

STAFF REPORT FOR **S-603M**

SPECIAL USE PERMIT MODIFICATION APPLICATION

APPLICATION SUMMARY	
Case Number: S-603M	
Request: Modification to existing SUP to renovate and expand a Senior Living: Continuing Care Retirement Community in the R-20, Residential District from 247 occupied dwelling units to 330 dwelling units	
Applicant: Plantation Village, Inc.	Property Owner(s): Plantation Village, Inc.
Location: 1200 Porters Neck Rd.	Acreage: 55.51 acres
PID(s): R03700-002-002-002 R03700-002-011-000 R03700-002-012-000 R03700-002-013-000 R03700-002-014-000 R03700-002-015-000	Comp Plan Place Type: General Residential
Existing Land Use: Continuing Care Retirement Community	Proposed Land Use: Continuing Care Retirement Community
Current Zoning: R-20	



SURROUNDING AREA		
	LAND USE	ZONING
North	Single-Family Residential (Porters Neck Plantation)	R-20

East	Golf Course, Single-Family Residential (Porters Neck Plantation)	R-20
South	Golf Course (Eagle Point Golf Club), Undeveloped	R-20
West	Continuing Care Retirement Community (The Davis Community), Undeveloped	(CUD) R-20, R-20



ZONING HISTORY	
July 6, 1971	Initially zoned R-20 (Porters Neck), Area 5
August 1, 1983	SUP granted for Nursing and Personal Care Facility (S-211)
April 1, 1991	SUP Modification granted for site revisions to reduce the number of dwelling units and increase acreage
September 7, 1993	SUP Modification granted for site plan revisions to remove a driveway
August 5, 1996	SUP Modification granted for site plan revisions to reduce the number of dwelling units and increase acreage
April 5, 2004	SUP Modification granted for site plan revisions to add maintenance building
June 6, 2011	New SUP granted for Continuing Care Retirement Community (supersedes S-211) to construct a new apartment building, two duplexes, and two cottages

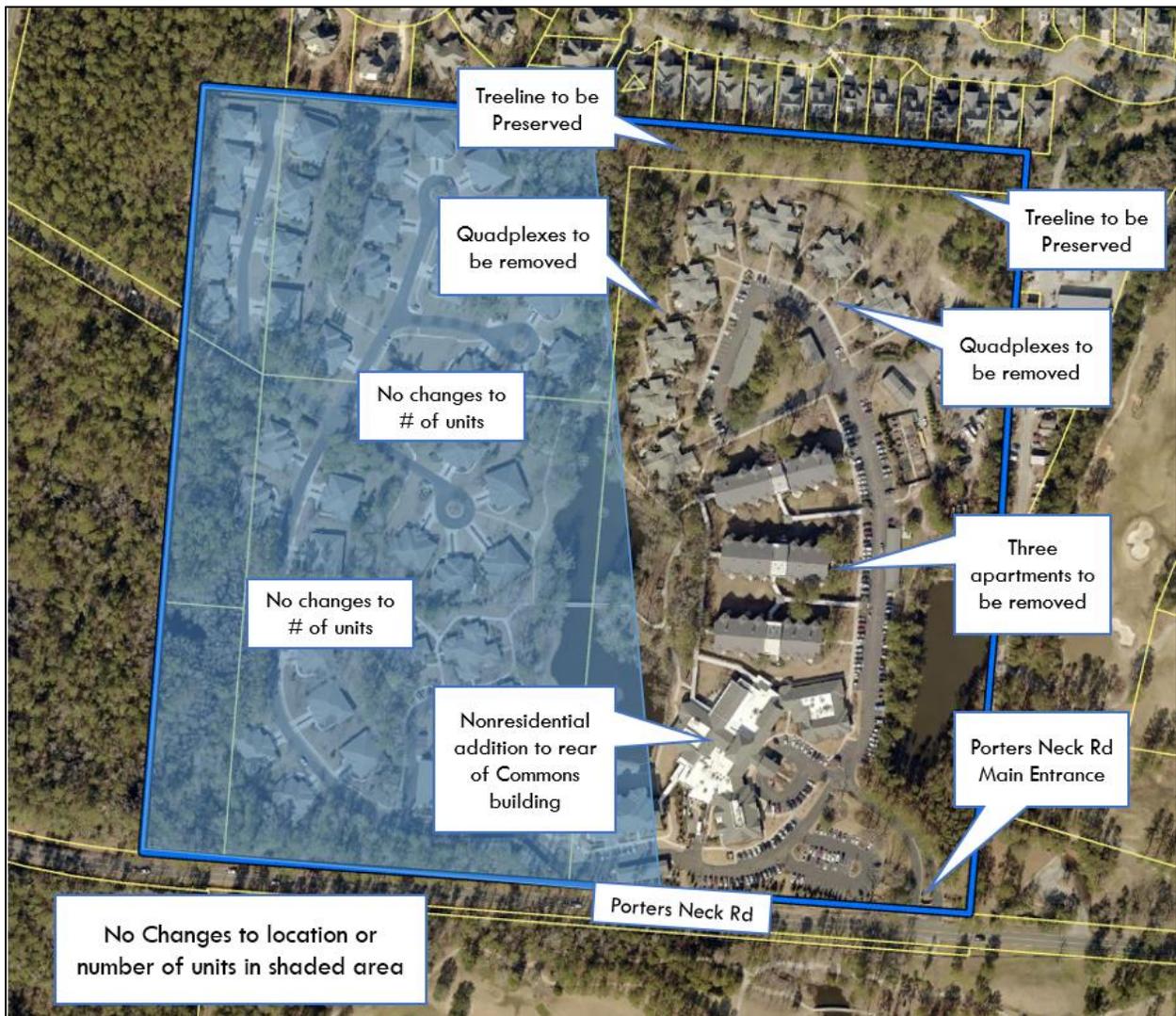
COMMUNITY SERVICES	
Water/Sewer	Water and sewer will be provided by CFPUA. Specific design will be determined during site plan review.
Fire Protection	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Porters Neck
Schools	Porters Neck Elementary, Holly Shelter Middle, Laney High Schools (No impacts expected due to age-restriction for senior housing)
Recreation	Pages Creek Preserve, Ogden Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

