



## **REGULAR MEETING OF THE VILLAGE OF CLEMMONS COUNCIL May 11, 2020**

The Village of Clemmons Council met electronically on Monday, May 11, 2020, at 6 p.m. The meeting was held via Zoom Meeting due to the ongoing COVID-19 pandemic and guidelines and recommendations provided by the Centers for Disease Control and Prevention (CDC), as well as the State and Forsyth County. The following Board members were present: Mayor Wait, Council Members Barson, Binkley, Cameron, Rogers and Wrights. The following Staff members were present: Manager Buffkin, Attorney Fus, Clerk Shortt, Public Works Director Gunnell, Marketing and Communications Director Ford, Director of Operations Gearren and Planner Rahimzadeh.

### **Call to Order & Pledge of Allegiance**

Mayor Wait called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

### **Public Comments**

There were no citizens in attendance. There were no individual comments submitted to be read into the record.

### **Approval of the Minutes**

Council Member Cameron moved to approve the minutes of the April 27, 2020 regular meeting as presented. The motion was seconded by Council Member Barson and unanimously approved.

### **Approval of the Agenda**

Council Member Cameron requested the addition of Item 4. “Library Update” and Item 5. “Novant Hospital Update” under Manager’s Report.

Council Member Barson moved to approve the agenda as amended. The motion was seconded by Council Member Wrights and unanimously approved.

### **Announcements**

Mayor Wait made the following announcements:

- The Village of Clemmons offices will be closed on Monday, May 25, 2020 for the Memorial Day holiday.
- The next Village of Clemmons Council meeting will be held at 6:00 p.m. Tuesday, May 26, 2020.
- Trash pickup will be delayed one day the week of Memorial Day (pickups will be Tuesday - Saturday).
- Public Works recycling and trash compactors are open. Please be sure to break down any cardboard and keep the area clean.

**Business – Information/Review Items for Future Action**

- A Marketing and Communications Director's Report – Marketing and Communications Director Ford provided an update on the following items and events:
- The farmer's market had a great opening day on May 9, 2020. There were 10 vendors and 270 customers. She gave a special "thank you" to the FCSO and YMCA for their assistance and partnership with the Village.
- B. Manager's Report.
1. Finance Report for March 2020 – report was presented. Manager Buffkin advised that the revenue impacts will likely be seen next month and into July from the pandemic.
  2. Budget Workshop Dates/Times – A brief discussion was held and the Budget Workshop will take place on Monday, May 18, 2020. A special meeting notice will be drafted, posted and distributed accordingly.
  3. FCSO Agreement Renewal – Manager Buffkin presented the FCSO Agreement Renewal amendments (two options) along with Attorney Fus' edits for Council's consideration. Staff's recommendation was Option 1 as this limits the liability to the Village to \$50,000/claim. A brief discussion was held.

Council consensus was to direct Staff to provide Option 1 of the FCSO Agreement Renewal with amendments (attached hereto as Exhibit A and incorporated as part of the minutes) to Forsyth County for their consideration.

4. Library Update - Council Member Cameron advised Council of an email received from Assistant County Manager, Damon Sanders-Pratt. The project is progressing and trusses are being placed next week. The project's scheduled completion is currently January 2021.
  5. Novant Hospital Update - Council Member Cameron advised of a Foundation Board meeting in which Dr. Mann discussed the screening and cleaning procedures taking place at the facility. His advice is to not delay going to the hospital with a medical problem. It is a safe environment where you will be treated well.
- C Attorney's Report.
- New Rules for Meetings of Public Bodies and Remote Zoning Hearings During Declared Emergencies - Attorney Fus advised Council of the new rules for meetings of public bodies and remote zoning hearings during declared emergencies (attached hereto as Exhibit B and incorporated as part of the minutes). He highlighted specific aspects of the new legislation which includes: the allowance of remote closed sessions, quasi-judicial proceedings can occur if necessary, and if a public hearing is via remote means, you must allow for written comments for 24 hours after the public hearing is closed.

D Planner's Report - Nothing to report.

**Business – Action Items**

E Public Hearing - Zoning Map Amendment for Carlos Pereira from RS-15 & LO-S to RM-12-S (Residential Building, Multifamily) located at 3462 Clemmons Road - PIN number 5893-30-8703 and 5893-30-9990 – approx. +/- 8 acres - Zoning Docket C-234.

Planner Rahimzadeh provided an overview of the zoning request and site plan. He advised that the area is approximately 6.86 acres and would consist of three multi-family structures which would be 2-3 stories dependent upon topography. The building square footage is 41,835 with 78 total units. The height will not exceed 45 feet and there will be connectivity to Kinnamon Village Drive with 60' of road frontage. Sidewalks will be internal to the site. He stated during Planning Board's hearing, there was an amendment for the developer extending fencing in the rear of the property to the Lee property. Trip generation is relatively low. The current Clemmons Compass Future Land Use Plan does not promote this density but LEGACY does in this area. He advised Council that Staff and Planning Board are recommending approval and this would amend the land-use plan. Mayor Wait clarified that due to this public hearing being conducted remotely, any Council deliberation and vote will take place at the next regular Council meeting on Tuesday, May 26, 2020 as this will provide the 24 hours for written comments to be submitted and considered once the public hearing is closed. Planner Rahimzadeh advised he would compile all comments received into PDF format for Council's review including those submitted within 24 hours following the closure of the public hearing (attached hereto as Exhibit C and incorporated as part of the minutes).

Mayor Wait opened the public hearing and called for a 5-minute recess to allow everyone to get connected remotely.

There were two Proponents to speak:

- Ron Davis, Petitioner, advised Council that he provided each of them with the following documents: community meetings report, Planning Board letter and information on Landmark Developers, summary and items addressed as a result of the Planning Board meeting. He gave an overview of the surrounding area. He stated the project is approximately \$11.5 million. They are looking to revitalize that area and have support from the shopping center owner. He stated these residents will work and shop in Clemmons. He advised that this project meets or exceeds the requirements of the UDO and Community Compass. They requested a special meeting be called for action prior to May 15, 2020 as they have deadlines to meet.

-John Stiltner, Director of Development and Construction Services for Landmark Development (Property Management), provided an overview of their company. He discussed the onsite activities that would be offered to residents as there will be recreational areas indoors and outdoors. He requested Council's support of the project.

Council Member Cameron inquired about the trees. The Petitioner clarified there will be a large tree-save area and all requirements will be met regarding preservation.

There were two Opponents to speak:

-Nancy Lang, Stadium Ridge HOA President, stated that their property consists of 18 townhomes and is adjacent to the proposed project. She discussed her concerns of the location and size of the apartment complex. She stated most residents of Clemmons don't actually work in Clemmons but travel outside to Winston-Salem, Advance, etc. She stated traffic was a large concern as the residents of her neighborhood can hardly maneuver out onto Stadium Drive during school hours and the increased traffic this will generate. Their street is private. She expressed concerns over the placement of the trash dumpster. She advised they had received signatures in opposition of this project and of all those in and around the neighborhood, they did not have one person in favor.

-Adam Kearns, 6057 Stadium Drive, Clemmons, NC – He expressed his concerns regarding the project and stated that his family loves living in Clemmons and never expected having to deal with this situation. He advised he went through the signatures the Petitioner had presented at the Planning Board meeting and did not see a single name or address from anyone directly affected by this project in favor (addresses were Burlington, Winston-Salem).

Proponent Rebuttals:

Mr. Stiltner addressed the dual use of the dumpster stating it would be for trash and recycling – fully enclosed with gates and 8' tall brick fence and only available for residents. Maintenance will be on staff and the first duty of the day will be to handle the dumpster area. Mr. Davis advised that the Stadium Ridge HOA questions were answered (documentation provided). They addressed the security concern and they are extending the privacy fence. They also will be integrating security cameras for the rear of the buildings and inside the site (minimum of 12 cameras with 360 view). Mr. Davis touched on the sidewalk connectivity and the safety issues with the parents allowing their children to walk to the elementary school to address foot traffic concerns. He mentioned the redevelopment talks/plans that have been discussed in that area.

Opponent Rebuttals:

Ms. Lang stated she had not had a chance to read the answers to the HOA questions due to just having received it. She mentioned the overcrowding of the elementary school and sidewalk situation. She said they did not find one person that was in favor of this project.

Mr. Kearns thanked Council for hearing his concerns. He stated the developer placing 12 cameras on the property is not something that he would want and a 45' structure in his backyard is not something he wants to look at as a 6' fence will not cover it.

Mayor Wait closed the public hearing at 8:09 p.m. The 24-hour written comment period will begin from this point.

- F State of Emergency Declaration Ordinance 2003-07 Amendment Discussion - Manager Buffkin presented two options as amendments to the Village of Clemmons' State of Emergency Declaration Ordinance 2003-07 (which will be Ordinance 2020-01) for Council's consideration. Attorney Fus advised Council of the difference between the two versions. Both update the language to match the state statute. The main difference is who and when a SOE can be declared and the reference of time urgent situations. He also provided a summary of other municipalities' feedback on usage of time urgency language being included in their declarations. A discussion was held. Council Member Rogers suggested adding the following language: "Upon the Mayor's declaration of a State of Emergency, an emergency meeting of the Council shall automatically be called and proper notice given.". This will allow Council to review the State of Emergency and validate what the Mayor has declared or change direction. This would avoid any confusion. Council Member Cameron advised that the declaration should include language that the governing body endorses it.

Council consensus was to direct Staff to go with Option 1 adding the language suggested by Council Member Rogers at the beginning under 33.502 and add for consideration at the next Council meeting. They would like to see two versions (one with the language added and one without).

- G Council Comments – there were none.

### **Adjournment**

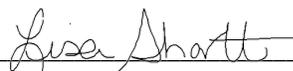
Council Member Rogers moved to adjourn the meeting at 8:33 p.m. The motion was seconded by Council Member Barson and unanimously approved.



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John Wait  
Mayor

ATTEST:



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Lisa Shortt, NCCMC  
Village Clerk



on June 30 of the subsequent year. Either party may terminate this Agreement by providing 90-days' written notice to the other party.

**4. Consideration.** The Village shall reimburse the County for the cost of all Services provided by the County on a quarterly basis. Such costs shall include, but not be limited to, all categories of costs set forth in Exhibit B.

**5. Payment Due Date.** Within 30 days of the end of each quarter, the Village shall pay the County for Services for the prior quarter. For the first three quarters of each year of service, the Village shall pay one-quarter of the estimated annual cost of service, as set forth in Exhibit B for the first year of service, and as shall be set forth in Exhibit C for the second year of service and Exhibit D for the third year of service. For the final quarter of each year, the County shall reconcile all costs actually incurred by the County to provide Services to the Village and shall send an invoice to the Village for the balance due. The Village shall pay the County within 30 days of the date of the invoice. The Village's obligation to pay this final invoice shall survive termination of this agreement. In the event of a termination of this agreement before the expiration of the annual term, the County shall prepare an invoice with a reconciliation of all costs incurred as of the termination date, and the Village shall reimburse the County for such costs within 30 days of the date of the invoice from the County. Notwithstanding anything to the contrary herein, the Village shall pay the County the full amount listed in Exhibits B, C, or D under "Claims" for each year of service, and the County shall not reconcile this amount with the actual County costs for worker's compensation, disability, litigation, damages, or other costs attributable to or caused by an Assigned Deputy.

**6. Estimate Annual Cost of Service.** Exhibit B is the estimated cost of service for the year of service ending June 30, 2021. By March 31, 2021, the County shall provide the Village with Exhibit C, the cost of service for the second year of service, and by March 31, 2022, the County shall provide the Village with Exhibit D, the cost of service for the third year of service.

**7. Insurance.** The County shall provide professional liability coverage for Assigned Deputies.

**8. Amendment.** This Agreement may be amended in writing by the Village and the County.

**9. Severability.** If any section of this Agreement is deemed to be illegal or otherwise unenforceable, it is the intent of the parties hereto that all other provisions of this Agreement shall remain in full force and effect.

**10. Governing Law.** This Agreement is to be governed by and interpreted in accordance with the laws of the State of North Carolina, with the exception that conflicts of laws provisions shall not apply.

**11. Notice.** All notices permitted or required to be given by one party to the other party shall be addressed and delivered in writing as follows:

**For the County:**

J. Dudley Watts, Jr.  
Forsyth County Manager  
201 North Chestnut Street  
Winston-Salem, NC 27101  
With Copy to:  
Randy C. Hunsucker  
Forsyth County Sheriff's Office Business Manager  
301 North Church Street  
Winston-Salem, NC 27101

**For the Village:**

Scott Buffkin  
Village of Clemmons Village Manager  
3715 Clemmons Road  
Clemmons, NC 27012

**12. Execution in Multiple Counterparts.** This Agreement may be executed in multiple counterparts, each of which constitutes a completed document.

**13. Exhibits.** Exhibits A and B, attached hereto, are incorporated herein by reference. Exhibit C, the estimated cost of service for the second year of service, and Exhibit D, the estimated cost of service for the third year of service, shall also become incorporated herein by reference by July 1, 2021, and July 1, 2022, respectively. Exhibits C and D shall be provided to the Village at least 90 days in advance of the applicable year of service.

**IN WITNESS WHEREOF**, the Mayor of the Village and the Chairman of the Forsyth County Board of Commissioners have each executed this Interlocal Agreement to evidence the agreement of the parties hereto and the Village Clerk and the Clerk to the Board of County Commissioners have affixed the seal of the Village and the County, as applicable, to this Interlocal Agreement.

**Village of Clemmons, North Carolina**

**Forsyth County, North Carolina**

By: \_\_\_\_\_  
John Wait, Mayor

By: \_\_\_\_\_  
David Plyler, Chairman

Attest:

Attest:

\_\_\_\_\_  
Lisa Short, Village Clerk

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Ashleigh Sloop,  
Clerk to the Forsyth County  
Board of Commissioners

[SEAL]

[SEAL]

EXHIBIT A

ASSIGNED DEPUTIES

<b>Pos#</b>	<b>Position Title</b>	<b>Wrk Wk</b>	<b>Yrly Hrs</b>
1017	Deputy Sheriff II	42.50	2,210.00
1018	Deputy Sheriff II	42.50	2,210.00
1232	Deputy Sheriff I	42.88	2,229.76
1236	Deputy Sheriff I	42.88	2,229.76
1492	Corporal	42.88	2,229.76
1623	Deputy Sheriff I	42.50	2,210.00
8042	Deputy Sheriff I	42.88	2,229.76
8049	Deputy Sheriff I	42.88	2,229.76
8113	Deputy Sheriff I	42.88	2,229.76
8167	Deputy Sheriff I	42.50	2,210.00
8170	Corporal	42.88	2,229.76
8557	Deputy Sheriff I	42.88	2,229.76
9005	Deputy Sheriff II/"Investigator"	42.50	2,210.00
9501	Deputy Sheriff II	42.88	2,229.76
9526	Sergeant	42.50	2,210.00
	<b>Total: 15 positions</b>		



## Coates' Canons Blog: Remote Zoning Hearings during Declared Emergencies

By Adam Lovelady

Article: <https://canons.sog.unc.edu/remote-zoning-hearings-during-declared-emergencies/>

This entry was posted on May 06, 2020 and is filed under Board Structure & Procedures, Featured Posts Related To COVID-19, Land Use & Code Enforcement, Legislative Decisions, Motions, Minutes, & Hearings, Planning, Quasi-Judicial Decisions, Zoning

COVID-19 and related shutdowns have forced local governments to dramatically alter meetings. With some questions swirling around the authority and procedures for remote public meetings, the General Assembly stepped in to provide clarity. As outlined in this blog, new legislation clearly outlines procedures for remote public meetings during declared emergencies, authorizes remote public hearings with one important caveat, and authorizes remote quasi-judicial evidentiary hearings with several limiting conditions.

The new legislative clarity is especially important for planning and zoning decisions that commonly require public hearings and/or quasi-judicial evidentiary hearings, and this blog focuses on those decisions.

### **Remote Public Meetings**

Session Law 2020-3 (Senate Bill 704), Section 4.31(a), enacts G.S. 166A-19.24, which provides authority and procedures for remote meetings by simultaneous communication during declarations of emergency by the Governor or General Assembly. This authority is limited to only the area of the declared emergency and only for the duration of the declared emergency. Note that these new rules and procedures apply to a remote meeting, which is defined as an official meeting “with between one and all of the members of the public body participating by simultaneous communication.” If all members of the board are together in person for a meeting, it is not a remote meeting subject to these limits and procedures. The rules apply to remote *public meetings*, generally; as discussed below, additional limitations are placed on the *public hearings* and *quasi-judicial evidentiary hearings* that may occur during the remote public meeting.

