

STAFF REPORT FOR **S20-02** SPECIAL USE PERMIT APPLICATION

APPLICATION SUMMARY

Case Number: S20-02

Request:

SUP to allow for the operation of a child care center as part of the Coastal Community Baptist Church facility, within the R-15, Residential District

Applicant:

Allison Jordan

Property Owner(s):

Coastal Community Baptist Church

Location:

7721 Alexander Road

Acreage:

19.16 acres

PID(s):

R03600-003-007-000;
R03600-003-007-001

Comp Plan Place Type:

General Residential/
Community Mixed Use

Existing Land Use:

Church

Proposed Land Use:

Church with child care center

Current Zoning:

R-15



SURROUNDING AREA

	LAND USE	ZONING
North	Single-Family Residential	R-15
East	Alexander Road Right-of-Way and Single-Family Residential	R-15
South	Professional Offices, Child Care Center/School, Medical and Dental Office and Clinic, and Personal Services	(CUD) O&I, O&I
West	Undeveloped, Single-Family Residential	R-15



ZONING HISTORY

July 6, 1971	Initially zoned R-15 (Area 5)
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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 Ogden
Schools	Blair Elementary, Holly Shelter Middle, and Laney High Schools
Recreation	Ogden Park, Parkwood Recreation Area, Smith Creek Park, Smith Creek Park Preserve, and Pages Creek Park Preserve

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

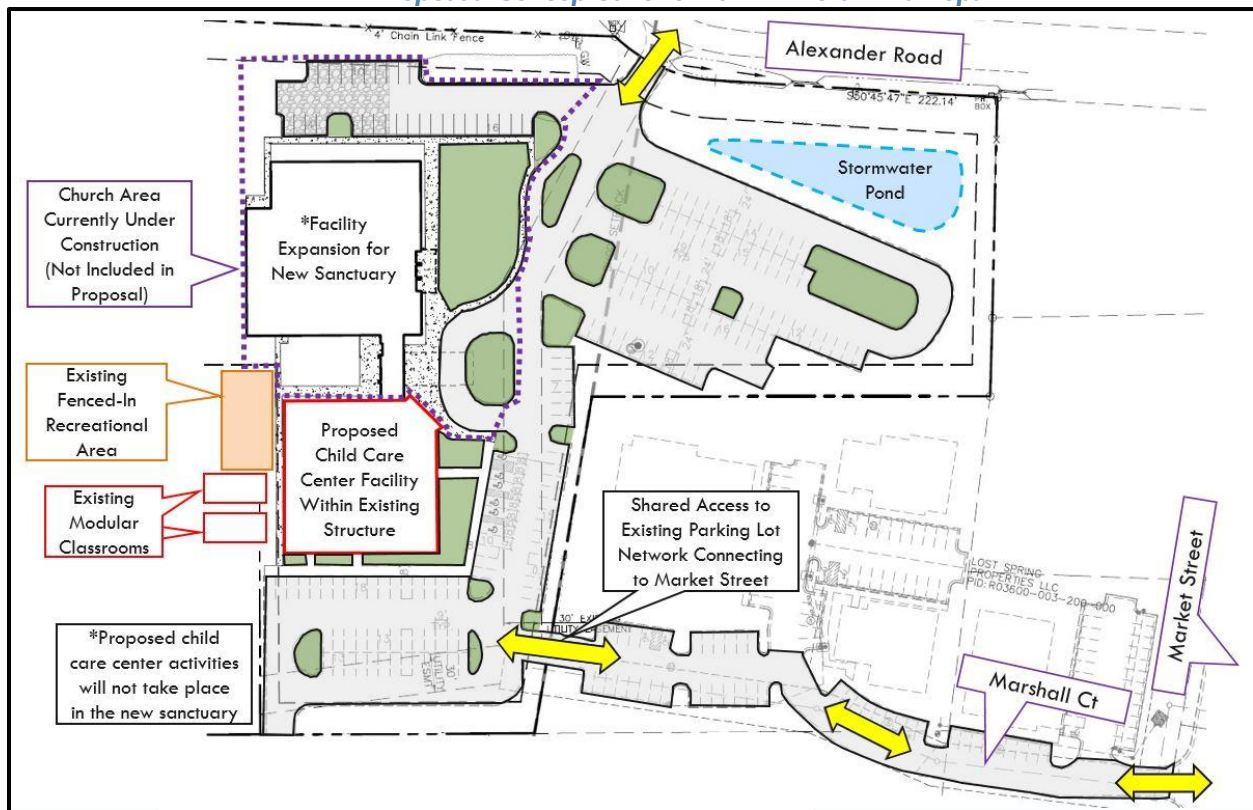
Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

