

CURRITUCK COUNTY
NORTH CAROLINA
MAY 16, 2005

The Currituck County Board of Commissioners met at 5:30 p.m. prior to the regular meeting with the ABC Board to discuss building plans.

The Board met at 6:00 p.m in Closed Session pursuant to GS 143-318.11 (4) to discuss economic development.

The Currituck County Board of Commissioners met on Monday, May 16, 2005, at 7:00 p.m. for their regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman Martin, and Commissioners Bowden, Etheridge, and O'Neal. The Chairman excused Commissioner Miller following the closed session due to illness.

Invocation and Pledge of Allegiance

Bob Henley, was present to give the invocation.

Approval of Agenda

Commissioner O'Neal moved to approve the agenda with the following amendments: delete Item 6 and add approval of Tarheel Medical Lease. Commissioner Etheridge seconded the motion. Motion carried.

6:00	Closed Session pursuant to GS 143-318.11 (4) to discuss economic development.
7:00 p.m.	Invocation Pledge of Allegiance
Item 1	Approval of Agenda
Item 2	Public Comment Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
Item 3	Discussion on Public Hearing policy.
Item 4	Public Hearing and Action PB 05-06 Amendment Currituck County to Sections 1202, 1203, 1615, and 922 to require ditch and driveway culvert certifications and to clarify drainage policies.
Item 5	Public Hearing and Action PB 05-05 OBX Rodeo Special Use Permit for a 2 day Rodeo event to be held on property on the north side of Riverlane Road, approximately 400' West of Caratoke Highway. Tax Map 110, Lot 79, Poplar Branch Township.
Item 6	Public Hearing and Action on request to close portions of Swan Island Road, False Cape Road, Ocean Sands Road, Sandpiper Road and Sandfiddler Road, Fruitville Township.
Item 7	Public Hearing and Action on PB 94-49 Currituck Club Amended Sketch Plan to add the Historic Shooting Club to the PUD and develop with 27 single family homes; create 58 patio homes at Windswept Ridge and the hotel/retail site.
Item 8	Discussion and approval of the proposed new Knotts Island Fire Station.
Item 9	Discussion on apartments and affordable housing.
Item 10	Appointment to Senior Citizen Advisory Board.
Item 11	Appointments to Game Commission.
Item 12	Consent Agenda: Budget Amendments Albemarle Mental Health Quarterly Monitoring Report.

Approval of May 2, minutes.

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 Martin opened the public comment period.

Barbara Courtney, expressed concerns regarding the management of the Animal Shelter.

Virginia Sikes, stated that she and her group, the Animal Lovers Assistance League, will submit a proposal to manage the Animal Shelter.

June Raffa, opposes the Land Use Plan (LUP) as presented.

Gwenn Cruickshanks, opposes the Land Use Plan and requests that a survey be taken.

Chairman Martin stated that Land Use Plan was based on approximately 900 citizens and commended the Land Use Committee on their work.

Commissioner Etheridge stated that Currituck County ranks 67 out of 100 in recycling. He encouraged the County to make an effort to promote recycling.

Commissioner O'Neal expressed his concerns with the density outlined in the Land Use Plan and stated that he was not ready to adopt the plan at this time.

Commissioner Bowden, expressed concerns with LUP.

Chairman Martin commended a student at Currituck County High School, Joshua Littlefield, for his published poetry.

There being no further comments, Chairman Martin closed the public comment period.

Discussion on Public Hearing policy.

Chairman Martin stated that he would like for the Board to consider a policy for having items pulled from the agenda at the last minute. Some kind of policy which would prevent people from traveling long distances to then be told the item had been removed.

The Board took no action.

Public Hearing and Action PB 05-06 Amendment Currituck County to Sections 1202, 1203, 1615, and 922 to require ditch and driveway culvert certifications and to clarify drainage policies.

Gary Ferguson, Planning Director, reviewed the request.

CURRITUCK COUNTY
PB 05-06
UDO AMENDMENT REQUEST

CURRITUCK COUNTY requests the following amendment to the Currituck County Unified Development Ordinance:

PB 05-06 CURRITUCK COUNTY: Amendment to require certification ditch and culvert certifications for all new driveways and to clarify drainage policies.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1 That the following section be amended to require driveway culvert certification for residential site plans:

Section 1202 Residential Site Plan Requirements.

