



**BOARD OF COMMISSIONERS
AGENDA**

JANUARY 6, 2014

Table of Contents

Agenda	3
Public Hearing and Action:	
88-66 Cover Sheet	5
88-66 Case Analysis	6
Amended Sketch Plan	9
Amended Use Permit Application	10
Major Subdivision Application	12
Public Hearing and Action:	
13-29 Cover Sheet	14
13-29 Case Analysis	15
Conceptual Development Plan	21
13-29 Project Narrative	22
TRC Response	27
Application	31
Side Elevation	33
Front Elevation	34
Public Hearing and Action:	
13-27 Cover Sheet	35
13-27 Case Analysis	36
Public Hearing and Action:	
13-17 Cover Sheet	43
13-17 Case Analysis	44
Preliminary Plat	56
Community Meeting	57
Development Analysis	59
Low Impact Statement	61
Public Hearing and Action:	
13-23 Cover Sheet	62
13-23 Case Analysis	63
Site Plan	71
Application	72
Approval of December 2, 2013 Minutes	
December 2 Minutes	75
Award Contracts for Landscaping Maintenance	
Memo-Recommendations	101
Bid Tabulations	103
Award Contract for Whalehead Subdivision Drainage Improvements-Phase IV and Authorization for County Manager to Execute Contract	
Whalehead Bid Recommendation	111
Proclamation Declaring Currituck County as a Purple Heart County	
Cover-Proclamation	115

<u>Purple Heart Proclamation</u>	116
Request for Waiver of Fees by Moyock High School Reunion Committee	
<u>Moyock High School Reunion Request</u>	117
CDBG Monthly Status Report	
<u>CDBG November Report</u>	118
Petition to NC Department of Transportation for Addition of Knotts Landing Lane to State System	
<u>Knotts Landing Lane Petition</u>	121
Petition to NC Department of Transportation for Addition of Solo Lane to State System	
<u>Solo Lane Petition</u>	124
Budget Amendments	
<u>Budget Amendments</u>	126

REVISED
Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, January 06, 2014

Time: 7:00 PM

7:00 pm Call to Order

- A) Invocation – Father Jim McGee, St. Luke’s Episcopal Mission
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Administrative Reports

- A) **Presentation by Wheeler Family**

Public Hearings

- A) **Public Hearing and Action:** PB 88-66 The Villages at Ocean Hill: Request to amend a sketch plan and use permit to remove lot 273 from the Planned Unit Development, Tax Map 114, Parcel 3R, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 13-29 TFP, LLC: Request for a conditional rezoning from SFO (Single Family Outer Banks) and PUD Overlay to CD-GB (Conditional District – General Business), Tax Map 114, Parcels 3R and 20, Poplar Branch Township.
- C) **Public Hearing and Action:** PB 13-27 Troy Moser: Request for a use permit to operate a pawn shop in Moyock at 417A Caratoke Highway, Moyock Shopping Plaza, Tax Map 9A, Parcel 55, Moyock Township.
- D) **Public Hearing and Action:** PB 13-17 Moyock Crossing: Request for a preliminary plat/use permit for 90 residential lots in a conservation subdivision located in Moyock on the north side of Shingle Landing Road approximately 260 feet east of Fox Lane, Tax Map 9, Parcel 41, Moyock Township.

- E) **Public Hearing and Action:** PB 13-23 Charles Perry: Request for a use permit to operate automobile sales in Grandy at 6331, 6333, and 6335 Caratoke Highway, Tax Map 94, Parcel 135B, Poplar Branch Township.

New Business

A) **Award Contracts for Landscaping Maintenance**

B) **Consent Agenda:**

1. Approval of December 2, 2013 Minutes
2. Award of Contract with McClees Consulting, Inc.
3. ~~Award Contracts for Landscaping Maintenance~~ **MOVED TO ITEM A**
4. Award Contract for Whalehead Subdivision Drainage Improvements-Phase IV and Authorization for County Manager to Execute Contract
5. Proclamation Declaring Currituck County as a Purple Heart County
6. Request for Waiver of Fees by Moyock High School Reunion Committee
7. CDBG Monthly Status Report
8. Petition to NC Department of Transportation for Addition of Knotts Landing Lane to State System
9. Petition to NC Department of Transportation for Addition of Solo Lane to State System
10. Budget Amendment

C) Commissioner's Report

D) County Manager's Report

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss personnel matters.

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 88-66 Villages at Ocean Hill, Amended Sketch Plan and Use Permit to remove lot 273 form the Planned Unit Development.

Brief Description of Agenda Item

Twiddy Family Partnership, LLC is requesting removal of lot 273 from The Villages at Ocean Hill Planned Unit Development.

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 88-66 with the findings of fact and staff recommendations included in the case analysis. Ms. Wilson seconded the motion and the motion passed unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: January 6, 2014
PB 88-66 The Villages at Ocean Hill

ITEM: PB 88-66 The Villages at Ocean Hill – Amended Sketch Plan and Special Use Permit to remove Lot 273.

TAX ID: 0114-000-003R-0000 (Lot 273)

OWNER: Twiddy Family Partnership, LLC
PO Box 369
Corolla, NC 27927

APPLICANT: Doug Twiddy, Twiddy Family Partnership, LLC

I. NARRATIVE OF REQUEST:

- a. Remove parcel 0114-000-003R-0000 (Lot 273) from The Villages at Ocean Hill PUD and amend sketch plan.
- b. There is no net change in the required open space area in the Villages at Ocean Hill PUD; however, there is a reduction in the required open space. The PUD is required to have a minimum of 35% open space. The proposed removal of Lot 273 will reduce the PUD's required open space by .32 acres and subsequently reduce the PUD's required open space area by .112 acres.

II. QUESTION(S) BEFORE THE BOARD:

Use Permit Criteria and Staff Findings:

A use permit shall be approved on a finding the applicant demonstrates the proposed use will:

1. Not endanger the public health or safety

Suggested Findings:

- a. The removal of Lot 273 will not endanger the public health or safety.

2. Not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

Suggested Findings:

- a. The removal of Lot 273 will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located.

3. Be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

- a. The removal of Lot 273 will be in conformity with the Land Use Plan and other plans.

4. 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.

Suggested Findings:

- a. The removal of Lot 273 will not have an impact on the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, technical review committee recommends **APPROVAL**.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board *recommended approval* of the amended sketch plan with staff recommendations.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE:

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (12-10-13)

Mr. Dail asked if the Board had any questions. Mr. Dail said this parcel is not connected to the PUD.

ACTION

Mr. Cartwright moved to approve PB 88-66 with the findings of fact and staff recommendations included in the case analysis. Ms. Wilson seconded the motion and the motion passed unanimously.

NOTES:

- AMENDED SKETCH PROJECT SCOPE : THIS AMENDED SKETCH PLAN IS PREPARED ON BEHALF OF TFP, LLC FOR THE PROPOSED REMOVAL OF LOT 273 OF THE VILLAGES OF OCEAN HILL (VOH) P.U.D. FROM THE VOH P.U.D.
- LOT 273 PROPERTY DATA:
 - OWNER: TFP, LLC
PO BOX 369
COROLLA, NC 27927
 - LOT AREA = 13,785 sq.ft./0.32 acres
 - SUBJECT REFERENCES: D.B. 1153, PG. 938
PIN: 9937-22-0471
PID: 0114000003R0000
 - PROPERTY IS LOCATED IN NFIP FLOOD ZONE AE (5.0') AND SUBJECT TO CHANGES BASED ON COMMUNITY CID NO. 370078; PANEL 9937; SUFFIX J. (MAP NUMBER 3720993700J) EFFECTIVE DATE: 12/16/2005
- BOUNDARY INFORMATION SHOWN ON THIS PLAN IS PER DEED BOOK 1153, PAGE 938 AND A "WETLAND DELINEATION MAP" CERTIFIED BY BISSELL PROFESSIONAL GROUP ON 08/19/10.
- SUMMARY TABLE BASE NUMBERS TAKEN FROM THE VILLAGES AT OCEAN HILL AMENDED SKETCH PLAN PREPARED BY BISSELL PROFESSIONAL GROUP DATED AUGUST 2007. THESE NUMBERS WERE NOT VERIFIED BY QUIBLE & ASSOCIATES, P.C.
- PARCELS SHOWN ON THIS DRAWING NOT ADJOINING LOT 273 OF VOH P.U.D. ARE SHOWN BASED ON CURRITUCK COUNTY G.I.S. SHAPEFILES.

PROPOSED LOT TO BE REMOVED FROM P.U.D.

LOT NO.	AREA	AREA
LOT 273	13,785 S.F.	0.32 AC.

RESIDENTIAL PLAT SUMMARY TABLE

PHASE 1: LOTS 1-141	141 LOTS
PHASE 3: LOTS 142-172	31 LOTS
PHASE 4A: LOTS 173-176, 205-207, 217	8 LOTS
PHASE 4B: LOTS 177-184, 198-204	15 LOTS
PHASE 4C: LOTS 185-197, 208-216	22 LOTS
PHASE 5: LOTS 233-259	27 LOTS
LOT 274: LOT 274 (11,831 S.F./0.27 AC.)	1 LOT
TOTAL	245 LOTS

PREVIOUSLY APPROVED (NOT YET PLATTED)

PHASE 2:	15 LOTS
PHASE 6:	13 LOTS
TOTAL	28 LOTS

DEVELOPMENTAL SUMMARY
TOTAL LAND AREA = 153.18 AC.
CAMA WETLANDS = 0 AC.

TOTAL NUMBER OF LOTS = 273
DENSITY = 1.78 UNITS/NET ACRE
COMMERCIAL AREA = 11.22 AC.

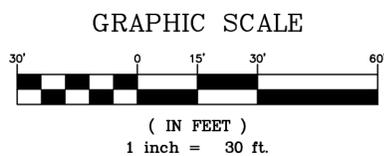
OPEN SPACE SUMMARY
TOTAL OPEN SPACE REQUIRED = 53.61 AC.
PERCENT OPEN SPACE REQUIRED = 35%

OPEN SPACE PROVIDED
ON SITE: 30.86 AC. ±
OFF SITE: 54.207 AC. ±
TOTAL PROVIDED: 85.062 AC. ± (55.5%)

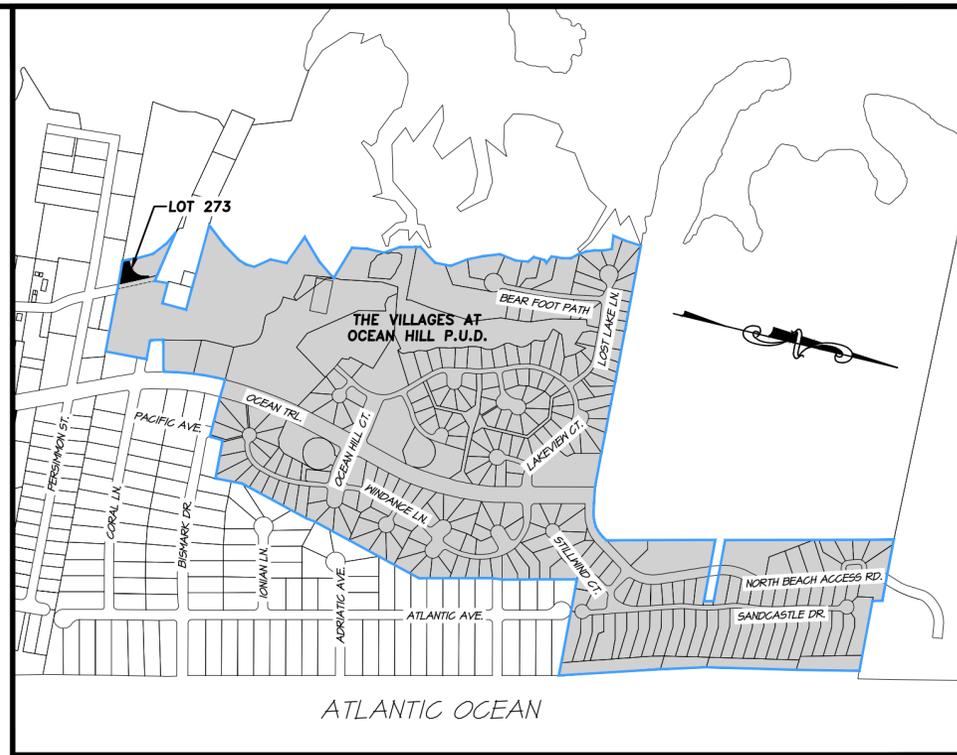
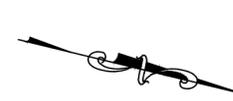
COMMERCIAL AREA SUMMARY
TOTAL LAND AREA = 153.18 AC.
10% COMMERCIAL AREA ALLOWABLE = 15.318 AC.

CURRENT COMMERCIAL AREA SUMMARY
PARCEL ONE AREA = 1.0 AC. (COROLLA COMPANIES)
PARCEL TWO AREA = 1.0 AC. (OCEAN HILL COMMERCIAL, VACANT)
A-1 TOWING AREA = 0.47 AC.
CNU STOCKPILE AREA = 0.11 AC.
RESIDUAL COMMERCIAL AREA = 8.64 AC. (OCEAN HILL COMMERCIAL, TRACT 1)
TOTAL EXISTING COMMERCIAL AREA = 11.22 AC. (7.3%)

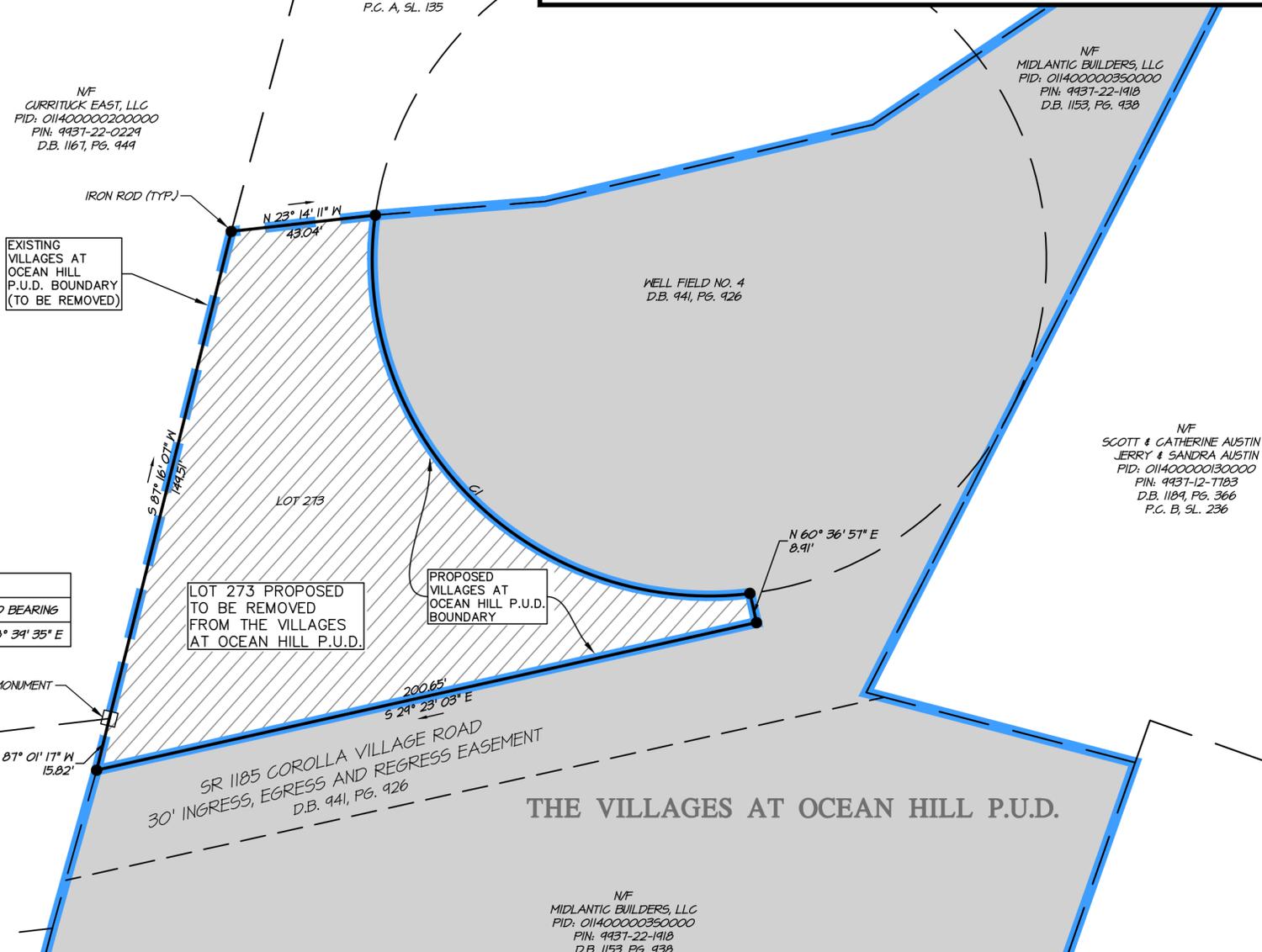
CURVE#	LENGTH	RADIUS	CHD LENGTH	CHD BEARING
G1	102.58'	100.00'	150.26'	N 20° 34' 35" E



G:\2008\PO8065\Drawings\PO8065.dwg 10/18/2013 10:46 AM Detail



VICINITY MAP - THE VILLAGES AT OCEAN HILL P.U.D.
(N.T.S.)



EXISTING VILLAGES AT OCEAN HILL P.U.D. BOUNDARY (TO BE REMOVED)

LOT 273 PROPOSED TO BE REMOVED FROM THE VILLAGES AT OCEAN HILL P.U.D.

PROPOSED VILLAGES AT OCEAN HILL P.U.D. BOUNDARY

SR 1185 COROLLA VILLAGE ROAD
60' PUBLIC R.O.W.

SR 1185 COROLLA VILLAGE ROAD
30' INGRESS, EGRESS AND REGRESS EASEMENT
D.B. 441, PG. 426

THE VILLAGES AT OCEAN HILL P.U.D.

Quible & Associates, P.C.
SINCE 1959
ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING
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E-Mail: administrator@quible.com

**PRELIMINARY
PLAT-NOT FOR
RECORDATION,
CONVEYANCES
OR SALES**

CERTIFICATION

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P.U.D. AMENDED SKETCH PLAN

LOT 273, THE VILLAGES AT OCEAN HILL
TFP, LLC

POPULAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	PO8065.5
DESIGNED BY	DAD
DRAWN BY	DLT
CHECKED BY	DAD
ISSUE DATE	10/16/13



Use Permit Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:		PROPERTY OWNER:	
Name: <u>TFP, LLC</u>		Name: <u>TFP, LLC</u>	
Address: <u>PO Box 369</u>		Address: <u>PO Box 369</u>	
<u>Corolla, NC 27927</u>		<u>Corolla, NC 27927</u>	
Telephone: <u>252-457-1177</u>		Telephone: <u>252-457-1177</u>	
E-Mail Address: <u>dtwiddy@twiddy.com</u>		E-Mail Address: <u>dtwiddy@twiddy.com</u>	

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Owner is the applicant

Property Information

Physical Street Address: Corolla Village Road - westside (no assigned st. no.)
Location: 159 ft. north of the Northwest corner of the Corolla Village Rd & Persimmon St intersection, Corolla
Parcel Identification Number(s): 0114000003R0000 - Lot 273 of the Villages at Ocean Hill P.U.D.
Total Parcel(s) Acreage: 0.32 ac
Existing Land Use of Property: Vacant Land

Request

Project Name: TFP, LLC Conditional Rezoning, PIDS: 011400000200000 and 01140000030R0000
Proposed Use of the Property: Removal of Villages of Ocean Hill P.U.D. overlay from subject parcel
Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1153, PG 938
Total square footage of land disturbance activity: 0 sf *
Total lot coverage: 0 sf * Total vehicular use area: 0 sf *
Existing gross floor area: 0 sf * Proposed gross floor area: 0 sf *

Community Meeting

Date Meeting Held: 09-10-2013 Meeting Location: Corolla Public Library

* Removal of PUD overlay pursuant a conditional rezoning and recombination of 1149 Persimmon Street and Lot 237 of the Villages at Ocean Hill P.U.D.

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed): _____

The purpose of the use permit application is to remove The Villages of Ocean Hill P.U.D. overlay from lot 273 of The Villages at Ocean Hill. This use application is pursuant to a simultaneously submitted conditional rezoning request for the subject parcel and its southern adjoiner and the recombination of the two parcels.

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the special use permit.

A. The use will not endanger the public health or safety.

The requested removal of the Villages of Ocean Hill PUD overlay will not endanger the health or safety of the public and is consistent with adjoining and land uses.

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

The requested removal of the Villages of Ocean Hill PUD overlay and the subsequent recombination with the southern adjoining parcel will not injure the value of adjoining or abutting lands and will be in harmony with the Corolla Village Area.

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

The requested removal of the Villages of Ocean Hill PUD overlay and its subsequent recombination with its southern adjoining parcel maintains conformity with existing and future planned Corolla Land use.

D. The use 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.

The requested removal of the Villages of Ocean Hill PUD overlay and its subsequent recombination with its southern adjoining parcel will not exceed the County's ability to provide public facilities.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.



Property Owner(s)/Applicant*

11-22-13

Date

*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Use Permit Application
Page 6 of 9



Major Subdivision Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Gate Keeper:	_____
Amount Paid:	_____

Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>TFP, LLC</u>	Name: <u>TFP, LLC</u>
Address: <u>PO Box 369</u>	Address: <u>PO Box 369</u>
<u>Corolla, NC 27927</u>	<u>Corolla, NC 27927</u>
Telephone: <u>252-457-1177</u>	Telephone: <u>252-457-1177</u>
E-Mail Address: <u>dtwiddy@twiddy.com</u>	E-Mail Address: <u>dtwiddy@twiddy.com</u>

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Owner is the applicant

Request

Subdivision Name: The Villages At Ocean Hill P.U.D.

Number of Lots or Units: 1 (requested amendment) Phase: _____
Lot 273

TYPE OF SUBMITTAL

- Conservation and Development Plan
- Preliminary Plat (or amended)
 - Type I OR Type II
- Construction Drawings (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

- Traditional Development
- Conservation Subdivision
- Planned Unit Development

Application proposes to remove of Lot 273 from The Villages at Ocean Hill P.U.D.

I hereby authorize county officials to enter my property for purposes of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

TFP, LLC


 Property Owner(s)/Applicant*

11-22-13

 Date

***NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

Community Meeting, if applicable

Date Meeting Held: 09-10-2013 Meeting Location: Corolla Public Library



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-29 TFP, LLC a conditional rezoning from SFO (Single Family Outer Banks) and PUD Overlay to CD-GB (General Business).

Brief Description of Agenda Item

Twiddy Family Partnership, LLC is requesting a rezoning from SFO (Single Family Outer Banks and PUD Overlay to CD-GB (General Business) of parcels 0114-000-0020-0000 and 0114-000-003R-0000 located in Corolla Village.

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 13-29 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Bell seconded the request and the motion passed unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: January 6, 2014
PB 13-29 TFP, LLC**

ITEM: PB 13-29 TFP, LLC a conditional rezoning from SFO (Single Family Outer Banks) and PUD Overlay to CD-GB (General Business).

LOCATION: Corolla Village

TAX ID: 0114-000-0020-0000

OWNER: Currituck East LLC
PO Box 369
Corolla, NC 27927

TAX ID: 0114-000-003R-0000

OWNER: Twiddy Family Partnership, LLC
PO Box 369
Corolla, NC 27927

APPLICANT: Doug Twiddy, Twiddy Family Partnership, LLC

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Base Zoning	Overlay
NORTH:	Vacant	SFO	PUD
SOUTH:	Religious institution/Dwelling	SFO	NA
EAST:	Commercial Operations Building/ Water Treatment & Drain field Area	CD-GB/SFO	PUD (partial)
WEST:	Vacant	SFO	NA

NARRATIVE OF REQUEST:

- a. The applicant is requesting a rezoning of Parcel# 0114-000-0020-0000 and Parcel# 0114-000-003R-0000 to Conditional District – General Business.
- b. The applicant intends to recombine the parcels and construct a 10 bedroom Inn (Hotel Use) on the property

LAND USE PLAN CLASSIFICATION:

The Land Use Plan (LUP) identifies Parcel# 0114-000-0020-0000 as Full Service and Parcel# 0114-000-003R-0000 as Conservation. The Conservation class is applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. Actions to mitigate the conflict with the Land Use Plan may include but are not limited to:

- o Low Impact Development techniques such as cisterns that capture the rainwater from the roof, constructed wetlands, use of porous pavement, and rain gardens should be provided in environmentally sensitive areas or areas designated Conservation by the 2006 Land Use Plan.
- o The landscape plantings shall consist of native, salt tolerant vegetation.
- o The preservation of existing, significant vegetation.
- o Inland, non-tidal and coastal wetlands remain undisturbed, excluding elevated walkways.
- o The use of vegetative buffers between limits of disturbance and wetland areas.

The Corolla Village Small Area Plan (CVSAP) identifies both Parcel# 0114-000-0020-0000 and Parcel# 0114-000-003R-0000 as Mixed Use. The proposed project appears to be consistent with this plan.

CURRENT ZONING: SFO & PUD Overlay (partial)

PROPOSED ZONING: CD-GB (Conditional District – General Business)

CURRENT USE: Vacant

SIZE OF SITE: 1.35 acres

ZONING HISTORY: 1989 Official Zoning Map indicates the properties were zoned RO1

UTILITIES: The proposed development will connect to the county water system and will be served by central sewer.

