TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM January 11, 2021

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager

REF: New Business

1. Site plan review

A. 709 North Virginia Dare Trail – Ocean Impact Residential Zone – proposed cluster home development, including 14 single-family dwellings (Attached NB-1A)

This site plan for a cluster home development at 709 North Virginia Dare Trail include 14 detached single-family dwellings, shared driveway, a dune walkover with an open and covered deck, and associated site improvements. Each dwelling is proposed to not exceed 2,500 square feet in size and there are two types of construction: a four-bedroom or a five-bedroom unit. Each dwelling will include a pool and parking will be contained beneath the structure. Wastewater treatment will be provided by KDHWWTP, LLC.

The Planning Board reviewed this site plan on December 15, 2020 and voted to forward it to the BOC recommending approval. Staff recommends approval of the site plan for 709 North Virginia Dare Trail – Ocean Impact Residential Zone – proposed cluster home development, including 14 single-family dwellings and associate site improvements.

A motion will be in order.

Director of
Planning and Inspections
MEREDITH GUNS

Building Inspector
MARTY SHAW
CHARLES THUMAN

Code Enforcement Officer
JORDAN BLYTHE

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Zoning Administrator
DONNA ELLIOTT

PLANNING DEPARTMENT

January 11, 2021

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director CR

Subject: **Site Plan Review** - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development including (14) Single-Family Dwellings

Enclosed is a Site Plan Review submittal by SAGA Realty and Construction for a proposed Cluster Home Development at 709 North Virginia Dare Trail. The proposed plan includes (14) detached single-family dwellings, shared driveway, dune walkover including an open and covered deck, and associated site improvements. Each proposed single-family dwelling is not to exceed 2,500 square feet of gross floor area and is designed as either a (A) unit with (4) bedrooms or (B) unit with (5) bedrooms. Additionally, each dwelling includes a pool and required parking is contained beneath the structure. The proposed Cluster Homes is a permitted use in the Ocean Impact Residential Zone (GG) Cluster Homes. Attached you will find a commercial site plan review application, site plan, conceptual building plans, KDHWWTP, LLC willingness to serve, the applicants response to Town Staff technical review (1) comments, and most recent staff comments.

The Planning Board reviewed this proposal on December 15, 2020 and forwarded it to the Board recommending approval. Staff recommends approval of the site plan as submitted.

Ray, Cameron

From: Mike Robinson <mrobinson@obxengineering.com>
Sent: Sunday, January 3, 2021 11:50 AM
To: Ray, Cameron
Subject: RE: Cottage Court Submittals for BOC

Cameron, I spoke with Bob Howsare who is working with Sumit on the Cluster Home residential sprinklers.
They both acknowledge and agree with the condition of the approval to meet the requirements for Fire Protection for the proposed Cluster Home Development at 709 N. Va Dare Trail due to the requirements of the NC Fire Code.
Let me know if you need anything else.
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

From: Ray, Cameron [mailto:Cameron@kdhnc.com]
Sent: Wednesday, December 30, 2020 11:35 AM
To: Mike Robinson
Subject: RE: Cottage Court Submittals for BOC

Mike,

Per the Planning Board recommendation action for the Cluster Home Development at the December 15, 2020 Planning Board meeting, there was a condition of the approval for the applicant to acknowledge the requirements for Fire Protection for the proposed Cluster Home Development at 709 N. Va Dare Trail due to the requirements of the NC Fire Code.

Please respond and it will be included in the packet for the KDH Board of Commissioners January 11, 2021 meeting.

Sincerely,

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

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

November 9, 2020

To: Cameron Ray
Kill Devil Hills Planning

From: Derek A. Dail
Kill Devil Hills Public Services

Re: Site Plan Review II
Cottage Court
707 and 709 N. Virginia Dare Trail (NC 12)

The Town of Kill Devil Hills Public Services has performed a review II of the site plan application for the proposed improvements to the commercial property located at 707 and 709 South Virginia Dare Trail. Comments from Public Services are provided in the following sections and are based on the resubmittal package dated 11/03/2020.