1. Sketch site plans shall be drawn with as true an approximate scale as possible, which reviewing agents can determine that all requirements of the Ordinance are met. (Professional renderings are only required for lots that are 20,000 square feet or smaller). **(Amended 8/4/03)**
2. Applicant will be required to sign the zoning form as being a true reflection of what is existing and what is being proposed.
3. The following minimum information shall be included on the site plan:
 - (f) location and dimensions of driveway and type of surface material; **(Amended 12/4/00)**
 - (g) location of septic system, well or water tap; **(Amended 12/4/00)**
 - (h) topographic/**grading** plan (shown in 1 foot intervals) **shall be required when changes in the existing grade/natural grade of the property are proposed,** that indicates location and elevation changes above or below natural grade within past six months and contains the following certificate. **At a minimum, the plan shall indicate the location and depth of the changes to the existing grade/natural grade and contain the following certificate:** (Amended 12/4/00)

I, _____, owner/agent do hereby certify that I will develop the property in accordance with the approved plans which will be constructed or maintained so that surface waters from such development

are not unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties. In addition, the development will be constructed or maintained so that it will not unreasonably impede the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties.

Date: _____ Owner/Agent: _____

- 4. **All newly installed driveway culverts and the ditch section fronting the property shall be certified by a Licensed Land Surveyor or Civil Engineer as being installed in accordance with the approved drainage plan. If there is no approved drainage plan, the culvert shall be certified as being on grade with the existing roadside ditch as verified by upstream and downstream culvert inverts. When associated with new construction, the certification shall be submitted prior to the issuance of the Certificate of Compliance.**

Item 2 That the following section be amended to require drainage plans and driveway culvert certification for non-residential site plans:

Section 1203 Commercial Site Plan Requirements.

4. Unless otherwise determined by the zoning administrator, site plans shall show the following minimum information:

- (n) location(s) and size(s) of all public utility lines (water, sewer and storm sewer) within all adjacent public right-of-ways and easements;
- (o) drainage plan, including site surface drainage, pipe size, yard drains, catch basins, curb inlets, and topographic plan that indicates location and elevations **of roadside ditches, upstream and downstream culverts**, changes above or below natural grade (shown in 1 foot intervals) ~~within past six months~~ and contains the following certificates: (Amended 12/4/00)

Certification of Stormwater Management:

On the site plan entitled _____, stormwater drainage improvements shall be installed according to these plans and specifications and approved by Currituck County Planning Department. Currituck County assumes no responsibility for the design, maintenance or the guaranteed performance of the stormwater drainage improvements.

Registered Land Surveyor/Civil Engineer

Date

I, _____, owner/agent do hereby certify that I will develop the property in accordance with the approved plans which will be constructed or maintained so that surface waters from such development are not unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties. In addition, the development will be constructed or maintained so that it will not unreasonably impede the natural flow of water from higher adjacent properties across such

development, thereby unreasonably causing substantial damage to such higher adjacent properties.

Date: _____ Owner/Agent: _____

(1) All newly installed driveway culverts and the ditch section fronting the property shall be certified by a Licensed Land Surveyor or Civil Engineer as being installed in accordance with the approved drainage plan. If there is no approved drainage plan, the culvert shall be certified as being on grade with the existing roadside ditch as verified by upstream and downstream culvert inverts. When associated with new construction, the certification shall be submitted prior to the issuance of the Certificate of Compliance.

(p) curb and gutter alignment, including street widening and storm drainage, if necessary shall be required;

Item 3 That the following section be amended to require driveway culvert certification for residential and non-residential site plans:

Section 1615 Storm Water Management.

1. All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

(a) no development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and,

(b) no development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

2. A topographic/**grading** plan (shown in 1 foot intervals) shall be required for all developments where changes in the natural grade of the property ~~is~~ **are** proposed. **At a minimum** the plan shall indicate **the location and invert elevations of the roadside ditches, upstream and downstream driveway culvert invert elevations**, the location and elevation changes above or below natural grade and contain the following certificates: **(Amended 12-4-00. 11/1/04)**

I, _____, owner/agent do hereby certify that I will develop the property in accordance with the approved plans which will be constructed or maintained so that surface waters from such development are not unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties. In addition, the development will be constructed or maintained so that it will not unreasonably impede the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties.

Date: _____ Owner/Agent: _____

Certification of Stormwater Management:

On the site plan entitled _____, stormwater drainage improvements shall be installed according to these plans and specifications and approved by Currituck County Planning Department. Currituck County assumes no responsibility for the design, maintenance or the guaranteed performance of the stormwater drainage improvements

- 3. Prior to the issuance of a Certificate of Compliance all newly installed driveway culverts and the ditch section fronting the property shall be certified by a licensed surveyor or civil engineer as being installed in accordance with approved drainage plan. If there is no approved drainage plan, the culvert shall be certified as being on grade with the existing roadside ditch as verified by upstream and downstream culvert inverts.**
- 4. No fill of any kind shall be allowed within ten (10) feet of any property line except as associated with a driveway improvements located within ten feet of the front (street) property line and/or a bulkhead for shoreline protection, with the exception of lots within Planned Unit Developments. (Amended 12/4/00, 7/2/01, 11/1/04)**

Item 4 That the following section be amended for corrections and to require driveway culvert certification:

Section 922 Environmental

- 3. Drainage: Each subdivision ~~that disturbs over one acre of land~~ shall provide adequate storm drainage for all areas in the subdivision. A combination of storage and controlled release of stormwater runoff is required with the release rate of stormwater not to exceed the lesser of: (1) the predevelopment rate, or (2) the runoff predicted by a ten year storm event. Accepted methods for calculating storm runoff are as follows:
 - (a) Rational Method
 - (b) USGS Method
 - (c) TR55 Method
 - (d) Combination of the above methods

All stormwater removal systems within the subdivision shall be designed: (1) to handle a 10 year storm event **or** (2) to meet NCDOT road drainage specifications.

