



Currituck County

Planning & Inspections Department
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
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MEMORANDUM

To: Mark Bissell, P.E.
Justin Old, North South Development Group, LLC

From: Planning Staff

Date: July 11, 2024 [7-25-24 Response to Comments](#)

Re: Flora Farm Amended Conditional Rezoning, TRC Comments

The following comments were received for the *July 10, 2024*, TRC meeting. To be scheduled for the September 10, 2024 Planning Board, please address all comments and resubmit plans and documents on or before noon on *July 25, 2024*. TRC comments are valid for six months from the date of the TRC meeting.

Planning (Jennie Turner, 252-232-6031)

Reviewed

1. As discussed in the pre-application conference and included in the application, approval of this request by the BOC will amend the Future Land Use Map of *the Imagine Currituck 2040 Vision Plan* from G-2 Controlled Growth to G-3 Mixed-Use Centers and Corridors because of the requested change in density from 1.37 dwelling units/acre to 2.88 dwelling units/acre.
Response: We have now reduced the proposed density from 2.88 down to 2.49 DU per net acre.
2. Are there any updates on the Eagle Creek Wastewater Treatment Plant? (Is there a service district? Intent to serve?)
Response: Several plant upgrades have been completed and several more are in progress, and the WWTP will have capacity to serve this development. This property is within the approved Eagle Creek WWTP service area
3. What is the anticipated process and timeframe for getting the roundabout and reconfiguration of Flora Blvd and Survey Road approved?
Response: The survey Road reconfiguration and roundabout have been approved in concept, and the actual construction plans have now been finalized and has been submitted for final NCDOT approval.
4. Please clarify the proposed permitting process for the multi-family component. Is this intended to be a major site plan? How will phasing plan dates work with this type of approval? Multi-family units will not obtain a CO prior to the phasing date? Please provide specific dates.
Response: The major site plan review process will be proposed for this development. The Phasing dates will be tied to CO's. The phasing has been updated to show specific dates.
5. Has the conceptual plan for the commercial adjacent to Caratoke Highway changed? Consider more general language related to the types of uses and size of buildings permitted in the commercial area. Are there elevations for the commercial buildings? Non-residential design standards apply to commercial development.
Response: The commercial concept has changed with the roundabout. No building elevations are available yet, as end users have not yet committed to the site. More general language has been added as suggested.
6. Are there any updates on the prior conditions of approval, for example, have any drainage improvements been completed?
Response: The Rowland Creek drainage improvements are scheduled to be completed with Phase 2B of the Flora residential development; the drainage improvements along the western property boundary are scheduled to be completed with Phases 4 and 5.
7. In the MXR district, the front and corner side setback for multi-family is 50', side setbacks are 15' accessory use setbacks are 10' and driveway/parking setback is 10'. The rear setback is 30'. Please revise plan accordingly.
Response: The plan has been updated to adhere with these setbacks.
8. Provide sidewalk along Survey Road to adjacent school property line.
Response: The sidewalk has been extended to the property line.
9. Site, vehicular use area, perimeter landscape buffers, screening, streetscape (sites visible from, but not accessed from major arterial) landscaping standards apply.
Response: Tentative landscaping has been added; a final landscape plan will be provided at the site plan review stage.
10. Minimum open space requirements are as follows: 30% single-family, 30% multi-family, 10% residential.
Response: The minimum open space requirements are being met.
11. The max lot coverage for multi-family is 40%. The footnote states that this is applied to the entire development, not individual building lots. The multi-family portion of the development does not

include individual building lots. There appears to be a coverage issue that needs to be resolved. Is it possible to define a larger area that constitutes the multi-family portion of the development?

Response: A larger multifamily lot has been defined so that coverage stays within the 40% limit.

12. Building design and architectural elevations should become conditions of approval. Provide elevations and written descriptions of building design elements.

Response: Building elevations and descriptions are included with this submittal.

