

Jody L. McLeod  
**MAYOR**

Bruce Thompson  
**TOWN ATTORNEY**

Steve Biggs  
**TOWN MANAGER**



Bob Satterfield  
Alex Harding  
R.S. "Butch" Lawter, Jr.  
Art Holder  
**COUNCIL MEMBERS**

Michael Grannis  
**MAYOR PRO TEM**

## **TOWN COUNCIL MEETING**

**NOVEMBER 15, 2010**

### **AGENDA**

#### **MAYOR AND TOWN COUNCIL**

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

**COUNCILMAN ALEX HARDING  
COUNCILMAN R.S. "BUTCH" LAWTER, JR.  
COUNCILMAN ART HOLDER**

#### **TOWN STAFF**

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

**AGENDA**  
**THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, NOVEMBER 15, 2010**  
**7:30 PM**

**THE CLAYTON CENTER**  
**COUNCIL CHAMBERS**

1. **CALL TO ORDER**  
Pledge of Allegiance  
Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **ACTION AGENDA**
  - a. Draft minutes from the November 1, 2010, regular meeting.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s).
  - b. Presentation of the US 70 Corridor Study by representatives of The Wooten Company.
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. Presentation of ordinance amendment OA 2010-25 to the Town's Code of Ordinance for temporary use permits.
  - b. Presentation of rezoning request RZ 2010-13 located on US 70 HWY Business East near Smith Street.
  - c. Presentation of resolution directing the clerk to investigate annexation petition 2010-09-01 for property located on Harvest Mill Lane off of Pony Farm Road.
  - d. Presentation of ordinance amending Chapter 74 of the Parking Schedule.
  - e. Presentation of resolution authorizing the sale of certain personal property at public auction.
  - f. Presentation of Amendment to the Fiscal Year 2010-2011 Budget.
  - g. Presentation of final acceptance for public water and sewer utilities at the SECU Drive-Up Facility.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
7. **ITEMS FOR DISCUSSION**
  - a. Discussion of easement agreement for the property that is host to an existing communication tower lease at the Operations Center.
  - b. Follow up report on purchase options for the land banking of parkland.

8. **OLD BUSINESS**
  - a. Continuance of evidentiary hearing from the October 18, 2010, meeting for planned development district request for PDD-MU 2010-20 for Access Medial Park located on NC 42 HWY West across from Johnston Medical Center Clayton.
  
9. **STAFF REPORTS**
  - a. Town Manager
  - b. Town Attorney
  - c. Town Clerk
    - Calendar of Events
  - d. Other Staff
  
10. **OTHER BUSINESS**
  - a. Informal Discussion & Public Comment.
  - b. Council Comments.
  - c. Planning Board Highlights of the October 2010 meeting.
  
11. **ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 11/15/10

TITLE: DRAFT MINUTES FROM THE NOVEMBER 1, 2011, REGULAR MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

11-15-10

Approval.

DRAFT minutes from  
11/01/2010.

**MINUTES  
CLAYTON TOWN COUNCIL  
NOVEMBER 1, 2010**

The first regular meeting of the Clayton Town Council for the month of November was held on Monday, November 1, 2010, at 7:30 PM at Town Hall, 111 East Second Street.

**PRESENT:** Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman Alex Harding, Councilman R. S. "Butch" Lawter Jr., and Councilman Art Holder.

**ABSENT:** Mayor Jody L. McLeod

**ALSO PRESENT:** Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; Skip Browder, Planning Director; Public Works & Utilities Director Tim Simpson; Bruce Naegelen, Downtown Development Coordinator

**ITEM 1. CALL TO ORDER**

Mayor Pro Tem Grannis called the meeting to order at 7:30 PM and led everyone in the Pledge of Allegiance. Mayor Pro Tem Grannis gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

Town Clerk Sherry Scoggins requested the following adjustment of the agenda:

- Add as Item 7a – Proclamation: Home Care & Hospice Month

It was the consensus of the Council to approve the adjustment of the agenda as presented.

**ITEM 3. ACTION AGENDA**

Councilman Holder motioned to approve the action agenda as presented; Councilman Harding seconded the motion. The motion carried 5-0 at 7:32 PM with the following action agenda items being approved:

- Item 3a. Draft minutes from the October 18, 2010, work session meeting.
- Item 3b. Proclamation proclaiming January as Youth Art Month.
- Item 3c. Christmas Village and Tree Lighting event request.
- Item 3d. Temporary street closure request for the annual Clayton Christmas Parade.
- Item 3e. Resolution to approve plans and specs for elevated water storage tank project on NC 42 HWY East and authorization for the Town to accept bids on same.

- Item 3f. NCDOT certification of municipal declaration to enact speed limits and request for concurrence.
- Item 3g. Resolution for 2011 Council schedule.
- Item 3h. Resolution for 2011 Holiday schedule.
- Item 3i. Appointment of candidates for Town of Clayton citizen advisory boards:

Board of Adjustment Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Johnny R House*	Reappointment	ETJ	Reappointment	1/1/2011	12/31/2013
Stephen Tom Medlin	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Mark E Helmer	Appointment	In-Town (Alt.)	Appointment	1/1/2011	12/31/2013

DDA Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Robert A. Baker	Reappointment	Out of Town	Reappointment	1/1/2011	12/31/2013
Deborah A Romano	Appointment	In-Town	Appointment	1/1/2011	12/31/2013
Donna H Steele	Appointment	In-Town	Appointment	1/1/2011	12/31/2013