WETLANDS: There are “404” wetlands on the subject properties.

PROPOSED ZONING CONDITIONS:

The applicant/owner proposes the following conditions:

1. Mature trees will be identified and preserved where practical and commercially reasonable.
2. Provide pedestrian friendly circulation from buildings to street right-of-way.
3. Building construction to be reflective of the Corolla Village historic architecture.

COMMUNITY MEETING:

The community meeting was held on September 10, 2013 at the Corolla Library. A full summary prepared by the applicant is available online.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

The conditional rezoning request appears to be consistent with the goals, objectives and policies of the Land Use Plan and other applicable county-adopted plans, and the purposes of the UDO. The proposed development shall be evaluated during the site plan and building permit review process to ensure compliance with adopted conditions and the UDO.

The technical review committee recommends approval of the 1.35 acre rezoning from Single Family Residential Outer Banks (SFO) and PUD Overlay to Conditional District – General Business (CD-GB) subject to the *revised* conditions that must be agreed in writing by the applicant:

Proposed Zoning Conditions (*Revised*):

~~Strikethrough text shall be deleted (must be agreed in writing by the applicant)~~

Bold and underline text is proposed (must be agreed in writing by the applicant)

- ~~1. Mature trees will be identified and preserved where practical and commercially reasonable.~~
- 1. Provide pedestrian friendly circulation from buildings to street right-of-way.**
- 2. Building construction to be reflective of the Corolla Village historic architecture.**
- 3. The property shall be developed in accordance with the Conceptual Development Plans dated November 25, 2013.**

PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of the conditional rezoning request with staff recommendations.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (12-10-13)

Mr. Dail said the applicant/owner agree with all the conditions in the case analysis. The conceptual plan is a low density project. Mr. Dail asked if the board had any questions.

Ms. Wilson asked if the Conceptual Development Plan dated October 15, 2013 is the same as the one dated November 25, 2013.

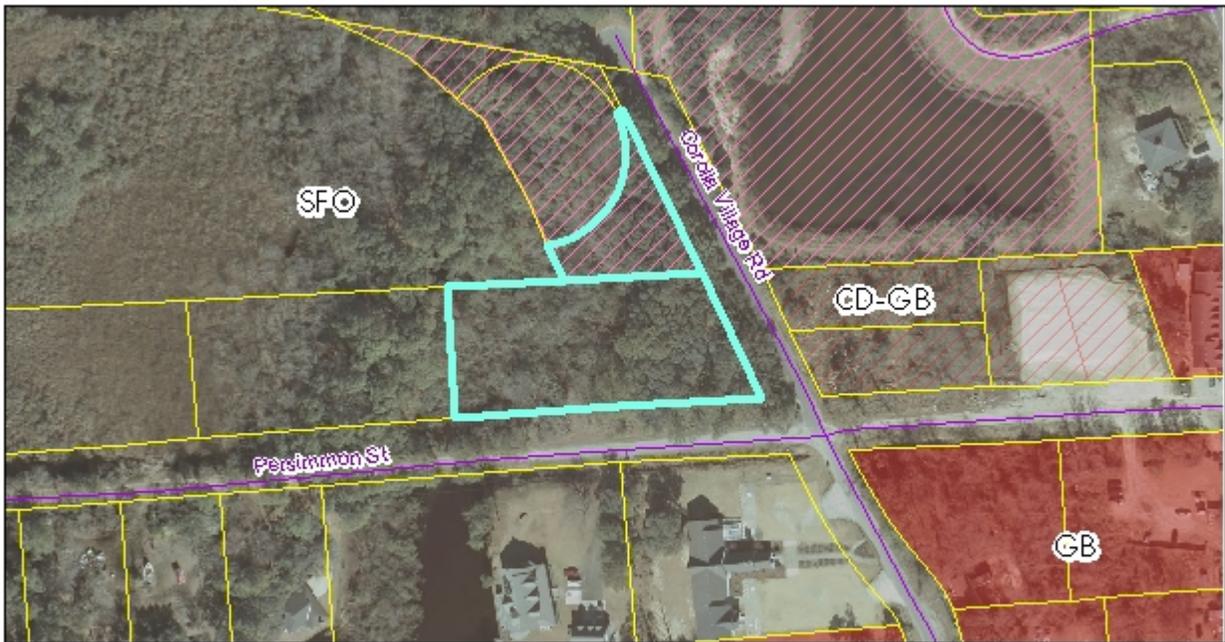
Mr. Dail stated the November 25, 2013 is a revision of the one dated October 15, 2013.

ACTION

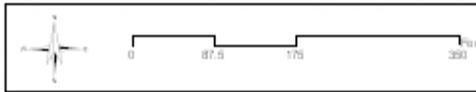
Mr. Cartwright moved to approve PB 13-29 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Bell seconded the request and the motion passed unanimously.



PB13-29
TFP, LLC Conditional Rezoning
Aerial

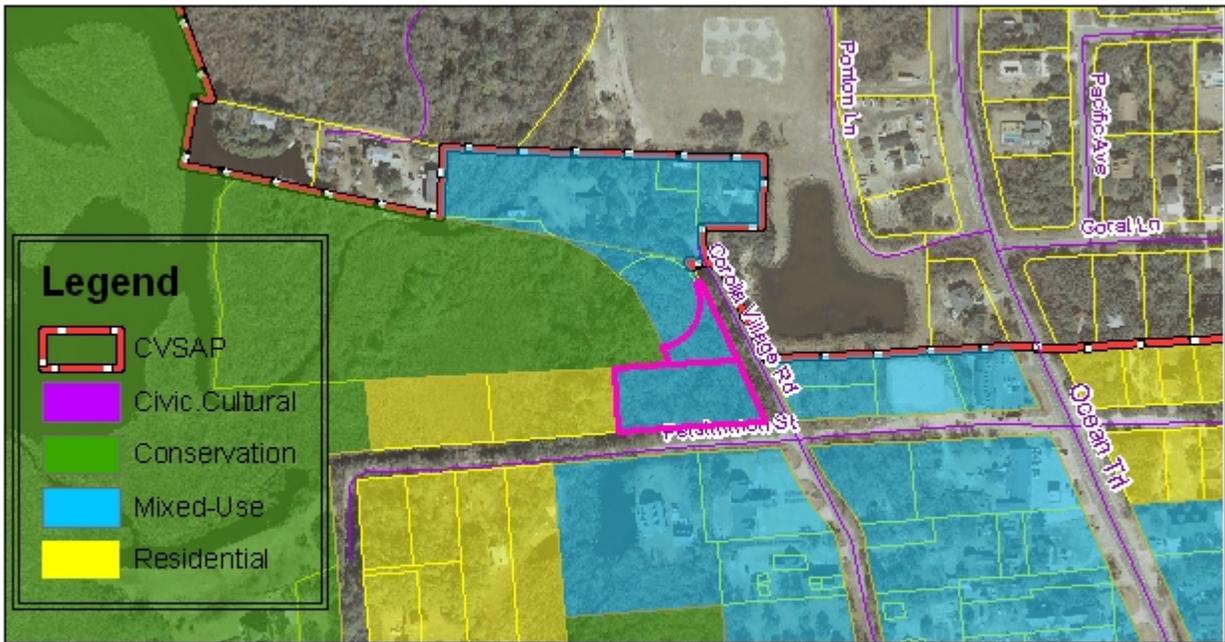
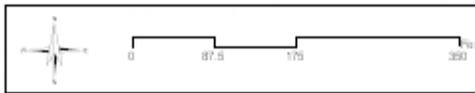


PB13-29
TFP, LLC Conditional Rezoning
Zoning

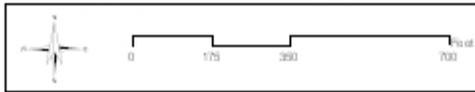




PB13-29
TFP, LLC Conditional Rezoning
Future Land Use



PB13-29
TFP, LLC Conditional Rezoning
CVSAP (Future Land Use)



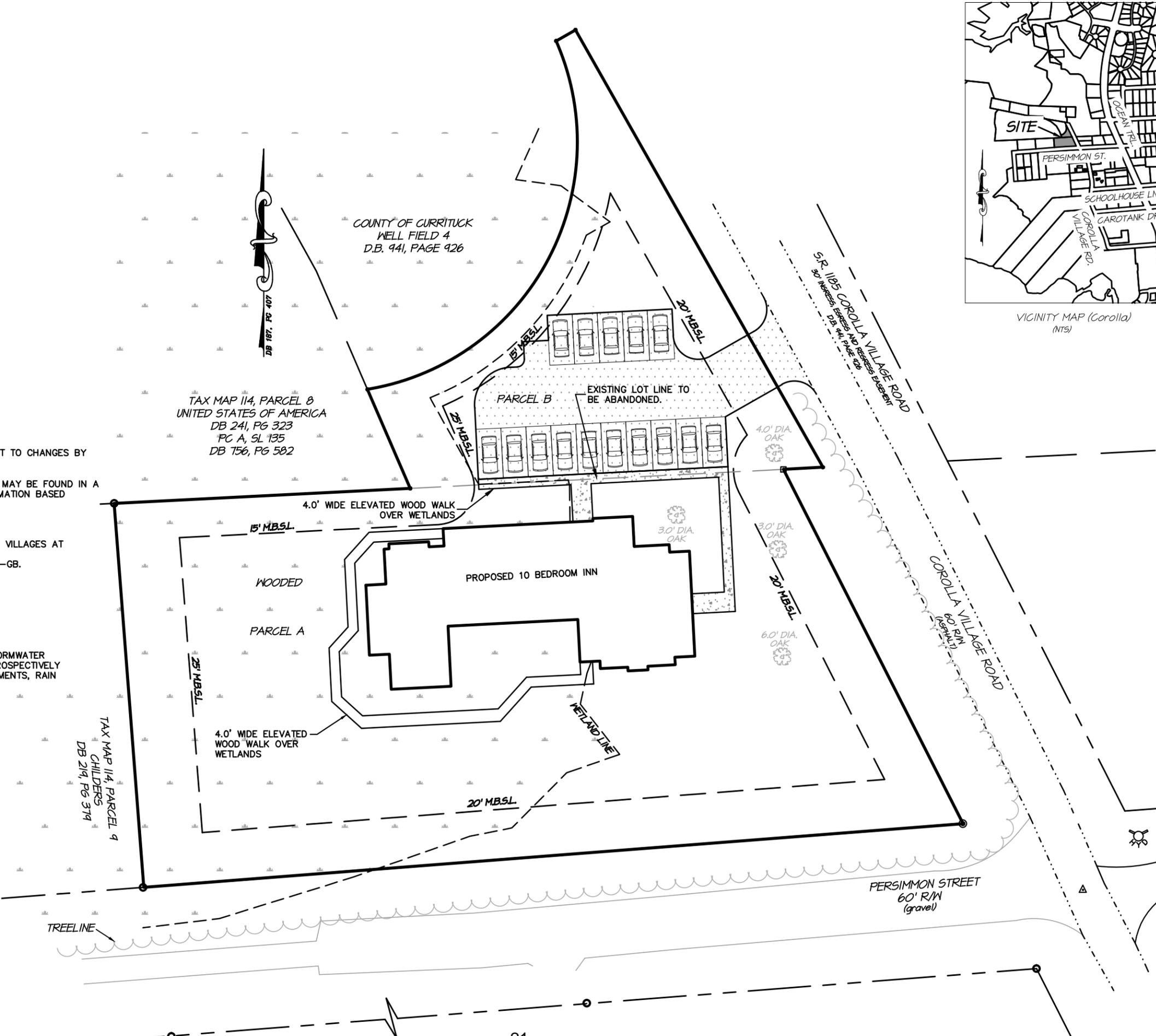
GENERAL NOTES:

1. OWNERS:
 - PARCEL A: CURRITUCK EAST, LLC
PO BOX 313
COROLLA NC 27927
 - PARCEL B: TFP, LLC
PO BOX 369
COROLLA NC 27927
2. PID:
 - PARCEL A: 011400000200000
 - PARCEL B: 0114000003R0000
3. PIN:
 - PARCEL A: 9937-22-0229
 - PARCEL B: 9937-22-0471
4. PROPERTY ADDRESS:
 - PARCEL A: 1149 PERSIMMON ST.
COROLLA NC 27927
 - PARCEL B: COROLLA VILLAGE RD.
COROLLA NC 27927
(NO ASSIGNED ST. NUMBER)
5. LOT AREA:
 - PARCEL A: 44,678 SQ.FT. / 1.03 AC.
 - PARCEL B: 13,785 SQ.FT. / 0.32 AC.
6. PROPERTY REFERENCES:
 - PARCEL A: D.B. 1167, PG. 949
TAX MAP 114, PARCEL 20
 - PARCEL B: D.B. 1153, PG. 938
TAX MAP 114, PARCEL 3R
LOT 273 THE VILLAGES AT
OCEAN HILL P.U.D.
7. ZONING:

	<u>EXISTING</u>	<u>PROPOSED</u>
PARCEL A:	SFO	CD-GB
PARCEL B:	SFO	CD-GB
8. PROPERTIES LOCATED IN FIRM ZONE AE (5.0'). SUBJECT TO CHANGES BY FEMA. (MAP#3720993700J DATED 12/16/05)
9. THIS IS NOT A SURVEY AND SUBJECT TO FACTS THAT MAY BE FOUND IN A FULL AND ACCURATE TITLE SEARCH. BOUNDARY INFORMATION BASED SURVEY BY QUILBE & ASSOCIATES, P.C.
10. PROPERTY DEVELOPMENT SCOPE:

PROJECT PROPOSES TO REMOVE PARCEL B FROM THE VILLAGES AT OCEAN HILL P.U.D., RECOMBINE PARCELS A & B, AND CONDITIONALLY REZONE THE PARCEL FROM SFO TO CD-GB.
11. PROPOSED USE: 10 BEDROOM VILLAGE INN (HOTEL)
12. UTILITY PROVIDERS:
 - WATER : CURRITUCK COUNTY
 - WASTEWATER : CAROLINA WATER SERVICE
 - ELECTRICITY : DOMINION POWER
12. STORMWATER MANAGEMENT: PRIMARY METHOD OF STORMWATER MANAGEMENT WILL BE VIA L.I.D. INFILTRATION BMPS PROSPECTIVELY CONSISTING OF BUT NOT LIMITED TO PERMEABLE PAVEMENTS, RAIN GARDENS AND INFILTRATION SWALES.

- EXISTING 404 WETLANDS
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- EXISTING IRON PIPE, EIP
- EXISTING IRON ROD, EIR
- EXISTING CONCRETE MONUMENT, ECM
- CALCULATED POINT
- EXISTING LARGE TREE



Quible SINCE 1959
& Associates, P.C.

ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING

NC License#: C-0208
PO Drawer 870, Kitty Hawk, NC 27949
Phone: (252) 261-3300
Fax: (252) 261-1260
E-Mail: administrator@quible.com

PRELIMINARY
NOT FOR
CONSTRUCTION

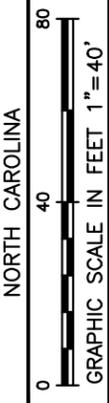
CONCEPTUAL DEVELOPMENT PLAN FOR
REZONING AND RECOMBINATION
PIDS: 0114000020000 & 011400003R000

POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY
NORTH CAROLINA

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IF THIS PLAN OR PLAT IS NOT SIGNED AND SEALED BY A LICENSED PROFESSIONAL THEN THIS PLAN OR PLAT SHALL BE CONSIDERED PRELIMINARY AND NOT A CERTIFIED DOCUMENT AND SHALL NOT BE USED FOR CONSTRUCTION, RECORDATION, SALES OR LAND CONVEYANCES.

PROJECT	PO8065.5
DRAWN BY	TAS/DLT
CHECKED BY	DAD
DATE	10/15/13





PROJECT NARRATIVE

CONDITIONAL REZONING & RECOMBINATION OF 1149 PERSIMMON ST. & LOT 273 OF THE VILLAGES AT OCEAN HILL P.U.D. COROLLA, CURRITUCK COUNTY, NC Revised November 25, 2013

This project narrative is written to provide an informational overview of the proposed rezoning and recombination of two properties located in the Corolla Village, Corolla, Currituck County, NC. The subject properties are adjoining lots located at the northwest corner of the Persimmon Street and Corolla Village Road (SR 1185) intersection and are referenced as 1149 Persimmon St. and Lot 273 of the Villages at Ocean Hill (VOH), P.U.D.

The owner of the properties proposes to rezone the subject parcels from Single Family Residential – Outer Banks (SFO) to Conditional General Business (CD-GB), recombine the two parcels into a single tract, and build a 10 bedroom village inn.

Existing Conditions

1149 Persimmons St. (Parcel A) and Lot 273 of the VOH, P.U.D. (Parcel B) are respectively 1.03 and 0.32 acre wooded/vacant tracts. Parcel A is located at the intersection of Persimmon Street and Corolla Village Road. Parcel B is the northern adjoining parcel to Parcel A and fronts Corolla Village Road.

Topographically, both parcels are relatively flat with a small ridge along the eastern portions of the parcels and gently slope to the west. Western, lower portions of property contain “404” jurisdictional wetlands which are part of a vast wetland system connecting to the Currituck Sound.

The current County zoning of both parcels is SFO and Parcel B is located in the Villages at Ocean Hill, P.U.D.

Proposed Zoning Amendment and Recombination

As previously mention, the properties’ owner proposes to rezone the subject parcels from SFO to CD-GB, recombine the two parcels into a single tract, and build a 10 bedroom village inn.

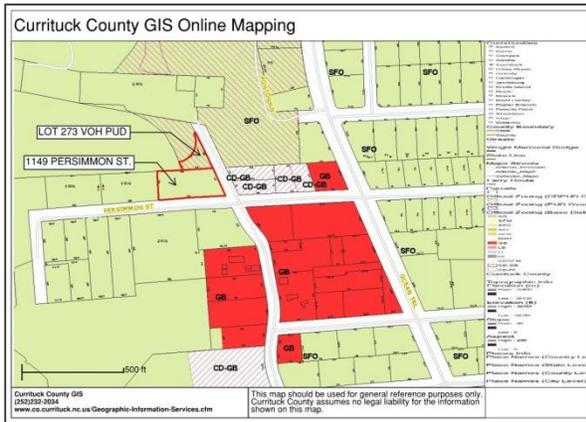
The rezoning is necessary because the proposed 10 bedroom village inn (hotel use) is not a permitted use in the SFO zoning district.

In addition to the proposed zoning amendment, Parcel B will need to be simultaneously removed from the VOH P.U.D. prior to recombining the two parcels. The removal of the parcel

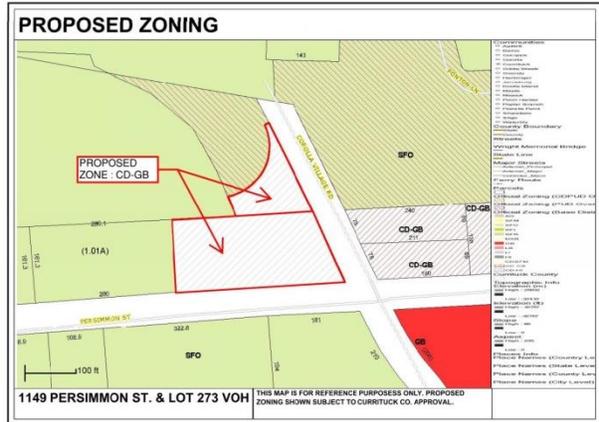
from the P.U.D. will be performed via an amendment to the VOH P.U.D. Sketch Plan. An Amended Sketch Plan for the VOH P.U.D. has been prepared and is submitted with the zoning amendment request.

The owner has informed the Villages at Ocean Hill Community Association of the intent to rezone and remove the property from the P.U.D. and has received authorization from the Association to do so.

Current and proposed zoning maps for the subject parcels are provided in the following illustrations.



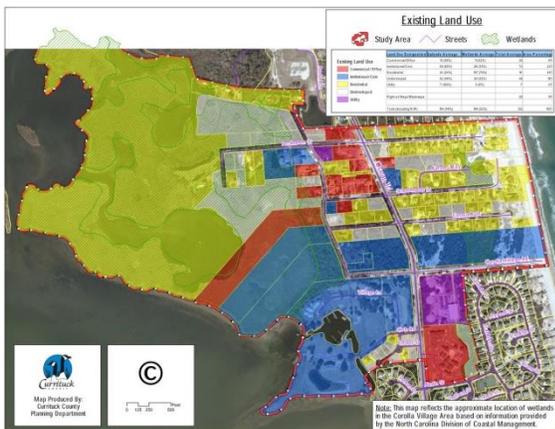
CURRENT AREA ZONING



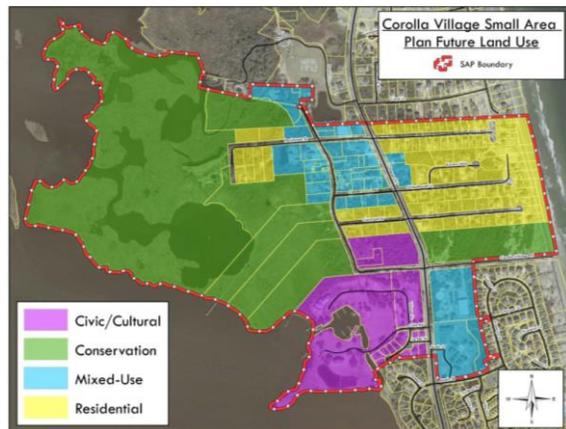
PROPOSED ZONING AMENDMENT

Corolla Village Land Use Plan

The proposed zoning amendment and development plan has been reviewed for consistency with the County's Corolla Village Small Area Plan (SAP) Future Land Use. Corolla Village Current Land Use and Future Land Use Plan is identified in the following illustrations.



COROLLA VILLAGE CURRENT LAND USE



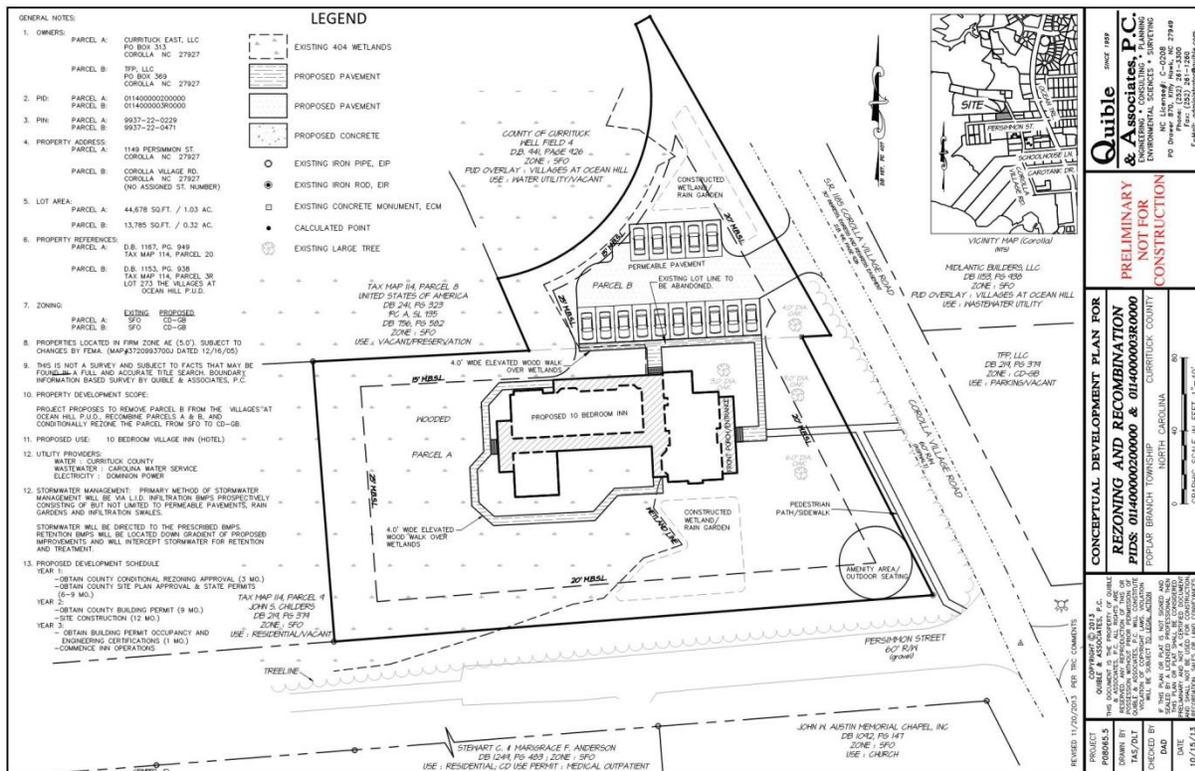
COROLLA VILLAGE FUTURE LAND USE PLAN

Project Narrative
Conditional Rezoning and Recombination of
1149 Persimmon St. & Lot 273 of the Villages at Ocean Hill
November 25, 2013

The subject parcels are identified on the Future Land Use Plan as Mixed-Use development where the SAP promotes human scale commercial, residential, governmental, recreational, and civic use growth within the Village. The proposed village inn use and zoning amendment is constant with the Corolla Village SAP Future Land Use.

Conceptual Development Plan

Pursuant to the conditional zoning amendment request, a conceptual development plan has been prepared from the proposed 10 bedroom village inn.



