AGENDA
CLAYTON PLANNING BOARD MEETING
JULY 28, 2014
6:00 PM
TOWN COUNCIL CHAMBERS
111 E. SECOND STREET
For Information: (919) 553-5002

I. CALL TO ORDER

II. ADJUSTMENTS TO THE AGENDA

III. APPROVAL OF MINUTES FROM THE JUNE 23, 2014 MEETING – APPROVAL POSTPONED UNTIL THE AUGUST PLANNING BOARD MEETING

IV. REPORTS AND COMMENTS

V. OLD BUSINESS

VI. NEW BUSINESS

   A. PSD 2014-12 Riverwood Ranch Phase 2A Preliminary Subdivision.
      Preliminary subdivision plan approval for 15 single family lots within the Riverwood Ranch Planned Development, located off of Pritchard Road within Town Limits.

   B. SP 2014-65 Outdoor Temporary Storage.
      Major Site Plan approval for an outdoor temporary storage facility to support an existing enclosed temporary storage facility. Located off of US 70 Bus Hwy W within Town Limits, PIN 165915-62-4542.

   C. SUP 2014-85 RNC Entertainment – 12809 US 70 Bus Hwy W.
      Special Use Permit approval request to allow a Video Sweepstakes Operations business (Internet Café) at 12809 US 70 Bus Hwy W, within an existing building in an outparcel of the Walmart Shopping Plaza (located in the former Blockbuster space).

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT

VIII. ADJOURN
## STAFF REPORT

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>PSD 2014-12 (major subdivision)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name:</td>
<td>Riverwood Ranch Phase 2A</td>
</tr>
<tr>
<td>NC PIN:</td>
<td>A portion of 177100-11-0255</td>
</tr>
<tr>
<td>Town Limits/ETJ:</td>
<td>Town Limits</td>
</tr>
<tr>
<td>Overlay:</td>
<td>None</td>
</tr>
<tr>
<td>Master Plan:</td>
<td>Riverwood Ranch</td>
</tr>
<tr>
<td>Applicant:</td>
<td>DC Adams Engineering, Inc.</td>
</tr>
<tr>
<td>Owners:</td>
<td>Riverwood on the Neuse, LLC</td>
</tr>
<tr>
<td>Neighborhood Meeting:</td>
<td>Not required (part of Planned Development)</td>
</tr>
<tr>
<td>Public Noticing:</td>
<td>Property posted September 13, 2013</td>
</tr>
</tbody>
</table>

### PROJECT LOCATION:

The project is located within the Riverwood Ranch Planned Development, just northwest of the Food Lion Shopping Plaza and accessed from Pritchard Road.

### REQUEST:

The applicant is requesting a major subdivision / preliminary plat approval for Phase 2A of the Riverwood Ranch Planned Development to allow 15 single family residential lots, within Town Limits.

### SITE DATA:

<table>
<thead>
<tr>
<th>Acreage:</th>
<th>4.06 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning:</td>
<td>PD-MU (Planned Development – Mixed Use)</td>
</tr>
<tr>
<td>Existing Use:</td>
<td>Vacant</td>
</tr>
<tr>
<td>Existing Impervious:</td>
<td>None - property is vacant.</td>
</tr>
</tbody>
</table>

### DEVELOPMENT DATA:

<table>
<thead>
<tr>
<th>Proposed Uses:</th>
<th>Single Family Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings:</td>
<td>15 single family homes</td>
</tr>
<tr>
<td>Number of Stories:</td>
<td>Maximum height of 40 feet</td>
</tr>
</tbody>
</table>
Impervious Surface: Maximum 4,000 SF per lot. Max 45% for overall phase, including streets, lot impervious, and sidewalk.

Required Parking: 2 spaces per unit

Proposed Parking: 2 spaces per unit

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

Access/Streets: Access will be provided off of Stetson Lane, which is accessed from Riverwood Ranch Blvd (off of Pritchard Road and directly across from Athletic Club Blvd).

Water/Sewer Provider: Town of Clayton

Electric Provider: Progress Energy

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ADJACENT ZONING AND LAND USES (of total Parcel):

North: Zoning: Residential Estate (R-E)

Existing Use: Residential

South: Zoning: Residential-10 (R-10), Planned Development Mixed Use (PD-MU)

Existing Use: Single Family Residential (Riverwood Athletic Club), Commercial (Riverwood Ranch)

East: Zoning: Residential Estate (R-E)

Existing Use: Residential

West: Zoning: Residential Estate (R-E), Residential-10 (R-10)

Existing Use: Residential

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STAFF ANALYSIS AND COMMENTARY:

Overview
The applicant is requesting preliminary subdivision plat approval for Phase 2A as depicted on the Riverwood Ranch Master Plan (most recently updated as Administrative Amendment 2014-89).

The applicant is requesting approval for a total of 15 single family lots (density of 3.7 dwelling units/acre). Proposed lot standards are presented on the preliminary subdivision plan.

The lots range in size from 0.19 acre to 0.27 acre.

Consistency with the Strategic Growth Plan
The request is consistent with the Strategic Growth Plan.

