

**Minutes of the Tuesday, July 18, 2023, meeting of the Kill Devil Hills Planning Board held at 5:30 p.m. in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills, North Carolina.**

**Members Present:** Becky Breiholz, T. Dillon Heikens, Michael Lowack, Natalie Painter, and Ron Seidman, II

**Members Absent:** Chairperson Howard Buchanan and Vacant Seat

**Others Present:** Cameron Ray, Assistant Planning Director; Ryan Lang, Senior Planner; and Jennifer Stecher, Deputy Town Clerk

**Call to Order**

At 5:30 p.m., Vice Chairperson Ron Seidman called this Tuesday, July 18, 2023, meeting of the Kill Devil Hills Planning Board to order and welcomed everyone present.

**Agenda Approval**

Becky Breiholz moved to approve the agenda for this meeting, as presented. Dillon Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

**Approval of the Minutes of the June 20, 2023 meeting**

Ms. Breiholz moved to approve the June 20, 2023 meeting minutes, as presented. Natalie Painter seconded the motion, which was approved by a unanimous, 5-0, vote.

**Public Comment**

**Response to Public Comment**

**Ongoing Business**

**New Business**

**1. Site Plan Review - 1828 N. Croatan Highway in the Commercial Zone - Proposed Retail Store**

A site plan was submitted by Gary Franks of Development Services Group Inc., proposing the construction of a 4,000-square-foot retail store, a parking lot with 16 parking spaces, and associated site modifications. The proposed retail store is a permitted use in the Commercial Zone (N) *Retail Business*. The business will be a paint retail store, "Sherwin Williams." The meeting packet included the commercial site plan application, proposed site

plan, proposed building elevations and floor plan, site narrative with stormwater calculations, and willingness to serve from KDHWTP, LLC.

The applicant has addressed most of Staff's initial technical review comments. The remaining items that needed to be addressed include:

Planning

Site Plan:

- a. Sight triangles required to be shown on site plan.
- b. Add pavement markings "arrows" displaying entrance only and exit only.

Lighting Plan:

- a. Provide Note: "All light produced on-site shall be contained within the perimeter of the site by design, orientation, or shielding of the light source. Per 153.074(E)(3)"
- b. Lighting is required on all sides of commercial buildings, the south side of the building does not provide adequate lighting. Consider using wall pack lighting.
- c. Consider lowering light pole mounting heights to 15'.
- d. Provide color temperature of proposed lighting.

Landscaping:

- a. Remove "fence" from Landscaping Table.
- b. Note "Dense Vegetative Screen" for plant schedule along West property line. There is a requirement of 45 shrubs for this property line.
- c. Add note "Dense vegetative screens shall contain shrubs at least 30 inches high at time of installation planted two-and-one-half feet on center. The type of shrub used needs to be capable of attaining a height of at least six feet at maturity." to the landscaping table and plant schedule.

Staff recommended the Planning Board forward the proposed site plan to the Board of Commissioners with a favorable recommendation after the above-listed conditions have been addressed.

Gary Franks, P.E. with Development Services Group, Inc. (DSG) was present to answer questions.

Ms. Breiholz asked for clarification regarding the address of the proposed site plan. Mr. Ray explained that the Town has a uniform process for assigning addresses to vacant parcels and then forwards them to Dare County. Once a site plan is approved, the Town sends the address to the County in order to update the Dare GIS map.

Mr. Seidman asked for clarification to entrance and exit pavement markings for the site plan. Mr. Ray explained that the Town requires each entrance and exit be clearly marked and potential traffic, as well as safety concerns, be considered. Mr. Ray stated the easterly entrance and exit will have a barrier to alleviate and mitigate traffic effects which are compatible with the proposed site design, as well as meeting the Town's ordinance.

Mr. Heikens moved to forward the proposed Site Plan - 1828 N. Croatan Highway in the Commercial Zone - Proposed Retail Store, to the Board of Commissioners with a favorable recommendation, once the requested conditions are addressed. Ms. Breiholz seconded the motion, which was approved by a unanimous, 5-0, vote.

## **2. Site Plan Review - 1906 S. Croatan Highway in the Commercial Zone - Proposed Boat Service Building Addition**

A site plan submitted by Albemarle Engineering calls for an addition of a 2,400-square-foot service building, reconfiguration of the existing parking lot with 23 parking spaces, and installation of stormwater management measures. The existing retail building will remain on site. The proposed Boat Sales and Boat Repair are permitted uses in the Commercial Zone (N) Retail Business (boat sales and rentals, boat repairs). The meeting materials included the commercial site plan application, proposed site plan, proposed building elevations with floor plan, health department approval, and stormwater narrative.

All Staff's comments from Site Plan Technical Review have been addressed and Staff recommended that the Planning Board forward the plan to the Board of Commissioners with a favorable recommendation.

Michael J. Morway, P.E. with Albemarle Engineering, was present to answer questions.

Mr. Lowack asked about the plan for the existing canopy on the west side of the building. Mr. Morway said it will be torn down and a boat lift will be put in that area for the purpose of unloading and transferring boats onsite. Ms. Breiholz asked for clarification about the primary premise of the business and the height of the proposed addition of the 2,400-square-foot service building. Mr. Morway explained the proposed site plan will be to sell recreational boats as well as to service and customize boats. Mr. Ray noted this is a good example of the Town's nonconformity ordinance and will create some positive outcomes for the proposed site plan. The developer was able to eliminate all nonconformities and bring the site into compliance and creates a positive redevelopment project for the Town.

Mr. Lowack moved to forward the proposed Site Plan - 1906 S. Croatan Highway in the Commercial Zone - Proposed Boat Service Building Addition, to the Board of Commissioners with a favorable recommendation. Mr. Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

### **Public Comment**

### **Response to Public Comment**

### **Board Member Comment**

Members discussed commercial properties in regard to code enforcement, including site triangles and stormwater management maintenance.

### **Adjournment**

There being no further business before the Planning Board at this time, Mr. Lowack moved to adjourn the meeting. Mr. Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

It was 5:48 p.m.

Submitted by:

Jennifer Stecher  
Administrative Assistant/Deputy Town Clerk