHERMORE, I DEDICATE ALL ELECTRICAL SYSTEMS AND ALL SEWER AND WATER LINES TO THE TOWN OF CLAYTON.

DATE _____ OWNER(S)

PLANNING DIRECTOR'S CERTIFICATE

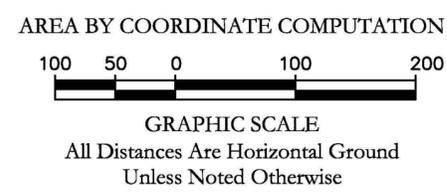
I HEREBY CERTIFY THAT THIS RECORD PLAT HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCE OF THE TOWN OF CLAYTON, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

DATE _____ PLANNING DIRECTOR

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS

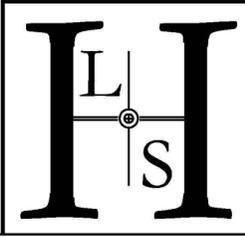
I HEREBY CERTIFY THAT ALL STREETS, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO TOWN SPECIFICATIONS AND STANDARD IN THE RIVERWOOD RANCH SUBDIVISION, LOTS 6-9 (FORMER TRACT 3), OR THAT A SECURITY BOND IN THE AMOUNT OF \$ _____ OR CASH IN THE AMOUNT OF \$ _____ HAS BEEN POSTED WITH THE TOWN OF CLAYTON TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN THE CASE OF DEFAULT.

DATE _____ TOWN MANAGER



Legend:

- EIP - Existing Iron Pipe
- ERB - Existing Rebar
- EPK - Existing PK Nail
- EIS - Existing Iron Stake
- ECS - Existing Cotton Spindle
- R/W Mon - Right-of-Way Monument
- IPS - Iron Pipe Set
- PKS - PK Nail Set
- CP - Calculated Point



Hall Land Surveying, Inc.

1899 Steven's Chapel Road
 Smithfield, NC 27577
 (919) 965-4008

PROFESSIONAL LAND SURVEYOR _____ REGISTRATION NUMBER _____

REFERENCE:
 -PB 74 PG 127
 PB 74 PG 19
 PB 74 PG 132
 PB 71 PG 374
 -DB 3658 PG 966
 DB 1722 PG 405

Owner:
 Riverwood On The Neuse, LLC
 400 Riverwood Drive
 Clayton, NC 27520
 Deed Book 3658 Page 966
 NCPin: 177000-18-3995
 ID: 16102049D

Subdivision And Recombination Plat For:
Riverwood Ranch
 Lots 6-9 (Former Tract 3)

TOWNSHIP	Wilders	COUNTY	Johnston	STATE	NC
SURVEYED BY	---	DRAWN BY	TMH		
DATE	01/31/13	SCALE	1"=100'	DRAWING NO. HLS13-0005	

**TOWN OF CLAYTON
SUBDIVISION APPLICATION
EVALUATION FORM**

Application Number: SUB 2013-06

The Town Council shall decide the matter of Subdivision Application Number SUB 2013-06 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance. (Applicant meets the criteria for approval).

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not meet all required specifications and/or will not conform to the Town Unified Development Ordinance for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, will be detrimental to the use or orderly development of other properties in the surrounding area and/or will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Finding Three of Four:

Circle One

- A. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare. (Applicant meets the criteria necessary for approval.)**

- B. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

- C. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will not provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will not provide for the unified and orderly use of or extension of public infrastructure, and/or will materially endanger the environment, public health, safety, or the general welfare for the following reasons. (Applicant fails to meet the criteria for approval.)**

Finding Four of Four:

Circle One

A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council. (Applicant meets the criteria necessary for approval.)

B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will adversely affect the general plans for the orderly growth and development of the town and/or is not consistent with the planning policies adopted by the Town Council for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

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

Motion to Approve: Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Subdivision Application # _____.

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

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Subdivision Application Number SUB 2013-06 is hereby:

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

_____ denied for the noted reasons.

Decision made this ____ day of _____, 2013 while in regular session.

Mayor

ATTEST:

Town Clerk

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

Agenda Item: 5c

Meeting Date: 5/06/13

TITLE: PUBLIC HEARING FOR PLANNED DEVELOPMENT DISTRICT REQUEST PDD 2013-11, STALLINGS STATION SENIOR APARTMENTS.

DESCRIPTION: The applicant is requesting approval for rezoning to planned development district – mixed use and approval of a master site plan to support a 42-unit senior apartment complex. The applicant is requesting the following waiver:

- Landscape waiver from UDC Section 155.203 from a Class C Buffer along the perimeter to a Class A street yard buffer along Shotwell Road and along the property borders to the north and south; and

At its March 25, 2013, meeting, the Planning Board voted to recommend approval of:

- Rezoning request to PDD-MU and master site plan with the conditions of approval recommended in the staff report and the additional condition by staff at the Planning Board meeting; and
- Landscape buffer waiver

The Planning Board voted to approve the alternate parking plan as requested by the applicant.

This item is slated for public hearing at the May 6, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Application, Neighborhood Meeting information, Staff report, Aerial map, & Site plan.
5-06-13	Public Hearing.	Hearing Procedures, Application, Neighborhood Meeting, Staff Report, Aerial Map, Site Plan, Wastewater Allocation Request, Utility Allocations Policy & Motion Form.

**TOWN OF CLAYTON
PLANNED DEVELOPMENT DISTRICTS
(PD-R, PD-C, PD-I, PD-MU)
HEARING PROCEDURES**

- 1. HEARING:** The Mayor shall call the hearing and announce the case.
- 2. RULES OF PROCEDURE:** The Town Attorney introduces the planned development rezoning procedures and evidentiary hearing procedures (if applicable). If a protest petition has been received, the Town Attorney will announce if it meets the requirements to invoke the super majority rule; and if applicable, explain the super majority rule. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
- 3. STAFF REPORT:** The staff shall give its report.
- 4. APPLICANT TESTIMONY:** The applicant shall be called to present their case. The applicant is responsible for successfully addressing the following rezoning Master Plan Approval Criteria [155.705(K)]:
 - a. Compliance with 155.203(K) and all other applicable requirements of this chapter;
 - b. Consistency with the Clayton General Design Guidelines;
 - c. Conformance of the proposal with the stated purpose of the requested planned development district;
 - d. Compatibility of the proposed development with the adjacent community;
 - e. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;
 - f. Self-sufficiency of each phase of the overall project;
 - g. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;
 - h. The fiscal impact of the proposal and the proposed financing of required improvements;
 - i. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community; and
 - j. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

In addition, the applicant will also address the required findings of fact for preliminary subdivision approval [155.706(I) (10)]:

1. Consistency with the adopted plans and of policies of the Town.
2. The subdivision meets all required specifications of this chapter.

3. The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.
4. The subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.
5. **OPPOSITION TESTIMONY:** Those speaking in opposition to the application shall be called upon to present their case.
6. **APPLICANT REBUTTAL:** The applicant and/or those in support shall be provided an opportunity to rebut the testimony provided by the opposition.
7. **OPPOSITION REBUTTAL:** Those in opposition shall be provided an opportunity to rebut testimony provided by the applicant.
8. **COUNCIL INQUIRY:** The Council may ask questions of the applicant, opposition, or staff at this time. There shall be no time limit except that the Mayor shall be responsible for keeping questions and responses relevant and factual.
9. **DELIBERATION:** The Mayor shall call the Council into deliberation. Once called into deliberation, no person may address the Council and no questions may be asked by Council to the public.
10. **UTILITY ALLOCATION (WHEN APPLICABLE):** In the event of pending action on a utility allocation request related to the case and after deliberation, the Council shall take action on the utility allocation in accordance with related policies and procedures.
11. **REZONING APPROVAL CRITERIA [155.705(J)]:** In connection with its legislative decision on a rezoning request, the Town Council may consider factors including, but not limited to, the following:
 - a. Consistency with the adopted plans and policies of the town;
 - b. Suitability of the subject property for uses permitted by the current versus the proposed district;
 - c. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the town;
 - d. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and storm water drainage facilities for the proposed use;

- e. It has been determined that the legal purposes for which zoning exists are not contravened;
- f. 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; and
- g. 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.

12. ACTION BY TOWN COUNCIL FOR THE REZONING [155.705(I)]:

The Town Council may:

- ↳ Approve the rezoning,
- ↳ Deny the rezoning, or
- ↳ Send the rezoning back to the Planning Director for additional consideration.

Concurrently with adopting, denying, or remanding any rezoning, the Town Council shall:

- ↳ Adopt a statement describing whether its action is consistent with the adopted plans and policies of the Town; and
- ↳ Explain why the Town Council considers the action taken to be reasonable and in the public interest.

13. ACTION BY TOWN COUNCIL FOR THE PRELIMINARY SUBDIVISION FINDINGS FOR DECISION: After deliberation of the evidence has been completed and action on the utility allocation (when applicable) and the rezoning request; each finding shall be discussed in turn and a motion, second and vote shall be made selecting one of the three alternatives for each finding. A majority vote shall prevail.

14. ACTION – APPLICATION: Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application. Failure of any single criteria to achieve majority approval by the Council shall necessitate a decision against the application. A majority vote for approval for all of the four criteria shall necessitate a decision in favor of the application.



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

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 \$400.00 for a rezoning to a Standard District. A rezoning to a Planned Development District requires a fee of \$500.00 +\$5.00 per lot or unit for residential uses or \$500.00 +\$5.00 per acre for non residential uses. 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: STALLINGS STATION Acreage of Property: 3.09

Parcel ID Number: NCPIN: 165914-33-6257 Tax ID: TAGNO: 05G02031V.

Deed Book: 2558 Deed Page(s): 10

Address: SHOTWELL ROAD, CLAYTON, NC

Location: +/- 600' NORTH OF INTERSECTION OF SHOTWELL ROAD
& AMELIA CHURCH RD.

Existing Use: VACANT Proposed Use: SENIOR APARTMENTS -42

Existing Zoning District: R-10

Requested Zoning District: PD-MU

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: 2013-11 Date Received: 2/11/13 AB Amount Paid: 710.00

OWNER INFORMATION:

Name: Math Stephens ASLD Builders, Inc
Mailing Address: 319 Chaponike Road
Phone Number: 919-779-8649 Fax: 919-779-7952
Email Address: MattStephens@bellsouth.net

APPLICANT INFORMATION:

Applicant: John H. Wellons Foundation, Inc
Mailing Address: 2004 W. Cumberland Street - Dunn, NC 28833
Phone Number: 910-892-0436 Fax: 910-892-4888
Contact Person: Don Wellons or Scott Redinger ph 910-713-2888
Email Address: dwellons@wellons.org / sredinger@saradlinger.com
Scott Redinger's Address 4563 Technicolor Dr. Suite 3 Wilmington, NC 28405

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:

- PRELIMINARY SUBDIVISION**
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.

Proposed construction of 42 apartments for senior citizens (30, one bedroom + 12, two bedroom) with associated community space (activity room with attached kitchen, craft room, exercise room, library computer room, sunroom, managers office.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

Yes

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

Shotwell Drive has a mixture of residential & other uses. The apartments will be beside a Drs Office. There are commercial businesses & shopping center at intersection of Shotwell Road with Hwy 70. Linden Springs Senior Apts 1/2 mile from site on Shotwell Road.

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

Based on a survey of Senior Apartment Communities completed in August 2010 there were 525 Senior Apartments in Johnston County and only 6 vacant units. There were 209 seniors on the waiting list.

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 has adequate water & sewer service at the site and capacity to serve 42 Senior units. Site stormwater can be served by existing facilities available to the site.

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

Site needs to be rezoned to Planned Development

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 adjoining property owner is a doctor who has a senior apartment committee will be good for doctor's business

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.

Clayton needs affordable housing for senior citizens no small group is beneficial

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.

Scott Redinger
Print Name

S. Redinger
Signature of Applicant

1/30/13
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

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

* Attached to Parcel # 056000314

Project Name: Stallings Station Apartments Submittal Date: February 1, 2013

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

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

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

Matthew Stephens
 (Name - type, print clearly)
319 Chapanoke Road
 (Address)

[Signature]
 (Signature)
Raleigh, NC 27603
 (City, State, Zip)

AGENT INFORMATION:
Scott A. Redinger, Inc.
 (Name - type, print clearly)
4653 Technology Drive, St 3, Box 15
 (Address)

[Signature]
 (Signature)
Wilmington, NC 28405
 (City, State, Zip)

STATE OF _____
 COUNTY OF _____

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

SEAL _____
 Notary Public
 My Commission Expires: _____

Aug 2012

I Brenda E. Jones, a notary, of the above state and county certify that J. Matthew Stephens personally appeared before me and signed the aforementioned document this 31 day of January, 2013.



Brenda E. Jones

Notary Public

My commission expires: June 17, 2015

Johnston County 09-30-2003
NORTH CAROLINA
Real Estate
Excise Tax
\$360.00

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

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

FILED
JOHNSTON COUNTY
CRAIG OLIVE
REGISTER OF DEEDS

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

Excise Tax \$ 360

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

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

Brief Description for the index

Lot 4, containing 14.94 acres, Bullard
Property

NORTH CAROLINA GENERAL WARRANTY DEED

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

GRANTOR
THE STEPHENS CENTER, INC.

GRANTEE
ASCO BUILDERS, INC.
319 Chapanoke Road, Suite 106
Raleigh, NC 27603

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

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

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

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

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

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

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

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

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

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

Subject to 2003 ad valorem property taxes and subsequent years.

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

THE STEPHENS CENTER, INC.

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

USE BLACK INK ONLY

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)



NORTH CAROLINA, _____ County.

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

My commission expires: _____

1/10/05

Brenda E. Jones Notary Public



NORTH CAROLINA, _____ County.

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

My commission expires: _____

1/10/05

Brenda E. Jones Notary Public

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By _____ REGISTER OF DEEDS FOR _____ COUNTY
Deputy/Assistant-Register of Deeds.



February 1, 2013

Legal description of property to be Rezoned for
Stallings Station Senior Apartments, Shotwell Rd., Clayton, NC

From the POINT OF BEGINNING, said point being the southeast corner of Lot 4 as shown in Plat Book 42, Page 437, Thence, N 69° 32' 21" W for a distance of 251.83 feet to a point, Thence, N 42° 08' 16" E for a distance of 118.88 feet to a point, Thence, N 19° 03' 39" E for a distance of 376.60 feet to a point, Thence, N 02° 56' 28" E for a distance of 43.57 feet to a point, Thence, S 56° 44' 54" E for a distance of 345.18 feet to a point, Thence, S 33° 15' 06" W for a distance of 296.96 feet to a point, Thence, S 34° 12' 15" W for a distance of 99.47 feet to a point, thence S 34° 56' 03" W a distance of 68.04 feet to the POINT OF BEGINNING.

Containing 3.09 Acres and being a portion of that property described in Deed Book 2558 Page 10 of the Johnston County Registry, and also being a portion of that property described as Lot 4 on a plat recorded in Plat Book 42, Page 437 of the Johnston County Registry.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

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

Yes

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

Shotwell Drive has a mixture of residential & other uses. The apartments will be beside a Drs Office. There are commercial businesses & shopping center at intersection of Shotwell Road with Hwy 70. Lipniss Springs Senior Apts 1/2 mile from site on Shotwell Road.

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

Based on a survey of Senior Apartment Communities completed in August 2010 there were 525 Senior Apartments in Johnston County and only 6 vacant units. There were 209 seniors on the waiting list.

- 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 has adequate water & sewer service at the site and capacity to serve 42 Senior units. Site stormwater can be served by existing facilities available to the site.

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

Site needs to be rezoned to Planned Development

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 adjoining property owner is a doctor who has a senior apartment committee will be good for doctor's business

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.

Clayton needs affordable housing for senior citizens no small group is beneficial

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.

Scott Redinger
Print Name

S. Redinger
Signature of Applicant

1/30/13
Date



March 15th, 2013

Ms. Emily Beddingfield
Mr. David DeYoung
Town of Clayton Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528

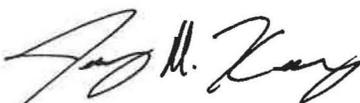
**RE: Request for Alternative Standard for Parking Requirements
Stallings Station – Shotwell Road
Planned Development
Town of Clayton Project # PDD 2013-11**

Dear Ms. Beddingfield and Mr. DeYoung,

On behalf of the future owner and developer, the John H. Wellons Foundation, Inc. along with Scott A. Redinger, Inc., I am requesting a variance in the required number of off street parking spaces required for the above referenced project. The Town of Clayton's Unified Development Code requires that Apartment Uses provide 1.5 spaces/unit for 1 bedroom units and 1.75 spaces/unit for 2 bedroom units per section 155.401 of the UDC, but does not have a separate option for Senior Apartments. The proposed development will provide 42 units for low income seniors, 30 - 1-bedroom units, and 12 - 2-bedroom units. At the current parking requirements, this would require 66 parking spaces. The proposed site will provide 53 spaces, including 6 ADA compliant spaces, for a parking ratio of 1.25 space/unit. Scott A. Redinger, Inc., has done a survey of 21 similar sites of the same use. In this survey, of the 925 residents of the 21 sites, only 498, or 54%, replied that they owned a vehicle. We believe that with this survey information, and observing provided parking for similar facilities in the Town of Clayton, that the proposed parking ratio for this site is adequate for the proposed use.

Please feel free to contact me should you have any questions or comments. I can be reached at (252) 977-3124, or by email at Jeremy@joynerkeeny.com.

Sincerely,


Jeremy M. Keeny, PE, PLS



NEIGHBORHOOD MEETING – MINUTES

Proposed Stallings Station Apartments Shotwell Road – Clayton, NC

Date: Monday, March 18, 2013
6:00 PM

A meeting was held at Christ Community United Methodist Church (1082 Amelia Church Road) to introduce the proposed Stallings Station Apartments to the adjoining neighbors/property owners.

Scott Redinger gave information on the John H. Wellons Foundation. A handout was provided with information on the community and on the JHWF.

The only concern raised by property owners in attendance was regarding the rain water run-off from the rear and low point of the property. Owners stated that the property needs to be developed in order to manage the run-off that is currently unmanaged. They stated that the soil is unstable and development would correct this problem. Scott assured residents that the storm water plan will be properly designed and will be adequate to deal with the water drainage.

In closing, all attendees appeared to be satisfied and there were no additional comments. Meeting was adjourned at 7:00

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: JOHN H. WELLONS FOUNDATION + SCOTT A. REDINGER, INC.

Location/Date: CHRIST COMMUNITY UNITED METHODIST CHURCH
3/18/13 1002 AMELIA CHURCH ROAD

	NAME	ADDRESS
1	② James & Mary Stephenson	1016 Ridge Dr. Clayton, NC 27520
2	Adison Archie	1012 Ridge Dr Clayton NC 27520
3	Ratie Hgracki	1012 Ridge Dr. Clayton NC 27520
4	BRACK WILSON	HTR COMMERCIAL
5	SKIP BROWDER	17 11
6	Fred Smith	400 Riverwood DR., CLAYTON, NC 27527
7	SCOTT A. REDINGER	SCOTT A REDINGER, INC
8	APRIL COUNTS	I
9		
10		
11		
12		
13		
14		
15		
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March 6, 2013

Dear Clayton Area Property Owner:

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

Meeting Date: Monday – March 18, 2013

Location: Christ Community United Methodist Church
1082 Amelia Church Road
In Church Library

Time: 6:00-7:00 PM

Type of Application: Rezoning

General Description: Proposed Stallings Station Apartments, a 42 unit community for seniors age 55 and older. Community is to be located on Shotwell Road near the intersection of Shotwell Road and Amelia Church Road. The developers wish to meet with property and business owners to introduce the project and answer any questions. Attached to this letter is a preliminary site plan with site location, and an example of a similar community designed by our architect, Tise-Kieser Architects, PA. Additional information will be available at the meeting.

If you have any questions prior to or after this meeting, you may contact April Counts at (910) 793-2850.

Sincerely,

April Counts

April Counts
VP/Development Manager



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

Town Council

STAFF REPORT

Application Numbers: PDD 2013-11 (Rezoning/Master Plan)

Project Name: Stallings Station Senior Apartments
NC PIN: 165914-33-6257
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: John H. Wellons Foundation, Inc.
Owners: Matt Stephens, ASCO Builders, Inc.
Agents: Scott Redinger

Neighborhood Meeting: Held March 18, 2013

PROJECT LOCATION: The project is located on approximately 600 feet north of the intersection of Shotwell Road and Amelia Church Road, within the town limits of Clayton.

REQUEST: The applicant is requesting approval for rezoning to Planned Development – Mixed Use (PD-MU) and approval of a master site plan to support a 42-unit senior apartment complex.

SITE DATA:

Acreage: 3.09 acres
Present Zoning: R-10
Proposed Zoning: PD-MU
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: 42-unit senior apartment complex.
Buildings: One building.
Number of Stories: Three stories (max height of 50 feet proposed).
Impervious Surface: 55,359 square feet (41.1%) proposed
Required Parking: 66 spaces

Proposed Parking: 53 spaces (please see Alternative Parking Standards Request)
Proposed Setbacks: Proposed R-10 district standards for setback requirements.

ENVIRONMENTAL: The subject site is bounded on the west by a stream. All proposed construction is located outside of the 50 foot riparian buffer.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Residential Estate (R-E)
	Existing Use:	Single Family Residential
South:	Zoning:	Office-Institutional (O-I)
	Existing Use:	Meehan Medical Office
East:	Zoning:	Planned Development-Mixed Use (PD-MU)
	Existing Use:	Lion’s Spring Senior Apartments
West:	Zoning:	Residential Estate (R-E)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is proposing to develop a 42-unit senior apartment complex on approximately 3 acres on Shotwell Road. The proposed building includes a 17,696 square foot building with associated amenities of a picnic area and community garden plots.

The property is currently zoned R-10. Although apartments are permitted in the R-10 zoning district, the applicant is requesting a higher density than permitted in the R-10 district, and so has requested a rezoning to Planned Development – Mixed Use. The maximum density permitted in the R-10 district is 10 units per acre. The applicant is requesting a density of 13.59 units per acre.

- **Consistency with the Strategic Growth Plan**

The proposed uses are consistent with the Strategic Growth Plan.

- **Consistency with the Unified Development Code**

The proposed rezoning and master plan are consistent with and meet the applicable requirements of the Unified Development Code (UDC).

- **Compatibility with Surrounding Land Uses**

The property will be subdivided if the request is approved, leaving a vacant residual parcel zoned R-10 to the north. The proposed use is consistent with the Lion’s Spring senior living facility located to the east, and the medical office located to the south. A natural 100 foot wide riparian buffer to the west provides compatibility between the proposed use and the residences to the west.

- **Landscaping and Buffering**

As previously stated, the development will utilize a 100 foot natural riparian buffer to protect and screen the residential uses to the west.

Interior landscaping is consistent with the requirements of UDC Section 155.402 (landscaping, screening and buffering) and Planned Development Districts Standards.

Per UDC Section 155.203(L)(5)(c), waiver approval from Town Council is necessary to reduce the requirements of a Class “C” buffer in a PD-MU development. The applicant is requesting a waiver from Town Council to reduce perimeter buffer requirements, and is proposing a Class “A” buffer on three sides of the development with west border buffer being comprised of a natural buffer.

- **Signs**

All signage will be required to comply with Town of Clayton UDC requirements.

- **Site Design**

The applicant has submitted a master site plan to supplement the rezoning request. If approved, the master plan will act as an approved site plan.

- **Architecture**

Architectural elevations were submitted along with the master site for approval. All four sides of the proposed building have similar architectural features.

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

The applicant is requesting landscape waiver from UDC Section 155.203 which requires a Class C Buffer along the perimeter of the development. The applicant is requesting a Class A Street Yard Buffer along Shotwell Road and along the property borders to the north and south. Per UDC Section 155.203(L)(5)(c), a waiver from Town Council is required to waive the requirements of a Class “C” buffer in a PD-MU development.

The applicant is requesting approval of an alternative parking plan to support a waiver from the off-street parking requirements in UDC Section 155.401(C)(2). Per UDC Section 155.401(C)(4)(a), Planning Board may grant an approval of an alternative parking plan.

OTHER:

FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.

ACCESS/STREETS: The development will be accessed by one driveway on Shotwell Road at the northern end of the project. A second driveway to the south will allow only right-out exit only to reduce turning conflicts on Shotwell Road.