Frayda Bluestein’s blog on the New Rules for Meetings provides a careful analysis of the provisions. Here is a brief summary. For a remote public meeting during a declared emergency, the local government must provide proper notice, including information about how the public can access the meeting. The method of remote meeting must allow members to hear, and be heard by, members of the board and the public. Simultaneous communication is defined broadly to include conference telephone, conference video, and other electronic means. The remote meeting must be simultaneously streamed live online or otherwise available for the public. Minutes must reflect that the meeting was remote, how board members accessed the meeting, and when board members joined or left the meeting. All chats by instant message, text message, or other written communication by the board members regarding the transaction of public business are deemed public records.

If a member of the board is not visible, he or she must identify himself or herself for roll call, deliberations and motions, and voting. All documents must be provided to the board members. All discussions, deliberations, and actions must be clear to the listening public; board members must not refer to a matter merely by letter, number, or other designation. All votes are by roll call.

With regard to quorum, a board member only counts as present during the period when he or she maintains communication; if the connection is dropped, the member is no longer present for quorum. Similarly, votes by board members are counted as if the member were physically present only while the simultaneous communication is maintained.

### **Remote Zoning Public Hearings**

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The new law includes a provision to allow public hearings to be held during an authorized remote meeting, but there is an added requirement for written public comment. A local board may conduct any public hearing required or authorized by law during a remote meeting, but the board must allow written comments on the subject of the public hearing to be submitted between publication of notice and 24 hours after the public hearing.

In normal times it is common for a local government board to hold a public hearing on a zoning matter and then, at the same meeting, turn immediately to deliberate and vote on the zoning matter. It seems that such immediate action is not possible under the new provision for remote public hearings. The new legislation, it appears, effectively extends the public hearing for an additional 24 hours for written comments. It would be improper for the governing board to vote on the matter while the public is still invited to comment.

So, for example, if the board holds a remote public hearing on a rezoning on Tuesday night and closes the hearing at 8:00 pm, the board must accept written comments from the public from the time of published notice (10-25 days prior to the hearing as required by statute) until 8:00 pm on Wednesday. The board could take up the rezoning matter for deliberation and vote after 8:00 pm Wednesday—by recessing (continuing) the matter to the next regularly scheduled meeting or at a properly noticed special meeting. There would be no need for additional notice for a *public hearing*, but the subsequent *public meeting* would need to be properly noticed.

### **Remote Quasi-Judicial Evidentiary Hearings**

Under Section 4.31 of Session Law 2020-3 (Senate Bill 704), the new G.S. 166A-19.24 authorizes local governments to hold quasi-judicial evidentiary hearings by remote meeting during a declared emergency subject to notable limitations. With those limitations and the legal and practical challenges of ensuring due process, quasi-judicial evidentiary hearings remain difficult, but not impossible, to manage remotely.

One note to start. The provision for remote quasi-judicial evidentiary hearings is permissive: “A public body *may* conduct a quasi-judicial proceeding as a remote meeting” when certain conditions are met. There is not a requirement to hold remote evidentiary hearings. But, if a property owner is dependent upon the issuance of a particular approval or if a shot-clock is expiring for an application, there may be circumstances when a remote evidentiary hearing is necessary.

Under the new law a local board may conduct a quasi-judicial evidentiary hearing remotely only if three conditions are met: (1) the right to a hearing and decision occurs during the emergency, (2) all individuals with standing consent to the remote hearing, and (3) all due process rights are preserved. Consider each in turn.

#### ***The right of an individual to a hearing and decision occur during the emergency.***

The phrasing here is not clear and the meaning has some ambiguity. That said, it is reasonable to interpret this provision as allowing a quasi-judicial evidentiary hearing to continue remotely if, under normal circumstances, that hearing would have occurred during the time of the declared emergency. The intent of the Session Law is to provide relief from the crisis and continuity of government. The title of the Session Law is “An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (COVID-19) Crisis,” and Part VI, which includes these rules on quasi-judicial hearings, is titled “Continuity of State Government/Regulatory Relief.” With that in mind, it is reasonable to interpret this particular provision as allowing more, not fewer hearings to be remote. Plus, the additional conditions (discussed below) will prevent many hearings from going remote.

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An alternate interpretation of the provision is that remote evidentiary hearings are permitted only for those matters where a decision shot-clock will expire during the declared emergency (the “right . . . to a hearing and decision occur during the emergency”). A preservation commission, for example, must decide a request for a certificate of appropriateness within 180 days. There is statutory obligation to hear the case within a specified time. In contrast, variances typically get a hearing and decision in a reasonable time—there is not a right to a variance hearing and decision by a date certain. A narrow interpretation of the new law would say that certificates of appropriateness and other approvals with shot-clocks may be handled remotely, but not other quasi-judicial decisions. This narrow interpretation, though, carves out a broad range of quasi-judicial development decisions and seems to go against the legislative intent.

***All persons subject to the quasi-judicial proceeding who have standing to participate in the quasi-judicial hearing have been given notice of the quasi-judicial hearing and consent to the remote meeting.***

The persons with standing here will be the same as those identified by G.S. 160A-393 for standing to appeal a quasi-judicial decision to superior court: the applicant, an individual with an ownership interest in the subject property (or an option for such), the local government (when a decision by the local government is being appealed), an individual who will suffer special damages, or an association that includes a member who will suffer special damages. In order to hold a remote evidentiary hearing under the new statute, the local government will need consent from each of those parties with standing. To be clear, this is specific to parties with legal standing; this does not give a member of the general public a veto over a remote evidentiary hearing.

Determining standing of the applicant, the landowner, and the local government may be easy, but determining standing for neighbors who suffer special damages is more challenging, as highlighted in recent caselaw and as outlined in this blog on Standing and Quasi-Judicial Hearings. And, in contrast to a court case where the parties are known ahead of time, for many zoning matters individuals with standing may not assert rights until the hearing—or even after the hearing.

This already-tricky area of quasi-judicial practice is further complicated by the new law on remote evidentiary hearing. The new statute for remote meetings requires consent from all persons with standing, even if they are indifferent to the case. This puts the local government in a position of identifying who has standing prior to the hearing. But, standing is a question of law for the board, not an administrative task for staff.

One option is to seek consent from each nearby property owner who receives notice (essentially presuming they have standing). That would be overly generous to the neighbors' case for standing, but it would be a way of casting a broad net to ensure consent from anyone who does have standing. The request for consent could even invite the individual to allege standing (as is sometimes requested on applications of appeals of staff decisions or appeals of certificates of appropriateness). If a neighbor withholds consent, then the board could either wait and hold the evidentiary hearing in person at a later time or attempt the remote hearing, starting with the threshold question of standing of the individual withholding consent. To be sure, that latter option would be a practically awkward and legally tricky remote hearing on the topic of standing of an individual who is objecting to the remote hearing.

Alternatively, a local government could seek consent only from a very few neighboring owners with a clear showing of special damages (along the lines of the *Cherry* case discussed in the blog on standing linked above). Then, if there was a challenge from another individual, it would be resolved on appeal to superior court. A challenge to this approach is that there is a narrow determination of standing by staff (not the board) and prior to the hearing itself.

Regardless of the approach, it will be prudent to send notice of the decision to the same individuals that received notice of the evidentiary hearing—notifying those interested individuals of the outcome and starting the clock for appeal to superior court.

***All due process rights of the parties affected are protected.***



Finally, as is always the case in quasi-judicial evidentiary hearings, the due process rights of the parties must be honored in a remote evidentiary hearing. There are legal and practical challenges to doing that remotely. Those challenges are not insurmountable, but they are substantial. How is evidence submitted and reviewed? How are witnesses cross-examined? What if a party does not have the technology or connectivity to participate fully? These are all questions that must be addressed if and when a local government moves forward with a quasi-judicial evidentiary hearing.

Some of those legal concerns and practical considerations are outlined in my recent blog post on Remote Participation in Quasi-Judicial Evidentiary Hearings. Among other things, use video conference (and test it out ahead of time), establish clear ground rules for all involved, and avoid handling hotly contested cases remotely, if possible.

### **Conclusion**

The rules for remote public meetings of Session Law 2020-3 are outlined in the new G.S. 166A-19.24 and carefully analyzed in Frayda Bluestein's blog post on the topic. Those rules will apply to governing boards, planning boards, boards of adjustment, and other local development boards that may be meeting during a declared emergency.

Additionally, if a board is holding a public hearing remotely—such as for a zoning amendment or rezoning—then the additional requirements for remote public hearings will apply. Notably, the board will need to allow for written public comments from the time of published notice until 24 hours after the hearing. This means that the board will need to vote at a recessed or subsequent meeting.

And finally, if a board is holding a quasi-judicial evidentiary hearing remotely, the following conditions must apply: the right to a hearing and decision occurs during the emergency, all individuals with standing consent to the remote hearing, and all due process rights are preserved.

### **Links**

- [www.ncleg.gov/EnactedLegislation/SessionLaws/PDF/2019-2020/SL2020-3.pdf](http://www.ncleg.gov/EnactedLegislation/SessionLaws/PDF/2019-2020/SL2020-3.pdf)

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## Coates' Canons Blog: New Rules for Meetings of Public Bodies During State-Level Declared Emergencies

By Frayda Bluestein

Article: <https://canons.sog.unc.edu/new-rules-for-meetings-of-public-bodies-during-state-level-declared-emergencies/>

This entry was posted on May 05, 2020 and is filed under Board Member Powers & Authority, Board Structure & Procedures, Featured Posts Related To COVID-19, Land Use & Code Enforcement, Motions, Minutes, & Hearings, Open Government, Open Meetings, Quasi-Judicial Decisions, Quorum & Voting Requirements

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As a part of the Act to Provide Aid To North Carolinians In Response to the Coronavirus Disease 2019 (COVID-19) Crisis, (S.L. 2020-3, SB 704) the General Assembly has enacted modifications to the laws governing meetings of public bodies, and voting and quorum rules for city and county governing boards. The new law modifies those rules and provides specific guidance regarding remote meetings, including quorum, notice, voting, public comment, and public hearings. These provisions are in Section 4.31 of the Act, (starting on page 61 in the PDF linked above). The new provisions for remote public meetings became effective on May 4, 2020, and only apply when there is a declaration of a state of emergency by the Governor or General Assembly under GS 166A-90.20. They aren't triggered by city or county emergency declarations. The new law also provides that any electronic meeting undertaken via remote participation between March 10, 2020 and the effective date of the new law is not deemed invalid due to the use of the use of electronic communication to conduct that meeting. This blog summarizes the new provisions.

**Remote meetings authorized and defined.** The new law enacts GS 166A-19.24, which authorizes any public body to conduct remote meetings in accordance with the rules set out in the act, as well as with the provisions of the open meetings law. "Remote meeting" is defined as: *An official meeting, or any part thereof, with between one and all of the members of the public body participating by simultaneous communication.* "Simultaneous communication" is defined as: *Any communication by conference telephone, conference video, or other electronic means.* Official meeting and public body are defined as set out in the open meetings law.

**Simultaneous communication requirements.** When meeting using simultaneous communication in an official meeting, the method must allow for any member of the public body to hear what is said by the other members of the public body; hear what is said by any individual addressing the public body; and be heard by the other members of the public body when speaking to the public body. In other words, the person participating remotely must be able to hear and be heard throughout the meeting. The law also requires any members who are participating by simultaneous communication and can't be seen by the public body to identify themselves when the roll is taken, when the remote meeting commences, prior to participating in deliberations (including making motions, proposing amendments, and raising points of order), and prior to voting.

**Requirements for conducting remote meetings.** As with all other official meetings of public bodies, the precise notice requirements that apply to an electronic meeting depend on whether the meeting qualifies as a regular, special, emergency, or recessed meeting. Prior to the new legislation, every electronic meeting notice had to specify the "location and means" whereby members of the public could listen to the meeting. GS 143-318.13(a). Under the new law, an electronic meeting notice issued during a state of emergency declared by the Governor or General Assembly must specify the means by which the public can access the remote "as that meeting occurs." It doesn't have to specify a physical location where members of the public can go to hear the meeting. This exception makes sense because, as we have seen, situations serious enough to trigger a gubernatorial or legislative emergency declaration can sometimes lead to restrictions on mass gatherings.

The remote meetings must be simultaneously streamed online so that simultaneous live audio, and video, if any, is available to the public. If the means of the remote meeting is a conference call, the public body can provide access by providing an opportunity to dial in or stream the audio live and listen to the meeting.

Minutes of remote meetings must reflect the use of simultaneous communication, which members were participating by

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simultaneous communication, and when those members joined or left the remote meeting.

The public body must comply with GS 143-318.13(c), which prohibits acting by reference such as deliberating, voting, or otherwise taking action upon any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the public body to understand what is being deliberated, voted, or acted upon. This provision does not prohibit a public body from deliberating, voting, or otherwise taking action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted upon, are available for public inspection at the meeting.

All documents to be considered during the remote meeting must be provided to each member of the of the public body.

All chats, instant messages, texts, or other written communications between the members of the public body regarding public business during a remote meeting are public records.

**Closed Sessions:** The new law allows public bodies to meet in closed session as authorized in GS 143-318.11, and makes it clear that a public body is not required to provide access to the remote meeting while it is in closed session. The public body must comply with all of the requirements in the new law and the open meetings law, including noticing an open meeting, allowing access to the open portion of the meeting, making a motion in open session to go into closed session indicating the provision that authorizes the closed session, preparing minutes and a general account, and coming out of closed session to continue the meeting or adjourn. Public bodies may want to consider developing strategies to protect confidential information when members are participating remotely.

**Public Hearings:** The new law authorizes public bodies to conduct public hearings during a remote meeting and take action based on those hearings. It adds a requirement that written comments may be submitted at any time between the notice of the public hearing and 24 hours after the public hearing. A consequence of this requirement is that the public body will not be able to take action on the matter immediately following the public hearing. It will have to take action at a later meeting or recess the meeting long enough to comply with the 24-hour requirement.

**Quasi-Judicial Evidentiary Hearings:** These evidentiary hearings are required when a decision involves due process rights, and require evidential testimony by the applicant and other people whose due process rights may be affected. These people have standing to testify and challenge the final decision. The trial-like nature of quasi-judicial evidentiary hearings present difficult issues for remote meetings. The new law does, however, authorize the use of remote meetings for quasi-judicial, subject the following requirements:

- The right of an individual to a hearing and decision occur during emergency;
- All persons subject to the quasi-judicial proceeding who have standing to participate in the quasi-judicial hearing have been given notice of the quasi-judicial hearing and consent to the remote meeting;
- All due process rights of the parties affected are protected.

This provision raises some difficult issues. It may be challenging for the public body to identify all of the individuals who have standing in order to the obtain their consent. A detailed definition of "Standing" for challenging local government quasi-judicial decisions can be found in GS 160A-393 (d). In some cases it may easy to identify people who have standing but in some cases, people with standing might not be identified until the hearing is under way. In addition, the time frame within which a quasi-judicial meeting may be held is subject to multiple interpretations. It's not clear when the right "occurs." Putting these issues aside, as described in Adam Lovelady's blog post here, there remain many practical challenges and legal risks with conducting quasi-judicial hearings with remote participation.

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**Quorum:** Local governments have struggled with the issue of whether members of a public body who are not physically present can be counted as present for purposes of a quorum. As I noted in a blog post here, this is mostly an issue for the governing boards of cities and counties due to the language in their quorum and voting statutes that make reference to members being present or physically present. For other public bodies, the open meetings generally law generally recognizes electronic meetings as official meetings. The new law modifies the city and county quorum statutes (GS 153A-43, GS 160A-73), making it clear that a member of any public body who is participating by simultaneous communication must be counted as present for purposes of a quorum as long the communication is maintained for that member. *This means that during a state-level state of emergency, there is no requirement to have a quorum physically present at a remote meeting.*

Both the city and county quorum statutes provide that if a member has withdrawn without being excused by a majority of the members present, the member is counted as being present for purposes of a quorum. This provision applies under the new law, but it's not clear how it would work. If a person is participating with video, it would be possible for a person physically move out of the frame of the video and no longer being seen. Other situations are more difficult. What if the person is participating with audio only. If the person puts down the phone and walks away, it would difficult determine if the person is still present. As a practical matter, the presiding officer or any board members could ask the person to confirm that the person is still present. What if the person intentionally terminates the connection? In that case it appears that under the amended quorum rules, that person is no longer counted as being present. Similarly, if the person's connection is severed due to technical issues, the person is no longer participating simultaneously and therefore no longer counted as present.