Consistency with Master Plan
The request is consistent with the Riverwood Ranch Master Plan.
Consistency with the Unified Development Code
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC). Individual lot development specifications such as driveway placement will be required to meet all Town standards and be consistent with the provisions of the approved Master Plan and Final Plat.

Compatibility with Surrounding Land Uses
The proposed development is consistent with the approved Riverwood Ranch Master Plan, which shows this area to be single family residential. Single Family Residential is planned on the East, West, and North sides of this phase.

Landscaping and Buffering
A 20 foot landscape easement is proposed along Stetson Lane. This landscape easement is not required by the Unified Development Code, but has been proposed by the developer. Street trees are required along all rights-of-way at a rate of one canopy tree per lot or one every 40 linear feet (maximum 50 feet apart). Trees will be planted at a caliper of 2.5 inches and shall be at least 8 feet in height.

Recreation and Open Space
Recreation and open space requirements have been met by the overall Riverwood Ranch Planned Development.

Environmental
No environmental impacts are expected at this site. The site contains no riparian areas and is not located in a 100 year flood plain.

Signs
No signage is requested as part of this request.

Access/Streets
Access to the phase is provided off of Stetson Lane, a new road that will also provide access to the Riverwood Haven senior apartments. Stetson Lane is accessed off of Riverwood Ranch Blvd, which connects to Pritchard Road. Provisions are in place for a traffic signal to be placed at the intersection of Pritchard Road and Athletic Club Blvd/Riverwood Ranch Blvd when traffic warrants are met.

Multi-Modal Access
5-foot sidewalks are provided along both sides of the street.

Architecture/Design
N/A.

Waivers/Deviations/Variances from Code Requirements
None.
CONSIDERATIONS:

- The applicant is requesting Preliminary Subdivision Plat approval for Phase 2A.
- The Town Council approves major preliminary subdivision plats.

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. The applicant’s Findings of Fact are incorporated into the record as “Attachment 1” of the Staff Report.

CONDITIONS:

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

1. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.

2. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.

3. Development shall be consistent with the specifications of the approved Riverwood Ranch Planned Development Master Plan.

4. All development fees shall be paid prior to final plat recordation, except that Capacity fees shall be paid prior to issuance of building permits.

5. A homeowners’ association document shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

Planning Board Recommendation:

Attachments: 1) Subdivision Findings of Fact, 2) Zoning & Aerial Map, 3) Application, 4) Preliminary Subdivision Plan, 5) Copy of Riverwood Ranch Master Plan
Section 155.706(1)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

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

(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.

(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.

(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.
Riverwood Ranch Phase 2A - Preliminary Subdivision Plan

Applicant: DC Adams Engineering, Inc.
Property Owners: Riverwood on the Neuse, LLC
Parcel ID Number: A portion of 177100-11-0255
File Number: PSD 2014-12

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

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

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

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

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

SUBDIVISION TYPE:

Application Type:

☐ Minor Subdivision  ☑ Major Subdivision  ☐ Final Plat  ☐ Exempt Map

SITE INFORMATION:

Name of Project: Riverwood Ranch  Acreage of Property: 9.64 AC

Preliminary Plat Approval Date (if applicable): N/A

Parcel ID Number: 17700-11-0255  Tax ID: 16102026B

Location: Stetson Dr - Off of Riverwood Ranch Blvd (Across Pinehurst Rd from RWAC)

Section(s): 2A  Phase(s):

Number of Lots (Existing): (Proposed): 34  Min. Lot Size: 35'x75'?


Specific Use: Single Family Residential

Recreation/Open Space Requirement: ☐ Fee in lieu  ☐ Land Dedication (acreage)

FOR OFFICE USE ONLY

File Number: 2014-12  Date Received: 2/3/14  Amount Paid:

July 2013
**OWNER INFORMATION:**

Name: RIVERWOOD ON THE MEUSE, LLC  
Mailing Address: 400 RIVERWOOD DR, CLAYTON, NC 27527  
Phone Number: 919-550-5056  
Email Address: donnie.adams@twcoadamspe.com

**APPLICANT INFORMATION:**

Applicant: DC Adams Engineering, Inc  
Mailing Address: 401 Swan Trail, Clayton, NC 27527  
Phone Number: 919-763-7278  
Contact Person: Donnie Adams  
Email Address: donnie@dcoadamspe.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).
- [X] A signed and sealed traffic impact analysis (if required).
- [ ] Verification of wastewater allocation (granted or requested).
- [X] Verification of approval for the potable water and waste water system improvements from North Carolina Department of Environment and Natural Resources (NCDENR).
- [X] Verification of approval for individual well and septic systems from Johnston County Department of Environmental Health Services (if applicable).
- [X] 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.

Print Name: Donnie Adams  
Signature of Applicant: [Signature]  
Date: 2/3/2014

July 2013
Section 155.706(1)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

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

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(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.

(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.