Plans must address the maintenance of the drainage system and the responsible party. The Engineer must certify the stormwater installation was performed as designed, and verified by an As-Built Survey. The subdivider is responsible for maintenance of the drainage system until the Homeowners Association (or other responsible entity) assumes the responsibility for maintenance.

Downstream drainage impediments that restrict flow to a point of making development prohibitive must be addressed by the subdivider. This problem shall be corrected by: (1) storing excess stormwater on site; **or** (2) improving downstream flow with the consent of all property owners adjacent to the drainage way.

The plans shall be reviewed and inspected by County Technical Staff members. The drainage plans shall show, at a minimum, the following information:

- (a) Elevation survey of entire tract with topographic lines shown at one foot intervals;
- (b) The following culvert information shall be provided: (1) a design elevation for all culverts to be installed by the developer; (2) a design profile for all ditches showing bottom elevations. These profiles are to be used for controlling any future culvert installations, i.e. driveway culverts, by the landowner;
- (c) Direction of stormwater runoff;
- (d) Two storm flow analysis are required: (1) an upstream flow analysis to prevent upstream flow restrictions by the development; (2) a downstream flow analysis to determine drainage capacity to the outlet (creek, stream, river, canal). No direct discharge shall be permitted into sound waters;
- (e) A flood prevention and stormwater analysis showing: (1) the predicted water surface elevation for a 10 year storm event throughout the subdivision using the maximum downstream drainage capacity as a reference; (2) building pad elevations required to prevent flooding from the ten year event; (3) water storage areas (swales, ditches, canals, wetlands) throughout the subdivision where water may pond at a predicted water surface elevation for the 10 year storm event;
- (f) Minimum finished floor elevations for all houses shall be shown on the plat and shall be a minimum 18 inches above the predicted 10 year storm water elevations **or the 100 year base flood elevation, which ever is greater.** For properties located within floodplains, the lowest floor shall be elevated above the base flood elevation. Refer to Article 16 for further restrictions;
- (g) **Property line swales shall be required along all side property lines.** ~~Drainage swales shall have a minimum of 6:1 side slopes. Adequate easements shall be shown and centered over the swales. Roadside and side lot line swales that do not convey major stormwater through the subdivision may be increased to a 4:1~~ **shall have a minimum 3:1 slope. Swales that convey major stormwater drainage shall be a minimum of 6:1 side slopes. Adequate drainage easements shall be shown and centered over the swales.**
- (h) All ditches and canals require a **drainage** easement which extends to the top of bank. A minimum 25 foot wide open space area is required from the top of the bank on one side of the ditch or canal for use as a maintenance area.

- (i) No fences or structures shall be placed within drainage easements, ~~with the exception of fences along side or rear property lines which are placed within 6:1 sloped swales.~~
- (j) Prior to the issuance of a Certificate of Compliance all newly installed driveway culverts and the ditch section fronting the property shall be certified by a licensed surveyor or civil engineer as being installed in accordance with approved drainage plan. If there is no approved drainage plan, the culvert shall be certified as being on grade with the existing roadside ditch as verified by upstream and downstream culvert inverts.**
- (k) Stormwater ponds, either wet or dry, shall not be located within ten foot (10') of any property line, except as approved by the County Engineer.**

Chairman Martin opened the public hearing.

Mike Doxey, Soil Conservation Service, supported the amendment and stated that this would help with drainage issues in the county.

There being no further comments, Chairman Martin closed the public hearing.

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

Public Hearing and Action PB 05-05 OBX Rodeo Special Use Permit for a 2 day Rodeo event to be held on property on the north side of Riverlane Road, approximately 400' West of Caratoke Highway. Tax Map 110, Lot 79, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Gary Ferguson, Planning Director, reviewed the request.

OWNER:

Gregory Granger
Great Carolina Ventures Inc.
1005 Richmond Road
Williamsburg, VA 23185

APPLICANT/AGENT

Iris Silverthorne
PO Box 405
Kitty Hawk, NC 27949

PURPOSE OF REQUEST:

The applicant requests Special Use Permit approval to hold a two day rodeo event on June 10th and 11th, 2005 in Jarvisburg. This event has been held in the county for the past three years without incident. The gates will

open at 6 pm with the rodeo starting at 8pm. The rodeo is scheduled to end at 10:45 pm. One week prior to the event, an arena will be delivered and setup. Port-a-Johns will be delivered three days before the event. Two days prior to the event is when the livestock, bleachers and vendors will be arriving and setting up. It is anticipated that everything will be removed from the site June 14th.

