

PETITION INFORMATION	
Docket #	C-245
Staff	Planning Staff
Petitioner(s)	Morgan Companies
Owner(s)	Robert Vogler; William Vogler Impulse Energy II, LLC Milo White Investments, LLC
Address/PIN	PINs: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358
Type of Request	Special Use Zoning District – Map Amendment
Proposal	<p>The petitioner is requesting an amendment to the Official Zoning Map for the subject properties from RS-30 (Residential Single Family) and LB-S (Limited Business – Special) to RM-12-S (Residential Multifamily – Special) and GB-S (General Business - Special). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Residential building, Multifamily • Restaurant (with drive-through service) • Drug Store • General Merchandise Store • Medical and Surgical Offices • Convenience store <p>NOTE: General use, special use district zoning, were discussed with the petitioner(s) who decided to pursue a special use district map amendment.</p>
Zoning District (Purpose Statement)	<p>The RM-12 District is primarily intended to accommodate multifamily uses at a maximum overall density of twelve (12) units per acre. This district is appropriate for GMAs 1, 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.</p> <p>The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.</p>
Applicable Rezoning Considerations from Chapter B, Article VI, Section 2.6(C)(3)(a)(i)	<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>The proposal is currently placed in Growth Management Area 3. General Business zoning district encourages commercial development that includes a larger single business use or consolidation of numerous uses in a building or planned development. The district is not intended to encourage or accommodate strip commercial development. The proposed commercial on Lewisville-Clemmons Road is typical strip commercial development. The RM-12-S request is in line with the purpose statement as it is in the GMA 3 with an activity center north of the site. Developer is pursuing utility extensions to serve the site.</p>

GENERAL SITE INFORMATION			
General Location	The site is comprised of multiple parcels at the intersection of Lewisville-Clemmons Road and Immanuel Road.		
Jurisdiction	Forsyth County (seeking annexation into Clemmons)		
Site Acreage	35.2± acres or 1,533,312± square feet 25.06 acres for multifamily and 10.14 acres for non-residential uses		
Physical Characteristics	The site has some varying topography with a decline from the east property lines abutting Lewisville-Clemmons Road to the West property lines abutting neighbors in the rear. Slope from east to west is roughly 5%.		
Proximity to Water & Sewer	Yes, additional sewer connection to the south is likely.		
Stormwater/Drainage	The site requires a stormwater management and occupancy permit.		
Watershed & Overlay Districts	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.		
Historic, Natural Heritage, and/or Farmland Inventories	National Wetlands Inventory identifies one stream designated as R5UBH close towards the western property line between PIN 5884-87-2893 and PIN 5884-87-2577. A second stream designated as R4SBC follows the western property lines. The second stream with immediate area is identified as the floodway and floodplain by FEMA flood maps. The identified stream has changed in recent site plan submittals. Staff is awaiting further information from the applicant regarding the Army Corp of Engineers site visit.		
Current Land Use	Majority of the site is undeveloped with the exception of the corner of Immanuel Road and Lewisville-Clemmons Road where there is an existing commercial building and four existing residential buildings.		
Surrounding Property Zoning & Use	Direction	Zoning District	Use
	North	RS-30; LB-S; HB-S	Single-family residential
	East	RS9; LB & LB-S; HB & HB-S	Church; Motor vehicle repair and maintenance shops; Internet sweepstakes; Specialty retail store; Restaurant w/o drive-thru
	South	RS-30	Single-family residential
	West	RS-30	Single-family residential
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)(ii)	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?		
	The immediate parcels to the north are a mix of Highway Business, Limited Business, and single-family zoning. Parcels to the east directly across Lewisville-Clemmons Road are zoned Limited Business, Highway Business, and single-family zoning. Parcels to the south and west are all zoned low-density single-family residential. The development is compatible with its northern and eastern neighbors and incompatible with southern and western neighbors.		
Analysis of General Site Information	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.		
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Obtain a stormwater management permit from the Village of Clemmons 		