**Voting:** The new law provides that the vote of each member is to be counted as if the member physically present only as long as the simultaneous communication is maintained for that person. As noted earlier, under the new law, during a remote meeting all votes must be conducted by roll call. In addition, the new law provides that notwithstanding the authority in GS 143-218(b), no vote by secret or written ballots on paper or electronic may be taken in a remote meeting.

For city and county governing boards, the new law provides that the provisions of GS 153A-44 and GS 160A-75 (the voting statutes) apply. In addition, the new law modifies the voting statutes to provide that a vote or a failure by any member who is participating by simultaneous communication must treated as if the member were physically present. This applies only as long as the communication is maintained for that member.

**The default "yes" rule:** The city voting statute provides that if a council member is present, has not been excused from voting, and does not vote, the member is counted as voting yes. This is often called the default "yes" rule. The voting statute for boards of county commissioners does not include a default "yes" provision, but many counties have incorporated it into their local rules. How does the default "yes" rule apply to a member who is participating with simultaneous communication? Here's a suggested analysis. Since all votes are roll call, and members participating with simultaneous communication must identify themselves before they vote, only those that have done so can vote. If a person has been identified as being present for the vote, but does not vote, it should be recorded as a yes. If a person is present but doesn't identify him or herself, the person can't vote, and if the person attempts to vote it should not count. If the person has terminated the communication before the vote, or if the person has lost communication due to technical problems, the person is no longer counted as present and cannot vote.

**Implications for Electronic Meetings After the State of Emergency:** With the onset of the pandemic, there was broad concern about the lack of clarity regarding the authority and procedures for remote and electronic meetings. In our earlier blog posts and advising for local government officials regarding we attempted to balance adherence to the statutory language and the need to protect the health and safety. The most difficult issues have been how to meet the quorum and voting requirements for city and county governing boards. For most other public bodies, the statutes and procedures are much more open to local policies. In addition, as set out in blog posts regarding strategies for electronic meetings, here and here, there are reasonable practices for electronic meetings that preserve the obligation of access and align with existing law. As noted in my earlier in this blog, the legislature has seen fit validate all the use of electronic means in meetings undertaken between March 10 and May 4.

As we look forward to the effect of the new law, what implications might there be for the use of electronic/remote meetings when there is no emergency? One implication might be that if there was already authority to meet remotely, there would be no reason for the legislature to specifically authorize it in a state of emergency. A different argument might be that the



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legislature intended to create specific powers to be authorized only in an emergency. Language in the new law supports that analysis. GS 166A-19.24(h), says: "Not Exclusive. – This section applies only during emergency declarations and does not supersede any authority for electronic meetings under Article 33C of Chapter 143 of the General Statutes." This suggests that the new provisions don't change anything that is already law under the open meetings law. There's an upside to that, in that there's a lot in the new law that is specific to extraordinary circumstances and wouldn't be necessary for normal times. The downside is that we're left with the same questions and no clear answers with respect whether and how local governments can continue some of the practices that have been so critical to maintaining access while doing business during these difficult times.

## Links

- [www.ncleg.gov/Sessions/2019/Bills/Senate/PDF/S704v6.pdf](http://www.ncleg.gov/Sessions/2019/Bills/Senate/PDF/S704v6.pdf)
- [www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160A/GS\\_160A-393.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160A/GS_160A-393.html)

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

To: Nasser Rahimzadeh  
Planning Director  
Clemmons, NC 27012

Re: The Village at Kinnamon Community Meetings Report

Please find attached a petition in support of the upcoming rezoning request and development plan for 6.86 acres located behind 3462 Clemmons Road from HB-S and RS-20 to RM-12-S (C-234) The petition is signed by the owners agent of the Kinnamon Village Shopping Center, several businesses located there, numerous prominent community leaders and business owners in Clemmons, a former Mayor and a former Planning Board member of Clemmons.

Two weeks ago I left my card with Clemmons Methodist Church and offered to meet with their members and/or board as they currently do not have a Senior Pastor. I have heard nothing back from my visit to date.

I met with several of the residents of the adjoining town home community at Stadium Ridge Court. They very politely declined signing our support petition and expressed their biggest concern was foot traffic through their community. I indicated that we were proposing a 6 foot fence along their property lines in addition to the required buffer plantings. They expressed concerns about privacy and I told them we would look into a fence offering privacy. We can add a privacy feature to that fence. I left my card with them and asked for it to be passed on to their HOA Board President and to please tell her that I was willing to meet with them at their convenience. I have not heard back from them to date.

I have spoken briefly with Kelly Kearns of 6057 Stadium Drive and David Moore of 6053 Stadium Drive leaving my contact information with them and giving them a brief overview of the project. I have not heard back from them to date.

I spoke with Mr. Gary Lee owner of 6041, 6045 and 6049 Stadium Drive on 3-10, and discussed the project details with him and the possible impacts on his property and his future plans for his property. He expressed no particular support or opposition to the proposed project.

I have spoken with Thomas McGuire owner of 3446 Clemmons Road and have been providing him with information on the project.

We look forward to presenting our proposed community to the Clemmons' Planning Board on March 17<sup>th</sup> and have enjoyed working with you on this project.

Please forward this letter and Petition to the Planning Board Members, Council Members, and Mayor Wait

Thank you,



Ron Davis

336-462-07705

arpllc@aol.com





# THE VILLAGE AT KINNAMON

## Petition to Rezone and Development Plan Approval

**Petition Summary** Rezoning and approval of The Village at Kinnamon Development Plan, Clemmons, NC  
**Action Petitioned For** We, the undersigned urge our leaders to rezone the property hereafter know as 'The Village at Kinnamon from LO-S and RS15 to RM-12S and approve the Development Plan.

Printed Name	Signature	Address/E-Mail/Phone Number	Comment	Date
SICK GILBERT	<i>[Signature]</i>	5601 Minerva Court, WNC		2/5/2020
Michael R. Bell	<i>[Signature]</i>	3322 Kinnamon Rd		2/5/2020
Daniel Bell	<i>[Signature]</i>	3311 Kinnamon Rd		2/5/2020
Susan Joy	<i>[Signature]</i>	3320-402-2759		2/5/2020
Lucia DePuy	<i>[Signature]</i>	10715 Ambury Lane		2/5/2020
Robert Marble	<i>[Signature]</i>	7410 Lakeside Dr		2/5/2020
Christina	<i>[Signature]</i>	5090 Stephen Young Road		2/7/2020
John Holden	<i>[Signature]</i>	6314 Mendocino Dr		2/12/20
Charles Ruge	<i>[Signature]</i>	2408 Brewster Dr		2/12/20
John Ruggier	<i>[Signature]</i>			2/12/20
Mark Sigler	<i>[Signature]</i>	6000 Gull Club Rd, Clemmons		2-12-20
PHIL W. JOHNSON	<i>[Signature]</i>	16415 WALKER DR		2-12-20
Alvin Howard	<i>[Signature]</i>	8525 Lismore St, Clemmons, NC		
Bruce Bunnell	<i>[Signature]</i>	3118 Otis Clemmons, NC		2/12/20
Don Timmerman	<i>[Signature]</i>	8317 Tassie Rd Clemmons, NC		2/18/20

# THE VILLAGE AT KINNAMON

## Petition to Rezone and Development Plan Approval

<b>Petition Summary</b>	Rezoning and approval of The Village at Kinnamon Development Plan, Clemmons, NC
<b>Action Petitioned For</b>	We, the undersigned urge our leaders to rezone the property hereafter know as The Village at Kinnamon from LO-S and RS15 to RM-12S and approve the Development Plan.

Printed Name	Signature	Address/E-Mail/Phone Number	Comment	Date
Andre Van Specker		50000 Peachtree Dunwoody Rd		2/18/20
Tara Brown		10000 Peachtree Dunwoody Rd		2/18/20
Cheryl Housha		175 Northside Cir Clemmons		2/18/2020
Wendy Taylor		710 Lakely Forest Dr NW Raleigh, NC		2/19/2020
Levesa Under		104 Starline Park		
Sarah Griffin		sgriffin0310@gmail.com		2/26/20
Bill McClain		410 Tovey Lane Ct. #52705		2-26-20
Robert Wiley		10501 e teamwiley.com	CURREN/Pieburgs Pizza	2-26-19
Kathy Kovack		1091 Kenwick Ln, Clemmons		2-27-20
John Kovack		1071 Kenwick Ln Clemmons		2-27-20
Sue Wagoner		2304 Ashford Dr. W15 27103		2-27-20
AROUND MITCHELL		KAY@MADEFORVUMEDIA.COM		2/28/20
Thomas ON		BRURK@bellsouth.net		2/28/20
John R. Post		mpost@post.com		3/12/20
Dan Sistrone Jr.		dsistrone@5150201.com		3/12/2020

**April 20, 2020**

Village of Clemmons Planning Board

**Re: Zoning Docket C-234**

I am writing in support of the proposed rezoning request off Kinnamon Loop Circle. As a commercial property owner and land owner in the Village of Clemmons, I believe more residential multi-family housing is necessary to grow the economy in the Village business district.

I encourage you to approve this request.

Sincerely,

*Craig Sheppard*

*336-816-3440*

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

To: Nasser Rahimzadeh  
Planning Director  
Clemmons, NC 27012

Re: Planning Case C-234

As petitioner for the rezoning case C-234 I would like to thank you and the entire Village staff for your efforts to provide the Clemmons Community with a functioning Government during these difficult times.

I would like to summarize why this project is an excellent fit for the Clemmons Community and the property upon which it is proposed. Additionally attached find a project compliance and evaluation report prepared by Mike Combest.

## **Housing needs:**

Over 95% of the jobs in Clemmons are staffed by persons outside of Clemmons therefore less than 6% of Clemmons residents work within their own community. This is one of the largest contributors to the much debated traffic problem in Clemmons. Residents are leaving Clemmons as employees are entering Clemmons constantly to go and come to work. I have been told that little to none of the Fire Department, Sherriff's Department, hospital staff actually live in our Village. This places Clemmons in an extremely difficult situation in times like today. Our market study showed the greatest need we have ever seen.

## **Traffic generation:**

The Village at Kinnamon places little to no additional strain on Clemmons congested traffic situation. Residents will be able to walk to neighboring shopping, restaurants, jobs, school, and houses of worship. They will enter and exit through an existing signaled intersection or can bypass downtown by using Kinnamon Road. Given that the residents will mostly be working in Clemmons they will reduce the current exchange that occurs when Village residents and employees are going and coming to work.

## **Economic Impact:**

The Village at Kinnamon will have a positive economic impact on Clemmons. Review of the Petition of Support, previously delivered, shows that many of Clemmons business owners and community leaders understand the positive impact of the project on Clemmons. It will provide not only property tax revenue to Clemmons with a value of over 10 million dollars but sale tax revenue as residents spend their money shopping in local businesses. The owners of the adjacent Food Lion shopping center and a number of it's' tenants (see support petition) have been very supportive and recommend approval of the project.

## **Exceptional Team:**

I assembled the best possible team to build, operate, and own the project. Local award winning builder Davie Construction, owned by Mr. Carl Carney, will be our General Contractor for the Project. Award winning and major Winston-Salem downtown redeveloper Landmark Development will own and operate the property. Attached are pages of local and regional awards they have won for their excellence in development and management of their properties.

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

They will own the property long term and renovate it at regular intervals to keep it updated and a positive asset to Clemmons.

**Location:**

The remaining portion of the parent property along NC 158 is currently small office and the remaining NC 158 frontage properties are investment properties awaiting a stimulus to make their conversion to small office or retail. Only one of the single family homes adjoining it along Stadium Drive is owner occupied with the rest converting to office (Dario's), institutional (Methodist Church) and the others for sale with commercial intent. The Project will be a major catalyst to making that much needed transformation occur and the property investors realizing their gains.

We have agreed to add additional fencing and screening to accommodate expressed concerns of some of the Stadium Ridge residents that briefly touch the property along Stadium Drive.

The Project will be barely visible from NC 158 due to the drop in elevation and the much greater than required tree save area. The horse shoe design with the activity center and playground located within the center will greatly shield the surrounding neighbors from the daily activities of the residents. The onsite community center and playground will further enhance the function of the project in association with Clemmons facilities.

Thank you for your time and dedication to The Village of Clemmons and feel free to contact me with any questions or concerns you may have.

With all this said I would like to request your vote of approval for Case C-234 The Village at Kinnamon.

Please forward this letter and attachments to the Planning Board Members, Council Members, and Mayor Wait.

Sincerely,



Ron Davis

Allegro Investment Properties, LLC

Mike Combest  
8013 Riverview Drive  
Clemmons, NC 27012  
336-251-3872 [michaelcombest@yahoo.com](mailto:michaelcombest@yahoo.com)

Ron Davis  
2590 Harper Road  
Clemmons, NC 27012

Dear Ron,

Here is my assessment of how project C-234, *The Village at Kinnamon*, complies with and supports Village of Clemmons *UDO (Unified Development Ordinances)* and *Comprehensive Plan/Community Compass* requirements.

Bottom Line Up Front: Project C-234, The Village at Kinnamon

- (1) Complies with *Village of Clemmons UDO*, version Feb 2017 w/ changes
- (2) Supports the *Village of Clemmons Comprehensive Plan, Community Compass*, posted September, 2019.

1. Unified Development Ordinance. The Village at Kinnamon complies with development ordinances and standards set for zoning district RM-12S, particularly those listed in Chapter B, Articles: II, III, and VII. (Note: The Technical Review Committee Report "Technical Review Committee Preliminary Comments And/Or Recommended Conditions" labels RM12-S as '*Limited Office (Special)*'. It should be labeled as '*Residential Multifamily – Special*')

Particularly note that C-234 complies with requirements for:

- Dimensions: Lot, Height, Impervious Surface, etc.
- Siting: Setback, Buffers, etc.
- Parking
- Fire Safety/Access
- Easement
- Environmental Factors:
  - Tree Save
  - Storm Water and Erosion Control
  - Lighting and Noise
- Traffic/Trip Generation
- Common Recreation Areas
- Water and Utilities

2. Village of Clemmons Comprehensive Plan/Community Compass -- overall. The Village at Kinnamon supports the plan's overarching goals and specific objectives. The *Community Compass* has 4 themes, 7 goals, and 65 specific objectives. *Project C-234/Village at Kinnamon* supports and is consistent with these as follows:

- a. 4 Themes: Directly supports 3 of the 4.
- b. 7 Goals: Directly supports 4 (1 thru 4) and indirectly supports goals 6 and 7.
- c. 65 Objectives: Directly supports 21 objectives and indirectly supports 13. Supported objectives = 34 Total: 1, 2, 3, 5, 6, 7, 14, 15, 18, 19, 20, 21, 23, 24, 25, 26\*, 27\*, 33, 34, 35, 36, 37, 38, 39, 42, 43, 47, 54, 55, 58, 62, 63, 64, 65.

\*= Objectives explicitly related to the US-158 Corridor strategic planning area. See pages 49-51 *Comprehensive Plan/Community Compass*.

- d. Project is not inconsistent with any objectives.

3. *The Village at Kinnamon* is located on US Highway 158, so its impact must be evaluated using that corridor/planning area's specific themes, goals and objectives as well as Clemmons' overall themes, goals and objectives. The bottom line of this assessment is that the project supports and complies.

4. US-158 Corridor current status:

"Current properties along this corridor are zoned a mix of uses: single-family residential, institutional and office, commercial, multi-family residential, and industrial use: Properties along this corridor are zoned a mix of uses: single-family residential, institutional and office, commercial, multi-family residential, and industrial.

This corridor includes a mix of established uses: the Tanglewood Commons shopping center and other retail centers, a nursing home, places of worship, single and multi-family residential, warehouses, an elementary school, a public library, a fire station, and a post office." P.49

5. Future Land Use Intent for US-158 Corridor:

"Redevelopment will occur along the corridor. New development should revitalize the area and make it a pedestrian-friendly civic, office, and small-scale retail corridor.

Design recommendations included in the Village Transportation Plan should guide redevelopment to provide additional pedestrian and bicycle amenities and designated road improvements.

The gateway at I-40, Harper Road, and Lasater Road is receiving pressure for commercial development. The area *west of Harper Road and north of Lasater*

is currently zoned as a highway business district which, if developed to its maximum potential, could change the character of the area and negatively impact adjacent residential neighborhoods. This area *should be protected from intensive development.*

A proposed gateway to the Village, located at the intersection of US-158 and Elm is in need of improvements. Ideas for improvements include intersection improvements, landscaping, public open space, signage and public art.

