

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

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	C-214
<b>Staff</b>	Megan Ledbetter
<b>Petitioner(s)</b>	Summit Healthcare Group
<b>Owner(s)</b>	Wake Forest University Health Services
<b>Subject Property</b>	6441 Kinnamon Court—the corner of Peace Haven Road and Kinnamon
<b>Type of Request</b>	Special Use Rezoning
<b>Proposal</b>	<ul style="list-style-type: none"> <li>• The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> PB-S (arts crafts studio, food or drug store, furniture and home furnishing store, general merchandising store, restaurant (without drive-through services), retail store (specialty or miscellaneous), banking and financial services, funeral home, health services (misc.), medical or dental laboratory, medical surgical offices, office (misc.) professional office, services(personal), recreation services (indoor), theater(indoor) and museum or art gallery) <b>to</b> PB-S <ul style="list-style-type: none"> <li>• (arts crafts studio, food or drug store, furniture and home furnishing store, general merchandising store, restaurant (without drive-through services), retail store (specialty or miscellaneous), banking and financial services, funeral home, health services (misc.), medical or dental laboratory, medical surgical offices, office (misc.) professional office, services(personal), recreation services (indoor), theater(indoor) and museum or art gallery)</li> </ul> </li> </ul> <p><b>NOTE:</b> 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>
<b>Zoning District Purpose Statement</b>	The PB District is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in GMAs 1, 2

	and 3.		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Corner of Peace Haven Road and Kinnamon Road		
<b>Jurisdiction</b>	Village of Clemmons		
<b>Site Acreage</b>	±1.76 acres		
<b>Current Land Use</b>	Vacant		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	E	RM-8	Condominiums
	S	LB-S	Restaurant(I-HOP)
	W	PB-S	Medical Office
	N	LO-S	Offices
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	Yes		
<b>Physical Characteristics</b>	The site is relatively flat with a limited number of mature trees onsite. The site is partially developed with single family and multi-family dwellings.		
<b>Proximity to Water and Sewer</b>	Water and sewer is available onsite.		
<b>Stormwater/ Drainage</b>	Stormwater Management and Occupancy Permits		
<b>Watershed and Overlay Districts</b>	N/A		
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	N/A		
<b>Analysis of General Site Information</b>	.		
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• <b><u>OBTAIN A STORMWATER MANAGEMENT PERMIT</u></b></li> <li>• <b><u>UTILITY PLAN REVIEW</u></b></li> </ul>		

	<ul style="list-style-type: none"> <li>• <b><u>PUBLIC WATER SUPPLY PERMIT</u></b></li> <li>• <b><u>LAND DISTURBING PERMIT</u></b></li> <li>• <b><u>STORMWATER OCCUPANCY PERMIT</u></b></li> </ul>			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Kinnamon Road	Minor Thoroughfare	260'	6,300	A
Peacehaven Road	Minor Thoroughfare	365'	12,000	A
Synergy Way	Local Street	780'	N/A	N/A
Kinnamon Court	Local Street	50'	N/A	N/A
<b>Proposed Access Point(s)</b>	The site has a full access off Kinnamon Court with proposed secondary access through the right-in located on Peace Haven Road through the Clemmons Medical Park LLC.			
<b>Planned Road Improvements</b>	<ul style="list-style-type: none"> <li>• No road improvements are planned with this development</li> </ul>			
<b>Trip Generation - Existing/Proposed</b>	<u>Existing- VACANT</u> <u>Proposed-</u> 12500/1000X36.13=452 Trips per day			
<b>Sidewalks</b>	There are not sidewalks currently onsite; however, the proposed development provides sidewalks along Peace Haven Road, Kinnamon Road and Kinnamon Court. The development also provides a series of lateral sidewalk connections from the parking lot to each building.			
<b>Transit</b>	The subject site does not have any existing or proposed transit routes.			
<b>Traffic Impact Study (TIS)</b>	A traffic study was not required for this development.			
<b>Village Transportation Plan(2009)</b>	All improvements for this segment of Peace Haven Road have been completed.			
<b>Analysis of Site Access and Transportation Information</b>	<p>The subject request has full access off Kinnamon Court. The site has possible access point through the Allegacy Development/Synergy Way and a proposed access off Peace Haven Road through the Clemmons Medical Park LLC through a cross access development.</p> <p>The right-in on Peace Haven Road approved as part of the Baptist/Summit Proposal has caused issues with tractor trailers since the completion of the development. These issues include tractor trailer trucks damaging the Baptist parking lot as well as causing traffic problems along Peace Haven Road if the truck attempts to back out of the right-in. Trucks attempting to locate Kinnamon Drive</p>			

