

CURRITUCK COUNTY
NORTH CAROLINA
DECEMBER 19, 2005

The Board of Commissioners met at 6:00 p.m. to discuss the Currituck County Airport.

The Board of Commissioners met on Monday, December 19, 2005, at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal, Vice Chair Martin, Commissioners Bowden, Miller and Etheridge.

Invocation and Pledge of Allegiance

Bob Henley, was present to give the invocation and lead the pledge of allegiance.

Approval of Agenda

Commissioner Etheridge moved to amend the agenda by deleting Items 9, 10 and 11 and adding a closed session to discuss land acquisition. Commissioner Martin seconded the motion. Motion carried.

- Item 2 Public Comment
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 3 Mary Ellen Maxwell, NC Outstanding Volunteer Coordinator, to recognize winners of the 2005 North Carolina Award for Outstanding Volunteer Service.
- Item 4 Mike Warren, Superintendent, to discuss Board of Education's 5 year capital plan.
- Item 5 Discussion on Solid Waste Tipping Fees
- Item 6 Public Hearing and Action PB 05-36 CURRITUCK COUNTY: Airport - Special Use Permit to approve the airport master plan. The Currituck County Airport is located on Airport Road, Crawford Township.
- Item 7 Public Hearing and Action on PB 95-36 Cypress Landing Phase 3 Amended Sketch Plan for one additional lot on property located on the north side of Tulls Creek Rd. approximately 500' east of Mack Jones Rd. Tax Map 14, Lots 13D, Moyock Township.
- Item 8 Public Hearing and Action PB 00-44 Clover Bend Amended Sketch Plan to add waterline and hydrant and convert fire pond into a lot on property located on the west side of Guinea Rd., approximately 200' north of the intersection with Guinea Mill Rd. Tax Map 22, Lot 71X, Moyock Township.
- Item 9 Consideration of Gatewood Agreement to construct hangars at the airport.
- Item 10 Appointment to Planning Board
- Item 11 Appointment to Board of Adjustment
- Item 12 Consent Agenda:
Budget Amendment
Approval of November 7 and 21 Board minutes
Lower Currituck Fire Dept. request \$30,000 for new hydraulic extrication equipment and air bags.

Item 13 Commissioner's Report
Item 14 County Manager's Report
 Adjourn

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

Chairman O'Neal moved to open the public comment period.

Dusty Ruscoe, Fire Chief, addressed concerns and questions regarding a house fire on Bells Island.

Herb Robbins, Corolla, requested equal funding for education on unified government and expressed his concerns with county funding of unified government education by county staff.

George Burgerman, Moyock Fire Department, thanked the Board for their support of the EMS and Fire Departments and stated that all the comments they have been hearing are not negative.

David Palmer, updated the Board on several committees that he serves on: LUP, Tourism Advisory Board, Extension Advisory Board, ED Board, Incorporation Committee and the Chamber of Commerce Board.

There being no further comments, Chairman O'Neal closed the public comment period.

Mary Ellen Maxwell, NC Outstanding Volunteer Coordinator, to recognize winners of the 2005 North Carolina Award for Outstanding Volunteer Service.

Chairman O'Neal and Mary Ellen Maxwell presented awards to the following winners of the NC Award for Outstanding Volunteer Service:

Deborah Robin Bateman
Alice Chatman
Marion Dannert
Neely Dowdy
Herbert Robbins

Mike Warren, Superintendent, to discuss Board of Education's 5 year capital plan.

Mike Warren, Superintendent, presented the Board of Education's 10-year Facility Needs Assessment requested by the NC Department of Public Instruction. This updated assessment is required every 5 years. The total schools needs are approximately \$63,968,864.

Commissioner Martin moved to endorse the 10 year plan. Commissioner Etheridge seconded the motion. Motion carried.

Mr. Warren requested \$250,000 for a mobile unit at the high school and 2 mobile units for the middle school.

Commissioner Miller moved to approve \$250,000 for mobile units. Commissioner Martin seconded the motion. Motion carried.