13. Multi-family design standards apply to multi-family buildings. Please provide building elevations that meet these standards. Include a written description. The primary entrance for buildings facing streets is required to be configured toward external streets.

Response: Please see the included elevations. The 18 plex 3-story building will be constructed using the following high-quality materials.

- James Hardie Siding
- Architectural Shingles
- Full Height Stone Mixed with Stone Water Table
- PVC and Fypon Exterior Trim
- Low E Windows and Doors
- Enhanced Landscape Package
- Timber Tech Decking with Vinyl Rails

The primary entrance will face the external street and contain an oversized porch pediment containing a metal roofing covering.

14. Please provide proposed building elevations that meet the maximum building height standard of the ordinance.

Response: Please see included elevations. The 18 plex 3 story building will incorporate a (4:12) sloped roof that will not exceed 35' at the midpoint of the roof pitch.

15. Please revise proposed multi-family design standards to include more specificity. Staff comments in blue:

Proposed conditions: Flora Multifamily Design Standards.

For all homes located within any of the land use categories, building (s) located on the property that can be seen from public streets, public parks or adjacent lands containing single-family detached development, shall provide enhanced design elements including the following:

- a) Additional windows for side walls adjacent to public streets, parks or single-family detached homes. (How many? Each story? % of wall façade area?)

Response: Please refer to the tabulation below:

	FLOOR	QUANTITY	WINDOW SIZE - 30 x 50	WINDOW SF	SUM OF ALL WINDOW SF	TOTAL WALL AREA	%
FRONT	1st Story	19	15	285	945	4895	19.31%
	2nd Story	22	15	330			
	3rd Story	22	15	330			
RIGHT	1st Story	6	15	90	300	2555	11.74%
	2nd Story	7	15	105			
	3rd Story	7	15	105			
LEFT	1st Story	7	15	105	315	2555	12.33%
	2nd Story	7	15	105			
	3rd Story	7	15	105			
BACK	1st Story	20	15	300	900	4840	18.60%
	2nd Story	20	15	300			
	3rd Story	20	15	300			

1st Story Window Total		52
2nd Story Window Total		56
3rd Story Window Total		56
Total Windows		164
Total Window Coverage %		16.57%

- b) Porches with decorative elements such as columns and railings (How many porches, How many stories, % of length of building?)
 Response: Please refer to the tabulation below:

	FLOOR	PORCH QUANTITY	PORCH TOTAL LENGTH	TOTAL LENGTH	% by FLOOR
FRONT	1st Story	4	38	142	26.76%
	2nd Story	3	28		19.72%
	3rd Story	3	28		19.72%
RIGHT	1st Story	1	8	72	11.11%
	2nd Story	1	8		11.11%
	3rd Story	1	8		11.11%
LEFT	1st Story	1	8	72	11.11%
	2nd Story	1	8		11.11%
	3rd Story	1	8		11.11%
BACK	1st Story	5	49	142	34.51%
	2nd Story	3	28		19.72%
	3rd Story	3	28		19.72%

- c) Rooflines shall be broken up by shed and gable dormers (How? One dormer? Multiple dormers?)
 Response: All four elevations will have reverse gable dormers present as shown and will not be spaced more than 30' apart.

Front Elevation - 5 reverse gable dormers
 Rear Elevation – 3 reverse gable dormers
 Side Elevations – 3 reverse gable dormers

- d) Ornate trim will be added for side walls adjacent to public streets, parks or single-family detached homes. (Provide example and written description)
 Response: Ornate trim will consist of smooth PVC board layered as shown in picture below:



- e) Roof top flues and vents shall be screened from view (How?)

Response: All roof flues and vents will exit the rear elevation roof and will be painted black, as shown on the attachment to the building elevations.