July 2013
OWNERS CONSENT FORM

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

Project Name: RIVERWOOD RANCH
Address or PIN #: 17700-4-0255 & 17700-18-3995

AGENT/APPLICANT INFORMATION:

De Adams Engineering, Inc
(Name - type, print clearly)

404 Swedish Trail
(Address)
Clayton, NC 27527
(City, State, Zip)

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

Masting Plan
Subdivision Plans

Final Fife's

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

RIVERWOOD ON THE NEUSE, LLC
(Name - type, print clearly)

(Full Isman Jr.
(Owner's Signature)

400 RIVERWOOD DR
(Address)
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 27th day of January, 2014.

SEAL

SUSAN V. JONES
NOTARY PUBLIC

My Commission Expires: 03/14/15

October 2013
The following information is required for all preliminary subdivision plans:

Provided

Yes  No  N/A  

- Plans are 18 inches by 24 inches with a scale no smaller than 1 inch = 100 feet.
- Name of subdivision (including phase numbers if applicable) and plan type (Subdivision, Final Plat, Exempt Plat, or Recombination).
- Name of township, county, and state in which the property is located.
- Vicinity sketch.
- Provide project data in tabular form:
  - Area of tract in square feet and acres
  - Owner’s name and address
  - Within Town limits or ETJ
  - Zoning of property (and any special conditions if applicable)
  - Number of lots per acre (density)
  - Acreage in Resource Conservation Areas (UDC § 155.500)
  - Indicate if the site is within a Watershed Protection Overlay
  - Annexation number (if applicable)
  - FEMA designated flood plain and floodway (including FIRM panel reference number and effective date) or certification that no flood plain exists within the subdivision.
- Surveyor or professional engineer’s name, seal, and registration number.
- Date of survey and plat preparation.
- An accurately positioned north arrow indicating true north, magnetic north, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to an old deed or plat bearings, the date and the source (if known) the index was originally determined is clearly indicated.
- The exact course and distance of every boundary line of the tract to be subdivided, fully dimensioned (metes and bounds) along with the location of intersecting boundary lines of adjoining lands in accordance with the North Carolina General Statutes § 47-30 - Plats and subdivisions; mapping requirements.
- All lot boundaries changed or eliminated by requested combination are indicated by dashed lines.
- Accurate location and description of all monuments, markers and control points.
- Blocks numbered consecutively throughout entire subdivision with lots numbered consecutively in each block. Lot numbers shall be placed in a circle or labeled “Lot _”.
- The names of adjacent landowners, or lot, block, parcel, subdivision designations or other legal reference where applicable.
Location and width of all existing and proposed rights-of-way, Resource Conservation Areas, easements and areas dedicated to public use with the purpose of each stated where crossing or forming any boundary line of the property shown. Sight triangles noted where required.

Location of all existing buildings and structures.

Minimum building setbacks are noted.

Location of all existing and proposed utilities (water, sewer, electric, natural gas, etc.).

Location of all existing and proposed fire hydrants.

Location of all existing and proposed drainage structures.

Proposed streets are labeled, named and dimensioned. Street names must be approved by Johnston County. Correct street cross section detail provided.

Location, purpose and dimensions of areas to be used for purposes other than residential and public.

Any other information considered by either the applicant or the town to be pertinent to the review.

**FINAL PLAN REQUIREMENTS**

*In addition to the information listed above, the following information is required for all final subdivision plans:*

<table>
<thead>
<tr>
<th>Provided</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td>All lot boundaries changed or eliminated by requested combination are indicated by dashed lines.</td>
<td>❌</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Approved street names are labeled.</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Width and type of buffer is noted (if applicable).</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Verification of minimum Finished Floor Elevation (FFE). The minimum FFE must be at least two feet above the Base Flood Elevation (BFE) on properties affected by FEMA 100 year flood plain.</td>
<td>☑</td>
<td>☑</td>
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</tr>
<tr>
<td>Indicate the boundaries of any greenway dedicated to the Town of Clayton and label “Public Greenway Dedicated to the Town of Clayton.”</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Resource Conservation Areas must be shown and dimensioned on the plat. The following note must also be provided: “The Resource Conservation Area shown hereon is being provided per the requirements of Article 5 of the Town of Clayton’s Unified Development Code. This Resource Conservation Area must be preserved in perpetuity.”</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>If streets are to remain private:</td>
<td>❌</td>
<td>☑</td>
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<tr>
<td>The Home Owners Association (HOA) documents must be approved by the Town Attorney</td>
<td>☑</td>
<td>☑</td>
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</tr>
<tr>
<td>Streets are labeled “Private Streets – No Town Maintenance”</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Any other information considered by either the applicant or the town to be pertinent to the review.</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>
**ADJACENT PROPERTY OWNERS LIST**