CONCEPTUAL DEVELOPMENT PLAN

The conceptual plan proposes a human scale development with an efficient site layout that minimizes needed site improvements for the proposed inn and preserves the existing native vegetation to the maximum extent practicable. The improvements shown on the conceptual plan depicts a low density project where the proposed built upon area is approximately 21%.

Wastewater and Water utilities will be respectively provided by Carolina Water Service and Currituck County.

Carolina Water Service has issued a willingness to serve for offsite wastewater management and plant capacity has already been purchased by the property owner. The offsite sewer allocation is a significant benefit to the project's ability to preserve existing vegetation. Prior to

obtaining the sewer allocation, an on-site wastewater feasibility study was performed. The on-site wastewater system originally conceived required approximately 5,000 square feet of land area and would have required removing existing vegetation for the installation. The wastewater allocation eliminates the need for the on-site wastewater infrastructure and promotes the preservation of existing vegetation.

Currituck County water department has advised water service will be available to the site.

The primary method of treating stormwater draining from impervious surfaces will be via low impact development (LID) BMPs prospectively consisting of but not limited to permeable pavements, wood/pervious walkways, rain gardens, and constructed wetlands. Possible locations of prospective BMPs are provided on the conceptual plan.

Conceptual Building Elevation

In addition to the conceptual development plan conceptual building elevations have been developed and are provided below.



CONCEPTUAL BUILDING ELEVATION – SIDE VIEW



CONCEPTUAL BUILDING ELEVATION – FRONT VIEW

The conceptual building is a modest 2½ story building designed to reflect the style and scale of historic buildings located within Corolla Village.

Public Outreach

Pursuant to the conditional zoning amendment request, a community outreach meeting was held on September 10, 2013 at the Corolla Public Library. The meeting was conducted by Quible & Associates, P.C. on behalf of the owner. The purpose of the meeting was held to inform the public in the vicinity of the project of the intent to rezone the parcels from SFO to CD-GB, recombine the two parcels and construct a 10 bedroom village inn on the recombined parcel.

During the meeting, the conceptual drawings and zoning illustrations provided in previous sections of this narrative were presented to attendees.

For additional details regarding the meeting, refer to community meeting report enclosed with the zoning amendment request documents.

November 25, 2013

Jennie Newbern
Currituck County Planning
153 Courthouse Road
Currituck NC, 27929

Re: TRC Resubmittal
TFP, LLC Conditional Rezoning
Corolla, Currituck County

Mrs. Newbern,

On Behalf of TFP, LLC, we (Quible) have prepared revised documents and addressed comments provided by the Currituck County's Technical Review Committee (TRC) in a Memorandum dated November 15th, 2013. Revised documents are attached and TRC comments are addressed in the following comment/response dialog below. Please note that that TRC Comments not requiring response are omitted from the dialog.

Planning, Jennie Newbern Turner 252-232-6031

Comment: The Land Use Plan (LUP) identifies Parcel# 0114-000-0020-0000 as Full Service and the adjoining Parcel# 0114-000-003R-0000 as Conservation. The Conservation class is applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. Actions to mitigate the conflict with the Land Use Plan may include but are not limited to:

- Low Impact Development techniques such as cisterns that capture the rainwater from the roof, constructed wetlands, use of porous pavement, and rain gardens should be provided in environmentally sensitive areas or areas designated Conservation by the 2006 Land Use Plan.
- The landscape plantings shall consist of native, salt tolerant vegetation.
- The preservation of existing, significant vegetation.
- Inland, non-tidal and coastal wetlands remain undisturbed, excluding elevated walkways.
- The use of vegetative buffers between limits of disturbance and wetland areas.

Response: *This comment is understood. The final site plan will incorporate mitigation improvements as necessary for development activities, incorporate LID development techniques, incorporate required landscape plantings, preserve existing vegetation to the maximum extent practical and protect wetlands located on the property.*

Comment: The Corolla Village Small Area Plan (CVSAP) identifies Parcel# 0114-000-0020-0000 as Mixed Use; and Parcel# 0114-000-003R-0000 is not included in the CVSAP area. The proposed project appears to be consistent with this plan.

Submit an application to amend the special use permit and sketch plan for the Villages of Ocean Hill PUD. Describe and show the open space reduction.

Response: *A Major Subdivision Application and A Use Permit Application has been prepared and is attached for an Amended Sketch Plan to remove The Villages of Ocean Hill PUD overlay from Lot 273 of the Villages at Ocean Hill.*

*There is no net change in the provided open space area in the Villages at Ocean PUD, however there is a reduction in the required open space within the PUD. The PUD is required to have a minimum of 35% open space. The proposed removal of Lot 273 from the PUD will reduce the PUD's required open space area by 0.32 acres and subsequently reduce the PUD's required open space area by 0.112 acres ($0.35 \text{ ac} * 0.35 = 0.112 \text{ ac}$).*

Comment: Revise the rezoning application to request removal of PUD overlay.

Response: *The conditional rezoning application has been revised to request the removal of the PUD overlay and is attached.*

Comment: Describe the LID techniques that will be utilized in the development of both the parking areas and the building site. Show the proposed limits of fill and disturbance on the conceptual site plan. *Non-coastal wetlands, including freshwater swamps, and inland, non-tidal wetlands, shall be conserved for the important role they play in absorbing flood waters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species. (LUP Policy ES2) Development that preserves the natural features of the site, including existing topography and significant existing vegetation, shall be encouraged. (LUP Policy WQ5)*

Response: *Prospective stormwater LID techniques will consist of permeable pavements, wood/pervious walkways, rain gardens and constructed wetlands. Possible locations of BMPs are provided on the conceptual plan.*

Comment: All applicable provisions of the UDO including the Tree Protection ordinance (Section 7.2) apply. Proposed condition 1 states, "Mature trees will be identified and preserved where practical and commercially reasonable". Please clarify. An inventory of heritage trees is required.

Response: *A tree inventory will be provided prior to site plan submittal and review.*

Comment; Proposed condition 2 states, "Provide pedestrian friendly circulation from buildings to street right-of-way." Revise the conceptual site plan to provide a pedestrian connection to the corner of Corolla Village Road and Persimmon Street. (CVSAP Policy TR1, TR2)

Response: Pedestrian access to the Corolla Village Road/Persimmons Street intersection is provided on the revised conceptual plan.

Comment: Proposed condition 3 states, "Building construction to be reflective of the Corolla Village historic architecture." Provide elevations for all sides of the proposed building. Orient building entrance toward the street, incorporate front porches. (CVSAP Policy LU1).

Response: Per the discussions during the TRC meeting, a front elevation drawing (view from Corolla Village Road has been prepared and is attached.

Comment: Consider an amenity area near the corner of Corolla Village Road and Persimmon Street. *Preserve and enhance the natural and physical environments that reflect the character of Corolla Village. (CVSAP Policy CH2)*

Response: An amenity area is provided on the revised conceptual plan at the southeast corner of the property.

Comment: Per Conceptual Development Design Standards Checklist

- a. Show adjacent use types
- b. Show existing zoning classification of surrounding properties
- c. Show approximate location of storm drainage patterns and facilities intended to serve the development
- d. Provide a proposed development schedule

Response: Items a-d have been provided on the revised conceptual development plan and is attached.

Comment: Upon submittal, the site plan and building plans will be reviewed for compliance with all applicable provisions of the UDO.

Response: This comment is understood.

NC DENR, Land Quality Section, Pat McClain 252-946-6481

Comment: This office has no comment regarding the rezoning of the two tracts. However, an erosion and sedimentation control plan and Coastal Stormwater permit may be required for development as presented.

Response: This comment is understood. All necessary state permits including NCDENR Erosion Control and Stormwater Permits will be obtained during the site plan development process.

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Comment: (1) Will need wastewater approval letter from NC Division of Water Quality (Washington Regional Office)

(2) ARHS/Currituck will require plan review of proposed lodging facility (interior

and exterior of proposed building) before approval can be granted to operate as a lodging facility. Contact Health Dept. at 252-232-6603 for a plan review application. Thank you!

Response: These comments are understood. All necessary NCDENR wastewater permits and ARHS lodging permits will be obtained prior to construction and operation.

In addition to the information identified above, the following documents are included for your review and approval.

1. Major Subdivision Application to Amend The Villages at Ocean Hill PUD Sketch Plan and remove the PUD overlay from Lot 273 of the Village at Ocean Hill PUD.
2. Use permit application to Amend The Villages at Ocean Hill PUD Sketch Plan and remove the PUD overlay from Lot 273 of the Village at Ocean Hill PUD.
3. Revised Conditional Rezoning Application
4. Revised Conceptual Development Plan
5. Front & Side Building Elevation Drawings
6. Revised Project Narrative

10 - 11"x17" and 1 - 8.5"x11" copies of the revised plans are provided along with a compact disc containing electronic copies of all documents.

At your earliest convenience, please review the enclosed information and advise if any additional information is needed. Feel free to contact me by phone at 252-261-3300 or by email at ddail@quible.com with any questions or request for additional information.

Sincerely,
Quible & Associates, P.C.



Derek A. Dail, P.E.

Cc: Mr. Doug Twiddy; TFP, LLC



Conditional Rezoning Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:		PROPERTY OWNER:	
Name:	<u>TFP, LLC</u>	Name:	<u>TFP, LLC & Currituck East, LLC</u>
Address:	<u>PO Box 369</u>	Address:	<u>PO Box 369</u>
	<u>Corolla, NC 27927</u>		<u>Corolla, NC 27927</u>
Telephone:	<u>252-457-1177</u>	Telephone:	<u>252-457-1177</u>
E-Mail Address:	<u>dtwiddy@twiddy.com</u>	E-Mail Address:	<u>dtwiddy@twiddy.com</u>

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same principal owner

Property Information

Physical Street Address: 1149 Persimmon Street & Corolla Village Road (no assigned st. no.)
Location: Northwest corner of the Corolla Village Rd & Persimmon St intersection, Corolla
Parcel Identification Number(s): 011400000200000 & 0114000003R0000
Total Parcel(s) Acreage: 1.03 ac & 0.32 ac (1.35 ac total)
Existing Land Use of Property: Vacant Land

Request

Current Zoning of Property: SFO/PUD Overlay Proposed Zoning District: CD-GB
Additional Request: Remove The Villages at Ocean Hill overlay from 0114000003R0000 (Parcel Id. No.)

Community Meeting

Date Meeting Held: 09-10-2013 Meeting Location: Corolla Public Library

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

The undersigned respectfully requests that, pursuant to the Unified Development Ordinance, a conditional zoning district be approved for the following use(s) and subject to the following condition(s):

Proposed Use(s):

Village Inn (hotel use) ; estimated 10 bedrooms

Proposed Zoning Condition(s):

- 1 - Mature trees will be identified and preserved where practical and commercially reasonable.
- 2 - Provide pedestrian friendly circulation from buildings to street right-of-way.
- 3 - Building construction to be reflective of the Corolla Village historic architecture.

An application has been duly filed requesting that the property involved with this application be rezoned from: SFO - Single Family Outer Banks to: CD-GB - Conditional General Business

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the conceptual development plan, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such conditional zoning district so authorized and shall be submitted to the Technical Review Committee.

[Signature]
Property Owner (s)

11-22-13
Date

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

DATE: 11/22/2013
P08065.5 - SOUTH SIDE ELEVATION VIEW
SCALE: 1"=15'

Quible SINCE 1959
& Associates, P.C.

ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING

NC LICENSE#: C-0208

Phone: (252) 261-3300

Fax: (252) 261-1260

E-Mail: administrator@quible.com



SOUTH SIDE ELEVATION VIEW

THIS PLAN IS
FOR PERMITTING
PURPOSES ONLY

DATE: 11/22/2013
P08065.5 - FRONT ELEVATION VIEW
SCALE: 1"=15'

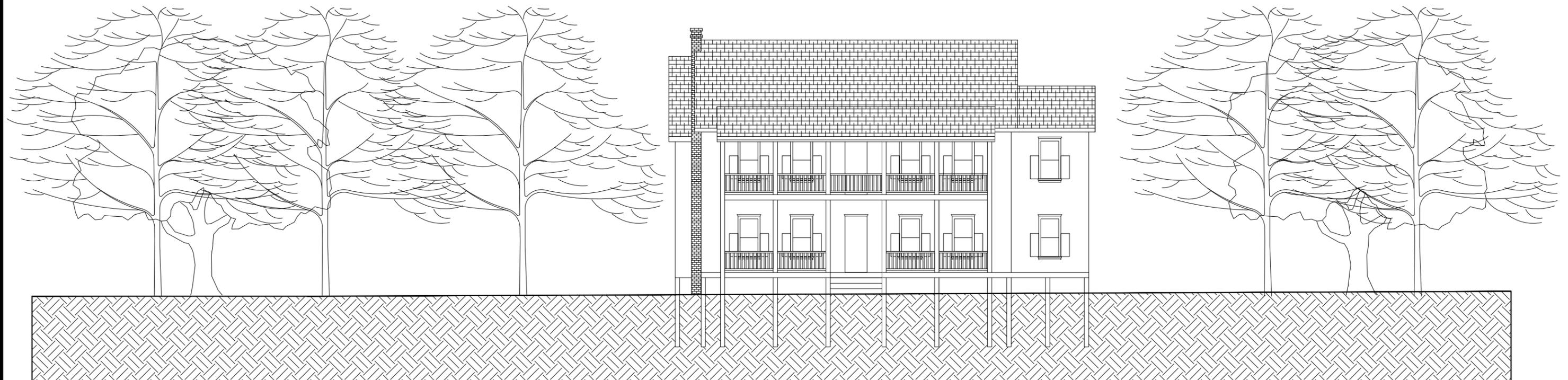
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NC LICENSE#: C-0208

Phone: (252) 261-3300

Fax: (252) 261-1260

E-Mail: administrator@quible.com



FRONT ELEVATION VIEW

THIS PLAN IS
FOR PERMITTING
PURPOSES ONLY



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-27 Troy Moser: Use permit for pawn shop

Brief Description of Agenda Item

Use permit to operate a pawn shop located at 417A Caratoke Highway, Moyock Shopping Plaza, PIN 009A-000-0055-0000, Moyock Township.

PLANNING BOARD RECOMMENDATION:

Ms. Newbern moved to approve PB 13-27 with the findings of fact and staff recommendations included in the case analysis. Mr. Cartwright seconded the motion and the motion passed unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: January 6, 2014
PB 13-27 Troy Moser**

ITEM: PB 13-27 Troy Moser request for a Use Permit to operate a pawn shop.

LOCATION: Moyock: 417A Caratoke Highway (Moyock Shopping Plaza)

TAX ID: 009A-000-0055-0000

ZONING DISTRICT: General Business (GB)

PRESENT USE: Retail Shopping Center

OWNER: E.F. Humphries, Jr.
PO Box 39
Moyock NC 27958

APPLICANT: Troy Moser
417A Caratoke Highway
Moyock NC 27958

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low Density Residential/Retail	GB
SOUTH	Low Density Residential	GB
EAST:	Low Density Residential	GB
WEST:	Retail/Service	GB

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea.

SIZE OF SITE: 3.46 acres

COMMUNITY MEETING: A community meeting was held on September 17, 2013 at the proposed pawn shop location. The only attendees were County staff and those associated with the business owner.

I. NARRATIVE OF REQUEST:

1. The applicant is requesting to operate a pawn shop in the existing Moyock Shopping Plaza.
2. This would be the first pawn shop in Currituck County under the new UDO.

II. USE PERMIT REVIEW STANDARDS:
Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings are outlined as follows:

1. The use will not endanger the public health or safety.

Staff Findings:

- a. The use should not endanger the public health or safety:

1. General Statutes – Chapter 66, Article 45 strictly regulate pawnshops.
2. The pawnshop must keep detailed records that are made available to the sheriff's office on a daily basis.
3. To be eligible for a pawnbroker's license, an applicant must be of good moral character and not have been convicted of a felony within the last 10 years.

2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Staff Findings:

- a. Since the use will be in an existing shopping plaza, it should not injure the value of nearby lands and should be in harmony with the area in which it is located.

3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Staff Findings:

The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea. With respect to nonresidential uses, it is essential that the existing community character be preserved. Nonresidential uses may include clusters of businesses serving the immediate area and, where appropriate, a more extensive market territory. The proposed use is in keeping with the policies of the plan, which include:

Policy CD2: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in commercial or mixed-use centers to curtail the proliferation of strip development and minimize traffic generation.

Policy ED 1: New and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity based economy of Currituck County.

Policy ED 4: In addition to the recruitment and expansion of major new industries, the considerable value of small business start-ups, expansions, and spin-offs shall also be recognized.

4. The use 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 two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Staff Findings:

- a. The proposed use should not produce additional burdens on schools, fire and rescue, or other public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval of the use permit subject to the following:

1. Outdoor storage and display are not allowed under this permit.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board *recommended approval* of the use permit with staff recommendations.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE:

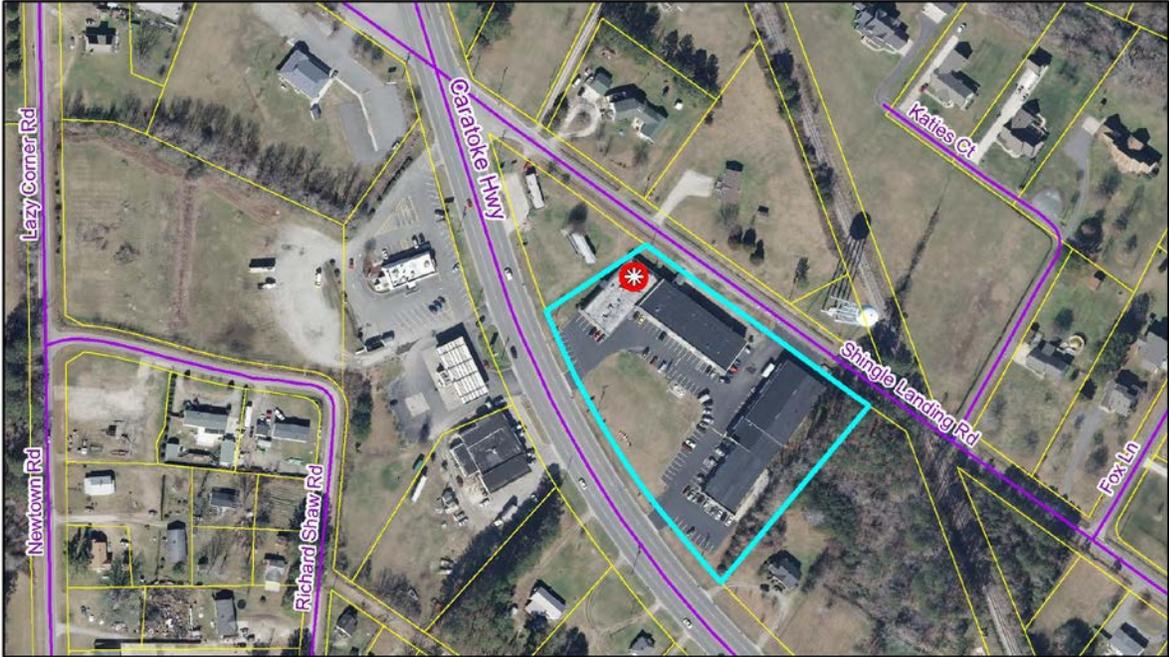
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (12-10-13)

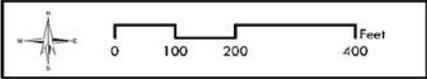
Mr. Humphries asked if the board had any questions.

ACTION

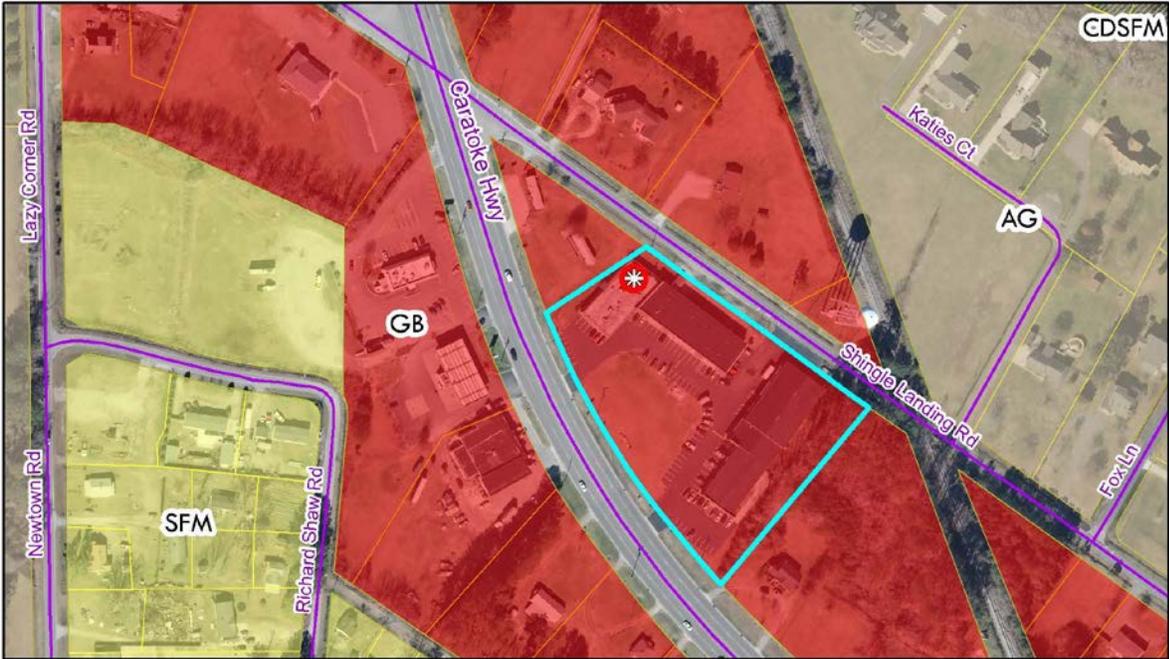
Ms. Newbern moved to approve PB 13-27 with the findings of fact and staff recommendations included in the case analysis. Mr. Cartwright seconded the motion and the motion passed unanimously.



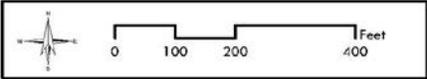
PB 13-27 Troy Moser
Use Permit
2012 Aerial Photography



Currituck County
Planning and
Community Development



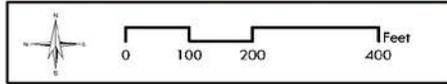
PB 13-27 Troy Moser
Use Permit
Zoning Classification



Currituck County
Planning and
Community Development



PB 13-27 Troy Moser
Use Permit
Land Use Plan Classification



 Currituck County
Planning and
Community Development

MEMORANDUM

To: Troy Moser

From: Tammy Glave, Planner II

Date: October 10, 2013

Re: Pawnshop, Use Permit, TRC Comments

The following comments have been received for the October 16, 2013 TRC meeting. The use permit will require Planning Board recommendation and Board of Commission's action. TRC comments are valid for six months from the date of the TRC meeting.

Currituck County Planning and Zoning Division (Tammy Glave, 252-232-6025):

Approved with comments

1. Outdoor display of merchandise is not allowed under this permit.

Currituck County Building Inspector (Spence Castello, 252-232-6020)

Approved without comment.

Currituck County Engineer (Eric Weatherly/Michelle Perry, 252-232-6035)/ Currituck County Soil and Water (Mike Doxey 252-232-3360)

Approved without comment.

Currituck County Emergency Management (James Mims, 252-232-4024)

Reviewed without comment.

Currituck County Information Technology (Harry Lee, 252-232-2034)

Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)

Reviewed without comment.

Currituck County Public Utilities (Pat Irwin, 252-232-2769)

Approved without comment.

Albemarle Regional Health Services (Joe Hobbs 252-232-6603)

Reviewed with comment:

1. OK to located proposed pawnshop at Moyock Shopping Plaza as long as stay with low number of employees due to limited wastewater capacity at complex.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)

Reviewed without comment.

NC DENR Land Quality, (Pat McClain 252-946-6481)

Reviewed without comment.



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-17 Moyock Crossing: Request for preliminary plat/use permit for a 90 lot conservation subdivision located in Moyock on the north side of Shingle Landing Road, approximately 260 feet east of Fox Lane and along Shingle Landing Creek, Tax Map 9, Parcel 41, Moyock Township.

Brief Description of Agenda Item

Gee's Group of North Carolina is requesting preliminary plat/use permit approval for a proposed 90 lot conservation subdivision. The proposed lots will be served by county water and wastewater. The proposed development density is taken from the Full Service area and the Rural land use classification and the development density is 1.55 units per acre based on the gross acreage of the tract.

PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approve PB 13-16 with the following conditions:

- Crosswalks are implemented at the intersections in order to prevent sidewalks in the wetlands.
- Continue sidewalks on both sides of the road on the north end of the subdivision.
- Reduce the number of lots on Fox Run from nine to five at 125 ft. lot width.
- Ten foot wide evergreen buffer at the back of the five lots and lots 49 and 50 that adjoin Fox Run and Shingle Landing Farms.
- An eight foot wide sidewalk installed along Crossing Avenue on one side of the street from intersection to intersection of internal streets.

Mr. Cartwright seconded the motion. Ayes: Mr. Bell, Ms. Newbern, Mr. Cooper, Mr. Clark, Ms. Wilson, and Mr. Cartwright. Nays: Ms. Bell and Mr. Wright.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: January 6, 2014
PB 13-17 Moyock Crossing

ITEM: PB 13-17 Moyock Crossing preliminary plat/use permit for 90 residential lots in a conservation subdivision.

