

**REGULAR MEETING OF  
THE VILLAGE OF CLEMMONS PLANNING BOARD  
January 19, 2021 Minutes**

The Village of Clemmons Planning Board met on Tuesday, January 19, 2021 at 6:00 p.m. via Zoom as members shelter in place due to COVID-19. Members present were: Rob Cockrum, Tressa Krenzer, Martin Majorel, Thomas Mekis, Carolyn Miller, David Orrell, and Edee Wilcox. Chair Brad Hunter and Member Bobby Patterson were absent.

**I. CALL TO ORDER**

The regular meeting was called to order at 6:04 p.m. by Vice-Chair Martin Majorel via Zoom.

**II. APPROVAL OF MINUTES**

David Orrell made a motion to approve the November 17, 2020 minutes as written. Edee Wilcox seconded the motion which was unanimously approved.

**III. ANNOUNCEMENTS**

Planner Nasser Rahimzadeh introduced Caroline Drake as the new Planning Technician for Clemmons.

Martin Majorel confirmed that the Planning Board meeting would reconvene on Jan 21, 2021 at 4 p.m.

**IV. PUBLIC COMMENTS**

There were no comments.

**V. BUSINESS**

**A. Public Hearing of Zoning Map Amendment for Clouds Harbor Landing**

petitioned by Wayne E. Weber Revocable Trust for properties PIN 5892-68-5524 and 5892-68-2241 consisting of 8.42± acres currently zoned RS-15 to **RS-9 (Residential Single Family)** for the boundary survey of Weber parcels as shown on a site plan located in the Village of Clemmons Planning Department. **(Zoning Docket C-238).**

Planner Rahimzadeh clarified that the C-238 docket would include separate consideration of a zoning map amendment and major subdivision approval.

Planner Rahimzadeh presented the rezoning request and the site plan for Clouds Harbor Landing to be located on 8.391 acres at 6010 Arden Drive and 5890 Clouds Harbor Trail. The petitioner is requesting rezoning from RS-15 to RS-9-S. The site is currently being used as a single-family dwelling, and nearby zoning parcels are classified as RS-15 or RS-9. The proposal is for 89 units. The site will require significant grading due to the natural topography. The proposed rezoning satisfies the recommendations of the Clemmons Compass Future Land Use Plan, which designates the parcels as neighborhood residential, and Forsyth County's Legacy Future Land Use Plan, which places the parcels in the suburban neighborhood district. The subdivision would have access off Arden Drive and secondary access off a new road Stratus Way which is contingent on the buildout of the adjacent Old Mill subdivision (C-235). The developer agreed to put in turn lanes on Hampton Road adjacent to Arden Drive per NCDOT recommendation.

Staff recommends APPROVAL of this proposed rezoning.

Representing the petitioner were:

Ken Capron, Shugart Homes, 1758 Pecan Manor Lane, Lewisville, NC

Vince Townsend, Green Mountain Engineering, 7A Wendy Court, Greensboro, NC

Vice-Chair Martin Majorel sought more details regarding the secondary access Stratus Way and its connection to the adjacent Old Mill subdivision. Planner Rahimzadeh described Old Mill developers' plans for a mini-roundabout and shifting the connecting street further south to accommodate connection with Clouds Harbor.

Carolyn Miller asked for a description of a mini-roundabout and inquired as to how it was different from a regular roundabout. Public Works Director Mike Gunnell clarified that the mini-roundabout is a smaller version of the roundabouts that currently exist on Harper Road and other roads throughout Clemmons. Director Gunnell noted that they are more suitable for residential use but otherwise similar.

David Orrell followed up regarding Planner Rahimzadeh's Technical Review Committee comments bringing attention to lots not in compliance with RS-9 requirements. The Planner reassured Mr. Orrell that there have been revisions to the site plan since the TRC comments were submitted, and the issue has since been resolved. Mr. Orrell also asked about the future of the existing house and pool house depicted on the site plan. Planner Rahimzadeh said it will remain a private residence to his knowledge and that is why the site plan depicts a 25' private access leading to it. Ken Capron clarified that the house and pool house will remain and there will be 30' buffer bordering the neighboring homes on Arden Drive.

Tressa Krenzer asked whether Arden Drive would be expanded at all with the inclusion of turn lanes. Planner Rahimzadeh noted that the road is not currently proposed to be expanded. It currently has over 20 feet of width which is within the standard size for a conventional local street. Code Administrator Jeff Vaughn clarified that the turning lanes will be installed on Hampton Road in order to gain access to Arden Drive.

Martin Majorel inquired about the developers' public outreach regarding the project. Mr. Capron stated that they used the Clemmons mailing list to send out notifications the week before, and a Zoom meeting took place the night prior. He noted that there was low participation but that the meeting went well overall. He explained that he thinks homeowners have been used to development discussion in that area due to recent developments like Old Mill. He thinks he has also sufficiently addressed the usual concerns like buffers and traffic. Tressa Krenzer noted that the population of the surrounding area is older and not as comfortable with the video conferencing software used for the meeting which might have impacted their ability to participate. Mr. Capron stated that he would have been comfortable with an outdoor meeting, but he had to follow public health guidelines related to COVID-19. Planner Rahimzadeh highlighted the opportunity that residents have to express their concerns in person when Village Council meets.

Martin Majorel wondered whether the two stormwater retention ponds depicted on the site plans could be combined into one. Vince Townsend advised that there would likely remain two separate stormwater controls but that the smaller one would potentially become a bio-retention pond instead. Director Gunnell pointed out additional physical and administrative logistics that would make their integration unlikely.

