

**VILLAGE OF CLEMMONS PLANNING BOARD DRAFT
STAFF REPORT**

PETITION INFORMATION	
Docket #	C-140 to site plan amendment
Staff	Megan Ledbetter
Petitioner(s)	Mitchell Spindel Kimberly Hobin
Owner(s)	Same
Subject Property	PIN # (5892-39-7620)
Type of Request	Special Use Rezoning
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LB-S (professional office, office miscellaneous, medical and surgical offices, and veterinary services) <u>to</u> LB-S Limited Business-Special Use.</p> <p>The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Site Plan Amendment (professional office, office miscellaneous, medical and surgical offices, veterinary services, personal services, retail store, special or miscellaneous, and services Business A) <p>NOTE: Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.</p>
Zoning District Purpose Statement	The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in Growth Management Areas 2, 3, 4, and 5.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the proposal is consistent with the purpose stated as stated in the <i>Clemmons Unified Development Ordinance</i></p>
GENERAL SITE INFORMATION	
Location	Southeast corner of Clemmons Road and Lawrence Street
Jurisdiction	Village of Clemmons

Site Acreage	±10.36 acres			
Current Land Use	The site is currently developed with a veterinary office and vacant historic house.			
Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	IP	Religious Institution	
	East	RS-15	Vacant Parcel	
	South	RS-15	Single Family Residential	
	West	RS-15	Vacant parcel	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	YES			
Physical Characteristics	The site has two existing buildings, the Animal Ark veterinary services and associated uses and an adapted reuse home that has been converted to personal service. The site has a slight elevation change from the northeast to southwest. The site is residentially scaled and has mature trees.			
Proximity to Water and Sewer	This site has existing access to water and sewer.			
Stormwater/ Drainage	The site is not adding an additional impervious coverage; however, a stormwater management permit is required.			
Watershed and Overlay Districts	The site is located in the WS-IV-PA watershed, which limits impervious coverage to 70%.			
Analysis of General Site Information	The subject site is already developed with veterinary office and has permitted uses for medical or surgical offices; the petitioner is requesting to increase the building footprint for the veterinary office as well as modify the existing parking.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • STORMWATER MANAGEMENT PERMIT • STORMWATER OCCUPANCY PERMIT 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Lawrence Street	Local Street	316'	N/A	N/A
Clemmons Road/Hwy 158	Major Thoroughfare	76'	15000	LOS A
Elm Street	Local Street	93'	N/A	N/A
Proposed Access Point(s)	The site has one access off of Lawrence Street and a secondary access off Elm Street			
Planned Road Improvements	There are no planned improvements at this time.			
Trip Generation -	<u>Existing-</u> (7,000 + 2,470)/1,000 x 36.13 (Medical/Dental Office			

Existing/Proposed	Trip Rate) = 342 Trips per Day Proposed- (7,000 + 2,470+944)/1,000 x 36.13 (Medical/Dental Office Trip Rate) = 376 Trips per Day				
Sidewalks	Sidewalks were required as part of the original approval in 2003				
Transit	N/A				
Traffic Impact Study (TIS)	TIS is not required.				
Analysis of Site Access and Transportation Information	The site has (one) access point off Lawrence Street. There is a secondary access point off Elm Street that can be accessed from Hampton Drive.				
SCHOOL DISTRICT INFORMATION					
Schools Serving Zoning Site	Project Students From Project	2007-2008 Enrolled Students	2007-2008 Projected Students w/ Accumulated Totals	School Capacity	Number of Mobile Classrooms on Site
Clemmons Elementary	n/a	n/a	n/a	n/a	n/a
Clemmons Middle	n/a	n/a	n/a	n/a	n/a
West Forsyth High School	n/a	n/a	n/a	n/a	n/a
School System Remarks and Analysis	n/a				
CONFORMITY TO PLANS AND PLANNING ISSUES					
Legacy GMA	GMA 1 (City and Town Centers)				
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • With town centers, <i>Legacy</i> promotes development and redevelopment in order to create lively, distinctive and economically viable community hubs. • The emphasis on town centers where development preserves small town atmosphere and historic character. • <i>Legacy</i> recommends developing guidelines for town centers that would create compact, “village like” areas that are pedestrian friendly 				
Clemmons Community Compass (2010)	Clemmons Community Compass-Village Scale Office and Retail				
Area Plan Recommendations	<ul style="list-style-type: none"> • The Village-scale office and retail category is intended to maintain the historic scale of development along the US-158 corridor. Village-scale office and civic uses are appropriate in this corridor. Secondary uses include smaller commercial uses, such as corner markets, small restaurants, personal service shops, gift shops, and similar small retail uses. Streetscape design standards developed for the US-158 corridor provide guidance for streetscape design, site orientation, and building 				