Conservation	The County's Conservation Resources Map indicates that swamp forests may be present on the site. Conservation space is required for swamp forest wetlands when at least five acres of the resource exists on the property. Preliminary analysis indicates that fewer than 5 acres exist on the site. Verification of regulated swamp forests will be required during the site plan review process.
Historic	No known historic resources
Archaeological	No known archaeological resources

EXISTING CONDITIONS & PROPOSED CONCEPTUAL PLAN

- The applicant is seeking to obtain a special use permit modification to renovate and expand a Continuing Care Retirement Community in the R-20 zoning district.



Existing Conditions & Proposed Demolition Scope (Includes Staff Markups)

- Plantation Village was originally approved as a special use permit for a Nursing and Personal Care Facility in 1983. This original approval included the construction of 252 units, a health center, and commons building, on approximately 41.4 acres. The Board approved four subsequent modifications to the original special use permit in 1991, 1993, 1996, and 2004, resulting in several changes to the property, including the site’s current size of 55.5 acres and contractual nursing service arrangement with The Davis Community.
- In 2011, Plantation Village was granted a new special use permit for a Continuing Care Retirement Community. This permit, extinguishing the original 1983 approval and four subsequent modifications, resulted in the construction of an additional 33 independent-living units (3-story apartment building, two duplexes, and two cottages), 60 additional parking spaces, and a new wellness center and auditorium. The special use permit also authorized the renovation of the exterior and interior of the Commons Building and Commons parking layout.
- The current use of the campus includes 247 independent-living units, made up of 3-story apartment buildings, quadplexes, duplexes, and cottages. The current overall density of the site is 4.45 units per acre. The campus also includes a centralized Commons Building, Residential Care Center that provides 24/7 nurse availability for residents, Wellness Center with indoor pool and fitness center, maintenance building, and indoor and outdoor recreational amenities.



Existing Apartment (to be removed)



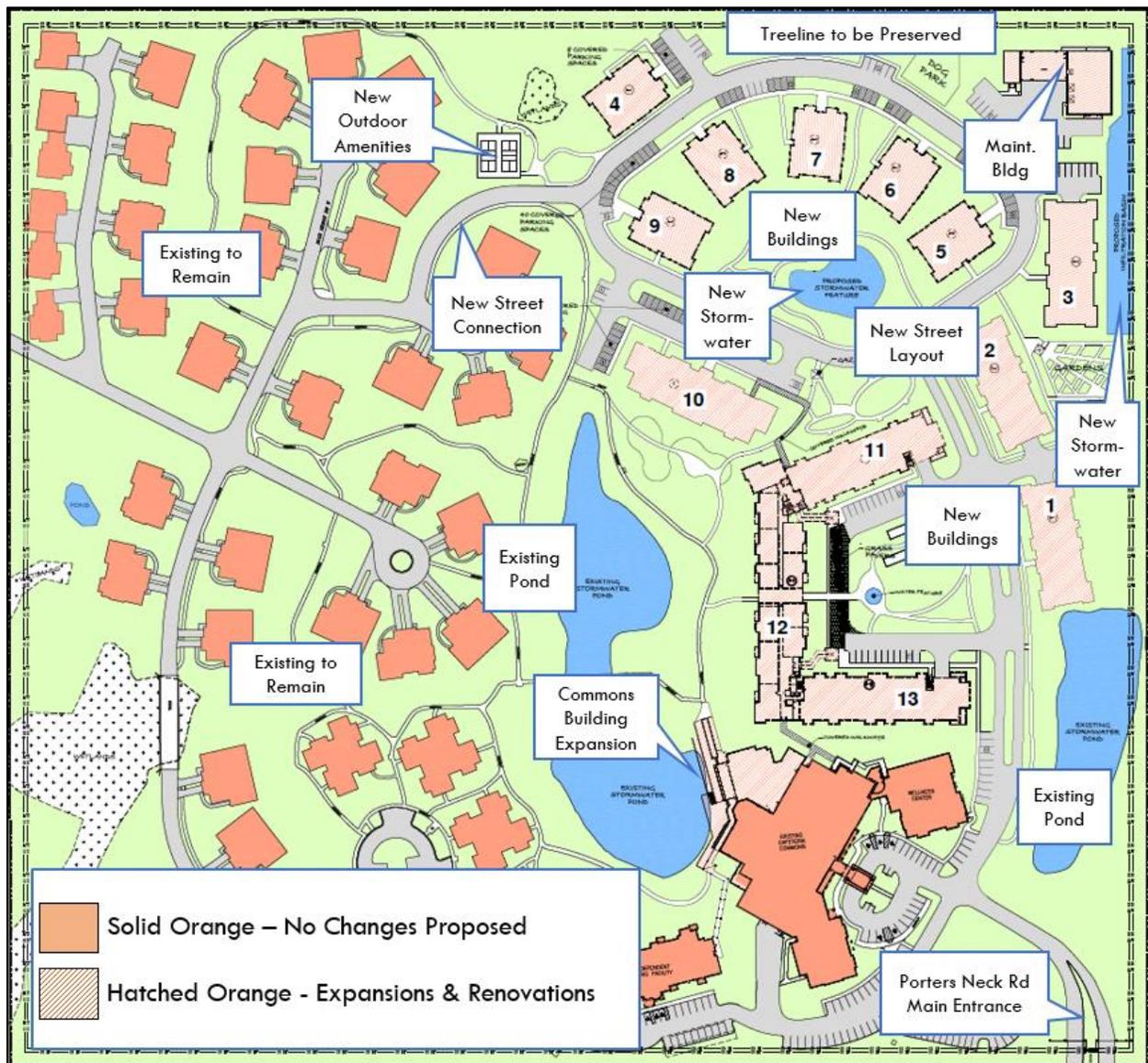
Existing Quadplexes (to be removed)

