

**PLANNING STAFF REPORT
CONDITIONAL ZONING MAP AMENDMENT
ISLAND CREEK FIRE AND EMS STATION #28**

SUMMARY:

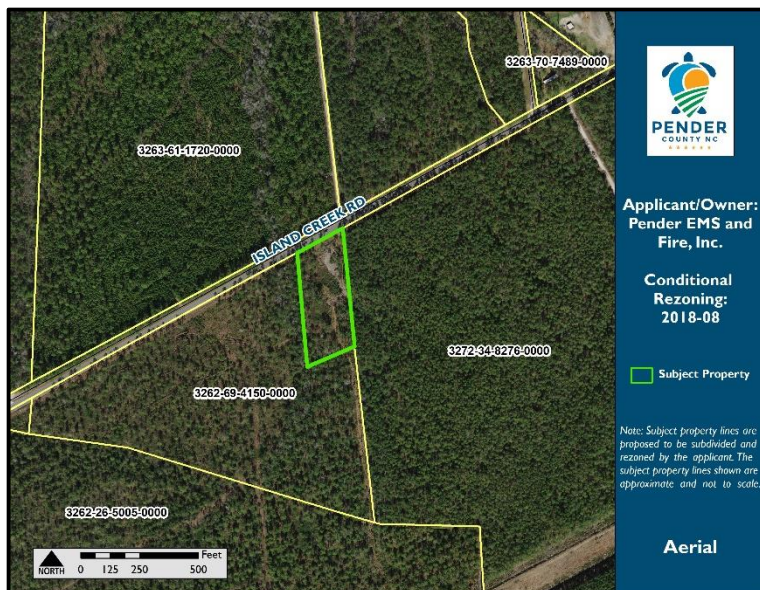
Hearing Date: February 5, 2019 Planning Board
March 18, 2019 Board of Commissioners
Applicant: Pender EMS and Fire, Inc.
Property Owners: Pender EMS and Fire, Inc.
Case Number: REZONE 2018-08

Rezoning Proposal: Pender EMS and Fire, Inc., applicant and owner, is requesting the approval of a Conditional Zoning Map Amendment for a portion of (1) tract totaling approximately ±2.15 acres from PD, Planned Development zoning district to OI-CD2, Office and Institutional conditional zoning district 2 as part of a Major Site Development Plan that also totals ±2.15 acres. This request is to allow for the construction of fire and EMS station with a firefighter training facility (NAICS 922160).

Property Record Number, Acreage, and Location: The subject property is located on the south side of Island Creek Road (SR 1002), roughly 0.9 miles west of the intersection of Island Creek Road and NC HWY 210 in the Topsail Township and may be further identified by Pender County PIN: 3262-69-4150-0000. A North Carolina General Warranty Deed was recorded on January 3, 2019 that transferred ownership of the ±2.15 acre portion of the subject property (DB 3950, PG 139) to Pender EMS and Fire, Inc. (Please see Attachment 1). Maps showing aerial and vicinity views are provided below and on the following page.

RECOMMENDATION

Pender EMS and Fire, Inc., applicant and owner, is requesting the approval of a Conditional Zoning Map Amendment for a portion of (1) tract totaling approximately ±2.15 acres from PD, Planned Development zoning district to OI-CD2, Office and Institutional conditional zoning district 2. This request is to allow for the construction and operation of an approximately ±6,084 sq. ft. fire and EMS station with an approximately ±500 sq. ft. firefighter training facility. As submitted, the request appears to meet all

