

Conditional Rezoning Application

OFFICIAL USE ONLY:

Case Number: PB 24-19
Date Filed: 6/27/2024
Gate Keeper: Cheri Grego
Amount Paid: \$1,320.90

Contact Information

APPLICANT:

Name: _____

Address: _____

Telephone: _____

E-Mail Address: _____

PROPERTY OWNER:

Name: _____

Address: _____

Telephone: _____

E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: _____

Property Information

Physical Street Address: _____

Location: _____

Parcel Identification Number(s): _____

Total Parcel(s) Acreage: _____

Existing Land Use of Property: _____

Request

Current Zoning of Property: _____ Proposed Zoning District: _____

Community Meeting

Date Meeting Held: _____ Meeting Location: _____

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):

Provide a written description of the proposed use(s) of all land and structures, types of improvements, density, number of lots, proposed floor area of non-residential buildings, activities, and hours of operation:

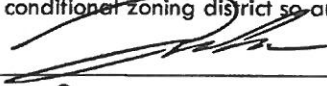
See attachment

Proposed Zoning Condition(s) (Any proposed conditions shall not be less restrictive than the provisions of the Ordinance):

See Attachment

An application has been duly filed requesting that the property involved with this application be rezoned from: C-MXR and C-GB to: C-MXR

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.



Property Owner

Date

Property Owner

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.

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):

Provide a written description of the proposed use(s) of all land and structures, types of improvements, density, number of lots, proposed floor area of non-residential buildings, activities, and hours of operation:

Multiple horizontal lines for providing a written description of the proposed use(s) and conditions.

Proposed Zoning Condition(s) (Any proposed conditions shall not be less restrictive than the provisions of the Ordinance):

Multiple horizontal lines for providing proposed zoning conditions.

An application has been duly filed requesting that the property involved with this application be rezoned from: _____ to: _____

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.

Property Owner

Date

Property Owner

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.

Condition 1 regarding drainage improvements:

Drainage improvements will be provided as follows:

- a. Extend the Rowland Creek drainage improvements to the Eagle Creek Pumpstation, with agreement from Eagle Creek.
- b. Make improvement to the drainage ditch that runs along the common boundary between the Fost/Brumsey property and Eagle Creek/Ranchland based on results of the stormwater modeling of existing conditions.
- c. Perform stormwater modeling of the proposed Flora Farm development to manage the 100 year storm event and provide stormwater storage, including berms as necessary.

Condition 2 regarding phasing: of single-family development:

- a. Development will be recorded in 5 phases. Developer will not record the first phase before June 1, 2022.
- b. The first phase will not contain more than 55 lots.
- c. Subsequent phases will not be recorded sooner than 6 months following the prior phase, and in any event, no sooner than January 1, 2023.
- d. Developer will retain the right to provide an annual update of phasing, including making adjustments to phase lines and the sequence of recording, as long as the timing of total lots recorded in the above conditions is followed.

Condition 3 regarding the private wastewater treatment plant (WWTP):

- a. Certification be provided that the private WWTP proposed to service this development can accommodate the gallons per day (gpd) of wastewater this development proposes to generate.

Condition 4 regarding the multifamily development:

- a. The development will include up to a maximum of 336 apartments, arranged generally as shown on the accompanying site plan. The developer reserves the right to make modifications to the exact building locations and orientation on the site to fit final design requirements.
- b. The proposed clubhouse will be constructed with the first phase of development of the multifamily phase. Other amenities will be installed in proportion to the construction of additional buildings.

 _____

 _____

Conditional Rezoning Design Standards Checklist

The table below depicts the design standards of the conceptual development plan for a conditional rezoning application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

Conditional Rezoning

Conceptual Development Plan Design Standards Checklist

Date Received: _____

TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Design Standards Checklist	
1	Property owner name, address, phone number, and e-mail address.
2	Site address and parcel identification number.
3	A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, easements, and reservations.
4	North arrow and scale to be 1" = 100' or larger.
5	Vicinity map showing property's general location in relation to streets, railroads, and waterways.
6	Existing zoning classification of the property and surrounding properties and existing uses.
7	Approximate location of the following existing items within the property to be rezoned and within 50' of the existing property lines: Pathways, structures, septic systems, wells, utility lines, water lines, culverts, storm drainage pipes, shorelines, bodies of water, ditches, canals, streams, wooded areas, ponds, and cemeteries.
8	Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."
9	Approximate location of all designated Areas of Environmental Concern or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.
10	Proposed zoning classification and intended use of all land and structures, including the number of residential units and the total square footage of any non-residential development.
11	General areas in which structures will be located and the general location of parking, loading, and service areas.
12	All existing and proposed points of access to public streets. General locations of new streets, driveways, and vehicular and pedestrian circulation features. Including streets, drives, loading and service areas, and parking layout.
13	Approximate location of storm drainage patterns and facilities intended to serve the development.
14	Proposed common areas, open space set-asides, anticipated landscape buffering (required by the Ordinance or proposed), and fences or walls (if proposed).
15	Elevations and written descriptions of design elements of the proposed building(s) as seen from public streets, public parks, or adjacent lands containing single-family detached development.
16	Proposed development schedule.

Conditional Rezoning Submittal 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.

Conditional Rezoning Submittal Checklist

Date Received: _____

TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Submittal Checklist – Documents provided on USB flash drive or CD		
1	Complete Conditional Rezoning application	
2	Community meeting written summary	
3	Conceptual development plan with all components of Conditional Rezoning Design Standards Checklist	
4	Architectural drawings and/or sketches of the proposed structures and written descriptions of design elements of the proposed building(s)	
5	Application fee (\$200 plus \$5 for each acre and/or part of an acre)	

For Staff Only

Pre-application Conference

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

Comments

Addendum to the Flora Application for Conditional Rezoning
(Conditional Rezoning Standards)

1. Consistency with County-Adopted Plans:

The site's land use classification is currently G-2, Controlled Growth Area, which envisions medium-density single family subdivisions, mixed residential development, and some multi-family as appropriate land uses. Imagine Currituck p. 56-7. It also encourages neighborhoods located near road intersections and schools. Imagine Currituck p. 57.

The proposed development is consistent with this mix of uses while also providing a transition between G-2 and G-3 districts adjacent to the site. The multifamily portion of the development, which is adjacent to an existing G-3 district, will provide higher-density, multi-story housing that is contemplated in Chapter 3, Policy 10.1. The remainder of the site will consist of a medium-density subdivision, which is consistent with G-2 land uses under Chapter 3 Policy 9.1. Thus, although the overall density of the proposed development will amend the site's classification to G-3, this development serves as a transition between transect uses that is promotes policy NM-ACT-30. Imagine Currituck p. 140. The rezoning will simultaneously amend the Land Use Plan and make the Future Land Use Map consistent in accordance with G.S. 160D.

