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NEW HANOVER COUNTY

BOARD OF COMMISSIONERS AGENDA

Assembly Room, New Hanover County Historic Courthouse 24 North Third Street, Room 301, Wilmington, NC 28401

Jonathan Barfield, Jr., Chairman | Julia Olson-Boseman, Vice-Chairwoman
Patricia Kusek, Commissioner | Woody White, Commissioner | Rob Zapple, Commissioner

Chris Coudriet, County Manager | Wanda Copley, County Attorney | Kym Crowell, Clerk to the Board

JANUARY 7, 2019 4:00 PM

PLEASE NOTE:

The meeting will take place in the government center training rooms, 230 Government Center Drive, Suite 135

MEETING CALLED TO ORDER (Chairman Jonathan Barfield, Jr.)

INVOCATION (Reverend Darren Macleod, St. Andrews Covenant Presbyterian Church)

PLEDGE OF ALLEGIANCE (Commissioner Woody White)

APPROVAL OF CONSENT AGENDA

CONSENT AGENDA ITEMS OF BUSINESS

- 1. Approval of Minutes
- 2. Appointments of Commissioners to Various Board and Committees
- 3. Approval of Inmate and Staff Food Services Contract Award to Summit

ESTIMATED MINUTES

REGULAR AGENDA ITEMS OF BUSINESS

40

4. Public Hearing

Special Use Permit Request (\$18-05) - Request by Rhonda S. Williams on Behalf of the Property Owner, Delores Ann Flowers, for a Special Use Permit to Operate a Child Care Center Within an Existing Single-Family Dwelling Located at 4734 Gordon Road

PUBLIC COMMENTS ON NON-AGENDA ITEMS (limit three minutes)

ESTIMATED MINUTES

ADDITIONAL AGENDA ITEMS OF BUSINESS

- 5. Additional I tems
 County Manager
 County Commissioners
 Clerk to the Board
 County Attorney
- 6. ADJOURN

Note: Minutes listed for each item are **estimated**, and if a preceding item takes less time, the Board will move forward until the agenda is completed.

Mission

New Hanover County is committed to progressive public policy, superior service, courteous contact, judicious exercise of authority, and sound fiscal management to meet the needs and concerns of our citizens today and tomorrow.

Vision

A vibrant prosperous, diverse coastal community, committed to building a sustainable future for generations to come.

Core Values

Integrity - Accountability - Professionalism - Innovation - Stewardship

NEW HANOVER COUNTY BOARD OF COMMISSIONERS REQUEST FOR BOARD ACTION MEETING DATE: January 7, 2019

DEPARTMENT: Governing Body PRESEN	NIER(S): Kym Crowell, Clerk to the Board
CONTACT(S): Kym Crowell	
SUBJECT:	
Approval of Minutes	
BRIEF SUMMARY:	
Approve minutes from the following meeting:	
Regular Meeting held on December 17, 2018	
STRATEGIC PLAN ALIGNMENT:	
Superior Public Health, Safety and Education • Keep the public informed on important information.	ormation
RECOMMENDED MOTION AND REQUESTED ACTIO	IONS:

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

CONSENT

Approve minutes.

NEW HANOVER COUNTY BOARD OF COMMISSIONERS REQUEST FOR BOARD ACTION MEETING DATE: January 7, 2019

DEPARTMENT: Governing Body **PRESENTER(S):** Chairman Barfield

CONTACT(S): Kym Crowell, Clerk to the Board

SUBJECT:

CONSENT

Appointments of Commissioners to Various Board and Committees

BRIEF SUMMARY:

Attached is a listing of the Commissioners who currently serve or served on various boards and committees in 2018 for review and consideration for 2019.

STRATEGIC PLAN ALIGNMENT:

Superior Public Health, Safety and Education

• Keep the public informed on important information

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Make appointments for 2019.

ATTACHMENTS:

Commissioner Appointments 2019

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

Discuss appointments at agenda review on January 3, 2019. An updated list for 2019 will be provided for a vote on the consent agenda on January 7, 2019.

NEW HANOVER COUNTY COMMISSIONER APPOINTMENTS TO BOARDS AND COMMITTEES

Board/Committee (Designated for Commissioner Representative)	2018	2019
Airlie Gardens Foundation Board of Directors	Vice-Chairman Watkins	
Cape Fear Community College Board of Trustees	Commissioner Kusek	
Cape Fear Community College Long-Range Planning Committee (designated for commissioner)	Commissioner Kusek	
Cape Fear Council of Governments Executive Committee	Commissioner Barfield	
Cape Fear Museum Advisory Board	Chairman White	
Cape Fear Public Transportation Authority/WAVE Transit (WAVE representative on the MPO/TAC)	Commissioner Barfield	
Cape Fear Public Utility Authority	Vice-Chairman Watkins	
Cape Fear Public Utility Authority	Commissioner Kusek	
Legion Stadium Commission	Vice-Chairman Watkins	
Legion Stadium Commission	Commissioner Zapple	
Local Emergency Planning Committee	Commissioner Kusek	
Lower Cape Fear River Program Advisory Board	Commissioner Zapple	
Lower Cape Fear Water & Sewer Authority	Vice-Chairman Watkins	
New Hanover County Board of Health	Commissioner Zapple	
New Hanover County Board of Social Services	Commissioner Barfield	
New Hanover County Financing Corporation, Inc.	Chairman White	
New Hanover County Tourism Development Authority	Commissioner Kusek	
New Hanover Regional Medical Center Board of Trustees	Vice-Chairman Watkins	
NC-506 Continuum of Care Advisory Board (formerly Ten Year Plan to End Homelessness)	Commissioner/County Manager Designee	
Parks Conservancy Board of Directors	Commissioner Zapple	
Smart Start of New Hanover County	Commissioner Zapple	
Southeastern Economic Development Commission	Chairman White	
Southeastern Partnership Inc./Economic Development	Chairman White	
Trillium Health Resources – Southern Regional Advisory Board	Commissioner Kusek	
Wilmington Business Development	Commissioner Kusek	
Wilmington Chamber of Commerce	Chairman White	
Wilmington Downtown Inc.	Commissioner Zapple	
Wilmington/New Hanover Port, Waterway & Beach Commission	Commissioner Kusek	
Wilmington Regional Film Commission	Commissioner Barfield	
Wilmington Urban Area Metropolitan Planning Organization – Transportation Advisory Committee	Vice-Chairman Watkins	

NEW HANOVER COUNTY BOARD OF COMMISSIONERS REQUEST FOR BOARD ACTION MEETING DATE: January 7, 2019

CONSENT

DEPARTMENT: Sheriff **PRESENTER(S):** Deputy Chief Kenneth Sarvis

CONTACT(S): Captain Mark Vincent

SUBJECT:

Approval of Inmate and Staff Food Services Contract Award to Summit

BRIEF SUMMARY:

Proposals were received on November 6, 2018, from vendors interested in providing the services of preparing and serving food for inmates and administrative staff at the County's Detention Facility. Prices were solicited on an Average Daily Population (ADP) of 586 inmates and 125 staff meals.