The applicant will be providing the following items during the event:

- Public restrooms through the use of 12 port-a-johns;
- EMS personnel and a fire truck to assist incase of an emergency;
- Off-duty deputies will be used for security;
- There will be a covered dumpster on the site;
- Water for the livestock will be furnished from an on-site well; and
- The area will have night time lighting during the event.

No alcoholic beverages will be sold at the rodeo and radio advertisements will request that no coolers are brought to the rodeo. There will be regular trash pick up during the event.

The applicant is requesting to be permitted to place a 4' x 8' plywood sign on the property advertising the event. It is requested that the sign be allowed to be placed on the property on Friday April 15th.

EXISTING CONDITIONS:

The 27 acre site is currently vacant and is used for farmland. The property owner has agreed to allow the rodeo use approximately 23 acres of the site.

QUESTION(S) BEFORE THE BOARD & STAFF FINDINGS:

- (1) *Does the proposal comply with the standards established in the Unified Development Ordinance (UDO) for the proposed use?*

Yes the proposal complies with the UDO standards for special event.

The proposed use is a two day rodeo on June 10th and 11th, 2004, which is classified as a "Special Event" by the Currituck County Unified Development Ordinance (UDO).

The UDO defines "Special Event" as follows: Special Events. Circuses, fairs, carnivals, festivals, or other types of special events that (i) run for longer than one (1) day but not longer than two (2) weeks, (ii) are intended to or likely to attract substantial crowds, and (iii) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

The site is located on the north side of Riverlane Road, approximately 400' west of Caratoke Highway. Entrance to the event will be from Riverlane Road. It appears that the site is large enough to provide adequate parking.

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

The proposed rodeo **will not** endanger public health or safety. The event will be furnished with public restroom facilities; security police; lighting; EMS personnel; fire truck, covered dumpsters and night lighting.

According to County Tax Maps, there are four residences approximately 100' to 130' away from the site.

The event is a temporary two day rodeo. The site preparation will begin one week prior to the event and will be cleared from the site approximately two days afterwards. No permanent improvements will be made to the site.

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

The temporary special event **will not** injure the value of adjoining properties.

The surrounding vicinity consists predominately of vacant residential lots with a few single family residences and some commercial uses.

The site is surrounded by the following land uses:

North:	Residential & Woodland - zoned GB & R
South:	Residential & Vacant - zoned GB
East:	Commercial, Restaurant & Residential - zoned GB
West:	Residential & Vacant - zoned R

A Special Event use (#26.000) is an allowable land use in a Residential (R) zoning district with a Special Use Permit.

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

As a temporary use, the rodeo **will be** in harmony with the neighborhood.

This is a temporary two day event and the hours of operation and noise levels will be compatible with the surrounding land uses.

See the findings listed under Criteria (a) and (b) above.

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

Yes the special event will be in conformity with adopted county plans,

The 1990 Land Use Plan classifies this site as Limited Transition.

The site is located approximately 400' off of a minor arterial as shown in the County's Thoroughfare

- (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.?*

This is a temporary two day event and should have very little, if any impact upon county facilities. The applicant will be hiring off-duty police officers as security guards, EMS personnel, a fire truck, well water will be incorporated for the livestock and port-a-johns.

STAFF RECOMMENDATION

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

1. The hours of operation shall be limited to 6 am to 12 am on the days of the event. Setup will begin June 3rd.
2. A noise permit shall be acquired prior to the event.
3. No vehicles shall be parked within the right-of-way of Riverlane Road, or within 50 feet of any adjoining property line.
4. A zoning permit shall be obtained for any on-premise signage. No sign advertising the event shall exceed the allowances of the Currituck County Unified Development Ordinance.
5. Portable toilets shall be provided per the requirements of the Health Department. A copy of the contract for the portable toilets with NC registered sewage pumper shall be submitted to the Department of Planning and Inspections one week prior to the event.
6. All vendors serving food shall be receive permits from the Health Department 30 days previous to the event. A list of the food vendors and copies of their permits shall be submitted by 25 days before the event, May 16th, to the Department of Planning and Inspections.
7. All on-site preparation of food products shall be approved by the Health Department prior to the event.

