

STAFF REPORT FOR S19-03

SPECIAL USE PERMIT APPLICATION

APPLICATION SUMMARY

Case Number: S19-03

Request:

SUP to allow for the operation of a child care center as part of the New Beginning Christian Church facility, within the R-20, Residential District

Applicant:

Robert L. Campbell

Property Owner(s):

New Beginnings Christian Church

Location:

3120 Alex Trask Drive

Acreage:

4.7 acres

PID(s):

R03308-002-009-000;
Portion of R03300-003-002-000

Comp Plan Place Type:

Community Mixed Use

Existing Land Use:

Church

Proposed Land Use:

Church with child care center

Current Zoning:

R-20



SURROUNDING AREA

	LAND USE	ZONING
North	Single-Family Residential (Ivy Woods)	R-10
East	Undeveloped, Single-Family Residential (Ivy Woods), N. Kerr Industrial Park, Undeveloped	R-10, I-2, PD
South	Undeveloped, Single-Family Residential (Rachel's Place)	(CUD) R-10, (CZD) R-10
West	Church (Gospel Fellowship Holiness), Single-Family Residential (Wrightsboro Acres), Nursery (Tinga)	R-20



ZONING HISTORY

July 1, 1974	Initially zoned R-20 (Area 10A)
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COMMUNITY SERVICES

Water/Sewer	Water and sewer is currently provided by CFPUA.
Fire Protection	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Wrightsboro
Schools	Wrightsboro Elementary, Eaton Elementary, Holly Shelter Middle, and New Hanover High Schools

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

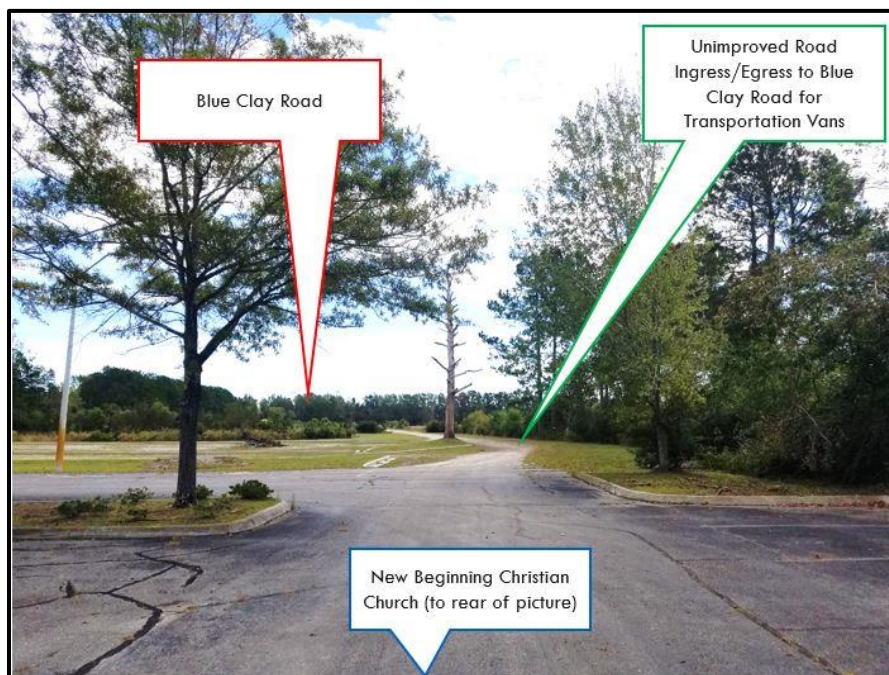
ZONING CONSIDERATIONS

- The applicant is seeking to obtain a special use permit to operate Brighter Beginnings Early Learning Center, a child care center, at the New Beginning Christian Church, with two components; 1) a child care center serving children from ages 2-12 and 2) an after school program serving elementary to middle school-aged children.
- The proposed use is considered a “child care center”, in the Zoning Ordinance. Child care centers are places where there are three or more preschool-age children or nine or more school-age children receiving child care.
- According to the applicant, the Early Learning Center will serve children from ages 2 through 12, Monday through Friday from 7:00 am to 6:00 pm, to better prepare the children for school readiness. The applicant has indicated that this program will have a maximum

capacity of 52 children. In addition, the fellowship hall will be designated for the afterschool program, with a maximum capacity of 50 students. In total, the proposed facility will have a total capacity for 102 children and have 10 full-time staff members. All of the facilities will be within the existing church building. No new buildings are proposed with this special use permit.