Fire Advisory Board Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Joseph I Hester	Reappointment	Claytex	Reappointment	1/1/2011	12/31/2014
Kenneth Wendel	Reappointment	Clayton	Reappointment	1/1/2011	12/31/2014
Larry J Such	Reappointment	Fire	Reappointment	1/1/2011	12/31/2013

Library Advisory Board Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Dorothy G Johnson	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Emily B. Bagley	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Joyce J Barbour	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013

Public Art Advisory Board Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Lara Perry	Reappointment	Out of Town	Reappointment	1/1/2011	12/31/2013
Suzette Rodriguez	Reappointment	Out of Town	Reappointment	1/1/2011	12/31/2013

Planning & Zoning Board Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
Derrick W Thompson	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Jim Lee*	Reappointment	ETJ	Reappointment	1/1/2011	12/31/2013
Joseph M Whitley *	Reappointment	ETJ	Reappointment	1/1/2011	12/31/2013
Ronald L Johnson	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Robert J Ahlert	Appointment	In-Town (Alt.)	Appointment	11/1/2011	12/31/2012

Recreation Advisory Committee Candidates	Initial / Reappointment	In-Town / ETJ	Council Action	Date of Appointment	Term Expires
George Gullatt	Reappointment	Out of Town	Reappointment	1/1/2011	12/31/2013
Theodore Willey	Reappointment	In-Town	Reappointment	1/1/2011	12/31/2013
Angela Stroud	Appointment	In-Town	Appointment	11/1/2010	12/31/2013
Jeffrey M Eisen	Appointment	Out of Town	Appointment	11/1/2011	12/31/2013

Item 3j. Resolution adopting a code of ethics.

**ITEM 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

No introductions and special presentations were made.

**ITEM 5. PUBLIC HEARINGS**

Item 5a. **TRACKING PURPOSES ONLY - Evidentiary hearing for planned development district request PDD-MU 2010-20 for Access Medical Park located on NC 42 HWY West across from Johnston Medical Center Clayton cont'd to the November 15, 2010, Council meeting.**

**ITEM 6. OLD BUSINESS**

Item 6a. Contract for the purchase of property.

Town Manager Biggs stated during the discussions about the bond program, the Council agreed on \$4 million for parks and recreation improvements; and of that \$4 million, \$2 million would be used for park improvements and \$2 million would be used for land banking parkland for future development. He stated the purchase contract is for 81 acres located on the Neuse River and it is part of the Mountains-to-Sea Trail that runs through Clayton's jurisdiction connecting to the Sam's Branch Greenway. He stated the terms of the purchase contract are \$25,000 per acre if closed by the end of this calendar year or \$26,000 per acre if

closed by the end of 2011 calendar year. He stated there is an earnest money payment of \$40,000. He stated the proposal is to bring back an evaluation at the next meeting on alternatives on the purchase of the property.

Mayor Pro Tem Grannis thanked the staff for their diligence for making this a reality and it will be beneficial to the Town in the years to come.

Councilman Harding motioned to approve the purchase agreement as presented; Councilman Lawter seconded the motion. Motion carried 5-0.

**ITEM 7. NEW BUSINESS**

Item 7a. Proclamation: Home Care & Hospice Month

Mayor Pro Tem Grannis read the proclamation into the record:

**TOWN OF CLAYTON  
PROCLAMATION  
HOME CARE & HOSPICE MONTH**

**WHEREAS**, home care and hospice services provide for an individual's health and social needs across the continuum of life—compassionate care which serves expectant mothers, infants, children, adults, the disabled and elderly, and also provides love, comfort and support at the end of life; and

**WHEREAS**, according to the Association for Home & Hospice Care of North Carolina, home care and hospice agencies provided health and social needs to approximately 400,000 North Carolina citizens last year in their homes; and

**WHEREAS**, home care and hospice services enable North Carolina's citizens to receive quality health and social services in their own home, surrounded by family and friends; and

**WHEREAS**, home care and hospices services strengthen the family bond and support families as they care for their loved ones at home, lessening caregiver burnout and unnecessary placement in more costly institutional settings; and

**WHEREAS**, home care and hospice services build upon a strong tradition of care and compassion, striving to keep families together while preserving an individual's independence and dignity in the setting of their choice...home;

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

## **HOME CARE & HOSPICE MONTH**

Let it also be proclaimed that all businesses, industries, and citizens in the Clayton community are urged to support and commend this observance.

Duly proclaimed this 1<sup>st</sup> day of November 2010, while in regular session.

Councilman Holder motioned to approve the proclamation as presented; Councilman Harding seconded the motion. Motion carried 5-0.

### **ITEM 8. STAFF REPORTS**

#### **Item 8a. Town Manager**

- Cooper Elementary follow-up report

Town Manager Biggs stated the Council received two presentations on items of concern by Cooper Elementary PTA. He stated the first presentation sought Town support for improvement initiatives. He stated the second presentation focused on the flooding of the playground area. He stated between the first and second presentation, Town staff cleared downstream channels that had debris. He stated there are storm drains on the Cooper Elementary School property. He stated Public Works Director Simpson visited the site immediately after the meeting. He stated about a quarter of the water is coming off of public right of way. He stated the suggestion, which has been shared with the Johnston County School Board Administration, is the pipe outlet should be fully piped and the water carried through the site and downstream to a facility off of the school site. He stated the project would consist of a couple of hundred of feet of storm drainage pipe and a box structure for a cost of \$8,000 to \$10,000. He stated this project will not eliminate all the water flowing onto the playground and it will eliminate the Town's contribution of water. He stated a joint larger project could be performed with the school. He added the project would require a storm water easement as the Town would be crossing the school property.

