APPLICATION SUMMARY

Case Number: S18-04

Request:
Special use permit in order to develop an indoor/outdoor recreation facility

Applicant: Cindee Wolf, Design Solutions
Property Owner(s): Charles Rudolph Clay, Sr. & Essie Waddell Clay Revocable Living Trust

Location: 4600 block of Gordon Road
Acreage: 5.16

PID(s): R04300-001-007-000
Comp Plan Place Type: General Residential

Existing Land Use: Undeveloped
Proposed Land Use: Indoor/outdoor recreation facility

Current Zoning: R-15

SURROUNDING AREA

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Undeveloped/Smith Creek Apts (under construction)</td>
</tr>
<tr>
<td>East</td>
<td>Smith Creek Apts accessway, Single-Family Residential (Weaver Acres)</td>
</tr>
<tr>
<td>South</td>
<td>Single-Family Residence, Buy Quick Gas Station</td>
</tr>
<tr>
<td>West</td>
<td>RV Storage, I-40 interchange</td>
</tr>
</tbody>
</table>
### ZONING HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Zoning Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 7, 1972</td>
<td>Zoned R-15 (Area 8B)</td>
</tr>
</tbody>
</table>

### COMMUNITY SERVICES

<table>
<thead>
<tr>
<th>Service</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water/Sewer</td>
<td>Water and sewer services are available through CFPUA</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Murrayville Station</td>
</tr>
<tr>
<td>Schools</td>
<td>Murrayville Elementary, Eaton Elementary, Trask Middle, and Laney High Schools</td>
</tr>
<tr>
<td>Recreation</td>
<td>Smith Creek Park, Parkwood Recreation Area</td>
</tr>
</tbody>
</table>

### CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Resource Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation</td>
<td>No known conservation resources</td>
</tr>
<tr>
<td>Historic</td>
<td>No known historic resources</td>
</tr>
<tr>
<td>Archaeological</td>
<td>No known archaeological resources</td>
</tr>
</tbody>
</table>
Proposed Site Plan

- This application proposes to construct an indoor/outdoor recreation facility.
- The business that will utilize the facility, Off the Wall Sports, is currently operating at 203 Antilles Court in Dutch Square. This application would relocate the business to the subject site and allow for it to expand.
- The proposed facility will consist of a 26,400 square foot building and two outdoor sports fields.
- The business focuses on after school programs for elementary aged students. Currently, the business picks up children from Eaton, Blair, Murrayville, Holly Shelter, and Ogden elementary schools. Pick up time is throughout the afternoon/early evening with the program closing at 6pm.
- The business also offers adult leagues which start around 7pm in the evening.
- The property is located between an existing boat/RV storage lot, a gas station, and the Smith Creek Apartments which are currently under construction. The site will share an existing driveway to Gordon Road with the storage lot and gas station.

TRANSPORTATION

- Access is proposed to be provided to the subject property from Gordon Road (SR 2048). The access is shared with the adjacent gas station and storage lot within an existing 60' access easement. This access does not permit left-out movements which requires motorists leaving the site seeking to travel east on Gordon Road to initially go west and then make a u-turn at the N. College Road intersection. According to NCDOT, the existing u-turn at N. College Road has the capacity to serve the additional trips generated by this proposal. The u-turn lane will also be extended with the construction of The Landing at Lewis Creek Estates, a residential development located on the south side of Gordon Road.
- The applicant requested a second access to connect to the Smith Creek Apartment’s driveway that has not been granted by the apartment property owner. If this connection could be made, it would allow for motorists to access the roadway system of the adjacent neighborhood which connects to Gordon Road at multiple locations, including at Blount Drive where there are existing plans for a signal to be installed with the construction of Lewis Creek Estates.
• The proposed recreation facility must obtain a driveway permit from NCDOT.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>INTENSITY</th>
<th>AM PEAK</th>
<th>PM PEAK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation Center (ITE 495)</td>
<td>26,400 sf</td>
<td>46</td>
<td>61</td>
</tr>
</tbody>
</table>

• As currently zoned, R-15, the subject site would be permitted a maximum of 13 dwelling units under the performance residential standards. A detached single-family dwelling typically generates about one trip during the PM peak hour. Therefore, the trips are expected to increase by approximately 48 in the PM peak.