LOCATION: Moyock: located on the north side of Shingle Landing Road, approximately 260 feet east of Fox Lane, and along Shingle Landing Creek, Moyock Township

TAX ID: 0009-000-0041-0000

ZONING DISTRICT: Single Family Mainland (SFM)

PRESENT USE: Woodland/Farmland

OWNER: Gee's Group of North Carolina, Inc.
770 Lynnhaven Parkway, #160
Virginia Beach, VA 23452

APPLICANT: Hyman & Robey, PC
150 US HWY 158
PO Box 339
Camden, NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential	SFM/GB
SOUTH:	Low density residential/auto service/storage	GB
EAST:	Shingle Landing Creek/Low density residential	SFM
WEST:	Low density residential	AG/CD-SFM

LAND USE PLAN CLASSIFICATION:

The 2006 Land Use Plan classifies the site as Full Service and Rural within the Moyock subarea.

SIZE OF SITE: 58.16 acres
47.68 acres - Full Service
10.48 acres - Rural

NUMBER OF UNITS: 90 lots

PROJECT DENSITY: 1.55 units – overall density

OPEN SPACE: 23.26 Acres Required
23.36 Acres Provided
20.84 acres primary conservation
2.52 acres secondary conservation

UTILITIES: The proposed lots will be served by county water. The developer also proposes to install the necessary infrastructure to connect to the county wastewater system.

RECREATION AND PARK AREA: The required park area dedication is 2.30 acres. The TRC requests a payment in lieu of the dedication. The payment, based on the current tax value, is \$12,698.25 and must be paid prior to final plat approval.

I. NARRATIVE OF REQUEST:

- The applicant is requesting preliminary plat/use permit approval of a 90 lot residential conservation subdivision.
- On November 4, 2013, the Board of Commissioners denied a text amendment to allow street intersections to be spaced 200 feet apart. The applicant redesigned the subdivision to meet the current UDO requirements which resulted in an increase of 6 lots and lots located on the western side of Crossing Avenue.
- All lots are proposed to be served by county water and wastewater.
- The proposed development will provide street interconnection with Shingle Landing subdivision.
- Open space improvements will include an elevated boardwalk to Shingle Landing Creek and recreational vehicle parking.

II. USE PERMIT REVIEW STANDARDS:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.
Staff Findings:
 - a. The subdivision should have little to no negative impact on public health or safety.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
Staff Findings:
 - a. As proposed, the minimum lot size is 9,080 square feet (0.21 acre) with an average size of 13,030 square feet.
 - b. Proposed lots adjacent to Fox Run and Shingle Landing Farms subdivisions shall have a minimum 125 feet of road frontage.
 - c. A 10 foot evergreen buffer will be provided between the proposed subdivision and Fox Run and Shingle Landing Farms subdivisions.
3. The use will be in conformity with the Land Use Plan or other officially adopted plan.
Staff Findings:

The 2006 Land Use Plan classifies this site as Full Service and Rural within the Moyock subarea. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

POLICY TRZ: A system of LOCAL CONNECTOR ROADS shall be identified and implemented to allow local traffic to move in a north-south direction without having to use and further burden US 158.

4. The use 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.

Staff Findings:

- a. Based on the student generation rates, this subdivision will generate the following students:
 - i. 22 elementary students
 - ii. 7 middle school students
 - iii. 12 high school students
- b. The proposed development will not exceed the county's ability to provide adequate public facilities

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends conditional approval subject to the following plan corrections (based on the resubmitted plan):

1. Please contact James Mims regarding the fire hydrant placement. The proposed spacing appears to be greater than 1000 feet. (*Staff commentary: The fire marshal's office is reviewing the revised plan*).
2. The proposed drainage plan does not include lot line swales which are required by the UDO. However, there may be alternative methods for lot line swales that must be approved by the county engineer. A swale does not appear to extend along the western property line of lots

- 1-9 and lots 49-50 (entirely). Please clarify how the drainage will be handled on these lots. (Staff commentary: Engineering has reviewed the revised plan and has no comments).
3. The Water Department has requested an upsized waterline of 10" to be installed on "Crossing Avenue" from Moyock Landing Drive to Shingle Landing Road. A license agreement based on a certified engineering proposal must be submitted. (Staff commentary: Public utilities has reviewed the revised plan and approved).
 4. Please indicate the riparian buffer zones on the plan. (Staff commentary: The revised plan illustrates the riparian buffer).
 5. Since lots are now located along Crossing Avenue, sidewalks must be provided on both sides of the proposed street. (Staff commentary: See Planning Board recommendation).
 6. Please clarify the installation of improvements for Crossing Avenue and the proposed phasing plan. (Staff commentary: Phasing plan was corrected on revised plan).
 7. All corner lots (lots 10, 42, 70, 71, and 96) shall include a five foot non-ingress/egress easement along the lot line bordering the more heavily travelled street.
 8. With the increase in the number of lots, one additional (9 total) recreational equipment storage space shall be provided. (Staff commentary: The revised plan reduced the total number of lots to 90).
 9. The proposed fenced storage area shall be landscaped and indicated on the construction plans.
 10. Utility easements shall be indicated on the preliminary plan.
 11. Please clarify the function of the narrow strip of open space located behind many of the lots. The plan appears to create an area that may become a maintenance concern and not a functional area of open space.
 12. The revised plan now indicates proposed lots located along Fox Run and Shingle Landing Farm property lines. As many as three lots now abut one existing residential lot to the west. Although the proposed development is consistent with the density allowed under the UDO, the development of lots 1-9 and 49-50 appear to not be consistent with one of the use permit criteria. Specifically, the criteria states, "The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located". By developing as many as three lots that abut one residential lot does not appear to be in harmony with the subdivisions in the area. Efforts must be made to mitigate the impacts of the lots along the existing subdivisions. (Staff commentary: The revised plan illustrates lots adjacent to Fox Run and Shingle Landing Farm subdivision have a minimum lot width of 125').

The TRC recommends conditional approval subject to the following permit conditions:

1. Plan corrections must be resubmitted and approved.
2. Stormwater ponds for the development may not be located on individual lots unless an easement is provided for stormwater maintenance.
3. The development density shall not exceed 2 units per acre.
4. With the exception of the two wetland crossings (street/sidewalk and the elevated water access to Shingle Landing Creek) all wetlands on the property shall remain undisturbed.
5. To minimize the dissimilarity of the lot sizes in Moyock Crossing the subdivision plan shall incorporate one or a combination of the following options:
 - a. An adequate open space buffer must be provided between the proposed lots in Moyock Crossing and the existing residential lots in Fox Run and Shingle Landing Farms,
 - b. Increased lot sizes consistent with the lots in Fox Run and Shingle Landing Farms, or
 - c. Removal of lots along the western side of Crossing Avenue.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the preliminary plat/use permit with staff recommendations and the following conditions:

- Crosswalks are implemented at the intersections in order to prevent sidewalks in the wetlands.
- Continue sidewalks on both sides of the road on the north end of the subdivision.
- Reduce the number of lots on Fox Run from nine to five at 125 ft. lot width.
- Ten foot wide evergreen buffer at the back of the five lots and lots 49 and 50 that adjoin Fox Run and Shingle Landing Farms.
- An eight foot wide sidewalk installed along Crossing Avenue on one side of the street from intersection to intersection of internal streets.

PLANNING BOARD DISCUSSION (12-10-13)

Mr. Bell asked if the applicant was aware sidewalks were required on both sides of the street.

Ms. Voliva stated they were aware based on recommendations from previously plans.

Ms. Bell stated she is concerned with the number of proposed homes on this little piece of land when wetlands are involved; and neighbors this close with their lot size so different. The Moyock Small Area Plan is in its final stages and a development of this size is not desirable. Mr. Clark agreed.

Ms. Voliva said this is a conservation subdivision and the minimal lot size no longer applies as it is based upon density.

Mr. Cartwright said people may not like certain things, but the applicant is going by the ordinance and rules and you should vote for the rules and not personal feelings.

Mr. Cooper stated the way it is drawn out it meets the density and outlay meet the current rules with the exception of the sidewalks.

Ms. Voliva stated it is not so much the use, but the compatibility between the two subdivisions with the lot sizes.

Mr. Mizelle said Phase 1 does provide connection to Shingle Landing. Mr. Mizelle provided a handout stating the proposed lots on Fox Run will go from nine lots to five lots, which will make the total of 92 lots. This will make the lots larger and more compatible to the adjoining lots. The lots are currently 11,000 sq. ft. and will be going to 18,000 sq. ft. Mr. Mizelle stated they will do crosswalks at each intersection to minimize the impact on the wetlands area.

The Planning Board discussed stormwater ponds and who will maintain them.

Mr. Clark asked if the applicant/owner would consider adding a buffer to the proposed five lots since they are increasing the lot size.

Mr. Mizelle said they would do a buffer, but prefer not to have an open space buffer. The homeowner will maintain the buffer.

Mr. Cooper stated that the evergreen buffer will be on the plat, as well as in the covenants so a potential buyer will know.

Mr. Crocker said he is concerned with stormwater runoff, traffic on a private road in Moyock Landing, and the impact of 92 driveways. Mr. Crocker stated he has been to a few of the Moyock Small Area Plan meetings and this request is far from what the residents of Moyock want to see.

Ms. White said she is a member of the Moyock Small Area Plan and this request is not what they are looking to see.

Mr. Clark said the board is really concerned with the resident concerns. Mr. Clark said the county has a Land Use Plan and Unified Development Ordinance, which an applicant/owner has to meet these criteria. If they meet them, then they have no other choice but to grant them permission to do what they want to do. The applicant/owner came back with a plan to decrease their lot sizes in order to meet the compatibility standard.

Ms. White said they would like to see fewer lots on the property.

Mr. Wright talked about this request is not in harmony with the surrounding area.

Mr. Miller said he understands you need to abide by rules. When the Gee's Group brought this property the original plan was for 39 lots with nice buffering. This request breaks his heart.

Ms. Bell stated it is hard to keep your emotions out of it when it is a place you live. Ms. Bell stated the developer will come and build these homes and leave. The people in this area will have to deal with stormwater, crowds and traffic. Ms. Bell stated it would be nice if somebody could think about the impact of the human beings that are going to live there for the rest of their lives and leave them with the consequences.

Mr. Clark stated when he became a board member five years ago his intent was to stop developments like this; but the county has a Unified Development Ordinance and adopted plans which the board is bound by.

Mr. Cooper said the board have rules which a lot of time and effort went into to develop them; and the board has to take these rules into consideration otherwise it may give the appearance to the public that they board is making up rules as they go along.

ACTION

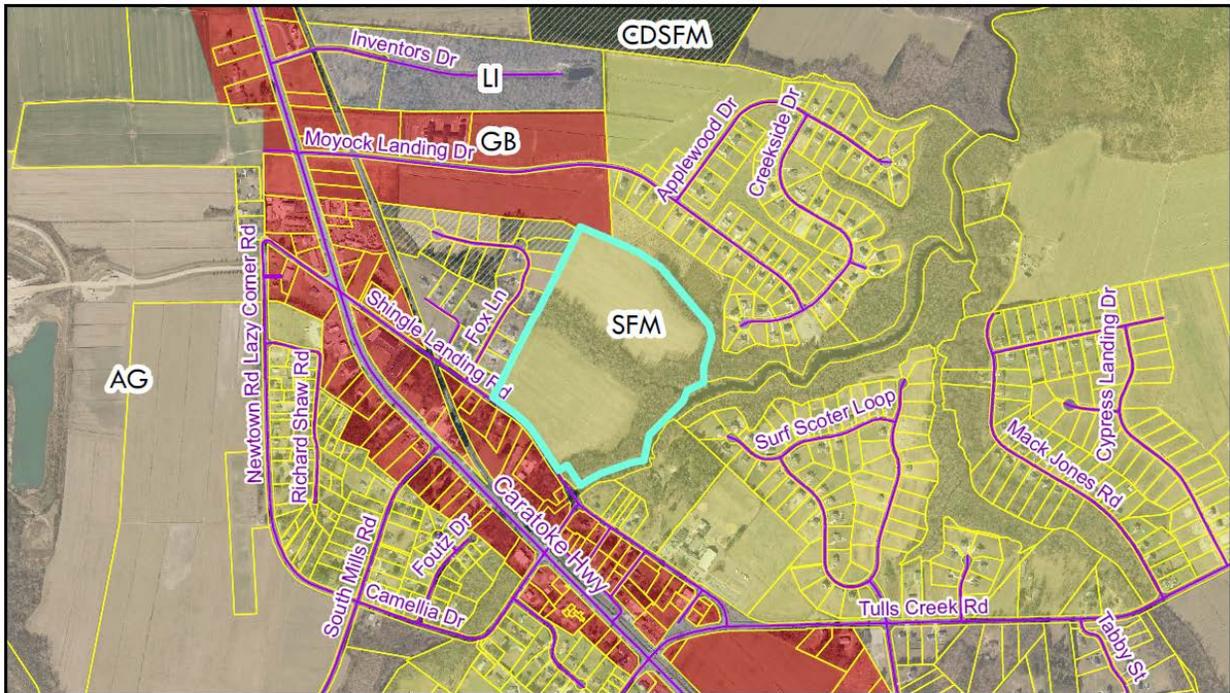
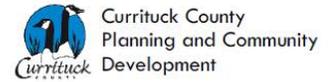
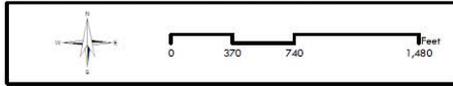
Mr. Cooper moved to approve PB 13-17 with the following conditions:

- Crosswalks be implemented at the intersections in order to prevent sidewalks in the wetlands;
- Continue sidewalks on both sides of the road on the north end of the subdivision;
- Reduce the number of lots on Fox Run from nine to five at 125 ft. lot width; and,
- Ten foot wide evergreen buffer at the back of the five lots and lots 49 and 50 that adjoin Fox Run and Shingle Landing Farms.
- An eight foot wide sidewalk installed along Crossing Avenue on one side of the street from intersection to intersection of internal streets.

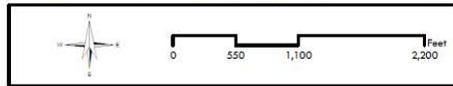
Mr. Cartwright seconded the motion. Ayes: Mr. Bell, Ms. Newbern, Mr. Cooper, Mr. Clark, Ms. Wilson, and Mr. Cartwright. Nays: Ms. Bell and Mr. Wright.

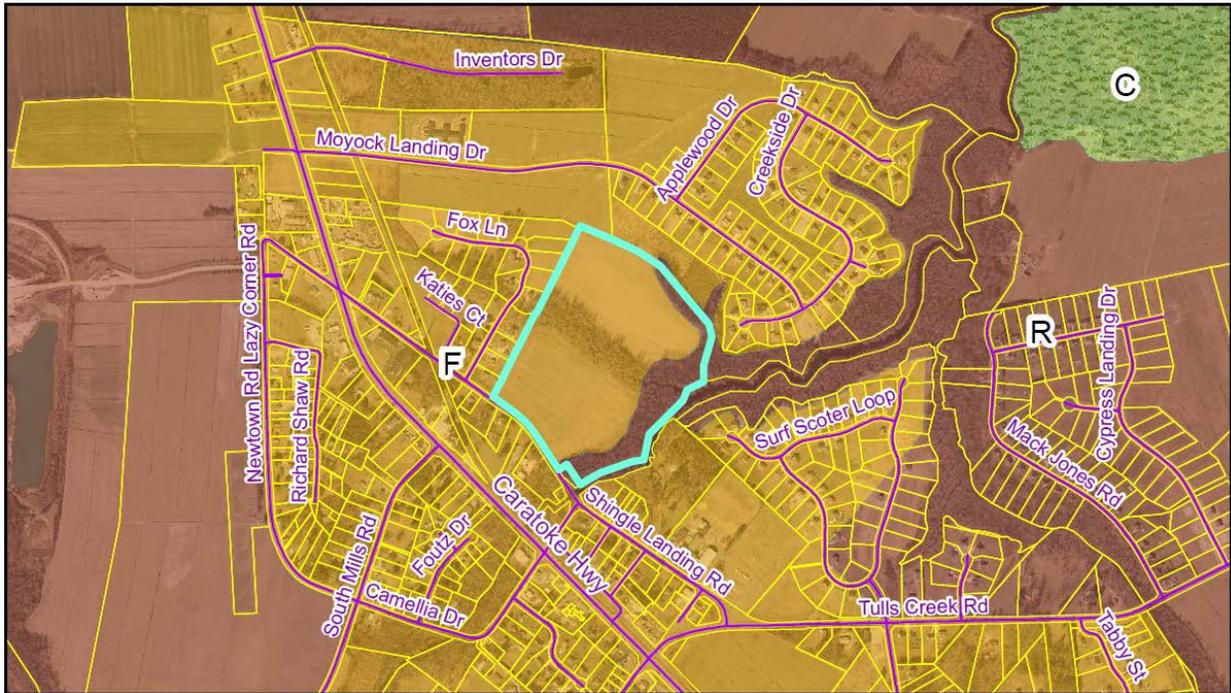


PB 13-17
 Moyock Crossing
 Preliminary Plat - Aerial

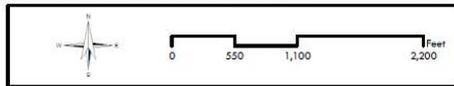


PB 13-17
 Moyock Crossing
 Preliminary Plat - Zoning





PB 13-17
 Moyock Crossing
 Preliminary Plat - LUC



MEMORANDUM

To: Jason Mizelle, Hyman & Robey
Gee's Group of North Carolina

From: Donna Voliva, Planner

Date: July 3, 2013

Re: Moyock Crossing, Preliminary Plat, TRC Comments

The following comments have been received for the July 17, 2013 TRC meeting. The preliminary plat/use permit will be reviewed by the technical review committee (TRC), recommended by the Planning Board, and acted on by the Board of Commissioners. In order for the item to remain on the July Planning Board the following TRC comments must be addressed and revised plans resubmitted by July 22, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Approved with comments

1. The following items must be submitted for a complete application:
 - a. Executed wetland certification letter and map (signed).
2. Please provide the following information on the preliminary plat:
 - a. Rural and Full Service land use classifications illustration.
 - b. Township, county, and state notations on the preliminary plat.
 - c. Subject property and adjacent property zoning and use.
 - d. Wooded areas and structures within 50 feet of the property line on the existing conditions plan.
 - e. Recreation and Park area dedication lands and calculations.
 - f. Phasing plan.
 - g. Sight triangles.
 - h. Connectivity index score calculation.
 - i. Lot dimensions.
 - j. Proposed street grade, design data for street corners and curves, and profile for streets.
3. The UDO requires conservation subdivisions to utilize low impact development features to the maximum extent practicable. Please identify what features are proposed.
4. Please provide the lot dimensional standards shall be established and placed on the preliminary and final plats (lot area, lot width, lot depth, setbacks, lot coverage).
5. The maximum number of dwelling units per acre can not exceed 2. Please identify any duplex lots, if any, proposed in the subdivision as they can be approved with this use permit. Also, accessory dwelling units would not counted in the density calculations. Detached accessory dwelling units, which require a use permit on individual lots, can be added to the application and approved for the entire subdivision with this use permit.
6. Street trees and sidewalks are required on both sides of the streets.

7. Please clarify if any vegetation will be removed from the site as a result of the proposed construction.
8. Please identify any CAMA wetlands.
9. The UDO requires 2 recreational equipment storage parking spaces (20' x 40') for every 20 units in the development. Please illustrate 8 spaces proposed for the 92 lot subdivision. This area shall be buffered from the neighboring subdivision.
10. The UDO requires intersections with all other streets to be 400 feet from another intersection. The first intersection from Shingle Landing Road does not meet this requirement.
11. A portion of the proposed off-street parking spaces for the water access appear to be located in the street right of way and would require direct backing into the street. If the streets are intended to be public, no direct backing or maneuvering on the public street is permitted.
12. More discussion is needed regarding recreational opportunities/parkland dedication.

Currituck County Utilities, Pat Irwin

Approval with corrections

1. Place two valves at each tee.

Currituck County Fire and Emergency Management, James Mims

Reviewed

1. Please move fire hydrant at lot 53, 54 so that it covers the storage area. And is still within 1000' of the adjacent hydrant.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Approved

1. Provide Stormwater Plan and calculations at Construction submittal.

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

1. Need approval letter from Division of Water Quality (Washington Regional Office) at 252-946-6481 to determine wastewater approval for these proposed lots that make up this proposed sub-division. Thank you.

Currituck County Economic Development, Peter Bishop

Reviewed

Currituck County Parks and Recreation, Jason Weeks

Under review

1. Additional discussion with Parks and Recreation regarding recreation and park area dedication.

Currituck County GIS, Harry Lee

Reviewed

1. Please provide proposed street names.

NC State Archaeology, Lawrence Abbot

No comment

NC DENR - Division of Coastal Management, Charlan Owens

Reviewed

1. As proposed, the development will require a CAMA Major Permit. Please contact Ron Renaldi, DCM Field Representative, to discuss the project. He can be reached at 252-264-3901.

NC DENR - Division of Water Quality, Amy Adams

Reviewed

1. Site has wetlands and will require Corps delineation. Site will also need state stormwater permit.

Comments not received from:

Currituck County Building Inspections, Spence Castello

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PRELIMINARY
 DO NOT USE FOR CONSTRUCTION
 SALES OR NEGOTIATION.

MOYOCK CROSSING SUBDIVISION

MOYOCK TOWNSHIP
 CURRITUCK COUNTY
 NORTH CAROLINA
 KEY PLAN

Project #: 120168
 Drawing #: 120168-SHEET SET
 Drawn: RLH
 Checked: JMM
 Approved: SCR
 Date: 11/20/13
 Sheet #: 04/05
 Scale: 1:100

REVISIONS:
 NUM. DATE DESCRIPTION

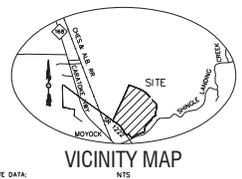
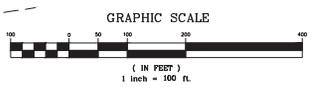
SHEET TITLE:
SITE PLAN OVERVIEW
 SHEET NUMBER:
C200



○ HIDE IN LINK
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 MINIMUM OS FOR S/M ZONING = 1.20
 CONNECTIVITY INDEX SCORE (CIS):

LEGEND

- RIGHT-OF-WAY
- - - PROPERTY BOUNDARY
- - - ADJACENT PROPERTY LINE
- - - PROPERTY LINE
- - - PROPOSED TOP OF BANK
- - - PROPOSED CURB/RT
- - - WETLAND
- - - PROPOSED SIDEWALK
- - - EXISTING ASPHALT PAVEMENT
- - - PROPOSED ASPHALT PAVEMENT
- - - PHASE DELINEATION LINE
- - - EXISTING HOODLINE
- - - PROPOSED WOODS LINE
- EXISTING UTILITY POLE
- EXISTING TELEPHONE PEDESTAL
- WILLOW OAK
- LIVE OAK
- RED MAPLE
- SCARLET OAK
- WAX MYRTLE
- NELLE STEVENS HOLIE

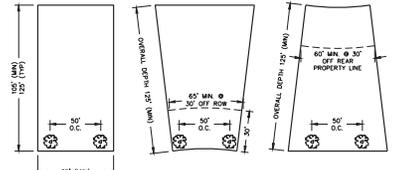


VICINITY MAP

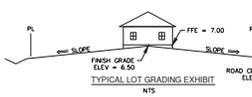
- SITE DATA:
 NTS
- OWNER:
 THE GROUP OF NORTH CAROLINA, INC.
 770 LYNNHAVEN PARKWAY, SUITE 160
 WYOMING, VA 23462
 - PAR: 0009-000-0041-0000
 - THE MAJORITY OF THE SITE IS LOCATED IN FLOOD ZONE "A" A PORTION OF THE SITE IS LOCATED IN FLOOD ZONE "AE" (ELEV 5') AS SHOWN ON F.P.M. PANEL 3721822000 EFFECTIVE DATE: DECEMBER 16, 2005 AND ON PANEL 8721833000 EFFECTIVE DATE: DECEMBER 16, 2005.
 - ZONING: SINGLE FAMILY MAINLAND
 - SITE AREA: 58.16 AC
 WETLAND: 15.51 AC
 UPLANDS: 42.65 AC
 - WETLANDS SHOWN HERON DELINEATED BY ATLANTIC ENVIRONMENTAL CONSULTANTS, LLC ON APRIL 18, 2013. US ARMY CORPS OF ENGINEERS APPROVED DELINEATION DATE: APRIL 29, 2013. SIGNED PLAT PENDING.
 - PRIMARY CONSERVATION AREA: 20.84 AC (20%)
 SECONDARY CONSERVATION AREA: 2.52 AC (4%)
 TOTAL CONSERVATION AREA: 23.36 AC (40%)
 - DENSITY CALCULATION:
 FILL SERVICE AREA: 47.68 AC @ 2.00 UNITS/AC = 95 UNITS
 RURAL AREA: 10.48 AC @ 0.33 UNITS/AC = 3 UNITS
 ALLOWABLE DENSITY = 98 UNITS TOTAL (90 SHOWN)
 - NO STREET LIGHTING IS PROPOSED.
 - RECREATION AND PARK AREA DEDICATION
 90 LOTS X 0.0255 AC/LOT = 2.30 AC

