

PETITION INFORMATION	
<b>Docket #</b>	C-235
<b>Staff</b>	Nasser Rahimzadeh
<b>Petitioner(s)</b>	Isenhour Homes
<b>Owner(s)</b>	Patsy Canter, Dianne McGee, and Yishui Yun
<b>Address/PIN</b>	5892-58-2261, 5892-57-8680, and 5892-57-0376
<b>Type of Request</b>	Special Use Zoning District – Map Amendment
<b>Proposal</b>	<p>For tract 2 the petitioner is requesting to amend the Official Zoning Map for the subject properties from Residential Single Family (RS-15 &amp; RS-09) to Residential Multifamily – Special (RM-5 – S). The petitioner is requesting the following use:</p> <ul style="list-style-type: none"> <li>• Residential Building, Single Family</li> <li>• Residential Building, Duplex</li> <li>• Residential Building, Townhouse</li> <li>• Residential Building, Twin Home</li> </ul> <p>For tract 1 the petitioner is requesting to amend the Official Zoning Map for the subject properties from Residential Single Family (RS-15) to Residential Single Family (RS-09). The petitioner is asking for a general use map amendment.</p> <p><b>NOTE:</b> General, special use district zoning, and site plan amendment changes were discussed with the petitioner(s) who decided to pursue a site plan amendment.</p>
<b>Zoning District (Purpose Statement)</b>	<p>Tract 2 the RM-5 District is primarily intended to accommodate low density, pedestrian-oriented sites and communities containing duplexes, twin homes, multifamily and townhouse residential buildings with three or four units, and similar residential uses at a maximum overall density of five (5) units per acre. This district is intended for GMAs 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.</p> <p>Tract 1 the RS-9 District is primarily intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in GMAs 2 and 3, and may be suitable in Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.</p>
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<p>B.6-2.1(Q)(1) Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes</p>

GENERAL SITE INFORMATION	
<b>General Location</b>	The site includes three parcels approximately 892 linear feet east from the intersection of Hampton Road and Haywood Street
<b>Jurisdiction</b>	Village of Clemmons

<b>Site Acreage</b>	Tract 2 is 10.44 acres/454,767 square feet Tract 1 and 3 is 31.25 acres/1,361,251 square feet		
<b>Physical Characteristics</b>	Detached single family residence with a significant portion of undisturbed land		
<b>Historic, Natural Heritage, and/or Farmland Inventories</b>	N/A		
<b>Current Land Use</b>	Detached single family residence and Woodland/undeveloped. All parcels are currently zoned single family residential		
<b>Proximity to Water &amp; Sewer</b>	Public water and sewer on Haywood Street and Quinn Street		
<b>Stormwater/Drainage</b>	The site requires stormwater management & occupancy permits.		
<b>Watershed &amp; Overlay Districts</b>	Property is outside the Class IV Watershed.		
<b>Surrounding Property Zoning &amp; Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	<b>North</b>	RS-15	Single Family Residential
	<b>East</b>	RS-15/RS-9	Single Family Residential
	<b>South</b>	RS-15	Single Family Residential
	<b>West</b>	RS-15	Single Family Residential
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<b>B.6-2.1(Q)(2) Is the use permitted under the proposed classification compatible with uses permitted on other property in the vicinity?</b>		
	The proposed use of twin homes is abutting single family residential housing to the north, south, east, and west.		
<b>Analysis of General Site Information</b>	The proposed development will need a grading permit as it is likely to disturb greater than 10,000 square feet of land. It will also need a stormwater management and stormwater occupancy permits.		
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>• Obtain a stormwater management and occupancy permit from the Village of Clemmons Stormwater Administrator.</li> <li>• Obtain a grading permit if 10,000 square feet or more of land is disturbed.</li> <li>• Submit Utilities Plan Review to Forsyth County Utilities.</li> </ul>		