- As proposed, the special use permit modification involves the demolition of three existing apartment buildings, eight quadplexes, and several accessory structures. These structures would then be replaced by 13 new apartment buildings ranging from 45’ to 50’ in height. The net result is a maximum increase of 83 independent-living units. The total number of units proposed is 330 and total density is 5.94 units per acre for the overall site.

Net Change in Dwelling Units

	# of Units	Density (du/acre)
Current Total	247	4.45
Demo	-136	--
Replacement	+219	--
Proposed Total	330	5.94
<i>Net Change: +83 units</i>		

- The modification also includes a new road addition connecting the east and west sides of the property; enhancement to existing indoor amenity spaces; replacement of a 1,590 square foot hobby shop; relocation and expansion of a 6,092 square foot maintenance building; and new outdoor amenities.



Conceptual Site Plan (Includes Staff Markups)

- The majority of the renovation and expansion work will take place on the eastern half of the property. In order to allow existing residents to remain on the property throughout construction, the development will occur over three phases. The maximum total number of units on the site will be 330.



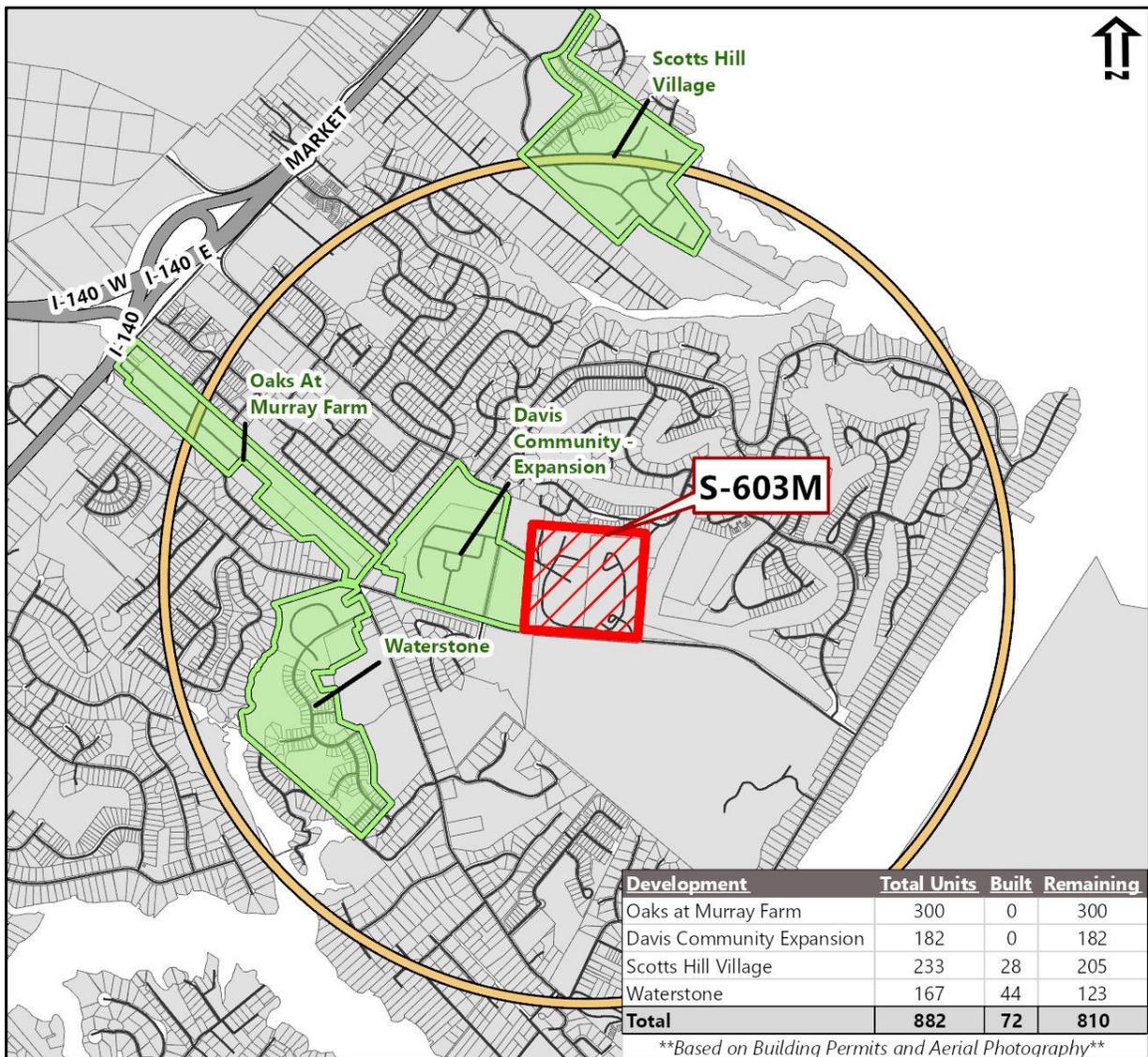
Project Phasing Plan (Includes Staff Markups)