Four proposals were received in response to the County's solicitation; however, of the four received, only two earned the required number of points to advance to Phase 2 of the evaluation process.

- Aramark*
- Perkins Management Services
- Summit*
- Trinity Services Group

^{*}Aramark and Summit advanced to phase two of the process which included interviews and price comparison. The committee subsequently requested clarification relating to staff dining. They were asked revise and resubmit to the County their Best and Final Offer (BAFO).

Vendor	Inmate	Staff	Total	Annually
Summit	1.528	1.528	3.056	\$1,208,648
Aramark	1.508	1.537	3.045	\$1,194,139

After careful consideration, staff recommends that the contract be awarded to Summit Food Services to provide inmate and staff meals in the New Hanover County Detention Facility. Primary reasons for the recommendation include the following:

- 1. There will be no disruption in service due to transition/training
- 2. Proposals did not offer a significant reason to change vendors
- 3. Outstanding performance during Hurricane Florence
- 4. Partnered with NHSO to achieve nationally recognized accreditation through the American Correctional Association
- 5. Aramark received unfavorable attention in the media due to service

STRATEGIC PLAN ALIGNMENT:

Effective County Management

• Deliver value for taxpayer money

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Award contract to Summit to provide the services of preparing and serving food for inmates and administrative staff at the County's Detention Facility.

ATTACHMENTS:

Resolution

Comparison of Cost between Aramark and Summit

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

Recommend approval as requested.

NEW HANOVER COUNTY BOARD OF COMMISSIONERS

RESOLUTION

AWARD OF BID FOR INMATE AND STAFF FOOD SERVICES TO SUMMIT

WHEREAS, after due advertisement, proposals were received on November 6, 2018, from bidders interested in providing the service of preparing and serving food for inmates and administrative staff at the County's Detention Facility; and

WHEREAS, four proposals were received in response to the County's solicitation; however, of the four received, only two earned the required number of points to advance to Phase 2 of the evaluation process; and

- Aramark*
- Perkins Management Services
- Summit*
- Trinity Services Group

WHEREAS, Aramark and Summit advanced to phase two of the process which included interviews and price comparisons and the committee subsequently requested clarification relating to staff dining and requested Aramark and Summit to revise and resubmit to the County their Best and Final Offer (BAFO); and

Vendor	Inmate	Staff	Total	Annually
Summit	1.528	1.528	3.056	\$1,208,648
Aramark	1.508	1.537	3.045	\$1,194,139

WHEREAS, after careful consideration, staff recommends that the contract be awarded to Summit Food Services to provide inmate and staff meals in the New Hanover County Detention Facility. Primary reasons for the recommendation include the following:

- 1. There will be no disruption in service due to transition/training
- 2. Proposals did not offer a significant reason to change vendors
- 3. Outstanding performance during Hurricane Florence
- 4. Partnered with NHSO to achieve nationally recognized accreditation through the American Correctional Association
- 5. Aramark received unfavorable attention in the media due to service

NOW, THEREFORE, BE IT RESOLVED by the New Hanover County Board of Commissioners that the bid for providing Inmate and Staff Food Services at the County's Detention Facility is hereby awarded to Summit and the County Manager is hereby authorized and directed to execute the contract, contract form to be approved by the County Attorney.

ADOPTED this the 7th day of January, 2018.

NEW HANOVER COUNTY
Jonathan Barfield, Jr., Chairman
ATTEST:
Kymberleigh G. Crowell. Clerk to the Board

Phase 2 Comparison for Inmate and Staff Meals

Summit vs. Aramark

		Inmate	Staff	Total	
Summit	Current	1.442	1.442	2.884	
First Proposa	al				
Summit		1.689	3.25	4.939	
Aramark	Soy Only / Dairy Sub No after Hours	1.421	1.421	2.842	
Aramark	1/2 Meat-Milk	.027/\$20,174.40(1/2 Meat) and .09/\$44,831.70 (Milk)			
Aramark	Full Meat	.056 \$41,843.20			
Second Prop	Second Proposal				
Aramark		1.689 1.538	3.25 1.466	4.939	
Aramark	Stall to Midnight	1.330	1.400	2.332	
Best and Fina	l Offer				
Summit		1.528	1.528	3.056	
Aramark		1.508	1.537	3.045	

\$1,208,648 (SUMMIT) - \$1,194139.20(ARAMARK) = \$14,508.80 (Difference)

\$ 1,208,648 - 1,195,186= \$13,462 (an increase of \$13,462 plus contractual price increase based on CPI will be needed in FY 19/20)

The meal price difference for the remainder of the 18/19 FY can be absorbed in the existing budget. A budget amendment is not needed.

Aramark

- * False Inmate names for Billing
- * False billing for paper products
- * Sexual Assaults by staff on inmates
- * Maggots
- * Rancid Meats

Officers refused to eat food

Prison Strike / Riot

Summit

- * Additional training manpower by ACA
- * Less Consistency
- * Additional Grievances
- * 2 Current PT at 25hrs vs Armark 6 PT
- * Transition Change
- * Historical Value from Hurricane Florence

NEW HANOVER COUNTY BOARD OF COMMISSIONERS REQUEST FOR BOARD ACTION MEETING DATE: January 7, 2019

REGULAR

DEPARTMENT: Planning PRESENTER(S): Brad Schuler, Current Planner (Planning Board Rep:

Jeff Petroff)

CONTACT(S): Brad Schuler and Wayne Clark, Planning & Land Use Director

SUBJECT:

Public Hearing

Special Use Permit Request (S18-05) - Request by Rhonda S. Williams on Behalf of the Property Owner, Delores Ann Flowers, for a Special Use Permit to Operate a Child Care Center Within an Existing Single-Family Dwelling Located at 4734 Gordon Road

BRIEF SUMMARY:

Rhonda S. Williams is requesting a special use permit in order to operate a "child care center" within an existing single-family dwelling located at 4734 Gordon Road. A "family care home" is currently in operation at the dwelling (Rhonda's Precious GEMS).

The Zoning Ordinance currently classifies child care facilities as two separate uses: child care centers and family child care homes. The primary distinction between the two uses is the number of children allowed to be cared for. A family care home may care for up to eight children (maximum of two preschool-age children) and is typically located within a residence. A child care center may care for more children and is usually located in a more commercially-oriented facility, although they may also locate within a residence provided they do not care for more than 12-15 children, depending on age (per state requirements).

This application would allow for the existing child care operation to expand from caring for a maximum of 8 children to a maximum of 12 children.

