

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

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	C-227		
<b>Staff</b>	Megan Ledbetter		
<b>Petitioner(s)</b>	Mission Development, LLC		
<b>Owner(s)</b>	Peacehaven Developments, LLC, Larry Jarvis, William Alexander, David Liner		
<b>Subject Property</b>	5883-88-1192, 5883-77-8081, 5883-77-6141, 5883-77-6218		
<b>Type of Request</b>	Special Use Zoning District Rezoning from RS-40 and RM-8-S to RM-18-S		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS-40 and RM-8-S <b>to</b> RM-18-S (Residential Multi-family-Special Use/18 units per acre). The petitioner is requesting the following uses:</p> <p style="text-align: center;">(Elderly Housing, Single Family, Twin homes)</p> <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>	<p>The RM-18 District is primarily intended to accommodate multifamily uses at a maximum overall density of eighteen (18) units per acre. This district is appropriate for GMAs 1 and 2, and may be suitable for GMA 3 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available and the site has direct access to a minor or major thoroughfare.</p>		
<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>	Located at the intersection of Peacehaven and Harper Road		
<b>Jurisdiction</b>	Village of Clemmons/Forsyth County (requesting annexation)		
<b>Site Acreage</b>	21.29 acres		
<b>Current Land Use</b>	A portion of the property is zoned RM-8-S and has three (3) single family residential dwelling located onsite and the remainder of the property to the north is vacant and zoned RS-40.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	N	RS-40	Vacant
	S	RS-20	SFR

	E	RM-8-S	Assisted Living/Congregate Care Facility	
	W	RS-40	Duke Power Sub-Station	
<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, the proposed use(s) are permitted under the multi-family residential district (under table B.2.6, permitted uses) and is compatible with the other properties in the vicinity.			
<b>Physical Characteristics</b>	The site is relatively flat along the frontage and slopes to the rear of the site.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available.			
<b>Stormwater/ Drainage</b>	<ul style="list-style-type: none"> <li>• Obtain Stormwater Management and Occupancy permits</li> </ul>			
<b>Watershed and Overlay Districts</b>	The site is located within Yadkin River Watershed WS-IV.			
<b>Historic, Natural Heritage and/or Farmland Inventories</b>	n/a			
<b>Analysis of General Site Information</b>	The site has 3 single family residential structures along the frontage of the site and is vacant to the north with existing vegetation onsite			
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• OBTAIN A STORMWATER MANAGEMENT AND OCCUPANCY PERMIT</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</b>
Harper Road	Minor Thoroughfare	390'	2800	LOS B
Peacehaven Road	Minor Thoroughfare	423'	11,000	LOS B
<b>Proposed Access Point(s)</b>	One point of access off Harper Road with a gated fire access off Craver Pointe Drive			
<b>Planned Road Improvements (Village Transportation Plan 2009)</b>	The improvements as noted in the transportation plan for this area have been addressed through the Novant rezoning with the intersection modification providing a roundabout at Harper and Peacehaven. Through subsequent rezoning requests a signal was constructed at Jessie Lane and Peacehaven Road as well as access management features along Peacehaven Road to the east.			
<b>Trip Generation -</b>	<b><u>Existing</u></b> -40 trips per day			

<b>Existing/Proposed</b>	<p><b>Proposed-</b> 623 Total trips          Senior Housing Detached (ADT) 55 trips          AM Peak: 1 entering/1 exiting          PM Peak: 2 entering/2 exiting</p> <p>Senior Adult Housing Attached-568 Trips          AM Peak: 11 entering/20 exiting          PM Peak: 23 entering/17 exiting</p>				
<b>Sidewalks</b>	Developer shall be required to construct sidewalks along the linear frontage of Peacehaven and Harper as well as the proposed private road(s).				
<b>Transit</b>	There is not any proposed transit in the general vicinity.				
<b>Traffic Impact Study (TIS)</b>	A traffic impact study was not triggered, however, due to the nature of the location and thoroughfares involved the Village of Clemmons requested a tech memo be completed to analyze the traffic impacts of this proposal. The technical memorandum was completed by Ramey Kemp and Associates and the Village concurs with the findings in the tech memo as well as agrees no additional improvements should be made to the system based on build-out projections.				
<b>Analysis of Site Access and Transportation Information</b>	The site shall have one point of access from Harper Road and a secondary fire access from Craver Pointe Drive. The secondary fire access shall meet all weather construction and capable of handling 90,000 pounds with appropriate radius for turns. If the developer keeps private streets and a gated entrance enough turnaround room at the main entrance shall be provided for small delivery trucks. Furthermore, the gate if approved shall meet the Forsyth County Emergency Services Fire Division Gate Policy and the entrance road shall be required to have no on-street parking.				
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>• DRIVEWAY PERMIT ISSUED BY THE VILLAGE OF CLEMMONS AND NCDOT</li> <li>• PRIVATE ROADS SHALL BE BUILT TO VILLAGE OF CLEMMONS ROAD STANDARDS</li> <li>• HEAVY DUTY PAVEMENT SHALL BE USED FOR FIRE APPARATUS</li> </ul>				
<b>SCHOOL DISTRICT INFORMATION</b>					
<b>Schools Serving Zoning Site</b>	<b>Project Students From Project</b>	<b>2007-2008 Enrolled Students</b>	<b>2007-2008 Projected Students w/ Accumulated Totals</b>	<b>School Capacity</b>	<b>Number of Mobile Classrooms on Site</b>
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	n/a	n/a	n/a	n/a	n/a