As a whole, the development provides a variety of housing types, multi-story buildings that encourage attractive mixed use developments, and a walkable, interconnected neighborhood that is consistent with Northern Mainland Implementation Matrix land use policies. Imagine Currituck p. 136. The Moyock Small area plan already designates the proposed multifamily portion of the site and about 40% of the single-family portion as Full Service.

2. Is Not in Conflict with any UDO provision:

We will apply for a site-specific development plan approval at the next stage of review.

All applicable standards of UDO will be met in the final site design.

3. Is required by changed conditions

The increasing population in Moyock creates desire & need for additional housing types.

This project offers a needed housing alternative that is not currently available in Moyock.

4. Addresses a Demonstrated Community Need

People who work in Currituck County, particularly in public service roles such as teachers, law enforcement personnel and other government workers, have a more and more difficult time finding suitable housing that they can afford. This development will help satisfy that gap in the current housing market and will place residents in close proximity to the nearby school and other commercial amenities

5. Is Compatible with Existing and Proposed Surrounding Land Uses

All land to the north (on the opposite side of Survey Road) is zoned GB and is expected to become commercial uses.

The middle school ballfields to the west will be buffered by landscaping.

Land to the east and south is currently being developed as a planned community, and the proposed development will serve as a transition between these residential uses and the commercial designation to the north and school to the west.

6. Does Not Adversely Impact Nearby Lands

The site will be modeled and managed for stormwater runoff to the 100-year storm event and will make improvements that are expected to have a positive impact on adjacent properties.

7. Will Result in a Logical and Orderly Development Pattern

This is an infill development that completes the existing development pattern in this part of Moyock.

8. Creates No Significant Adverse Impacts on the Environment

No impacts to wetlands are being proposed; there should be no adverse impacts to wildlife, vegetative buffers are being established to reduce visual and noise impacts, and stormwater management will be enhanced.

9. Will Be Adequately Served by Public Facilities

Water and sewer facilities will be available to serve the development, stormwater will be properly managed, solid waste collection facilities are being provided, street improvements are being made in accordance with the Traffic Engineer's recommendations and the public will be adequately served by the improved streets, and a new school is under construction that will serve the elementary school students expected to be served by the development.

10. Will Not Adversely Impact Land Values

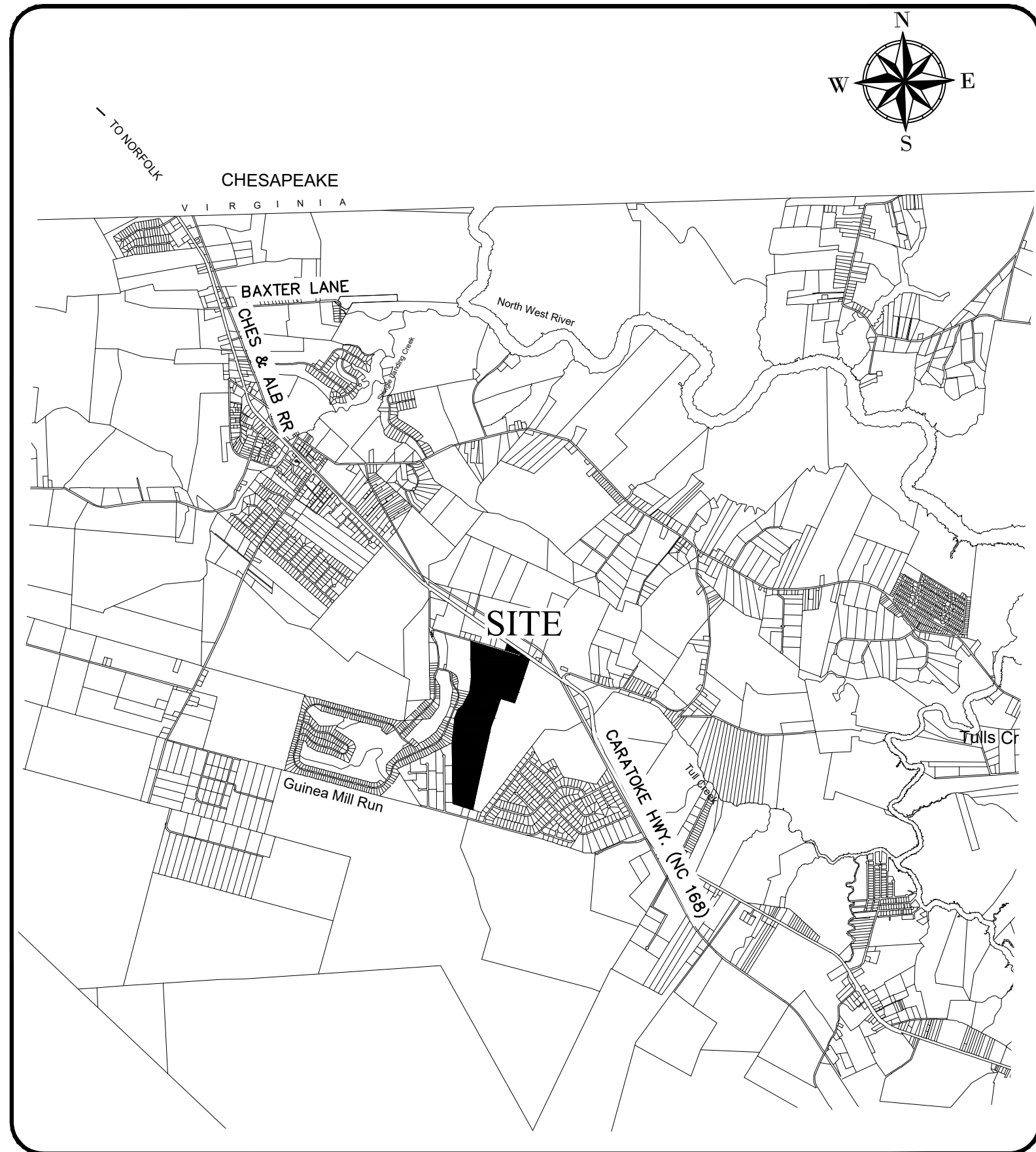
The applicant is not aware of any adverse impacts on the land values in the surrounding area. This area has been previously approved for redevelopment due to the prior zoning cases, giving neighboring properties an expectation of this type of development such that the current zoning request should not adversely impact values.

11. Is Not in Conflict with the Public Interest and Is in Harmony with the Purposes and Intent of the UDO

The proposed use is consistent with the applicable provisions of the UDO, the Future Land Use Plan, and Imagine Currituck. The proposed use is in the public interest because it satisfies a demonstrated need for residential development and variety of housing options in proximity to schools and commercial amenities, provides for street improvements, and has adequate water and sewer facilities available to serve the development.