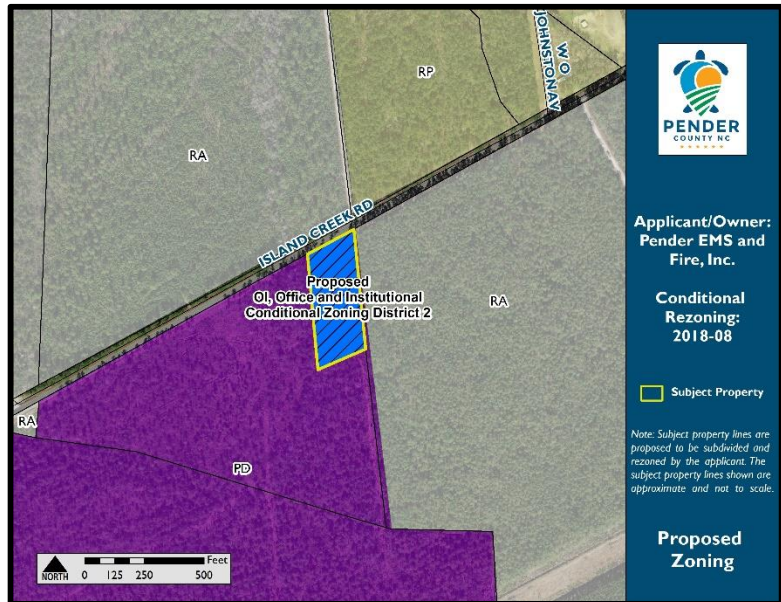


criteria set forth in Section 3.4 Review Criteria for Conditional Rezoning of the Pender County Unified Development Ordinance. The proposed development is consistent with the Future Land Use Map in the Pender 2.0 Comprehensive Land Use Plan and its location has been coordinated with future roadways as shown in the Pender County Collector Street Plan. The proposed development is consistent with the Pender County Unified Development Ordinance. Staff is recommending conditional approval based on the features outlined in this report and results from the Community Meeting.

All other uses or expansions will be prohibited unless an alteration is made to the approval. Any changes to the requested petition shall be processed in accordance with amendments to the zoning map and in accordance with Section 3.4 of the Pender County Unified Development Ordinance.

Conditional Rezoning Process

The Conditional Rezoning process is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, on small and large-scale projects. A conditional rezoning is designed to provide more certainty for Pender County and for nearby residents as to which uses can be expected in a development proposal and which uses will not be present. If approved, this request would create the 'OI, Office and Institutional conditional zoning district 2 (shown at right), which would be specific to the subject property described herein.



The Conditional Rezoning process differs from a General Use Rezoning in its inclusion of requirements to go before the Technical Review Committee (TRC) for specific site plan review and its requirement of the applicant to hold a public meeting to address any community concerns. Reports from both TRC and the public meeting are included in this report. These comments are provided as attachments to this report and are also discussed in the “Public Input Meeting” and “Technical Review Committee Comments” sections in this report.

Dimensional Requirements

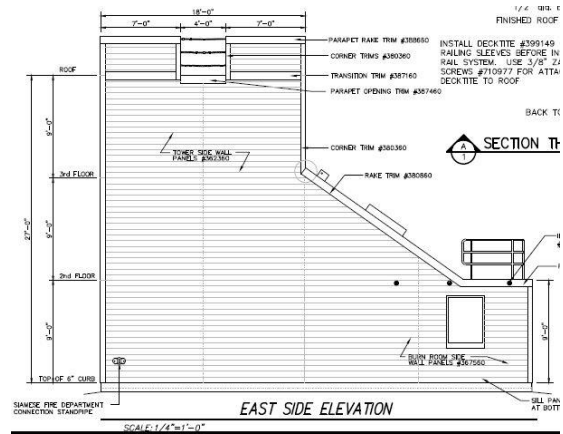
Per Section 4.14, Zoning District Dimensional Requirements, the setback requirements for the OI, Office and Institutional zoning district are shown in the table below and must be met prior to approval. The applicant has proposed the following dimensional requirements which are in compliance with the Unified Development Ordinance:

Required and Proposed Dimensional Requirements

Property Line	Zoning District Setback	Proposed Setback
North/Front	25 feet	102 feet
South/Rear	10 feet	88 feet
East/Side	10 feet	40 feet
West/Side	10 feet	67 feet

Proposed Height

As proposed, the building height of the fire station will be twenty-five (25) feet high and the building height of the firefighting training facility will be thirty-five (35) feet high. The east side elevation of the firefighter training facility from the Engineer Specifications is shown to the right. Both of these proposed heights are consistent with the OI, Office and Institutional zoning district regulations listed in Section 4.14 of the Pender County Unified Development Ordinance. Pursuant to this Section, the maximum height in this zoning district is forty (40) feet.



