

PETITION INFORMATION	
<b>Docket #</b>	C-243
<b>Staff</b>	Nasser Rahimzadeh; Caroline Drake
<b>Petitioner(s)</b>	2020 MOJO LLC
<b>Owner(s)</b>	2020 MOJO LLC
<b>Address/PIN</b>	6110 Town Center Drive PIN 5883-95-5704
<b>Type of Request</b>	Special Use Zoning District – Map Amendment Final Development Plan
<b>Proposal</b>	<p>The petitioner is requesting an amendment to the Official Zoning Map for the subject properties from PB-S (Pedestrian Business - Special) to PB-S (Pedestrian Business - Special). The petitioner is requesting the following use:</p> <ul style="list-style-type: none"> <li>• Medical and surgical offices</li> <li>• Offices, Miscellaneous</li> <li>• Professional Office</li> <li>• Retail Store, Specialty or Miscellaneous</li> <li>• Arts and Crafts Studio</li> <li>• General Merchandise Store</li> <li>• Non-store Retailer</li> <li>• Services, Business A</li> <li>• Services, Business B</li> <li>• Services, Personal</li> </ul> <p><b>NOTE:</b> General use, special use district zoning, were discussed with the petitioner(s) who decided to pursue a special use district map amendment.</p>
<b>Zoning District (Purpose Statement)</b>	The PB District is primarily intended to accommodate office, retail, service, institutional and high-density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian-oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront window displays, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in GMAs 1, 2, and 3.
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)</b>	<p>B.6-2.6(C)(3)(a)(i) Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the proposal features pedestrian-oriented design as the building is close to the intersection and has a private outdoor space as well as sidewalks. The site is located in GMA 3, one of the intended GMAs for the district.</p>

GENERAL SITE INFORMATION	
<b>General Location</b>	The site will be addressed 6318 Jessie Lane and is approximately 650' west from the intersection of Lewisville-Clemmons Road and Towncenter Drive.
<b>Jurisdiction</b>	Village of Clemmons
<b>Site Acreage</b>	1.351± acres or 58,849± square feet

08/11/2021, 08/20/2021, 09/09/2021

<b>Physical Characteristics</b>	Little topographic variation throughout the majority of the site with steep drop towards the southwest corner of the site. Property is currently undeveloped.		
<b>Proximity to Water &amp; Sewer</b>	Yes		
<b>Stormwater/Drainage</b>	The site requires a stormwater management permit.		
<b>Watershed &amp; Overlay Districts</b>	Property is inside the WS-IV Watershed and shall be subject to all Village of Clemmons and other applicable state and federal environmental rules. The maximum impervious area shall not exceed 70% of the site.		
<b>Historic, Natural Heritage, and/or Farmland Inventories</b>	No identified historic and farmland inventories. No identified National Wetlands.		
<b>Current Land Use</b>	N/A (vacant)		
<b>Surrounding Property Zoning &amp; Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	<b>North</b>	PB-S	Offices
	<b>East</b>	PB-S	Retail
	<b>South</b>	PB-S	Hotel
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)</b>	<b>B.6-2.6(C)(3)(a)(ii) Is/are the uses permitted under the proposed classification compatible with uses permitted on other property in the vicinity?</b>		
	The proposed development will be used for medical and surgical office. The proposed use is compatible with the office condominiums to the northeast. The use is not completely compatible with the retail use further to the east and the hotel to the south.		
<b>Analysis of General Site Information</b>	The proposed development will need a grading permit if it disturbs greater than 10,000 square feet of land. It will also need a stormwater management permit.		
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>• Obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.</li> <li>• Obtain a grading permit if 10,000 square feet or more of land is disturbed.</li> </ul>		

<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS</b>
Jessie Lane	Local Road	260'±	No Data	No Data
Village Point Drive	Local Road	450'±	No Data	No Data
<b>Proposed Access Point(s)</b>	Primary access point will be from Jessie Lane.			
<b>Planned Road &amp; Improvements</b>	No planned improvements from the Village of Clemmons or NCDOT.			
<b>Trip Generation – Existing/Proposed</b>	<p>The Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> edition) Land Use Category: 720 Medical/Dental Office</p> <p><u>Existing:</u> 0 as it is unoccupied</p> <p><u>Proposed:</u> Gross rate: 271.44 trips per day</p> <p>Weekday Peak AM: Average Rate: 22 (Total), 17 (Entry), 5 (Exit) Weekday Peak PM: Average Rate: 27 (Total), 8 (Entry), 19 (Exit)</p>			

<b>Sidewalks</b>	Yes – Sidewalk along Jessie Lane
<b>Transit</b>	No proposed transit
<b>Traffic Impact Study</b>	The proposed development traffic generation did not meet the four criteria specified in the Village’s Traffic Impact Analysis Procedures Manual (2011).
<b>Concurrency Model</b>	No data available
<b>Analysis of Site Access &amp; Transportation Information</b>	Access to the site will be exclusively off of Jessie Lane. The AM and PM peaks did not meet the threshold specified in the TIA Procedures Manual.
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• Currently, no additional conditions from this section</li> </ul>