BISHARD MOYOCK SKETCH



VICINITY MAP
SCALE: 1" = 5000'

GENERAL DEVELOPMENT NOTES

- OWNER/APPLICANT: NORTH SOUTH DEVELOPMENT GROUP, LLC
417-D CARATOKE HIGHWAY
MOYOCK, NC 27958
- PROPERTY DATA: ADDRESS: 320 SURVEY ROAD, MOYOCK, NC 27958
PIN: 0015-000-085E-0000
D.B. 1666, PG. 285
P.C. "R", SL. 182
202.19-ACRES (PER PLAT)
PIN: 0015-000-0085D-0000
D.B. 1666, PG. 285
P.C. "R", SL. 75
21.99-ACRES (PER PLAT)
SUBDIVISION TOTAL ACREAGE: 224.18 ACRES
(DOES NOT INCLUDE 1.47 ACRE R/W DEDICATION OF A 30' STRIP ALONG SURVEY ROAD)
- ZONING: EXISTING: C-MXR & C-GB
PROPOSED: C-MXR

FLORA FARM MXR DEVELOPMENT

AMENDED CONDITIONAL ZONING TO C-MXR

JUNE 27TH, 2024

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

Sheet
Number

Sheet Title

1	COVER SHEET, DEVELOPMENT NOTES & SITE LOCATION
2	EXISTING CONDITIONS & SITE FEATURES PLAN
3	PRELIMINARY MASTER PLAN - OVERALL
4	PRELIMINARY MULTI-FAMILY RESIDENTIAL DEVELOPMENT
5	PRELIMINARY STORMWATER MANAGEMENT PLAN
6	PRELIMINARY UTILITIES PLAN
7	PRELIMINARY PHASING PLAN

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COVER SHEET, DEVELOPMENT
NOTES & SITE LOCATION

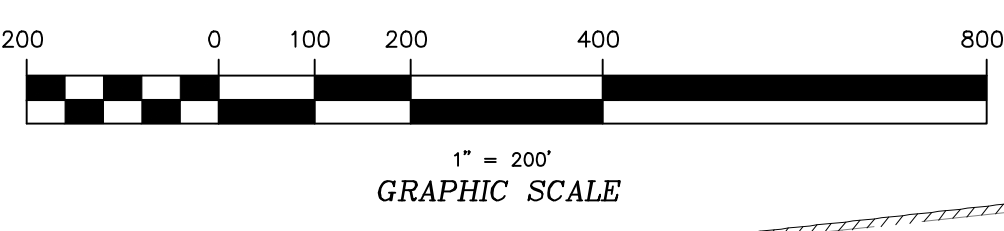
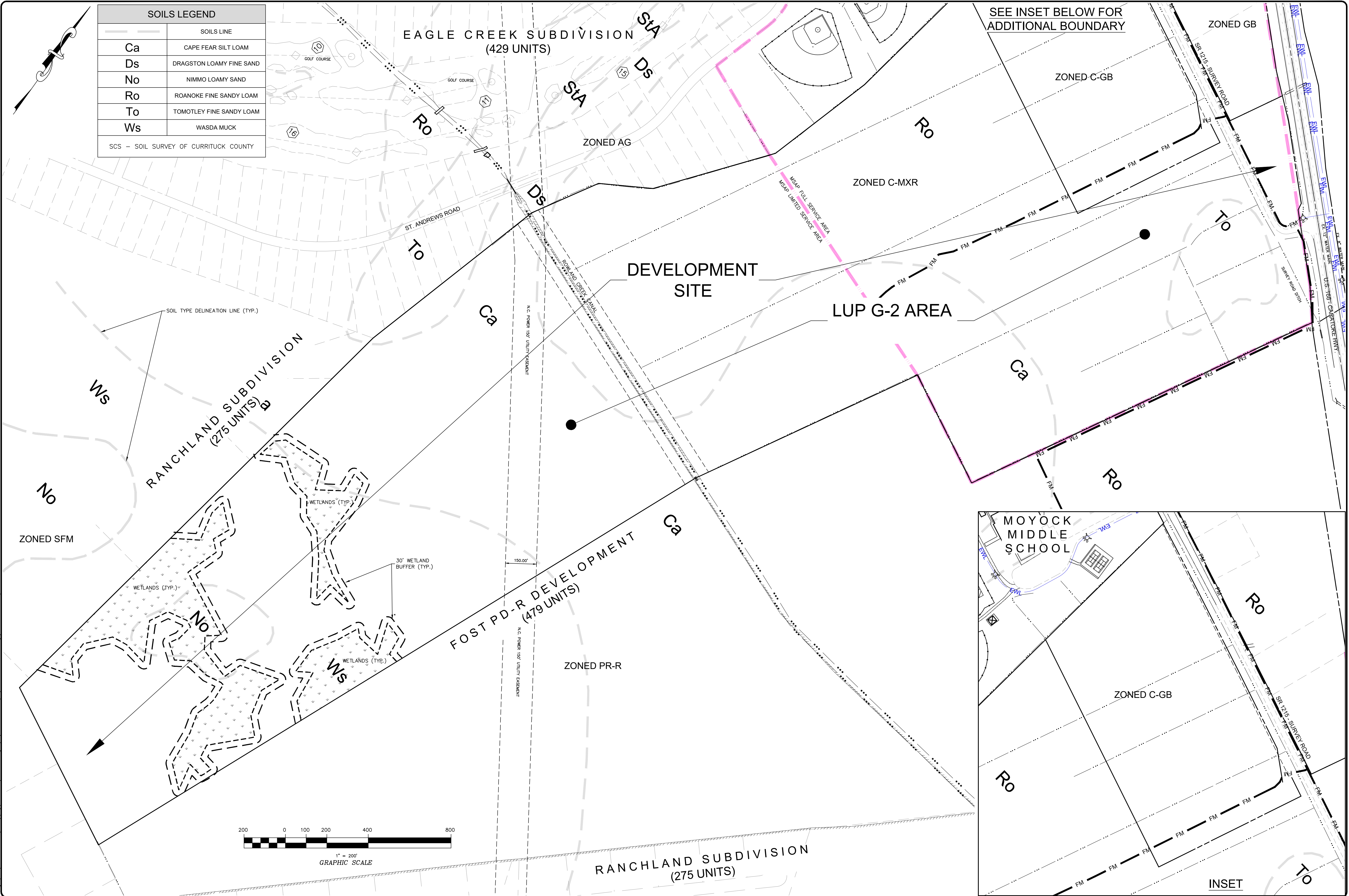
PROJECT: FLORA FARM MXR SUBDIVISION
NORTH CAROLINA
MOYOCK TOWNSHIP
CURRITUCK COUNTY
PRELIMINARY MASTER PLAN