Solid Waste

1. No Comment.

Streets

1. Public Services concurs with Town Engineer's comments regarding the requirement for existing and proposed grades in the right of way on the final permit plan.

Water System

1. No Comment: Applicant acknowledges the fees associated with the development.

Wastewater

1. No Comment: Applicant acknowledges the requirement for KDHWWTP to provide the required NCDEQ permits.

Ray, Cameron

From: Pete Burkhimer <PBurkhimer@american-ea.com>
Sent: Thursday, November 5, 2020 9:33 AM
To: Ray, Cameron; Albright, Steve; Dail, Derek; Elliott, Donna; Guns, Meredith; Harris, Dana; Lang, Ryan; Lindsey, Lynn Earl; Risoldi, John; Shaw, Marty; Thuman, Charles; Turner, Tote
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

Town Engineer's comments have been satisfied as relates to this request for "Zoning Compliance approval." The general plan for grading and drainage in the NVDT right of way seems satisfactory. In a final plan for permit review and approval, we would want to see actual existing and proposed elevations.

Pete Burkhimer, PE
Senior Consultant
AMERICAN Engineering
448 Viking Drive, Suite 170
Virginia Beach, VA 23452
(757) 468-6800 (office), (757) 478-5970 (cell)
pburkhimer@american-ea.com

From: Ray, Cameron <Cameron@kdhnc.com>
Sent: Wednesday, November 04, 2020 9:28 AM
To: Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Guns, Meredith <MEREDITH@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; Pete Burkhimer <PBurkhimer@american-ea.com>; Ray, Cameron <Cameron@kdhnc.com>; Risoldi, John <JOHNR@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Thuman, Charles <charles@kdhnc.com>; Turner, Tote <TOTE@kdhnc.com>
Subject: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings
Importance: High

[ALERT: This is an External E-mail. Use caution when opening attachments or clicking links.]

Good Morning All,

Attached is: **Site Plan Technical Review (2)** - 709 North Virginia Dare Trail – Cottage Court Cluster Homes – The proposed plan calls for the construction of a Cottage Court including (14) detached single-family dwellings, shared driveway, dune walkover including an open and covered deck, and associated site improvements. Each proposed single-family dwelling is not to exceed 2,500 square feet of gross floor area and is designed as either a (A) unit with (4) bedrooms or a (B) unit with (5) bedrooms. Additionally, each dwelling includes a pool and required parking contained beneath the structure. The proposed ~~Cottage Court~~ Cluster Home development is a permitted use in the Ocean Impact Residential Zone (M) Cluster Homes, shall comply with the special regulations of §153.291 Cluster Homes. Attached you will find the following revised submittals; commercial site plan review application, proposed site plans, architectural elevations, KDHWWTP, LLC willingness to serve, and response to Staff technical review (1) comments.

Ray, Cameron

From: Risoldi, John
Sent: Monday, December 7, 2020 2:23 PM
To: Ray, Cameron
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

The below statement is accurate.

Because of the accessibility road to the buildings it does not met the intent of section 503 .1.1 of the NC fire code and using the exception 1.2 the development is required to provide means of fire protection.

From: Ray, Cameron
Sent: Monday, December 7, 2020 1:58 PM
To: Risoldi, John <JOHNR@kdhnc.com>
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

John,

Just to confirm your second comment below, please indicate that the following statements are accurate. The applicability of the NC Fire Code (2018) in reference to this Cluster Home development is for the accessibility of the buildings with a Fire Apparatus Access Road extending within 150' of every building and in compliance with Section 503 of the NC Fire Code (2018). The Fire Apparatus Access Road provided at this development does not meet the requirements of the NC Fire Code due to not providing a proper turn around area and creating a dead end exceeding 150'. Specifically, the 20' drive aisle leads into a "Hammerhead" which is only 100' wide and is required to be 120' wide as required in Appendix D of the NC Fire Code. Therefore, the development is required to provide an approved means of Fire Protection, which in this instance is Fire Suppression for each building.