**Project Name:** Riverwood Ranch

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

<table>
<thead>
<tr>
<th>PARCEL NUMBER</th>
<th>NAME</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>177000-18-2403</td>
<td>ZOGRO LLC WILDER INVESTMENTS</td>
<td>30112 BENTLY BROOK DR RALEIGH, NC 27605</td>
</tr>
<tr>
<td>177000-18-5722</td>
<td>CHANDI AT RIVERWOOD LLC</td>
<td>8710 GLENWOOD AVE, SUITE 102 RALEIGH, NC 27617</td>
</tr>
<tr>
<td>177000-07-1398</td>
<td>CAVINESS &amp; CRATES BUILDING AND DEVELOPMENT COMPANY</td>
<td>1337 EXECUTIVE PL, Suite 400 FAYETTEVILLE, NC 28305</td>
</tr>
<tr>
<td>176000-99-5461</td>
<td>SIMMENTAL VENTURES LLC</td>
<td>400 RIVERWOOD DR CLAYTON, NC 27517</td>
</tr>
<tr>
<td>176000-80-3158</td>
<td>REECE JACQUIN SMITH</td>
<td>1117 RITCHIE RD CLAYTON, NC 27517</td>
</tr>
<tr>
<td>176000-13-4149</td>
<td>JOHN A. YAGER JR FAMILY TRUST</td>
<td>9000 WILMINGTON ST WENDOVER, NC 27591</td>
</tr>
<tr>
<td>176000-13-6039</td>
<td>SHEA &amp; LYNNE MIREMBA</td>
<td>415 WILMINGTON ST CLAYTON, NC 27517</td>
</tr>
<tr>
<td>176000-21-4568</td>
<td>RACHEL JOHNSON</td>
<td>215 E. SYCAMORE ST ZEBRON, NC 27591</td>
</tr>
<tr>
<td>176000-32-8420</td>
<td>COUNTY OF JOHNSTON</td>
<td>PO BOX 1049 SMITHFIELD, NC 27577</td>
</tr>
<tr>
<td>176000-17-9331</td>
<td>ERLINE COTIER WHEELER</td>
<td>317 HAMBY ST CLAYTON, NC 27520</td>
</tr>
<tr>
<td>176000-31-2172</td>
<td>SUSAN GAIL O'NEIL</td>
<td>322 MIZUNO RD CLAYTON, NC 27520</td>
</tr>
</tbody>
</table>
STAFF REPORT

Application Number: SP 2014-65 (Major Site Plan)
Project Name: Outdoor Temp Storage

NC PIN / Tax ID: 165915-62-4542 / 05025003B
Town Limits/ETJ: Town Limits
Overlay: Thoroughfare Overlay District
Applicant: Alsey Gilbert
Owners: Plaza Development Company LLC, Michael Marvel

Neighborhood Meeting: Held July 17th, 2014
Public Noticing: Property posted July 18, 2014

PROJECT LOCATION: The project is located off of US 70 Bus Hwy W, behind Liberty Auto and Gerber Collision, and just east of an existing temporary storage facility.

REQUEST: The applicant is requesting site plan approval for an Outdoor Temporary Storage facility to support the existing enclosed temporary storage facility to the west.

SITE DATA:

Acreage: 2.29 acres
Zoning: Highway Business (B-3)
Existing Use: Vacant

DEVELOPMENT DATA:

Proposed Uses: Enclosed Outdoor Storage to support a Temp Storage Facility
Buildings: None
Impervious Surface: 0.71 acres (31%) proposed
Required Parking: None
Proposed Parking: None proposed
Fire Protection: Town of Clayton Fire Department.
Access/Streets: Access will be provided internally from an existing driveway off of US 70 Bus Hwy W, which also provides access to Liberty Auto and Liberty Auto.

Water/Sewer Provider: Town of Clayton

Electric Provider: Progress Energy

ADJACENT ZONING AND LAND USES:

North:  
- Zoning: Highway Business (B-3)  
- Existing Use: Gerber Collision, Various Commercial Sites

South:  
- Zoning: Residential-10 (R-10)  
- Existing Use: Apartment Complex

East:  
- Zoning: Highway Business (B-3)  
- Existing Use: Commercial Shopping Center; Various Commercial Sites

West:  
- Zoning: Highway Business (B-3)  
- Existing Use: Temp Storage Building

STAFF ANALYSIS AND COMMENTARY:

Overview
The applicant is requesting site plan approval for an outdoor storage facility associated with an existing temporary storage facility located off of US 70 Bus Hwy W.

The proposed impervious area for the site is 0.71 acres. The proposed gravel storage area will be screened from view on the US 70 Bus Hwy W side of the property by evergreen trees (Leyland Cypress) and a 6 foot tall privacy fence which will extend the perimeter of the storage area.

The storage area is designed as a supporting use for an existing temporary storage facility located directly to the east. However, cross-access is not proposed at this time because a roadway between the two properties would be required to cross the 100 year floodplain.

The storage area will be enclosed with a fence and gated to control access.

Consistency with the Strategic Growth Plan
The proposed development is consistent with the Strategic Growth Plan.

Consistency with the Unified Development Code
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC).
**Landscaping and Buffering**
The site plan meets all applicable elements of the UDC landscaping requirements. Evergreen trees will be planting along the front of the property to provide added visual screening. A mix of trees and shrubs (Crape Myrtle trees and Indian Hawthorne shrubs) are proposed along the east and south borders of the storage. No buffering is required between this property and other commercial sites to the east, north, and west, and so the proposed plantings are to meet the Code’s landscape requirements for the overall site rather than any buffering standards.