The North Carolina Department of Health and Human Services (NC DHHS) regulates these facilities and imposes additional standards that address a variety of safety and health related issues. In addition to obtaining the SUP, the applicant must also obtain approval from NC DHHS prior to operating the child care center.

Access is provided to the subject property from Gordon Road from an existing driveway. The proposed child care center is expected to generate 18 trips in the AM and PM peak hours. According to NCDOT, trip generation for day centers should be based on the square footage of the center. The above trip generation reflects the approximate total square footage of the existing home, although only a portion is used for the child care operation. No increase in the size of the home is proposed. Staff does not anticipate this request would have a substantial traffic impact because if the proposed SUP is approved, it would allow only four additional children to be cared for at the center.

The 2016 Comprehensive Plan designates the subject property as Urban Mixed Use, the intent of which is to provide a mix of residential, office, and retail uses at higher densities. The proposed child care center is generally **CONSISTENT** with the types of commercial uses encouraged in the Urban Mixed Use place type.

The Planning Board considered this application at their December 6, 2018 meeting. Three people spoke in favor of the request, stating that the child care operation is providing a needed service to the surrounding community.

The Planning Board recommended approval (6-0) of the application with the following condition:

1. The child care center shall care for a maximum of 12 children at any one time.

STRATEGIC PLAN ALIGNMENT:

Intelligent Growth and Economic Development

- Attract and retain new and expanding businesses
- Implement plans for land use, economic development, infrastructure and environmental programs
- Understand and act on citizen needs

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Example Motion for Approval:

Motion to approve, 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 Summary, and with the condition as recommended by the Planning Board.

Condition:

1. The child care center shall care for a maximum of 12 children at any one time.

[OPTIONAL] Also, that the following conditions be added to the development:

[List Conditions]

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 Zoning Ordinance;
- 3. Will not substantially injure the value of adjoining or abutting property;
- 4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

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

ATTACHMENTS:

S18-05 Script BOC

S18-05 Staff Summary BOC

S18-05 Neighboring Properties Map

S18-05 Zoning Map

S18-05 Future Land Use Map

Applicant Materials Cover Sheet

S18-05 Application

Proposed Site Plan Cover Sheet

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

Recommend approval with one condition as approved by the Planning Board unless greater weight of the competent and material evidence presented during the public hearing suggests that one or more of the required conclusions cannot be met.

SCRIPT for SPECIAL USE PERMIT Application (\$18-05)

Request by Rhonda S. Williams on behalf of the property owner, Delores Ann Flowers, for a special use permit to operate a child care center within an existing single-family dwelling located at 4734 Gordon Road.

- 1. Swear witnesses: Announce that "the Special Use Permit process requires a quasi-judicial hearing; therefore, any person wishing to testify must be sworn in. All persons who signed in to speak or who want to present testimony please step forward to be sworn in. Thank you."
- 2. This is a public hearing. We will hear a presentation from staff. Then the applicant and any opponents will each be allowed 15 minutes for their presentation and additional 5 minutes for rebuttal.
- 3. Conduct Hearing, as follows:
 - a. Staff presentation
 - b. Applicant's presentation (up to 15 minutes)
 - c. Opponent's presentation (up to 15 minutes)
 - d. Applicant's cross examination/rebuttal (up to 5 minutes)
 - e. Opponent's cross examination/rebuttal (up to 5 minutes)
- 4. Close the Public Hearing
- 5. Board discussion
- 6. Ask Applicant whether he/she agrees with staff findings and any proposed conditions.
- 7. Vote on the Special Use Permit application.

	Mo	tion to approve the permit - All findings are positive.
		tion to approve the permit, subject to conditions specified below: ate Conditions)
	Mo	tion to deny the permit because the Board cannot find:
	a.	That the use will not materially endanger the public health or safety if located where proposed for the following reason:
	b.	That the use meets all required condition and specifications:
	c.	That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity:

d.	That the location and character of the use if developed according to the plan submitted and approved will be in harmony with the area in which it is located and is in general conformity with the plan of development for New Hanover County:

Example Motion for Approval:

Motion to approve, 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 Summary, and with the condition as recommended by the Planning Board.

Condition:

1. The child care center shall care for a maximum of 12 children at any one time.

[OPTIONAL] Also, that the following conditions be added to the development:

[List Conditions]

Example Motion for Denial:

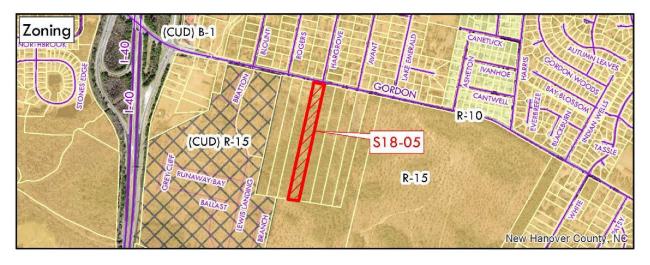
Motion to deny, as the Board cannot find that this proposal:

- 1. Will not materially endanger the public health or safety;
- 2. Meets all required conditions and specifications of the Zoning Ordinance;
- 3. Will not substantially injure the value of adjoining or abutting property;
- 4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

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

STAFF SUMMARY OF **\$18-05**SPECIAL USE PERMIT APPLICATION

APPLICATION SUMMARY	
Case Number: \$18-05	
Request:	
Special use permit for a child care center	
Applicant:	Property Owner(s):
Rhonda S. Williams	Delores Ann Flowers
Location:	Acreage:
4734 Gordon Road	5 acres
PID(s):	Comp Plan Place Type:
R04300-008-008-000	Urban Mixed Use
Existing Land Use:	Proposed Land Use:
Single-Family Dwelling	Child Care Center
Current Zoning:	
R-15	



SURROUNDING AREA			
	LAND USE ZONING		
North	Single-Family Residential (Weaver Acres)	R-15	
East	Single-Family Residential R-15		
South	Undeveloped	R-15	
West	Single-Family Residential	R-15	



ZONING HISTORY	
July 7, 1972	Zoned R-15 (Area 8B)

COMMUNITY SERVICES		
Water/Sewer	The existing dwelling is served by CFPUA water and a private septic system. New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Murrayville Station	
Fire Protection		
Schools	Blair Elementary, Eaton Elementary, Trask Middle, and Laney High Schoo	
Recreation Smith Creek Park, Parkwood Recreation Area		

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES		
Conservation	No known conservation resources	
Historic	No known historic resources	
Archaeological No known archaeological resources		

Proposed Site Plan

- This application proposes to operate a "child care center" within an existing single-family dwelling. A "family child care home" is currently in operation at the dwelling (Rhonda's Precious GEMS).
- The Zoning Ordinance classifies child care facilities as two separate uses: child care centers and family child care homes. The primary distinction between the two uses is the number of children allowed to be cared for. A family care home may care for up to eight children (maximum of two preschool-age children) and is typically located within a residence. A child care center may care for more children and is usually located in more commercially-oriented facility, although they may also locate within a residence provided they do not care for more than 12-15 children, depending on age (per state requirements).