- The existing stormwater infrastructure includes a retention pond located in the center of the campus and a retention pond along the southeastern corner. Two new stormwater facilities are proposed in the northeastern portion of the project area. This includes a new detention basin that will be sized to accommodate a 100-year storm event.
- New outdoor amenities include two pickleball courts, a dog park, a community garden area, gazebo, and new water features.

ZONING CONSIDERATIONS

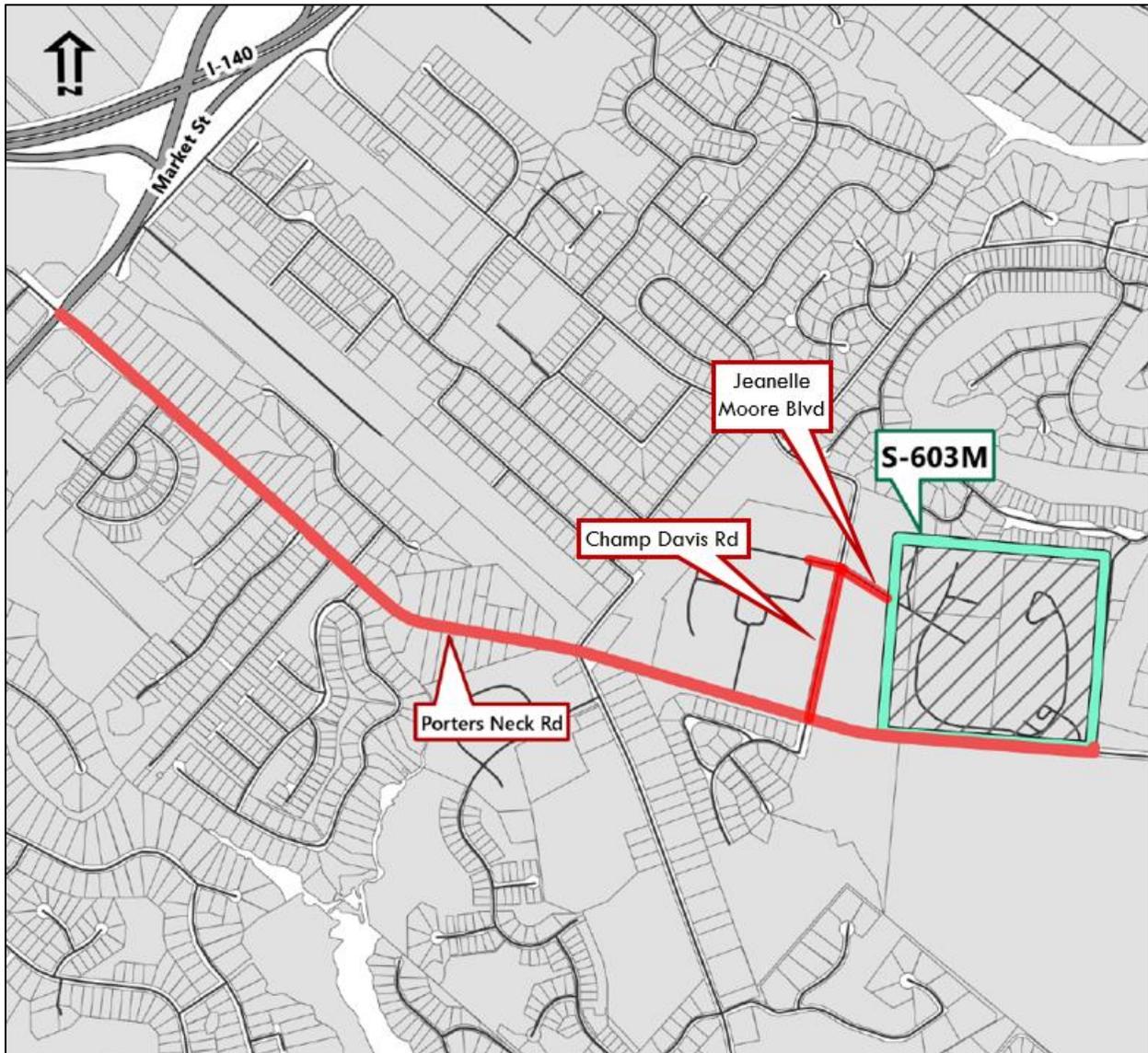
- The applicant is not proposing a change in the use of the property, which will remain a Senior Living: Continuing Care Retirement Community and is allowed in the R-20 district with a Special Use Permit.
- Unified Development Ordinance standards for Continuing Care Retirement Communities include height, setbacks, open space, buffers, and parking requirements. The applicant has addressed general compliance with these standards as demonstrated by the conceptual site plan and project narrative (Applicant Exhibit A). A full review of these standards will be conducted by the Technical Review Committee should the SUP modification application be approved.
- The applicant has offered as a condition of the Special Use Permit to retain all existing, regulated trees within 30 feet of the northern property line where the project area abuts single-family homes of the Porters Neck Plantation subdivision, with the exception of any trees needed to be removed for the parking area adjacent to Building 4.

