



AGENDA

**Town of Nags Head Planning Board
Nags Head Municipal Complex Board Room
Tuesday, June 18, 2024; 9:00 a.m.**

- A. Call To Order
- B. Approval Of Agenda
- C. Public Comment/Audience Response
- D. Approval Of Minutes
May 21st, 2024 Planning Board Meeting.

Documents:

[MAY 21 2024 DRAFT MINUTES.PDF](#)

- E. Action Items

- 1. Consideration Of A Site Plan Amendment
for the construction of an 87-unit Hotel (Inn at Whalebone), including a request to eliminate or modify the condition of the October 4, 2023, Board of Commissioners approval that the existing Lakeside Street roadway be expanded to accommodate three (3) lanes of traffic, and the three (3) lanes should extend to the most westward entrance of the hotel off Lakeside Street. The property is zoned SPD-C Village Hoel and is located within the Hotel Overlay District, located at 6632 Pheasant Avenue/Lakeside Drive, Nags Head.

Documents:

[INN AT WHALEBONE SITE PLAN AMENDMENTS FOR PB.PDF](#)

- 2. Consideration Of Various Amendments
to the Unified Development Ordinance (UDO) as it pertains to the use of multi-family dwelling developments.

Documents:

[6 H1 MULTI-FAMILY ORD WORKING GROUP ORD.PDF](#)
[MULTI FAMILY STAFF REPORT PB FINAL.PDF](#)

- 3. Consideration Of A Sketch Plan Review Application

submitted by SRE Mustang, LLC (Outlets Nags Head) and the Timmons Group for the construction of a 2,279 square foot stand-alone restaurant at 7100 S. Croatan Highway (Outlets Nags Head).

Documents:

[OUTLETS RESTAURANT SKETCH PLAN REVIEW FOR PB.PDF](#)

4. Planning Staff Is Requesting That The Planning Board consider initiating a text to amendment to the Unified Development Ordinance as it pertains to the dormitory use in the SED-80, Special Environmental District.

Documents:

[SED-80 DORMITORY MEMO.PDF](#)

- F. Report On Board Of Commissioners Actions
June 5th, 2024

Documents:

[JUN 5 2024 BOC ACTIONS KW HIGHLIGHT FOR PB.PDF](#)

- G. Town Updates - As Requested

- H. Discussion Items

1. Planning & Development Directors Report
May 30th, 2024

Documents:

[PND DIRECTORS REPORT FOR BOC.PDF](#)

- I. Planning Board Members' Agenda
- J. Planning Board Chairman's Agenda
- K. Adjournment

**Town of Nags Head
Planning Board
May 21, 2024
- DRAFT -**

The Planning Board of the Town of Nags Head met on Tuesday, May 21, 2024, in the Board Room at the Nags Head Municipal Complex.

Chair Vaughan called the meeting to order at 9:00 a.m. as a quorum was present.

Members Present

Megan Vaughan, Molly Harrison, David Elder, Gary Ferguson, Kristi Wright, David Thompson

Members Absent

Meade Gwinn

Others Present

Kelly Wyatt, Joe Costello, Lily Nieberding

Approval of Agenda

David Elder moved to approve the agenda as presented. David Thompson seconded, and the motion passed by unanimous vote.

Public Comment/Audience Response

None

Approval of Minutes

Chair Vaughan asked for a motion to approve the minutes of the April 16, 2024, meeting with some editing corrections. David Elder moved to approve the minutes as corrected; Molly Harrison seconded, and the motion passed unanimously.

Action Items

None

Report on Board of Commissioners Actions – April 3, 2024

Ms. Wyatt gave an update on the Board of Commissioner Actions, of note: There were two items on the Consent Agenda (which was approved): Request for Public Hearing to consider text amendment to prohibit driving or parking on residential septic systems and a request for Public Hearing to consider text amendment submitted by Jordan Harrell of Jernigan Oil Company, Inc. to allow LED, digital displays for Fueling Stations; Comr. Brinkley gave an update on the Septic Health Advisory Committee: six loans, 90 inspections, and 98 water credits have been issued to date with the program; Comr. Brinkley also gave an update on the Town Multi-Family Ordinance Working Group which will meet again May 24th prior to a report to the Board in June (Ms. Wyatt noted she would

give the Planning Board a brief update later on in the meeting); Town Manager Garman noted that the Board had approved the request for a Public Services Dept Sanitation Equipment Operator and for a part-time/seasonal Planning and Development position to assist with Dowdy Park; Mayor Pro Tem Siers acknowledged the good work being done by the Town's Multi-Family Ordinance Working Group and the Town's Planning Dept, as he has heard from the community.

Mr. Elder pointed out two recent fires in Nags Head and raised concerns about the increasing risk of fires due to buildings being constructed very close to each other. He questioned whether this issue should become part of future planning considerations, especially given the trend towards maximizing the use of space. He observed that the current approach of filling out spaces as much as possible, combined with additional structures like fences, swimming pools, and outdoor cooking areas, creates a crowded environment. This situation potentially impacts the safety of inhabitants. Ms. Wyatt acknowledged Mr. Elder's concern and stated that staff could provide a presentation on current setback requirements for principal and accessory structures, and allowable encroachments and to what extent. Chair Vaughan noted that any changes they recommend would only apply to new development as well as redevelopment.

Town Updates

None

Discussion Items

Update on Lighting associated with LED, digital displays for fueling stations.

Ms. Wyatt gave a PowerPoint presentation that she put together with regards to Digital Sign Lighting noting that her presentation references a document from the Outdoor Advertising Association of America (OAAA) which she had sent to the Board via email the day before. Ms. Wyatt noted that this would be an addendum to the text amendment which the Planning Board recommended approval of at their last meeting.

Ms. Wyatt explained that most jurisdictions measure the brightness of LED digital signs using either footcandles or nits. A footcandle measures the amount of light falling onto a surface from one foot away, equal to one lumen per square foot. A nit measures the brightness emitted from a surface, equivalent to one candle per square meter, and is used scientifically to measure light from internally illuminated signs.

An LED sign's luminance is measured in nits, but the human eye perceives illuminance at a distance, affected by ambient light, measured in footcandles. Footcandles account for varying ambient light conditions, while nits measure brightness without considering ambient light, only setting maximum and minimum levels for different times of day. The footcandle standard is generally more restrictive and preferred by regulatory agencies. The OAAA recommends digital signs not exceed 0.3 footcandles above ambient lighting as a standard.

Ms. Wyatt confirmed for Chair Vaughan that the Town currently does not own a Nit gun (for measuring nits) only a light meter that measures footcandles.

Many localities use specific language to regulate digital billboards and electronic messaging centers, with some also applying these standards to smaller digital signage. Ms. Wyatt noted that if the Planning Board is inclined to recommend this, Planning Staff would need to coordinate with fueling station staff to measure illuminance at set times during the day and night with the digital display off

to establish a baseline of ambient light. When the display is on, staff would have to conduct the same measurements under similar conditions to ensure illuminance levels do not exceed 0.3 footcandles above the baseline.

Ms. Wyatt noted that this may be a bit time consuming in that it depended on timing and weather conditions but it would certainly be doable.

Ms. Harrison inquired if the purpose of this would be to get the property owner to turn the lights down if they are too bright. Ms. Wyatt confirmed, noting that there are industry standards that are going to give minimums for safety and visibility. This would be above and beyond that.

Ms. Wyatt reminded the Board that the Town does regulate lighting for fueling stations and proceeded to review some additional lighting considerations noting that Section 10.37 of the UDO specifies parking lot lighting standards based on usage. Fueling stations, classified as "high level" activity areas, must maintain lighting between 0.7 and 10.0 footcandles.

In addition, Section 10.37.2 of the UDO sets standards for open canopies over gas pumps:

- Only the area under the canopy may be illuminated, with levels between 2 and 15 footcandles.
- Light fixtures are restricted to under the canopy, with no illumination on the canopy sides.
- Parking spaces outside the canopy must follow standard parking area lighting requirements. Fueling stations must comply with these lighting standards regardless of digital sign components.

Ms. Wyatt presented the proposed amended language for the Board's consideration. This new language would be added to 7.20.7 Signage for Fueling Stations.

Ms. Wyatt confirmed for Chair Vaughn that without going out there at different times of day they have no idea what .3 even looks like.

Mr. Thompson inquired if staff could go to another town that already has these lights in use and measure there. Ms. Wyatt noted that Staff had done a quick inventory of gas stations along US 158 and found that Kill Devil Hills had no digital LED signage but there a few in Kitty Hawk (most use scrollers). Ms. Wyatt noted that staff could however, it would require a business owner being willing to turn their signage off at various intervals for us to get a ambient light reading.

Mr. Ferguson reiterated that he did not support these types of signs period.

David Elder noted that he did not think adding a standard was a bad idea and moved to amend the recommendation to include the .3 limitation. David Thompson seconded, and the motion passed unanimously.

Presentation on Community Rating System (CRS) Program

Deputy Planning Director Joe Costello gave a PowerPoint presentation to provide a brief overview of the Town's efforts to participate in and administer the Community Rating System (CRS) program.

Mr. Costello explained that the National Flood Insurance Program (NFIP) is administered by FEMA, which collaborates with over 85 insurance companies to offer flood insurance to homeowners, renters, and business owners. For a community to join the NFIP, it must adopt a floodplain

management ordinance and utilize flood maps, such as Flood Hazard Boundary Maps. This adoption is crucial because without it, the community cannot receive FEMA grants or post-disaster assistance.

Key terms associated with floodplain management include NFIP (National Flood Insurance Program), SFHA (Special Flood Hazard Area), and BFE (Base Flood Elevation). On flood maps, AE and V Zones indicate areas with a 1% annual chance of flooding, commonly referred to as 100-year flood zones. The shaded X Zone represents 500-year flood zones, while the unshaded X Zone indicates areas with even lower flood risk.

The Town (of Nags Head) saw significant changes with the adoption of the 2020 flood maps, which reduced the designated flood hazard areas. Approximately one-third of the Town's land and buildings were previously within flood zones.

The CRS is a voluntary incentive program that encourages communities to implement floodplain management practices exceeding the minimum NFIP requirements. Nationwide, over 1,500 communities participate in the CRS. Participating communities benefit from reduced flood insurance premiums, reflecting the reduced flood risk due to their proactive efforts.

The CRS program aims to achieve three primary goals: reduce flood damage to properties, strengthen and support the insurance aspects of the NFIP, and promote a comprehensive approach to floodplain management. The program's class structure determines the level of discount on flood insurance premiums. The Town is currently classified as Class 5, providing a 25% discount for properties in the Special Flood Hazard Area (SFHA).

CRS activities are broken down into specific tasks, each with a predetermined amount of credit associated with its implementation. These activities are further divided into elements, which are discrete parts of the overall floodplain management program.

Mr. Costello gave an example of the comprehensive elements that the Town gets credit for such as Outreach/Flooding Educational projects, floodplain management mapping aspect and open space preservation (ex. Nags Head woods and Jockey's Ridge). The Town's more restrictive freeboard standard also gives the Town points. Mr. Costello then discussed the Town's repetitive loss analysis and outreach mailer which is also part of the CRS program.

Mr. Costello stated that they had a verification visit scheduled, but it was recently cancelled, and Staff is awaiting a new date for the visit. Mr. Costello noted that as of 2018, only eighteen other communities with a smaller population than 5000 people were Class 5 or higher. For a small community, the Town is maxing out what it can do in the CRS program to get a discount.

Mr. Costello confirmed for Mr. Ferguson that while the Town does not get points for beach nourishment per se, the beach does count as open space preservation, which does give the Town points.

Mr. Costello discussed the CRS Cycle Visits and confirmed for Chair Vaughan that they used to be every five years, but they are now trying to do it every three years.

Mr. Costello and Mr. Ferguson discussed the Town's efforts with outreach and educating the public with regards to insurance premium savings (25% savings in the special flood hazard areas and 10% everywhere else) as well as other topics related to flooding.

April 26th, 2024, Director's Report

Ms. Wyatt briefly discussed her Director's Report with the Board which included various activities involving staff. Notable meetings included TRC, BOC, and the Committee for Arts and Culture. The Board of Adjustment did not meet in April. Key events included the Winter Market at Dowdy Park and the submission of a CAMA Grant Pre-Application.

Additional updates include the Septic Health Advisory Committee discussing the revised proposed ordinance amendment and staff efforts to buy a GPS unit for septic system mapping. The Estuarine Shoreline Management Plan saw staff preparing grant proposals for the National Coastal Resilience Fund. The EV Action Plan is progressing with staff identifying feasible locations for Level 2 EV Chargers at Town Hall.

The Dune Management Cost Share Program has allocated \$361,000 to 124 applicants, and the sand relocation program is nearing completion with final inspections underway. A grant pre-application for was submitted for renovations to the June Street Beach Access. The Outer Banks Regional Hazard Mitigation Plan Update involves a collaborative effort with Dare County and community reps, focusing on the timeline for updating the HMP. Lastly, the Arts & Culture Committee has selected vendors for the 2024 Dowdy Park Farmers Market, scheduled summer concerts, fitness events, and storytelling sessions, while also receiving new art panels for the Art Mast Project, soon to be installed by Public Services.

Ms. Wyatt also gave the Board an update on the Multi-Family Housing Working Group which has met three times. Ms. Wyatt noted that a lot of the discussion has centered on some changes to how they calculate density in the large family category and establishing a Floor Area Ration (FAR) using a large residential dwelling as kind of the baseline.

Planning Board Members' Agenda

None

Planning Board Chairman's Agenda

None

Adjournment

A motion to adjourn was made by David Elder. The time was 10:05 AM.

Respectfully submitted,
Lily Campos Nieberding



STAFF REPORT

Town of Nags Head

Planning & Development Department

To: Planning Board

From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Site Plan Amendment for Inn at Whalebone, 87-unit Hotel located at 6632 W. Pheasant Avenue (W. Lakeside Street).

BACKGROUND INFORMATION

At their October 4, 2023, meeting, the Nags Head Board of Commissioners reviewed the Site Plan Application request to construct a 90-unit hotel, Inn at Whalebone at 6632 W. Pheasant Avenue (W. Lakeside Street). The Board of Commissioners voted unanimously to approve the site plan with the two conditions noted below:

1. The existing roadway is to be expanded to accommodate three (3) lanes of traffic, and the three (3) lanes should extend to the most westward entrance of the hotel off Lakeside Street.
2. An approved subdivision plat addressing the portions of lots 24, 29, 30 and 31 and a recombination plat addressing lots 32, 33, 34, 35, 36, 22, 23, 26 and 27 be approved and filed at the Dare County Register of Deeds prior to the issuance of any development permits for the proposed hotel project.

Shortly after the site plan approval, the applicant worked with Bissell Professional Group to prepare the necessary subdivision plat and have it recorded with the Dare County Register of Deeds. Condition # 2 has been satisfied.

At this time, the applicant is requesting that consideration be given to various Site Plan amendments as well as a request to eliminate in whole, or modify, the requirements imposed by Condition #1 as it relates to the widening of Lakeside Street.

Site Plan Amendment Review

Section 4.4 of the Unified Development Ordinance sets forth the criteria for what types of development may be reviewed and approved administratively by staff. In addition to listing what constitutes minor versus major site plan modifications, it states that the UDO Administrator has the authority to determine when projects shall require a Major Site Plan due to other project activities or unique circumstances. As the UDO Administrator, Planning Director Kelly Wyatt made the determination that the proposed modifications were major in nature as the project had notable concerns with traffic

circulation, access, and stormwater management from its original review in October of 2022.

The applicant has outlined the modifications from the most recent Board of Commissioners approval on October 4, 2023 in their attached Site Plan Amendment Project Narrative. It notes that many of the modifications were in response to achieving state stormwater and wastewater approvals. These modifications include:

- This project was originally approved as a 90-unit hotel; however, the revised plan seeks approval for an 87-unit hotel.
- The overall area of the proposed building has increased by 729 square feet.
- With the proposed reduction in hotel units, 87 parking spaces are now required. The revised parking is compliant with 90 proposed spaces.
- Building lot coverage has increased from 12.94% to 13.4%. With 35% allowed, this lot coverage remains compliant.
- Parking lot coverage has increased from 36.18% to 38.6%. With 45% allowed, this lot coverage remains compliant.
- The minimum required landscaped area of 20% remains at 28%.
- Numerous modifications have been made to the stormwater management design.

Town Engineer David Ryan has reviewed the revised plans and notes that the stormwater narrative on Sheet C-103 indicates a Seasonal High Water Table Elevation of 3.50' MSL. The typical infiltration basin detail indicates a SHWL of 4.8'. This discrepancy should be clarified. The stormwater management design information submitted appears to be in substantial compliance with the Town of Nags Head Unified Development Ordinance.

Staff reports from this project original review and approval on October 5, 2022, and subsequent review and approval on October 4, 2023, are attached for the Planning Board's consideration.

Based upon the staff's analysis, the proposed modifications remain compliant with the requirements of the Unified Development Ordinance.

Lakeside Street Widening Condition of Approval Review

The applicant has submitted a request that the Planning Board and Board of Commissioners consider amending or removing the condition placed upon their October 4, 2023 Site Plan Approval that Lakeside Street roadway be expanded to accommodate three (3) lanes of traffic, and the three (3) lanes should extend to the most westward entrance of the hotel off Lakeside Street.

MacConnell & Associates, P.C. has provided a Technical Memorandum outlining the impacts and challenges associated with this request. MacConnell & Associates, P.C. provided a Turn Lane Exhibit for town staff and Board consideration, it is attached for the Planning Board's review. Town Engineer, David Ryan has conducted a review of this proposed exhibit and has provided the following comments:

“Lakeside Street Turn Lane Exhibit- A condition was placed on the previous site plan approval to widen the Lakeside St roadway extending from S. Croatan Hwy. to the westernmost boundary of the subject property. With the existing Lakeside St. right-of-way width at 40’ there are some impacts associated with a roadway widening of this length. These impacts include runoff onto adjoining properties and potential conflicts with above ground utilities. However, there is still an opportunity to provide roadway widening to meet the intent of the previous Board of Commissioners conditioned approval.

The applicant has submitted an exhibit which shows a reduced widening plan from the eastern property boundary. This concept indicates an encroachment onto the adjoining undeveloped property to the south. Attached is an exhibit mark-up which describes a potential alternative roadway widening approach which may not result in improvements extending onto private property. The recommendation is for the applicant to modify the traffic improvements for Lakeside St. to reflect the approach as identified in the attached plan mark-up. This approval would be conditioned on the applicant acquiring detailed survey information for the development of a roadway widening and construction plan in accordance with Chapter 36-4 of the Town Code of Ordinances. It should be noted that a temporary construction easement may be required from the owner of the undeveloped property to the south for the purposes of construction in addition to a right-of-way encroachment through NCDOT.”

STAFF RECOMMENDATION

Based on staff’s review and analysis of the proposed site plan amendments, we find that the modifications comply with the Unified Development Ordinance (UDO) and recommend approval as presented.

Regarding the applicant's request to remove or modify the condition to widen Lakeside Street, this condition was included in the October 4, 2023, Board of Commissioners (BOC) approval to address traffic concerns raised by citizens and Board members. While fully meeting this condition could impact runoff onto adjacent properties and conflict with above-ground utilities, there is an opportunity to widen a portion of the roadway. This approach would fulfill the intent of the Board of Commissioners' conditioned approval without encroaching on adjoining properties. Staff recommends that the Planning Board recommend modifying the previous BOC approval to reflect the alternative roadway design proposed by the Town Engineer.



TOTAL PROPOSED SQUARE FOOTAGE _____ x .50 = \$ _____ +

(Optional) VESTED RIGHT ☐ (no fee)

= TOTAL FEE DUE _____

TOWN OF NAGS HEAD

DATE RECEIVED _____

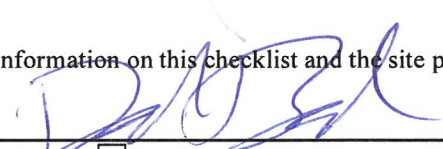
SITE PLAN REVIEW APPLICATION & CHECKLIST

1. LOCATION AND ZONING INFORMATION

- A. PROJECT TITLE The Inn At Whalebone
- B. STREET ADDRESS 6632 West Pheasant Ave.
- C. SUBDIVISION Roanoke Shores
- LOT(S) 32-36 BLOCK _____ SECTION _____
- D. PRESENT ZONING Village Hotel Overlay/SPD-C
- E. PRESENT USE Vacant Lots
- F. EXISTING NONCONFORMITIES _____
- G. ABUTTING PROPERTY ZONING SPDC-COS/R3/C2
- H. ABUTTING PROPERTY USE Golf Course / Gas Station / Residential

2. CERTIFICATION AND STANDING

- A. As applicant of standing of the above-named project, I certify that the information on this checklist and the site plan is complete and accurate.


OWNER ☐ AGENT ☐ CONTRACT ☒
PURCHASER ☐

- B. APPLICANT/DEVELOPER: NAME MacConnell and Associates, P.C.
- ADDRESS 501 Cascade Pointe Lane, Suite 103, Cary, NC 27513
- TELEPHONE (919) 467-1239
- C. CONTACTPERSON: NAME David Barcal, PE
- ADDRESS 501 Cascade Pointe Lane, Suite 103, Cary, NC 27513
- TELEPHONE (919) 467-1239

3. ADJACENT OWNERSHIP INFORMATION (TO BE SHOWN ON SITE PLAN)

- NAME/ADDRESS (N) SEE ATTACHED
- NAME/ADDRESS (S) _____
- NAME/ADDRESS (E) _____
- NAME/ADDRESS (W) _____

(If additional space is needed, please attach separate sheets.)

4. SITE PLAN AND SITE PLAN ATTACHMENT DATAA. Site plan preparer MacConnell and Associates, P.C. Phone# (919) 467-1239NC Registered ☒ Engineer ☐ Architect ☐ Surveyor.License# C-1039

B. The design for the attached Stormwater Management Plan includes:

☐ 1.5", 2-hour rainfall: retained on-site.☒ 4.3", 2-hour rainfall: no important access or health-related impacts.☐ 5.0", 2-hour rainfall: no unapproved impacts.Drainage calculations have been prepared ☒ YES ☐ NO ATTACHED ☒ YES ☐ NO**Note: Stormwater Management Plan MUST be approved by the Town Engineer prior to Planning Board review for all listed permitted uses in the zoning ordinance.**

C. Sewage disposal approval is being submitted in the form of:

☐ Attached tentative approval letter dated _____☒ Attached final permit dated July 25, 2023☐ State ☒ County

D. Project involves condominium ownership.

☒ NO ☐ YES, Three copies of condominium documents attached.E. Amount of land-disturbing activity proposed 99,233 square feet.

A Soil Erosion and Sedimentation Control Plan has been prepared.

☒ NO ☒ YES; (1) Copy attached,

(2) Copy submitted to Dare County Soil Conservation Service, Manteo NC 27954.

F. Coastal Area Management Act (CAMA) permit. ☐ YES ☒ NO**5. INFORMATION TO BE SHOWN ON SITE PLAN**

Twelve (12) copies for Planning Board review

A. Property and ownership	YES	COMMENTS
1. Present recorded owner and map book/cabinet reference of the site property.	✓	
2. Current PIN Number.	✓	
3. Site Address.	✓	
4. Owners' names, lot numbers or map book and page reference of all adjacent property owners.	✓	
5. Boundary of the entire parcel by course and distance.	✓	
6. Widths of the existing rights-of-way that abut the site.	✓	
7. Nature or purpose, location and size of existing easements.	N/A	
8. At all lot comers, points of tangents and any angle point along a given course of the site, iron pins minimum 3/8-inch diameter or 4x4-inch concrete monuments.	✓	
9. Plan to at least 1"=50' scale, showing north arrow and whether true or magnetic.	✓	
10. Signature and seal of preparer.	✓	
B. Existing features		
1. Streets, curbs, and sidewalks with type and width of pavement.	✓	
2. Topographic features of site and existing grades for any streets, storm drainage system including existing grades at four comers of all structures.	✓	

	YES ✓	COMMENT
3. Flood zone(s) as determined by latest FEMA Flood Insurance Rate Map, with notation, "flood zone subject to change by FEMA."	✓	
4. All underground utilities and facilities including gasoline tanks and existing septic facilities (including tanks and fields).	N/A	
5. If the lot is within an ocean hazard Area of Environmental Concern, the location of the first line of stable natural vegetation, the CAMA setback line, and contour lines at 2-foot intervals depicting any dunes located within an oceanfront AEC that are to be disturbed by construction.	N/A	
6. The location of any marsh areas or estuarine waters or US Army Corps of Engineers 404 wetlands within or abutting the lot.	N/A	
7. If the lot is within the small surface water supply watershed AEC (within 1,200 feet from the Fresh Water Pond), the distance between the pond and proposed septic or sewage treatment system.	N/A	
8. Percentage of site to be included in calculation for undisturbed vegetation preservation compliance in Article 10, Part I of the Unified Development Ordinance.	N/A	
C. Site improvements in accordance with regulations of state of North Carolina, Dare County, and Town of Nags Head		
1. Proposed building type (e.g., concrete or frame), number of floors and dimensions.	✓	Frame
2. Proposed building elevations of all sides of building labeled in accordance with proposed architectural design criteria of Article 10, Part VI of the UDO.	✓	
3. Total height and number of stories of proposed structure(s). If increased height is being proposed in conjunction with increased setbacks, show increase allowed in tabular form on plan. Note definition of height in Appendix A of the Unified Development Ordinance.	✓	
4. Existing and proposed ground elevations at the corners of proposed structure(s).	✓	
5. Sanitary sewer facilities with connection to sewer system or septic tank.	✓	
6. Approximate locations of proposed underground utilities and any necessary easements.	✓	
7. Screened dumpster pad(s) accessible to left-side loaders and sized in accordance with the Town Code of Ordinances.	✓	
8. Proposed fire hydrants and extensions of water distribution lines.	✓	
9. Location and height of proposed free-standing signs. See requirements of Article 10, Part III of the Unified Development Ordinance.	✓	
10. Location of all sidewalks, curbs, drives, and parking within the site and proposed finished elevations.	✓	
11. Handicapped parking spaces, walks, ramps, and entrances in accordance with the NC State Building Code. Handicapped parking spaces to be 13 feet wide, marked with a free-standing handicapped sign.	✓	
12. The Vegetative Buffer Yard areas have been identified and the proper buffer yard provision(s) have been identified as outlined in the Unified Development Ordinance.	✓	
13. Layout of numbered stalls/loading zones in accordance with Article 10, Part II of the Unified Development Ordinance.	✓	

Commercial ☐ Residential ☐	Parking Spaces Required	Parking Spaces Shown	Loading Spaces
4 _____ STORIES BUILDING SQUARE FOOTAGE: PRINCIPAL <u>13,405</u> ACCESSORY _____ TOTAL <u>13,405</u>	89	90	1
# EMPLOYEES <u>6</u>			
#DWELLING/LODGING UNITS <u>87</u>			

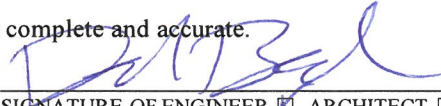
D. EXPLANATORY NOTES

1. Vicinity map. ✓
2. Total square feet of land area to undergo land-disturbing activity. ✓
3. The total required parking spaces versus the total parking spaces provided. Parking spaces to be numbered. ✓
4. Cross-section details of all streets, roads, ditches, and parking lot improvements. ✓
5. The number of dwelling/commercial units. If more than one use is proposed (e.g., large hotel with shops, etc.), show breakdown of units or square footage by building. ✓
6. If additional height above 35 feet is being proposed, the additional height and increased setbacks shall be laid out in tabular form. ✓
7. Total site coverage calculations. (Refer to UDO to calculate lot coverage for lots abutting ocean or sound). ✓
8. Components of the lighting plan (pole location, pole height, type of fixture, wattage, source of illumination, etc.). See Article 10, Part IV of the Unified Development Ordinance. ✓
9. A completed architectural points worksheet for commercial structures subject to residential design criteria. ✓

6. PLAN AND ATTACHMENT PREPARER CERTIFICATION

A. I certify that all information for which I am responsible is complete and accurate.

4/14/24
DATE


SIGNATURE OF ENGINEER ☒ ARCHITECT ☐ SURVEYOR ☐

B. The following individuals have contributed information or attachments to the plan:

Name	Phone#	Information Provided
Nitin Kulkarni	1-804-200-4085	Architectural

Site Specific Development Plan Option - Vested Right for Site Plans

Please be advised that as the owner, or agent for the owner, you have the opportunity to apply for and receive a Site-Specific Development Plan that will establish a Vested Right for this project for a period of time not to exceed two (2) years from the date the Board of Commissioners approves the plan. You must secure a building permit for this project within two (2) years of the approval date, or your Site-Specific Development Plan will expire. If you elect not to apply for a Site-Specific Development Plan, you must secure a building permit within six (6) months or else your site plan will expire.

If you choose the Site-Specific Development Plan option, please keep in mind the following concerns:

1. Although your project may be classified as a permitted use, by requesting a Site-Specific Development Plan your project will be processed as a Special Use for which a public hearing will be held, and an additional fee of \$200.00 will be charged to process your application.
2. Once your Site-Specific Development Plan has been approved with vested rights status no modifications can be made to the plan.

If you wish to take advantage of the Vested Right process, please check off the Vested Right box on page one. If you do not, then leave the box blank.



Technical Memorandum

To: Board of Commissioners
Client: Inn at Whalebone, LLC
Subject: The Inn at Whalebone
Project No.:C06001.00

Date: May 17, 2024
From: Gary S. MacConnell, P.E.
and Cricket Corwin, E.I.

Introduction

This is a request to amend/remove the road widening aspect of the original submittal due to the challenges of this task. This technical memorandum will also discuss two different road widening options and their impacts.

Option 1 – Complete Road Widening Impacts

- Road widening to the North
 - Significant impacts to the entrance and driveway of the service station that would result in the turn radius' not being met to the service station.
 - The customer staging area for gas pumps would be reduced at the service station.
 - Road widening would interfere with existing power poles.
 - Existing drainage ways would be covered up.
 - This would also eliminate the existing vegetative buffer.
- Road widening to the South
 - Completely cover up existing water line and service connections which would impact the accessibility of the water line making it difficult to maintain the line adequately. During construction, there could potentially be impacts to the operation of the water distribution system depending on the depth and material of the water line. This will impact future maintenance because the road would have to be shut down entirely, and pavement would have to be removed and replaced.
 - Would impact the frontage of the lots encroaching on existing driveways, power poles, mailboxes, fire hydrants, etc.
 - There would also be significant impact to the stormwater drainage and collection of the dwellings along the road by not only increasing the amount of impervious area but also covering up the existing drainage ditches with the proposed road.
 - Existing lot frontage would be reduced.
- Please also note that the North Carolina Department of Transportation does not have jurisdiction over this road.

- Because there is no existing stormwater infrastructure besides ditches, there would be no other way to convey stormwater from this road.
- With the road widening, there would be no shoulder on either side of the road.
- As shown in the attachment, 10' lanes are the minimum dimensions required to accommodate a single ingress lane and egress lane with a dedicated left turn lane and through with right turn lane. These dimensions severely impact the entirety of the road as described above.
- See attached street view images (3) of existing conditions looking toward S. Old Road near proposed Inn at Whalebone.

Option 2 – Road Widening only Lakeside Street/S Croatan Highway (Turn Lane) Impacts

- Additional land would need to be acquired near the S Croatan Highway in order to add the turn lane.
- There would be a need to modify existing water lines and existing electrical and other utilities in the area.
- The curb return on the south side would need to be modified.
- See attached street view images (1 & 2) of existing conditions looking toward S. Croatan Highway from Lakeside Street.



Image 1



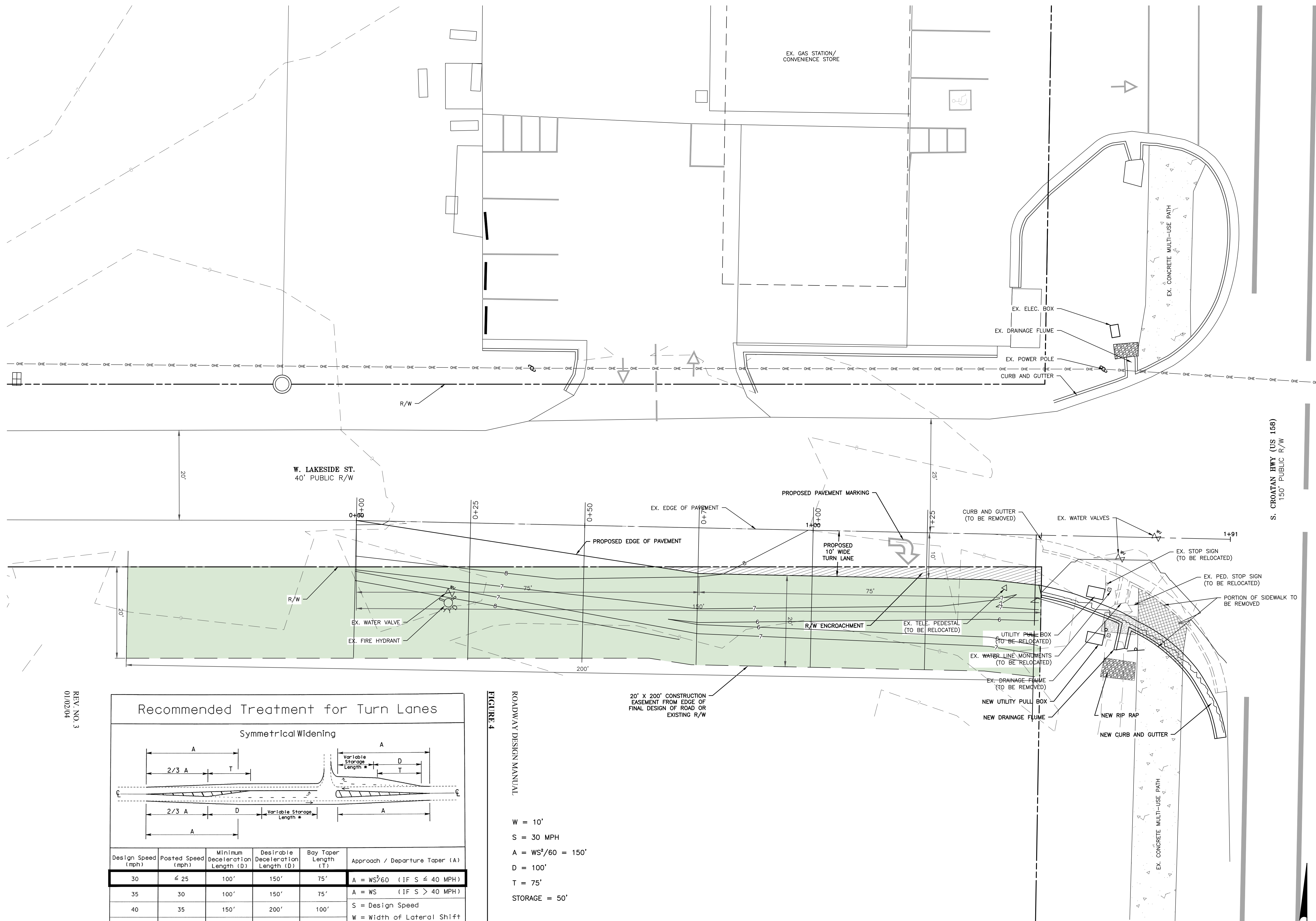
Image 2



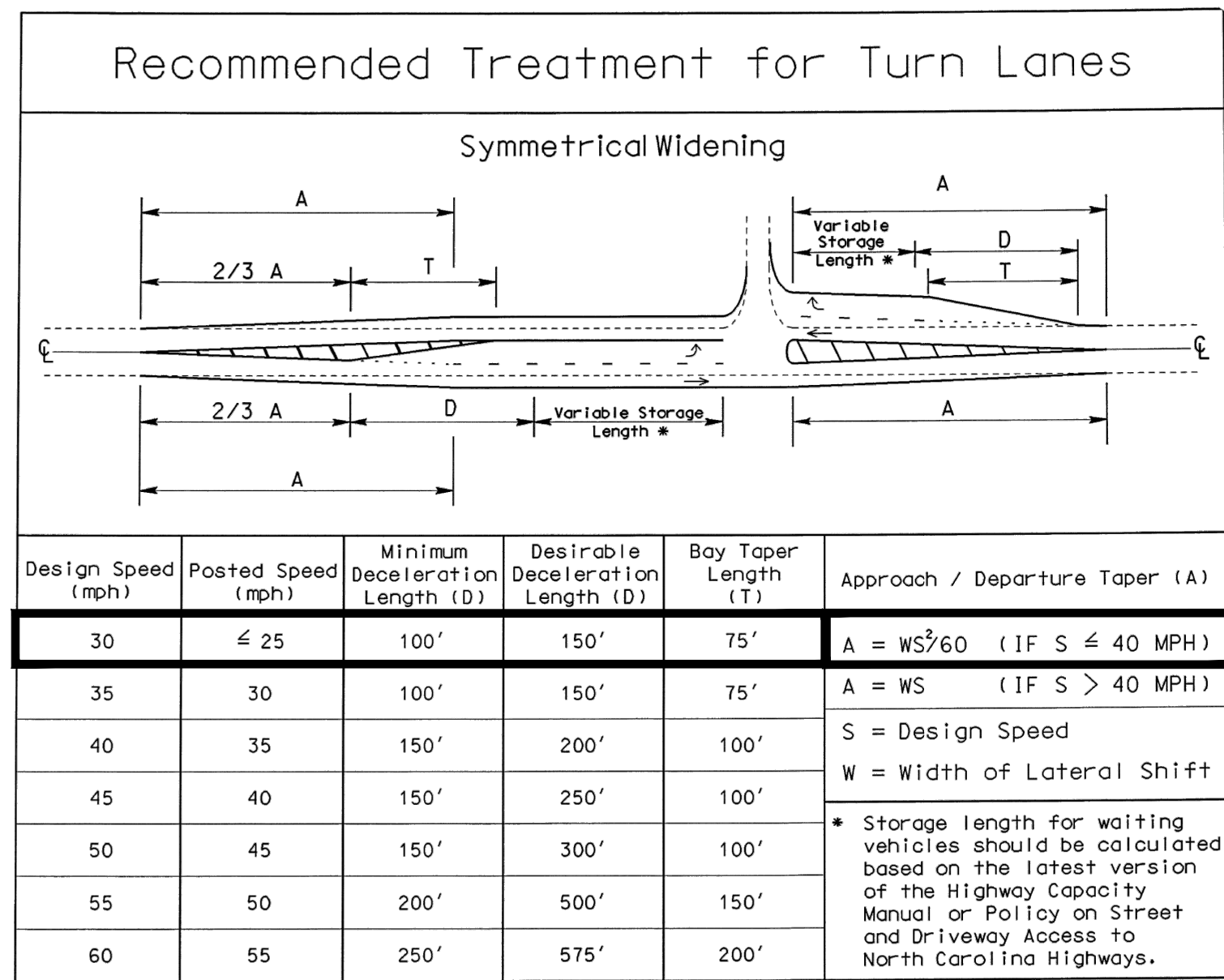
Image 3

Z:\T.Dwg (Projects)\Library\2023\06001.00 - House Engineering - Whalebone Int\Drawings\Road Widening\06001.00 - Base - Road Widening.dwg Jun 11, 2024 1:34pm

06001.00 - THE INN AT WHALEBONE, LLC - TRAFFIC IMPROVEMENTS FOR W. LAKESIDE ST.