There has been several questions about the requirements of NC Fire Code and this will provide clarification.

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

From: Risoldi, John
Sent: Monday, November 9, 2020 9:34 AM
To: Ray, Cameron <Cameron@kdhnc.com>
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

Cameron,

I have reviewed the comments and have the following concerns:

- With the amount of construction on the parcel of land looks like it meets the requirements of the ordinance to put if fire sprinklers in all the units

- Accessibility with the 20' wide fire lane and a T turnaround looks like it meets the intent of the fire code. However the HOA keeping cars out of
  fire lane will not work. They will be rented in summer and will there be someone from the HOA 24 – 7 enforcing it? Being a private driveway
  police department has no jurisdiction being private property and they cannot enforce no parking. Bermuda Bay is experiencing this problem now
  with cars in the designated fire lanes. HOA is supposed to be enforcing that. Accessibility is why these units were required to be sprinkler due to limiting
  fire department access.

John L. Risoldi, Sr.
Fire Marshal/Health & Safety Officer
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

"Everyday is a Fire Prevention Day"

From: Ray, Cameron
Sent: Wednesday, November 4, 2020 9:28 AM
To: Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Guns, Meredith <MEREDITH@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; 'Pete Burkhimer' <PBurkhimer@american-ea.com>; Ray, Cameron

Ray, Cameron

From: Harris, Dana
Sent: Thursday, November 5, 2020 11:59 AM
To: Ray, Cameron
Subject: FW: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

Cameron,

I do not have any additional comments as they have addressed the earlier concerns.

Suggestion: Add "No Trespassing" to Type 2 sign or add a separate "No Trespassing" sign after development if trespassing becomes a problem.

Thanks

Dana

From: Harris, Dana
Sent: Wednesday, November 4, 2020 10:48 AM
To: Ray, Cameron <Cameron@kdhnc.com>
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

Cameron,

I do not have any additional comments as they have addressed the earlier concerns.

Thanks

Dana

From: Ray, Cameron
Sent: Wednesday, November 4, 2020 9:28 AM
To: Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Guns, Meredith <MEREDITH@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; 'Pete Burkhimer' <PBurkhimer@american-ea.com>; Ray, Cameron <Cameron@kdhnc.com>; Risoldi, John <JOHNR@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Thuman, Charles <charles@kdhnc.com>; Turner, Tote <TOTE@kdhnc.com>
Subject: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings
Importance: High

Good Morning All,

Ray, Cameron

From: Shaw, Marty
Sent: Wednesday, November 4, 2020 10:54 AM
To: Ray, Cameron
Subject: RE: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings

No comments.

Marty Shaw
Building Inspector
Town of Kill Devil Hills
102 Town Hall Drive
Kill Devil Hills, NC 27948
252-449-5313
252-441-4102 (f)
marty@kdhnc.com

From: Ray, Cameron
Sent: Wednesday, November 4, 2020 9:28 AM
To: Albright, Steve <Steve@kdhnc.com>; Dail, Derek <derek@kdhnc.com>; Elliott, Donna <DONNA@kdhnc.com>; Guns, Meredith <MEREDITH@kdhnc.com>; Harris, Dana <dharris@kdhnc.com>; Lang, Ryan <rlang@kdhnc.com>; Lindsey, Lynn Earl <LynnEarl@kdhnc.com>; 'Pete Burkhimer' <PBurkhimer@american-ea.com>; Ray, Cameron <Cameron@kdhnc.com>; Risoldi, John <JOHNR@kdhnc.com>; Shaw, Marty <marty@kdhnc.com>; Thuman, Charles <charles@kdhnc.com>; Turner, Tote <TOTE@kdhnc.com>
Subject: Site Plan Technical Review (2) - 709 North Virginia Dare Trail - Ocean Impact Residential Zone - Proposed Cluster Home Development Including (14) Single-Family Dwellings
Importance: High