AREA SUBDIVISIONS UNDER DEVELOPMENT



TRANSPORTATION

- Access to the site is provided by the development's existing private street, Plantation Village Drive, which directly connects onto Porters Neck Road, a state-maintained Minor Collector road.



Access to Plantation Village

- An additional service access is provided by Jeanelle Moore Blvd, which is located approximately 1,200 feet from Porters Neck Road along Champ Davis Road. This access serves as the main point of ingress and egress for nursing care service trips supplied by the Davis Community. It is gated and, according to the applicant, allows emergency responder use as well as resident access.
- According to the applicant, delivery vehicles will utilize the main access onto Porters Neck Road, and additional supplies and refuse will be included in the current number of deliveries and pick-ups. Plantation Village staff work on a variety of shifts, but there is no major shift change during the traditional AM and PM peak traffic hours.



Porters Neck Road Entrance



Jeanelle Moore Blvd Gate

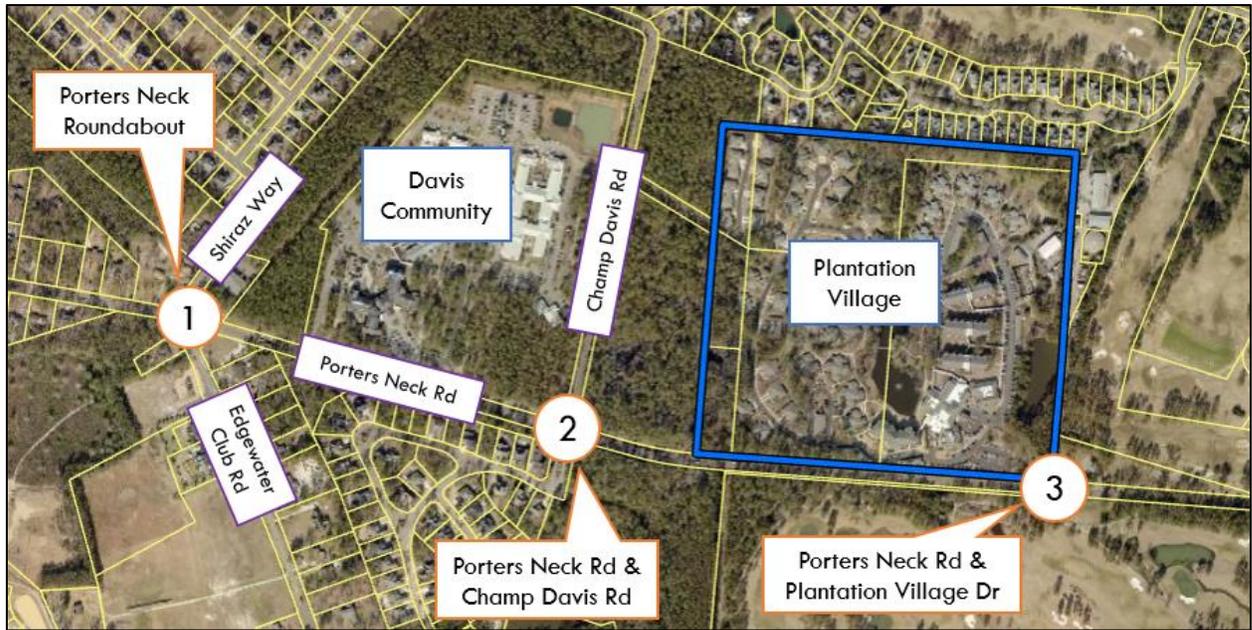
- The applicant’s traffic consultant, Davenport Engineering, has provided a Technical Memorandum to assess the number of projected peak hour trips and any related traffic impacts. As proposed, the expansion is estimated to generate 23 peak hour AM trips and 32 peak hour PM trips, which is not expected to change the level of service for any of the nearby intersections.

Comparison of Trip Generation Scenarios - Source: Davenport Technical Memorandum

	Intensity	Approx. Peak Hour Trips
Existing Development:	247 senior adult housing units	55 AM / 69 PM
Proposed Development:	330 senior adult housing units	78 AM / 101 PM

Net Change: +23 AM / +32 PM

- As the number of anticipated trips does not equal or exceed 100 peak hour trips for this modification, a Traffic Impact Analysis (TIA) is not required. However, the applicant’s Technical Memorandum concludes that the proposed expansion will have relatively minimal impact on nearby road capacity, with no queueing issues at nearby intersections and less than a second increase in delay. As a result of the minimal impacts on travel delay, the applicant’s study does not recommend any off-site improvements.