#### SITE ACCESS AND TRANSPORTATION INFORMATION

<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS</b>
Hampton Road	Minor Thoroughfare	None	12,000 (2017)	13,300
Haywood Street	Local Street	< 25'	Unavailable	Unavailable
Softwood Street	Local Street	≥ 25'	Unavailable	Unavailable
<b>Proposed Access Point(s)</b>	Proposed development will be using the stub out of Haywood Street and will construct Softwood Street as secondary access			
<b>Planned Road &amp; Improvements</b>	No planned improvements by the public.			
<b>Village Transportation Plan (2009)</b>	N/A			
<b>Trip Generation – Existing/Proposed</b>	<u>Existing</u> : One of the three parcels has a single-family detached residence while the remaining parcels are undeveloped. Trip generation for a single-family house is miniscule.			

	<p><u>Proposed:</u></p> <p>ITE Code 210 Peak Hour of Adjacent Street Traffic one hour between 7 and 9 a.m. Weekday  <math>X = 111</math>  Fitted Curve Equation <math>T = 0.71(X) + 4.80</math>  Calculated Trip Ends: 84 (total), 21 (entry), 63(exit)</p> <p>ITE Code 210 Peak Hour of Adjacent Street Traffic one hour between 4 and 6 p.m. Weekday  <math>X = 111</math>  Fitted Curve Equation <math>\ln(T) = 0.96 \ln(X) + 0.20</math>  Trip generation: 112 (total), 70 (entry), 42 (exit)</p>
<b>Sidewalks</b>	Internal sidewalks shall be constructed
<b>Transit</b>	No proposed public transit in the general vicinity
<b>Traffic Impact Study (TIS)</b>	The updated TIA memo from Ramey Kemp & Associates (RKA) dated June 29, 2020 incorporated many of the critiques from Kimley Horn's May 19 <sup>th</sup> Traffic Impact Analysis Review. Kimley Horn's July 8 <sup>th</sup> traffic impact analysis review states that the "proposed development will have minimal impact on the adjacent roadway network".
<b>Concurrency Model</b>	Hampton Road to US 158 has an adjusted capacity of 9,600. Current AADT is in excess; as such, level of service may be less than D.
<b>Analysis of Site Access &amp; Transportation Information</b>	Hampton Road will serve as the primary collector road while direct site access will be through Haywood Street and Softwood Street. NCDOT recommends the installation of left turn lanes on Hampton Road at Haywood Street. The revised site plan shows Haywood Street stub out to the parcel east of this site. The building of Softwood Street as a secondary access has improved the site and helped satisfy Fire Department concerns.
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>• Obtain driveway permit from the Village of Clemmons</li> <li>• Obtain driveway permit from NCDOT</li> </ul>

<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)
<b>Forsyth County Legacy Future Land Use Plan Growth Management Area Description &amp; Legacy Recommendations</b>	GMA 3 Consists of neighborhoods built after World War II, and is where most development has occurred in recent decades. The area has a more separated growth pattern of different land uses with subdivisions that cater to specific housing styles and price ranges, featuring curvilinear streets that often lack connectivity. Pertinent suburban neighborhood goals include encouraging mixed-use development, increasing density at activity centers and growth corridors at planned locations, and constructing additional sidewalks.
<b>Clemmons Community Compass Future Land Use Plan</b>	Clemmons Community Compass Future Land Use Plan designates this area as Neighborhood Residential.