EXISTING CONDITIONS & PROPOSED CONCEPTUAL PLAN

- The applicant is seeking to obtain a special use permit to operate a child care center in the R-15 zoning district. The center, called Seacoast Christian Academy, currently operates within the Coastal Community Baptist Church during weekdays from 8:30 am to 12:00 pm. As proposed, the child care center will expand their hours of operation to 7:30 am to 3:00 pm, Monday through Friday. Enrollment will be open to the community.
- The current operation is limited to providing care for less than four hours per day due to North Carolina licensure requirements. Because of the limited hours, the existing day care is considered an accessory use to the existing church and is permitted by-right.
- The applicant is required to be licensed by the NC Department of Health and Human Services (NCDHHS) because they are seeking to expand the hours of operation from 3.5 hours per day to 7.5 hours per day. The extended hours also change how the use is classified

in the Unified Development Ordinance (UDO) from an accessory use to a principal use that requires a special use permit.

Proposed Conceptual Site Plan with Staff Markups



- Under the current operation, approximately 120 children attend the limited program on a weekly basis. However, the specific number on any given weekday varies based upon the individual needs of each family. In addition, there are a total of approximately 20 staff members associated with the existing operation.
- The Coastal Community Baptist Church site is currently under construction to relocate all church related activities to a new sanctuary, located immediately north of the existing structure where day care is currently provided. This construction is not related to this special use permit request because religious assemblies are allowed by-right in the R-15 zoning district. Development related permits have been obtained to allow for this construction.
- This expansion will allow for space in the existing building and modular buildings to be dedicated to the expanded child care operation.

ZONING CONSIDERATIONS

- The applicant is proposing a child care center, which would allow Seacoast Christian Academy to operate for more than 4 hours each day of the week. Specifically, from 7:30 am to 3:00 pm, Monday through Friday. In addition to obtaining a special use permit, other State and local permits are required prior to the operation with the extended child care hours.
- The applicant has indicated that all of the child care related uses will be within the existing building, modular classrooms, and recreational area, and all church services will take place within the new facility. In addition, there will be no overlap or conflict between the child

care and church operations as the child care is limited to weekday operation, and the church typically operates on the weekend.

Photo of Existing Building



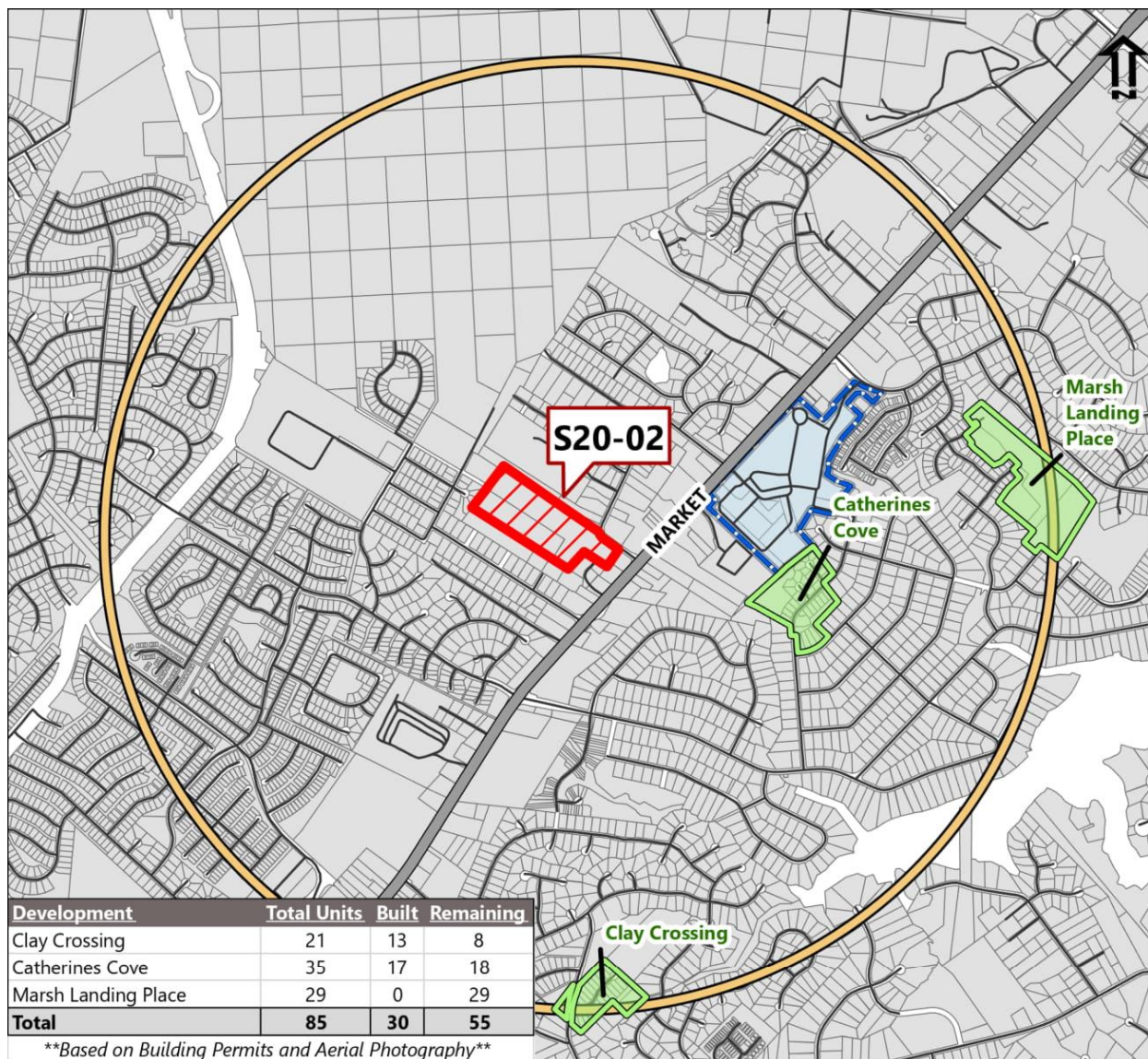
Photo of New Sanctuary Under Construction