LINE TABLE		CURVE TABLE							
LINE	BEARING	DISTANCE	CURVE	ARC LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD LENGTH
L1	N20° 46' 07"E	624.23	C1	90.26'	500.00'	45.25'	107°20'35"	N37° 56' 24"E	90.14'
L2	N20° 46' 07"E	48.73	C2	253.46'	500.00'	129.52'	297°02'41"	N22° 39' 21"E	250.76'
L3	N37° 04' 47"E	119.97	C3	269.07'	1000.00'	135.53'	152°44'48"	N13° 42' 25"E	268.21'
L4	N40° 04' 07"E	26.51	C4	27.37'	1000.00'	13.69'	175°45'05"	N24° 15' 52"E	27.37'
L5	N40° 04' 07"E	159.02	C5	355.28'	685.66'	181.72'	294°11'17"	N17° 14' 14"E	351.32'
L6	N25° 02' 50"E	135.47	C6	261.07'	500.00'	133.59'	295°50'11"	S48° 42' 49"E	258.12'
L7	N32° 04' 52"E	197.79	C7	183.52'	150.00'	112.87'	73°50'15"	S3° 12' 19"W	180.38'
L8	N40° 02' 57"E	38.06	C8	334.76'	180.67'	240.23'	158°04'45"	N48° 58' 47"W	288.97'
L9	S43° 40' 18"E	350.25	C9	543.53'	461.96'	287.83'	463°37'22"	N07° 03' 58"W	528.66'
L10	S33° 45' 18"E	452.82	C10	55.73'	230.00'	28.00'	175°20'50"	S56° 17' 25"E	55.59'
L11	S39° 48' 57"W	1.83	C11	67.52'	1000.00'	33.61'	375°26'50"	S51° 16' 41"E	67.31'
L12	N33° 45' 19"W	200.00	C12	324.25'	180.00'	227.10'	103°17'39"	S1° 36' 04"E	282.15'
L13	S49° 20' 58"E	292.63	C13	302.17'	180.00'	209.58'	96°11'05"	N81° 54' 12"W	287.92'
L14	S53° 17' 24"E	293.10							
L15	S50° 00' 15"W	25.78							
L16	S50° 00' 15"W	83.83							
L17	N33° 48' 39"W	165.89							
L18	N39° 59' 43"W	35.00							

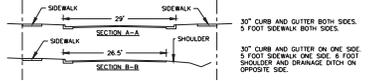
L8 and C5 NOT SHOWN



- LOT NOTES:
 1. SMALLEST LOT SIZE IS 0.080 AC (LIVE: 11,030 SF)
 2. UNLESS OTHERWISE NOTED, SETBACKS ARE:
 FRONT = 30 FT
 REAR = 30 FT
 SIDE = 5 FT
 3. MAXIMUM LOT COVERAGE = 40%
TYPICAL LOT PARAMETERS



TYPICAL LOT GRADING EXHIBIT
 NTS



STREET CROSS SECTIONS
 NTS



PHASE 1 INCLUDES ALL ROADWORK, SIDEWALKS, UTILITIES AND DRAINAGE CONNECTING MOYOCK LANDING DRIVE TO SHINGLE LANDING DRIVE

LOTS 6, 37, 64, 65 & 90 SHALL HAVE A FIVE FOOT NON-INDESTRUCTIBLE EXPOSED ALONG CROSSING AVENUE

15' PLANTED EVERGREEN BUFFER ALONG PROPERTY LINE

LOT 7 SHINGLE LANDING FARM P.C. & S. 370 ZONED: CDSM

LOT 8 SHINGLE LANDING FARM P.C. & S. 370 ZONED: AG

LOT 9 SHINGLE LANDING FARM P.C. & S. 370 ZONED: AG

LOT 10 SHINGLE LANDING FARM P.C. & S. 370 ZONED: AG

LOT 2 FOX RUN P.C. & S. 370 ZONED: AG

LOT 3 FOX RUN P.C. & S. 370 ZONED: AG

LOT 1 FOX RUN P.C. & S. 370 ZONED: AG

LOT 2 FOX RUN P.C. & S. 370 ZONED: AG

LOT 1 FOX RUN P.C. & S. 370 ZONED: AG

LOT 2 FOX RUN P.C. & S. 370 ZONED: AG

LOT 1 FOX RUN P.C. & S. 370 ZONED: AG

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LOT 2 FOX RUN P.C. & S. 370 ZONED: AG

LOT 1 FOX RUN P.C. & S. 370 ZONED: AG

LOT 2 FOX RUN P.C. & S. 370 ZONED: AG

LOT 1 FOX RUN P.C. & S. 370 ZONED: AG



COMMUNITY MEETING REPORT FOR

Project: Moyock Crossing Subdivision
Facilitator: Eddie Hyman - Hyman & Robey, P.C.
Date, Time: June 19, 2013 @ 6:30 PM
Location: Moyock Library

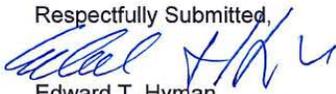
29 notices were mailed out, 16 residents attended and commented at the meeting. Also in attendance were Carol Bell, Currituck County Planning Board, Stacey Smith, Currituck County Development Code Enforcement Officer, and David Gianascoli, the owner of the property.

I opened the meeting with an explanation of the subdivision review process and the purpose of the meeting itself as outlined in the Currituck County UDO. I explained that community meeting is an important part of the subdivision process giving the developer and the residents a chance to meet and discuss matters in a less formal setting than a Planning Board or BOC meeting. Also having the meeting early in the review process gives the developer and the design professionals time to analyze comments, address concerns and possibly make changes.

The meeting was then opened for questions. The first question raised was regarding the boat/trailer storage area. It was noted that it was not on the exhibit mailed out to the adjacent property owners. Another question posed was regarding the impact to emergency response time. My response during the meeting was it had not been evaluated. However, after looking at the proposed interconnecting road, this development will shorten the response time to the assisted living facility and Shingle Landing Subdivision. Ron Rose, the owner of Moyock Storage Co. at 178 Shingle Landing Road, noted difficulty in the ability to see cars coming south along Shingle Landing Road due to the curve. He asked if a deceleration lane would be built due to the number of additional cars utilizing Shingle Landing Road. I informed him that Hyman & Robey staff have been onsite and have analyzed the location of the entrance with regards to site lines. I also informed him that NCDOT would be reviewing the plans. It should be noted, however, that although it appears the site line from the entrance of Moyock Storage is obstructed slightly due to vegetation on the west side of the road, the proposed entrance of the subdivision is clearly visible. Therefore, all traffic exiting the proposed connector road and heading south on Shingle Landing Road is completely visible from the entrance of Moyock Storage Co. One attendee asked what the intended price of the homes was. It was stated that the homes would be starting in the mid \$200,000's. A concern was raised regarding the impact to the schools and whether or not the schools would be able to handle the additional students. I informed him that the U.D.O. has an adequate facilities section that county staff uses as a guide to balance residential growth and infrastructure. Another attendee asked whether or not local builders would be solicited to complete some of the construction. David Gianascoli, owner of the proposed subdivision, stated that he was seeking a list of local sub-contractors to solicit. Bob Gregory of 110 Fox Lane asked why there was the need to build the connector road through the wetlands since there is access to both buildable portions of the site. The response was that the County encourages interconnectivity between subdivisions; the interconnectivity would allow residents of the back portion of the proposed subdivision and residents of Shingle Landing to have access to a stop light on Caratoke Highway. It was also stated that school buses would be able to access the subdivisions without the need to travel on Caratoke Highway. It was noted that one model home will be built in the front loop, the section closest to Shingle Landing Road.

All were informed that the construction would be completed in two phases. The connector road and the front loop will be the first phase. The back section, closest to Shingle Landing subdivision will be second phase. One attendee asked what amenities or areas were going to be set aside for recreation. It was noted that there is significant open space allocated that can be used as a "park like" setting. They were also informed of preliminary discussions of elevated board walks to Shingle Landing Creek from each section that lead to a kayak launch. It was stated that there are no proposed street lights at this time. A number of attendees expressed concern about the need for cleaning out Shingle Landing Creek. They were informed that there are no plans in this project to disturb the creek. However, they should contact the County with those concerns.

Respectfully Submitted,



Edward T. Hyman
Hyman & Robey, PC

cc: Currituck County Planning Board

MOYOCK CROSSING DEVELOPMENT IMPACT STATEMENT

PHYSICAL ANALYSIS

This project is a 90 lot conservation subdivision on 58.16 acres of land for residential development. The lots range in size from 9,080 square feet upward of 27,500 square feet with the average size being 13,030 square feet. The primary conservation area will occupy 20.84 acres, or 36% of the subdivision area. An additional 2.52 acres or 4% will be dedicated as secondary conservation area. The developer plans on building the majority share of the homes within the subdivision, with a select number of lots being sold to one or two other building contractors. It is expected that the homes will be between 1,400 to 2,400 square feet in size. The post construction home/lot values at today's cost will be from the \$180,000 to \$280,000.

HOUSING MARKET ANALYSIS

The target market for the Subdivision will be a combination of commuters from the Hampton Roads area, retirees, and Currituck County residents who prefer living in a small community with easy access to the Outer Banks and to amenities found in larger urban settings. The site is located near the community of Moyock off Shingle Landing Road in northern Currituck County. The property is surrounded by residential developments on two adjacent sides, as well as across Shingle Landing Creek on the south.

ENVIRONMENTAL IMPACT

The estimated maximum water consumption for 3 bedroom homes is 360 and 4 bedroom homes is 480 gallons of water per day (GPD). The developer intends upon connecting to Currituck County's municipal water system. It is anticipated that the total water usage will be around 38,640 GPD.

In addition to municipal water, the site is within a full service district and the developer intends to connect to the Currituck County sewer system servicing the Moyock area. If water consumption is around 38,640 GPD, then it is anticipated that the sewer allocation will be the same.

FISCAL IMPACT ANALYSIS

Considering the average value of the home/lot combinations to be \$230,000, the total valuation for Subdivision would be \$21,600,000. The resultant real property taxes would be \$67,712 per year based upon the current countywide tax rate of \$0.32 per \$100.00 of value.

TRAFFIC ANALYSIS

The estimated number of trips generated daily by the 90 lots once all the homes are complete is 552 trips per day (TPD). NCDOT traffic counts (2012) were 380 for Shingle Landing Road. Although no NCDOT counts exists for Moyock Landing Drive, it is estimated based on the number of lots within Shingle Landing Phase 1, that it would have a count of 492 TPD. Of the 552 estimated trips, about 165 trips will be added to the Moyock Landing Drive count, and the remaining 387 trips would be added to Shingle Landing Road. Of the estimated trips added to Shingle Landing Road, it is anticipated that 310 will outlet to U.S. Highway 168 to the north, which has a count of 19,000 TPD. The remaining 77 trips would be to the south and exit onto either U.S. Highway 168 (19,000 TPD) or Puddin Ridge Road (2700 TPD). The proposed subdivision is not expected to have a negative impact on either existing road that it connects to.

MOYOCK CROSSING LOW IMPACT STATEMENT

Moyock Crossing has been designed with both traditional and low impact development elements. The smaller lots and more traditional neighborhood look of the subdivision requires certain traditional construction methods near the street and house pad areas such as curb and gutter, sidewalks and storm water pipes & structures. However, other areas such as open space and non-house fronting sides of the streets utilize low impact methods such as open, grassed ditches & swales, limited clearing and grassed roadway shoulders.

Below is a list of the low impact elements of the plan:

- When right of ways do not have lots fronting on them, use of grassed shoulders and open ditches are being used wherever possible, as opposed to curb & sidewalk.
- Grading and runoff around the house footprints are being directed to sheet flow over grassed lawns until it is either collected in drainage swales or the street curb.
- Storm water runoff from half of the house lots are being directed into open grassed swales along the rear of the lots for treatment and conveyance to the storm water BMP's.
- The only clearing of vegetation that is proposed is only what is necessary to provide the street connection / crossing over the wetlands. Where elevated paths are proposed for water access, clearing will be limited to only what is necessary for safety and access.
- Wet pond BMP's are proposed on both phases of the project. These ponds will be designed and constructed in accordance with the NCDENR specifications. Elements of these ponds include a planted wetland shelf and treatment of the first inch & a half of runoff.



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-23 Charles Perry requests a use permit to operate automobile sales in Grandy at 6331, 6333, and 6335 Caratoke Highway, PIN 0094-000-135B-0000, Poplar Branch Township.

Brief Description of Agenda Item

Charles Perry is requesting a use permit for the operation of automobile sales. He has operated the automobile sales from this property for five years but did not realize a use permit was required. The sales operation will include 15 display spaces located on the property.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 13-23 as presented. Ms. Bell seconded the motion and the motion passed unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: January 6, 2014
PB 13-23 Charles Perry

ITEM: PB 13-23 Charles Perry requests a use permit to operate automobile sales.

LOCATION: Grandy: 6331, 6333, 6335 Caratoke Highway

TAX ID: 0094-0000-135B-0000

ZONING DISTRICT: General Business (GB)

PRESENT USE: Residential/Automobile Sales/Office

OWNER: Charles E. Perry
Lola M. Perry
6335 Caratoke Highway
Grandy, NC 27939

APPLICANT: Charles E. Perry

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Fire Department	GB/AG
SOUTH	Undeveloped	GB/AG
EAST:	Undeveloped	GB/AG
WEST:	Shopping Center	GB

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Grandy subarea.

SIZE OF SITE: 1.38 acres

COMMUNITY MEETING: A community meeting was held on September 9, 2013 at 6335 Caratoke Highway.

I. NARRATIVE OF REQUEST:

- The applicant is requesting a use permit for the operation of automobile sales.
- Mr. Perry has operated the automobile sales from this property for five years and did not realize a use permit was required.
- At the community meeting general comments regarding the site plan were discussed. Concerns included making sure the vehicles are located in an area that provides adequate line of site.

II. USE PERMIT REVIEW STANDARDS:
Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.

Staff Findings:

- a. The automobile display areas shall be located a minimum of 10 feet from Caratoke Highway right of way and should not endanger the public health or safety.

2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Staff Findings:

- a. The surrounding land uses include a shopping center, fire station, retail sales, and offices.
- b. The existing approved use of the property is office and residential.

3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Staff Findings:

The 2006 Land Use Plan classifies this site as Full Service within the Grandy subarea. The Full Service area recommends design criteria be established to ensure the commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. The policy emphasis of the Grandy subarea is to evolve as a community center. The proposed use is in keeping with the policies of the plan, such as:

POLICY CA3: LANDSCAPE IMPROVEMENTS at existing and new commercial developments, particularly as related to breaking up and softening the appearance of expansive parking areas, and absorbing storm water runoff, shall be required.

4. The use 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 two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Staff Findings:

- a. The proposed use should have no additional impact on the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following:

1. The display area shall include a Type A bufferyard located between the display area and the street. The shrubs shall be located along the display area.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of PB 13-23 as presented for a use permit. Motion passed unanimously.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE:
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (11-12-13)

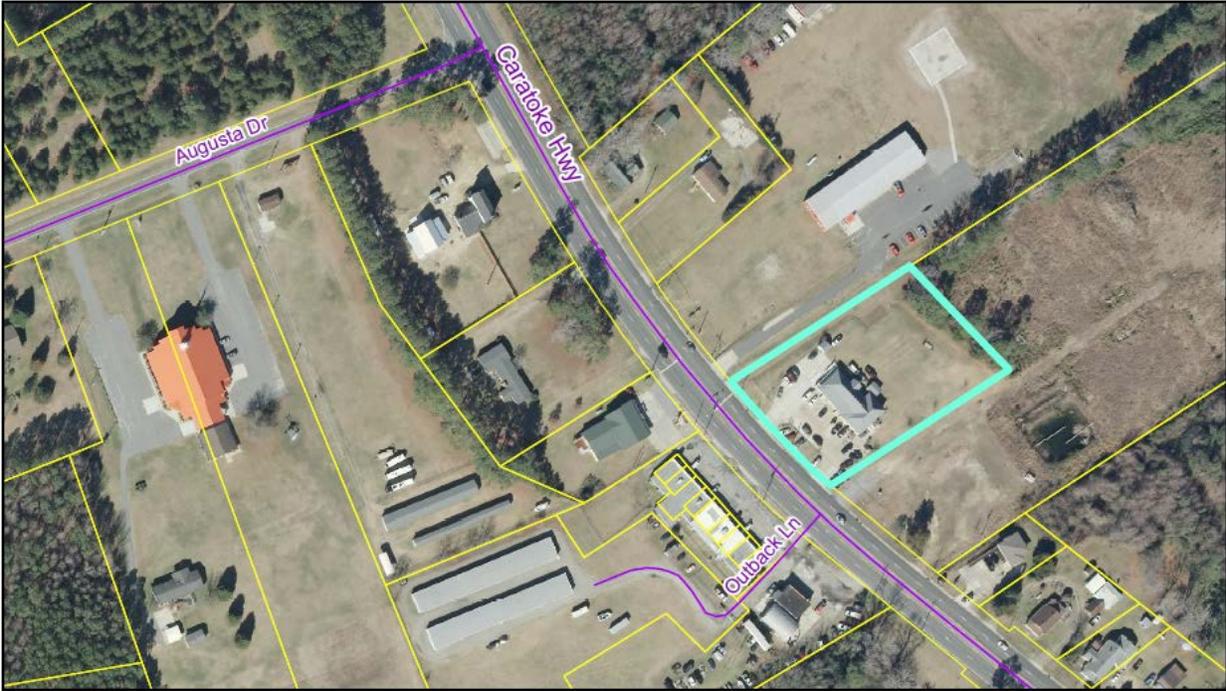
Mr. Bell asked if the required shrubs would present line of sight issues.

Ms. Voliva said the owner is proposing Indian Hawthorn shrubs that do not grow very tall and with proper maintenance, should not be a problem.

Mr. Perry said he would have gotten a use permit five years ago had he known it was a requirement.

ACTION

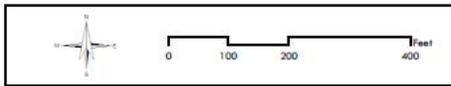
Mr. Craddock moved to approve PB 13-23 as presented. Ms. Bell seconded the motion and the motion passed unanimously.



PB 13-23
Charles Perry
 Use Permit - Aerial

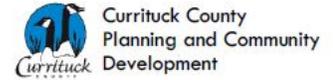
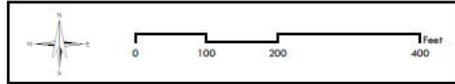


PB 13-23
Charles Perry
 Use Permit - Zoning





PB13-23
Charles Perry
Use Permit - Aerial



MEMORANDUM

To: Charles E. Perry

From: Donna Voliva, Planner

Date: October 16, 2013

Re: Charles Perry Use Permit, TRC Comments

The following comments have been received for the October 16, 2013 TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Approved with comments

1. Please correct the parking calculations and include the 960 sf commercial area.
2. The delivery area is no longer required and may be used for required parking.
3. A 24' drive aisle shall be provided for all parking spaces (general note).
4. The display area shall include a Type A buffer between the display area and the street. The shrubs shall be located along the display area.
5. Will the display area include a new fence or lighting?

Currituck Soil and Water, Mike Doxey

Currituck County Engineer, Eric Weatherly 252-232-6035

Approved with corrections

1. Is there any fill proposed?
2. Are the stormwater detention areas existing or proposed. If they are proposed, do you have permission from the adjoining land owner to discharge stormwater through their property?

Currituck County Utilities, Pat Irwin

Approved

Currituck County Fire and Emergency Management, James Mims 252-232-6641

No comment.

Currituck County Parks and Recreation

No comment

Currituck County GIS, Harry Lee

Reviewed

Currituck County Building Inspections, Spence Castello 252-232-6020

Approved

NC DENR, Land Quality Section, Pat McClain 252-946-6481

No comment

NC Division of Coastal Management, Charlan Owens 252-264-3901

No comment

NC State Archaeology, Lawrence Abbot

No comment

1. No previously recorded archaeological sites noted in the project area. An archaeological survey is not recommended.

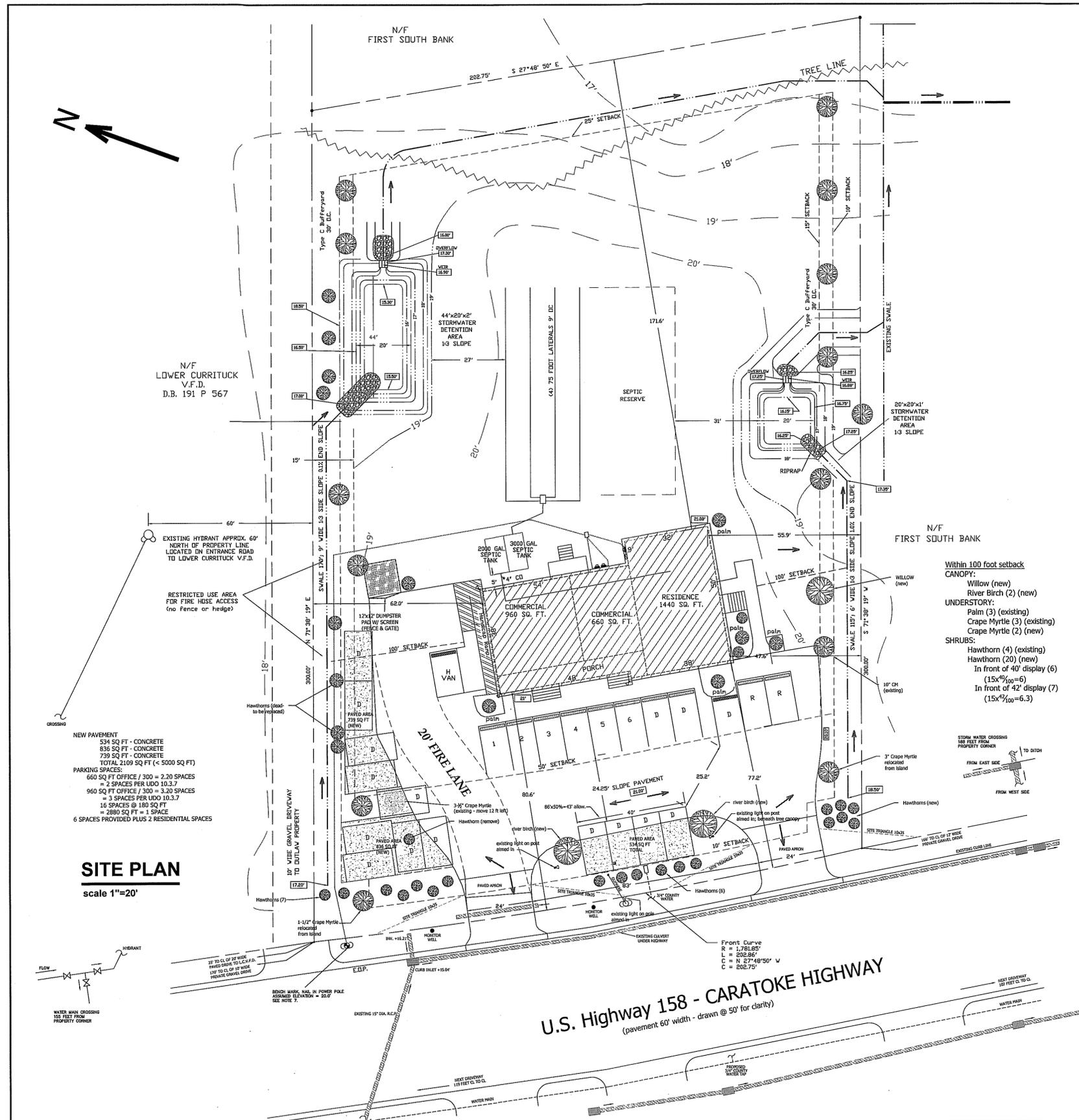
Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

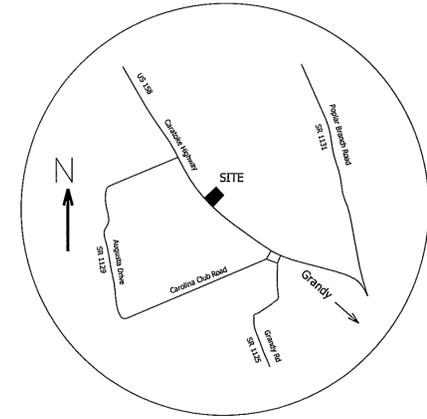
1. Existing building and septic system on property designed for two bedroom home, two businesses with no more than eight employees total. OK to operate auto sales business as long as do not park or drive automobiles on septic area located at rear of building.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 – 11"x17" copies of the plan.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.