- This application would allow for the existing child care operation to expand from caring for a maximum of 8 children to a maximum of 12 children.
- The Zoning Ordinance requires the proposed child care center to have a minimum of four parking spaces. Two spaces are required for the single-family dwelling, and two spaces are required for the child care center.
- Under the current zoning for the property, R-15, family care homes are permitted by-right, while a child care center requires a SUP.
- The North Carolina Department of Health and Human Services (NC DHHS) regulates these
 facilities and imposes additional standards that address a variety of safety and health
 related issues. In addition to obtaining the SUP, the applicant must also obtain approval
 from NC DHHS prior to operating the child care center.

TRANSPORTATION

Access is proposed to be provided to the subject property from Gordon Road (SR 2048).

LAND USE	INTENSITY	AM PEAK	PM PEAK
Day Care Center (ITE 565)	1,600 square feet	18	18

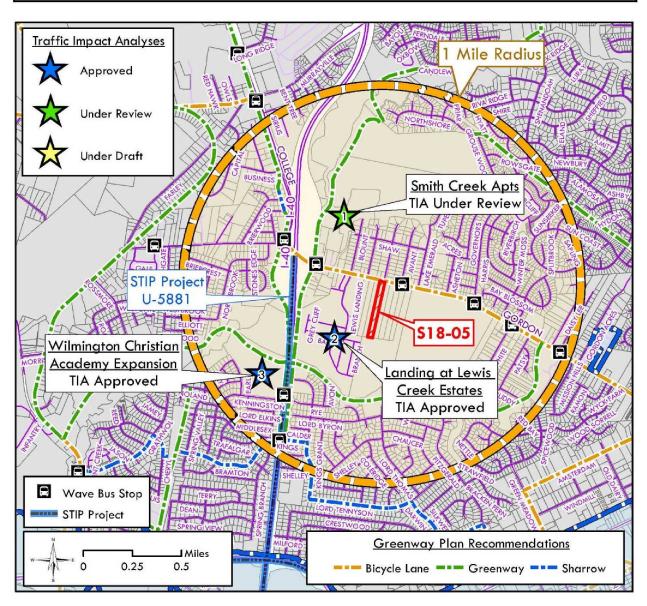
 According to NCDOT, trip generation for day centers should be based on the square footage of the center. The above trip generation reflects the approximate total square footage of the existing home, although only a portion is used for the child care operation. No increase in the size of the home is proposed. Staff does not anticipate this request would have a substantial traffic impact because if the proposed SUP is approved, it would allow only four additional children to be cared for at the center.

Traffic Counts - December 31, 2017

Road	Location	Volume	Capacity	V/C
Gordon Road	East of I-40	28,542	14,730	1.94

 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.

Proposed Development	Land Use/Intensity	TIA Status	
1. Smith Creek Apartments	318 apartment units	Under Review by the WMPO & NCDOT	

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.

In addition to the above mentioned improvements at the site driveway, the current TIA under review recommends improvements be made at the intersection of Blount Drive and Gordon Road. A future signal is planned for this intersection, and as a result, it is expected that additional trips from the apartment complex will utilize this access. The recommended improvements include installing an eastbound left turn lane on Gordon Road, and a southbound right turn lane on Blount Drive.

Nearby Proposed Developments included within the TIA:

The Landing at Lewis Creek Estates

Development Status: Site work underway

Proposed Development	Land Use/Intensity	TIA Status
2. The Landing at Lewis Creek Estates	190 Single Family units40 Townhome units192 Apartment units	Approved October 17, 20172021 Build Out Year

The TIA required 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

Proposed Development Land Use/Intensity		TIA Status	
3. Wilmington Christian Academy Expansion	153 Pre-K students and associated staff	Approved September 14, 20162018 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.

Nearby Proposed Developments included within the TIA:

None

Development Status: Completed without the recommended improvements

Nearby NC STIP Projects:

U-5792 & U-5881

O 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 include converting certain intersections along College Road into interchanges, including at MLK Parkway and Kings Drive. Construction of these projects 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 this project is underway with an anticipated completion in 2021-22.

ENVIRONMENTAL

- The property is not within a Flood Hazard Area.
- The property does not contain any Natural Heritage Areas.
- 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), and Class III (Severe Limitation). The existing single-family dwelling is served by a septic system in accordance with Environmental Health's standards.

^{*}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.

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.



Future Land Use Map Place Type	Urban Mixed Use
Place Type Description	Promotes development of a mix of residential, office, and retail uses at higher densities. Types of uses encouraged include office, retail, mixed use, small recreation, commercial, institutional, single-family, and multi-family residential.
Analysis	The proposed child care center would be an expansion of an existing business located in a residential home. It is located in an area that the Comprehensive Plan ultimately envisions as an Urban Mixed Use node that would provide goods and services for nearby residents, serving as an alternative destination to the commercial areas along Market Street. Because the request is not a new development or redevelopment of the site, the urban design components of this place type are not included in the proposal, but a child care center is in line with the types of commercial uses that would be encouraged in this place type.
Consistency Recommendation	The proposed child care center is generally CONSISTENT with the types of commercial uses encouraged in the Urban Mixed Use place type.

PLANNING BOARD ACTION

The Planning Board considered this application at their December 6, 2018 meeting. Three people spoke in favor of the request, stating that the child care operation is providing a needed service to the surrounding community.

The Planning Board recommended approval (6-0) of the application with the following condition:

1. The child care center shall care for a maximum of 12 children at any one time.

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.
- 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 child care center is expected to generate 18 trips in the AM and PM peak hours.
- D. The proposal would allow for the existing child care operation to expand from caring for a maximum of 8 children to a maximum of 12 children.
- E. Water services are currently provided by CFPUA. A private septic system serves the site in accordance with Environmental Health's standards.
- F. The subject property is located in the New Hanover County North Fire Service District.
- 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.

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. Child care centers are allowed by special use permit in the R-15 zoning districts.
- C. The site plan complies with all applicable technical standards of the Zoning Ordinance including the off street parking requirements.

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.

