

PETITION INFORMATION	
Docket #	C-246
Staff	Nasser Rahimzadeh
Petitioner(s)	Main Street Village Point LLC
Owner(s)	Main Street Village Point LLC
Address/PIN	3060 Village Point Drive PIN 5883-85-8093
Type of Request	Special Use Zoning District – Map Amendment Final Development Plan
Proposal	<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(s):</p> <ul style="list-style-type: none"> • Offices, miscellaneous • Residential, multifamily • Services, personal • General merchandise 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)	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.
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)	<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 street, places parking to the sides/rear, and utilizes unique architectural features. The site is located in GMA 3, one of the intended GMAs for the district.</p>

GENERAL SITE INFORMATION	
General Location	The site is addressed 3060 Village Point Drive and is approximately 1200' west from the intersection of Lewisville-Clemmons Road and Towncenter Drive.
Jurisdiction	Village of Clemmons
Site Acreage	6.62± acres or 288,367± square feet
Physical Characteristics	The site slopes from the western property line to the eastern property line. Current slope is around 9%. Property is currently undeveloped.
Proximity to Water & Sewer	Yes
Stormwater/Drainage	The site requires a stormwater management 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	No identified historic and farmland inventories. No identified National Wetlands.		
Current Land Use	N/A (vacant)		
Surrounding Property Zoning & Use	Direction	Zoning District	Use
	North	IP-S & GB-S	Institutional
	East	PB-S	Offices & Hotel
	South	PB-S	Vacant & Public recreation facility
	West	RS-20	Single-family residential
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)	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 proposed development will be used for residential purposes with the additional use of office, commercial, and personal services. The northern adjoining property is an institutional use (YMCA). To the east is a hotel with a number of available office and commercial space. The adjoining southern property is currently undeveloped and to the west are existing single-family residences. The proposed development will be compatible with uses permitted on other properties in the vicinity.		
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	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> • Obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator. • 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 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. 		

SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS
Village Point Drive	Local Road	750'±	No Data	No Data
Proposed Access Point(s)	Two access points off Village Point Drive.			
Planned Road & Improvements	No planned improvements from the Village of Clemmons or NCDOT.			
Trip Generation – Existing/Proposed	The Institute of Transportation Engineers (ITE) Trip Generation Manual (10 th edition) Land Use Category: 221 Multifamily Housing (Mid-rise), Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors).			

	<p><u>Existing</u>: No traffic generation</p> <p><u>Proposed</u>: Land Use Category – 221 Multifamily Housing (Mid-Rise) Gross rate: 870 average daily traffic (vehicles per day)</p> <p>Weekday Peak AM: Fitted Curve: 54 (Total), 14 (Entry), 40 (Exit) Weekday Peak PM: Fitted Curve: 70 (Total), 42 (Entry), 28 (Exit)</p>
Sidewalks	Yes – Existing sidewalk along Village Point Drive
Transit	No proposed transit
Traffic Impact Study	Technical memorandum did not indicate upfits for the intersection of Village Point Drive and Jessie Lane. It did indicate that a right turn lane may be necessary regarding Access A.
Concurrency Model	No data available
Analysis of Site Access & Transportation Information	Access to the site will be exclusively off of Village Point Drive. In addition to calculating the proposed development’s traffic, the technical memorandum from Ramey Kemp utilized the NCDOT MSTTA school calculator spreadsheet and added the estimated school traffic volume to existing traffic counts. The turn lane warrant analysis produced a number close to triggering right turn lanes for the entrance closest to the intersection of Village Point Drive and Jessie Lane. Staff has requested that a right turn lane be installed with a minimum storage length of 50’ and a taper with a length per NCDOT standards.
Generalized Recommended Conditions	<p><u>BRIEF DESCRIPTION OF CONDITION(S):</u></p> <ul style="list-style-type: none"> Developer shall install a right turn lane on Village Point Drive at Access A with a minimum storage length of 50’ and a taper length per NCDOT standards.