Landscaping and Buffers

All landscape and buffers are to be approved in accordance with Section 8.2.6 of the Pender County Unified Development Ordinance. All uses in the OI, Office and Institutional zoning district shall provide a Type A Buffer along all boundaries adjacent to street rights-of-way, a Type C- Buffer along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50’ of the boundary of the development, and a Type B-Buffer along all other boundaries.

The applicant has proposed a Type A-1 Buffer along the front property boundary, which is adjacent to Island Creek Road (SR 1002), and a Type B-1 Buffer along all other property boundaries. The Type A-1 Buffer shall contain a fifteen (15) foot wide strip with three (3) canopy trees, two (2) understory trees, and a grass cover of at least 98% coverage (except within four [4] feet of the base of any tree), per one hundred (100) linear feet and the Type B-1 Buffer shall contain a ten (10) foot wide strip with three (3) canopy trees, four (4) understory trees, and a grass cover of at least 98% coverage (except within four [4] feet of the base of any tree), per one hundred (100) linear feet.

The proposed buffers and landscaping are consistent with the requirements prescribed in both Section 8.2.6 and Section 8.2.7 of the Pender County Unified Development Ordinance.

Hours of Operation

According to the applicant, the proposed training facility hours of operation are between 8:00 am and 10:00 pm on weekdays and/or weekends. Pender EMS and Fire will schedule training sessions intermittently based upon need and weather conditions. The applicant stated that shift training (career personnel) is likely to take place during the weekday daylight hours and volunteer personnel training during the weekends/nights.

Access

The subject property has direct access to Island Creek Road (SR 1002), approximately ±0.7 miles west of the intersection of Island Creek Road (SR 1002) and Harrison Creek Road (SR 1573), and approximately ±0.9 miles west of the intersection of Island Creek Road (SR 1002) and NC HWY 210. According to Section 7.4.4.B.1, Cross Access Corridors shall be required for all nonresidential adjacent properties. Paramounte Engineering, Inc., on behalf of the applicant, submitted a Cross Access Corridor waiver request for this project on January 28, 2019. The request outlined how strict compliance of this Section would be impractical due to the environmental features to the west and potential safety concerns the project may create to the north and east.

Based on comments received from the Technical Review Committee (TRC) on January 1, 2019, a driveway permit is required from NCDOT (Attachment 3). All roadway improvements are subject to review and approval by NCDOT and will be tracked through the driveway permit process and coordinated with the NCDOT and Staff.

Parking

According to Section 7.10.1 of the Pender County Unified Development Ordinance, emergency services, fire, sheriff, or medical stations shall provide a minimum of one (1) parking space per employee per shift plus one (1) parking space per facility. Based upon this provision, the minimum parking requirement for this proposal is eight (8) parking spaces. The applicant has demonstrated, on the submitted site plan, compliance with Section 7.10.1 of the Pender County Unified Development Ordinance.

Parking will be reviewed for compliance through the Major Site Development Review process to ensure compliance with the requirements of Section 7 of the Pender County Unified Development Ordinance.

Traffic

The completion of a Traffic Impact Analysis (TIA) is not required for the proposed development. Per Section 6.3.C.7 of Pender County’s Unified Development Ordinance, a TIA is required when the development generates 100 trips in the morning or evening peak hours or 1,000 trips per day. Any traffic requirements will be addressed by the NCDOT and will be required to be compliant with the NCDOT standards. Please see the figure to the right that shows the trip generation calculations provided by the applicant. These calculations can also be found on the submitted site plan.

TRIP GENERATION CALCULATIONS		
<i>Use:</i>		Government Office Building
<i>Land Use Code</i>		730
<i>Number of Square Feet per 1000 sf</i>		6.08
Weekday:	T = 419	Avg.VTE
Weekday Peak AM:	T = 35	Avg.VTE
Weekday Peak PM:	T = 67	Avg.VTE

Utilities

According to the applicant’s submitted narrative, the applicant intends to utilize an existing Pender County Utilities (PCU) water line along Island Creek Road (SR 1002) and utilize a private regional wastewater system, Pluris Hampstead, LLC., for wastewater disposal and treatment. To access this sewer service, the applicant will connect through an extension along Island Creek Road (SR 1002). The applicant has provided the PCU letter of intent to serve (Attachment 4) and a preliminary confirmation that Pluris Hampstead, LLC has the capacity to serve this development (Attachment 5). The applicant will submit a formal letter of intent to serve upon receipt.