Councilman Satterfield proposed to put \$8,000 toward a group project that will solve the problem. He added if the Johnston County School Board is amenable to doing a project, he is willing to cost share \$8,000 for the project.

Based on question by Council, Town Manager Biggs stated Town staff evaluated the Town's share of the storm water on the playground area only. He stated the cost for the total project is unknown.

Based upon question by Council, Town Manager Biggs stated the area now known as the playground was previously wooded / natural area. He stated the Town is willing to step forward to address the issue to which the Town has authority.

Based upon question by Council, Town Manager Biggs stated as of today Town staff has made Johnston County School Maintenance aware of the proposal presented this evening and a reply has not yet been received.

Mayor Pro Tem Grannis stated it is the pleasure of Council to seek input from the Johnston County School Maintenance and to express the Council's position on the proposed project.

Town Manager Biggs stated the Town lot project is to be completed this week.

Town Manager Biggs stated Mr. Kemp Ward established a Town of Clayton Facebook page.

Town Manager Biggs stated staff will focus working on the following policies:

- Street paving
- Rental unit / licensing program
- Amenities installation
- Minimum square footage spec on housing developments
- Stronger nuisance enforcement

Councilman Satterfield requested parking regulations for the Town Lot at the next Council meeting.

Item 8b. Town Attorney

Town Attorney Brenton McConkey stated no report.

Item 8c. Town Clerk

Town Clerk Sherry Scoggins stated tomorrow is Election Day.

Item 8d. Other Staff

Planning Director Skip Browder stated a public forum for the US 70 Corridor Study is scheduled for Tuesday, November 9, 2010, from 4:30 PM until 6:30 PM in the Council Chambers.

## **ITEM 9. OTHER BUSINESS**

Item 9a. Informal Discussion & Public Comment.

No informal discussion and public comment were presented.

Item 9b. Council Comments.

No Council comments were presented.

Item 9c. Planning Board Highlights of the October 12, 2010, special meeting.

The Planning Board Highlights were presented as information; no action requested.

Item 10. ADJOURNMENT

Councilman Satterfield motioned to adjourn; Councilman Lawter seconded the motion. Motion carried 5-0 at 7:54 PM.

Duly adopted by the Town Council this \_\_\_\_\_ day of November 2010, 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: 4a

Meeting Date: 11/15/10

TITLE: INTRODUCTION OF NEW TOWN OF CLAYTON EMPLOYEE (S).

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

11-15-10

Introduction(s).

N/A.

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

**Agenda Item: 4b**

**Meeting Date: 11/15/10**

**TITLE: PRESENTATION OF THE US 70 CORRIDOR STUDY BY REPRESENTATIVES OF THE WOOTEN COMPANY.**

**DESCRIPTION: During the 2010 Council Retreat, the Council established the Small Area and Infrastructure Plan for HWY 70/HWY 70 Bypass as a top priority.**

**Representatives of The Wooten Company presented the US 70 Corridor Study to the Planning Board at its October 25, 2010, board meeting. The Planning Board suggested modifications to the plan related to the proposed limitation on building height.**

**A public forum was held in the Council Chambers on Tuesday, November 9, 2010. It consisted of stations so that citizens could receive information and provide comments regarding the proposed corridor and interchange study.**

**This item is slated for public hearing on Monday, December 6, 2010.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	Presentation & Public Notice.	DRAFT US 70 Corridor Plan & Map.

# Town of Clayton US 70 Corridor Plan



*Draft*  
October 25, 2010

Planning Assistance provided by:



## Introduction

The US 70 Corridor Study planning process began with delineation of the study area boundary and identification of the essential components relevant to development along the US Highway 70 corridor. The overarching theme of the study was to preserve the rural viewsheds along the corridor while promoting development standards that would preserve and enhance rural visual quality and minimize impact of future development on those essential qualities that define character of the corridor.

The successful blend of existing rural character with future development (residential/commercial/industrial) is an integral component in justifying the establishment of a corridor study. While development pressures are seen as inevitable, the Town wanted to consider development options that did not exclude economic opportunities but rather preserved and enhanced the desired visual qualities of the existing landscape with future development.

Completion of the US Highway 70 corridor has re-allocated traffic to alleviate congestion on local roads with less handling capacity. The Town of Clayton is within commuting distance to major employment centers of Raleigh/Durham and the Research Triangle Park. Living in Clayton allows residents to enjoy the many benefits of a small town, rural setting with the traveling convenience of major highway systems. This convenience will attract and create development opportunities along this major highway corridor, while also preserving the quality of place.

However, population growth brings both costs and benefits. The typical growth pattern consists of an initial spurt in residential growth followed by commercial development attracted by new household spending power. The challenge of this growth pattern is that residential growth rarely generates enough revenue to pay for services demanded. New residents need expanded services - new and improved school facilities, additional water and sewer capacity, and expanded parks and recreation facilities and programs. Commuters will want close proximity to US 70 without experiencing the noise or pollution generated by a major traffic corridor. Businesses/commercial enterprises will be attracted to the corridor to not only serve growing residential populations but the traveling public.

## Quality of Life / Rural Character

The Town of Clayton maintains a small town sense of community while providing opportunities for growth and development. The Town offers a desirable, predominantly low density, rural lifestyle. A primary goal is to promote and enhance the quality of life experience by protecting the community's unique rural character and social fabric while enhancing the community's appeal for new residential and business investment.