Traditional architectural designs and materials are encouraged in this corridor. Complete transportation study of busy intersections at Harper, Hampton, Stadium and Elsie/Middlebrook to improve safety and reduce congestion." P.49

6. Variance with Comprehensive Plan/Community Compass and UDO.
  - a. UDO. There are no variances with the current Village of Clemmons UDO.
  - b. Comprehensive Plan/Community Compass. Village of Clemmons staff report notes two inconsistencies with the Comprehensive Plan/Community Compass.
    1. that the The Village at Kinnamon is Village-Scale Office and Retail land use.
    2. That the project is more than two stories high.

Regarding Village-Scale Office and Retail land use, the project directly supports stated goals and objectives of supporting current and planned office and retail projects in the land use area. Also note the traffic reducing impact of locating multi-family housing near/adjacent to retail and business ventures directly supports the Plan's stated goals of reducing traffic congestion.

Regarding the variance of being more than two stories tall. Note the plan's intent for limiting building height to two stories is to preserve and promote a "green corridor" and village scale office and retail. Staff's correct observation that the proposed site is "tucked away" and the fact the main buildings are on a lower elevation than US 158 and surrounding terrain, keeps the project from towering. Also note the tallest building is well below the maximum height of 45 feet permitted in the current UDO. (See page 33 of the Comprehensive Plan/Community Compass)

7. Sources and Citations. The following is a condensed outlay of the most relevant sources and citations that establish the measuring standards used to assess *The Village at Kinnamon's* compliance and consistency with The Village of Clemmons' UDO and Comprehensive Plan/Community Compass.

## Summary Analysis/Assessment Site Proposal 109-1029

-Comply With UDO?	<b>Yes</b>
-Consistent With Comprehensive plan?	<b>Yes</b>
-Positive or Negative Economic Impact?	<b>Positive</b>
	-Business Impact: <b>Positive</b>
	-Neighboring Property Impact: <b>Positive</b>
-Traffic Impact?	<b>Zero</b> (Case can be made it's positive if assumes RS-15 Development as alternative)
-Environmental Impact?	<b>Positive</b>
-Demographic Impact?	<b>Positive</b>

Are there any ordinance or Complan disqualifiers? No.  
Fire Safety = Complies

Does This Project Support Comprehensive Plan Vision and Goals ?

Yes

### VISION

Goals have been developed to guide implementation of the following vision statement, ensuring a focus of our efforts on the opportunities and challenges that we have identified and the qualities of the Village that we value and seek to reinforce.

#### *Vision Statement*

*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 life for all.*

## Comprehensive Plan Key Themes and Plan Framework

### Key Themes & Plan Framework

The Plan's Key Themes organize the feedback provided from our citizens during the course of Plan development. The themes summarize the input used to prepare the Plan Framework – the key elements of the Plan (vision, goals, objectives, and implementation actions).

The Plan Framework starts out by setting an overarching *vision for the community*. This vision is further developed by setting goals to achieve by 2040, objectives for reaching those goals, and specific implementation actions to achieve objectives.

### KEY THEMES

↓  
VISION

↓  
GOALS

↓  
OBJECTIVES

↓  
IMPLEMENTATION  
ACTIONS

### Theme #1: Transportation and Parks

In keeping with the foundation of the original Clemmons Community Compass Comprehensive Plan, Transportation and Parks continue to be major issues for the community. Clemmons should provide its residents with a variety of recreational opportunities and also make sure that transportation networks meet the needs of all citizens. As a result, this plan update seeks to continue to encourage and innovatively fund the development of a wide variety of recreational opportunities including the development of gathering spaces for the community, greenways, passive parks, etc. Transportation within the Village must also be addressed, specifically as it relates to traffic congestion, safety and connectivity. This plan seeks to provide a mechanism in which the Village can tackle transportation challenges that are being confronted along its strategic corridors. The community needs to come together to tackle current and anticipated problems related to transportation and recreation in the Village.

## Theme #2: Future Land Use

Clemmons Community Compass (2000, 2010) started a process in which Clemmons' sought to tackle a myriad of issues associated with the auto-dependent, single use, sprawling development patterns found throughout the Village. The community aspires to continue to utilize the framework developed under the original Community Compass Plan and create a new mold for development and redevelopment – one that activates the interconnectedness of the community by providing mixed-uses in key locations that service proximate neighborhoods and employment areas. The transportation network should be expanded to provide true multi-modal options throughout the Village. New development and redevelopment should be sustainable. It should efficiently use existing land, revitalize areas in need of reinvestment, employ green design techniques, and have a positive fiscal impact on our Village. Large employment centers, office or business park development in and around the Village should consider community impacts during planning stages.

## Theme #3: Quality of Life

Improving the health and well-being of our residents and future citizens is a critical community goal over the next 20 years. Likewise, the Village would like to maintain healthy ecosystems for the plant and wildlife species that have habitat in the Village. Providing more opportunities for community members to recreate and enjoy nature within the Village can achieve both of these objectives. Providing amenities that result in new opportunities for physical activity are necessary for improving the quality of life in Clemmons. This plan suggests new opportunities, such as parks and recreation, safe pedestrian and bicycle routes that link points of interest with neighborhoods, greenways and trails, as well as improved environmental resources such as air quality and maintaining a clean water source. Citizens want cultural and educational events and programming in a community center with continual, community inspired events throughout the year. The provision of these amenities must be balanced with the need to maintain a healthy fiscal profile.

## Theme # 4: Economic and Community Development

To support the advancement of Clemmons, a vibrant local economy is needed. Diverse employment opportunities should be expanded in the Village. New jobs will not only result in new employment opportunities for residents, but also new tax revenues that in turn create opportunities for enhanced community facilities and services. Demographics within the community are changing and there is need for new types of housing to support the aging population. The Village is also interested in being home to young professionals and families locating in the region. A mix of housing types is necessary to provide for the varying lifestyles and incomes of future generations living in Clemmons. The goal is to have economic and community development that creates a vibrant Village economy, and desirable residential neighborhoods with a variety of housing options.

### VOC Comprehensive Plan Goals 1 thru 4 ( of 7)

#### Goal 1: Managed Growth and Balanced Land Use

Our Village will develop using a more compact land use pattern that links the community through strategically located, village-scale mixed-use centers. Infill and redevelopment sites will be revitalized to provide a mix of uses that more efficiently serve the community and are the highest priority for future development. Land development will be balanced and include commercial, employment and residential uses to ensure the fiscal health of the Village. New development will not outpace infrastructure capacity and will efficiently use our existing services before requiring expansion. A continuum of development forms will be found in Clemmons – from rural, to suburban, to village core. Rural areas will be protected through open space-cluster development patterns and rural preservation.



#### Goal 2: Revitalized Commercial Corridors

Mature commercial corridors, Lewisville-Clemmons Road and US-158, will be redeveloped and revitalized. These redesigned corridors will reflect our Village character and create a lasting experience and sense of place for visitors and residents. Development will be designed to accommodate vehicles, bicyclists and pedestrians and will employ human-scale designs that improve and beautify our streetscapes and gateway areas.



#### Goal 3: Multi-Modal Transportation Options

The Village's transportation network will provide true multi-modal opportunities for travelers that link neighborhoods to points of interest and regional destinations. Transportation modes within the Village's network include driving, bicycling, walking, and transit (bus and future mass transit).



#### Goal 4: Wide Range of Housing Opportunities

Housing opportunities for all members of our community will be provided in Clemmons: rental apartments, starter, mid-level, and upscale homes, as well as senior housing. Housing stock in the Village will provide options for various lifestyles and household preferences and particularly provide more opportunities for in-town living and better multi-modal access to mixed-use centers.



VOC Comprehensive Plan Goals 5 thru 7 ( of 7)

**Goal 5: A Vibrant Community Center**

Clemmons and partners will develop a vibrant public gathering place to serve as a focal point of 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 ample parks, open spaces, and greenways. Trees will be preserved and planted to increase tree canopy in the Village. Significant emphasis on preserving stormwater infrastructure function, water quality and quantity will be essential for the protection of our neighborhoods. Landscaping and beautification efforts will improve the visual quality of our community. The Village will be sustainable in its operations and provide energy, water, and waste efficient municipal facilities and services. New commercial, industrial, and residential development will be designed using sustainable best practices. The Village's multi-modal transportation system will reduce the Village's impact on air quality, providing alternatives to single-occupancy automobile trips.



**Goal 7: Diverse Employment Opportunities**

New and innovative businesses will be established in Clemmons. They will expand job opportunities to meet a wide variety of employment needs for residents and broaden the Village's tax base.



Does This Project Support Comprehensive Plan Objectives?

Yes

**PLAN OBJECTIVES**

Throughout the plan, more than 60 objectives that define specific ways that these seven goals should be met are called out in the text and look like this:

Objective Number and Title	Description of objective
Many of these objectives are cross referenced with other related objectives throughout the plan in an effort to integrate related topics and identify objectives that serve multiple purposes. They form the framework for development of the implementation plan actions that are located in Chapter 8: Implementation.	

- This project directly supports 19 of 65 stated objectives.
- It indirectly supports 7. (Indirectly Supports = Incidental Positive Impact).
- This project does not conflict with **any** of the 65 stated objectives.

**Clemmons Community Compass Comprehensive Plan Objectives**

- Obj 1: Monitor Changing Demographics in Clemmons. ✓
- Obj 2: Monitor Jobs-Housing Imbalance in Clemmons ✓
- Obj 3: Focus Commercial Development within Activity Centers ✓
- Obj 4: Ensure Future Industrial Sites Have Adequate Facilities
- Obj 5: Promote Development of Transit Service to Clemmons and Provide Needed Amenities to Support Service ✓
- Obj 6: Protect Critical Environmental Assets ✓
- Obj 7: Use Environmental Assets ✓
- Obj 8: Coordinate Utilities Planning with Forsyth County
- Obj 9: Develop a 'Clemmons Schools' Task Force
- Obj 10: Joint-Use of School Parks and Ballfields
- Obj 11: Expansion of Linear Parks-Trail Plans
- Obj 12: Prohibit Private Sewage Package Plants in Rural Areas
- Obj 13: Identify Infill Opportunities for Parks
- Obj 14: Develop Overlay Zoning District for US-158 Corridor ✓
- Obj 15: Continue to Provide Incentives for Mixed Use Commercial Development ✓

**Clemmons Community Compass Comprehensive Plan Objectives**

- Obj 16: Encourage Sidewalk Development on Lewisville-Clemmons Road
  - Obj 17: Amend the UDO to Encourage Master Plan Developments (partially complete)
  - Obj 18: Adopt Formal Policy Requiring Adequate Infrastructure ✓
  - Obj 19: In Future, Identify Mixed Use Center ✓
  - Obj 20: Amend the UDO to Encourage Master Plan Developments ✓
  - Obj 21: Amend the UDO ✓
  - Obj 22: Research Funding Options for Blanket Bottom Multi-Use Path
  - Obj 23: Work With Forsyth County and FUCC to Create a Joint Guide for Future Development ✓
  - Obj 24: Develop a US-158 Overlay Zoning District ✓
  - Obj 25: Consider Historic Designation for Portions of Corridor ✓
  - Obj 26: Develop Plans for Streetscape Restoration ✓
  - Obj 27: Provide Incentives for Greening of Parking Lots ✓
  - Obj 28: Use Village Point Design Guidelines
  - Obj 29: Develop Formal Policy Requiring Infrastructure Before Employment Development
  - Obj 30: Encourage Very Low Density Development in Short Term, and More Intense Development When Infrastructure in in Place
- } Objectives Listed for  
US-158 Corridor (pp.49-50)

### **Clemmons Community Compass Comprehensive Plan Objectives**

- Obj 31: Advocate for Regional Beltway (I40 Bypass)
- Obj 32: Adopt Idols Road Design Guidelines as Overlay District
- Obj 33: Create a Multi-Modal Transportation System ✓
- Obj 34: Safe Operation of Existing Facilities ✓
- Obj 35: Promote a Bicycle and Pedestrian-Friendly Environment ✓
- Obj 36: Identify Financing Mechanisms for Improvements ✓
- Obj 37: Facilities Should Uphold Community Character ✓
- Obj 38: Build Community Consensus Through Planning ✓
- Obj 39: Improve Environmental Quality Through Transportation Choices ✓
- Obj 40: Develop a Transportation Planning Tool
- Obj 41: Create a Transportation Advisory Committee
- Obj 42: Establish Mechanisms to Account for External Growth ✓
- Obj 43: Maintain and Improve Municipal Services ✓
- Obj 44: Review Existing Historic Properties List and Identify Additional Steps for Preservation
- Obj 45: Work with (Forsyth) County and MPO to seek Park Access Solutions

### **Clemmons Community Compass Comprehensive Plan Objectives**

- Obj 46: Work with Neighboring Jurisdictions to Create Access to the Yadkin River
- Obj 47: Establish a Parks and Recreation Advisory Board ✓
- Obj 48: Provide Incentives to Further Protect Riparian Buffers
- Obj 49: Seek Public Easements for Greenways
- Obj 50: Conduct a Feasibility Study for Muddy Creek and Blanket Bottom Creek Trail
- Obj 51: Enhance Cultural Arts Events and Programming
- Obj 52: Develop an Older Adult Resource Center
- Obj 53: Evaluate Communications Strategy
- Obj 54: Encourage Public Schools to Enhance Programs and Facilities ✓
- Obj 55: Jointly Plan for New Schools ✓
- Obj 56: Incorporate Village Branding Into Future NCDOT Improvements
- Obj 57: Utilize Newly Created Recreation Advisory Board to Guide the Design and Implementation of Planned Gateways
- Obj 58: Implement the Village Transportation Plan ✓
- Obj 59: Work with Concerned Citizens on Community Water Issues
- Obj 60: Develop Framework for Citizens and Community Organizations to Partner with the Village of Clemmons on Water Resource Issues

**Clemmons Community Compass Comprehensive Plan Objectives**

Obj 61: Assist Citizens and Community Organizations in Obtaining External Grant Funding for Local Water-Related Projects

Obj 62: Incentivize LED and Sustainable Lighting ✓

Obj 63: Hold Additional Community Events to Increase Recycling and Reduce Waste Production ✓

Obj 64: Encourage the Expanded Protection of Natural Resources ✓

Obj 65: Protection of Open Space/Rural Areas ✓

(F) RS-15 Residential Single Family District.

**RS-15**

(1) Purpose. .... The RS-15 District is primarily intended to accommodate low to moderate density single family detached dwellings in suburban and urban areas. This district is intended for application in GMAs 2 and 3, and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services are available.

(2) General Dimensional Requirements - RS-15.

Zoning District	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
			Side <sup>1</sup>						
	Area (sq ft)	Width (ft)	Front (ft)	Rear (ft)	One Side (ft)	Combined (ft)	Street (ft)		
RS-15	15,000	65	25	25	7	20	20	—	40

(1) Purpose. .... 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.

**RM-12**

(2) General Dimensional Requirements - RM-12.