SITE PLAN
scale 1"=20'



LOCATION

LEGEND:

- Property Line
- Setback Line
- Contour Line (existing per Hyman Survey)
- Existing Swale
- Finished Grade
- Floodlight

NOTES:

- THIS IS A MAJOR REVISION TO A SITE PLAN COMPLETED FOR MR. PERRY BY J. RYAN ENGINEERING (PROJECT 5016-JSD) UNDER MY PERSONAL DIRECTION AND SEAL DATED APRIL 4, 2005.
- This is not a survey. Dimensions and bearings are excerpts from a site plan by Performance Engineering dated November 10, 1999 for Mr. Perry and referenced to an earlier survey by Edward T. Hyman, P.L.S. This includes property boundary, topographic features, FEMA flood zone, and area calculations. Features across highway (drainage grates and driveway locations) were measured with an odometer for original construction site plan. UPDATE: An as-built survey of pavement and building location was completed by Styons Surveying Service dated July 24, 2013 at Engineer's request.
 - Lot area = 60,274.40 square feet (1.38 acres).
 - Zone GB - General Business
 - Lot coverage:

Building:	Residence:	1440 sq. ft.
	Commercial I:	660 sq. ft.
	Commercial II:	960 sq. ft.
	Porch & Roof:	610 sq. ft.
	Total:	3670 sq. ft.
 - Sidewalks: 793 sq ft (was 743 sq. ft. on original site plan)
 Parking and Drive Aisles: 11387 sq ft. (was 10377 sq. ft. on original site plan)
 New Auto Display: 2109 sq. ft.
 Total Coverage: 17959 sq ft. (was 14790 sq. ft.) (29.8% coverage)
 - Parking calculations are based upon one parking space per 300 sq. ft. of new auto dealer commercial space, one space per 5000 sq. ft. of display space plus two spaces for the residence. Mr. Perry occupies the entire building with office in 660 sq ft area.
 - Parking surface and tree shading to be in accordance with the Currituck County Unified Development Ordinance (2013)
 - All elevations shown on this sheet are based upon an assumed elevation for the benchmark provided. No warranty is expressed or implied regarding the elevation of the site with respect to any officially established datum.
 - Swales and retention ponds were designed to handle 5.05 inches of stormwater (10 year 24 hour rainfall per Norfolk NWS Hydro-35) generated by 15530 square feet of pervious surface when site was developed in 2005 and as approved by Currituck County.
 - All work and material within the NCDOT right-of-way met or exceeded the minimum requirements of the "North Carolina Standard Specifications for Roadside Structures" in 2005. No new work is included with this plan.
 - Handicap ramp was inspected and accepted by Currituck County Inspections when constructed.
 - This structure is single story, with approximate building total height from grade of 25' 3-3/4".
 - Mr. Perry signed the original site plan agreeing to maintain the property so that surface waters from such development do not unreasonably collect and are 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 has been and will continue to be 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.

REV. A Added shrubs in front of display
Removed delivery space, reasigned parking spaces

PROJECT NO	13019	DATE	09/10/2013
SYN	A	DESIGNED: JR	
		DRAWN: JR	
		CHECKED:	
PROJ. MGR.: JR			

W, James Rivera, PE
 P.O. Box 893
 Kitty Hawk, NC 27949
 757-287-7441



PERRY OFFICE & RESIDENCE
 6331 CARATOKE HIGHWAY
 Poplar Branch, Currituck County, NC
 AS-BUILT SITE PLAN & CHANGE OF USE
 W/ NEW PAVEMENT FOR NEW VEHICLE SALES

SHEET NUMBER
SP

FINAL



Use Permit Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Gate Keeper:	_____
Amount Paid:	_____

★ MAILING ADDRESS
 P.O. BOX 316 GRANDY, NC 27936

Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>Charles E Perry</u>	Name: <u>Charles E + hola M Perry</u>
Address: <u>6335 Caratoke Hwy</u>	Address: <u>6335 Caratoke Hwy</u>
<u>Grandy NC 27939</u>	<u>Grandy NC 27939</u>
Telephone: <u>252 202 6655</u>	Telephone: <u>252 202 6655</u>
E-Mail Address: <u>parkchop200333@yahoo.com</u>	E-Mail Address: <u>pollic-wol@yahoo.com</u>
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>Same</u>	

Property Information

Physical Street Address: 6331, 6333, 6335 Caratoke Hwy
 Location: Grandy NC 27939
 Parcel Identification Number(s): 0094-000-135B-0000
 Total Parcel(s) Acreage: 1.38
 Existing Land Use of Property: residence office car lot

Request

Project Name: Perry Office Bldg.
 Proposed Use of the Property: residence, office, car lot
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: Deed Book 121 Page 84
 Total square footage of land disturbance activity: ~~2700~~ ~~2719~~ 3,169 SF
 Total lot coverage: 17,959 (29.8%) Total vehicular use area: 14,289 SF
 Existing gross floor area: 3670 Proposed gross floor area: 3670

Community Meeting

Date Meeting Held: 5:pm Sept 9, 2013 Meeting Location: Perry Office Bldg

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed):

Car lot at existing office bldg which has been in operation for 5 years

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the special use permit.

A. The use will not endanger the public health or safety.

no we will meet all requirements in health & safety as required by the county

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

no we feel that we have a very attractive piece of property and that it is in harmony with the businesses beside and across from us on

C. The use will be in conformity with the Land Use Plan or other officially adopted plan. the highway

yes whatever is required

D. The use 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.

N.A. We will not interfere with public facilities, schools, fire & rescue, law enforcement or other county facilities as required by county government.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

John M. Pender
Property Owner(s)/Applicant*

August 23, 2013
Date

*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Sept 9, 2013

Community meeting was held at
6335 Caratoke highway at 5:05 pm
No objections were given.

In attendance were:

1. Steven Craddock, Planning & Zoning
2. Stacey - Planning & Zoning
3. Fire Chief - Lower Currituck Cty
& one other Fireman (name unknown)
- 4 Charles & hola Perry, Nu Deal ALS

General comments regarding site
plan, also comments making sure
automobiles were back far enough
from the line of site No objections
concerning use permit for a car lot

Charles Perry
6335 Caratoke Hwy
Gandy, N.C. 27939

CURRITUCK COUNTY
NORTH CAROLINA
December 2, 2013

The Board of Commissioners met at 6:00 p.m. in the Historic Courthouse Conference Room with Holly White, Planning and Community Development, who updated the Board on the Moyock Small Area Plan which she hoped to have ready for approval by March 2014.

The Board of Commissioners met at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Board Meeting Room with the following members present: Chairman Paul O'Neal, Vice-Chair Paul Martin, Commissioners Aydlett, Gilbert, Griggs, McCord and Petrey.

Chairman O'Neal called the meeting to order at 7:00 PM and announced the Board of Commissioners had met in a work session regarding the Moyock Small Area Plan.

A) Invocation

Reverend Tom Meyer, Poplar Branch Baptist Church, gave the invocation.

B) Pledge of Allegiance

Boy Scout Troop 169, Moyock, led the Pledge of Allegiance.

C) Election of Chairman

County Manager Dan Scanlon opened the floor for nominations for Chairman. Commissioner Petrey nominated Paul O'Neal. Commissioner McCord seconded the nomination. Paul O'Neal was unanimously elected as Chairman.

D) Election of Vice-Chairman

Chairman O'Neal opened the floor for nominations for Vice-Chairman. Commissioner Petrey nominated Paul Martin. Commissioner McCord seconded the nomination. Paul Martin was unanimously elected as Vice-Chairman.

E) Approval of Agenda

Chairman O'Neal deleted Appointments to Economic Development Advisory Board and Board of Adjustment. Commissioner Gilbert moved to approve the Agenda as amended. Commissioner Martin seconded the motion. Motion carried unanimously.

APPROVED AGENDA

Work Session

6:00 PM Moyock Small Area Plan

7:00 pm Call to Order

- A) Invocation – Reverend Tom Meyer, Poplar Branch Baptist Church
- B) Pledge of Allegiance – Boy Scout Troop 169
- C) Election of Chairman
- D) Election of Vice-Chairman

- E) Approval of Agenda
- F) Public Comment

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

Administrative Reports

- A) **Resolution in Recognition of Eagle Scout Nicholas McKenzie**
- B) **Certificates of Recognition for Robert Trevilian and Ethan Owens**

Public Hearings

- A) **Public Hearing and Action:** PB 84-11 Corolla Light, Phase 12 (Beacon Village): Request for a preliminary plat and use permit to create 32 lots along NC12 south of Shad Street, Tax Map 115B, Parcels P51 and OPEN007D, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 99-20 Thrasher Mine: Request for a (special) use permit modification to expand an existing mining operation located in Moyock at 144 Lazy Corner Road, Tax Map 9, Parcel 53A, Moyock Township.
- C) **Public Hearing and Action:** PB 13-23 Charles Perry: Request for a use permit to operate automobile sales in Grandy at 6331, 6333, and 6335 Caratoke Highway, Tax Map 94, Parcel 135B, Poplar Branch Township.

CONTINUED

- D) **Public Hearing and Action:** PB 13-28 Coinjock Ruritan Club: Request for an amendment to the Unified Development Ordinance, Chapter 4, Section 4.4.6.I. Special Events and Chapter 5, Section 5.12.3.J. Development Standards to exempt the Coinjock Ruritan Club from special event and signage requirements.

New Business

- A) **Amendment to Personnel Policy**
- B) **Board Appointments:**
 - 1. Appointments to Economic Development Advisory Board - **DELETED**
 - 2. Appointments to Board of Adjustment - **DELETED**
 - 3. Appointment to Tourism Advisory Board
 - 4. Appointment to Planning Board
- C) **Consent Agenda:**
 - 1. Approval of November 18, 2013 Minutes
 - 2. Budget Amendments
 - 3. Recommendation of Award - Southern Outer Banks Water - Shallow Raw Water Pipeline
 - 4. Recommendation for George Raper Change Order #2 - Southern Outer Banks Water System Reverse Osmosis Water Plant
 - 5. Resolution-Sheriff's Surplus Radios and Other Items
 - 6. CDBG Monthly Status Report
 - 7. Building Permit Refund Policy
 - 8. First Amendment to Construction Funding Agreement by and between the County of Currituck and Crawford Township V.F.D., Inc.
- D) Commissioner's Report
- E) County Manager's Report

Adjourn

D) Public Comment

Chairman O'Neal opened the Public Comment period.

Mary Etheridge, Shawboro, stated that two years ago, her neighborhood was given a Christmas gift of a junkyard. A suit was filed and on April 25, 2013, the judge ruled in their favor. Her family had subsequently appealed for attorney fees and the County had filed an appeal to overturn the judge's decision. She referred to the proceedings as the gift that keeps on costing.

Barbara Snowden, Currituck, invited everyone to the holiday events on December 7, especially the Currituck Christmas at the Courthouse from 4:00-7:00 pm to include an open house for the decorated Courthouse and Jail, Santa on the porch, music by the Currituck Choir, crafts and tree lighting.

John Murray, Coinjock, announced the Silver Bells Craft and Artisan Show sponsored by the Coinjock Ruritan Club at the Currituck County High School on December 7-8.

There being no further comments, Chairman O'Neal closed the Public Comment period.

Administrative Reports

A) Resolution in Recognition of Eagle Scout Nicholas McKenzie

Commissioner Gilbert read the following resolution and presented it to Nick McKenzie with congratulations from all Commissioners:

RESOLUTION RECOGNIZING NICHOLAS MCKENZIE

WHEREAS, on behalf of all the Citizens of Currituck County, the Board of Commissioners of Currituck County recognizes the attainment of high honor by young Citizens of Currituck County; and

WHEREAS, at a time when this nation's young people face difficult challenges, the Boy Scouts of America is one of this country's finest assets, providing youth with an educational program that contributes to their character development, citizenship training and improved mental and physical fitness; and

WHEREAS, the highest rank a Boy Scout can attain is that of Eagle Scout, and Nicholas McKenzie, after considerable effort and diligent preparation, has joined the prestigious Eagle Court of Honor; and

WHEREAS, Nicholas McKenzie is one of only 4% of overall Scout membership who have claimed the rank of Eagle Scout; and

WHEREAS, Nicholas McKenzie is a member of Scout Troop 169 sponsored by the Moyock Ruritan Club; and

WHEREAS, Nicholas McKenzie's Eagle project greatly contributed to the betterment of his community as he coordinated the building of footbridges on the grounds of Moyock Elementary School; and

WHEREAS, the rank of Eagle Scout is also the culmination of the patriotic concern and devoted efforts of Nicholas McKenzie's numerous adult Scout leaders and caring parents who have worked with him to this end.

NOW, THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners joins with others in the recognition of Nicholas McKenzie for his outstanding accomplishment, and wishes him continued success in his life's endeavors.

B) Certificates of Recognition for Robert Trevilian and Ethan Owens

Lower Currituck Volunteer Fire Department and Fire-EMS representatives presented Mr. Trevilian and Mr. Owens with the Lifesaving Award. Fire Chief Bill Jones described the act of bravery performed by the two young men.

Commissioners presented certificates to each one which read as follows and also recognized the families of the two:

Certificate of Recognition

Presented to

Ethan Owens

For His Bravery and Quick Action, Without Regard for His Personal Safety, in Assisting a Currituck County Citizen from Her Burning Home to a Safe Haven.

Certificate of Recognition

Presented to

Robert Trevilian

For His Bravery and Quick Action, Without Regard for His Personal Safety, in Assisting a Currituck County Citizen from Her Burning Home to a Safe Haven.

Public Hearings

- A) Public Hearing and Action: PB 84-11 Corolla Light, Phase 12 (Beacon Village): Request for a preliminary plat and use permit to create 32 lots along NC12 south of Shad Street, Tax Map 115B, Parcels P51 and OPEN007D, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request as well as staff, Technical Review Committee and Planning Board recommendations.

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS**

DATE: December 2, 2013

PB 84-11 COROLLA LIGHT PUD, PHASE 12, BEACON VILLAGE

ITEM: PB 84-11 Corolla Light PUD, Phase 12, Beacon Village
Preliminary Plat, Use Permit

LOCATION: Unassigned Address on Ocean Trail, Corolla Light, Poplar Branch Township

TAX ID: 115B0000P5I0000 & 115B0000OPEN007D

ZONING DISTRICT: Single Family Outer Banks (SFO) with Planned Unit Development (PUD) Overlay

PRESENT USE: Utility Open Space

OWNER: Outer Banks Ventures Inc.

APPLICANT: David Maso
100 Sportsman Drive
Kill Devil Hills, NC 27948

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Utility	SFO/PUD
SOUTH	Residential	SFO/PUD
EAST:	Residential	SFO
WEST:	Residential	SFO/PUD

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Corolla subarea.

SIZE OF SITE: 3.16 Acres

NUMBER OF UNITS: 32

PROJECT DENSITY: **Site Specific Density** (10 units/acre) **PUD Density** (2.45 units/acre)

UTILITIES: Water will be provided by Currituck County Southern Outer Banks Water System. Wastewater will be provided by Carolina Water.

PUD ALLOCATION: Total Land Area = 267.05 acres, Open Space = 128.51 acres, and Commercial Allocation = 26.53 acres

I. NARRATIVE OF REQUEST:

The applicant is proposing 32 lots on phase 12 of Corolla Light PUD to create a multi-family development, to be known as Beacon Village, consisting of 16 duplex buildings and serviced by an internal access drive. The Board of Commissioners recently approved an amended sketch plan to remove the property from utility open space to allow for residential development.

The applicant has submitted additional documents in support of their request and in contest to certain staff recommendations, interpretations, and conditions. The staff and applicant met on November 21, 2013 to further discuss these issues as follows:

1. **Clarification Request:** In September 2013 the Board of Commissioners approved an Amended Sketch Plan for Corolla Light with the following condition: "Development shall

not occur on phases 10, 12, 13, or 14 of Corolla Light until such time the required wastewater capacity is made available."

The applicant is requesting this condition be modified to specify that a final plat or major site plan shall not be approved on phases 10, 12, 13, or 14 of Corolla Light until such time as required wastewater capacity is constructed and available to accept flows. This condition allows construction of subdivision infrastructure and a model home to occur concurrently with expansion of the Monterey Shores wastewater treatment plant. Staff supports this request.

2. **Appeal of TRC recommendation (Payment in Lieu):** The UDO requires that residential development dedicate a portion of land, or pay a fee-in-lieu, for use in the development of recreation and park areas to serve the recreational needs of residents of the subdivision and development within the immediate area. The Corolla Light Phase 12 development includes 32 dwelling units on 3.16 acres of land. The UDO calculates the recreation and park area dedication requirements using the following formula: 0.0255 acres per proposed dwelling. Applying the formula to the development, the required dedication is .816 acres ($0.0225 \times 32 = .816$). The per acre assessed value of the tract is \$199,740.17. Applying the per acre assessed value to a payment-in-lieu of a .816 dedication totals **\$162,987.97** ($199,740.17 \times .816$). This averages to \$5,093.37 per dwelling unit. The applicant has requested an appeal of the Technical Review Committee's decision to assess the required payment-in-lieu. The applicant has indicated they are required to pay a buy-in fee to the Corolla Light Owners Association of \$128,000 for access to subdivision amenities and open space. They are requesting the required payment-in-lieu be reduced to **\$34,987.97**, which is the difference between the Corolla Light Owners Association buy-in and calculated payment-in-lieu amount.

3. **Appeal of TRC recommendation (Sidewalk Installation):** The ordinance requires installation of sidewalks on both sides of all streets. Since the subdivision is serviced by a private access drive, the street, in this case, is Ocean Trail (NC12). As an alternative the applicant has proposed to provide a sidewalk from the trolley stop along the internal private drive to the Shad Street/NC 12 intersection.

II. QUESTION(S) BEFORE THE BOARD:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.

Suggested Findings:

1. The proposed development will not endanger the public health or safety provided separation is achieved between the proposed internal access drive and the proposed interior sidewalk as recommended by the Planning Board.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Suggested Findings:

- a. The use is proposed within an existing PUD which currently has multifamily use and is surrounded by residential use. The use will not injure the value of adjoining or abutting lands and will be in harmony with the lands in which it is located.

3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

The 2006 Land Use Plan classifies this site as full service within the Corolla subarea. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes.

POLICY PA1: Public access to the sound and ocean waters of Currituck County is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of ADDITIONAL PUBLIC AND PRIVATE ACCESS opportunities to the waters of Currituck County. (Also see Outer Banks Policy Section.)

POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street “connectivity” without creating opportunities for cut-through traffic from outside the connected areas.

4. The use 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 two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The use will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval with the following conditions:

1. A final plat or major site plan shall not be approved on phases 10, 12, 13, or 14 of Corolla Light until such time as required wastewater capacity is constructed and available to accept flows.
2. A payment-in-lieu amount as determined by the Board of Commissioners shall be collected prior to recording the first final plat.
3. Any county well field sites in Corolla Light shall not be used as sewer green space.
4. All cost for the Monterey Shores Treatment Plant expansion shall be paid by Outer Banks Ventures or the developers of Corolla Light Phases 10, 12, 13 and 14.
5. All required landscaping shall be installed in accordance with the notes on the submitted plans.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of the preliminary plat/use permit without the separation requirement from the sidewalk and road because there is already a two foot separation with the gutter and there are different paving materials for the sidewalk and road. Motion passed unanimously.

PLANNING BOARD DISCUSSION (11-12-13)

Mr. Cooper asked if the sidewalk would be in addition to the internal sidewalk.

Mr. Litteral said it is in addition to the internal sidewalk and would run along NC 12.

Mr. Litteral asked that the finding of fact "providing separation between the proposed internal access drive and the proposed interior sidewalk" be made a requirement of approval.

Mr. Cooper asked what kind of separation would be required.

Mr. Litteral said a berm or vegetation could be used as separation.

Ms. White said that separation standard would be 2-3' and could be a vegetative buffer.

Mr. Craddock asked if the rest of the development had a separation between sidewalks and roads.

Mr. Woody said there is generally separation between sidewalks and roads.

Mr. Gomez said he could raise the sidewalks, but the number of driveways prevents it. He also said the sidewalk was not required and that the speed limit is only 15mph. It is a one way, wide street. He said the best solution is not to require the separation since the sidewalk is not required.

Mr. Cooper asked the width of the sidewalk.

Mr. Gomez said the sidewalk is 4' wide and the road is 18' wide. There is no parking along the road.

Mr. Holloran said there is also a two foot wide valley gutter separating the sidewalk from the road. The sidewalk is concrete and the road is asphalt.

Mr. Craddock asked why the road was one-way.

Mr. Maso said it was a safer alternative and had to be done to meet fire code.

Mr. Maso said the fee-in-lieu was unfair and there are existing amenities and recreation facilities within the PUD. It is his opinion that the old UDO should still apply. He thinks the fee should be eliminated completely.

Mr. Gomez said bringing 32 units will bring a higher tax base. Corolla Light has 50% open space and has amenities offered to the community at large that is sufficient.

Mr. Craddock said that the fee-in-lieu is for the benefit of public recreation. He agreed that the fee did appear to be excessive.

Mr. Cooper agreed that the formula needs to be studied to balance mainland and Corolla fees.

Mr. Maso said they are appealing the requirement to the Board of Commissioners.

Mr. Woody said the Planning Board does not have the authority to act on the appeal, but can offer recommendations.

Mr. Craddock said the values are different on the mainland and Corolla.

Mr. Maso said that profit is directly related to development cost.

Mr. Clark suggested the board make a recommendation to the Board of Commissioners to study the fee.

Mr. Cartwright asked if different phases would be subject to the same rules.

Ms. Voliva explained that this phase of development was undeveloped under the master plan. They are coming in under the transition provisions of the current UDO.

Mr. Woody explained that the preliminary plat would have to have been approved and infrastructure installed to vest the plan under a previous ordinance.

Mr. Maso said they have a permit to expand the Monterey Shores wastewater treatment plant. They want to be allowed to install infrastructure while expanding the plant.

Mr. Maso said there is a sidewalk across the street and they have internal sidewalks. These property owners will not utilize the sidewalk on NC 12. The Corolla Light Architectural Review Board was not keen on the sidewalk. It could be a safety issue.

Mr. Clark asked if the UDO required the sidewalk and the relation with the Connecting Corolla Plan.

Mr. Litteral said the sidewalk is a UDO requirement.

Ms. White said there is a policy in the Connecting Corolla Plan that requires the sidewalk. This sidewalk would feed into other sidewalks. There is also a trolley stop at this location.

Ms. Bell asked if the Connecting Corolla Plan had been approved by the Board of Commissioners.

Ms. White said the plan had been adopted.

Ms. Wilson said the people within the subdivision would use the sidewalk to get to locations other than the ocean.

Mr. Maso said they are trying to preserve a tree line along NC 12. It will also be a maintenance issue for the development. There is an internal sidewalk to the trolley stop.

PLANNING BOARD ACTION

Mr. Cooper moved to approve PB 84-11 without the separation requirement from the sidewalk and road because there is already a two foot separation with the gutter and there are different paving materials for the sidewalk and road. Mr. Cartwright seconded the motion and the motion passed unanimously.

Mr. Woody clarified points for the Commissioners regarding the trench, sidewalks, density and payment-in-lieu.

Chairman O'Neal opened the Public Hearing.

David Maso, Kill Devil Hills, applicant, felt Mr. Woody had covered the request and thanked the Commissioners for their consideration

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Aydlett moved to approve PB 84-11 with the staff findings and recommendations included in the case analysis and a payment-in-lieu amount of \$34,987.97. Commissioner Petrey seconded the motion. Motion carried unanimously.

B) Public Hearing and Action: PB 99-20 Thrasher Mine: Request for a (special) use permit modification to expand an existing mining operation located in Moyock at 144 Lazy Corner Road, Tax Map 9, Parcel 53A, Moyock Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request as well as staff, Technical Review Committee and Planning Board recommendations.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: December 2, 2013**

PB 99-20 Elbow Road Farm, Inc. – Thrasher Mine Special Use Permit Modification

ITEM: PB 99-20 Elbow Road Farm, Inc., Thrasher Mine,
Special Use Permit Modification

LOCATION: Moyock: 144 Lazy Corner Road

TAX ID: 0009-000-053A-0000

ZONING DISTRICT: Agricultural (AG)

PRESENT USE: Extractive Industry - Mining Operation

OWNER: Moyock Properties, LLC
1400 Elbow Road
Chesapeake, VA 23320

APPLICANT: Elbow Road Farm, Inc.
144 Lazy Corner Road
Moyock, NC 27958

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Undeveloped	AG
SOUTH:	Undeveloped/Low Density Residential	AG
EAST:	Low Density Residential	GB/AG
WEST:	Utility – wastewater plant	AG

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as **Rural** within the **Moyock** subarea.

SIZE OF SITE: 311.68 acres

SIZE OF MINE: 149.39 Acres
 Existing Mine: 94 Acres
 Expansion: 55.39 Acres

WETLANDS: 12.9 Acres (Bissell Plat)

STREETS: The mine access is from SR 1222 (Lazy Corner Road)

UTILITIES: There will be no new utilities associated with the use.

COMMUNITY MEETING: A community meeting was held on June 24, 2013 and received support for the mining operation. Questions and comments were related to occasional right turns on Newtown Road and duration of mining activities.

I. NARRATIVE OF REQUEST:

1. The applicant is seeking modifications to the special use permit. The modifications include:
 - a. Mine expansion of 55.39 acres. In addition, portions of the mine will be reclaimed with fill (SUP Condition #2, #10, #19).
 - b. Reduction in the required setback (50% - 50') along the eastern property line where a screening berm will be located.
 - c. Removal of any permit condition requiring future development of a residential community and/or golf course at completion of the mine operation (SUP Condition #19, and Incorporated Findings of Fact 2).
 - d. In addition, staff is removing the redundant findings of fact from the permit conditions.
2. The initial special use permit was issued by the board on November 1, 1999. An amended special use permit was approved by the board on January 2, 2001 and again on March 19, 2001. A permit extension was approved October 8, 2012 and is valid until January 1, 2023. The Board of Commissioners, at request of the applicant, can grant the use permit for ten years from the date of the approval or maintain the January 1, 2023 expiration date.
3. An updated Ground Watering Monitoring Report was prepared by Bissell Professional Group June 26, 2013. Four monitoring wells are installed adjacent to the mine. Groundwater recharge system exists on the property and will be modified for continued use around the proposed expansion activities.
4. The expected maximum depth of the mine is 25 feet (-13'msl average).
5. The mining operation has maintained compliance with the state permits and the county special use permit for the past five years.