## Multi-Jurisdictional Strategies

This corridor plan is intended as supplemental guidance for multi-disciplinary planning coordination among the various stakeholders within the area including, but not limited to the Town of Clayton, Johnston County, and the Capital Area Metropolitan Planning Organization (CAMPO), the NC Department of Transportation and other agencies / organizations that can contribute to proactive development along the corridor.

## **Study Scope**

The project consists of preparing a US Highway 70 Corridor Plan for the highway corridor from the US Highway 70 / US 70 Business interchange located east of Clayton in a westerly direction to the eastern boundary of the JCMH / NC 42 West Small Area Plan study boundary at the US 70 / NC 42 interchange.

The approximate outer limits of the corridor study area are 2000' either side of the highway centerline with an expansion to an approximate ½ mile area of influence centered on each of the two highway interchanges (US Highway 70 / US 70 Business and US Highway 70 / Ranch Road) within the study area boundary. Actual study limits are based on parcel boundaries and zoning jurisdiction; therefore some variation in width exists.

The plan is intended to serve as a policy guide for future land use and land development decision-making along the highway corridor. The plan articulates development goals and objectives for the corridor against which short-term decisions regarding zoning, subdivision, utilities, stormwater management, transportation, capital improvements, and open space/recreational planning can be measured. Once adopted, the US 70 Corridor Plan will be of particular assistance to the town council, planning board, town staff and citizens in ensuring consistency for proposed zoning requests in accordance with requirements of NCGS 160A-383.

The plan considers, analyzes and integrates policies and recommendations from existing land use-related plans and other existing town plans and policies. A particular focus of the plan is implementation of best management practices, land use controls, and development strategies that will increase immediate and preserve future opportunities for economic development while protecting the visual quality of viewsheds along the highway corridor and water quality within streams and water bodies.

Implementation objectives outline recommended ordinance revisions to be considered to meet land use development goals along the corridor. To accomplish implementation objectives, the Town intends to create an overlay zoning district within the Unified Development Code. The proposed overlay district would apply overarching development measures to underlying zoning districts to ensure corridor plan goals and objectives are implemented. Policy objectives and implementation principles are intended to be incorporated into Town policy documents and ordinances.

## Land Use Classifications

Goal: To create a mix of land use classifications framed with conservation, interconnectivity, mixed use, conservation, and smart growth land development principles.

<b>Classification</b>	<b>Description</b>
Low Density Residential	1 to 4 units per acre
Medium Density Residential	> 4 to 8 units per acre
High Density Residential	> 8+ units per acre
Commercial	Retail service, hotel/motel
Conservation	Development is discouraged to protect environmental or aesthetic qualities
Light Industrial	Industrial park development comprised of uses that are not nuisance generators
Office and Institutional	Institutional / office uses (including potential school sites)
Recreational / park	Open space with trail linkage and passive recreation use by adjoining/nearby residential areas

## Implementation Strategies

Plan for appropriate future land uses while respecting existing land uses, where appropriate.

Category	Description
Intergovernmental Coordination	Continue work with Capital Area Metropolitan Planning Organization (CAMPO) to approve Western Johnston County Comprehensive Transportation Plan with a goal to assuring safe and efficient movement of citizens utilizing all forms of transportation.
Roadway Improvements	Emphasis on interchanges and major intersections, with connectivity to major roadways and interconnectivity between uses. Promote single access points for commercial areas and limit driveway cuts within 660' (1/8th mile) of interchanges to manage access and support safe and efficient traffic flow.
<ul style="list-style-type: none"> <li>Access Management</li> </ul>	Establish specific standards to control vehicular access near highway interchanges. Plan for interconnection of streets between adjacent uses as development occurs.
<ul style="list-style-type: none"> <li>Distance from Interchange</li> </ul>	Parcels with less than 400 linear feet of frontage on a thoroughfare may have no more than one point of access; one additional driveway for each 400 linear feet of additional frontage. Recommendation: increase the frontage to 1,320' (1/4 mile) for a parcel with a single point of access at a signalized intersection.
Corridor Landscape Buffers	Require minimum 100 foot depth vegetated buffer adjacent to highway right of way. Require protection of existing trees where appropriate and where there are no existing trees to preserve, require additional planting to frame scenic views and screen objectionable views,
Protection of Natural Resources	Provide protection to sensitive natural/historic areas, cluster structures to reduce infrastructure costs, reduce land development costs/consumption of land resources, and protect prime farm land. Promote/endorse conservation subdivisions.
Environmental Features	Limit development and prohibit (except limited activity) uses within corridor overlay by increasing stream buffer requirements from 50' to 100'. Consider increasing building setbacks for underlying zoning classifications.
Preservation of Scenic Byway	US 70 currently classified as NC Scenic Byway. Bylaw regulations prohibit signs of any nature, except those advertising free coffee, within 600' of highway right of way.
Quality of Life / Rural Character	Districts within the overlay are intended to create a sense of character that is fluid, but restrictive enough to promote the rural character of the area. Buffering, signage, architectural guidelines, access management and density will provide development opportunities while protecting the natural environment and desired quality of life.
Developmental Standards	Limit clear cutting of trees prior to development. Develop appearance guidelines/standards for new development along the corridor and within interchange areas, including building heights relative to the finished grade of US 70. Set standards for location/ height of wireless communication towers.
Architectural Guidelines	Limit height of buildings visible from the corridor to 60' above finished grade of highway center line.

### **Development Orientation along Corridor**

The US 70 Corridor Plan proposes land development standards that promote development potential along the corridor while also taking into consideration the scenic nature of the viewsheds and adjoining rural properties that are adjacent to the corridor. All development along the corridor would be subject to a minimum 100' vegetative buffer along the corridor right of way. A minimum 100' from top of bank stream buffer is also proposed.