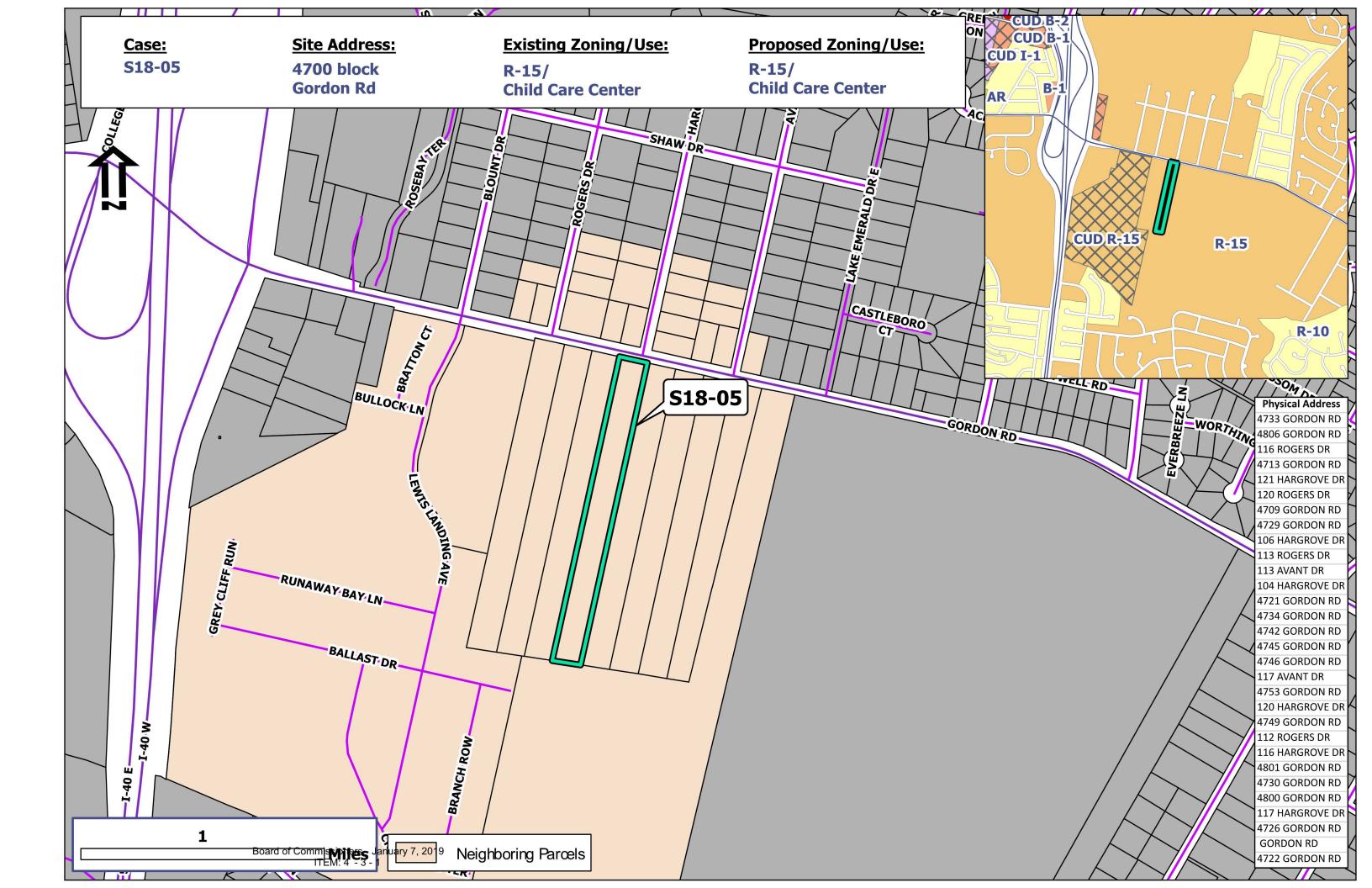
- A. The surrounding area contains a single-family residential development and undeveloped land.
- B. The property is accessed from Gordon Road, a major arterial street.
- C. A family child care home is currently in operation on the property which allows for the care of up to eight school-aged children.
- D. The proposed child care center would allow for the care of up to 12 school-aged children.
- E. Except for marking the parking spaces located on the grassed areas of the front yard, and installing signage as permitted by the Zoning Ordinance, there would be no exterior modifications made to the existing single-family dwelling to accommodate the proposed child care center.
- F. No evidence has been submitted that this project will decrease the property values of adjacent or nearby properties.

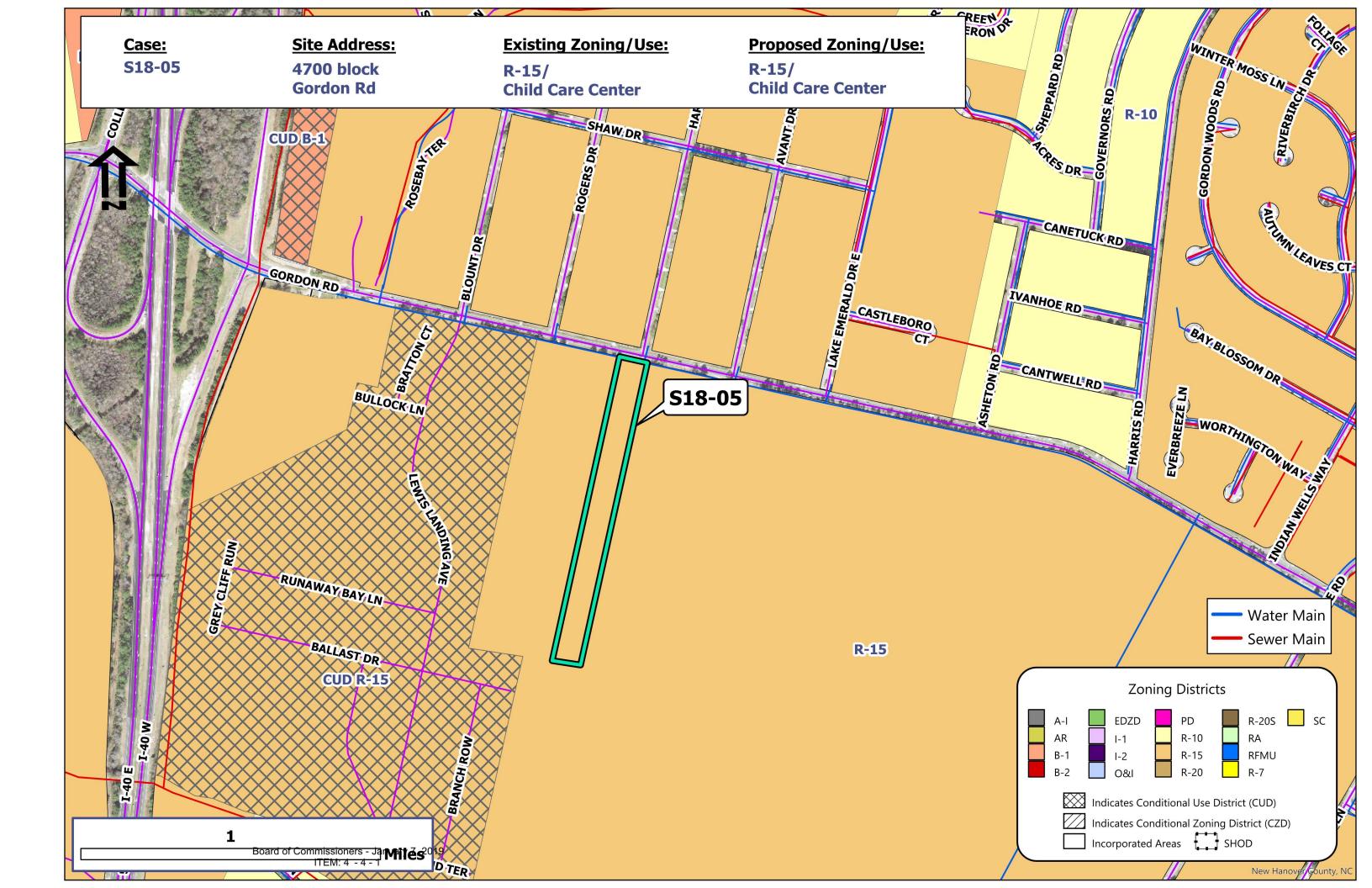
Staff Suggestion: The evidence in the record at this time supports a finding that the use will not substantially injure the value of adjoining or abutting property.