	<p>Stormwater Administrator.</p> <ul style="list-style-type: none"> • Developer shall submit a professionally designed Erosion 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 sq. ft. of land disturbance (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 obtain a permit from the Army Corp of Engineers per section 404 of the Clean Water Act, if governing agency deems it necessary. • 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. • Developer shall obtain a Floodplain Development Permits from Winston-Salem/Forsyth County Floodplain Program, if governing agency deems it necessary. • 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.
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SCHOOL DISTRICT INFORMATION					
Schools Serving Zoning Site	Projected Students from Project	2021-2022 Enrolled Students	2021-2022 Projected Students with Accumulated Totals	School Total Capacity	School Mobile Capacity
Southwest Elementary	43	498	541	734	177
Meadowlark Middle	28	887	915	1,218	493
West Forsyth High	22	2,261	2,283	2,081	361
School System Remarks and Analysis			Projected count is for full build out of project and would have the most impact at middle and high school levels.		

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS
Lewisville-Clemmons Road	Major thoroughfare	993'±	26,500	D
Immanuel Road	Local street	696'±	650	No Data Available
Styers Ferry Road	Minor thoroughfare	664'±	5,100	No Data Available
Proposed Access Point(s)	Four access points are proposed: one off of Styers Ferry Road, one off of Immanuel Road, and two off of Lewisville-Clemmons Road			
Planned Road & Improvements	No planned improvements by the Village of Clemmons or NCDOT. The developer desires a lighted access at the intersection of Holder Road and Lewisville-Clemmons Road. Lewisville-Clemmons Road is maintained by NCDOT. Staff is waiting to see what decision is reached between NCDOT and the developer.			

Trip Generation – Existing/Proposed	<p>The Institute of Transportation Engineers (ITE) Trip Generation Manual (10th edition) Land Use Category: Single-Family Detached Housing 210, Multifamily Housing (low-rise) 220, Multifamily Housing (mid-rise) 221, Clinic 630, Retail 820, Restaurant with Drive-Thru 934, Super Convenience Store with Gas Station 960.</p> <p><u>Existing:</u> Daily Traffic of 185 vehicles per day</p> <p><u>Proposed:</u> Daily Traffic of 11,256 vehicles per day</p>
Sidewalks	<p>Sidewalks will be installed along Lewisville-Clemmons Road, and Immanuel Road. Sidewalks will be constructed along internal roads between and within the commercial and multifamily developments.</p>
Transit	<p>No proposed transit</p>
Traffic Impact Study	<p>The traffic impact study performed by Ramey Kemp Associates recommends the follow improvements that will be performed by the developer:</p> <p><u>Lewisville-Clemmons Road and Holder Road/Access A</u></p> <ul style="list-style-type: none"> • Provide at least a three-lane cross section for the proposed site access that includes at least one ingress lane and two egress lanes striped as a shared left-thru lane and an exclusive right turn lane. • Install a traffic signal. • Construct a southbound right turn lane with at least 100 feet of storage and appropriate taper. <p><u>Lewisville-Clemmons Road and Access B</u></p> <ul style="list-style-type: none"> • Provide at least a two-lane cross section for the proposed site access that includes at least one ingress lane and one egress lane. • Provide stop-control for the eastbound approach of Access B. <p><u>Immanuel Road and Access C</u></p> <ul style="list-style-type: none"> • Provide at least a two-lane cross section for the proposed site access that includes at least one ingress lane and one egress lane. • Provide stop-control for the northbound approach of Access C. <p><u>Styers Ferry Road and Access D</u></p> <ul style="list-style-type: none"> • Provide at least a two-lane cross section for the proposed site access that includes one ingress lane and one egress lane. • Provide stop-control for the westbound approach of Access D. <p>A review by Kimley Horn and Associates made the following observation:</p> <ul style="list-style-type: none"> • The analysis at Lewisville-Clemmons Road and Holder Road/Access A under the signalized condition should be analyzed with a dedicated left and a share through/right or a dedicated through and right. The left-turning movements should be analyzed as protected phasing per NCDOT guidelines. This will provide a better understanding of the needed storage lengths. • Based on the data provided it is recommended that a southbound right-turn lane with a minimum of 100 feet of storage and appropriate taper be installed at

