

PETITION INFORMATION	
<b>Docket #</b>	C-242
<b>Staff</b>	Planning Staff
<b>Petitioner(s)</b>	Pennston Corp.
<b>Owner(s)</b>	H&V Construction Co.
<b>Address/PIN</b>	6100 Springfield Farm Road Portion of PIN 5894-22-6196
<b>Type of Request</b>	Special Use Zoning District – Map Amendment Preliminary Major Subdivision Approval
<b>Proposal</b>	<p>The petitioner is requesting an amendment to the Official Zoning Map for the subject properties from RS-9 (Residential Single Family) to RM-5-S (Residential Multifamily – Special). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Residential building, single family</li> <li>• Residential building, twin home</li> <li>• Residential building, duplex</li> <li>• Residential building, townhouse</li> </ul> <p>The petitioner is also requesting preliminary subdivision approval for a 26-lot subdivision.</p>
<b>Zoning District (Purpose Statement)</b>	The RM-5 District is primarily intended to accommodate low density, pedestrian-oriented sites and communities containing duplexes, twin homes, multifamily and townhouse residential buildings with three or four units, and similar residential uses at an overall density of five units per acre. This district is intended for GMAs 2 and 3, and may be suitable for GMA 4 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)(i)</b>	<p><b>B.6-2.6(C)(3)(a)(i) Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b></p> <p>Yes, the proposal requests low multifamily uses which are best utilized under the Residential Multifamily (RM-5) District. The density is 2.0 units per acre which is below the maximum density of 5 units per acre. The proposal is located in Growth Management Area 3 Suburban Neighborhoods.</p>

GENERAL SITE INFORMATION	
<b>General Location</b>	The site addressed 6100 Springfield Farm Road is approximately 2500' northeast from the intersection of Lewisville-Clemmons Road and Linwood Drive and approximately 3500' southeast from the intersection of Lewisville-Clemmons Road and Forest Oak Drive. It is directly east of the existing Springfield Village and Springfield Forest subdivisions.
<b>Jurisdiction</b>	Village of Clemmons
<b>Site Acreage</b>	Development area is 13.01± acres or 566,280± square feet. Total parcel area is 54.86 acres.
<b>Physical Characteristics</b>	The total site (54.86 acres) has a steady level of low-lying topography up to the 13.01 acres where the proposed development will occur, where the elevation changes from 710 to 760 feet across 350 linear feet or a 14% slope.
<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>	<p>The property is outside the WS-IV Watershed. A significant portion of the site does fall inside federally identified floodplain and floodway. National Wetlands Inventory identifies four types of wetlands on the site:</p> <ol style="list-style-type: none"> <li>1. Classification code – PSS1C</li> <li>2. Classification code – PF01A</li> <li>3. Classification code – R5UBH</li> <li>4. Classification code – PUBHh</li> </ol>		
<b>Historic, Natural Heritage, and/or Farmland Inventories</b>	No identified historic, natural heritage, and farmland inventories.		
<b>Current Land Use</b>	N/A (undeveloped parcel)		
<b>Surrounding Property Zoning &amp; Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	<b>North</b>	RS-9	Residential buildings, single family
	<b>East</b>	RS-9	Residential buildings, single family
	<b>South</b>	RS-9	Residential buildings, single family
	<b>West</b>	RS-9	Residential buildings, single family
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)(ii)</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 use being requested is compatible with the surrounding uses. The parcel is surrounded by single-family residential buildings zoned RS-9, which is the second highest density permitted for Single-Family Residential (RS) districts. The requested use is for single family, twin homes, duplexes, and townhouses on RM-5, the lowest density multifamily district. Both uses are residential in nature. The differences in zoning between the two zoning types is four additional units per acre.		
<b>Analysis of General Site Information</b>	The proposed project creates more than 10,000 sq. ft. of land disturbance. A Grading/Erosion Control Permit will be required prior to the start of work. In order to obtain the required permit, a professionally designed Erosion Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval must be submitted. Development will also need a stormwater management permit. There are regulated floodplain areas near the limits of this proposed project.		
<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 and a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator.</li> <li>• Obtain a grading/erosion control permit if 10,000 square feet or more of land is disturbed.</li> <li>• Obtain a permit from the Army Corp of Engineers per section 404 of the Clean Water Act, if governing agency deems it necessary.</li> <li>• Obtain a permit from the North Carolina Department of Environmental Quality per section 401 of the Clean Water Act, if governing agency deems it necessary.</li> <li>• Obtain a Floodplain Development Permits from Winston-Salem/Forsyth County Floodplain Program, if governing agency deems it necessary.</li> <li>• Developer shall submit water/sewer extension plans to Forsyth County Utilities Plan Review for permitting/approval. Utility system development fees to be paid at the time of meter purchase.</li> </ul>		