- The UDO does not limit the number of children or set a maximum capacity permitted within the child care center. The capacity is reviewed and regulated by the NCDHHS Division of Child Development and Early Education, the North Carolina Building Code, and North Carolina Fire Code.
- Based upon the current teacher to child ratio and square footage of the existing facilities, the applicant has indicated that the center will have a maximum enrollment capacity of 120 children, which is generally consistent with the current operation with approximately 110 students enrolled.
- According to the applicant, there will be two drop off periods, one between 7:30 am-8:00 am, and another between 8:45 am-9:15 am, allowing for staggered arrivals. In addition, there will be two pick up periods, one between 12:15 pm-12:45 pm, and another between 1:45 pm-2:45 pm, allowing for staggered pick up. The applicant anticipates that the majority of children will be picked up within these time frames. However, they also anticipate that some children will be picked up earlier than the standard time frames.
- The center's total enrollment and daily schedule will dictate the number of children present on any given day. Children will attend the center either Monday through Friday or alternate every other day. The applicant has included a schedule that outlines the total number of students attending the facility each day in the application.

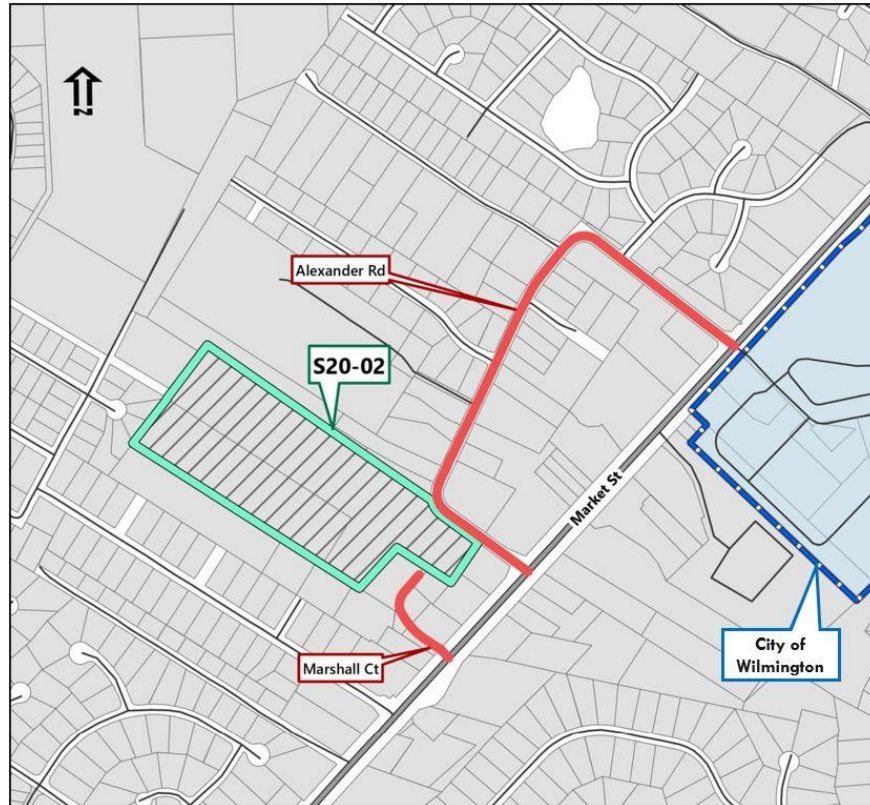
- In addition, based upon the current operation, some families carpool and multiple siblings are driven by one parent so it is anticipated that the total cars during drop off/pick up hours will be less than the number of children present on any given day.
- As proposed, there are six classrooms, two modular classrooms, and a sanctuary that will be converted into a gathering area for related school programs within the existing building. There is an outdoor recreational area for children as well.
- The existing parking facility consists of approximately 155 parking spaces, and with the new sanctuary building, an additional 30 parking spaces will be constructed, totaling 185 spaces. This will be sufficient to serve both the church and the child care operation, as the child care center will operate when normal church services are not conducted.