Traffic Counts – December 31, 2017

<table>
<thead>
<tr>
<th>Road</th>
<th>Location</th>
<th>Volume</th>
<th>Capacity</th>
<th>V/C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gordon Road</td>
<td>East of I-40</td>
<td>28,542</td>
<td>14,730</td>
<td>1.94</td>
</tr>
</tbody>
</table>

• Due to the high volume of trips on Gordon Road compared to its capacity, a project to widen the road has been included in the Cape Fear Transportation 2040 plan, but has not been funded at this time.

Nearby Planned Transportation Improvements and Traffic Impact Analyses
**Nearby Traffic Impact Analyses:**
Traffic Impact Analyses are completed in accordance with the WMPO and NCDOT standards. Approved analyses will expire if the proposed development is not completed by the build out date established within the TIA.

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Land Use/Intensity</th>
<th>TIA Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Smith Creek Apartments</td>
<td>• 318 apartment units</td>
<td>• Under Review by the WMPO &amp; NCDOT</td>
</tr>
</tbody>
</table>

A TIA for this development was originally approved in 2014 with a build out date of 2015. Due to adjacent developments being constructed and approved in the surrounding area prior to the construction of this project, the WMPO determined that a new TIA was necessary to reflect the change in conditions.

The previous TIA required the site driveway on Gordon Road to be designed with one ingress and two egress lanes, and with a 150-foot internal protective stem. The TIA also required right-of-way dedication along Gordon Road.

Nearby Proposed Developments included within the TIA:

- The Landing at Lewis Creek Estates

**Development Status:** Site work underway

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Land Use/Intensity</th>
<th>TIA Status</th>
</tr>
</thead>
</table>
| 2. The Landing at Lewis Creek Estates | • 190 Single Family units  
  • 40 Townhome units  
  • 192 Apartment units | • Approved October 17, 2017  
  • 2021 Build Out Year |

The TIA recommended improvements be completed at certain intersections in the area. The notable recommendations consisted of:
- Installation of a signal, westbound left-turn lane, and eastbound right-turn on Gordon Road at Blount Drive.
- Extension of the existing northbound right-turn lane on Gordon Road at the I-40 westbound ramp.
- Extension of the existing westbound left-turn lane and southbound left-turn lane at the intersection of Gordon Road and N. College Road.

Nearby Proposed Developments included within the TIA:

- Buy Quick

**Development Status:** Site work underway
<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Land Use/Intensity</th>
<th>TIA Status</th>
</tr>
</thead>
</table>
| 3. Wilmington Christian Academy Expansion | • 153 Pre-K students and associated staff | • Approved September 14, 2016  
• 2018 Build Out Year |

The TIA recommended improvements be completed at certain intersections in the area. The notable recommendations consisted of:

- Installation of turns lanes along Kenningston Street at the site’s driveways.

*When this TIA was approved, State law prohibited NCDOT from requiring schools to install roadway improvements. Under current regulations, the total cost of any required improvements to the State highway system must be reimbursed by NCDOT.

Nearby Proposed Developments included within the TIA:

- None

Development Status: Completed without the recommended improvements

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Land Use/Intensity</th>
<th>TIA Status</th>
</tr>
</thead>
</table>
| 4. Dunkin Donuts | • 3,200 sq. ft. fast food restaurant with drive-thru | • Approved April 14, 2015  
• 2016 Build Out Year |

The TIA required improvements be completed at a driveway to the site. The notable improvement consisted of:

- Construction of an eastbound right-turn lane with appropriate taper on Murrayville Road at the shopping center driveway.

Per NCDOT, the improvements have been installed in accordance with their standards.

Nearby Proposed Developments included within the TIA:

- None

Development Status: Completed

**Recent and Planned Private Roadway Improvements to Nearby Segments of Gordon Road**

- Newly constructed and/or approved private developments are required to make improvements to the adjacent segments of Gordon Road. The improvements for Buy Quick are complete, and the improvements required for The Landing at Lewis Creek Estates will be installed as that development is constructed. Also, the TIA for Smith Creek Apartments is currently under review which will determine if additional roadway improvements are necessary for the area.
Nearby NC STIP Projects:

- **U-5792 & U-5881**
  - NCDOT's State Transportation Improvement Program includes two projects (U-5792 & U-5881) that will upgrade College Road from Gordon Road to New Centre Drive. NCDOT's recommended plans for the projects includes converting certain intersections along College Road into interchanges, including at MLK Parkway and Kings Drive. Construction of project is expected to begin in 2024.