II. USE PERMIT REVIEW STANDARDS:

III. Use Permit Criteria and Staff Findings:

Although, this request is a modification of the existing Special Use Permit, this application is being reviewed under the current standards that require a Use Permit. Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.

Staff Findings:

- a. Extraction operations are a permitted use in the Agricultural (AG) zoning district with a use permit.
- b. The mine activities have maintained compliance with the state and county permit requirements for the past five years.
- c. A water truck will continue to maintain the access road for dust control.
- d. "No Trespassing" signs will be posted every 250 feet.

2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Staff Findings:

- a. The mining activities have been operational since November 1, 1999.
- b. A minimum 50' undisturbed buffer is provided around the mine perimeter.
- c. Visual screen berms are included in the current and proposed mine plans where visible from adjacent roads and residentially developed properties.
- d. The UDO permits mining operations in the Agricultural (AG) zoning district with a use permit.

3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Staff Findings:

- a. The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea. The proposed expansion is in keeping with the policies of the plan, such as:

Policy ID8: MINING ACTIVITIES, or secondary impacts of mining activities not subject to permit approval by the State of North Carolina, may be subject to review and management by Currituck County. Activities to be addressed may include, but not be limited to, the adequacy of roads serving the mine site, visual impacts during operation and after closing of the mine site, noise and dust considerations, etc.

- b. The UDO permits extractive industries in the Agricultural (AG) district with the issuance of a use permit.

4. The use 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 two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Staff Findings:

- a. The proposed mine expansion will have no impact on schools.
- b. The county should have adequate public facilities to service use.

IV. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following use permit modifications and conditions: (Strikethrough text is to be removed and new text is underlined)

1. That at any time the State permit issued for this mining operation is suspended or revoked, the suspension or revocation shall cause this Special Use Permit to become void.
2. ~~That no more than 93.87 acres (29.9%) of parcels 0009-000-0053-0000, 0009-000-0054-0000, 0009-000-0056-0000, 0009-000-056A-0000 and 0009-000-0057-0000 be excavated for the purposes of mining under this permit.~~
3. That any modifications to the State permit, if any, shall be filed within 10 working days of issuance to the Planning/Inspections Department of Currituck County.
4. That this Special Use Permit shall be valid for a period of 10 years from the date it is approved unless the Board of Commissioners modify the existing use permit (January 1, 2023 expiration).
5. That the road entering the mining area shall be properly graded and drained in order to minimize potholes and standing water.
6. That all trucks hauling mined materials shall be covered with a tarpaulin when materials extend above the raised board of the truck.
7. That no bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on the site.
8. That "No Trespassing" signs shall be posted around the site being mined at a minimum distance of 250 feet apart indicating that a mining operation is being conducted on the property.
9. That reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning/Inspections Department of Currituck County within 10 days of being filed with the State.
10. That no discharging of water from the mine is permitted under this permit until such time as a dewatering permit has been obtained from the State.
11. That stockpile areas shall be stabilized to reduce wind and water erosion.
12. That drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation.
13. That all provisions of State and local permits issued and applied for the operation shall be met.

14. That the hours of operation of all mining related activities on this site, as determined by the Currituck County Board of Commissioners, shall be from dawn to dusk daily with no operations on Sunday.
15. That the site must be entered and exited from/to the north onto Lazy Corner Road unless servicing Newtown resident.
16. That the local Volunteer Fire Department be allowed to utilize the pond for fire-fighting purposes.
17. That backfill on offsite materials will be allowed within the mine area and that a copy of the approved State Mining approval showing backfill allowed on the site be forwarded to the Planning Office.
18. That should any conditions within this permit conflict with any other permit issued for this activity, then the more restrictive condition shall prevail.
19. Discharge water samples that test for settleable solids, turbidity, and pH shall be collected and tested quarterly. Four monitoring wells shall be maintained and tested semi-annually for quality and monthly for quantity (water level). The testing reports shall be submitted to the county within thirty days of the reporting date.

~~19. That the following Staff Findings of Fact be incorporated within this approval:~~

APPLICANT _____	OWNER _____
Mark Bissell _____	Moyock Properties LLC
Bissell Professional Gr _____	2833 Pungo Ferry Rd.
4417 Croatan Hwy. _____	VA. Beach, VA 23457
Kitty Hawk, NC 27949	
(252) 261-3266	

- ~~1. The applicant is requesting Amended Special Use Permit for mining operations (Use Classification #14.300) of sand which is permitted within a A (Agriculture) zoning district with a SUP.~~
- ~~2. Applicant is requesting to mine 93.87 acres on parcels having a combined acreage of 313.46 acres which amounts to 29.95% of the 30% maximum allowed. Property is shown on Tax Map 9, parcels 53, 54, 56, 56A & 57. Property is located on the west side of SR 1222 (Lazy Corner Rd.). Average depth of the pit will be 25'. After completion of the project and reclamation, the pit will become a pond area for a golf course and residential development, if applicant can find a willing developer to undertake the project.~~
- ~~3. APPLICATION HISTORY:~~
 - ~~— On November 3, 1999 the BOC approved a Special Use Permit for this mining operation. At the time of approval, Condition #14 of the SUP stated that “no vehicles transporting material may utilize the site on Saturdays Memorial Day through Labor Day.”~~
- ~~4. This condition was modified during the 1/2/01 BOC allowing the hours of operation to be from dawn to dusk daily with no operations on Sunday (see attached SUP).~~
- ~~5. PROPOSED CHANGE:~~
 - ~~— 1. allow hauling and placement of clay and topsoil materials from offsite sources back into the mining area.~~
- ~~6. EXISTING CONDITIONS~~

- ~~Site contains woodlands and farmlands. County Soil Maps indicates several types of soil contained on the property: AaA (Altavista); At (Augusta); Ds (Dragston); Ro (Roanoke) and To (Tomotley). The application indicates this property to be in Flood Zone "A".~~
- ~~7. According to applicant, there will be off-site discharges; water generated from the pit will be pumped into a settling ditch, then into an infiltration pond and then released into a wetland area.~~
- ~~8. A state mining permit was submitted to NCDEHNR, Land Quality Section on 8/12/99.~~
- ~~9. According to the application, all proposed mining areas for the site meet the required setbacks (100' from property lines; 300' from nearest residence, school, church, hospital, commercial or industrial building, public road or cemetery).~~
- ~~10. Applicant is seeking to excavate a total of 93.87 acres which is 29.9% of the 30% maximum allowed.~~
- ~~11. After reclamation, final slopes will be 3 to 1 to the water level and then 2 to 1 from the water level to the bottom of the pit.~~

~~12. ADDITIONAL APPLICATION INFORMATION~~

~~Name of mine: Thrasher Mine - Moyock~~

~~Mine manager, address and phone number:~~

~~_____ D. L. Thrasher III
 _____ 1400 Elbow Rd.
 _____ Chesapeake, VA 23320
 _____ (757)547-3900~~

~~Mining methods:~~

~~According to the application, the excavation will be done almost exclusively by excavator. However other equipment cited in application to be used includes front-end loader and trucks.~~

~~Steps taken to maintain haul road(s):~~

~~Applicant will bear the responsibility for maintenance of the haul road. Applicant will keep haul road watered down to keep amount of dust down to a minimum and use a sweeping broom tractor to clear paved entrance.~~

~~Description of day to day operations:~~

~~Dig and haul sand. Projected estimates given by applicant are to dig for 6 days/week & haul 6 days/week. According to applicant, the anticipated daily traffic will be 100 loads/day. A large project would cause the number to increase to approximately 200 loads/day.~~

~~Buffers, existing vegetation on-site and berms:~~

~~Applicant is proposing a 4' high tree lined berm along the front of the property behind the existing residential area and extending approximately 500' along the entrance into the mining area.~~

~~Proposed use after mining and how is sewage being handled:~~

~~The pit will become a pond area for a golf course and residential development; sewage will be handled by an on-site septic system.~~

~~13. According to the application, the nearest residential dwelling is 200' north of the proposed entrance to the site.~~

~~14. Limited ingress/egress to site will insure safer traffic movements. Upon exiting haul road, trucks will travel north along SR 1222 ultimately entering onto Caratoke Hwy. (NC 168). Proposed removal is up to 100 truckloads per day unless a large project would require additional loads to be removed (up to 200).~~

- ~~15. According to application, a 6' high gate will be installed to prevent inadvertent public entry.~~
- ~~16. "No Trespassing" signs will be posted every 250' around the site to indicate a mining operation is being conducted on the property.~~
- ~~17. The property is surrounded by the following land uses:~~
- ~~— North: Farmland — zoned A~~
 - ~~— South: Farmland, woodlands, wetlands — zoned A —~~
 - ~~— East: Residential — zoned A & GB~~
 - ~~— West: Woodlands/Farmland — zoned A~~
- ~~18. The 1990 Land Use Plan classifies this land as Developed, Limited Transition and Rural.~~
- ~~19. The proposed site is located off a Local Road according to the 1988 Thoroughfare Plan.~~
- ~~20. According to the application, the proposed activities should not negatively impact the county's ability to provide public services.~~

V. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of PB 99-20 with staff recommendations and the findings of fact. Motion passed unanimously.

Commissioners asked for clarification on depth of test wells and vegetation to be used for the berm.

Chairman O'Neal opened the Public Hearing.

David Klebitz, Kill Devil Hills, Bissell Professional Group, noted State approval had been given. There would be no change in operations. Test wells averaged 10-12 feet. No problems had presented thus far.

Commissioner Petrey asked about the depth of the mine to which Mr. Klebitz responded 25 feet average depth.

Commissioner Griggs remarked about the monitoring wells and recharging ditches and at what point a drop in the water table would cause concern.

Ralph Jones, Jr., Moyock, was in favor of the request.

Carl Jones, Moyock, representing the Newtown Road community, was in favor of the request and glad to have the Thrasher mine in the community.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Griggs moved to approve PB 99-20 with the staff findings and recommendations included in the case analysis. Commissioner Gilbert seconded the motion. Motion carried unanimously.

C) Public Hearing and Action: PB 13-23 Charles Perry: Request for a use permit to operate automobile sales in Grandy at 6331, 6333, and 6335 Caratoke Highway, Tax Map 94, Parcel 135B, Poplar Branch Township.

Since there was no representative present on behalf of the applicant, Commissioner Gilbert moved to continue to the next meeting. Commissioner McCord seconded the motion. Motion carried unanimously.

D) Public Hearing and Action: PB 13-28 Coinjock Ruritan Club: Request for an amendment to the Unified Development Ordinance, Chapter 4, Section 4.4.6.I. Special Events and Chapter 5, Section 5.12.3.J. Development Standards to exempt the Coinjock Ruritan Club from special event and signage requirements.

Ben Woody, Planning and Community Development Director, reviewed the request and staff and Planning Board recommendations.

The following text amendment submitted by Walton Carter on behalf of Coinjock Ruritan Club is intended to exempt the Coinjock Ruritan Club from special event requirements including signage.

The UDO requires all temporary use special events including such events as sporting, cultural, musical, charitable, celebrations, festivals, fairs, carnivals, circuses, and communal camping that are held on private property to obtain a temporary use permit. The UDO also includes exemptions to the temporary use permit requirements such as events that occur on grounds of a private residence, sponsored by the county or state, and activities that occur on properties that are typically intended and used for such activities. Special events are limited to a maximum of four occurrences per parcel, per year excluding events held on county or state owned property. In addition, special event signage is limited to the following sign standards:

- (1) The following shall be allowed on the mainland:
 - (a) Up to 40 signs, each with a maximum area of 6 square feet and up to 10 signs, each with a maximum area of 32 square feet; or
 - (b) Up to 60 signs, each with a maximum area of 6 square feet;
- (2) Up to three signs, each with a maximum area of 32 square feet and a maximum height of six feet shall be allowed on the Outer Banks;
- (3) On the mainland, such signs may be erected up to 17 days before the event, and shall be removed within 8 days after the event;
- (4) On the Outer Banks, such signs may be erected up to three days before the event and shall be removed within two days after the event.

Mr. Carter is requesting the board amend the UDO to exempt Coinjock Ruritan Club from the temporary use permitting and signage requirements.

Staff recommends denial of the requested text amendment submitted on behalf of Coinjock Ruritan Club. The application would apply to a specific organization and conflict with the public interest and not be in harmony with the purposes and intent of the Unified Development Ordinance.

The Planning Board recommended denial of PB 13-28 since it singles out this organization from all others. Ayes: Ms. Bell, Mr. Craddock, Mr. Clark, Mr. Cooper, and Ms. Wilson. Nays: Mr. Bell, Ms. Newbern, and Mr. Cartwright.

PLANNING BOARD DISCUSSION (11-12-13)

Ms. Bell asked if the text amendment were amended to apply to all non-profit organization, would staff recommend approval.

Ms. Voliva said there are still Land Use Plan issues that have to be addressed. She also noted that the permit is reviewed by other agencies such as Emergency Services, Fire Marshal, Health Department, Sheriff, etc. to ensure that adequate county resources are available for each event.

Mr. Carter said he had been operating for 41 years without a permit. He said they put their signs up two weeks prior to the event and take them down the next day.

Mr. Cartwright asked what part of the ordinance was the issue.

Mr. Carter said that not being allowed to put signs in the right-of-way is an issue. He asked why he needed a permit after 41 years of not needing one.

Mr. Craddock said that the regulations may have been abused by other organizations.

Ms. Newbern asked if the development of the existing sign ordinance was a county sponsored regulation.

Mr. Woody said staff was directed by the Board of Commissioners to work with non-profits to develop regulations and this language is a reflection of the input from that committee after about a year's worth of study.

Mr. Cooper asked what the problem was with the requirement.

Mr. Carter said there is a fear of what is coming next and that government should not control civic work. He said they donate money to the schools, etc. He said farmers can have signs.

PLANNING BOARD ACTION

Mr. Craddock moved to deny PB 13-28 since it singles out this organization from all others. Mr. Clark seconded the motion and the motion passed. Ayes: Ms. Bell, Mr. Craddock, Mr. Clark, Mr. Cooper and Ms. Wilson. Nays: Mr. Bell, Ms. Newbern, and Mr. Cartwright.

PB 13-28 COINJOCK RURITAN CLUB UDO AMENDMENT REQUEST

Amendment to the Unified Development Chapter 4: Use Standards and Chapter 5: Development Standards to exempt the Coinjock Ruritan Club from Special Event requirements, including signage.

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 Section 4.4.6.l. Special Events is amended by adding the following underlined language:

I. Special Events

(1) Applicability

(c) Exemptions

(i) Events Sponsored by Coinjock Ruritan Club

Any event sponsored in whole or in part by the Coinjock Ruritan Club.

Item 2: That Section 5.12.3 Signs Exempt from Signage Regulations is amended by adding the following underlined language:

J. Temporary signs for special events sponsored by Coinjock Ruritan Club.

Item 3: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Commissioners discussed the current sign ordinance and how it came about. It was noted the number of complaints were down.

Commissioner Petrey stated that they need to help those that are returning to the community.

Commissioner Griggs asked if approval of the request was legal to which County Attorney Ike McRee responded it would be illegal to single out one organization.

Commissioner Griggs suggested revisiting the ordinance.

Commissioner Aydtlett noted if there was harm done, then they needed to fix it.

Chairman O'Neal opened the Public Hearing.

Walton Carter, Coinjock, applicant, was asking for less government as there had been no problem previously.

John Murray, Coinjock, opposed having to get permits.

Commissioner Martin suggested a work session to facilitate non-profits.

John Snowden, Maple, stated an ordinance cannot be created in conflict with State ordinance. The ordinance promotes responsibility and fair and equal treatment. He opposed the request and asked for denial.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Gilbert moved to deny PB 13-28 and schedule a work session to address concerns. Commissioner Petrey seconded the motion. Motion carried unanimously.

New Business

A) Amendment to Personnel Policy

County Manager Dan Scanlon stated that under the Affordable Care Act, starting in 2015, employers that employ more than fifty employees, in order to avoid penalties, must provide health care coverage to full-time employees and to their dependent children. The Act includes a modification of the definition of a full-time employee to one that works, on average, more than thirty hours per work week. The proposed amendment will place the County in compliance with this requirement.

ARTICLE 7

Employee Benefits

Section 701 Insurance Benefits

- A. The County offers both medical and dental coverage, under the County's group health plan, to ~~all regular full-time employees~~ an employee appointed to a permanently established position, who is regularly scheduled to work thirty or more hours per work week, and is paid on a salary basis. ~~occupying budgeted positions.~~ Each employee shall be enrolled for coverage in accordance with the Health Plan provisions. Coverage will begin on the first day of the month following a thirty (30) day waiting period.

Commissioner Gilbert moved to approve the proposed amendment to the Personnel Policy. Commissioner Martin seconded the motion. Motion carried unanimously.

B) Board Appointments:

1. Appointments to Economic Development Advisory Board - **DELETED**
2. Appointments to Board of Adjustment – **DELETED**

3. Appointment to Tourism Advisory Board

Commissioner Aydlett moved to appoint Jay Bender. Motion carried unanimously.

4. Appointment to Planning Board

Commissioner Aydlett moved to appoint Jane Overstreet. Motion carried unanimously.

C) Consent Agenda:

1. Approval of November 18, 2013 Minutes
2. Budget Amendments
3. Recommendation of Award - Southern Outer Banks Water - Shallow Raw Water Pipeline
4. Recommendation for George Raper Change Order #2 - Southern Outer Banks Water System Reverse Osmosis Water Plant
5. Resolution-Sheriff's Surplus Radios and Other Items
6. CDBG Monthly Status Report
7. Building Permit Refund Policy
8. First Amendment to Construction Funding Agreement by and between the County of Currituck and Crawford Township V.F.D., Inc.

Commissioner Gilbert moved to approve the Consent Agenda. Commissioner McCord seconded the motion. Motion carried unanimously.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10330	449900	Miscellaneous Grants Fund Balance	\$ 42,700	
10390	499900	Appropriated	\$ 13,650	
10510	590000	Capital Outlay		\$ 56,350
			\$ 56,350	\$ 56,350

Explanation: Sheriff (10510) - Adjust Highway Safety grant from \$89,750 to actual award of \$33,400 for radar equipment.

Net Budget Effect: Operating Fund (10) - Reduced by \$56,350.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750	561000	Professional Services	\$ 6,000	
10380	482000	Miscellaneous Revenue		\$ 6,000
			\$ 6,000	\$ 6,000

Explanation: SOCIAL SERVICES ADMIN (750) - Previously the physician at Kids First was grant funded and the medical services were provided at no charge. Kids First is in the process of recruiting for the medical services. In the meantime, we must have a medical provider in place so that forensic medical can be arranged and completed timely. There was nothing budgeted for this as we did not learn of the end of these services until much later. We must have provider willing to do these forensic exams, and testify in court.

Net Budget Effect: Operating Fund (10) - Increased by \$6,000.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818	545000	Contracted Services	\$ 15,000	
61818	557100	Software License Fee	\$ 595	
61818	514000	Travel		\$ 1,897

61818	514500	Training and Education	\$	1,021
61818	516200	Vehicle Maintenance	\$	2,000
61818	526000	Advertising	\$	425
61818	536000	Uniforms	\$	970
61818	561000	Professional Services	\$	5,000
61818	590000	Capital Outlay	\$	1,767
61818	533800	Chemicals	\$	2,515
			\$	15,595
			\$	15,595

Explanation: *Mainland Water (61818) - Transfer funds due to unanticipated repairs needed for the Mainland Water communication equipment.*

Net Budget Effect: Mainland Water (61) - No change.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
67878	545000	Contracted Services	\$ 2,500
67878	532000	Supplies	\$ 2,500
67878	561000	Professional Services	\$ 5,000
		\$ 5,000	\$ 5,000

Explanation: *Moyock Central Sewer System (67878) - Transfer funds anticipated for operations for the remainder of this fiscal year.*

Net Budget Effect: Moyock Central Sewer System (67) - No change.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
66868	553000	Dues and Subscriptions	\$ 600
66868	557100	Software License Fees	\$ 200
66868	545000	Contracted Services	\$ 800
		\$ 800	\$ 800

Explanation: *Southern Outer Banks Water System (66868) - Transfer funds needed for increased costs for this fiscal year in dues and software licensing fees.*

Net Budget Effect: Southern Outer Banks Water System Fund (66) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
60808	436000	Uniforms	\$	1,000	
60808	557101	Software License Fee	\$	108	
60808	590000	Capital Outlay	\$	2,876	
60808	516000	Repairs & Maintenance			\$ 1,000
60808	590001	Capital Outlay			\$ 2,984
			<u>\$</u>	<u>3,984</u>	<u>\$</u> <u>3,984</u>

Explanation: *Ocean Sands Water and Sewer District Fund (60808) - Transfer funds for replacement parts to repair equipment at the Oceans Sands plant and for uniforms for the Ocean Sands staff.*

Net Budget Effect: Ocean Sands Water and Sewer District Fund (60) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
56868	596100	Professional Services	\$	2,554	
56868	588000	Contingency			\$ 2,554
			<u>\$</u>	<u>2,554</u>	<u>\$</u> <u>2,554</u>

Explanation: *Southern Outer Banks Water System Construction (56868) - Transfer funds from contingency for additional engineering due to additional work associated with well and water line modifications.*

Net Budget Effect: Southern Outer Banks Water System Construction (56) - No change.

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina, during its regularly scheduled meeting held on December 2, 2013, authorized, pursuant to GS 160A and 270(b), that the property listed below be declared surplus and disposed of:

ASSET

4046	PRINTER - LEXMARK 24 OPTRA LXI+	4049LM1
5520	DETECTIVE SOFTWARE- LEO AGENCY PRGM	
6090	2005 KODIAK YAMAHA ATV	5Y4AJ15YX5A008718
3915	BASE STATION - KENWOOD	

3359	TRANSCEIVERS - MOTOROLA UHF	
3360	TRANSCEIVERS - MOTOROLA UHF	
3361	TRANSCEIVERS - MOTOROLA UHF	
3362	TRANSCEIVERS - MOTOROLA UHF	
3357	TRANSCEIVERS - MOTOROLA MARATRAC	
3358	TRANSCEIVERS - MOTOROLA MARATRAC	
4038	LIGHTBAR - WHELEN EDGE STROBE	
4039	LIGHTBAR - WHELEN EDGE STROBE	
4040	LIGHTBAR - WHELEN EDGE STROBE	
5360	GLOCK 40 CALIBAR PISTOLS	DVK022US- SEE TEXT
5536	4- GLOCK 23, .40CAL S/A PISTOLS W/SIGHTS	ELE606US - ELE609US
2215	MOBILE RADIO EQUIPMENT	776HPW0728
2216	MOBILE RADIO EQUIPMENT	776HPW0729
2220	MORATRAC 99 CHANNEL RADIO	776HP20453
2221	MORATRAC 99 CHANNEL RADIO	776HP20454
2228	MOBILE RADIO W/SIREN - MOTOROLA	776HPS0495
2229	MOBILE RADIO W/SIREN - MOTOROLA	776HPS0496
2318	MARATAC UHF MOBILE RADIO	776HQG0904
2319	MOBILE RADIO - UHF MARATRAC	776HQG0902
2320	MOBILE RADIO - UHF MARATRAC	776HQG0903
2447	CAR RADIO	776ARA0513
2448	CAR RADIO	776ARA0513
2454	MOBILE RADIO - M400	776ARA1197
2600	MARATRAC ""A7"" PACKAGE	776ASJ0094
2601	MARATRAC ""A7"" PACKAGE	776ASJ0095
2602	MARATRAC ""A7"" PACKAGE	776ASJ0096
2750	MOBILE RADIO - MARATRAC UHF	776ATC0775
2918	MOBILE RADIO - UHF MARATRAC	776ATN1665
2919	MOBILE RADIO - MARATRAC UHF	776ATN1666
2920	PORTABLE RADIO	402ATQ2839
2921	PORTABLE RADIO	402ATQ2840
2922	PORTABLE RADIO	402ATQ2841
3237	MOBILE RADIO - MARATRAC	776TVC1575
3238	RADIO W/MIKE - HT1000 HAND HELD	402AVJ7967
3239	RADIO W/MIKE - HT1000 HAND HELD	402AVJ7966
3240	RADIO W/MIKE - HT1000 HAND HELD	402AVJ7965
3241	RADIO W/MIKE - HT1000 HAND HELD	402AVJ7964
3853	RADIO - MOTOROLA MARATRAC UHF	
3854	RADIO - MOTOROLA MARATRAC UHF	
3855	RADIO - MOTOROLA MARATRAC UHF	
3856	RADIO - MOTOROLA MARATRAC UHF	
3902	RADIO BODY - KENWOOD 110 WATT FM	TK-730HGBK
3903	RADIO BODY - KENWOOD HIGH POWER	TK-830HGBK
3916	RADIO - MARATRAC 100 UHF MOBILE	
3917	RADIO - MARATRAC 100 UHF MOBILE	

3918	RADIO - MARATRAC 100 UHF MOBILE	
3919	RADIO - MARATRAC 100 UHF MOBILE	
4256	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4257	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4258	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4259	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4260	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4261	MARATRAC 99 CHANNEL UHF W/A7 HEAD	
4262	RADIO - MOTOROLA MARATRAC RADIO TK-830	
4263	RADIO - MOTOROLA MARATRAC TK-830	
4264	RADIO - MOTOROLA MARATRAC TK-830	
4265	RADIO - MOTOROLA MARATRAC TK-830	
5635	5 UHF 4W 250 CH PORTABLE RADIO	40402181* 50300681 50300683 50300684/ 50300685/5030068
5749	5- 4 W 250 CH PORTABLE RADIOS	50302425 & 50302429
5750	3- 250 CH 5 W PORTABLE RADIOS 50302424	50302421 50302658 59
5762	3- KENWOOD PORTABLE RADIOS *CRIME CONTRO	61104724:61104725/61104729/61104730/
5967	4 HAND HELD KENWOOD RADIOS W/CHARGERS	
	3- KENWOOD PORTABLE RADIOS: ANIMAL	
5869	CONTROL	50101297 50100794

D) Commissioner's Report

Commissioner McCord announced the Christmas Parade on December 7. He also congratulated Johnny Wheeler on being named Conference Coach of the Year.

