



**STAFF REPORT  
PB 15-26  
BOARD OF COMMISSIONERS  
JULY 17, 2017**

**APPLICATION SUMMARY**

<b>Property Owner:</b> Shepherd W. Smith PO Box 156 Moyock, NC 27958	<b>Applicant:</b> Currituck County 153 Courthouse Road Currituck, NC 27929
<b>Case Number:</b> PB 15-26	<b>Application Type:</b> Use Permit
<b>Parcel Identification Number:</b> 0014-000-013B0000	<b>Existing Use:</b> Agricultural and Public Convenience Center
<b>Land Use Plan Classification:</b> Rural <b>Moyock Small Area Plan:</b> Limited Services	<b>Parcel Size (Acres):</b> 67.77 acres <b>Leased Area:</b> 1.34 acres
<b>Request:</b> Currituck County is requesting a use permit to expand the existing Panther Landing convenience center.	

**STAFF ANALYSIS**

Currituck County is requesting a use permit to expand the existing Panther Landing convenience center located on Panther Landing Road. The expansion will provide a new traffic pattern, two compactors, and three bulk waste containers. The current lease area dedicated to the convenience center is 0.87 acres and the expansion will consist of 0.47 acres. A Type D bufferyard is proposed on the sides and rear property line and additional vehicular screening is also proposed.

**RECOMMENDATIONS**

**TECHNICAL REVIEW COMMITTEE**

The Technical Review Committee recommends adoption of the use permit subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed prior to site plan approval:
  - a. A chain link fence is proposed along the new expanded area that matches the existing fencing. The applicant is requesting to use a 6' solid fence with canopy trees within the 10' type D buffer. The use of chain link fencing is limited to access gates only. A security plan may be submitted and reviewed by the Planning Department.
  - b. The caliper inches of the existing canopy trees shall be provided.

2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. The major site plan shall be approved by TRC prior to commencement of construction.

PLANNING BOARD
Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

SURROUNDING PARCELS		
	Land Use	Zoning
North	Agricultural	SFM
South	Residential/Undeveloped	AG/SFM
East	Agricultural/Undeveloped	SFM
West	Residential	SFM

INFRASTRUCTURE	
Water	Existing county water
Sewer	No sewer proposed
Design Standards	No new buildings are proposed
Lighting	New full cut-off fixtures are proposed for the existing convenience area and in the proposed expansion
Parking	One existing parking space
Riparian Buffers	None required

## USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. The proposed expansion and improvements will allow for the proper disposal of solid waste.
2. The proposed expansion will provide one-way traffic flow.
3. The proposed expansion will enhance services to citizens and the materials collected will continue to be properly disposed of. The expansion includes two additional recycling compactors and an additional collection container for each of the following waste types: bulk, yard waste and scrap metals.
4. The expansion will also alleviate congestion while allowing additional services to be added as additional materials to be recycled are mandated by the State. The expansion will be helpful in accommodating future growth in the Moyock area.
5. The site supervisor for Waste Management reported the Panther Landing convenience site currently services an estimated:
  - a. 220-230 customers during the week;
  - b. 265 customers on Saturday; and,
  - c. 230 customers on Sunday.

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.

Preliminary Applicant Findings:

1. The Panther Landing convenience center is currently located on the property.
2. The proposed expansion will not change the use of the property.
3. The proposed expansion will provide one-way traffic flow.
4. The proposed expansion will have separate ENTRY ONLY and EXIT ONLY drives and the traffic will flow one way through the site where customers can stop at different stations to dispose of recyclables, mixed trash, yard waste, scrap metals, used oil, used cooking oil, batteries, etc. The two dedicated drives will also alleviate congestion at the intersection of Tulls Creek Road and Panther Landing Road by allowing more "stack" room on Panther Landing Road for vehicles entering the site rather than vehicles "stacking" on Tulls Creek Road.
5. Based on the Currituck County tax records, Cypress Landing subdivision values are as follows:

Cypress Landing	Number of Houses	Mean Tax Value	Median Tax Value
Phase 1 and 2	42	\$225,180	\$217,350
Phase 3 and 4	52	\$271,855	\$269,300

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

Preliminary Staff Findings:

1. The Moyock Small Area Plan classifies this property as Limited Services. The following policy supports the proposed use:  
POLICY IS 2 Meet the infrastructure and service needs of the community at appropriate levels as the community continues to focus growth and public investment in areas identified as activity centers.  
POLICY FLU 1 Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or built step downs, or other architectural and site planning measures that encourage harmony.
2. The 2006 Land Use Plan classifies this area as Rural in the Moyock subarea.  
POLICY SW7: Currituck County waste CONVENIENCE/COLLECTION AND RECYCLING CENTERS shall continue to be designed, located, improved and maintained to facility their use.