REV. NO. 3
01/02/04



1 C-101 PROPOSED TURN LANE DETAIL / CALCULATIONS NTS

FIGURE 4

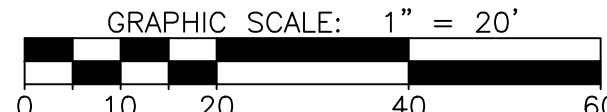
ROADWAY DESIGN MANUAL

W = 10'
S = 30 MPH
 $A = WS^2/60 = 150'$
D = 100'
T = 75'
STORAGE = 50'

9-1
F-4A

PART I

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CONSTRUCTION



NOTES

1. SEE C-101 FOR ALL GENERAL NOTES.

LEGEND

- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTIES
- FENCE
- RIGHT-OF-WAY
- CREEK
- EX. SANITARY SEWER
- EX. WATER LINE
- NEW SANITARY SEWER
- NEW WATER LINE

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT MANAGER:	PROJECT ENGINEER:
GSM	DCB
DRAWN BY:	CHECKED BY:
JDH	GSM

DATE: JUNE 6, 2024



MacCONNELL & Associates, P. C.
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
LICENSE No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510

THE INN AT WHALEBONE, LLC

TRAFFIC IMPROVEMENTS FOR W. LAKESIDE ST.

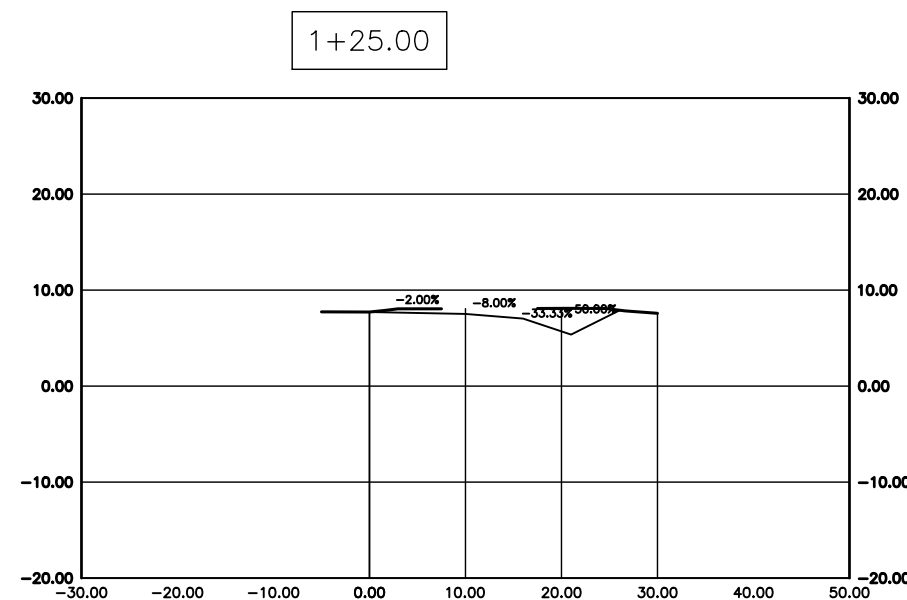
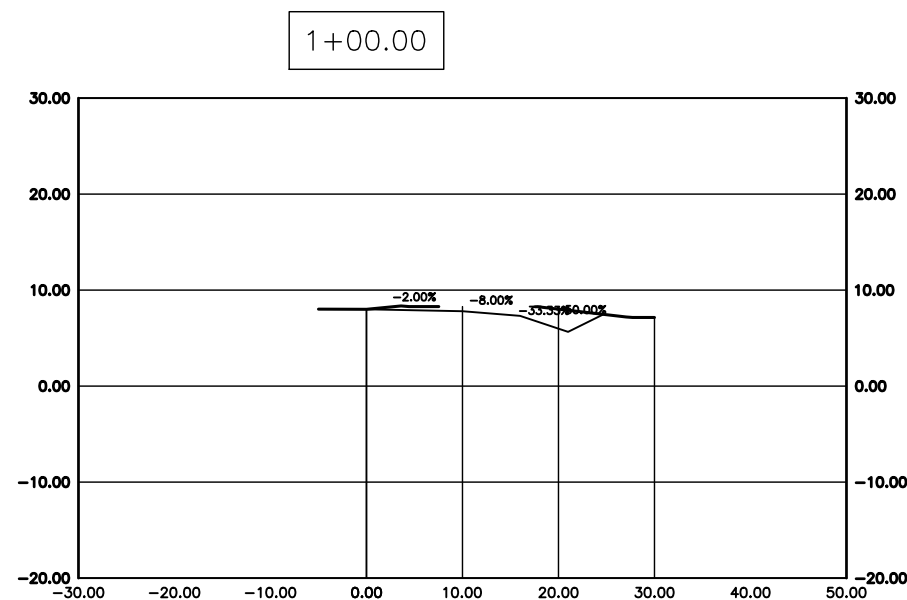
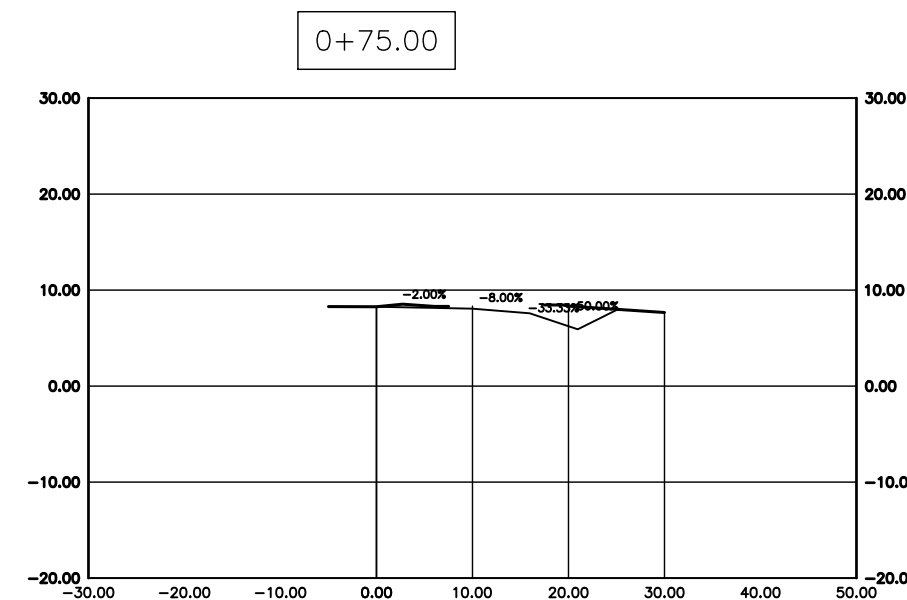
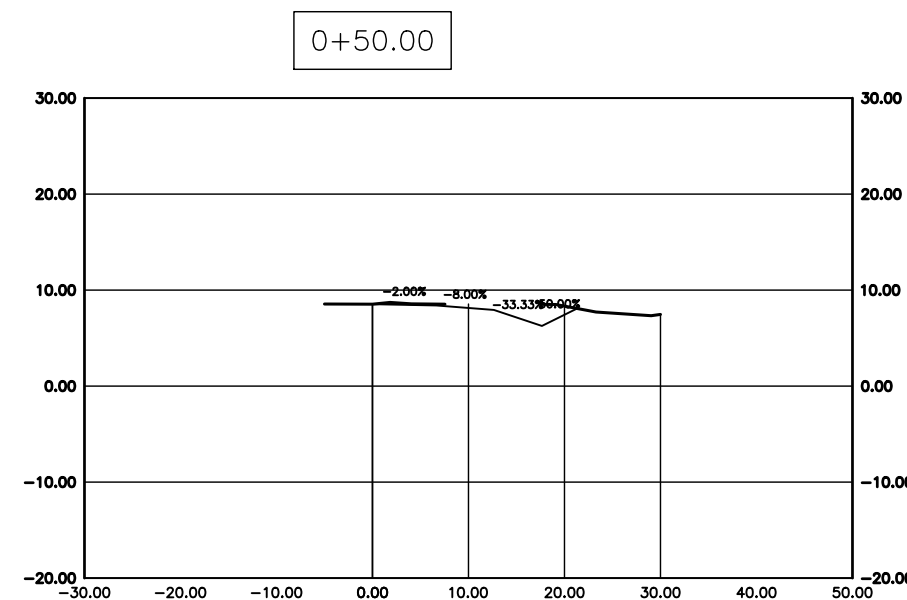
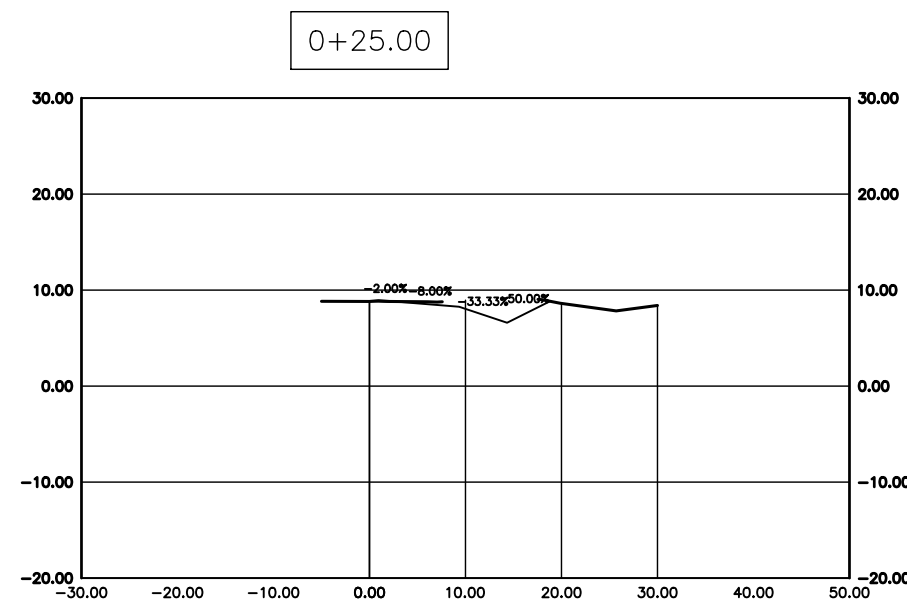
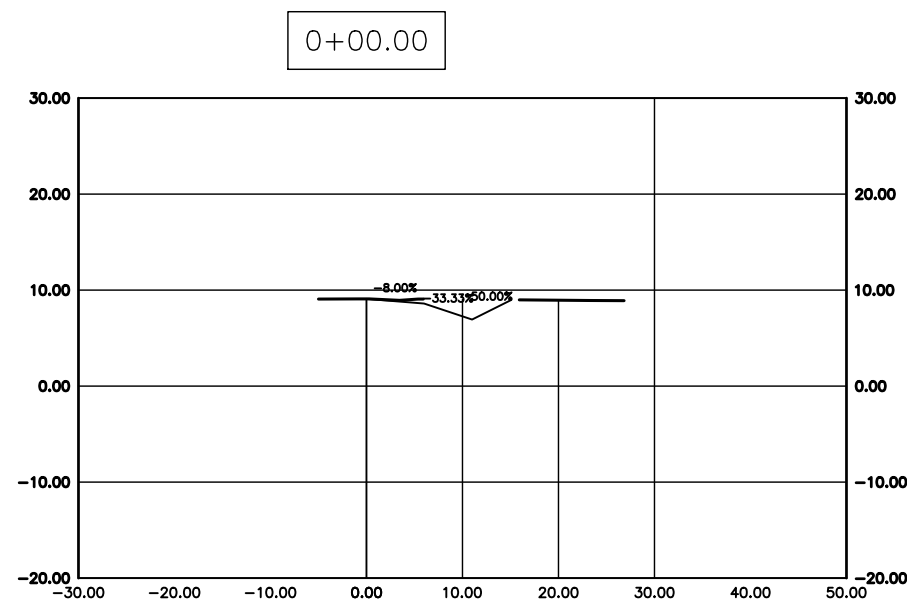
DARE COUNTY, NC

TURN LANE EXHIBIT

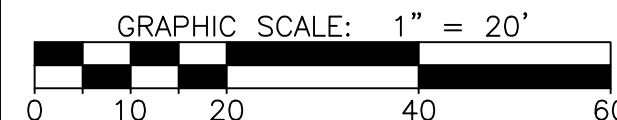
PROJECT NUMBER	DRAWING NUMBER
C06001.00	C-101

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NOT RELEASED FOR
CONSTRUCTION



NOTES

- SEE C-101 FOR ALL GENERAL NOTES.

LEGEND

- 110 INDEX CONTOUR
- 108 INTERMEDIATE CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTIES
- x FENCE
- RIGHT-OF-WAY
- CREEK
- SS EX. SANITARY SEWER
- w EX. WATER LINE
- SS NEW SANITARY SEWER
- NEW WATER LINE

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT MANAGER:	PROJECT ENGINEER:
GSM	DCB
DRAWN BY:	CHECKED BY:
JDH	GSM

DATE:

JUNE 6, 2024



**MacCONNELL
& Associates, P. C.**
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510

**THE INN AT
WHALEBONE, LLC**

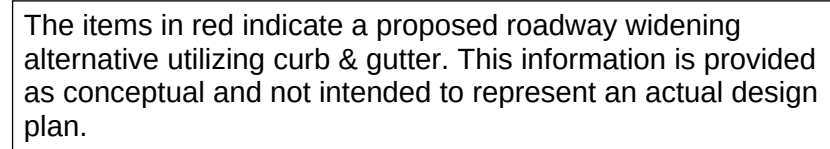
**TRAFFIC IMPROVEMENTS
FOR W. LAKESIDE ST.**

DARE COUNTY, NC

CROSS SECTIONS

PROJECT NUMBER
C06001.00

DRAWING NUMBER
C-102



ROADWAY DESIGN MANUAL	W S A D T S	PART
FIGURE 4		9-1
		F-4A

PART I

GRAPHIC SCALE: 1" = 20'



A horizontal graphic scale bar with alternating black and white segments. It is marked with the numbers 0, 10, 20, 40, and 60, representing feet.

TURN LANE EXHIBIT	
PROJECT NUMBER C06001.00	DRAWING NUMBER C-101



Site Plan Amendment Project Narrative

To: Board of Commissioners
Client: Inn at Whalebone, LLC
Subject: The Inn at Whalebone
Project No.:C06001.00

Date: May 16, 2024
From: Gary S. MacConnell, P.E.
and Cricket Corwin, E.I.

Introduction

The modifications that were made to the original site plan were necessary to achieve site approval for the stormwater permits and to accommodate for the wastewater design. Additionally, these adjustments were made to meet specific requirements outlined by Marriott, particularly regarding the downsizing of rooms to accommodate their preference for 12% suite rooms, as well as additional space for common areas such as the gym and breakfast lobby. Please see below for a list of other changes that were considered in the site plan revision.

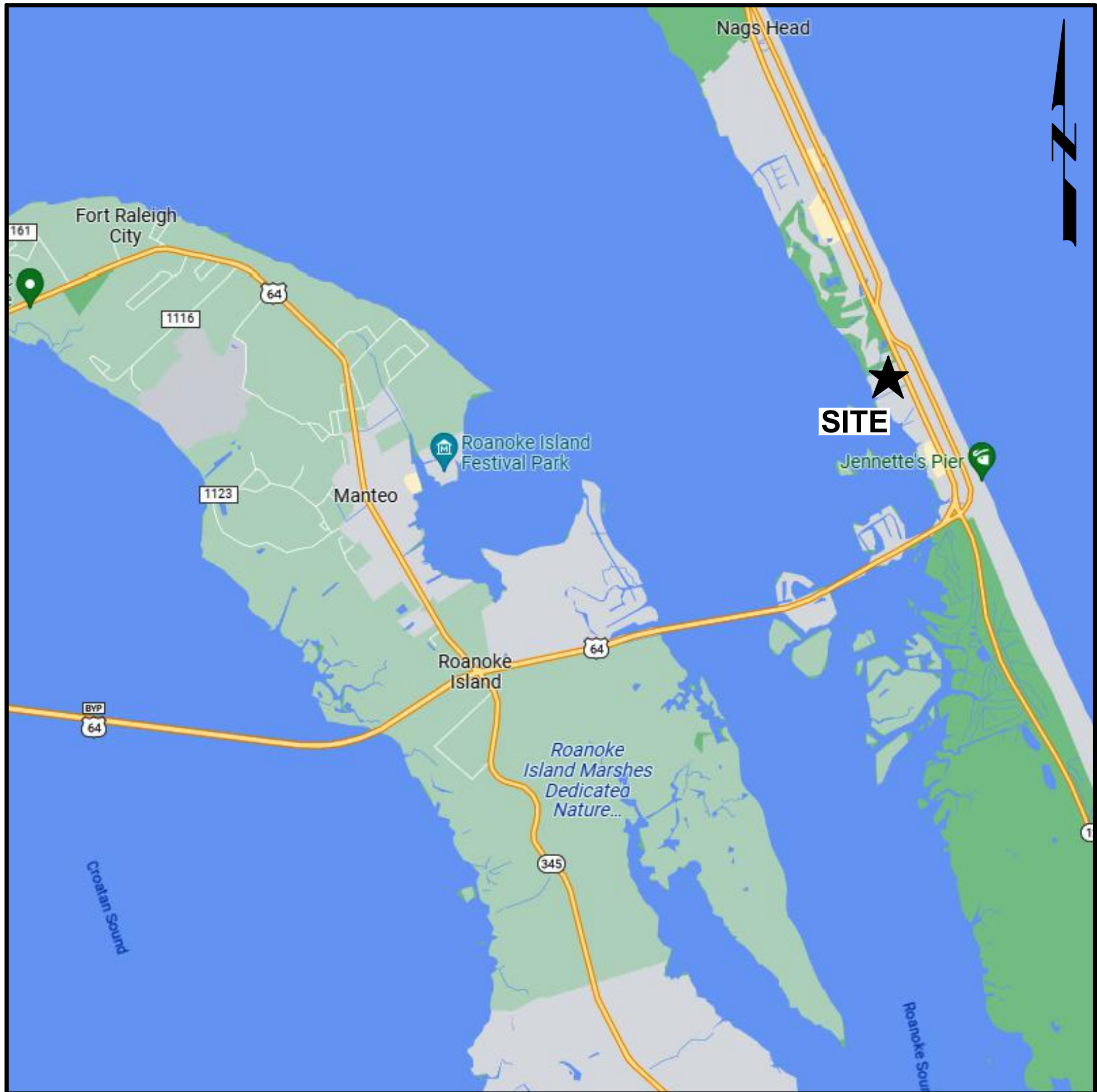
- The hotel was previously proposed and approved as a 90-unit establishment, but the revised plan seeks approval for an 87-unit hotel. Please see specifications below:
 - Previous Building Area: 11,214 square feet
 - New Building Area: 11,943 square feet
 - Building Area Difference: 729 square feet, 6.5% increase.
- There were originally 93 parking spots proposed and approved. However, due to the reduction in units, only 87 parking spots were required. 90 parking spots were proposed as part of the site plan revision. Some parking spaces were eliminated to facilitate the creation of a walkway near the pool area and to also help with additional stormwater handling.
- Lot coverage has increased due to the added walkways and change in pool size.
 - Previous Lot Coverage: 56,428 square feet
 - New Lot Coverage: 55,531 square feet
 - Lot Coverage Difference: 897 square feet, 1.6% decrease.
- Revisions were made to stormwater management measures to accommodate the relocation of the pool, meet required stormwater storage capacities, adhere to setbacks from the onsite and offsite septic systems, and address feedback from the North Carolina Department of Environmental Quality (NCDEQ). These revisions also helped with detention time and treatment.
- Underground storage structures were integrated into the design to fulfill stormwater storage requirements while also maintaining necessary setbacks from the proposed onsite and offsite septic systems and to accommodate for the vegetative buffers.
- Some of the stormwater basins along the perimeter of the property were removed to adhere to setbacks from the adjacent property septic system and the onsite septic system.

INN AT WHALEBONE, LLC

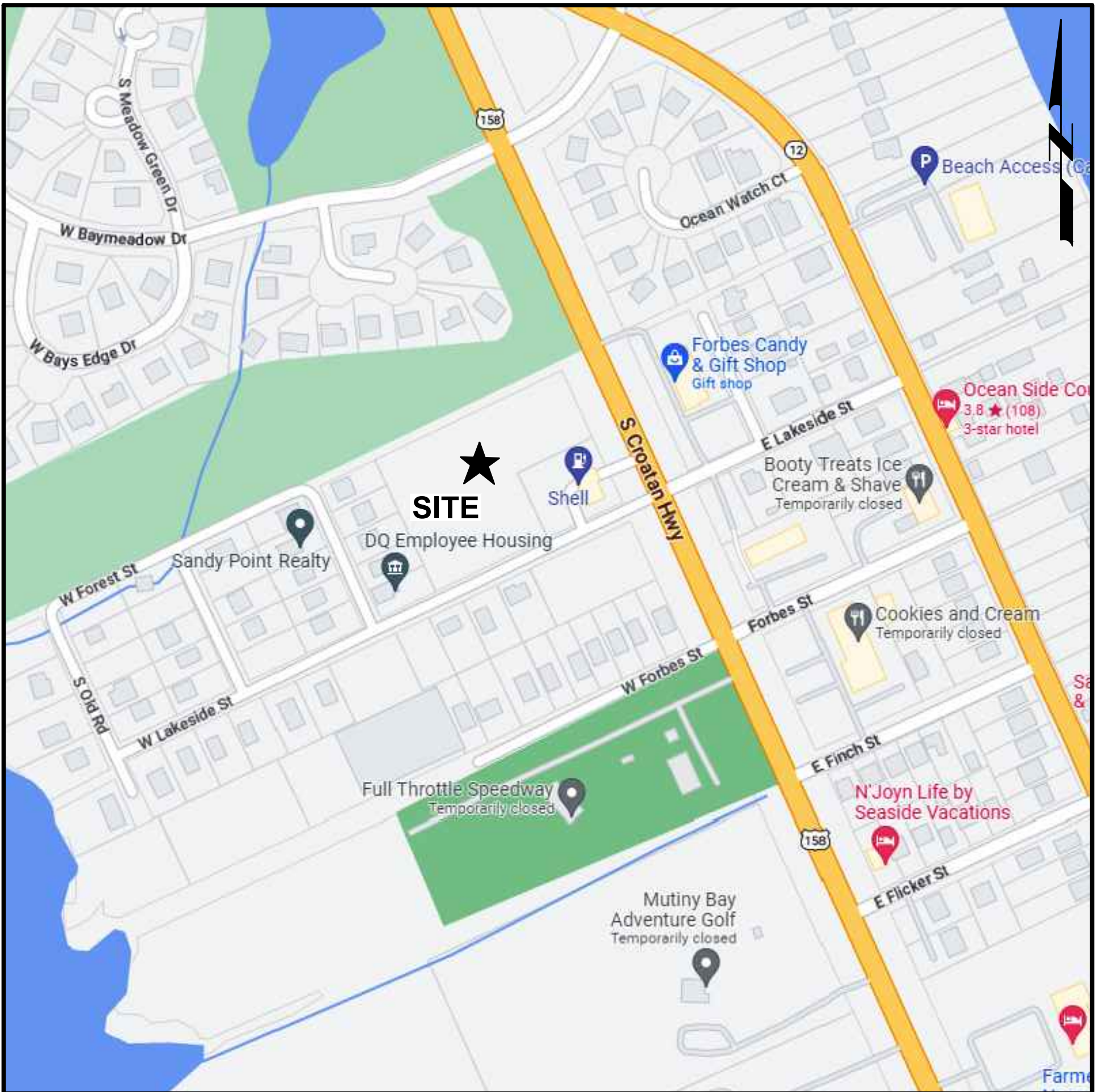
CONSTRUCTION DRAWINGS

DARE COUNTY, NC
PROJECT No. C06001.00

6632 W. PHEASANT AVE.
NAGS HEAD, NC 27959



VICINITY MAP



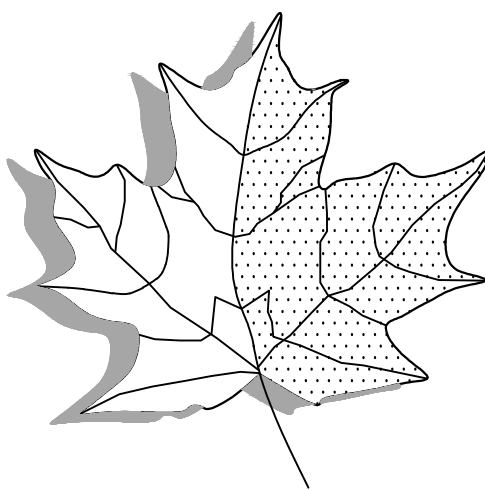
LOCATION MAP

SCHEDULE OF DRAWINGS:

- | | COVER SHEET |
|-------|---------------------------|
| C-101 | EXISTING CONDITIONS |
| C-102 | SITE AND UTILITY PLAN |
| C-103 | GRADING AND DRAINAGE PLAN |
| C-104 | LANDSCAPE PLAN |
| C-105 | LIGHTING PLAN |
| D-101 | R TANK DETAILS - 1 & 2 |
| D-102 | R TANK DETAILS - 3 & 4 |
| D-103 | R TANK DETAILS - 5 |
| D-104 | EROSION CONTROL DETAILS 1 |
| D-105 | EROSION CONTROL DETAILS 2 |



PROJECT MANAGEMENT



MacCONNELL
& Associates, P. C.

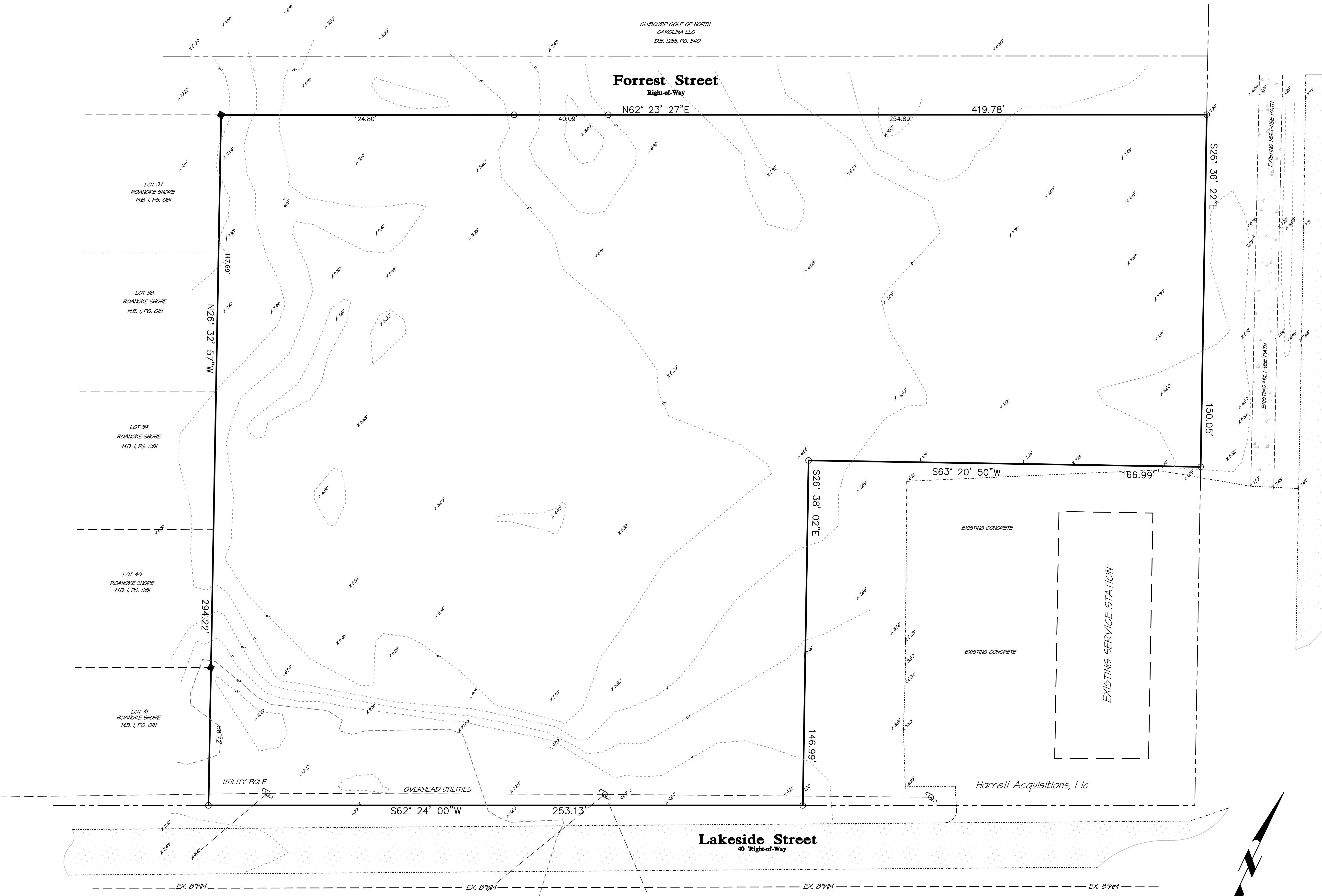
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P. O. BOX 129

LICENSE MORRISVILLE, NORTH CAROLINA 27560
No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510

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CONSTRUCTION

MARCH 15, 2024

REVISIONS			
NO.	DATE	DESCRIPTION	SHEET



Croatan Highway
US 158 Bypass
150' Right-of-Way

BOUNDARY AND TOPOGRAPHIC INFORMATION PREPARED BY
BISSELL PROFESSIONAL GROUP
MAP ENTITLED: BOUNDARY AND TOPOGRAPHIC SURVEY DATED: 04-07-22

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP
DATE: March 15, 2024	
 MacCONNELL & Associates, P. C. 501 CASCADE POINTE LANE, SUITE 103 CARY, NORTH CAROLINA 27513 P.O. BOX 123 LICENSE MORRISVILLE, NORTH CAROLINA 27560 No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510	

THE INN AT
WHALEBONE, LLC

CONSTRUCTION
DRAWINGS

DARE COUNTY, NC

Existing Conditions Location: 6632 West Pheasant Avenue Parcel in Nags Head Nags Head Dare County North Carolina	
PROJECT NUMBER C06001.00	DRAWING NUMBER C-101

GRAPHIC SCALE: 1" = 20'

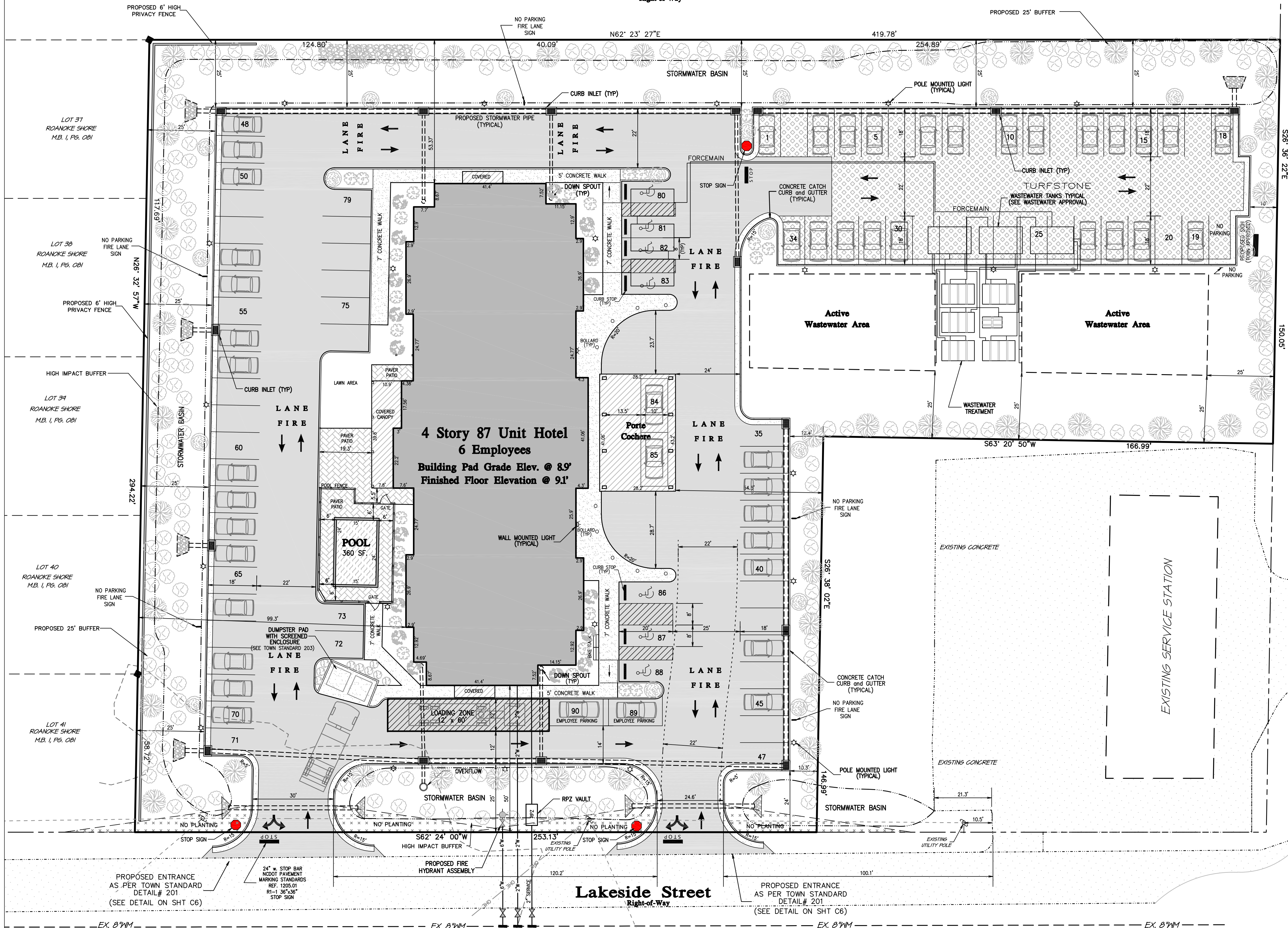
0 10 20 40 60

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CONSTRUCTION

CLUECORP GOLF OF NORTH
CAROLINA LLC
D.B. 1255, P.5, 540

Forrest Street

Right-of-Way



BEFORE YOU DIG!

North Carolina 811
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NOTE:
THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEER'S NOTICE TO PROCEED.