WATER/SEWER PROVIDER: Town of Clayton

ELECTRIC PROVIDER: Progress Energy

CONSIDERATIONS

- The applicant is requesting rezoning to PD-MU and approval of a master site plan. Both must be approved by Town Council.
 - The applicant is requesting a waiver from the PD-MU landscape buffer requirements from Town Council.
 - The applicant is requesting a waiver from the parking requirements via an Alternative Parking Plan, to be approved by the Planning Board.
-

FINDINGS:

When adopting or rejecting the rezoning to PD-MU, the Town Council shall approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

The applicant has addressed the Master Plan Approval Criteria outlined in UDC Section 155.705(K). The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

RECOMMENDATION:

Staff is recommending that the landscape buffer waiver request be approved by Town Council for the perimeter of the property.

Staff is recommending that the alternative parking plan be approved by the Planning Board.

Staff is recommending approval of the rezoning to PD-MU and approval of the master site plan subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. Driveway Permits must be approved by NCDOT prior to the issuance of zoning permits.
2. All four sides of the building shall have the similar architectural features.
3. All roof mounted and ground mechanical equipment must be completely screened from view.
4. The existing sanitary sewer easement on the western property line must also be recorded as a greenway easement.
5. The property shall be subdivided so that the lot and the site plan match prior to building permits will be issued.
6. A complete landscape plan signed and sealed by a registered landscape architect and meeting the requirements of the Town of Clayton UDC must be submitted and approved by the Planning Department prior to the issuance of building permits.

7. A wastewater allocation must be approved prior to the issuance of building permits.
8. Water, sewer and recreation fees shall be paid to the Town prior to issuance of any building permits.
9. Following Board approvals, three copies of the Final Site Plan, Landscape Plan and Architectural Elevations meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
10. Utility construction plans shall be approved by the Public Works Department prior to issuance of building permits.

Added at Planning Board meeting 3/25/13 per staff recommendation:

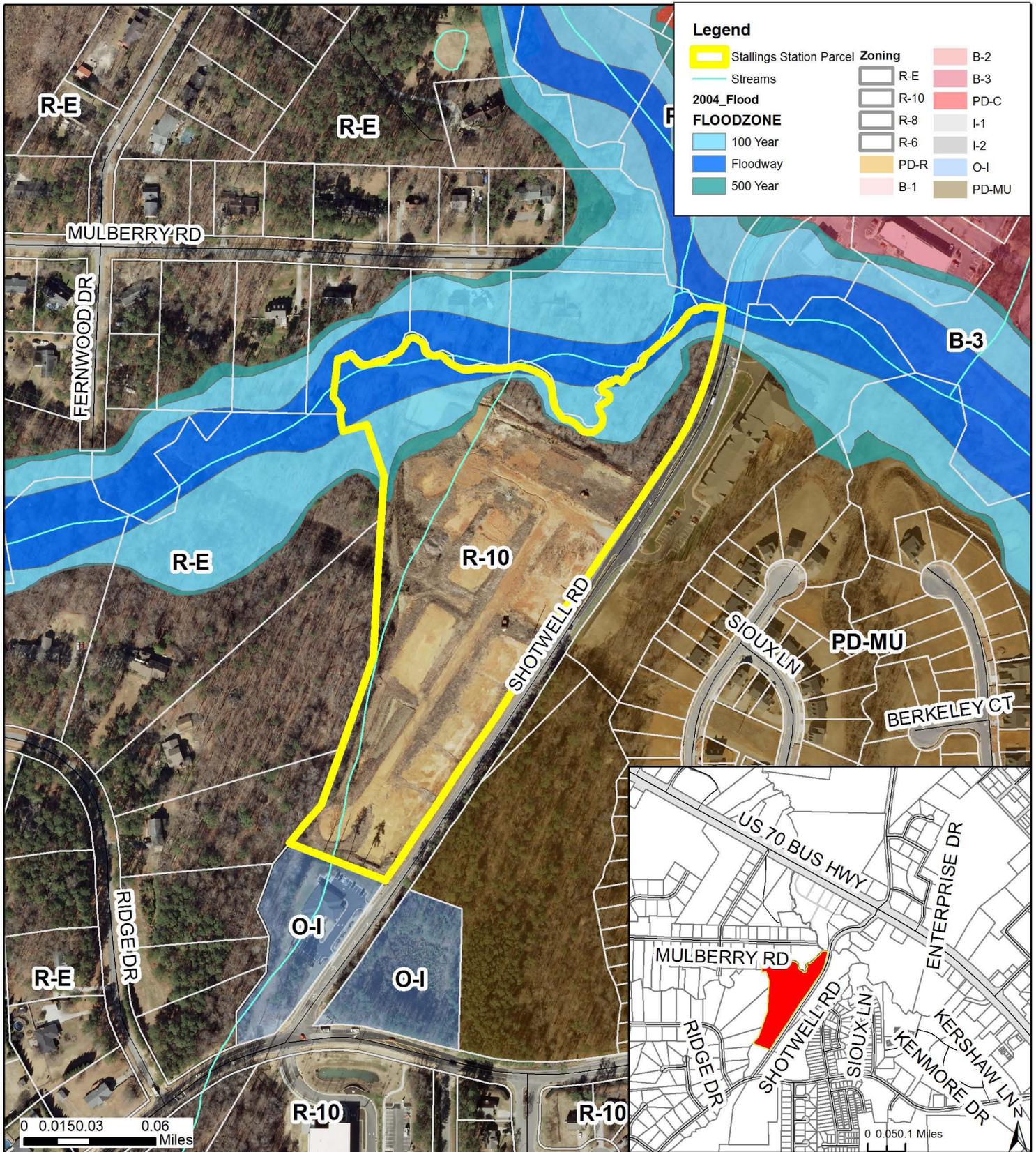
11. In a form acceptable to the Planning Director and prior to the issuance of a building permit, the applicant shall record a restrictive covenant limiting the age of residents to 55 years and older.
-

PLANNING BOARD RECOMMENDATION:

At their regularly scheduled meeting on March 25, 2013, the Planning Board voted to recommend approval of:

- 1) The rezoning to PD-MU and master site plan with the conditions of approval recommended in the staff report and the additional condition noted by staff in the meeting; and
- 2) The landscape buffer waiver request.

The Planning Board voted to approve the alternative parking plan as requested by the applicant.



Stallings Station Senior Apartments Planned Development Rezoning and Master Plan

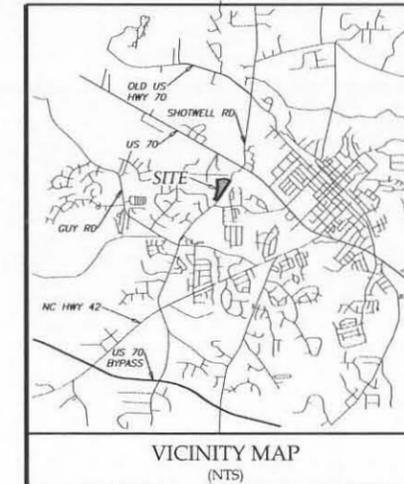
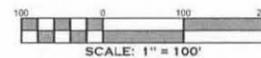
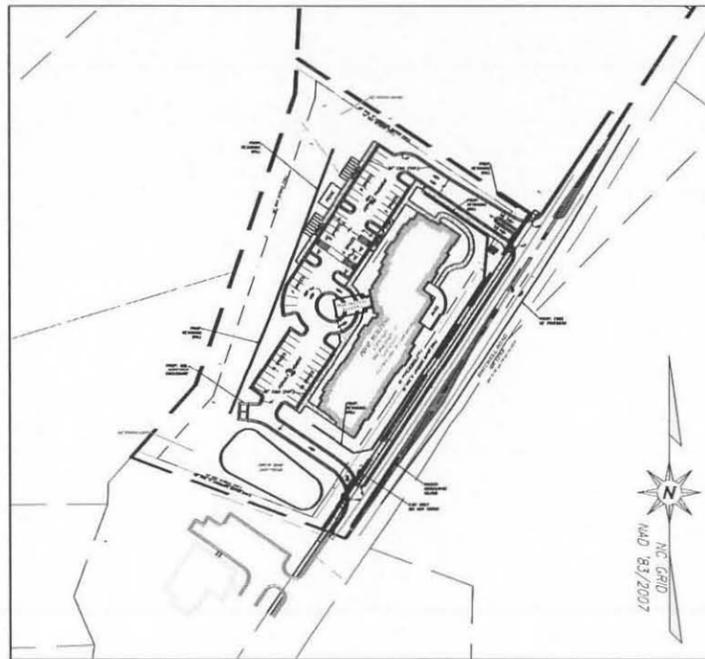
Applicant: John H. Wellons Foundation, Inc.
 Property Owner: Matt Stephens, ASCO Builders, Inc.
 Parcel ID Number: 165914-33-6257
 File Number: PDD 2013-11

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



STALLINGS STATION SENIOR APARTMENTS

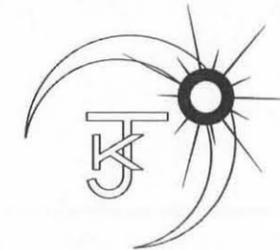
SHOTWELL ROAD, CLAYTON, NORTH CAROLINA



INDEX OF SHEETS

SHEET 01	COVER SHEET
SHEET 02	MASTER SITE PLAN
SHEET 03	CONCEPTUAL GRADING PLAN
SHEET 04	CONCEPTUAL UTILITY PLAN
SHEET 05	CONCEPTUAL EROSION CONTROL PLAN
SHEET 06	CONCEPTUAL LANDSCAPE PLAN
SHEET A3.1-A3.3	CONCEPTUAL ARCHITECTURAL ELEVATIONS

PREPARED BY:

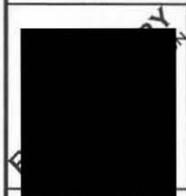


JOYNER KEENEY, PLLC
LAND PLANNING & SURVEYING

1051 N. Winstead Avenue
P.O. Box 7533
Rocky Mount, NC 27804
NC Firm No. P-0551
V: 252.977.3124
F: 252.985.6026

#	DATE	DESCRIPTION	BY
A	08/01/13	INITIAL SUBMITTAL	
B	02/27/13	REVISION PER COMMENTS	
C	03/15/13	REVISION PER COMMENTS	

DATE	01/30/13
SCALE	1"=100'
DRAWN BY	JMK
JOB NUMBER	120154A
DRAWING FILE	120154A Sh01 Cover Sheet.dwg
LAYOUT TAB	Cover



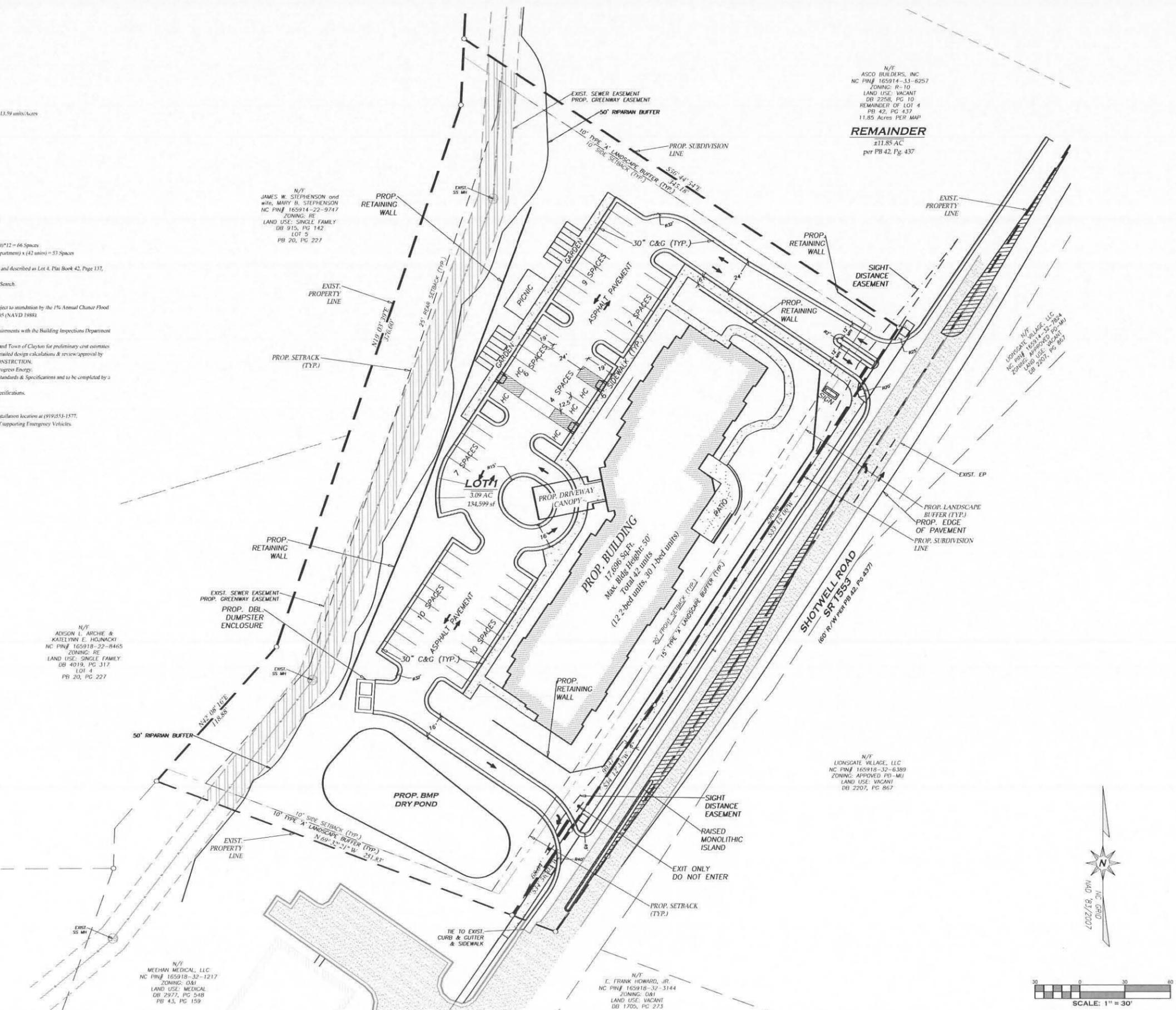
SHEET 01

NOTES

1. Site Information:
 - A. Project Name: Stallings Station Senior Apartments, Shotwell Road
 - B. Tax Map Parcel PIN#: 165914-33-6257
 - Existing Zoning: R-10
 - Proposed use: vacant
 - Proposed Zoning: PD-MU with underlying R-10
 - Proposed use: residential apartments 55+ or older
 - Proposed total 42 units, 12 2-bed units, 30 1-bed units
 - Proposed Density: 42 units/3.09 Acres (exclusive of resource conservation areas) = 13.59 units/Acre
 - Proposed Minimum Setback Requirements:

Front:	20'
Side:	10'
Side (Corner):	20'
Rear:	25'
Min. Lot Width:	70'
Min. Lot Size:	10,000 sf
 - C. Property size: 3.09 Acres (134,599 sf). Lot number: 1, Remainder: 11.85 Acres
 - D. Inside the city limits of Clayton
 - E. Building info: total 17,696 sq ft; max height 450 ft, 3 stories
 - F. Building coverage: 12.1% of total site
 - G. Impervious area proposed: 55,357 sq ft, 41.1% of total site
 - H. Pervious Area proposed: 79,243 sq ft, 58.9% of total site
 - I. All improvements shall comply with Town of Clayton Unified Development Code
 - J. Site to be served with public water and public sewer
 - K. Parking Calculations:

Existing Zoning Required:	(1.50 spaces/1-bed unit)*30 + (1.75 spaces/2-bed unit)*12 = 66 Spaces
Proposed Zoning Required:	(1.14 spaces/unit)*42 = 47.88 Spaces
Provided:	53 Spaces (including 6 HC spaces)
2. Legal Reference: Being a portion of that property described in Deed Book 2558, Page 010, and described as Lot 4, Plat Book 42, Page 137, Clayton Township, Johnston County Registry.
3. This map does not depict encumbrances that are found during a thorough & complete Title Search.
4. Area computed by deed metes and bounds.
5. All Right-of-Ways are Public, unless noted otherwise.
6. The property shown herein [DUE TO] contains Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance Flood (i.e. 100-Yr. Event) per FEMA FIRN Map Panel No. 3720169001, effective date 12/02/05 (NAVD 1988).
7. Wetlands are not shown and may not have been determined.
8. The Contractor/Owner shall be responsible for verifying all minimum building setback requirements with the Building Inspections Department prior to construction.
9. The purpose of this plan is to provide potential site improvement information to developer and Town of Clayton for preliminary cost estimates and Recrating Application only. This information is subject to field survey information, detailed design calculations & review/approval by appropriate agencies. This plan is PRELIMINARY and SHALL NOT BE USED FOR CONSTRUCTION.
10. Water & sewer are to be provided by the Town of Clayton Electric is to be provided by Progress Energy.
11. Design of water & sanitary sewer infrastructure are to comply with the Town of Clayton Standards & Specifications and to be completed by a licensed NC Professional Engineer.
12. Construction of all infrastructure are to comply with the Town of Clayton Standards & Specifications.
13. All improvements to S.R. 1553 are to comply with NC DOT Standards & Specifications.
14. A/C units, on the ground or on the roof, are to be screened from view.
15. Knox boxes are required. Contact fire marshal Tony Atkinson for order form, type, and installation locations at (919)553-1577.
16. Gravel Emergency Access Drive to be constructed of All Weather gravel that is capable of supporting Emergency Vehicles.



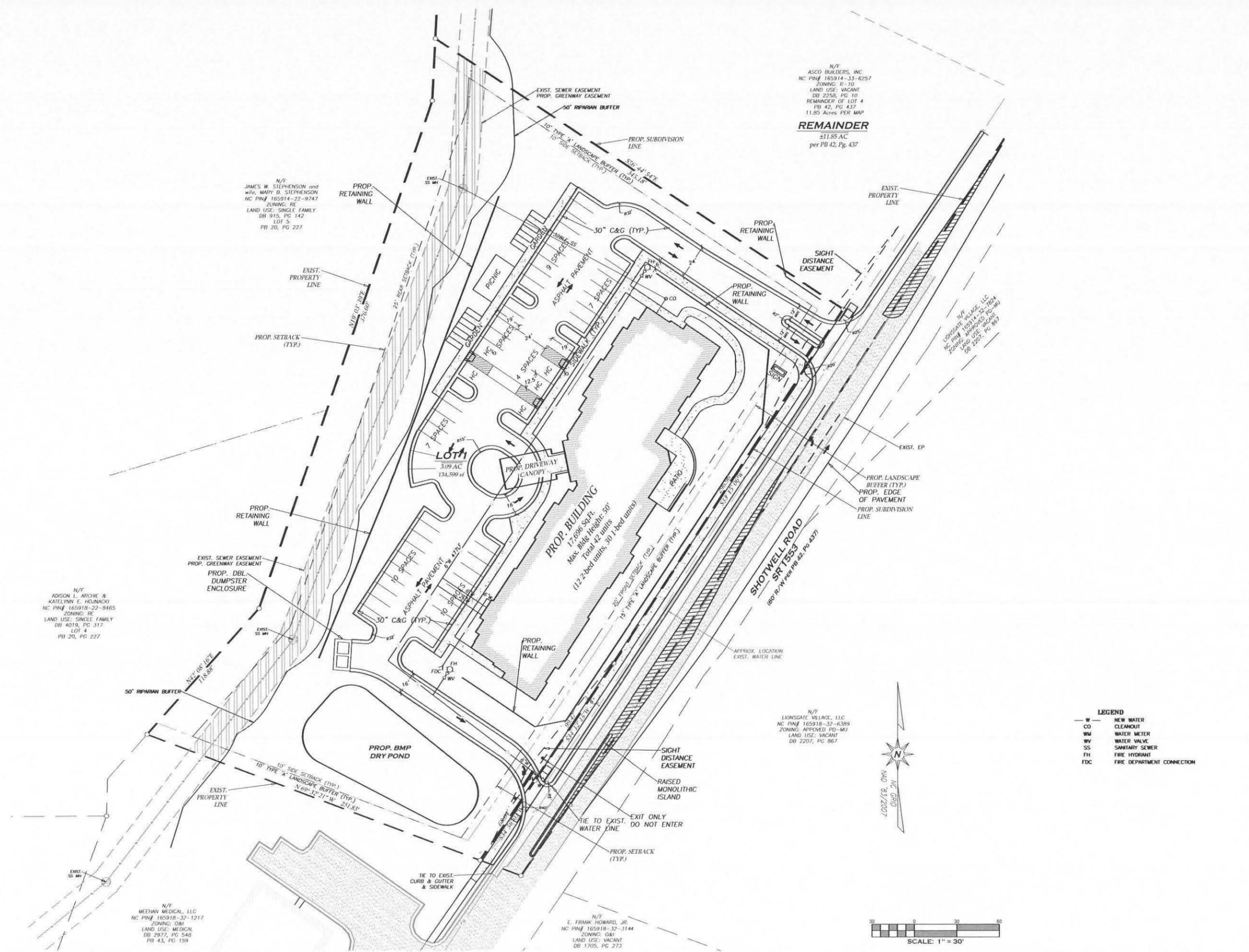
**SHOTWELL ROAD, CLAYTON SITE
SENIOR APARTMENTS
MASTER SITE PLAN**

DATE	01/30/13
SCALE	1"=30'
DRAWN BY	JMK & SZ
JOB NUMBER	120154A
DRAWING FILE	120154A Sh02 Site Plan.dwg
LAYOUT TAB	Site

DATE	DESCRIPTION
A 02/01/13	INITIAL SUBMITTAL
B 02/27/13	REVISION PER COMMENTS
C 03/15/13	REVISION PER COMMENTS


JOYNER KEENEY, PLLC
 LAND PLANNING & SURVEYING
 1051 N. Winterset Avenue - P.O. Box 7533
 Rocky Mount, North Carolina 27854
 North Carolina Firm No. P-0551
 V-252-977-3124
 F-252-985-6026

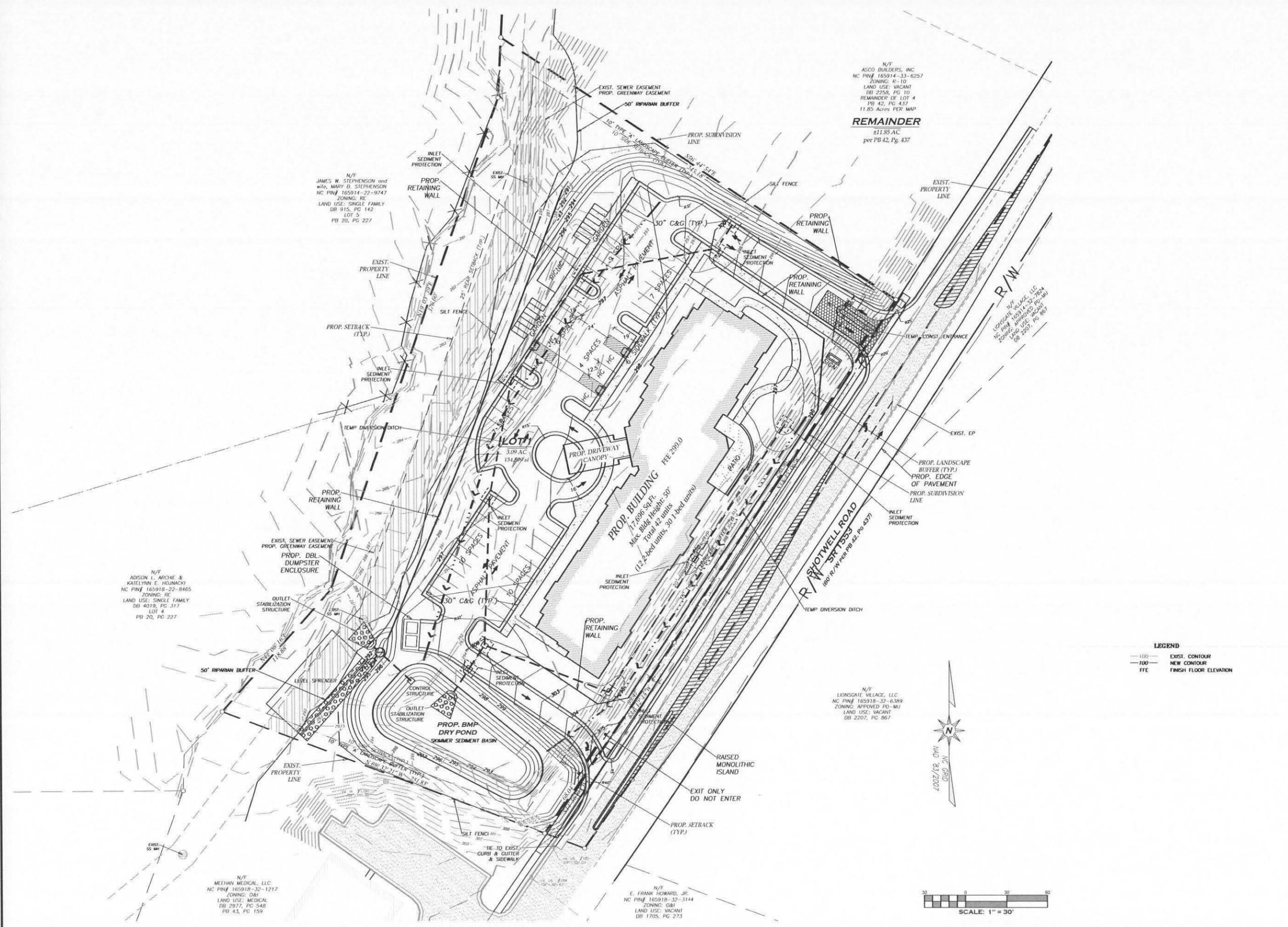
SHOTWELL ROAD, CLAYTON SITE
SENIOR APARTMENTS
CONCEPTUAL UTILITY PLAN



DATE	01/30/13		
SCALE	1"=30'		
DRAWN BY	JMK & SZ		
JOB NUMBER	120154A		
DRAWING FILE	120154A Sh04 Utility Plan.dwg		
LAYOUT TAB	Utility		
BY			
DESCRIPTION			
#	DATE	INITIAL SUBMITTAL	REVISION PER COMMENTS
A	02/01/13		
B	02/27/13		
C	03/19/13		
R E V I S I O N S			