To better explain the rationale for assigning land use categories, the US 70 Corridor was divided into five study area (oriented east to west) starting at the US 70 / US 70 Business interchange.

#### **Sub Area 1 – US 70 / US 70 Business**

All land uses at this interchange, in keeping with the existing land use pattern, are categorized as industrial. The US 70 Business median break at Gordon Road provides the first full-vehicular access opportunity to undeveloped land on the west side of the highway. The highway median break provides the first logical industrial park access point. Undeveloped land on both the east and west sides of US 70 business are appropriate for continuing industrial development. Future development should provide for stream buffering, wetland preservation, and tree preservation/buffering along both the US 70 and US 70 Business road frontages.

#### **Sub Area 2 – US 70 Business to Little Creek Church Road**

##### North

Land uses along this segment of the corridor consist primarily of low-density residential uses (less than 4 units per acre) with industrial uses proposed between Peele Road and Pony Farm Road. Industrial uses are adjacent to or in close proximity to an already approved industrial subdivision off Pony Farm Road and the new bakery site currently under construction. This proposed industrial development will occur with road frontage along Pony Farm Road. Industrial development is also proposed, in an industrial park setting, where US 70 Business and US 70 intersect. This proposed industrial development will be provided access, via a median break, to allow traffic to cross US 70 Business to Gordon Road.

As is required along the entire US 70 corridor, all future development would provide a 100' buffer along the highway corridor. Stream buffers would be a minimum of 100' top of bank.

##### South

The Town of Clayton has limited planning and zoning jurisdiction along the south side of the corridor within this area. Proposed land use consists of low density residential in keeping with the existing land use pattern and the lack of public sewer to the area. All development within the Town's planning jurisdiction would be subject to corridor and stream buffer requirements as well as protection/mitigation of wetland impacts. CAMPO data identifies Little Creek Church Road as a Major Thoroughfare, but is classified as needing improvement to on road facilities for potential bike lane.

### **Sub Area 3 – Little Creek Church Road to Ranch Road**

#### Northwest

This section of the corridor is dominated by areas of conservation, wetlands, stream/creek buffers, and other development limitations. Areas suitable for development are proposed for medium density (5-8 units per acre) residential along Ranch Road with low-density (less than 4 units per acre) residential in other areas. Proposed greenways within areas classified as conservation provide linkage along Little Creek to areas northwest and south of the project boundaries. The NC Department of Environment and Natural Resources - Water Quality has classified Little Creek as a 303(d) impaired stream, although the cause is undetermined.

#### Northeast

Proposed for low-density (<4 units per acre) residential development. Environmental constraints will affect development potential.

#### Southeast

The majority of lands south of the corridor are outside the Town's planning and zoning jurisdiction. In keeping with the character of the area, low-density (<4 units per acre) residential development is proposed.

#### Southwest

This area represents the greatest diversity in proposed land uses while also representing a significant development potential modification compared to existing land uses. Proposed land use classifications in this area include high-density (>9 units per acre) residential, medium-density (4-8 units per acre) residential, recreational/park, office and institutional uses, and commercial.

Two new vehicular access points off Ranch Road are also proposed. The first access would parallel the commercial and medium-density residential land uses, while still providing access to high-access residential uses. This initial access point would be directly adjacent to the proposed commercial land use west of Ranch Road. The second access off Ranch Road would provide access to potential office and institutional land use development, including access to a potential neighborhood park. CAMPO data identifies Ranch Road as a Major Thoroughfare (south of Highway 70) and a Boulevard (north of Highway 70), both are classified as needing improvement to on road facilities for potential bike lane.

### **Sub Area 4 – Ranch Road to Barber Mill Road**

#### Northwest

Proposed for low-density residential development, the plan suggests extension of Stephanie Lane to connect to Country Lane. A connecting road would provide for multiple points of access off Barber Mil Road and eliminate the congestion of proposed development needing to re-route for isolated access.

#### Northeast

Proposed land uses consist primarily of low-density (<4 units per acre) and medium-density (5-8 units per acre) residential development. Environmental constraints, including floodplain and stream buffers, will impact development potential. Due to the existing narrow, winding condition of Canyon Road, no interconnectivity is recommended to either Stephanie Lane or Country Lane. Greenway access is proposed along Little Creek, which links areas NE of the project area, southeastwardly along Little Creek.

#### Southeast

Additional commercial development along the US 70 corridor is within this area; both adjacent to each other; bisected by Ranch Road. Other proposed land uses include high-density (>9 units per acre) and medium-density (5-8 units per acre) residential development. A new vehicular access point would provide access to the proposed commercial use area; this access point functions as a potential lighted intersection allowing interconnectivity via a stoplight to each of the commercial nodes along Ranch Road. Environmental conditions, including a 100' stream buffer, would impact development potential.

#### Southwest

This area is proposed for residential development including low-density (<4 unit per acre) and medium-density (5-8 units per acre). Medium density residential development would be located along Barber Mill Road with lower density (<4 units per acre) residential development adjacent. Woodside drive would be proposed to connect to Town Acres Road, providing interconnectivity between Ranch Road and Barber Mill, while also allowing development potential to existing land locked parcels.

### **Sub Area 5 – Barber Mill Road to the JCMH/42 West Small Area Boundary**

#### Northwest

All three densities of residential development (low, medium and high) are proposed for this sub-area. A future access road is shown connecting from NC 42 through commercial/office development within the JCMH/42 West SAP to Corbett Road to the east. This future vehicular route would provide for an alternate means of circulation within an area expected to experience relatively high intensities of development. The proposed road alignment would continue southeasterly from a stub road within the JCMH/42 West SAP to Corbett Road; bisecting the proposed high-density (8+ units per acre).