AREA SUBDIVISIONS UNDER DEVELOPMENT



TRANSPORTATION

- The subject site is currently accessed by an existing driveway located along Alexander Road (SR 1355). In addition, there is a shared driveway connection between the subject site and the existing office park to the immediate south that connects to Market Street via Marshall Court.



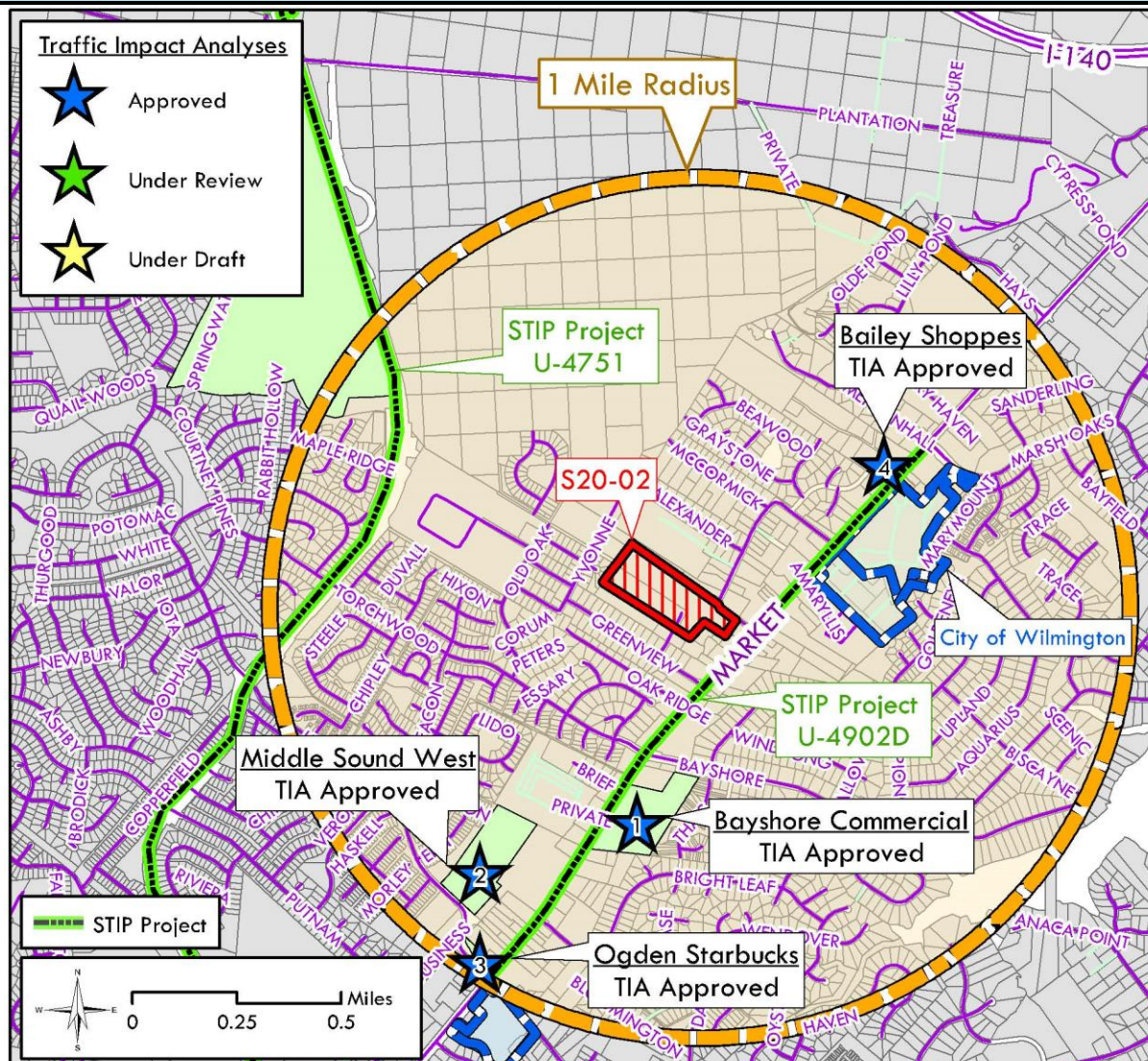
- The ITE Trip Generation Manual provides trip generation estimates for child care centers based upon the total number of children enrolled, which translates to approximately 90 AM peak hour trips when applied to this request. No notable traffic is expected to be generated during the traditional 5:00 pm peak hour because the last pick up time is before 3:00 pm.
- Due to the class schedule and varying levels of attendance throughout the week, the staggered drop off/pick up times between 7:30 am-9:15 am and 12:15 pm-2:45 pm, carpooling, and multiple siblings in vehicles, the proposed use is not expected to generate more than 100 trips in any peak hour.
- Once the Market Street Median Project is completed in 2023, motorists will still have the option to utilize either Alexander Road or Marshall Court when entering the site from southbound Market Street. Motorists traveling northbound on Market Street will be able to use the unsignalized left-over at the southern Alexander Road intersection, the signalized left-over at the northern Alexander Road intersection, or u-turn and turn right at the southern Alexander Road intersection. When exiting the site using Marshall Court and Alexander Road, motorists will be limited to a right hand turning movement. Torchwood Boulevard/Bayshore Drive is the nearest signalized intersection that will allow motorists to u-turn and travel north. The graphic on Page 8 illustrates the future turning movements that will be possible when the Market Street project is constructed.