8. The arena and bleachers shall be inspected **48 hours** prior to the event commencing. The applicant shall be responsible for scheduling this inspection with the Inspections division.
9. Any tents used for the event shall be inspected by the Fire Marshall. The applicant shall be responsible for scheduling this inspection with the Fire Marshall.
10. The event shall not exceed a two day time period.
11. All items (arena, bleachers, litter, port-a-johns, etc.) shall be removed from the event site within **14** days of the end of the event.
12. No Alcohol sales or service shall be available to spectators of the event.
13. There shall be no fireworks used at this event that do not received the prior, written approval of the Fire Marshall.
14. Law Enforcement, EMS and a fire truck shall be scheduled to be on-site for the event and the NC Highway Patrol notified or contracted to provide traffic control.
15. A two way access/ entrance into the site, a minimum of 24 feet wide shall be provided and approved by NCDOT.
16. Permit will be **Voided** if safety, health and fire inspections are not performed or scheduled prior to 5:00 p.m. June 9, 2005.
17. Require proof of Liability Insurance and a Performance Bond **in the amount of \$1000.00.**

Acceptable Terms:

- (a) Surety Bonds by a licensed surety bond company;
- (b) Irrevocable Letters of Credit on forms approved by the County Attorney with a banking institution insured by the FDIC or other reputable institution;
- (c) Cash bond with the Currituck County named as trustee.

PLANNING BOARD RECOMMENDATION: On April 12, 2005 the Planning Board reviewed this request and recommended approval.

PLANNING BOARD DISCUSSION:

Mr. Kovacs asked if this event was a fundraiser.

Ms. Silverthorne said no.

Mr. Kovacs asked who is providing the necessary police, fire, and emergency personnel.

Ms. Silverthorne has made arrangements with the sheriff's dept and state highway patrol, as well as fire and EMS.

Mr. Hawley asked if there were complaints from the home owners in the area.

Mr. Kear said no.

Mr. Kovacs asked what type of liability insurance is required.

Mr. Ferguson said none.

Ms. Silverthorne said that the rodeo company has a one million dollar policy.

Mr. Midgette motioned to approve the request as presented. Mr. Winter seconded the request. Motion passed unanimously.

Chairman Martin opened the public hearing.

Iris Silverthorne, applicant, requested the Board to support the request.

There being no further comments, Chairman Martin closed the public hearing.

Commissioner Bowden moved to approve with staff recommendations. Commissioner O'Neal seconded the motion. Motion carried.

Public Hearing and Action on request to close portions of Swan Island Road, False Cape Road, Ocean Sands Road, Sandpiper Road and Sandfiddler Road, Fruitville Township.

Item was deleted.

Public Hearing and Action on PB 94-49 Currituck Club Amended Sketch Plan to add the Historic Shooting Club to the PUD and develop with 27 single family homes; create 58 patio homes at Windswept Ridge and the hotel/retail site.

Gary Ferguson, Planning Director, reviewed the request.

**ANALYSIS OF ITEMS FOR BOARD OF COMMISSIONERS
MEETING DATE: MAY 2, 2005**

ITEM: PB 94-49 THE CURRITUCK CLUB, AMENDED SKETCH PLAN

OWNER:
Currituck Assoc. /Residential Partnership
P. O. Box 229
Kitty Hawk, NC 27949

APPLICANT:
Quible & Associates, P.C
PO Drawer 870
Kitty Hawk, NC 27949

TAX ID: TM 126G Parcel D; Tax Map 126 Parcel 3B; and Tax Map 127 Parcel 1D

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH: Currituck Club Golf Course & Residential – zoned RO1/PUD
SOUTH: Residential/Currituck Club Phase 1 - zoned R01/PUD
EAST: NC 12, Ocean Sands Residential - zoned R01/PUD
WEST: Currituck Sound

PURPOSE OF REQUEST:

Applicant is seeking Amended Sketch Plan approval for three separate development parcels within the Currituck Club PUD as follows:

- The Cottages will replace 45 stacked condo units located within three buildings in Windswept Ridge with 30 patio homes on individual lots in Phase 8A.
- The 28 Inn Site patio homes and one acre retail site will replace the previously approved four Club Cottages in Phase 11 and the hotel, restaurant, and retail site within Phase 12.
- The addition to the PUD of the Historic Currituck Shooting Club. This 18 acre site will be developed with 27 single family lots and will become Phase 14.
- Relocate the existing wells located at the Historic Currituck Shooting Club to the Currituck Club Golf Course.

HISTORY OF DEVELOPMENT:

1. Applicant received original Sketch Plan/Special Use Permit approval on February 20, 1995.
2. On July 17, 1995, applicant received Amended Sketch Plan approval for the creation of 430 lots for single-family dwellings, 70 patio homes, 104 golf villas, 4 Club Cottages, 20 Center Court home sites, a 100 room hotel with restaurant, an 18-hole golf course with clubhouse, 2 commercial areas containing a total of 22.7 acres and a parcel to be donated to the county (located at the north end).
3. On May 20, 1996 applicant received Amended Sketch Plan approval which:
 - a. Showed the main entrance into the development;
 - b. Revised the layout of the commercial area adjacent to the clubhouse and increased the total commercial area from 22.7 ac. (3.9%) to 23.9 ac. (4.1%) which is well within the 7% allowed by the UDO;
 - c. All lot layouts are finalized all of the lot layouts which resulted in a slight increase in the overall density of the project. Under this proposal, there is a slight density increase from 1.07 units/acre to 1.12 units/acre; and
 - d. Slight adjustments were made to the road system.
4. On June 1, 1998 applicant received Amended Sketch Plan approval which:
 - a. Revised the Governmental site area located at the north property line (increased acreage from 8.1 ac. to 12.1 ac.);
 - b. Revised "404" wetland delineation which allowed for more efficient layout of lots within Phases 5 and 6;
 - c. To increase the total density from 628 units to 636 units (increase of 8 units); and,