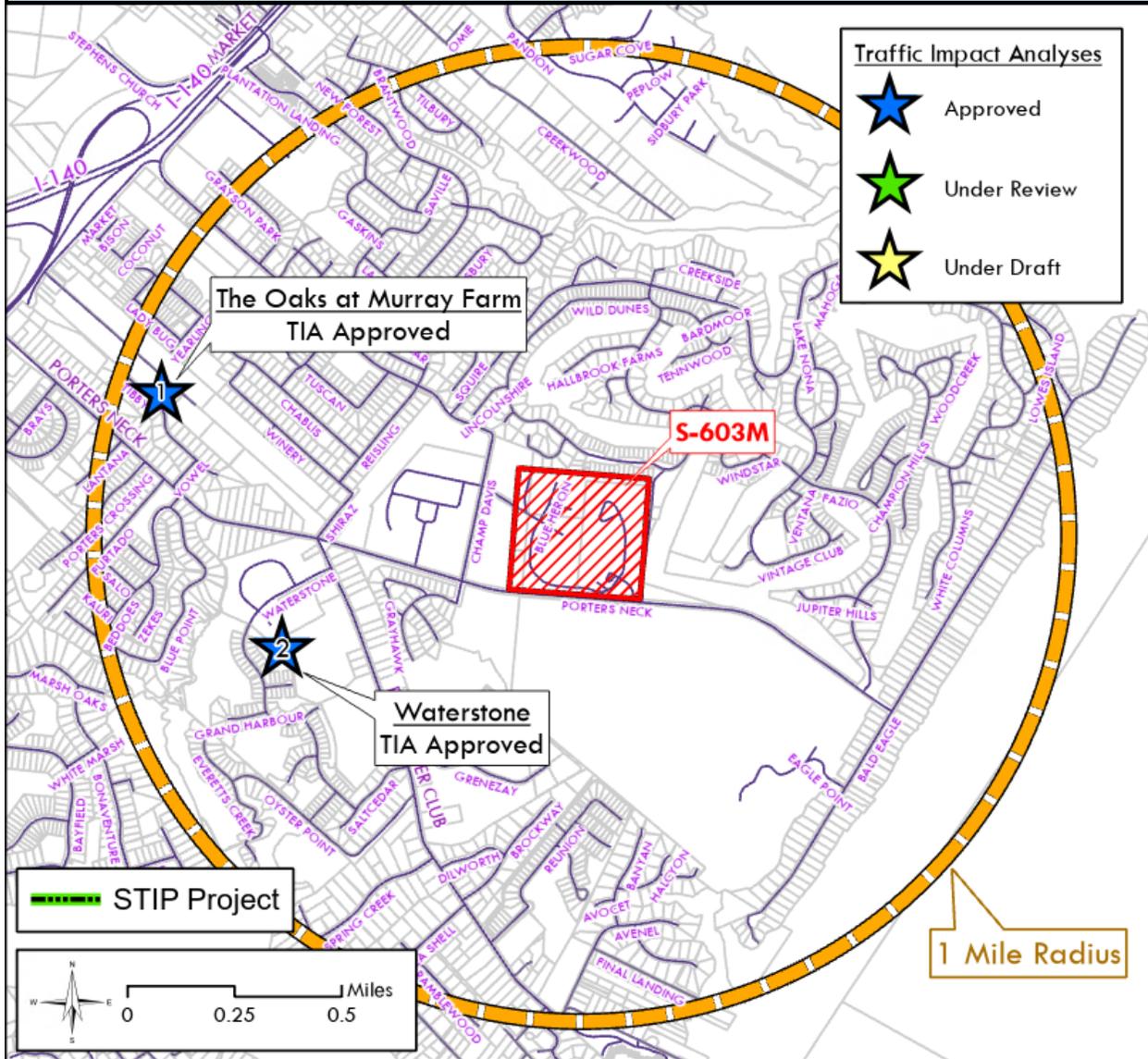
Intersections studied in the Davenport Technical Memorandum

- The applicant’s Technical Memorandum analyzed potential traffic impacts of the project at the Porters Neck roundabout, intersection of Porters Neck Road and Champ Davis Road, and the Plantation Village entrance onto Porters Neck Road, in order to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The report found that the proposed development is not expected to lower the level of service of any of the studied intersections, nor increase the delay of any studied intersection by more than 0.3 seconds per vehicle.
- Staff has provided the volume to capacity ratio for nearby sections of Porters Neck Road. While volume to capacity ratio, based on average daily trips, can provide a general idea of the function of adjacent roadways, the delay vehicles take in seconds to pass through intersections is generally considered a more effective measure when determining the Level of Service of a roadway. However, the available volume to capacity data indicates capacity currently exists in this area to support the expected additional traffic.

NCDOT Average Annual Daily Traffic (2018 AADT) – Source: WMPO

Road	Location	Volume	Capacity	V/C
Porters Neck Road	West of Porters Neck Road roundabout	14,500	17,000	0.85
Porters Neck Road	East of Porters Neck Road roundabout	4,100	12,500	0.33

Nearby Planned Transportation Improvements and Traffic Impact Analyses



Nearby NC STIP Projects:

- **STIP Project U-4751 (Military Cutoff Extension)**
 - Project to extend Military Cutoff from Market Street to I-140.
 - The project is currently under construction and is expected to be completed by early 2023.
 - The project will also install a sidewalk and multi-use path along the extension of Military Cutoff and the sections of Market Street included in the project.
- **STIP Project U-4902D (Market Street Median)**
 - Project to install a center median and pedestrian accessways along Market Street from Middle Sound Loop Road to Marsh Oaks Drive. The pedestrian accessways will consist of a 10-foot multi-use path on the eastern side of the street, and a 5-foot sidewalk on the western side of the street.

- The project is currently under construction and is expected to be completed by early 2023.

Nearby Traffic Impact Analyses:

Traffic Impact Analyses are completed in accordance with the WMPO and NCDOT standards. Approved analyses must be re-examined by NCDOT if the proposed development is not completed by the build out date established within the TIA.

