

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS PLANNING BOARD
July 20, 2021**

The Village of Clemmons Planning Board met on Tuesday, July 20, 2021 at 6:00 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Kevin Farmer, Lanny Farmer, Brad Hunter, Tressa Krenzer, Tom Mekis, Carolyn Miller, Dave Orrell, and Bobby Patterson. Member Rob Cockrum was absent. Village Attorney Elliot Fus was also present.

CALL TO ORDER

Chairman Brad Hunter called the meeting to order at 6:03 p.m.

APPROVAL OF MINUTES

Tom Mekis made a motion to approve the June 15, 2021 minutes as presented. Dave Orrell seconded the motion.

Chairman Hunter noted a correction that he voted in favor of Zoning Docket C-21-001 Griffindell Subdivision, not against.

Dave Orrell made a motion to approve the June 15, 2021 minutes as amended. Tom Mekis seconded the motion which was unanimously approved.

Chairman Hunter introduced newly appointed members Lanny Farmer and Kevin Farmer to the board.

CHANGES AND/OR APPROVAL OF AGENDA

Planner Rahimzadeh requested that the board remove item VI(B) from the agenda and postpone the public hearing for Zoning Docket C-240 Gateway West until the August 17, 2021 meeting, citing that staff did not receive a Traffic Impact Analysis in time to conduct proper staff analysis, and the developer has recently reached out to adjacent property owners for a neighborhood meeting.

Bobby Patterson made a motion to postpone the public hearing for Zoning Docket C-240 until the August 17, 2021 meeting. Dave Orrell seconded the motion which was unanimously approved.

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENTS

There were no comments.

BUSINESS

A. Election of Planning Board Officers for 2021-2022

Dave Orrell nominated Brad Hunter to be Chairman of the Planning Board. Tom Mekis seconded the motion which was unanimously approved.

Tom Mekis nominated Dave Orrell to be Vice Chair for the Planning Board. Bobby Patterson seconded the motion which was unanimously approved.

Planner Rahimzadeh suggested that Planning Staff be nominated as Secretary for the Planning Board to make logistics easier for signing off on approved minutes. Carolyn Miller made a motion for staff to become Secretary for the Planning Board. Tressa Krenzer seconded the motion which was unanimously approved.

B. Public Hearing of Zoning Map Amendment for real property owned by Gateway West Apartments, LLC from RS-40 (Residential, Single Family) to RM18-S (Residential Multifamily – Special) for property addressed 2070 Lewisville-Clemmons Road, PIN 5883-99-1851, consisting of 5.88± acres as shown on a site plan located in the Village of Clemmons Planning Department and on the Village of Clemmons website (Zoning Docket C-240**).**

The public hearing for C-240 Gateway West was postponed until the August 17, 2021 meeting.

C. Public Hearing of Zoning Map Amendment for real property owned by Kakewalk, LLC from PB-S (Pedestrian Business-Special) to PB-S (Pedestrian Business – Special) for property addressed 1415 River Ridge Drive, PIN 5884-89-5783, consisting of 1.05± acres as shown on a site plan located in the Village of Clemmons Planning Department and on the Village of Clemmons website (Zoning Docket C-241**).**

Planner Rahimzadeh presented staff analysis of the site. The purpose of the rezoning is to add uses because the property is currently only zoned for indoor recreation services. The rezoning would keep the zoning as PB-S and allow for the additional uses of retail store, specialty or miscellaneous; arts and crafts studio; general merchandise store; non-store retailer; offices, miscellaneous; professional office; services, business A; services, business B; and services, personal.

Dave Orrell confirmed with Planner Rahimzadeh that there were no outstanding issues with the site plan, but Planner Rahimzadeh noted that there are three wheel stops between the parcel and the adjoining property to the east that currently prevents connectivity between parcels. Chairman Hunter confirmed with Planner Rahimzadeh that the board could recommend the removal of the wheel stops as a condition if they are on the parcel for C-241.

Chairman Hunter opened the public hearing at 6:28 p.m. There were no proponents or opponents. Chairman Hunter closed the public hearing at 6:29 p.m.

Tressa Krenzer made a **motion** to adopt the consistency statement as stated in the Statement of Plan Consistency (attached hereto as Exhibit A and incorporated as part of the minutes) and recommend APPROVAL for the zoning map amendment for C-241, with the modification that the curb barrier in the parking lot separating the adjoining parcels be removed. Carolyn Miller seconded the motion which was unanimously approved.