	Access B Road and Lewisville-Clemmons Road. This is needed to avoid rear end collisions along Lewisville-Clemmons Road.
Concurrency Model	Current capacity for the length of Lewisville-Clemmons Road between Styers Ferry Road and Linwood Drive is 72%. The addition of 11,256 trips per day will consume 30% of the capacity available and will bring the portion of Lewisville-Clemmons Road between Styers Ferry Road and Linwood Drive over capacity at 102%.
Analysis of Site Access & Transportation Information	The development has four proposed access points with two on Lewisville-Clemmons Road and one on both Immanuel and Styers Ferry Road. Ideally, there would only be one access point off of Lewisville-Clemmons Road as less access increases mobility and vice-versa. The impact from the auto-dependent uses on site will increase congestion and impact the level of service in the area.
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Developer shall obtain driveway permits from NCDOT. • Developer shall obtain a driveway permit from the Village of Clemmons • Developer shall comply with all mitigation as proposed in the Traffic Impact Analysis submitted by Ramey Kemp and Associates. • Developer shall install additional mitigation per the Traffic Impact Analysis review submitted by Kimley Horn and Associates. • Developer shall install mast arm traffic signals where traffic signals are utilized and shall include pedestrian signal and pushbutton with poles to be located adjacent to the sidewalk within reach of pedestrians in accordance with the most recent Manual on Uniform Traffic Control Devices.

CONFORMITY TO PLANS AND PLANNING ISSUES	
Forsyth Legacy GMA	<p>Growth Management Area 3 (Suburban Neighborhoods)</p> <p>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.</p>
Pertinent Legacy Recommendations	<i>Legacy 2030</i> identifies the area around the U.S. 421 and Lewisville-Clemmons Road intersection as a proposed activity center. <i>Legacy</i> states that activity centers have the potential to accommodate denser mixed-use development and recommends to encourage the inclusion of housing at higher residential densities in activity centers and appropriate locations on growth corridors.
Clemmons Community Compass (2040)	<p><i>Clemmons Community Compass</i> designates the eastern part of the site near Lewisville-Clemmons Road as mixed-use residential and the back part of the site as neighborhood residential.</p> <p>Mixed-use residential areas should provide self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-family attached, and multi-family uses. Secondary uses include small neighborhood serving commercial uses, such as corner markets, personal service shops, small offices, and civic uses. Properties within the County's jurisdiction should be annexed into the Village and conform to municipal standards if developing mixed-use residential in this area. More</p>

	<p>intense commercial and residential uses should be located at the center of the development organized around a park, open space, civic use, or small community plaza.</p> <p>Neighborhood residential areas include existing and future 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. Master planning of neighborhoods is encouraged and should include neighborhood parks and open spaces as part of the development program. New master planned neighborhoods may include condominium or apartment housing if located adjacent to major corridors or activity centers.</p> <p><i>Clemmons Community Compass</i> also has recommendations for the Lewisville-Clemmons Road (North) corridor, including:</p> <ul style="list-style-type: none"> • Reduce pace of commercial and high-intensity developments along Lewisville-Clemmons Road Corridor. • Residential land uses within the corridor should be integrated with adjacent development to provide easy alternative transportation access to mixed use areas and should be buffered trees and landscaping to reduce visual and noise impacts from the corridor. • Future land uses within the corridor should respect existing developed areas that are likely to remain stable over time, such as churches and other institutional uses, through transitional design features, aligning off-set intersecting streets and site planning. • As planned for in the Village Transportation Plan, new subdivisions in this area should connect to existing and planned multi-use paths, sidewalks, bike paths, and roads to ensure better connectivity throughout this area. • Parks, open space, and recreational areas should be provided within new neighborhoods. Access to these facilities should be provided to existing residential areas.
Clemmons Transportation Plan (2009)	Recommended improvements for Lewisville-Clemmons Road (North) include widening the Holder Road approach to provide a left-turn lane and right-turn pockets. The plan also recommends a priority sidewalk for Styers Ferry Road.
Greenway Plan Information	The Winston-Salem Urban Area Metropolitan Planning Organization Greenway Plan Update (2012) does identify a potential (Blanket Bottom Creek) greenway along the stream on the border of the property. The Blanket Bottom Creek Greenway is in the alternative recommendations grouping regarding priority greenway plans for the area. Greenways were prioritized based on connectivity ranking and the public’s interest in and support of the project.
Other Applicable Plans & Planning Issues	
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)(iii) & B.6-	<p>B.6-2.6(C)(3)(a)(iii) Have changing conditions substantially affected the area included in the petition?</p> <p>Lewisville-Clemmons Road (north) continues to see development pressure. Recent requests include rezonings for multifamily development.</p>