- The Early Learning Center will also offer after school programs for elementary and middle school aged students. Around 2:00 PM, the two Early Learning Center transportation vans will depart from the subject site to travel to Castle Hayne Elementary, Wrightsboro Elementary, and Murrayville Elementary schools to pick up children participating in the afterschool program. These vans will use the existing unimproved roadway that connects to Blue Clay Road rather than exiting the site via Holland Drive or Old Mill Road.
- All children will be picked up by their guardians between 4:00 pm and 6:00 pm. Pick up time is staggered throughout the afternoon and early evening with the program closing at 6:00 pm.

Below: Existing parking facility with direct access to Blue Clay Road



- Based upon the Church's weekday schedule, there will be no overlap or conflict between the Early Learning Center's operations and the Church's. The Church hosts an Adult Bible Study that meets on Tuesdays from 7:00 pm to 9:00 pm and choir practice takes place on Thursdays from 7:00 pm to 9:00 pm. All other Church related operations take place on the weekends, outside of the proposed hours of operation for the Early Learning Center.
- In addition, Gospel Fellowship Holiness is directly across from New Beginning on Alex Trask Drive. The two churches have peak traffic on weekends, helping reduce traffic on weekdays.
- New Beginning initially obtained site plan approval in 2010 to operate as a church, a permitted use by-right in the R-20 district. The church subsequently modified the site plan, and obtained approval in 2013 to construct additional grass/gravel parking spaces and a stormwater facility. The existing parking facility is sufficient to serve both the church and the

child care operation, as the Early Learning Center will operate when normal church services are not conducted.

TRANSPORTATION

- The subject site is currently accessed by two existing driveways located along the eastern side of Alex Trask Drive. According to the applicant, staff will transport students from the surrounding schools to their after school program, and will utilize an unimproved roadway off of Blue Clay Road to drop the children off at the Early Learning Center.
- The below trip generation reflects the total square footage within the existing church that will be utilized for the child care center.

LAND USE	INTENSITY	AM PEAK	PM PEAK
Day Care Center (ITE 565)	6,000 square feet	70	71