- Because there have been no recent traffic impact analyses in the area addressing relevant intersections, staff has provided the volume to capacity ratio for Market Street 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.

NCDOT Average Annual Daily Traffic (AADT) - 2017

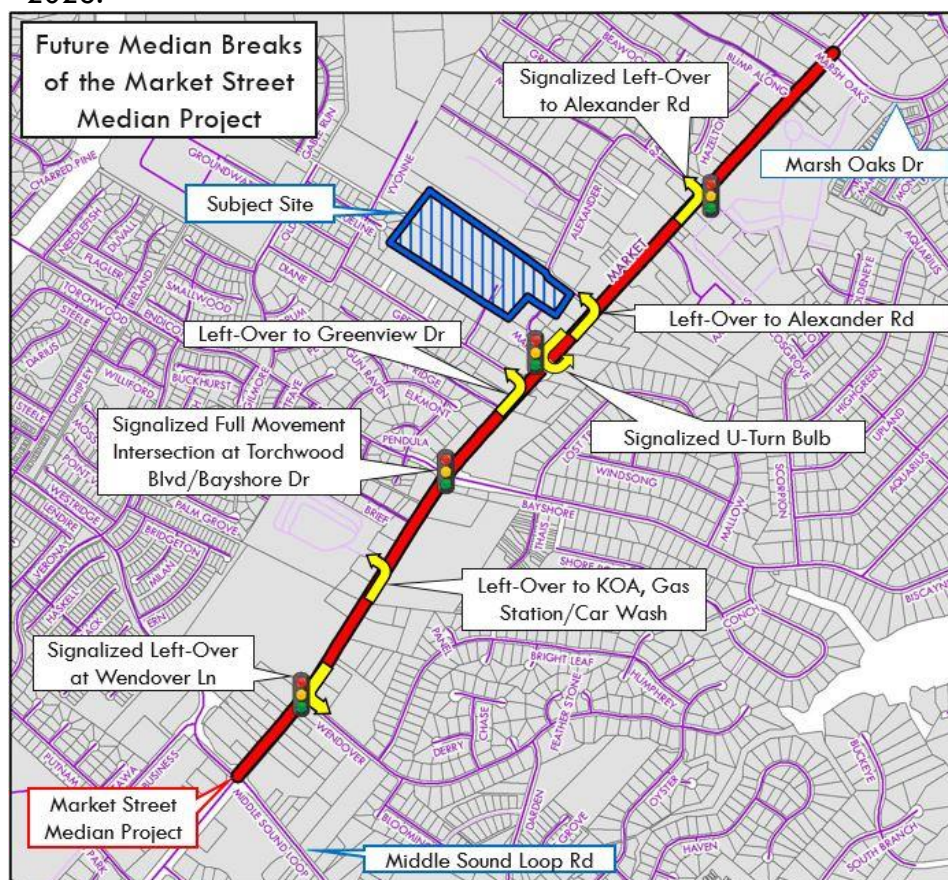
Road	Location	Volume	Capacity	V/C
Market Street	South of Torchwood Blvd/Bayshore Drive	44,000	44,300	0.95
Market Street	North of Sweetwater Road	42,000	49,250	0.85