Environmental Concerns

The subject parcel is not located within a CAMA Area of Environmental Concern (AEC) nor is it located in the Special Flood Hazard Area based on Map #3720328200J, effective 2/16/2007. Based upon this information and comments provided by the Pender County Floodplain Administrator, no flood standards are required to be met (Attachment 3).

Wetlands are shown on the submitted site plan, but it appears that the proposed development will have no impact to the site's existing wetlands at this time. Any disturbance within these wetlands is subject to review and approval by the U.S. Army Corps of Engineers. The applicant has not submitted a Jurisdictional

Delineation or an Impact Permit at this time but will be required prior to any zoning approvals, if applicable.

Stormwater

According to the applicant's submitted site plan, the applicant proposes to design stormwater conveyances to move stormwater to the proposed stormwater retention facility near the southwestern corner of the property. The applicant is required to accommodate a twenty-five-year storm event pursuant to Section 7.9 of the Pender County Unified Development Ordinance. All projects shall be designed so that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff. Low density projects shall meet this requirement for the 1 year 24-hour event or demonstrate that stormwater discharge is through multiple outlets with each not exceeding a flow of over 50% of the total pre-development flow. High density projects shall meet this requirement for the 10 and 25-year return period events and be analyzed for the 50-year event. Definitions of these terminologies can be found in Section 7.9.B of the Pender County Unified Development Ordinance. All stormwater and drainage improvements are required prior to any zoning approvals.

Outdoor Lighting

Pursuant to Section 7.11 of the Pender County Unified Development Ordinance, outdoor lighting shall be required only in conjunction of the construction of sidewalks and off-street parking requirements, in which case, they shall be placed at any and all street intersections throughout the development. Further, parking lot lighting shall be shielded so that it does not cast direct light beyond the property line and parking lots shall be illuminated during night business hours.

Signage

All signage shall be reviewed and approved separately per Section 9 of the Pender County Unified Development Ordinance. The applicant is required to work with Staff to assure that the signage has been designed to comply with Section 9.6.1 of the Pender County Unified Development Ordinance.

PUBLIC INPUT MEETING

The public meeting was held on January 18, 2019 from 6pm-7pm at Pender EMS and Fire Station #16 in Hampstead. Notices of the meeting being held were mailed to all residents within 1,000 feet of the subject property on January 7, 2019. The meeting was conducted as an "open-house" in which attendees were given the opportunity to see proposed site plans and renderings and ask questions. One community member attended the meeting with questions concerning how water and sewer services were being provided to serve the proposed Fire and EMS Station. The applicant has provided a report from the public input meeting and is included as Attachment 6.

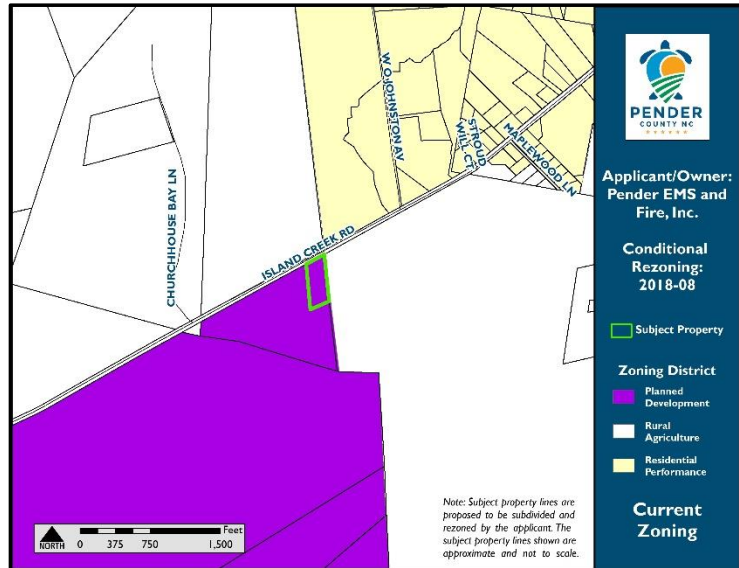
TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES

Pender County's Technical Review Committee meeting was held on Wednesday, January 2, 2019 at 9 A.M. in the Board of County Commissioners meeting room, to review the proposal. The comments can be found in Attachment 3.