JOYNER KEENEY, PLLC
LAND PLANNING & SURVEYING
1037 N. Winwood Avenue - P.O. Box 7537
Rocky Mount, North Carolina 27854
North Carolina Firm No. P-2651
V: 252.977.3124
F: 252.985.8028

SHOTWELL ROAD, CLAYTON SITE
 SENIOR APARTMENTS
 CONCEPTUAL EROSION
 CONTROL PLAN



N/F
 ASCO BUILDERS, INC
 NC PIN# 165914-33-6257
 ZONING: R-10
 LAND USE: VACANT
 DB 2258, PG 10
 REMAINDER OF LOT 4
 PB 42, PG 437
 11.85 Acres PER MAP
REMAINDER
 211.85 AC
 per PB 42, Pg. 437

N/F
 JAMES W. STEPHENSON and
 wife, MARY B. STEPHENSON
 NC PIN# 165914-22-9747
 ZONING: RE
 LAND USE: SINGLE FAMILY
 DB 915, PG 142
 LOT 5
 PB 20, PG 227

N/F
 ADISON L. ARCHIE &
 KATELYNN E. HOJNACKI
 NC PIN# 165918-22-8465
 ZONING: RE
 LAND USE: SINGLE FAMILY
 DB 4019, PG 317
 LOT 4
 PB 20, PG 227

N/F
 MEEHAN MEDICAL, LLC
 NC PIN# 165918-32-1217
 ZONING: O&I
 LAND USE: MEDICAL
 DB 2977, PG 548
 PB 43, PG 159

N/F
 E. FRANK HOWARD, JR.
 NC PIN# 165918-32-3144
 ZONING: O&I
 LAND USE: VACANT
 DB 1705, PG 273

N/F
 LIONSSTATE VILLAGE, LLC
 NC PIN# 165918-32-6389
 ZONING: APPROVED PD-MU
 LAND USE: VACANT
 DB 2207, PG 867

N/F
 LYONSSTATE VILLAGE, LLC
 NC PIN# 165918-32-7824
 ZONING: APPROVED PD-MU
 LAND USE: VACANT
 DB 2207, PG 867

LEGEND
 ---100--- EXIST. CONTOUR
 ---100--- NEW CONTOUR
 FFE FINISH FLOOR ELEVATION



DATE	01/30/13
SCALE	1"=30'
DRAWN BY	JMK & SZ
JOB NUMBER	120154A
DRAWING FILE	120154A Sh05 EC Plan.dwg
LAYOUT TAB	EC

#	DATE	DESCRIPTION
A	02/01/13	INITIAL SUBMITTAL
B	02/27/13	REVISION PER COMMENTS
C	03/13/13	REVISION PER COMMENTS

JOYNER KEENY, PLLC
 LAND PLANNING & SURVEYING
 1051 N. Winstead Avenue - P.O. Box 7533
 Rocky Mount, North Carolina 27854
 North Carolina Firm No. P-0651
 V: 252.977.3124
 F: 252.985.6028

- | | | | | | |
|---|--|---|--|--|---|
| 1 25 YEAR AR ARCHITECTURAL SHINGLE | 5 5/4" SOLID VINYL TRIM | 8 1'-4" X 3'-0" VINYL LOUVER WITH INSECT SCREEN AND 4" PVC TRIM, TYP. | 11 STANDING SEAM METAL ROOF, TYP. | 15 SOLID PVC PANEL WITH 4/4" PVC BATTENS AT 1'-4" OC | 19 SEAMLESS GUTTERS (NOT SHOWN FOR CLARITY) |
| 2 BRICK No. 1 - MODULAR | 6 5/4" HORIZONTAL SOLID VINYL TRIM WITH CONT. PREFINISHED FLASHING, TYP. | 9 SOLID VINYL DOUBLE HUNG WINDOW WITH LOW-E DOUBLE GLAZING, TYP. | 12 MASONRY CONTROL JOINT, TYP. | 16 INSULATED METAL DOOR | |
| 3 BRICK No 2 - ACCENT - MODULAR | 7 CONT. VINYL WRAPPED FASCIA WITH PRE-VENTED VINYL SOFFIT PANEL, TYP. | 10 SOLID PVC PANEL WITH 5/4" SOLID PVC TRIM, TYP. | 13 SCREENED PORCH | 17 DECORATIVE BRICK COURSE, TYP. | |
| 4 SOLID VINYL LAP SIDING - 4" AND 6" EXPOSURE | | | 14 COLUMN WITH STUD WRAP W/ SOLID PVC PANEL WITH 5/4" PVC TRIM, TYP. | 18 CONT. VINYL WRAPPED TRIM | |

Key Notes 3

TISE-KIESTER ARCHITECTS

Tka

119 E. Franklin St., Suite 300
Chapel Hill, NC 27514
Tel. 919.967.0158
Fax 919.967.0159
www.tisekiester.com

These drawings have been commissioned for this construction project and remain the property of Tise-Kiester Architects. No reproduction or use is allowed without first obtaining the Architect's written consent.



SEE 1-A3.1 FOR CONTINUATION

8 16

West Elevation 2
Scale: 1/8" = 1'-0"

SEE 2-A3.1 FOR CONTINUATION



8 16

West Elevation 1
Scale: 1/8" = 1'-0"

Stallings Station
Clayton, NC

- Job Number: 0000
- Date: 01.18.13
- Revisions:

Z

Exterior Elevations
Sheet

A3.1

- | | | | | | |
|---|--|---|--|--|---|
| 1 25 YEAR AR ARCHITECTURAL SHINGLE | 5 5/4" SOLID VINYL TRIM | 8 1'-4" X 3'-0" VINYL LOUVER WITH INSECT SCREEN AND 4" PVC TRIM, TYP. | 11 STANDING SEAM METAL ROOF, TYP. | 15 SOLID PVC PANEL WITH 4/4" PVC BATTENS AT 1'-4" OC | 19 SEAMLESS GUTTERS (NOT SHOWN FOR CLARITY) |
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Key Notes 3

SEE 1-A3.2 FOR CONTINUATION



East Elevation – View from Shotwell Drive 2
Scale: 1/8" = 1'-0"

SEE 2-A3.2 FOR CONTINUATION



East Elevation – View from Shotwell Drive 1
Scale: 1/8" = 1'-0"

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Stallings Station
Clayton, NC

- Job Number: 0000
- Date: 01.18.13
- Revisions:

Exterior Elevations
Sheet

A3.2

1/17/2013 P:\2012\UHTC_Redinger_Clayton\Design\Clayton_A32.dgn

- | | | | | | |
|---|--|---|--|--|---|
| 1 25 YEAR AR ARCHITECTURAL SHINGLE | 5 5/4" SOLID VINYL TRIM | 8 1'-4" X 3'-0" VINYL LOUVER WITH INSECT SCREEN AND 4" PVC TRIM, TYP. | 11 STANDING SEAM METAL ROOF, TYP. | 15 SOLID PVC PANEL WITH 4/4" PVC BATTENS AT 1'-4" OC | 19 SEAMLESS GUTTERS (NOT SHOWN FOR CLARITY) |
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Key Notes 3



North Elevation 2
Scale: 1/8" = 1'-0"



South Elevation 1
Scale: 1/8" = 1'-0"

TISE-KIESTER ARCHITECTS

TKa

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Chapel Hill, NC 27514
Tel. 919.967.0158
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Stallings Station

Clayton, NC

- Job Number: 0000
- Date: 01.18.13
- Revisions:



Exterior Elevations
Sheet

A3.3

NOTES

1. Property Information

Tax Map Parcel ID Number: 165914-33-6257
Johnston Count GIS Tag Number: 05G02031V
Physical Address: Shotwell Rd.
Clayton, NC 27807

Current Zoning: R-10

Proposed Zoning: PD-MU with R-10 underlying

Proposed Minimum Setback Requirements for Residential Use:

Front: 20'
Side: 10'
Rear: 25'
Max. Building Height: 50'
Min. Lot Width: 70'
Min. Lot Size: 10,000 sf

Total number of Lots = 1

Total Subdivision Area = 3.09 Acre, 134,599 sf

2. Legal Reference: Being a portion of that property described in Deed Book 2558, Page 10 of the Johnston County Registry. Also being a portion of that property shown as Lot 4 on a survey entitled "Survey & Map for Donald E. Bullard" by Southwind Surveying & Mapping, Inc., dated May 5, 1993 and recorded in Plat Book 42, Page 437 of the Johnston County Registry.

3. The initial coordinates for this project were produced from NCGS VRS RTK GPS Observations (Class: 1cm Horizontal and 2cm Vertical) utilizing one (1) Trimble R8 Dual Frequency Receiver. Horizontal Datum is NAD '83/2007 NC State Plane Coordinates. Vertical Datum is NAVD 1988 Datum.

4. All Right-of-Ways are Public, unless noted otherwise.

5. Area computed by coordinate method. All distances are Horizontal Ground Distances in US Survey Feet, unless noted otherwise.

6. This map does not depict encumbrances that are found during a thorough & complete Title Search.

7. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.

8. The property shown hereon does not contain Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance Flood (i.e. 100-Yr. Event) per FEMA FIRM Map Panel No. 3720165900J.

9. No determination has been made by the Surveyor as to the following:

- A. Wetlands
B. Underground Storage Facilities and Utilities
C. Graves, Cemeteries or Burial Grounds
D. Stream Buffers

10. Date of Field Survey: Jan. 14, 2013 - Jan. 18, 2013

11. Joyner Keeny, PLLC, can only locate utilities that are above ground at the time of field survey. Underground lines shown hereon are approximate or as reported by various responsible parties. Location of Underground Utilities are APPROXIMATE and must be field verified. Call N.C. One Call Center before digging at 1.800.632.4949. Surveyor does NOT guarantee that any underground structures such as utilities, tanks and pipes are located hereon.

12. Owner Information:

ASCO Builders, Inc.
319 Chapanoke Road, Suite 106
Raleigh, NC 27603

SEE SHEET 2 FOR MAP

NASH COUNTY, NORTH CAROLINA

I, MICHAEL L. KEENY, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in DB AS, PG SHOWN, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, Page SHOWN; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended.

Witness my Original Signature, License Number and Seal this Day of

2013

Seal or Stamp:

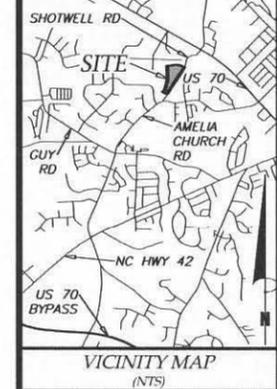
Surveyor:

License Number: L-3335

I, MICHAEL L. KEENY, Professional Land Surveyor Number L-3335 certify:

THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

PROFESSIONAL LAND SURVEYOR NUMBER L-3335



LEGEND table with symbols for Lines Surveyed, Lines Not Surveyed, Woods Line, Existing Overhead Electric, Iron Property Corner, Iron Pipe Found, Iron Stake Found, Iron Axle Found, PK Nail Found, PK Nail Set, No Iron Set or Found, Control Corner, Drainage & Utility, Deed Book, Map Book, Plat Book, Page Number, Right-of-Way, Minimum Building Line.

Certification for Water Supply and Sewage Disposal Systems

Certificate of Preliminary Approval of Water Supply and Sewage Disposal Systems installed for installation in the subdivision shown hereon meets the Public Health Requirements as described in Appendix II of the Johnston County Subdivision Regulations. Final Approval for individual lots within this subdivision will be based on detailed lot evaluation upon application and submission of plan for proposed use. This preliminary certification is advisory only and offers no guarantee.

Date Health Representative

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (We) hereby certify that I am (we are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of The Town of Clayton, and that I (we) hereby adopt this subdivision plan with my free consent, establish minimum setback lines, and dedicate all streets, alleys, parks and other sites and easements to public or private use as noted.

Date Owner

Date Owner

Date Planning Director

PLANNING DIRECTOR'S CERTIFICATE

I hereby certify that this record plat has been found to comply with the subdivision ordinance of the Town of Clayton, North Carolina, and that this plat has been approved for recording in the Register of Deeds of Johnston County.

Date Planning Director

TOWN OF CLAYTON TOWN MANAGER CERTIFICATION

I hereby certify that the Town of Clayton, NC has approved this plat for recording in the office of the Johnston County Register of Deeds, and accepts the dedication of streets, easements, rights-of-way, and public lands shown thereon, but assumes no responsibility to open or maintain the same until, in the opinion of the Clayton Town Council, it is in the public interest to do so.

Date Town Manager

STATE OF NORTH CAROLINA - COUNTY OF JOHNSTON

I, Review Officer of Johnston County, certify that the map or plat to which this certification is affixed, meets all statutory requirements for recording.

Date Review Officer

STATE OF NORTH CAROLINA - COUNTY OF JOHNSTON

This map filed for registration this day of 20 at O'clock M, and duly registered in Book Page, Johnston County Registry.

REGISTER OF DEEDS

By: Assistant Deputy

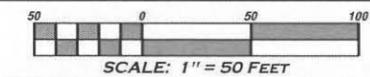


1051 North Winstead Avenue - P.O. Box 7533
Rocky Mount, North Carolina 27804
North Carolina Firm Number P-0551
Office: 252.977.3124 Fax: 252.985.6026
www.joynerkeeney.com

Minor Subdivision Plat on the Property of:

ASCO Builders Inc.

319 Chapanoke Rd, Suite 106
Raleigh, NC 27603



CLAYTON TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA

DRAWN BY: JMK CHECKED BY: NWJ DATE: 02/01/13

DWG: 120154A_Survey Base.dwg VIEWPORT: 18x24 Sheet 1

JOB NO: 120154A SHEET NO: 1 of 2

Plot: 120154A.dwg; Date: 02/01/13; Time: 10:00:00 AM; User: jmk; Job: 120154A; Sheet: 1 of 2



April 15th, 2013

Mr. Steve Biggs
Town Manager
Town of Clayton
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528

**RE: Request for Alternative Water/Wastewater Allocation
Stallings Station – Shotwell Road
Planned Development
Town of Clayton Project # PDD 2013-11**

Dear Mr. Biggs,

On behalf of the future owner and developer, the John H. Wellons Foundation, Inc. along with Scott A. Redinger, Inc., I am requesting a variance in the Water/Wastewater Allocation required for the above referenced project. Per North Carolina Administrative Code Title 15A, Subchapter 02T, dated September 01, 2006, the design flow rate for wastewater allocation would be computed by using the rate of 240 gallons per day for a 1 or 2 bedroom unit. The proposed development will provide 42 units for low income seniors, 30 - 1-bedroom units, and 12 - 2-bedroom units. At the current allocation requirements, this would require an allocation of 10,080 gallons per day for this development. The North Carolina Administrative Code does not have a separate allocation rate for Senior Apartments. Scott A. Redinger, Inc., has done a survey of 11 similar sites of the same use and the results of this survey show that a Senior Apartment facility has an average usage of 52.8 gallons per day per bedroom. This survey information has been provided to the Town of Clayton Engineering department. We are requesting a variance in the allocation rate to allow for 60 gallons per day per bedroom. At this rate, the requested allocation for this development will be 3,240 gallons per day. We believe that with this survey information, the proposed Water/Wastewater Allocation Rate for this site is adequate for the proposed use.

Please feel free to contact me should you have any questions or comments. I can be reached at (252) 977-3124, or by email at Jeremy@joynerkeeney.com.

Sincerely,


Jeremy M. Keeny, PE, PLS



Town of Clayton

Policy for Evaluating and Reserving Utility Allocations

I. Foundation

- A. The Town of Clayton has invested substantial capital in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. The judicious allocation of these resources in conformity with adopted goals and priorities serves to shape the community consistent with the articulated vision to become the “Premier Community for Active Families.”
- C. The Town Council for the Town of Clayton has acted to adopt certain goals that are useful tools to successfully evaluate applications for allocation of public resources so that the character of the community shall be consistent with its vision, values, and plans.

The following community goals, as established by the Town Council, shall be considered when evaluating requests for utility allocations:

- Value for Taxes and Public Fees
- Business Community: Diverse and Profitable
- Regional Service Center

In accordance with a premise of the “Town of Clayton Strategic Growth Plan” utility allocations should support and maximize the concept of:

- Increasing the Town’s property tax based revenues by the expansion and improvement of higher valued commercial and industrial land uses.

Consistent with the intent of this policy and other public statements and policies made by the Town Council, the following hierarchy shall apply to evaluation of utility allocation requests:

- Industrial projects and other major employers
- Commercial properties with quality development projects
- Development projects with a mixed-use element
- Additional phases attached to residential projects with a proven record of quality product and economic success

POLICY – UTILITY ALLOCATIONS

Page 2 of 6

- Residential projects that include tangible, high quality community amenities
- Residential projects that include diverse products and opportunities
- Residential projects, not otherwise described above

D. Based on analysis of the existing customer base, the Town of Clayton devotes approximately fifty percent of utility capacity to residential flow, thirty percent to industrial flow, and the balance to commercial flow.

II. Policy

A. The Town of Clayton shall endeavor to grant utility allocations such that the existing character of the Town's utility customer base does not become more residential than is currently the case, and it shall seek to increase the diversity of the customer base by increasing the percentage of flow devoted to industrial, commercial, and mixed use development.

The total amount of available capacity and each incremental increase in capacity may be made available to applicants based on the following parameters:

-No more than fifty percent of the total may be allocated to strictly residential development projects.

-At least thirty percent of the total must be reserved for allocation to commercial/industrial projects.

-Projects encompassing mixed use (residential and commercial) elements may be considered for allocation even if such an allocation will exceed the limit established above for residential use.

B. The Town of Clayton may allocate utility service capacity to competing projects based on a demonstrated intent and ability on the part of the applicant to meet adopted Town goals and plans for character and quality of development.

C. The Town of Clayton may deny a utility allocation request if the applicant fails to adequately demonstrate how the project meets adopted Town goals or plans or in the case that the project is deemed to be less supportive of Town goals or plans.

III. Reservation Process

- A. The owner of any project requiring utility service from the Town of Clayton shall submit a written application for an allocation. The application shall be in letter form, addressed to the Town Manager, and shall include detailed information on the amount of capacity necessary to serve the project, the nature of the project, project schedule in relation to consumption of utility capacity, and other supporting information demonstrating how the project serves the needs and interests of the Town of Clayton.
- B. The Town Council shall review for approval all allocations, which require or may require a daily flow allocation of ten thousand gallons or more and/or any allocation made for a land use category from capacity otherwise set aside for a different land use type.
 - 1. Subdivisions, Mixed-use Planned Developments, Special Use Permits. The Town Council shall fully and with deliberation incorporate the evaluation of utility allocation requests into the decision-making process associated with each of the aforementioned review processes. The criteria contained herein for evaluation of utility allocation requests shall be included as elements within the review processes for the accompanying land use application with regard to conformity with Town of Clayton policies and ordinances, planning practices, and consistency with adopted long-range and strategic plans.
 - 2. Allocations requiring Town Council approval, but which do not require other land use regulatory reviews or approvals. The applicant shall include with their letter of application a full description of how their project supports the goals and priorities established within this and related policies and plans.
- C. The Town Manager shall review for approval all applications for utility capacity, which require a daily flow allocation of less than ten thousand gallons for allocations in accordance with the land use allotments, specified in this policy.
 - 1. The Town Manager shall consider the goals articulated by this and related Town policies when reviewing applications for utility allocations. If an application is denied, the Town Manager shall state in writing the reasons for denial of the request.

POLICY – UTILITY ALLOCATIONS

Page 4 of 6

2. Appeals process. Any applicant whose application for utility service is denied by the Town Manager and who believes that such denial is inconsistent with the goals and priorities stated by this and related Town policies may appeal the denial for review by the Town Council for final decision as provided in section III, B, 2 above at the next regularly scheduled Town Council meeting.
- D. Utility allocations granted under this policy shall require the requestor to post a deposit for capacity fees within forty-five (45) days of the date the allocation is granted. Failure to post a deposit in timely fashion may result in revocation of the allocation.
1. The required deposit shall be at least twenty percent (20%) of the total utility capacity fees calculated for the project.
 2. All utility allocations approved by the Town shall be effective for a period of twenty-four (24) months to start of construction beyond the time shown on the project schedule prepared and submitted by the developer or customer.
 3. Upon request by the applicant and at the discretion of the Town, an allocation may be extended for one twelve (12) month period.
 4. At the final expiration date for an unused allocation, the Town shall rescind the allocation and retain twenty percent (20%) of the total utility capacity fees calculated for the project from the posted deposit.
- E. An allocation holder may relinquish capacity back to the Town.
1. If a project is unsuccessful in obtaining any required Town permit or approval or any State permit or approval, the full deposit paid on utility capacity fees shall be reimbursed without penalty or other withholding by the Town.
 2. If a project is successful in obtaining all required Town and State approvals and holds an allocation for ninety (90) or more days, but relinquishes back to the Town the full amount of allocation within fewer than twenty-four months beyond the scheduled date for start of construction, then ten percent (10%) of the total utility capacity fees due shall be retained by the Town and the remaining amount of the deposit posted with the Town shall be returned to the applicant.

POLICY – UTILITY ALLOCATIONS

Page 5 of 6

3. If a project is successful in obtaining all required Town and State approvals and agrees to relinquish the total capacity allocation granted back to the Town within ninety (90) days following receipt of final permit approval from the Town, then the total amount of the deposit on utility capacity fees paid to the Town shall be returned without penalty or other withholding by the Town.
- F. Granting of a utility allocation does not imply or confer approval of any other applications or reviews as may be required by Town Ordinance or policy and does not imply or create any vested right.
 - G. If the Town of Clayton approves an allocation for utility capacity for a project and a permit for such project is ultimately denied by the North Carolina Department of Environment and Natural Resources or other responsible regulatory agency, then the Town of Clayton shall bear no liability for any costs incurred by the applicant, nor bare further responsibility in the matter. In such cases, applicable utility access fees, if previously collected, shall be returned as provided in section III, E, 1.

IV Capacity Accounting

- A. Due to weather related factors, the regulatory environment, and the dynamic nature of wastewater flow and treatment, accounting of available utility capacity is, by its very nature, inexact. The Town of Clayton shall seek to track the amount of capacity that may be available for allocation; however, such reports do not constitute a policy statement, commitment or guarantee on the amount of capacity available for allocation.
 1. The Town Manager shall prepare and incorporate as part of the program established hereunder a schedule of utility capacity available and a list of allocations granted.
 2. The Town Manager shall make at least quarterly reports to the Town Council regarding the status of utility capacities available and allocations granted.

V. Applicability. This policy shall replace previous policies adopted by the Town Council, as noted below.

- A. “Town of Clayton Wastewater Treatment Capacity Allocation Policy” dated February 19, 2001.