GENERAL NOTES:

- SUBJECT PROPERTY: Lot: 32-36 & Pheasant Ave Nags Head, NC 27959
- STREET ADDRESS: 6632 W Pheasant Ave Nags Head, NC 27959
- PARCEL ID NUMBER: 006891000
- GLOBAL PIN: 080006472501
- RECORDED REFERENCE: DB. 1515 PG. 0048
- TOTAL PARCEL AREA: 99,233 S.F. (2.28 AC.)
- BOUNDARY INFORMATION TAKEN FROM BISSELL PROFESSIONAL GROUP
- LOT COVERAGE:
 - BUILDING and COVERED DECKS - 13,405 SQ. FT.
 - CONCRETE VEHICULAR - 28,794 SQ. FT.
 - CONCRETE WALK/CURB - 6,224 SQ. FT.
 - POOL SURFACE AREA - 360 SQ. FT.
 - TURFSTONE GRID PAVERS - 8,823 S.F. x 0.67 = 5,911 SQ. FT.
 - POOL PAVERS - 1,250 S.F. x 0.67 = 837 SQ. FT.
 - TOTAL IMPERVIOUS COVERAGE = 55,531 SQ. FT.
 - BUILDING @ 13.40% = 55.96%
 - PARKING @ 38.66% = 38.66%
 - LANDSCAPED @ 28.22% = 28.22%
 - TOTAL PARKING AREA = 38,360 x 20% = 7,632 SQ. FT. (IMPERVIOUS)
 - TOTAL IMPERVIOUS PROVIDED = 8,823 SQ. FT.
- PARKING DATA:
 - 87 UNITS @ 1 SPACE PER UNIT = 87 SPACES
 - 6 EMPLOYEES @ 1 SPACE PER 3 EMPLOYEES = 2 SPACES
 - TOTAL SPACES REQUIRED = 89 SPACES
 - TOTAL SPACES PROVIDED = 90 SPACES

LEGEND:

- PROPOSED VEHICLE CIRCULATION AREA
- PROPOSED TURFSTONE
- PROPOSED BUILDING AREA
- PROPOSED DECKS
- PROPOSED CONCRETE SURFACE
- PROPOSED PAVERS
- PROPOSED VEHICLE PARKING AREA
- PROPOSED CURB INLET / CATCH BASIN
- PROPOSED STORMWATER PIPE

PROJECT MANAGER:	PROJECT ENGINEER:
GSM	HDB
DRAWN BY:	CHECKED BY:
HDB	TAP
DATE:	
March 15, 2024	
MacCONNELL & Associates, P. C.	
501 CASCADE POINTE LANE, SUITE 103	
CARY, NORTH CAROLINA 27513	
P.O. BOX 129	
LICENSE MORRISVILLE, NORTH CAROLINA 27560	
No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510	

THE INN AT
WHALEBONE, LLC

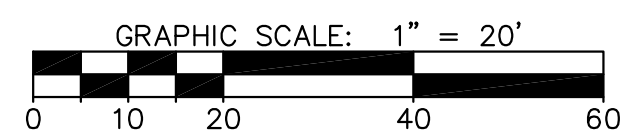
CONSTRUCTION
DRAWINGS

DARE COUNTY, NC

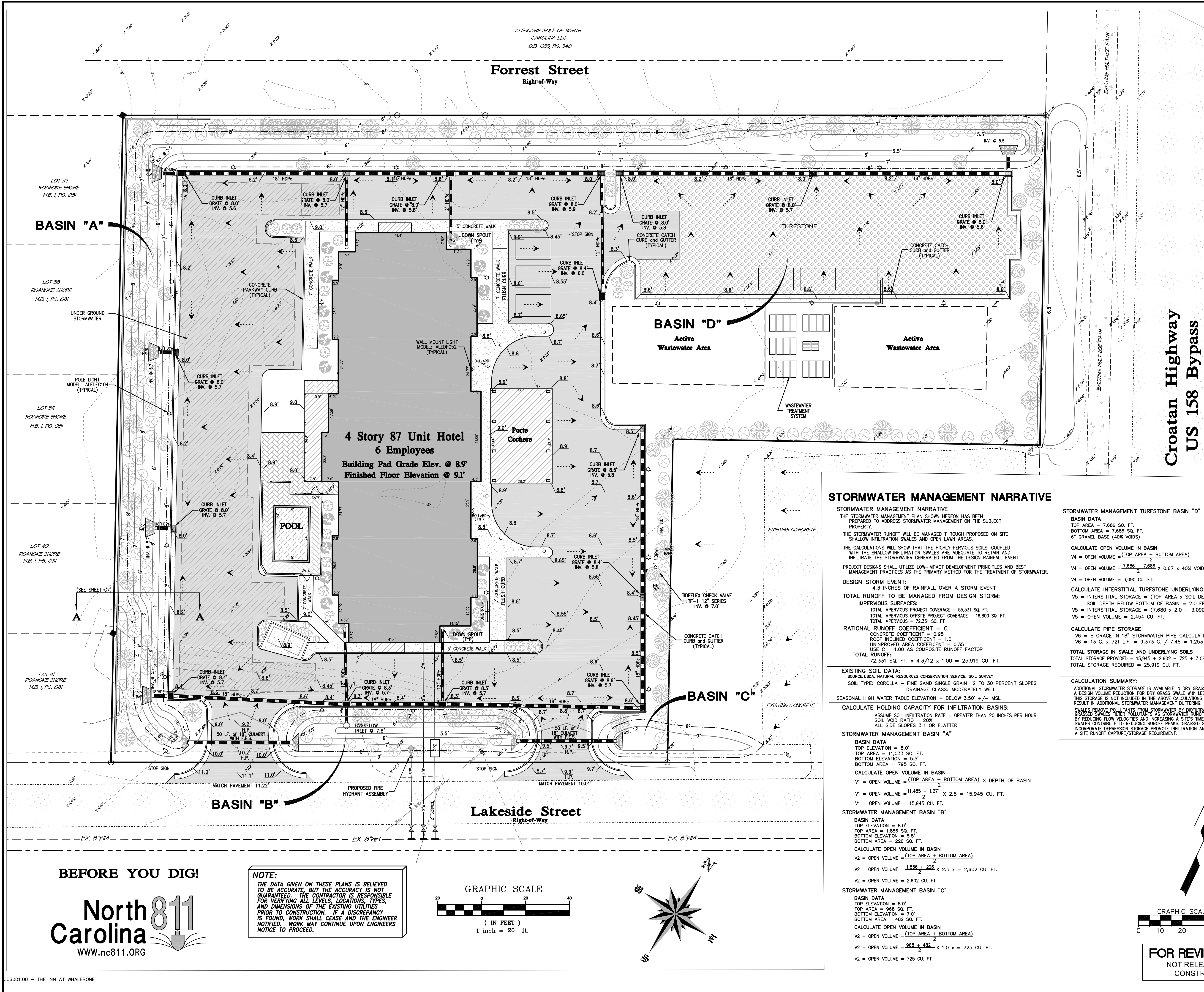
Site and Utility Plan

Location:
6632 West Pheasant Avenue
Parcel in Nags Head
Nags Head Dare County North Carolina

PROJECT NUMBER	DRAWING NUMBER
C06001.00	C-102



FOR REVIEW ONLY
NOT RELEASED FOR
CONSTRUCTION



GENERAL NOTES:

- SUBJECT PROPERTY: Lot: 32-36 & Pheasant Ave
Nags Head, NC 27959
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Nags Head, NC 27959
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- GLOBAL PIN: 080006472501
- RECORDED REFERENCE: DB. 1515 PG. 0048
- TOTAL PARCEL AREA: 99,233 S.F. (2.28 AC.)
- LOT COVERAGE:
 - BUILDING and COVERED DECKS - 13,405 SQ. FT.
 - CONCRETE VEHICULAR - 28,794 SQ. FT.
 - CONCRETE WALK/CURB - 6,204 SQ. FT.
 - POOL SURFACE AREA - 450 SQ. FT.
 - TURFSTONE GRASS PAVES - 8,823 S.F. x 0.67 = 5,911 SQ. FT.
 - POOL PAVERS - 1,140 S.F. x 0.67 = 764 SQ. FT.
 - TOTAL IMPERVIOUS COVERAGE = 55,528 SQ. FT.
 - PERCENT LOT COVERAGE = 55.95%

LEGEND:

- PROPOSED VEHICLE CIRCULATION AREA
- PROPOSED TURFSTONE
- PROPOSED BUILDING AREA
- PROPOSED DECKS
- PROPOSED CONCRETE SURFACE
- PROPOSED VEHICLE PARKING AREA
- PROPOSED CURB INLET / CATCH BASIN
- PROPOSED STORMWATER PIPE
- PROPOSED RUNOFF DIRECTIONAL ARROW
- PROPOSED FINISHED GRADE CONTOUR
- PROPOSED FINISHED SPOT GRADE
- EXISTING GRADE CONTOUR
- EXISTING SPOT GRADE

STORMWATER MANAGEMENT NARRATIVE

STORMWATER MANAGEMENT NARRATIVE

THE STORMWATER MANAGEMENT PLAN SHOWN HEREON HAS BEEN PREPARED TO ADDRESS STORMWATER MANAGEMENT ON THE SUBJECT PROPERTY.

THE STORMWATER RUNOFF WILL BE MANAGED THROUGH PROPOSED ON SITE SHALLOW INFILTRATION SWALES AND OPEN LAWN AREAS.

THE CALCULATIONS WILL SHOW THAT THE HIGHLY PEROUS SOILS, COUPLED WITH THE SHALLOW INFILTRATION SWALES ARE ADEQUATE TO RETAIN AND INFILTRATE THE STORMWATER GENERATED FROM THE DESIGN RAINFALL EVENT.

PROJECT DESIGNS SHALL UTILIZE LOW-IMPACT DEVELOPMENT PRINCIPLES AND BEST MANAGEMENT PRACTICES AS THE PRIMARY METHOD FOR THE TREATMENT OF STORMWATER.

DESIGN STORM EVENT:
4.3 INCHES OF RAINFALL OVER A STORM EVENT

TOTAL RUNOFF TO BE MANAGED FROM DESIGN STORM:
IMPERVIOUS SURFACES:
TOTAL IMPERVIOUS PROJECT COVERAGE - 55,531 SQ. FT.
TOTAL IMPERVIOUS OFFSITE PROJECT COVERAGE - 16,800 SQ. FT.
TOTAL IMPERVIOUS = 72,331 SQ. FT.

RATIONAL RUNOFF COEFFICIENT = C
CONCRETE COEFFICIENT = 0.95
ROOF INCULDED COEFFICIENT = 1.0
UNIMPROVED AREA COEFFICIENT = 0.35
USE C = 1.00 AS COMPOSITE RUNOFF FACTOR

TOTAL RUNOFF:
72,331 SQ. FT. x 4.3/12 x 1.00 = 25,919 CU. FT.

EXISTING SOIL DATA:
SOURCE:USDA, NATURAL RESOURCES CONSERVATION SERVICE, SOIL SURVEY
SOIL TYPE: COROLLA - FINE SAND SINGLE GRAIN 2 TO 30 PERCENT SLOPES
DRAINAGE CLASS: MODERATELY WELL

SEASONAL HIGH WATER TABLE ELEVATION = BELOW 3.50' +/- MSL

EXISTING SOIL DATA:
SOURCE:USDA, NATURAL RESOURCES CONSERVATION SERVICE, SOIL SURVEY
SOIL TYPE: COROLLA - FINE SAND SINGLE GRAIN 2 TO 30 PERCENT SLOPES
DRAINAGE CLASS: MODERATELY WELL

SEASONAL HIGH WATER TABLE ELEVATION = BELOW 3.50' +/- MSL

STORMWATER MANAGEMENT BASIN "A"

BASIN DATA
TOP ELEVATION = 8.0'
TOP AREA = 11,033 SQ. FT.
BOTTOM ELEVATION = 5.5'
BOTTOM AREA = 795 SQ. FT.

CALCULATE OPEN VOLUME IN BASIN
V1 = OPEN VOLUME = $\frac{(TOP\ AREA + BOTTOM\ AREA)}{2} \times DEPTH\ OF\ BASIN$
V1 = OPEN VOLUME = $\frac{11,033 + 795}{2} \times 2.5 = 15,945\ CU.\ FT.$

STORMWATER MANAGEMENT BASIN "B"

BASIN DATA
TOP ELEVATION = 8.0'
TOP AREA = 1,856 SQ. FT.
BOTTOM ELEVATION = 5.5'
BOTTOM AREA = 226 SQ. FT.

CALCULATE OPEN VOLUME IN BASIN
V2 = OPEN VOLUME = $\frac{(TOP\ AREA + BOTTOM\ AREA)}{2} \times DEPTH\ OF\ BASIN$
V2 = OPEN VOLUME = $\frac{1,856 + 226}{2} \times 2.5 = 2,602\ CU.\ FT.$

STORMWATER MANAGEMENT BASIN "C"

BASIN DATA
TOP ELEVATION = 8.0'
TOP AREA = 968 SQ. FT.
BOTTOM ELEVATION = 7.0'
BOTTOM AREA = 482 SQ. FT.

CALCULATE OPEN VOLUME IN BASIN
V2 = OPEN VOLUME = $\frac{(TOP\ AREA + BOTTOM\ AREA)}{2} \times DEPTH\ OF\ BASIN$
V2 = OPEN VOLUME = $\frac{968 + 482}{2} \times 1.0 = 725\ CU.\ FT.$

STORMWATER MANAGEMENT BASIN "D"

STORMWATER MANAGEMENT TURFSTONE BASIN "D"

BASIN DATA
TOP AREA = 7,686 SQ. FT.
BOTTOM AREA = 7,686 SQ. FT.
6" GRAVEL BASE (40% VOIDS)

CALCULATE OPEN VOLUME IN BASIN
V4 = OPEN VOLUME = $\frac{(TOP\ AREA + BOTTOM\ AREA)}{2} \times DEPTH\ OF\ BASIN$
V4 = OPEN VOLUME = $\frac{7,686 + 7,686}{2} \times 0.67 \times 40\% \text{ VOIDS} = 3,090\ CU.\ FT.$

CALCULATE INTERSTITIAL TURFSTONE UNDERLYING STORAGE
V5 = INTERSTITIAL STORAGE = $(TOP\ AREA \times SOIL\ DEPTH) - V1 \times 0.2$
SOIL DEPTH BELOW BOTTOM OF BASIN = 2.0 FEET
V5 = INTERSTITIAL STORAGE = $(7,686 \times 2.0 - 3,090 \times 0.2) = 2,454\ CU.\ FT.$
V5 = OPEN VOLUME = 2,454 CU. FT.

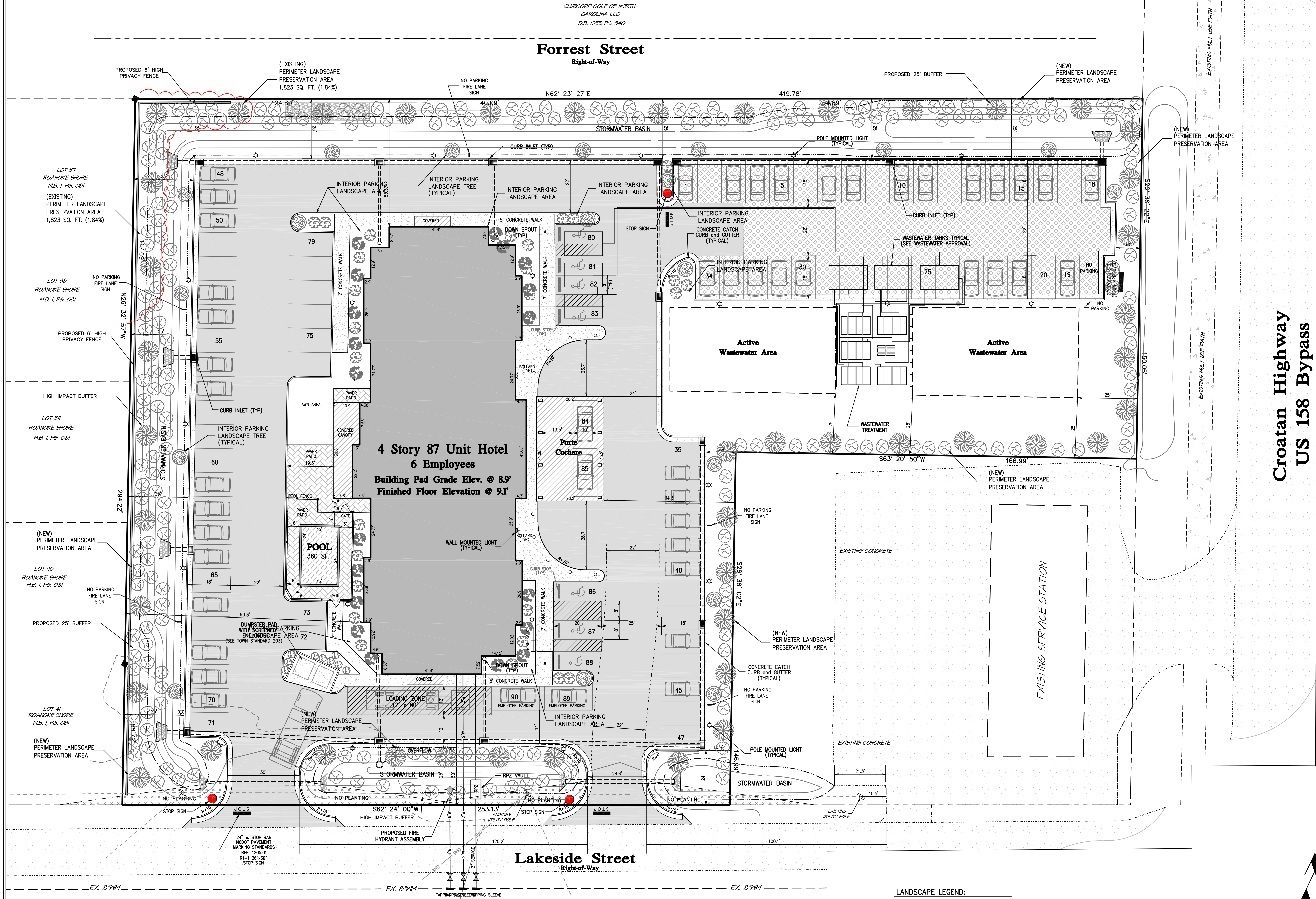
CALCULATE PIPE STORAGE
V6 = STORAGE IN 18" STORMWATER PIPE CALCULATION @ 13 G PER FOOT
V6 = 13 G. x 721 L.F. = 9,373 G. / 7.48 = 1,253 CU. FT.

TOTAL STORAGE IN SWALE AND UNDERLYING SOILS
TOTAL STORAGE PROVIDED = 15,945 + 2,602 + 725 + 3,090 + 2,454 + 1,253 = 26,069 CU. FT.
TOTAL STORAGE REQUIRED = 25,919 CU. FT.

CALCULATION SUMMARY:
ADDITIONAL STORMWATER STORAGE IS AVAILABLE IN DRY GRASS INFILTRATION SWALES. A DESIGN VOLUME REDUCTION FOR DRY GRASS SWALE WITH LESS THAN 1.5% SLOPE THIS STORAGE IS NOT INCLUDED IN THE ABOVE CALCULATIONS AND WILL RESULT IN ADDITIONAL STORMWATER BUFFERING.

SWALES REMOVE POLLUTANTS FROM STORMWATER BY BIOFILTRATION, SETTLING, AND INFILTRATION. GRASS SWALES FILTER POLLUTANTS AS STORMWATER RUNOFF MOVES THROUGH THE GRASS. BY REDUCING FLOW VELOCITIES AND INCREASING A SITE'S TIME OF CONCENTRATION, GRASS SWALES CONTRIBUTE TO REDUCING RUNOFF PEAKS. GRASS SWALES THAT ARE DESIGNED WITH INDOCRPORATE DEPRESSION STORAGE PROMOTE INFILTRATION AND CAN HELP CONTRIBUTE TO SATISFYING A SITE RUNOFF CAPTURE/STORAGE REQUIREMENT.

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP
DATE: March 15, 2024	
 MacCONNELL & Associates, P.C. 501 CASCADE POINTE LANE, SUITE 103 CARY, NORTH CAROLINA 27513 P.O. BOX 129 MORRISVILLE, NORTH CAROLINA 27560 LICENSE No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510	
THE INN AT WHALEBONE, LLC	
CONSTRUCTION DRAWINGS	
DARE COUNTY, NC	
Grading and Drainage	
Location: 6632 West Pheasant Avenue Parcel in Nags Head	
Nags Head Dare County North Carolina	
PROJECT NUMBER C06001.00	DRAWING NUMBER C-103



GENERAL NOTES:

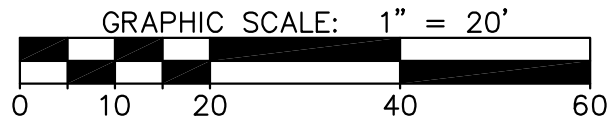
- * SUBJECT PROPERTY: Lot: 32-36 & Pheasant Ave Nags Head, NC 27959
- * STREET ADDRESS: 6632 W Pheasant Ave Nags Head, NC 27959
- * PARCEL ID NUMBER: 006891000
- * GLOBAL PIN: 080006472501

LEGEND:

- PROPOSED VEHICLE CIRCULATION AREA
- PROPOSED TURFSTONE
- PROPOSED BUILDING AREA
- PROPOSED DECKS
- PROPOSED CONCRETE SURFACE
- PROPOSED VEHICLE PARKING AREA
- PROPOSED CURB INLET / CATCH BASIN
- PROPOSED STORMWATER PIPE

LANDSCAPE LEGEND:

COMMON NAME Botanical Name	HEIGHT	SPREAD	SCIENTIFIC NAME	QUANTITY	SYMBOL
FLOWERING DOGWOODS	10' - 25'	20' - 30'	Cornus florida	21	
GRAPE MYRTLE	10' - 30'	6' - 15'	Lagerstroemia Indica	45	
JAPANESE PRIVET	6' - 12'	3' - 8'	Ligustrum japonicum	202	
BUTTERFLY WEED	1' - 3'	2' - 4'	Asclepias tuberosa	23	
Dustymiller	1' - 4'	1' - 2'	Artemisia stelleriana	17	



BEFORE YOU DIG!

North Carolina 811
WWW.nc811.ORG

NOTE:

THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.

- * PARKING LOT INTERIOR LANDSCAPE: PARKING SPACE AREA = 16,340 SQ. FT. x 10% = 1,634 SQ. FT. (1,937 SQ. FT. PROVIDED)
- * LANDSCAPE AREA TOWARD PRESERVATION: EXISTING PRESERVED TREES AND SHRUBS AREA 1,823 SQ. FT.
TREES: 45 + 21 = 66 (T) x 100 (S.F.) 6,600 SQ. FT.
SHRUBS: 202 + 23 + 17 = 242 (S) x 50 (S.F.) 12,100 SQ. FT.
TOTAL LANDSCAPING = 18,700 SQ. FT. / 99,233 SQ. FT. = 18.84%

PROJECT MANAGER: GSM
DRAWN BY: HDB

PROJECT ENGINEER: HDB
CHECKED BY: TAP

DATE:
March 15, 2024

MacCONNELL & Associates, P.C.
501 CASCADE PONTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
LICENSE No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510

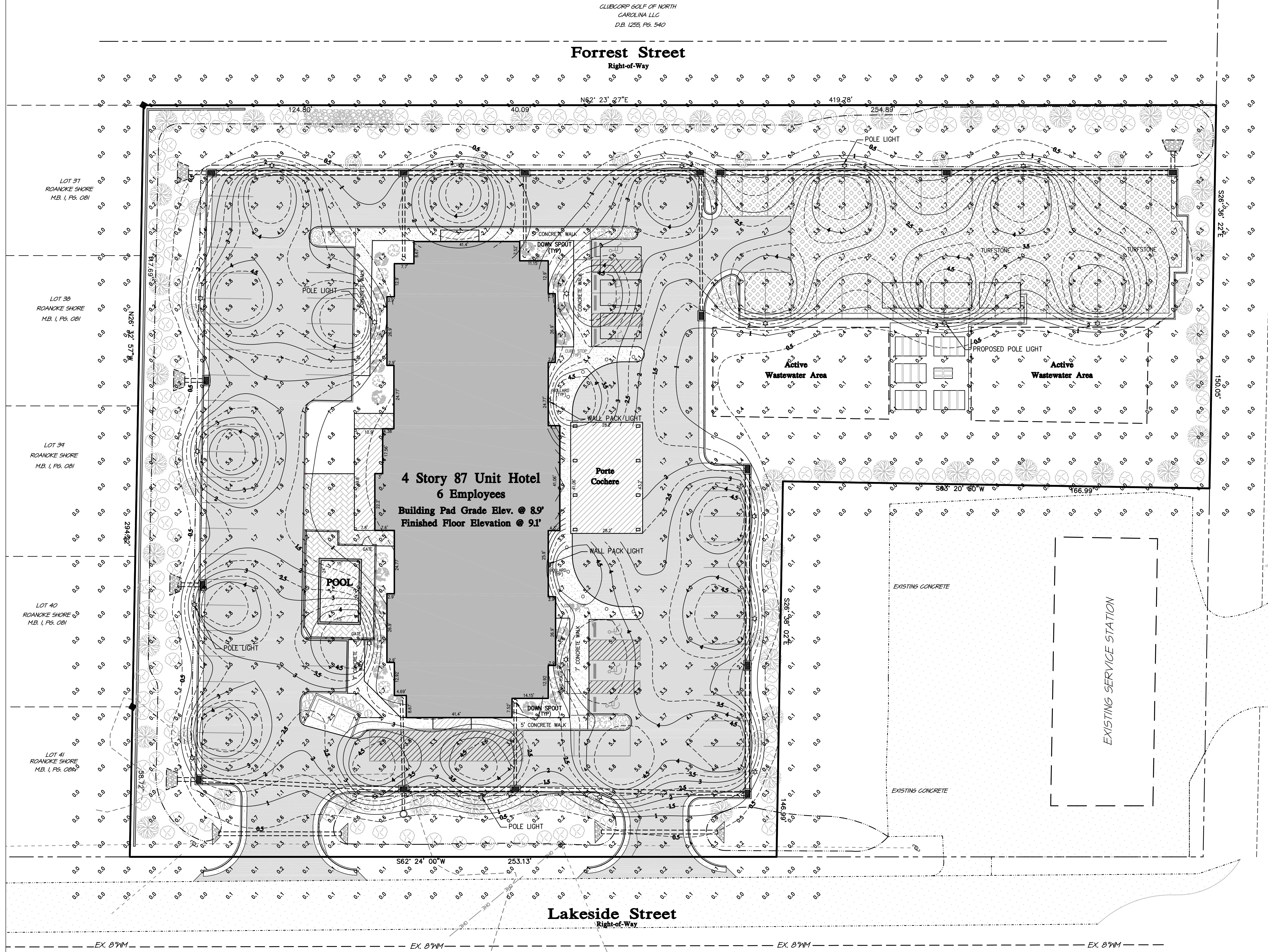
THE INN AT WHALEBONE, LLC

CONSTRUCTION DRAWINGS

DARE COUNTY, NC

Landscape Plan
Location:
6632 West Pheasant Avenue
Parcel in Nags Head
Nags Head Dare County North Carolina

PROJECT NUMBER: C06001.00
DRAWING NUMBER: C-104



- GENERAL NOTES:**
- * SUBJECT PROPERTY: Lot: 32-36 & Pheasant Ave Nags Head, NC 27959
 - * STREET ADDRESS: 6632 W Pheasant Ave Nags Head, NC 27959
 - * PARCEL ID NUMBER: 006891000
 - * GLOBAL PIN: 080006472501
 - * RECORDED REFERENCE: DB. 1515 PG. 0048
 - * TOTAL PARCEL AREA: 99,233 S.F. (2.28 AC.)
 - * BOUNDARY INFORMATION TAKEN FROM BISSELL PROFESSIONAL GROUP

- LIGHTING LEGEND**
- PROPOSED POLE LIGHT
RAB LIGHTING (MODEL: ALEDFC104)
RAB STEEL POLE (MODEL: PS4-07-2502)
(OR APPROVED EQUAL)
MOUNTING HEIGHT @ 21'
- PROPOSED WALL PACK LIGHT
RAB LIGHTING (MODEL: ALEDFC52)
(OR APPROVED EQUAL)
MOUNTING HEIGHT @ 21'
- PHOTOMETRIC ILLUMINATION SPOT NUMBER
- PHOTOMETRIC ILLUMINATION CONTOURS
APPROVED BY TOWN OF NAGS HEAD
- APPROVED EQUAL: WALL MOUNTED AND POLE MOUNTED LIGHTS
TO BE PROVIDED BY DOMINION ENERGY'S OUTDOOR SERVICES

- LEGEND:**
- PROPOSED VEHICLE CIRCULATION AREA
 - PROPOSED TURFSTONE
 - PROPOSED BUILDING AREA
 - PROPOSED DECKS
 - PROPOSED CONCRETE SURFACE
 - PROPOSED VEHICLE PARKING AREA
 - PROPOSED CURB INLET / CATCH BASIN
 - PROPOSED STORMWATER PIPE

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP
DATE: March 15, 2024	
 MacCONNELL & Associates, P. C. 501 CASCADE POINTE LANE, SUITE 103 CARY, NORTH CAROLINA 27513 P.O. BOX 129 MORRISVILLE, NORTH CAROLINA 27560 LICENSE No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510	

**THE INN AT
WHALEBONE, LLC**

**CONSTRUCTION
DRAWINGS**

DARE COUNTY, NC

Lighting Plan

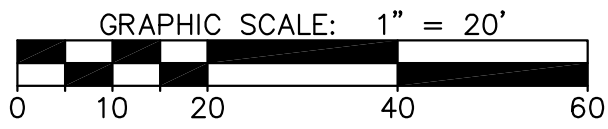
Location:
6632 West Pheasant Avenue
Parcel in Nags Head
Nags Head Dare County North Carolina

PROJECT NUMBER C06001.00	DRAWING NUMBER C-105
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BEFORE YOU DIG!

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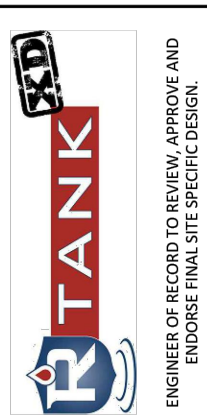
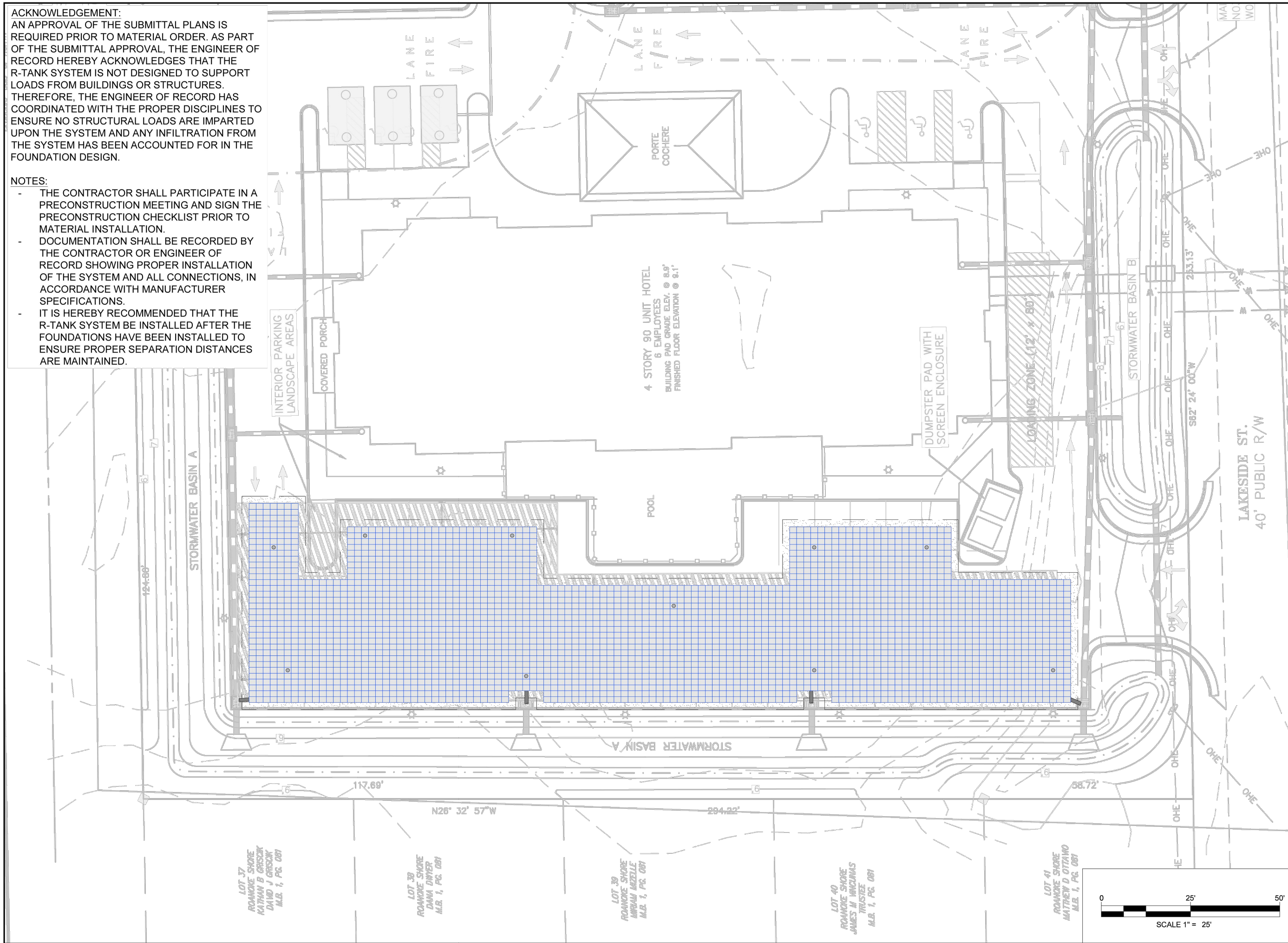
NOTE:
THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.



FOR REVIEW ONLY
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CONSTRUCTION

ACKNOWLEDGEMENT:
AN APPROVAL OF THE SUBMITTAL PLANS IS
REQUIRED PRIOR TO MATERIAL ORDER. AS PART
OF THE SUBMITTAL APPROVAL, THE ENGINEER OF
RECORD HEREBY ACKNOWLEDGES THAT THE
R-TANK SYSTEM IS NOT DESIGNED TO SUPPORT
LOADS FROM BUILDINGS OR STRUCTURES.
THEREFORE, THE ENGINEER OF RECORD HAS
COORDINATED WITH THE PROPER DISCIPLINES TO
ENSURE NO STRUCTURAL LOADS ARE IMPARTED
UPON THE SYSTEM AND ANY INFILTRATION FROM
THE SYSTEM HAS BEEN ACCOUNTED FOR IN THE
FOUNDATION DESIGN.

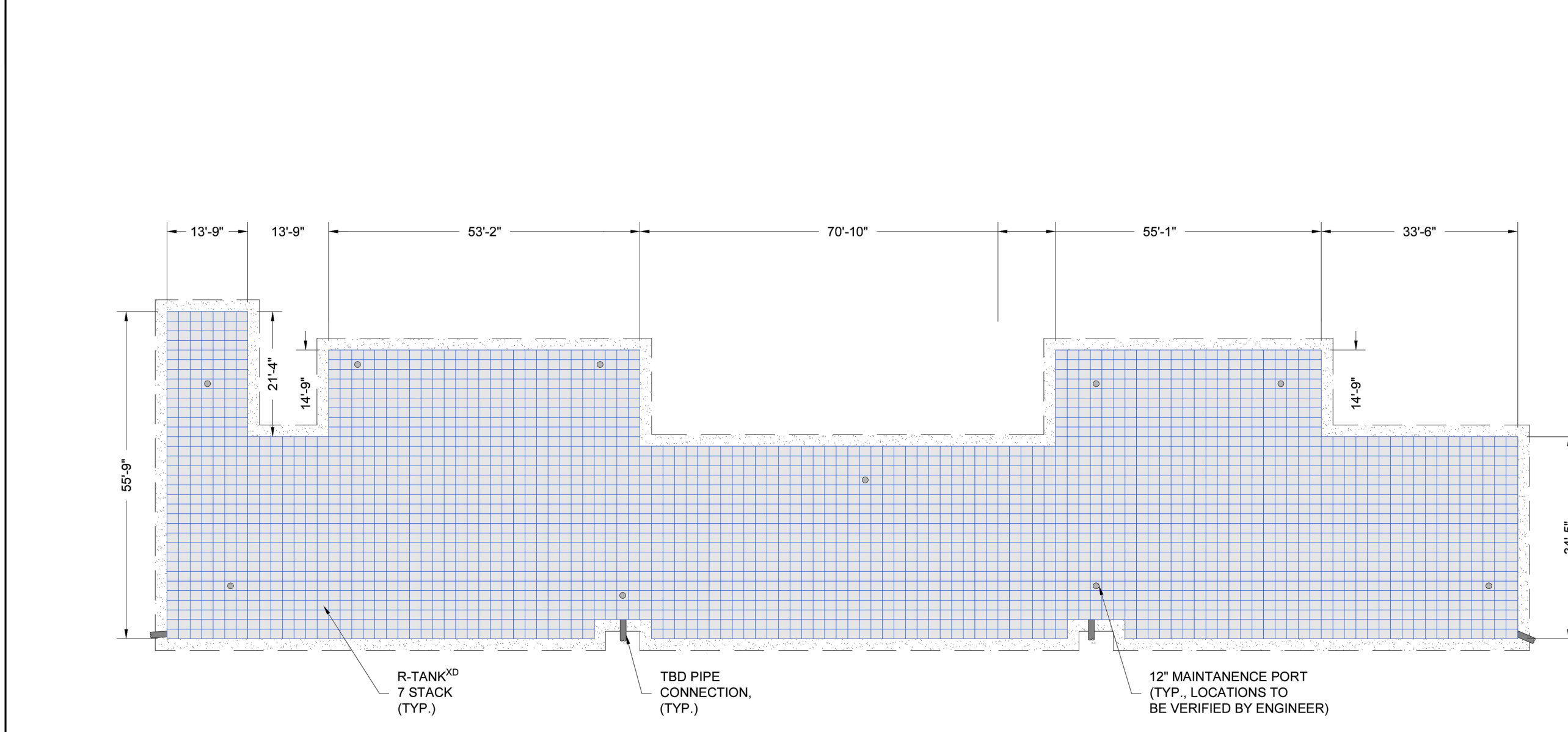
- NOTES:
- THE CONTRACTOR SHALL PARTICIPATE IN A
PRECONSTRUCTION MEETING AND SIGN THE
PRECONSTRUCTION CHECKLIST PRIOR TO
MATERIAL INSTALLATION.
 - DOCUMENTATION SHALL BE RECORDED BY
THE CONTRACTOR OR ENGINEER OF
RECORD SHOWING PROPER INSTALLATION
OF THE SYSTEM AND ALL CONNECTIONS, IN
ACCORDANCE WITH MANUFACTURER
SPECIFICATIONS.
 - IT IS HEREBY RECOMMENDED THAT THE
R-TANK SYSTEM BE INSTALLED AFTER THE
FOUNDATIONS HAVE BEEN INSTALLED TO
ENSURE PROPER SEPARATION DISTANCES
ARE MAINTAINED.