EVALUATION:

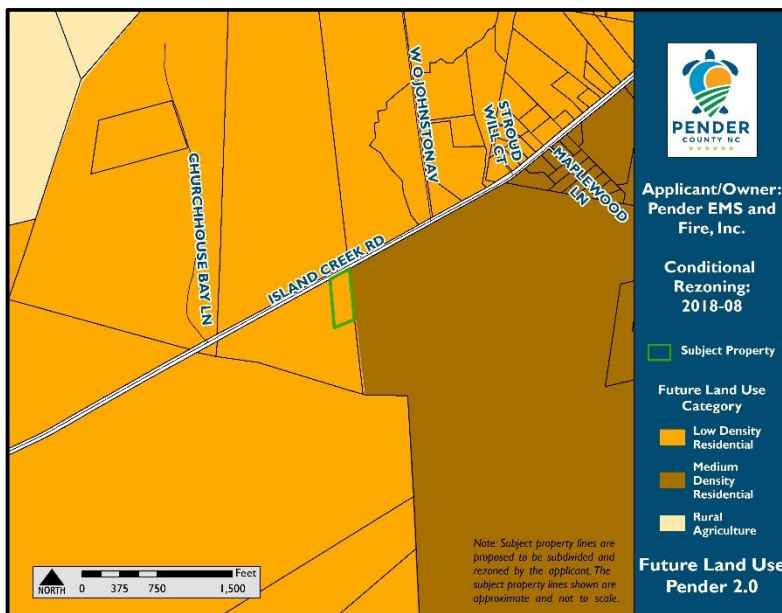
- A. Public Notifications:** Advertisements for the proposal have been placed in the Pender-Topsail Post & Voice. Adjacent property owners within five hundred feet (500') of the subject parcel were notified by first class mail; and a sign advertising the public hearing was placed on the subject properties.

B. Existing Zoning in Area: The subject property is currently zoned PD, Planned Development zoning district as shown at right. The land within the subject property but outside of the boundaries of the rezoning request will remain in this zoning district. The subject property is bordered by additional land in the PD, Planned Development zoning district to the south, the RA, Rural Agriculture zoning district directly to the east and across Island Creek Road (SR 1002) to the north and east, and parcels in the RP, Residential Performance zoning district moving east along Island Creek Road (SR 1002).



C. Existing Land Use in Area: The subject parcel is currently vacant, as are all directly adjacent parcels. Numerous single-family residential subdivisions are located along Island Creek Road to the east. Across Island Creek Road (SR 1002) to the north is the proposed Wylie Branch subdivision (Case #: SUBMAJ 2018-01), which includes roughly 280 single-family residential lots.

D. Pender 2.0 Comprehensive Land Use Plan Compliance: The Pender 2.0 Comprehensive Land Use Plan designates the subject property as Low Density Residential. This future land use classification is established on the fringe of denser residential areas and in existing low-density single-family residential neighborhoods. Appropriate uses include single-family residential development and neighborhood-scale institutional facilities while commercial and industrial uses are considered inappropriate. Residential development density within this future land use classification is two units per acre or less. An excerpt of the Future Land Use Map in the immediate vicinity of the subject property is located on the following page.



A fire station and training facility is considered a neighborhood-scale institutional use and therefore is considered an appropriate use in the Low Density Residential future land use classification. Fire and EMS services will be provided to residents in the vicinity by the station, which will replace an existing station on NC HWY 210 near Hampstead that will be demolished with the construction of the Hampstead Bypass (R-3300a and R-3300b).