Discussion on Solid Waste Tipping Fees

Dan Scanlon, County Manager, reviewed the reason for charging haulers for commercial trash to the landfill and the shortfall of funds to the county.

The Board requested staff to send out RFP's for door to door pickup and bring back to the Board for consideration.

Public Hearing and Action PB 05-36 CURRITUCK COUNTY: Airport -Special Use Permit to approve the airport master plan. The Currituck County Airport is located on Airport Road, Crawford Township.

Sworn testimony was given prior to making statements.

David Webb, Chief Planner, reviewed the request.

LOCATION: 198 Airport Road

ZONING DISTRICT: Heavy Manufacturing

PIN: 0052-000-014A-0000

OWNER:
County of Currituck

APPLICANT/AGENT
County of Currituck

SURROUNDING PROPERTY:

Zoning	Use
NORTH: Agricultural	Farmland and Residential
SOUTH: Agricultural & Mixed Residential	Farmland and Residential
EAST: Agricultural	Woodlands and
WEST: Agricultural	Wetlands, County Law Enforcement Center, Brady Landing Residential Airpark

PURPOSE OF REQUEST:

The Currituck County Airport is requesting a Special Use Permit to adopt the master plan for future aviation operations. This permit will be part of the first phase of the **Airport Improvement Plan** approved in December 2000. This use, number 15.210, County Owned Airport, is

allowed in a Heavy Manufacturing Zone (HM) with a Special Use Permit.

The proposed plan will expand the hanger facilities and designate areas that can be leased to private corporations. The Special Use Permit is needed due to private aeronautical firms acquiring leases for property from Currituck County. Expansion of the operations will include light aeronautical manufacturing and leasing spaces for private aeronautical uses.

The proposed plan includes:

1. One 36,900 square foot hanger
2. One 10,000 square foot warehouse
3. Two 24,000 square foot commercial building/hanger sites for lease
4. Two 45,000 square foot commercial building/hanger sites for lease
5. Five 10,000 square foot commercial building/hanger sites for lease
6. Two 18,000 square foot T-Hangers
7. Four 14,880 square foot T-hangers
8. Four 3,600 square foot box hangers
9. One 9,000 square foot box hanger
10. One 8,000 square foot box hanger
11. One 7,200 square foot box hanger
12. A new communication tower
13. Relocation of the school bus facilities
14. Increase of apron space and a 50 foot wide parallel taxiway.

The revised plan was completed June 20, 2005. Details of the planning methodology are found in a study report completed on December 2, 2004 by Talbert and Bright.

EXISTING CONDITIONS:

The Currituck County Airport is a publicly owned General Aviation airport located in the northeastern region of North Carolina, approximately 46 miles south of the South Hampton Roads area of Virginia and 25 miles northeast of Elizabeth City, North Carolina. An update of Airport Layout Plan, which is the official planning document for the airport, was approved in December 2000.

The airport contains a 5,500 foot long runway, a terminal building and two county owned hanger facilities. The waste transfer station, county fuel farm, school bus facilities and Maple Park are adjacent to the airport.

QUESTION(S) BEFORE THE BOARD:

- (1) *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit?*

Suggested Findings:

The Airport Special Use Permit

- a) Is within the jurisdiction of the Board of Commissioner.
- b) The application is complete
- c) The development will comply with all requirements of the Unified Development Ordinance.

- (a) *Will the proposed use materially endanger the public health or safety?*

Suggested Findings:

- 1. The proposed use will meet all Federal, State and County requirements for light aeronautical manufacturing and leasing spaces for private aeronautical uses.
- 2. Any operations at the airport will not endanger the public health or safety.
- 3. The **Airport Improvement Plan** published in December 2000 concluded the expansion of the airport will not endanger public health or safety. The approved **Airport Improvement Plan** and the findings of the environmental impact statement are a part of this application.