POLICY – UTILITY ALLOCATIONS

Page 6 of 6

- B. “Town of Clayton Policy Regarding Wastewater Treatment Allocations Granted by Resolution of the Town Council” dated September 17, 2001 and revised June 16, 2003.
- C. “Town of Clayton Policy for Evaluating and Reserving Utility Allocations” dated July 19, 2004.

Duly adopted this 7th day of September 2010, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Brenton W. McConkey
Town Attorney

MOTION GRANTING WASTEWATER ALLOCATION

Motion for Wastewater Allocation Request: The applicant is requesting an alternative water/wastewater allocation. The current allocation requirements are an allocation of 10,080 gpd. As this is a senior apartment facility, the requested allocation for this development is 3,240 gpd.

MOTION GRANTING REZONING APPROVAL

Motion:

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

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

CONSISTENCY AND REASONABLENESS STATEMENT PDD-MU 2013-11

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES PDD-MU 2013-11 is consistent with the Town of Clayton Strategic Growth Plan.

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that PDD-MU 2013-11 is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of Section 155.705 (J) of the Unified Development Code of the Town of Clayton, PDD-MU 2013-11 is reasonable and in the public interest.

Duly adopted by the Clayton Town Council this ____ day of May 2013.

ATTEST:

Jody L. McLeod, Mayor

Sherry L. Scoggins, MMC Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 5d

Meeting Date: 5/06/13

TITLE: PRESENTATION OF PLANNED DEVELOPMENT DISTRICT
REQUEST PDD 2013-09, BRISTOL AT COBBLESTONE.

DESCRIPTION: The applicant is requesting a modification and updated approval to the previously approved master plan PDD 2006-08 and preliminary subdivision approval for a 260 single family home subdivision previously known as Pine Grove Subdivision.
At its March 25, 2013, meeting, the Planning Board voted to recommend approval with the conditions recommended in the staff report with the exception of condition of #11, which was recommended with the change from 35% to 85% of Total Suspended Solids.
This item is slated for public hearing at the May 6, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-15-13	Presentation.	Application, Neighborhood Meeting information, Staff Report, Wastewater Allocation request, Aerial Map & Site plans for: <ul style="list-style-type: none">▪ PDD 2013-09▪ PDD 2006-08
5-06-13	Evidentiary Hearing.	Hearing Procedures, Application, Neighborhood Meeting Information, Staff Report, Aerial Map, Site Map, Wastewater Allocation Request, Utility Allocation Policy, Statement of Reason-Ableness & Consistency, and Motion Form.

**TOWN OF CLAYTON
PLANNED DEVELOPMENT DISTRICTS
(PD-R, PD-C, PD-I, PD-MU)
HEARING PROCEDURES**

- 1. HEARING:** The Mayor shall call the hearing and announce the case.
- 2. RULES OF PROCEDURE:** The Town Attorney introduces the planned development rezoning procedures and evidentiary hearing procedures (if applicable). If a protest petition has been received, the Town Attorney will announce if it meets the requirements to invoke the super majority rule; and if applicable, explain the super majority rule. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
- 3. STAFF REPORT:** The staff shall give its report.
- 4. APPLICANT TESTIMONY:** The applicant shall be called to present their case. The applicant is responsible for successfully addressing the following rezoning Master Plan Approval Criteria [155.705(K)]:
 - a. Compliance with 155.203(K) and all other applicable requirements of this chapter;
 - b. Consistency with the Clayton General Design Guidelines;
 - c. Conformance of the proposal with the stated purpose of the requested planned development district;
 - d. Compatibility of the proposed development with the adjacent community;
 - e. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;
 - f. Self-sufficiency of each phase of the overall project;
 - g. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;
 - h. The fiscal impact of the proposal and the proposed financing of required improvements;
 - i. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community; and
 - j. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

In addition, the applicant will also address the required findings of fact for preliminary subdivision approval [155.706(I) (10)]:

1. Consistency with the adopted plans and of policies of the Town.
2. The subdivision meets all required specifications of this chapter.

3. The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.
4. The subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.
5. **OPPOSITION TESTIMONY:** Those speaking in opposition to the application shall be called upon to present their case.
6. **APPLICANT REBUTTAL:** The applicant and/or those in support shall be provided an opportunity to rebut the testimony provided by the opposition.
7. **OPPOSITION REBUTTAL:** Those in opposition shall be provided an opportunity to rebut testimony provided by the applicant.
8. **COUNCIL INQUIRY:** The Council may ask questions of the applicant, opposition, or staff at this time. There shall be no time limit except that the Mayor shall be responsible for keeping questions and responses relevant and factual.
9. **DELIBERATION:** The Mayor shall call the Council into deliberation. Once called into deliberation, no person may address the Council and no questions may be asked by Council to the public.
10. **UTILITY ALLOCATION (WHEN APPLICABLE):** In the event of pending action on a utility allocation request related to the case and after deliberation, the Council shall take action on the utility allocation in accordance with related policies and procedures.
11. **REZONING APPROVAL CRITERIA [155.705(J)]:** In connection with its legislative decision on a rezoning request, the Town Council may consider factors including, but not limited to, the following:
 - a. Consistency with the adopted plans and policies of the town;
 - b. Suitability of the subject property for uses permitted by the current versus the proposed district;
 - c. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the town;
 - d. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and storm water drainage facilities for the proposed use;

- e. It has been determined that the legal purposes for which zoning exists are not contravened;
- f. 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; and
- g. 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.

12. ACTION BY TOWN COUNCIL FOR THE REZONING [155.705(I)]:

The Town Council may:

- ↳ Approve the rezoning,
- ↳ Deny the rezoning, or
- ↳ Send the rezoning back to the Planning Director for additional consideration.

Concurrently with adopting, denying, or remanding any rezoning, the Town Council shall:

- ↳ Adopt a statement describing whether its action is consistent with the adopted plans and policies of the Town; and
- ↳ Explain why the Town Council considers the action taken to be reasonable and in the public interest.

13. ACTION BY TOWN COUNCIL FOR THE PRELIMINARY SUBDIVISION FINDINGS FOR DECISION: After deliberation of the evidence has been completed and action on the utility allocation (when applicable) and the rezoning request; each finding shall be discussed in turn and a motion, second and vote shall be made selecting one of the three alternatives for each finding. A majority vote shall prevail.

14. ACTION – APPLICATION: Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application. Failure of any single criteria to achieve majority approval by the Council shall necessitate a decision against the application. A majority vote for approval for all of the four criteria shall necessitate a decision in favor of the application.



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

SUBDIVISION APPLICATION

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

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

- *Minor Subdivision: \$200.00 +5.00/lot.*
- *Major Subdivision: 2-15 Lots = \$200.00 +5.00/lot; 16-40 Lots = \$300.00 +5.00/lot; 41-80 Lots = \$400.00 +5.00/lot; 81+ Lots = \$500.00 +5.00/lot; and. Open Space Subdivision = \$500.00 + \$5/lot.*
- *Final Plat: \$250.00*
- *Exempt Map/Recombination: \$50.00*

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

SUBDIVISION TYPE:

Application Type:

- Minor Subdivision
 Major Subdivision
 Final Plat
 Exempt Map
 Recombination

SITE INFORMATION:

Name of Project: BRISTOL @ COBBLESTONE Acreage of Property: 91.52 AC
 Preliminary Plat Approval Date (if applicable): NOV 6, 2006
 Parcel ID Number: 166B-17-6696 166B-16-3666 Tax ID: 05H03027, 05H03028S, 05H03028T
 Location: 166B-06-6850 NORTH OF COBBLESTONE @ CHAMPION & FALCON CT
 Section(s): _____ Phase(s): 5
 Number of Lots (Existing): 0 (Proposed): 260 Min. Lot Size: 6,000 SF
 Zoning District: PD-R Planned Development? (Y/N): Y Electric Provider: TOC
 Specific Use: 260 SINGLE FAMILY HOMES
 Recreation/Open Space Requirement:
 Fee in lieu
 Land Dedication (acreage) 11.5 AC

FOR OFFICE USE ONLY

File Number: 2013-09
 Date Received: received
11/31/13 AB
 Amount Paid: \$1,800.00

OWNER INFORMATION:

Name: BMV LLC
Mailing Address: 1210 TRINITY ROAD SUITE 102 RALEIGH NC 27607
Phone Number: 919-868-3586 Fax: 919-303-5099
Email Address: montaguebldg@earthlink.net

APPLICANT INFORMATION:

Applicant: BMV LLC
Mailing Address: 1210 TRINITY ROAD SUITE 102 RALEIGH NC 27607
Phone Number: 919-868-3586 Fax: 919-303-5099
Contact Person: DANIEL W. BLACKBURN (919-553-2906)
Email Address: blackburneng@embargo.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

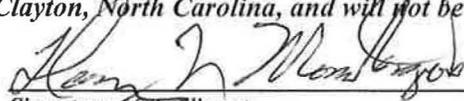
The following items must accompany a Subdivision Plan application. This information is required, except where otherwise noted:

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

APPLICANT AFFIDAVIT

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

Harvey L. Montague
Print Name


Signature of Applicant

1-29-13
Date

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

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

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

THIS IS AN AMENDMENT TO A CURRENTLY APPROVED SUBDIVISION PLAN.
THE AMENDMENT FOLLOWS THE APPROVED PLAN WITH CHANGES TO IMPROVE
CONNECTIVITY OF ROADWAYS IN THE SOUTHWESTERN CORNER AND INCORPORATES
STORMWATER MANAGEMENT TO ADDRESS NITROGEN EXPORT. THIS
AMMENDMENT REDUCES THE LOT COUNT FROM 264 TO 260 LOTS.

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

CONSISTENT WITH CURRENTLY APPROVED PLAN.

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

AMENDMENT IMPROVES CONNECTIVITY OF ROADWAYS, PROVIDES
INTERCONNECTION OF EXISTING WATER MAINS TO IMPROVE SERVICE TO
COBBLESTONE, AND INCORPORATES STORMWATER MANAGEMENT TO
PROTECT THE ENVIRONMENT.

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

CONSISTENT WITH CURRENTLY APPROVED PLAN.

BRISTOL @ COBBLESTONE

ADJOINING PROPERTY OWNERS

COBBLESTONE HOME OWNERS
ASSOCIATION OF CLAYTON
201 SHANNON OAKS CIRCLE
SUITE 120
CARY, NC 27511
PIN: 1668-26-5513

RONALD & MARGARET SMITH
136 FALCON CT
CLAYTON, NC 27520
PIN: 1668-26-4643

DAVID & JEANETTE ROBERTS
426 CHAMPION ST
CLAYTON, NC 27520
PIN: 1668-26-4952

EVERETT CHAPEL FREEWILL
BAPTIST CHURCH
307 EVERETT AVE
CLAYTON, NC 27520
PIN: 1668-26-4871

EDNA GILCHRIST
432 CHAMPION ST
CLAYTON, NC 27520
PIN: 1668-26-4742

ANDREW WILSON &
SUSAN CONTI
415 CHAMPION ST
CLAYTON, NC 27520
PIN: 1668-27-4327

SHELIA & CHARLES BEACH
413 CHAMPION ST
CLAYTON, NC 27520
PIN: 1668-27-4455

SCOTT & JODI AKER
110 SHIELDS CT
CLAYTON, NC 27520
PIN: 1668-27-5612

JERRELL & CAROLISA STAMPS
109 SHIELDS CT
CLAYTON, NC 27520
PIN: 1668-27-4616

KENNETH & TONIA MCCORMICK
106 SHIELDS CT
CLAYTON, NC 27520
PIN: 1668-27-4727

AGNES & HARVEY KUNKEL
501 EVERETT AVE
CLAYTON, NC 27520
PIN: 1668-27-5819

KRISTY PULLEY
503 EVERETT AVE
CLAYTON, NC 27520
PIN: 1668-27-4911

DAVID BLINSON JR.
917 JOYNER ST
CLAYTON, NC 27520
PIN: 1668-18-9172

DAVID BLINSON JR.
917 JOYNER ST
CLAYTON, NC 27520
PIN: 1668-18-9095

ROBERT HARRIS
915 E POND ST
CLAYTON, NC 27520
PIN: 1668-18-8004

SUVETER EARP LIFE ESTATE
& REDIN EARP
8105 GABRIELS BEND DR
RALEIGH, NC 27612
PIN: 1668-18-7173

ROBERT HARRIS
915 POND ST
CLAYTON, NC 27520
PIN: 1668-18-7032

ERNEST & JUDY BARNES
405 DAMON ST
CLAYTON, NC 27520
PIN: 1668-18-6162

BRIDGETTE ONEAL
407 DAMON ST
CLAYTON, NC 27520
PIN: 1668-18-6005

CINDY PATTON
406 DAMON ST
CLAYTON, NC 27520
PIN: 1668-18-4055

DAVID & BEVERLY DUNCAN
404 DAMON ST
CLAYTON, NC 27520
PIN: 1668-18-4176

STEPHEN PARKER
109 BROWNING COURT
CLAYTON, NC 27520
PIN: 1658-96-6634

PETER & SARAH PARKER
113 BROWNING COURT
CLAYTON, NC 27520
PIN: 1658-96-7652

ADRIENNE & STEVE WILSON
117 BROWNING COURT
CLAYTON, NC 27520
PIN: 1658-96-8521

BRIAN CARTER
813 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-06-9114

JOSHUA & JENNIFER ALFORD
811 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-06-9194

VINCENT FRANKS
809 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-16-0174

DENNIS & MEGAN DRAUGHON
807 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-16-1154

LINDA HAWKINS
805 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-16-2163

803 YORKSHIRE DR
CLAYTON, NC 27520
PIN: 1668-16-3152

CELIA & WILLIAM VISSER
207 WELDON DR
CLAYTON, NC 27520
PIN: 1668-19-4028

ROEHL & ANNELI SANTOS
424 CHALLENGE RD
RALEIGH, NC 27603
PIN: 1668-16-4186

WESTMINSTER LAND TRUST
& TEDWIL INC TRUSTEE
PO BOX 1167
FOUR OAKS, NC 27524
PIN: 1668-16-6330

KEVIN & JULIANA MAXWELL
201 S TURBOT AVE
APT 2
MILTON, PA 17847
PIN: 1668-16-6377

TODD MITCHELL
415 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-16-7377

CHRISTOPHER STEPHENSON &
JESSICA AMOS
413 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-16-8367

JAMES & MILDRED BAILEY
505 EVERETT AVE
CLAYTON, NC 27520
PIN: 1668-27-3944

DAVID BLINSON JR
917 JOYNER ST
CLAYTON, NC 27520
PIN: 1668-27-2967

CRAIG & CHARLES LEE
2130 SHOTWELL RD
CLAYTON, NC 27520
PIN: 1668-28-2164

JONATHAN LEE &
ERIN WHITE
427 WEST MAIN ST
CLAYTON, NC 27520
PIN: 1668-28-1032

JONATHAN LEE &
ERIN WHITE
427 WEST MAIN ST
CLAYTON, NC 27520
PIN: 1668-28-1009

EVERETTS CHAPEL
FREEWILL BAPTIST
DB 778 PG 845
ZONED R-6

DENNIS M. PARRISH
1834 BEAR FARM RD.
SMITHFIELD, NC 27577
PIN: 1668-08-6305

ROBERT & DAWN GOODACRE
112 BROWNING COURT
CLAYTON, NC 27520
PIN: 1658-96-7367

STEPHEN & CHERYL SURER
118 BROWNING COURT
CLAYTON, NC 27520
PIN: 1658-96-6340

MARK & KAREN SCHULTZ
109 DARFIELD COURT
CLAYTON, NC 27520
PIN: 1658-96-5145

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520
PIN: 1658-98-5176

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520
PIN: 1658-95-8821

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520
PIN: 1658-96-6995

DANIEL & CECIL HEAVNER
PO BOX 2346
SMITHFIELD NC 27577
DB 03039 PG 827
ZONED R-6

DEBORAH DUTCH
411 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-16-9337

YVONNE & RONALD TAYLOR
409 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-26-0317

407 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-26-0387

KATHERINE BLOUNT
405 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-26-1367

JASON & AMY BURGE
403 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-26-2337

JOSEPH POPE
401 WESTMINSTER DR
CLAYTON, NC 27520
PIN: 1668-26-3337

HLMRVT LLC
1210 TRINITY RD
SUITE 102
RALEIGH, NC 27607
PIN: 1668-05-4810

HLMRVT LLC
1210 TRINITY RD
SUITE 102
RALEIGH, NC 27607
PIN: 1668-18-2265

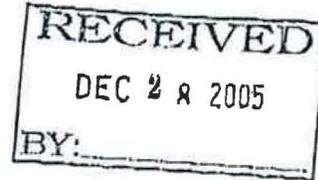


FILE COPY

Engineers
Planners
Surveyors

December 27, 2005

Mr. R. Steven Biggs, Town Manager
Town of Clayton
Post Office Box 879
Clayton, North Carolina 27528-0879



**Reference: Pine Grove Subdivision (Proposed Subdivision)
Sewer Capacity Allocation Request
Town of Clayton, Johnston County, North Carolina**

Dear Mr. Biggs:

On behalf of Triangle Development Group, LLC, Rivers and Associates, Inc. is requesting sewer capacity allocation in the amount of 101,500 gallons per day. The requested allocation is in accordance with Section 15A-NCAC02H.

Basis	Quantity	Unity Flow	Unit	Total
• Residential Units	400	250	GPD/Residence	100,000 GPD
• Clubhouse/Amenity	150	10	GPD/Person	1,500 GPD
Total Allocation Requested				101,500 GPD

The proposed development consists of approximately 87.5 acres and is identified as Johnston County Tax Parcels 05H03027A, 05004001, 05004001B, 05E99021C, 05H03027B and 05H03027 and shown on the attached EXHIBIT A, Pine Grove Subdivision, Town of Clayton, Johnston County, North Carolina.

We will forward you a sketch of the proposed development as it becomes available.

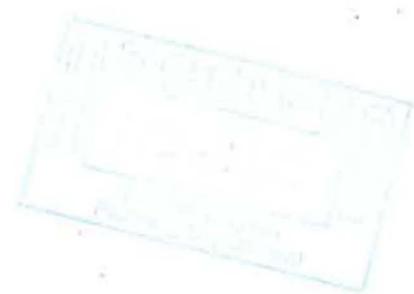
I trust you will find this request acceptable. In the meantime, should you have any questions, please call.

With best regards,
RIVERS AND ASSOCIATES, INC.

Donnie W. Brewer, President

Encl.

Cc: Glen Stygar
John Lancaster
Jim Walker
John Poetzsch





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: BRISTOL @ COBBLESTONE Submittal Date: _____

OWNERS AUTHORIZATION

I hereby give CONSENT to BLACKBURN CONSULTING ENGINEERING (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.

Harvey L. Montague Harvey L. Montague 1-28-13
 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.

Harvey L. Montague Harvey L. Montague 1-28-13
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: _____	Date Received: received 1-31-13	Parcel ID Number: _____
--------------------	---	-------------------------

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

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

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

THIS IS AN AMENDMENT TO A CURRENTLY APPROVED SUBDIVISION PLAN. THE AMENDMENT FOLLOWS THE APPROVED PLAN WITH CHANGES TO IMPROVE CONNECTIVITY OF ROADWAYS IN THE SOUTHWESTERN CORNER AND INCORPORATES STORMWATER MANAGEMENT TO ADDRESS NITROGEN EXPORT. THIS AMMENDMENT REDUCES THE LOT COUNT FROM 264 TO 260 LOTS.

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

CONSISTENT WITH CURRENTLY APPROVED PLAN.

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

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

CONSISTENT WITH CURRENTLY APPROVED PLAN.

BLACKBURN CONSULTING ENGINEERING F-0219

305 E. Main Street
Clayton, NC 27520
(919) 553-2900 Fax 553-7298

February 25, 2013

Dear Clayton Area Property Owner:

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

Meeting Date: March 13, 2013

Location: HomeTown Realty, 328 E. Main Street, Clayton

Time: 6:00 PM

Type of Application: Planned Development Master Plan

General Description: Amendment to existing Residential planned development

If you have any questions prior to or after this meeting, you may contact us at (919) 553-2900.

Sincerely,

Daniel W. Blackburn, PE

A handwritten signature in cursive script that reads "Daniel W. Blackburn".

cc: Clayton Planning Dept.

ADJOINING PROPERTY OWNERS

COBBLESTONE HOME OWNERS
ASSOCIATION OF CLAYTON
201 SHANNON OAKS CIRCLE
SUITE 120
CARY, NC 27511

RONALD & MARGARET SMITH
136 FALCON CT
CLAYTON, NC 27520

DAVID & JEANETTE ROBERTS
426 CHAMPION ST
CLAYTON, NC 27520

EVERETT CHAPEL FREEWILL
BAPTIST CHURCH
307 EVERETT AVE
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EDNA GILCHRIST
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ANDREW WILSON &
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ROBERT HARRIS
915 E POND ST
CLAYTON, NC 27520

SUVETER EARP LIFE ESTATE
& REDIN EARP
8105 GABRIELS BEND DR
RALEIGH, NC 27612

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DENNIS & MEGAN DRAUGHON
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KRISTI & BRADLEY BLANKENSHIP
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CLAYTON, NC 27520

CELIA & WILLIAM VISSER
207 WELDON DR
CLAYTON, NC 27520

ROEHL & ANNELI SANTOS
424 CHALLENGE RD
RALEIGH, NC 27603

BANK OF AMERICA NA
BAC HOME LOANS SERVICING LP
PO BOX 1167
FOUR OAKS, NC 27524

KEVIN & JULIANA MAXWELL
201 S TURBOT AVE
APT 2
MILTON, PA 17847

TODD MITCHELL
415 WESTMINSTER DR
CLAYTON, NC 27520

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JESSICA AMOS
413 WESTMINSTER DR
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DEBORAH DUTCH
411 WESTMINSTER DR
CLAYTON, NC 27520

DAVID BLINSON JR
917 JOYNER ST
CLAYTON, NC 27520

STEPHEN & CHERYL SURER
118 BROWNING COURT
CLAYTON, NC 27520

KENNETH & CHERYL ZEHNDER
409 WESTMINSTER DR
CLAYTON, NC 27520

CRAIG & CHARLES LEE
2130 SHOTWELL RD
CLAYTON, NC 27520

MARK & KAREN SCHULTZ
109 DARFIELD COURT
CLAYTON, NC 27520

YVONNE & RONALD TAYLOR
407 WESTMINSTER DR
CLAYTON, NC 27520

JONATHAN LEE &
ERIN WHITE
427 WEST MAIN ST
CLAYTON, NC 27520

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520

KATHERINE BLOUNT
405 WESTMINSTER DR
CLAYTON, NC 27520

JONATHAN LEE &
ERIN WHITE
427 WEST MAIN ST
CLAYTON, NC 27520

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520

JASON & AMY BURGE
403 WESTMINSTER DR
CLAYTON, NC 27520

EVERETTS CHAPEL
FREEWILL BAPTIST
307 EVERETT AVE
CLAYTON, NC 27520

TOWN OF CLAYTON
P.O. BOX 777
CLAYTON, NC 27520

JOSEPH POPE
401 WESTMINSTER DR
CLAYTON, NC 27520

DENNIS M. PARRISH
1834 BEAR FARM RD.
SMITHFIELD, NC 27577

DANIEL & CECIL HEAVNER
PO BOX 2346
SMITHFIELD NC 27577

HLMRVT LLC
1210 TRINITY RD
SUITE 102
RALEIGH, NC 27607

HLMRVT LLC
1210 TRINITY RD
SUITE 102
RALEIGH, NC 27607

Bristol at Cobblestone
 Neighborhood Meeting
 March 13, 2013 at HTR Office (6:00pm)

Name	Address
Robert HARRIS	915 POND ST, CLAYTON
LINDA HAWKINS	805 YORKSHIRE DR. CLAYTON
Megan Draughon	807 Yorkshire Dr. Clayton, NC
Yvette & Lisa Stamp	109 Shields Ct. Clayton NC
Emily Beddingfield	Town of Clayton
Stelia Beach	413 Champion St
Jeannette Roberts	426 Champion St.
Ed Ferrell	504 Everett Chapel Church
Mildred & James Bailey	505 Everett Ave. Clayton
Amy Ryder-Burge	403 Westminster Dr. Clayton
John AKER	110 SHIELDS CT CLAYTON
Kenneth & Tonia McCormick	106 Shields Ct Clayton
Katherine Bloont	405 Westminster Dr., Clayton
Mark A Schultz	109 Darfield Ct

Minutes from Bristol at Cobblestone's Neighborhood Meeting

When: 6:00 pm on March 13, 2013

Where: Home Town Realty Office in Clayton, NC

Danny Blackburn greeted everyone and explained the size and location of the proposed project. He explained that this plan is an amendment to a currently approved plan. The amendment incorporates the addition of stormwater management and improved roadway connectivity. These changes resulted in the reduction of the total number of lots from 264 to 260. Questions were asked to specify the location of the project entrances and were further explained by Danny.