- 16. Advisory: School counts will be provided in the staff report for the BOC to consider adequate public school facilities. Current data based on June 2024 enrollment:

ADEQUATE PUBLIC FACILITIES – SCHOOLS ¹			
School	2023-2024 Actual Capacity ²	Committed Capacity ³	Proposed Capacity Changes
			Number of Students
Moyock Elementary	96%	117%	
Shawboro Elementary	103%		
Central Elementary	98%		
Griggs Elementary	65%	98%	
Jarvisburg Elementary	88%		
Knotts Island Elementary	40%	40%	
Moyock Middle	80%	88%	
Currituck Middle	75%		
Currituck High	83%	100%	
JP Knapp Early College	89%		

¹Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

²Capacity percentages are based on 2023-2024 school year classroom standards and June 2024 enrollment

³Capacity percentages are based on the 2023-2024 school year classroom standards and June 2024 enrollment

Response: Thank you for sharing the capacity chart. Please confirm whether Tulls Creek Elementary School will be opening for the 2025-2026 school year and that the numbers provided in the staff report will reflect any school redistricting plan that the Board of Education adopts. We will appreciate it if you will share capacity calculations with us prior to the Planning Board meeting.

- 17. Advisory: The following Land Use Plan goals, policies and actions apply to the request, additional policies may be included in the staff report:

G-2: CONTROLLED GROWTH

The G-2 classification contains medium-density residential developments and neighborhood-scale commercial nodes. This sector is characterized by an interconnected local road network, available water or wastewater, and walkable neighborhoods that connect to parks, open space, commercial nodes, and other neighborhoods.

Appropriate Land Uses and Development

Types:

- » Medium-density single family subdivisions

- » Mixed residential developments that provide a variety of housing types
- » Limited multi-family developments
- » Neighborhood office and commercial mixed-use including beach-tourism supporting businesses
- » Civic uses such as schools or County facilities
- » Agritourism
- » Eco-tourism
- » Encourage neighborhood serving commercial to locate near road intersections, neighborhood serving facilities such as schools and parks and existing compatible commercial uses.
- » All new development and redevelopment in G-2 shall connect to county water.
- » Medium density residential, commercial and compatible industrial uses are encouraged to locate within the G2 transect areas where both water and wastewater services are available.

G-3: MIXED-USE CENTERS AND CORRIDORS

The G-3 classification is supported by major transportation networks, public water and wastewater infrastructure, and a community greenway system that links neighborhoods to mixed use areas. This sector provides for a wide range of uses including mixed residential subdivisions with a variety of housing types and mixed use developments that maximize the efficient use of space. Attractive mixed use development can be achieved by incentivizing multi-story buildings that comply with design standards that emphasize building form, orientation, and architecture.

Appropriate Land Uses and Development Types:

- » Mixed residential developments that provide a variety of housing types
- » Horizontal and vertical mixed-use development
- » Multi-family development
- » Office and institutional
- » Light industrial facilities
- » Regional commercial centers with national brands
- » Medium to high residential densities, commercial and compatible industrial uses are encouraged to locate within the G-3 transect areas where both water and wastewater services are available.

Land Use:

1. Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils; adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services. 1.1 The Future Land Use Map is a guide for decision making, planning for infrastructure and conservation and should not be the sole basis for land use decisions. 1.2 Consider adopted small area plan policies and civic master plans. 1.3 Consider community character and established visions for the community. 1.4 Protect the uniqueness of the County through preservation of farmland, wooded areas, open space and water views from roads, walkways and other public spaces. 1.5 Preserve farmland and open space by protecting historically rural areas using more compact density requirements for new developments that discourage and help prevent urban sprawl. 2. Carefully consider the design and location of intensive and potentially incompatible land uses to mitigate compatibility issues such as environmental quality, safety, overburdening local infrastructure, scale, use, design, location, and adverse effects.

Infrastructure and County Services:

1 Ensure sufficient provision of services to support associated growth and development and continue to enforce the adequate public facilities ordinance. 1.1 The costs of infrastructure, facilities, and services related to demand created by new growth and development shall be borne, in equitable proportion, by those creating the additional demand. This may include but is not limited to: land transfer tax, development fees, upzoning fees, and user fees. 1.2 Actions concerning infrastructure shall direct new

development first to targeted growth areas 3.1 New development shall connect to the County’s water system at the expense of the developer. (Wherever available and in accordance with County standards.) 7.2 Continue enforcement of adequate public facilities ordinance to ensure sufficient school capacity. 8. Ensure that all public services remain at a sufficient level to provide superior service to the growing Currituck County population.