- d. Reduced the total LF of streets to be paved and reduced the number of cul-de-sacs previously approved.
5. On October 4, 1999 applicant received Amended Sketch Plan approval to increase the number of ingress/egress points along NC 12 from two to three.
6. On August 21, 2000 Amended Sketch Plan approval was granted to allow:
 - a. Phase 5 to go from 52 single family lots to 15 single family lots and 72 patio homes increasing the total number of residential units from 636 to 673;
 - b. To increase the commercial lots in the Ocean Club Center to a total of 10 lots (six lots in addition to four condo lots); and
 - c. That applicant not exceed the creation of 33 "flag lots" within the development (to-date 26 "flag lots" have been created within the development).
7. On December 3, 2001, Amended Sketch Plan approval was granted for the following changes;
 - a. The deletion of 7 single family lots within Phase 6 (density decrease from 51 to 44 lots);
 - b. The deletion of single-family lot 411;
 - c. Transferred decreased density units (8 in total) to Centre Court Home site (increased total number of sites from 20 to 28); and,
 - d. Commercial area was established at 4% (7% allowed) and the overall density was set at 1.20 units/acre (3.0 units/acre allowed).
8. On March 8, 2004, Amended Sketch Plan approval to depict a two lot subdivision and a site specific layout of the proposed Currituck Club Retail Center for Phases 9 & 10. Phase 10 was previously designated to have 28 center court homes and was amended to a commercial designation.

PROJECT DESCRIPTION:

On September 20, 2004 the Board of Commissioners approved Design Standards and Development Criteria for the development of Patio homes within PUD's. The standards set forth the minimum lot size to be 3,000 sf, maximum height of 35', and a 20' minimum building separation with a maximum of four bedrooms per unit. The Cottages located in Phase 8A and the Inn Site Cottages in Phase 11 are proposed to be developed with patio homes meeting these design standards.

The Cottages:

1. Phase 8, Windswept Ridge, was initially designated to be developed with seven stacked condo buildings.
2. This amendment request is to allow 30 individual patio home sites to replace 45 units which were allocated to three stacked condo buildings.
3. According to the Development Impact Statement the two story homes will range in size from 1,800 sf to 2,400 sf and will be limited to four bedrooms. The projected values of the lot/home package range from \$390,000 to \$590,000.

4. The initial sketch plan approved on February 17, 1995 allowed for 104 golf villas to be located within Phase 8, Windswept Ridge. This yielded a density of 10.6 units per acre.
5. In October 1997 an amended preliminary plat for 96 units was approved. This reduced the density of the development to 9.8 units per acre.
6. The residential density proposed under this plan will be reduced from 9.8 units per acre to 7.7 units per acre.
7. The wastewater treatment for these units was permitted under the wastewater collection system extension (Permit WQ0012556) for the Phase 8 Windswept Ridge Golf Villas.

The Inn Site Cottages:

1. This amendment request affects both Phases 11 & 12. Currently Phase 11 is designated for four Club Cottages while Phase 12 is a 100 room hotel with a restaurant and retail shops. Under this amendment request, these two phases will be developed as a 1.00 acre retail site and 28 individual patio home sites. The total land area is 7.89 acres.
2. The initial hotel site was zoned LHB with the 2 acre club cottages being RO1. The 6.89 acres cottage site will retain the approved LBH zoning designation. Single family homes are an allowable use in the LBH zone.
3. The residential density for the 6.89 acre site will be 4.06 dwelling units/acre.
4. According to the Development Impact Statement the two story homes will range in size from 1,800 sf to 2,400 sf and will be limited to four bedrooms. The projected values of the lot/home package range from \$390,000 to \$590,000.

The Historic Currituck Shooting Club:

1. The Historic Currituck Shooting Club is a site of approximately 18 acres and has never been included within the Currituck Club PUD.
2. This amendment request is to incorporate the Shooting Club into the PUD and develop the site with 27 single family lots. This new phase will be designated as Phase 14.
3. The proposed lot sizes range from approximately 18,400 sf to 27,600 sf with a residential density of 2.07 dwelling units/acre.
4. According to the Development Impact Statement the homes will typically be two stories and will range in size from 3,600 sf to 6,000 sf and will be limited to a **maximum** of five bedrooms. The projected values of the lot/home package range from \$800,000 to \$2,000,000.
5. Currently the Shooting Club is the site of raw water supply wells and the well sites serving the Currituck Club PUD. There are 18 active wells and well sites on this land. Under this amendment, these wells will be relocated to the golf course between the practice range and Hole #1. According to the applicant, the state has approved a total of 17 well sites and a total of 12 wells have been drilled.