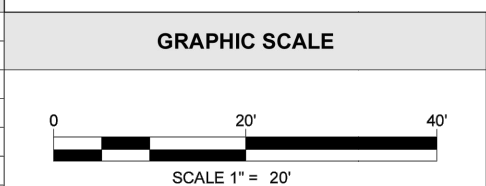
FOR ADDITIONAL INFORMATION PLEASE CONTACT:
1-800-448-3838, www.ferguson.com

R-TANKRD SYSTEM OVERLAY
THE INN AT WHALEBONE, LLC
DARE COUNTY, NC

SCALE
1" = 25'
DRAWN BY
JEC
DATE
08/24/2023
SHEET NO.
1 of 6

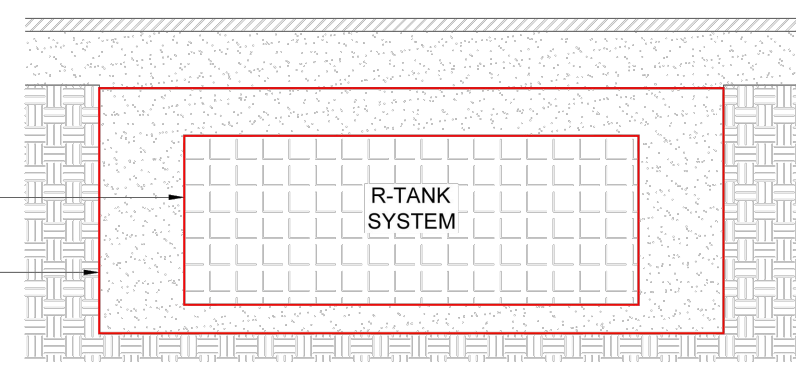


R-TANK QUANTITIES	
R-TANK RD PANEL STACK HEIGHT	7 PANELS HIGH
TRAFFIC LOAD	HS-20
# OF 7' STACK R-TANK RD MODULES	2942
TOTAL # OF R-TANK RD PANELS	20564
TOTAL SYSTEM STORAGE	14,020 CF
R-TANK STORAGE VOLUME	9,815 CF
STONE STORAGE VOLUME (40% VOID RATIO)	4,205 CF
STONE BED FOOTPRINT	10,808 SF
STONE QUANTITY	389 CY
N080 NON-WOVEN GEOTEXTILE TANK WRAP	2,522 SY
N080 NON-WOVEN GEOTEXTILE EXCAVATION WRAP	2,930 SY
12' MAINTENANCE PORTS	10
PIPE BOOT/S (6" [12"] 15" [18"] 24")	TBD
STORMING CP/S (6" [8"] 12" [15"] 18" [24"]	TBD
NOTE: STONE QUANTITY INCLUDES 2" OF COVER AND 3" OF BASE	
NOTE: GEOTEXTILE / LINER QUANTITIES INCLUDE A 15% WASTE FACTOR.	
SEE SHEETS 3 - 6 FOR DETAILS AND ADDITIONAL INFORMATION	

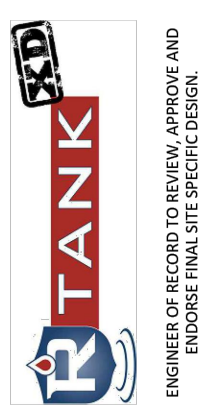


R-TANK ELEVATIONS		
DESCRIPTION	ELEVATION	
TANK INV.	5.55	
TOP OF TANK	5.93	
GEGRID	7.53	
MIN. ALLOW. FINAL GRADE	7.45	
MAX. ALLOW. FINAL GRADE	22.85	

R-TANKRD UNITS WRAPPED WITH
N080 NON-WOVEN GEOTEXTILE (OR EQUAL)
EXCAVATION WRAPPED WITH
N080 NON-WOVEN GEOTEXTILE (OR EQUAL)



R-TANKRD TANK WRAP & EXCAVATION ENVELOPE DETAIL



FOR ADDITIONAL INFORMATION PLEASE CONTACT:
1-800-448-3838, www.ferguson.com

R-TANKRD SYSTEM LAYOUT
THE INN AT WHALEBONE, LLC
DARE COUNTY, NC

SCALE
1" = 20'
DRAWN BY
JEC
DATE
08/24/2023
SHEET NO.
2 of 6

NOTES

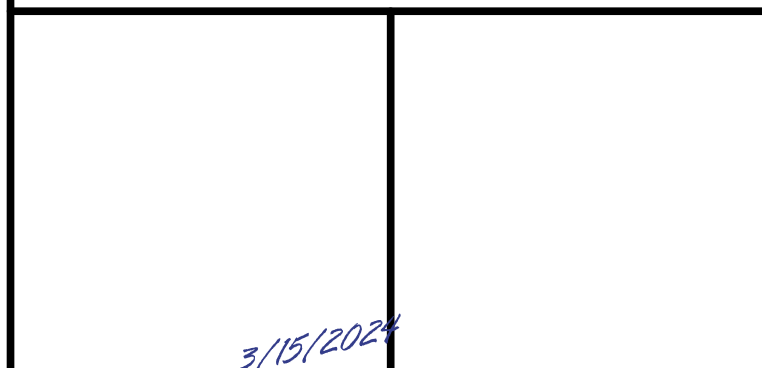
LEGEND

- 110 INDEX CONTOUR
- 198 INTERMEDIATE CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTIES
- FENCE
- RIGHT-OF-WAY
- EX. EDGE OF PAVEMENT
- CREEK
- EX. SANITARY SEWER
- NEW SANITARY SEWER
- EX. WATER LINE
- NEW WATER LINE
- NEW FORCE MAIN
- CATCH BASIN
- NEW STORM PIPE
- POLE-MOUNTED LIGHT

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP

DATE:
MARCH 15, 2024



MacCONNELL
& Associates, P. C.
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
TEL: (919) 467-1239 FAX: (919) 319-6510

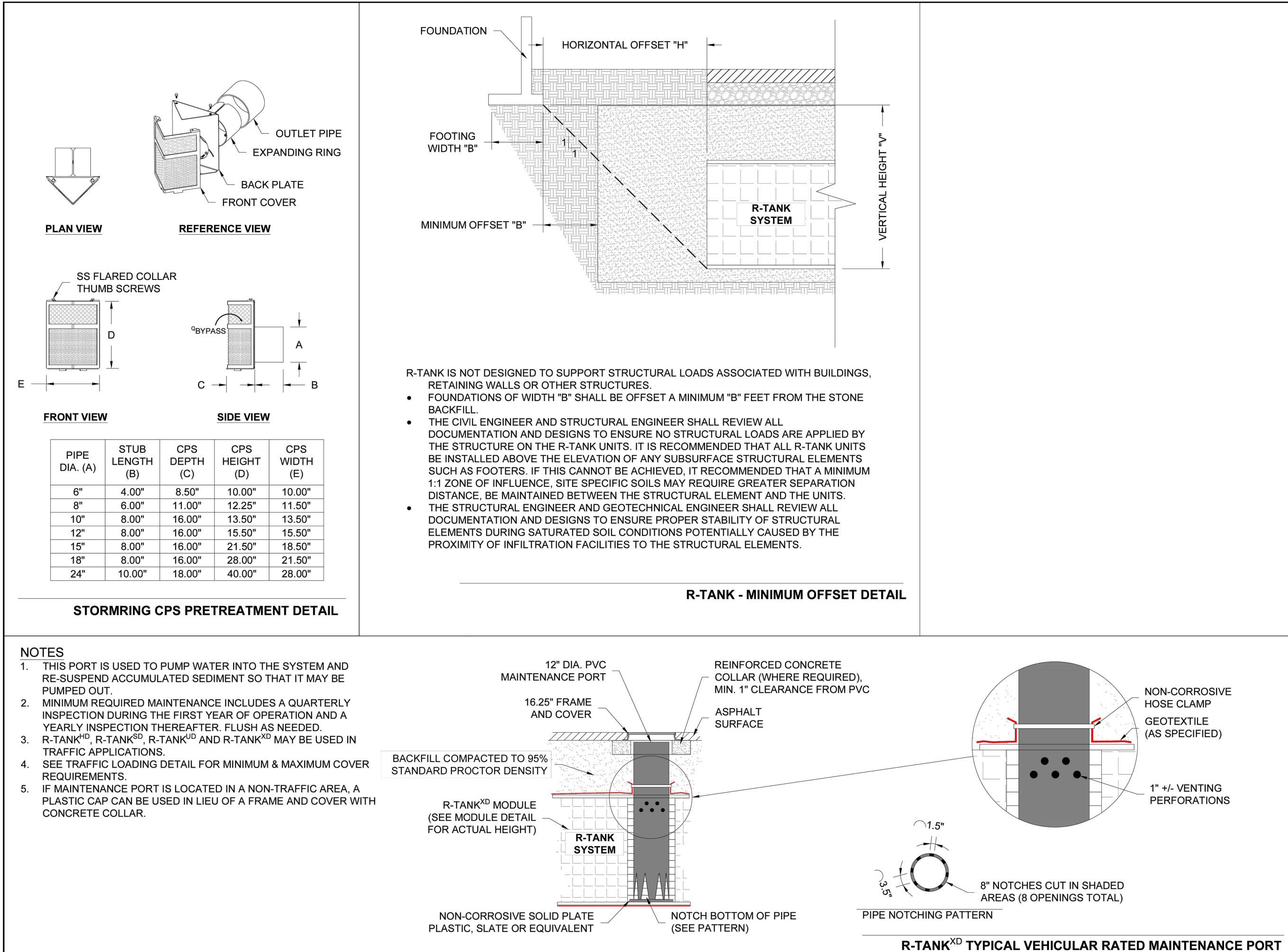
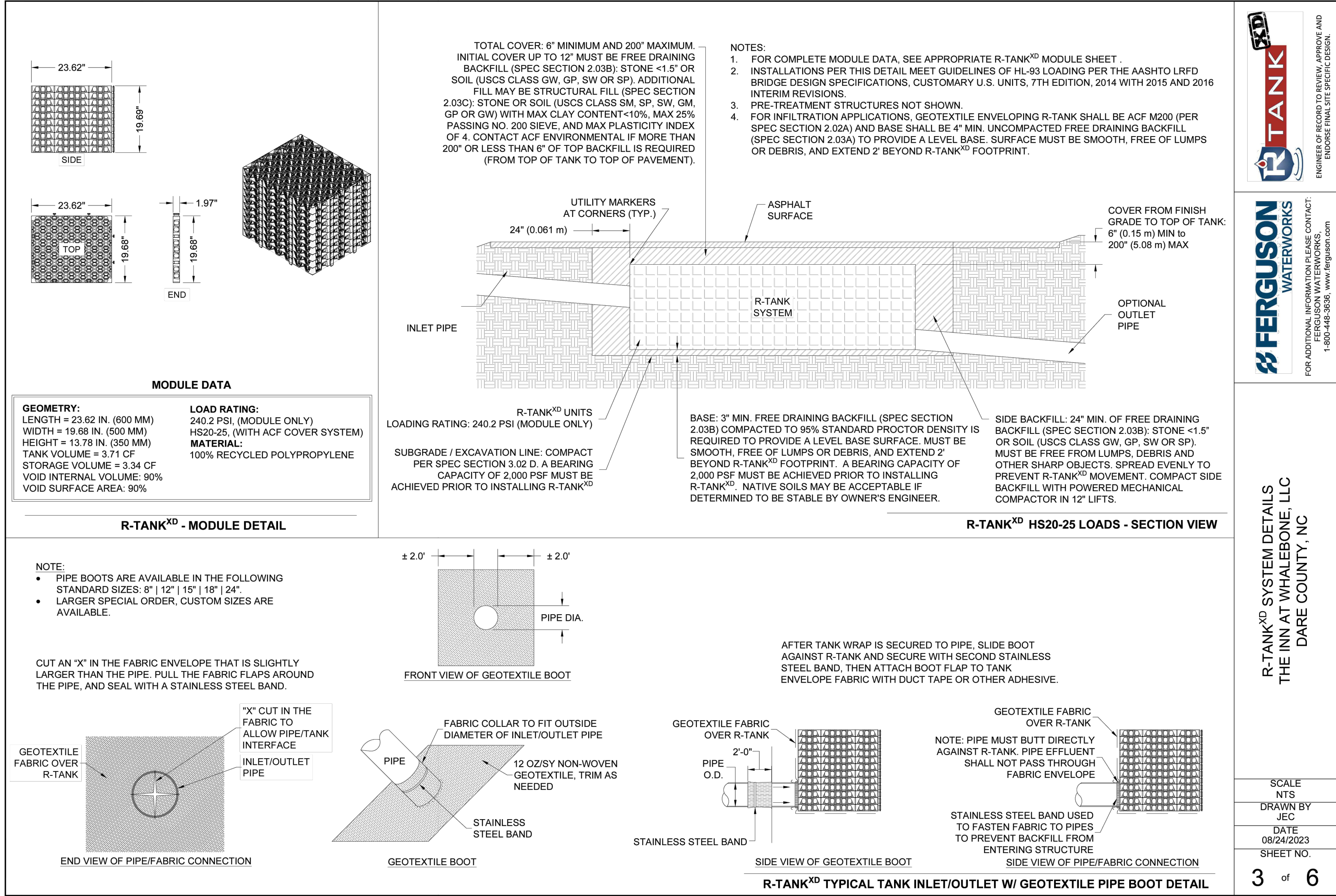
THE INN AT
WHALEBONE, LLC

CONSTRUCTION
DRAWINGS

DARE COUNTY, NC

R-TANK DETAILS 1 & 2	
PROJECT NUMBER C06001.00	DRAWING NUMBER D-101

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CONSTRUCTION



NOTES

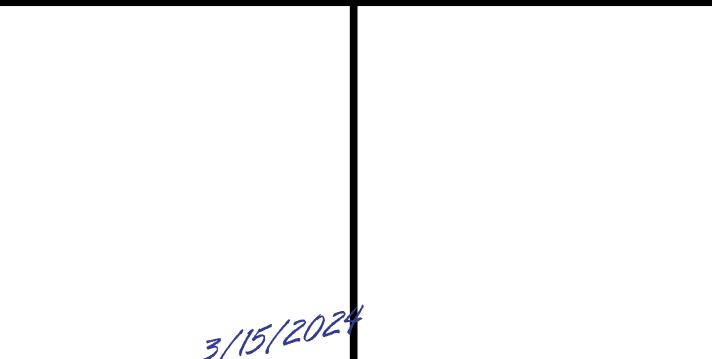
LEGEND

---	110	INDEX CONTOUR
---	198	INTERMEDIATE CONTOUR
---		PROPERTY LINE
---		ADJOINING PROPERTIES
---	x	FENCE
---		RIGHT-OF-WAY
---		EX. EDGE OF PAVEMENT
---		CREEK
---	SS	EX. SANITARY SEWER
---		NEW SANITARY SEWER
---	W	EX. WATER LINE
---		NEW WATER LINE
---	FW	NEW FORCE MAIN
---		CATCH BASIN
---		NEW STORM PIPE
---		POLE-MOUNTED LIGHT

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT MANAGER:	PROJECT ENGINEER:
GSM	HDB
DRAWN BY:	CHECKED BY:
HDB	TAP

DATE:
MARCH 15, 2024



MacCONNELL & Associates, P. C.
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
TEL: (919) 467-1239 FAX: (919) 319-6510

THE INN AT WHALEBONE, LLC

CONSTRUCTION DRAWINGS

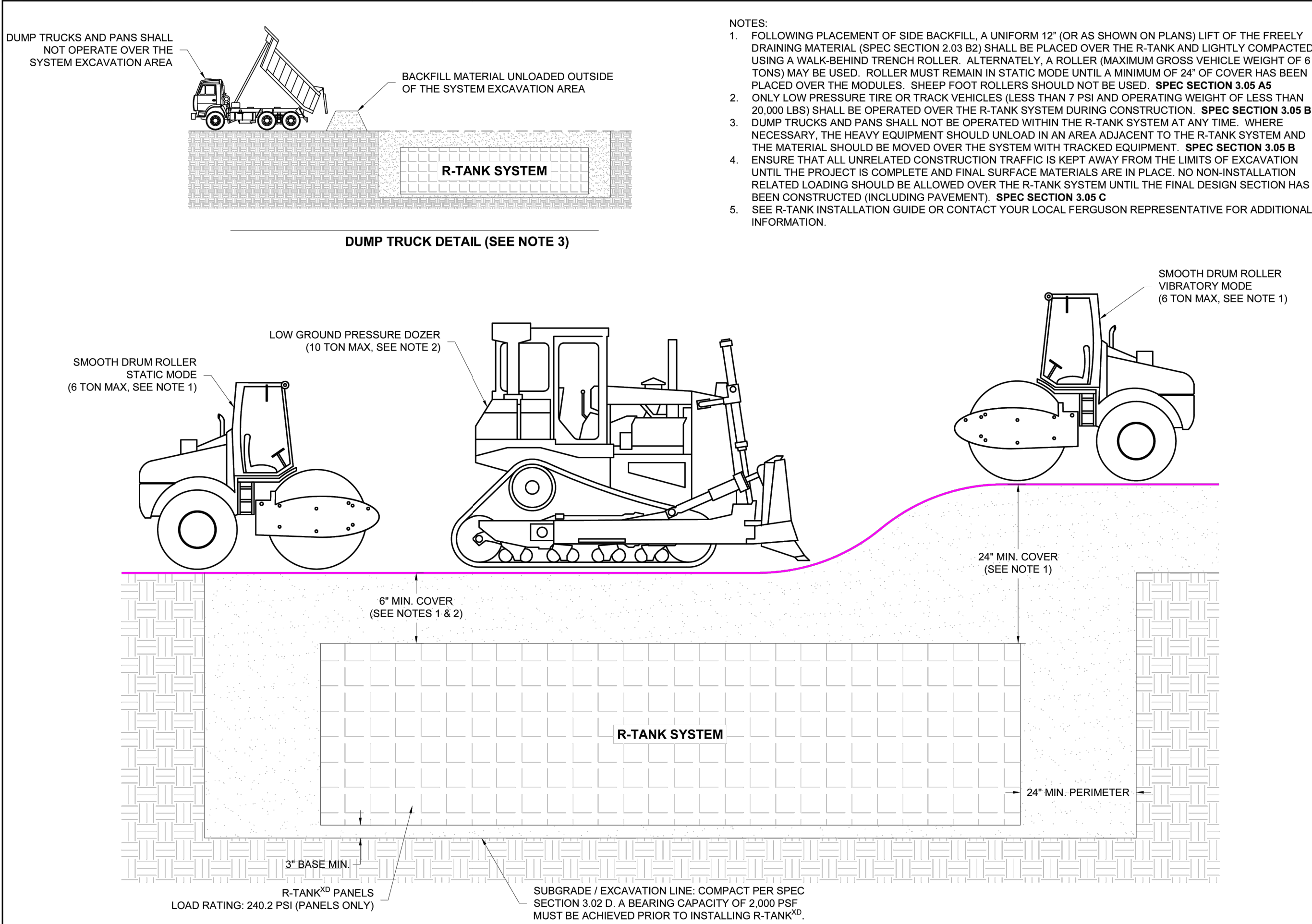
DARE COUNTY, NC

R-TANK DETAILS 3 & 4

PROJECT NUMBER	DRAWING NUMBER
C06001.00	D-102

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CONSTRUCTION

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- NOTES:
1. FOLLOWING PLACEMENT OF SIDE BACKFILL, A UNIFORM 12" (OR AS SHOWN ON PLANS) LIFT OF THE FREELY DRAINING MATERIAL (SPEC SECTION 2.03 B2) SHALL BE PLACED OVER THE R-TANK AND LIGHTLY COMPACTED USING A WALK-BEHIND TRENCH ROLLER. ALTERNATELY, A ROLLER (MAXIMUM GROSS VEHICLE WEIGHT OF 6 TONS) MAY BE USED. ROLLER MUST REMAIN IN STATIC MODE UNTIL A MINIMUM OF 24" OF COVER HAS BEEN PLACED OVER THE MODULES. SHEEP FOOT ROLLERS SHOULD NOT BE USED. SPEC SECTION 3.05 A5
 2. ONLY LOW PRESSURE TIRE OR TRACK VEHICLES (LESS THAN 7 PSI AND OPERATING WEIGHT OF LESS THAN 20,000 LBS) SHALL BE OPERATED OVER THE R-TANK SYSTEM DURING CONSTRUCTION. SPEC SECTION 3.05 B
 3. DUMP TRUCKS AND PANS SHALL NOT BE OPERATED WITHIN THE R-TANK SYSTEM AT ANY TIME. WHERE NECESSARY, THE HEAVY EQUIPMENT SHOULD UNLOAD IN AN AREA ADJACENT TO THE R-TANK SYSTEM AND THE MATERIAL SHOULD BE MOVED OVER THE SYSTEM WITH TRACKED EQUIPMENT. SPEC SECTION 3.05 B
 4. ENSURE THAT ALL UNRELATED CONSTRUCTION TRAFFIC IS KEPT AWAY FROM THE LIMITS OF EXCAVATION UNTIL THE PROJECT IS COMPLETE AND FINAL SURFACE MATERIALS ARE IN PLACE. NO NON-INSTALLATION RELATED LOADING SHOULD BE ALLOWED OVER THE R-TANK SYSTEM UNTIL THE FINAL DESIGN SECTION HAS BEEN CONSTRUCTED (INCLUDING PAVEMENT). SPEC SECTION 3.05 C
 5. SEE R-TANK INSTALLATION GUIDE OR CONTACT YOUR LOCAL FERGUSON REPRESENTATIVE FOR ADDITIONAL INFORMATION.



FOR ADDITIONAL INFORMATION PLEASE CONTACT:
FERGUSON WATERWORKS
1-800-455-5555, WWW.FERGUSON.COM

R-TANK^{XD} CONSTRUCTION EQUIPMENT COVER DETAIL
THE INN AT WHALEBONE, LLC
DARE COUNTY, NC

SCALE
NTS
DRAWN BY
JEC
DATE
08/24/2023
SHEET NO.
5 of 6

R-TANK^{XD} SPECIFICATION

- PART 1 - GENERAL**
- 1.01 Related Documents
- A. Drawings, technical specification and general provisions of the Contract as modified herein apply to this section.
- 1.02 Description of Work Included
- A. Provide excavation and base preparation per geotechnical engineer's recommendations and/or as shown on the design drawings, to provide adequate support for project design loads and safety from excavation allowed collapse. Excavations shall be in accordance with the owner's and OSHA requirements.
- B. Provide and install R-Tank^{XD} system (hereafter called R-Tank) and all related products including fill materials, geotextiles, geogrids, inlet and outlet pipe with connections per the manufacturer's installation guidelines provided in the section.
- C. Provide and construct the cover of the R-Tank system including: stone backfill, structural fill cover, and pavement section as specified.
- D. Protect R-Tank system from construction traffic after installation until completion of all construction activity in the installation area.
- 1.03 Quality Control
- A. All materials shall be manufactured in ISO certified facilities.
- B. Installation Contractor shall demonstrate the following experience:
1. A minimum of three R-Tank or equivalent projects completed within 3 years; and
 2. A minimum of 25,000 cubic feet of storage volume completed within 2 years.
- C. Contractor experience requirement may be waived if the manufacturer's representative provides on-site training and review during construction.
- D. Installation Personnel: Performed only by skilled workers with satisfactory record of performance on tank networks, pipe, chamber, or groundwater construction projects of comparable size and quality. Contractor must have manufacturer's representative available for site review if requested by Owner.
- 1.04 Submittals
- A. Submit proposed R-Tank layout drawings. Drawings shall include typical section details as well as the required base elevation of stone and tanks, minimum cover requirements and tank configuration.
- B. Submit manufacturer's product data, including compressive strength and unit weight.
- C. Submit manufacturer's installation instructions.
- D. Submit R-Tank samples for review. Reviewed and accepted samples will be returned to the Contractor.
- E. Submit material certificates for geotextile, geogrid, base course and backfill materials.
- F. Submit required experience and personnel requirements as specified in Section 1.03.
- G. Any proposed equal alternative product substitution to this specification must be submitted for review and approved prior to bid opening. Review package should include third party reviewed performance data that meets or exceeds criteria in Table 2.01 B.
- 1.05 Delivery, Storage, and Handling
- A. Protect R-Tank and other materials from damage during delivery, and store UV sensitive materials under tarp to protect from sunlight when time from delivery to installation exceeds two weeks. Storage of materials should be on smooth surfaces, free from dirt, mud and debris.
- B. Handling to be performed with equipment appropriate to the materials and site conditions, and may include hand, handfork, forklifts, extension lifts, etc.
- C. Cold weather
1. Cans must be taken when handling plastics when air temperature is 45 degrees or below to plastic becomes brittle.
 2. Do not use frozen materials or materials mixed or coated with ice or frost.
 3. Do not build on frozen ground or wet, saturated or muddy subgrade.
- 1.06 Preinstallation Conference
- A. Prior to the start of the installation, a preinstallation conference shall occur with the representatives from the design team, the general contractor, the excavation contractor, the R-Tank installation contractor, and the manufacturer's representative.
- 1.07 Project Conditions
- A. Coordinate installation for the R-Tank system with other on-site activities to eliminate all non-installation related construction traffic over the completed R-Tank system. No loads heavier than the design loads shall be allowed over the system, and if no case shall loads higher than a standard (ASHTO HS20) or H20S, depending on design criteria (load be allowed on the system at any time).
- B. Protect adjacent work from damage during R-Tank system installation.
- C. All pre-installment systems to remove debris and heavy sediments must be in place and functional prior to operation of the R-Tank system. Additional pre-installment measures may be needed if unit is operational during construction due to loosened sediment loads.
- D. Contractor is responsible for any damage to the system during construction.
- PART 2 - PRODUCTS**
- 2.01 R-Tank Units
- A. R-Tank^{XD} Injection molded plastic cells stacked to form a 90% void modular structure of pre-designed height (custom for each project).
- B. R-Tank^{XD} units shall meet the following Physical & Chemical Characteristics:
- | PROPERTY | REQUIREMENT | TEST METHOD |
|----------------------|--------------------------------|-------------|
| Material | Injection molded polypropylene | ASTM D1505 |
| Color | White | Visual |
| Dimensions | As shown on plans | ASME Y14.5 |
| Compressive Strength | As shown on plans | ASTM D2922 |
| Flexural Strength | As shown on plans | ASTM D2922 |
| Impact Strength | As shown on plans | ASTM D256 |
| Water Absorption | As shown on plans | ASTM D153 |
| Chemical Resistance | As shown on plans | ASTM D153 |
- C. Supplier: Ferguson Waterworks 2831 Cardwell Road Richmond, VA 23234 (703) 448-3036; (804) 743-7778 www.ferguson.com
- 2.02 Geotextiles
- A. Geotextile: A geotextile envelope is required to prevent backfill material from entering the R-Tank modules.
- B. Standard Applications: The standard geotextile shall be a minimum of 3 mil per square yard nonwoven geotextile (ACF M200 or equivalent).
- C. Infiltration Applications: When water must infiltrate/inflow through the geotextile as a function of the system design, a woven nonwoven geotextile (ACF M200 or equivalent) must be used.
- D. Geogrid: When required by project plans, install geogrid (ACF G3012 or equivalent) to reinforce backfill above the R-Tank system.
- 2.03 Backfill & Cover Materials
- A. **Bedding Materials:** Stone (angular and smaller than 1.5" in diameter) or soil (GVN, GP, SW, or SP as classified by the Unified Soil Classification System) must be used below the R-Tank system (2" minimum). Material must be free from lumps, debris, and any sharp objects that could cut the geotextile. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.
- B. **Side and Top Backfill:**
1. **Deep Applications (4" to 12" total cover):** Free draining stone (angular and smaller than 1.5" in diameter) or soil (GVN, GP, SW, or SP as classified by the Unified Soil Classification System) shall be used adjacent to (12" minimum) and above (for the first 12") the R-Tank system. Material must be free from lumps, debris and any sharp objects that could cut the geotextile. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.
 2. **Shallow Applications (4" to 12" total cover):** Material listed in section 2.03 B1 above may be used adjacent to the modules. Top backfill must be well graded aggregate angular and smaller than 0.75" in diameter) or soil (GVN or SW as classified by the Unified Soil Classification System). Material must be free from lumps, debris and any sharp objects that could cut the geotextile. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.
- C. **Additional Cover Materials:** Structural Fill shall consist of granular materials meeting the gradational requirements of SMA, SP, SW, GM, GP or GWN as classified by the Unified Soil Classification System. Structural Fill shall have a maximum of 25 percent passing the No. 200 sieve, shall have a maximum dry content of 10 percent and a maximum Plasticity Index of 4. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.
- 2.04 Other Materials
- Utility Marker: Install metallic tape at corners of R-Tank system to mark the area for future utility detection.

- PART 3 - EXECUTION**
- 3.01 Assembly of R-Tank Units
- A. R-Tank^{XD} modules do not require on-site assembly prior to installation. See Section 3.04 below for details on installation.
- 3.02 Layout and Excavation
- A. Installer shall stake out, excavate, and prepare the subgrade area to the required plan grades and dimensions, ensuring that the excavation is at least 2 feet greater than R-Tank dimensions in each direction allowing for installation of geotextile filter fabric, R-Tank modules, and free draining backfill materials.
- B. All excavations must be prepared with OSHA approved excavated sides and sufficient working space.
- C. Protect partially completed installation against damage from other construction traffic by establishing a perimeter with high visibility construction tape, fencing, barricades, or other means until construction is complete.
- D. Base of the excavation shall be uniform, level, and free of lumps or debris and soft or yielding subgrade areas. A minimum 2,000 pounds per square foot bearing capacity is required.
1. **Standard Applications:** Compact subgrade to a minimum of 95% of Standard Proctor (ASTM D1557) density or as required by the Owner's engineer.
2. **Infiltration Applications:** Subgrade shall be prepared in accordance with the contract documents. Compaction of subgrade should not be performed in infiltration applications.
- E. **Unavailable Side or Conditions:** All questions about the base of the excavation shall be directed to the owner's engineer, who will approve the subgrade conditions prior to placement of stone. The owner's engineer shall determine the required bearing capacity of the R-Tank subgrade; however in no case shall a bearing capacity of less than 2,000 pounds per square foot be provided.
1. If unstable soils are encountered at the subgrade, or the subgrade is pouring or seeping excessively soft, equal the base in accordance with contract documents and/or as directed by the owner's engineer.
 2. If indications of the water table are observed during excavation, the engineer shall be contacted to provide recommendations.
 3. Do not start installation of the R-Tank system until unsatisfactory subgrade conditions are corrected and the subgrade conditions are accepted by the owner's engineer.
- 3.03 Preparation of Back
- A. Place a thin layer (2" unless otherwise specified) of bedding material (Section 2.03 A), over the subgrade to establish a level working platform for the R-Tank modules. Level to within 1/2" (+/- 1/2") or as shown on the plans. Native subgrade soils or other materials may be used if determined to meet the requirements of 2.03 A and are accepted by the owner's engineer.
1. **Standard Applications:** Stone, soil or otherwise compact bedding material will be fine and are accepted by the owner's engineer.
2. **Infiltration Applications:** Bedding materials shall be prepared in accordance with the contract documents.
- B. Outline the footprint of the R-Tank system on the excavation floor using spray paint or chalk line to ensure a 12" perimeter is available around the R-Tank system for proper installation and compaction of backfill.
- 3.04 Installation of the R-Tank
- A. Where a geotextile wrap is specified on the stone base, cut strips to length and install in excavation, removing wrinkles in material top flat. Overlay geotextile a minimum 12" or as recommended by manufacturer.
- B. Where an impervious liner (or containment) is specified, install the liner per manufacturer's recommendations and the contract documents. The R-Tank units shall be separated from impervious liner by a non-woven geotextile fabric installed accordance with Section 3.04A.
- C. Install R-Tank Units in layers in accordance with the design drawing. R-Tank^{XD} places on each layer should be connected to all other places on that layer. Layers should stack on top of each preceding layer evenly. No vertical connection between layers is required. It is advisable to use a string line to form square corners and straight edges along the perimeter of the R-Tank system. The panels are to be oriented as per the design drawing (18" x 24" or 24" x 24") with required depth as shown on plans.
- D. Wrap the R-Tank top and sides in specified geotextile. Cut strips of geotextile so that it will cover the sides and top, encapsulating the entire system to prevent backfill entry into the system. Overlay geotextile 12" or as recommended by manufacturer. Take great care to avoid damage to geotextile (and if specified, impervious liner) during placement.
- E. Identify locations of inlet, outlet and any other penetrations of the geotextile (and optional liner). These connections should be installed flush (flushed up to the R-Tank) and the geotextile fabric shall be cut to enable hydraulic continuity between the connections and the R-Tank units. These connections shall be secured using pipe bolts with stainless steel pipe clamps. Support pipe in trenches during backfill operations to prevent pipe from settling and damaging the geotextile, impervious liner (if specified) or pipe. Connecting pipes at 90 degree angles facilitate construction, unless otherwise specified. Ensure end of pipe is installed using against R-Tank system.
- F. Install Inspection and Maintenance Ports in location noted on plans. At a minimum one maintenance port shall be installed within 10' of each inlet & outlet connection, and with a maximum spacing of one maintenance port for every 3,000 square feet. Install all ports as noted in the R-Tank Installation Guide.
- G. If required, install ventilation pipes and vents as specified or change to provide ventilation for proper hydraulic performance. The number of pipes and vents will depend on the size of the system. Vents are often installed using a 90 degree elbow with PVC pipe into a landscaped area with "U" bend or venting flange to inhibit the ingress of debris. A ground level cone or steel cover can be used.
- 3.05 Backfilling of the R-Tank Units
- A. Backfill and fill with recommended materials as follows:
1. Place heavy draining backfill material (Section 2.03 B) around the perimeter in 18" lifts with a maximum thickness of 12". Each lift shall be placed around the entire perimeter such that each lift is no more than 24" higher than the side backfill along any other location on the perimeter of the R-Tank system. No lift shall be placed over top of tanks until the side backfill has been completed.
 2. Each lift shall be compacted at the specified moisture content to a minimum of 95% of the Standard Proctor Density or until further densification is observed (for self-compacting stone materials). The side lifts must be compacted with well-graded backfill material (ACF M200 or equivalent) or approved equivalent. Each layer of geotextile reinforcement placed above the R-Tank system shall extend a minimum of 3 feet beyond the limits of the excavation wall.
 3. Place additional layers of geotextile and/or geogrid at elevations as specified in the design details. Each layer of geotextile reinforcement placed above the R-Tank system shall extend a minimum of 3 feet beyond the limits of the excavation wall.
 4. No construction equipment is permitted to operate directly on the R-Tank modules.
 5. Top Backfill.
 6. Deep Applications (4" to 12" total cover): Install a 12" (or as shown on plans) lift of freely draining material (Section 2.03 B1) over the R-Tank^{XD} units, maintaining 12" between equipment tracks and R-Tank system. Lightly compact using a walk-behind trench roller. Alternately, a roller (maximum gross vehicle weight of 6 tons) may be used. Roller must remain in static mode until a minimum of 24" of cover has been placed over the modules. Sheep foot rollers should not be used.
- B. **Shallow Applications (4" to 12" total cover):** Install top backfill (Section 2.03 B2) in accordance with plans using an LGP shd steel or roller (rubber tracks preferred). Lightly compact using a walk-behind trench roller. Alternately, a roller (maximum gross vehicle weight of 6 tons) may be used in static mode only.
- C. If required, install a geogrid as shown on plans. Geogrid shall extend a minimum of 3 feet beyond the limits of the excavation wall.
- D. Following placement and compaction of the final lift of backfill, the subgrade shall be placed at the specified moisture content and compacted to a minimum of 95% of the Standard Proctor Density and shall cover the entire footprint of the R-Tank system. During placement of fill above the system, unless otherwise specified, a uniform elevation of fill shall be maintained within 12" across the footprint of the R-Tank system. Do not exceed maximum cover depths listed in Table 2.01 B.
- E. Place additional layers of geotextile and/or geogrid at elevations as specified in the design details. Each layer of geotextile reinforcement placed above the R-Tank system shall extend a minimum of 3 feet beyond the limits of the excavation wall.
- F. Only low pressure tires or track vehicles shall be operated over the R-Tank system during construction. No machinery should drive on top of the tanks until a minimum of 18" of backfill and compaction is achieved. Dump Trucks and Pans shall not be operated within the R-Tank system footprint at any time. Where necessary the heavy equipment should be used in an area adjacent to the R-Tank system and the material should be moved over the system with tracked equipment.
- G. Ensure that all unrelated construction traffic is kept away from the limits of excavation until the project is complete and final surface materials are in place. No non-installation related loading should be allowed over the R-Tank system until the final design section has been constructed (including pavement).
- H. Place working materials, such as gravel/stones (no large trees), or stumps/mast/trees over the structure with care to avoid displacement of cover and loading to surrounding areas.
- I. Backfill depth over R-Tank system must be within the limitations shown in the table in Section 2.01 B. If the total backfill depth does not comply with this table, contact engineer or manufacturer's representative for assistance.
- PART 4 - USING THE SYSTEM**
- 4.01 Maintenance Requirements
- A. A routine maintenance effort is required to ensure proper performance of the R-Tank system. The Maintenance program should be focused on pre-treatment systems. Ensuring these structures are clean and functioning properly will reduce the risk of contamination of the R-Tank system and otherwise released from the site. The treatment systems shall be inspected weekly, or as directed by the regulatory agency and by the manufacturer (for proprietary systems). Material is needed using acceptable practices or following manufacturer's guidelines (for proprietary systems).
- B. Inspection and/or Maintenance Ports in the R-Tank system will need to be inspected for accumulation of sediment at least quarterly through the first year of operation and at least yearly thereafter. This is done by removing the cap of the port and using a measuring device long enough to reach the bottom of the R-Tank system and stiff enough to push through the loose sediments, allowing a depth measurement.
- C. If sediment has accumulated to the level noted in the R-Tank Maintenance Guide beyond a level acceptable to the Owner's engineer, the R-Tank system should be flushed.
- D. A flushing event consists of pumping water into the Maintenance Port and/or adjacent structure, allowing the turbulent flow through the R-Tank system to dislodge the sediments. If multiple Maintenance Ports have been installed, water should be pumped into each port to maximize flushing efficiency. Sediment laden water can be filtered through a Drilling or approved equivalent if permitted by the local authority.



