# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM November 13, 2023

TO: Mayor and Board of Commissioners

FROM: Debora P. Diáz, Town Manager

REF: New Business

**3. Site Plan Review – 1208 Swan Street in the Light Industrial 2 Zone Proposed 5 Unit Multi-Family Townhouse and Associated Site Improvements (Attached NB-3)**

Group Holdings, LLC has submitted a proposed site plan for the construction of a 5-unit multi-family townhome building, consisting of 5 three-bedroom units, 15 parking spaces, and associated site improvements. The attached Planning Department memorandum, site plans, and associated materials detail the request, which is a permitted use in the Light Industrial Two (LR2) Zone.

At its October 17, 2023, meeting, the Planning Board voted to forward this site plan to the Board of Commissioners, recommending approval pending several conditions, which have been addressed by the applicant. Staff recommends approval of the site plan as presented, and a motion is 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

November 13, 2023

Memorandum

To: Debbie Diaz, Town Manager

From: Ryan Lang, Senior Planner

Subject: SITE PLAN REVIEW – 1208 Swan Street in the Light Industrial 2 Zone – Proposed 5 Unit Multi-Family Townhouse with Associated Site Modifications

Enclosed is a site plan submitted by Group Holdings, LLC, proposes the construction of a 5 unit multi-family townhome building, consisting of 5 three bedroom units, and associated site improvements with 15 parking spaces. The proposed multi-family development is a permitted use in the Light Industrial Zone 2 (C) *Multi-family.* Attached you will find the commercial site plan application, proposed site plan, proposed architecturals and floor plan layouts, site narra tive, and applicants response to Staff's Tech 2 comments.

The Planning Board reviewed this proposal on October 17, 2023 and forwarded it to the Board recommending approval with several conditions. The applicant has since addressed the conditions.

Staff recommends approval of the site plan as presented.

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

Town of Kill Devil Hills
2 0 2023
Planning & Inspections Department

**Applicant**

Name: Group Holdings, LLC C/O Jim Rose
Address: 353 Soundview Drive
Kill Devil Hills, NC 27948
Phone: 252-202-1292
Fax:
Cell:

**Property Owner**

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

**Property Location**

Address: 1208 Swan Court
Lot, Block: Lot 5 & Pt 4 & Adj Land, Block 36
Subdivision: Kill Devil Hills Realty Corp.
Pin#: 988312852675

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

Total Lot Size: 23,178 Sq. Ft.
Disturbed Area: 25,497 Sq. Ft.

**Contractor**

Company Name: Godfrey Construction Company
License Number: #66982
Name: Rick Godfrey
Phone: 252-261-8600
Address: P.O. Box 694
Kill Devil Hills, NC 27948
Cell:
Fax:

Town Privilege License Number: 21542

**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: 7,433 Sq. Ft. Covered Deck(s): 320 Sq. Ft. Storage: N/A Sq. Ft.
Garage: 3,773 Sq. Ft. # of Bedrooms: 15 # of Open Deck(s): N/A
Proposed Square Footage: 4,093 + Existing Square Footage: 0 = 4,093 Total Sq. Ft.
% Impervious Coverage: 24.7 + % Pervious Coverage: 23.3 = 24.9 Total % Coverage
Does not match Plan
# of Parking Spaces: *Existing:* 0 *Proposed:* 15 *Total:* 15
Septic Tank Permit #: Pending * Required Construction Type: LPP with TS-2 Pretreatment
Estimated Construction Cost (including labor and materials):

**Flood Information**

Flood Zone: ☐ VE ☐ AE ■ X Base Flood Elevation: n/a
Proposed First Floor Elevation: 13.0' Sq. Ft Below Base Flood Elevation: n/a
* Show on plan

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

- 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:** Amom Rose **(Date)** 9/18.23

Quible

Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING

SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

October 3, 2023

Ryan Lang
County of Dare
Town of Kill Devil Hills Planning and Inspections
102 Town Hall Drive
Kill Devil Hills, NC 27948

Re: **Commercial Site Plan Transmittal Response**
1208 Swan Street
Kill Devil Hills, Dare County, NC

Mr. Lang,

Thank you for the TRC review comments for the Commercial Site Plan submittal of the above referenced project dated September 26, 2023. On behalf of Group Holdings, LLC, Quible & Associates, P.C., hereby submits, for your review and approval, the following documentation:

1. Fifteen (15) full size (24"x36") copies of the revised Plan Set;
2. Fifteen (15) copies of the revised lighting plan;
3. Fifteen (15) full size copies of the Architectural Plans;

Please find our responses listed below in *italics* to your review comments.