- (b) *Will the proposed use substantially injure the value of adjoining or abutting property?*

Suggested Findings:

- 1. The airport is adjacent to county owned facilities and a residential airpark that is aviation dependent.
- 2. The use of the property as an airport has been continuous since the 1940s.
- 3. The Airport Improvement Plan published in December 2000 concluded this use will not substantially injure the value of adjoining or abutting property. The approved **Airport Improvement Plan** and the findings of the environmental impact statement are a part of this application.

- (c) *Will the proposed use be in harmony with the particular neighborhood or area in which it is to be located?*

Suggested Findings:

- 1. The Airport Improvement Plan published in December 2000 concluded this use will be in harmony with the particular area in which it is to be located. The approved **Airport Improvement Plan**

and the findings of the environmental impact statement are a part of this application.

- (d) *Will the proposed use be in general conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the board?*

Suggested Findings:

1. The 1990 Land Use Plan explicitly encourages "greater utilization of airport facilities" and states that the County "is fortunate to have such a facility available and wishes to promote its usage."
2. In addition, Currituck County has adopted an Airport Height Control Ordinance for the airport to restrict the height of any new construction within certain defined zones around the airport.
3. Because the development policies and zoning ordinances of Currituck County support the airport, none of the alternatives are expected to be in conflict with land use policies.

- (e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities.?*

Suggested Findings:

1. The expansion of the airport will not exceed the county's ability to provide adequate public facilities.

STAFF RECOMMENDATION

Staff recommends **approval** with the following conditions:

1. The 2000 **Airport Improvement Plan** containing a detailed environmental impact statement shall become a part of this permit approval.
2. The site plan dated June 20, 2005 be included as part of this permit.
3. The Airport Terminal Expansion Plan study report dated December 2, 2004 by Talbert and Bright shall become a part of this permit.
4. The permitted land uses shall be aviation oriented
5. All proposed buildings and improvements shall be submitted to the Technical Review Committee for approval before building permits are issued.

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Martin moved to approve. Commissioner Bowden seconded the motion. Motion carried.

Commissioner Etheridge wanted it in the record that he should be recused and voted in protest because he feels that he has a conflict.

Public Hearing and Action on PB 95-36 Cypress Landing Phase 3 Amended Sketch Plan for one additional lot on property located on the north side of Tulls Creek Rd. approximately 500' east of Mack Jones Rd. Tax Map 14, Lots 13D, Moyock Township.

Sworn testimony was given prior to making statements.

David Webb, Chief Planner, reviewed the request.

LOCATION: Approximately 1,100' west of the intersection of Tulls Creek Road (SR 1222) and Panther Landing Road (SR 1231), Moyock Township.

TAX ID: Tax Map 14; Parcel 13D

ZONING DISTRICT: Residential

OWNER:	APPLICANT/AGENT
Cypress Landing Associates	Melvin E. Hopkins, Jr
c/o Jerry Old	6330 N. Center Drive, Suite 141
PO Box 62	Norfolk, VA 23502
Moyock, NC 27958	(757) 461-4009
(252) 207-2223	

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH:	Farmland - zoned R
SOUTH:	Farmland - zoned A
EAST:	Farmland - zoned R
WEST:	Residential - zoned R

NARRATIVE OF REQUEST:

Cypress Landing Associates is seeking Amended Sketch Plan approval for the addition of 1 single family lot for a total of 40 single family lots within the development. The total acreage of phase 3 is approximately 54 acres. Additional changes to the plan include adding additional area for a stormwater management pond and a 45' wide accessway to Exempt Lot #1.

This property is zoned Residential. Currently, the UDO requires that subdivisions between 31 - 40 lots provide 30% of the total tract area as open space. The developer has proposed to provide 17.82 acres of open

space which includes a 10 acre tract located behind lots 23 to 31. Lots within this development lots are proposed to range from approximately 40,000 to 53,000 sf. The lots will be served by individual septic systems and county water.

The road in this phase will be an extension of the Northwest River Road. Once it is completed, it will form a loop road through the whole subdivision providing two access points to Tulls Creek Road.