The impact on water and sewer services were questioned by the group. The added interconnections the project adds to the existing water and sewer were explained by Danny. Interconnections will improve water service in the existing Cobblestone subdivision.

Questions were asked concerning HOA for the subdivision as it relates to the existing Cobblestone. Mr. Harvey Montague stated that there would be an HOA but that it would be separate from the existing community. He also described the proposed recreational improvements for the project.

Many people were interested in the type of homes and the size of the lots. Danny Blackburn explained that the density of the subdivision is 3 lots per acre but the average lot size is approximately one-sixth of an acre. Harvey Montague described the cost of the proposed homes as varying between \$150,000 and \$225,000. He elaborated on the style of homes and described them to be approximately 1800 square feet with garage (similar to the homes existing in his other project, Chandler Ridge).

Traffic concerns for the increased volume that the subdivision would add to Champion Street were brought up by many. Emily Beddingfield explained this project to be an amendment of an already approved project. The traffic impact was reviewed by the Town of Clayton and approved previously. This amendment reduces the number of lots from the approved plan.

Questions were asked regarding the perimeter buffer around the project. Emily Beddingfield explained that the Type C buffer shown on the plan complies with the current Town of Clayton standards.

A question was asked regarding conservation of trees within the site. The response by Danny Blackburn was that the existing vegetation will be maintained in the resource conservation

areas and most of the open space excluding areas used for stormwater management devices. The developed area will be mass graded.

Emily Beddingfield informed the group on the upcoming Town Council Meeting on May 6, 2013 at 6:30pm for anyone who desired to attend.

From: [Emily Beddingfield](#)
To: [Sherry Scoggins](#)
Subject: Bristol at Cobblestone
Date: Friday, March 15, 2013 2:29:28 PM

Hi Sherry,

Bristol at Cobblestone is project # 2013-09 – it was originally entered as a preliminary subdivision but we are going to change it to a PDD after realizing it was in a planned development district. I'll let you know if that changes the project #. This is a modification to a previously approved planned development – PDD 06-08.

Thanks!
Emily

Emily S. Beddingfield, AICP

Planner

Town of Clayton

111 East Second Street | Clayton, NC 27520

P (919)553-1545 | F (919)553-1720

ebeddingfield@townofclaytonnc.org



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

Town Council

STAFF REPORT

Application Numbers: PDD 2013-09 (Rezoning, Master Plan Modification/Preliminary Subdivision)

Project Name: Bristol at Cobblestone
NC PIN: 166805-17-6696, 166809-16-3696, 166809-06-6850
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: BMV LLC
Owners: BMV LLC
Agents: Danny Blackburn

Neighborhood Meeting: Held March 13, 2013

PROJECT LOCATION: The project is generally located to the north of Cobblestone Subdivision at Champion and Falcon Street.

REQUEST: The applicant is requesting a modification and updated approval to the previously approved master plan (approved in 2006) and preliminary subdivision approval for a 260 single family home subdivision known as Bristol at Cobblestone.

SITE DATA:

Acreage: 91.52 acres
Present Zoning: PD-R
Proposed Zoning: PD-R
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: Single Family Residential
Buildings: n/a
Number of Stories: n/a
Impervious Surface: n/a
Required Parking: n/a

Proposed Parking: n/a

Fire Protection: Town of Clayton.

Access/Streets: Primary access is off of Champion Street; secondary access is via Pond Street to the north and Lakemont Drive to the south into existing and proposed subdivisions.

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

ENVIRONMENTAL: Care should be taken in order to preserve existing trees and to protect stream buffers as well as potential wetland areas. Little Creek runs along the western border of the development, and tributaries and wetlands run along the northern edge of the development. This site drains to Little Creek, which is listed as an impaired stream by the NC Division of Water Quality. Site also has areas within the 100 yr. FEMA flood zone, but no lots are platted within this zone.

12.25 acres of the site are considered resource conservation areas. No impacts to these resource conservation areas are proposed. A proposed greenway crosses the tributary in the northwest portion of the site; applicable state and local permits will be required. A total of 34.34 acres (37.5%) of the site is proposed open space (including the resource conservation areas). Staff is recommending that the developer preserve as many trees as possible when developing this site.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Residential-8 (R-8), Residential-6 (R-6)
	Existing Use:	Single Family Residential, Vacant
South:	Zoning:	Residential-8 (R-8)
	Existing Use:	Single Family Residential (Cobblestone Subdivision)
East:	Zoning:	Residential-8 (R-8)
	Existing Use:	Single Family Residential, Champion Street
West:	Zoning:	Residential-8 (R-8)
	Existing Use:	Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting updated approval including modifications to the existing master plan for the Planned Development known as Bristol at Cobblestone, and for preliminary subdivision approval (encompassed in the master plan). The site was originally rezoned to PD-R with an associated master plan, known as "Pine Grove," in 2006 (project #RZ 06-08) with a total of 264 lots.

The subdivision layout includes three entrances. The primary entrance will be off of Champion Street, with two additional entrances including one connecting into Cobblestone Subdivision (Lakemont Drive), and one to Pond Street within the existing subdivision to the north.

The project will be developed in four phases. The recreation amenity area shall be developed as part of phase I. Separate site plan review by the Planning Department will be required for the amenity area.

- **Consistency with the Strategic Growth Plan**

The proposed subdivision is consistent with the Strategic Growth Plan.

- **Consistency with the Unified Development Code**

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

- **Landscaping and Buffering**

A Class "C" buffer is provided around the perimeter of the development.

- **Recreation and Open Space**

21.56 acres, or 23.54% of the property (exclusive of resource conservation areas) is proposed recreation and open space, with 4.00 acres provided as improved recreation. Improved recreation includes 3.09 acres of an amenity area and 0.91 acres of greenway trail.

The greenway will be constructed along Little Creek to the west and will count toward the development's improved recreation area. The greenway will be accessed by two connections into the neighborhood, and will stub out in the north for connections to the future Little Creek Greenway on Town property. A greenway easement will be required to connect to the Town property to the south to connect to this future greenway.

- **Multi-modal Access**

Five foot wide sidewalks will be provided along all roadways on both sides of the road. As discussed above, a 10 foot asphalt greenway is proposed along Little Creek.

- **Traffic**

A Traffic Impact Analysis was completed as part of the approval of the Pine Grove development in 2006. Because the proposed number of lots or access points has not significantly changed, a modification is not required.

A condition from the Pine Grove subdivision, which is a recommended condition for this modification, is the construction of exclusive left and right turn lanes on Champion Street.

- **Wastewater Allocation**

The applicant has requested sewer capacity of 66,500 gallons per day, a reduction from the 101,500 gallons per day previously approved for the Pine Grove subdivision.

- **Signs**

All signage will be required to comply with Town of Clayton UDC requirements.

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

None.

FINDINGS:

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706(I)(10). The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

RECOMMENDATION:

Staff is recommending approval of the modifications to the master plan and preliminary subdivision approval with the following conditions:

1. The recreation amenity area shall be subject to site plan review.
2. Where stormwater ponds are wet detention ponds, a four-foot high decorative fence shall be required.
3. The Little Creek Greenway Trail shall be completed as part of Phase II, as indicated in the Phasing Plan.
4. Improvements to the Little Creek Greenway shall include building a 10' wide gravel trail with 2' shoulders and a bridge over the small branch draining to Little Creek. This shall contribute to the 25% requirement for open space improvements to the site.
5. A 20 foot greenway easement shall be provided from the proposed greenway trail down to the Town of Clayton property to the south to accommodate future connections to the Little Creek Greenway.

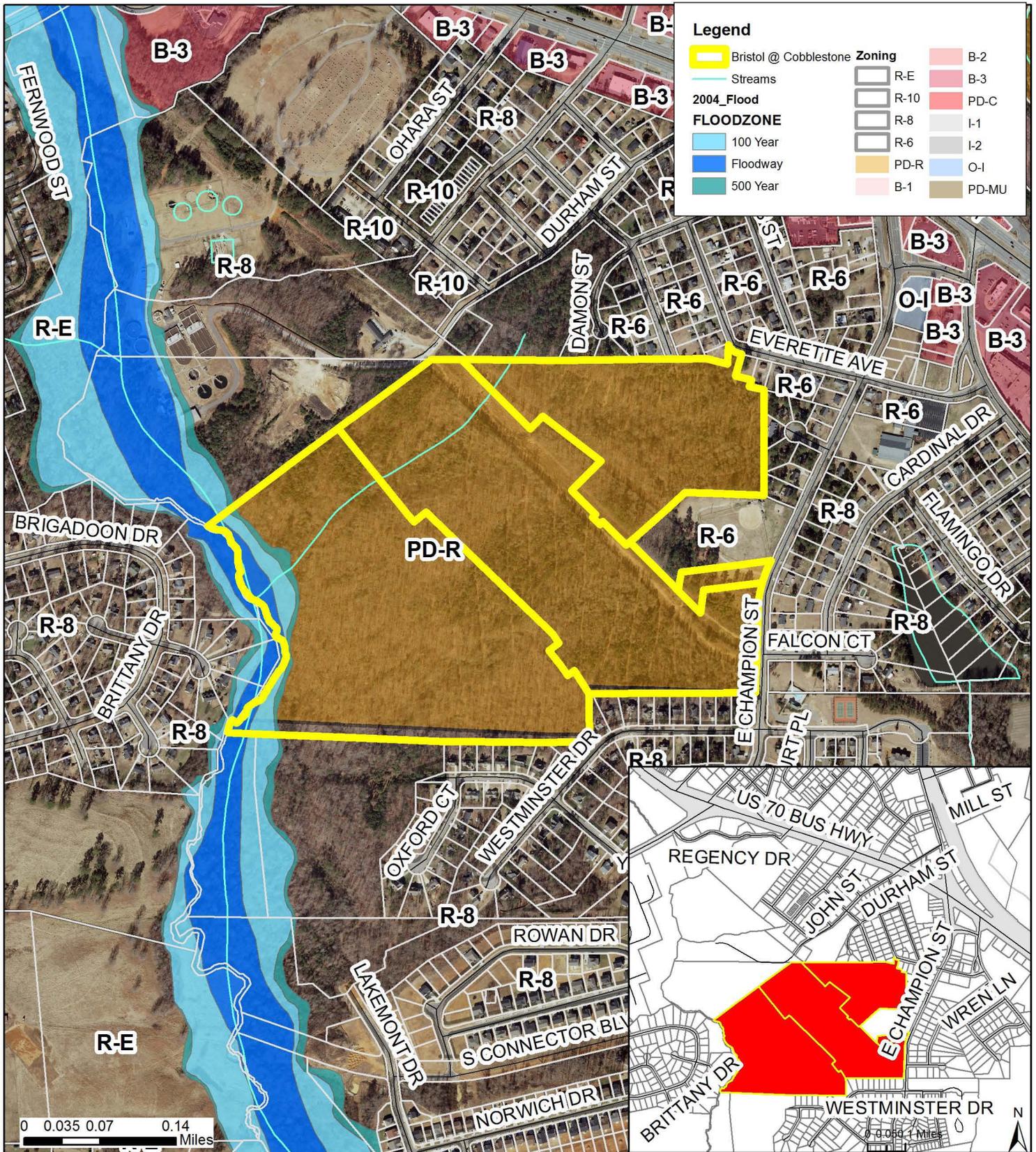
Conditions from the previously approved master plan:

6. Utility acreage and access fees for water/sewer shall be paid prior to recording of final plat, subject to the approval of wastewater allocation.
7. The review and approval of project water, sewer, post construction storm drainage, and street construction drawings is a separate process. These drawings must be submitted to the Public Works Department when they become available.
8. Debris from the clearing of the site will not be burned within TOC Limits.
9. Wetland and riparian buffer areas will be undisturbed in accordance with state and local regulations. A minimal amount of clearing is to take place in constructing the proposed roadways and utilities.
10. Existing trees and vegetation will be preserved as much as practical and in accordance with all applicable regulations.

11. A licensed engineer shall design stormwater control measures to remove a minimum 85% Total Suspended Sediments (TSS) and include measures to protect all environmentally sensitive areas such as stream buffers and steep slopes in compliance with Town of Clayton and NC DWQ standards.
12. A homeowner's association document shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.
13. Construct the project entrance as one egress and one ingress lane as shown on the plan.
14. Construct exclusive left and right turn lanes on Champion Street.

PLANNING BOARD RECOMMENDATION:

At their regularly scheduled meeting on March 25, 2013, the Planning Board voted to recommend approval with the conditions recommended in the staff report, with the exception of condition #11, which was recommended with the change from 35% to 85% of Total Suspended Solids.



Bristol at Cobblestone Planned Development Master Plan Reapproval and Preliminary Subdivision

Applicant: Blackburn Engineering
 Property Owner: BMV LLC
 Parcel ID Numbers: 166805-17-6696, 166809-16-3696, 166809-06-6850
 File Number: PSD 2013-9

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



ADJOINING PROPERTY OWNERS

COUNTRY ESTATES SUBD. PB 21 PG 79	PARRISH SUBDIVISION PB 9 PG 153	COBBLESTONE SUBDIVISION PB 47 PG 90 PB 40 PG 301
81 COBBLESTONE HOME OWNERS ASSOCIATION OF CLAYTON 201 SHANNON OAKS CIRCLE SUITE 120 CARY, NC 27511 PIN: 166810-26-5513	7 DAVID BLINSON JR. 917 JOYNER ST CLAYTON, NC 27520 PIN: 166805-18-9172	42 BRIAN CARTER 813 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-06-9114
82 RONALD & MARGARET SMITH 136 FALCON CT CLAYTON, NC 27520 PIN: 166809-26-4643	8 DAVID BLINSON JR. 917 JOYNER ST CLAYTON, NC 27520 PIN: 166805-18-9095	41 JOSHUA & JENNIFER ALFORD 811 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-06-9194
COUNTRY ESTATES SUBD. PB 27 PG 381	9 ROBERT HARRIS 809 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166805-18-8004	40 VINCENT FRANKS 809 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-16-0174
102 DAVID & JEANETTE ROBERTS CLAYTON, NC 27520 PIN: 166809-26-4952	10 SUVETER EARP LIFE ESTATE & REDIN EARP 8105 GABRIELS BEND DR RALEIGH, NC 27612 PIN: 166805-18-7173	39 DENNIS & MEGAN DRAUGHON 807 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-16-1154
103 EVERETT CHAPEL FREEWILL BAPTIST CHURCH 307 EVERETT AVE CLAYTON, NC 27520 PIN: 166809-26-4871	LAKESIDE SUBDIVISION PB 15 PG 107	38 LINDA HAWKINS 805 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-16-2163
104 EDNA GILCHRIST 432 CHAMPION ST CLAYTON, NC 27520 PIN: 166809-26-4742	17A ROBERT HARRIS 915 POND ST CLAYTON, NC 27520 PIN: 166805-18-7032	37 KRISTI & BRADLEY BLANKENSHIP 803 YORKSHIRE DR CLAYTON, NC 27520 PIN: 166809-16-3152
105 ANDREW WILSON & SUSAN CONTI 415 CHAMPION ST CLAYTON, NC 27520 PIN: 166809-27-4327	17 ERNEST & JUDY BARNES 405 DAMON ST CLAYTON, NC 27520 PIN: 166805-18-6162	12 CELIA & WILLIAM VISSER 207 WELDON DR CLAYTON, NC 27520 PIN: 166809-19-4028
106 SHELIA & CHARLES BEACH 413 CHAMPION ST CLAYTON, NC 27520 PIN: 166809-27-4455	18 BRIDGETTE ONEAL 407 DAMON ST CLAYTON, NC 27520 PIN: 166805-18-6005	11 ROEHL & ANNELI SANTOS 424 CHALLENGE RD RALEIGH, NC 27603 PIN: 166809-16-4186
108 SCOTT & JODI AKER 110 SHIELDS CT CLAYTON, NC 27520 PIN: 166806-27-5612	19 CINDY PATTON 405 DAMON ST CLAYTON, NC 27520 PIN: 166805-18-4055	10 BANK OF AMERICA NA BAC HOME LOANS SERVICING LP PO BOX 1167 FOUR OAKS, NC 27524 PIN: 166809-16-6330
109 JERRELL & CAROLISA STAMPS 109 SHIELDS CT CLAYTON, NC 27520 PIN: 166805-27-4616	24 DAVID & BEVERLY DUNCAN 404 DAMON ST CLAYTON, NC 27520 PIN: 166805-18-4176	9 KEVIN & JULIANA MAXWELL 201 S TURBOT AVE APT 2 MILTON, PA 17847 PIN: 166809-16-6377
110 KENNETH & TONIA MCCORMICK 106 SHIELDS CT CLAYTON, NC 27520 PIN: 166805-27-4727	BRITTANY WOODS SUB. PB 60 PG 167	8 TODD MITCHELL 415 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-16-7377
HEAVNER HOLDING SUBD. PB 8 PG 23	91 STEPHEN PARKER 109 BROWNING COURT CLAYTON, NC 27520 PIN: 165912-96-6634	7 CHRISTOPHER STEPHENSON & JESSICA AMOS 413 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-16-8367
8 AGNES & HARVEY KUNKEL 501 EVERETT AVE CLAYTON, NC 27520 PIN: 166806-27-5819	92 PETER & SARAH PARKER 113 BROWNING COURT CLAYTON, NC 27520 PIN: 165912-96-7652	6 DEBORAH DUTCH 411 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-16-9337
9 KRISTY PULLEY 503 EVERETT AVE CLAYTON, NC 27520 PIN: 166805-27-4911	93 ADRIENNE & STEVE WILSON 117 BROWNING COURT CLAYTON, NC 27520 PIN: 165912-96-8521	5 KENNETH & CHERYL ZEHNDER 409 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-26-0317
10 JAMES & MILDRED BAILEY 505 EVERETT AVE CLAYTON, NC 27520 PIN: 166805-27-3944	94 ROBERT & DAWN GOODACRE 112 BROWNING COURT CLAYTON, NC 27520 PIN: 165912-96-7367	4 YVONNE & RONALD TAYLOR 407 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-26-0387
11 DAVID BLINSON JR 917 JOYNER ST CLAYTON, NC 27520 PIN: 166805-27-2967	95 STEPHEN & CHERYL SURER 118 BROWNING COURT CLAYTON, NC 27520 PIN: 165912-96-6340	3 KATHERINE BLOUNT 405 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-26-1367
12 CRAIG & CHARLES LEE 2130 SHOTWELL RD CLAYTON, NC 27520 PIN: 166805-28-2164	96 MARK & KAREN SCHULTZ 109 DARFIELD COURT CLAYTON, NC 27520 PIN: 165912-96-5145	2 JASON & AMY BURGE 403 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-26-2337
50 JONATHAN LEE & ERIN WHITE 427 WEST MAIN ST CLAYTON, NC 27520 PIN: 166805-28-1032		1 JOSEPH POPE 401 WESTMINSTER DR CLAYTON, NC 27520 PIN: 166809-26-3337
51 JONATHAN LEE & ERIN WHITE 427 WEST MAIN ST CLAYTON, NC 27520 PIN: 166805-28-1009		

TABLE OF CONTENTS:

PAGE 1: COVER SHEET

PAGE 2: PRELIMINARY LOT LAYOUT

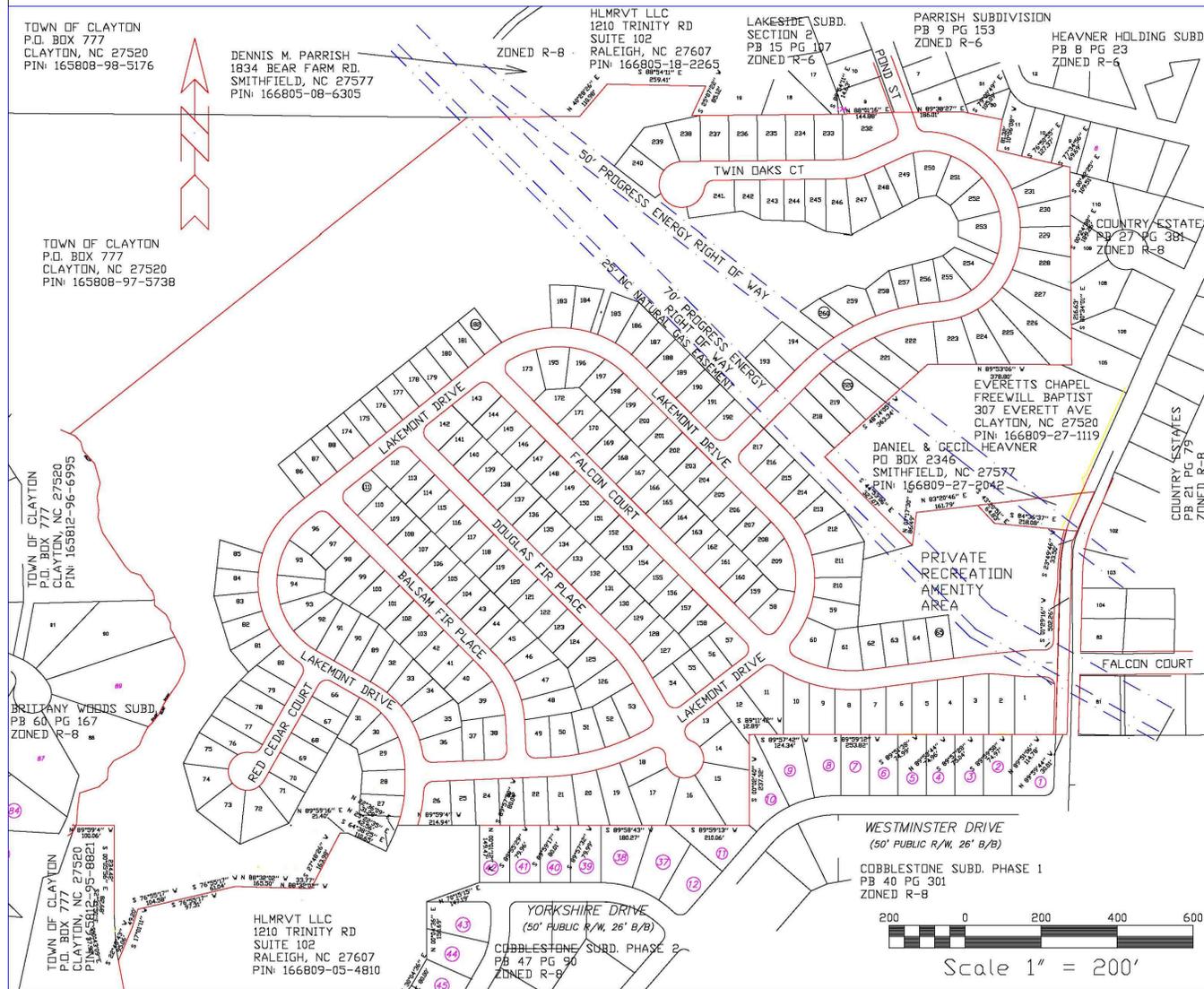
PAGE 3: PRELIMINARY UTILITY PLAN

PAGE 4: PHASING PLAN

THE BRISTOL AT COBBLESTONE

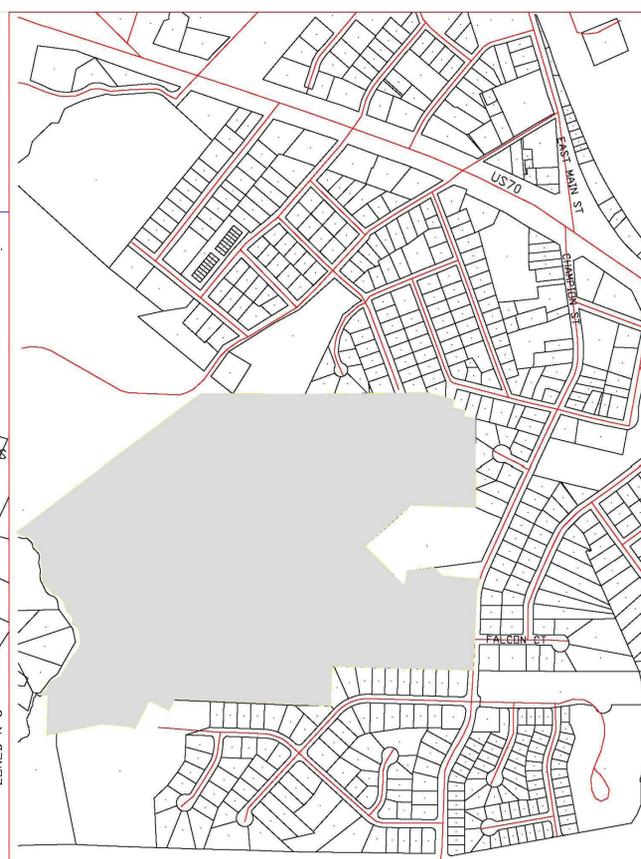
DEVELOPED BY BMV LLC

CLAYTON, NORTH CAROLINA



GENERAL NOTES

- CONSTRUCTION PLAN APPROVAL FROM TOWN OF CLAYTON SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY STREET, WATER AND/OR SANITARY SEWER AND STORM DRAINAGE SYSTEMS.
- ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE TOWN OF CLAYTON STANDARDS.
- ALL LOTS SHALL EQUAL OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS OF THE TOWN OF CLAYTON ZONING ORDINANCE.
- UNDERGROUND ELECTRIC AND TELEPHONE UTILITIES ARE PROPOSED.
- EROSION CONTROL PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
- WETLANDS DELINEATION PERFORMED BY RIVERS AND ASSOCIATES.
- ALL PROPOSED SANITARY SEWER MAINS ARE TO BE 8" DIAMETER.
- A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN PER F.E.M.A. F.I.R.M. MAP 2720166800 J. EFFECTIVE 12/2/05.
- THIS PROJECT IS LOCATED WITHIN THE NEUSE RIVER BASIN.
- CONTRACTOR SHALL CONTACT NC ONE CALL (1-800-632-4949) PRIOR TO ANY EXCAVATION. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE BY HIS FORCES.
- CONTRACTOR SHALL NOT EXCAVATE, FILL OR PERFORM MECHANIZED LAND CLEARING AT ANY TIME IN THE CONSTRUCTION OR MAINTENANCE OF THIS PROJECT WITHIN WATERS AND/OR WETLANDS, OR CAUSE THE REGRADATION OF WATER AND/OR WETLANDS, EXCEPT AS AUTHORIZED BY PERMIT OR MODIFICATION THEREOF. THERE SHALL BE NO EXCAVATION FROM, WASTE DISPOSAL INTO, OR DEGRADATION OF, JURISDICTIONAL WETLANDS OR WATERS ASSOCIATED WITH THIS PERMIT WITHOUT APPROPRIATE MODIFICATION, INCLUDING APPROPRIATE COMPENSATORY MITIGATION. THIS PROHIBITION APPLIES TO ALL BORROW AND FILL ACTIVITIES CONNECTED WITH THIS PROJECT.
- STORM SEWER LOCATED OUTSIDE OF THE PUBLIC R/W SHALL HAVE PUBLIC DEDICATED EASEMENTS FOR MAINTENANCE OF THE FOLLOWING WIDTHS:
15" THRU 30" DIAMETER PIPE = 20' DRAINAGE EASEMENT,
36" THRU 48" DIAMETER PIPE = 30' DRAINAGE EASEMENT.
- AMENITIES TO BE CONSTRUCTED WITHIN THE PRIVATE RECREATION AMENITY AREA SHALL CONSIST OF: POOL WITH POOL HOUSE, TOT LOT, PICNIC SHELTER, GRASSED PLAY FIELD AND ASSOCIATED PARKING. AMENITIES SHALL BE CONSTRUCTED AS PART OF PHASE ONE.
- A HOMEOWNER'S ASSOCIATION DOCUMENT SHALL BE REVIEWED BY STAFF AND RECORDED PRIOR TO FINAL PLATS. SUCH DOCUMENT SHALL ASSURE RESPONSIBILITY FOR MAINTENANCE OF ALL COMMON FACILITIES AND PROVIDE ADEQUATE MEANS FOR FUNDING TO DO SO.
- ROADWAY IMPROVEMENTS AT PROJECT ENTRANCE SHALL INCLUDE THE ADDITION OF EXCLUSIVE LEFT AND RIGHT TURN LANES ON CHAMPION STREET.
- PRIVATE RECREATION AREAS AND GREENWAY TRAILS WILL BE REQUIRED TO BE BONDED OR SECURED WITH A LETTER OF CREDIT IF NOT CONSTRUCTED.



VICINITY MAP 1"=500'

SITE DATA

PIN - 166805-17-6696
166809-16-3696
166809-06-6850

OWNER - BMV LLC
1210 TRINITY ROAD STE 102
RALEIGH, NC 27607

ZONING - PD-R
DEVELOPMENT - OPEN SPACE SUBDIVISION

PROPOSED DENSITY	3 UNITS/ACRE
TOTAL TRACT AREA	91.59 ACRES
RESOURCE CONSERVATION AREA	12.25 ACRES
(STREAM BUFFERS, WETLANDS & FLOODPLAIN)	
NET AREA OF TRACT	79.34 ACRES
OPEN SPACE REQUIREMENTS	
12.5% OF NET AREA = .125*79.34	9.92 ACRES
OPEN SPACE PROVIDED (37.50% TOTAL TRACT)	34.34 ACRES
USABLE OPEN SPACE EXCLUSIVE OF RESOURCE CONSERVATION AREA AND PERIMETER BUFFERS (23.54% NET TRACT)	21.56 ACRES
IMPROVED RECREATION PROVIDED	
25% OF REQUIRED OPEN SPACE = .25*9.92	2.48 ACRES
IMPROVED RECREATION PROVIDED	4.00 ACRES
RECREATION SITE = 3.09 ACRES	
GREENWAY TRAIL = 0.91 ACRES	

MINIMUM BUILDING SETBACKS

FRONT	20'
SIDE AGGREGATE	12'
SIDE MINIMUM	6'
REAR	15'
CORNER YARD	10'

UTILITY PROVIDERS

WATER	TOWN OF CLAYTON
SEWER	TOWN OF CLAYTON
ELECTRIC	TOWN OF CLAYTON

BLACKBURN CONSULTING ENGINEERING F-0219
305 EAST MAIN STREET
CLAYTON, NC 27520
(919) 563-2900 FAX: (919) 563-7298

COVER SHEET
THE BRISTOL AT COBBLESTONE
DEVELOPED BY BMV LLC

REVISIONS:
03/15/2013

SCALE:
1"=200'

DRAWN BY:
DWB

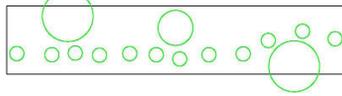
DATE:
01/31/2013

PROJECT NO.
J-611

SHEET
1
OF 4

LANDSCAPING REQUIREMENTS

TYPICAL 20' TYPE C BUFFER



20' TYPE C BUFFER (PLANTS/100 LINEAR FEET)

- 1 BERM
- 2 CANOPY TREES
- 1 UNDERSTORY TREE
- 12 SHRUBS

BERMS SHALL HAVE A MINIMUM AVERAGE HEIGHT OF 2 1/2 FEET WITH SIDE SLOPES OF NOT LESS THAN 4:1.

STREET YARD TREES

ONE STREET TREE SHALL BE PROVIDED PER LOT.

ALL STREET YARD TREES SHALL BE A MINIMUM OF 2 1/2 CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED NO LESS THAN 5 FEET OR MORE THAN 15 FEET FROM THE BACK OF THE SIDEWALK.

GREENWAY TRAIL DETAIL

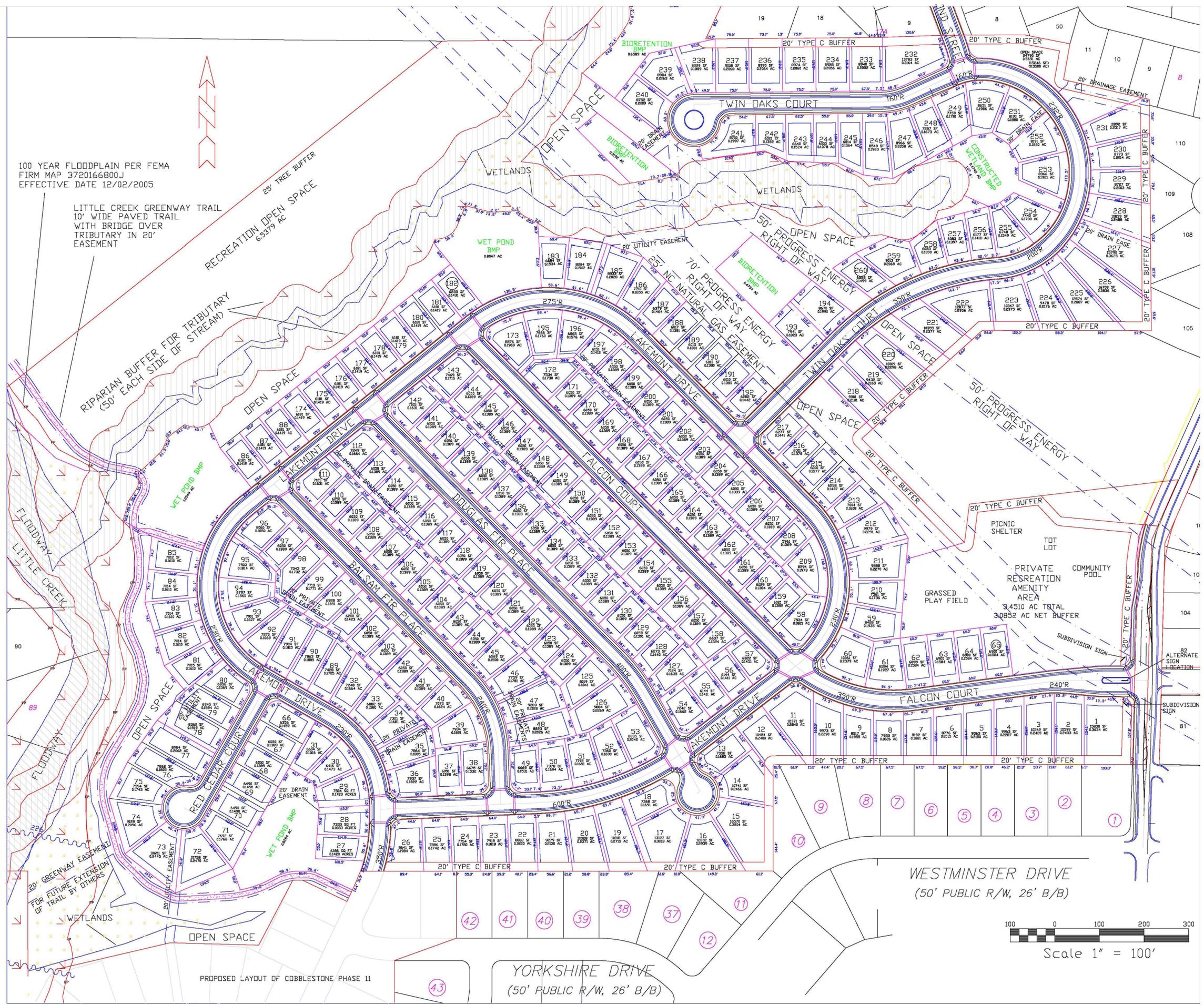


100 YEAR FLOODPLAIN PER FEMA FIRM MAP 3720166800J EFFECTIVE DATE 12/02/2005

LITTLE CREEK GREENWAY TRAIL 10' WIDE PAVED TRAIL WITH BRIDGE OVER TRIBUTARY IN 20' EASEMENT

25' TREE BUFFER
RECREATION OPEN SPACE 6.5379 AC

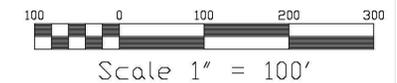
RIPARIAN BUFFER FOR TRIBUTARY (30' EACH SIDE OF STREAM)



PROPOSED LAYOUT OF COBBLESTONE PHASE 11

YORKSHIRE DRIVE (50' PUBLIC R/W, 26' B/B)

WESTMINSTER DRIVE (50' PUBLIC R/W, 26' B/B)



Scale 1" = 100'

BLACKBURN CONSULTING ENGINEERING F-0219

305 EAST MAIN STREET
CLAYTON NC 27520
(919) 553-2900 FAX: (919) 553-7298

PRELIMINARY LOT LAYOUT

THE BRISTOL AT COBBLESTONE

DEVELOPED BY BMV LLC

REVISIONS: 02/26/2013

SCALE: 1"=100'

DRAWN BY: DWB

DATE: 03/15/2013

PROJECT NO. J-611

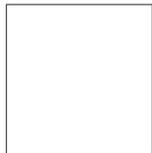
SHEET

2

OF 4

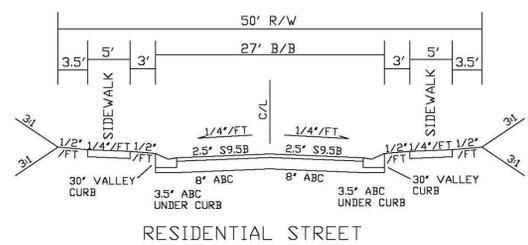
STORMWATER MANAGEMENT
 SITE AREA = 91.5928 AC
 IMPERVIOUSNESS = 29.2275 AC (31.91%)
 RESOURCE CONSERVATION AREA = 12.2481 AC (13.37%)
 NITROGEN EXPORT = 687.1 #/YR (7.50 #/AC/YR)
 NITROGEN REMOVED BY BMP'S = 154.3 #/YR
 NET EXPORT = 532.7 #/YR (5.82 #/AC/YR)
 EXPORT AT 3.6 #/AC/YR = 329.7 #/YR
 BUTDOWN OFFSET FEE FOR 203.0 #/YR

STORM DRAINAGE CALCULATIONS

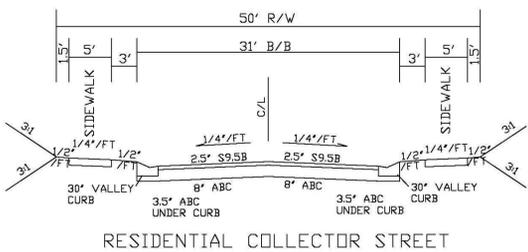


- LEGEND**
- WATER MAIN
 - FORCEMAIN
 - GATE VALVE
 - FIRE HYDRANT
 - DRAIN INLET
 - DRAIN MANHOLE
 - SEWER MANHOLE

STREET CROSS SECTIONS

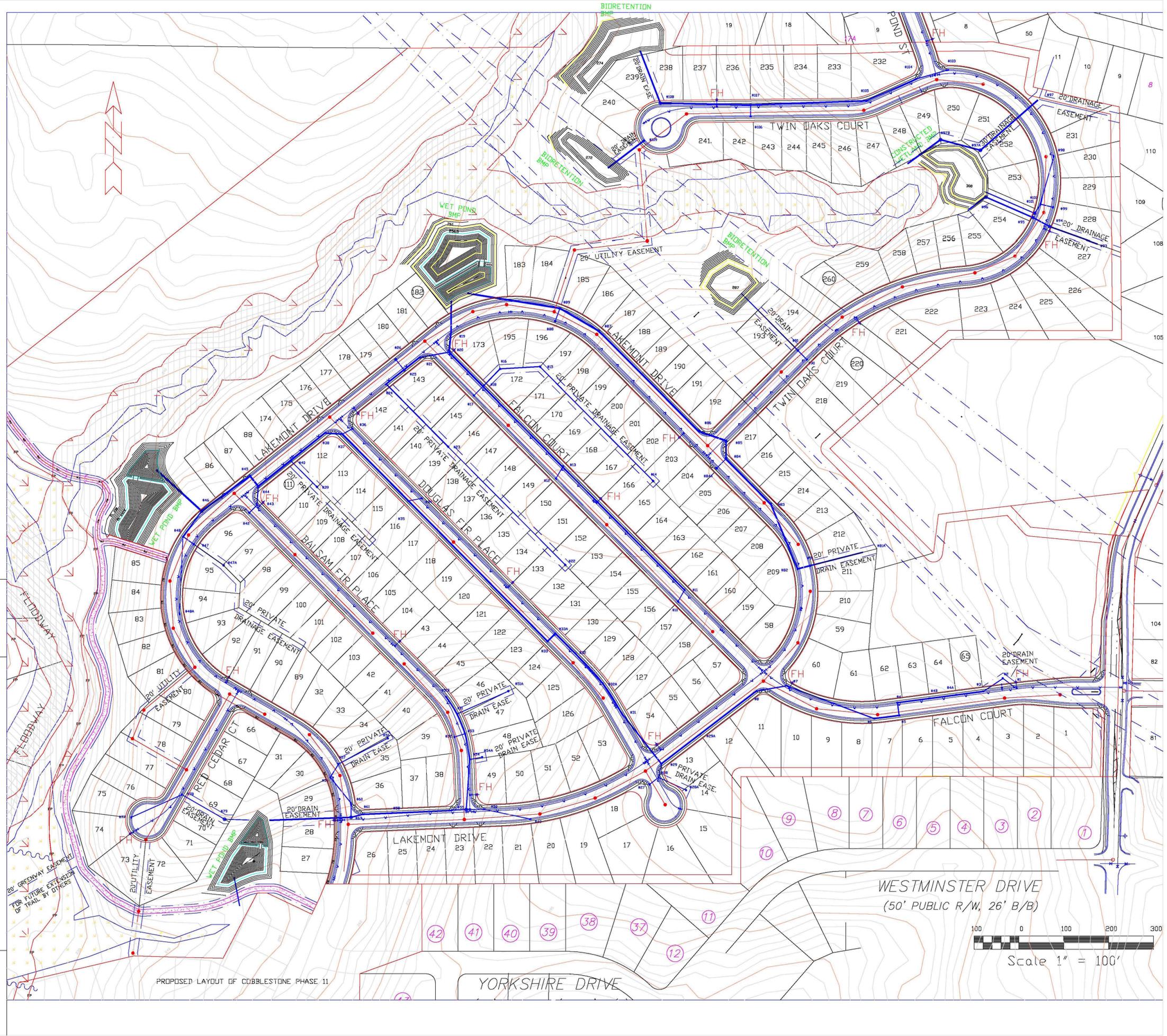


RESIDENTIAL STREET



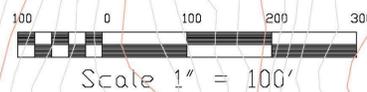
RESIDENTIAL COLLECTOR STREET

STREET	TYPE
LAKEMONT DRIVE	PUBLIC RESIDENTIAL COLLECTOR
FALCON COURT	PUBLIC RESIDENTIAL COLLECTOR
RED CEDAR COURT	PUBLIC RESIDENTIAL STREET
TWIN OAKS COURT	PUBLIC RESIDENTIAL COLLECTOR TO POND ST.
TWIN OAKS COURT	PUBLIC RESIDENTIAL STREET PAST POND ST.
DOUGLAS FIR PLACE	PUBLIC RESIDENTIAL STREET
BALSAM FIR PLACE	PUBLIC RESIDENTIAL STREET



PROPOSED LAYOUT OF COBBLESTONE PHASE 11

WESTMINSTER DRIVE
 (50' PUBLIC R/W, 26' B/B)



BLACKBURN CONSULTING ENGINEERING F-0219
 305 EAST MAIN STREET
 CLAYTON NC 27520
 (919) 553-2900 FAX: (919) 553-7298

PRELIMINARY UTILITY PLAN
THE BRISTOL AT COBBLESTONE
 DEVELOPED BY BMV LLC
 1210 TRINITY ROAD SUITE 102 RALEIGH NC 27607

REVISIONS:
 03/15/2013

SCALE:
 1"=100'

DRAWN BY:
 DWB

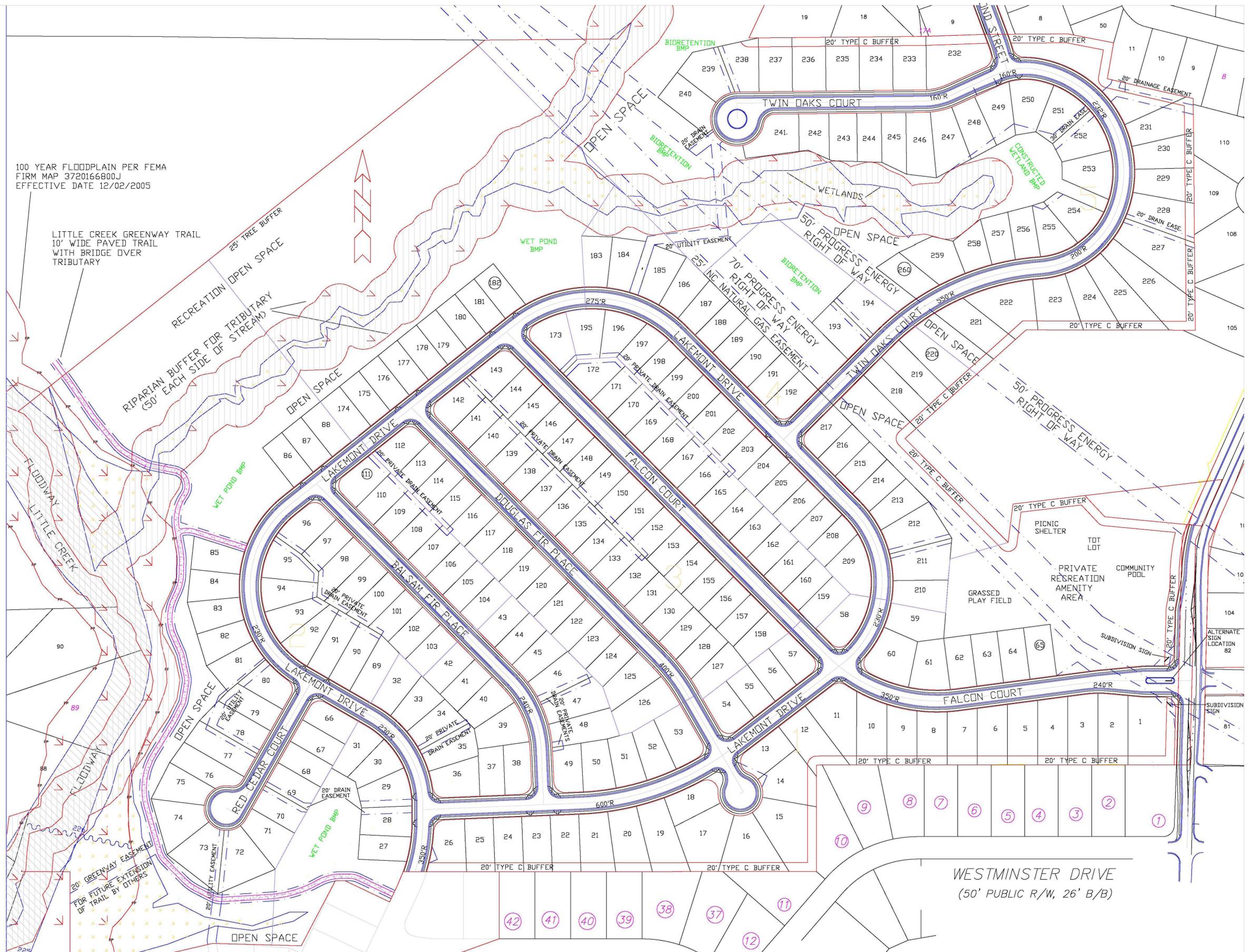
DATE:
 01/31/2013

PROJECT NO.
 J-611

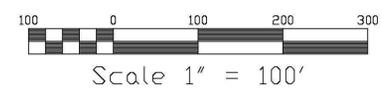
SHEET
3
 OF 4

100 YEAR FLOODPLAIN PER FEMA
FIRM MAP 3720166800J
EFFECTIVE DATE 12/02/2005

LITTLE CREEK GREENWAY TRAIL
10' WIDE PAVED TRAIL
WITH BRIDGE OVER
TRIBUTARY



SITE DATA PER PHASE					
	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5
TOTAL AREA	21.36AC	20.67AC	21.02AC	10.35AC	18.20AC
NUMBER OF LOTS	65	46	71	38	40
STREET LENGTH	3237LF	1638LF	2421LF	1672LF	1770LF



BLACKBURN CONSULTING ENGINEERING F-0219
305 EAST MAIN STREET
CLAYTON, NC 27520
(919) 563-2900 FAX: (919) 563-7298

PHASING PLAN
THE BRISTOL AT COBBLESTONE
DEVELOPED BY BMV LLC

REVISIONS:
03/15/2013

SCALE:
1"=100'