STAFF COMMENTS:

1. Water and sewer availability letters have been submitted from the service providers. Sewer and water capacity will be verified at the time of Preliminary Plat submittals.
2. Residential Density proposed under this plan is 2.67 dwelling units/acre (402 single family lots, 141 patio homes in the Hammocks and Magnolia Bay, 45 condos at Windswept Ridge, 31 patio homes at the Cottages, 28 patio homes at the Inn site, and 27 single family homes at the Shooting Club on 252.41 acres of residential property) which is less than the permitted density of 3 units/ac.
3. The property is classified as "Limited Transition" in the County's 1990 Land Use Plan.
4. Planned Unit Developments are appropriate in the transitional land use class designation in the 1990 Land Use Plan.
5. State permits, including but not limited to, stormwater, wastewater, erosion & sedimentation control permits will be required in addition to authorization to construct the waterlines and sewer lines.
6. That the following corrections shall be made to the plans:
 - a. The Historic Shooting Club Lots – show the total site area and provide for public access to the open space lot on Currituck Sound.
 - b. The Inn Site :
 - i. Lots 26 & 28 do not meet the minimum rear setbacks;
 - ii. Lot 28 shall meet the required 22' front pavement setback;
 - iii. Lot 26 shall be given a conventional lot layout and maintain a 10' setback from the existing service drive to the clubhouse;
 - iv. Lot recombination behind Lots 26, 27 and 28 shall be clearly delineated to show the new exterior boundary;
 - v. Lot recombination shall address the reconfiguration of the property lines at the entrance to the site;
 - vi. A total of 5 handicapped parking spaces shall be provided;
 - vii. Note the total site area;
 - viii. The Sketch Plan shall have a north arrow.
 - c. The Cottages:
 - i. To avoid possible problems with the state stormwater permits, adjust the property lines to keep the entire stormwater ponds on one site;
 - ii. The Sketch Plan shall denote the total site area and number of units;
 - iii. Fire Lane servicing Lots 25-31 shall not exceed 150' in length;

and

- iv. Lot 31 does not meet the required 22' separation from the edge of roadway;
- d. The Amended Sketch Plan for Currituck Club:
 - i. The residential development summary shall reflect the correct number of units for the Cottages and the Inn site along with the updated total number of units.
 - ii. The calculations summary in the Summary Development Data shall be updated to reflect the correct number of residential units and the current residential density.

STAFF RECOMMENDATION:

Staff recommends **approval** of this request based on the following conditions:

1. That at the time of the submittal of the first preliminary plat the county shall require assurances in the form of a performance bond for the relocation of the well sites;
2. That at the time of the submittal of the first Preliminary Plat, a time line for the construction and conversion of the new well fields and state approvals be submitted to the county for review and approval. The new well sites shall have a water quality and quantity that is equal to, or exceeds, the existing wells located at the Shooting Club site;
3. That the summary table shall be corrected to readily show the total number of units along with the residential density;
4. ***That corrected plans be submitted to the Planning Department for review and approval;***
5. That the center islands within the cul-de-sacs in the Cottages and the Historic Shooting Club shall remain clear of any structures and only planted with low growth plant materials;
6. That the total number of bedrooms permitted for the homes in the Historic Currituck Shooting Club shall not exceed 135 bedrooms;
7. That the patio homes shall be subject to the UDO setback and development criteria within the "Design Standards and Development Criteria for Patio Home Developments within PUDs";
8. That Preliminary Plats/Site Plans shall be submitted for review within 24 months from the date the Amended Sketch Plan is approved by the Board of Commissioners;
9. That adequate water and wastewater capacities exist to serve the proposed residential units; and
10. 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 Martin opened the public hearing. There being no comments, Chairman Martin closed the public hearing.

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

Discussion and approval of the proposed new Knotts Island Fire Station.

Dan Scanlon, County Manager, reviewed the amended plans for the Knotts Island Fire Station.

Nathan Thorn, Fire Chief, supported the plans.

Commissioner Bowden moved to approve the plans and to proceed with bids and construction. Commissioner Etheridge seconded the motion. Motion carried.

Discussion on apartments and affordable housing.

Commissioner O'Neal moved to table but requested staff to define affordable housing. Commissioner Bowden seconded the motion. Motion carried.

Appointment to Senior Citizen Advisory Board.

Commissioner O'Neal moved to table. Commissioner Etheridge seconded the motion. Motion carried.

Appointments to Game Commission.

Commissioner O'Neal moved to table. Commissioner Etheridge seconded the motion. Motion carried.

