

**CITY-COUNTY PLANNING BOARD
DRAFT STAFF REPORT**

PETITION INFORMATION			
Docket	F-1626		
Staff	Amy McBride		
Petitioner(s)	New Hope Presbyterian Church		
Owner(s)	Same		
Subject Property	Portion of PIN 5883-59-5606		
Address	2570 Harper Road		
Type of Request	Special Use Limited rezoning		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS40 (Residential Single Family (minimum lot size of 40,000 square feet) to LB-L (Limited Business-Limited). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Recreation Services, Indoor 		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	<p>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 GMAs 2, 3, 4, and 5.</p>		
Rezoning Consideration from Section 3.2.19 A 16	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	No, the parcel is located within a residential area and is not located at a major intersection. There are no neighborhood shopping and service centers located in the vicinity. The proposed district does not serve as a transition between land uses.		
GENERAL SITE INFORMATION			
Location	West side of Harper Road, south of Bullard Road.		
Jurisdiction	Forsyth County		
Site Acreage	± 6.21 acres		
Current Land Use	Church or Religious Institution, Neighborhood		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS40	Vacant land
	East	RS40	Single-family residence
	South	RS40	Single-family residence
	West	RS30	Vacant land

Rezoning Consideration from Section 3.2.19 A 16	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?				
	No, the proposed commercial use would be incompatible with the surrounding single-family homes. The closest commercial area is located at Peace Haven Village Shopping Center, located 1.2 miles southeast of the site.				
Physical Characteristics	The site is currently developed with a large church building, parking lots, and a recreation field. The site generally has an even grade, with a steep slope along the northern property line, and a downward slope towards recreation fields located at the west end of the property.				
Proximity to Water and Sewer	The subject property has access to public water and sewer along Harper Road.				
Stormwater/ Drainage	There are no known existing stormwater issues at this location.				
Watershed and Overlay Districts	The site is located within the Yadkin River WS-IV Watershed, which is regulated per the Winston-Salem/Forsyth County UDO, Chapter 8, Section 3 – Watershed Protection.				
Analysis of General Site Information	The developed site is located within a large-lot residential area with street frontage along Harper Road. It includes generally favorable topography and is located within the Yadkin River WS-IV Watershed.				
RELEVANT ZONING HISTORIES					
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation
					Staff CCPB
No relevant zoning histories exist in the vicinity of the site.					
SITE ACCESS AND TRANSPORTATION INFORMATION					
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D	
Harper Road	Minor Thoroughfare	351 feet	3,200	15,300	
Proposed Access Point(s)	Because this is a Limited Use request without a site plan, proposed access points are unknown. The access to this site is currently from Harper Road.				
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS40</u> 17,852 sf building/1000 x 9.11 (Church) = 163 trips per day <u>Proposed Zoning: LB-L</u> 17,852 sf building/1000 x 32.93 (Gymnastics Academy) = 588 trips per day				
Sidewalks	There are no existing sidewalks along public road frontage in the general area.				
Transit	Public transit is not available in this area.				

Analysis of Site Access and Transportation Information	This site has frontage along Harper Road, a two-lane facility with ample capacity. Although sufficient vehicular capacity exists along this section of Harper Road, staff has concerns that the proposed gymnastics academy will attract customers from outside the neighborhood and significantly increase traffic in the area during events. To address these concerns, the Gymnastics Academy should consider traffic management strategies to ensure that additional vehicles will not overwhelm the area during these events.
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy 2030 Growth Management Area	Growth Management Area 3 – Suburban Neighborhoods
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Discourage inappropriate commercial encroachment into neighborhoods. • Protect residential areas from inappropriate commercial and industrial encroachment. • Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area. • Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods.
Relevant Area Plan(s)	<i>Clemmons Community Compass Update (2019)</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The Village of Clemmons Future Land Use Map recommends residential single-family cluster development for the subject property and the surrounding area. <p>NOTE: This plan was not considered or adopted by the Planning Board or County Commissioners.</p>
Site Located Along Growth Corridor?	The subject property is not located along a growth corridor.
Site Located within Activity Center?	The subject property is not located within an activity center.
Village of Clemmons Comments	In its written comment, the Village of Clemmons expressed concern over the amount of traffic that would be generated from the proposed use throughout the week and weekend. The previous church use had a minimal impact, with most of its traffic generated on Sunday mornings. The proposed use, while potentially being a good idea for the adaptive reuse of the facility, would add additional traffic in a residential area.
Other Applicable Plans and Planning Issues	It is the opinion of the County Attorney that the proposed site would not likely be found as an illegal spot zoning by the courts. This conclusion is based namely on the scale of the already existing structure and parking

	on-site, which distinguishes this site from the other RS-40 zoning in the area.
Comprehensive Transportation Plan Information	The <i>Comprehensive Transportation Plan</i> recommends curb and gutter with wide outside lanes and sidewalks for this section of Harper Road.
Rezoning Consideration from Section 3.2.19 A 16	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with <i>Legacy 2030</i>?
	No. The proposed district and uses are incompatible with the surrounding single-family land uses and would constitute the encroachment of a commercial district into a residential area.
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone an approximately 6.21-acre site from RS40 to LB-L. The only proposed use is Recreation Services, Indoor.</p> <p>This request raises land use and compatibility concerns with the surrounding single-family residential area. The closest existing commercial area is approximately 1.2 miles from the site. The proposed use would likely disrupt the residential character of the neighborhood and run contrary to <i>Legacy</i> recommendations of protecting residential areas from commercial encroachment. Staff is particularly concerned about the increase in vehicular trips likely to be generated by this proposal, which would represent a nearly four-fold increase over current conditions. Therefore, staff is recommending that the proposed rezoning be denied as it is not compatible with the existing character of the community and may promote future commercial rezoning requests along Harper Road.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request would allow for the reuse of a developed site.	The request would introduce commercial zoning into a residential area.
	The proposed rezoning could promote future commercial expansion in the vicinity.
	The proposed use could lead to a significant increase in traffic in the area
SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL	
<p>The following conditions are proposed by the petitioner to reduce negative off-site impacts of the proposed use:</p> <ul style="list-style-type: none"> • <u>OTHER REQUIREMENTS:</u> <ol style="list-style-type: none"> a. The use Recreation Services, Indoor shall be further limited to Gymnastics Instruction as classified under SIC 7999 (Amusement and Recreation, NEC). b. No additional freestanding signs shall be constructed on-site. c. No additional buildings shall be constructed or placed on-site, and additions that are cumulatively greater than 15,000 square feet in size shall be prohibited. d. No additional outdoor lighting shall be installed on-site. 	

STAFF RECOMMENDATION: Denial


NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue, or request modification to any request. **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.**


DOCKET #: F-1626
(continued from 02/09/2023)

PROPOSED ZONING:
LB-L

EXISTING ZONING:
RS40

PETITIONER:
New Hope Presbyterian Church

 Property included in zoning request.

 500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 300'

STAFF: McBride

GMA: 3

ACRES: 6.21

NEAREST BLDG: 105' south

MAP(S): 5883.02