When the Sketch plan was approved in December 2004, the Development Impact statement expected this phase to be developed with 3 or 4 bedroom homes ranging in size from 1,800 sf to 2,400 sf, similar to the existing homes in Phases 1 & 2. At that time it was anticipated that the house/lot packages would sell in the range of \$200,000 to \$230,000. The expectations of the developer are that approximately 18 dwellings would be sold each year. Based upon this, the projected build-out is expected to be approximately 2 years. It is stated that the recreational improvements will consist of a pedestrian trail along the rear of Lots 1 to 20 and Lot 38. This trail will be in conjunction with a future picnic/playground area.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

- STREETS:** All streets will be built to NCDOT Design and Construction Standards. The developer expects these streets will be dedicated for maintenance to the NCDOT.
- WATER:** This development will be served by County water.
- FIRE:** Located within the Moyock Volunteer Fire Department area which currently has a State ISO rating of 9.
- WASTEWATER:** On-site wastewater treatment and disposal systems are proposed. Approximately 90% of the site is classified as marginally suitable for septic systems. The remaining portion is found to be suitable for septic systems.
- SCHOOL CAPACITIES:** Using national averages for school age student generation from the 1987 *American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (Note: These figures were verified by a field check

of Currituck subdivisions in 1994).
Based on these pupil generation figures, Currituck can expect 16 Elementary students, 3 Junior High students, and 6 High School students from this development.

OPEN SPACE: 17.83 acres of open space (33% of the total tract area) is provided within the proposed development.

DRAINAGE: Existing agricultural ditches supplemented by new lot line and roadside swales are proposed. Stormwater will be retained in accordance with the NC Division of Water Quality and the Currituck County Soil and Water Conservation office.

FLOOD ZONES: This development is within the 100 year flood zone (zone A3) with a 6' base flood elevation.

LAND USE PLAN: The site being proposed for development is located in the "Rural" classification area in the county's 1990 Land Use Plan. The "Rural" area described in the LUP calls for "low density dispersed single-family residential uses at a gross density of approximately 1 unit per acre are appropriate." The proposed density for the 40 lot subdivision is approximately 0.74 units per gross acre. This proposal is consistent with the Land Use Plan

STAFF COMMENTS:

- Final Plat approval for Phases 1 & 2 was granted on July 8, 1997.
- The original Sketch Plan for Phase 3 was submitted in 1998, utilizing a centralized wastewater disposal system for 125 lots. The request was tabled by the BOC and never approved.
- In 1999, a Sketch Plan reflecting 73 single family lots utilizing a centralized wastewater disposal system was submitted. The request was tabled by the BOC due to concerns with wastewater treatment and never approved.
- A revised Sketch Plan consisting of 39 lots was submitted in December 2001. This Plan never received formal review and action by the BOC due to the subdivision moratorium imposed in April 2002.

- Once the moratorium was lifted, the BOC granted Sketch Plan approval in December 2003.
- The 10 acre tract of open space located behind lots 23 to 31 does not appear to be legally and practicably accessible to the residents of the development, which is a requirement of the UDO.
- On November 10, 2005, Technical Review staff reviewed this application. Staff's concerns included the following:
 1. The need to show the tentative drainage of the site.
 2. Show the proposed utilities and fire hydrant locations
 3. Lots 1 and 37 need a 5' non-access buffer along Tulls Creek Road
 4. Show a 45' accessway to Exempt Lot #1 for future connectivity
 5. NCDOT had the following concerns:
 - At the time of construction, need to match the pavement width of the existing pavement on Northwest River Drive
 - On the Preliminary Plat the centerline radii must be shown along with the arc lengths
 - The existing Northwest River Drive is not yet a part of the state system. It is recommended that the necessary drainage repairs be made while the road improvements for this phase are being constructed.
- In response to concerns expressed by the TRC, the Sketch Plan has been revised to reflect the following changes:
 - o Tentative drainage is shown.
 - o Waterlines and fire hydrants are shown
- The following corrections shall be made to the plans:
 - o Show pedestrian access to the 10 acre open space lot behind Lots 23 to 31.
 - o The flood information needs to be based upon the new FIRM panels which become effective December 16, 2005.
 - o Note #6 - Show the total tract area minus the exempt lots to clarify the development area in the development
 - o Correct the phasing in existing Lot 21 to Phase 1

