

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
October 13, 2015**

The Village of Clemmons Council met on Tuesday, October 13, 2015, at 7 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Nelson, Council Members Cameron, Denny, Lawry and Rogers. Council Member Roark was absent. Attorneys Warren and David Kasper were also present.

Call to Order & Pledge of Allegiance

Mayor Nelson called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

Public Comments

There were approximately 12 citizens in attendance. There was one individual signed in to speak.

PJ Lofland, 1460 Lake Cottage Road, Clemmons, NC – stated she is in favor of mixed use on the Overlay Plan as long as there is a requirement to be owner occupied.

Approval of the Minutes

Council Member Cameron stated there needed to be a correction to the minutes stating that she as well as Council Member Rogers would be attending the NCLM Conference.

Council Member Cameron moved to approve the minutes of the September 28, 2015 regular meeting as amended. The motion was seconded by Council Member Rogers and unanimously approved.

Approval of the Agenda

Council Member Rogers moved to approve the agenda as presented. The motion was seconded by Council Member Denny and unanimously approved.

Announcements

Mayor Nelson read a letter from Mr. and Mrs. Lott thanking the Village of Clemmons Public Works staff for tree removal that was done while they were out of town.

Council Member Rogers provided an update on Harvest Fest thanking Shannon Ford and Megan Ledbetter stating the event was well received with an estimated 500 people in attendance.

Business

A. Public Hearings

1. Zoning Map Amendment for RPPK, LLC – Zoning Docket C-206 – Planner Ledbetter described the Re/Max Preferred property as approximately 1.47 acres located at 3844 Clemmons Road. The petitioner is requesting to build a professional office at this location. The Petitioner will realign the road to help with visibility and dedicate the right-of-way back to the Village of Clemmons. There will be sidewalk along Highway 158 frontage and street yard added. The building will be approximately 7,000 sq. feet with the rear façade facing the road and the front

entrance will be accessed from Littlebrook Drive. (Attached hereto as Exhibit A and incorporated as part of the minutes).

Mayor Nelson opened the public hearing. There being no one wishing to speak, Mayor Nelson closed the public hearing.

Council Member Cameron asked the Petitioner, Mike Turner of 8582 Sheppards Run Drive, Kernersville, NC the reason for the parking spaces in excess of the requirements. He advised that every other month a meeting of approximately 45 agents would take place. The Clemmons office location and the Kernersville office location each host the meeting every other month.

Council Member Rogers made a motion to approve Zoning Map Amendment for RPPK, LLC – Zoning Docket C-206. The motion was seconded by Council Member Lawry and unanimously approved.

2. Zoning Text Amendment C-UDO-72 - Planner Ledbetter described the intent of Zoning Text Amendment C-UDO-72 would be to facilitate implementation of the general intent of the Lewisville-Clemmons Road Strategic Area (south) to promote the redevelopment of the area into a mixed use commercial/office/residential. The amendment is intended to foster development that improves traffic/safety, intensifies land use and economic value, to promote a mix of uses, to enhance the livability of the area, to enhance pedestrian connections, parking conditions, and to foster high-quality buildings and public spaces that help create and sustain long-term economic vitality. The code highlights are vision, intent, requirements, triggers and secondary text amendments.

Mayor Nelson opened the public hearing. There being no one wishing to speak, Mayor Nelson closed the public hearing.

After a lengthy discussion related to zoning uses, in particular multi-family use, Council Member Lawry stated he would like to table or continue the item for a future meeting.

B. Appointment to Planning Board - The following applicants applied for an open position on the Planning Board: C. Wayne Dodson and Evan Reiss. By ballot, Council appointed Evan Reiss to the Planning Board. The term expires June 30, 2016. (Tally Sheet and Ballots are attached hereto as Exhibit B and incorporated as a part of the minutes.)

C. Attorney's Report

1. Manager's Contract – Attorney David Kasper presented the Manager's Contract. Council Member Lawry advised he had not had an opportunity to review the contract.

Mayor Nelson called for a five minute recess at 8:11 p.m. for Council Member Lawry to read over the contract.

Council Member Cameron moved to approve the Manager's Contract as presented. The motion was seconded by Council Member Rogers and unanimously approved.

Attorney Warren Kasper advised that he had presented the contract to Novant for the road construction of Village Point Drive which was met with instantaneous objection as they are not agreeing to pay for any overages. The original cost estimate for the project was \$3.4 million. Novant's understanding was that they, along with NCDOT, would each pay \$1.9 million for the project but not any overages. Council discussion ensued with Mayor Nelson advising that essentially there are three options to consider at this point: (1) to move forward with the contract with the Village of Clemmons being responsible for any overages on the project, (2) the contract needs to be renegotiated with any excess going to Novant and/or the other property owners, (3) the deal stops here unless the overages are placed elsewhere besides the Village of Clemmons.

D. Planner's Report – Nothing to report.

E. Marketing/Communications Director's Report

1. 2016 Movie Night in the Village Sponsorship Opportunities – Shannon Ford advised that there are three movie nights planned for 2016. She is providing business owners with a sponsorship opportunity stating this will be a first-come first-served basis.