#### Northeast

Only low-density (<4 units per acre) residential development is proposed for this area.

#### Southeast

This area is proposed for residential development with the majority at 5-8 units per acre and the remainder at less than 4 units per acre. CAMPO data identifies Barber Mill Road as a Major Thoroughfare, but is classified as needing improvement to on road facilities for potential bike lane.

Southwest

This area is planned for residential development, the majority of which is low-density (<4 units per acre) with some medium density (5-8 units per acre) residential development.

**NC Department of Transportation - Corridor Aesthetics**

The NC Department of Transportation has an existing “Sustainable Landscape Design and Development” Plan for ER-5100DE US 70 Clayton Bypass. This plan proposes roadside environmental and sustainable design and aesthetics improvements with the inclusion of small flowering trees, evergreen trees, deciduous trees, native grasses and perennial varieties within the corridor right of way.

DRAFT



# US HIGHWAY 70 CORRIDOR PLAN

## PROPOSED FUTURE LAND USE

OCTOBER 25, 2010

### Legend

- Proposed Future Land Use**
- LDR - Low Density Residential - 4 or fewer units per acre
  - MDR - Medium Density Residential - > 4 to 8 units per acre
  - HDR - High Density Residential - > 8 units per acre
  - COM - Commercial
  - IND - Industrial
  - O-I - Office and Institutional
  - PARK - Neighborhood Park
  - CON - Conservation
  - 100' Corridor Buffer

### Infrastructure and Boundaries

- US Highway 70 Corridor Plan Area
- Highway 70 Corridor Right of Way
- Secondary/Local Streets
- County Waste Water
- County Water
- City Water
- City Waste Water
- Over/Underpass
- Road Closed
- Transportation Network (CAMPO)
- Proposed Intermodal Connections
- Greenways & Bike Lanes
- Recommended Greenway
- On Road Facility in Need of Improvement
- Recommended On Road Facility
- Existing & Proposed Streets
- Freeway, Existing
- Boulevard, Existing
- Boulevard, Needs Improvement
- Boulevard, Recommended
- Major Thoroughfare, Existing
- Major Thoroughfare, Needs Improvement
- Major Thoroughfare, Recommended
- Minor Thoroughfare, Existing
- Minor Thoroughfare, Needs Improvement
- Proposed South Connector

### Other Transit Elements

- Proposed Commuter Rail
- Proposed HOV Lanes or Express Bus
- Proposed Neighborhood
- Possible Thoroughfare
- Proposed Greenways
- Parcels within Study Area
- Parcels Outside Study Area
- Economic Training Zone
- Clayton Municipal Boundary
- Clayton ETJ
- JCMH / 42 West Small Area Plan Boundary
- Stream or Creek (USGS)
- 100' Riparian Buffer
- Pond or Lake (USGS)
- Wetlands (NWI)
- Flood Zones (FEMA)
- AEFW
- AE
- A
- SHADED X

# DRAFT



THE WOOTEN COMPANY  
PLANNING & ARCHITECTURE

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

**Agenda Item: 5a**

**Meeting Date: 11/15/10**

**TITLE: PRESENTATION OF ORDINANCE AMENDMENT OA 2010-25 TO THE TOWN'S CODE OF ORDINANCES FOR TEMPORARY USE PERMITS.**

**DESCRIPTION: During the May 17, 2010, Council meeting, it was the consensus of the Council to review the Town's ordinances for temporary use permits.**

**At its August 16, 2010, Council meeting, Council members received a memorandum. It was the consensus of the Council to remand this item to the Planning Board for review and recommendation.**

**At its October 25, 2010, Planning Board meeting, Planning Board members received the memorandum presented at the August 16, 2010, Council meeting. After discussion, the Planning Board voted unanimously to recommend approval of the proposed modifications to the temporary use regulations as suggested in the memorandum prepared by the Town Manager.**

**This item is slated for public hearing on Monday, December 6, 2010.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-17-10	Discussion.	
08-16-10	Discussion.	Memorandum.
11-15-10	Presentation & Public Notice.	Staff Report & Memorandum.

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

Agenda Item: 5b

Meeting Date: 11/15/10

**TITLE: PRESENTATION OF REZONING REQUEST RZ 2010-13 LOCATED ON US 70 HWY BUSINESS NEAR SMITH STREET.**

**DESCRIPTION: Cambridge Properties Inc, applicant, requests to rezone .5 acres of a .71 acre parcel located at the northwest quadrant of US 70 Business HWY and South Smith Street from the current zoning of R-8, Residential to the requested zoning of B-3, Highway Business with TOD-1 Thoroughfare Overly.**

At its October 25, 2010, Planning Board meeting, Planning Board members voted unanimously to recommend approval of this request.

**This item is slated for public hearing on Monday,  
December 6, 2010.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	Presentation & Public Notice.	Staff Report & Memorandum.

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

**Agenda Item: 5c**

**Meeting Date: 11/15/10**

**TITLE: PRESENTATION OF RESOLUTION DIRECTING THE CLERK TO INVESTIGATE ANNEXATION PETITION 2010-09-01 FOR PROPERTY LOCATED ON HARVEST MILL LANE OFF OF PONY FARM ROAD.**

**DESCRIPTION: Automatic rolls of NC, LLC, owner, submitted an annexation petition for parcel number 05I05039B for 13.85 acres, non-contiguous.**

The submittal satisfies one of the conditions of approval as listed in site plan SP 10-04.