QUESTION(S) BEFORE THE BOARD:

1. *Is the application complete?* Based on staff review all required information has been submitted for review.
2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?* The application does not appear to meet the open space standards within the UDO.
3. *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit/Sketch Plan?*
 - (a) *Will not endanger the public health or safety.*
Public health and safety issues including fire protection, stormwater management, wastewater disposal and access for emergency services have been adequately addressed within this proposal;
 - (b) *Will not injure the value of adjoining or abutting property.*
The proposed residential subdivision should have no negative impact on adjoining property;
 - (c) *Will be in harmony with the area in which it is located.*
The subdivision would consist of residential properties that would be in harmony with the surrounding area;
 - (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board.*
The proposal will be consistent with the CAMA Land Use Plan Rural with Services classification and with the Thoroughfare Plan;
 - (e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities.*
Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with Section 2015.

Based on these pupil generation figures, Currituck can expect 16 Elementary students, 3 Junior High students, and 6 High School students from this development.

According to the current school population projections for the elementary schools in Moyock and Crawford Townships, the schools will have a deficiency of 210 students over capacity after full development of approved subdivisions. Therefore, adequate public facilities do not exist to serve the proposed development. It should be noted that this number includes 58 seats allocated to County Roads/Country Lakes, a subdivision which appears to be defunked. The population figures reflect a new 500 student school replacing the existing Knapp School.

STAFF RECOMMENDATION:

Staff recommends approval, subject to the Board of Commissioner's determination that adequate school facilities exist, or will exist, to meet the demands generated by this subdivision. If the Board of Commissioners so finds, staff also recommends the following conditions:

1. That the following corrections be made to the plans:
 - a. Show pedestrian access to the 10 acre open space lot behind Lots 23 to 31.
 - b. The flood information needs to be based upon the new FIRM panels which become effective December 16, 2005.
 - c. Note #6 - Show the total tract area minus the exempt lots to clarify the development area in this phase
 - d. Correct the phasing shown in existing Lot 21 to Phase 1
2. That all necessary improvements for acceptance into the state system of the existing Northwest River Drive be completed and accepted by NCDOT prior to submittal of the final plat for Phase 3. These repairs include, but are not limited to, a functioning drainage system.
3. That applicant shall be required to meet all requirements of the UDO including, but not limited to the planting of street trees along all newly paved streets; installation of a water line; water services, and adequate drainage facilities to serve the development.
4. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
5. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Miller moved to approve. Commissioner Etheridge seconded the motion. Motion carried.

Public Hearing and Action PB 00-44 Clover Bend Amended Sketch Plan to add waterline and hydrant and convert fire pond into a lot on property located on the west side of Guinea Rd., approximately 200' north of the intersection with Guinea Mill Rd. Tax Map 22, Lot 71X, Moyock Township.

Sworn testimony was given prior to making statements.

David Webb, Chief Planner, reviewed the request.

LOCATION: On the northwest side of Guinea Road (SR 1214), approximately 200' north of the intersection with Guinea Mill Road (SR 1282), Moyock Township.
PIN #: 0022-000-071X-0000

ZONING DISTRICT: Agricultural

OWNER:	APPLICANT/AGENT
Kim Old/Old Brothers LLC	Melvin E. Hopkins, Jr., P.E.
P.O. Box 72	6330 N. Center Dr., Suite 141
Moyock, NC 27958	Norfolk, VA 23502

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH:	Residential & Farmland - zoned A
SOUTH:	Residential & Farmland - zoned A
EAST:	Residential & Farmland - zoned A
WEST:	Residential & Farmland - zoned A

NARRATIVE OF REQUEST:

Kim Old is seeking an amended sketch plan approval for 16 single family lots. The total acreage of the entire development is approximately 53 acres. The request is to convert one lot (number 14) from open space to a buildable lot. The applicant has agreed to install fire hydrants and a 6" water line. Previously, a fire pond was required for the open space area.