A Class “C” buffer is required along the south property line where the site abuts residential zoning. Existing vegetation, including a 100 foot vegetated riparian buffer, is proposed to meet the requirements of this buffer without the need for additional screening. The applicant has shown the required plantings are naturally present and staff concurs the existing vegetation satisfies the requirement.

Leyland Cypress trees are proposed along with shrubs to provide the required screening from the right-of-way along the north property line facing US 70 Bus Hwy W.

**Recreation and Open Space**
N/A.

**Environmental**
Little Creek runs along the back side of this property, and a 50 foot undisturbed riparian buffer shall be maintained. A portion of the site is located within the 100 year flood plain; the storage area does not encroach into the 100 year flood plain. There is also a pond/wetlands located on the southeast section of the property. Neither the wetlands nor 100 year floodplain shall be impacted by this project.

A greenway easement for the Town runs along the south of the property, adjacent to the riparian buffer.

**Signs**
No signs are requested at this time. Any signage will require a Town Sign Permit.

**Access/Streets**
The site is accessed via an existing unnamed driveway off of US 70 Bus Hwy W, which also provides access to the commercial properties to the north – Liberty Auto and Gerber Collision. A gate will provide controlled access to the site.

**Multi-Modal Access**
N/A

**Architecture**
N/A

**Waivers/Deviations/Variances from Code Requirements**
None.
CONSIDERATIONS

➢ The Planning Board approves major site plans.

RECOMMENDATION:

Staff is recommending approval of the site plan with the following conditions:

1. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.

2. Following Board approvals, three copies of the Final Site Plan and supporting plan sheets meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.

3. A site/landscape inspection by the Planning Department shall be required prior to site occupancy of the proposed use. All site improvements shall be installed prior to the site inspection.

ATTACHMENTS: 1) Map, 2) Application, 3) Neighborhood Meeting Materials, 4) Site Plan
Outdoor Temp Storage (Major Site Plan)

Applicant: Alsey Gilbert
Property Owners: Plaza Development Company LLC, Michael Marvel
Parcel ID Number: 165915-62-4542
File Number: SP 2014-65

Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.
7/17/14
MAJOR SITE PLAN APPLICATION

Pursuant to Article 7, Section 155.707 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Planning Board to approve a Major Site Plan application. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application fee: $500.00 + $5.00 per acre. 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 Site Plan applications.

<table>
<thead>
<tr>
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<td>Name of Project: TEMP STORAGE</td>
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<tr>
<td>Parcel ID Number: 05025003B</td>
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<td>Address/Location: US HWY 70 BUSINESS</td>
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<td>Existing Use: VACANT COMMERCIAL</td>
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<td>Zoning District: B-3</td>
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<tr>
<td>Is project within a Planned Development?: ☑ No</td>
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<td>☐ Yes (list):</td>
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<td>Is project within an Overlay District?: ☑ No</td>
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</table>

FOR OFFICE USE ONLY

File Number: 2014-65   Date Received: 5/21/14   Amount Paid: $510.00
### PROPERTY OWNER INFORMATION

Name: **PLAZA DEVELOPMENT**
Mailing Address: **442 1/2 EAST MAIN ST.**
Phone Number: **919-553-5400**  
Fax: ____________________________
Email Address: ____________________________

### APPLICANT INFORMATION

 Applicant: **ALSEY GILBERT**
Mailing Address: **112 NORTH CHURCH ST.**
Phone Number: **919-553-5104**  
Fax: **919-553-3663**
Contact Person: **ALSEY GILBERT**
Email Address: **ALSEYGILBERT@YMAIL.COM**

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

The following items must accompany a Major Site Plan application.

<table>
<thead>
<tr>
<th>To be completed by the applicant:</th>
<th>Yes</th>
<th>N/A</th>
<th>To be completed by staff:</th>
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<tr>
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<td>2. I have referenced the Plan Requirements Checklist and used this as a guide</td>
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<td>3. Site Plan Review Fee ($500 + $5/acre)</td>
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<td>6. Plan sets meeting the requirements listed in the Plan Requirements Checklist (9 copies)</td>
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</tr>
</tbody>
</table>
| 10. Neighborhood meeting notice letter (9 copies)  
See sample letter and meeting requirements |     |     |  |     |     |     |
| 11. Neighborhood meeting summary form (9 copies) |     |     |  |     |     |     |

May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.

Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.
EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.
TO PROVIDE OUTDOOR STORAGE FOR BOATS, CAMPERS, VEHICLES ETC. IN ASSOCIATION WITH TEMP. STORAGE

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject Major Site 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.

ALSEY GILBERT  
Print Name  
Signature of Applicant  
5/1/2014  
Date
OWNER'S CONSENT FORM

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

Project Name: Temp. Storage  Address or PIN #:

AGENT/APPLICANT INFORMATION:

Also of City

(Name - type, print clearly)  (Address)

(City, State, Zip)

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

Site Plan
Zoning

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Michael L. Marvel  2127 Willow Hill Lane
(Name - type, print clearly)  (Address)

(Owner's Signature)  Clayton, NC 27520  (City, State, Zip)

STATE OF  North Carolina  Scientific
COUNTY OF  Johnston

Sworn and subscribed before me Celeste M. Lopez, a Notary Public for the above State and County, this the 8th day of March 2013.