<b>School System Remarks and Analysis</b>	*This development is restrictive to residents aged 55 years and older
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Suburban Neighborhoods (GMA 3)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Creating more “compact development” will necessitate increasing the overall intensity and density of residential and commercial development in areas with public sewer, good roads and other urban services.</li> <li>• Consider rezoning land where public facilities become available when this promotes urban standards of development, contributes to the reduction of sprawl and maximizes the use of costly infrastructure</li> <li>• To promote a sense of community and to reduce dependence on the automobile, neighborhoods with sidewalks, street trees and houses close to the street and to each other should be created. Creating more “compact development” will necessitate increasing the overall intensity and density of residential and commercial development in areas with public sewer, good roads and other urban services.</li> </ul>
<b>Community Compass 2010</b>	<p>Neighborhood residential areas include existing and future single-family detached and attached housing that range in density by neighborhood. Neighborhood densities should be determined on a case by case basis generally allowing for higher densities near major corridors and activity centers and lower densities near cluster residential and rural preservation areas. Master planning of neighborhoods is encouraged and should include neighborhood parks and open spaces as part of the development program. Schools, churches, and other civic and institutional facilities are appropriate secondary uses and should incorporate design features to mitigate impacts on neighborhoods. Existing neighborhoods may include existing condominium or apartment housing. New master planned neighborhoods may also include condominium or apartment housing if located adjacent to major corridors or activity centers. Subdivisions should be designed to provide vehicular, bicycle, and pedestrian access and connectivity throughout. Developments should connect to adjacent neighborhoods and commercial/employment areas. The protection of mature tree canopy is encouraged on private residential lots.</p> <p>Throughout the Community Compass plan, there is a strong emphasis on providing housing opportunities for all members of the community, specifically noted is senior housing based on our trends in demographics and the opportunity to allow residents to age in place.</p>
<b>Thoroughfare Plan Information</b>	n/a

<b>Greenway Plan Information</b>	The subject site is not a designated greenway site.
<b>Other Applicable Plans and Planning Issues</b>	
<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>
	No
	<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 meets the intent of the <i>Clemmons Community Compass</i> with providing a variety of house options for transitional living. The proposed site, while located in the neighborhood residential section of the Community Compass, provides a variety of house choices within the neighborhood thus conforming to the general intent of the land use section. The aging population as noted in 2010 Census will need residences that are easy transitions from their current home. It is critical that the site be developed in a manner that provides consistency in design and architectural features with the adjoining and adjacent neighborhood.</p> <p>The development provides substantial thoroughfare buffers adjacent to Peacehaven Road and the entrance off Harper Road, requires sidewalks, street trees and significant tree save and buffers along the north. While the density of the proposal is RM-18-S, which allows for 18 units per acre, the proposed density of this development is RM-8-S (eight units per acre). The site plan is conditioned as such to restrict the density of the overall development. The RM-18 request is for additional building height for the independent living proposal allowing a 4<sup>th</sup> story for parking under the building. The units as proposed are on stories 1-3 at the front of the building and shift from 2-4 on the northern section. The schematic elevations show a combination of grey brick and hard-board plank siding and will be reviewed and approved through the Village Planning Department for consistency.</p> <p>The Village of Clemmons typically does not approve private streets for new development due to service related issues and road maintenance. A concern regarding this proposal is the individually platted lots at the corner of Peacehaven and Harper Road. The developer has agreed to keep each individual zoning lot in single ownership, however, moving forward it makes it difficult to enforce if property is sold. The issue that arises for individually platted lots that are sold in a gated community is that our Village services cannot be offered. Therefore, staff recommends a condition during the final platting phase of the development that each home be platted with a building envelope so that in the future if the 15 units are offered for sale there is a mechanism to bring each lot back for review. A zoning condition that the entirety of the property shall stay in single ownership is also being proposed. It was the initial staff recommendation</p>