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.

Preliminary Applicant Findings:

1. This use will improve an existing public facility and will not exceed the county's ability to provide adequate services.

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

### **Board of Commissioners (3/21/16)**

This item was removed from the agenda.

### **Planning Board Discussion (2/9/16)**

Brandon Harris, Quibble & Associates, Kurt Schmuhl, 100 Cypress Landing, Gloria Sivels, 496 Tulls Creek Road, and Coleman Bonney, 133 Northwest River Drive appeared before the board and were sworn in.

Ms. Voliva presented the staff report.

Mr. Craddock asked what type of lighting will replace the existing lighting.

Ms. Voliva said direct and full cutoff.

Mr. Cooper asked if the expansion is on the existing parcel.

Ms. Voliva said yes.

Mr. Cooper asked what is driving the expansion of this facility.

Ms. Voliva said it is her understanding that the facility has high traffic and the request will add two compactors and three bulk waste containers. The expansion will provide a new traffic pattern, one way in and one way out.

Mr. Cooper opened the public hearing.

Mr. Harris said the changes from the TRC meeting have been made.

Mr. Schmuhl said he is the president of the Homeowners Association for Cypress Landing, Phase 3. Their concern is the trash that builds up along Tulls Creek Road as a result of the solid waste convenience site.

Mr. Cooper asked if the contract with Waste Management, does it address trash that may fall out of these trucks as they leave the convenience site.

Mr. Woody said that staff can relay these concerns to the public works director, county manager, and sheriff's department.

Ms. Sivels said she too is concerned with the trash and debris along Tulls Creek Road living close to a convenience site. Ms. Sivels is asking as part of the approval that consideration is given to see what steps could be taken to help alleviate the problem.

Mr. Craddock asked who is responsible for clean-up along highways right-of-ways.

Ms. Voliva said NCDOT.

Mr. Craddock said many times trash and debris comes from citizens going to convenience sites rather than trash carrying trucks.

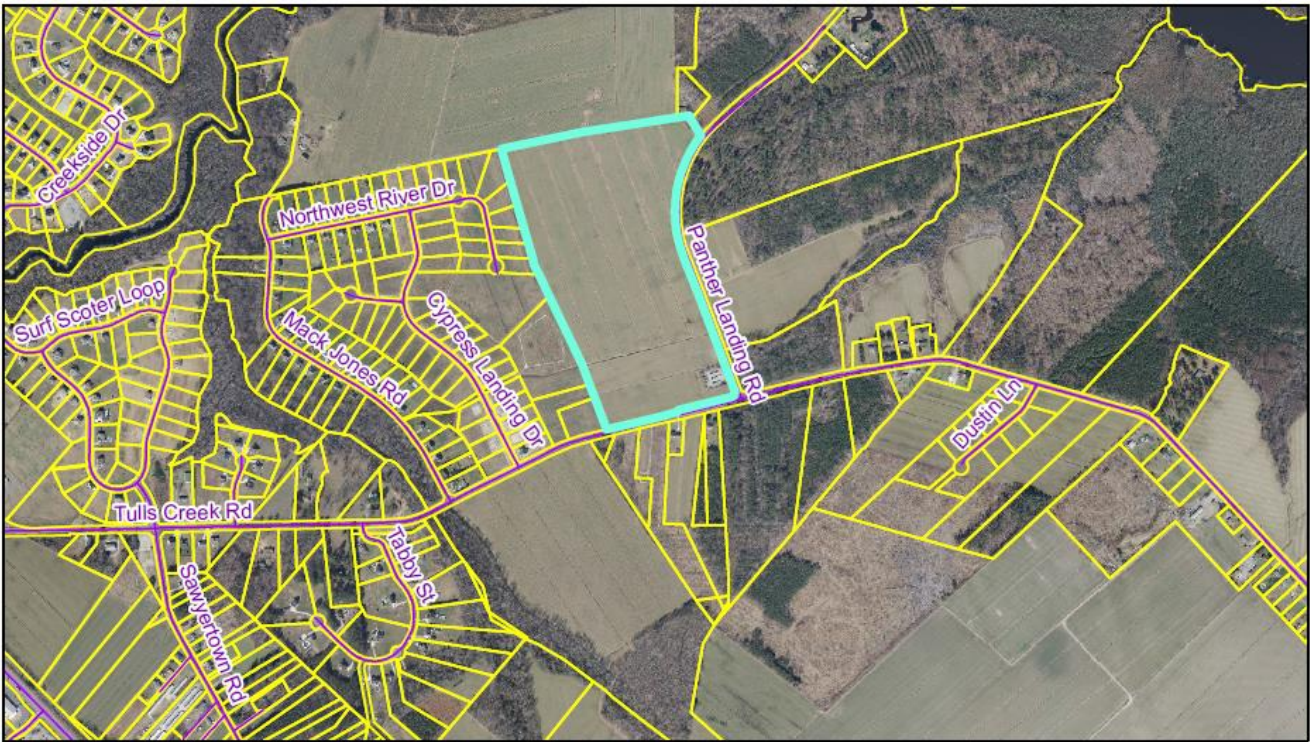
Mr. Bonney asked for clarification on the drive pattern.