Good Morning All,

Attached is: **Site Plan Technical Review (2)** - 709 North Virginia Dare Trail – Cottage Court Cluster Homes – The proposed plan calls for the construction of a Cottage Court including (14) detached single-family dwellings, shared driveway, dune walkover including an open and covered deck, and associated site improvements. Each proposed single-family dwelling is not to exceed 2,500 square feet of gross floor area and is designed as either a (A) unit with (4) bedrooms or a (B) unit with (5) bedrooms. Additionally, each dwelling includes a pool and required parking contained beneath the structure. The proposed ~~Cottage Court~~ Cluster Home development is a permitted use in the Ocean Impact Residential Zone (M) Cluster Homes, shall comply with the special regulations of §153.291 Cluster Homes. Attached you will find the following revised submittals; commercial site plan review application, proposed site plans, architectural elevations, KDHWWTP, LLC willingness to serve, and response to Staff technical review (1) comments.

Please review the plans with respect to your department's responsibilities and submit written comments to the Planning Department by Close of Business on Monday, October 26, 2020. Your comments are important and will be reviewed by the Planning Board and Board of Commissioners.

One hard copy has been sent to each department. Additional copies can be provided upon request or reviewed here in the Planning Department.

Sincerely,

Ray, Cameron

From: Casey Varnell <varnell@ncobxlaw.com>
Sent: Monday, November 9, 2020 8:42 AM
To: Guns, Meredith
Cc: Ray, Cameron
Subject: RE: Code Interpretation 153.101 Setbacks - Town Attorney Opinion Requested

I concur with staff interpretation. Given the intent of the ordinance was to provide for safety, the GFA of the entire site would need to be calculated for compliance purposes. If the GFA of the total site was not considered, access to and density of a site could be negative components affecting safety.

From: Guns, Meredith <MEREDITH@kdhnc.com>
Sent: Thursday, November 5, 2020 3:05 PM
To: Casey Varnell <varnell@ncobxlaw.com>
Cc: Ray, Cameron <Cameron@kdhnc.com>
Subject: Code Interpretation 153.101 Setbacks - Town Attorney Opinion Requested

Staff interpretation of this regulations has been questioned regarding increased setbacks or fire suppression. The regulation reads:

153.101 Setback – Ocean Impact Residential Zone

(5) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(6) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (5).

Staff has interpreted "total gross floor area" as the gross floor area of all structures part of a development and/or on one lot. This amendment was intended for safety for large single family developments and the "total gross floor area" includes all single family structures on a site even if it is multiple structures.

Can you please concur or correct staff interpretation of this regulations?

Meredith Guns
Town of Kill Devil Hills
Planning Director
PO Box 1719
Kill Devil Hills, NC 27948
252-449-5318

CONDITIONAL SITE PLAN TECHNICAL REVIEW 1-RESPONSE TO COMMENTS DATED 10-27-20
Oceanside Community – Cluster Home Development
Proposed Cluster Home Development including (14) Single-Family Dwellings
Comment response dated 11-03-20 in Blue Bold Text

Planning—Cameron Ray (252-449-5311)

1. Total gross floor area of the proposed development exceeds 6,000 square feet of total gross floor area. Therefore, the site shall have a (2') increase in side yard setback or the structures shall be equipped with a fire suppression system. **Fire suppression lines added to the utility plan and a note added to Sheet 1.**
   Note from the applicant: "While we have shown this on the updated site plan submittal to keep the process moving forward for now, we believe this particular ordinance requiring fire suppression for homes over 6,0000 sq.ft. on an individual lot does NOT apply to this proposed site plan. The reasons being that each house will be conveyed on an individual homesite and each home will be well under this 6,000 sq.ft. max size. Further, we do not believe the intention of this ordinance was to place greater restrictions on a cottage court / cluster development BUT rather to encourage them versus the larger 20+ bedroom homes. Applicant has reviewed the feasibility of placing two 30 bedroom homes on each of these sites and can accomplish this under current rules. HOWEVER, the applicant has spent significant time and resources in pursing this cluster development because our understanding is the Town wants to encourage such developments. This fire suppression requirement for each of these smaller structures will make this development unfeasible. Further, the State building code also does not require these cottages to have fire suppression. "
2. Recombination plat or legal agreement shall be required prior issuance of building permits. **Note added to General Notes on sheet 1**
3. Architectural elevations/Floor Plans:
   a. Type A: Site plan states these are (4) bedrooms but floor plans only show (3) bedrooms.
   b. Type B: Elevation and floor plan not included. Please include.

