

State parks division wants Cobb property

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The 39.1-acre tract of land along the west side of US 158 and south of Soundside Road, owned by Sonny Cobb of Nags Head Development and Construction, has been targeted again — this time by the state to augment Jockey's Ridge.

The tract was recently the center of a court case which resulted in the court ordering the Town of Nags Head to approve Cobb's subdivision site plan, contingent on Cobb performing certain improvements.

Since the ruling, Cobb has made the improvements and the town has approved his plan, which will encompass about a third of the center of the property.

And as Cobb waits for state approval of the proposed plan for water lines for the development, the N.C. Division of Parks and Recreation is trying to get a grant from the state Clean Water Trust Fund to purchase the entire tract, including the subdivision, so that it can be added to the 420-acre Jockey's Ridge State Park property which lies across Soundside Road to the north.

Lisa Schell, spokesperson for the CWTF, said fund's board reviewed the application in December, but grant requests approved in December received only conditional approval because of the state budget crisis. The next cycle for reviewing applications will be in June.

State Parks and Recreation is asking the CWTF for \$1.36

million to fund the purchase. That amount, states the application, will be added to \$200,000 earmarked for the project that the agency received from the state Parks and Recreation Trust Fund.

Sue Regier of the parks division said that the agency is currently working to change components in the grant request, including the addition of a plan to add a storm water retention pond.

"We are also working on changing the value [of the property] based on appraisals [by the State Property Office]," said Regier. Approval of the subdivision plan changes the value of the property.

Cobb purchased the property in May 1999 for \$1.025 million and said that he has received calls from state officials

to discuss the possibility of selling the property. "In my discussions, I've told them that I never say never," said Cobb, "but that my intention is to develop the property."

He also gave written permission to the State Property Office to appraise the property with the condition that he receive a copy of the appraisal.

Joe Henderson, director of the State Property Office, said that the appraisals have been completed and that Cobb will receive the summary or the entire package, whichever he desires.

It is also noted in the application that one of the justifications for purchasing the land is to prevent commercial development.

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"The threat of development to this property is tremendous. It can be developed for high-end, dense commercial development," states the application.

The document also incorrectly states that "The Town of Nags Head has this property as being zoned for commercial development. A preliminary study of the property shows there could be up to six commercial lots along US 158 and up to 56 residential lots on the remainder of the site."

Cobb has requested that an estimated 10 acres that run along 1,200 feet of US 158 be rezoned commercial, but the town has been adamant in its refusal to change the zoning from residential to commercial.

"The entire site is zoned residential," confirmed Bruce Bortz of the Nags Head planning department, "and there are no requests [at this time] for zoning changes."

Nags Head has also tried to purchase the property with Clean Water Trust Fund money, but Cobb refused the offer.

And then there is Dare County's proposal to place a well site on the portion that runs along US 158. Cobb has declined offers on that deal. "There are plenty of sites in Dare County for wells and that could ruin any potential commercial development," said Cobb.

Former Dare County Commissioner Doug Langford, the county's agent for acquiring well sites, said that he has not given up on acquiring the needed easement from Cobb and that, although conversations between the pair have not included it, there is a possibility that a different placement might be identified which would be acceptable to both.

In the meantime, Cobb said that he hopes to have the water lines in place in 45 to 60 days would which allow other components of the project to begin.

Cobb said that if either the county or state attempts to condemn the property to gain title, "they would be making a big mistake, and they would be in for a dog fight."