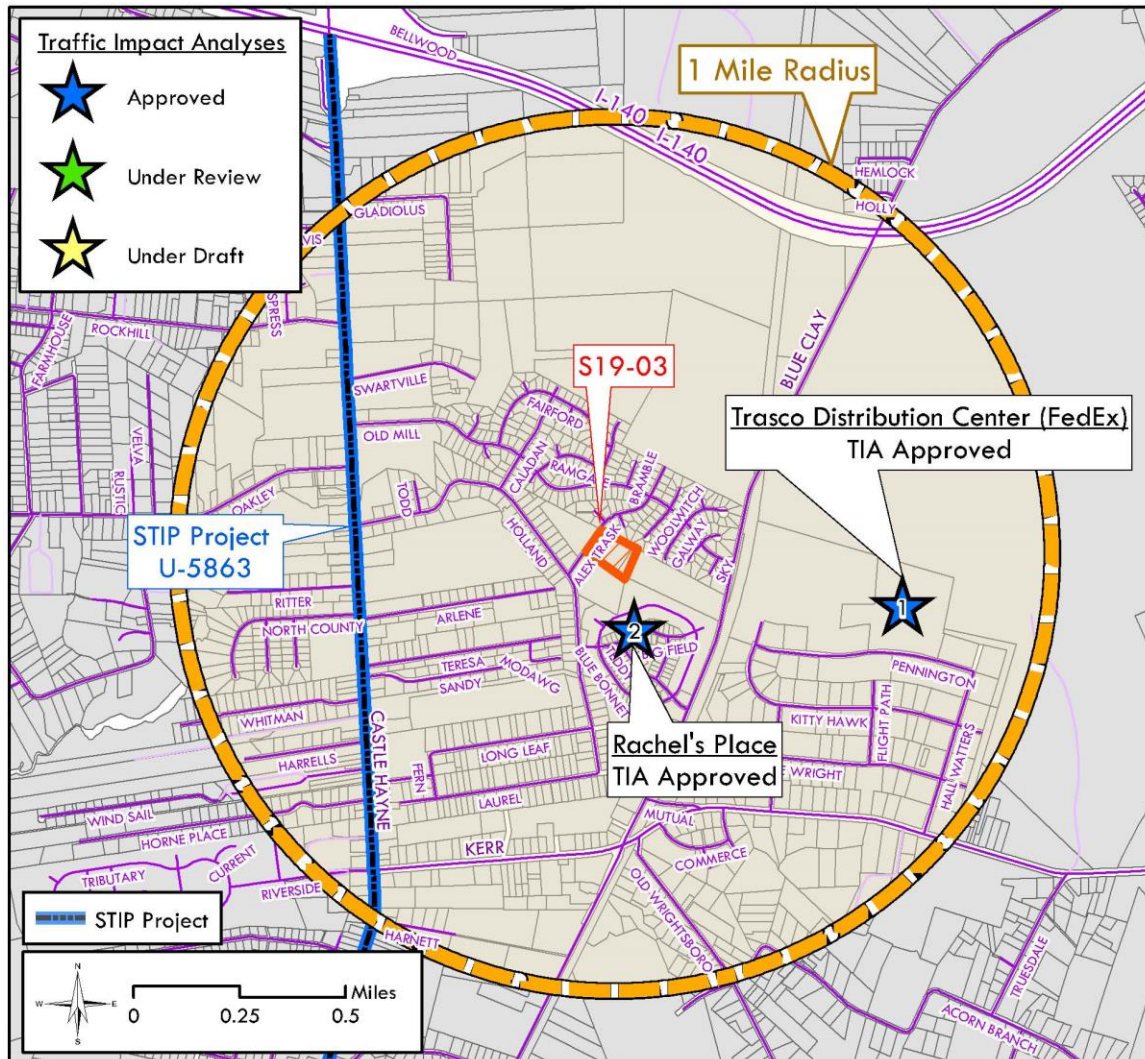
- The proposed child care center is estimated to generate about 70 trips in both the AM and PM peak weekday hours. The center's peak times are outside of the normal peak hours for church activities.
- Because the proposed child care center does not meet the threshold to require a TIA to analyze the traffic impacts, staff has provided the volume to capacity ratio for Blue Clay Road near the subject site. 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.

Traffic Counts – August 2018

Road	Location	Volume	Capacity	V/C	LOS
Blue Clay Road	Between Kerr Avenue and Old Mill Road	5,548	15,600	0.36	A

- The WMPO recently completed traffic counts on Old Mill Road and Holland Drive in October 2019. The counts indicate that both roads have current weekday traffic volumes at about 10% of their capacity.

Nearby Planned Transportation Improvements and Traffic Impact Analyses



Nearby NC STIP Projects:

- **STIP Project U-5863**
 - Project to widen Castle Hayne Road from I-140 to MLK Parkway.
 - Current production schedule for this project is to begin right-of-way acquisition in 2020 and bidding of the project in 2022. However, the draft STIP, which will be finalized in September, has moved the dates for right-of-way acquisition to 2021 and bidding of the project to 2024.
 - This project will widen Castle Hayne Road by adding a center turn lane or median to certain sections of the Road.

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. Trasco Distribution Center (FedEx)	<ul style="list-style-type: none"> Distribution Center 	<ul style="list-style-type: none"> Approved June 18, 2015 2016 Build Out Year
<p>The TIA required improvements must be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> Installation of a westbound right turn lane and signal modifications at North Kerr Avenue and Castle Hayne Road. 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> None 		
Development Status: The commercial development is completed and the required roadway improvements have been installed.		