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	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. <i>Legacy 2030</i> also identifies the Village Point area as an activity center. Activity Centers have the potential to accommodate more commercial and denser mixed-use development.
Clemmons Community Compass (2040)	<p>Clemmons Community Compass designates the site as mixed-use commercial.</p> <p>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</p>

	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.
Clemmons Transportation Plan (2009)	The Clemmons Village Transportation Plan of 2009 envisioned the creation of a collector road through Village Point Area with Towncenter Drive as its primary access. The Transportation Plan also desired the creation of sidewalks and multi-use paths within the Village Point Area.
Greenway Plan Information	N/A
Other Applicable Plans & Planning Issues	Village Point Small Area Plan has design guidelines regarding building layout, material, and aesthetics that should be adhered to. The Village Point Small Area Plan desires a range of mixed-use, civic/institutional, multi-family, and office uses for the Village Center location.
Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.6(C)(3)(a)	B.6-2.6(C)(3)(a)(iii) Have changing conditions substantially affected the area included in the petition?
	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.6-2.6(C)(3)(a)(iv) Is the requested action in conformance with Community Compass & Legacy?
	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. <i>Legacy 2030</i> places the parcel in growth management area three and identifies both Lewisville-Clemmons Road as a growth corridor and the Village Point Area as an activity center. The proposed development is in line with the <i>Legacy 2030</i> comprehensive plan. See staff recommendation for C-246 for a more detailed analysis regarding conformance to the Village of Clemmons Community Compass.
Analysis of Conformity to Plans & Planning Issues	See staff recommendation for C-246

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-139	RS-15 and RS-20 to PB-S	Approval 04/14/2003	Adjacent to the east	12.675	Approval	Approval
C-163	RS-15, RS-20, and PB-S to PB-S	Approval 10/09/2006	Adjacent to the east	66	Denial	Approval
C-201	PB-S to GB-S	Approval 02/10/2014	850' east	1.761	Approval	Approval
C-207	RS-15 and IP-S to GB-S	Approval 01/11/2016	850' north	21.59	Approval	Approval
C-209	PB-S to PB-S (Two-Phase)	Approval 02/08/2016	Adjacent to the east	19.17	Approval	Approval

C-218	PB-S to GB-S	Approval 11/14/2016	1000' east	2.86	Approval	Approval
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SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
Building Square Footage	Square Footage		Placement on Site
	216,020 (54,005 footprint)		East/Center
Parking	Required		Proposed
	175 spaces		176
Building Height	Maximum		Proposed
	60 ft		60 ft
Impervious Coverage	Maximum		Proposed
	70%		45.4%
UDO Sections Relevant to Subject Property	Chapter A, Definitions Chapter B, Zoning Ordinances Chapter C, Environmental Ordinances		
Compliance with Chapter B Article VII, Section 7-5.3	(A) Legacy Policies		Yes
	(B) Environmental Ordinance		Yes
	(C) Subdivision Regulations		N/A
	(D) Other Relevant Standards		Yes
Analysis of Site Plan Compliance with UDO Requirements	The site satisfies applicable UDO requirements.		

REMAINING SITE PLAN ISSUES	
Issues	Status
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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.
<u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u>
<ul style="list-style-type: none"> 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 install a right turn lane on Village Point Drive at Access A with a minimum storage length of 50' and a taper length per NCDOT standards.
<u>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</u>
<ul style="list-style-type: none"> a. Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator. b. Building shall adhere to approved building elevations.
<u>OTHER CONDITIONS:</u>

09/17/2021, 10/05/2021, 10/08/2021

a. Dumpster will use similar materials as the building for screening.

STAFF RECOMMENDATION: APPROVAL

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 8, 2021

Re: Map Amendment Request Zoning Docket #C-246

CLEMMONS COMMUNITY COMPASS (2040)

The Village of Clemmons Community Compass 2040 is devised of 4¹ key themes. The key themes serve to summarize the input used to prepare the Plan 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 created with the Plan’s principles.