NO.	DATE	DESCRIPTION	BY	CHK	APP
1	1/28/24	THE COMMENTS			
2	6/27/24	AMENDED PLANS			

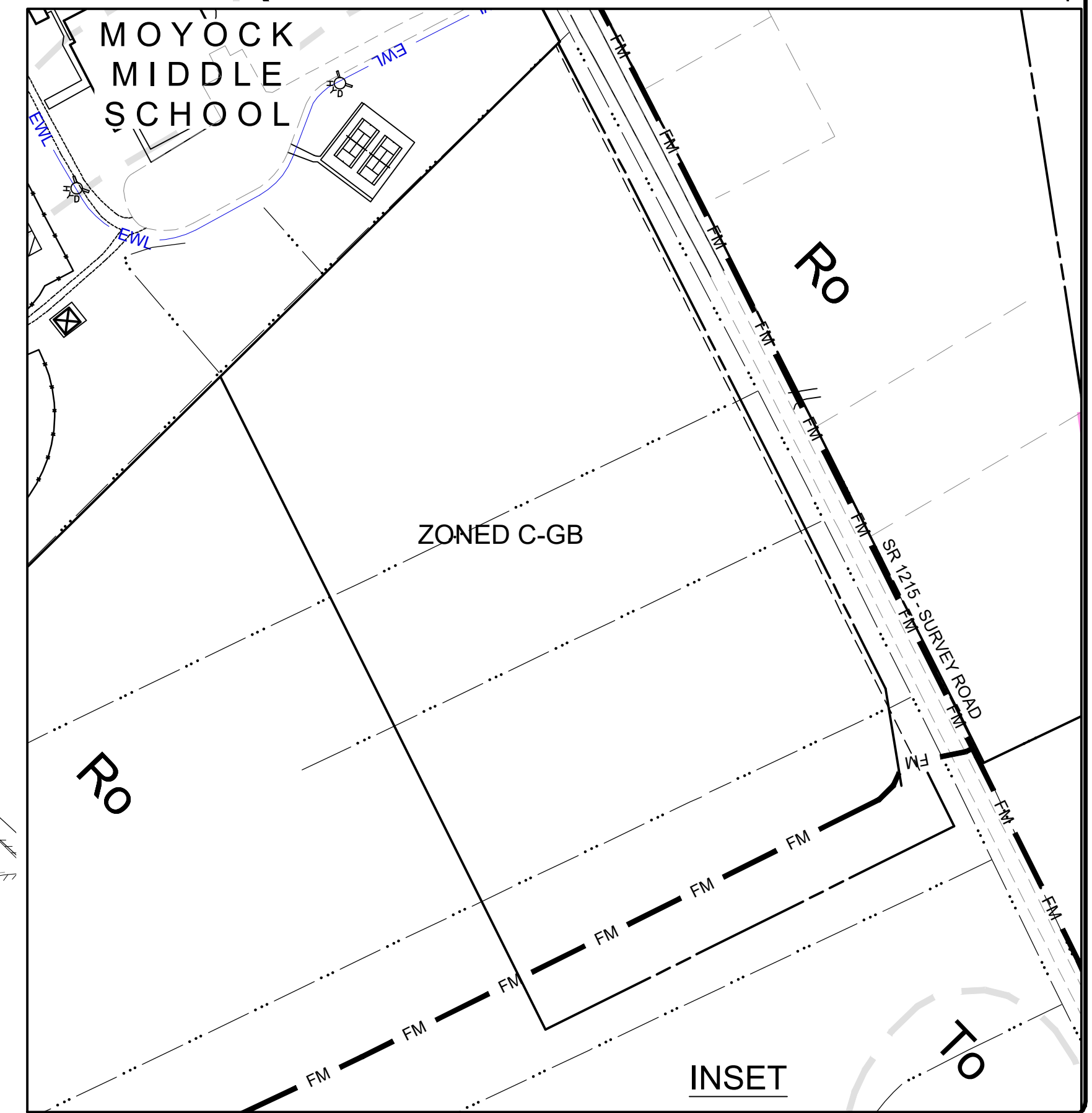
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DESIGNED: BPG CHECKED: MSB
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SHEET: 1 OF 7
CAD FILE: 46800MP5
PROJECT NO: 4680

SOILS LEGEND	
SOILS LINE	
Ca	CAPE FEAR SILT LOAM
Ds	DRAGSTON LOAMY FINE SAND
No	NIMMO LOAMY SAND
Ro	ROANOKE FINE SANDY LOAM
To	TOMOTLEY FINE SANDY LOAM
Ws	WASDA MUCK
SCS - SOIL SURVEY OF CURRITUCK COUNTY	



SEE INSET BELOW FOR ADDITIONAL BOUNDARY



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EXISTING CONDITIONS &
 SITE FEATURES PLAN