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	Presentation.	Resolution & Map.

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

Agenda Item: 5d

Meeting Date: 11/15/10

**TITLE: PRESENTATION OF ORDINANCE AMENDING CHAPTER 74 OF THE PARKING SCHEDULE.**

**DESCRIPTION:** At its February 1, 2010, Council meeting, Council voted in favor of temporary 30 minute parking on Main Street between 321 E Main Street and 335 E Main Street [from Flower's by the Neuse to Fine Jewelry by Vincent] during the Public Square construction project.

The DRAFT ordinance would remove the 30 minute time limited parking.

**RELATED GOAL:** Create an Alive Downtown

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

11-15-10

Presentation.

DRAFT Ordinance.

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

Agenda Item: 5e

Meeting Date: 11/15/10

**TITLE: PRESENTATION OF RESOLUTION AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY AT PUBLIC AUCTION.**

**DESCRIPTION: In accordance with NC GS 160A-270, the Town requests to notice the items listed in the resolution as surplus.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	Presentation.	Resolution & NC GS 160A-270.

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

**Agenda Item: 5f**

**Meeting Date: 11/15/10**

**TITLE: PRESENTATION OF AMENDMENT TO THE FISCAL YEAR 2010-2011 BUDGET.**

**DESCRIPTION:** The amendment is requested to reflect the appropriation of fund balance to purchase audio video equipment for police vehicles with the proceeds from unauthorized substance tax distributions from the stated received during FY 09-10.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

11-15-10

Presentation.

Budget Ordinance  
Amendment.

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

Agenda Item: 5g

Meeting Date: 11/15/10

**TITLE: PRESENTATION OF FINAL ACCEPTANCE FOR PUBLIC WATER  
AND SEWER UTILITIES AT THE SECU DRIVE-UP FACILITY.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**11-15-10**

**Presentation.**

**Memorandum.**

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

Agenda Item: 7a

Meeting Date: 11/15/10

**TITLE: DISCUSSION OF EASEMENT AGREEMENT FOR THE PROPERTY THAT IS HOST TO AN EXISTING COMMUNICATION TOWER LEASE AT THE OPERATIONS CENTER.**

**DESCRIPTION:**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	Presentation.	Proposed Easement Agreement & Existing Site Lease Agreement.

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

Agenda Item: 7b

Meeting Date: 11/15/10

**TITLE: FOLLOW UP REPORT ON PURCHASE OPTIONS FOR THE LAND BANKING OF PARKLAND.**

**DESCRIPTION: At the November 1, 2010, Council meeting, Council voted in favor of the purchase agreement as presented.**

**RELATED GOAL: Expand Leisure Opportunities and Arts Community & Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-18-10	Discussion.	DRAFT Agreement.
11-01-10	Discussion.	Agreement.
11-15-10	Discussion.	Report.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET  
ONE OF TWO PAGES**

Agenda Item: 8a

Meeting Date: 11/15/10

**TITLE: CONTINUANCE OF EVIDENTIARY HEARING FROM THE OCTOBER 18, 2010, MEETING FOR PLANNED DEVELOPMENT DISTRICT REQUEST PDD-MU 2010-20 FOR ACCESS MEDICAL PARK LOCATED ON NC 42 HWY WEST ACROSS FROM JOHNSTON MEDICAL CENTER CLAYTON.**

**DESCRIPTION: Planned development district request PDD 2010-20, Access Medical Park, is a revision to previously approved planned development district mixed use PDD 07-03 by the Town Council at its November 19, 2007, Council meeting. PDD 2010-20 is for 8.05 acres (portion of 21.68 acre tract, parcel 05G03004B) and within the Town's corporate limits for four medical office facilities. The current request will revise the previous approval with phased development and with different mix of land uses.**

**In accordance with the Town's Code of Ordinances, the applicant held a neighborhood meeting on Wednesday, October 6, 2010; minutes and attendance sheet herewith attached. The Planning Board reviewed this request at its special meeting on Tuesday, October 12, 2010. The Planning Board voted unanimously to recommend approval of the planned development district with the nine conditions of approval. The Planning Board voted unanimously to recommend approval of the subdivision.**

**At the October 18, 2010, Council meeting, the applicant requested a 30 day continuance. The continuance would enable the applicant to review the appearance, landscaping, parking arrangement, and other design issues prior to presentation to the Council.**

**It was the consensus of the Council to continue this hearing to the November 15, 2010, Council meeting.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

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

**Agenda Item: 8a**

**Meeting Date: 11/15/10**

**ITEM SUMMARY:**

**Date:  
10-18-10**

**Action:  
Evidentiary Hearing.**

**Info. Provided:  
PDD Procedures, application,  
Neighborhood mtg minutes  
And sign-in sheet, Staff  
Report, Map, Site Plan,  
WW Allocation Request,  
Policy for Utility Allocations,  
Motion Form & Ordinance  
Granting PDD 07-03.**

**11-15-10**

**Evidentiary Hearing;  
Con't from 10/18/10.**

**PDD Procedures, application,  
Neighborhood mtg minutes  
And sign-in sheet, Staff  
Report, Map, Site Plan,  
WW Allocation Request,  
Policy for Utility Allocations,  
Motion Form & Ordinance  
Granting PDD 07-03.**