maneuver this entrance thinking it is Kinnamon instead of a parking lot. Signage, boulders and updates to GPS systems have been sent to attempt to rectify the problem. With that said, Council approved the following condition on March 10, 2010 Council meeting agreed to by Summit Health:

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**  
 g. Developer shall enter an encroachment agreement with the Village of Clemmons for a right-in location on Peace Haven Road which will be reviewable every five years.

This condition was added and agreed upon due to possible safety concerns for motorist on Peace Haven Road. The Village requested through the development of the surgical center that this right-in be removed. Through discussions with Summit we have been informed that there is separate ownership for the current center which is listed as Clemmons Medical Park LLC on the tax records. Through that discussion it was noted that the newly created medical surgical center did not have the authority to remove the driveway. Cross access agreements will have to be established between the two entities. At this point there has not been any resolution with the two parties regarding the removal of the right-in along Peace Haven Road. The Village does have the authority to remove the right in based on the agreed upon condition and the study of this intersection every five years. At this point in time, the Village staff cannot support the road closure petition for a segment of Kinnamon Court as part of this proposal until resolution regarding the right-in is reviewed.

- Generalized Recommended Conditions**
- BRIEF DESCRIPTION OF CONDITION(S):**
- DRIVEWAY PERMIT FROM VILLAGE OF CLEMMONS PUBLIC WORKS
  - PARKING SPACE MAINTENANCE AGREEMENT
  - CROSS ACCESS AGREEMENT
  - ROAD CLOSURE PETITION-PENDING

**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** n/a

Analysis	
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	GMA 3, Suburban Neighborhoods
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Creating a more ‘compact pattern of development’ will necessitate- increasing the overall density and intensity of residential and commercial development in areas with public sewer, good roads and other urban services. It will also mean concentrating higher density and mixed use urban development around certain activity centers and along major transportation corridors.</li> <li>• Retail and office buildings should be near the street and sidewalk. This reduces the distance pedestrians and transit users have to travel and provides direct access to buildings along the street. Locating buildings close to the street, lining the street with trees, buffering the street with parked cars, ensuring buildings have display windows at sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. Parking should be located to the rear and sides or under retail and office buildings.</li> </ul>
<b>Clemmons Community Compass (2010)</b>  <b>Village Point Small Area Plan(2003)</b>	<i>Clemmons Community Compass (2010)</i> <i>Village Point Small Area Plan and Design Guidelines(VPSAP) 2003</i>
<b>Area Plan Recommendations</b>	<p><b>The Clemmons Community Compass:</b></p> <ul style="list-style-type: none"> <li>• Include a mixture of office, institutional and single-family residential detached housing</li> <li>• Office developments should be designed with consistent design themes as part of the development program including architectural features and signage</li> <li>• Internal circulation for vehicles and pedestrians should be provided between uses</li> </ul> <p><b>Village Point Small Area Plan</b></p> <p>The VPSAP and the design guidelines contain specific recommendations with respect to land use, street design, connectivity, pedestrian amenities, building orientation, parking placement, landscaping, lighting and architectural materials and colors.</p> <ul style="list-style-type: none"> <li>• Wonderful opportunities exist for a pedestrian-scaled, mixed-use development near the intersection of Peace Haven and Lewisville-Clemmons Road.</li> <li>• Design buildings to front the street</li> <li>• Require parking to the rear of all buildings</li> </ul>

