



## TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

May 13, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager

REF: New Business

**1. Site plan review**

**A. First Flight Hotel, LLC – proposed oceanfront amenity area – 2029 South Virginia Dare Trail (Attached. NB-1A)**

First Flight Hotel has submitted a revised site plan for its oceanfront property that will include a swimming pool with snack bar and covered deck, pool storage, restrooms, elevated dune decks, beach walkover, and associated site improvements at 2029 South Virginia Dare Trail. The original site plan for this parcel was considered and approved by the Board of Commissioners on November 14<sup>th</sup>.

At their April 16<sup>th</sup> meeting the Planning Board voted to approve this site plan with several conditions, of which most have been addressed. The following condition remains:

1. Lighting: all sides of the east building, including covered deck and snack bar, shall be lighted on all sides for security purposes.

Staff recommends approval of this site plan for the First Flight Hotel, LLC, with the condition stated above to be met prior to permitting.

Director of  
Planning and Inspections  
MEREDITH GUNS

Building Inspector  
MARTY SHAW  
CHARLES THUMAN

Code Enforcement Officer  
JORDAN BLYTHE



Assistant Director of  
Planning and Inspections  
CAMERON RAY

Senior Planner  
RYAN LANG

Zoning Administrator  
DONNA ELLIOTT

**THE TOWN OF KILL DEVIL HILLS**  
NORTH CAROLINA

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**PLANNING DEPARTMENT**

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May 13, 2019

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: **SITE PLAN REVIEW**—First Flight Hotel, LLC — Proposed Oceanfront Amenity Area —  
2029 South Virginia Dare Trail

Enclosed is a proposed site plan submitted by First Flight Hotel, LLC to construct an oceanfront Amenity Area including a swimming pool with snack bar and covered deck, pool storage, restrooms, elevated dune decks, beach walkover, and associated site improvements at 2029 South Virginia Dare Trail in the Ocean Impact Residential Zone. Attached you will find a Commercial Site Plan Review application and architectural plans.

As you recall, a site plan for this parcel was approved by the Board of Commissioners on November 14, 2016. This proposed site plan is a change to the previously approved plan and must be reviewed by the Planning Board and approved by the Board of Commissioners.

The Planning Board reviewed this proposal on April 16, 2019 and forwarded it to the Board with a favorable recommendation with several conditions. The applicant has since addressed most of those conditions; however, the following item remains to be revised:

1. Lighting: All sides of east building including covered deck and snack bar shall be lighted on all sides for security.

Staff recommends approval as submitted with the above listed condition prior to permitting.

Town of Kill Devil Hills Planning and Inspections  
Commercial Site Plan Review Application\*



2019  
Planning and Inspections Department

**Applicant**

Name: First Fligh Hotel, LLC  
Address: 1880 Richmond Road  
Williamsburg, VA 23185  
Phone: 757-218-3888  
Fax: \_\_\_\_\_  
Cell: \_\_\_\_\_

**Property Owner**

Name: Same as Applicant  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Cell: \_\_\_\_\_

**Property Location**

Address: 2029 South Virginia Dare Trail Lot, Block: 6, Block 3, Sect. 4  
Subdivision: Nags Head Shores Amended Pin#: 9893 13 24 1064

Zoning District:  Commercial  LI-1  LI-2  OIR  
Total Lot Size: 20,861 (FUSAV) Sq. Ft. Disturbed Area: 9,500 +/- Sq. Ft.

**Contractor**

Company Name: Unknown at this time License Number: \_\_\_\_\_  
Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Cell: \_\_\_\_\_  
Fax: \_\_\_\_\_

Town Privilege License Number: \_\_\_\_\_

**Construction Information**

Type of Construction: \_\_\_\_\_  
 Assembly  Business  Educational  Factory/Industrial  High Hazard  
 Institutional  Mercantile  Residential  Storage  Utility/Misc.  
 New Construction  Addition  Repair/Replace  Remodel  Other: \_\_\_\_\_