DRAWN BY:
DWB

DATE:
02/26/2013

PROJECT NO.
J-611

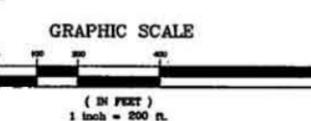
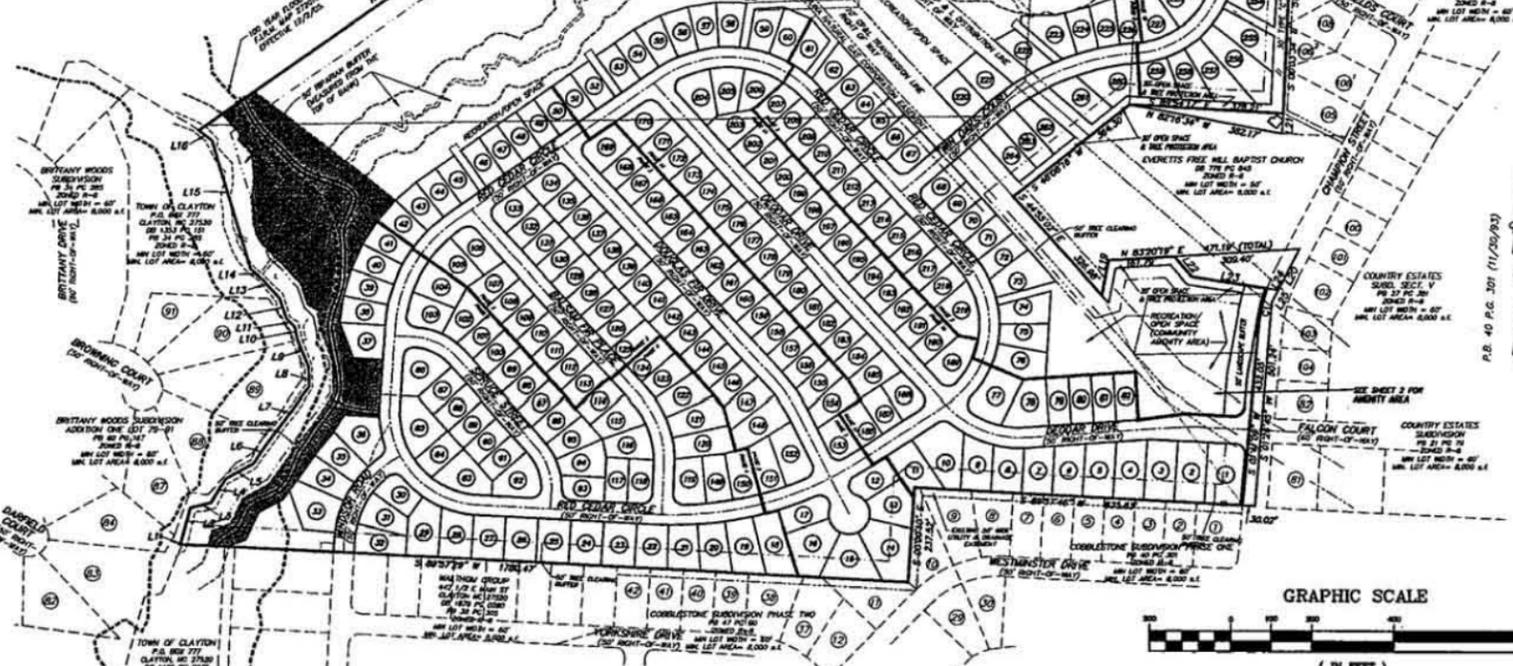
SHEET
4
OF 4

ADJOINING PROPERTY OWNERS TABLE

COUNTRY ESTATES SUBDIVISION PB 21 PG 79	PARRISH SUBDIVISION PB 9 PG 153	COBBLESTONE SUBDIVISION PHASE TWO PB 47 PG 90
<p>1. COBBLESTONE HOME OWNERS ASSOCIATION OF CLAYTON 201 SHANNON OAKS ORCLE, CLAYTON, NC 27520 DB 2753 PG 0252 PIN: 1668-25-4435</p> <p>2. RONALD & MARGARET SMITH 136 FALCON COURT, CLAYTON, NC 27520 DB 2447 PG 0303 PIN: 1668-26-4643</p>	<p>4. DAVID BLINSON 917 JOINER STREET, CLAYTON, NC 27520 DB 0667 PG 0562 PIN: 1668-18-9095</p> <p>7. DAVID BLINSON 917 JOINER STREET, CLAYTON, NC 27520 DB 0674 PG 0424 PIN: 1668-18-8004</p> <p>10. SUICHER EARP LIFE ESTATE & REED EARL 8105 GABRIELS BOND, RALEIGH, NC 27604 DB 2635 PG 0424 PIN: 1668-18-7173</p>	<p>27. DOUGLAS CREVISTON & KAREN MORG 603 YORKSHIRE DRIVE, CLAYTON, NC 27520 DB 2753 PG 0390 PIN: 1668-16-2068</p> <p>30. LINDA HAWKINS 805 YORKSHIRE DRIVE, CLAYTON, NC 27520 DB 1592 PG 0349 PIN: 1668-16-1611</p> <p>39. MICHAEL & SHANNON HICKOLLS 607 YORKSHIRE DRIVE, CLAYTON, NC 27520 DB 1828 PG 0438 PIN: 1668-16-1161</p> <p>40. VINCENT FRANKS 609 YORKSHIRE DRIVE, CLAYTON, NC 27520 DB 2004 PG 0480 PIN: 1668-06-9191</p> <p>41. DANIEL & SARAH BORLAND 811 YORKSHIRE DRIVE, SUNNYSIDE, NC 27520 DB 2936 PG 0214 PIN: 1668-06-9101</p> <p>42. JOHN & ASHLEY SAMS 811 YORKSHIRE DRIVE, CLAYTON, NC 27520 DB 2001 PG 0802 PIN: 1668-06-8721</p>
<p>34. MARK & BRIDGET McLATCHY 6908 DARNALLA COURT, RALEIGH, NC 27613 DB 2915 PG 0001 PIN: 1668-27-5058</p> <p>35. JULIUS & SANDRA ELLIOTT 1721 SCALESVILLE ROAD, SUNNYSIDE, NC 27520 DB 1221 PG 0858 PIN: 1668-27-5030</p> <p>36. DAVID & JEANNETTE ROBERTS 425 E CHAMPION STREET, CLAYTON, NC 27520 DB 1168 PG 0724 PIN: 1668-26-4952</p> <p>38. EVERETT CHAPPEL FREE WILL BAPTIST CHURCH 307 EVERETT AVENUE, CLAYTON, NC 27520 DB 2247 PG 0054 PIN: 1668-26-4871</p> <p>39. LANNY & MELVE LOOCHART 433 CHAMPION STREET, CLAYTON, NC 27520 DB 1156 PG 0799 PIN: 1668-26-4742</p> <p>40. ANDREW WILSON & SUSAN COVIL 415 E CHAMPION STREET, CLAYTON, NC 27520 DB 1142 PG 0227 PIN: 1668-27-4327</p> <p>41. SHEILA & CHARLES BEACH 413 E CHAMPION STREET, CLAYTON, NC 27520 DB 1893 PG 0303 PIN: 1668-27-4455</p> <p>42. ANDREW SMITH P.O. BOX 2143, BEAUFORT, NC 28516 DB 1566 PG 0212 PIN: 1668-27-4501</p> <p>43. SCOTT & JOY AKER 110 SHELDS COURT, CLAYTON, NC 27520 DB 2274 PG 0367 PIN: 1668-27-4546</p> <p>44. BARBARA WORLDS 109 SHELDS COURT, CLAYTON, NC 27520 DB 1038 PG 0326 PIN: 1668-27-4816</p> <p>45. KENNETH McCOONICK, JR. 109 SHELDS COURT, CLAYTON, NC 27520 DB 2037 PG 0696 PIN: 1668-27-4727</p>	<p>17. ERNEST & JUDY BARNES 405 DAMON STREET, CLAYTON, NC 27520 DB 1201 PG 0356 PIN: 1668-18-6162</p> <p>18. ROBERT & CORNELIA HARRIS 915 E POND STREET, CLAYTON, NC 27520 DB 1124 PG 0059 PIN: 1668-18-7032</p> <p>19. BRUCE & SANDRA HARRIS c/o JEANNE WINE, ATTORNEY 251 N. MAIN STREET, WINSTON SALEM, NC 27155 DB 2459 PG 0116 PIN: 1668-18-6005</p> <p>20. FRANK PERKINSON 406 DAMON STREET, CLAYTON, NC 27520 DB 2680 PG 0638 PIN: 1668-18-4055</p> <p>21. MICHAEL KLUTTS/ERRY PRESS 404 DAMON STREET, CLAYTON, NC 27520 DB 2979 PG 0015 PIN: 1668-18-4176</p>	<p>1. ERIC & ELIZABETH MAY 103 CHERRY LAUREL DRIVE, CLAYTON, NC 27520 DB 1496 PG 0181 PIN: 1668-16-2341</p> <p>2. JONATHAN & BARBARA BURNETTE 403 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 2455 PG 0636 PIN: 1668-26-1351</p> <p>3. ALBERT ROLAND # 1711 LISBURN COURT, CLAYTON, NC 27520 DB 1491 PG 0576 PIN: 1668-26-0361</p> <p>4. TYONNE & RONALD TAYLOR 107 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 3802 PG 0564 PIN: 1668-26-4501</p> <p>5. ROBERT & ANNET SMITH 143 LELY JUNG, CLAYTON, NC 27520 DB 2574 PG 0367 PIN: 1668-16-9331</p> <p>6. DEBORAH DUTCH 411 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 1948 PG 0250 PIN: 1668-16-8362</p> <p>7. CARL EDWARDS, JR. 413 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 1515 PG 0358 PIN: 1668-26-7382</p> <p>8. ASSET PROPERTY MANAGEMENT INC. 2287 PARKERTOWN ROAD, FOUR OAKS, NC 27324 DB 2113 PG 0281 PIN: 1668-16-7302</p> <p>9. JESSE & MARGA THREE 417 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 2935 PG 0517 PIN: 1668-16-6312</p> <p>10. STEPHEN & MICHELLE BYERS 3304 CAROLINA GROVE BOULEVARD, RALEIGH, NC 27616 DB 1535 PG 0038 PIN: 1668-16-5246</p> <p>11. ROOHL & ANNELI SANTOS 421 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 1577 PG 0224 PIN: 1668-16-4123</p> <p>12. CELIA & WILLIAM VESSER 423 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 3008 PG 0758 PIN: 1668-16-3033</p> <p>13. IRONLUSZ & HEATHER WILSON 414 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 2206 PG 0491 PIN: 1668-16-6028</p> <p>14. LAURA STEPHENSON & BRIAN LUCAS 416 WESTMINSTER DRIVE, CLAYTON, NC 27520 DB 3018 PG 0820 PIN: 1668-16-5072</p>

TRIANGLE ASSETS MANAGEMENT, LLC.
PINE GROVE SUBDIVISION
CLAYTON, NORTH CAROLINA

LINE	BEARING	LENGTH	CURVE	RADIUS	ARC LENGTH	CH. BEARING	CH. LENGTH	DELTA
L1	N. 24°20'30" E.	3.13						
L2	N. 11°51'36" E.	91.21						
L3	N. 72°37'58" E.	31.75						
L4	N. 22°24'30" E.	68.55						
L5	N. 58°21'13" E.	77.10						
L6	N. 22°22'12" E.	31.84						
L7	N. 33°32'37" E.	177.99						
L8	N. 05°22'34" W.	49.07						
L9	N. 25°34'41" W.	72.19						
L10	N. 14°26'20" W.	32.36						
L11	N. 47°20'00" W.	27.71						
L12	N. 22°00'00" W.	21.39						
L13	N. 44°47'37" W.	60.75						
L14	N. 51°30'27" W.	41.30						
L15	N. 19°32'54" W.	133.36						
L16	N. 54°32'43" W.	40.00						
L17	S. 29°02'34" E.	105.02						
L18	S. 10°20'30" E.	81.60						
L19	N. 07°38'58" E.	66.83						
L20	S. 27°28'28" W.	113.12						
L21	S. 00°37'34" E.	50.74						
L22	S. 42°18'18" E.	84.83						
L23	S. 84°37'04" E.	180.13						
L24	S. 84°37'04" E.	27.29						
L25	S. 27°28'28" W.	34.87						



SUMMARY OF SITE AND OPEN SPACE AREAS

SITE AREAS:	TOTAL
TOTAL AREA IN TRACT = 68.15 AC.	
RESOURCE CONSERVATION AREA = 10.92 AC (STREAM BUFFERS, WETLANDS AND FLOOD ZONES)	
NET AREA IN TRACT = 57.23 AC.	

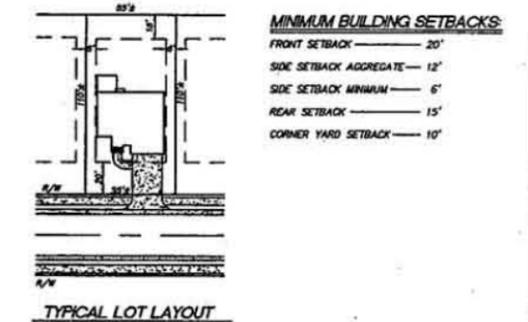
UNIMPROVED OPEN SPACE AREAS:	TOTAL
(A) PRIVATE RECREATION/OPEN SPACE	13.07 AC.
(B) PRIVATE ACCESS EASEMENTS AND PERIMETER BUFFERS	1.60 AC.
(C) PRIVATE WETLANDS AND STREAM BUFFERS	9.42 AC.
(D) PUBLIC GREENWAY (INSIDE OF CONSERVANCY AREA)	1.84 AC.
(E) PUBLIC GREENWAY (INSIDE OF CONSERVANCY AREA)	1.50 AC.
TOTAL UNIMPROVED OPEN SPACE	27.23 AC.

IMPROVED OPEN SPACE AREAS:	TOTAL
(F) PRIVATE AMENITY AREA	3.70 AC.
TOTAL IMPROVED OPEN SPACE	3.70 AC.

TOTAL OPEN SPACE PROVIDED = 30.93 AC. (OR 35.05% OF TOTAL TRACT)

SITE DATA

	TOTAL
EXISTING ZONING	R-8 & R-8
PROPOSED ZONING	PD-R
PROPOSED DENSITY	3 UNITS/ACRE
TOTAL NUMBER OF LOTS PHASE 1	87
TOTAL NUMBER OF LOTS PHASE 2	41
TOTAL NUMBER OF LOTS PHASE 3	67
TOTAL NUMBER OF LOTS PHASE 4	59
TOTAL NUMBER OF LOTS PROPOSED	264
PROPOSED AVERAGE LOT SIZE	7,352 SF.
PROPOSED MINIMUM LOT SIZE	6,000 SF.
STREETS PHASE 1	4,181 LF.
STREETS PHASE 2	1,586 LF.
STREETS PHASE 3	2,470 LF.
STREETS PHASE 4	2,740 LF.
TOTAL LINEAR FEET IN STREETS	10,977 LF.
PARCEL ID NUMBER (PIN)	1668-06-8884 1668-07-9763 1668-17-7216 1668-17-5249 1668-26-1892 1668-27-1368



OWNER / DEVELOPER
 TRIANGLE ASSETS MANAGEMENT, LLC
 4509 CREEDMOORE ROAD, SUITE 202
 RALEIGH, N.C. 27607
 (919) 836-8484

PRELIMINARY
 NOT FOR CONSTRUCTION, RECORDATION, CONVEYANCE, OR SALES

Rivers
 Engineers
 Planners
 Surveyors

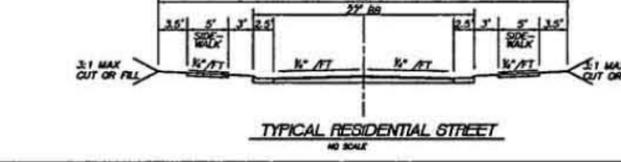
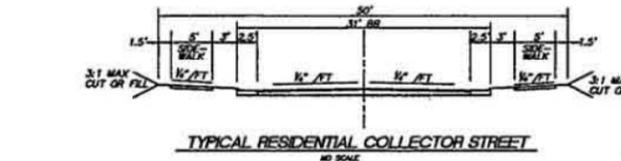
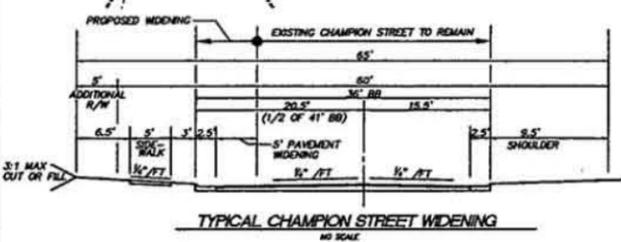
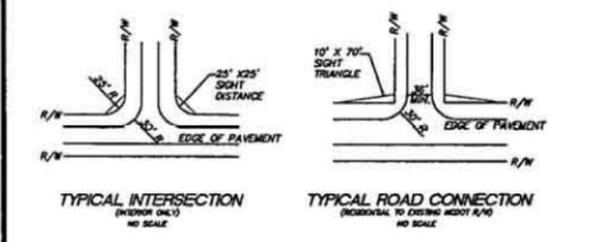
107 East Second Street, Greenville, NC 27838 (252) 783-4155

8131 Falls of Neuse Road, Suite 330, Raleigh, NC 27608 (919) 448-5347

TRIANGLE ASSETS MANAGEMENT, LLC
PRELIMINARY PLAN
PINE GROVE SUBDIVISION
 CLAYTON TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA

SURVEY DESIGN DS
 DRAFT DS
 CHECK JF

SCALE 1" = 200'
 DRAWING NO. 26014
 PROJECT NO. 26014
 SHEET 1 OF 4



RECREATION/OPEN SPACE REQUIREMENTS:
 MIN. REQUIRED PERCENTAGE OF RECREATION/OPEN SPACE = 12.5% OF NET AREA
 MIN. AMOUNT OF RECREATION/OPEN SPACE = (77.23 AC. X 12.5%) = 9.65 AC.

RECREATION/OPEN SPACE PROVIDED:
 (A+B+C) = 18.89 AC. (OR 24.07% OF NET AREA IN TRACT)

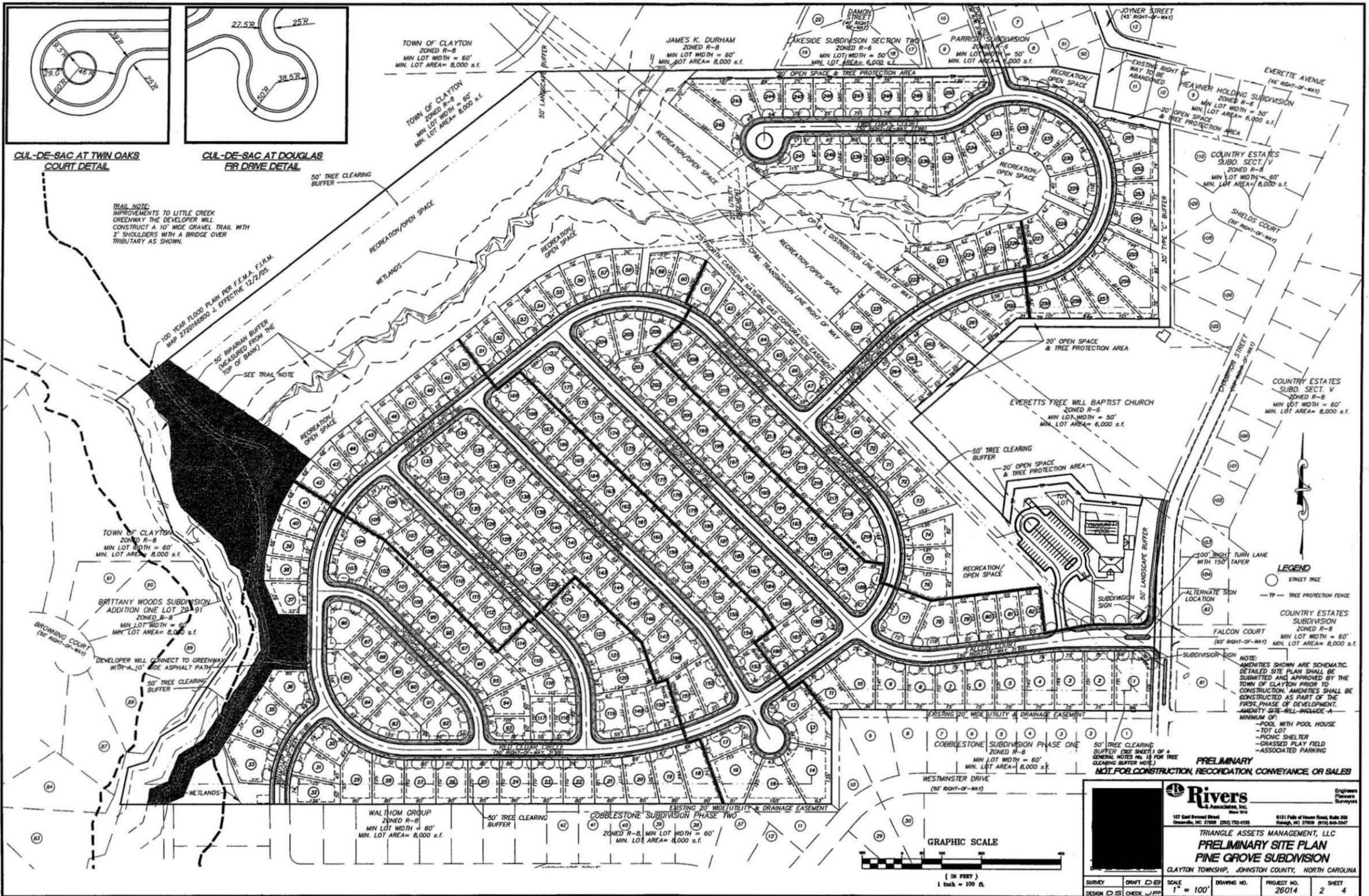
IMPROVED RECREATION/OPEN SPACE REQUIREMENTS:
 MIN. REQUIRED PERCENTAGE OF IMPROVED RECREATION/OPEN SPACE = 25% OF REQUIRED RECREATION/OPEN SPACE
 MIN. AMOUNT OF IMPROVED RECREATION/OPEN SPACE = (9.65 AC. X 25%) = 2.41 AC.

IMPROVED RECREATION/OPEN SPACE PROVIDED:
 (F) = 3.70 AC. (OR 38.22% OF REQUIRED RECREATION/OPEN SPACE)

UTILITY PROVIDERS

1. NATURAL GAS - NHC CONTACT PERSON: GALE NORRILLE PHONE: (252) 538-8388	4. WATER - TOWN OF CLAYTON CONTACT PERSON: BRION POKELAH PHONE: (919) 553-1530
2. TELEPHONE - SPRINT CONTACT PERSON: LARRY MASON PHONE: (919) 838-3843	5. SANITARY SEWER - TOWN OF CLAYTON CONTACT PERSON: BRION POKELAH PHONE: (919) 553-1530
3. ELECTRICITY - TOWN OF CLAYTON CONTACT PERSON: ROMAN WOOD PHONE: (919) 533-1530	

K:\26014 - Triangle Asset - Pine Grove\CAAD\VC\06\Photos\TFC-PLAN\APP-02-site.dwg, sheet 01 (2), 9/16/2006 4:14:33 PM





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

MEMORANDUM

Date: 3-7-13
To: Steve Biggs
From: Emily Beddingfield x5408
Subject: **Sewer Capacity Request for Bristol at Cobblestone Subdivision**

Steve,

Attached please find a sewer capacity request letter for Bristol at Cobblestone, which is currently under review by TRC (project #2013-9). Note that this is a reduction from a previous allocation for the subdivision, formerly known as Pine Grove Subdivision.

Please let me know if I can answer any questions about the project.