<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Forsyth Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)  GMA 3 (Suburban Neighborhoods) consists of neighborhoods built after World War II, and is where most development has occurred in recent decades. The area has a more separated growth pattern of different land uses with subdivisions that cater to specific housing styles and price ranges, featuring curvilinear streets that often lack connectivity.
<b>Pertinent Legacy Recommendations</b>	The Village Point/Town Center area is adjacent to the Lewisville-Clemmons Road Growth Corridor. <i>Legacy 2030</i> recommends promoting a mixture of office, retail and housing along growth corridors that do not contribute to strip development.
<b>Clemmons Community Compass (2040)</b>	Clemmons Community Compass designates the site as mixed-use commercial.  Mixed-use commercial land uses should provide a mix of urban scale retail, commercial, office, residential, and institutional land uses with a focus on commercial and retail uses. The intent of the commercial classification is to promote development or redevelopment of existing commercial corridors to make them accessible by car, bike, and foot, to make them more visually appealing from the road, and to make corridors safer and less stressful to navigate. Developments should be designed with consistent design themes, including architectural features and signage. Internal circulation for vehicles and pedestrians should be provided between uses.
<b>Clemmons Transportation Plan (2009)</b>	N/A
<b>Greenway Plan Information</b>	N/A
<b>Other Applicable Plans &amp; Planning Issues</b>	Village Point Small Area Plan has design guidelines regarding building layout, material, and aesthetics that should be adhered to. The development has not adhered to Section 7.6 Colors: “The predominant color of the buildings shall be of a tone which is compatible with surrounding buildings. Earth tones are encouraged, and bright colors shall only be used as accents to the overall building.” Further consideration should be given to the current colors and how they match with adjoining development.
<b>Applicable Rezoning Considerations from Chapter B,</b>	<b>B.6-2.6(C)(3)(a)(iii) Have changing conditions substantially affected the area included in the petition?</b>

Article VI, Section 6-2.6(C)(3)(a)	The Village Point area has developed with some deviation from the initial Small Area Plan and that means that conditions on the ground have changed; however, this has not stopped the Village from adhering as best as possible to the spirit and design guidelines of the Village Point Small Area Plan.
	<b>B.6-2.6(C)(3)(a)(iv) Is the requested action in conformance with Community Compass &amp; Legacy?</b>
	Yes, the development is an office use that accents the commercial areas around it while providing site accessibility for pedestrians.
<b>Analysis of Conformity to Plans &amp; Planning Issues</b>	See staff recommendation for C-243

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-163	RS-15, RS-20, and PB-S to PB-S	Approval 10/09/2006	Same site	66	Denial	Approval
C-139	RS-15 and RS-20 to PB-S	Approval 04/14/2003	Same site	12.675	Approval	Approval
C-201	PB-S to GB-S	Approval 02/10/2014	400' east	1.761	Approval	Approval
C-207	RS-15 and IP-S to GB-S	Approval 01/11/2016	500' north	21.59	Approval	Approval
C-209	PB-S to PB-S (Two-Phase)	Approval 02/08/2016	100' southeast	19.17	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
<b>Building Square Footage</b>		<b>Square Footage</b>		<b>Placement on Site</b>		
		7,796 sf		North/Center		
<b>Parking</b>		<b>Required</b>		<b>Proposed</b>	<b>Layout</b>	
		35 spaces		37 spaces	South	
<b>Building Height</b>		<b>Maximum</b>		<b>Proposed</b>		
		60 ft		< 60 ft		
<b>Impervious Coverage</b>		<b>Maximum</b>		<b>Proposed</b>		
		70%		44.88%		
<b>UDO Sections Relevant to Subject Property</b>		Chapter B, Zoning Ordinances Chapter C, Environmental Ordinances				
<b>Compliance with Chapter B Article VII, Section 7-5.3</b>		<b>(A) Legacy Policies</b>			Yes	
		<b>(B) Environmental Ordinance</b>			Yes	
		<b>(C) Subdivision Regulations</b>			N/A	
		<b>(D) Other Relevant Standards</b>			Yes	
<b>Analysis of Site Plan Compliance with UDO Requirements</b>		The site satisfies applicable UDO requirements.				

REMAINING SITE PLAN ISSUES	
Issues	Status
Still have concerns with the off-white color	Staff has placed a condition to rectify this issue. Planning Board recommended approval with the added condition.

### **SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

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 BUILDING PERMITS:**

- a. Developer shall submit selected off-white color to Village of Clemmons Planning Staff for approval. Off-white color shall be the same tone as one of the adjacent building colors.

#### **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. Mechanical equipment and dumpster will use same materials as the building for screening.

### **PLANNING BOARD: ADOPTED 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-243**

The proposed zoning docket C-243 zoning map amendment petition for tax parcel 5883-95-5532 addressed 6110 Town Center Drive requesting a change from Pedestrian Business – Special (PB-S) to Pedestrian Business – Special (PB-S) is consistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
  - Theme 4 Economic and Community Development – Medical sites increase employment opportunities
  - Goal 1 Managed Growth and Balanced Land Use – The proposed development continues to advance the development continuum from rural, to suburban, to village core.
  - Goal 7 Diverse Employment Opportunities – Medical sites expand job opportunities.
- Future Land Use Map
  - The future land use for the parcel is mixed-use commercial. Mixed-use commercial areas should provide a mix of urban scale retail, commercial, office, residential and institutional land uses. The proposed development would be an office use nestled in an area that has a mix of office, retail, institutional, and commercial uses.
  - Village Point Strategic Planning Area future land use intent states that “institutional and office uses are compatible within the strategic planning area and may include medical facilities, government offices, and professional small-scale office”. The requested medical and surgical use is a small-scale medical facility.

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the Village of Clemmons Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**