**Planning—Ryan Lang (252-449-5315)**

General:

1. Detail how parking spaces under proposed town homes will be marked or ensured that vehicles will not be blocked in. As proposed, the stacked parking spaces under structure do not have proper circulation. *Parking spaces under and infront of each unit will be painted with the unit number to delineate the parking spaces associated with that unit.*
2. Dare County Environmental Health Department approval required.
   *Acknowledged. Please note an onsite evaluation has been completed and DCHD permitting is ongoing.*
3. One entrance/exit from Boundary Street with two way traffic recommended as Swan Street had high volume of traffic. *Acknowledged. Please note the width of the site does not allow for two way at this entrance. There is only 38' separation between the one-way entrance and the right-of-way at the intersection.*
4. Dumpster location will likely lead to noise issues. It is recommended to relocate.
   *Acknowledged, per our meeting the dumpster has been relocated adjacent to the Swan St. entrance.*

Sheet 1 Site Plan:

1. Notes:
   a. #3: Add Site Address: 1208 Swan Street *Added to note #3*

b. #9: In Shaded X and X zones west of NC 12, the RFPE (Regulatory Flood Protection Elevation) is eight feet NAVD 1988 or the natural grade elevation if the natural grade is greater than eight feet NAVD 1988. *Added to note #9*
c. #10: Provide break down of pervious area, including depth of gravel base. Provide lot coverage reduction percentages if applicable. Provide total built upon area. *See note 10 on Sheet 1*
d. #12: Add "Permitted Use: © Multi-family dwellings *Added to note #12*
e. #13: ADA Space not required. If provided site shall meet all accessibility requirements. *Acknowledged. The HC space has been removed from the plan set.*
f. Add Density Calculation, floor area ration shall not exceed .50. *See note 10 on Sheet 1*
g. Add Max Building Height. *See note 20 on Sheet 1*
h. Add Note: Recombination Plat or Legal Agreement combining existing lots required to be completed prior to issuance of Building Permit. *See note 21 on Sheet 1*
i. Add Note: No Structure shall exceed a total height of 50 feet. *See note 20 on Sheet 1*

2. Side Street Setback from Boundary Street is 15'. Revise on all corresponding sheets. *Acknowledged. The building has been shifted to comply with this setback.*
3. Landscaping:
   a. Proposed Landscaping Types shall meet requirements in 153.073 and Appendix A: Landscaping Guide of the Town Code. Ornamental Grasses do not meet the requirement as proposed. *Acknowledged. The pink Muhly grass previously provided has been revised to a Bayberry bush.*
   b. Northern Property line, consider removing proposed fence and add dense vegetative screen because of existing neighboring fence. *Acknowledged. Fence removed and buffer updated to shrubs, 2.5' on center.*
4. Add site triangles for all drive aisles at right of way intersections. *Acknowledged. Site triangles have been reduced to 10'x20' and shifted to the right-of-way line.*
5. Dimension radiuses for all curbs on drive aisles entrances and exits. *Added throughout plan set.*
6. Dimension driveway width at property line on entrance/exits from Boundary and Swan Streets. *Acknowledged and noted on Sheet 1.*
7. Dimension driveway distance on Boundary Street from point of intersection of right of way lines of Swan and Boundary Street. *Acknowledged and noted on Sheet 1.*
8. Provide proposed first floor elevation. *Added to building label.*
9. Detail how units are to be identified. *Units will be identified as A-E*
10. Add note if Gutters will be installed on building. *Note about roof drains is shown on Sheet 4.*
11. Identify proposed "X" areas on site plan. *These are septic repair areas. They are called out on Sheet 3.*
12. Extend proposed fence along western property line to 10' from south west property corner. *Acknowledged dimension added to clarify the fence is to end 10' from southwest property corner.*

Sheet 2: Existing Conditions & Demolition Plan

1. Detail where overhead power pole will be relocated to. *This has been shown on Sheet 2.*

Sheet 3: Utility Plan

1. Detail connection from existing Dominion Power source. All new electrical, communication services and TV distribution lines and all conduits used for the distribution of such signals located within the town shall be placed underground from the

point of separation from the distribution line to the structure of the ultimate user. Existing distribution lines that are in place overhead on the effective date of this regulation may be extended only if such extensions are placed underground. Transformers and enclosures containing switches, meters, capacitors and the like may be pad mounted as an exception to the above. Per 153.080.
*Acknowledged. Please see note 14 on Sheet 1 and new note 12 on Sheet 3. Relocated pole placement has been shown. The electrical layout will be under a separate cover and designed by others.*

2. Add note: Dare County Environmental Health Department Approval Required.
*Added as note 11 on Sheet 3.*

Sheet 5: SESC Plan

1. Dimension construction entrance.
*Acknowledged, dimensions have been added.*
2. Silt fence cannot be placed in right of way. Revise placement to be placed within existing property lines.
*Acknowledged and updated.*
3. Add Note: All disturbance in Town Right of Way shall be stabilized immediately.
*Acknowledged.*

Lighting Plan:

1. Lighting shall be provided on all sides of building for security. Consider low wall packs for each unit.
*Acknowledged. Wall packs have been added in between each unit.*
2. Clarify if units will include lights on front of building.
*Lights are now shown on the front and rear of the building.*