Commissioner Griggs also commended Mr. Wheeler and the Currituck County High School football team.

Commissioner Martin commended the CCHS Knights. He also wished everyone a Merry Christmas and Happy New Year and encouraged remembering our Soldiers.

Commissioner Aydlett wished everyone a Merry Christmas and Prosperous New Year.

Commissioner Petrey thanked Reggie Saunders, NC Department of Transportation for his responsiveness to highway concerns. He wished everyone a Merry Christmas and encouraged them to remember those less fortunate.

Commissioner Gilbert reminded everyone about Silver Bells Craft Show and wished everyone a Merry Christmas and Happy New Year. Also remember to celebrate the reason for the season.

Commissioner O'Neal noted there would be no second meeting in December. He related the message of a letter from the Department of the Army asking for correspondence with Soldiers from the Currituck area. He asked that the link for "Hometown Heroes" be placed on the

County website. He also wished everyone a Merry Christmas.

E) County Manager's Report

Mr. Scanlon also noted there would be no second meeting in December. He requested thoughts and prayers for Gwen Keene's husband, Jeffrey. Gwen was the former Clerk to the Board.

Adjourn

There being no further business, Commissioner Aydlett moved to adjourn. Commissioner Gilbert seconded the motion. The meeting was adjourned.

MEMORANDUM

To: Dan Scanlon, County Manager
From: Brenda McQueen, Superintendent of Buildings, Public Works
Date: December 30, 2013
Subject: Landscape Maintenance & Appearance Contract Recommendations

On December 5, 2013, sealed bids for landscape maintenance and appearance were publicly opened and read aloud. Attached are the bid tabulation sheets for each of the eight (8) contracts. Merrell’s Landscaping requested their bids be withdrawn, however, we were able to work out a price that is mutually beneficial to the County and the vendor. Odom’s Lawn Care forfeited when it did not provide proof of having a commercial applicator’s license.

I respectfully recommend the following contract awards:

Contract #1 (Shawboro through Currituck):

Rescom Property Services	\$ 34,600 per year
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Contract #2 (Maple Road):

Merrell’s Lawn Services	\$ 6,500 per year
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Contract #3 (Moyock):

McCord’s Landscaping	\$ 26,400 per year
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Contract #4 (YMCA/NC Cooperative Extension):

Grandy Landscape Contracting	\$ 42,000 per year
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Contract #5 (Airport Road):

Grandy Landscape Contracting	\$ 12,000 per year
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Contract #6 (Barco3-Central Mainland)

Grandy Landscape Contracting	\$ 14,000 per year
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Contract #7 (Grandy to Spot):

Merrell's Landscape Contracting	\$ 7,400 per year
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Contract #8 (Knotts Island):

McCord's Landscaping	\$ 12,300 per year
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(Merrell's withdrew their bid on this contract)

Please let me know if you concur with these recommendations. Thank you.

CURRITUCK COUNTY

BID PROPOSAL

Shawboro - Currituck

CONTRACT: Central Mainland #1

CURRITUCK CO. REPRESENTATIVES:

BID DATE: 12-5-13

Brenda McQueen

TIME: 2:00

Sandra Hill

PLACE: HCH Conference Room

NAME OF BIDDER	AMT OF BOND	AMT OF BID	ALTERNATE BIDS
1. <u>Rainwater Services</u>		<u>50,758.04</u> ↓	
2. <u>Bescom Property Services</u>		<u>30,000.00</u>	
3. <u>" " " "</u>			
4. <u>Adam's</u>		<u>34,600.00</u> ↓	
5. <u>Lynn's Landscapc</u>		<u>34,340.00</u> ↓	
6. <u>Grandy Landscape</u>		<u>30,000.00</u> ↓	
7. _____		<u>42,000.00</u> ↓	
8. _____			
9. _____			
10. _____			

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

#2

CURRITUCK COUNTY

BID PROPOSAL

Maple
 CONTRACT: Central Mainland #2
 BID DATE: 12-5-13
 TIME: 2:00
 PLACE: HCH Conference Room

CURRITUCK CO. REPRESENTATIVES:
Brenda McQueen
Sandra Hill

NAME OF BIDDER	AMT OF BOND	AMT OF BID	ALTERNATE BIDS
1. <u>Rainwater Services</u>		<u>18,376</u> ✓	
2. <u>Lynn Landscape</u>		<u>9,150</u> ✓	
3. <u>McDrell's Lawn Services</u>		<u>5,000</u> ✓	<u>MLEC Lagoon removed.</u>
4. _____		<u>6,000</u> ✓	
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

CURRITUCK COUNTY

BID PROPOSAL

CONTRACT: Moyock

CURRITUCK CO. REPRESENTATIVES:

BID DATE: 12-5-13

Brenda McQueen

TIME: 2:00 PM

Sandra Hill

PLACE: HCH Conference Room

	<u>NAME OF BIDDER</u>	<u>AMT OF BOND</u>	<u>AMT OF BID</u>	<u>ALTERNATE BIDS</u>
1.	<u>Rainwater Services</u>		<u>32,815.00</u> ✓	
2.	<u>Mccord's Landscaping</u>		<u>26,400.00</u> ✓	
3.	<u>Emerald Forest Inc</u>		<u>61,600.00</u> ✓	
4.				
5.				
6.				
7.				
8.				
9.				
10.				

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

CURRITUCK COUNTY

BID PROPOSAL

Central Mainland #5
 CONTRACT: YMCA/Extension
 BID DATE: 12-5-13
 TIME: 2:00 PM
 PLACE: HCH Conference Room

CURRITUCK CO. REPRESENTATIVES:
Brenda McQueen
Sandra Hill

	NAME OF BIDDER	AMT OF BOND	AMT OF BID	ALTERNATE BIDS
1.	<u>Rainwater Services</u>		<u>53,269 ✓</u>	
2.	<u>Odom's Lawn Care & Tractor Service</u>		<u>42,400 ✓</u>	
3.	<u>Brandy Landscape Contracting</u>		<u>42,000 ✓</u>	
4.				
5.				
6.				
7.				
8.				
9.				
10.				

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

AWARDED TO: _____

DATE: _____

CURRITUCK COUNTY

BID PROPOSAL

CONTRACT: Airport Rd
Central Mainland # 3
 BID DATE: 12-5-13
 TIME: 2:00 PM
 PLACE: HCH Conference

CURRITUCK CO. REPRESENTATIVES:
Brenda McQueen
Sandra Hill

	<u>NAME OF BIDDER</u>	<u>AMT OF BOND</u>	<u>AMT OF BID</u>	<u>ALTERNATE BIDS</u>
1.	<u>Rainwater Services</u>		<u>21,750 ✓</u>	
2.	<u>Lynn's Landscapes LLC</u>		<u>11,150 ↓</u>	
3.	<u>Grandy Landscape Contracting Service</u>		<u>12,000 ✓</u>	
4.				
5.				
6.				
7.				
8.				
9.				
10.				

GOVERNMENT ESTIMATE: _____

LOW BID: _____

HIGHEST BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

#6

CURRITUCK COUNTY

BID PROPOSAL

CONTRACT: Barco 3
Central Mainland #6
 BID DATE: 12-5-13
 TIME: 2:00 PM
 PLACE: HCH Conference Room

CURRITUCK CO. REPRESENTATIVES:

Brenda McQueen
Sandra Hill

NAME OF BIDDER

AMT OF BOND

AMT OF BID

ALTERNATE BIDS

1. <u>Rainwater Services</u>		<u>21,100</u> ✓	
2. <u>Grandy Landscape</u>		<u>14,000</u> ✓	
3. <u>Bescom</u>		<u>24,500</u> ✓	
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			

GOVERNMENT ESTIMATE: _____

LOW BID: _____

LATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

CURRITUCK COUNTY

BID PROPOSAL

Southern Mainland

CONTRACT: Grandy to Spot

BID DATE: 12-5-13

TIME: 2:00 PM

PLACE: HCH Conference Room

CURRITUCK CO. REPRESENTATIVES:

Brenda McQueen

Sandra Hill

NAME OF BIDDER	AMT OF BOND	AMT OF BID	ALTERNATE BIDS
1. <u>Rainwater Services</u>		<u>11,500</u> ✓	
2. <u>Lynn's Landscaping</u>		<u>8,560</u> ✓	
3. <u>Carolina Charm</u>		<u>10,325</u> ✓	
4. <u>Grandy Landscape Contracting</u>		<u>12,000</u> ✓	
5. <u>Merrett's Lawn Service</u>		<u>5,400</u> ✓	
6. <u>Bescom</u>		<u>9,975</u> ✓	
7. _____			
8. _____			
9. _____			
10. _____			

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____

CURRITUCK COUNTY

BID PROPOSAL

CONTRACT: Knotts Island

BID DATE: 12-5-13

TIME: 2:00 PM

PLACE: HCH Conference Room

CURRITUCK CO. REPRESENTATIVES:

Brenda McQueen

Sandra Hill

NAME OF BIDDER	AMT OF BOND	AMT OF BID	ALTERNATE BIDS
1. <u>Merrell's Lawn Services</u>			
2. <u>McCord's Landscaping</u>		<u>7,500</u> ✓	
3. _____		<u>12,300</u> ✓	
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			

GOVERNMENT ESTIMATE: _____

LOW BID: _____

DATE BID BONDS RETURNED: _____

REMARKS: _____

FORWARDED TO: _____

DATE: _____



Eric T. Weatherly, P.E.
County Engineer

Currituck County

153 Courthouse Road, Suite 302
Currituck, North Carolina 27929
252-232-6035
FAX 252-232-3298

Eric.Weatherly@CurrituckCountyNC.gov

MEMORANDUM

Date: December 30, 2013

To: Board of Commissioners
Dan Scanlon, County Manager

From: Eric T. Weatherly

**RE: Bid Recommendation of Award
Whalehead Subdivision Drainage Improvements – Phase IV**

Background

The Whalehead Subdivision Drainage Improvements project consists of a groundwater lowering system with pumped outlet. Nine of the east-west roads in the subdivision are owned by the County and will be used for the groundwater lowering system. In addition, NC DOT owned Dolphin Street also has a groundwater lowering system. To date, seven of the groundwater lowering systems have been installed in Phases I, II, and III.

On December 30, 2013, Phase IV of the system was bid. This phase consists of asphalt street removal and installation of groundwater lowering systems along Tuna, Perch, and Sturgeon Streets.

Funding for the project is provided by taxes from the Whalehead Drainage Service District.

Recommendation

Attached for your review is the recommendation of award package from the design engineers, Moffatt and Nichol. Three bids were received for the project. The low bidder was RPC, Inc. in the amount of \$1,568,642.25. Staff recommends approval of the award and asks for Commissioner concurrence.



1616 East Millbrook Road, Suite 160
Raleigh, NC 27609

(919) 781-4626 Fax (919) 781-4869
www.moffattnichol.com

December 30, 2013

Currituck County
153 Courthouse Road, Suite 302
Currituck, NC 27929

Attn: Eric Weatherly
County Engineer

Re: Whalehead Subdivision Drainage Improvements – Phase IV
Currituck County, North Carolina
Bid Recommendation Letter

Dear Mr. Weatherly:

Moffatt & Nichol (M&N) has reviewed the bids, which were received from contractors on December 30, 2013 for the above referenced project. The bids requested prices for three (3) different scenarios of additives bids. Based upon the available funding and unknown costs for connection to Dominion Power, provision of SCADA controls and construction contingencies, we recommend that funds be allocated for the following alternative:

Total Base Bid [Full Tuna Street System + Sturgeon Street Modifications + Perch Street Modifications + Existing System Work] + Additive Bid 1 [Perch Street Pump System] + Additive Bid 2 [Sturgeon Street Pump System]

For this alternative, RPC Contracting, Inc. is the low bidder in the amount of \$1,568,642.25.

Note that according to the North Carolina Licensing Board for General Contractors (NCLBGC), RPC Contracting, Inc. has a valid license to perform construction work in the State of North Carolina. The contractor has also properly executed the Form of Proposal, and has provided a bid bond in the amount of 5% of the bid amount submitted. In addition, the contractor has provided the required Identification of Minority Business Participation and Affidavit A indicating a good faith effort to utilize MBE subcontractors and material suppliers. RPC Contracting, Inc. has been notified to provide Affidavit D within the required 72 hours.

Therefore, M&N recommends that the County accept the lowest responsive bid submitted by RPC Contracting, Inc. in the amount of \$1,568,642.25. If the County agrees with this recommendation, we will begin the process of formalizing the contract. Please provide written confirmation indicating the decision.

Sincerely,

MOFFATT & NICHOL

Ryan A. Smith, P.E.

Encl: Bid Summary Sheet
Certified Bid Opening Bid Tabulation Worksheet
Original Form of Proposal and Form of Bid Bond
Original Identification of Minority Business Participation Form and Affidavit A

Cc: File

BID SUMMARY SHEET

DESIGNER: Moffatt & Nichol
OWNER/AGENCY: Currituck County
PROJECT NAME: Whalehead Subdivision Drainage Improvements – Phase IV
DATE BIDS RECEIVED: December 30, 2013
PROJECT SIZE: N/A
COUNTY OF PROJECT: Currituck County

GENERAL CONSTRUCTION	LOW BID (TOTAL BASE BID + ADDITIVE BID 1 + ADDITIVE BID 2)	\$/UNIT COST
RPC Contracting, Inc.	\$1,568,642.25	N/A
Average of 3 Lowest Bids	\$1,793,437.36	N/A
Estimated Bid	\$1,719,650.00	N/A

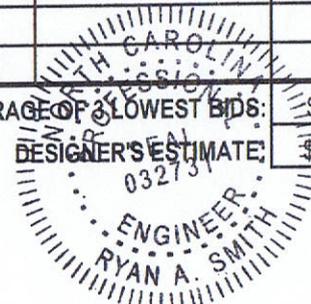
BID OPENING - BID TABULATION WORKSHEET

PROJECT NAME: Whalehead Subdivision Drainage Improvements - Phase 4
OWNER: Currituck County
DESIGNER: Moffatt & Nichol (M&N)
DATE BIDS RECEIVED: 12/30/2013 (11:00 am)
SUBJECT: Bid Opening - Bid Tabulation Worksheet



	BIDDER'S NAME	BIDDER'S NORTH CAROLINA GENERAL CONTRACTORS LICENSE NO.	TOTAL BASE BID	TOTAL BASE BID + ADD. BID 1	TOTAL BASE BID + ADD. BID 1 + ADD. BID 2	BID FORM SIGNED	MBE PARTICIPATION FORM PROVIDED	MBE AFFIDAVIT PROVIDED	5% BID BOND PROVIDED	ADDENDUM ACKNOWLEDGED
1	Hatchell Concrete, Inc.	34205	\$1,615,450.32	\$1,894,773.83	\$2,161,481.34	x	x	x	x	x
2	George Raper & Son, Inc.	7375	\$1,247,462.50	\$1,453,457.50	\$1,650,188.50	x	x	x	x	x
3	RPC Contracting, Inc.	34430	\$1,160,335.25	\$1,370,476.25	\$1,568,642.25	x	x	x	x	x
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										

AVERAGE OF 3 LOWEST BIDS:	\$1,341,082.69	\$1,572,902.53	\$1,793,437.36
DESIGNER'S ESTIMATE:	\$1,292,800.00	\$1,512,465.00	\$1,719,650.00



CERTIFIED BY: *AS* **DATE:** 12/30/13



Currituck County Agenda Item Summary Sheet

Agenda Item Title

Proclamation Declaring Currituck County as a Purple Heart County

Brief Description of Agenda Item

The Purple Heart decoration is awarded to members of the United States Armed Services wounded or killed in combat. An effort is underway to obtain Proclamations from all 100 counties in North Carolina declaring each one as a Purple Heart County in support of their service our nation. Attached is a Proclamation of support from Currituck County.

Board Action Requested

Action

Person Submitting Agenda Item

Presenter of Agenda Item

PROCLAMATION
DECLARING CURRITUCK COUNTY AS A PURPLE HEART COUNTY

WHEREAS, the Purple Heart is the oldest decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to any member of the United States Armed Services wounded or killed in combat with a declared enemy of the United States; and

WHEREAS, the mission of the Military Order of Purple Heart, Chartered by an act of Congress, is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives and most importantly ---make sure we never forget; and

WHEREAS, Currituck County residents have been engaged in every war against a declared enemy fought by the United States, including the war for the nation's independence; and

WHEREAS, Currituck County has become home to countless veterans and their families whose lives have been altered forever as a result of combat injuries and loss of life; and

WHEREAS, Currituck County has a large number of residents who have been awarded the Purple Heart Medal for wounds received in combat; and

WHEREAS, Currituck County recognizes the commitment and increasing sacrifices required of military families; and

WHEREAS, Currituck County pledges its ongoing commitment to and support for the men and women who so honorably serve our nation.

NOW, THEREFORE, BE IT PROCLAIMED, the Currituck County Board of Commissioners hereby declares Currituck County as a Purple Heart County in the State of North Carolina.

This 6th day of January, 2014.

S. Paul O'Neal, Chairman

ATTEST:

Mary S. Gilbert, Clerk to the Board

December 3, 2013

Dear Sir,

We are planning another reunion of Mayock High School graduates from 1941 thru 1960. The date of the reunion is May 3rd, 2014.

The planning committee is trying to have everything Currituck this year including the caterers. Menus are being gathered now from Currituck caterers.

I talked with Gene Gregory, one of Mayock High Graduates, about the rental fee for the NC Cooperative Extension - Currituck County Center facilities. He suggested that I write you to request a waiver for the \$500.00 fee. We will gladly pay for custodial services @ \$20.00 per hour.

197 attended the last reunion. More are expected this year because Currituck is home and so many live out of state.

Enclosed is a directory for your information.

Sincerely,
Hilda P. Forehand



Currituck County Agenda Item Summary Sheet

Agenda Item Title

Consent Agenda: November 2013 CDBG Performance Status Report

Brief Description of Agenda Item

Update on CDBG progress in November 2013

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave

Presenter of Agenda Item

Ben Woody



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

Memorandum

TO: Board of Commissioners

FROM: Ben Woody, AICP
Planning Director

DATE: December 12, 2013

SUBJECT: November 2013 CDBG #11-C-2308 Scattered Site Housing Project Update

The 2011 Community Development Block Grant remains on schedule for the month of November. A summary of November's progress follows:

- Completed the CDBG Monthly Report for signature and forwarding to the Division of Community Assistance.
- Finalized manufactured home specifications so bids can be solicited.
- Prepared a work write-up for the dwelling scheduled for rehabilitation.
- General administration and financial management responsibilities are continuing.

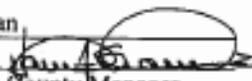
Attached is the October Monthly Status Report for your review. Thank you.

Monthly Performance Status Report

(Due on 15th of each month)

Grantee Name: Currituck County Grant Number: 11-C-2308 Month: December Year: 2013

<u>Activity</u>	<u>Performance Schedule (On/Off)</u>	<u>Current Performance Status (If Off Schedule)</u>	<u>Remedy to get back on Schedule (If Off Schedule)</u>
Rehabilitation-Rehabilitation	ON		
Rehabilitation-Reconstruction	ON		
Rehabilitation-Clearance	ON		
Planning	ON		
Administration	ON		

Prepared By: Brendan Nolan Title: Project Manager
 Endorsed By: Dan Scanlon  Title: County Manager *(City/County Manager or Clerk)*
 Board or Council Update: Dan Scanlon, County Manager Date: 1/6/14

Performance Schedule
(Based on Performance Based Contract)
On/Off Schedule

- ❖ **On Performance Schedule:** Stop and submit report, no current performance status or remedy to get back on schedule is required
- ❖ **Off Performance Schedule:** Provide current performance status and remedy to get back on schedule and submit report

120

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Knotts Landing Lane
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Knotts Landing Length (miles): _____

Number of occupied homes having street frontage: 4 Located (miles): _____

miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Knotts Landing Lane in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

^{Del 757. 620. 5931}
^{Lot # 7} Name: Stanford W. Flannagan Phone Number: 252-429-3409
Street Address: 101 Knotts Landing Lane
Mailing Address: Knotts Island NC 27950

PROPERTY OWNERS

	<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u> (757)
^{Lot # 15+16}	<u>FURMAN WALL</u>	<u>2637 Wimbledon</u>	<u>9121769</u>
		<u>Point Dr, Va. Beach Va,</u>	<u>23454</u>
^{Lot # 5}	<u>John E DAVIS</u>	<u>110 Knotts Landing Lane Knotts Isl, NC</u>	<u>27950</u>
			<u>757.646-0494</u>
^{Lot # 13}	<u>POPY TURNAGE</u>	<u>113 KNOTTS LANDING LANE</u>	
		<u>KNOTT'S ISLAND NC</u>	<u>27950</u>
^{Lot # 11}	<u>SAMANTHA BARNETTE</u>	<u>(109 Knotts Landing Ln)</u>	
	<u>Mailing Address</u>	<u>516 Southside Rd VA Beach</u>	<u>23451</u>
	<u>Address</u>	<u>PHONE (305) 509-0074</u>	

Form SR-1 (3/2006)

^{Lot # 6} John S. Wunder 1200 Chestnut Ridge Road
Apalachin, NY 13732-2024
John S Wunder Phone (607) 625-2758

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Knotts Landing Lane
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Knotts Landing Length (miles): _____

Number of occupied homes having street frontage: 4 Located (miles): _____

miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Knotts Landing Lane in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Stanford W. Flannagan Phone Number: 252-429-3409

Street Address: 101 Knotts Landing Lane

Mailing Address: Knotts Island NC 27950

PROPERTY OWNERS

Name	Mailing Address	Telephone
John B. Parker Jr.	2937 Wood Duck Dr.	757-721-3227
Elizabeth T. Parker	On Beach VA 23456	757-721-3227
John G. Parker Jr.	2937 Wood Duck Dr.	752-721-3227
Elizabeth T. Parker	On Beach, VA 23456	752-721-3227

lots 8 & 9

We own lots 8 & 9 Knotts Landing

103 Knotts Landing Lane, Knotts Island, NC 27950
105 Knotts Landing Lane, Knotts Island, NC 27950

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Knotts Landing Lane
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Knotts Landing Length (miles): _____

Number of occupied homes having street frontage: 4 Located (miles): _____

miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Knotts Landing Lane in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Stanford W. Flannagan Phone Number: 252-429-3409

Street Address: 101 Knotts Landing Lane

Mailing Address: Knotts Island NC 27950

PROPERTY OWNERS

	<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Lot #10	<u>Pamela & Ronald Phelps</u>	<u>420 Copley Road</u>	<u>(856) 546-6942</u>
		<u>Haddonfield, NJ 08033</u>	
Lot #12	<u>JOE & MARY JANE SPAGNOLO</u>	<u>9136 COVINGTON RIDGE CT</u>	<u>804-559-1515</u>
		<u>MECHANICSVILLE, VA 23116</u>	<u>803 314-8585</u>
Lot #14	<u>John & Jennifer Heft</u>	<u>1800 Rein Lane Va Beach, VA</u>	<u>757 407 3772</u>
		<u>23456</u>	

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Solo Lane
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: _____ Length (miles): _____

Number of occupied homes having street frontage: 5 Located (miles): 1/2 mile

miles N S E W of the intersection of Route NC and Route NC.
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Solo Lane in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Tipton Sutton Phone Number: 252-429-3477
 Street Address: 155 Solo Lane, Knotts Island, NC 27950
 Mailing Address: Same as above

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Tipton & Virginia Sutton	155 Solo Lane Knotts Island, NC 27950	252-429-3477
Ronald Wade Jr	147 Solo Lane	"252-429-3060"
PATRICK DAVIS & Christine	133 solo LANE	757 646 0660
HORACE WOOD	151 Solo Lane KI NC 27950	757 620 9001
Jinde Tubbs	149 Solo Lane K.I. NC 27950	252 230 8417
Ray Buz	129 Solo Lane Knotts Island	252 429-3535
Kasey Johnson	121 Solo Lane KI NC 27950	757-3531286
James W. Vencil	109 Shephards Way KI 27950	757 963 9515
B. J. Hunt	157 SOLO LANE KI 27950	908 892-2980

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

- Rural Road
 Subdivision platted prior to October 1, 1975
 Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
SOLO LN	5	1856'			

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 14th day of January, 2014, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510	532000	Supplies	
10330	424000	Officer Fees	
		\$ 12,500	
		<u>\$ 12,500</u>	\$ 12,500
			<u>\$ 12,500</u>

Explanation: *Sheriff (10510)* - Increase appropriations to use funds generated through officer fees for promotions in the Currituck County Schools.

Net Budget Effect: Operating Fund (10) - Increased by \$12,500.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board