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 Urban Mixed Use, and the proposal aligns with general intent of this land use classification. The proposed child care center would provide a service for the adjacent neighborhoods and is in line with types of commercial uses that would be encourage in the surrounding area.

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.







APPLICANT MATERIALS

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE 230 Government Center Drive, Suite 110 Wilmington, North Carolina Telephone (910) 798-7165 FAX (910) 798-7053 planningdevelopment.nhcgov.com



SPECIAL USE PERMIT Application

Applicant/Agent Information	Property Owner(s) If different than Applicant/Agent	
Name	Owner Name	
Rhonda S. Williams	Delores Flowers	
Company	Owner Name 2	
Rhonda's Precious GEMS		
Address	Address	
4734 Gordon Road	P.O. Box 1000	
City, State, Zip	City, State, Zip	
Wilmington, NC 28411	Oxon Hill, MD 20750	
Phone	Phone	
(843) 480-8792	(240) 388-7777	
Email	Email	
RhondaWilliams5@aol.com Subject Property Information	superiorservicef@aol.com	
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411		
Subject Property Information Address/Location		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s)		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s) RO4300-008-008-000		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s) RO4300-008-008-000 Total Parcel(s) Acreage		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s) RO4300-008-008-000 Total Parcel(s) Acreage 5 Acres Existing Zoning and Use(s)		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s) RO4300-008-008-000 Total Parcel(s) Acreage 5 Acres Existing Zoning and Use(s) R-15 Future Land Use Classification		
Subject Property Information Address/Location 4734 Gordon Road, Wilmington, NC 28411 Parcel Identification Number(s) RO4300-008-008-000 Total Parcel(s) Acreage 5 Acres Existing Zoning and Use(s) R-15 Future Land Use Classification Urban Mixed Use		

Proposed Use(s) & Written Description

Please list the proposed use or uses of the subject property, and provide the purpose of the Special Use Permit and a description of the project (please provide additional pages if needed).

The purpose for the Special Use Permit is to be able to expand my business. I am a Family Home Childcare

The purpose for the Special Use Permit is to be able to expand my business. I am a Family Home Childcare licensed for 24 hours 7 days a week, that's 8 children per shift. At this time I would like to care for 12 children per shift.

The inside area for the center that I will be utilizing is 589 square feet with 25 square feet per child (which is state required). Caring for 12 children I will need a total of 300 square feet; so as you can see I exceed the square footage necessary to be in compliance with state regulations. I have a quarter acre of land in my backyard, this space is used for outdoor play. The fence is 6 feet tall surrounding the entire backyard. To add four more children to that play area (at 75 square feet per child) including myself and another staff member (if I chose to) will still keep me in compliance with staff/child ratio.

I am a mother of 5 with 7 grandsons. I have an Associates Degree in Early Childhood Education, Early Childhood Credentials and NC Early Education Certificate, all the qualifications to not just run a family childcare home but a center as well.

I have one neighbor, Mr Williams and his wife, that has expressed how glad they were to have me and the day care next door. My parents have also expressed how convenient my location is because they live close by or the fact that it's an easy on and off of Exit 140 for those living in Pender and Onslow counties. I have never had a complaint from anyone except the fact that I need to become a center to accommodate more families in need of my service for many childcares are closing down. I believe one of my best advantages is that I offer care around the clock. This is a need for those who work late hours such as the hospital.

To obtain a Special Use Permit in order to help more families in need would be an asset to the community.

Traffic Impact Worksheet

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use:	
Trip Generation Variable (gross floor area, dwelling units,	etc.):
AM Peak Hour Trips:	PM Peak Hour Trips:

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

For each of the four required conclusions listed below, include or attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Board of County Commissioners to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested to help the applicant understand what may be considered in determining whether a required conclusion can be met. You should address any additional considerations potentially raised by the proposed use or development.

- 1. The use will not materially endanger the public health or safety if located where proposed and approved.

 <u>Considerations:</u>
 - Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections with curb cuts
 - Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection
 - Soil erosion and sedimentation
 - Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater
 - Anticipated air discharges, including possible adverse effects on air quality

The driveway supports enough room for parents coming and going. As you can see in the photo, you can pull in and back up around the bush and pull off onto Gordon Road; which I have expressed to the parents. If 2 or 3 parents happen to come in (time wise) close to one another, they are allowed to park side by side on the grass. Do take note that I have different times for drop off and pick up so parking is not an issue.

The state requires staff have their negative TB, annual medical statements, health questionnares and emergency medical information on file. A criminal records and background check submitted to the Division of Child Development and Early Education. Staff/child ratios must be in compliance, ITS-SIDS, training hours in safety, in-service training hours (they vary with education level, professional experience and prior training) and First Aid/CPR. A 2 days training class must be taken and an application filled out and sent to DCDEE is also a requirement. I have been licensed since July 23, 2015, therefore I am in compliance with the above requirements. I do service transportation for those in need and because of this my vehicle also complies with state regulations. Compliance History of 75% or higher must be maintained at all times and I have always been at 95% or higher. (Continue)

2.	The use meets all required conditions and specifications of the Zoning Ordinance.	
	4734 Gordon Road is zoned as R-15 and I do meet the specifications for my sign which is located in the front yard.	
	According to Section 81 of the zoning ordinance, my parking is sufficient for 12 children.	
	The backyard is fenced in at 6 feet.	