Proposed Development	Land Use/Intensity	TIA Status
1. The Oaks at Murray Farm*	<ul style="list-style-type: none"> • 204 Apartments • 34 Duplex Units • 62 Single-Family Dwellings 	<ul style="list-style-type: none"> • Approved August 5, 2019 • Phase 1 & 2: 2020 Build Out Year • Full Build 2022
<p>The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> • Installation of a second westbound right-turn lane on “Old” Market Street at Hwy 17 • Revising signal plan to modify phase at the Hwy 17 and “Old” Market Street intersection. 		
<p><u>Nearby Proposed Developments included within the TIA:</u></p>		
<ul style="list-style-type: none"> • Waterstone 		
<p>Development Status: No construction has occurred at this time.</p>		

**The TIA analyzed 406 dwelling units on the subject site. Shown are the 300 units approved by the Board of Commissioners.*

Proposed Development	Land Use/Intensity	TIA Status
2. Waterstone	<ul style="list-style-type: none"> • 151 Single-Family Dwellings 	<ul style="list-style-type: none"> • Approved June 18, 2015 • 2020 Build Out Year
<p>The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> • Installation of a southbound right turn lane on Edgewater Club Road at the site’s northern access. 		
<p><u>Nearby Proposed Developments included within the TIA:</u></p>		
<ul style="list-style-type: none"> • Porters Neck Elementary 		
<p>Development Status: 98 lots have been platted at this time. The right turn lane has been installed.</p>		

ENVIRONMENTAL

- The property does not contain any Natural Heritage Areas or Special Flood Hazard Area.
- The western, northern, and eastern portions of the site fall within the Futch Creek (SA, HQW) watershed, while the southern and central portions of the site drain into the Intracoastal Waterway.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (suitable/slight limitations), Class II (moderate limitations) and Class III (severe limitations) soils, however, the project will connect to CFPWA sewer services.

CONTEXT AND COMPATIBILITY

- The subject property has been used as an independent senior living community since 1983.
- The site is located immediately east of The Davis Community, a senior living facility of approximately 67.38 acres that has operated in the Porters Neck community for 53 years. The Davis Community site contains a 3-story 35' assisted living structure. In June 2020, the Davis Community obtained a Conditional Use District rezoning to allow an expansion of its campus, including a four-story 50' tall multi-family building.
- The subject property is also adjacent to two private recreation uses: the Porters Neck Plantation golf course and maintenance facility to the east, and the Eagle Point Golf Club to the south.
- The northern property boundary abuts approximately 18 single-family dwellings of the Porters Neck Plantation subdivision. According to the applicant, these homes will remain screened by the existing vegetative, opaque buffer. The applicant is proposing to retain all existing, regulated trees within 30 feet from adjacent single-family properties along the Porters Neck Plantation subdivision, with the exception of any trees needed to be removed for the parking area adjacent to Building 4.



Existing Vegetative Buffer along Northern Property Boundary

- The conceptual site plan for Plantation Village positions the 3-story buildings away from the existing single-family dwellings to the north (the nearest of which is approximately 270' away from the northern property line) and further south adjacent to the golf courses. This locates the 2-story buildings and the nonresidential structures closest to the homes. All of the proposed buildings will exceed the minimum setback requirements of the UDO.

- Senior living retirement communities generally generate less traffic than non-age restricted residential developments.
- Senior living retirement communities generally do not impact the school system.



Plantation Village



Plantation Village

Representative Developments of Senior Living Projects:



Carolina Bay at Autumn Hall



Brightmore



Brightmore



Plantation Village (Southern apartment building - to remain)

Representative Developments of R-20:



Emerald Forest



Emerald Forest



Vineyard Plantation



Middle Point



Middle Point

2016 COMPREHENSIVE LAND USE PLAN

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County’s future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific.



Future Land Use Map Place Type	General Residential
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<p>Place Type Description</p>	<p>Focuses on lower-density housing and associated civic and commercial services. Typically, housing is single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout. Types of uses include single-family residential, low-density multi-family residential, light commercial, civic, and recreational.</p>
<p>Analysis</p>	<p>The subject property is the existing Plantation Village senior living community, a continuing care retirement community located on Porters Neck Road. The primary access to the property is along Porters Neck Road via Plantation Village Drive, the site's existing private driveway. The site also utilizes Jeanelle Moore Blvd as a service entrance, connecting it with the Davis Community.</p> <p>Adjacent land uses include single-family dwellings of the Porters Neck Plantation subdivision to the north, Porters Neck Plantation maintenance facility and golf course to the east, Eagle Point Golf Club to the south, and The Davis Community senior care campus to the west, which obtained a Conditional Use District rezoning in June 2020 to allow for an expansion of their facility.</p> <p>Like the majority of the Porters Neck area east of the Market Street/Highway 17 corridor, the subject property has been designated as a General Residential area in the Comprehensive Plan. The intent of this place type is to preserve existing residential neighborhoods and provide opportunities for similar lower density housing and associated services. The Comprehensive Plan indicates that single family residential and duplexes are typical, but it also lists multi-family residential (including the type of retirement community proposed) as appropriate for this place type.</p> <p>Plantation Village has been located on this site for 37 years and was in place prior to much of the single-family development in the Porters Neck area. The proposed modification continues the senior living use currently on the site. In addition, all of the proposed buildings are consistent with the preferred height range of up to 3 stories in the General Residential place type, and will exceed the setbacks required by the ordinance. The modification proposes a total density (including existing units) of 5.94 units per acre. This is within the intended residential density range of up to approximately 8 units per acre provided for by the General Residential place type.</p>

STAFF PRELIMINARY CONCLUSIONS AND FINDINGS OF FACT:

Staff has conducted an analysis of the proposed use and the information provided as part of the application package and has created preliminary findings of fact for each of the conclusions required to be reached to approve the special use permit request. These preliminary findings of fact and conclusions are based solely on the information provided to date, prior to any information or testimony in support or opposition to the request that may be presented at the upcoming public hearing at the Board meeting.