The floor plans are currently being developed and will be submitted prior to the building permit application. The Developer and Architect are aware of piling spacing for clear parking, building height and Free of Obstruction Requirements under the new Flood Protection Requirements. See note below the FEMA data note added to sheet 1.

4. Type A Building: Pilings interfere with required parking spaces. Required parking spaces shall be 10'x20' free and clear. **See response to Planning Comment 3**
5. Required landscape buffer shall extend along all portions of property line. Portions of the property line do not show landscape buffer. **The buffer has been extended as shown on Sheet 1.**
6. Dimension parking space along property line to property line. **Dimensions added to Sheet 1.**
7. V-Zone Standards: Ground floor entry in buildings shall meet free of obstruction requirements. As currently shown, the following items do not meet the free of obstructions requirements. Walls shall be breakaway, equipment/utilities cannot be located in a breakaway walls, cannot be conditioned space (must be separated from floor above), appears to be framed together floor above with how window/siding is shown in stairwell. Please submit revised floor plan and elevations showing compliance with V Zone standards for free of obstructions. **See Response to Planning Comment 3.**
8. Dimension "T" driveway to property line. **Dimensions added to Sheet 1.**
9. Proposed Unit Conveyance: The unit conveyance showing the building pad being owned separately fits the definition of cluster home instead of cottage court. **The project has been changed to Cluster Home to meet the conveyance needs of the developer. See revised notes on sheet 1.**

Public Services—Derek Dail (252-449-4085)

Solid Waste:

1. Add one additional dumpster to the dumpster site in accordance with the attached Town three dumpster site diagram. **Space for an additional dumpster has been added to the previously depicted dumpster pad.**

Streets:

1. Coordinate with Town Engineer and his comments regarding drive entrance curbing and deign that allows stormwater in the right-of-way to flow across a portion of the driveway from north to south. **A detail of the entrance addressing right-of-way flow has been added to Sheet 3. Additional data will be provided with the building permit submittal.**

Water System:

1. The proposed fire line will be a privately maintained fire line on private property. A RPZ shall be installed on the fire line just inside the property boundary. **A RPZ has been added to the plan set and the line has been designated private on private property. See additional data added to sheet 2 and a detail added to sheet 5.**
2. The fire line will need to cross under NC 12 utilizing trenchless jack and bore method. Public Services visited the site and there appears to be adequate space in the Baker Street Right-of-Way across from the site to set up the jack and bore rig, bore under the existing Town 16" water main and under NC 12 and connect to the existing water main with a back side tap. **Notes added to sheet 2.**
3. Water meters will be installed at the Right-of-Way line for each unit by Kill Devil Hills water system division. Developer will be required to install water plumbing from the meters to each unit. **Water meter "banks" have been shown on sheet 1 and sheet 2 with individual service lines run to individual units.**
4. Per conversations with the Engineer, the pump station will be moved to north property line which will eliminate or minimize any conflicts with the fire line and the new services. **The lift station is currently proposed adjacent to the North property line.**
5. Anticipated upgrade fees associated with the proposed services based on the current rate schedule:

System Development Fee: 14 S.F. Units & 1 Community meter @ $4,000 ea. (5/8x3/4 meter)	= $60,000.00*
Available Credit (Good Standing Accounts)	= -$ 4,000.00*
5/8x3/4 Tap Fee 15 @ $1090.00	= $16,350.00**
Surety Deposit 15 @ $100.00	= $ 1,500.00**
NC 12 service casing bore 8 @ 1500 ea. (estimate)	= $12,000.00***
Total	= $85,850.00

The developer has been made aware of the proposed fees.