	<ul style="list-style-type: none"> <li>• Encourage appropriate landscaping</li> <li>• Promote pedestrian connection from surrounding neighborhoods</li> <li>• Require connectivity between developments</li> </ul>
<b>Greenway Plan Information</b>	The subject site is not a designated greenway site.
<b>Other Applicable Plans and Planning Issues</b>	N/A
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>
	Through the development of Peacehaven Village offsite improvements to Lewisville Clemmons Road will be completed including a median, additional turn lanes and storage at the Peace Haven/Lewisville Clemmons Road intersection.
	<b>(S)(4) - Is the requested action in conformance with <i>Legacy</i>?</b>
	Yes
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The subject site, consisting of 1.63 acres at the corner of Peace Haven and Kinnamon Road.</p> <p>The site plan meets the general intent of the both the <i>Clemmons Community Compass</i> and the VPSAP by pulling the building to the street, pedestrian connections and interconnected roads. While the site is not located in the Village Point Small Area Plan; staff relied on the general concepts and design elements recommended in the above planning document. The VPSAP plan designates the portion of this development included in the land use plan as mixed use office while the regulating plan calls for Pedestrian Business Zoning. This meets the land use intent for the said tract(s).</p> <p>Furthermore the development provides sidewalks along Peace Haven Road and Kinnamon Road as well as a lateral pedestrian ways to the building. The sidewalk connections provide a continuation of pedestrian access from the Allegacy site to the Credit Union. The petitioner is required to provide an 8’ planting strip between the road and sidewalk as well as 2 1/2” diameter street trees within the planting strip. In regards to architecture and building layout the petitioner has pulled the building to the street to meet the intent of the PB district. The petitioner has provided a consistent architectural design with the proposed surgical center.</p> <p>The only outstanding issue for the development is the right-in on Peace Haven Road that is discussed under the transportation section of the site plan. Staff is awaiting a response from the two entities regarding the removal of the right-in.</p>

<b>RELEVANT ZONING HISTORIES</b>						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-169	PB-S	12-14-2006 Withdrawn	West	14 acres	Denial	Withdrawn
C-124	LB-S	11-12-2001 Approved	South	10.02	Approval	Approval
C-126	LO-S	03-12-2002 Approved	Northwest	2.2 acres	Approval	Approval
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>						
Building Square Footage	Square Footage		Placement on Site			
	12,500 s.f.		Fronting the Peace Haven and Kinnamon Road			
Parking	Required	Proposed	Layout			
	42	61	To the eastern portion of the site behind the building footprints			
Building Height	Maximum		Proposed			
	60'		1 story			
Impervious Coverage	Maximum		Proposed			
	--		58.6%			
UDO Sections Relevant to Subject Request	Chapter B, Section 2.1-3 (f) Pedestrian Business Chapter C, Environmental Ordinance					
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	The proposed development is in compliance with all UDO requirements.					
<b>REMAINING SITE PLAN ISSUES</b>						
Issue			Status			
Right-in on Peace Haven Road			<b>outstanding</b>			
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>						

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. Developer shall obtain a stormwater management permit
- b. Developer shall obtain a driveway permit from the Village of Clemmons Public Works Department;
- c. Developer shall install a type III barricade at the right-in at Peace Haven Road to inhibit construction to use the access at this location.

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

- a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show proposed public street right-of-ways, property lines, tentative building locations and utility easements and public access and maintenance easements for any sidewalk located along public streets which are outside of the public right-of-way
- b. Developer shall obtain a land disturbing permit through the Winston-Salem/Forsyth County Department of Erosion Control
- d. Developer shall submit a utilities plan to City/County Utilities for review
- e. Developer shall obtain a public water supply permit
- f. As verified by the Village of Clemmons Planning Department the building elevations and dumpster screening shall conform to the Village Point Design Guidelines Developer shall submit brick wall exhibits to be approved by the Village of Clemmons Planning Staff

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

- a. Developer shall submit fixture design to the Clemmons Planning Department for review. The developer shall submit a photometric plan submitted by a qualified professional showing that the proposed lighting shall not produce more than ½ foot candle of light at the property line.
- b. Developer shall obtain a stormwater occupancy permit
- c. Developer shall record a cross access easement with the property to the west.
- d. Wake Forest Baptist Medical Center shall remove the driveway and right in on Peace Haven Road. The road section shall be designed to be consistent with the current cross section on the southern portion of Peace Haven Road.


**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.**