C-246 consists of a single commercial structure designed for three tenants on 6.62 acres. The special use map amendment petition for parcel PIN 5883-85-8093 addressed 3060 Village Point Drive from Pedestrian Business – Special (PB-S) to Pedestrian Business – Special (PB-S) falls inside the Plan’s Mixed-Use Commercial (1.4% of planning area⁷) land use category. The Mixed-Use Commercial category:

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 (last page)

⁶ See Clemmons Community Compass chapter 8

⁷Clemmons Community Compass page 30

- States that development should provide a mix of urban scale retail, commercial, office, residential, and institutional uses with a focus on commercial and retail uses.
- Desires that new development or redevelopment of existing commercial corridors are made accessible by car, bike, and foot, are visually appealing from the road, and make corridors safer and less stressful to navigate.
- Encourages master-planned and designed developments that provide a vertical (multi-story) or horizontal (multiple-uses on a site) mix of uses.
- Believes that developments should be designed with a consistent design theme, including architectural features and signage.
- Recommends that internal circulation be possible by both vehicles and pedestrians between uses.
- Include provisions for the amount of each type of use that the development should contain

The petition is within the Village Point Strategic Planning Area. The Village Point strategic planning area future land use intent:

- Is to have future developments on areas not yet slated for development integrate site plans and design elements with existing and planned developments to ensure accessibility, connectivity, and visual consistency, and to mitigate impacts on adjacent uses.
- Desires institutional and office uses that are compatible with the strategic planning area and may include medical facilities, government offices, and small-scale offices.
- Believes that the Village Point design guidelines be used to guide new development.

The map amendment request complies with much of the development guidance specified in the Clemmons Compass. The development will be both a multi-family residential development with a consistent design theme. The development will provide pedestrian connection to the existing sidewalk and has pulled itself closer to the road.

CLEMMONS TRANSPORTATION PLAN

At the time of the Clemmons Transportation Plan (2009) Village Point Drive had not been fully built and was proposed to be a collector street. As of the 2019 Clemmons Roadway Classification, Village Point Drive is a local street. Since the publication of the Clemmons Transportation Plan, Village Point Drive has been built and is now a part of Clemmons transportation infrastructure. There are no proposed upfits in the Clemmons Transportation Plan beyond the construction of Village Point Drive.

VILLAGE POINT SMALL AREA PLAN

The Village Point Small Area Plan approved in 2003 initially envisioned the Village Center to include mixed-use (residential/retail), office, institutional, and recreational uses. Note that the Village Point Small Area Plan was amended and took medical uses into greater account and since the Village Point Small Area Plan, Clemmons created its own comprehensive land use plan called Clemmons Community Compass. The proposed uses (i.e. multi-family residential, office, general merchandise, and personal services) still meet the desires of mixed-use commercial.

Staff recommends APPROVAL as the proposed request is more congruent than not with applicable municipal planning documents. Outside of applicable planning documents, Planning staff recommends the condition that a right turn lane be installed at Access A of the site with minimum storage of 50' and a taper length per NCDOT standards.



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-246

The proposed zoning docket C-246 zoning map amendment petition for tax parcel 5883-85-8093 addressed 3060 Village Point 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
 - 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 4 Wide Range of Housing Opportunities – Multifamily will increase housing stock and variation.
- 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 a residential use walking distance to a mix of office, retail, institutional, and commercial uses.
 - Village Point Strategic Planning Area future land use intent states that “Mixed-use residential land uses should occur to the north of Morgan Elementary and west of Village Point”. The proposed residential development is at a desired location.

Inconsistency Statement for Zoning Map Amendment: Docket # C-246

The proposed zoning docket C-246 zoning map amendment petition for tax parcel 5883-85-8093 addressed 3060 Village Point Drive requesting a change from Pedestrian Business – Special (PB-S) to Pedestrian Business – Special (PB-S) is inconsistent with the Village of Clemmons Community Compass:

- Future Land Use Map
 - Village Point Strategic Planning Area future land use intent is to have “a commercial activity center at Lewisville-Clemmons Road and Town Center Drive with mixed-use office and institutional uses focused to the southwest and along I-40”. The proposed residential development should be closer to the existing Novant Health development and is inconsistent with the Clemmons Community Compass.