*Square Footage Proposed:*

Interior Space: 313 Sq. Ft. (1) Covered Deck(s): 1,618 Sq. Ft. Storage: 313 Sq. Ft. (2)  
Garage: \_\_\_\_\_ Sq. Ft. # of Bedrooms: \_\_\_\_\_ # of Open Deck(s): 1,672 +/-  
Proposed Square Footage: 0 + Existing Square Footage: 8,998 = 8,998 Total Sq. Ft.  
% Impervious Coverage: \_\_\_\_\_ + % Pervious Coverage: \_\_\_\_\_ = 43.1 Total % Coverage  
# of Parking Spaces: Existing: 0 Proposed: 3 Total: 3  
Septic Tank Permit #: KDHWWTP Construction Type: Wood Frame

Estimated Construction Cost (including labor and materials): UNKNOWN AT THIS TIME

**Flood Information**

Flood Zone:  VE  AE  X Base Flood Elevation: 10'  
Proposed First Floor Elevation: 10.17' Sq. Ft Below Base Flood Elevation: n/a

\*This form is designed as a guide for Commercial Site Plan Review.  
Additional plans and information will be required prior to building permits.

- (1) RESTROOM BUILDING
- (2) POOL EQUIPMENT BUILDING

**Project Description**

Oceanfront Amenity area for First Flight hotel, LLC consisting of restroom building, pool equipment building swimming pool, oceanfront amenity area and decking

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**Required Site Plan Information Checklist:**

- Permit Application (Completed)
- Site Plan Including the following
  - Submittal Requirements:
    - Vicinity Map
    - 15 Copies of Site Plan & Building Plan Elevations – Front, Side, and Rear
    - Tentative Health Department Approval
    - Site Plan Development Review Fee Paid in Full
  - Existing Conditions:
    - Boundary of Entire Lot
    - Width and Location of Existing Right of Ways
    - Nature, Purpose, Locations, and Size of Existing Easements
    - Iron Pins and Concrete Monuments
    - Scale (1" = 50" Minimum)
    - North Arrow
    - Streets Including Width of Pavement
    - All Underground Utilities, Gas/Propane Below or Above Grade
    - Dare Co. Register of Deeds Map Book/Subdivision Ref.
    - Street Address
    - Present Recorded Owner, Developer, Engineer contacts
    - Adjacent Property Owners, Adj. Use & Zone
    - Corp. of Engineers Report / Wetland Study
    - NFIP Flood Zone (ref: Elevation Datum (NAVD 1988))
    - Minimum, Lot Size indicated
  - Proposed Improvements:
    - Zoning Use Compliance/Setbacks labeled
    - Landscaping Plan / Buffers / Screening (per section 153.073)
    - Lighting Plan - photometric showing point output (section 153.074)
    - Sedimentation & Erosion Control Plan including details
    - Disturbed Areas delineated & areas calculated
    - Location of Sidewalks on the Croatan Highway and Curbs
    - Location of Sewer Facilities and Drain field
    - Proposed Building Type, # of Floors and dimensions, floor area ratio, Height
    - Existing and Finished Grades of Entire Site
    - Storm Water Management Plan including calculations
    - Total Units and Density per Acre (Multi-Family) or floor area ratio (in OIR)
    - Lot Size and Lot Coverage Calculation
    - Utility Plan indicating location & sizes of proposed improvements
    - Water Service Sizing Checklist *PENDING COMPLETION OF FLOOR PLANS*
    - Layout, Size and Number of Parking Spaces including handicap w/ setbacks (Each Space Numbered)
    - Fire Lane and Driveways
- N/A  Loading Zone (Commercial Sites)
- N/A  Mail Delivery Cluster Sites (Multi-Family)

- Proposed First Floor Elevation
- Dumpster Pad Location N/A USE DUMPSTERS AT HOTEL
- Proposed Sign Location
- Sight triangle shown
- Commercial Building Plans showing architectural compliance
- Plans to N.C.D.O.T. ( if required)
- NC Engineer/Land Surveyor Seal on Site Plan

\*\*\* The items listed in the Site Plan portion of the above checklist represent information that must be indicated on any site plan submitted for review by the Kill Devil Hills Planning Department, Planning Board, and Board of Commissioners. All of the above required documents shall be submitted on or before the 3rd Tuesday of each month. Upon completion of review, the Planning Board shall transmit its recommendations to the Board of Commissioners. The Board of Commissioners shall review site plans on the second Monday of each month.