FLORA FARM MXR SUBDIVISION
 NORTH CAROLINA
 CURRITUCK COUNTY
 MOYOCK TOWNSHIP

NO.	DATE	DESCRIPTION	BY
1	12/21/20	ISSUE FOR PERMIT	BPG

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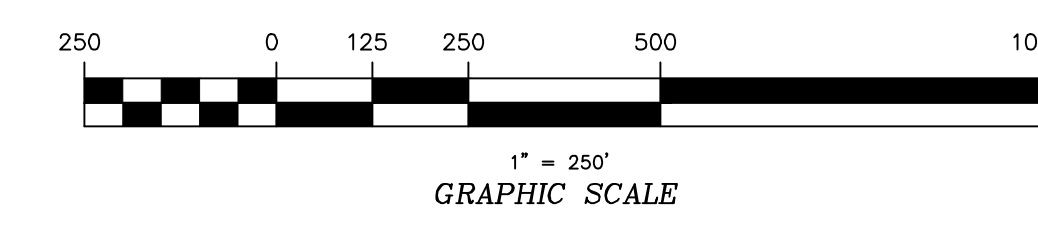
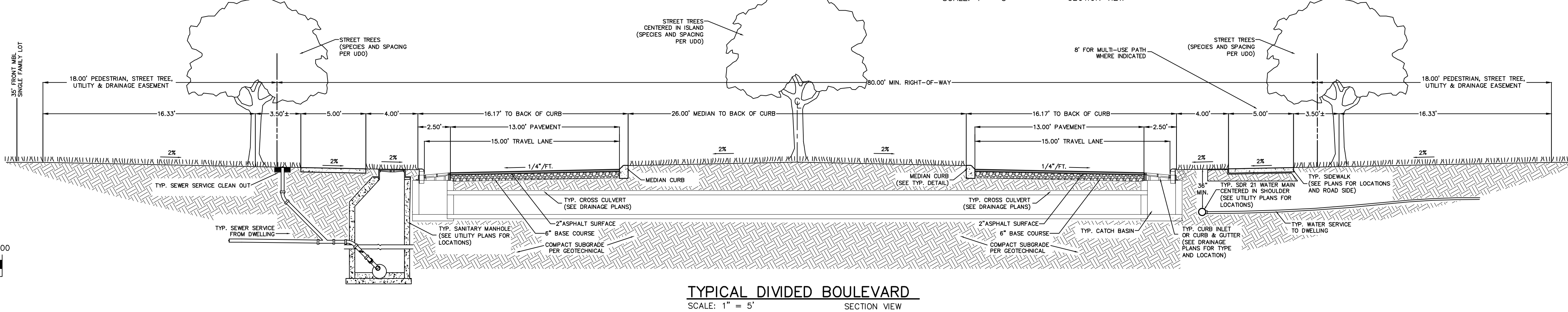
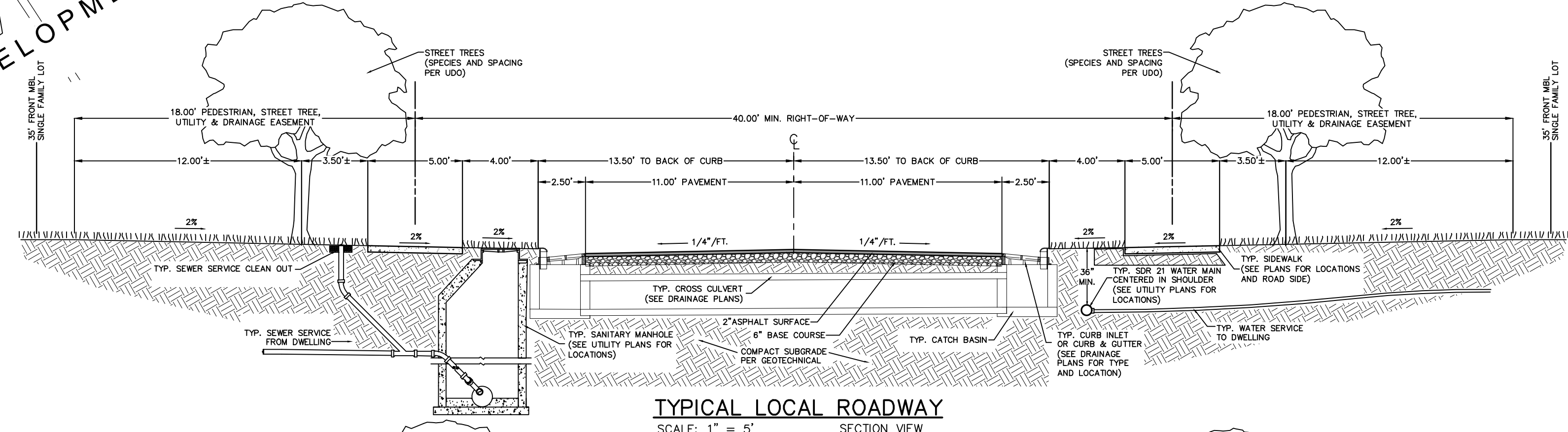
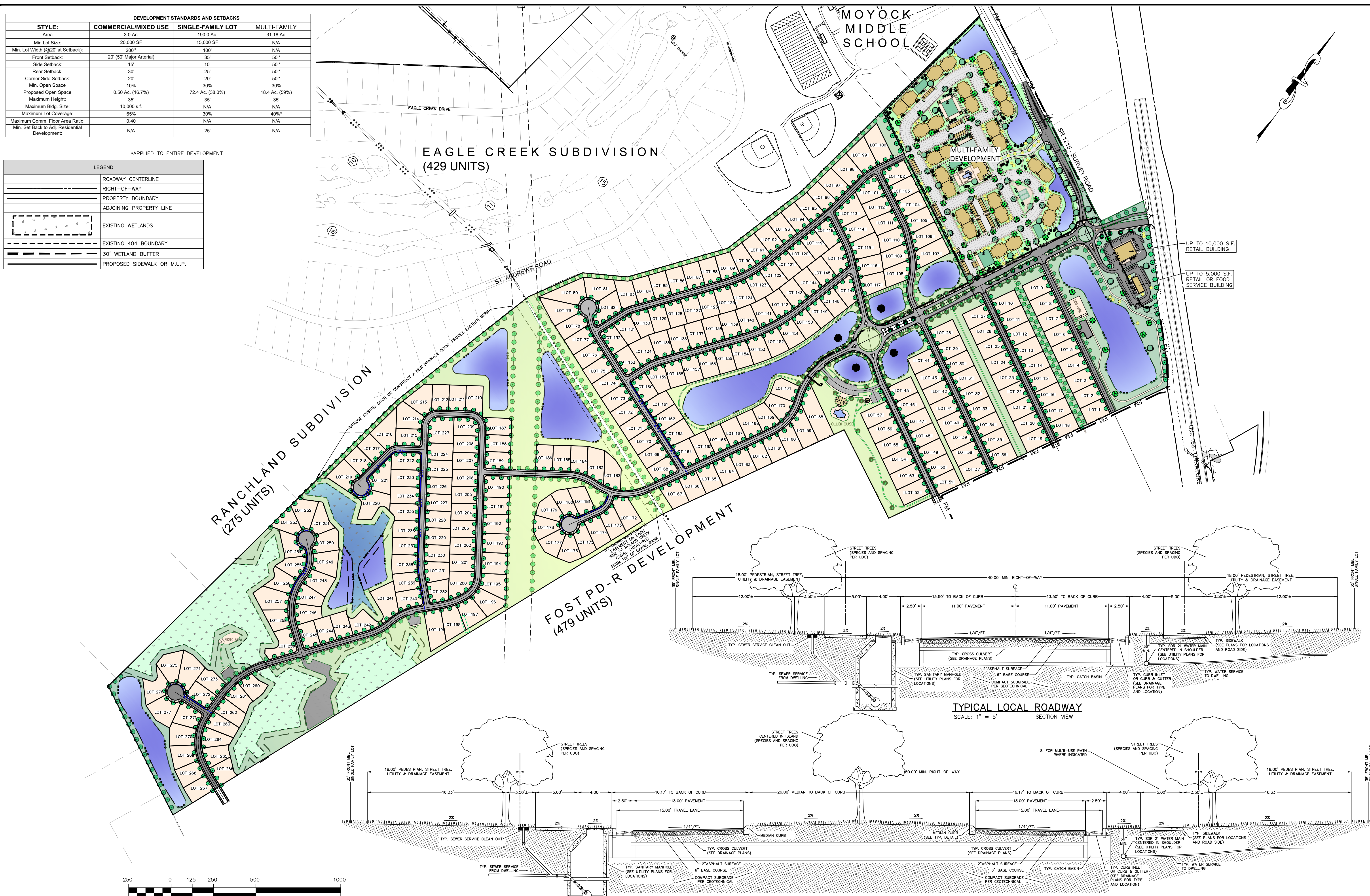
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SHEET: 2 OF 7	
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PROJECT NO: 4680	

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STYLE:	DEVELOPMENT STANDARDS AND SETBACKS		
	COMMERCIAL/MIXED USE	SINGLE-FAMILY LOT	MULTI-FAMILY
Area	3.0 Ac.	190.0 Ac.	31.18 Ac.
Min. Lot Size	20,000 SF	15,000 SF	N/A
Min. Lot Width (@20' at Setback)	200'	100'	N/A
Front Setback	20' (50' Major Arterial)	35'	50"
Side Setback	15'	10'	50"
Rear Setback	30'	25'	50"
Corner Side Setback	20'	20'	50"
Min. Open Space	10%	30%	30%
Proposed Open Space	0.50 Ac. (16.7%)	72.4 Ac. (38.0%)	18.4 Ac. (59%)
Maximum Height	35'	35'	35'
Maximum Bldg. Size	10,000 s.f.	N/A	N/A
Maximum Lot Coverage	65%	30%	40%*
Maximum Comm. Floor Area Ratio	0.40	N/A	N/A
Min. Set Back to Adj. Residential Development	N/A	25'	N/A

*APPLIED TO ENTIRE DEVELOPMENT

LEGEND	
	ROADWAY CENTERLINE
	RIGHT-OF-WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY LINE
	EXISTING WETLANDS
	EXISTING 404 BOUNDARY
	30' WETLAND BUFFER
	PROPOSED SIDEWALK OR M.U.P.