Zoning District/ Use	Minimum Zoning Lot		Minimum Setbacks					Maximum Impervious Surface Cover (%)	Maximum Height (ft)
			Side <sup>1</sup>						
	Area (sq ft)	Width (ft) <sup>2</sup>	Front (ft) <sup>3</sup>	Rear (ft)	One Side (ft)	Combined (ft)	Street (ft)		
RM-12	7,000	70	25	25	15	30	20	75	45

- GMA 1 - urban center, high-density area
- GMA 2 - urban neighborhoods older neighborhoods close to urban centers
- GMA 3 - suburban neighborhoods relatively new development where water and sewer facilities are available
- GMA 4 - future growth areas areas where water and sewer will be extended but not currently provided
- GMA 5 - rural areas areas that will remain undeveloped areas including protected watershed areas and riparian buffers

Article III - Other Development Stand...

https://library.stunmoodle.com/vic/clemmons/codes/unified\_development\_code?nodeid=Ch82DOOR\_ARTICLEIII

mc Clemmons, NC

Search or jump to

NOTIFICATIONS SIGN IN HELP Select Language

Clemmons, North Carolina - Unified De... / Chapter B - Zoning Ordinance / Article III - Other Development Stand... SHOW CHANGES MORE

VERSION: FEB 17, 2017 (CURRENT)

UNIFIED DEVELOPMENT ORDINANCES  
VILLAGE OF CLEMMONS NORTH CAROLINA

List of Tables **modified**

SUPPLEMENT HISTORY TABLE **modified**

Chapter A - Definitions Ordinance

Chapter B - Zoning Ordinance

Chapter C - Environmental Ordinance

Chapter D - Subdivision Regulations

Appendix - Exhibits **modified**

CODE COMPARATIVE TABLE - ORDINANCES **modified**

Residential Districts General Dimensional Requirements 1,2,3

RS-9	SARAI	RS	DU	DS	I	DU	DU	—	—
RS-7	7,000	50	15	20	5	15	20	—	45
RSO <sup>3</sup>	—711,000	—60	0/15	0/15	0/10	0/20	0/15	—	40
RM-5 <sup>4</sup>	—711,000	—60	0/15	0/15	0/10	0/20	0/15	—	40
RM-8 <sup>5</sup>	8,000	70	25	25	7	20	20	70	40
RM-12	7,000	70	25	25	15	30	20	75	45
RM-18	5,000	70	25	25	15	30	20	80	60
RM-U	5,000	70	10	10	10	10	10	85	—
RM	10,000	70	30	20	10	25	20	—	40

1. These dimensional requirements are subject to additional provisions in Section B.3-1.2; Section B.2-5;

« Prev |> Next |>>

**Plan-Consistency Statements**

David W. Owens

*In Plney Mountain Neighborhood Ass'n v. Town of Chapel Hill,<sup>12</sup> the court of appeals in 1983 explicitly held that a jurisdiction's plan is advisory only and does not control zoning decisions: We agree with the superior court's finding that "the Comprehensive Land Use Plan does not set forth mandatory zoning requirements, but consists of general goals, standards and guidelines for the implementation of policy." The Plan is, by its express terms, merely advisory. . . . A comprehensive plan "is a policy statement to be implemented by zoning regulations, and it is the latter that have the force of law." It "is generally deemed to be advisory, rather than controlling, and it may be changed at any time."<sup>13</sup>*

The concept that a zoning amendment effectively amends the plan was incorporated into the statutes some thirty-five years later. See S.L. 2017-10, discussed below.

12. 63 N.C. App. 244, 304 S.E.2d 251 (1983).

13. *Id.* at 250-51, 304 S.E.2d at 255 (citations omitted).

## How Do Apartments Impact Neighboring Property? Large majority = Positive Impact re Property Value, Quality of Life, Traffic Generation, Schools.

See: Overcoming Opposition to Multifamily Rental Housing Mark Obrinsky and Debra Stein March 2007 RR07-14

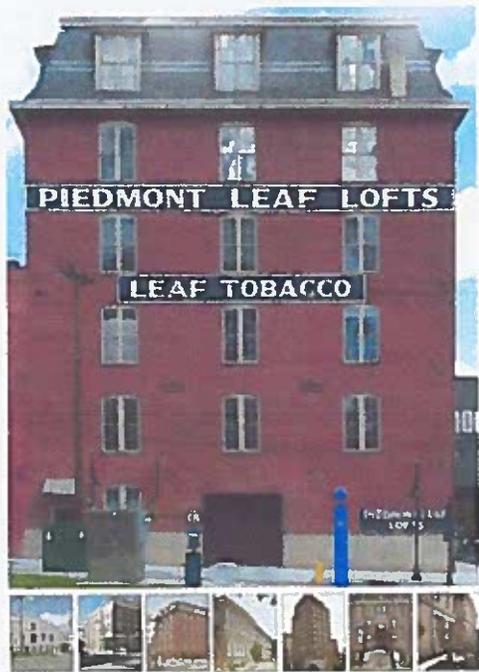
See: Examining the Impact of Mixed Use/Mixed Income Housing Developments in the Richmond Region

## How Do Apartments Compare to Housing in Traffic Generation? Half

See: By Max Moreland, PE

at <http://www.mikeontraffic.com/trip-generation-review-multifamily-housing-land-use/>

# Awards



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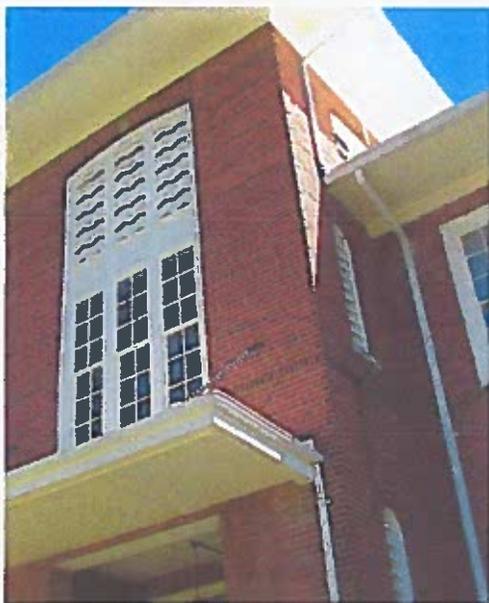
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# Services



Layered financing, joint ventures, tax credits and risk-taking are the hallmarks of The Landmark Group.

## WHAT DOES THE LANDMARK GROUP DO?

### *Advisory*

- The Landmark Group helps guide communities down the path of smart growth, one project at a time. Working with public and private interests, The Landmark Group develops plans, most often with layered financing, for the construction, management and operational success of housing, commercial and mixed-use projects designed to suit the local character while meeting local needs.
- Frequently these projects ignite community plans to revive dormant downtowns or rundown neighborhoods; they range from the adaptive reuse of vacant "white elephant" structures to new, in-fill construction.
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### *Development*

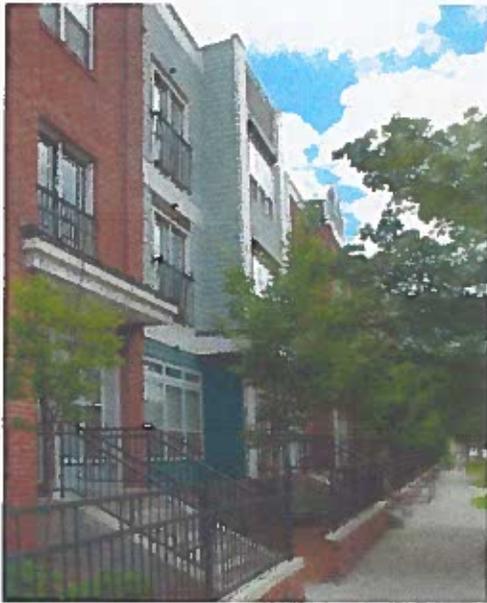
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### *Property Management*

- Landmark Property Management Co. was formed in 2001, and its portfolio includes more than 3,500 units among 74 projects in eight states.
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# About Us

History Mission Principals



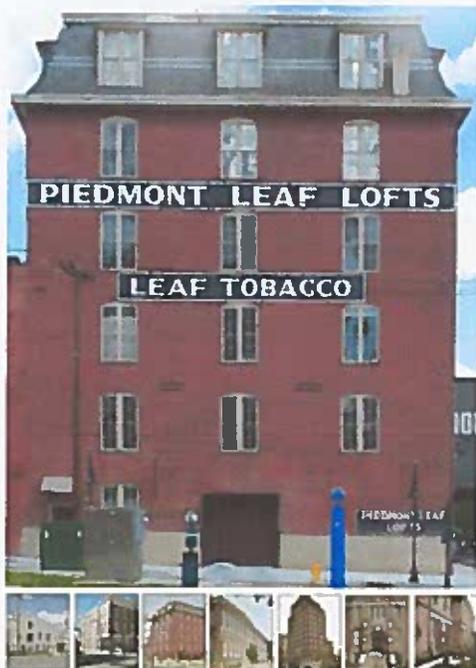
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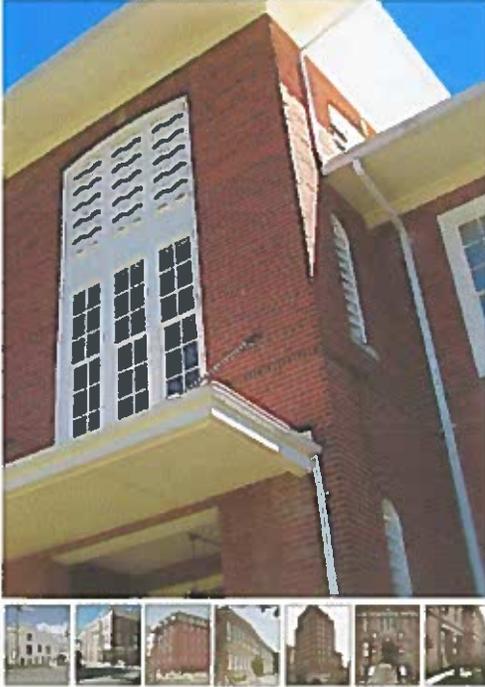
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# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

To: Nasser Rahimzadeh  
Planning Director  
Clemmons, NC 27012

Re: Village Council Rezoning Case C-234

As petitioner for the rezoning case C-234 I would like to thank you and the entire Village staff for your efforts to provide the Clemmons Community with a functioning Government during these difficult times.

You should have received a copy of my Community Meetings Report and our Planning Board petition for Rezoning, if not I have attached copies.

I would like to comment on the issues that were discussed at Planning Board and have also attached a copy of the Stadium Ridge HOA letter with red lettered responses to their concerns.

## **Planning Board Concerns:**

### **1. Sidewalks**

There are sidewalks along NC 158 in front of the remaining Pereira property and the shopping center property. The gaps will get filled either when the remaining properties redevelop or when NC 158 is improved.

There are no sidewalks on our side of Stadium Drive except in front of Stadium Ridge but surprisingly none within The Stadium Ridge community.

There are sidewalks on both sides of Kinnamon Village Drive, both of which we are connecting to. Several planning Board members asked about walking to school. Extremely few people allow their elementary school children walk to school today for very good obvious reason. Busing is available.

### **2. Landscaping and tree save.**

Clemmons has very thorough buffer and tree planting requirements that we have met and our tree save area is much greater that required. The location and topography of the dense tree save area will limit visibility of the apartments along the NC 158 corridor.

### **3. Fencing and walk thru traffic**

We placed fencing along the property lines shared with Stadium Ridge and are adding fencing along Gary Lee and Chick-fil-A's property in response to Planning Board Members concerns about foot traffic. This has never been a problem with any of Landmarks properties or any other in Clemmons that I am aware of.

We will have cameras and onsite management staff to address any problems that arise. The onsite amenities will provide opportunities for the residents to enjoy onsite.

### **4. Traffic generation**

The residents of this property will come from people already working here. Clemmons has the highest nonresident work force (greater than 95%) we have ever seen. Our Village depends on people who have to drive into Clemmons to work and our residents drive out of Clemmons to work. Having housing in Clemmons should reduce some of this morning and evening traffic. Apartment generate ½ the daily trips of single family residents.

Some cities are looking at removing Single family zoning due to these issues. We can't do anything about the school, Church, and new Library traffic, it is here to stay and as the older homes along Stadium continue to convert to business it will only increase.

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

## 5. **Develop as single family residential, medical or office.**

Brad Hunter said it well, "the land and infrastructure cost prohibit single family residential". If you built Clemmons spec streets and meet storm water requirements lots would literally be in the high hundreds of thousands of dollars and homes would have to be in the millions. Single family land must be under \$40k per acre, attached like Stadium Ridge, under \$50K, apartments start at \$90K, and commercial even greater. Clemmons medical is all regional based depending on outside residents to function. Clemmons being a mostly retail based environment we don't have a lot of office space needs. We desperately need housing for the large workforce that drives in every day.

## 6. **Ignoring the Compass Plan.**

I think this issue is well addressed in Mike Combest opinion of the site. These plans are advisory and we have elected and nonelected Boards to work with options as they present themselves. I looked back at the 2003 Village Point Plan and noticed that none of the expectations or suggestions came to pass. Other opportunities, like the school, apartments and medical presented themselves and past Boards wisely changed the plan resulting in our present day community. Single family residential was totally priced out. This project is extremely well placed and will be a catalyst to stability and completion of the shopping center, appropriate redevelopment of the NC 158 corridor, and the vacant properties on Stadium.

### **Other Comments:**

I have attached a site map showing how the surrounding property is currently developed showing just how well this project fits within the current surrounding properties.

**Green:** Occupied and unoccupied investment rentals that will redevelop in the near future.

**Blue:** Currently commercial, retail, office, multi-family, institutional and industrial.

**Red:** Single family owner occupied and some rental (only one adjoins property)

**Orange:** High density single story multi-family with no common elements.

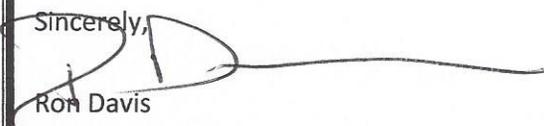
Also attached is the Stadium Ridge HOA "Concerns" and "Question" which I have made red worded responses to.

**We would like to request that The Village Council call a special meeting prior to 5-15 for the purpose of meeting the new internet meeting requirements of written comment and have a final vote on the project. This is how other communities are addressing the rules change.**

With all this said I would like to request your vote of approval for Case C-234 The Village at Kinnamon.

Please forward this letter and attachments to the Council Members and Mayor Wait.

Sincerely,

  
Ron Davis

Allegro Investment Properties, LLC

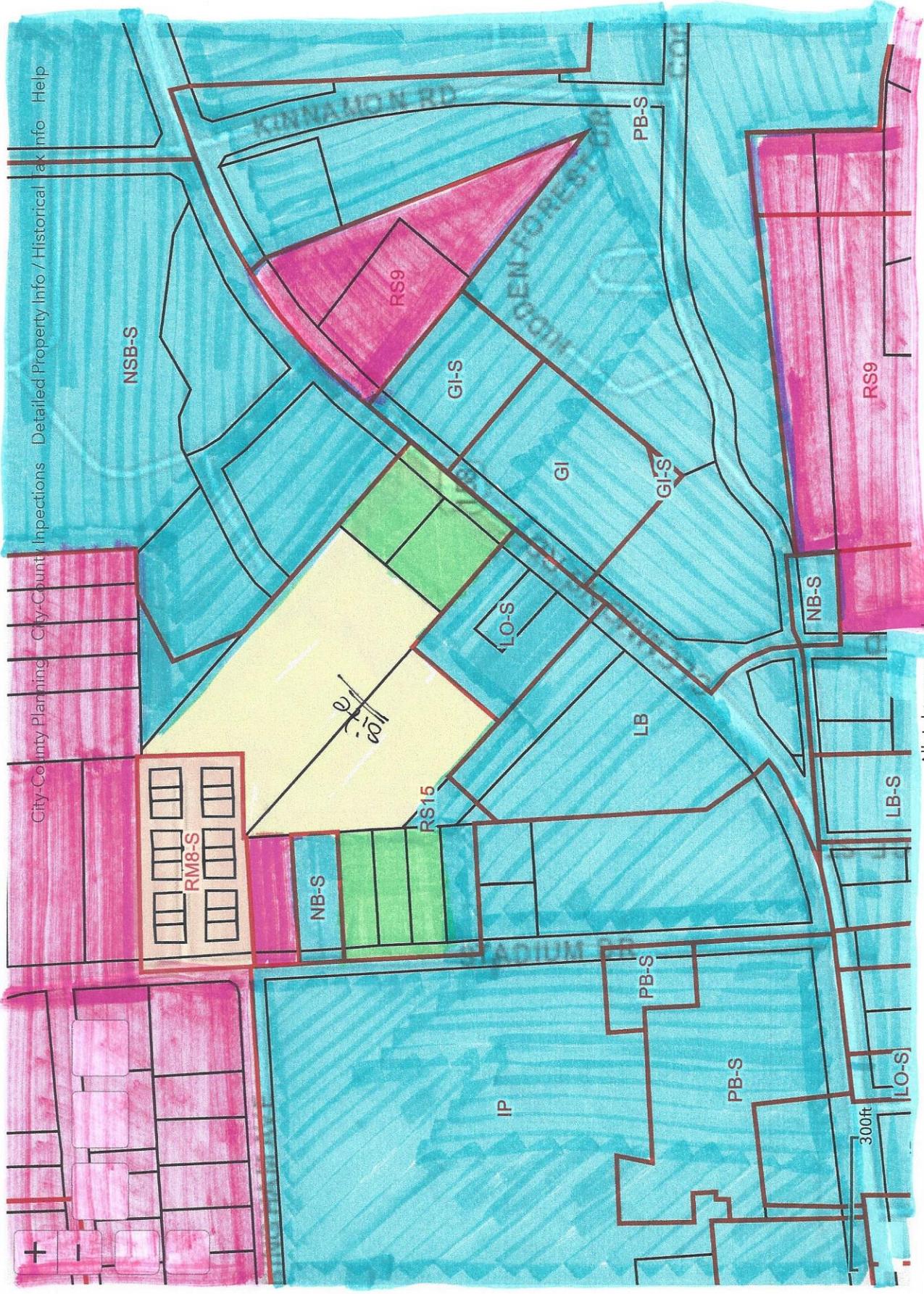
6820

Attachment

commercial, retail, industrial  
multi-family and institutional

# Planning and Development Viewer

Forsyth County, NC



City-County Planning City-County Inspections Detailed Property Info / Historical Info Help

All rights reserved

The Village of Kinnamon Apts

Single family mostly owner occupied.