	<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 that include single-family attached housing near major corridors and activity centers and lower densities that include only single-family detached housing near cluster residential and rural preservation areas.</p> <p>Master planning of neighborhoods is encouraged and should include neighborhood parks and open spaces as part of the development program. New master planned neighborhoods may also include condominiums or apartment housing if located adjacent to major corridors or activity centers.</p> <p>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>
<b>Thoroughfare Plan Information</b>	N/A
<b>Greenway Plan Information</b>	N/A
<b>Other Applicable Plans &amp; Planning Issues</b>	N/A
<b>Applicable Rezoning Considerations from Chapter B, Article VI, Section 6-2.1(Q)</b>	<b>B.6-2.1(Q)(3) Have changing conditions substantially affected the area included in the petition?</b>
	No
	<b>B.6-2.1(Q)(4) Is the requested action in conformance with Community Compass &amp; Legacy?</b>
<p>The Clemmons Compass denotes this area as part of the Neighborhood Residential land use category. Neighborhood residential allows for single-family attached housing near major corridors and activity centers. Hampton Road is indicated as a minor thoroughfare.</p> <p>Forsyth County’s Legacy Plan encourages increased density around activity centers and growth corridors in growth management area 3 (suburban neighborhoods).</p>	
<b>Analysis of Conformity to Plans &amp; Planning Issues</b>	<p>The proposal sites are behind an existing single-family detached neighborhood that was largely developed prior to the incorporation of Clemmons. The 2040 Clemmons Compass future land use plan respects adjoining parcel use and will continue with residential uses, albeit at a slightly higher density with single-family attached twin homes.</p> <p>The revised site plan has made changes to the site plan since the Planning Board hearing in May. The site plan now includes Softwood Street and a stub out for Haywood Street towards the east.</p>

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	PB
PBR-C-3004	Major Subdivision	Approved 09/17/03	East	5.553	Approval	Approved

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS			
<b>Building Square Footage</b>	<b>Square Footage</b>		<b>Placement on Site</b>
	< 2,400 SFA/≤ 3,150 SFD		Internal
<b>Parking</b>	<b>Required</b>		<b>Proposed</b>
	2 spaces per dwelling unit		2 per unit
<b>Building Height</b>	<b>Maximum</b>		<b>Proposed</b>
	40'		≤ 40'
<b>Impervious Coverage</b>	<b>Maximum</b>		<b>Proposed (cumulative)</b>
	None		28%
<b>UDO Sections Relevant to Subject Property</b>	Chapter B, Zoning Ordinances Chapter D, Subdivision Ordinances		
<b>Compliance with Chapter B Article VII, Section 7-5.3</b>	<b>(A) Legacy Policies</b>		Yes
	<b>(B) Environmental Ordinance</b>		Yes
	<b>(C) Subdivision Regulations</b>		No
	<b>(D) Other Relevant Standards</b>		No
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	A few outstanding issues. See remaining site plan issues		

REMAINING SITE PLAN ISSUES	
Issues	Status
NONE	NONE

## **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. Developer shall submit a letter indicating payment in lieu of the dedication of land along with preliminary plat.

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

- a. Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.
- b. Developer shall meet the tree protection standards during construction as required in Chapter B.3-4 Landscaping and Tree Preservation Standards for the new large variety trees planted to meet the requirements of the ordinance
- c. 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.

### **PRIOR TO RECORDING FINAL PLAT:**

- a) Developer shall bond or provide some other acceptable performance guarantee for the required sidewalks. 100% of the sidewalks shall be installed within 2 years after the date of the first house building permit.
- b) Developer shall build roads to public street standards.
- c) Developer shall build Haywood Street up to public street standard from petitioner property line to intersection of Arden Street.
- d) Developer shall record a final plat in the office of the Register of Deeds. Final plat shall include, among other requirements, proposed public streets rights-of-way, negative access easement for pertinent lots, property lines, approved addresses for each lot, tentative building locations, and public access and maintenance easements for any sidewalks located along public streets which are outside of the public right- of-way as well as all required payment in lieu calculations.

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

- a. 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. Developer shall obtain Village of Clemmons Driveway permits.
- c. Developer shall install a UDO compliant berm with plantings on the southern property line adjacent to the Tingle property PIN # 5892-57-0016

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

- a. Developer shall obtain a stormwater occupancy permit from the Village of Clemmons Stormwater Administrator
- b. Developer/Homeowners Association shall be created and be responsible for maintenance post-development of all common areas, including the grassed/landscaped island adjacent to the mail kiosk, the stormwater management controls, and the tree save areas. A note shall be added to the final plat.

### **OTHER CONDITIONS:**

- a. Developer shall comply with NCDOT requirements.

**NOTE:** These are **staff comments** only; 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 HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**