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 extension of Military Cutoff will run about 0.75 miles west of the subject site. Lendire Road/Brittany Lakes Drive, Torchwood Boulevard, and Putnam Drive/Bradfield Court will connect to the Military Cutoff extension, allowing access to neighborhoods west of Market Street. 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.
 - Installation of an additional exclusive eastbound right-turn lane on Lendire Road at Market Street is required as part of the Ogden Starbucks development. The installation of this improvement will be coordinated with the Military Cutoff Extension project.
 - NCDOT also intends to perform widening and striping of Lendire Road by 2023. The widening will consist of the addition of 4 feet of asphalt to each side of the road for a total widening of 8 feet. The widening of the road will be from Ogden Business Lane to the Military Cutoff extension right-of-way.
- **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 in 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. Bayshore Commercial Development	<ul style="list-style-type: none"> • 20,000 square feet of Medical/Dental Office • 70,000 square feet of Shopping Center • 8,000 square feet of High Turnover Sit Down Restaurant • 4,000 square feet of Fast Food Restaurant 	<ul style="list-style-type: none"> • TIA approved September 11, 2019 • 2022 Build Out Year
<p>The TIA requires improvements be completed at certain intersections in the area. The notable improvements consisted of:</p> <ul style="list-style-type: none"> • Installation of an additional westbound left turn lane on Bayshore Drive to Market Street • Extension of existing northbound right turn lane on Market Street from Bayshore Drive to the site's access points 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> • None 		
Development Status: The property is zoned B-2, which allows for this development by-right. Preliminary plans have been reviewed by the TRC.		

Proposed Development	Land Use/Intensity	TIA Status
2. Middle Sound West	<ul style="list-style-type: none"> • 288 multi-family units • Small office with 32 employees 	<ul style="list-style-type: none"> • Approved August 14, 2019 • 2021 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 westbound right-turn lane at the site's access on Lendire Road. 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> • Ogden Starbucks 		
Development Status: Special Use Permit request denied by the Board of Commissioners		

Proposed Development	Land Use/Intensity	TIA Status
3. Ogden Starbucks	<ul style="list-style-type: none"> 2,200 square foot coffee shop with drive thru 	<ul style="list-style-type: none"> Approved May 10, 2019 2021 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 an additional exclusive eastbound right-turn lane on Lendire Road at Market Street (improvement installation to be coordinated with the Military Cutoff Extension project U-4751). Modification of the signal timing at the same intersection to incorporate the new dual right-turn lanes. 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> None 		
Development Status: Complete, however the installation of right-turn lane will be completed with the Military Cutoff extension project.		

Proposed Development	Land Use/Intensity	TIA Status
4. Bailey Shoppes	<ul style="list-style-type: none"> 4,800 sf of Office 6,600 sf of Shopping Center 1,200 sf of Fast Food Restaurant with Drive-Thru 2,400 sf of High-Turnover Restaurant 	<ul style="list-style-type: none"> Approved February 20, 2018 2018 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 from Bump Along Road to Mendenhall Drive Installation of a traffic signal at a future u-turn movement to be located approximately 800 feet south of Alexander Road 		
<u>Nearby Proposed Developments included within the TIA:</u>		
<ul style="list-style-type: none"> Aldi at Marsh Oaks Amberleigh Shores Phase II 		
Development Status: Initial site work has been completed, however, no structures have been constructed at this time.		

ENVIRONMENTAL

- The property is not within a Natural Heritage Area or Special Flood Hazard Area.
- The property is within the Pages Creek (SA;HQQW) watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (suitable/slight limitation), Class II (moderate limitation) and class III (severe limitations) soils, however, the site is already served by CFPWA water and sewer services.

