



# Agenda Item Summary Sheet

Item No. 3  
Meeting Date: 2/16/09

Item Title: The Village at Cape Creek -- Preliminary Plat Review

Item Summary:  
Subdivision factsheet attached

(Use additional Paper if necessary)

Number of Attachments: \_\_\_\_\_

Will your presentation require audiovisual equipment? Yes  No

Note: All audiovisual materials must be submitted in digital format to the Clerk of the Dare County Board of Commissioners with this sheet. Acceptable formats include: VHS, DVD, audio CD, Word document, Adobe Acrobat PDF files, PowerPoint files and jpeg files.

**Specific Action Requested:**

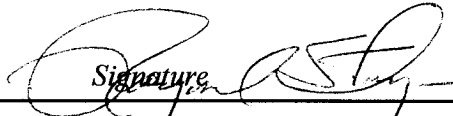
Motion to grant preliminary approval of proposed subdivision

Submitted By: Donna Creef, Senior Planner

Date: \_\_\_\_\_

Dept. Head

Comments:

Signature  Date: 2/3/09

Finance


Comments:

Signature \_\_\_\_\_

Date: \_\_\_\_\_

County Attorney

Comments:

Signature 

Date: 2/6/09

Asst County Manager

Approval:

Signature 

Date: 2/6/09

Commission Action:



## SUBDIVISION FACT SHEET

February 16, 2009 – Dare County Board of Commissioners

**NAME:** The Village at Cape Creek Subdivision – Preliminary Plat Review

**LOCATION:** Buxton, NC. The area is zoned C-2.

**SITE SPECIFICS:** Total acreage: 3.89 acres  
Number of proposed lots: 5 lots  
Smallest lot area: 15,100 square feet

### **STREETS:**

1. New 45' wide publicly-dedicated road to be constructed for access. An NCDOT driveway encroachment permit will be necessary before installation of the new road improvements.

### **UTILITIES:**

1. Water: Central water from Dare County
2. Sewer: Individual on-site septic tank/drainfield systems.
3. Stormwater: The amount of land disturbance is less than 1 acre therefore a State stormwater management permit is not required. The information required by the Subdivision Ordinance has been included on the plat.

### **PLANNING BOARD REVIEW**

The Planning Board reviewed the preliminary plat on January 12, 2009 and voted unanimously to recommend approval subject to any conditions that the NC Department of Transportation may have on the access to lot 5.

### **STAFF COMMENTS:**

1. There are existing improvements located on the property that will be reconfigured or relocated to accommodate the construction of the road improvements and the overlay of the lot lines. The tennis courts and pool will be removed for the road construction.
2. Access to lot 1 will be from Cape Creek Court once this road is constructed. The existing commercial structure on lot 5 currently has parking improvements and access from NC 12. The developer wishes to leave these improvements as they exist instead of re-configuring the access to the improvements from Cape Creek Court. The NCDOT district engineer has provided written confirmation that the existing parking improvements for the business located on lot 5 can remain. If the improvements on lot 5 are redeveloped or reconfigured in the future, then the access improvements can be addressed at that time. A note has been added to the plat to reflect this NCDOT condition.

Cc: Quible and Associates

## Donna Creef

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**From:** Byrum, Gretchen A [gabyrum@ncdot.gov]  
**Sent:** Monday, January 26, 2009 1:50 PM  
**To:** David Deel  
**Cc:** donnac@darenc.com; Eddie Valdivieso  
**Subject:** RE: Village at Cape Creek Subdivision

David,  
You summarized the conversation accurately. I concur with your email thanks,  
Gretchen

**From:** David Deel [mailto:dadeel@quible.com]  
**Sent:** Friday, January 23, 2009 3:37 PM  
**To:** Byrum, Gretchen A  
**Cc:** donnac@darenc.com; Eddie Valdivieso  
**Subject:** Village at Cape Creek Subdivision

Gretchen,

The purpose of this e-mail is to follow-up and to document our phone conversation regarding the Village at Cape Creek Preliminary Plat and the status of the existing entrances. As we discussed, the Cape Creek Court construction is situated such that the existing improvements to the north (Hotel units) and to the south (small retail building) may remain intact on their own lots. At the moment, these facilities each have their own entrances off of NC 12. Whereas the hotel units can adequately be served off of an entrance relocated onto Cape Creek Court, the existing retail building is not configured in such a way that a relocated entrance would be practical. The retail shop's entrance is also located further away from the new Cape Creek Court intersection than the existing hotel entrance would be.

It is my understanding from our conversation that it would be acceptable to NCDOT for the retail entrance to remain in-place as long as the hotel units entrance on NC 12 is closed and with a note added to the plat mandating that when the retail site is redeveloped in the future, it shall be reconfigured such that there is no entrance on NC 12. If this understanding is correct, please confirm via e-mail copied to Donna Creef at Dare County so that she will be aware of this agreement.

Thanks for your help.

-Andy Deel

This e-mail and any files transmitted with it are confidential. If you have received this e-mail by mistake, please notify the sender immediately. If you are not the named addressee, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