2.6(C)(3)(a)(iv)	B.6-2.6(C)(3)(a)(iv) Is the requested action in conformance with Community Compass & Legacy?
	The Clemmons Compass denotes this area as both neighborhood residential and mixed-use residential land use category. Mixed-use residential encompasses the full scope of residential types and promotes land use development in a sliding scale fashion with more intense residential development in closer proximity to public infrastructure and non-residential uses with a gradual phasing to low-intensity residential uses. Neighborhood residential requires a context sensitive analysis as it allows for density on a case-by-case basis with single family attached closer to major corridors and activity centers and single family detached near cluster residential development and rural preservations areas. Forsyth County's Legacy Plan encourages increased density around activity centers and growth corridors in Growth Management Area 3 (Suburban Neighborhoods).
Analysis of Conformity to Plans & Planning Issues	See staff recommendation for C-245.

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-198	LB to HB-S	Approval 10/10/2013	100' E across L-C Road	1.53	Approval	Approval
F-1506	RS-30 to HB-S and LB-S	Approval 1/12/2009	70' N across Immanuel Road	2.32	Denial	Approval
F-1250	HB-S Two-Phase Approval	FCC: Approval 3/22/1999	650' N across River Center Drive	84.61	Approval	CCPB: Denial
F-701	B-2-S to B-3-S (Eating Establishment) [Now LB-S restaurant w/ drive thru]	Approval 6/11/1984	NE corner of site	0.52	Approval	Approval

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage (Total)		Placement on Site
	317,126 sf		Multiple locations
Parking	Required		Proposed
	624 spaces		724
Building Height	Maximum		Proposed
	45'		45'±
Impervious Coverage	Maximum		Proposed
	70%		44%±
UDO Sections Relevant to Subject Property	Chapter B, Zoning Ordinances Chapter C, Environmental Ordinances		
Compliance with Chapter B Article VII, Section 7-5.3	(A) Clemmons Community Compass		See staff recommendation
	(B) Environmental Ordinance		Yes
	(C) Subdivision Regulations		Yes

	(D) Other Relevant Standards	No
Analysis of Site Plan Compliance with UDO Requirements	See remaining site plan issues	

REMAINING SITE PLAN ISSUES	
Issues	Status
Very rough commercial elevations submitted	Added conditions under building permits
Not all multifamily structures comply with building spacing requirements per B.3-1.2(K)	Awaiting supplemental information regarding alternative compliance B.3-1.2(K)(4)

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 driveway permits from NCDOT and comply with all transportation related requests made by NCDOT.
- c. Developer shall comply with all mitigation as proposed in the Traffic Impact Analysis submitted by Ramey Kemp and Associates with the addition that there be two dedicated left turns from Access A EB movement toward US 421 with capacity being specified by the Village’s Traffic Engineer.
- d. Developer shall obtain driveway permits from the Village of Clemmons.
- e. Developer shall meet the tree protection standards during construction as required in Chapter B.3-4 Landscaping and Tree Preservation Standards of the ordinance.
- f. 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.
- g. 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.
- h. 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.
- i. Developer shall obtain a Floodplain Development Permits from Winston-Salem/Forsyth County Floodplain Program, if governing agency deems it necessary.

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. The Village of Clemmons Planning Department shall review and approve building elevations for all commercial buildings to ensure compliance with applicable development regulations.
- c. Developer shall submit details of lighting and crosswalk design for review and approval by the Village of Clemmons Planning Department.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator.
- b. Residential buildings shall adhere to approve building elevations.
- c. Developer shall install mast arm traffic signals where traffic signals are utilized and shall include pedestrian signal heads and pushbutton with poles to be located adjacent to the sidewalk within reach of pedestrians in accordance with the currently adopted Manual on Uniform Traffic Control Devices.