Notary Public
My Commission Expires: October 22, 2016

October 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: JULY 17th 2014

Location: Gilbert Land Surveying 112 North Church St. Clayton NC 27520

Time: 6:00-7:00 pm

Type of Application: MAJOR SITE PLAN

General Description: OUTDOOR STORAGE ADDITION TO TEMP. STORAGE

If you have any questions prior to or after this meeting, you may contact us at 919-422-4838

Sincerely,

[Signature]

Applicant

cc: Clayton Planning Dept.
FILL OUT THE FOLLOWING:

Date of Mailing: 7/7/14

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

Printed Name: Asey Gilbert    Signature: [signature]

Date of Meeting: 7/17/14    Time of Meeting: 6-7 pm
Location of Meeting: Gilbert Land Surveying 112 N. Cheesman St, Clayton

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

See Attached

Please write clearly (or submit a typed summary), and use additional sheets if necessary.
TO WHOM IT MAY CONCERN:

MEETING SUMMARY OF TEMP STORAGE ADDITION 2 (OUTDOOR)

ON JULY 17TH, 2014 A NEIGHBORHOOD MEETING WAS HELD AT THE OFFICE OF GILBERT LAND SURVEYING FROM 6:00-7:00 PM. NO ONE SHOWED, BUT A PARTY CALLED AT 7:21 PM AND I AGREED TO MEET JULY 18TH AT 1:00 PM AT THE SITE. THE GENTLEMANS REPRESENTS THE OLD SONIC PROPERTY AND WAS VERY WORRIED ABOUT A DITCH THAT DOES NOT INFLUENCE MY SITE BUT BORDERS THE PROPERTY BETWEEN THE OLD SONIC AND FORMER WINN DIXIE PROPERTY. NOTHING WAS ACCOMPLISHED FROM THAT MEETING. HE STILL CONTENDS IT IS A TOWN PROBLEM.
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<td>1011 MURRAY AVE</td>
<td>CHERRY HILL</td>
<td>NJ</td>
<td>08002-3238</td>
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</table>
Properties within 100 feet of SP 2014-65
Application Number: SUP 2014-85 (Special Use Permit)  
Project Name: RNC Entertainment - Internet Café at 12809 US 70 Bus Hwy W  
NC PIN / Tax #: 165909-06-0707 / 05G02001B  
Town Limits/ETJ: Town Limits  
Overlay: Thoroughfare Overlay District  
Applicant: Tony Ro  
Owners: 813 Town Centre Boulevard Holdings LLC  
Neighborhood Meeting: Held July 18, 2014  
Public Noticing: Property Posted July 18, 2014

PROJECT LOCATION: The project is located at 12809 US 70 Bus Hwy W, in the Town Centre (Walmart) Shopping Center Plaza, in the old Blockbuster site and adjacent to Capital Bank.

REQUEST: The applicant is requesting approval of a Special Use Permit to allow Video Sweepstakes Operations business at 12809 US 70 Bus Hwy W, within the Town Centre (Walmart) Shopping Center.

SITE DATA:  
Acreage: 1.82 acres  
Present Zoning: B-3-S (Highway Business Special Use District)  
Existing Use: Commercial (storefront is vacant)

DEVELOPMENT DATA:  
Proposed Uses: Video Sweepstakes Operations  
Buildings: One existing building. Business is in a storefront within a 10,858 SF multi-tenant building.  
# of Machines: 80  
Square footage: 5,664 SF
Required Parking: 28 (1 space per 200 SF or 1 space per 3 seats, whichever is greater. In this case 5,664 SF/200 = 28)

Proposed Parking: Utilizing existing parking. The site has 59 parking spaces available.

Access/Streets: Access is through an existing driveway off of Town Centre Blvd (internal circulation within the Town Centre Shopping Plaza). No site modifications are proposed.

---

**ADJACENT ZONING AND LAND USES:**

<table>
<thead>
<tr>
<th></th>
<th>Zoning</th>
<th>Existing Use</th>
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<td>North</td>
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<td>Funeral Home &amp; Cemetery</td>
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<tr>
<td>South</td>
<td>Highway Business Special Use District (B-3-S)</td>
<td>Commercial (Walmart)</td>
</tr>
<tr>
<td>East</td>
<td>Highway Business Special Use District (B-3-S)</td>
<td>Commercial (Capital Bank)</td>
</tr>
<tr>
<td>West</td>
<td>Highway Business Special Use District (B-3-S)</td>
<td>Commercial (Vacant)</td>
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**STAFF ANALYSIS AND COMMENTARY:**

**Overview**
The applicant is requesting approval of a Special Use Permit to allow a Video Sweepstakes Operations business at an outparcel within the Walmart Shopping Center. The outparcel has a small multi-tenant building and the proposed use will operate out of one of the vacant commercial spaces available. Usually a Conditional Use Permit is required to operate a Video Sweepstakes Operation, but because this site is in a Special Use District, the new use must receive a Special Use District to locate here. A separate Conditional Use Permit is not required.
Video Sweepstakes Operations are defined in the UDC (Section 155.305(GG)) as follows: “Any business enterprise, whether as a principal or accessory use, where persons utilize electronic machines, including but not limited to computers and gaming materials, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This term includes, but is not limited to internet cafes, internet sweepstakes, and cybercafes. This does not include any lottery approved by the State of North Carolina.”