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

1. The use will not materially endanger the public health or safety if located where proposed and approved.

4734 Gordon Road does have county water and a septic system.

My facility is required to meet all expectations of the Building, Fire and Sanitation Inspections. We must have running water and electricity at all times. Fire extinguishers must be tested every year as well as the smoke and carbon monoxide detectors. Vehicles are also required to have a fire extinguisher if we are transporting which I do. First aid kits inside the center and the vehicle along with application, shot and medical records and permission slip for each child. I am in compliance with all.

I have 2 Fire Departments near my location: New Hanover Fire Department Station 17 on Murrayville Road, 2.4 miles and Station 16, 2.2 miles away.

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

(continued)

3.	The use will not substantially injure the value of adjoining or abutting property, or that the use is a public
	necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property

I have been in operation since May of 2015 and licensed in July of that same year and there has been no substantial damage or conflict to adjoining properties. I care for neighbors children 2 blocks down the street and surrounding neighborhood. They have told me how convenient it is for them being so close. My immediate neighbor, facing the house on my right side, he and his wife have expressed how grateful they are to have me and the children their.

Increasing from a Family Childcare Home to a Childcare Center, will not change the outside structure in anyway. Due to the fencing of the property it provides privacy and safe outdoor play.

There is no knowledge or any evidence that this proposal to have a center would decrease the value of residents that live nearby nor the value of this property.

4. 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 New Hanover County Comprehensive Land Use Plan.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Consistency with the Comprehensive Plan's goals, objectives for the various planning areas, its definitions
 of the various land use classifications and activity centers, and its locational standards

Rhonda's Precious GEMS provides service to the community, not just those who are able to pay privately but also to those who are being helped by the Department of Social Services. Many providers choose not to take vouchers from DSS, do transportation nor stay open late to accommodate the community and I service all three needs.

Policy 5.7 of the county's land use plan states, "preserve the character of the areas existing residential neighbors and quality of life,"there will be no new structure on the outside of the property for the child care center. The play area sits back off the street neat and fenced in.

Parkwood Park is right off Gordon Road and Smith Creek Park is 0.7 mile away. It also offers a readers trail/storybook for the children which is very educational.

I chose this neighborhood, this house for two reason: (1) I love how the house is designed and (2) the seclusion and space it has to have a day care. It allows for a mixture of uses.

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Staff will confirm if an application is complete within five business days of submittal. Applications must be complete in order to process for further review.

B	quired Information	Applicant Initial or N/A	Staff Initial or N/A	
1	Complete Special Use Permit application.	RSW	BS	
2	Application fee – (\$500; \$250 if application pertains to a residential use (i.e. mobile home, duplex, family child care home).	RSW	BS	
3	Traffic Impact Analysis (for uses that generate more than 100 peak hour trips).	N/A	NA	
4	 Site Plan including the following elements: Tract boundaries and total area, location of adjoining parcels and roads. Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential structures, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. Development schedule including proposed phasing. Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage. The one hundred (100) year floodplain line, if applicable. Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance. The approximate location of US Army Corps of Engineers Clean Water Act Section 404 and Rivers and Harbors Act Section 10 Wetlands, and wetlands under jurisdiction of the NC Department of Environmental Quality. Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by Federal or State law or Local Ordinance. Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable). 	RSW	BS	
5	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	RSW	PS	
	1 PDF digital copy of ALL documents AND plans.	RSW	135	

ACKNOWLEDGEMENT AND SIGNATURES

By my algranuse below, I understand and accept all of the conditions, limitations and obligations of the Special Use Permit for which I am applying. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving that the proposal meets the laye required conclusions. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

Authority for Appointment of Agent Form

If applicable, I also appoint the applicant/agent on littled on this application to represent me and make decisions on my behalf regarding this application during the raview process. The applicant/logest is hereby authorized on my behalf in

- 1. Second on application leadering all required expelemental information gred materials,
- Appear of public hearings to give representation and commitments, and
- 3. Act on my behalf without limitations with regard to any and all things directly or indirectly corrected with or unlike out of this opplication.

Thomas Batts

Deleres Howers Batts
Print Mama(s)
Rhonda S. Williams
Print Mama

NOTE: Eggs must be signed by the ownerly) of record. If these are multiple property owners a algorithm is required for each Devot of record

The land owner or their attorney must be present for the upplication of the public hearings.

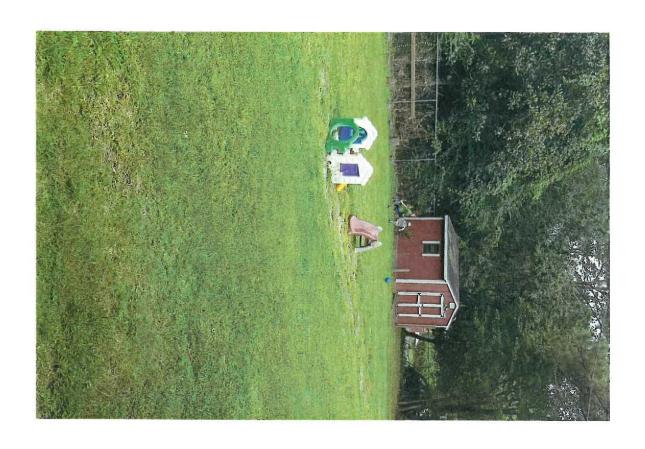
If an applicant requests delay of consideration from the Flaming board or Egopt of County Commissioners before notice has been sent to the newspaper (approximately 2.3 weeks before the hearing), the item will be calendored for the next meeting and no fee will be required. If delay is requested after notice has been test to the newspaper, the board will get on the request at the scheduled meeting and are under no obligation to grant the continuouse. If the continuouse is granted, a fee in accordance with the adopted fee schedule as published on the New Manaver County Picking website will be required.

Application Received:	Completeness Determination Required By (date):	Determination Performed on (date):	Planning board Meeting
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Page 8 of 8 Species I un Permit Application - Updated 7/2017