FOR ADDITIONAL INFORMATION PLEASE CONTACT:
FERGUSON WATERWORKS
1-800-455-5555, WWW.FERGUSON.COM

R-TANK^{XD} SPECIFICATION
THE INN AT WHALEBONE, LLC
DARE COUNTY, NC

SCALE
NTS
DRAWN BY
JEC
DATE
08/24/2023
SHEET NO.
6 of 6

NOTES

LEGEND

- 110 INDEX CONTOUR
- 198 INTERMEDIATE CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTIES
- FENCE
- RIGHT-OF-WAY
- EX. EDGE OF PAVEMENT
- CREEK
- SS EX. SANITARY SEWER
- NEW SANITARY SEWER
- EX. WATER LINE
- NEW WATER LINE
- NEW FORCE MAIN
- CATCH BASIN
- NEW STORM PIPE
- POLE-MOUNTED LIGHT

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP

DATE:
MARCH 15, 2024

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THE INN AT WHALEBONE, LLC
CONSTRUCTION DRAWINGS
DARE COUNTY, NC

PROJECT NUMBER C06001.00	DRAWING NUMBER D-103
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CONSTRUCTION

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SEEDING SPECIFICATIONS

- PERMANENT SEEDING: PERMANENT SEEDING IS REQUIRED FOR ALL AREAS DISTURBED BY CONSTRUCTION EXCEPT FOR AREAS COVERED BY STRUCTURES, PAVEMENTS, ETC.
- TEMPORARY SEEDING: TEMPORARY SEEDING IS REQUIRED FOR THOSE AREAS DISTURBED BY CONSTRUCTION AND LEFT EXPOSED FOR PERIODS OF 7-14 DAYS (SEE NC001 GROUND STABILIZATION TABLE) OR MORE BEFORE BEING BROUGHT TO FINAL GRADE AND PERMANENTLY SEEDED. THE FORCE MAIN SHALL BE SEEDED AT THE END OF EACH WORKING DAY TO MINIMIZE CONSTRUCTION DISTURBANCE ACTIVITIES.

*PRODUCTS:

MATERIALS:

- FERTILIZER:
 - TEMPORARY SEEDING: PROVIDE 10-10-10 COMMERCIAL FERTILIZER CONFORMING TO STATUTORY REQUIREMENTS AND ALL RULES AND REGULATIONS ADOPTED BY THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE.
 - PERMANENT SEEDING: PROVIDE 870 POUNDS OF 10-20-20 OR 1,740 POUNDS OF 5-10-10 PER ACRE COMMERCIAL FERTILIZER CONFORMING TO STATUTORY REQUIREMENTS AND ALL RULES AND REGULATIONS ADOPTED BY THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE. IN SANDY SOILS, TYPICAL TO COASTAL PLAIN AND SANDHILLS, FERTILIZER RATES SHOULD BE INCREASED BY 20 PERCENT.
- LIMESTONE: PROVIDE LIMESTONE CONFORMING TO ALL STATUTORY REQUIREMENTS AND ALL RULES AND REGULATIONS ADOPTED BY THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE.
- SEEDING: PROVIDE SEED CONFORMING TO ALL STATUTORY REQUIREMENTS AND ALL RULES AND REGULATIONS ADOPTED BY THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE. PROVIDE SEED MIXTURES AS TABULATED BELOW. DELIVER SEED TO THE SITE IN ORIGINAL CONTAINERS BEARING THE APPROPRIATE GUARANTEED MIXTURES. SEED SHALL SHOW A PURITY OF NOT LESS THAN 90 PERCENT AND GERMINATION QUALITY OF NOT LESS THAN 85 PERCENT.
- TEMPORARY MIXTURE:
 - LATE WINTER AND EARLY SPRING (COASTAL PLAIN: DECEMBER 1 - APRIL 15; PIEDMONT: JANUARY 1 - MAY 1; MOUNTAINS >2,500 FEET: FEBRUARY 15 - MAY 15; MOUNTAINS <2,500 FEET: FEBRUARY 1 - MAY 1): THE TEMPORARY SEED MIXTURE FOR GENERAL AREAS SHALL CONSIST OF 120 POUNDS PER ACRE OF RYE (GRAIN) AND 50 POUNDS PER ACRE OF ANNUAL LESPEDEZA (KOBÉ IN PIEDMONT AND COASTAL PLAIN, KOREAN IN MOUNTAINS).
 - SUMMER (COASTAL PLAIN: APRIL 15 - AUGUST 15; PIEDMONT: MAY 1 - AUGUST 15; MOUNTAINS: MAY 15 - AUGUST 15): THE TEMPORARY SEED MIXTURE FOR GENERAL AREAS SHALL CONSIST OF 40 POUNDS PER ACRE OF GERMAN MILLET. IN THE PIEDMONT AND MOUNTAINS A SMALL-STEMMED SUDANGRASS MAY BE SUBSTITUTED AT A RATE OF 50 POUNDS PER ACRE.
 - FALL (COASTAL PLAIN AND PIEDMONT: AUGUST 15 - DECEMBER 30; MOUNTAINS: AUGUST 15 - DECEMBER 15): THE TEMPORARY SEED MIXTURE FOR GENERAL AREAS SHALL CONSIST OF 120 POUNDS PER ACRE OF RYE (GRAIN).
- PERMANENT MIXTURE:
 - THE PERMANENT SEED MIXTURE FOR GENERAL AREAS SHALL CONSIST OF MINIMUM RATE OF 50 lbs./ac. PENSACOLA BAHIAGRASS, 30 lbs./ac. SERICEA LESPEDEZA, 10 lbs./ac. COMMON BERMUDA GRASS, AND 10 lbs./ac. GERMAN MILLET. THE BEST SEEDING DATES FOR THIS MIXTURE ARE FROM APRIL 1st TO JULY 15th.
 - OTHER MIXTURES: OTHER MIXTURES, AS APPROVED OR RECOMMENDED BY THE SOIL CONSERVATION SERVICE OR THE NORTH CAROLINA AGRICULTURAL EXTENSION OFFICE MAY BE USED.
- MULCH: MULCH ALL SEEDED AREAS, EXCEPT WHERE JUTE MESH IS REQUIRED AND DURING PERMANENT SEEDING. USE UNDAMAGED, AIR-DRIED, THRESHED SMALL GRAIN STRAW FREE OF UNDESIRABLE WEED SEED. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, BY ROVING, OR THROUGH USE OF A MULCH ANCHORING TOOL.

*EXECUTION

- FOLLOW PROCEDURES SET FORTH IN THE PUBLICATION "GUIDE FOR SEDIMENT CONTROL ON CONSTRUCTION SITES IN NORTH CAROLINA" BY THE SOIL CONSERVATION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND AS SPECIFIED HEREIN.
- SPREAD A MINIMUM OF FOUR (4) INCHES OF TOP SOIL OVER ALL DISTURBED AREAS TO THE FINISHED GRADE.
- REMOVE ALL GRASS AND WEEDS AND SHAPE THE OVERALL AREA TO EVEN OUT HIGH AND LOW SPOTS.
- SCARIFY SOIL TO A DEPTH OF THREE (3) INCHES AND WORK INTO A SATISFACTORY SEED BED BY DISKING OR THROUGH THE USE OF CULTIPACKERS, HARROWS, DRAGS, OR OTHER APPROVED MEANS.
- THE PREPARATION OUTLINED ABOVE SHALL NOT BE DONE WHEN THE SOIL IS FROZEN, WET, OR OTHERWISE IN AN UNFAVORABLE CONDITION.
- BEGIN AND COMPLETE SEEDING OPERATIONS, AS OUTLINED BELOW, AS SOON AS POSSIBLE AFTER FINAL OR INTERMEDIATE GRADING IS COMPLETED.
- DISTRIBUTE LIME AND FERTILIZER, AS REQUIRED, UNIFORMLY OVER THE SEED BED. HARROW RAKE OR OTHERWISE WORK THESE ADDITIONS INTO THE SEED BED.
- DISTRIBUTE SEED UNIFORMLY OVER THE ESTABLISHED SEED BED. LIGHTLY RAKE THE SURFACE OF THE SEED BED IN ORDER TO COVER SEED TO A MAXIMUM DEPTH OF 0.25 INCH.
- COMPACT THE SEED BED WITH AN APPROVED ROLL OR DRAG AFTER COVERING THE SEED.
- NO LIME, FERTILIZER, OR SEED SHALL BE APPLIED DURING A STRONG WIND, WHEN THE SOIL IS WET, OR WHEN THE SOIL IS OTHERWISE UNWORKABLE. SHOULD RAIN FOLLOW SEEDING BEFORE ROLLING IS INITIATED, THE SEED BED SHALL NOT BE ROLLED.
- NO RIP-RAP IS TO BE PLACED ALONG THE BANKS OF NEW FILL. MAINTAIN THE AREA AND REPAIR ANY EROSION DAMAGE UNTIL A PERMANENT GROUND COVER IS ESTABLISHED. USE MULCH OR MESH AS REQUIRED.

*APPLICATION

TEMPORARY SEEDING: LATE WINTER - SUMMER:

- APPLY LIME ACCORDING TO THE SOIL TESTS OR AT A RATE OF 2000 lbs./ac. BEFORE SEEDING.
- APPLY FERTILIZER ACCORDING TO THE SOIL TESTS OR AT A RATE OF 750 lbs./ac.
- SEED THE SEED BED WITH THE SPECIFIED SEED MIXTURE AT THE SPECIFIED RATE FOR THE RECOMMENDED PLANTING SEASON.
- APPLY GRAIN STRAW AT A RATE OF 4000 lbs./ac. OR PROVIDE EQUIVALENT COVER OF ANOTHER SUITABLE COVER. MULCH SHALL BE SUITABLY ANCHORED. WHERE JUTE MESH IS REQUIRED, APPLY THE PRODUCT ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS AND ANCHOR WITH STEEL HAIRPIN-SHAPED WIRE STAPLES.
- REFERTILIZE SEED BED IF GROWTH IS NOT FULLY ADEQUATE, AS DETERMINED BY THE ENGINEER. RE-SEED, FERTILIZE, AND MULCH ALL DAMAGED, BARE, AND ERODED AREAS IMMEDIATELY AND UNTIL A SUITABLE COVER IS ESTABLISHED.

TEMPORARY SEEDING: FALL:

- APPLY LIME ACCORDING TO THE SOIL TESTS OR AT A RATE OF 2000 lbs./ac. BEFORE SEEDING.
- APPLY FERTILIZER ACCORDING TO THE SOIL TESTS OR AT A RATE OF 1000 lbs./ac.
- SEED THE SEED BED WITH THE SPECIFIED SEED MIXTURE AT THE SPECIFIED RATE FOR THE RECOMMENDED PLANTING SEASON.
- APPLY GRAIN STRAW AT A RATE OF 4000 lbs./ac. OR PROVIDE EQUIVALENT COVER OF ANOTHER SUITABLE COVER. MULCH SHALL BE SUITABLY ANCHORED. WHERE JUTE MESH IS REQUIRED, APPLY THE PRODUCT ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS AND ANCHOR WITH STEEL HAIRPIN-SHAPED WIRE STAPLES.
- REFERTILIZE SEED BED IF GROWTH IS NOT FULLY ADEQUATE, AS DETERMINED BY THE ENGINEER. RE-SEED, FERTILIZE, AND MULCH ALL DAMAGED, BARE, AND ERODED AREAS IMMEDIATELY AND UNTIL A SUITABLE COVER IS ESTABLISHED.

PERMANENT SEEDING: APPLICATION OF LIME, FERTILIZER, SEED, AND MULCH:

- WHERE A NEAT APPEARANCE IS DESIRED, OMIT SERICEA.
- USE COMMON BERMUDAGRASS ONLY ON ISOLATED SITES WHERE IT CANNOT BECOME A PEST. BERMUDAGRASS MAY BE REPLACED WITH 5 LBS./AC. CENTPEDEGRASS.
- SOIL AMENDMENTS: APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS, OR APPLY 3200 LBS./AC. GROUND AGRICULTURAL LIMESTONE AND 870 POUNDS OF 10-20-20 OR 1,740 POUNDS OF 5-10-10 PER ACRE. FOR SANDY SOILS, TYPICAL TO COASTAL PLAIN AND SANDHILLS OF NORTH CAROLINA, FERTILIZER RATES SHOULD BE INCREASED BY 20 PERCENT.
- SEED THE SEED BED WITH THE SPECIFIED SEED MIXTURE AT THE SPECIFIED RATE DURING RECOMMENDED PLANTING SEASONS. IF GRADING IS COMPLETED AT TIMES OTHER THAN THE RECOMMENDED SEASON, PROVIDE TEMPORARY SEEDING OR OTHER EROSION AND SEDIMENTATION PROTECTION APPROVED BY THE ENGINEER UNTIL THE APPROPRIATE PLANTING SEASON BEGINS.
- MULCH: APPLY 4000 LBS./AC. GRAIN STRAW OR EQUIVALENT COVER OF ANOTHER SUITABLE MULCH. ANCHOR BY TACKING ASPHALT, ROVING, OR NETTING OR BY CRIMPING WITH A MULCH ANCHORING TOOL. A DISC WITH BLADES SET NEARLY STRAIGHT MAY BE USED AS A MULCH ANCHORING TOOL.
6. MAINTENANCE: REFERTILIZE THE FOLLOWING APRIL WITH 50 LBS./AC. NITROGEN. REPEAT AS GROWTH REQUIRES. MOW ONLY ONCE PER YEAR. WHERE A NEAT APPEARANCE IS DESIRED, OMIT SERICEA AND MOW

CONSTRUCTION SCHEDULE

THE CONTRACTOR MUST COMPLY WITH THE REQUIREMENTS HEREIN:

- CONDUCT A PRECONSTRUCTION MEETING BEFORE ANY LAND DISTURBING ACTIVITY STARTS. THOSE REQUIRED FOR ATTENDANCE SHALL: BE THE GENERAL CONTRACTOR, ORANGE COUNTY EROSION CONTROL ADMINISTRATOR, GRADING AND EROSION CONTROL SUB-CONTRACTORS (IF ANY), AND A REPRESENTATIVE OF THE FINANCIALLY RESPONSIBLE PARTY.
- INSTALL EROSION CONTROL MEASURES AS REQUIRED, SUCH AS THE CONSTRUCTION ENTRANCE, SILT FENCE, AND SILT FENCE OUTLETS. ONLY DISTURB AREAS REQUIRED TO INSTALL THESE DEVICES. DISTURBANCE FOR PERIMETER SILT FENCE MUST BE LIMITED TO A MAXIMUM 12" MACHINE WIDTH. AFTER INSTALLATION OF SILT FENCE AND OUTLETS, CONTACT ORANGE COUNTY EROSION CONTROL OFFICER CHASE ELLIS, 919-245-2587, TO SCHEDULE A SILT FENCE INSPECTION. NO ADDITIONAL WORK CAN BE COMPLETED UNTIL THE SILT FENCE INSPECTION HAVE BEEN CONDUCTED AND PASSED.
- CLEAR AREA FOR SKIMMER SEDIMENT BASIN FOOTPRINT. ONCE BASIN HAS BEEN INSTALLED, CONTACT ORANGE COUNTY EROSION CONTROL OFFICER CHASE ELLIS, 919-245-2587, TO SCHEDULE A BASIN INSPECTION.
- CLEAR AREAS FOR FOOTPRINT OF DIVERSION DITCH INSTALLATION. ONCE INSTALLED, CONTACT ORANGE COUNTY EROSION CONTROL OFFICER CHASE ELLIS, 919-245-2587, TO SCHEDULE A DIVERSION DITCH INSPECTION.
- CLEAR AND GRUB ANY WOODED AREAS TO BE DEVELOPED WITHIN LIMITS OF DISTURBANCE. STOCKPILE TOPSOIL AND SUITABLE FILL MATERIAL IN AREAS DESIGNATED AS STOCKPILES.
- BEGIN GRADING ACTIVITIES AFTER ALL REQUIRED EROSION CONTROL MEASURES HAVE BEEN INSTALLED AND CONSTRUCTED. SALVAGE ANY TOPSOIL THAT MAY BE USED AFTER CONSTRUCTION.
- NO LAND DISTURBANCE BEYOND THE LIMITS OF DISTURBANCE IS ALLOWED.
- INSTALL DRIVEWAY CULVERT. PLACE INLET AND OUTLET PROTECTION IMMEDIATELY AFTER PIPE INSTALLATION.
- SEED TEMPORARY AREAS THAT HAVE BEEN LEFT DORMANT IN ACCORDANCE WITH THE NC001 STABILIZATION CHART. THE MAXIMUM ALLOWED TIME TO STABILIZE IS 14 DAYS.
- ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE INSPECTED WEEKLY AND AFTER EACH HEAVY RUNOFF PRODUCING RAINFALL. NEEDED REPAIRS SHALL BE MADE IMMEDIATELY.
- PERIMETER MEASURES MUST BE LEFT IN PLACE UNTIL ALL UPLAND AREAS ARE PERMANENTLY STABILIZED AND PERMISSION HAS BEEN GRANTED FROM THE ORANGE COUNTY EROSION CONTROL DEPARTMENT. AFTER SITE IS PERMANENTLY STABILIZED, REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AND PROVIDE PERMANENT SEEDING WHERE TEMPORARY MEASURES HAVE BEEN REMOVED AND GROUND COVER IS NOT ADEQUATE.
- AFTER CONSTRUCTION REMOVE ALL TEMPORARY STRUCTURES AND ENSURE ALL SEEDING IS COMPLETED FOR AREAS DISTURBED.
- WHEN THE PROJECT IS COMPLETE, THE PERMITTEE SHALL CONTACT ORANGE COUNTY TO CLOSE OUT THE EROSION CONTROL PLAN.

GENERAL MAINTENANCE PLAN

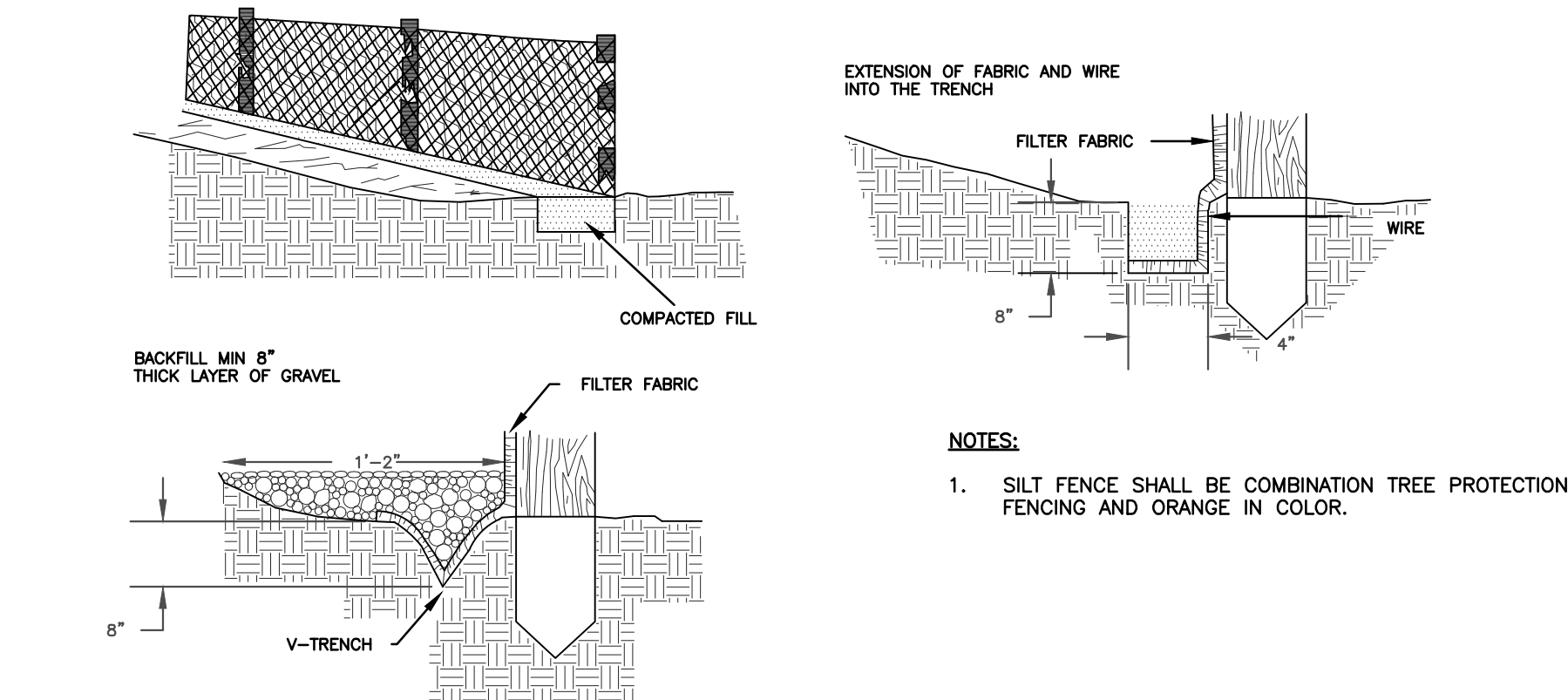
- ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED WEEKLY AND AFTER EACH HEAVY STORMWATER-PRODUCING RAINFALL. ALL NEEDED REPAIRS SHALL BE MADE IMMEDIATELY TO PREVENT FURTHER DAMAGE AND EROSION. STRUCTURES THAT WILL BE MAINTAINED WILL INCLUDE:

CONSTRUCTION ENTRANCE/EXIT: INSPECT CONSTRUCTION ROAD SURFACE REGULARLY, MAINTAIN IN A CONDITION TO PREVENT SEDIMENT FROM LEAVING THE SITE, AND TOP-DRESS WHEN NEEDED. SEDIMENT TRANSPORTED TO PUBLIC ROADS SHALL BE REMOVED DAILY.

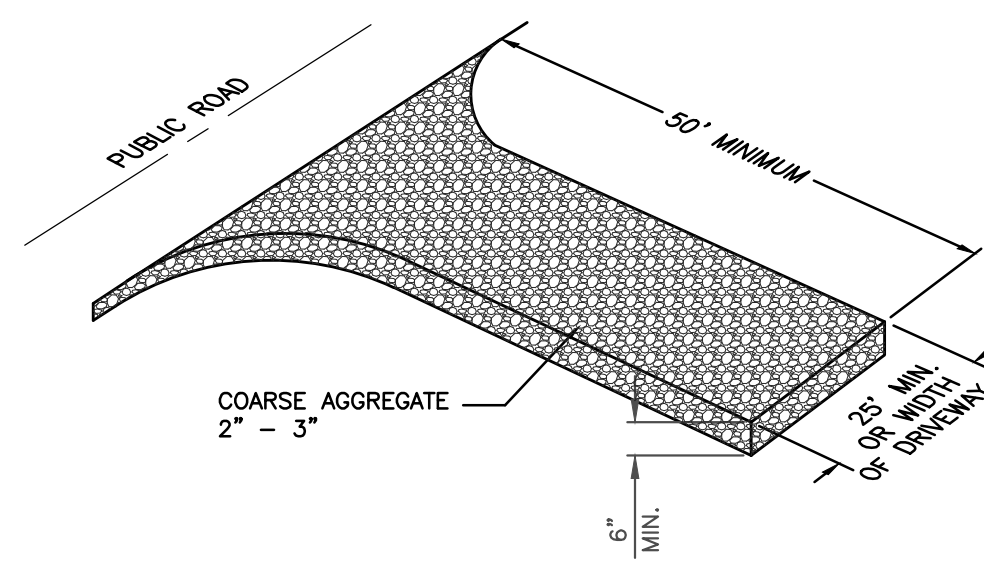
SEEDING, FERTILIZING, AND MULCHING: SEEDED AREAS SHALL BE INSPECTED FOR FAILURE AND NECESSARY REPAIRS SHALL BE MADE WITHIN THE SAME SEASON, IF POSSIBLE.

SILT FENCE/SILT FENCE OUTLETS: REMOVE SEDIMENT AFTER 6 INCHES OF ACCUMULATION AT FENCE.
- THE ANGLE FOR GRADED SLOPES AND FILLS SHALL BE NO GREATER THAN THE ANGLE THAT CAN BE RETAINED BY VEGETATIVE COVER OR OTHER ADEQUATE EROSION CONTROL DEVICES OR STRUCTURES. IN ANY EVENT, SLOPES LEFT EXPOSED WILL, WITHIN 21 CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING, BE PLANTED OR OTHERWISE PROVIDED WITH TEMPORARY GROUND COVER, DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION. PERMANENT GROUND COVER SHALL BE PROVIDED FOR ALL DISTURBED AREAS WITHIN 15 WORKING DAYS OR NO MORE THAN 90 CALENDAR DAYS.

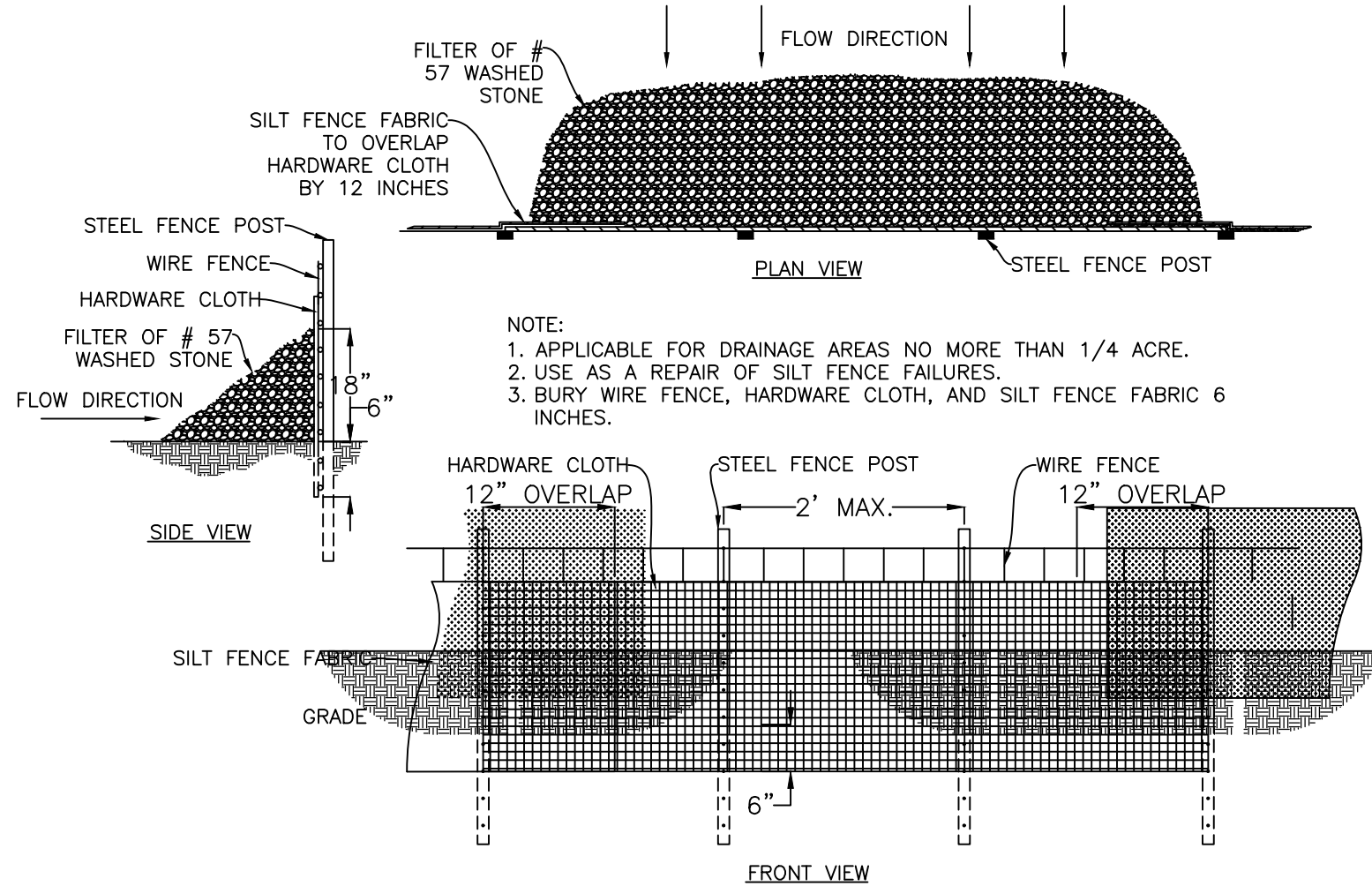
TOTAL DISTURBED AREA: ±2.33 AC.



1
D-104 NTS
SILT FENCE DETAIL



2
D-104 NTS
TEMPORARY CONSTRUCTION ENTRANCE



3
D-104 NTS
TEMPORARY SILT FENCE OUTLET

NOTES

LEGEND

- 110 INDEX CONTOUR
- 100 INTERMEDIATE CONTOUR
- PROPERTY LINE
- ADJOINING PROPERTIES
- X FENCE
- - - RIGHT-OF-WAY
- - - - - EX. EDGE OF PAVEMENT
- CREEK
- SS EX. SANITARY SEWER
- NEW SANITARY SEWER
- W EX. WATER LINE
- NEW WATER LINE
- FM NEW FORCE MAIN
- CATCH BASIN
- NEW STORM PIPE
- POLE-MOUNTED LIGHT

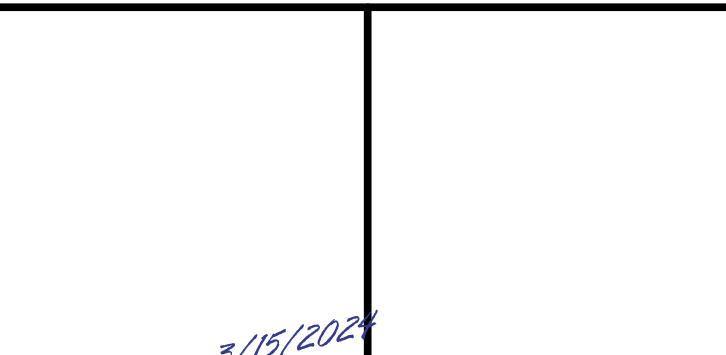
REVISIONS

NO.	DATE	DESCRIPTION

PROJECT MANAGER: GSM PROJECT ENGINEER: HDB

DRAWN BY: HDB CHECKED BY: TAP

DATE: MARCH 15, 2024



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THE INN AT
WHALEBONE, LLC

CONSTRUCTION
DRAWINGS

DARE COUNTY, NC

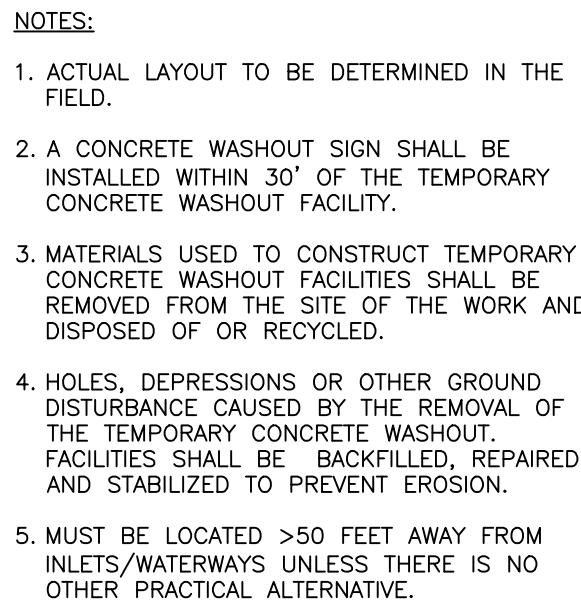
EROSION CONTROL DETAILS 1

PROJECT NUMBER
C06001.00
DRAWING NUMBER
D-104

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CONSTRUCTION

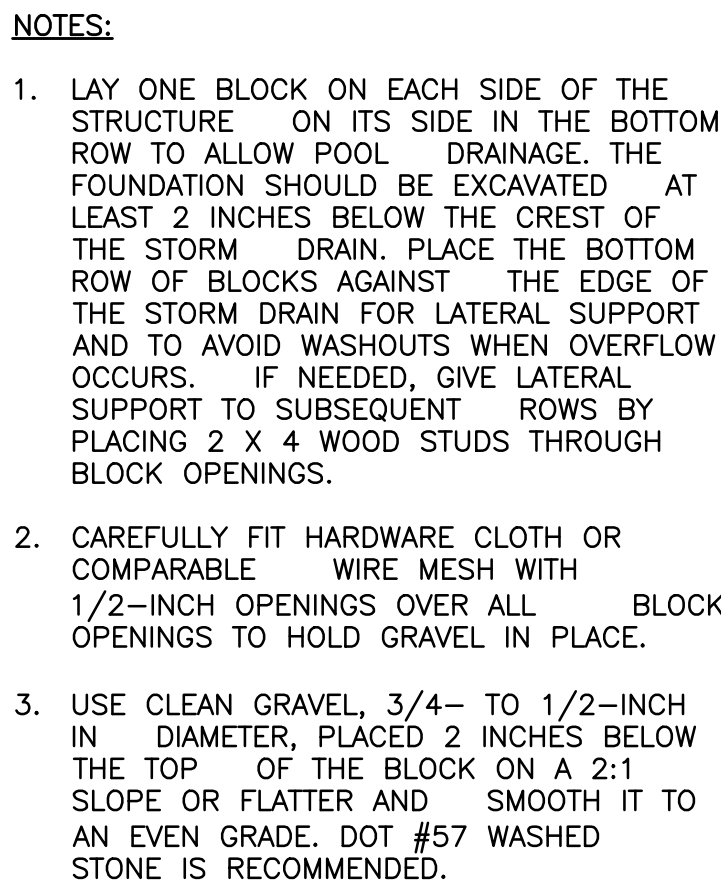
C06001.00 - HOUSE ENGINEERING, P.C. - THE INN AT WHALEBONE