Signature of Applicant:



(Date)

AGENT FOR APPLICANT: MICHAEL W. ROBINSON P.E., P.L.S.  
252-295-8026



## TOWN OF KILL DEVIL HILLS PUBLIC SERVICES

Post Office Box 1719, 107 Town Hall Drive  
Kill Devil Hills, NC 27948  
Administration (252) 480-4080 Fax (252) 441-6136  
Office Hours: 8:00 a.m. – 5:00 p.m. Mon. – Fri.  
Water Plant (252) 480-4090  
www.kdhnc.com

**STEPHEN F. ALBRIGHT**  
Director

**DEREK A. DAIL**  
Assistant Director

**MARCIA OLLIS**  
Administrative Services

**ALFRED W. BURTON**  
Water Plant


**WILLIAM H. WATERFIELD**  
Water Systems

**L. RANDOLPH TURNER**  
Streets

**LYNN E. LINDSEY**  
Solid Waste

April 10, 2019

To: Cameron Ray  
Kill Devil Hills Planning

From: Derek A. Dail   
Kill Devil Hills Public Services

Re: Site Plan Tech II  
First Flight Hotel Amenity Area  
2029 S. Virginia Dare Trail

The Town of Kill Devil Hills Public Services has performed a review of the Tech I Response Package for the proposed improvements to the commercial property located at 2029 S. Virginia Dare Trail. Comments from Public Services are provided in the following sections and are based on the Tech I Response Package Dated 04/05/2019.

### Solid Waste

1. Applicant proposes that the Hotel's primary dumpster site will also serve the Hotel's Amenity Area and will be serviced by hotel staff. The applicant has advised that a letter of understanding will be provided stating this proposal. The proposal is acceptable to Public Services and will maintain a copy of the letter in our records once it is provided.

Streets – These comments remain from previous submittal and need to be addressed before the building permit is obtained. These items have been previously acknowledged by the applicant. No action required at this time.

1. Any necessary NCDOT driveway permits and/or encroachment agreements shall be required prior to permit approval.
2. NCDOT approval of the proposed crosswalk and signage is required.

Water System – No action required at this time.

1. Town's water meter sizing form documenting all proposed fixtures will be required at building permit to verify required service size.

## Ray, Cameron

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**From:** Risoldi, John  
**Sent:** Wednesday, April 10, 2019 1:21 PM  
**To:** Ray, Cameron  
**Subject:** RE: MarriotOceanfrontAmenityArea-response.docx

No comments at this time.



John L. Risoldi, Sr.  
Fire Marshal  
Town of Kill Devil Hills  
1634 N. Croatan Highway, P. O. Box 1719  
Kill Devil Hills, NC 27948  
252-480-4060 – Phone  
252-480-4069 – Fax  
[johnr@kdhnc.com](mailto:johnr@kdhnc.com)

“Everyday is a Fire Prevention Day”

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**From:** Ray, Cameron <Cameron@kdhnc.com>  
**Sent:** Wednesday, April 10, 2019 8:19 AM  
**To:** Risoldi, John <JOHNR@kdhnc.com>  
**Subject:** FW: MarriotOceanfrontAmenityArea-response.docx

Good Morning John,

See attached and also comments below regarding the architects response to Tech 1 comments.

Thanks,

Cameron Ray, CFM  
Assistant Planning Director  
PO Box 1719  
Kill Devil Hills, NC 27948  
252-449-5311 phone  
252-441-4102 fax  
[www.kdhnc.com](http://www.kdhnc.com)

## Ray, Cameron

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**From:** Shaw, Marty  
**Sent:** Monday, April 08, 2019 12:01 PM  
**To:** Ray, Cameron  
**Subject:** RE: SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail

The guard rails as shown in detail A7/A202 do not meet the requirements for height and openings as required by NCBC 1015.3 and 1015.4 and a Dept. of Insurance interpretation that requires that should guard rails be added where not required, they must still meet the requirements of the code. The guard rails are shown at a height of 38" instead of the required 42" and the openings are dimensioned at well over 1'.