in conjunction with our Village Engineer for public streets as well as stub connection to Pineside Drive. In discussions with the developer the topographical issues, stream related issues and stormwater management locations do not allow for a connection to be made. While staff also notes that trends in retirement communities show gated comprehensive communities it has not been the recommendation of the Village to allow private and/or gated communities. The Village is requiring the petitioner to build the proposed streets to public street standards as well as provide a heavy duty truck path along the independent living building circulation pattern.

Overall, the proposal provides additional housing opportunities for the senior population in Clemmons. The transition of single-family homes to independent living allows residents to stay within their community as their housing needs change. Furthermore, directly to the east of this site under separate ownership is an assisted/congregate care facility which allows for a comprehensive opportunity for all stages of senior living in this quadrant of the Village. This directly meets the vision of the Clemmons Community Compass as it relates to finding opportunities to develop senior housing around existing facilities.

**RELEVANT ZONING HISTORIES**

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
C-212	RS-40 to RM-5-S	04/11/2016	Portion of the site	6.33 acres	Approval	Approval
C-192	RS-40 to RM-8-S	11/14/2011	East of the site	6.84 acres	Approval	Approval
C-144	IP-S to IP-S	11/14/2016	South of the site	31.98 acres	Approval	Approval

**SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS**

<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>	
	15 units attached/detached 3/4 split elderly housing apartment 165 units		Dispersed throughout the site	
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>
	125/independent living	179/independent living		
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>
	60'			60' +/-

<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed</b>
	70%		28.46%
<b>UDO Sections Relevant to Subject Request</b>	2-1.3(N) Residential Multi-Family (density/18 units per acre) Chapter C-Environmental Ordinance		
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy policies:</b>	Yes	
	<b>(B) Environmental Ord.</b>	Yes	
	<b>(C) Subdivision Regulations</b>	N/A	
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site meets all the UDO requirements for the development of this site.		
<b>REMAINING SITE PLAN ISSUES</b>			
<b>Issue</b>		<b>Status</b>	
Private streets/gated/no direct stub connectivity		<b>Developer based on retirement community development prefers the site to be developed this way - staff has attempted to address Village issues in a series of conditions</b>	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>			
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>	
Provides an opportunity for comprehensive senior housing development within the Village		Private streets which could cause maintenance and service issues in the future	

**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.

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

- a. The Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.
- b. The Developer shall obtain a grading permit if 10,000 square feet or more is disturbed

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

- a. The Developer shall obtain a driveway permit from the Village of Clemmons and the North Carolina Department of Transportation

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. The Developer shall submit a utility plan for review
- b. Developer shall submit final building elevation to the Village of Clemmons Planning Department for final review and approval.
- c. Developer shall submit a lighting plan to the Village of Clemmons Planning Department for review and approval
- d. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show proposed private streets, property lines, tentative building locations, building envelopes for the fifteen units along the private street, and access and maintenance easements for any sidewalks located along public streets which are outside of the public right-of-way
- e. Developer shall obtain driveway permits from the Village of Clemmons Public Works Department to verify driveway locations are in compliance with the Village of Clemmons residential driveway ordinance.

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

- a. Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator
- b. Developer shall construct private streets to Village of Clemmons Street Standards and shall provide documentation that the main travel path meets heavy duty pavement requirements
- c. Developer shall construct the sidewalk and curb and gutter as shown on the site plan.
- d. Developer shall install any road improvements as required by North Carolina Department of Transportation
- e. Developer shall meet the Forsyth County Emergency Services Fire Division Gate Policy

**OTHER CONDITIONS:**

- a. Developer shall limit overall density to nine (9) units per acre as shown on the proposed site plan
- b. Developer shall restrict the development to “elderly” as defined in the Clemmons Unified Development Ordinance
- c. Notation on the plat shall state that private streets shall not be maintained by the Village of Clemmons and no Village services shall be provided.
- d. Developer or future owners of the property shall be required to remove the gated entrance as well as verify the streets meet public street standards at the time of dedication to the Village of Clemmons if any of the platted 15 lots are sold as individual units.
- e. Secondary fire access gate shall be reviewed and approved by Village Planning Staff prior to installation.

**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.**