OTHER CONDITIONS:

- a. All proposed utilities shall be underground.
- b. Dumpster enclosures shall be screened on three sides with masonry material/construction.
- c. Site plan shall comply with all development regulations in the Unified Development Ordinance.
- d. An 8' chain-link fence with olive green slots shall be erected around 5440 Styers Ferry Road, 5430 Styers Ferry Road, and 5420 Styers Ferry Road.

PLANNING BOARD: ADOPTED STATEMENT OF PLAN CONSISTENCY

Inconsistency Statement for Zoning Map Amendment: Docket # C-245

The proposed zoning docket C-245 zoning map amendment petition for PIN: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-S) is inconsistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
 - Theme #1 Transportation and Linear Parks – Transportation challenges the Compass seeks to address include congestion, safety and connectivity. The installation of a complex signal intersection will increase congestion and lead to a decline in the level of service for Lewisville-Clemmons Road.
 - Theme #2 Future Land Use – Clemmons Community Compass desires the creation of mixed-uses in key locations with a transportation network that seeks to provide multi-modal options throughout the Village. Much of the non-residential uses are designed to be heavily auto-dependent with no vertical mixed-use.
 - Goal #2 Revitalized Commercial Corridors – Mature commercial corridors, Lewisville-Clemmons Road and US-158, should be redeveloped and revitalized. Development will be designed to accommodate vehicles, bicyclists and pedestrians and employ human-scale designs that improve and beautify our streetscapes and gateway areas. The proposal is not a revitalization, but a continuance of commercial strip development and fails to design in a way that will account for bicyclists or human-scale designs. This development is a continuation of the style of development Lewisville-Clemmons Road (South) currently has.
- 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. The proximity to a major corridor is acceptable; however, the activity center is designated further north.
 - The future land use for the parcel is mixed-use residential. Mixed-use residential areas should provide self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-family attached, and multi-family uses. Proposed commercial uses are on a neighborhood level. The development fails to include a mix of housing types and promotes intense commercial uses along Lewisville-Clemmons Road.
 - The Lewisville-Clemmons Road (North) Strategic Planning Area future land use intent emphasizes reducing the pace of commercial and higher-intensity developments along Lewisville-Clemmons Road Corridor. This proposal is pushing commercial uses further south Lewisville-Clemmons Road and may lead to future requests along Lewisville-Clemmons Road that are of similar intensity in commercial use.

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.**



To: Appointed and Elected Boards

From: Nasser Rahimzadeh, Village of Clemmons Planning Director

Date: October 11, 2021

Re: Map Amendment Request Zoning Docket #C-245

CLEMMONS COMMUNITY COMPASS

The Village of Clemmons Community Compass 2040 (2019) is devised of 4¹ key themes. The key themes serve to summarize citizen input used to prepare the Plan's Framework² – the key elements of the Plan (vision³, goals⁴, objectives⁵, and implementation actions⁶). Additionally, the Clemmons Community Compass includes a future land use map and land use classifications, both were created with the Plan's principles.

C-245 is a mixed-use development with 10.14 acres of commercial and 25.06 acres of residential development. The special use map amendment petition for parcel identification numbers: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-S) falls inside the Neighborhood Residential (35.1% of planning area⁷) and Mixed-Use

¹Theme # 1: Transportation and Linear Parks – promotion of parks, sidewalks, bike plans, and greenways. Transportation considerations include congestion, safety, and connectivity

Theme # 2: Future Land use Plan – Continuing its 2010 focus, Clemmons should look to create interconnected, mixed-use developments and promote efficient use of land, revitalize areas, and employ green design techniques.

Theme # 3: Quality of Life – Promotion of parks and recreation, safe pedestrian and bike routes that link with points of interest (e.g., neighborhoods, greenways, and trails). Also, healthy air quality and clean water.

Theme # 4: Economic and Community Development – Includes diverse employment opportunities, new housing types for the aging population, amenities that interest young professionals and families. In short, a vibrant economy and desirable residential neighborhoods with a variety of housing options.

² Key themes → vision → goals → objectives → implementation actions

³ The Village of Clemmons is a prosperous, welcoming, safe, vibrant, residential community that promotes a high quality of life for its citizens providing a thriving diverse business environment, protecting our natural resources and preserving governmental fiscal integrity. Clemmons' defining characteristic is a superior quality of life for all

⁴ Goal #1: Managed growth and balanced land use – utilizing existing infrastructure, balance land development with strategically located mixed-use centers. Adherence to the continuum of rural, to suburban, to village core development style.