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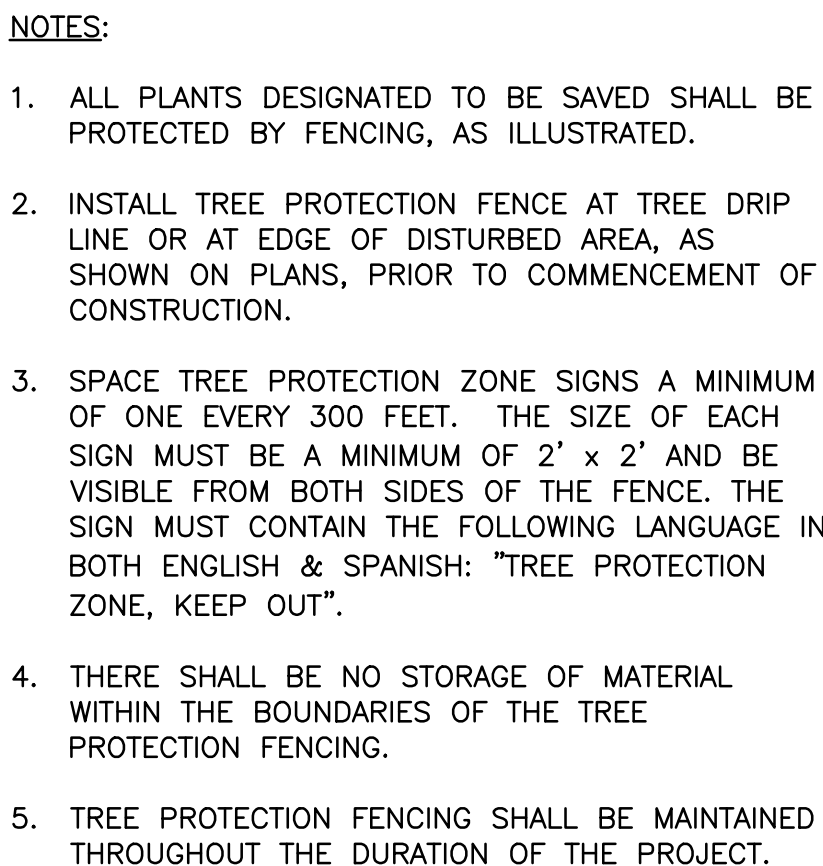
1

NTS



2
D 10A

D-105 / NTS



3
D-10E

NTS

110	INDEX CONTOUR
108	INTERMEDIATE CONTOUR
	PROPERTY LINE
	ADJOINING PROPERTIES
x	FENCE
	RIGHT-OF-WAY
	EX. EDGE OF PAVEMENT
	CREEK
SS	EX. SANITARY SEWER
	NEW SANITARY SEWER
W	EX. WATER LINE
	NEW WATER LINE
FM	NEW FORCE MAIN
	CATCH BASIN
	NEW STORM PIPE
	POLE-MOUNTED LIGHT

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT MANAGER: GSM	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: TAP

DATE:
MARCH 15, 2024



**MacCONNELL
& Associates, P. C.**
501 CASCADE POINTE LANE, SUITE 103
CARY, NORTH CAROLINA 27513
P.O. BOX 129
MORRISVILLE, NORTH CAROLINA 27560
TEL: (919) 467-1239 FAX: (919) 319-6510

**LICENSE
No. C-1039**

**THE INN AT
WHALEBONE, LLC**

CONSTRUCTION DRAWINGS

DARE COUNTY, NC

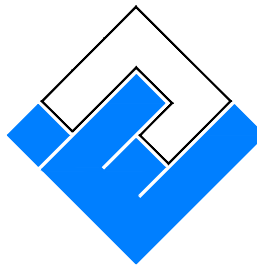
EROSION CONTROL DETAILS 2

PROJECT NUMBER C06001.00	DRAWING NUMBER D-105
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FOR REVIEW ONLY
NOT RELEASED FOR
CONSTRUCTION

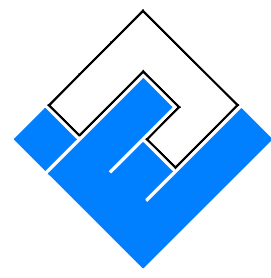


FRONT VIEW FROM NORTH-EAST CORNER

 ARCHITECT NITIN KULKARNI AIA NCARB GLEN ALLEN, VA 23059 (804) 200-4085		A DEVELOPMENT BY	Fairfield BY MARRIOTT	Date: APRIL 04, 2024			Sheet	A-100A
				NO.	DATE	COMMENTS		
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS	BUILDING EXTERIOR					
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET						
3	APR 04, 2024	75% ARCH TO DESIGN TEAM						
MARRIOTT PROJECT NUMBER: 65890								



FRONT VIEW FROM SOUTH-EAST CORNER



ARCHITECT
NITIN KULKARNI
AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

A DEVELOPMENT BY
INN AT WHALEBONE

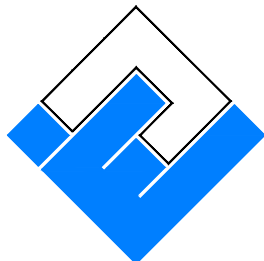
Fairfield
BY MARRIOTT
6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024			Sheet A-100B
NO.	DATE	COMMENTS	
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS	BUILDING EXTERIOR
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET	
3	APR 04, 2024	75% ARCH TO DESIGN TEAM	



VIEW FROM NORTH-WEST CORNER



ARCHITECT
NITIN KULKARNI
AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

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Fairfield
BY MARRIOTT

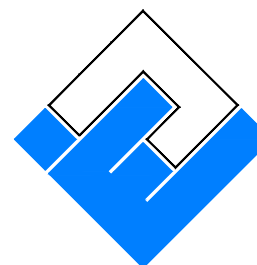
6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024			Sheet	A-100C
REVISIONS			BUILDING EXTERIOR	
NO.	DATE	COMMENTS		
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS		
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET		
3	APR 04, 2024	75% ARCH TO DESIGN TEAM		



VIEW OF POOL AND REAR PATIO



ARCHITECT
NITIN KULKARNI
AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

A DEVELOPMENT BY
INN AT WHALEBONE

Fairfield
BY MARRIOTT
6632 WEST PHEASANT AVE.
NAGS HEAD NC
MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024			Sheet A-100E
NO.	REVISIONS DATE	COMMENTS	
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS	BUILDING EXTERIOR
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET	
3	APR 04, 2024	75% ARCH TO DESIGN TEAM	

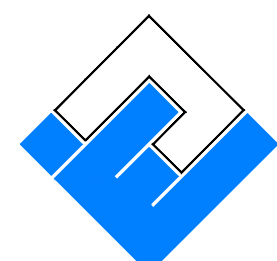


ROOM TYPE	NAME	ROOM TYPE	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	TOTAL	
TYPE-A	KING ROOM		1	5	5	5	16	TOTAL KING 18 (20.5%)
TYPE-A1	ADA KING ROOM (ROLL-IN)		1	1	-	-	2	
TYPE-C	Q/Q ROOM		5	7	7	7	26	TOTAL Q/Q 58 (67%)
TYPE-C1	Q/Q ROOM LONG		-	3	3	3	09	
TYPE-C2	Q/Q ROOM LONG		4	5	6	6	21	
TYPE-C3	ADA Q/Q ROOM (TUB)		-	-	1	1	02	
TYPE-B	KING SUITE		-	1	1	1	03	TOTAL SUITES 11 (12.5%)
TYPE-B1	KING SUITE		1	2	2	2	07	
TYPE-B2	ADA KING SUITE (ROLL-IN)		-	1	-	-	01	

TOTAL ROOMS PER FLOOR	12	25	25	25	87 TOTAL ROOMS
TOTAL AREA	11,659.0	11,591.0	11,591.0	11,591.0	46,432.00 SQ.FT.

PORTE COCHERE : 1,047.00 SQ.FT.
REAR+SIDE PORCH : 522.00 SQ.FT.
ADA UNITS REQUIRED = 4+1 (ROLL-IN) = 5, PROVIDED 2+3 (ROLL-IN) = 5
HEARING IMPARED UNITS REQUIRED = 9, PROVIDED = 1 H/C +8 = 9

HEARING IMPAIRED ROOMS STATEMENT						
NAME	ROOM TYPE	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	TOTAL 9 ROOMS
ADA+ HEARING IMPAIRED ROOM			219		1	
HEARING IMPAIRED ROOMS		107, 123, 124,	216, 218,	316, 319, 320	8	



ARCHITECT

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AIA NCARB

GLEN ALLEN, VA 23059

(804) 200-4085

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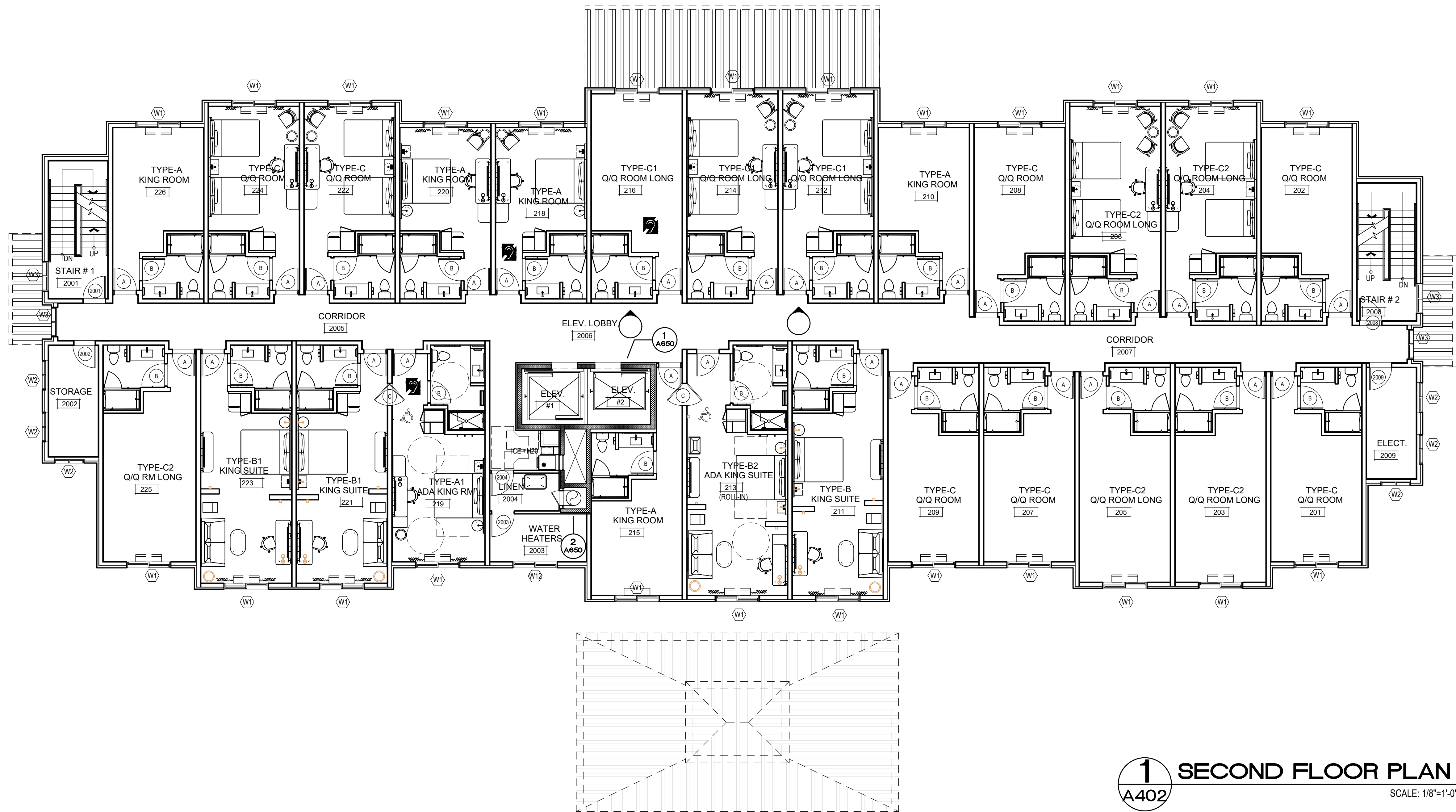
Fairfield
BY MARRIOTT

6632 WEST PHEASANT AVE.
NAGS HEAD NC

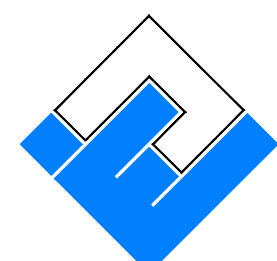
MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024

REVISIONS			Sheet A-401
NO.	DATE	COMMENTS	
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS	FIRST FLOOR PLAN
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET	
3	APR 04, 2024	75% ARCH TO DESIGN TEAM	



1 SECOND FLOOR PLAN
A402 SCALE: 1/8"=1'-0"



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Fairfield
BY MARRIOTT

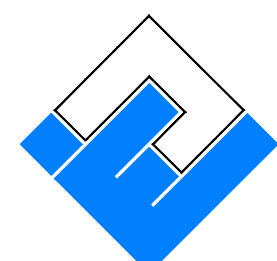
6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024			Sheet	A-402
REVISIONS				
NO.	DATE	COMMENTS		
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS	SECOND FLOOR PLAN	
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET		
3	APR 04, 2024	75% ARCH TO DESIGN TEAM		



1 THIRD FLOOR PLAN
A403 SCALE: 1/8"=1'-0"



ARCHITECT

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AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

A DEVELOPMENT BY

INN AT WHALEBONE

A DEVELOPMENT BY

INN AT WHALEBONE

Fairfield
BY MARRIOTT

6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024		
REVISIONS		
NO.	DATE	COMMENTS
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET
3	APR 04, 2024	75% ARCH TO DESIGN TEAM

Sheet

A-403

THIRD FLOOR PLAN



1 FOURTH FLOOR PLAN
A404 SCALE: 1/8"=1'-0"

ARCHITECT

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AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

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INN AT WHALEBONE

Fairfield
BY MARRIOTT

6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

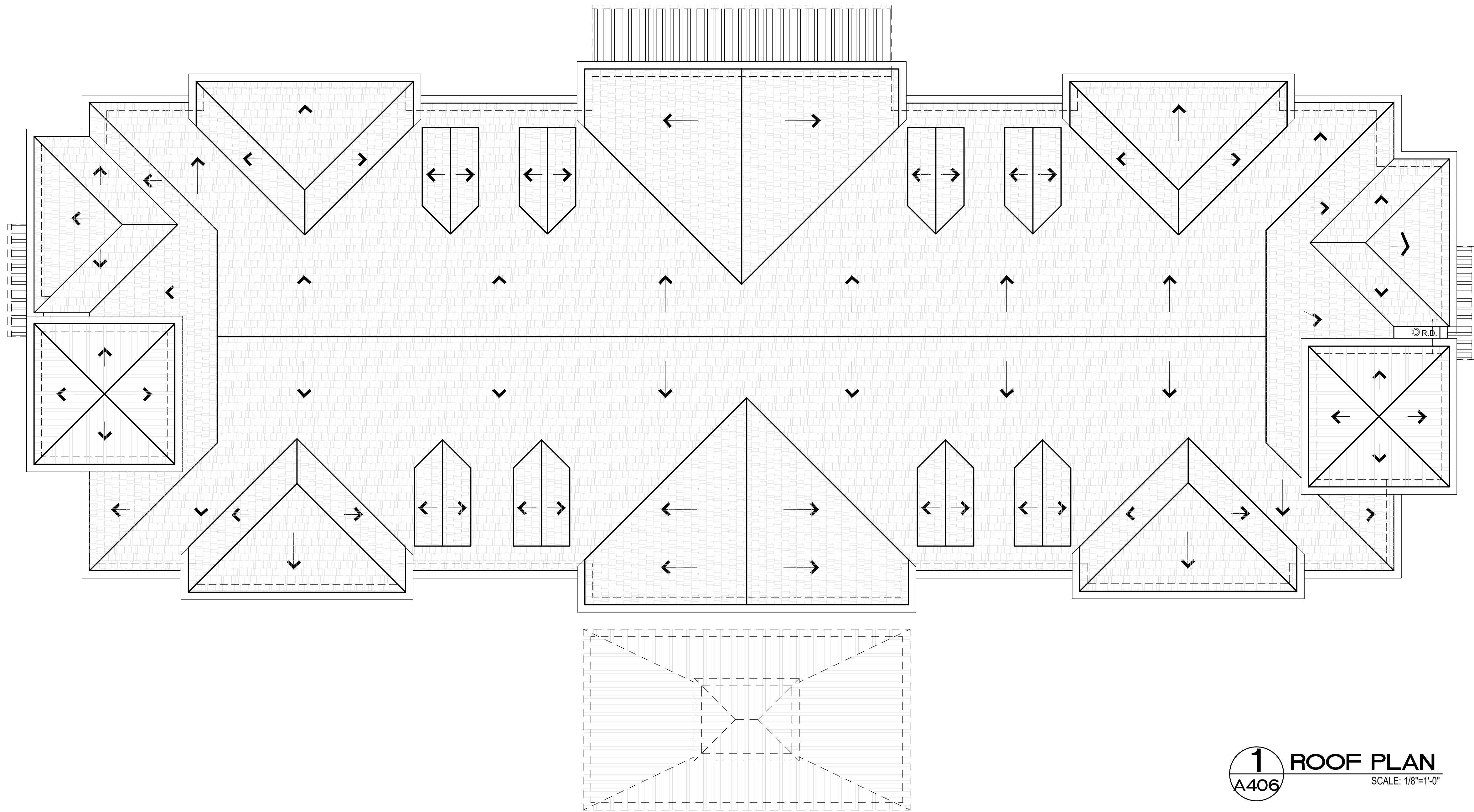
Date: APRIL 04, 2024

REVISIONS		
NO.	DATE	COMMENTS
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET
3	APR 04, 2024	75% ARCH TO DESIGN TEAM

Sheet

A-404

FOURTH FLOOR PLAN



1 ROOF PLAN
A406 SCALE: 1/8"=1'-0"



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AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

ARCHITECT

A DEVELOPMENT BY
INN AT WHALEBONE

Fairfield
BY MARRIOTT

6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: APRIL 04, 2024

REVISIONS		
NO.	DATE	COMMENTS
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET
3	APR 04, 2024	75% ARCH TO DESIGN TEAM

Sheet

A-405

ROOF PLAN



2 RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



ARCHITECT
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AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

A DEVELOPMENT BY
INN AT WHALEBONE

Fairfield
BY MARRIOTT
6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: MAY 14, 2024

REVISIONS		
NO.	DATE	COMMENTS
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET
3	APR 04, 2024	75% ARCH TO DESIGN TEAM
4	MAY 14, 2024	90% COORDINATION SET

Sheet

A-501

BUILDING ELEVATIONS

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2 LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"



1 REAR ELEVATION
SCALE: 1/8"=1'-0"



ARCHITECT
NITIN KULKARNI
AIA NCARB

GLEN ALLEN, VA 23059
(804) 200-4085

A DEVELOPMENT BY
INN AT WHALEBONE

Fairfield
BY MARRIOTT
6632 WEST PHEASANT AVE.
NAGS HEAD NC

MARRIOTT PROJECT NUMBER: 65890

Date: MAY 14, 2024

REVISIONS		
NO.	DATE	COMMENTS
1	OCT 03, 2023	PRELIMINARY FLOOR PLANS
2	OCT 31, 2023	FRANCHISE 15% APPROVAL SET
3	APR 04, 2024	75% ARCH TO DESIGN TEAM
4	MAY 14, 2024	90% COORDINATION SET

Sheet

A-502

BUILDING ELEVATIONS

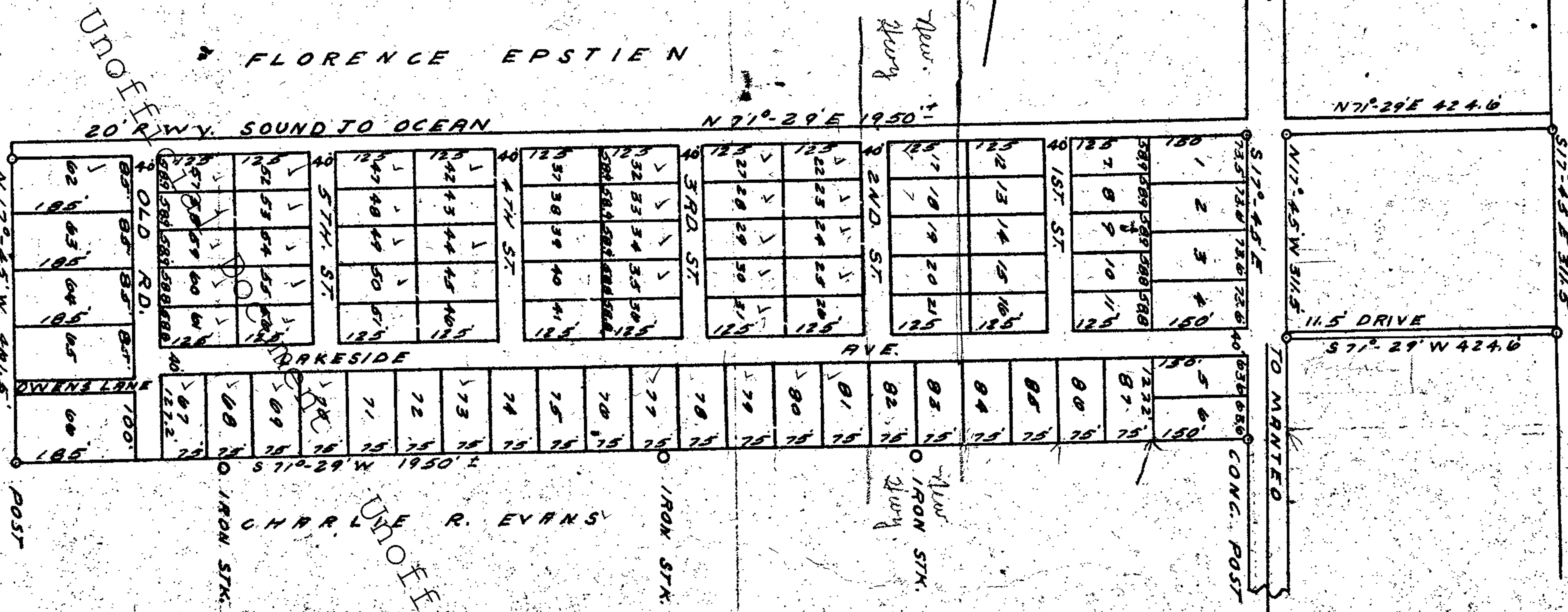
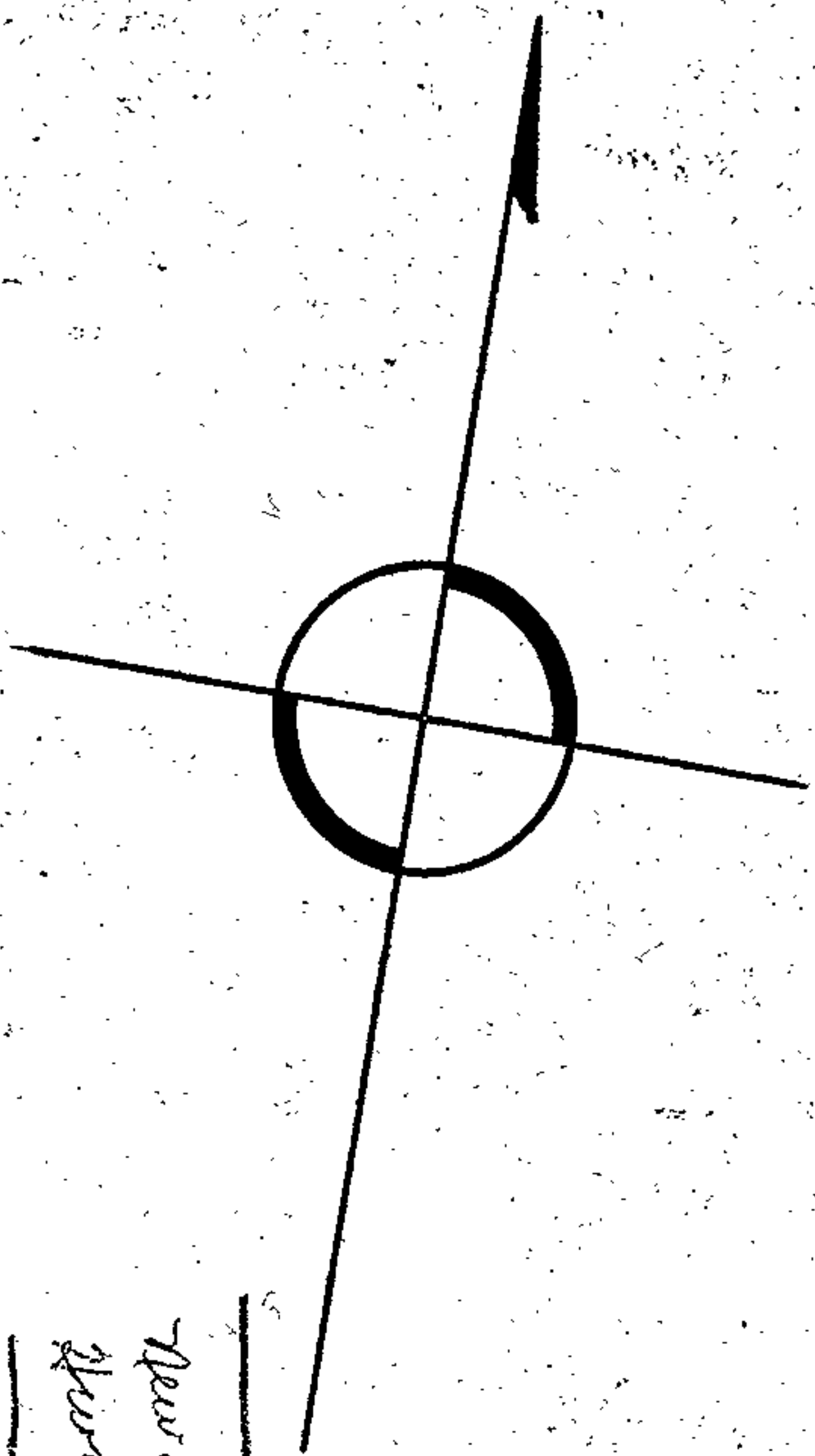
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ROANOKE SHORE

NAGS HEAD, NC.

Unofficial Document

JAN 9, 1951
SCALE 1"=200'
CARLYLE C. WEBB C.E.



FILED

'84 OCT 18 PM 3 38

WWP/jwb

STATE OF NORTH CAROLINA

COUNTY OF DARE

DORRIS A. FRY
REGISTER OF DEEDS
DARE COUNTY, N.C.

THIS NEGATIVE EASEMENT, made this the _____ day of October, 1984, by and between Spruill Oil Company, Inc., a corporation organized under the laws of the State of North Carolina, with one of its offices in Windsor, North Carolina, party of the first part, and Town of Nags Head, a municipal corporation organized under the laws of the State of North Carolina, party of the second part:

WITNESSETH: That for and in consideration of the approval of a site plan for the construction of a gas and convenience store on Lots 25, 26 and portions of Lots 24, 29, 30 and 31 of Roanoke Shores by the party of the second part, the said party of the first part agrees and by these presents does agree to grant and convey unto the said party of the second part and its successors and assigns, a negative easement prohibiting the construction of new buildings or accessory buildings on Lots 22, 23, 27, 28 and parts of Lots 24 and 29 until such time as the drainage from the gas and convenience store as shown in the party of the first part site plan is diverted into either a ditch constructed by the North Carolina Department of Transportation along the right of way for U. S. Highway 158 Bypass, or a ditch constructed by the party of the first part to an existing drainage ditch that is approximately 400 feet North of the Northeastern corner of Lot Number 22 of Roanoke Shores as shown in Map Book 1, page 81 of the Dare County Registry, or with the permission of the party of the second part.

The lots described shall be subject to the proceeding Declaration of Covenants, Conditions, Limitations, Restrictions and Easements, which said declarations shall constitute covenants to run with Lots 22, 23, 27, 28 and the parts of Lots 24 and 29 not used for the construction of the gas and convenience store and shall be binding upon the party of the first part herein and all other persons and parties claiming through the party of the first part herein and for the benefit of and limitation upon all future owners of said land and premises, this declaration of negative easement being designed for the purposes of assuring the availability of adequate drainage for the gas and convenient store being constructed by the party of the first part as described in its site plan prepared August 1, 1984.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its president, attested by its secretary and its corporate seal hereto affixed, all by due authority of its Board of Directors heretofore duly given, this the day and year first above written.

SPRUILL OIL COMPANY, INC.

By: CT. Spruill
President

Attest:

Doris Hughes
Secretary

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

I, Francis Cobb, Notary Public, for said county and state, certify that DORIS HUGHES ~~Hunter W. Spruill~~ personally came before me and acknowledged she is secretary of Spruill Oil Company, Inc., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its president, sealed with its corporate seal, and attested by himself as its secretary.

Witness my hand and official seal, this the 15th day of October, 1984.

Francis Cobb
Notary Public

My Com. Expires: June 14, 1989.

NORTH CAROLINA DARE COUNTY

The foregoing Certificate(s) of Francis Cobb a Notary Public
of Bertie Co N.C.

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Doris A. Fry Register of Deeds For Dare County

By Barbara M. Gray Deputy/Assistant-Register of Deeds RECORDED: OCT 22 1984

IN WITNESS WHEREOF, the said party has caused these presents to be executed in the presence of the undersigned, who are duly qualified to administer oaths, and the same to be attested by its secretary and its corporate seal, and the authority of the Board of Directors hereunto duly and first above written.



STATE OF NORTH CAROLINA
COUNTY OF DARE

OCT. 22 1984

Recorded

David O. Fry
Register of Deeds, Dare County, N. C.

By VM

Andrew Jacobs
PO Box 1579
Manteo, NC

October, 1984

My Comm. Expires: 10-14-1989



ROY COOPER

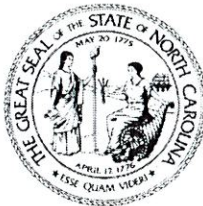
Governor

ELIZABETH S. BISER

Secretary

WILLIAM E. TOBY VINSON, JR

Interim Director



NORTH CAROLINA
Environmental Quality

September 14, 2023

Inn at Whalebone, LLC
Attn: Vikram Virk – Member Agent
3631 Union St.
Elizabeth City, NC 27909

**Subject: State Stormwater Management Permit No. SW7230901
The Inn at Whalebone
High Density Project
Dare County**

Dear Vikram Virk:

The Washington Regional Office received a complete State Stormwater Management Permit Application for the subject project on September 11, 2023. Staff review of the plans and specifications has determined that the project, as proposed, complies with the Stormwater Regulations set forth in Title 15A NCAC 02H.1000 amended on January 1, 2017 (2017 Rules). We are hereby forwarding Permit No. SW7230901 dated September 14, 2023, for the construction of the built-upon areas (BUA) and stormwater control measures (SCMs) associated with the subject project.

This permit shall be effective from the date of issuance until September 13, 2031 and the project shall be subject to the conditions and limitations as specified therein and does not supersede any other agency permit that may be required. Failure to comply with these requirements will result in future compliance problems. Please note that this permit is not transferable except after notice to and approval by the Division.

This cover letter, attachments, and all documents on file with DEMLR shall be considered part of this permit and is herein incorporated by reference.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing by filing a written petition with the Office of Administrative Hearings (OAH). The written petition must conform to Chapter 150B of the North Carolina General Statutes and must be filed with the OAH within thirty (30) days of receipt of this permit. You should contact the OAH with all questions regarding the filing fee (if a filing fee is required) and/or the details of the filing process at 6714 Mail Service Center, Raleigh, NC 27699-6714, or via telephone at 919-431-3000, or visit their website at www.NCOAH.com. Unless such demands are made this permit shall be final and binding.

If you have any questions concerning this permit, please contact Carl Dunn in the Washington Regional Office, at 2552-948-3959 or carl.dunn@ncdenr.gov.

Sincerely,

William Carl Dunn, PE
Division of Energy, Mineral and Land Resources

Enclosures: Attachment A – Designer's Certification Form
Application Documents

cc: Thomas Perdue, PE – MacConnell & Associates (Thomas.perdue@macconnellandassoc.com)
Nags Head Permitting – Kim Thompson (kim.thompson@nagsheadnc.gov)
Washington Regional Office Stormwater File



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Washington Regional Office | 943 Washington Square Mall | Washington, North Carolina 27889
252.946.6481

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES

STATE STORMWATER MANAGEMENT PERMIT

HIGH DENSITY DEVELOPMENT

In compliance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations promulgated and adopted by the North Carolina Environmental Management Commission, including 15A NCAC 02H. amended on January 1, 2017 (2017 Rules) (the "stormwater rules"),

PERMISSION IS HEREBY GRANTED TO

Inn at Whalebone, LLC

The Inn at Whalebone

6632 W. Pheasant Ave, Nags Head, Dare County

FOR THE

construction, management, operation and maintenance of built-upon area (BUA) draining to three connected (3) infiltration basins and one (1) underground storage tank system draining to SA;HQP waters as outlined in the application, approved stormwater management plans, supplement, calculations, operation and maintenance agreement, recorded documents, specifications, and other supporting data (the "approved plans and specifications") as attached and/or on file with and approved by the Division of Energy, Mineral and Land Resources (the "Division" or "DEMLR"). The project shall be constructed, operated and maintained in accordance with these approved plans and specifications. The approved plans and specifications are incorporated by reference and are an enforceable part of this permit.

This permit shall be effective from the date of issuance until September 13, 2031 and shall be subject to the following specified conditions and limitations. The permit issued shall continue in force and effect until the permittee files a request with the Division for a permit modification, transfer, renewal, or rescission; however, these actions do not stay any condition. The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit for cause as allowed by the laws, rules, and regulations contained in Title 15A NCAC 2H.1000 and NCGS 143-215.1 et.al.

1. **BUA REQUIREMENTS.** The maximum amount of BUA allowed for the entire project is 71,519 square feet. The runoff from all BUA within the permitted drainage areas of this project must be directed into the permitted SCMs. The BUA requirements and allocations for this project are as follows:
 - a. **SCM BUA LIMITS.** The SCM labeled DA1 has been designed to handle the runoff from 71,519 square feet of BUA of which 55,316 square feet is on site and 16,203 square feet is off site. This permit does not include an allotment of BUA for future development.
2. **PERVIOUS AREA IMPROVEMENTS.** At this time, none of the pervious area improvements listed in G.S. 143-214.7(b2) or the Stormwater Design Manual have been proposed for this project. Pervious area improvements will be allowed in this project if documentation is provided demonstrating those improvements meet the requirements of the stormwater rule.
3. **SCM REQUIREMENTS.** The SCM requirements for this project are as follows:
 - a. **SCM DESIGN.** The SCM's are permitted based on the design criteria presented in the sealed, signed and dated supplements and as shown in the approved plans and specifications. These SCM's must be provided and maintained at the design condition.
 - b. **SCM DESIGN FOR SA WATER..** The SCM's provide runoff treatment without discharging in excess of the pre-development conditions during the one-year, 24-hour storm event. The excess runoff is released at a non-erosive velocity at the edge of the vegetated setback or to an existing stormwater drainage system.
 - c. **PLANTING PLAN.** The SCM landscape planting plan shown in the approved plans shall be followed in its entirety during construction. After the plants are established, the operation and maintenance agreement must be followed.
4. **STORMWATER OUTLETS.** This project has demonstrated that the on-site stormwater system will not discharge from the 10-year storm event and therefore will not have the opportunity to cause erosion during the 10-year storm event.
5. **VEGETATED SETBACKS.** A 50-foot wide vegetative setback must be provided and maintained in grass or other vegetation adjacent to all surface waters as shown on the approved plans. The setback is measured horizontally from the normal pool elevation of impounded structures, from the top of bank of each side of streams or rivers, and from the mean high waterline of tidal waters, perpendicular to the shoreline.
6. **RECORDED DOCUMENT REQUIREMENTS.** The stormwater rules require the following documents to be recorded with the Office of the Register of Deeds:
 - a. **ACCESS AND/OR EASEMENTS.** The entire stormwater conveyance system, including any SCMs, and maintenance accesses must be located in public rights-of-way, dedicated common areas that extend to the nearest public right-of-way, and/or permanent recorded easements that extend to the nearest public right-of-way for the purpose of inspection, operation, maintenance, and repair.
 - b. **OPERATION AND MAINTENANCE AGREEMENT.** The operation and maintenance agreement must be recorded with the Office of the Register of Deeds.
 - c. **FINAL PLATS.** The final recorded plats must reference the operation and maintenance agreement and must also show all public rights-of-way, dedicated common areas, and/or permanent drainage easements, in accordance with the approved plans.