CONTEXT AND COMPATIBILITY

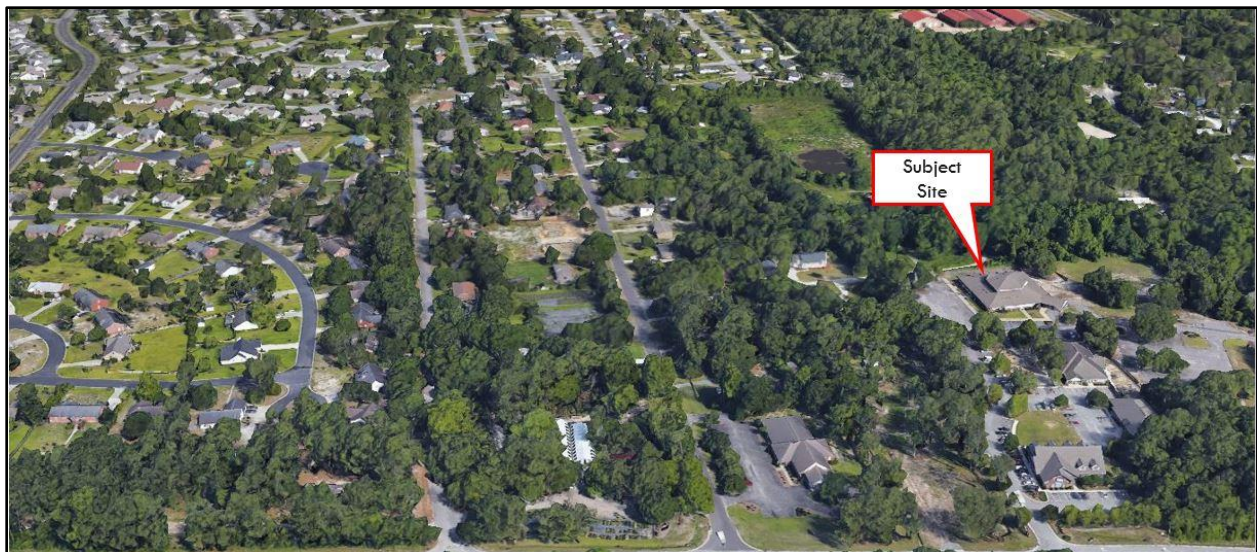
- Churches and their associated child care facilities are common uses adjacent to low density residential areas and provide appropriate transitions to more intense uses and major roadways in addition to providing services to nearby residents.
- The appropriateness of this use as a common transition is indicated by churches being allowed by-right in the R-15 zoning district and child care facilities being a use permitted by special use permit.
- The proposed child care center will be located mostly within the existing building where church services have been held for over 10 years. In addition, there is no physical change to the character of this part of the facility or the site as a result of this proposal.
- The existing building on site is currently utilized as a day care for 3.5 hours on weekdays and church services on weekends. Traffic generated from the proposed expanded hours of operation is likely to be similar to what occurs on the site today because morning drop off times are similar to existing patterns. This proposal allows for the child care center to operate later in the day with pick up staggered between 12:15 pm-3:00 pm which will reduce the number of vehicles entering and exiting the site at one pick up time. In addition, the pickup hours are outside of Market Street's weekday PM peak around 5:00 pm.
- The trips generated from the proposed use will have two ways to enter and exit the site as there is an existing driveway to Alexander Road which connects to Market Street, and a connection through the office park that connects directly to Market Street from Marshall Court.
- The office park that abuts the subject site currently contains a cluster of office, personal care, and child care uses fronting Market Street.
- This proposal is intended to provide convenient child care and early education to nearby residents, both in the existing neighborhoods and neighborhoods in general vicinity.
- Other similar church daycare facilities include Myrtle Grove Christian School Daycare and Brighter Beginnings Early Learning Center.



