



# Planned Development Application

**OFFICIAL USE ONLY:**  
 Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

### Contact Information

<b>APPLICANT:</b>	<b>PROPERTY OWNER:</b>
Name: <u>Moyock Development, LLC</u>	Name: <u>Moyock Development, LLC</u>
Address: <u>417-D Caratoke Hwy.</u>	Address: <u>417-D Caratoke Hwy.</u>
<u>Moyock, NC 27958</u>	<u>Moyock, NC 27958</u>
Telephone: <u>252-435-2718</u>	Telephone: <u>252-435-2718</u>
E-Mail Address: <u>jold@qhoc.com</u>	E-Mail Address: <u>jold@qhoc.com</u>
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>Same</u>	

### Property Information

Physical Street Address: Caratoke Hwy.  
 Location: Moyock, NC 27958  
 Parcel Identification Number(s): 0015-000-0086-0000  
 Total Parcel(s) Acreage: 228.83  
 Existing Land Use of Property: Agricultural/Woodland

### Request

Current Zoning of Property: PD-R

<u>Proposed Zoning District</u>	<u>Amendments</u>
<input checked="" type="checkbox"/> Planned Development – Residential (PD-R)	<input checked="" type="checkbox"/> Amended Master Plan
<input type="checkbox"/> Planned Development – Mixed (PD-M)	<input checked="" type="checkbox"/> Amended Terms and Conditions
<input type="checkbox"/> Planned Development – Outer Banks (PD-O)	

### Community Meeting

Date Meeting Held: 9/23/2020 Meeting Location: Eagle Creek Event Pavilion

### Planned Development Request

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 master plan, terms and conditions document, 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 planned development so authorized and shall be submitted to the Technical Review Committee.

[Signature] Date 9/24/2020  
 Property Owner(s)  
 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.

**Planned Development Terms and Conditions, and Submittal Checklist**

The terms and conditions document shall incorporate by reference or include, but not be limited to the items listed in the checklist. Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

## Planned Development Terms and Conditions and Submittal Checklist

Date Received: \_\_\_\_\_ TRC Date: \_\_\_\_\_

Project Name: 4651- Post Text Amendment

Applicant/Property Owner: Moyock Development, LLC

Terms and Conditions Checklist		
1	Conditions related to approval of the application for the PD zoning district classification.	X
2	The master plan, including and density/intensity standards, dimensional standards, and development standards established in the master plan.	X
3	Conditions related to the approval of the master plan, including any conditions related to the form and design of development shown in the master plan.	X
4	Provisions addressing how transportation, potable water, wastewater, stormwater management, and other infrastructure will be provided to accommodate the proposed development.	X
5	Provisions related to environmental protection and monitoring.	X
6	Any other provisions the Board of Commissioners determines are relevant and necessary to the development of the PD in accordance with applicable standards and regulations.	X

Submittal Checklist		
1	Complete Planned Development application	X
2	Application fee (\$300 plus \$5 for each acre or part thereof)	X
3	Community meeting written summary	X
4	Master Plan	X
5	Terms and Conditions	X
6	3 copies of plans	X
7	2 hard copies of ALL documents	X
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	X

**For Staff Only**

**Pre-application Conference**

Pre-application Conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Fost PD-R Amendment No. 2 and Preliminary Plat Amendment

September 23, 2020

Scheduled Time/Place: 4:00pm and 6:00pm, Eagle Creek Pavilion

The first meeting began at 4:00pm/Meeting Ended: at approximately 4:40pm

The second meeting began at 5:50pm/Meeting ended at approximately 6:15pm

**Attendees:** (See attached sign-in sheets)

**Also:** Jennie Turner, Currituck County  
Justin Old, Developer  
Mark Bissell, Engineer

Comments from the Community	How Addressed
How will the sewer work?	It is proposed that wastewater be pumped to Eagle Creek for treatment and disposal. A site is being set aside for future disposal of treated effluent and/or groundwater from the Eagle Creek site.
Where will the entrance be located and when will it be constructed?	About halfway between the railroad tract and Survey road. The work is supposed to begin on the entrance road next week and you should see the connection within two weeks.
How will the new drainage ditch work and can Ranchland properties connect?	The ditch will be constructed along the property line with all of the widening taking place on the Fost side. The Ranchland side of the ditch actually extends onto many of the Ranchland lots that will have direct access to it. The ditch will be connected to the Rowland Creek canal which is also being improved.
Where will the berm be located?	On the Fost side of the Ranchland ditch.