	frontages. Buildings within this corridor should not exceed two-stories and buildings should front the road with parking to the side or rear. Pedestrian access should be provided along the corridor and enhanced landscape and tree protection should maintain this as a “green corridor.”
Thoroughfare Plan Information	
Greenway Plan Information	The subject site is not a designated greenway site.
Other Applicable Plans and Planning Issues	The Mountain to Sea Trail Bicycle Trail Plan shows a bicycle route along Highway 158.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?
	Yes.
Analysis of Conformity to Plans and Planning Issues	<p>The subject request was rezoned to LB-S in 2003 for the addition of veterinary services, professional, medical and dental offices and adaptive re-use of the existing home onsite for one of these varied uses.</p> <p>The petitioner is requesting to add 944 sf addition to the veterinary office.</p> <p>The subject site consists of an adaptive reuse of the existing 2,490 sq. foot house along with a 7,700 sf. foot veterinary office to the southern property line. There is no direct access to the site off Hwy 158/Clemmons Road. The main entrance is located off Lawrence Street with a secondary entrance off Elm Street. The Elm Street entrance can only be accessed off Hampton Road. The petitioner has constructed a sidewalk along the property frontage on Hwy 158. All the prior site plan conditions have been met by the petitioner and the site is in conformity with both <i>Legacy</i> and the Clemmons Community Compass.</p>

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-123	RS-15 to LO-S	Approval 11.12.01	Subject site	1.37 acres	Approval	Approval
C-140	LO-S to LB-S	Approval 05.12.3	Subject Site	1.37 acres	Approval	Approval
C-127	RS-9, RS-15	Approval	300 feet	28.14	Approval	Approval

	and LO-S to PB-S	06.24.02	northeast of current site	acres		
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	Building #1-2490 sf Building #2-7000 sf with a 944 sf addition		Building #1 is fronting Lewisville- Clemmons Road and Building #2 is located to the rear of the site.			
Parking	Required	Proposed		Layout		
	29	33		Located between the two structures		
Building Height	Maximum		Proposed			
	40'		2 ½ stories			
Impervious Coverage	Maximum		Proposed			
	70%		40.15%			
UDO Sections Relevant to Subject Request	Chapter B.2-1.3 (G) LB, Limited Business Chapter C-Article III Watershed Protection and Phase II Stormwater Quality Management Protection					
Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>		Yes			
	(B) <i>Environmental Ord.</i>		Yes			
	(C) <i>Subdivision Regulations</i>		N/A			
Analysis of Site Plan Compliance with UDO Requirements	Complies with all UDO standards.					
REMAINING SITE PLAN ISSUES						
Issue			Status			
Positive Aspects of Proposal			Negative Aspects of Proposal			
Existing development expansion						

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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

Note: The following conditions were approved as part of the original zoning for the site, C-140. These conditions have been met as a consequence of previous building permits. New conditions are shown in bold italics.

PRIOR TO THE ISSUANCE OF ANY PERMITS:

- a. Developer to obtain a driveway encroachment variance from the required bufferyard along the eastern property line.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. Developer shall cordon off drip lines of existing trees shown on site plan as to remain, and all trees along southern line within the 40 foot building setback. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3)
- b. Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.***

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- a. Developer shall generally adhere to the submitted building photograph as shown on Exhibit A and verified by the Village Manager, to be in compliance with the following conditions:
 1. All structures to be limited to 2.5 stories
 2. Extensive "Blank Walls" will not be permitted
 3. Building materials shall consist of brick, wood stone or split face block and may include substantial complementary materials such as vinyl or other siding.
 4. Roof for new construction shall have sloped or pitched roofs. The roof shape shall be gable, hip gambrel, or mansard. Additions to existing building shall require pitches roofs and shall be compatible with existing, adjacent or surrounding structures.
 5. Colors shall be warn, earth tones and naturalistic in character with accent colors limited to smaller details on overall structure.
 6. Reflective glass and band windows shall be prohibited. The sidewalls of building on corner lots shall have windows similar to the front façade.
- b. Developer shall dedicate right-of-way from the centerline of Lawrence Street along the full frontage of the subject property.
- c. Developer shall record a negative access easement along the entire frontage of Clemmons Road.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. Developer shall install sidewalk (located at the back of the right-of-way) along US 158/Clemmons Road in accordance with the specifications of the Public Works Department of the Village of Clemmons and the North Carolina Department of Transportation

- b. Developer shall install a sidewalk located within a recorded sidewalk easement adjacent to the right-of-way of Lawrence Street.
- c. All required bufferyard and streetyard trees shall be of large variety as defined in UDO Section 3-4.10
- d. *Developer shall receive a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator.*

OTHER REQUIREMENTS:

- a. One freestanding ground sign shall be permitted, said sign shall be limited to a monument type with a maximum height of five feet.
- b. All new freestanding exterior lighting higher than twelve (12) feet shall be the “shoebox” type or otherwise shielded in a manner not to cast direct light onto adjacent properties
- c. Existing principal structure to remain for renovation/adaptive reuse.
- d. Existing asphalt to be removed as shown on the site plan.

STAFF RECOMMENDATION: APPROVAL

NOTE: These are **staff comments** only; final recommendations on projects are made by the Village of Clemmons Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**