Thank-you,

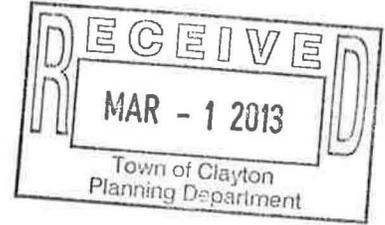
Emily
Emily Beddingfield

CC: Tim Simpson
John McCullen

Blackburn Consulting Engineering F-0219

305 East Main Street
Clayton, NC 27520
Phone: (919) 553-2900
Fax: (919) 553-7298

February 27, 2013



Mr. R. Steven Biggs, Town Manager
Town of Clayton
P.O. Box 879
Clayton, NC 27528

Reference: Bristol at Cobblestone
Sewer Capacity Allocation Request
Town of Clayton, Johnston County, NC

Dear Mr. Biggs:

On behalf of BMV, LLC, Blackburn Consulting Engineering is requesting sewer capacity allocation in the amount of 66,500 gallons per day. This requested allocation is based on total number of lots in all phases of the referenced project and the private recreation amenity. There was previously an allocation of 101,500 gallons per day for this property under the project name of Pine Grove Subdivision. Thus this request is a reduction of the previously approved allocation.

<u>Basis</u>	<u>Count</u>	<u>Flow/Unit</u>	<u>Unit</u>	<u>Total</u>
Single Family Homes	260	250 GPD	Residence	65,000 GPD
Clubhouse/Amenity	150	10 GPD	Person	1,500 GPD
Total Allocation Requested				66,500 GPD

The proposed development consists of 91.6 acres and is identified as Johnston County Tax Parcels 05H03027, 05H03028T and 05H03028S.

Sincerely,

A handwritten signature in cursive script that reads "Daniel W. Blackburn".

Daniel W. Blackburn, PE





Town of Clayton

Policy for Evaluating and Reserving Utility Allocations

I. Foundation

- A. The Town of Clayton has invested substantial capital in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. The judicious allocation of these resources in conformity with adopted goals and priorities serves to shape the community consistent with the articulated vision to become the “Premier Community for Active Families.”
- C. The Town Council for the Town of Clayton has acted to adopt certain goals that are useful tools to successfully evaluate applications for allocation of public resources so that the character of the community shall be consistent with its vision, values, and plans.

The following community goals, as established by the Town Council, shall be considered when evaluating requests for utility allocations:

- Value for Taxes and Public Fees
- Business Community: Diverse and Profitable
- Regional Service Center

In accordance with a premise of the “Town of Clayton Strategic Growth Plan” utility allocations should support and maximize the concept of:

- Increasing the Town’s property tax based revenues by the expansion and improvement of higher valued commercial and industrial land uses.

Consistent with the intent of this policy and other public statements and policies made by the Town Council, the following hierarchy shall apply to evaluation of utility allocation requests:

- Industrial projects and other major employers
- Commercial properties with quality development projects
- Development projects with a mixed-use element
- Additional phases attached to residential projects with a proven record of quality product and economic success

POLICY – UTILITY ALLOCATIONS

Page 2 of 6

- Residential projects that include tangible, high quality community amenities
- Residential projects that include diverse products and opportunities
- Residential projects, not otherwise described above

D. Based on analysis of the existing customer base, the Town of Clayton devotes approximately fifty percent of utility capacity to residential flow, thirty percent to industrial flow, and the balance to commercial flow.

II. Policy

A. The Town of Clayton shall endeavor to grant utility allocations such that the existing character of the Town's utility customer base does not become more residential than is currently the case, and it shall seek to increase the diversity of the customer base by increasing the percentage of flow devoted to industrial, commercial, and mixed use development.

The total amount of available capacity and each incremental increase in capacity may be made available to applicants based on the following parameters:

-No more than fifty percent of the total may be allocated to strictly residential development projects.

-At least thirty percent of the total must be reserved for allocation to commercial/industrial projects.

-Projects encompassing mixed use (residential and commercial) elements may be considered for allocation even if such an allocation will exceed the limit established above for residential use.

B. The Town of Clayton may allocate utility service capacity to competing projects based on a demonstrated intent and ability on the part of the applicant to meet adopted Town goals and plans for character and quality of development.

C. The Town of Clayton may deny a utility allocation request if the applicant fails to adequately demonstrate how the project meets adopted Town goals or plans or in the case that the project is deemed to be less supportive of Town goals or plans.

III. Reservation Process

- A. The owner of any project requiring utility service from the Town of Clayton shall submit a written application for an allocation. The application shall be in letter form, addressed to the Town Manager, and shall include detailed information on the amount of capacity necessary to serve the project, the nature of the project, project schedule in relation to consumption of utility capacity, and other supporting information demonstrating how the project serves the needs and interests of the Town of Clayton.
- B. The Town Council shall review for approval all allocations, which require or may require a daily flow allocation of ten thousand gallons or more and/or any allocation made for a land use category from capacity otherwise set aside for a different land use type.
 - 1. Subdivisions, Mixed-use Planned Developments, Special Use Permits. The Town Council shall fully and with deliberation incorporate the evaluation of utility allocation requests into the decision-making process associated with each of the aforementioned review processes. The criteria contained herein for evaluation of utility allocation requests shall be included as elements within the review processes for the accompanying land use application with regard to conformity with Town of Clayton policies and ordinances, planning practices, and consistency with adopted long-range and strategic plans.
 - 2. Allocations requiring Town Council approval, but which do not require other land use regulatory reviews or approvals. The applicant shall include with their letter of application a full description of how their project supports the goals and priorities established within this and related policies and plans.
- C. The Town Manager shall review for approval all applications for utility capacity, which require a daily flow allocation of less than ten thousand gallons for allocations in accordance with the land use allotments, specified in this policy.
 - 1. The Town Manager shall consider the goals articulated by this and related Town policies when reviewing applications for utility allocations. If an application is denied, the Town Manager shall state in writing the reasons for denial of the request.

POLICY – UTILITY ALLOCATIONS

Page 4 of 6

2. Appeals process. Any applicant whose application for utility service is denied by the Town Manager and who believes that such denial is inconsistent with the goals and priorities stated by this and related Town policies may appeal the denial for review by the Town Council for final decision as provided in section III, B, 2 above at the next regularly scheduled Town Council meeting.
- D. Utility allocations granted under this policy shall require the requestor to post a deposit for capacity fees within forty-five (45) days of the date the allocation is granted. Failure to post a deposit in timely fashion may result in revocation of the allocation.
1. The required deposit shall be at least twenty percent (20%) of the total utility capacity fees calculated for the project.
 2. All utility allocations approved by the Town shall be effective for a period of twenty-four (24) months to start of construction beyond the time shown on the project schedule prepared and submitted by the developer or customer.
 3. Upon request by the applicant and at the discretion of the Town, an allocation may be extended for one twelve (12) month period.
 4. At the final expiration date for an unused allocation, the Town shall rescind the allocation and retain twenty percent (20%) of the total utility capacity fees calculated for the project from the posted deposit.
- E. An allocation holder may relinquish capacity back to the Town.
1. If a project is unsuccessful in obtaining any required Town permit or approval or any State permit or approval, the full deposit paid on utility capacity fees shall be reimbursed without penalty or other withholding by the Town.
 2. If a project is successful in obtaining all required Town and State approvals and holds an allocation for ninety (90) or more days, but relinquishes back to the Town the full amount of allocation within fewer than twenty-four months beyond the scheduled date for start of construction, then ten percent (10%) of the total utility capacity fees due shall be retained by the Town and the remaining amount of the deposit posted with the Town shall be returned to the applicant.

POLICY – UTILITY ALLOCATIONS

Page 5 of 6

3. If a project is successful in obtaining all required Town and State approvals and agrees to relinquish the total capacity allocation granted back to the Town within ninety (90) days following receipt of final permit approval from the Town, then the total amount of the deposit on utility capacity fees paid to the Town shall be returned without penalty or other withholding by the Town.
- F. Granting of a utility allocation does not imply or confer approval of any other applications or reviews as may be required by Town Ordinance or policy and does not imply or create any vested right.
 - G. If the Town of Clayton approves an allocation for utility capacity for a project and a permit for such project is ultimately denied by the North Carolina Department of Environment and Natural Resources or other responsible regulatory agency, then the Town of Clayton shall bear no liability for any costs incurred by the applicant, nor bare further responsibility in the matter. In such cases, applicable utility access fees, if previously collected, shall be returned as provided in section III, E, 1.

IV Capacity Accounting

- A. Due to weather related factors, the regulatory environment, and the dynamic nature of wastewater flow and treatment, accounting of available utility capacity is, by its very nature, inexact. The Town of Clayton shall seek to track the amount of capacity that may be available for allocation; however, such reports do not constitute a policy statement, commitment or guarantee on the amount of capacity available for allocation.
 1. The Town Manager shall prepare and incorporate as part of the program established hereunder a schedule of utility capacity available and a list of allocations granted.
 2. The Town Manager shall make at least quarterly reports to the Town Council regarding the status of utility capacities available and allocations granted.

V. Applicability. This policy shall replace previous policies adopted by the Town Council, as noted below.

- A. “Town of Clayton Wastewater Treatment Capacity Allocation Policy” dated February 19, 2001.

POLICY – UTILITY ALLOCATIONS

Page 6 of 6

- B. “Town of Clayton Policy Regarding Wastewater Treatment Allocations Granted by Resolution of the Town Council” dated September 17, 2001 and revised June 16, 2003.
- C. “Town of Clayton Policy for Evaluating and Reserving Utility Allocations” dated July 19, 2004.

Duly adopted this 7th day of September 2010, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Brenton W. McConkey
Town Attorney

MOTION GRANTING WASTEWATER ALLOCATION

Motion for Wastewater Allocation Request: In a letter from Blackburn Consulting Engineering dated 2/27/2013, the wastewater allocation request for the Bristol at Cobblestone is 66,500 gpd. [Previous approval by Council on 11/6/2006 was for 65,750 gpd to the project then known as Pine Grove Subdivision.]

MOTION GRANTING REZONING APPROVAL

Motion:

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

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

CONSISTENCY AND REASONABLENESS STATEMENT PDD-R 2013-09

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES PDD-R 2013-09 is consistent with the Town of Clayton Strategic Growth Plan.

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that PDD-R 2013-09 is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of Section 155.705 (J) of the Unified Development Code of the Town of Clayton, PDD-R 2013-9 is reasonable and in the public interest.

Duly adopted by the Clayton Town Council this ____ day of May 2013.

ATTEST:

Jody L. McLeod, Mayor

Sherry L. Scoggins, MMC Town Clerk

**TOWN OF CLAYTON
SUBDIVISION APPLICATION
EVALUATION FORM**

Application Number: PDD 2013-09

The Town Council shall decide the matter of Subdivision Application Number PDD 2013-09 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance. (Applicant meets the criteria for approval).

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not meet all required specifications and/or will not conform to the Town Unified Development Ordinance for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, will be detrimental to the use or orderly development of other properties in the surrounding area and/or will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Finding Three of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will not provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will not provide for the unified and orderly use of or extension of public infrastructure, and/or will materially endanger the environment, public health, safety, or the general welfare for the following reasons. (Applicant fails to meet the criteria for approval.)

Finding Four of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will adversely affect the general plans for the orderly growth and development of the town and/or is not consistent with the planning policies adopted by the Town Council for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

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

Motion to Approve: Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Subdivision Application # _____.

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

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Subdivision Application Number PDD 2013-09 is hereby:

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

_____ denied for the noted reasons.

Decision made this 6th day of May 2013, while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 6a

Meeting Date: 5/06/13

TITLE: STATUS OF 110 WEST FRONT STREET, FORMER RED & WHITE STORE.

DESCRIPTION: At the July 16, 2012, Council work session, it was the consensus of the Council that staff draft the ordinance authorizing the building inspector to have the property demolished in the event Town does not see work initiated within the specified timeframe. At its August 6, 2012, Council meeting, it was the consensus of the Council to continue this item for 90 days. At its November 5, 2012, Council meeting, the Council received information from the lien holder of this property. All Council members voted in favor of continuing this item to the November 19, 2012, Council meeting in order to receive additional information.

RELATED GOAL: Think Downtown & Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
7-16-12	Discussion.	Ordinance.
8-06-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
10-15-12	None – Tracking.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-05-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-19-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
12-3-12	Discussion.	Ordinance, Map, NC GS 160A-439, and Town Code of Ords section 153.027.
12-17-12	Discussion.	N/A.
1-7-13	Discussion.	N/A.
1-23-13	Discussion.	N/A.
2-4-13	Discussion.	
2-18-13	Discussion.	
3-04-13	Discussion.	
3-18-13	Discussion.	
4-01-13	Discussion.	
4-15-13	Discussion.	
5-06-13	Discussion.	

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

Agenda Item: 7a

Meeting Date: 5/06/13

TITLE: PROCLAMATION RECOGNIZING MAY 2013 AS “OLDER AMERICANS MONTH.”

DESCRIPTION: The month of May has been recognized as “Older Americans Month” since 1963.

This year the Clayton Parks & Recreation Department and Community and Senior Services of Johnston County are co-hosting activities for our citizens 55 and older on Friday, May 17, 2013, from 10 AM until 12 noon in the Council Chambers at the Clayton Center, 111 East Second Street.

RELATED GOAL: Expand Leisure Opportunities

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
5-06-13	Presentation.	Proclamation.

**TOWN OF CLAYTON
PROCLAIMING MAY 2013 AS OLDER AMERICANS MONTH**

WHEREAS, the Town of Clayton joins the State of North Carolina and the Nation in declaring May as Older Americans Month; and

WHEREAS, this year marks the 50th Anniversary of the passage of the “Older Americans Act” by the United States Congress; and

WHEREAS, America’s aging population reached a turning point in 2006 as one of our nation’s largest generations, the baby boomers, started turning 60 – becoming eligible for programs under the Older Americans Act; and

WHEREAS, May has traditionally been celebrated with tributes to older persons through ceremonies, events, fairs, and other activities at Senior Centers and other locations; and

WHEREAS, the Administration for Community Living has announced that the theme for Older Americans Month 2013 is “*Unleash the Power of Age*,” and

WHEREAS, older Americans are productive, active, and influential members of society, sharing essential talents, wisdom, and life experience with their families, friends, and neighbors; and

WHEREAS, in recognition of Older Americans Month, the Town of Clayton and the Community and Senior Services of Johnston County will co-host activities at the Clayton Town Hall on Friday, May 17th, 2013, from 10:00 AM until 12:00 PM, for the young at heart aged 55 and older.

Now, therefore, let it be proclaimed by the Honorable Mayor and Town Council of the Town of Clayton that the month of May is recognized as:

“Older Americans Month”

Let it also be proclaimed that all citizens in the Clayton area are encouraged to join in this celebration.

Duly proclaimed this 6th day of May 2013, while in regular session.

Jody L. McLeod,
Mayor

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

Agenda Item: 7b

Meeting Date: 5/06/13

**TITLE: RESOLUTION OF REQUEST FOR NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION PARTICIPATION IN
IMPROVEMENTS TO GRIFOLS/NOVO EMERGENCY ACCESS
ROAD.**

DESCRIPTION: Attached.

RELATED GOAL: Grow the Local Economy

ITEM SUMMARY:

Date:

Action:

Info. Provided:

5-06-13

Presentation.

**Email and support letters (2)
And resolution.**

From: [Steve Biggs](#)
To: [Sherry Scoggins](#)
Subject: FW: GRIFOLS/NOVO - EMERGENCY ROAD PAVED
Date: Saturday, April 27, 2013 10:52:47 AM
Attachments: [20130418113632499.pdf](#)

For next agenda

-----Original Message-----

From: Durwood Stephenson [<mailto:durwood@sgcdesignbuild.com>]
Sent: Thursday, April 18, 2013 11:19 AM
To: Steve Biggs
Subject: GRIFOLS/NOVO - EMERGENCY ROAD PAVED

TO: Steve Biggs
FROM: M. Durwood Stephenson
DATE: April 18, 2013
RE: GRIFOLS/NOVO
EMERGENCY ROAD PAVED

I am enclosing a letter from Grifols and a joint letter from Grifols and Novo requesting paving of emergency road constructed by DOT. As we discussed, I need a Resolution of Support for paving from the Town of Clayton. The County has also agreed to provide a resolution.

I will keep the other possibility in plans.

As always thank you and the town for your prompt and efficient response. I would like to get this on May BOT agenda with other project, if possible.

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8242
(20130418) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

GRIFOLS

GRIFOLS
8368 U.S. Hwy 70 West
Clayton, NC 27520
Tel. 919 359 3900
www.grifols.com

April 16, 2013

M. Durwood Stephenson
Executive Director
Highway 70 Corridor

Dear Durwood:

As human safety, loss control and business continuity are paramount issues for Grifols, we focused on these areas early in the planning and design process for our new fractionation manufacturing facility located on the north property of our Clayton, North Carolina facility. Prior to the construction of this facility, experts in Risk Management and Environmental, Safety, and Security stressed the need for a secondary egress road to avoid placing company personnel, contractors – as well as police, fire and paramedic service personnel – at undue risk of harm during a catastrophic event. Without such a road, there would be no alternate route for emergency medical personnel to reach or evacuate over 200 employees or for multiple fire departments to reach the site in order to assess victims and contain losses to plant and inventory. Such a situation would be further exacerbated in the event of an industrial accident or train derailment that blocked access to the one existing access road that crosses the railroad tracks.

To improve this situation, in early 2010 the North Carolina Department of Transportation constructed an unpaved, gravel secondary road connecting the Grifols property to Powhatan Road. This road was not paved at the time of construction and since its construction the condition of the road has deteriorated to the point that it is losing its ability to provide a secondary access to the site.

Grifols has recently announced the construction of a new state of the art Plasma Logistics Center as an additional building on its north site. Construction on this \$27,000,000 facility will begin in April 2013 and will add an additional 114 employees accessing the north property along with tractor trailer traffic over the one existing access road at SR 1990. Grifols is developing plans to continue to make significant investments in the north site property, but those investments will require a paved secondary roadway to the north site property.

Grifols respectfully requests that the DOT pave the existing gravel secondary road connecting to Powhatan road and servicing both Grifols and Novo Nordisk. A joint letter from Grifols and Novo Nordisk requesting the paving of this road was previously submitted to DOT in May of 2012.

Please contact me if there is more information requested.

Sincerely,



Timothy J. Hamm
Senior Director, Validation and Site Development
Grifols Therapeutics, Inc.

GRIFOLS

GRIFOLS

8368 U.S. Hwy 70 West
Clayton, NC 27520
Tel. 919 359 3900
www.grifols.com

May 23, 2012

Robert W. Lewis
Chief of Staff
North Carolina Department of Transportation

Dear Bobby,

Subject: Request for paving of access road from SR 1901 (Powhatan Rd.)

Grifols Therapeutics, Inc. and Novo Nordisk, Inc. jointly and respectfully request that the currently unpaved roadway, originating at SR 1901 (Powhatan Road) and traversing both Grifols and Novo Nordisk property, be paved by the North Carolina Department of Transportation. Both companies appreciate the support of the Department of Transportation and look forward to assisting the Department in achieving this mutually desired improvement to the existing road.

Please contact Tim Hamm of Grifols by phone at (919) 359-7251 or by email at Tim.Hamm@Grifols.com for any information needed.

Sincerely,



Sergi Roura
Corporate Vice President
Clayton Site Head
Grifols Therapeutics, Inc.



Preben Haaning
Corporate Vice President
Clayton Site Head
Novo Nordisk, Inc.

TOWN OF CLAYTON
Resolution of Request for North Carolina Department of Transportation
Participation in Improvements to Grifols/Novo
Emergency Access Road

WHEREAS, the Town of Clayton through its Strategic Plan Update 2006 has adopted a set of Goals to guide the Town in making decisions; and,

WHEREAS, Goal Number One was identified as “Grow the Local Economy” accompanied by the objectives “Continuing to partner with Economic Development Organizations, Johnston County, RTRP, and NC DOT; and,

WHEREAS, in 2010 the NC DOT constructed an unpaved, gravel, secondary road connecting the Grifols property to Powhatan Road in order to provide essential emergency access to an expanded industrial site; and,

WHEREAS, the condition of that unpaved secondary road has deteriorated beyond safe and essential use; and,

WHEREAS, Grifols has recently announced further expansion of its facilities generating \$27,000,000 in new investment and 114 additional employees thereby making safe and reliable site access all the more important; and

WHEREAS, the North Carolina Department of Transportation promotes the economic wellbeing and safe public travel for communities across the State by providing new roadways, improvements to existing roadways, roadway maintenance, and public transportation.

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Clayton is requesting the participation of the North Carolina Department of Transportation to provide essential paving and improvements to the Grifols/ Novo Emergency Access Road in support of continuing economic vitality of this major employment area and assurance of safe roadway conditions for emergency responders and the public.

Adopted this the 6th day of May 2013 while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 8c

Meeting Date: 5/06/13

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Derby Day (sponsored by Clayton Morning Rotary Club) – Saturday, May 4, 2013, at Portofino
- Council Mtg – Monday, May 6 2013 @ 6:30 PM
- Clayton Road Race – Saturday, May 11, 2013; 9 AM to noon @ Clayton Town Hall
- ~~Board of Adjustment Mtg – Wednesday, May 15, 2013 @ 6 PM - Cancelled~~
- Clayton Town Square Concert Series: **Hip Pocket Band** – Thursday, May 16, 2013 from 7 PM to 9 PM
- Senior Recognition Day – Friday, May 17, 2013, from 10 AM to 12 PM at The Clayton Center Council Chambers (111 East Second Street)
- HeartChase – Saturday, May 18, 2013 @ Town Square and in Downtown Clayton from 10 AM to 12 noon; registration begins at 9 AM.
- Council Mtg – Monday, May 20, 2013 @ 6:30 PM
- Clayton Chamber Business Expo – Tuesday, May 21, 2013, at the Clayton Center
- Memorial Day Holiday – Monday, May 27, 2013
- Planning Board Mtg – **TUESDAY**, May 28, 2013 @ 6 PM
- MillStock Music & Art Faire – Saturday, June 1, 2013 @ Horne Square from 10 AM to 4 PM
- Council Mtg – Monday, June 3, 2013 @ 6:30 PM
- Community Shred Event – Thursday, June 6, 2013, from 2:30 PM to 4:30 PM at the Town Square. This event is open to residents on a first come first served with a 2 bag (or box) maximum
- Council Mtg – Monday, June 17, 2013 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, June 19, 2013 @ 6:00 PM
- Clayton Town Square Concert Series: **The Central Park Band** – Thursday, June 20, 2013 from 7 PM to 9 PM
- Planning Board Mtg – Monday, June 24, 2013 @ 6:00 PM
- Independence Day Holiday – Thursday, July 4, 2013
- Clayton Annual July 4th Celebration: Municipal Park, 340 McCullers Drive – activities begin at 4:30 PM and fireworks begin at 9:15 PM
- Filing for Municipal Office opens – Friday, July 5, 2013 @ 12 noon at the Johnston County Board of Elections, 205 South Second Street, Smithfield
- Clayton Annual July 4th Celebration – Thursday, July 4, 2013 @ Municipal Park – Events begin at 4:30 PM and wrap up with fireworks at 9:15 PM
- Council Mtg – Monday, July 15, 2013 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, July 17, 2013 @ 6:00 PM

- Clayton Town Square Concert Series: **Craig Woolard Band** – Thursday, July 18, 2013 from 7 PM to 9 PM
- Filing for Municipal Office closes – Friday, July 19, 2013 @ 12 noon at the Johnston County Board of Elections, 205 South Second Street, Smithfield
- Planning Board Mtg – Monday, July 22, 2013 @ 6:00 PM
- Clayton Town Square Concert Series: **Johnny Orr Band** – Thursday, August 15, 2013 from 7 PM to 9 PM
- Labor Day Holiday – Monday, September 2, 2013
- Clayton Town Square Concert Series: **MikeMickXer** – Thursday, September 12, 2013 from 7 PM to 9 PM
- Zaxby's Movie Night – Saturday, September 14, 2013 @ Town Square from 6 PM to 10 PM
- Last day to register to vote for municipal elections – Friday, October 11, 2013 [CARD MUST BE POSTMARKED 25 DAYS BEFORE ELECTION OR RECEIVED IN THE BOARD OF ELECTIONS OFFICE BY 5:00 PM, 25 DAYS BEFORE ELECTION.]
- Zaxby's Movie Night – Saturday, October 12, 2013 @ Town Square from 6 PM to 10 PM
- Election Day – Tuesday, November 5, 2013; polls open from 6:30 AM to 7:30 PM
- Veteran's Day Holiday – Monday, November 11, 2013
- Canvass Day at the Board of Elections – Tuesday, November 12, 2013
- Thanksgiving Holiday – Thursday, November 28, 2013 & Friday, November 29, 2013
- Christmas Holiday – Tuesday, December 24, 2013; Wednesday, December 25, 2013; & Thursday, December 26, 2013

Date:
5-06-13

Action:
N/A.

Info. Provided:
Calendar of Events.