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS
Springfield Farm Road	Collector Street	1211'±	Unavailable	Unavailable
<b>Proposed Access Point(s)</b>	Two public access points with the new extension of Springfield Village Lane making a U shape to intersect at Springfield Farm Road and Lower Brook Drive.			
<b>Planned Road &amp; Improvements</b>	1 proposed street – Named Springfield Village Ln. Name is subject to change.			
<b>Trip Generation – Existing/Proposed</b>	<p>The Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> edition) Land Use Category: 220 Multifamily Housing (Low-Rise)</p> <p><u>Description:</u> Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have one or two levels (floors). Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and off-campus student apartment (Land Use 225) are related land uses.</p> <p><u>Existing:</u> 0 as it is currently undeveloped</p> <p><u>Proposed:</u> 190 Vehicles per day (vpd)</p> <p>Weekday, Peak Hour of Adjacent Street Traffic one hour between 7 and 9 am. Fitted Curve: 13 (Total), 3 (Entry), 10 (Exit)</p> <p>Weekday, Peak Hour of Adjacent Street Traffic one hour between 4 and 6 pm. Fitted Curve: 18 (Total), 11 (Entry), 7 (Exit)</p>			
<b>Sidewalks</b>	Sidewalks will be installed along Springfield Village Lane and Springfield Farm Road			
<b>Transit</b>	No proposed transit			
<b>Traffic Impact Study</b>	The AM and PM peaks did not meet the threshold 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 include two new intersections along Springfield Farm Road. The first will include Springfield Village Lane and the second will include Lower Brook Drive.			
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>Developer shall obtain a driveway permit from the Village of Clemmons Public Works.</li> </ul>			

CONFORMITY TO PLANS AND PLANNING ISSUES	
<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>	<i>Legacy 2030</i> recommendations for GMA 3 include construction of additional sidewalks and retrofitting roads to meet demands, including bike

	lanes.
<b>Clemmons Community Compass (2040)</b>	<i>Clemmons Community Compass</i> designates the site as neighborhood residential. Neighborhood residential areas include existing and single-family detached and attached housing that range in density by neighborhood. Neighborhood densities should be determined on a case-by-case basis generally allowing for higher densities that include single-family attached housing near major corridors and activity centers and lower densities that include only single-family detached housing near cluster residential and rural preservation areas. Subdivisions should be designed to provide vehicular, bicycle, and pedestrian access and connectivity throughout. Developments should connect to adjacent neighborhoods and commercial/employment areas.
<b>Clemmons Transportation Plan (2009)</b>	<i>Clemmons Transportation Plan</i> recommends sidewalks and striped bike lanes for Springfield Farm Road.
<b>Greenway Plan Information</b>	N/A
<b>Other Applicable Plans &amp; Planning Issues</b>	N/A
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<b>B.6-2.1(Q)(3) Have changing conditions substantially affected the area included in the petition?</b>
	There have been no changes in conditions to the area included in the petition.
	<b>B.6-2.1(Q)(4) Is the requested action in conformance with Community Compass &amp; Legacy?</b>
	<i>Clemmons Community Compass</i> places this as neighborhood residential. Neighborhood residential uses include single-family attached housing. The request is in conformance as it is a residential development seeking low-density single-family attached housing. The development meets <i>Legacy</i> GMA 3 (suburban neighborhood) designation as it is a typical subdivision with slightly increased density than a traditional single-family detached subdivision.
<b>Analysis of Conformity to Plans &amp; Planning Issues</b>	See staff recommendation for C-242.