An excerpt of that interpretation: *"Guards must be built in accordance with the Code even if the deck is not 30" above grade, in the event that the owner or builder has undertaken to erect handrails where not otherwise required by Code based on height above grade."*

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Marty Shaw  
Building Inspector  
Town of Kill Devil Hills  
252-449-5313

**From:** Ray, Cameron  
**Sent:** Friday, April 5, 2019 11:16 AM  
**To:** Guns, Meredith <MEREDITH@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Thuman, Charles <charles@kdhnc.com>; Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Turner, Tote <TOTE@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; Waterfield, William <Bill@kdhnc.com>; Pete Burkheimer <PBurkheimer@american-ea.com>; Risoldi, John <JOHNR@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Blythe, Jordan <jordan@kdhnc.com>  
**Subject:** SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail  
**Importance:** High

All,

Attached you will find: **SITE PLAN TECHNICAL REVIEW 2**—First Flight Hotel, LLC—REVISED Proposed Oceanfront Amenity Area with swimming pool, restrooms, snack bar, elevated decks, and beach access at 2029 S. Virginia Dare Trail—This proposed site plan calls for the construction of a swimming pool, pool storage, restrooms, elevated decks, pool amenity building including a snack bar, beach access, and associated site improvements. In addition to the revised plans, attached you will find response to Site Plan Technical Review 1. This site plan was previously approved by the BOC



## Ray, Cameron

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**From:** Thuman, Charles  
**Sent:** Monday, April 08, 2019 1:58 PM  
**To:** Ray, Cameron  
**Subject:** RE: SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail

Cam

I have the following comments

- Guards and Handrails must conform to Sections 1014 & 1015 of the 2018 NCBC.
- All pilings for decks and walkways in the VE Zone require 16 foot embedment
- Pools are required to be accessible (IE. Handicap lift)

**Charles Thuman**  
**Building Inspector**  
**Town of Kill Devil Hills**  
**102 Townhall Drive**  
**Kill devil Hills, NC 27948**  
**252-449-5312**  
**252-441-4102 (Fax)**

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**From:** Ray, Cameron  
**Sent:** Friday, April 5, 2019 11:16 AM  
**To:** Guns, Meredith <MEREDITH@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Thuman, Charles <charles@kdhnc.com>; Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Turner, Tote <TOTE@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; Waterfield, William <Bill@kdhnc.com>; Pete Burkheimer <PBurkheimer@american-ea.com>; Risoldi, John <JOHNR@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Blythe, Jordan <jordan@kdhnc.com>  
**Subject:** SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail  
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Please review the plans with respect to your department's responsibilities and submit written comments to the Planning Department by **END OF DAY on Wednesday, April 10, 2019**. Your comments are important and will be reviewed by the Planning Board and Board of Commissioners.

## Ray, Cameron

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**From:** Shaw, Marty  
**Sent:** Wednesday, April 10, 2019 5:10 PM  
**To:** Dail, Derek; Ray, Cameron  
**Subject:** RE: SITE PLAN TECHNICAL REVIEW 2 - First Flight Hotel, LLC - Proposed Oceanfront Amenity Area - 2029 South Virginia Dare Trail

That was my thoughts as to what they might be doing. However, if they have any pots that might be washed in the sink such as soup warming pots, pots for warming chili for hot dogs, pots to boil hot dogs, warming cheese for nachos, etc.... washing these pots in the sink would make that sink a pot sink handling greases and animal fats thus requiring a grease trap. An under sink model might address those needs and not require an in ground system.

Marty

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**From:** Mike Robinson [mailto:mrobinson@obxengineering.com]  
**Sent:** Wednesday, April 10, 2019 9:20 AM  
**To:** Dail, Derek <derek@kdhnc.com>  
**Cc:** Ray, Cameron <Cameron@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Albright, Steve <Steve@kdhnc.com>  
**Subject:** RE: SITE PLAN TECHNICAL REVIEW 2 - First Flight Hotel, LLC - Proposed Oceanfront Amenity Area - 2029 South Virginia Dare Trail

Derek, I asked the developer for a summary of kitchen activities and the following was his response: *"For the tiki bar we are only requiring a three compartment sink, regular outlets for convection oven, and commercial two door freezer and refrigerators. We do not plan to cook any food. Only to heat and serve at this point."*

I really do not feel a grease trap is warranted but we could place an under sink model if needed to satisfy the plumbing code.