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 9c

Meeting Date: 11/15/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, November 15, 2010 @ 7:30 PM
- ~~Public Art Advisory Board Mtg – Tuesday, November 16, 2010 @ 6:30 PM, Clayton Center - Cancelled~~
- ~~Board of Adjustment Mtg – Wednesday, November 17, 2010 @ 6 PM - Cancelled~~
- ~~Planning Board Mtg – Monday, November 22, 2010 @ 7 PM - Cancelled~~
- Thanksgiving Holiday – Thursday, November 25, 2010 & Friday, November 26, 2010
- Clayton Downtown Christmas Village & Tree Lighting Ceremony – Thursday, December 2, 2010; activities begin at 6:00 PM and conclude at 8:30 PM with the lighting of the tree
- The Palladian Series: Kathy Mattea, Songs and the Season – Friday, December 3, 2010 @ 8 PM
- Council Mtg – Monday, December 6, 2010 @ 7:30 PM
- Downtown Development Association Mtg – Monday, December 6, 2010 @ 7:30 PM, Room GS 223
- Clayton Christmas Parade – Saturday, December 11, 2010, @ 3:00 PM
- Recreation Advisory Committee Mtg – Monday, December 13, 2010 @ 7:30 PM, 715 Amelia Church Rd
- Board of Adjustment Mtg – Wednesday, December 15, 2010 @ 6 PM
- Council Mtg – Monday, December 20, 2010 @ 7:30 PM
- Christmas Holiday – Friday, December 24, 2010 & Monday, December 27, 2010
- Planning Board Mtg – **TUESDAY**, December 28, 2010 @ 7 PM
- New Year's Day Holiday – Friday, December 31, 2010
- Council Mtg – Monday, January 3, 2011 @ 7:30 PM
- Martin Luther King Jr's Birthday Holiday – Monday, January 17, 2011
- Council Mtg – **TUESDAY**, January 18, 2011 @ 7:30 PM
- The Palladian Series: Blues Bash VI: Superharps featuring James Cotton with Tad Walter Trio – Friday, January 21, 2011 @ 8 PM
- 2011 NC Main Street Conference – January 26 – 28, 2011; Shelby, NC
- Council Mtg – Monday, February 7, 2011 @ 7:30 PM
- Council Mtg – Monday, February 21, 2011 @ 7:30 PM
- The Palladian Series: Tommy Emmanuel – Saturday, February 26, 2011 @ 8 PM
- Council Mtg – March 7, 2011 @ 7:30 PM
- Colin Hay – Sunday, March 13, 2011 @ 8 PM

- Sunshine Week – March 13 – 19, 2011
- Council Mtg – March 21, 2011 @ 7:30 PM
- 2011 ElectriCities Annual Conference – August 25 – 27, 2011; Grove Park Inn Asheville
- 2011 North Carolina League of Municipalities (NCLM) Annual Conference – October 23 -25, 2011; Raleigh

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

11-15-10

Action:

Information.

Info. Provided:

Calendar of Events.

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

Agenda Item: 10c

Meeting Date: 11/15/10

TITLE: HIGHLIGHTS OF THE OCTOBER 2010 PLANNING BOARD MEETING.

DESCRIPTION: Attached as information; does not require Council action.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-15-10	None.	N/A.

**HIGHLIGHTS FROM THE PLANNING BOARD MEETING  
MONDAY, OCTOBER 25, 2010  
7:00 PM**

- A. Members Present: Sarah Brooks, George Coats, Marty Bizzell, Ronald Johnson, Jim Lee, Dana Pounds, Vice Chair David Teem, Joseph Whitley, Derrick Thompson and Councilman Bob Satterfield.
- B. Members Absent: Chairman Frank Price.
- C. Staff Present: Planning Director Skip Browder, Planner Beth Franson, and Administrative Support Cindy Batten.
- D. Adjustment to the Agenda:  
None
- E. Approval of July 26, 2010 meeting minutes and “Special Meeting” October 12, 2010.  
Sarah Brooks made a motion to approve the July 26, 2010 and Special Meeting October 12, 2010 meeting minutes with one correction. Ronald Johnson seconded the motion.
- F. Reports and Comments:
- **DECEMBER PLANNING BOARD MEETING**  
  
Scheduled Planning Board meeting in December is Monday, 12-27-2010 which is a holiday for the town. The Board voted unanimously to meet on Tuesday, December 28, 2010.
  - **YEAR END APPRECIATION FUNCTION**  
  
Cindy Batten informed the Board of the location and date for the Appreciation Dinner. It will be held Tuesday night December 14, 2010 at Mulberry on Main with time to be determined later.
- G. Old Business:  
None
- H. New Business
- A. RZ 2010-13 Cambridge Properties Inc** US 70 BUS Hwy W & Smith St -Rezoning request for a portion of Parcel Number 05010033D, inside the town limits. The requested change is from R-8 to B-3.

The Board voted unanimously to recommend approval to Council for RZ 2010-13.

**B. OA 2010-25 Discussion of Temporary Use Permits** – Proposed modification to Sections 155.306 Temporary Uses & 155.712 Temporary Use Permit of the Unified Development Code.

The Board voted unanimously to recommend Council approval of the proposed modifications to the temporary use regulations, as suggested by the Town Manager.

**C. Approval & adoption of the 2011 Planning Board Calendar**

The Planning Board unanimously voted to approve the 2011 Planning Board Calendar.

**D. Presentation of the US 70 Corridor Study – The Wooten Company**

Ashton Slate, Tyrus Cohan and Patt Crissman with the Wooten Company presented the US 70 Corridor Study presentation to the Board. The Board suggested modifications to the plan, primarily related to the proposed limitation on building height.

**I. Adjourn:**

The Board voted unanimously to adjourn at 8:28pm.

cb