CONDITIONS FOR C-241:

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator
- b. Developer shall obtain a driveway permit from the Village of Clemmons Public Works
- c. Developer shall meet the tree protection standards during construction as required in Chapter B.3-4 Landscaping and Tree Preservation Standards of the ordinance.
- d. Developer shall submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval, if the proposed project creates more than 10,000 square feet of land disturbance.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator.

OTHER CONDITIONS:

- a. Clemmons Planning staff shall be notified of occupancy different than arts and crafts studios.

D. Preliminary Major Subdivision Review for Tudor Oaks Subdivision by Bowtie, LLC located on 11.238± acres zoned RS-9 to include 21 lots at 3115 Tudor Oak Drive and shown as PIN 5892-16-7553 on a site plan map located in the Village of Clemmons

Planning Department and on the Village of Clemmons website (**Zoning Docket C-21-002**).

Planner Rahimzadeh clarified that the staff concerns with the site plan for C-21-002 had mostly been resolved with the most recent site plan revision. The previous concerns had been that the length of the road was in excess of 1200 linear feet which is not permitted per the subdivision ordinance. Another concern was that the T-turnaround did not meet the dimensional requirements. Both of these concerns had been addressed with the most recent revisions, and the only remaining concern was that the street did not stub out to the eastern property line.

Chairman Hunter noted dimensional concerns with the T-turnaround for service vehicles such as waste management and emergency vehicles.

Paul Fidishun, landscape architect and engineer with MLA Design, 6514 Dornoch Drive, Greensboro, North Carolina, was there to represent the applicant. He stated that the site plan met ordinance requirements and it is a difficult parcel to develop. He pointed out that the turnaround stubbed to the property line to the north instead of the east since extending it to the east would result in losing a lot. He also remarked that a cul-de-sac would not work because of an existing sanitary sewer easement and required buffers near the creek.

Chairman Hunter inquired whether the Clemmons or Forsyth County Fire Departments had anything to say about the turnaround. Planning Technician Drake advised that staff followed up and confirmed with both departments, and they stated that they had no comments.

Bobby Patterson advised that extending the stub by removing Lot 18 would help to develop the property, provide connectivity to the adjacent property, and improve the turnaround for service vehicles. He noted that fire trucks make turning around a priority when arriving on the scene, and the current dimensions of the T-turnaround seem very tight.

Dave Orrell inquired whether no parking signs could help with potential on-street parking issues. Planner Rahimzadeh replied that signs ultimately become a problem of enforcement. Tressa Krenzer noted how on-street parking on the street where she lives has affected the quality of the roads and hindered access by making the road space even narrower.

Dave Orrell made a **motion** to recommend APPROVAL of the preliminary major subdivision plat with the conditions as presented on the site plan review record for Tudor Oaks – Zoning Docket C-21-002 (attached hereto as Exhibit B and incorporated as part of the minutes). Chairman Hunter seconded the motion.

Dave Orrell advised that he felt that the board had sufficiently stated their concerns and that the subdivision largely meets the requirements of the ordinance, so it was up to Council's discretion to take their concerns into consideration. Lanny Farmer agreed with Dave Orrell's comments and reiterated the complicated nature of the lot.

The motion passed 6-2 with Kevin Farmer and Tom Mekis voting against the motion.

CONDITIONS FOR C-21-002:

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- (A) Developer shall obtain driveway permit from NCDOT and comply with all transportation related requests made by NCDOT
- (B) Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.
- (C) Developer shall meet the tree protection standards during construction as required in Chapter B.3-4 Landscaping and Tree Preservation Standards for the new large variety trees planted to meet the requirements of the ordinance.
- (D) If the proposed project creates more than 20,000 sq. ft. of land disturbance for Single-Family Dwelling construction, a Grading/Erosion Control Permit will be required prior to the start of work. Developer shall submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval.
- (E) If applicable, obtain US Army Corp of Engineers 404 and/or North Carolina Department of Environmental Quality - Division of Water Resources 401 permits for stream channel/wetland impacts.