Proposed Development	Land Use/Intensity	TIA Status
2. Rachel's Place	<ul style="list-style-type: none"> 154 single-family dwellings 	<ul style="list-style-type: none"> Approved October 22, 2015 2018 Build Out Year
<p>The TIA required improvements must be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> Constructing a north bound left turn lane on Blue Clay Road at the site access on Blue Clay Road 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> River Bluffs Trasco Distribution Center Riverside 		
Development Status: Construction is underway. Currently 92 zoning permits have been issued for new homes within Rachel's Place.		

ENVIRONMENTAL

- The property is not within a Natural Heritage Area or Special Flood Hazard Area.
- The property is within the Ness 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) and class III (severe limitations) soils, however, the site is already served by CFPWA 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. 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	Community Mixed Use
Place Type Description	Focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. Types of appropriate uses include office, retail, mixed use, recreational, commercial, institutional, and multi-family and single-family residential.
Analysis	<p>The proposed child care center use would be located in an existing religious assembly facility adjacent to an existing church (Gospel Fellowship Holiness) and existing residential neighborhoods. The Comprehensive Plan designated the subject property and adjacent undeveloped land along Blue Clay Road as Community Mixed Use in order to provide an orderly transition between existing single family residential homes and the industrial park at the corner of Blue Clay Rd. and N. Kerr Ave. and other industrial uses near the airport.</p> <p>A daycare use is in line with both the institutional services intended for Community Mixed Use areas and the types of supportive commercial, civic, and recreational development allowed for in the adjacent General Residential areas. Locating services in these areas is intended to provide convenient support services for nearby residents.</p>
Consistency Recommendation	The proposed child care center use is generally CONSISTENT with the 2016 Comprehensive Plan because it provides child care services that can support nearby residential neighborhoods, in line with the recommended mix of uses for both Community Mixed Use and General Residential place types.

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 services will be provided by CFPUA and will be provided and designed in accordance with CFPUA's standards.
- B. The subject property is located in the New Hanover County North Fire Service District.
- C. The site is accessed from Holland Drive (SR 1358) and Old Mill Road (SR 2148), which provide direct connections to Blue Clay Road (SR 1318) and Castle Hayne Road (NC HWY 133).
- D. The proposed child care center is estimated to generate about 70 trips in both the AM and PM peak hours. The 2018 volume to capacity data, provided by the WMPO, indicates capacity currently exists in this area to support the expected additional traffic.
- E. The child care center must be licensed with the North Carolina Department of Health and Human Services and comply with additional regulations imposed by the agency.

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

- A. The site is zoned R-20, Residential District.
- B. Child care centers are allowed by Special Use Permit in the R-20 zoning district.
- C. The existing site complies with all applicable technical standards of the Zoning Ordinance including buffering and parking requirements to accommodate the proposed child care center. No additional site improvements are required.

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 proposed child care center use would be located in an existing religious assembly facility adjacent to an existing church (Gospel Fellowship Holiness). The surrounding area contains a mixture of land uses including single-family residential, multi-family residential, and commercial land uses.
- B. No new construction is proposed to accommodate the proposed child care center operation.
- C. No evidence has been submitted that this project will decrease the property values of adjacent or nearby properties.

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. The 2016 Comprehensive Plan classifies the subject site as Community Mixed Use. This place type's intent is to provide an orderly transition between existing single family residential homes and the industrial park at the corner of Blue Clay Rd. and N. Kerr Ave. and other industrial uses near the airport.
- B. The proposed child care center use is generally consistent with the 2016 Comprehensive Plan because it provides child care services that can support nearby residential neighborhoods, in line with the recommended mix of uses for both Community Mixed Use and General Residential place types.

EXAMPLE MOTIONS

Example Motion for Approval:

Motion to recommend approval, as the Board finds that this application for a Special Use Permit 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:

[List Conditions]

Example Motion for Denial:

Motion to recommend denial, 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 Zoning 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]