Wastewater:

1. A Copy of the NCDEQ Wastewater Extension (Fast Track) permit will need to be provided prior to issuance of a building permit. **Comment noted and a note has been added to sheet 2.**

Engineering—Pete Burkhimer (757-478-5970)

- Town Engineer has reviewed this submittal, taking into consideration the note on each sheet that this submittal is for Zoning Compliance review only. **Typically plans for zoning review include data sufficient to allow Zoning Compliance approval. Addition construction details and data will be presented with the final permit plans.**
- We find that the general concept for utilities, grading and stormwater management are viable and compliant with our standards, criteria and regulations. The following points are noted which should be addressed with the submittal of a final, constructable site plan:
  1. A more detailed treatment of the entrance onto NC 12 is required. We recommend that curb and gutter returns be provided, with geometry designed carefully to direct turning drivers to and from the through lane (as opposed to the concurrent bike/pedway). **A detail has been added to sheet 3 to demonstrate the intent of the driveway connection with curb and gutter turnouts directed onto the travelway instead of the pedestrian/bike path.**
  2. The adjacent portion of the NC 12 right of way should be graded away from the current edge of pavement, with some provisions for stormwater from the road. **A detail has been added to sheet 3**

to demonstrate the intent of the driveway connection with grading to address stormwater off the roadway.

3. The profile of the entry road should not start upgrade into the site until east of a down-sloping shoulder area. Applicant's engineer may wish to discuss his proposal for this with Public Services and Town Engineer. **A detail has been added to sheet 3 to demonstrate the intent of the driveway sloping into the shoulder area. The surveyor has been scheduled to obtain addition spot grades in the driveway connection area and additional information will be provided on the permit set.**

Fire—John Risoldi (252-449-5227)

1. Water test shall be performed to determine available water for fire suppression . **This is noted and a note has been added to sheet 2.**
2. The drive lane going into the courts meets the 20' for a fire lane/ fire apparatus access road. My concern is how will the lane be kept free from cars parking in it and how will it be enforced being a private driveway? **Signs will be located at the driveway entrance and along the roadway. The sign locations are depicted on sheet 1 and the sign details are shown on sheet 5. The signs will include "Towing enforced "notices along with the phone number of the association management company.**
3. Drive lane into the court if deemed a fire lane/ fire access road shall support the weight of the fire apparatus. **This is noted and the driveway will be engineered to support the fire apparatus.**
4. Turn around point is required if the fire lane/ access road is more than 150' and dead ends. **Turn around has been provided.**
5. The T at the end of the would meet the fire code for a turnaround point for the fire apparatus and that shall be kept clear of parked vehicles. **Noted.**
6. With the about of square footage being built on the lots. I think it meets the threshold for fire sprinklers and a NFPA 13D system in all the structures. **Sprinkler Connections have been included and the intent is to provide residential sprinkler systems. See note on sheet 1 under General Notes. Also see Planning Comment 1 above.**

Police –Dana Harris (252-449-5324)

1. Is the driveway going to be designated as shared driveway as 153.311 requires? Or something else? Do not see it specifically shown on Review 1 email. **This will be a shared driveway.**
2. How do they plan to address the influx of people using their driveway/beach access to go to the beach from the hotel/general public? (Who will be responsible for trespassing warrants if they place no trespassing signs or ask the subjects to leave or not use the drive or access). **Signs will be located at the driveway entrance and along the roadway. The sign locations are depicted on sheet 1 and the sign details are shown on sheet 5. The signs will include "Private Property, Not a Public Road and No public Beach Access" as shown on the sign details noted on sheet 5. The sign will also include the name and phone number of the management company.**
3. How will they handle improper parking in the driveway (Shared driveway is private property and parking laws do not apply and cannot be enforced by the town). **Signs will be located at the driveway entrance and along the roadway. The sign locations are depicted on sheet 1 and the sign details are shown on sheet 5. The signs will include "Towing enforced "notices along with the phone number of the association management company.**