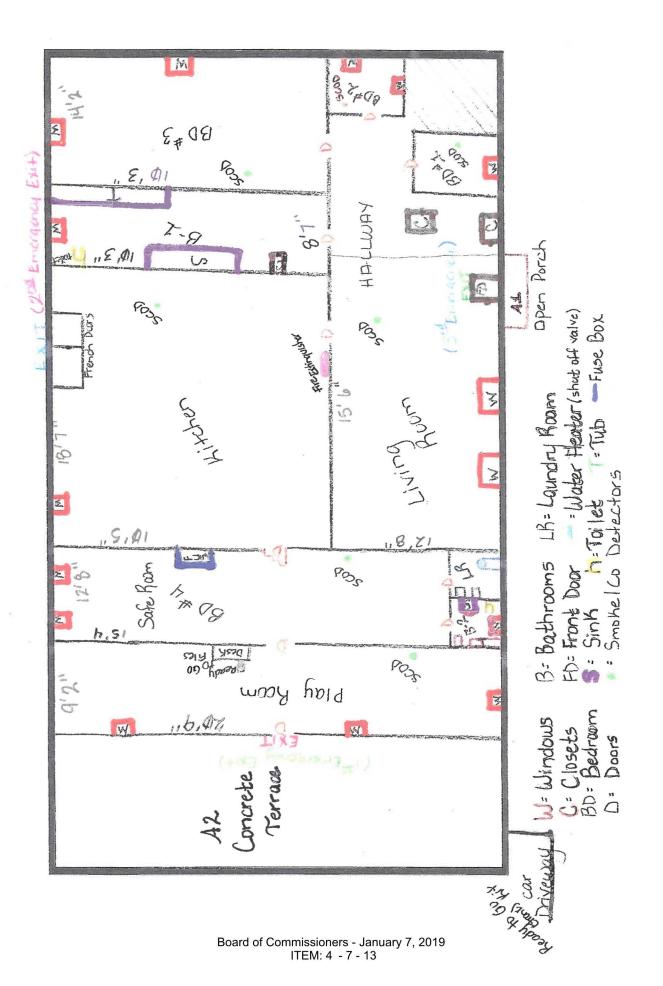


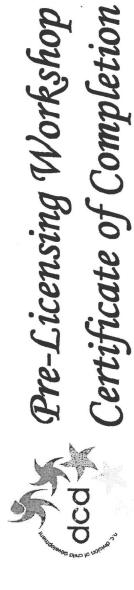


Board of Commissioners - January 7, 2019 ITEM: 4 - 7 - 10



Board of Commissioners - January ITEM: 4 - 7 - 12





is hereby granted to:

Phonda Williams

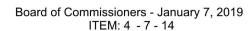
This individual listed above has successfully completed Day 1 and Day 2 of the pre-licensing workshop as required by 10A NCAC 09.0301 and now is eligible to apply for an initial child care license or Notice of Compliance. Granted: Jennifer Dempsey and Rhonda Blackmon

Presenters Name

The Holder of this certificate may be granted ten clock hours of in-service training credits toward their annual requirement.

*November 7 – 8, 2018 Wilmington, NC

*This certificate of completion expires 2 years from the date of Pre-licensing Workshop attendance.





NEW HANOVER COUNTY

FIRE SERVICES ADMINISTRATION
FIRE MARSHAL'S DIVISION
230 GOVERNMENT CENTER DR., SUITE 130
WILMINGTON, NORTH CAROLINA 28403
TELEPHONE (910) 798-7420 FAX (910) 798-7052

DATE: _ 1/10/18

FIRE I	NSPECTION REPORT	NOTICE OF FIRE CODE VIOLATION			
OCCUPANT:	RHONDA WILLIAMS	- DAYCERE	PHONE: 843-480-8792		
ADDRESS:	4734 GORDON RO	140 WILL 28411	ZIP CODE:		
OWNER:			PHONE:		
ADDRESS:			ZIP CODE:		
Fire District		Inspection Type Dayses			
Sprinkler Y of		Inspection Frequency 1yr (2yr) 3yr			
Fire Alarm Y		Inspection Times			
Hazardous Ma	aterial YouN	Type of Occupancy DAYCARS			
eo si:	2	TOLATION			
		DESCRIPTION		COMPLETED	
	DAYGARE - IN				
9	NO VIOLAT	TIONS			
			·		

The above items are in violation of the North Carolina State Fire Prevention Code. You are hereby required to correct all items noted above immediately. A reinspection by the Fire Marshal's office will be conducted within days. Failure to comply within the allocated time may constitute a reinspection fee. In addition, noncompliance may subject you to a Civil Citation or Condemnation of the facility.

INSPECTOR: / / / / / / / ALLITHORIZED SIGNATURE:	\neg
Board of Commission HURIZED SIGNATURE:	- 1
INSPECTOR: Board of Commissioners Party SIGNATURE:	1
LITERIAL STEWNIE TEMMA 7-515 ALL DIAMA	- 1
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From: Jalisa Neal <jalisaneal@yahoo.com>

To: Rhonda Williams <rhondawilliams5@aol.com>

Subject: Letter

Date: Thu, Dec 6, 2018 2:53 pm

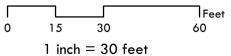
To whom this may concern.

I have been at Rhonda Precious Gems for almost 2 years now. My two children are currently going there and she has been getting them to and from school while I work 12 hour shifts. This year my nieces was placed in my home and I had to find a childcare provider so I took her to Rhonda Precious Gems . Now that she is considered school age I switched her to a Pre-K program. The biggest mistakes I could have ever done in my situation. However the current school program has not been working out with my schedule and now I have to pay for day-to-day childcare for her due to Ms. Rhonda not being able to take her in. I am currently an employee New Hanover Regional Medical Center and most childcare providers are not the working parents best friend especially for healthcare providers. So Ms. Rhonda has open that door for many opportunities for me. am able to attend work without wondering who is going to pick my child up by a certain time and all other issues that stress parents about when their child is not in a place of consistency. I have been through a lot of childcare providers and struggled to get my child's needs met. On a normal working day I get home about 830pm. Homework is not done nor has my children been fed which has caused me to change providers many times. When I get home I am not focused on doing homework but my own and when a child care provider tells me all the things they can provide when I tour their facility, I expect them to be done. Going to Ms. Ronda's there's not a day that goes by that my child's needs are not being met, I don't have to worry about homework, I don't have to worry about them not being fed. All I have to do is check how their day went, give them a bath and prepare them for the next day to do it all over again. Ms. Rhonda is a very nice person and it's sad to see when she has to turn down a parent because she doesn't have the space for their child no matter how much she wants to help. I don't know about other parents but she is my saving grace, as a single parent and a college student she has been there for me more ways than I can imagine. Ms Rhonda has given me hope and most importantly guidance that life is not easy but don't give up. My words cannot express how grateful I am for her neither does this letter. If you allow her to expand her numbers I believe she can help a lot more people in the community. Lets take today for example I have to miss showing up today because I a had to stay over from work. In the medial profession we never know when an emergency situation may arise. Granting her the opportunity to transform into a center will give her opportunities to help other families like me. I wish our community had a lot more providers like her. I always have to remind my self to share my babies. They remind on my days off that Ms. Rhonda can take them to the bus stop and pick them up. Lord knows I wish they could go there all their life. If you need any other information from my about this Wonderful. God sent person who I am honored to call my childcare provider please feel free to contact me at 910-508-7930.

Thanks and have a Blessed day Jalisa Neal

PROPOSED SITE PLAN







Rhonda's Precious GEMS

Board of Commissioners - January 7, 2019 ITEM: 4 - 9 - 1