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PRELIMINARY OVERALL
 MASTER PLAN

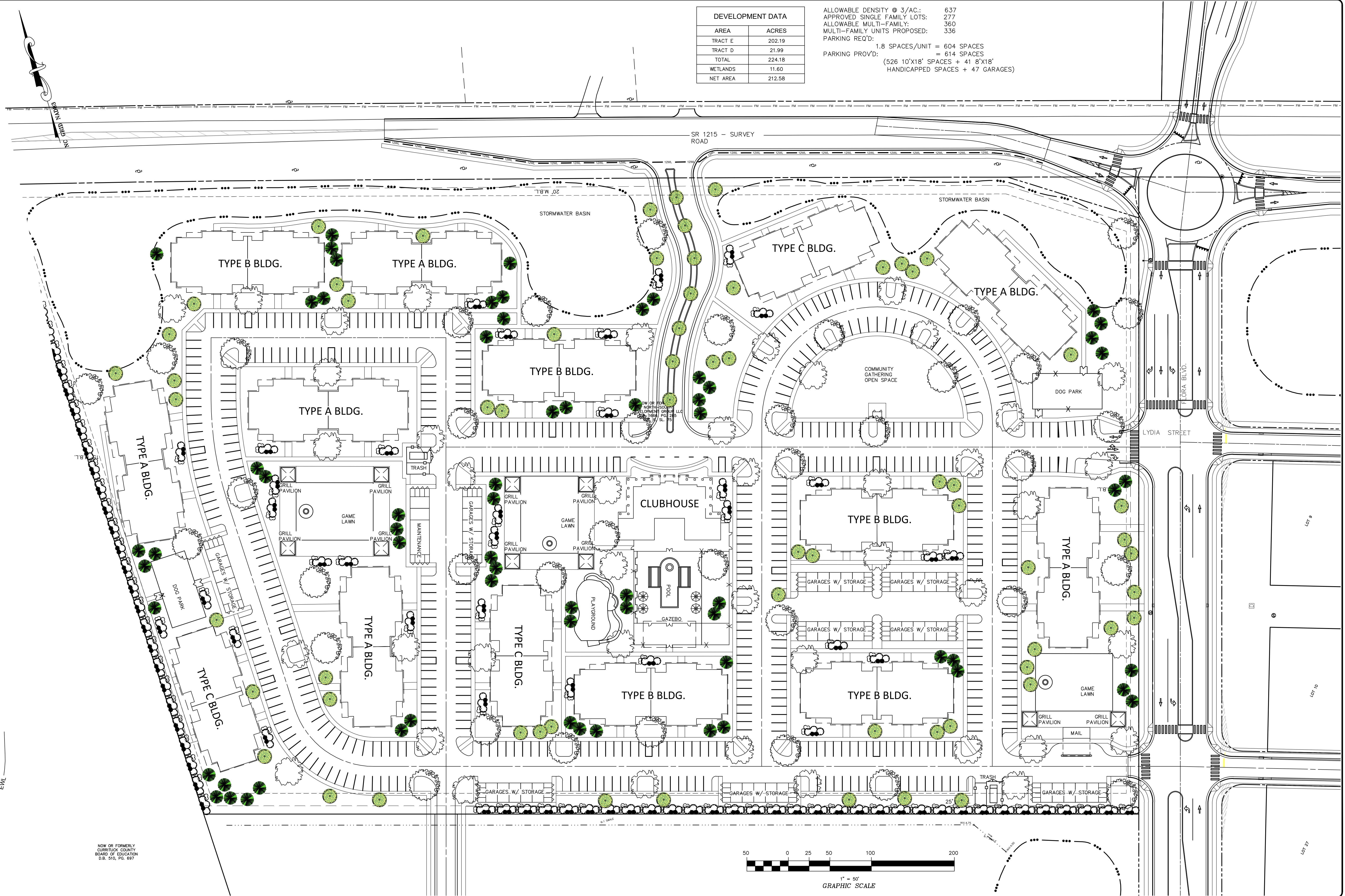
FLORA FARM MXR SUBDIVISION
 NORTH CAROLINA
 CURRITUCK COUNTY
 MOYOCK TOWNSHIP

NO.	DATE	DESCRIPTION	BY	CHK
1	1/25/24	ISSUED FOR PERMIT	KFW	MSB
2	1/27/24	AMENDED PLANS	KFW	MSB

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 SHEET: 3 OF 7
 CAD FILE: 468000MP5
 PROJECT NO: 4680

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DEVELOPMENT DATA	
AREA	ACRES
TRACT E	202.19
TRACT D	21.99
TOTAL	224.18
WETLANDS	11.60
NET AREA	212.58

ALLOWABLE DENSITY @ 3/AC.: 637
 APPROVED SINGLE FAMILY LOTS: 277
 ALLOWABLE MULTI-FAMILY: 360
 MULTI-FAMILY UNITS PROPOSED: 336
 PARKING REQ'D: 1.8 SPACES/UNIT = 604 SPACES
 PARKING PROV'D: = 614 SPACES
 (526 10'X18' SPACES + 41 8'X18' HANDICAPPED SPACES + 47 GARAGES)

NOW OR FORMERLY CURRITUCK COUNTY BOARD OF EDUCATION D.B. 510, PG. 497

Biswell Professional Group
 Firm License # C-56
 P.O. Box 108
 2557 W. 26th St.
 Cary, NC 27513
 FAX (252) 281-1760

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PRELIMINARY MULTI-FAMILY
 RESIDENTIAL DEVELOPMENT

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PROJECT: FLORA FARM
 MOYOCK TOWNSHIP
 CURRITUCK COUNTY
 NORTH CAROLINA