DocuSign Envelope ID: BCD69274-0858-4701-9245-8AF0E1B8C8E9

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

Applicant

Name: SAGA Realty and Construction
Address: 1314 S. Croatan Highway, Suite 301
Kill Devil Hills, NC 27948
Phone: 252-441-9006
Fax: sgupta@icrsaga.com
Cell: 252 - 207 - 8997

Property Owner

Name: John Schmitt and Thomas Schmitt
Address: 101 Monmouth Road
West Long Branch, NJ 07764
Phone:
Fax:
Cell:

Property Location

Address: 707 and 709 N. Virgnia Dare Trail
Lot, Block: 4 and 5, Block 8
Subdivision: Kitty Hawk Shores-Revised
Pin#: 988416726545

Zoning District: ☐Commercial ☐LI-1 ☐LI-2 ☒OIR

Total Lot Size: 59,233 Sq. Ft.
Disturbed Area: 35,000 Sq. Ft.

Contractor

Company Name: SAGA Realty and Construction
Name:
Address: 1314 S. Croatan Highway, Suite 301
Kill Devil Hills, NC 27948
License Number:
Phone: 252-441-9006
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: 34,952 Sq. Ft. Covered Deck(s): 3,864 Sq. Ft. Storage: Sq. Ft.
Garage: Sq. Ft. # of Bedrooms: 58 # of Open Deck(s): 44
Proposed Square Footage: 32,568 + Existing Square Footage: demo exist. = 32,568 Total Sq. Ft.
% Impervious Coverage: 50.35 + % Pervious Coverage: 4.63 = 54.98 Total % Coverage
# of Parking Spaces: *Existing:* *Proposed:* 58 *Total:* 58
Septic Tank Permit #: KDHWWTP Construction Type: Wood Frame/Pilings

Estimated Construction Cost (including labor and materials): TO BE DETERMINED

Flood Information

Flood Zone: ■ VE ☐ AE ■ X Base Flood Elevation: 13.0
Proposed First Floor Elevation: varies Sq. Ft Below Base Flood Elevation: n/a

Town of Kill Devil Hills
OCT 13 2020
Planning & Inspections Department

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

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Project Description

Cottage Court Development Consisting of 12-4 Bedroom units and 2-5 bedroom units all with under house parking and each with individual swimming pools.

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
    - ☒ Layout, Size and Number of Parking Spaces including handicap w/ setbacks (Each Space Numbered)
    - ☒ Fire Lane and Driveways
    - ☐ Loading Zone (Commercial Sites)
    - ☐ Mail Delivery Cluster Sites (Multi-Family)

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- ☒ Proposed First Floor Elevation
- ☒ Dumpster Pad Location
- ☒ 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: DocuSigned by: Sumit Gupta 234345D4F3A24F3... **(Date)** 10/13/2020

KDHWWTP, LLC
P.O. Box 3629
Kill Devil Hills, NC 27948
NCUC W-1160

Willingness to Serve

September 14, 2020

SAGA Construction
P.O. Box 90
Kill Devil Hills, NC 27948

Re: 709 N. Virginia Dare Trail, Kill Devil Hills, NC 27948, 14 unit Cottage Court

To whom it may concern:

The Public Utility currently has sufficient sewer capacity available and we are Willing to Serve the above referenced property.

This Willingness to Serve commitment is conditional upon the subject property being added to the Public Utilities Service Area by the North Carolina Utilities Commission and approval by the Division of Environmental Quality of the North Carolina Department of Environment and Natural Resources.

My best regards,

Eddie Goodrich
Member Manager