The code also sets the following restrictions:

1) Unaccompanied persons under the age of 18 are prohibited from entering the premises.
2) The hours of operation shall be limited to Sunday through Thursday 9 am to 1am and Friday and Saturday 9am to 2am.
3) A maximum of up to 100 machines may be permitted at each establishment.

The applicant has requested the following:
1) # of Machines: maximum of 80

Associated Plans
Site Plan # 02-27 was the initial site plan for the Blockbuster site.

The Walmart Plaza was originally approved under Special Use Permit # SUP 02-01.

State Law related to Internet Sweepstakes
The applicant has indicated they fully intend to operate within the confines of State laws and will comply with any state and local regulations that apply to internet sweepstakes, now or in the future. The issuance of a Special Use Permit is not evidence that the Town has determined the applicant is operating within the state law.

Parking Considerations
Based on current parking requirements, the subject site is conforming in terms of the number of required spaces.
Total Building = 10,800 square feet
Internet Café = 5,664 SF
   - At a rate of 1 space per 200 SF, 28 spaces required
Remaining Building = 5,136 SF (mix of office and retail)
   - At the rate of 1 space per 200 SF (conservative since office requires less parking than retail), 26 spaces required
Total parking required for building: 54 spaces
Total parking provided: 59 spaces

Consistency with the Unified Development Code
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC), so long as the Special Use Permit is approved.

Compatibility with Surrounding Land Uses
The use is compatible with the surrounding uses in the shopping plaza (retail, service, restaurant, and other commercial businesses).
Landscaping and Buffering
No additional landscaping or buffering is required.

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

Waivers/Deviations/Variations from Code Requirements
None.

CONSIDERATIONS:

➢ The Town Council approves Special Use Permits.

FINDINGS:

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (l) of the UDC. Please refer to the “Attachment 1” for the applicant’s response.

CONDITIONS:

Staff recommends that if the Town Council reaches positive conclusions on the required findings of fact, the approval of the petition be subject to the following conditions:

1. The hours of operation shall be limited to Sunday through Thursday 9 am to 1am and Friday and Saturday 9am to 2am.
2. Unaccompanied persons under the age of 18 are prohibited from entering the premises.
3. Prior to the issuance of a Privilege License, the applicant shall provide a final floor plan identifying the number of seats provided in the facility for gaming. This facility is limited to a maximum of 80 seats/machines.
4. A maximum of 25% of the window and door areas may be covered with signage or other opaque materials.

ATTACHMENTS:

1) Findings of Fact, 2) Aerial and Zoning Map, 3) Floor Plan, 4) Application Materials, 5) Neighborhood Meeting Materials
REQUIRED FINDINGS OF FACT

Section 155.711(l) of the Unified Land Development Code requires applications for a Special Use to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

   Our establishment will provide relaxing and comfortable lounge areas within the premises to where the customers have access to computers for entertainment purposes. We will provide non-alcoholic beverages and snacks to all of our customers. We will provide a wait staff in order to tend to all of our customers to ensure attentiveness and satisfaction. We plan to provide security assistance after hours as well to ensure safety if necessary. We will in no way shape or form endanger the public health and safety for the community with our system in place.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

   We will definitely meet all requirements regarding the land use due to all activities regarding the business being held indoors and for entertainment purposes only. Very limited activities will be held outside of the establishment.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

   Majority of the business will be conducted after the hours of 7pm which will not clash with the neighboring businesses. We will utilize minimal parking spaces, and will not affect our neighboring businesses. We are hoping to bring in more traffic to the area to help promote our neighboring businesses as well.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

   We are in full compliance to the laws and regulations of the state of North Carolina regarding the type of gaming system which are allowed to be utilized by our customers.
RNC Entertainment - Internet Cafe @ 12809 US 70 Bus Hwy W
Special Use Permit

Applicant: Insook Kye
Property Owners: Don. 813 Town Centre Boulevard Holdings LLC
Parcel ID Number: 165909-06-0707
File Number: SUP 2014-85

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

Pursuant to Article 7, Section 155.711 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 allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

Fee: The application fee is $400.00. 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 Special Use Permit applications.