Vice-Chair Martin Majorel opened the public hearing.

There were no opponents wishing to comment.

There being no questions for the petitioner Vice-Chair Martin Majorel closed the public hearing and asked for a motion to recess until Thursday, January 21 at 4:00 p.m.

At 6:49 p.m. Dave Orrell made a motion to recess the Regular Meeting of the Planning Board from Tuesday, January 19, 2021 to Thursday, January 21, 2021 at 4:00 p.m. Carolyn Miller seconded the motion which was unanimously approved.

The meeting was reconvened at 4:09 p.m. on Thursday, January 21, 2021. The following members were present: Brad Hunter, Martin Majorel, Tressa Krenzer, Thomas Mekis, Carolyn Miller, David Orrell, and Edee Wilcox. Members Rob Cockrum and Bobby Patterson were absent.

Planner Rahimzadeh read a written comment submitted, via email, from Katie Kaley, 5925 Arden Drive, Clemmons, NC – comment was received via email on January 19, 2021 at 7:54 p.m. Planner Rahimzadeh also read a written comment submitted from Dennis Peatee, 6031 Arden Drive, Clemmons, NC – comment was received via email on January 20, 2021 at 11:10 a.m. (Comments attached hereto as Exhibit A and incorporated as part of the minutes).

Representing the petitioner were:

Ken Capron, Shugart Homes, 1758 Pecan Manor Lane, Lewisville, NC

Vince Townsend, Green Mountain Engineering, 7A Wendy Court, Greensboro, NC

Chair Brad Hunter confirmed with Planner Rahimzadeh that rezoning signs were posted at the site and public notifications were published in the Clemmons Courier for the required span of time. Planner Rahimzadeh specified that notifications by mail are sent only to adjacent property owners and not the whole neighborhood. Mr. Hunter also confirmed that Mr. Capron hosted neighborhood outreach as well.

Ken Capron noted that he had a conversation with a concerned resident.

Tom Mekis inquired as to how many more homes were being built as a result of rezoning from RS-15 to RS-9. Mr. Capron said that 70 out of the 88 homes are on the parcels already zoned for RS-9. He also pointed out that by keeping the existing house on one of the parcels being rezoned, the plan results in fewer new homes as well. Planner Rahimzadeh clarified that only 8 acres of the subdivision plan are under consideration for rezoning while the other 31 acres are already zoned for RS-9.

Brad Hunter sought more information regarding a traffic impact study. Planner Rahimzadeh advised that the developer agreed to add turn lanes on Hampton Road for Arden Drive without a study because the additional trip generation would have almost certainly warranted the lanes regardless. Mr. Hunter confirmed that Shugart Homes would add the turn lanes and that they have experience doing so, and Planner Rahimzadeh added that they would be per NCDOT standards. Mr. Hunter clarified with Planner Rahimzadeh that residents would have the opportunity to voice their concerns at the Village Council meeting on February 8, 2021 if the board recommended approval.

There being no further questions or discussion of the rezoning request Thomas Mekis made a motion to adopt the statement of consistency as stated in the Statement of Zoning Consistency with Adopted Plans (attached hereto as Exhibit B and incorporated as a part of the minutes) and recommend **APPROVAL** of the rezoning request as presented for Zoning Docket C-238. Martin Majorel seconded the motion which was unanimously approved.

Discussion took place regarding the construction of Stratus Way and its contingency on the cooperation of the adjacent Old Mill subdivision developers. Mr. Capron elaborated on his collaboration with the developer of Old Mill in designing the site plan presented before the board and stated his confidence that cooperation would continue.

There being no further questions or discussion of the proposed site plan Thomas Mekis made a motion to adopt the statement of consistency with conditions as stated in the Site Plan Review Record and recommend

**APPROVAL** of the preliminary site plan review as presented for the proposed major subdivision consistent with the statement for Zoning Docket C-238. Tressa Krenzer seconded the motion which was unanimously approved.

**CONDITIONS FOR C-238 CLOUDS HARBOR:**

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 plat.
- b. Developer shall comply with NCDOT request for turn lanes into Arden Drive and associated NCDOT procedures.

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

- a. Developer shall obtain a stormwater management permit from the Village of Clemmons Stormwater Administrator.
- b. 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.
- c. Developer shall obtain a permit from the Army Corp of Engineers per section 404 of the Clean Water Act, if governing authority deems it necessary.
- d. Developer shall obtain a permit from the North Carolina Department of Environmental Quality per section 401 of the Clean Water Act, if governing authority deems it necessary.
- e. Developer shall meet the tree protection standards during construction as required in Chapter B.3-4 Landscaping and Tree Preservation Standards of the ordinance.

**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 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.
- d) 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.

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

- a. The Developer shall be restricted to the construction of no more than 30 dwelling units until the development provides a minimum of two roads that comply with the North Carolina State Building Code: Fire Prevention Code appendix on Fire Apparatus Access Roads as understood by Forsyth County Fire Marshall and/or designees.
- b. Village of Clemmons Driveway permits for the driveways.

**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 vegetation surrounding the mail kiosk, the stormwater management controls, and the tree save areas. A note shall be added to the final plat.

**B. Staff Report** – Next scheduled meeting on February 16, 2021. Planner Rahimzadeh advised that the board will likely not have to meet. The Planner also reported that he would hold another training soon.

## **VI. ADJOURNMENT**

Tressa Krenzer made a motion to adjourn the meeting at 4:44 p.m. Edee Wilcox seconded the motion which was unanimously approved.

Respectfully submitted:

Caroline Drake, Planning Technician

Bobby Patterson, Secretary