Transportation:

4 New development along the County’s roadways shall be managed so as to preserve the intended purpose, protect taxpayer dollars invested, and minimize hazardous turning movements in and out of traffic flows. Methods include: limits on frequency of driveway cuts, shared driveway access, minimum lot frontages, connections between adjoining parking lots, central medians, etc. 1.5 Concentrate development density at strategic locations along major corridors, while limiting highway access along intervening stretches of road. 2.1 New development shall construct pedestrian walkways and multi-use greenways that connect adjacent residential and commercial areas.

Parks and Recreation:

2.1 Continue to require new development to construct pedestrian walkways and multi-use greenways that connect to external adjacent residential, commercial, recreation, and open space areas.

Northern Mainland General Land Use Policies:

1.1 Foster growth and development while maintaining the distinctive natural environment (wildlife habitat, natural beauty, critical areas) and rural character of the community (farms and pastures, open space, forests and farmland). 1.2 Encourage attractive, vibrant, walkable communities that support a variety of businesses and recreational activities

Moyock Sub-Area Land Use Policies:

2.1 Properly manage the increased urban level of growth in Moyock. 2.2 Encourage clustered housing developments to preserve the natural environment and rural character

Northern Mainland Transect Profile:

G-2 Controlled Growth

9.1 This area is best suited for medium-density transitional subdivisions that establish interconnected walkable neighborhoods that link parks and open space in the transitional areas of residential development near Moyock and Currituck.

G-3 Mixed Use Centers and Corridors

10.1 Appropriate uses include attractive mixed use developments and multi-story buildings that comply with design standards and village subdivisions that provide a variety of housing types. Densities shall be established in existing and future Civic Master Plans.

Northern Mainland Densities:

Subareas	O-1 Preserved Lands	O-2 Reserved Lands	G-1 Low Density Growth	G-2 Controlled Growth	G-3 Mixed Use Centers
Moyock	N/A	1 du/ 3 acres	up to 1 du/acre	up to 2 du/acre	up to 12 du/acre subject to Currituck Station Master Plan

18. Advisory: Below are sections of the UDO highlighting the procedures and guidelines used by the boards in the decision-making process.

- (c) The Planning Board shall advise on and comment on whether the proposed conditional rezoning is consistent with 2.4.4.B.8(b) and shall make a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board. The Board of Commissioners is not bound by a Planning Board recommendation.

(8) Decision-Making Body Review and Decision

- (a) Applicable (see Section 2.3.10). The Board of Commissioners, following a legislative public hearing (Section 2.3.8.B), shall decide the application in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.4.D, Conditional Rezoning Review Standards. The decision shall be one of the following:
 - (i) Approval of the conditional rezoning subject to the conditions included in the application;
 - (ii) Approval of the conditional rezoning subject to any revised or additional conditions agreed to by the applicant, in writing;
 - (iii) Denial of the conditional rezoning; or
 - (iv) Remand of the conditional rezoning application back to the Planning Board for further consideration.
- (b) When making a decision, the Board of Commissioners shall approve a statement of consistency and reasonableness that:
 - (i) Describes whether the decision is consistent with all county-adopted plans that are applicable; and
 - (ii) Explains why the decision is reasonable and in the public interest. When making a statement of reasonableness, the Board of Commissioners may consider, among other factors:
 - (A) The size, physical conditions, and other attributes of any area proposed to be rezoned;
 - (B) The benefits and detriments to the landowners, the neighbors, and the surrounding community;
 - (C) The relationship between the current actual and permissible development and the development permissible under the proposed conditional rezoning;
 - (D) Why the action taken is in the public interest; and
 - (E) Any changed conditions warranting the amendment.