<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>PB</b>
C-084	RS-9 to RM-8-S (Two-Phase)	Withdrawn 11/23/1998	Same site	20.75	Approval	Denial
C-19-002	17 lot subdivision (RS-9)	Approval 09/22/2019	Adjacent to the SE boundary	6.19	Approval	Approval
C-03003	31 lot subdivision (RS-9)	Approval 07/14/2003	1000' to SW	5.49	Approval	Approval
C-98005	127 lot PRD subdivision (RS-9)	Approval 11/23/1998	75' to the west	38.984	Approval	Approval
C-98004	34 lot subdivision (RS-9)	Approval 11/23/1998	Adjacent to the SW boundary	15.776	Approval	Approval
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>						
<b>Building Square Footage</b>		<b>Square Footage</b>		<b>Placement on Site</b>		

08/27/2021, 09/09/2021

	±2,671 sf	15' behind front lot line	
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>	<b>Layout</b>
	2 spaces per dwelling unit	2 spaces/ dwelling unit	2-car garages per unit
<b>Building Height</b>	<b>Maximum</b>	<b>Proposed</b>	
	40'	40'≤	
<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>	
	70%	18.87%	
<b>UDO Sections Relevant to Subject Property</b>	Chapter B, Zoning Ordinances Chapter C, Environmental Ordinances Chapter D, Subdivision Ordinances		
<b>Compliance with Chapter B Article VII, Section 7-5.3</b>	<b>(A) Clemmons Community Compass</b>	Yes	
	<b>(B) Environmental Ordinance</b>	Yes	
	<b>(C) Subdivision Regulations</b>	No, see site plan issues	
	<b>(D) Other Relevant Standards</b>	No, see site plan issues	
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site does not satisfy all UDO requirements; however, with the use of conditions or minor adjustments to the site plan, it will comply.		

<b>REMAINING SITE PLAN ISSUES</b>	
<b>Issues</b>	<b>Status</b>
D.4(B)(6)(a) Sidewalks shall be provided along any existing public road directly accessed by the proposed subdivision on a case-by-case basis reviewing the community needs.	Added as a condition
B.3-5.2(E) In residential districts, the subdivider of property shall provide a type III bufferyard within the required yard adjacent to all thoroughfares and collector streets, except collector streets interior to the subdivision, and all railroad rights-of-way. Use of earthen berms as described in Section B.3-5.2(B)(4) is encouraged. The bufferyard shall be shown on the plat with the following statement: "This area is reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited."	Added as a condition

<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>
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.
<b><u>PRIOR TO THE ISSUANCE OF ANY PERMITS</u></b>
a. Developer shall submit a letter indicating payment in lieu of the dedication of land.
<b><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u></b>
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.
e. Developer shall obtain a permit from the Army Corp of Engineers per section 404 of the Clean Water Act, if governing agency deems it necessary.
f. Developer shall obtain a permit from the North Carolina Department of Environmental Quality per

section 401 of the Clean Water Act, if governing agency deems it necessary.

- g. Developer shall obtain a Floodplain Development Permits from Winston-Salem/Forsyth County Floodplain Program, if governing agency deems it necessary.

**PRIOR TO SIGNING FINAL PLAT:**

- a. Final plat shall include, among other requirements, proposed public streets rights-of-way, negative access easement for lots along Springfield Farm Road, property lines, approved addresses for each lot, 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.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- a. Developer shall submit water/sewer extension plans to Forsyth County Utilities Plan Review for permitting/approval. Utility system development fees to be paid at the time of meter purchase.
- 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.

**OTHER CONDITIONS:**

- a. A Homeowners Association shall be created and be responsible for maintenance post-development of all common areas, including the grassed/landscaped area around the mail kiosk, the stormwater management controls, and the tree save areas. A note shall be added to the final plat.
- b. Developer shall provide sidewalks along Springfield Farm Road.
- c. Developer shall install A type III bufferyard within the required yards adjacent to Springfield Farm Road and shall be shown on the plat with the following statement: "This area is reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited."

**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-242**

The proposed zoning docket C-242 zoning map amendment petition for tax parcel PIN 5894-22-6196 addressed 6100 Springfield Farm Road from Residential Single Family (RS-9) to Residential Multifamily – Special (RM-5-S) is consistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives

- Theme #2 Future Land Use – New developments should efficiently use existing land and have a positive fiscal impact on the Village. The development is compact or efficient in design.
- Theme #4 Economic and Community Development – A mix of housing types is necessary to provide for the varying lifestyles of future generations living in Clemmons.
- Goal # 4: Wide range of housing opportunities – Increase in housing stock in the Village will provide options for various lifestyles and household preferences.
- Future Land Use Map
  - The future land use for the parcel is neighborhood residential. Density in such areas should be performed on a case-by-case basis. Surrounding parcels are different in zoning and yet comparable in density.

**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.**