PRIOR TO SIGNING FINAL PLAT:

- (A) Developer shall submit water/sewer extension plans to Forsyth County Utilities plan review for permitting/approval.
- (B) Developer shall improve the entirety of Tudor Oaks Drive to public street standards.
- (C) Final plat shall show proposed public streets rights-of-way, property lines, tentative building locations, and public access and maintenance easements for any sidewalks located along public streets which are outside of the public right-of-way as well as required payment in lieu calculations.
- (D) Developer/Homeowners Association shall maintain the grassed/landscaped island adjacent to the mail kiosk. A note shall be added to the final plat.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- (A) Developer shall obtain Village of Clemmons Driveway permits.
- (B) Developer shall record a final plat in the office of the Register of Deeds.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- (A) Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator

(B) Developer shall construct required sidewalks and install street trees as shown on the preliminary plat, all sidewalks shall be constructed within two years of site construction.

E. Staff Report – Next scheduled meeting on August 17, 2021.

Discussion ensued regarding density, traffic, connectivity, and other development externalities and how to approach them in Clemmons.

Planner Rahimzadeh advised that the next Planning Board meeting would take place on August 17, 2021.

ADJOURNMENT

Carolyn Miller made a motion to adjourn at 7:30 p.m. Dave Orrell seconded the motion which was unanimously approved.

Respectfully submitted:

Caroline Drake, Planning Technician



Nasser Rahimzadeh, Secretary

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STATEMENT OF PLAN CONSISTENCY

Per G.S. §160D-604(d) Plan Consistency

“When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.”

Consistency Statement for Zoning Map Amendment: Docket # C-241

The Clemmons Planning Board finds the action to amend the Village’s Official Zoning Map regarding tax parcel 5884-89-5783 addressed 1415 River Ridge Drive from Pedestrian Business – Special (PB-S) to PB-S to be consistent with the Village of Clemmons Community Compass. Theme #4 in the Clemmons Community Compass is for Economic and Community Development; the expanding of commercial uses on a pre-existing commercial promotes economic development and diversifies employment opportunities. The future land use for the parcel is highway commercial. Highway commercial uses include general commercial, retail, hospitality, and commercial uses that are more auto-oriented. The Village’s PB-S may not align with auto-oriented development, but it aligns with other aspects of highway commercial, thus making the proposed map amendment congruous with Clemmons Community Compass.

Inconsistency Statement for Zoning Map Amendment: Docket # C-241

The Clemmons Planning Board finds the action to amend the Village’s Official Zoning Map regarding tax parcel 5884-89-5783 addressed 1415 River Ridge Drive from Pedestrian Business – Special (PB-S) to PB-S to be inconsistent with the Village of Clemmons Community Compass. The future land use for the parcel is highway commercial. Highway commercial uses include general commercial, retail, hospitality, and commercial uses that are more auto-oriented. The Village’s Pedestrian Business zoning does not align with auto-oriented development as the intent of Pedestrian Business zoning is to “encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County”. 1415 River Ridge Drive is a far from the core of Clemmons; therefore the proposed map amendment is inconsistent with Clemmons Community Compass.

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SITE PLAN REVIEW RECORD			
Site Plan Title & Number	Tudor Oaks Subdivision (Zoning Docket C-21-002)		
Type of Development	Preliminary Major Subdivision		
Acreage (square feet): 11.238 (489,527)	Units/Lots: 21	Density: 1.9 lots per acre	
Zoning: Residential Single Family (RS-9)	Proposed Zoning: Residential Single Family (RS-9)		
Development Location	Located 500' off the intersection of Middlebrook Drive & Tudor Oaks Drive		
Site Plan Preparer	MLA Design Group, LLC 120 Club Oaks Ct., Suite 100 Winston-Salem, NC 27104	P 336.765.1923 F 336.765.5023 E paul@millerla.com	
Owner/Agent	Bowtie LLC 434 Calhoun Street Salisbury, NC 28114	P 336.215.3941 E Bill.Arndt@marksoninc.com	

STAFF COMMENTS
<p>As the site currently stands, it fails to meet development regulations in the Unified Development Ordinance. The site plan fails to:</p> <ul style="list-style-type: none"> • Stub street to the eastern property line per D.4(B)(1)(f) • Has a single road in excess of one thousand two hundred (1,200) feet in length per D.4(B)(1)(g) • Configure the T-shaped turnaround at the end of the road per D.4(B)(1)(h)

CONDITIONS: (These conditions are additional requirements for development. All other development regulations still apply)

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