- d. DEEDS. The permittee shall record deed restrictions and protective covenants prior to the issuance of a certificate of occupancy to ensure the permit conditions and the approved plans and specifications are maintained in perpetuity.
7. CONSTRUCTION. During construction, erosion shall be kept to a minimum and any eroded areas of the on-site stormwater system will be repaired immediately.
 - a. PROJECT CONSTRUCTION, OPERATION AND MAINTENANCE. During construction, all operation and maintenance for the project shall follow the Erosion Control Plan requirements until the Sediment-Erosion Control devices are converted to SCMs or no longer needed. Once the device is converted to a SCM, the permittee shall provide and perform the operation and maintenance as outlined in the applicable section below.
 - b. SCM RESTORATION. If one or more of the SCMs are used as an Erosion Control device and/or removed or destroyed during construction, it must be restored to the approved state stormwater design condition prior to close-out of the erosion control plan and/or project completion and/or transfer of the state stormwater permit. Upon restoration, a new or updated certification will be required for the SCM(s) and a copy must be submitted to the appropriate DEQ regional office.
8. MODIFICATIONS. No person or entity, including the permittee, shall alter any component shown in the approved plans and specifications. Prior to the construction of any modification to the approved plans, the permittee shall submit to the Director, and shall have received approval for modified plans, specifications, and calculations including, but not limited to, those listed below. For changes to the project or SCM that impact the certifications, a new or updated certification(s), as applicable, will be required and a copy must be submitted to the appropriate DEQ regional office upon completion of the modification.
 - a. Any modification to the approved plans and specifications, regardless of size including the SCM(s), BUA, details, etc.
 - b. Redesign or addition to the approved amount of BUA or to the drainage area.
 - c. Further development, subdivision, acquisition, lease or sale of any, all or part of the project and/or property area as reported in the approved plans and specifications.
 - d. Altering, modifying, removing, relocating, redirecting, regrading, or resizing of any component of the approved SCM(s), stormwater collection system and/or vegetative conveyance shown on the approved plan.
 - e. The construction of any allocated future BUA.
 - f. The construction of any permeable pavement, #57 stone area, public trails, or landscaping material to be considered a permeable surface that were not included in the approved plans and specifications.
 - g. Other modifications as determined by the Director.
9. DESIGNER'S CERTIFICATION. Upon completion of the project, the permittee shall determine if the project is in compliance with the approved plans and take the necessary following actions:

- a. If the permittee determines that the project is in compliance with the approved plans, then within 45 days of completion, the permittee shall submit to the Division one hard copy and one electronic copy of the following:
 - i. The completed and signed Designer's Certification provided in Attachment A noting any deviations from the approved plans and specifications. Deviations may require approval from the Division;
 - ii. A copy of the recorded operation and maintenance agreement;
 - iii. Unless already provided, a copy of the recorded deed restrictions and protective covenants; and
 - iv. A copy of the recorded plat delineating the public rights-of-way, dedicated common areas and/or permanent recorded easements, when applicable.
 - b. If the permittee determines that the project is not in compliance with the approved plans, the permittee shall submit an application to modify the permit within 30 days of completion of the project or provide a plan of action, with a timeline, to bring the site into compliance.
10. **OPERATION AND MAINTENANCE.** The permittee shall provide and perform the operation and maintenance necessary, as listed in the signed operation and maintenance agreement, to assure that all components of the permitted on-site stormwater system are maintained at the approved design condition. The approved operation and maintenance agreement must be followed in its entirety and maintenance must occur at the scheduled intervals.
 - a. **CORRECTIVE ACTIONS REQUIRED.** If the facilities fail to perform satisfactorily, the permittee shall take immediate corrective actions. This includes actions required by the Division and the stormwater rules such as the construction of additional or replacement on-site stormwater systems. These additional or replacement measures shall receive a permit from the Division prior to construction.
 - b. **MAINTENANCE RECORDS.** Records of maintenance activities must be kept and made available upon request to authorized personnel of the Division. The records will indicate the date, activity, name of person performing the work and what actions were taken.
11. **PERMIT RENEWAL.** A permit renewal request must be submitted at least 180 days prior to the expiration date of this permit. The renewal request must include the appropriate application, documentation and the processing fee as outlined in 15A NCAC 02H.1045(3).
12. **CURRENT PERMITTEE NAME OR ADDRESS CHANGES.** The permittee shall submit a completed Permit Information Update Application Form to the Division within 30 days to making any one or more of the following changes:
 - a. A name change of the current permittee;
 - b. A name change of the project;
 - c. A mailing address change of the permittee.

13. **TRANSFER.** This permit is not transferable to any person or entity except after notice to and approval by the Director. Neither the sale of the project and/or property, in whole or in part, nor the conveyance of common area to a third party constitutes an approved transfer of the permit.
 - a. **TRANSFER REQUEST.** The transfer request must include the appropriate application, documentation and the processing fee as outlined in 15A NCAC 02H.1045(2) and must be submitted upon occurrence of any one or more of the following events:
 - i. A natural person who is deceased;
 - ii. A partnership, limited liability corporation, corporation, or any other business association that has been dissolved;
 - iii. A person or entity who has been lawfully and finally divested of title to the property on which the permitted activity is occurring or will occur through foreclosure, bankruptcy, or other legal proceeding;
 - iv. A person or entity who has sold the property, in whole or in part, on which the permitted activity is occurring or will occur;
 - v. The assignment of declarant rights to another individual or entity;
 - vi. The sale or conveyance of the common areas to a Homeowner's or Property Owner's Association, subject to the requirements of NCGS 143-214.7(c2).
 - b. **TRANSFER INSPECTION.** Prior to transfer of the permit, a file review and site inspection will be conducted by Division personnel to ensure the permit conditions have been met and that the project and the on-site stormwater system complies with the permit conditions. Records of maintenance activities performed to date may be requested. Projects not in compliance with the permit will not be transferred until all permit and/or general statute conditions are met.
14. **COMPLIANCE.** The permittee is responsible for complying with the terms and conditions of this permit and the approved plans and specifications until the Division approves the transfer request.
 - a. **REVIEWING AND MONITORING FOR COMPLIANCE.** The permittee is responsible for verifying that the proposed BUA within each drainage area and for the entire project does not exceed the maximum amount allowed by this permit. The permittee shall review and routinely monitor the project to ensure continued compliance with the conditions of the permit, the approved plans and specifications.
 - b. **APPROVED PLANS AND SPECIFICATIONS.** A copy of this permit, approved plans, application, supplement, operation and maintenance agreement, all applicable recorded documents, and specifications shall be maintained on file by the permittee at all times.
 - c. **MAINTENANCE ACCESS.** SCMs, stormwater collection systems, and vegetated conveyances must be accessible for inspection, operation, maintenance and repair as shown on the approved plans.
 - d. **DIVISION ACCESS.** The permittee grants Division Staff permission to enter the property during normal business hours to inspect all components of the permitted project.
 - e. **ENFORCEMENT.** Any individual or entity found to be in noncompliance with the provisions of a stormwater management permit or the requirements of the stormwater rules is subject to enforcement procedures as set forth in NCGS 143 Article 21.

- f. ANNUAL CERTIFICATION. The permittee shall electronically submit to the Division an annual certification completed by either the permittee or their designee confirming the projects conformance with permit conditions.
- g. OBTAINING COMPLIANCE. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of modified plans and certification in writing to the Director that the changes have been made.
- h. OTHER PERMITS. The issuance of this permit does not preclude the permittee from obtaining and complying with any and all other permits or approvals that are required for this development to take place, as required by any statutes, rules, regulations, or ordinances, which are imposed by any other Local, State or Federal government agency having jurisdiction. Any activities undertaken at this site that cause a water quality violation or undertaken prior to receipt of the necessary permits or approvals to do so are considered violations of NCGS 143-215.1, and subject to enforcement procedures pursuant to NCGS 143-215.6.

Permit issued this the 14th day of September 2023.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



For Toby Vinson, Interim Director
Division of Energy, Mineral and Land Resources
By Authority of the Environmental Management Commission

Permit Number SW7230901

Attachment A

Certification Forms

The following blank Designer Certification forms are included and specific for this project:

- As-Built Permittee Certification
- As-Built Designer's Certification General MDC
- As-Built Designer's Certification for Infiltration Project

A separate certification is required for each SCM. These blank certification forms may be copied and used, as needed, for each SCM and/or as a partial certification to address a section or phase of the project.

AS-BUILT PERMITTEE CERTIFICATION

I hereby state that I am the current permittee for the project named above, and I certify by my signature below, that the project meets the below listed Final Submittal Requirements found in NCAC 02H.1042(4) and the terms, conditions and provisions listed in the permit documents, plans and specifications on file with or provided to the Division.

- ☐ Check here if this is a partial certification. Section/phase/SCM #? _____
- ☐ Check here if this is part of a Fast Track As-built Package Submittal.

Printed Name _____ Signature _____

I, _____, a Notary Public in the State of _____

County of _____, do hereby certify that _____

personally appeared before me this _____ day of _____, 20_____

and acknowledge the due execution of this as-built certification. (SEAL)

Witness my hand and official seal

My commission expires _____

Permittee's Certification NCAC .1042(4)	Completed / Provided	N/A
A. DEED RESTRICTIONS / BUA RECORDS		
1. The deed restrictions and protective covenants have been recorded and contain the necessary language to ensure that the project is maintained consistent with the stormwater regulations and with the permit conditions.	Y or N	
2. A copy of the recorded deed restrictions and protective covenants has been provided to the Division.	Y or N	
3. Records which track the BUA on each lot are being kept. (See Note 1)	Y or N	
B. MAINTENANCE ACCESS		
1. The SCMs are accessible for inspection, maintenance and repair.	Y or N	
2. The access is a minimum of 10 feet wide.	Y or N	
3. The access extends to the nearest public right-of-way.	Y or N	
C. EASEMENTS		
1. The SCMs and the components of the runoff collection / conveyance system are located in recorded drainage easements.	Y or N	
2. A copy of the recorded plat(s) is provided.	Y or N	
D. SINGLE FAMILY RESIDENTIAL LOTS - Plats for residential lots that have an SCM include the following:	Y or N	
1. The specific location of the SCM on the lot.	Y or N	
2. A typical detail for the SCM.	Y or N	

3. A note that the SCM is required to meet stormwater regulations and that the lot owner is subject to enforcement action as set forth in NCGS 143 Article 21 if the SCM is removed, relocated or altered without prior approval.	Y or N	
E. OPERATION AND MAINTENANCE AGREEMENT	Y or N	
1. The O&M Agreement is referenced on the final recorded plat.	Y or N	
2. The O&M Agreement is recorded with the Register of Deeds and appears in the chain of title.	Y or N	
F. OPERATION AND MAINTENANCE PLAN – maintenance records are being kept in a known set location for each SCM and are available for review.	Y or N	
G. DESIGNER'S CERTIFICATION FORM – has been provided to the Division.	Y or N	

Note 1- Acceptable records include ARC approvals, as-built surveys, and county tax records.

Provide an explanation for every requirement that was not met, and for every "N/A" below.
Attach additional sheets as needed.

AS-BUILT DESIGNER'S CERTIFICATION FOR INFILTRATION PROJECT

I hereby state that I am a licensed professional and I certify by my signature and seal below, that I have observed the construction of the project named above to the best of my abilities with all due care and diligence, and that the project meets all of the MDC found in NCAC 02H.1051 in accordance with the permit documents, plans and specifications on file with or provided to the Division, except as noted on the "AS-BUILT" drawings, such that the intent of the stormwater rules and the general statutes has been preserved.

☐ Check here if this is a partial certification.

Section/phase/SCM

#?

☐ Check here if this is a part of a Fast-Track As-Built Package Submittal per .1044(4).

☐ Check here if the Designer did not observe the construction, but is certifying the project.

☐ Check here if pictures of the SCM are provided.

Printed Name _____ Signature _____

NC Registration Number _____ Date _____

SEAL:

Consultant's Mailing Address:

City/State/ZIP _____

Phone Number _____

Consultant's Email address:

① Circle N if the as-built value differs from the Plan. If N is circled, provide an explanation on Page 2.

② N/E = not evaluated (provide explanation on page 2) ③ N/A = not applicable to this project or SCM

This Certification must be completed in conjunction with the General MDC certification under NCAC 02H.1050

Consultant's Certification (MDC .1051)	①As-built	②N/E	③N/A
A. Inlets / Pretreatment / Design Depths / Elevations			
1. Inlets are located per the approved plans.	Y or N		
2. Pretreatment measures are provided? (Rooftop runoff does not require pre-treatment.)	Y or N		
3. BASIN only - the area and depth of the basin is consistent with the approved plans			
4. TRENCH only- the provided width, length and height of the trench are consistent with the approved plan.			
5. TRENCH only- the provided length and size of the perforated pipe is consistent with the approved plan.			
6. The bottom elevation of the basin / trench is consistent with the approved plans.			
7. The bypass elevation is consistent with the approved plan.			

8. The overflow elevation is consistent with the approved plan.			
B. Soils / SHWT / Subgrade			
1. The hydraulic properties of the insitu soils are in accordance with the soils report.	Y or N		
2. The lowest point of the infiltration system is a minimum of 2 feet above the SHWT.	Y or N		
3. If separation to the SHWT is less than 1 foot, the water table draws down to its pre-storm level within 72 hours.	Y or N		
4. The slope of the soil subgrade is $\leq 2\%$.	Y or N		
C. Drawdown Time			
1. The system dewateres within 72 hours?	Y or N		
2. The Insitu soils were removed and replaced with suitable infiltration media to achieve the 72 hour drawdown.	Y or N		
	①As-built	②N/E	③N/A
D. Observation Port – for underground systems, a minimum of one inspection port has been provided.	Y or N		

Provide an explanation for every MDC that was not met, and for every item marked "N/A" or "N/E", below. Attach additional pages as needed:

AS-BUILT DESIGNER'S CERTIFICATION GENERAL MDC

I hereby state that I am a licensed professional and I certify by my signature and seal below, that I have observed the construction of the project named above to the best of my abilities with all due care and diligence, and that the project meets the below listed General MDC found in NCAC 02H.1050 in accordance with the permit documents, plans and specifications on file with or provided to the Division, except as noted on the "AS-BUILT" drawings, such that the intent of the stormwater rules and statutes has been preserved.

☐ Check here if this is a partial certification.

Section/phase/SCM

#?

☐ Check here if this is a part of a Fast-Track As-Built Package Submittal per .1044(3).

☐ Check here if the designer did not observe the construction, but is certifying the project.

☐ Check here if pictures of the SCM are provided.

Printed Name _____ Signature _____

NC Registration Number _____ Date _____

SEAL:

Consultant's Mailing Address:

City/State/ZIP _____

Phone Number _____

Consultant's Email address:

① Circle N if the as-built value differs from the Plan. If N is circled, provide an explanation on Page 2.

②N/E = not evaluated (provide explanation on page 2) ③N/A = not applicable to this SCM or project.

Consultant's Certification NCAC .1003((3) & General MDC .1050	①As-built	②N/ E	③N/A
A. TREATMENT REQUIREMENTS			
1. The SCM achieves runoff treatment.	Y or N		
2. The SCM achieves runoff volume match.	Y or N		
3. Runoff from offsite areas and/or existing BUA is bypassed.	Y or N		
4. Runoff from offsite areas and/or existing BUA is directed into the permitted SCM and is accounted for at the full build-out potential.	Y or N		
5. The project controls runoff through an offsite permitted SCM that meets the requirements of the MDC.	Y or N		
6. The net area of new BUA increase for an existing project has been accounted for at the appropriate design storm level.	Y or N		
7. The SCM(s) meets all the specific minimum design criteria.	Y or N		

B. VEGETATED SETBACKS / BUA			
1. The width of the vegetated setback has been measured from the normal pool of impounded waters, the MHW line of tidal waters, or the top of bank of each side of rivers or streams.	Y or N		
2. The vegetated setback is maintained in grass or other vegetation.	Y or N		
3. BUA that meets the requirements of NCGS 143-214.7 (b2)(2) is located in the setback.	Y or N		
4. BUA that does not meet the requirements of NCGS 143-214.7 (b2)(2) is located within the setback and is limited to: a. Publicly funded linear projects (road, greenway sidewalk) b. Water-dependent structures c. Minimal footprint uses (utility poles, signs, security lighting and appurtenances)	Y or N		
5. Stormwater that is not treated in an SCM is released at the edge of the setback and allowed to flow through the setback as dispersed flow.	Y or N		
	①As-built	②N/E	③N/A
C. STORMWATER OUTLETS - the outlet handles the peak flow from the 10 year storm with no downslope erosion.	Y or N		
D. VARIATIONS			
1. A variation (alternative) from the stormwater rule provisions has been implemented.	Y or N		
2. The variation provides equal or better stormwater control and equal or better protection of surface waters.	Y or N		
E. COMPLIANCE WITH OTHER REGULATORY PROGRAMS has been met.	Y or N		
F. SIZING -the volume of the SCM takes the runoff from all surfaces into account and is sufficient to handle the required storm depth.	Y or N		
G. CONTAMINATED SOILS - infiltrating SCM's are not located in or on areas with contaminated soils.	Y or N		
H. SIDE SLOPES			
1. Vegetated side slopes are no steeper than 3H:1V.	Y or N		
2. Side slopes include retaining walls, gabion walls, or other surfaces that are steeper than 3H:1V.	Y or N		
3. Vegetated side slopes are steeper than 3H:1V (provide supporting documents for soils and vegetation).	Y or N		
I. EROSION PROTECTION			
1. The inlets do not cause erosion in the SCM.	Y or N		
2. The outlet does not cause erosion downslope of the discharge point during the peak flow from the 10 year storm.	Y or N		
J. EXCESS FLOWS - An overflow / bypass has been provided.	Y or N		
K. DEWATERING - A method to drawdown standing water has been provided to facilitate maintenance and inspection.	Y or N		

L. CLEANOUT AFTER CONSTRUCTION – the SCM has been cleaned out and converted to its approved design state.	Y or N		
M. MAINTENANCE ACCESS			
1. The SCM is accessible for maintenance and repair.	Y or N		
2. The access does not include lateral or incline slopes >3:1.	Y or N		
N. DESIGNER QUALIFICATIONS (FAST-TRACK PERMIT) – The designer is licensed under Chapters 89A, 89C, 89E, or 89F of the General Statutes.	Y or N		

Provide an explanation for every MDC that was not met, and for every item marked “N/A” or “N/E”, below. Attach additional pages as needed:



STAFF REPORT

Town of Nags Head

Planning & Development Department

To: Board of Commissioners
From: Kelly Wyatt, Planning Director
Date: September 22, 2023
Subject: Site Plan Review for Inn at Whalebone, 90-unit Hotel located at 6632 W. Pheasant Avenue (W. Lakeside Street).

BACKGROUND INFORMATION

The Site Plan for Inn at Whalebone was reviewed and approved by the Nags Head Board of Commissioners on October 5th, 2022. This was a Site Plan approval (and not a Vested Right approval), as such the site plan approval expires one (1) year from the date of approval, meaning the site plan approval for Inn at Whalebone will expire on October 5th, 2023. Planning staff were recently contacted by the applicant to discuss the upcoming expiration and what steps could be taken to extend the approval. It was at that time that staff notified the applicant of the requirements of Section 4.15, Time Limits for Site Plan, Zoning Permits, & Building Permits, of the Unified Development Ordinance, included below.

Section 4.15 - Time Limitations for Site Plans, Zoning Permits, & Building Permits.

The following provisions pertaining to time limitations to obtain building permits, and to commence, continue and complete construction, shall apply in all cases in which a site plan approval or development permit is required unless otherwise provided for in [Section 3.6](#), Establishment of Vested Rights.

4.15.1. Time Limitation to Obtain Building Permit.

Final approval of a site plan by the Board of Commissioners or approval of a zoning permit by the UDO Administrator shall be valid for twelve (12) months from date of approval. The Building Inspector may issue a building permit within twelve (12) months from the date of such approval, provided that all other requirements are met. If a building permit is not issued within twelve (12) months from the date of final approval of the site plan or zoning permit, the site plan or zoning permit shall expire and the applicant must submit a new site plan conforming to the then current provisions of this Ordinance for review by the Planning Board and Board of Commissioners or a new zoning permit application for review by the UDO Administrator and pay the applicable fees. Upon the issuance of a building permit, the approval of the underlying site plan or zoning permit shall remain valid as long as the corresponding building permit remains valid as provided for in this section.

Note that following site plan approval by the Board of Commissioners a **building permit** must be issued within twelve (12) months from the date of approval, or the site plan approval expires, and the applicant must then submit a new site plan review conforming with the current provisions of the Unified Development Ordinance. In speaking with the applicant, they are unable to submit a complete development permit application in anticipation of having the building permit issued in advance of October 5th, 2023. As such, they have resubmitted their previously reviewed and approved Site Plan Review application for the Planning Board and Board of Commissioners consideration. The staff report from the Board of Commissioners October 5th, 2022, meeting has been provided below.

The Planning, Fire, Police, and Public Services Department have all reviewed the new submittal and find it to be consistent with the previously approved October 5th, 2022, submittal. Town Engineer has reviewed the stormwater design, which has been slightly modified. They have removed the underground storage chamber system from the eastern parking lot and placed it along the western portion of the parking area with an underground storage chamber system. The change in location results in a greater subsurface storage area and an overall greater volume of stormwater storage for the site. This additional storage is concentrated on the western side of the site, which will mitigate any potential for stormwater impacts on the adjoining properties to the west. From an overall stormwater management volume requirement, 20,220 cubic feet is required, 25,932 cubic feet of storage has been provided. Mark up of revised stormwater plan has been included in the packet.

Note that the finalized Traffic Impact Analysis was received and reviewed by NCDOT in advance of the October 5th, 2022, Board of Commissioners meeting with no comments provided. Town Engineer David Ryan reached out to Jason Davidson, Division Traffic Engineer with NCDOT upon the new submittal to see if anything over the past year would result in them providing comments or necessitating additional review. Mr. Davidson confirmed that they did not have anything new or additional affecting this site moving forward.

Staff Recommendation

Staff recommends approval of the Site Plan Review application as presented with the following condition carrying over from the previous review:

1. An approved subdivision plat addressing the portions of lots 24, 29, 30 and 31 and a recombination plat addressing lots 32, 33, 34, 35, 36, 22, 23, 26 and 27 be approved and filed at the Dare County Register of Deeds prior to the issuance of any development permits for the proposed hotel project.

Planning Board Recommendation

At their September 19, 2023, meeting the Planning Board voted 4-1 to recommend approval of the Site Plan as proposed to include the previous condition as it pertains to the necessary subdivision and recombination plats as well as a new condition that a traffic impact analysis be conducted after one full year of operation to determine if any additional measures are warranted. This study should occur during the peak summer season.

STAFF REPORT FROM OCTOBER 5TH, 2022 BOARD OF COMMISSIONERS MTG

GENERAL INFORMATION

Applicant: House Engineering, P.C.

Application Type: Site Plan Review.

Purpose/Request: Construction of a four-story, 90-unit Hotel along with all necessary site improvements.

Property Location: 6632 W. Pheasant Avenue, Nags Head.

Existing Land Use: Vacant.

Zoning Classification of Property: SPD-C, Village at Nags Head Hotel District, and the Hotel Overlay District.

Zoning Classification of Surrounding Properties: Property to the north is zoned SPD-C, Village Recreation (Golf Course). Property to directly to the south and across Lakeside Street is zoned C-2, General Commercial and developed commercially (Duck Thru Gas Station) and residentially. Property to the west is zoned R-3, High Density Residential and is developed residentially (Roanoke Shores Subdivision). Property to the east and across US Highway 158 is zoned C-2, General Commercial and developed commercially (gas station and Forbes Retail).

Flood Hazard Zone of Property: Property is located in an X Flood Zone, per the Town of Nags Head local ordinance, the property is subject to an RFPE/LES of 9 ft. The proposed first floor elevation of the hotel is proposed to be at an elevation of 9.1' and is therefore compliant.

Land Use Plan Map/Policies: The 2017 Comprehensive Plan Future Land Use Map classifies this property as General Commercial. This proposal is consistent with this land use classification and stated Land Use Policies.

SPECIFIC INFORMATION

Applicable Zoning Regulations:

- Use Regulations: Section 9.36, Table of Uses and Activities for the SPD-C District lists "Hotel" as a Permitted Use within the Village Hotel District, with supplemental regulations set forth in Section 9.37.1. This section requires that Hotels be permitted in accordance with Section 9.36 provided that hotel suites comprise no more than thirty-three (33) percent of the total units in the building.

Section 9.24.5, Development Standards within the Hotel District states that in cases where the standards of this section conflict with standards contained in Article 10, Part VI, Commercial Design Standards, the more restrictive standard shall apply.

- Lot Coverage: Section 9.24.5.1 of the UDO, Coverage for Hotels states that for buildings with a height between 49 – 60 feet, the maximum building coverage shall not exceed 35%, maximum parking coverage shall not exceed 45% and must have a minimum landscaped area of 20%. Proposed building coverage is 12.94%, proposed parking coverage is 36.18% and there is a proposed landscaped area of 28.2%. Proposed coverage is compliant.
- Height: Section 9.24.5.5 of the UDO states that the maximum height for hotel developments is 60 feet. The proposed hotel has a height of 59.10 feet therefore height is compliant. If constructed, a height certification will be required prior to any final zoning inspections.
- Architecture Design Standards: Section 10.82 of the UDO, Applicability, states that Commercial Design Standards shall apply to all building construction or remodeling projects requiring a conditional use permit or site plan review. This project must adhere to the Commercial Design Standards set forth within Part VI of the UDO, Division II – Building Design. Staff has reviewed the submittal and finds the proposal to be compliant with the standards required in Building Design, Building Size/Dimensions, Building Height, Architectural Design/Elements, Site Design and Building Footprint Orientation. The following are a few examples lending to the compliance of the proposed structure: incorporation of dormers and other roof articulations, covered porch area, screened typical rooftop installations such as mechanical equipment, exhaust vents, residential style double-hung windows, use of gable brackets, workable shutters, and column trim.
- Parking: Pursuant to Article 10, Table 10-2, Required Parking by Use, Hotels shall provide parking at one parking space for each hotel unit without kitchen facilities. There are additional parking standards if hotel units have kitchens or there or conference, assembly, restaurant, or retail uses associated with the hotel. The proposed hotel units will not have kitchen facilities and there are no other uses proposed. With 90 hotel units proposed, 90 parking spaces are required. A total of 93 parking spaces have been proposed therefore parking is compliant.

In addition, Section 10.92.14.4 of the UDO, Surface Materials, requires that a minimum of twenty (20) percent of the surface area of the parking area and drive aisles shall be constructed of permeable surface materials. Approximately 22.9% has been proposed in permeable surface materials therefore the proposal is compliant.

- Buffering/Landscaping: Several sections of the Unified Development Ordinance speak to Buffering and Landscaping as it applies throughout this proposed site:
 - Section 10.92.6.2 of the UDO, Parking and Drive Aisle Setbacks, requires that where off-street parking is provided between the building and the street right-of-way line, a parking lot buffer of at least ten (10) feet in width shall be provided between the parking lot and the street

right-of-way. A compliant buffer has been proposed along Forrest Street, Lakeside Street and US 158 rights-of-way.

- Section 10.93.3.2 of the UDO, Commercial Transitional Protective Yards, requires increased landscaping to be provided and maintained when non-residential land uses are adjacent to a residential use or residential zoning district. Specifically, Section 10.93.3.2.2 states that where a high impact use abuts a residential district, a buffer strip of at least twenty-five (25) feet in width along the entire length of the lot shall be provided. The buffer yard shall consist of three rows of plant material. Hotel is a listed High Impact Use. The western property boundary abuts residential subdivision, Roanoke Shores and a compliant 25-foot-wide commercial transitional protective yard has been proposed along the entirety of the western property boundary.
- Section 9.24.5.3.2.3 of the UDO, Building Setback Requirements for Hotels over three stories in height states that for hotels west of NC 12, a minimum 25-foot natural or landscaped buffer shall be provided along the northern and southern boundaries. This is a Village Hotel standard that is more stringent than the Hotel Overlay standard. As noted in Section 9.24.5, the more stringent standard applies. The applicant has shown a compliant 25-foot-wide landscape buffer along both the northern and southern property boundaries and therefore the proposal is compliant.
- Section 10.93.3.7 of the UDO, Interior Parking Lot Landscaping, requires parking lot landscaping be provided at a minimum rate equal to ten percent of the total area of the parking spaces. The minimum area necessary for compliance is 1,643 square feet of vegetation. The applicant has proposed 1,937 square feet of vegetation (approx. 12%) therefore interior parking lot landscaping is compliant.
- Section 10.93.3.8 of the UDO, Vegetation Preservation/Planting Requirements, requires that new development projects either preserve a minimum of ten (10) percent of the lot's total area with existing natural vegetation and/or dune elevations or plant new vegetation in lieu of preservation. When existing vegetation cannot be preserved, the planting of a minimum of fifteen (15) percent of the lot's total area shall be required. The applicant has provided the required calculations and notation on the landscape plan demonstrating that the vegetation planting requirements will be met. While the applicant is proposing to preserve a small percentage of existing, mature vegetation in the northwest corner of the site, they have also proposed to provide approximately 18.8% of the site area in newly planted trees, shrubs and herbaceous plants and ornamental grasses therefore, this requirement has been met.
- Lighting: A lighting plan compliant with the requirements of Article 10, Part IV of the Unified Development Ordinance will be required prior to the issuance of any

development permits. In addition, a light audit will be required prior to issuance of occupancy permits.

- Signage: No additional signage is being proposed at this time.

Water and Sewage Disposal: The applicants' proposal includes the management of on-site wastewater through an advanced treatment system in combination with four (4) separate low-pressure disposal fields. The average daily design flow of 11,000 gallons per day will require approval through the NC Department of Health and Human Services, Environmental Health Section, On-Site Water Protection Branch. We request that copies of the permit approvals be submitted to the Town. Note, no development permits will be issued prior to receipt of the state permit approvals.

Traffic Circulation: Traffic circulation has been reviewed by the Town Engineer with the following comments:

- Two points of ingress and egress are depicted along Lakeside Street. Section 10.92.2.2.7.4 of the UDO indicates curb cuts in excess of one, on streets other than US 158, NC12/US64/264 or SR1243, are allowed if the Board of Commissioners determines that more than one curb cut is necessary or desirable to facilitate traffic flow. Staff feels two separate access points from Lakeside St. is appropriate to facilitate traffic flow in conjunction with emergency vehicle access and sanitation truck access.
- A loading zone has been provided in compliance with UDO Section 10.17.2.
- A draft copy of a Traffic Impact Analysis as prepared by VHB, a traffic consultant for the applicant, has been submitted for staff review and NCDOT review. Existing traffic data was collected in early September 2022 to review existing intersection turning movements along East & West Lakeside St from both S. Croatan Hwy. and S. Virginia Dare Trail. The collected data was analyzed based on the current roadway geometrics and traffic counts with no proposed improvements recommended at full project buildout. The traffic consultant will be available to present the findings of the report at the Board of Commissioners meeting. Comments of the NCDOT review have not been received at this time.

Stormwater Management: Stormwater management has been reviewed and approved by the Town Engineer with the following comments:

- This proposal is being reviewed under Section 11.4 General Standards for Commercial, Mixed Use, and All Non-Single Family or Non-Duplex Residential Development, Including Multi-Family Development which requires development of a property to provide stormwater control measures to retain runoff from a 4.3-inch design storm.
- Questions have arisen as to how this application should be reviewed regarding stormwater management and whether this proposal would be considered as part of the Village at Nags Head stormwater master plan approval. NC Department of Environmental Quality, Division of Energy, Mineral and Land Resources staff was contacted to discuss the matter. First and foremost, this application would NOT

be viewed as a common plan of development. A common plan of development means a site where multiple and distinct development activities may be taking place at different times on different schedules but governed by a single development plan. Since this Village at Nags Head stormwater plan did not account for the subject property, it should not be considered as part of the system, and it is appropriate to review under the current state and local stormwater regulations.

- During the review process a negative easement was discovered to be applied to the subject property. The negative easement was applied in conjunction with the 1984 approval of the gas station immediately to the east of the subject property. The verbiage of the negative easement is designed for the purpose of assuring the availability of adequate drainage for the gas station property. The proposed stormwater management design for the hotel proposal accounts for rainfall runoff from the proposed improvements in addition to the gas station property. In total, stormwater management improvements for both on-site runoff and off-site runoff are designed to manage runoff volume for an approximate 5 -inch rainfall event, which is in excess of the Town design storm event of 4.3 inches.
- Review of published data, to include the National Wetland Inventory Map and on-site soil investigation do not indicate the presence of hydric soils or wetlands.
- A NCDEQ High-Density stormwater permit shall be acquired, and copies shall be submitted to the Town in advance of the issuance of a building permit. Copies of the executed operation and maintenance agreement of the stormwater control measures shall be submitted in conjunction with the approved state permit.
- An engineer's certification shall be submitted to the Town in association with construction record drawings prior to the issuance of a certificate of occupancy.

Erosion & Sediment Control: Proposed Erosion and Sediment Control has been reviewed and approved by the Town Engineer with the following comments:

- The building permit submission for land disturbing activities shall include the ground stabilization and material handling and inspection, recordkeeping and reporting detail sheets as required by the NCG01 NPDES Construction Program.
- The applicant shall apply for a Certificate of Coverage through the NPDES Construction Program and prior to land disturbing activities occurring.
- A pre-construction conference shall be coordinated by the applicant to include the design engineer, contractor, and Town representatives prior to land disturbing activities.

Fire: The project will be required to comply with all applicable NC Fire Prevention Code requirements as part of building permit application review and issuance.

Public Works: The Public Works Director has reviewed and approved the proposed site plan as presented.

ANALYSIS

Staff finds that the proposal is consistent with the applicable use and development standards as well as relevant land use policies. In addition, staff finds that the proposed stormwater management plan satisfies the requirements of the negative easement via an approved alternative drainage plan which accommodates the 4.3-inch storm event for both the proposed hotel development as well as the existing improvements on the gas station property.

Article 4 Section 4 of the Unified Development Ordinance sets forth the procedures for subdivision approvals. Records reflect that the current property owner for this hotel site owns lots 32, 33, 34, 35, 36, 22, 23, 26, and 27 in their entirety and a portion of lots 24, 29, 30, and 31. The remaining portions of lots 24, 29, 30 and 31 are owned by Harrell Acquisitions, LLC. Until 1999 all these parcels were in common ownership. To date, although boundaries are referenced in transferring deeds, there has not been a formal subdivision approved pursuant to the Unified Development Ordinance for these parcels. As such, an approved subdivision or recombination plat addressing lots 24, 29, 30 and 31 must be approved and recorded prior to the issuance of any development permits for this project.

STAFF RECOMMENDATION

With the following condition, Staff recommends approval of the Site Plan Review application as presented:

2. An approved subdivision plat addressing the portions of lots 24, 29, 30 and 31 and a recombination plat addressing lots 32, 33, 34, 35, 36, 22, 23, 26 and 27 be approved and filed at the Dare County Register of Deeds prior to the issuance of any development permits for the proposed hotel project.

PLANNING BOARD RECOMMENDATION – AUGUST 16, 2022

At their August 16, 2022 meeting the Planning Board voted 4 – 2 to recommend approval of the Site Plan as proposed. Following the August 16th meeting of the Planning Board, the applicant has revised their stormwater management plan to manage additional runoff and has had consultant, VHB Engineering NC, P.C. conduct a Traffic Impact Analysis.

Attachments: *Site Plan Application & Checklist, Civil Drawings, Architectural Elevations & Renderings, Grading and Drainage, Supplemental data.*

Where the Multi-Family Housing Working Group recommended different ordinance language than that recommended by the Planning Board, staff has color coded the language as follows:

Multi-Family Housing Working Group Recommended language is shown in RED.

Planning Board Recommended language is shown in BLUE.

Proposed language that is unchanged is shown in regular black type.

PART I. Appendix A – Definitions

Dwelling, Multi-Family or Dwelling Unit, Multi-Family means a single-family dwelling unit located within a multi-family development.

Apartment or Apartment Style Design means a residential architectural and planning design characterized by single-family attached dwelling units constructed on multiple floors and separated by shared vertical walls and shared horizontal ceilings, floors, planes, or surfaces. For the purposes of this chapter, a series or group of **Apartment** units shall be considered a multi-family development.

Floor Area Ratio (FAR) means the quotient resulting from division of the gross floor area of all buildings on a lot by the area of the lot.

Townhouse or Townhouse Style Design means a residential architectural and planning design characterized by single-family attached dwelling units constructed in a series or group of units and separated by shared vertical walls. For the purposes of this chapter, a series or group of **Townhouse** units shall be considered a multi-family development.

Multi-Family Development means a development containing no less than three multi-family dwelling units and shall be characterized as either a large multi-family development or a small multi-family development.

Large Multi-Family Development means a development containing more than six multi-family dwelling units.

Large Multi-Family Development means a development containing more than six multi-family dwelling units and less than sixty-one multi-family dwelling units.

Small Multi-Family Development means a development containing no less than three multi-family dwelling units and no more than six multi-family dwelling units.

Long-term occupancy/tenancy means the occupancy of a single-family dwelling by an owner, tenant, or other lawful occupant for a period of ninety (90) consecutive calendar days or more.

Principal Place of Residence means the home or place in which one's habitation is fixed, and to which one has present intention of returning after a departure or absence therefrom.

Qualified Person means a person working/employed in Dare County, NC. A qualified person includes but is not limited to any person who has an internship with an employer if the employer's place of business is physically located in Dare County, NC, or a person who works remotely for an employer if the person's principal place of residence and the employer's place of business are both physically located in Dare County, NC.

Workforce Housing or workforce housing unit means the following:

- a. A dwelling unit which is occupied by at least one qualified person under a long-term occupancy/tenancy, and
- b. A dwelling unit which is the principal place of residence for at least one qualified person, and
- c. A dwelling unit which has been encumbered by the owner of the dwelling unit with recorded restriction covenants to ensure compliance with this definition and Section 7.5 of the Town Code. The recorded restrictive covenant shall expressly identify the Town as the sole beneficiary of the recorded restrictive covenant, which shall include the express power and authority of the Town to enforce the recorded restrictive both in law and in equity, including the use of judicial injunctive relief. The Town staff shall provide the owner with the exact wording of the restrictive covenant to be recorded by the owner with the Dare County Register of Deeds in order to satisfy this requirement, and Town staff shall verify such recordation. The recorded restrictive covenant shall appear in the recorded chain of title of the dwelling unit and in the case of a multi-family development, the recorded restrictive covenant shall also be contained in the multi-family development's recorded declaration of covenants establishing the multi-family development.

