

**REGULAR MEETING OF  
THE VILLAGE OF CLEMMONS PLANNING BOARD  
June 16, 2020 Minutes**

The Village of Clemmons Planning Board met on Tuesday, June 16, 2020 at 6:00 p.m. via Zoom as members shelter in place in Phase II of COVID-19. Members present were: Rob Cockrum, Gregory Conlon, Brad Hunter, Thomas Mekis, Carolyn Miller, David Orrell, Bobby Patterson and Edee Wilcox. Martin Majorel was absent.

**I. CALL TO ORDER**

The regular meeting was called to order at 6:10 p.m. by Chair Brad Hunter via Zoom.

**II. APPROVAL OF MINUTES**

Carolyn Miller made a motion to approve the May 19, 2020 minutes as written. Bobby Patterson seconded the motion which was unanimously approved.

**III. ANNOUNCEMENTS**

Attorney Elliott Fus reiterated to the Planning Board that when meeting remotely a decision cannot be rendered until 24 hours after the public hearing is closed to allow additional comments to be submitted.

**IV. PUBLIC COMMENTS**

There were no comments.

**V. BUSINESS**

- A. Public Hearing of Zoning Map Amendment** of real property owned by HRP CLEMMONS, LLC from HB-S to HB-S (Highway Business – Special) addressed 2468 Market Center Drive and described by the Forsyth County Register of Deeds Book 71 page 167. Said property contains a total of .802 acres, more or less. The site plan is on file at the Village of Clemmons website (**Zoning Docket C-236**).

Planner Rahimzadeh presented the rezoning request and the site plan for HRP CLEMMONS, LLC located on 0.802 acres located at 2468 Market Center Drive. This property was recently subdivided from the old Kmart property and the petitioner is proposing to build a restaurant with drive-through service. There will be two access points; one off of Market Center Drive and the second one through the adjoining southern parcel. There will be no access off of Lewisville-Clemmons Road. Sidewalks will be constructed on the north and east of the parcel. The western portion will be a fee in lieu as NCDOT proposed modifications to Lewisville-Clemmons Road will take a portion of the site. The Planner noted that all requirements of the Unified Development Ordinance have been met.

Staff recommends APPROVAL of this proposed rezoning.

Chair Brad Hunter opened the public hearing.

There were no opponents wishing to comment.

Proponents representing the Petitioner were:

Megan Ledbetter, Meridian Realty Services, 147 Cherry St. S. #200, Winston-Salem, NC 27101  
Luke Dickey, Stimmel, PA, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101  
Rod Young, Owner, Harbour Retail Partners, 3 Keel Street, Unit #2, Wrightsville Beach, NC 28480  
Chris Clayton, Project Manager, Commercial Site Design, PLLC, 8312 Creedmoor Road, Raleigh, NC 27613

Ms. Ledbetter went over the elevations for the proposed Bojangles, stated that it was consistent with the Community Compass and also fits the redevelopment of the overlay district.

Mr. Dickey gave an overview of the site plan which meets all requirements of the Unified Development Plan and explained that since NCDOT was planning road work on Lewisville-Clemmons Road if a sidewalk was placed on the east side it would just be torn out, therefore, payment in lieu was determined to be the best option.

The Planning Board asked who would maintain the property to keep it up to standard and Ms. Ledbetter advised that Bojangles would be encumbered with that task. It was also noted that the existing row of hedges on Lewisville-Clemmons Road will be removed and a bufferyard planted.

There being no further questions for the petitioner Chair Brad Hunter closed the public hearing.

**B. Staff Report** – Next scheduled meeting on July 16, 2020.

The Planner advised there will be two Planning Board Reviews for Piedmont Natural Gas at the July meeting and possibly a case to review setbacks in the overlay district on Lewisville-Clemmons Road.

The Board also agreed upon July 16, 2020 at 4:00 p.m. for a training session to review the responsibilities of the Planning Board.

There being no further items to discuss Chair Brad Hunter asked for a motion to recess.

At 7:10 p.m. Greg Conlon made a motion to recess the Regular Meeting of the Planning Board from Tuesday, June 16, 2020 to Thursday, June 18, 2020 at 3:00 p.m. Carolyn Miller seconded the motion which was unanimously approved.

**Thursday, June 18, 2020:**

The meeting was reconvened at 3:00 p.m on Thursday, June 18, 2020. All members were present.

There being no questions or discussion of the rezoning request of HRP Clemmons, LLC, David Orrell made a motion to adopt the statement of conformity as stated in the Staff Report (Attached hereto as Exhibit A and incorporated as a part of the minutes) and recommend **APPROVAL** of the rezoning request as presented for Zoning Docket C-236. Edee Wilcox seconded the motion which was unanimously approved.

David Orrell made a motion to adopt the statement of conformity as stated in the Staff Report as submitted and recommend **APPROVAL** of the preliminary site plan for Zoning Docket C-236. Tom Mekis seconded the motion which was unanimously approved.

## **CONDITIONS FOR C-236 HRP CLEMMONS LLC:**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

### **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

- a. The Developer shall obtain a driveway permit from the Village of Clemmons.
- b. The Developer shall obtain a driveway permit from NCDOT.
- c. The Developer shall submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval, if the proposed project creates more than 10,000 square feet of land disturbance.
- d. The Developer shall obtain a stormwater management permit from the Village of Clemmons.

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

- a. The Developer shall submit water/sewer extensions plans to Utilities Plan Review for permitting/approval. Water meters purchased through City of Winston-Salem. Utility system development fees to be paid at the time of meter purchase.
- b. The Village of Clemmons Planning Department shall review and approve building elevations.

### **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. The Developer shall submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval, if the proposed project creates more than 10,000 square feet of land disturbance.
- b. The Developer shall obtain a stormwater occupancy permit from the Village of Clemmons.

### **OTHER CONDITIONS:**

- a. All on site lighting shall be a maximum of 25 feet tall and shall be of the full cut off type or otherwise designated not to cast direct light on adjacent properties. Lighting shall be in conformance with the submitted Photometric Plan with light levels not to exceed the 0.5 foot-candle limit at the property line.
- b. All proposed utilities shall be underground.
- c. All signage shall comply with B.3-2 and shall require permits.

A discussion was held regarding the order in which the Planning Board should vote on the rezoning/site plan case. It was decided that recommending modification or procedures to consider the site plan first and the rezoning second is best.

The Planner also reminded the board of the training session to be held on July 16, 2020 at 4:00 p.m. via Zoom. Planner Rahimzadeh commented that he would also invite the Zoning Board of Adjustments members and Council if they wish to attend.

## **VI. ADJOURNMENT**

Carolyn Miller made a motion to adjourn the meeting at 3:30 p.m. on Thursday, June 18, 2020. Bobby Patterson seconded the motion which was unanimously approved.

Respectfully submitted:

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Patricia A. Fife, Sr. Admin. Assistant

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Bobby Patterson, Secretary