This property is zoned Agricultural and the 16 lots meet the 3 acre minimum lot size standard. The Board approved the sketch plan on January 5, 2004 subject to the following:

1. That adequate school capacities exist to serve the proposed development;
2. That applicant shall be required to meet all requirements of the UDO including but not limited

- to, planting trees along any newly paved streets, install fire protection pond as shown on plan, provide open space, etc.;
3. That a Preliminary Plat shall be submitted for review within 24 months from the date the Amended Sketch Plan is approved by the Board of Commissioners; and
 4. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.
 5. That a bond in the amount of \$1800 be issued to the county by the applicant to insure installation of the fire hydrants.

Four minor subdivision lots of 40,000 Square Feet were created from this parcel in September, 2005.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

- STREETS:** All streets will be built to NCDOT Design and Construction Standards. The developer expects these streets will be dedicated for maintenance to the NCDOT.
- WATER:** This development will be served by County water and a 4" county water line extends near the property boundaries. The developer will extend a 6" waterline into the development, which will provide for drinking water within the development.
- FIRE:** This development will be located within the jurisdiction of the Moyock Volunteer Fire Department which currently has a State ISO rating of 9. The proposed 6" water line extension will be used to serve fire hydrants. The 3 hydrants will be painted black until the water line is operational.
- WASTEWATER:** On-site wastewater treatment and disposal systems are proposed. The property contains two main soil series, Roanoke and Tomotley. The Roanoke series consists of poorly drained, slowly permeable soils on nearly level to sloping uplands. The Tomotley series consists of poorly drained, moderate to moderately slow permeable soils on nearly level uplands.
- According to the preliminary soil evaluation provided by the developer, a

site evaluation has been performed for subsurface disposal and the site was determined to be unsuitable. The site is considered provisionally suitable for surface disposal. Several of the lots are proposed to use aerial fill (mound) systems with the remaining parcels utilizing low-rate drip irrigation systems with effluent disbursed over larger portions of the lots.

SCHOOL CAPACITIES: Using national averages for school age student generation from the 1987 *American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (Note: *These figures were verified by a field check of Currituck subdivisions in 1994*). Based on these pupil generation figures, Currituck can expect 7 elementary students, 2 Jr. high students, and 3 high school students from this development.

OPEN SPACE: There is no open space required since all lots meet the minimum of 3 Acres and the subdivision does not contain more than 20 lots, as specified in section 913(1).

DRAINAGE: Existing agricultural ditches supplemented by new lot line swales are proposed. Stormwater will be retained in accordance with the NC Division of Water Quality and the Currituck County Soil and Water Conservation office.

FLOOD ZONES: This development contains flood zones AE (5) and Shaded X, according to the Flood Maps effective December 16, 2005.

CAMA CLASS: The 1990 Land Use Plan classifies this site as Rural with Services. The intent behind the Rural with Services class is "to provide for low density land uses including residential use where limited water services are provided to avert an existing or projected health problem." In addition "Areas meeting the intent of this class are appropriate for very low density residential uses with a gross density of approximately one unit per acre, where lot sizes are large and where the provision of services will not

disrupt the primary rural character of the landscape."

STAFF COMMENTS:

- Clover Bend subdivision was previously applied for in 2000. The Planning Board reviewed the application during their Oct. 10, 2000 meeting and recommended denial due to inadequate school facilities.
- The application was tabled indefinitely by the Board of Commissioners in December of 2000.
- The subdivision received Sketch Plan approval on January 5, 2004.
- Legal advertisements for the Board of Commissioners' Public Hearing ran December 9, 2005 and December 18, 2005.
- Public hearing signs were posted on December 9, 2005.
- Adjoining property owner notices for Board of Commissioners' Public Hearing were mailed by staff on December 9, 2005.
- The Amended Sketch Plan was review by the Technical Review Committee November 10, 2005.