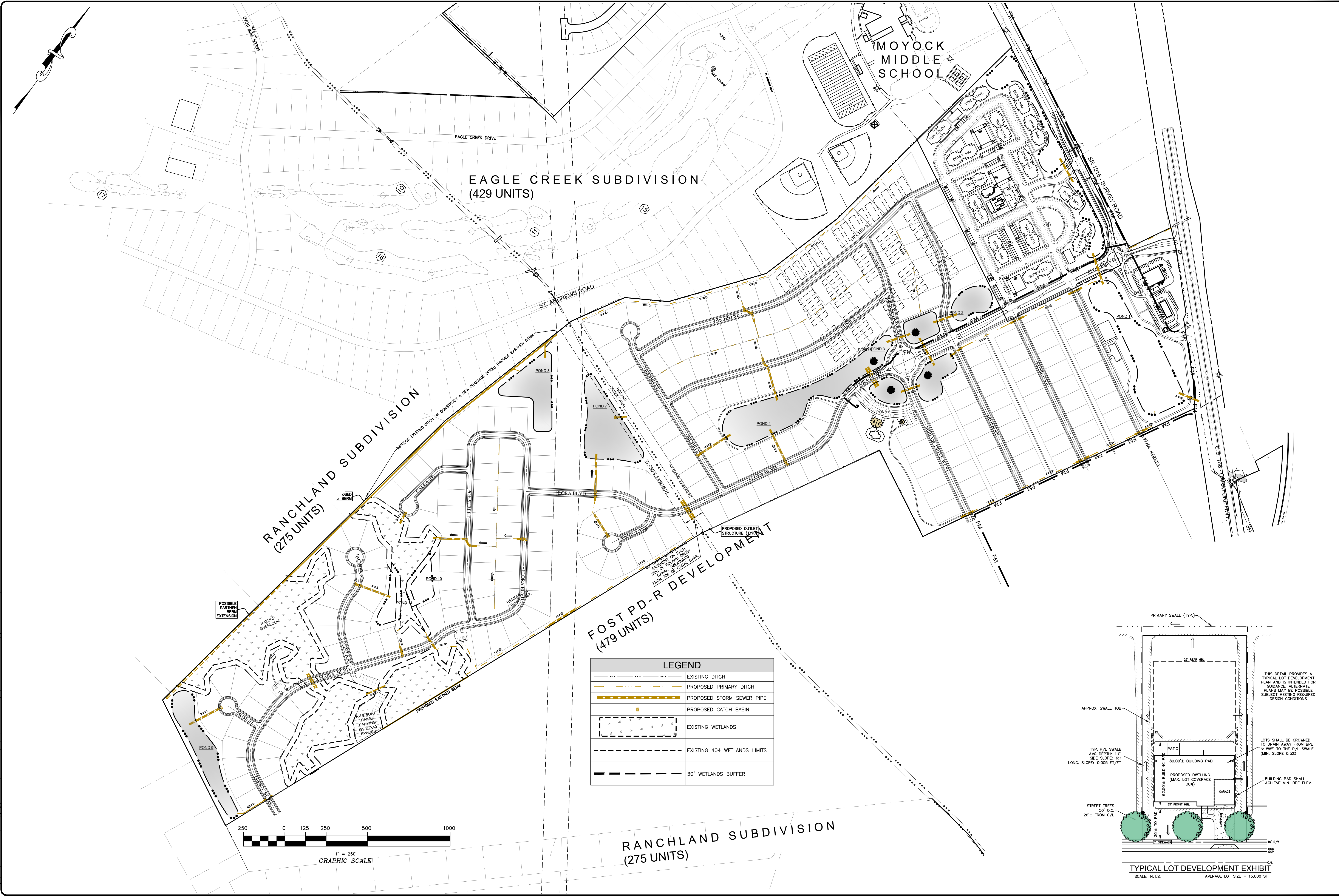
PRELIMINARY MASTER PLAN

NO.	DATE	DESCRIPTION	BY

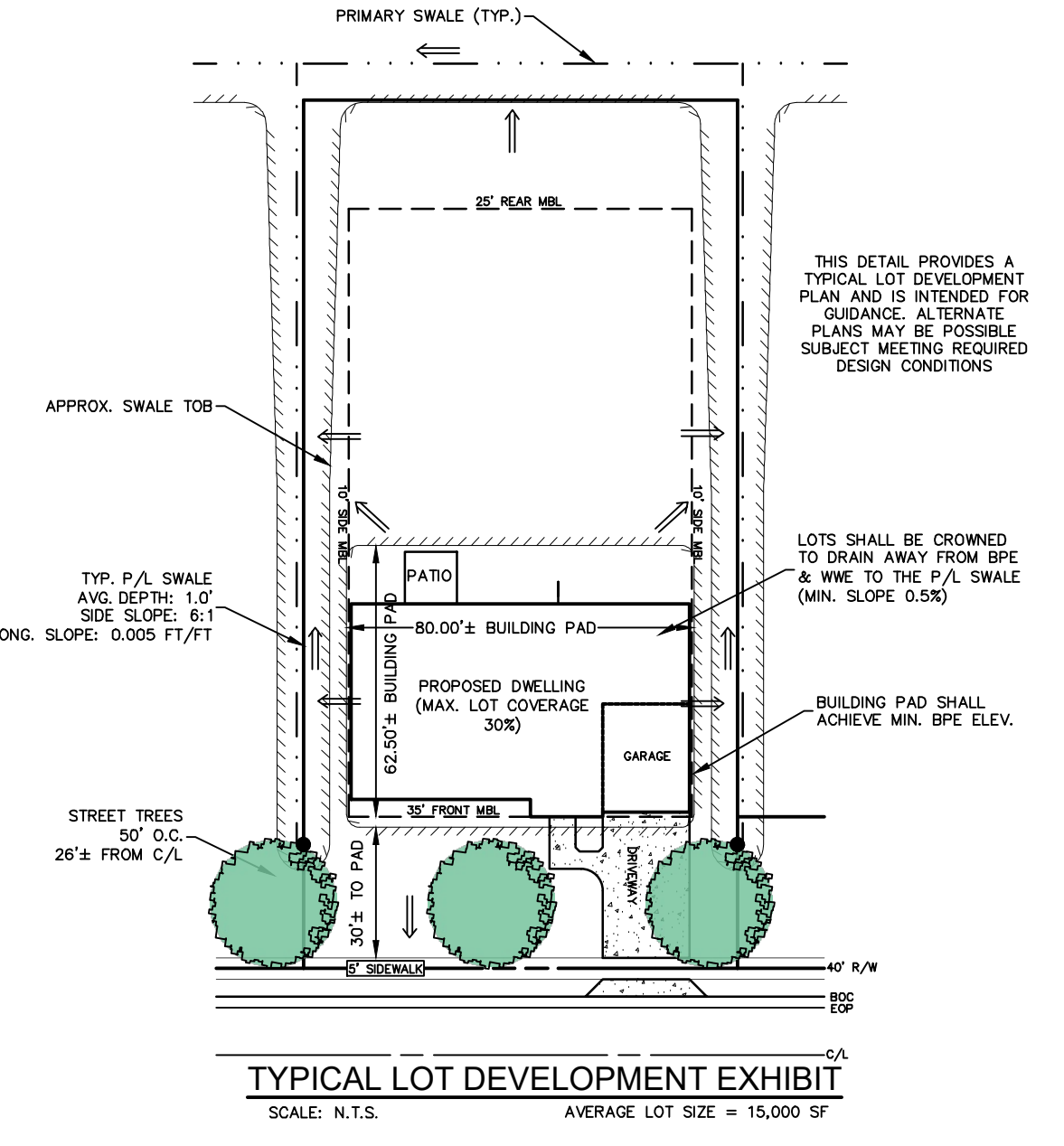
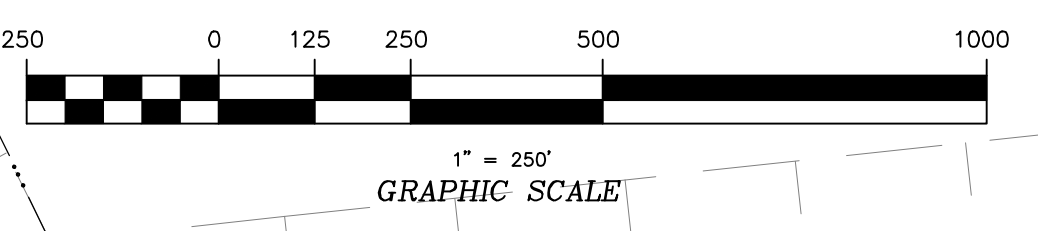
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 SHEET: 4 OF 7
 CAD FILE: 46800MF
 PROJECT NO: 4680