*Myrtle Grove Christian School Daycare –
Monkey Junction*



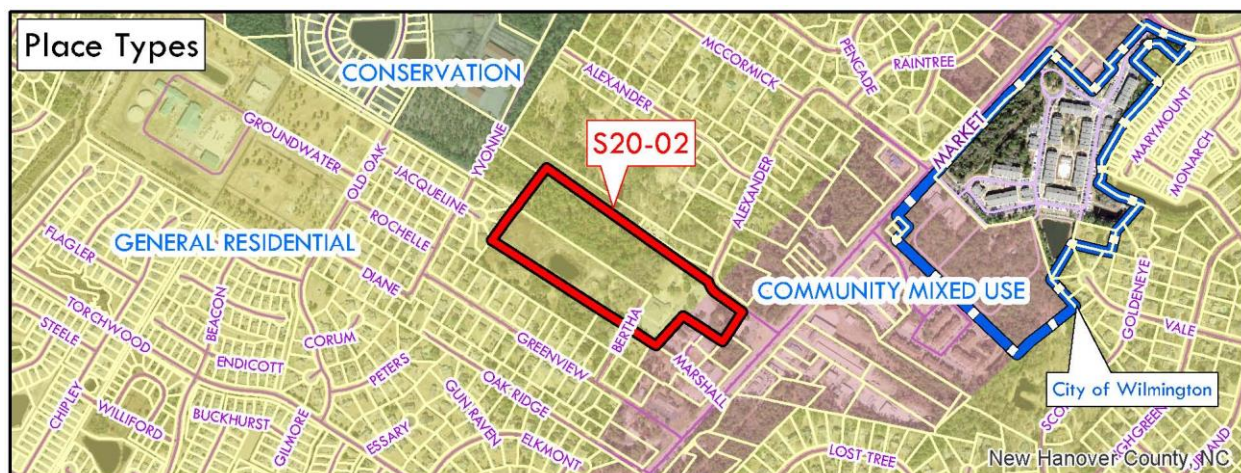
*Brighter Beginnings Early Learning Center –
Wrightsboro*



Subject Site Near Existing Neighborhoods

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 & General Residential

Because of the general nature of place type borders, sites located in proximity to the boundaries between place types could be appropriately developed with either place type, allowing site-specific features and evolving development patterns in the surrounding area to be considered.

<p>Place Type Description</p>	<p>Community Mixed Use: 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.</p> <p>General Residential: 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 located along Alexander Road to the rear of, and connected to, a cluster of office, personal care, and child care uses fronting Market Street. The proposed child care center use would be located in an existing religious assembly facility near existing residential neighborhoods.</p> <p>The Comprehensive Plan classifies the portions of the property closest to Market Street as a Community Mixed Use place and those near existing residential neighborhoods as General Residential. In general, the plan designates areas along roadways for higher residential densities and a mix of uses and those adjacent to existing neighborhoods for residential development and supportive commercial, civic, and recreational development.</p> <p>A child care center is in line with both the institutional services intended for Community Mixed Use areas and the types of supportive civic development allowed for in the General Residential areas. Locating services in these areas is intended to provide convenient support services for nearby residents, and the location of educational facilities, such as child care centers and schools, near existing neighborhoods is specifically encouraged.</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 services will be provided by CFPUA and designed in accordance with CFPUA's standards.
- B. The subject property is located in the New Hanover County Northern Fire Service District.
- C. Access to the site will be from an existing driveway that will be reviewed by NCDOT during the driveway permit process.

- D. The site is accessed from both Alexander Road and Marshall Court, which provide direct connections to Market Street. The two ingress and egress points increase the ability for Emergency Services to access the child care facility in the event of an emergency.
- E. The proposed child care center is estimated to generate about 90 trips in the AM peak hour and is expected to have no notable impact on the traditional 5:00 pm peak hour. The available volume to capacity data, provided by NCDOT and the WMPO, indicates capacity currently exists in this area to support the minor changes in traffic patterns that may occur as a result of the extended hours.
- F. An operational permit will need to be issued by the Fire Marshal's Office before child care facility opens. The sprinkler and fire alarm system must be currently inspected and in operational order.
- G. 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 Unified Development Ordinance.

- A. The site is zoned R-15, Residential District.
- B. Child care centers are allowed by Special Use Permit in the R-15 zoning district.
- C. The existing site complies with all applicable technical standards of the Unified Development 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 two existing child care facilities (Children's Cottage of Wilmington & Kiddie Academy of Wilmington). The surrounding area contains a mixture of land uses including single-family residential and commercial land uses.
- B. No new construction is proposed to accommodate the proposed child care center operation.
- C. Institutional uses are located adjacent and nearby to residential uses elsewhere in the county.
- D. 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 General Residential and Community Mixed Use. A child care center is in line with both the institutional services intended for Community Mixed Use areas and the types of supportive civic development allowed for in the General Residential areas. Locating services in these areas is intended to provide convenient support services for nearby residents, and the location of educational facilities, such as child care centers and schools, near existing neighborhoods is specifically encouraged.

PLANNING BOARD ACTION

The Planning Board considered this application at their July 9, 2020 meeting. No members of the public spoke in favor or in opposition of the proposed Special Use Permit. The Planning Board recommended approval of the application (7-0) with the following condition:

1. The child care center shall be limited to a maximum capacity of 120 children.

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, and with the one condition recommended in the Staff Report.

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

Recommended Condition:

1. The child care center shall be limited to a maximum capacity of 120 children.

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 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]