Conclusion 1: The Board must find that the use will not materially endanger the public health or safety where proposed and developed according to the plan as submitted and approved.

- A. Water and sewer service is currently provided by CFPUA.
- B. The site will be accessed from Porters Neck Road, an NCDOT-maintained Minor Collector based on the WMPO Functional Classification Map.
- C. According to the applicant's transportation technical memorandum, the proposed modification is estimated to result in a less than one second delay per vehicle at all nearby studied intersections.
- D. According to the applicant's transportation technical memorandum, the proposed modification is not expected to result in a change in level of service along Porters Neck Road.
- E. The subject property is located in the New Hanover County Northern Fire Service District.
- F. The site is not located within the Special Flood Hazard Area.

Conclusion 2: The Board must find that the use meets all required conditions and specifications of the Unified Development Ordinance.

- A. The site is zoned R-20, Residential District.
- B. Senior Living: Continuing Care Retirement Community is an allowed use by Special Use Permit in the R-20 zoning district.
- C. The Unified Development Ordinance (UDO) sets forth specific use standards for Senior Living: Continuing Care Retirement Community, all of which are shown on the conceptual plan and will be confirmed by the Technical Review Committee if the Special Use Permit modification is granted.

Conclusion 3: The Board must find that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.

- A. The surrounding area contains recreation uses, single-family dwellings, and a Continuing Care Retirement Community, The Davis Community, to the east.
- B. Bufferyards must be provided between the development and adjacent properties.
- C. Cal Morgan, MAI, SRA, AI-GRS, has performed a property value impact analysis for the development and found that the proposed modification will have no negative impact on adjacent property values.

Conclusion 4: The Board must find that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

- A. Plantation Village has operated as a Nursing and Personal Care Facility since 1983. It has been modified over the years, however it has been comprised of office, institutional, and medical land uses since its inception.
- B. No changes to the use of the property are proposed with this modification.
- C. The property is located in the General Residential place type as classified in the 2016 Comprehensive Plan.

- D. The proposed modification will increase the number of dwelling units for a total number of 330 units, an overall density of 5.94 dwelling units per acre, which is consistent with the recommended density of the General Residential place type.

PLANNING BOARD ACTION

The Planning Board considered this application at the September 3, 2020 meeting. One person, a member of the adjacent Porters Neck Plantation property owners' association, addressed the association's questions regarding the project, including the preservation of the existing treeline along the northern property boundary, stormwater detention, a preference to not include the installation of a fence along the northern property line, and the applicant's property value assessment. In response, the applicant agreed to a condition to not impact the existing buffer, and to not install the fence as requested by the resident of the adjacent neighborhood.

The applicant initially requested that the maximum 330 units be temporary until the final phase was complete. However, during Planning Board discussion on the timing of the build-out taking 10 years or more, the Board and applicant agreed to make the request for a maximum 330 units permanently.

The Planning Board recommended approval of the modification (7-0) with the maximum number of units being 330. The Board stated that they find the modification meets the four conclusions of law required to approve a Special Use Permit based on Staff's preliminary findings of fact, with the following conditions:

1. The existing 40-foot* vegetative buffer along the northern property line shall be retained where the development proposed in this modification adjoins the single-family homes of the Porters Neck Plantation subdivision.
2. The proposed stormwater detention facilities serving the post-development runoff for any net increase in impervious surface area within this modification must be designed to accommodate a 100-year storm event.

* During the meeting, the discussion related to preserving the buffer focused on the applicant's assurance that the existing vegetative buffer would be preserved in the area being redeveloped, along the northern property line adjacent to single-family homes, during and after the redevelopment, and that the existing buffer would not be disturbed. After the meeting, the applicant realized that the width of the buffer was given in error, and that the existing buffer is 30-foot-wide and not 40 feet. The applicant contends, and Staff concurs, that the intent of the condition was to preserve the existing treeline and was not to increase its size, and has requested that the condition be modified to reflect the 30-foot dimension. The applicant has agreed to contact the Porters Neck Plantation resident who spoke at the meeting prior to the Board of Commissioners meeting to make sure the change in the wording of the condition is acceptable.

Suggested Conditions

1. Other than the parking area adjacent to Building 4, all regulated trees within 30 feet of the northern property boundary in the project expansion area will be preserved, except as otherwise provided for in UDO Section 5.3.8 (Removal of Hazardous Trees).
2. The proposed stormwater detention facilities serving the post-development runoff for any net increase in impervious surface area within this modification must be designed to accommodate a 100-year storm event.

EXAMPLE MOTIONS

Example Motion for Approval:

Motion to approve, as the Board finds that this application for a Special Use Permit modification meets the four required conclusions based on the findings of fact included in the Staff Report.

[OPTIONAL] Note any additional findings of fact related to the four required conclusions.

[OPTIONAL] Note any conditions be added to the development:

1. Other than the parking area adjacent to Building 4, all regulated trees within 30 feet of the northern property boundary in the project expansion area will be preserved, except as otherwise provided for in UDO Section 5.3.8(Removal of Hazardous Trees).
2. The proposed stormwater detention facilities serving the post-development runoff for any net increase in impervious surface area within this modification must be designed to accommodate a 100-year storm event.

Example Motion for Denial:

Motion to deny, as the Board **cannot** find that this proposal:

1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Unified Development Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

[State the finding(s) that the application does not meet and include reasons why it is not being met]