Consent Agenda:

Budget Amendments

Albemarle Mental Health Quarterly Monitoring Report.

Approval of May 2, minutes.

Approval of Tarheel Medical Lease Agreement.

Commissioner Etheridge moved to approve. Commissioner O'Neal seconded the motion. Motion carried.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
22690-561002	Professional Services - KI	\$ 2,700	\$
22390-499900	Fund Balance Appropriated		2,700
		\$ 2,700	\$ 2,700

EXPLANATION: Fruitville Fire District (22690) – Increase professional services for the 2004 Audit for Knotts Island VFD, Inc.

NET BUDGET EFFECT: Fruitville Fire District Fund (22) – Increased by \$2,700.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
15782-545000	Contract Services	\$ 35,000	\$
15782-592000	Whalehead Projects	457,163	
15782-588000	Contringency		257,841
15320-415500	Occupancy Tax (1%)		35,000
15390-499900	Fund Balance Appropriated		199,322
		\$ 492,163	\$ 492,163

EXPLANATION: Occupancy Tax (15782) – To increase budgeted line items to carry forward funds from FY 2004 and to contract for an environmental assessment at the Whalehead Club.

NET BUDGET EFFECT: Occupancy Tax Fund (15) – Increased by \$234,322.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10415-511000	Telephone & Postage	\$ 400	\$
10415-514500	Training & Education		400
		\$ 400	\$ 400

EXPLANATION: Legal (415) – Transfer funds to telephone & postage in the legal department needed for operations for the remainder of this fiscal year due to increased need for postage and long distance associated with cases this year.

NET BUDGET EFFECT: Operating Fund (10) – No change.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
61818-590003	Fire Hydrants	\$ 59,379	\$
61818-590000	Capital Outlay		59,379
		\$ 59,379	\$ 59,379

EXPLANATION: Mainland Water (818) – Transfer funds from capital outlay to

fire hydrants for final payment on hydrant project. The original contract was based on an average “standard hydrant installation” to estimate costs and final billing is actual costs for exact number of hydrants installed.

NET BUDGET EFFECT: Mainland Water (61) – No change.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10660-511000	Telephone & Postage	\$ 1,500	\$
10660-526000	Advertising	2,000	
10660-531000	Gas, Oil, Etc	3,500	
10660-532000	Supplies	2,000	
10660-553000	Dues & Subscriptions		1,000
10660-592000	Planning projects		4,000
10340-455000	Re-inspection Fees		4,000
		\$ 9,000	\$ 9,000

EXPLANATION: Planning and Inspections (660) – Transfer budgeted funds and increase funds for operating costs for the remainder of the year and to advertise for a vacant position.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$4,000.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10795-531000	Gas, Oil, Etc	\$ 2,350	\$
10350-469003	Youth Basketball		735
10350-469016	Special Olympics		1,300
10795-576011	Adult Volleyball		315
		\$ 2,350	\$ 2,350

EXPLANATION: Recreation (795) – Increase budget line items for additional revenues received to fund fuel costs for the remainder of this fiscal year.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$2,035.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10511-516000	Repairs & Maintenance	\$ 2,215	\$
10380-482000	Miscellaneous Revenue		2,215
		\$ 2,215	\$ 2,215

EXPLANATION: Jail (511) – Increase budgeted line items for vehicle repairs. This will be funded through insurance claims.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$2,215.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10641-511500	Printing	500	
10641-514300	Student Activities	2,000	
10641-532000	Supplies	4,186	
10641-545000	Contract Services	3,600	
10641-502000	Salaries		3,700
10641-506000	Health Insurance		1,086
10641-511000	Telephone & Postage		500
10330-448700	Support of Students		5,000
		\$ 10,286	\$ 10,286

EXPLANATION: Support Our Students (641) – Transfer budgeted funds and increase appropriations to record increases in State funding.

NET BUDGET EFFECT: Operating Fund (10) – Increased by 5,000.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10794-545000	PASS Program	6,700	
10794-545002	Restitution		1,300
10794-545003	Mediation		4,500
10794-545004	Wilderness Program		900
		\$ 6,700	\$ 6,700

EXPLANATION: Juvenile Crime Prevention Control (794) – Transfer budgeted funds to record State budget amendments.

NET BUDGET EFFECT: Operating Fund (10) – No change.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10410-532000	Supplies	1,000	
10410-514000	Travel		1,000
		\$ 1,000	\$ 1,000

EXPLANATION: Administration (410) – Transfer budgeted funds to cover additional supplies needed for the remainder of this year.

NET BUDGET EFFECT: Operating Fund (10) – No change.

Commissioner's Report

Commissioner Etheridge requested staff to get a clarification from Mr. Joseph Ferrell at the School of Government, on his remarks concerning unified government.

County Manager's Report

No report

Adjourn

There being no further business, the meeting adjourned.