### Summary:

Between the two meetings, only three residents showed up, all from Ranchland. Their questions were addressed and they seemed satisfied. There being no further questions or comments the meetings were adjourned.



September 24, 2020

Ms. Tammy Glave, CZO, Senior Planner  
Currituck County Department of Planning & Community Development  
153 Courthouse Road, Suite 110  
Currituck, NC 27929

Re: The Fost Tract-Application for PD-R Amendment (Second Amendment)

Dear Tammy,

We are submitting three copies of plans, one 8.5 x 11 reduction, 2 hard copies of documents and a pdf on CD of a request for plan amendment to the Fost PD-R to provide for an off-site wastewater system connection, minor amendment to the clubhouse area and associated pond enlargement, and to adjust lot lines and roadway alignments as necessary to accommodate the 500-year Ranchland ditch. The following are included in this package:

- Application
- Review Fee
- Amended master plan drawing
- Amendment to Terms & Conditions
- Community meeting minutes and sign-in sheets

We believe this package meets the submittal requirements for review of this request; please let us know if you find that you need anything additional in order to be able to place this item on the October TRC agenda for review.

Sincerely yours,  
BISSELL PROFESSIONAL GROUP

  
Mark Bissell, PE

cc: Mr. Justin Old

# Community Meeting Sign-In Sheet

Fost Development

September 23, 2020

4:00 P.M.

NAME	ADDRESS	TELEPHONE	E-MAIL
Lisa Laidhead	122 Congorndt Moyaak	804-854-7028	cwb0167@yahoo
Jemie Turner		252-232-6051	jenae.turner@chathamcountync.gov
Don Dixon	114 Longhorne Dr	252 455 9378	
Justin Old	131 sparkle lk	252-435-2718	Tolcl@alter.com



Section 4: The zoning map amendment for the Property is approved with the following conditions:

- a. The Phasing Plan attached to this ordinance and incorporated herein by reference as Schedule B (attached) shall be adhered to except that the Developer may determine the sequence in which phases are developed. The Developer shall provide an annual report updating the Phasing Plan for the development. Notwithstanding the forgoing, the first phase of development shall not exceed seventy (70) residential units.
- b. Development on the Property shall be connected to a North Carolina Department of Environmental Quality ("NCDEQ") permitted and approved central wastewater treatment and disposal system, and to the Currituck County water system. Fire protection shall be provided in accordance with the UDO Standards and the N.C. Fire Code.
- c. The density/intensity standards, dimensional standards and development standards for development of the Property shall be in accordance with the Master Plan and Schedule A (attached), subject to the degree of flexibility provided in these conditions.
- d. Community form and design for development of the Property shall conform to the streetscape perspectives, example model home drawings, mixed use, and clubhouse perspective drawings illustrated on the Master Plan and as provided and illustrated in Appendix to the Master Plan Supplemental document. Variations may be provided and shall be permitted in colors, materials, and architectural detailing that are compatible with the design concept.
- e. Transportation: The main subdivision entrance will be connected directly to N.C. Highway 168. Deceleration and acceleration lanes shall be provided along the Property frontage in accordance with North Carolina Department of Transportation, ("NCDOT"), standards and shall be approved by NCDOT prior to construction. Connectivity will be provided to the existing farmland to the southeast, identified with Parcel Identification Number ("PIN") 002300000070000. Roadways shall be laid out generally as shown on the Master Plan and Schedule C.
- f. Potable Water: Water shall be supplied by Currituck County via an existing 12" main located on N.C. Highway 168 which will be tapped and looped through the site. Fire Protections shall be provided in accordance with UDO standard and the applicable Insurance Service Office standards. Individual lots and dwellings shall be metered. The Developer shall model the county's water system to demonstrate adequate water flow and pressure for fighting fires while meeting the maximum day domestic demand.
- g. Wastewater: Developer intends to connect to a major utility, off-site, owned by Currituck Water & Sewer, LLC, for wastewater treatment and disposal. A wastewater collection system will be constructed by the Developer and managed by a wastewater utility. The utility will be regulated by the North Carolina Utilities Commission.
- h. On-Site Stormwater: The following improvements to stormwater

drainage ("Improvements") on the Property shall be completed by the Developer prior to recording the final plat for the first phase of development on the Property:

- i. Improve Rowland Creek for the entire length on the Property by construction of a ditch on a positive grade with 3:1 side slopes and sized for a 100 year storm event from the drainage basin in which the Property is located.
  - ii. Install a new ditch along the entire length of the Property's eastern common boundary line with Ranchland Subdivision on a positive grade with 3:1 side slopes and sized for a 500 year storm event from the drainage basin in which the Property and a portion of Ranchland Subdivision are located.
  - iii. The Improvements set forth in this section shall be maintained by the Developer, or a management association created by the Developer.
- i. Off-Site Stormwater: Subject to obtaining right of entry from off-site property owners, i.e. if consent of those property owners is obtained, the following improvements to storm water drainage systems outside the boundaries of the Property shall be completed by the Developer prior to recording the final plat for the first phase of the development:
- i. Clear and snag Rowland Creek from N. C. Highway 168 to the east end of Rowland Creek Estates Subdivision (adjacent to PIN 0022000088M0000)
  - ii. Clear and snag the Ranchland Outlets ditch from the Property's southeast corner adjacent to Ranchland Subdivision (adjacent to PIN 023B000004201F2) to the Ranchland Outlets' intersection with Rowland Creek, and construct a ditch on a positive grade with 3:1 side slopes and sized for a 100 storm event from the drainage basin in which the Property and Ranchland Subdivision are located.
  - iii. Improve the Survey Road ditch from Guinea Road to the railroad (on PIN 0022000063Y0000) and construct the ditch on a positive grade with 3:1 side slopes and sized for a 100 year storm event from the drainage basin in which the Property is located.
  - iv. Improve Rowland Creek from the eastern boundary of Eagle Creek (adjacent to PIN 015A00000980000) to the western boundary of the Property by constructing a ditch on a positive grade with 3:1 side slopes sized for a 100 year storm event
  - v. Developer or a management association shall contribute \$5,000 annually to the cost of maintenance for the off-site improvements set forth in this section. Such funds shall be deposited within an association created for the purpose of maintaining off-site improvements. The first contribution shall be made within 1 year of the recording of the first phase of development, and subsequent contributions made annually for the next 10 years.
  - vi. Should Developer be unable to obtain right of entry from any



landowner within 4 months from the date this ordinance is adopted, such time not being tolled in the event of an appeal, injunction or other stay of the zoning case, then Developer's only obligation under this Section (i), Off-Site Stormwater, shall be to provide fee in lieu in the amount of 115% of the cost of the Off-Site Improvements, such that the County may complete these Improvements if and when right of entry is obtained.

j. Overall stormwater conditions:

- i. The Developer shall construct berms along ditch outlets against Ranchland to keep proposed development's runoff from flooding Ranchland during a 100 year storm.
- ii. On-site stormwater will be managed by construction a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater primarily to Rowland Creek both directly and indirectly. A portion of the stormwater will also overflow to an existing culvert that runs directly under N.C. Highway 168 near the northwest corner of the property, The ditch that drains that outlet will also be improved as necessary subject to obtaining right of access referenced above.

In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard for the difference between runoff from the 10-year developed condition and runoff from a 2-year wooded condition site, stormwater shall be modeled for the 100-year storm event and property line berms constructed as necessary to manage the 100-year storm without adversely impacting neighboring properties.

Stormwater shall be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes and open, vegetated swales.

k. Rear loaded cottage lots, if market conditions warrant, may be converted to conventional frontloaded single family dwelling lots at the rate of up to 50% in each phase that includes cottage lots. No more than 22,000 square feet of neighborhood commercial development may be constructed on the ground floor of the townhouse section along the entrance boulevard where indicated on the Master Plan drawings, if market conditions support this style of development. If not, these areas may be converted to residential use (without increasing the approved density).

l. Perimeter compatibility shall be addressed as follows:

- i. To the west: As long as this property remains zoned as is, a 50 foot farm buffer shall be provided, followed by a 60 foot roadway corridor, so the nearest existing dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer shall be provided along that property line. If this property is rezoned, the buffer requirements in this condition shall not apply.
- ii. To the north (Caratoke Highway): A berm shall be provided along the highway along with lakes flanking the main entrance

road. The nearest dwelling unit will be set back at least 200 feet from the highway right-of-way at the closest point. The visual impact of the development shall be minimized by setbacks, berms and landscaping.

- iii. To the east: A 50 foot vegetative farm buffer shall be provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas that back up to existing dwelling units in the adjacent Ranchland subdivision. A minimum 50 foot buffer shall be provided between the developments.
- iv. To the south: Compatible residential development is being proposed and a minimum 90 foot open space buffer is shown to the property line. The southern buffer may include a pond.
- v. Limited commercial development is located interior to the Development and shall front along the landscaped entrance boulevard.