QUESTION(S) BEFORE THE BOARD:

1. *Is the application complete?* Based on staff review all required information has been submitted for review.
2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?* The application meets all standards within the UDO including minimum lot sizes and dimensions, street rights-of-ways and open space.
3. *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit/Sketch Plan?*
 - (a) *Will not endanger the public health or safety.* Public health and safety issues including fire protection, stormwater management, wastewater disposal and access for emergency services have been adequately addressed within this proposal;
 - (b) *Will not injure the value of adjoining or abutting property.* The proposed residential subdivision should have no negative impact on adjoining property;
 - (c) *Will be in harmony with the area in which it is located.* The subdivision would consist of

residential properties that would be in harmony with the surrounding area;

- (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board. The proposal will be consistent with the CAMA Land Use Plan Rural with Services classification and with the Thoroughfare Plan;*
- (e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with Section 2015. Based upon pupil generation figures, Currituck can expect 7 elementary students, 2 Jr. high students, and 3 high school students from this development.*

According to the current school population projections for the elementary schools in Moyock and Crawford Townships, the schools will have a deficiency of 210 students over capacity after full development of approved subdivisions. Therefore, adequate public facilities do not exist to serve the proposed development. It should be noted that this number includes 58 seats allocated to County Roads/Country Lakes, a subdivision which appears to be defunct. The population figures reflect a new 500 student school replacing the existing Knapp School.

STAFF RECOMMENDATION:

Staff recommends approval subject to the conditions below and the Board of Commissioners determination that adequate school facilities exist or will exist to meet the demands generated by this subdivision.

1. That applicant shall be required to meet all requirements of the UDO including but not limited to, planting trees along any newly paved streets, install fire hydrants and roads as shown on the plan, etc.

2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Amended Sketch Plan is approved by the Board of Commissioners; and
3. The applicant shall install a 6" water line with 3 fire hydrants prior to Final Plat Approval.

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Martin moved to approve. Commissioner Miller seconded the motion. Motion carried.

Consideration of Gatewood Agreement to construct hangars at the airport.

Deleted

Appointment to Planning Board

Deleted

Appointment to Board of Adjustment

Deleted

Consent Agenda:

Budget Amendment

Approval of November 7 and 21 Board minutes

Lower Currituck Fire Dept. request \$30,000 for new hydraulic extrication equipment and air bags.

Commissioner Martin moved to approve. Commissioner Bowden seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
29690-590000	Capital Outlay	\$ 463,130	
29690-545000	Contract Services		\$ 251,000
29390-499900	Fund Balance Appropriated		\$ 212,130
		\$ 463,130	\$ 463,130

Explanation: Fire Equipment Replacement Fund (29690) - To transfer funds to capital outlay and to carry-forward funds from last year to purchase two fire engines and for tax and tags for these two engines.

Net Budget Effect: Fire Equipment Replacement Fund (29) - Increased by \$212,130.

Debit **Credit**

<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
51848-595001	CCHS CLASS ADDITIONS	\$ 150,000	
51848-597003	MMS MOBILE UNITS INVESTMENT	\$ 100,000	
51380-481000	EARNINGS		\$ 250,000
		<u>\$ 250,000</u>	<u>\$ 250,000</u>

Explanation: School Construction (51848) - Appropriated funds for an additional modular unit for the Currituck County High School in the amount of \$150,000 and for mobile classrooms at the Moyock Middle School in the amount of \$100,000. These projects will be funded through interest earned on funds in the school construction fund.

Net Budget

Effect: School Construction Fund (51) - Increased by \$250,000.

Commissioner's Report

Commissioner Bowden commented on the need for repairs to the roads on Knotts Island.

Board wished everyone a Happy Holiday.

County Manager's Report

Dan Scanlon, County Manager, gave the Board an update on meetings he attended; Sound Study, meeting with legislators in Raleigh on water and transportation program.

Closed Session to discuss land acquisition

Commissioner Etheridge moved to go into closed session. Commissioner Martin seconded the motion. Motion carried.

Adjourn

After reconvening from closed session, no action was taken.

There being no further comments, the meeting adjourned.