Goal # 2: Revitalized commercial corridors – Mature commercial corridors, Lewisville-Clemmons Road, and US-158, will be redeveloped and revitalized in a way that captures the Village's character by creating a sense of place, promoting designs that accommodate multiple modes of transportation, and employ human-scale designs that beautify streetscapes and gateway areas

Goal # 3: Multi-modal transportation options – Utilizing transportation modes that include driving, bicycling, walking, and transit (bus and future mass transit).

Goal # 4: Wide range of housing opportunities – Housing stock that provides for rental apartments, starter, mid-level, and upscale homes, as well as senior housing; housing that fits various lifestyles will providing for in-town living and better multi-modal access to mixed-use centers.

Goal # 5: A vibrant community center – Clemmons and partners will develop a vibrant public gathering place to serve as a focal point for the community to support a sense of place that is walkable, accessible, and available for events and community programming

Goal # 6: Environmental stewardship – Clemmons will be a green community that provides parks, open spaces, and greenway. Trees will be preserved and planted to increase the Village's tree canopy. Landscaping and beautification efforts will improve the visual quality of the community. New development will be designed using sustainable best practices and stormwater infrastructure will protect water quality and quantity.

Goal # 7: Diverse employment opportunities – New and innovative businesses will be established in Clemmons and they will expand job opportunities to meet a wide variety of employment needs for residents and broaden the Village's tax base.

⁵ See Clemmons Community Compass list of objectives (after appendices)

⁶ See Clemmons Community Compass chapter 8

⁷Clemmons Community Compass page 30

Residential (3.3% of planning area) land use categories within the Lewisville-Clemmons Road Corridor (North) Strategic Planning Area. The Neighborhood Residential category:

- States 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.
- Encourages master-planned developments that include neighborhood parks and open space as part of the development program.
- Believes that existing neighborhoods may include condominium or apartment housing and that new master planned neighborhoods may include condominiums or apartment housing if located adjacent to major corridors or activity centers.
- Finds schools, churches, and other civic and institutional facilities as appropriate secondary uses and that such secondary uses incorporate design features to mitigate impacts on neighborhoods.
- Recommends that subdivisions be designed to provide vehicular, bicycle, and pedestrian access and connectivity throughout.
- Promotes connectivity of developments to adjacent neighborhoods and commercial/employment areas.

The Mixed-Use Residential category:

- Encourages self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-family attached, and multi-family uses.
- Allows for small neighborhood serving commercial uses, such as corner markets, personal service shops, small offices, and civic uses.
- Believes that properties within the County's jurisdiction should be annexed into the Village and conform to municipal standards.
- Intends for intense commercial and residential uses to be located at the center of the development and that they be organized around a park, open space, civic use, or small community plaza. Lower intensity uses should be placed on the periphery of the neighborhood center.
- Recommends that mixed-use residential developments be approved as Planned Developments and that the development approval include provisions for the amount of each type of use that the development should contain.

The petition is within the Lewisville-Clemmons Road Corridor (North) Strategic Planning Area. The Lewisville-Clemmons Road strategic planning area future land use intent:

- Desires a reduction in pace of commercial and higher-intensity developments along Lewisville-Clemmons Road Corridor.
- Asks that residential land uses integrate with adjacent development to provide easy alternative transportation access to mixed use areas with buffered trees and landscaping to reduce visual and noise impacts from the corridor.
- Requests that new uses respect existing developed areas that are likely to remain stable over time and to do so through transitional design features, aligning off-set intersecting streets and site planning.
- Prefers that new subdivisions connect to existing and planned multi-use paths, sidewalks, bike paths, and roads to ensure better connectivity throughout this area
- Would like to have parks, open space, and recreational areas within new neighborhoods. Access to these facilities should be provided to existing residential areas.

The majority of C-245 falls inside the Neighborhood Residential future land use. As the property is close to an activity center (intersection of Lewisville-Clemmons Road and US 421) and a major corridor, the use of single-family attached housing is tolerable. A mix of single-family attached and detached is preferred. Neighborhood Residential desires neighborhood parks and open space, aside from the required open space in the ordinance, the development will provide a trail to a greenway easement and a payment in lieu has been discussed regarding the

greenway. The payment option with easement may be best as further plans regarding greenways may be required before any construction.