Ms. Voliva showed him on the site plan.

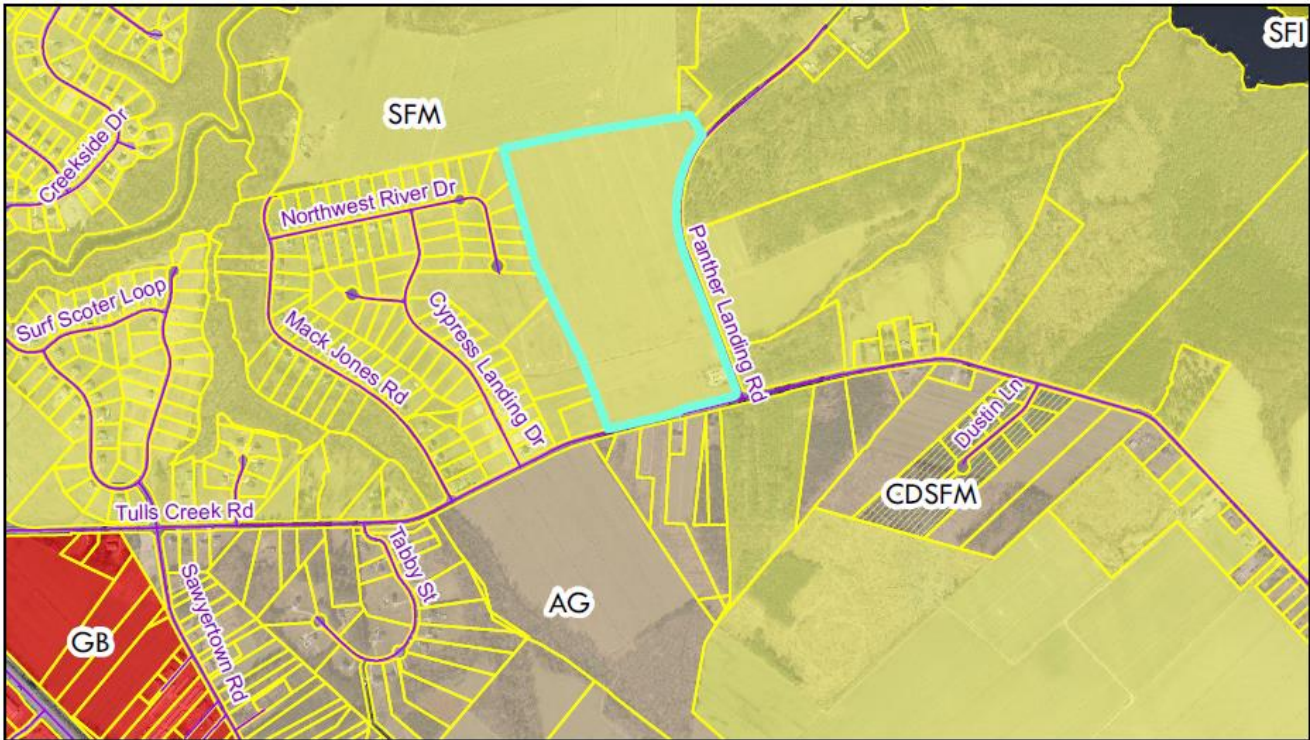
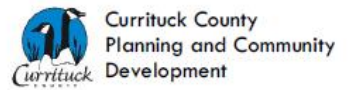
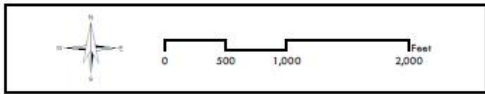
Mr. Cooper closed the public hearing.

Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

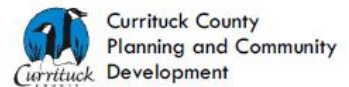
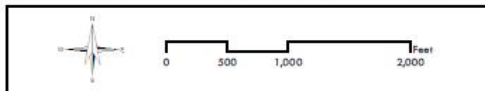
<b>RESULT:</b>	<b>RECOMMENDED APPROVAL [UNANIMOUS]</b>	<b>Next: 3/7/2016 5:00 PM</b>
<b>MOVER:</b>	John Cooper, Chairman	
<b>SECONDER:</b>	Steven Craddock, Board Member	
<b>AYES:</b>	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Fred Whiteman, Board Member	
<b>ABSENT:</b>	Jane Overstreet, Board Member	

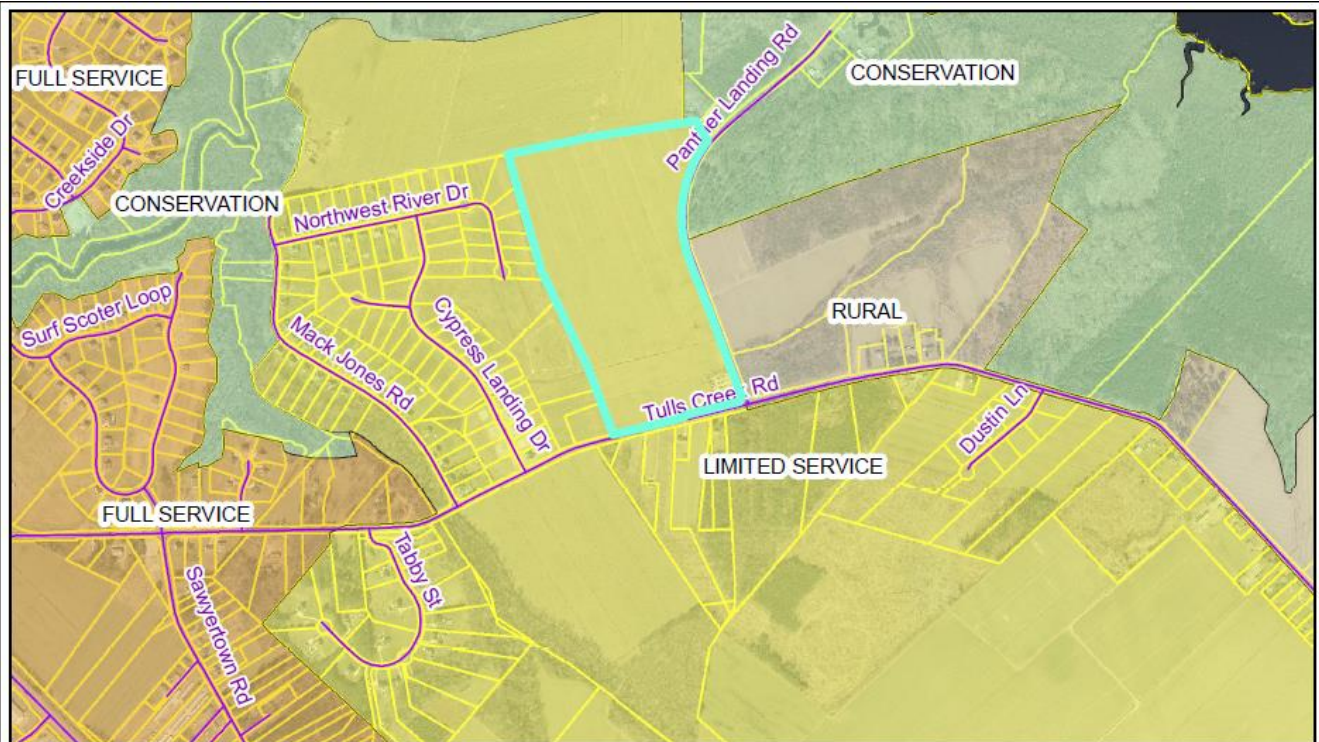


**PB 15-26**  
**Moyock Convenience Center**  
**Aerial**



**PB 15-26**  
**Moyock Convenience Center**  
**Zoning**





**PB 15-26**  
 Moyock Convenience Center  
 Moyock SAP