- **U-4751**
  - STIP project that will extend Military Cutoff from Market Street to I-140. The extension will also make connections to subdivisions located north of Gordon Road, giving residents additional options to access Market Street and Military Cutoff. Construction of that project is underway.

**ENVIRONMENTAL**

- The northern portion of the property is within the AE Special Flood Hazard Area, however, no buildings are proposed within this area.
- The property does not contain any Natural Heritage Areas.
According to the applicant, wetlands may exist within the project boundaries, but not within any area proposed for development. The location of wetlands will be verified during the building permit process.

The subject property is within the Smith Creek (C_Sw) watershed.

Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class II (moderate limitation), Class III (Severe Limitation), and Class IV (unsuitable) soils. However, the project will connect to CFPUA water and sewer services.

### 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. Specific goals of the Comprehensive Plan are designated to be promoted in each place type, and other goals may be relevant for particular properties.

<table>
<thead>
<tr>
<th>Future Land Use Map Place Type</th>
<th>General Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Place Type Description</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Analysis</strong></td>
<td>The intent of the General Residential place type is to provide opportunities for similar lower density residential development and supportive commercial, civic, and recreational development. The proposed indoor/outdoor recreation use would provide recreational options through its adult and child soccer leagues and child care opportunities (after school program) for the adjacent neighborhoods (Eaton and Murrayville school districts). The proposed use would also be located in proximity to existing commercial uses and planned higher density residential development.</td>
</tr>
</tbody>
</table>
The proposed indoor/outdoor recreation use is generally **CONSISTENT** with the 2016 Comprehensive Plan because it provides recreational and child care services that can serve adjacent residential neighborhoods, in line with the recommended mix of uses for the General Residential place type. It also allows for the expansion of an existing business in the community and is sited near commercial and higher density residential land uses.

**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.

**Finding 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. The site is accessed from Gordon Road, a major arterial street, and is adjacent to Interstate 40.

B. According to the most recent traffic counts in the area, the daily trips on Gordon Road exceed the design capacity of the two-lane road. The volume to capacity ratio for the segment of Gordon Road east of I-40 is 1.94.

C. The proposed recreation facility is expected to generate fewer than 100 trips in the peak hours. The net change in trips expected to be generated from a residential development under the R-15 zoning district to the proposed recreation facility is estimated to be an increase of approximately 50 trips in the PM peak.

D. Water and sewer services will be provided and designed in accordance with CFPUA’s standards.

E. The subject property is located in the New Hanover County North Fire Service District.

F. The development within the site is outside of the Special Flood Hazard Area located on the property.

G. Traffic impacts are reviewed by NCDOT through the driveway permitting process, and any required roadway improvements must be installed in accordance with NCDOT’s standards prior to a certificate of occupancy being issued.

**Staff Suggestion:** Evidence in the record at this time supports a finding that the use will not materially endanger the public health or safety where proposed.
Finding 2: The Board must find that the use meets all required conditions and specifications of the Zoning Ordinance.

A. The site is zoned R-15, Residential District.
B. Indoor and outdoor recreation establishments are allowed by special use permit in the R-15 zoning districts.
C. The site plan complies with all applicable technical standards including Zoning Ordinance Section 72-36: Indoor/Outdoor Recreation Establishments

Staff Suggestion: Evidence in the record at this time supports a finding that the use meets all of the required conditions and specifications of the Zoning Ordinance.

Finding 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 a mixture of land uses including single-family residential, multi-family residential, and commercial land uses.
B. No evidence has been submitted that this project will decrease the property values of adjacent or nearby properties.

Staff Suggestion: The evidence in the record at this time supports a finding that the use will not substantially injure the value of adjoining or abutting property.

Finding 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 plan of development for New Hanover County.

A. The 2016 Comprehensive Plan classifies the area proposed for the development as General Residential, and the proposal aligns with general intent of this land use classification. The proposed indoor/outdoor recreation use would provide recreational options and child care opportunities for the adjacent neighborhoods. The proposed use would also be located in proximity to existing commercial uses and planned higher density residential development.

Staff Suggestion: Evidence in the record at this time supports a finding that the use is general conformity with the plan of development for New Hanover County.