Furthermore, the location of this development proposal has been

coordinated with current development patterns and future development expected in this area. The location is also strategic in that it was coordinated with future roadways as shown in the Pender County Collector Street Plan. This development proposal will allow Pender EMS and Fire, Inc. to improve their levels of service in this portion of Pender County and be in position to serve new developments as well. Other than being consistent with the Future Land Use Map, there are no goals, objectives, or policies within the Pender 2.0 Comprehensive Land Use Plan that support or conflict with the Conditional Zoning Map Amendment.

- E. Unified Development Ordinance Compliance:** Section 3.3 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. The OI, Office and Institutional zoning district is designed to allow for institutional and office areas for government, professional and medical purposes.

Utilities

Public water services are available for the subject properties through Pender County Utilities. Private sewer services will be available through Pluris Hampstead, LLC. The applicant has proposed connecting to both systems and has received confirmation of availability from both agencies. The availability of these services supports the use proposed by this application.

Traffic

The completion of a Traffic Impact Analysis (TIA) is not required for the proposed development. Per Section 6.3.C.7 of Pender County's Unified Development Ordinance, a TIA is required when the development generates 100 trips in the morning or evening peak hours or 1,000 trips per day. Any traffic requirements will be addressed by the NCDOT and will be required to be compliant with the NCDOT standards.

Based on comments received from the Technical Review Committee (TRC), driveway permits will be required from NCDOT, along with possible roadway improvements. All roadway improvements will be tracked through the driveway permit process and coordinated with the NCDOT and Staff.

Schools

There are no residential structures proposed for the conditional rezoning request. Therefore, there will be no direct impact to the school system.

3.4.4 Review Criteria for Conditional Rezoning

When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:

- 1) The application's consistency to the general policies and objectives in all adopted Land Use Plans and Unified Development Ordinance.
- 2) The potential impacts and/or benefits on the surrounding area, adjoining properties.
- 3) The report of results from the public input meeting.

CONDITIONS FOR APPROVAL OF PETITION

Per Section 3.4.5 - Conditions of Approval of Petition of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners have the ability to add reasonable and appropriate conditions based on mutually established goals with the Applicant and adjacent property owners. Based on the results of the Community Meeting, Staff are not proposing any

additional conditions to be added to the proposal other than the conditioning of specific uses as required in a Conditional Rezoning application.

PLANNING BOARD ACTION NEEDED:

TO APPROVE: Motion to recommend approval of the Zoning Map Amendment and to make a finding that the approval is consistent with Future Land Use Map in the Pender 2.0 Comprehensive Land Use Plan and is not supported or conflicted by any goal, objective, or policy within said Plan.

The proposed rezoning is consistent with the Low Density Residential future land use classification in the Pender 2.0 Comprehensive Land Use Plan because the proposed fire and EMS station and firefighter training facility is a neighborhood-scale institutional use that will serve surrounding residents. Providing such services is also consistent with the Future Land Use Map for the surrounding area, which has designated much of this area for Medium- and Low-Density Residential development.

TO DENY: Motion to deny the Zoning Map Amendment and to make a finding of denial such that although the denial is inconsistent with the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING] ...

RECOMMENDATION

Pender EMS and Fire, Inc., applicant and owner, is requesting the approval of a Conditional Zoning Map Amendment for a portion of (1) tract totaling approximately ±2.15 acres from PD, Planned Development zoning district to OI-CD2, Office and Institutional conditional zoning district 2. This request is to allow for the construction and operation of an approximately ±6,084 sq. ft. fire and EMS station with an approximately ±500 sq. ft. firefighter training facility. As submitted, the request appears to meet all criteria set forth in Section 3.4 Review Criteria for Conditional Rezoning of the Pender County Unified Development Ordinance. The proposed development is consistent with the Future Land Use Map in the Pender 2.0 Comprehensive Land Use Plan and its location has been coordinated with future roadways as shown in the Pender County Collector Street Plan. The proposed development is consistent with the Pender County Unified Development Ordinance. Staff is recommending conditional approval based on the features outlined in this report and results from the Community Meeting.

BOARD ACTION FOR CONDITIONAL ZONING MAP AMENDMENT REQUEST

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Fullerton: ____ Nalee: ____ Baker: ____ Carter: ____ Jordan: ____ McClammy: ____ Rhodes: ____