The front portion of the development is designated as Mixed-Use Residential future land use. Mixed-Use Residential desires a complete neighborhood, with varying housing types throughout and secondary uses that are subservient to the residential uses. The proposed commercial uses are heavily reliant on automobile traffic. Last, the Lewisville-Clemmons Road Strategic Planning Area desires a reduction in pace of commercial and higher-intensity developments along Lewisville-Clemmons Road, the commercial uses with an automobile focus off of Lewisville-Clemmons Road fails to adequately address the strategic planning area's desires.

CLEMMONS TRANSPORTATION PLAN

The Clemmons Village Transportation Plan (2009) recommends that the intersection of Holder Road and Lewisville-Clemmons Road be improved. The desired intersection improvement for Holder Rd/LC Rd is the widening of the Holder Road approach to provide a left-turn lane. The Village Transportation Plan identifies sidewalks on both the east and west side of Lewisville-Clemmons Road as a priority. C-245 will be installing sidewalks along Immanuel Road and Lewisville-Clemmons Road. The Plan identifies a multi-use path along Blanket Bottom Creek.

GREENWAY PLAN UPDATE

The Greenway Plan Update (2012) evaluated proposed greenways under the 2002 Greenway Plan. The Greenway Plan Update took a three-step approach to prioritizing the proposed greenways. The Update evaluated the connectivity of the greenways. Second, the Update tasked the City of Winston-Salem Engineering Department with completing a preliminary construction feasibility assessment. Last, public meetings were held throughout Forsyth County to gather input on the potential greenways. The Greenway Plan Update created five prioritization tiers based on its three-step approach with the first tier receiving highest priority down to the fifth tier. Phase Two (US 421 to Lasater Lake) of Blanket Bottom Greenway failed to meet Tier 5 and received mention in the "Other Proposed Greenways" section. C-245 provides an easement for a future multi-use path to be constructed.

RECOMMENDATION

The petitioner filed a land use amendment application along with the zoning amendment. The proposal was to change the entire development from a mixture of mixed-use residential and neighborhood residential to mixed-use residential only. Planning staff does agree that the residential portion of the development is closer to mixed-use residential than neighborhood residential as it utilizes two types of residential design. Planning staff does not agree with the identification of the commercial development as being mixed-use residential under the future land use plan and finds highway commercial description to be appropriate.

In the instance that the development is found to be inconsistent and reasonable, the future land use plan will be amended. As such, the front portion that is commercial will go from mixed-use residential to highway commercial and the residential portion will go from neighborhood residential to mixed-use residential.



GOVERNING BOARD STATEMENT

Per G.S. §160D-605 When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. Additionally, when adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. The statement of reasonableness and the plan consistency statement required by §160D-605 may be approved in a single statement”.

On October 19th, 2021, the Planning Board unanimously recommended denial of zoning docket # C-245. Zoning docket # C-245 proposes a zoning map amendment changing tax parcel PIN: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-S). The following is a written recommendation from the Planning Board to the Village Council addressing Community Compass plan consistency:

Planning Board Adopted Inconsistency Statement for Zoning Map Amendment: Docket # C-245

The proposed zoning docket C-245 zoning map amendment petition for PIN: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-S) is inconsistent with the Village of Clemmons Community Compass:

- Applicable Clemmons Community Compass themes, goals, and objectives
 - Theme #1 Transportation and Linear Parks – Transportation challenges the Compass seeks to address include congestion, safety and connectivity. The installation of a complex signal intersection will increase congestion and lead to a decline in the level of service for Lewisville-Clemmons Road.
 - Theme #2 Future Land Use – Clemmons Community Compass desires the creation of mixed-uses in key locations with a transportation network that seeks to provide multi-modal options throughout the Village. Much of the non-residential uses are designed to be heavily auto-dependent with no vertical mixed-use.
 - Goal #2 Revitalized Commercial Corridors – Mature commercial corridors, Lewisville-Clemmons Road and US-158, should be redeveloped and revitalized. Development will be designed to accommodate vehicles, bicyclists and pedestrians and employ human-scale designs that improve and beautify our streetscapes and gateway areas. The proposal is not a revitalization, but a continuance of commercial strip development and fails to design in a way that will account for bicyclists or human-scale designs. This development is a continuation of the style of development Lewisville-Clemmons Road (South) currently has.
- 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. The proximity to a major corridor is acceptable; however, the activity center is designated further north.
 - The future land use for the parcel is mixed-use residential. Mixed-use residential areas should provide self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-