Thanks, Mike

**Michael W. Robinson, P.E., P.L.S.**  
P.O. Box 2852  
Kill Devil Hills, NC 27948  
Phone: 252-255-8026  
Email: [mrobinson@obxengineering.com](mailto:mrobinson@obxengineering.com)

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**From:** Dail, Derek [mailto:derek@kdhnc.com]  
**Sent:** Wednesday, April 10, 2019 9:05 AM  
**To:** [mrobinson@obxengineering.com](mailto:mrobinson@obxengineering.com)  
**Subject:** FW: SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail

Mike, I asked planning to review the plumbing code regarding the Grease Interceptor. I interpret the plumbing code to read that any commercial kitchen sink in a food preparation area needs a grease interceptor to protect the downstream treatment facilities. Planning does not feel that there is enough information to require the grease interceptor for this review and will take a tighter look at it once we go through the Architectural review process.

**Derek A. Dail, P.E.**

**Subject:** RE: SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail

Mike advised in this comments that a grease interceptor is not needed at the amenity facility. I did make the comment that it does, because it is a commercial use and it has a food prep counter, kitchen sink and an oven according to Mike. Can you guys review the plumbing code and support or oppose my comment? Our wastewater system's ordinance is easily for me comment on but they are not tying to our system.

Thank you.

**Derek A. Dail, P.E.**

Assistant Public Services Director  
Town of Kill Devil Hills  
107 Town Hall Drive  
PO Box 1719  
Kill Devil Hills, NC 27948  
Office – 252-480-4085  
Fax – 252-441-6136  
[www.kdhnc.com](http://www.kdhnc.com)



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**From:** Ray, Cameron <[Cameron@kdhnc.com](mailto:Cameron@kdhnc.com)>  
**Sent:** Friday, April 05, 2019 11:16 AM  
**To:** Guns, Meredith <[MEREDITH@kdhnc.com](mailto:MEREDITH@kdhnc.com)>; Lang, Ryan <[rlang@kdhnc.com](mailto:rlang@kdhnc.com)>; Elliott, Donna <[DONNA@kdhnc.com](mailto:DONNA@kdhnc.com)>; Shaw, Marty <[marty@kdhnc.com](mailto:marty@kdhnc.com)>; Thuman, Charles <[charles@kdhnc.com](mailto:charles@kdhnc.com)>; Albright, Steve <[Steve@kdhnc.com](mailto:Steve@kdhnc.com)>; Dail, Derek <[derek@kdhnc.com](mailto:derek@kdhnc.com)>; Turner, Tote <[TOTE@kdhnc.com](mailto:TOTE@kdhnc.com)>; Lindsey, Lynn Earl <[LynnEarl@kdhnc.com](mailto:LynnEarl@kdhnc.com)>; Waterfield, William <[Bill@kdhnc.com](mailto:Bill@kdhnc.com)>; Pete Burkheimer <[PBurkheimer@american-ea.com](mailto:PBurkheimer@american-ea.com)>; Risoldi, John <[JOHNR@kdhnc.com](mailto:JOHNR@kdhnc.com)>; Harris, Dana <[dharris@kdhnc.com](mailto:dharris@kdhnc.com)>; Blythe, Jordan <[jordan@kdhnc.com](mailto:jordan@kdhnc.com)>  
**Subject:** SITE PLAN TECHNICAL REVIEW 2 — First Flight Hotel, LLC — Proposed Oceanfront Amenity Area — 2029 South Virginia Dare Trail  
**Importance:** High

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Attached you will find: **SITE PLAN TECHNICAL REVIEW 2**—First Flight Hotel, LLC—REVISED Proposed Oceanfront Amenity Area with swimming pool, restrooms, snack bar, elevated decks, and beach access at 2029 S. Virginia Dare Trail—This proposed site plan calls for the construction of a swimming pool, pool storage, restrooms, elevated decks, pool amenity building including a snack bar, beach access, and associated site improvements. In addition to the revised plans, attached you will find response to Site Plan Technical Review 1. This site plan was previously approved by the BOC November 14, 2016. However, this submission is a change to the approved plan that must be reviewed by the Planning Board and approved by the Board of Commissioners.

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