Architectural and Floor Plan:

1. Note proposed Building Height.
*Proposed building height was indicated on Sheet 2 of the provided architectural plans.*

**Public Services —Derek Dail (252-480-4085)**

Solid Waste:

1. The site proposes five, three-bedroom units and will require one dumpster. One dumpster is provided on the plan. *Acknowledged and confirmed.*
2. Recommend installing the curb in front of the dumpster pad and installing the pad at the same grade as the back of curb & behind the curb so that the dumpster site is at the same grade inside the enclosure. *Dumpster pad has been shifted from the previous location per coordination with planning staff.*

Streets:

1. Recommend making the driveway on Boundary Street two-way. *See response to planning comment above and reference to not being able to meet the min. 35' separation to the Swan St. right-of-way with a two-way entrance on Boundary Street.*
2. Show storm pipes in the Boundary Street Right-of-Way and crossing Swan Street just north of the existing Swan Street driveway. *Acknowledged. We will need to perform additional survey to show these items correctly.*

3. Provide existing property line, EOP, swale, pipe inverts and structure rim grades in the Right-of-Way to verify that existing drainage is sufficient *Acknowledged. We will need to perform additional survey to show these items correctly..*
4. Plan references a 16" CPI pipe under the existing driveway. There is an existing 12" HDPe pipe under the existing driveway. The condition of the pipe is unknown and may likely need to be replaced and flared end sections will be required on any pipe under the new driveway in Swan Street. Approximately 10 feet of the existing pipe will need to be removed/shortened from the north and the road side swale reestablished. *It is acknowledged that based on the pipe condition it may need to be removed/replaced.*
5. Curbs tying into Boundary Street will need to have a gutter pan between the curb and the asphalt and valley gutter should be along the asphalt across the driveway draining water away from the asphalt. *As requested, curb and gutter have been provided along the entrance and a valley gutter has been added where the entrance meets the existing asphalt.*
6. Swan Street driveway should have curb and gutter with valley gutter across the driveway. *As requested, curb and gutter have been provided along the entrance and a valley gutter has been added where the entrance meets the existing asphalt.*
7. No fill is allowed in the Right-of-Way except to accommodate driveways. Plan currently shows fill within the Boundary Street Right-of-Way. *Please note the site has been regraded due to the relocation of the site dumpster pad.*
8. The Swan Street driveway appears to be shedding onsite stormwater onto the right-of-way. Design needs to capture and retain this water on-site. *Please note the site has been regraded due to the relocation of the site dumpster pad.*
9. The Swan Street Driveway entrance should be shifted to the south or the radii shortened as to not extend past the northern adjoiner's property corner as extended perpendicular to the EOP. *Acknowledged and updated.*

Water System:

1. Fees associated with the proposed services with individual meters are provided below based on the current fee schedule:
   - Proposed three-bedroom unit with 5/8"x 3/4" meter:

| | |
|---|---|
| System Development Fee | = $ 6,000.00 |
| Tap Fee | = $ 1,275.00 |
| Surety | = $ 100.00 |
| Total Each Unit | = $ 7,375.00 |
| **Five (5) Proposed Units x $7,375.00** | **= $36,875.00** |

*Acknowledged.*

**Building Inspector— Marty Shaw (252-449-5313)**

1. While ADA parking spaces are not a requirement of townhomes, if they are provided, they need to meet the code requirements of ICC A117.1 Sheet 1 of 8 does not provide dimensions for the access aisle adjacent to the 8' wide parking space but it appears to be smaller than the 8' space shown. A single accessible space shall either be an 11' wide van space with a 5' access aisle, OR, an 8' wide space with an 8' wide access aisle. It doesn't appear the access aisle shown is 8' wide as it is smaller than the 8' parking space. *Acknowledged. This ADA space has been removed per Planning Sheet 1, comment #1*

**Fire Marshal — John Risoldi (252-449-5227**

1. Water test shall be done to determine available water for fire suppression
   *Acknowledged.*
2. A added hydrant may be necessary depending on how much water that is required and what the existing hydrant will flow
   *Acknowledged.*
3. Profile for fire separation between units shall be submitted and approved
   *Acknowledged.*
4. The fire lane shall be able to support the weight of the fire apparatus
   *Acknowledged.*
5. Pavers shall be marked fire lane and may need to use signs to accomplish that
   *Acknowledged. "NO PARKING FIRE LANE" paint is shown on Sheet 1.*

**Police — Dana Harris (252-449-5324)**

1. Boundary Street entrance
   a. Appears to be one-way, if so, signage to designate same (No Exit/One-Way with Arrow/Etc.)
      *Acknowledged. Signage is called out on Sheet 1.*

Sincerely,
**Quible & Associates, P.C.**

Nadeen Dashti, E.I.

Encl.: As stated
Cc: Group Holdings, LLC