family attached, and multi-family uses. Proposed commercial uses are on a neighborhood level. The development fails to include a mix of housing types and promotes intense commercial uses along Lewisville-Clemmons Road.

- The Lewisville-Clemmons Road (North) Strategic Planning Area future land use intent emphasizes reducing the pace of commercial and higher-intensity developments along Lewisville-Clemmons Road Corridor. This proposal is pushing commercial uses further south Lewisville-Clemmons Road and may lead to future requests along Lewisville-Clemmons Road that are of similar intensity in commercial use.

Following are two statements for Village Council to consider. Any of the statements may be used, partially or in its entirety. Village Council may amend accordingly.

Consistency and Reasonableness Statement for Zoning Map Amendment: Docket # C-245

The proposed zoning docket C-245 zoning map amendment petition for PIN: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-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 will increase commercial stock in Clemmons.
 - 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. The development is close an activity center and is on a major thoroughfare.
 - The future land use for the parcel is mixed-use residential. Mixed-use residential areas should provide self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-family attached, and multi-family uses. The development is in line with multi-family uses.

The proposed zoning amendment is reasonable and in the public interest because it supports the Clemmons Community Compass as stated above and because:

- Consistency with surrounding areas: The proposed development is similar in character and use to approximate and adjacent parcel to the north and east of the development. The existing development is similar in use and intensity to adjacent parcels to the south and west.
- Benefits and detriments to the community: The proposed zoning map amendment would increase both single-family attached and commercial inventory and this translates to more consumer choice in Clemmons; contrariwise, the propped development will have an adverse effect on traffic throughout the L-C corridor.
- Relationship of proposed development to currently allowed development: The proposed development is currently zoned a mix of Limited Business – Special and Single-Family Residential (RS-30). The zoning map amendment request will change the parcels to Multifamily Residential (RM-12-S) and General Business – Special (GB-S). Some aspects of the requested commercial uses (i.e. restaurant) are reflected in the existing commercial parcel. The requested residential would continue, albeit of a of higher intensity
- Other public interests supported: The proposed development would provide greenway easements, thus increasing the likelihood that a greenway would be developed along Blanket Bottom Creek.
- Changed conditions: The portion of Lewisville-Clemmons Road in proximity to US-421 has seen an increase in commercial pressures, the typical type of development has oriented towards auto-dependent commercial strip

development. For the past several years the Village of Clemmons, as a whole, has seen a rise in single-family attached housing types.

Inconsistency and Reasonableness Statement for Zoning Map Amendment: Docket # C-245

The proposed zoning docket C-245 zoning map amendment petition for PIN: 5884-87-2893; 5884-88-6079; 5884-88-8007; 5884-98-0002; 5884-98-0192; 5884-97-0932; 5884-87-2577; 5884-87-3358 from Residential Single Family (RS-30) and Limited Business – Special (LB-S) to Residential Multifamily – Special (RM-12-S) and General Business – Special (GB-S) is inconsistent with the Village of Clemmons Community Compass:

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 - The future land use for the parcel is neighborhood residential. Density in such areas should be performed on a case-by-case basis. The proximity to a major corridor is acceptable; however, the activity center is designated further north.
 - The future land use for the parcel is mixed-use residential. Mixed-use residential areas should provide self-supporting neighborhoods that contain a mix of housing types, including single-family detached, single-family attached, and multi-family uses. Proposed commercial uses are on a neighborhood level. The development fails to include a mix of housing types and promotes intense commercial uses along Lewisville-Clemmons Road.
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Special (GB-S). Some aspects of the requested commercial uses (i.e. restaurant) are reflected in the existing commercial parcel. The requested residential would continue, albeit of a of higher intensity.

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