F. Manager's Report

1. September TAC Meeting Update – Larry Kirby provided an update from the September TAC meeting stating that through the efforts of Mayor Nelson, one of the two sidewalk grant requests which had previously been turned down has now been awarded to the Village of Clemmons. Funding will be received in 2017 for the Harper Road/Peacehaven Road sidewalk project which will run from Morgan Elementary School to Jerry Long Family YMCA.

Manager Kirby advised Council as to the form that has been created which will be used for any Public Records Requests. The form enables the requestor to list the requested records, informs them of any associated fees they may incur and advises them of an estimated date of completion for the request and that the request will be reviewed by the Village Manager or Village Attorney prior to release to the requestor. The requestor will also sign acknowledging the process and for receipt of the records. This form is available on the website.

G. Council Comments - Council Member Cameron advised of her attendance at the NCLM Conference and an update is forthcoming.

H. Closed Session for property acquisition discussion in accordance with NCGS 143-318.11(a)(5). Council Member Lawry moved to go into closed session to discuss property acquisition in accordance with NCGS 143-18.11(a)(5). The motion was seconded by Council Member Denny and unanimously approved.

At 10:09 p.m., Mayor Nelson stated that by unanimous vote Council chose to reconvene the open session. No action was taken.

Adjournment

Council Member Rogers moved to adjourn the meeting at 10:10 p.m. The motion was seconded by Council Member Lawry and was unanimously approved.



Nickolas B. Nelson
Mayor

ATTEST:



Lisa Shortt, Village Clerk

**ORDINANCE AMENDING THE VILLAGE OF CLEMMONS ZONING ORDINANCE
OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO) AND
ZONING MAP OF THE VILLAGE OF CLEMMONS, NORTH CAROLINA**

Zoning Petition of RPPK, LLC Property

Ordinance Number 2015-07

BE IT ORDAINED by the Village of Clemmons Council as follows:

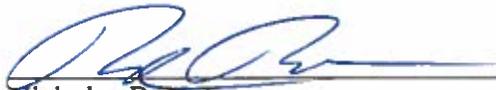
Section 1. The Village of Clemmons Ordinance of the Unified Development Ordinance (UDO) and the Official Map of the Village of Clemmons are hereby amended by changing the special use zoning district classification **from LO-S (Professional Office, Office Miscellaneous) to LO-S (Professional Office, Office Miscellaneous, Limited Office-Special Use)**. The property is located on the north side of Hwy 158/Clemmons Road west of the Lewisville-Clemmons Road/Middlebrook/Hwy 158 intersection (**Zoning Docket C-206**)

Legal Description for RPPK, LLC Property

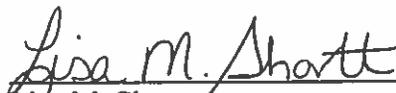
Lying and being in the Town of Clemmons, Forsyth County, State of North Carolina, and beginning at an iron stake in the northern right of way line of U.S. Highway 158, said iron stake being the southeast corner of Lot No. 1 as set out upon the map of Meadowbrook, Section of Forest Hills Estates, recorded in Plat book 19 at Page 117 in the Office of the Register of Deeds of Forsyth County, North Carolina; and running thence North 00° 04' 20" East 296.76 feet to an iron stake; thence South 75° 41' 13" East 498.70 feet to a P.K. nail in the northern right of way line of U.S. Highway 158; thence along the northern right of way line of U.S. Highway 158 South 70° 15' 45" West 513.77 feet to the point and place of beginning, same containing 1.647 acres, more or less, and being the same property surveyed and platted by Larry L. Callahan, R.L.S. on the 15th day of July 1997, and re-certified on the 30th day of December, 1998, and being further known as Tax Lot 514, Tax Block 4207 as set out upon the tax maps in the Office of the Forsyth County Tax Supervisor as said maps are presently constituted.

Section 2. This ordinance shall be effective from and after its adoption.

Adopted this the 13th day of October, 2015.


Nickolas B. Nelson
Mayor

ATTEST:


Lisa M. Shortt
Village Clerk



**TALLY SHEET FOR
PLANNING BOARD
APPOINTMENT
October 13, 2015**

One (1) appointment – term ends 6/30/2016.

		Council Members					Totals
		Mary Cameron	Norman Denny	Bill Lawry	Darrell Roark	Mike Rogers	
Applicants	C. Wayne Dodson	*					1
	Evan Reiss		*	*		*	3

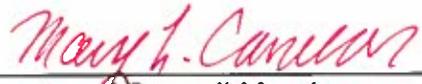
* Appointed – terms end 6/30/2016

BALLOT FOR PLANNING BOARD APPOINTMENT
October 13, 2015

Need one (1) appointment for vacancy – term expires 6/30/2016.

Choose 1:

Place an "x" at your choice	Applicants
	C. Wayne Dodson
	Evan Reiss



Signature of Council Member

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October 13, 2015

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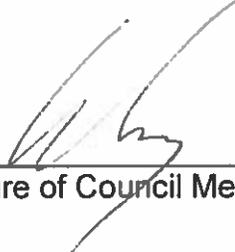
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