- m. Environmental Protection and Monitoring: Wetlands subject to the jurisdiction of the US Army Corps of Engineers have been delineated and confirmed by the Corps of Engineers. Wetland buffers have been shown on the Master Plan and the Development plan honors those buffers. The Association documents (Declaration) will include provisions that prohibit the filling of wetlands and prohibit the clearing of the buffer areas other than incidental tree cutting and vegetation removal.

The Association, either itself or via a management entity, will assume responsibility for ongoing operation and maintenance of all stormwater management facilities in accordance with the Currituck County UDO requirements and all NCDEQ permit requirements. The Association dues will be structured in a way that funds are provided for the upkeep of these facilities, as well as periodic improvements to Rowland Creek both through the development, as well as a contribution to off-site maintenance.

Wind tides will be considered in the design of site grading, with structures located above the elevation of the historic wind tidal influence from Rowland Creek.

SCHEDULE A

DEVELOPMENT STANDARDS & SETBACKS

<u>STYLE:</u>	<u>TND T.H.</u>	<u>TND SFLOT</u>	<u>CONV. SFLOT</u>
Min Lot Size:	1,800 SF	7,000 SF	9,000 SF
Typ. Lot Size:	1,800 – 3,000 SF	7,000 – 10,000 SF	9,000 – 17,600 SF
Min. Lot Width:	20'	35'	43'
Typ. Lot Width:	20' – 25'	50' – 60'	62'
Front Setback:	15'	20'	20'
Side Setback:	0	10'	10'
Rear Setback:	20'	20'	25'
Corner Side Setback:	15'	15'	15'
Maximum Setback:	25'	25'	35'
Maximum Height:	35'	35'	35'
Maximum Bldg. Size:	6,000 SF	N/A	N/A
Maximum Lot Coverage:	100%	60%	50%

SCHEDULE A

DEVELOPMENT STANDARDS & SETBACKS

<u>STYLE:</u>	<u>TND T.H.</u>	<u>TND SFLOT</u>	<u>CONV. SFLOT</u>
Min Lot Size:	1,800 SF	6,900 SF	9,500 SF
Typ. Lot Size:	1,800 – 3,000 SF	7,000 – 9,000 SF	10,000 – 15,000 SF
Min. Lot Width:	20'	35'	35'
Typ. Lot Width:	20' – 25'	50' – 60'	62'
Front Setback:	15'	20'	20'
Side Setback:	0	10'	10'
Rear Setback:	20'	20'	25'
Corner Side Setback:	15'	15'	15'
Maximum Setback:	25'	75'	140'
Maximum Height:	35'	35'	35'
Maximum Bldg. Size:	16,000 SF	N/A	N/A
Maximum Lot Coverage:	100%	60%	45%

SCHEDULE B

PHASING SCHEDULE

<u>PHASE</u>	<u>AREA (AC.)</u>	<u>DEVELOPMENT INTENSITY (D.U./AC.)</u>	<u>TND I.H.</u>	<u>TND S.F.</u>	<u>CONV. S.F.</u>	<u>TOTAL</u>	<u>OTHER IMPROVEMENTS</u>
1	39.7	1.79	25	12	34	71	Rowland Creek Improvements
2	33.1	1.96	19	9	37	65	Main Lake (Completion)
3	29.2	1.88	16	14	25	55	Village Green & Clubhouse
4	19.9	3.67	27	7	39	73	Multi-Use Path
5	14.4	2.57		17	20	37	Swimming Pool
6	39.7	1.99	21		58	79	Up to 22,000 SF Neighborhood Commercial
7	23.8	2.56	18		43	61	
8	17	1.12			19	19	
9	12	1.58			19	19	
<b>TOTALS</b>	<b>228.8</b>	<b>2.09</b>	<b>126</b>	<b>59</b>	<b>294</b>	<b>479</b>	

**SCHEDULE C**  
**ROADWAY**  
**STANDARDS**

<u>TYPE</u>	<u>R/W WIDTH</u>	<u>PAV'T. WIDTH</u> <u>(B-B)</u>
Boulevard w/on-street parking & bike lane	100' – 130'	35' each way
Local Road w/parking both sides	60'	43'
Local Road w/parking one side	50' – 55'	35
Local Road w/no parking	40'	27'
Alley	20' – 30'	20'
Boulevard w/out bike lane	80'	16' each way