Section 2.4.3.C of the UDO advises that an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny a proposed map amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this Ordinance;
2. Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;
6. Adversely impacts nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would result in significant adverse impacts on the natural environment— including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;

9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
10. Would not result in significantly adverse impacts on the land values in the surrounding area; and,
11. Would not conflict with the public interest, and is in harmony with the purposes and intent of this Ordinance.

Currituck County Building and Fire Inspections (Rick Godsey, 252-232-6020)

Reviewed

Currituck Fire and Emergency Medical Services (Chief Ralph Melton, 252-232-7746)

No comments received

Currituck Soil and Stormwater (Sherry Harris, 252-232-3360)

No comments received

Currituck County Public Utilities Director (Ken Griffin, 252-232-6035)

No comments received

Currituck County Public Utilities – Mainland Water (Dave Spence 252-232-4152)

No comments received

Currituck County Public Utilities - Wastewater (Will Rumsey, 252-232-6065)

No comments received

Currituck County GIS (Harry Lee 252-232-4039)

Reviewed

NONE

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

No comments received

NC DOT (Caitlyn Spear, 252-331-4737)

No comments received

Albemarle Regional Health Services (Kevin Carver, 252-232-6603)

No comments received

US Army Corps of Engineers (Joshua Tutt, 910-251-4629)

No comments received

Mediacom (252-482-5583)

See attached letter.

US Post Office

Contact the local post office for mail delivery requirements

The following items are necessary for resubmittal:

- 1- PDF digital copy of all revised documents and plans.



Kim Mason, NC Area Director

kmason@mediacomcc.com
216 B Shannonhouse Road
Edenton NC, 27932
Edenton: 252-482-5583
Plymouth: 252-793-2491
Mobile: 252-497-0328

RE: New Build & Development

Dear Development manager;

As you know the key need for all homes in this 21st Century is a solid internet connection, be it for business, education or entertainment, the public demand is here.

With this in mind, as you plan for your development and build out, we would like to encourage you to reach out to us, as you do for other essential utilities. It is most economical and reasonable for you to work with us and have this valuable infrastructure in advance of selling and building the homes. Any build out costs can easily be recouped as the lots are developed and make your neighborhoods more appealing to families and professionals.

We invite you to partner with us and contact us locally. We will process a ROI for your location to determine partnership feasibility and estimated cost to ensure your development has access to the best internet services available.

Our key contacts are, Kim Mason, Director for North Carolina – information above and our construction coordinator Nathaniel Harris at 252- 793-5256 or 252-339-9375.

Mediacom launched 1-Gig broadband speeds in the following areas of North Carolina and operates customer service offices in Edenton and Plymouth.

Bertie County	Martin County	Chowan County	Perquimans County
Colerain	Jamesville	Arrowhead / Chowan Beach	Hertford
Kelford	Northampton County	Edenton	Winfall
Lewiston	Conway	Currituck County	Tyrrell County
Powellsville	Galatia	Barco	Columbia
Roxobel	Jackson	Currituck	Washington County
Windsor	Rich Square	Grandy	Creswell
Camden County	Seaboard	Moyock	Plymouth
Camden	Severn	Point Harbor	Roper
Shiloh	Woodland	Poplar Branch	
South Mills		Tulls Bay	

About Mediacom Communications

Mediacom Communications Corporation is the 5th largest cable operator in the U.S. serving over 1.3 million customers in smaller markets primarily in the Midwest and Southeast. Mediacom offers a wide array of information, communications and entertainment services to households and businesses, including video, high-speed data, phone, and home security and automation. Through Mediacom Business, the company provides innovative broadband solutions to commercial and public sector customers of all sizes and sells advertising and production services under the OnMedia brand. More information about Mediacom is available at www.mediacomcable.com.

We look forward to partnering with you to ensure your projects are successful and your development has the best services available for your buyers.

Best regards,

Kim Mason

Kim Mason
Operations Director, North Carolina