APPLICATION TYPE

☐ New Special Use Permit  ☐ Major Modification to an approved SUP

 Permit Modified: __________________

SITE INFORMATION

Name of Project: RNC Entertainment  Acreage of Property: ______________
Parcel ID Number: 165909-06-0707  Tax ID: 05G02001B
Deed Book: 04344  Deed Page(s): 0376
Address/Location: 12804 US Highway 70, Clayton NC 27520

Existing Use: Formerly Blockbuster  Proposed Use: Internet Cafe

Is project within a Planned Development? ☐ No  ☐ Yes

Planned Development District (if applicable):

Is project within an Overlay District: ☐ No  ☐ Yes

Overlay District (if applicable): Thoroughfare Overlay District

OFFICE USE ONLY

Date Received: 7/9/14  Amount Paid: $400.00  Permit Number: 2014-085
**PROPERTY OWNER INFORMATION**

Name: 
Mailing Address: 
Phone Number: Fax:  
Email Address: 

**APPLICANT INFORMATION**

Applicant: **Tony Ro**  
Mailing Address: **2814 Old Trawick Way Raleigh NC. 27604**  
Phone Number: **(252) 955-9329** Fax: **(919) 878-6705**  
Contact Person: **Tony Ro**  
Email Address: **tony@ro-holdings.com**

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

*The following items must accompany a Conditional Use Permit (CUP) application.*

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<th>N/A</th>
<th>To be completed by staff:</th>
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<tr>
<td>8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.</td>
<td></td>
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</table>
| 9. Neighborhood meeting notice letter (9 copies)  
See sample letter and meeting requirements included in this packet | | | |
| 10. Set of stamped, addressed envelopes using the adjacent property owners list | | | |
| 11. Neighborhood meeting summary form (9 copies)  
Form is included in this packet | | | |

*Note: More information may be requested by the Planning Department depending on the project.*
REQUIRED FINDINGS OF FACT

Section 155.711(l) of the Unified Land Development Code requires applications for a Special Use to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

Our establishment will provide relaxing and comfortable lounge areas within the premises to where the customers have access to computers for entertainment purposes. We will provide non-alcoholic beverages and snacks to all of our customers. We will provide a wait staff in order to tend to all of our customers to ensure attentiveness and satisfaction. We plan to provide security assistance after hours as well to ensure safety if necessary. We will in no way shape or form endanger the public health and safety for the community with our system in place.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

We will definitely meet all requirements regarding the land use due to all activities regarding the business being held indoors and for entertainment purposes only. Very limited activities will be held outside of the establishment.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Majority of the business will be conducted after the hours of 7pm which will not clash with the neighboring businesses. We will utilize minimal parking spaces, and will not affect our neighboring businesses. We are hoping to bring in more traffic to the area to help promote our neighboring businesses as well.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

We are in full compliance to the laws and regulations of the State of North Carolina regarding the type of gaming system which are allowed to be utilized by our customers.

July 2014
EXPLANATION OF PROJECT

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

RNC Entertainment is providing an Internet Cafe which is in full compliance with the state of North Carolina. We will be utilizing a Blue Diamond gaming program which is PRE-REVEIL and approved by the government. Total of 80 computer systems will be implemented. We will provide multiple stations for the computers and also provide multiple lounge areas for the customers to relax and mingle. The atmosphere will be upscale with a modern feel to it. We will provide a wait staff to tend to the customer’s needs and as well provide excellent service. We will provide non-alcoholic beverages and snacks. The business will be open 24 hours and will have security assistance after hours to ensure safety and protection for our customers (if necessary).

In conclusion, RNC Entertainment’s goal is to welcome the community to an upscale and modern establishment which provides a variety of different computer games and programs for the customers to enjoy and spend their past-time.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. 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.

Tony Ro
Print Name

Signature of Applicant

7/08/2014
Date

July 2014

Page 4 of 9
Date: 07/08/2014

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use 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: Friday, July 18th

Location: 12809 US 70 Business Highway West (Former Blockbuster)
Clayton NC 27520

Time: 6pm

Type of Application: Special Use Permit

General Description: Request for a Special Use Permit to locate an Internet Café in the old Blockbuster store location at 12809 US 70 Business Highway West.

If you have any questions prior to or after this meeting, you may contact us at: 252-955-9329. Thank you.

Sincerely,

[Signature]

Tony Ro

cc: Clayton Planning Dept.
No attendees.
**NEIGHBORHOOD MEETING ATTENDANCE ROSTER**

**Applicant:** Mitro Entertainment LLC  

**Location/Date:** 12809 US 70 BUS Hwy W. Cypress, NC. 27520  

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**Date:** 07/18/2014
The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary.

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

<table>
<thead>
<tr>
<th>PARCEL NUMBER</th>
<th>NAME</th>
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<tbody>
<tr>
<td></td>
<td>Albertsons Food Inc</td>
<td>Po Box 1150 New Orleans, LA 70181-1150</td>
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<tr>
<td></td>
<td>Stop &amp; Shop</td>
<td>39 Chambers Rd, Raleigh NC 27603</td>
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<td></td>
<td>Walmart Real Estate Corp Trust</td>
<td>Po Box 8050, NC 8535, Penton Place, NC 27603</td>
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<td>Corpes Div</td>
<td>118 East Blvd, Owner NC 27609</td>
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<td></td>
<td>Capital Bank Corporation</td>
<td>336 Fayetteville St, Raleigh NC 27601</td>
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<tr>
<td></td>
<td>Big Town Center Food Market</td>
<td>791 Wisconsin Ave, Pen Hotels MD 20814</td>
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