Occupied and unoccupied rental for redevelopment

Multi-family high density 5/8/2020, 11:30 AM

## STADIUM RIDGE HOA

*This will be read at the Clemmons Council Planning Meeting once it has been rescheduled.*

### CONCERNS:

The peacefulness and quiet of our private street could be jeopardized. If our private street (that we pay HOA fees to maintain) is used as a pass through for pedestrians to Stadium Drive there could be a liability to the association for property damage or if someone is injured. Also a concern, additional pedestrian traffic could create noise, litter and congestion on our very narrow street. Our neighborhood safety could be compromised with so many residents living in a small area with only one entrance and exit. The height of the buildings could block our view and possibly cause lights to shine on our properties and in windows. The closeness of the new apartment buildings could affect our property values. **I met with 2 board members early in the process and agreed to add a non-required 6 foot fence along the joint property line, which is in addition the their mature buffer and the new buffer we will be required to add. We agreed to extend that fence along the joint property line with Gary Lee at Planning Board. There should be no one trespassing on their property, littering or causing safety issues. We will have cameras on the buildings to monitor any unusual activity. The mature evergreen buffer they have now blocks most of their view of our property. The new investment in our property will exceed the values of theirs and greatly exceeds the value of the adjacent Stadium Drive properties. Property values as a whole will improve. We will breathe life into the adjacent shopping center and trigger the desired redevelopment along the NC158 much like the Apartments and school at Village Point triggered investment and growth around it.**

If apartments are built, there should be an 8-10 ft. privacy fence/wall installed with landscaping on the side of the current residents. The fence should extend behind the houses on Stadium Drive, not just behind Stadium Ridge. **We have agreed to extend the fence behind the adjoining Stadium Drive properties.**

### QUESTIONS:

1. Where do people live that Signed the petition for building the complex (if one exists)? **They either live in Clemmons or own businesses here. They are all prominent well known individuals that have extensive histories of commitment to Clemmons' success and well-being. Plus a former Mayor, Planning Board Member and Council Member. I had to stop acquiring signatures due to the virus.**
2. Why not 2 story instead of 3 story? (eyesore to surrounding properties) **Economics, land and development cost force 3 floors. We are still under the maximum height allowance. Due to the topography the buildings will be nestled down in the property much lower than any of the surrounding properties. The much larger than required tree save area will greatly shield the buildings from view from NC 158. Keep in mind that there are 2 undeveloped out parcels in the shopping center on one side of the apartments.**
3. Who will be managing the apartments and for how long are they committed? **Award winning developer Landmark will own and operate the property indefinitely.**
4. What recourse do we have if tenants/kids trespass on Stadium Ridge property or other private property? **The same as you have now, except in our case you can contact the onsite manager, who will have camera recordings to assist if there is a problem.**

5. How will elementary students get to school? (Walk or Bus - limited sidewalks) **More than likely the bus. Walking to school is not common or advised today for obvious reasons.**
6. What will be done about traffic around Clemmons Elementary School especially in the afternoon between 1:45 until school is dismissed? Traffic is backed up on Stadium Drive to Ridge Crest and beyond. Also there is heavy traffic before school. Cars are parked in the street and drivers refuse to move over. Traffic is one way during this time and very dangerous for students walking to and from school. Residents are already frustrated trying to navigate this area during the school hours. **A question for another meeting.**
7. We can expect more traffic once the new library is open. Stadium Ridge is already a heavy traffic area with drivers traveling to and from Lewisville-Clemmons Road and Stratford Road.

8. There are already many apartment buildings in this area, why not rezone for business or medical offices?  
**95.5% of the people working in Clemmons do not live in Clemmons. Similarly people who live in Clemmons do not work in Clemmons. This is probably the most undiscussed reason for the extreme traffic situation in the mornings and evenings. The Sheriff's Deputies, most Firemen, medical workers, teachers, retailers.... do not live in Clemmons. Apartments generate ½ the traffic trips of single family homes. You normally have 1 apartment for every 3 jobs in a balanced community. Clemmons is off the charts in being out of balance for its retail versus residential densities thus our much debated traffic situation.**

**We have over built the medical with the 2 major players fighting it out for customers. I have a child with disabilities and we have many times been the only overnight patient at the Novant hospital on Harper. Both groups are now redirecting specialty services here that bring the vast majority of their patients here for day services and close at night.**

**The people that live in these apartments will come from people that already work here. They will do a lot of their shopping at Food Lion or locally, not driving in and leaving creating additional traffic.**

**From:** [emresourcesnc@aol.com](mailto:emresourcesnc@aol.com)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** 24 Hour Comment - Rezoning Case C-234  
**Date:** Tuesday, May 12, 2020 7:08:36 PM  
**Attachments:** [Comments Summary Rezoning C-234.pdf](#)

---

Dear Mr. Nasser,

These comments are being submitted as allowed during the 24 hours following the close of the Public Hearing for Rezoning Case C-234.

I am submitting these comments as a long term (23 years) resident of Clemmons.

I have reviewed the written records and viewed both the Planning Board and Village Council Public Hearing for Rezoning Case C-234. The project has been determined to meet ALL requirements of the UDO. Of the components of the Village of Clemmons Comprehensive Plan/ Community Compass (Community Compass) applicable to this project, there were only two (2) points with which the project was stated by Staff not to comply: a 2 two-story height limit for buildings and the aesthetic enhancement of 158 to maintain and improve on a historic design. The height of the buildings in the proposed project complies with the UDO. The buildings are set at an elevation lower than the streetscape of 158 and are not contiguous with 158. After review and consideration, the Planning Board recommended APPROVAL of the project. The Planning Director additionally provided explanatory document to the Council stating his recommendation for approval for the plan based on compliance with overall Community Compass goals as well as all UDO requirements.

I have summarized the comments presented during the Planning Board and Village Council Public Hearings in the attached tables. I have organized comments into those that that pertain to the UDO, the Community Compass Plan and Other subjects in order to consolidate the large amount of information into a more concise body of information.

The community opposition is primarily based on factors that are outside the scope of the UDO and Community Compass, such as unrequired fencing, lack of sidewalks to school, and no sidewalks on property that is not a part of nor contiguous to the project. It is interesting to note that Clemmons Elementary School was not included in the priority evaluation for Sidewalk Projects listed in the March 12, 2020 Retreat Minutes, yet Council would consider imposing such a sidewalk condition for this project. The community opposition also reflects presumed socioeconomic characteristics of the occupants of the proposed project, such as the rate the apartment will be charging for rent and crimes, drugs and violence at the apartment complex.

I respect that community members have the right to express their personal views during a public hearing. Council members, however, have a responsibility to make a decision based on applicable laws, regulations and standards.

The records submitted document compliance with both the Clemmons UDO and Community Compass. The Planning Board has recommended approval. I urge you to vote to approve Rezoning Case C-234.

Brenda J. Smith, MS PG LEED AP CAIH(ret)

ENVIRONMENTAL MANAGEMENT RESOURCES, LLC

353 Jonestown Road # 198

Winston-Salem, NC 27104

Please be aware that e-mail and attachments sent to and from this address are subject to the North Carolina Public Records Law and may be disclosed to third parties.

Village of Clemmons Rezoning Case C-234 The Village at Kinnamon

Public Hearing Comments Summary

**Planning Board**

<b>UDO</b>	<b>Compass</b>	<b>Other - not UDO or Compass</b>
topography - access		extend fencing
connectivity to Clemmons Rd. storm water ponds	clarify between UDO and Forsyth Co. Legacy	make a way to walk to elementary school by 158
access roads, storm water ponds	economic sense and vitality aspect of projects consideration	sidewalks across other people's property
site elevations and topography	right on the edge of single family , need to think through density	onsite Manager
topography, fire safety, storm water	why design 3 story when Compass Plan says 2 story required	walking to Stadium drive by sidewalk on 158
UDO compliance , traffic	housing needs, community needs, walkability	children cutting through - can there be a sidewalk over to the church
adding cars/ traffic impact	walking to shopping	
traffic - Ridgecrest Road/Cinnamon Road	catalyst for community improvement/vitality	
landscaping		
contiguous to 158?		
buffers		

**Opponents**

<b>UDO</b>	<b>Compass</b>	<b>Other - not UDO or Compass</b>
building height	3 story building - already a lot of apartments	who will be managing the apartments
noise		how will students travel to school
traffic		tenants and children will trespass
		foot traffic
		how long will they be maintained
		negative impact on property value
		how will they get to school if there are no sidewalks
		where are these people going to work.
		from what I have been told at the rate the apartment will be charging for rent it can't possibly bring in enough cash flow to maintain the facility and they will deteriorate
		safety will be compromised due to crimes, drugs, violence at this apartment complex

**Village Council**

<b>UDO</b>	<b>Compass</b>	<b>Other - not UDO or Compass</b>
TIA trips generated compared to single family	any research regarding projects sparking redevelopment in surrounding area?	walking to Stadium drive by sidewalk on 158
trees and tree save area		school system impact - they are overcrowded
		provide connectivity for employees to walk to work because there is not a bus line.
		ask what kind of cameras - security cameras

**Opponents**

<b>UDO</b>	<b>Compass</b>	<b>Other - not UDO or Compass</b>
building height	3 story building - already a lot of apartments	who will be managing the apartments
noise	scale of the apartments	how will students travel to school
traffic		tenants and children will trespass
dumpster location		foot traffic
		how long will they be maintained
		negative impact on property value
		how will they get to school if there are no sidewalks
		where are these people going to work.
		from what I have been told at the rate the apartment will be charging for rent it can't possibly bring in enough cash flow to maintain the facility and they will deteriorate
		safety will be compromised due to crimes, drugs, violence at this apartment complex
		eyesore

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

Re: Village Council Rezoning Case C-234

Attached find my talking notes from the Council meeting last night for you review.

I would also like to address several of the issues discussed at last night's meeting.

**1. Security Cameras**

We use security cameras for the safety of our residents. This is common today; we are all on camera at some point during our day.

**2. Sidewalks and Buses**

I have attached pictures of the road shoulders from in front of the Church and along Stadium. There is no shoulder on which to place a sidewalk at this time and I don't think we should ask the Church to remove some of their parking to accommodate them. Our residents will not need "bus service" or have to walk to get to work, they will have vehicles just like us.

**3. Fencing**

We are adding fences for several reasons such as our resident's safety and shielding from some of the unsightly conditions we are backing up to. We will also need fencing between us and the town homes since they have removed large sections of their required buffers, pictures attached.

**4. School Capacity**

This is a Forsyth County matter and not really relevant. If this is now a concern Clemmons will need to stop all development until the matter is resolved. Several projects have just been approved and several are pending with no discussion of school capacity or these other people oriented matters.

**5. Redevelopment**

I attached several pictures of the properties around the site showing their condition and commercial real estate signage in the front of them. This community will spark much needed redevelopment in this part of our Village.

**We would like to request that The Village Council hold a vote at their meeting already scheduled for next Monday as was offered as an option by the Village Manager.**

With all this said I would like to request your vote of approval for Case C-234 The Village at Kinnamon.

Sincerely,



Ron Davis

Allegro Investment Properties, LLC

5-12-2020

From: arpllc@aol.com,  
 To: arpllc@aol.com,  
 Date: Tue, May 12, 2020 2:18 pm  
 Attachments: 20200512\_125024.jpg (7021K), 20200512\_124858.jpg (6569K), 20200512\_124622.jpg (3119K), 20200512\_124554.jpg (3044K), 20200512\_124502.jpg (3612K), 20200512\_124313.jpg (2258K)

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Sent from my Sprint Samsung Galaxy S10e.

6 Attached Images



← Church Gate →



Church Frontage



Properties along NC 158

commercial Baker

From: arpllc@aol.com,  
 To: arpllc@aol.com,  
 Date: Tue, May 12, 2020 3:40 pm  
 Attachments: 20200512\_124718.jpg (3435K), 20200512\_123102.jpg (5599K), 20200512\_122855.jpg (5864K), 20200512\_122845.jpg (5405K), 20200512\_122448.jpg (5955K)

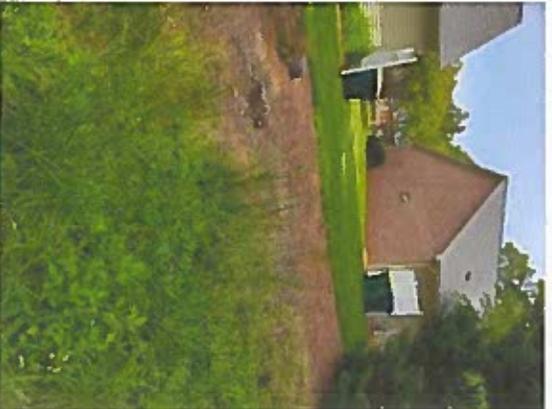
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Sent from my Sprint Samsung Galaxy S10e.

5 Attached Images

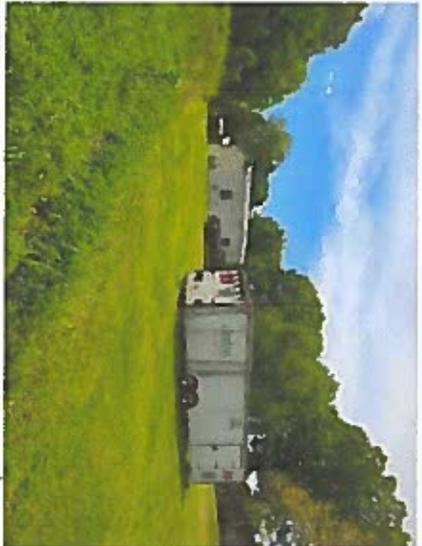


Church fringe



— cut-down buffers





Adjacent Properties

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

*Talking Notes*

Re: Village Council Rezoning Case C-234

I would like to thank you and the entire Village staff for your efforts to provide the Clemmons Community with a functioning Government during these difficult times.

You should have received a copy of

1. My Community Meetings Report with a petition for support, which was cut short by the Virus concerns.
2. Our Planning Board letter with an analysis of how the project meets all udo matters and is consistent with the major themes of Community Compass by Mike Combest and information on the owner/operators Landmark Developers.
3. My documents to you addressing the issues that were discussed at the Planning Board Meeting, a site plan showing surrounding development and my answers to Stadium Ridge HOA concerns.

Hopefully you have had a chance to read through these so I will just hit on the majors concerns of the project. Or please read through them during the new 24 waiting period prior to the vote.

1. **Appropriate location.** If you look at the colored site map in my package you will see that we are practically surrounded by Institutional, retail, and industrial in Blue. The green properties and some of the blue are looking to further fill the goals of Community Compass as commercial redevelopment and will further screen/buffer our property from view.. The orange is an older high density single story multifamily with no storm water, no sidewalks, no common areas and no means of turning even around in it. There is only 1 owner occupied single family home adjacent to the site. The only single family site across the street is for sale with a commercial realtor.

This 11 Million dollar plus project will revitalize and trigger redevelopment of this much overlooked part of our Village. The shopping center next door has been a grave yard of dreams for close to a dozen small business owners and the Village has had to demolish several vacant homes in front of our site. Most of the other adjoining properties along NC 158 and on Stadium are either underutilized or vacant awaiting something to trigger redevelopment.

The shopping center owner has expressed tremendous support for us and looks forward to us generating the possibility of new tenants.

Our project fits the text book example of how to develop property with Retail, Institutional and office transitioning to multi story multi-family to single story multi-family and then to single family.