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 6/27/2024 Project: 6/27/2024 10:53 AM HP Desktop 12500 BS 16032.pcs



LEGEND	
	EXISTING DITCH
	PROPOSED PRIMARY DITCH
	PROPOSED STORM SEWER PIPE
	PROPOSED CATCH BASIN
	EXISTING WETLANDS
	EXISTING 404 WETLANDS LIMITS
	30' WETLANDS BUFFER



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Bissell Professional Group
 Firm License # C-956
 10000 North Carolina Highway
 P.O. Box 1008
 Cary, NC 27513
 City of Cary, North Carolina 27513
 FAX (252) 281-1760

**PRELIMINARY STORMWATER
MANAGEMENT PLAN**

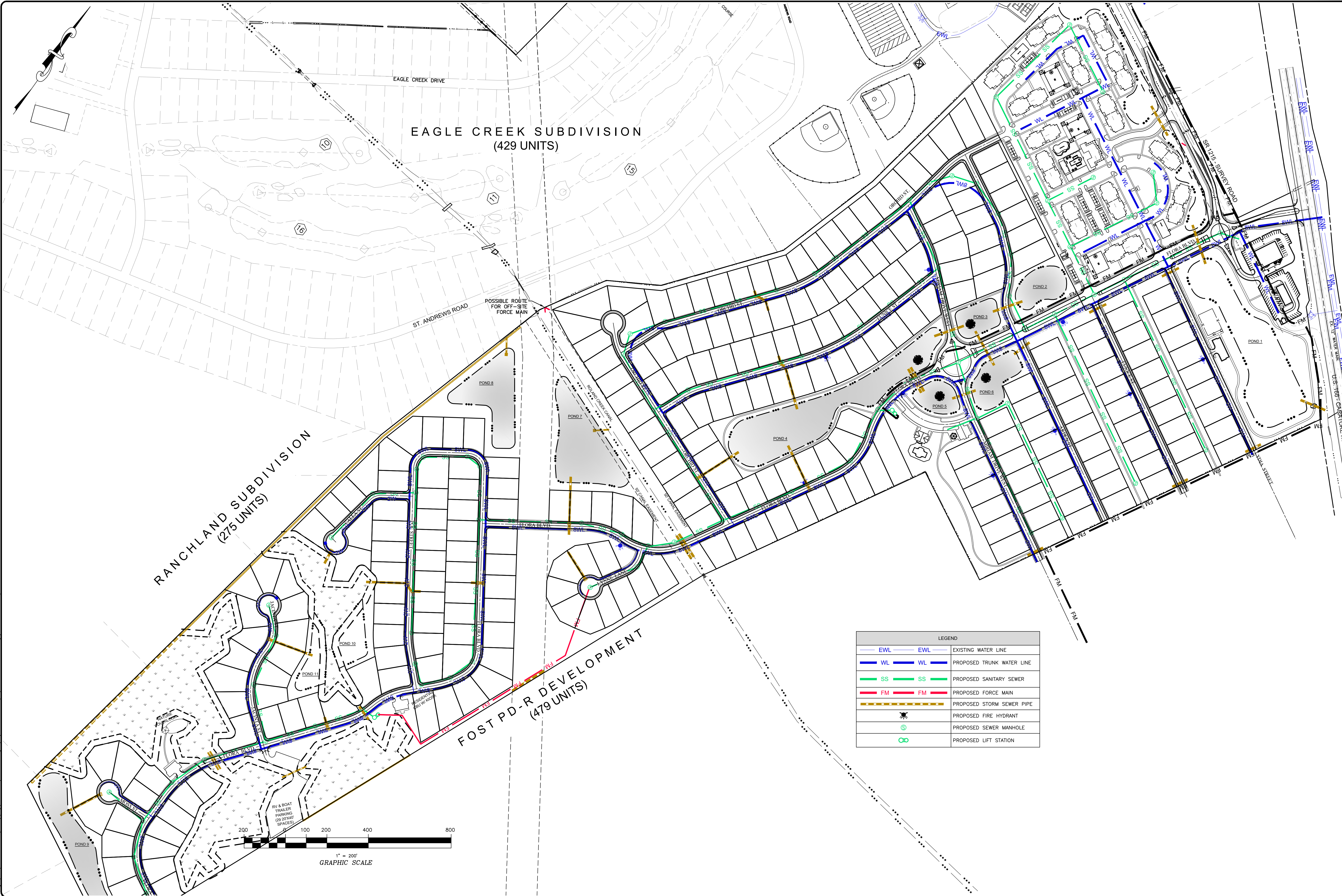
FLORA FARM MXR SUBDIVISION
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 MOYOCK TOWNSHIP

PRELIMINARY MASTER PLAN

NO.	DATE	DESCRIPTION	BY	CHK	APP
1	12/17/20	ISSUE FOR REVIEW	BPG	MSB	
2	6/27/24	AMENDED PLANS	BPG	MSB	

DATE: 12/17/20 SCALE: 1" = 200'
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 DRAWN: KFW, WGY APPROVED: BPG
 SHEET: 5 OF 7

CAD FILE: 468000MP5
 PROJECT NO: 4680



LEGEND	
	EXISTING WATER LINE
	PROPOSED TRUNK WATER LINE
	PROPOSED SANITARY SEWER
	PROPOSED FORCE MAIN
	PROPOSED STORM SEWER PIPE
	PROPOSED FIRE HYDRANT
	PROPOSED SEWER MANHOLE
	PROPOSED LIFT STATION

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FLORA FARM MXR SUBDIVISION
 NORTH CAROLINA
 CURRITUCK COUNTY
 MOYOCK TOWNSHIP
PRELIMINARY MASTER PLAN

NO.	DATE	DESCRIPTION	BY	CHKD
1	12/17/20	ISSUED FOR PERMITS	BPG	MSB
2	06/27/24	AMENDED PLANS	BPG	MSB

PRELIMINARY
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DATE: 12/17/20 SCALE: 1" = 200'
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