2. **Compliance with UDO and Compass.** If you read thru Mike Combest detailed analysis of our project you will see that we meet or exceed the UDO and meets or exceeds the objectives of Community Compass. The 3 story non'towering' recommendation is accomplish by the low elevation of the site plus the buildings do not exceed the 45 foot height recommendation. The buildings will not "tower" over surrounding properties.
3. **Traffic.** Apartments generate ½ the traffic of single family homes. Our residents will come from people already working here. 95.5 % of our Clemmons' jobs are staffed by outside residents and a similar number of Clemmons residents work outside Clemmons. This is one of the most undiscussed reasons for the extreme morning and evening to and from work traffic overlap. Our residents will work here, shop next door and play in the onsite

# THE VILLAGE AT KINNAMON

*Make yourself a home here...*

facilities you see on the site plan. Some communities like Charlotte, are looking at banning future single family development for these reasons. This will help the values of current single family.

**We would like to request that The Village Council call a special meeting prior to 5-15 for the purpose of meeting the new internet meeting requirements of written comment and have a final vote on the project. This is how other communities are addressing the rules change.**

With all this said I would like to request your vote of approval for Case C-234 The Village at Kinnamon.

Sincerely,

  
Ron Davis

Allegro Investment Properties, LLC

5-11-2020

## **STADIUM RIDGE HOA**

***This will be read at the Clemmons Council Planning Meeting once it has been rescheduled.***

### **CONCERNS:**

The peacefulness and quiet of our private street could be jeopardized. If our private street (that we pay HOA fees to maintain) is used as a pass through for pedestrians to Stadium Drive there could be a liability to the association for property damage or if someone is injured. Also a concern, additional pedestrian traffic could create noise, litter and congestion on our very narrow street. Our neighborhood safety could be compromised with so many residents living in a small area with only one entrance and exit. The height of the buildings could block our view and possibly cause lights to shine on our properties and in windows. The closeness of the new apartment buildings could affect our property values.

If apartments are built, there should be an 8-10 ft privacy fence/wall installed with landscaping on the side of the current residents. The fence should extend behind the houses on Stadium Drive, not just behind Stadium Ridge.

### **QUESTIONS:**

1. Where do people live that signed the petition for building the complex (if one exists)?
2. Why not 2 story instead of 3 story? (eyesore to surrounding properties)
3. Who will be managing the apartments and for how long are they committed?
4. What recourse do we have if tenants/kids trespass on Stadium Ridge property or other private property?
5. How will elementary students get to school? (Walk or Bus - limited sidewalks)
6. What will be done about traffic around Clemmons Elementary School especially in the afternoon between 1:45 until school is dismissed? Traffic is backed up on Stadium Drive to Ridge Crest and beyond. Also there is heavy traffic before school. Cars are parked in the street and drivers refuse to move over. Traffic is one way during this time and very dangerous for students walking to and from school. Residents are already frustrated trying to navigate this area during the school hours.
7. We can expect more traffic once the new library is open. Stadium Ridge is already a heavy traffic area with drivers traveling to and from Lewisville-Clemmons Road and Stratford Road.
8. There are already many apartment buildings in this area, why not rezone for business or medical offices?

March 16, 2020

Dear Stadium Drive Neighbors,

There will be a Clemmons Planning Board Meeting (TBD) to discuss the new proposed apartment buildings (The Village at Kinnamon) to be built in Kinnamon Village near the Food Lion shopping center. This multi-family housing site will be built on the property that adjoins the Stadium Ridge HOA property and other property owners on Stadium Drive.

As residents of Stadium Ridge Court we have concerns regarding the building of this huge complex so close to our homes. We feel that everyone affected should have the right to voice their concerns and/or attend the planning meeting. Anyone can speak about the proposal during the meeting but will have to sign in upon arrival to be added to the agenda. It would be helpful to have as many residents as possible attend the meeting. The meeting will be held at the Clemmons Village Hall, 3715 Clemmons Road.

This is what we know so far:

- Three 3-story buildings for 1, 2 & 3 bedroom units (mostly 2 & 3 bedroom)
- Total = 78 Units
- Will include a common building, play area and picnic area
- Two detention ponds
- 140 parking spaces
- Only one entrance and exit (Kinnamon Village Drive)

The Stadium Ridge board members and some of the other residences will be attending the meeting but will have only one spokesperson. The spokesperson will have three minutes to speak in front of the council.

These are our concerns:

The peacefulness and quiet of our private street could be jeopardized. If our private street (that we pay HOA fees to maintain) is used as a pass through for pedestrians to Stadium Drive there could be a liability to the association for property damage or if someone is injured. Also a concern, additional pedestrian traffic could create noise, litter and congestion on our private street. Our neighborhood safety could be compromised with so many residents living in a small area with only one entrance and exit. The height of the buildings could block our view and possibly have lights shining on our properties and in our windows. The closeness of the new apartment buildings could affect our property values.

If you have any questions or would like to add your comments/concerns please feel free to call me at 336.575.3599. We also have a petition AGAINST the building of these apartments if you would like to sign it.

Sincerely,  
Nancy H. Lang  
HOA President  
Stadium Ridge Court

Residents AGAINST the building of The Village at Kinnamon Apartments

	NAME	SIGNATURE	ADDRESS
1	Nancy H. Lang	Nancy H. Lang	6172 Stadium Ridge Court
2	Cherry C. Horn	Cherry C. Horn	6166 Stadium Ridge Court
3	Sarah Jettor	Sarah Jettor	6171 Stadium Ridge Ct.
4	Mary Anne Utley	Mary Anne Utley	6183 Stadium Ridge Ct.
5	LARRY MATTHEWS	<del>Larry Matthews</del>	6125 STADIUM DR.
6	Rebecca Matthews	Rebecca Matthews	6125 STADIUM DR.
7	Amanda Allen	Amanda Allen	103 Ridgecrest Place Ct.
8	Pam Tatum	Pam Tatum	2016 Ridgecrest Pl Ct W. NC
9	Ann Pack	Ann Pack	204 Ridgecrest Pl. Ct, W5 NC 27103
10	Gay Diamond		4322 Kinnamon Rd.
11	Aleatha Gwynn	Aleatha Gwynn	6120 Stadium Dr.
12	Brian Gwynn	Brian Gwynn	6210 Brewer Ave.
13	REGINA GRADY	Regina Grady	4230 BREWER AVE
14	Charlene Frisby	Charlene Frisby	6190 stadium ridge ct
15	Russ FRISBY	Russ Frisby	6190 STADIUM RIDGE CT
16	Catherine Coats	Catherine Coats	6184 stadium Ridge Ct.
17	Joni Hanna	Joni Hanna	6196 Stadium Ridge Ct.
18	Rhoda Casper	Rhoda Casper	6223 Birmingham Ave
19	Odessa Stutts	Odessa Stutts	6054 James St
20	Billie Ann Gomez	Billie Ann Gomez	6305 Birmingham Ave. Clemmons, NC 27012
21	RE MORRIS	RE MORRIS	6111 James St Clemmons
22	Chris Oldham	Chris V. Oldham	<del>6111</del> 3460 Clemmons Rd
23	Mitchell Kyle	Mitchell Kyle	6138 stadium dr.
24	Dean Matlock	DEAN MATLOCK	6146 STADIUM DR.
25	Stephen B Harper	Stephen B. Harper	6266 Stadium Dr., Clemmons

**Residents AGAINST the building of The Village at Kinnamon Apartments**

	NAME	SIGNATURE	ADDRESS
1	Boyd Robbins	Boyd Robbins	6317 Bingham Ave
2	Ernestine Borer		4451 Clarend Rd. Clemmons, n.e.
3	Ruby Watson		m. Albrook Dr
4	Audrey Campbell		725 L. Clemmons Rd.
5	Jaye Craddock		464 Meadows Edge Ct, Clemmons
6	Richard Borer		4451 Clarend Rd. Clemmons NC
7	Rhoda Shufflett		6850 Greenbrook Dr.
8	Sharon Rogers	Sharon Rogers	1745 Joshie Dr.
9	Debbie Larry		6159 Stadium Ridge Ct. Clemmons
10	Robin Probst		6142 Stadium Ridge Ct., Clemmons, NC
11	Jahna Benton	Jahna Benton	6148 Stadium Ridge Court
12	Joann Smart	Joann Smart	6141 Stadium Ridge Court
13	Tammy Benton	<del>Tammy Benton</del>	6148 Stadium Ridge Court
14	Molly Bohn	Molly Bohn	6160 Stadium Ridge Court
15	Jessy A. Crowell	Jessy A. Crowell	6147 Stadium Ridge Ct.
16	Jennie Beckner	Jennie Beckner	6195 Stadium Ridge St. Clemmons, NC
17	Que Casey	Que Casey	6165 Stadium Ridge Ct. Clemmons NC
18	Tamela Bowen	Tamela Bowen	6136 Stadium Ridge Ct. Clemmons, NC
19	Larry Bowen		6136 Stadium Ridge Ct. Clemmons, NC
20	Willie Cunningham	Willie Cunningham	6135 Stadium Ridge Ct Clemmons NC
21	Phyllis Sapp	Phyllis Sapp	133 Stadium Oaks Dr. Clemmons NC
22	Kim Scott	Kim Scott	133 Stadium Oaks Dr. Clemmons NC
23	Suzanne Smith	S. Smith	135 Stadium Oaks Clemmons NC
24			
25			

Residents AGAINST the building of The Village at Kinnamon Apartments

	NAME	SIGNATURE	ADDRESS
26	DAVID CHEEK	<i>[Signature]</i>	6328 BINGHAM Ave
27	Gayle / Nancy Hahn	<i>[Signature]</i>	6188 Aden Dr.
28	Nancy Saffley	<i>[Signature]</i>	6048 James St.
29	Carl Saffley	<i>[Signature]</i>	
30	Cynthia B. Nance	<i>[Signature]</i>	6219 Bingham Ave
31	Ted Nance	<i>[Signature]</i>	
32	Shane Parker	<i>[Signature]</i>	6310 Bingham Ave
33	Harry Lee	<i>[Signature]</i>	6041 Stadium Dr.

Residents AGAINST the building of The Village at Kinnamon Apartments

	NAME	SIGNATURE	ADDRESS
26	Lynn Price	<i>[Signature]</i>	6200 Stadium Drive
27	Dan Monroe	<i>[Signature]</i>	6211 Stadium Drive
28			
29			
30			

**From:** [Patty Fife](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** Comment for PB Meeting  
**Date:** Monday, April 20, 2020 2:05:19 PM

---

Sarah Jetton (rhymes with baton so pronounced Jatton) lives at 6171 Stadium Ridge. Can be reached at 336-422-4229 if you need to call her. Is very opposed to the site. Main concerns:

1. Location of dumpster will be right at their development. Would like it moved to a different location on the site.
2. Stadium Drive cannot handle the additional traffic. Traffic already backs up morning and afternoons due to school.
3. Clemmons Elementary already overcrowded.

Wants her comments noted at the meeting.

Please be aware that e-mail and attachments sent to and from this address are subject to the North Carolina Public Records Law and may be disclosed to third parties.

**From:** [Patty Fife](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** Comments for C-234 Allegro  
**Date:** Monday, April 20, 2020 3:28:29 PM

---

Molly Bahn, 336-722-0548, 6160 Stadium Ridge Court – opponent

1. Traffic on Stadium Drive
2. Need a fence at least 8 foot tall around property so kids will not cut through others property to get to school
3. Would like for their to be less units so not so crowded.

Mary Utley, 336-778-9018, 6183 Stadium Ridge Court – opponent

1. Traffic on Stadium Drive
2. School will be overcrowded.
3. What direction will kids have to walk to get to school
4. Too many apartments
5. Location of dumpsters should be moved.

Please be aware that e-mail and attachments sent to and from this address are subject to the North Carolina Public Records Law and may be disclosed to third parties.

**From:** [Patty Fife](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** Comment on C-234  
**Date:** Monday, April 20, 2020 4:24:39 PM

---

Cherry Horn, 910-617-8122, 6166 Stadium Ridge Court – opponent

1. Density too much – why does it have to be 3 stories
2. Traffic on Stadium will increase along with new library being built
3. Clemmons is overbuilding, not leaving any green space
4. Schools overcrowded already
5. Dumpsters need moved to another location.

Please be aware that e-mail and attachments sent to and from this address are subject to the North Carolina Public Records Law and may be disclosed to third parties.

**From:** [Russell Frisby](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** Zoning Docket C-234.....Against rezoning request  
**Date:** Monday, April 20, 2020 7:36:59 PM

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To the Village of Clemmons Planning Board

From Russell C Frisby and Charlene M Frisby, 6190 Stadium Ridge Ct, Clemmons, NC 27012.

My wife and I would like to offer our opinions on the request for rezoning on Zoning Docket C-234. We are against approving the request.

Our home at 6190 Stadium Ridge Ct is directly between the proposed apartments and Clemmons Elementary School. Stadium Ridge Ct is a private road--it is not owned or maintained by the city of Clemmons or by Forsyth County. People wanting to walk from the proposed apartments to Clemmons Elementary are not going to walk all the way out to Hwy 158, turn right to Stadium, and turn right again to get to the school with playground. They are going to cut through our property to get there. Last time the petitioner proposed a 6' fence to eliminate that possibility. That would not be an adequate remedy for us or for the single family homeowners that live on Stadium Drive between Stadium Ridge Ct and Hwy 158.

Clemmons does not more apartments. Our ratio of apartments to single family homes is proportional to norms. We need to use that property for exactly what it is currently zoned for--single family homes and/or Limited Office-Special Use. For the reasons above and other reasons, we strongly oppose the rezoning request and hope the board agrees.

Russell C Frisby  
Charlene M Frisby

Thank you.

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**From:** [Patty Fife](#)  
**To:** [Bobby Patterson](#); [Brad Hunter](#); [Carolyn Miller](#); [David Orrell](#); [Edee Wilcox](#); [Elliot Fus](#); [Greg Conlon](#); [Martin Majorel](#); [Rob Cockrum](#); [Thomas Mekis](#)  
**Cc:** [Nasser Rahimzadeh](#)  
**Subject:** C-234 Comment  
**Date:** Tuesday, April 21, 2020 3:50:23 PM

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Larry Bowen, 336-899-6136, 6136 Stadium Ridge Ct - opponent

1. Traffic on Stadium
2. Foot traffic through Stadium Ridge
3. Decreased property values

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**From:** [Scott Buffkin](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** FW: Clemmons Planning Board Meeting  
**Date:** Tuesday, April 21, 2020 8:51:35 AM

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FYI

Scott Buffkin, MPA  
Village Manager  
Village of Clemmons  
336-766-7511  
[www.Clemmons.org](http://www.Clemmons.org)

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**From:** Joni Hanna [mailto:[hannajmusic@yahoo.com](mailto:hannajmusic@yahoo.com)]  
**Sent:** Monday, April 20, 2020 5:51 PM  
**To:** Scott Buffkin <[sbuffkin@clemmons.org](mailto:sbuffkin@clemmons.org)>  
**Subject:** Clemmons Planning Board Meeting

Hi Mr. Buffkin,

First of all, I would like to say thank you for all you do for Clemmons. I moved here five and a half years ago from Winston-Salem and I absolutely love it. I'm proud to be a resident.

I live at 6196 Stadium Ridge Court and I wanted to make you aware of my feelings regarding the multi-family apartments that are being proposed to be built behind our development. My main concern is that it would affect our property value in a negative way.

I respectfully would like to say I am against this construction and wanted to make my voice heard to you. I will not be able to attend the meeting on Tuesday evening due to the fact that I teach piano and voice lessons during that time (now online).

Thank you for your consideration and I hope you and your family are staying safe and well.

Best regards,  
Joni Hanna

[Sent from Yahoo Mail on Android](#)

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4/21/20

Attn: Planning Board Members:

I am opposed to the building of the Residential Multi-Family Apt. Complex being built on Kinnamon Circle "Village @ Kinnamon".

1. Project will de-value my property.
2. I will have a constant problem with people from the complex trespassing thru my property.
3. It will be putting more traffic on Stadium Dr. which is already a very bad situation.

TO: [plife@clennons.org](mailto:plife@clennons.org) FROM: GARY LEE

~~PLIFE@CLENNONS.ORG~~

Planning & Community Development  
3715 Clemmons Road  
Clemmons, NC 27012



Telephone 336-766-7511  
Fax 336-766-7536  
Nasser@clemmons.org

To: Village Council

From: Nasser Rahimzadeh, Village of Clemmons Planning Director

Date: April 28, 2020

Re: Citizen Comment against zoning docket # C-234 after Planning Board

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Chris (owner of Bait and Tackle) has serious reservations about the apartment complex. He does not agree with the proposed rezoning. The following is a summary of the phone conversation:

- Concerns of trespassing
- Concerns of theft
- Would like his portion to be fenced as well
- Concerned with the health of trees
- Reduction in property value

May 7, 2020

Clemmons Village Council  
3715 Clemmons Road  
Clemmons, NC 27012

Dear Council Members,

The residents of Stadium Ridge Court and surrounding areas have already expressed our concerns with the building of the 78 apartments in the Kinnamon Village. Our area is already inundated with apartment buildings and we are not sure why there needs to be more, especially on such a large scale. We have already collected 58 signatures opposing the rezoning with more local residents expressing their desire to sign but due to the pandemic it is not feasible to have them sign at this time.

Traffic is already an issue on Stadium Drive with drivers using it as a cut through from Hwy 158 to Lewisville-Clemmons Road. That is in addition to the traffic from the school and the new library opening soon.

We do not have an issue with developing the land but why not consider medical or business offices or at least consider an apartment complex on a smaller scale. Three story buildings will be an eyesore to the area not to mention so many people in such a small area. At least limit the structure to two stories. Noise, lighting and congestion is also a concern especially since Stadium Ridge is located so close to the building site.

We were disappointed with the decision of the planning board and hope you'll at least consider our concerns and suggestions. Clemmons is a great village and that is why we chose to live there. We would not want the Village of Clemmons to turn into another massive city.

Thank you,

Nancy Lang  
HOA President  
Stadium Ridge Court

**From:** [Russell Frisby](#)  
**To:** [Nasser Rahimzadeh](#)  
**Subject:** Zoning docket C-234...STRONGLY Against Approval  
**Date:** Friday, May 8, 2020 11:43:45 AM

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To the Village of Clemmons Planning Board

From Russell C Frisby and Charlene M Frisby, 6190 Stadium Ridge Ct, Clemmons, NC 27012.

We thought this had been voted on in April but we received another Meeting Notice in the mail that said it was on the agenda for Monday, May 11. My wife and I would like to offer our opinions on the request for rezoning on Zoning Docket C-234. We are STRONGLY against approving the request.

Our home at 6190 Stadium Ridge Ct is directly between the proposed apartments and Clemmons Elementary School. Stadium Ridge Ct is a private road--it is not owned or maintained by the city of Clemmons or by Forsyth County. People wanting to walk from the proposed apartments to Clemmons Elementary are not going to walk all the way out to Hwy 158, turn right to Stadium, and turn right again to get to the school with playground. They are going to cut through our property to get there. The unwanted and uninvited pedestrian and/or bicycle traffic unfairly increases our liability exposure. Last time the petitioner proposed a 6' fence to eliminate that possibility. That would not be an adequate remedy for us or for the single family homeowners that live on Stadium Drive between Stadium Ridge Ct and Hwy 158.

**CLEMMONS DOES NOT NEED MORE APARTMENTS!** Our ratio of apartments to single family homes is proportional to norms. We need to use that property for exactly what it is currently zoned for--single family homes and/or Limited Office-Special Use. For the reasons above and other reasons, we strongly oppose the rezoning request and hope the board agrees.

Russell C Frisby  
Charlene M Frisby

Thank you.

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**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Strongly against C-234 rezoning  
**Date:** Tuesday, May 12, 2020 11:02:06 AM

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Begin forwarded message:

**From:** Russell Frisby <russ.frisby@gmail.com>  
**Date:** May 12, 2020 at 10:52:27 AM EDT  
**To:** Lisa Shortt <lshortt@clemmons.org>  
**Subject: Strongly against C-234 rezoning**

To the Village of Clemmons Planning Board

From Russell C Frisby and Charlene M Frisby, 6190 Stadium Ridge Ct,  
Clemmons, NC 27012.

We thought this had been voted on in April but we received another Meeting Notice in the mail that said it was on the agenda for Monday, May 11. My wife and I would like to offer our opinions on the request for rezoning on Zoning Docket C-234. We are **STRONGLY** against approving the request.

Our home at 6190 Stadium Ridge Ct is directly between the proposed apartments and Clemmons Elementary School. Stadium Ridge Ct is a private road--it is not owned or maintained by the city of Clemmons or by Forsyth County. People wanting to walk from the proposed apartments to Clemmons Elementary are not going to walk all the way out to Hwy 158, turn right to Stadium, and turn right again to get to the school with playground. They are going to cut through our property to get there. The unwanted and uninvited pedestrian and/or bicycle traffic unfairly increases our liability exposure. Last time the petitioner proposed a 6' fence to eliminate that possibility. That would not be an adequate remedy for us or for the single family homeowners that live on Stadium Drive between Stadium Ridge Ct and Hwy 158.

Added to that is the increase traffic on Stadium in general. It is already an overused speedway cut through. When the new library opens and something reopens in the old Kmart location it will be worse. If you add these apartments, it will be unmanageable, especially at the corner of Stadium and Lewisville-Clemmons.

**CLEMMONS DOES NOT NEED MORE APARTMENTS!** Our ratio of apartments to single family homes is proportional to norms. We need to use that property for exactly what it is currently zoned for--single family homes and/or Limited Office-Special Use. For the reasons above and other reasons,

we strongly oppose the rezoning request and hope the board agrees.

Russell C Frisby  
Charlene M Frisby

Thank you.

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**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Council Letter from Ms. Mary Anne Utley  
**Date:** Tuesday, May 12, 2020 11:06:27 AM  
**Attachments:** [Mary Anne Utley Opposition Letter to Proposed Kinnamon Village.docx](#)  
[ATT00001.htm](#)

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Begin forwarded message:

**From:** Nancy Lang <nancy.lang@inmar.com>  
**Date:** May 12, 2020 at 11:04:24 AM EDT  
**To:** Lisa Shortt <lshortt@clemmons.org>  
**Subject:** Council Letter from Ms. Mary Anne Utley

Attached is a letter from Ms. Mary Anne Utley. She watched last night's council meeting with me and asked if I would send her letter since she does not have a laptop or other electronic device.

Her phone number is on the letter if anyone wants to give her a call.

Thank you.

Nancy Lang  
HOA President  
Stadium Ridge Court  
Cell: 336-575-3599

\*\*\*\*\*

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May 11, 2020

Clemmons Village Council  
3715 Clemmons Road  
Clemmons, NC 27012

Dear Council Members,

I'm a resident of Stadium Ridge Court and I am opposed to the building of the apartment complex in Kinnamon Village. As a former teacher, I'm concerned with the safety of the children attending Clemmons Elementary School because of the traffic and the lack of sidewalks to and from the development.

I also have concerns about the impact of our neighborhood with the addition of so many more people. There will be more traffic, noise and congestion to the surrounding areas. I'm afraid it will also impact the value of our property.

Thank you,

Mary Anne Utley  
6183 Stadium Ridge Court  
Clemmons, NC 27012  
336-778-9018

**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Rezoning request before the Council  
**Date:** Tuesday, May 12, 2020 12:01:48 PM

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Begin forwarded message:

**From:** Cherry Horn <cchorn621@gmail.com>  
**Date:** May 12, 2020 at 11:51:25 AM EDT  
**To:** Lisa Shortt <lshortt@clemmons.org>  
**Subject: Rezoning request before the Council**

It seems a simple question, an up or down vote on rezoning land for an apartment complex. Developers want money, and the Village of Clemmons wants an expanded tax base. But at what cost?

I think the deeper question is this: "What kind of place do we want Clemmons to be going forward?"

Do you want expanded tax base at the expense of quality of life in Clemmons?

Do you want Clemmons to become just a stacked-to-the-sky bedroom community for Winston-Salem?

Do you want to pave over all available land, even lower-lying areas such as this property, that currently serve as drainage for the surrounding paved-over properties?

Do you currently have the resources to expand and improve the infrastructure (roads, sewers, fire and safety, etc.) to accommodate higher and higher density communities within the Village of Clemmons? If you currently have these resources, why hasn't the existing traffic congestion already been addressed?

I moved to Clemmons in 2017 from Wilmington, NC where I grew up and watched this same scenario play out at an accelerating rate over the last 20 years.

I've seen the devastation to quality of life that happens when development has a blank check. For this reason I am very much opposed to rezoning this property for the proposed Village At Kinnamon.

Cherry C. Horn

6166 Stadium Ridge Ct.

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**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Concerns About Kinnamon Village Apartments  
**Date:** Tuesday, May 12, 2020 1:49:52 PM

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Begin forwarded message:

**From:** Joann Smart <[jsmart4@triad.rr.com](mailto:jsmart4@triad.rr.com)>  
**Date:** May 12, 2020 at 1:29:11 PM EDT  
**To:** Lisa Shortt <[lshortt@clemmons.org](mailto:lshortt@clemmons.org)>  
**Subject: Concerns About Kinnamon Village Apartments**

As a long time resident of Stadium Ridge Court, I would like to voice some of my concerns about the proposed Kinnamon Village Apartments:

1. There will be addition traffic during school/ rush hours especially on Stadium Drive, which is already busy during this time.
2. There are inadequate sidewalks for children walking to and from school.
3. Some buildings will be three stories with no elevators.
4. There will be limited/inadequate parking for 78 units and additional guests.
5. The "dumpsters" will be very near our property line.
6. There will be numerous security cameras which might be intrusive.
7. The height and type of fence and tree barrier are not clearly stated.

Thank you for considering my concerns.

Joann Smart  
6141 Stadium Ridge Court  
Clemmons ,NC 27012

Sent from [Mail](#) for Windows 10

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**From:** [Nancy Lang](#)  
**To:** [Lisa Shortt](#)  
**Cc:** [Nasser Rahimzadeh](#)  
**Subject:** Clemmons Village Council Rezoning Opposition Letter  
**Date:** Tuesday, May 12, 2020 5:33:20 PM  
**Attachments:** [Clemmons Village Council Rezoning Opposition Letter 5.12.20.docx](#)

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Hi Lisa,

Enclosed is a letter for the council members and mayor in regards to the rezoning.

Thank you for your help.

Nancy Lang  
HOA President  
Stadium Ridge Court  
336-575-3599

\*\*\*\*\*

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May 12, 2020

Clemmons Village Council  
3715 Clemmons Road  
Clemmons, NC 27012

Dear Council Members and Mayor Waite,

I'm writing to once again express my displeasure for the proposed building of the Kinnamon Village. For the life of me I can't understand what the need is for more apartment buildings in this area. And I'm still not convinced there are enough jobs to support that many new residents. We have very little industry and most of the current Clemmons residents drive elsewhere for their jobs. I strongly believe that this is not an appropriate location for such a development.

The proposed 78 apartment complex would include two 3-story buildings as well as one 2-story and several other buildings on the site. If it is built, hopefully the council would recommend that any new multifamily development be kept to a smaller scale and the buildings be limited to 2-stories so that the village could preserve its existing character.

Our quiet peaceful community will surely be affected by the increase of noise, lighting and more congestion to the area. While we appreciate the adding of the fence and security cameras, that will not be enough to contain the noise and possible stench from the trash dumpsters the site plans show will be located next to our property.

I'm not sure how building an apartment complex can increase our property value as Mr. Davis has stated. It would only devalue our otherwise peaceful neighborhood. Clemmons is a wonderful town and I hope that the council would consider the value of the residents quality of life over developers making a profit.

Thank you for your time.

Nancy Lang  
HOA President  
Stadium Ridge Court  
336-575-3599

Photo below of Stadium Ridge Court

This is our view now. Peace and quiet. Not sure what it would be like if the complex is built. The site would be right past the trees.



**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Rezoning matter/Kinnamon Village  
**Date:** Tuesday, May 12, 2020 6:19:39 PM

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Begin forwarded message:

**From:** Molly Bohn <mollybohn@triad.rr.com>  
**Date:** May 12, 2020 at 6:15:08 PM EDT  
**To:** Lisa Shortt <lshortt@clemmons.org>  
**Subject:** Rezoning matter/Kinnamon Village

Clemmons Village Council  
3715 Clemmons Road  
Clemmons, NC 27012

First and foremost, I am taking this opportunity to voice my apprehensions about the development of the Kinnamon Village community due to my concerns for the safety and well-being of the children who would be living in this community.

I reside on Stadium Ridge Court which is between the proposed community the elementary school that the children, in all likelihood, would be attending. With the children in mind, I would like to make several requests of all Council members.

I would like for each member to take a drive, starting with the short, private street where I live. You cannot imagine our parking problems with two (2) places per residence. We do not have street parking for more than three (3) hours at a time and, then, only between the houses. There is no overnight parking. This includes parking for both homeowners and their visitors. It is hard for me to believe that enough parking spaces will be provided for 78 apartments when our 36 spaces for 18 residences (all w/only two (2) bedrooms) are not enough at times. There will surely be at least two (2) vehicles for each unit if only for the resident and a visitor and possibly more for some of the larger apartments plus visitors.

Also, if any of you would like to gain first-hand knowledge, I would suggest that you park just inside our street early in the morning until 8:30 or so. You will

witness cars zipping around Clemmons Road onto Stadium Drive, immediately beginning to race down Stadium Drive to quickly get to Lewisville/Clemmons Road. Traffic has been slower because of the virus pandemic but the road is well traveled all day, all year long, and in particular, when school is in session. It definitely is not safe for elementary age children to be walking to and from school.

While touring this area you should include a drive down Clemmons Road, making note that there is no sidewalk, and turn left into Kinnamon Village where you will immediately see the entrance for the proposed new community. Mr. Davis said that most parents drive their children to school or they ride a school bus. I am not sure what distance you have to live from a school for a bus stop but I am certain that there is no feasible way to walk to the school or to many of the places Mr. Davis mentioned in one of his earlier letters to Nasser. He said that residents will be able to walk to neighborhood shopping, restaurants, jobs, schools and churches. You will find very few of any of these places with a safe way to walk.

Thank you for your attention throughout this long meeting. If this project is approved, I would like it to be built on a smaller scale.

Sincerely,

Molly Bohn  
6160 Stadium Ridge Court



Virus-free. [www.avast.com](http://www.avast.com)

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**From:** [Lisa Shortt](#)  
**To:** [John Wait](#); [Chris Wrights](#); [Michelle Barson](#); [Mary Cameron](#); [Mike Rogers](#); [Scott Binkley](#)  
**Cc:** [Scott Buffkin](#); [Nasser Rahimzadeh](#); [Elliot A. Fus](#)  
**Subject:** Fwd: Opposition Letter for Apts at Kinnamon Village  
**Date:** Tuesday, May 12, 2020 7:10:50 PM

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Begin forwarded message:

**From:** "sjetton@triad.rr.com" <sjetton@triad.rr.com>  
**Date:** May 12, 2020 at 7:09:32 PM EDT  
**To:** Lisa Shortt <lshortt@clemmons.org>  
**Subject: Opposition Letter for Apts at Kinnamon Village**  
**Reply-To:** <sjetton@triad.rr.com>

Clemmons Village Council

Dear Council Members & Mayor Waite,

I am opposed to the proposed apartments at Kinnamon Village. It is a very small track of land to handle 78 apartments. Each apartment should have at the very least 2 parking spaces available. On our street each house has 2 parking spaces and often that is not enough.

Traffic is a great concern. After two o'clock on school days, we are unable to get out of our neighborhood. Since there is not a place to pull off on the side of Stadium Drive, the cars park on the street. Recently, before school was closed, I was returning home from a walk. As I was crossing Stadium Drive at the corner of Bingham, I checked the traffic and only parked cars were there and they were stopped. Just as I half way across, a driver decided to quickly pass all of the cars waiting on Stadium Drive. He came within inches of hitting me. As Mr. Davis stated at the meeting last night, many of the parents at the proposed apt site would be driving their children to school. This will create even more traffic.

Mr. Davis also stated more apartments were needed in this area. Within walking distance of this proposed site there are a few hundred apartments. There are apartment buildings on Cook, James, and Brewer. There are the Clemmons Village Apartments (located behind Clemmons Kitchen), Arden Manor (located close to the post Office), Hillsboro Apts (located on Kinnamon across from the entrance to Food Lion), Hawk Ridge and Clemmons Station (located on Hwy 158

across from the proposed apartments). The last 2 mentioned apartments, between the two of them have at least 300 – 400 apartments. There are possibly more. These are the ones within walking distance.

I can not even estimate how many apartments are at Clemmons Town Center located behind Kentucky Fried Chicken. The Village of Clemmons has a great number of apartments. I do not see the need for 78 more.

Hopefully, this proposal will not be approved. However, should it be approved, please consider approving less apartments and the apartments being no more than 2 stories high.

Thank you,

Sarah Jetton

6171 Stadium Ridge Court

Clemmons, NC 27012

336-768-8812

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