Nothing in this definition shall preclude employers from purchasing workforce housing units to provide accommodation for their employees, provided the employees are qualified persons who occupy such workforce housing units within Dare County and the workforce housing unit is the employee's principal place of residence, even if owned by the employer.

PART III. Section 7.5 Dwellings, Multi-Family shall be replaced in its entirety by the following:

Multi-family dwelling units are permitted in accordance with Section 6.6, Table of Uses and Activities, provided that the following additional requirements and conditions are met:

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS		
	Large Multi-Family C-2	Small Multi-Family C-2
Min. Lot Width for Multi-Family Site	150 feet	No minimum
Min. Site Area in Uplands	26,000 square feet	15,000 square feet 16,000 square feet
Location of Multi-Family Site	Properties with frontage on US Hwy 158 only.	On any lot meeting the minimum site area requirements. Properties with frontage on US Hwy 158 only.
Setbacks	All buildings shall be setback a minimum 35 feet to all property lines.	All buildings shall meet the minimum setbacks: Front: 30 feet Side: 12 feet or 15 feet for corner lots Rear: 20% lot depth not to exceed 30 feet.
Townhome orientation	No townhome structure established as part of a multi-family development shall be situated on a site so as to face/front the rear of another townhome structure within the development or on an adjoining property.	
Density/ Building Size	Floor Area Ratio: 0.32 square feet of gross floor area for each 1 square foot of lot area. Maximum gross floor area for a single building is 10,000 square feet. More than one building may be permitted on a site. Minimum 26,000 square feet for first three units; 4,500 square feet of additional lot size for each additional unit.	One (1) unit per every 4,000 square feet of lot area. Maximum building gross floor area is 5,000 square feet. Minimum 16,000 square feet for the first three units; 3,500 square feet of additional lot size for each additional unit.

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS		
	Large Multi-Family C-2	Small Multi-Family C-2
Maximum number of units	75 dwelling units 60 dwelling units	6 dwelling units.
Number of dwelling units per townhome structure	Maximum 6 dwelling units per structure.	No maximum.
Height	Maximum of 35 feet, may be increased to 42 feet with the use of an 8:12 roof pitch or greater. Additionally, no building shall exceed three (3) habitable floors.	Maximum of 35 feet, may be increased to 42 feet with the use of an 8:12 roof pitch or greater. Additionally, no building shall exceed three (3) habitable floors.
Open Space	50% of side yards to remain as open space.	50% of side yards to remain as open space.
Lot Coverage	55%	55%
Deed Restrictions	All multi-family dwelling units within a multi-family development shall be deed restricted for long-term occupancy/tenancy. No less than 60% of all units shall be deed restricted for workforce housing.	All multi-family dwelling units in a multi-family development shall be deed restricted for long term occupancy/tenancy and workforce housing.
Unit Sizes/ Categories	Minimum Unit Sizes/Size Categories: • Studio/One Bedroom 500 sq. ft. • Two Bedroom 700 sq. ft. • Three Bedroom 1,000 sq. ft. Maximum unit size 1,750 sq. ft. Minimum 800 square feet; Maximum 1,750 square feet for both small and large multi-family designations.	
Mixture of Units	No more than 60% of the units shall be from any unit size category. All multi-family dwelling buildings shall incorporate building design variations such as varying stories	No requirement All multi-family dwelling buildings shall incorporate building design variations such as varying stories and habitable area.

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS		
	Large Multi-Family C-2	Small Multi-Family C-2
	and habitable area.	
Buffer	In addition to the buffering requirements included in the Commercial Design Standards, a minimum 10-foot-wide commercial transitional protective yard shall be provided consistent with Section 10.93.3.2 and 10.93.3.3 of the UDO.	In addition to the buffering requirements included in the Commercial Design Standards, a 10-foot-wide commercial transitional protective yard shall be provided consistent with Section 10.93.3.2 of the UDO.
Architectural Design Requirements	All multi-family dwelling buildings, regardless of size, shall go through the Sketch Plan process as outlined in Section 10.84 of the UDO. Multi-family dwelling buildings shall meet the requirements of Article 10, Part VI, Commercial Design Standards.	Buildings shall meet the design requirements for a large residential dwelling. Small multi-family structures shall be approved administratively. All multi-family dwelling buildings, regardless of size, shall go through the Sketch Plan process as outlined in Section 10.84 of the UDO. Multi-family dwelling buildings shall meet the requirements of Article 10, Part VI, Commercial Design Standards.
Building Separation	20 40 feet; a sidewalk or boardwalk constructed to provide a grade separation from vehicular traffic of at least six inches shall connect all principal buildings on the site. Separate buildings shall be connected with pedestrian passageways that are striped when crossing traffic lanes.	Buildings shall be separated from one another by a minimum of ten feet, including projections. Separate buildings shall be connected with pedestrian passageways that are striped when crossing traffic lanes.

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS		
	Large Multi-Family C-2	Small Multi-Family C-2
Accessory Uses	Management/sales office, not including a trailer, provided that the management office shall be included as a permanent structure in the project's design or may occupy one of the dwelling units. A management/sales office may include, within the particular project, spaces for maintaining supplies, service products and amenities to be used in connection with the units within the project. There shall be sanitary facilities available for customers and employees. Shed. Pool (only one pool per development), Walls and Fences. Private Park/Playgrounds.	Shed. Pool (only one pool per development). Walls and Fences. Private Park/Playgrounds
Outdoor Amenity Area/Common Area	An area designated on the site plan for multi-family development as "common area" or as an area to be held in separate ownership for the use and benefit of residents occupying the dwelling units shown on such plan provided that it is conveniently accessible to all residents of the development.	

7.5.1. The multi-family development shall have a mandatory homeowners' association, with one of its duties expressed in a recorded declaration of covenants being to ensure compliance with Section [7.5]. This includes a required annual certification to the town of the multi-family development's compliance with the restrictive covenant and workforce housing occupancy requirements, using a required certificate of compliance form provided to the association by town staff upon request.

7.5.2 Any site improvements, including construction of additions of any size, accessory structures of any size, and landscaping and buffering projects, that occur following the original Board of Commissioners Special Use Approval of a Large Multi-family dwelling development or Administrative Approval of a Small Multi-family dwelling development shall be submitted for consideration by the UDO Administrator to determine whether additional stormwater management measures are necessary.

PART IV. That Section 10.93.3.3, High Impact Uses, be amended as follows:

10.93.3.3. High Impact Uses. High impact uses are particular uses of land, which are considered as a whole because of their peculiar or operational and physical characteristics are expected to have an adverse effect on adjoining or adjacent properties. High impact uses include, but are not limited to:

10.93.3.3.27. Large Multi-Family Dwelling Development.

Options to Allow Multi-Family as Accessory to Commercial Development

Option 1:

Multi-family development may be permitted as an accessory use on any commercially developed property with the following conditions:

- Any new multi-family dwelling development shall meet the setback requirements of the principal use.
- Lot coverage shall not exceed the maximum allowable coverage within the district in which it is permitted.
- Density shall be determined by applying the standard currently set for small multi-family. One (1) unit per every 4,000 square feet of lot area with a cap of 6 units.
- 2 non-deed restricted residential units are still allowed by right under current ordinance (and can use them for workforce housing).

Option 2:

Multi-family development may be permitted as an accessory use on any commercially developed property with the following conditions:

- Any new multi-family dwelling development shall meet the setback requirements of the principal use.
- Lot coverage shall not exceed the maximum allowable coverage within the district in which it is permitted.
- Density shall be determined by applying a floor area ratio of .32 to the site in its entirety, including the gross floor area of all existing buildings.
- All requirements of Section 7.5 of the UDO, Dwellings, Multi=Family must be met, including supplemental requirements noted in Table 7-1.
- Optional: No more than 20 multi-family units can be constructed as an accessory use to commercial development.

Scenario for Option 2:

Shoppes @ 10.5

Parcel A Only (North Lot)

Lot Area: 283,635 square feet.

Building Area (Food Lion, Shops, Bank) = 48,895 square feet

FAR of 0.32 would allow 90,763 square feet of building area.

41,868 square feet of building area could be devoted to multi-family development.

20% of 41,868 = 8,373

1 bedroom = 16 units

2 bedroom (seems to be most desirable/ 25,122sf) = 35 units

3 bedroom = 8 units

Town of Nags Head

Multi-Family Housing Working Group – Draft Multi-Family Ordinance – 5/29/2024

This is worst case scenario but with a FAR of .32 Shoppes at 10.5 could have 59 units. The optional provision with a maximum of 20 units would likely dictate density in this circumstance.

Based upon the As-Built Survey they are at 40.4% coverage so, ample lot coverage if needed. Parking and Septic would be the prohibiting factors on this one.

Town of Nags Head

Multi-Family Housing Working Group – Draft Multi-Family Ordinance – 5/29/2024

Section 6.6, Table of Permitted Uses and Activities:

			Residential Districts			Commercial Districts						Special Districts				Overlay Districts		
	Use Category/Class	Use Type	R-1	R-2	R-3	CR	C-1*	C-2	C-3	C-4	C-5	SPD-20	SED-80	SPD-C*	O&S	CO	HO	SRO
1	Residential	Dwelling, Large Residential	PR	PR	PR	PR		PR			PR	PR	PR		PR			PR
<u>1</u>	<u>Residential</u>	<u>Dwelling, Multi-Family (Small)</u> <u>Townhouse & Apartment Style Design</u>						<u>PR</u> <u>SR</u>										
<u>1</u>	<u>Residential</u>	<u>Dwelling, Multi-Family (Large)</u> <u>Townhouse Style Design Only</u>						<u>SR</u>										
1	Residential	Dwelling, Single-Family (detached)	P	P	P	P	P	P		P	P	P	P		P			P
1	Residential	Dwelling, Two-Family		P	P	P	P	P		P	P							
<u>1</u>	<u>Residential</u>	<u>Townhouse</u>						<u>SR</u>				<u>SR</u>						



STAFF REPORT

Town of Nags Head

Planning & Development Department

To: Planning Board

From: Kelly Wyatt, Planning Director
Joseph Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Consideration of various text amendments to the Unified Development Ordinance as it relates to Multi-Family Development.

The Planning Board developed a draft multi-family development ordinance over the course of eight months in 2023. The draft ordinance was presented to the Board of Commissioners during the February 7th Board of Commissioners meeting. A Multi-Family Housing Working Group was subsequently established to further develop the draft ordinance. Over the months of March, April, and May, the Multi-Family Housing Working Group had four meetings where they worked towards creating an ordinance that both protected the character of Nags Head while looking to increase workforce housing stock without increasing the stock of short-term rentals.

In summary, the Planning Board's draft ordinance included two categories of multi-family dwellings, "large" and "small". Both would only be permissible in the C-2 General Commercial Zoning District adjacent to US 158 and would require approval through the special-use permit process. The minimum lot area proposed for a large multi-family development is 26,000 sq. ft., with a minimum lot width of 150 feet. The minimum lot area proposed for the small category is 16,000 sq. ft. and there was no minimum lot width proposed. The Planning Board's proposed unit sizes were a minimum of 800 sq. ft. and a maximum of 1,750 sq. ft. for both categories. For the small multi-family category, there is a maximum density of six units per development. Three units are allowed with the first 16,000 square feet of lot area, with 3,500 square feet required for each additional unit. For the large multi-family category, there is a maximum density of 60 units. Three units are allowed with the first 26,000 square feet of lot area, with 4,500 square feet required for each additional unit. Townhome style development was recommended for the large multi-family development category, while both apartment and townhome style were recommended for the small multi-family development category. The Planning Board's draft ordinance recommended that all multi-family dwellings meet the requirements of Article 10, Part VI, Commercial Design Standards.

The draft ordinance from the Multi-Family Working Group maintains the two categories of multi-family dwellings as proposed by the Planning Board. Large multi-family developments would only be permissible in the C-2 General Commercial Zoning District adjacent to US 158, while the small category of multi-family developments would be permissible anywhere in the C-2 General Commercial Zoning District. In the working group's proposed ordinance, only the large category would be required to go through the special use permit process with the small category being approved administratively by staff, similarly to that of Large Residential Dwellings. The minimum lot area for the large multi-family development is proposed to remain at 26,000 sq. ft and with the minimum lot width of 150 feet. The working group's proposed minimum lot area for the small category is 15,000 sq. ft. as opposed to the Planning Board's recommended 16,000 square feet. While 16,000 square feet is the minimum lot area required for the development of a Large Residential Dwelling, the minimum required lot size within the R-3, High Density Residential Zoning District is 15,000 square feet. The minimum unit sizes for both categories have been proposed to be reduced from the Planning Board's recommended 800 square feet to 500 sq. ft. while keeping the maximum unit size of 1,750 sq. ft. It was the consensus of the working group to reduce the minimum unit size to 500 square feet after reviewing several other types of workforce housing developments within Dare County and nearby areas where 500 sq. ft. appeared to allow for adequate and comfortable living space for a one bedroom/studio scenario. For both the small and large development categories, minimum unit sizes are further regulated based upon the number of bedrooms. A studio/one bedroom unit must be at least 500 sq. ft., a two-bedroom unit must be at least 700 sq. ft. and a three-bedroom unit must be at least 1,000 sq. ft. It was the consensus of the working group that a development of all one-bedroom units would not be desirable so a provision stating that no more than 60% of the total units shall be from any size/bedroom category. With this, a developer would have more flexibility in designing their project while offering a variety of unit sizes.

The Planning Board's recommended ordinance did not specify a maximum building size, beyond what is regulated in the UDO under Section 10.86.2.2 which limits the area of buildings along five-lane roadways to 20,000 square feet. It was the consensus of the working group to recommend limiting the maximum building size for large developments to 10,000 square feet. Small multi-family developments would have a maximum size of 5,000 sq. ft. The working group ordinance also recommends that both large and small multi-family developments may consist of both apartment and townhome style development. With regard to density, the small multi-family category proposes a maximum density of six units per development. Four thousand (4,000) square feet of land area would be required per unit. For the large multi-family development category, there is a maximum limit of 75 units and density will be regulated using a floor area ratio. Floor Area Ratio means the quotient resulting from division of the gross floor area of all buildings on a lot by the area of the lot. FAR is expressed as decimal number and derived by dividing the total area of the building by total area of the

parcel. Currently the Town has an effective floor area ratio for Large Residential Dwellings of .32.

5,000 sf maximum building area / 16,000 min. lot size = 0.32

After working through several different scenarios, it was consensus of the working group to recommend that a floor area ratio of .32 sq. ft. be applied to large multi-family developments. Large multi-family dwelling buildings shall meet the requirements of Article 10, Part VI, Commercial Design Standards whereas small multi-family developments must meet the design requirements for a large residential dwelling.

Common elements within both ordinances:

- Deed restrictions required for long term occupancy and workforce housing requirements
- Long-term occupancy considered 90 days or more
- 55% maximum lot coverage
- Allowed to have accessory structures
- Have a maximum height of 35 feet/ 42 feet with desirable roof pitch and must meet architectural design requirements.

Other elements to be considered in the future include:

- the enforcement of deed restrictions which will depend on how a project is proposed (rental vs. ownership).
- Allowing multi-family within existing commercial development
- Duplex development

Staff have included in your packet a draft set of amendments with the Planning Board recommended language provided in blue text, and the Multi-Family Working Group recommended language provided in red text. This will hopefully aid in the comparison of both sets of recommended language.

All minutes and agendas from the working group's meetings can be viewed here:

<https://www.nagsheadnc.gov/1108/Multi-Family-Working-Group>.

Staff will provide the Planning Board with a brief presentation on the proposed changes at their June 18th, 2024 meeting.



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Planning Board

From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Sketch Plan Review, Starbucks Restaurant, 7100 S. Croatan Highway

Please find attached a Sketch Plan Review application submitted by SRE Mustang, LLC (Outlets Nags Head) and the Timmons Group for the construction of a 2,279 square foot restaurant located within the existing parking lot for Outlets Nags Head. This property is zoned C-2, General Commercial and is developed as a Shopping Center/Group Development. "Restaurant-Sit Down" is permitted by right in the C-2 District and subject to the supplemental regulations provided in Section 7.31 of the Unified Development Ordinance (below). Additionally, "Restaurant-Sit Down" is permitted within Commercial Mixed-Use Developments, such as a Group Development, pursuant to Section 7.32.3 of the Unified Development Ordinance.

Section 7.31 - Restaurant, Sit Down.

Restaurant, sit down, is permitted in accordance with [Section 6.6](#), Table of Uses and Activities, subject to other requirements of this UDO and provided that the following conditions are met:

- 7.31.1. A restaurant site may contain more than one principal restaurant building, or one principal restaurant building in combination with another principal drive-in restaurant, or takeout restaurant building.
- 7.31.2. Uses qualifying as a restaurant shall meet the following criteria:
 - 7.31.2.1. A food preparation area that is at least twenty (20) percent of the gross building square footage of the principal building. The square footage of food preparation area located in an on-site accessory restaurant use building or a second on-site drive-in, drive-through, or takeout restaurant may be applied when calculating this minimum 20% requirement. But when calculated together (principal and accessory or second principal buildings), in no event shall the food preparation area of the principal building be permitted to be less than ten (10) percent of the principal building gross square footage; and,
 - 7.31.2.2. At least seventy-five (75) percent of all customer seats designated for full-service, full-menu dining; and,
 - 7.31.2.3. No more than fifteen (15) percent of the total building square footage devoted to accessory entertainment uses including but not limited to dance floor, lounges, bars, stages, live performance, and disc

jockey areas. Accessory entertainment uses referenced in this section shall be permitted in a restaurant establishment provided these uses are clearly subordinated in area, extent, hours of operation, and purpose to areas designated for food and/or beverage preparation, service, and consumption.

While Section 4.3, Pre-Application Meeting and Sketch Plan makes sketch plan review mandatory for new development with a total habitable building area greater than 5,000 square feet, it is recommended that any new development take advantage the sketch plan process to obtain feedback as early on possible and as such, the applicant has chosen to do so.

As noted in Section 10.84.1 of the Unified Development Ordinance, "The purpose of the sketch plan is to review projects at a conceptual level for consistency with the requirements of the commercial design standards and the UDO in general. This review should be done at the early stages of project development in order to allow for meaningful input and substantive changes to the design, if necessary. Documentation is not required to be as complete as the formal review. However, it should include rough site plan sketches with the building and parking layout, building renderings, and a narrative describing the proposed project and how it is consistent with the Town development requirements. The site plan sketch shall depict adequate space allocations for the requisite wastewater and stormwater improvements as well as vegetation/buffering requirements and site access. Applicants are encouraged to provide more than one project alternative or variations of the proposed project for review." The applicant is encouraged to incorporate the recommendations of the UDO Administrator and/or the Planning Board (if applicable) into the development plan before submittal of the formal site plan.

At this time, the Planning Department, Town Engineer, Public Works, Fire Department and Police Department have provided comments on the sketch plan package.

Below is a list of the relevant comments received thus far for your consideration:

Zoning

- *Currently, there are 488 parking spaces at Outlets Nags Head. The proposed development would reduce this number by 28 spaces. According to the current parking requirements in the Unified Development Ordinance, a total of 395 parking spaces are needed. While the minimum parking standards for the Shopping Center/Group Development would still be met, there would still be an overall loss of 28 parking spaces.*
- *Although the proposed addition to Outlets Nags Head would meet the minimum parking requirements, it is important to consider that this development is extremely popular during the summer months and in inclement weather, often resulting in full parking facilities. Any reduction in parking at this site could have negative consequences. Until we have more detailed information about the proposed restaurant, a comprehensive analysis of potential parking impacts is difficult to provide.*

Site Design Standards

- *Development must comply with all provisions of the Flood Damage Prevention Ordinance including elevation in compliance with the Town of Nags Head's local*

ordinance with Regulatory Flood Protection Elevation (RFPE) of 9 ft. msl. Floodproofing may be considered for commercial structures.

- *As proposed at this phase, lot coverage would not be affected. Should this proposal result in any change in coverage, that must be shown.*
- *Compliance with Section 10.92.14.4 of the Unified Development Ordinance, requiring 20% of the surface area of parking area and drive aisles be constructed of permeable materials.*
- *Following items shall be addressed on Landscape Plan prior to TRC:*
 - *Compliance with Section 10.93.3.2, Commercial Transitional Protective Yards required for shopping center/group development site.*
 - *Section 10.93.3.5. Buildings Adjacent to Street Frontage. Building walls adjacent to a street frontage shall include foundation landscaping directly adjacent to the building to screen any crawl space, stem wall, lattice work, or open parking areas.*
 - *Compliance with Section 10.93.3.7 as it relates to Interior Parking Lot Landscaping.*
- *Account for the location of mechanical equipment in the site plan.*
- *If existing parking lot lighting is affected, a lighting plan consistent with Section 10.37.1 of the UDO will be required prior to issuance of building permits for the proposed use. Architectural lighting will need to be reviewed as well.*
- *Provide authorization from the Dare County Environmental Health Department with regard to the existing wastewater treatment facility capacity.*

Building Design Standards

Section 10.83 of the UDO, Design Standards, states that buildings and structures are subject to the Commercial Design Standard contained within Article 10, Part VI of the Unified Development Ordinance. Projects shall be reviewed according to the building design standards outlined in Division II of the Commercial Design Standards. Alternatively, projects adding a total habitable building area of less than 10,000 square feet may elect to comply with the building design requirements by achieving 150 points based on the criteria outlined in the Town of Nags Head Residential Design Guidelines.

The conceptual elevations provided in the packet are preliminary and represent the owner's/architect's initial design. Prior to the next Technical Review Committee Meeting and formal Planning Board Site Plan Review submittal, compliance with Article 10, Part VI, Commercial Design Standards must be demonstrated.

Town Engineer

Internal Traffic Circulation:

- *A vehicular pathing exhibit is requested to demonstrate adequacy for turning radius for sanitation vehicles and fire trucks.*
- *Additional information is requested on the restaurant to include type of restaurant (ie fast food, high turnover, etc.) and time of operation to review parking generation for this type of establishment. Currently, the shopping center parking during peak periods is at or near 100% occupancy. This data will be critical in determining impacts both internal and external to the shopping center.*
- *Cross-parking easements may need to be considered if not shopping owner operated.*

Stormwater Management:

- *Built upon area calculations shall be provided to determine if additional stormwater management requirements will apply. If the amount of built upon area is less than what currently exists, no additional stormwater management requirements shall apply. If the amount of proposed built upon area exceeds what currently exists, the runoff for the additional coverage from a 4.3" rainfall event shall be accommodated on-site.*
- *It is recommended the applicant consider the use of permeable pavement or pervious pavers.*

Public Works/Water

- *Ensure that the front load sanitation truck can easily turn into and back out of the entry for dumpster pick up. Pathing exhibit required to ensure turn radius can be met.*

Building Inspections

- *Review is limited until receipt of full of set of plans, including 2018 Appendix B with Plumbing, Mechanical and Electrical.*

Fire

- *Pavement markings and signage regarding the Fire Lane.*
- *Traffic generated by this proposed restaurant is unknown, therefore potential impacts cannot be identified.*

Police

- *Concerns regarding the potential increase in traffic generated by the proposed restaurant, if not operated or managed by the same company as the Outlets, may need cross easements to ensure shared use of facilities.*

The applicant and planning staff will be available at this meeting for further discussion of this project.

Attachments: Sketch Plan Request & Narrative, Preliminary Site and Architectural Renderings.



2901 S Lynnhaven Road
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Virginia Beach, VA 23452

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www.timmons.com

June 12, 2024

Ms. Kelly Wyatt, Planning Director
Town of Nags Head
5401 S. Croatan Highway
Nags Head, North Carolina 27959

Dear Ms. Wyatt:

Timmons Group, on behalf of SRE Mustang, LLC, is submitting to you under cover of this letter a site plan and supporting building elevations for its proposed free-standing 2,279 square foot Restaurant at the Outlets located at 7100 South Croatan Highway in Nags Head. We are requesting a Sketch Plan review during the June 18th Planning Board meeting.

The proposed plan meets the requirements of the C-2 General Commercial District zoning regulations and addresses the Town's previous concerns related to the site accessibility and public safety by removing the drive-thru from the plan. Additionally, the current proposal meets the parking counts required by ordinance, and incorporates the architectural requirements in Section 10, Article VI of the Nags Head Code of Ordinances. While leasing discussions are currently confidential, the proposed tenant plans to have roughly 20 tables inside and additional outdoor seating for customers and general use. They anticipate having approximately 5 employees during any given shift.

We welcome any feedback and look forward to any upcoming dialogue.

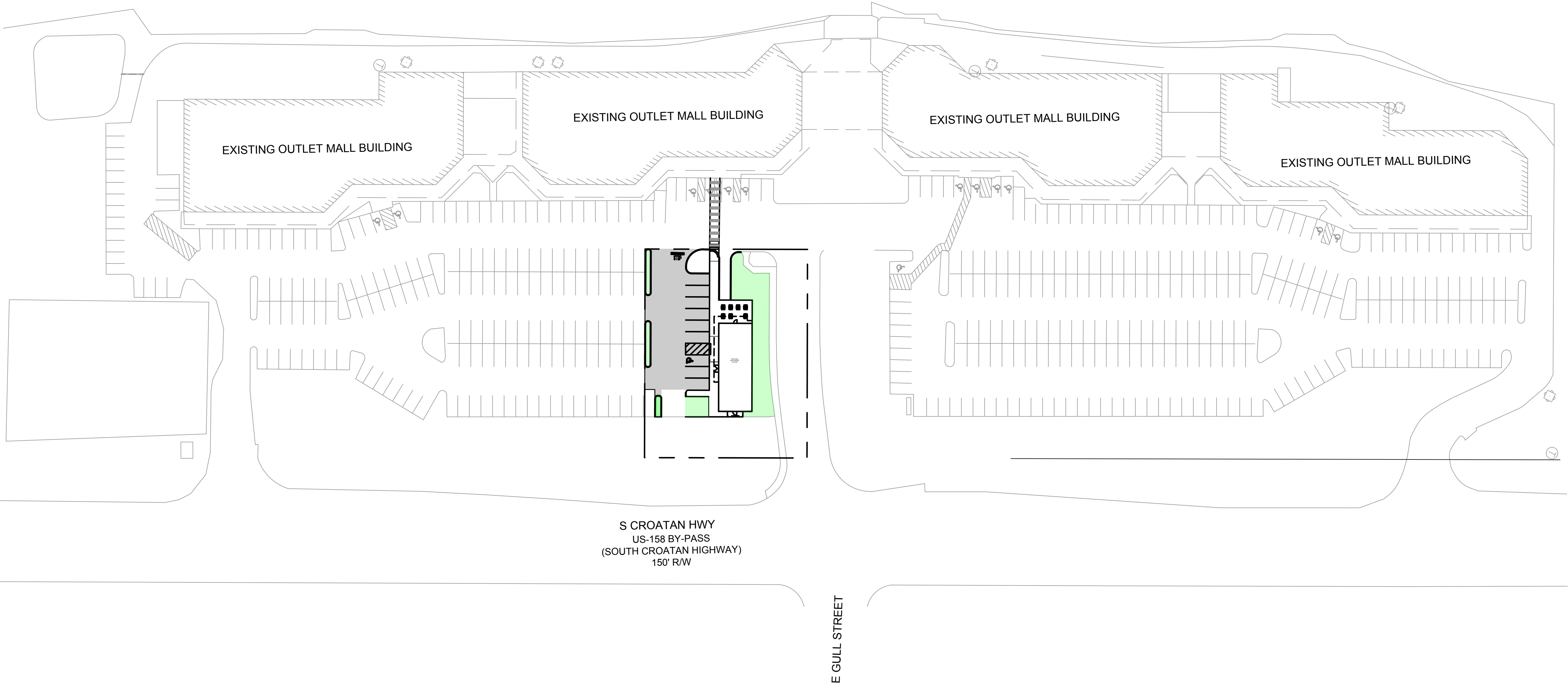
In support of the application, we enclose with this letter the following:

- Preliminary Site Plan
- Preliminary Building Elevations and Renderings

Sincerely,

Chris Aebel, P.E.
Senior Project Manager

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SCALE 1"=50'

0 50' 100'

REFERENCES:
APPROXIMATE LOCATION OF PROPERTY LINE AND
LEASE LINE FROM THE LEASE PLAN PREPARED BY
LOD SYSTEMS, DATED APRIL 1, 2022.
BACKGROUND INFORMATION FROM ALTA/NSPS
LAND TITLE SURVEY PERFORMED BY AMERICAN
NATIONAL, MICHAEL O.COOK, DATED 12/22/2018

TIMMONS GROUP

PROPOSED RESTAURANT
OUTLETS NAGS HEAD, 7100 S. CROATAN HWY, NAGS HEAD, NORTH CAROLINA 27959

OVERALL PLAN

JOB NO.
57492

SHEET NO.
C1.1

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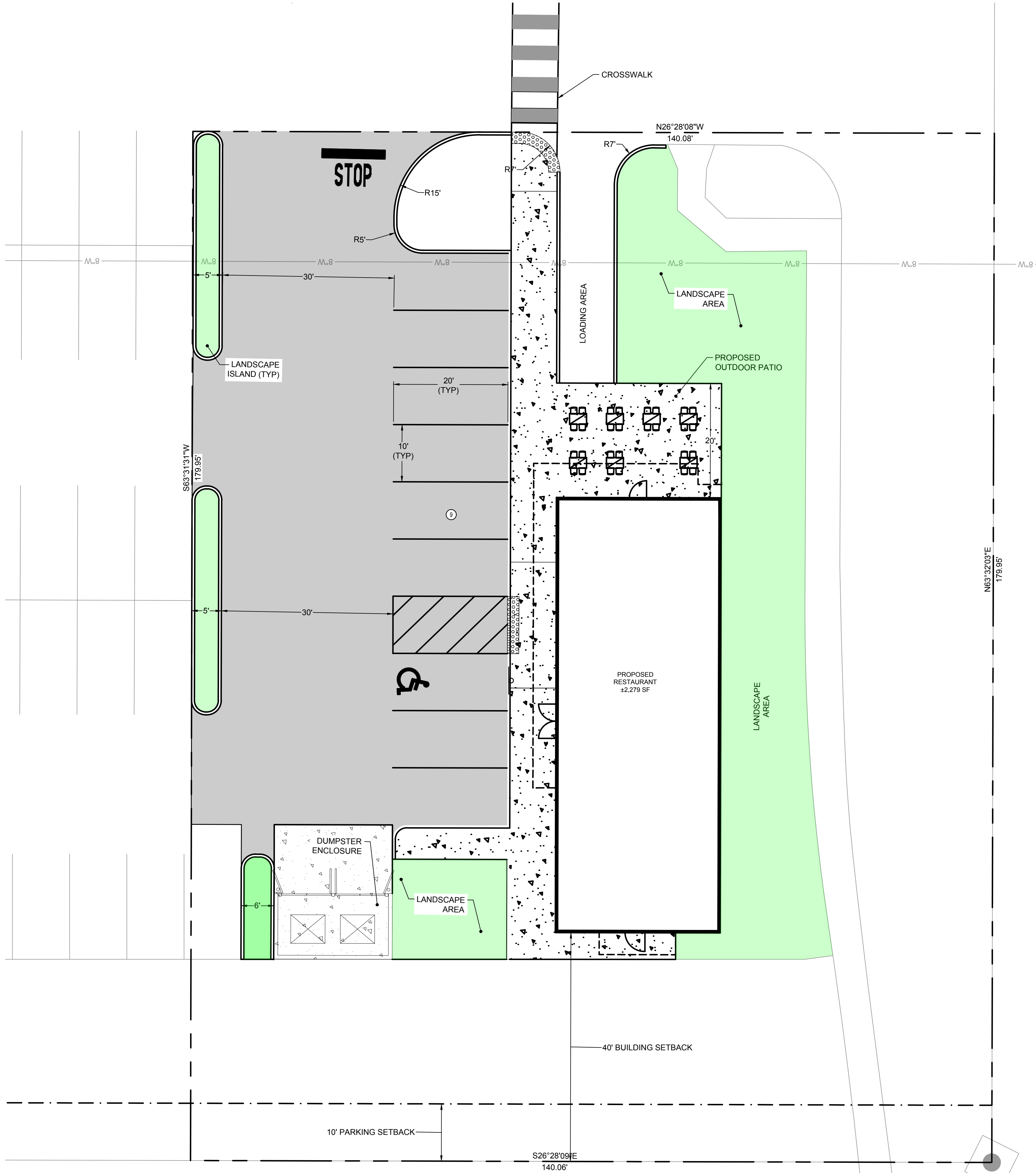
YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION

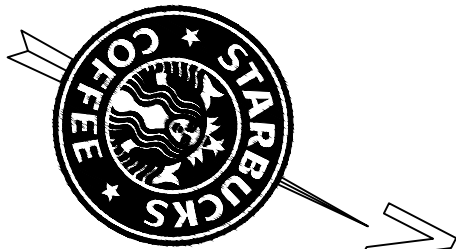
06/12/2024	DRAWN BY
R. BARNHILL	DESIGNED BY
C. AEBEL	CHECKED BY
C. AEBEL	SCALE
1" = 20'	

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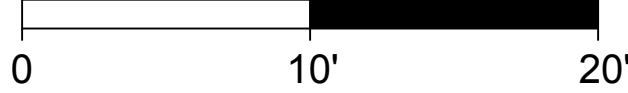
PRELIMINARY ZONING INFORMATION	
LOT SIZE	±49,201 SF = ±1.13 AC
BUILDING SIZE	2,279 SF TOTAL
ZONING	C-2 GENERAL COMMERCIAL DISTRICT
EXISTING USE	ASSOCIATED PARKING FIELD FOR OUTLET MALL
PROPOSED USE	PROPOSED RESTAURANT
ACCESS	ACCESS VIA SOUTH COATAN HIGHWAY (US-158) ONE (1) FULL ACCESS DRIVEWAY AT SIGNALIZED INTERSECTION TWO (2) RIGHT IN/RIGHT OUT DRIVEWAYS
REQUIRED BUILDING SETBACKS	FRONT: 40 FT SIDE: 5 FT (ONE) / 15 FT (BOTH) REAR: 25 FT
PARKING SUMMARY	
RETAIL: ONE PARKING SPACE FOR EACH 250 SF OF GROSS FLOOR AREA PLUS 1 PARKING SPACE FOR EACH EMPLOYEE, BUT NO LESS THAN TWO EMPLOYEE PARKING SPACES FOR EACH RETAIL UNIT OR ESTABLISHMENT RESTAURANT: ONE SPACE FOR EACH 55 SF OF CUSTOMER SERVICE AREA	
REQUIRED	SPACES
EXISTING BUILDING (83,612 SF TOTAL):	
RETAIL:	(78,486 SF + 250)
BROS (3,061 SF TOTAL):	(440 SF CUSTOMER SERVICE + 55)
TROPICAL SMOOTHIE (2,065 SF TOTAL):	(440 SF CUSTOMER SERVICE + 55)
EMPLOYEE PARKING EXISTING:	(@ 2 EMPLOYEES PER UNIT)
PROPOSED RESTAURANT:	(825 SF CUSTOMER SERVICE + 55)
EMPLOYEE PARKING PROPOSED RESTAURANT:	
TOTAL REQUIRED PARKING:	
PROVIDED	SPACES
EXISTING PARKING SPACES:	
ELIMINATE FOR PROPOSED RESTAURANT:	
PROPOSED RESTARANT ADDITION:	
TOTAL REVISED PARKING COUNT:	
NET PARKING ABOVE CODE REQUIREMENT (460 SPACES - 395 SPACES):	
NET REDUCTION IN PARKING SPACES:	



REFERENCES:
APPROXIMATE LOCATION OF PROPERTY LINE AND LEASE LINE FROM THE LEASE PLAN PREPARED BY LOD SYSTEMS, DATED APRIL 1, 2022.
BACKGROUND INFORMATION FROM ALTA/NSPS LAND TITLE SURVEY PERFORMED BY AMERICAN NATIONAL, MICHAEL O.COOK, DATED 12/22/2018



SCALE 1"=10'



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REVISION DESCRIPTION

DATE	

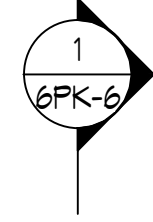
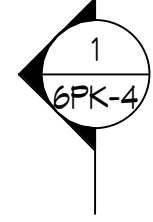
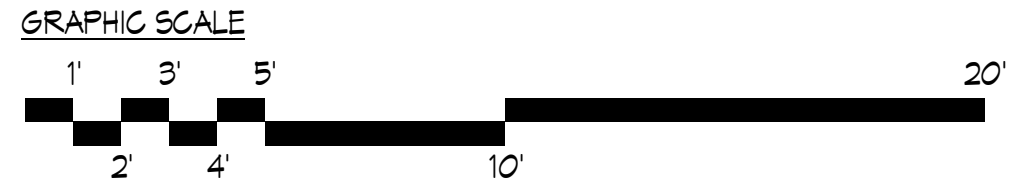
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DESIGNED BY	C. AEBEL
CHECKED BY	C. AEBEL
SCALE	1" = 20'

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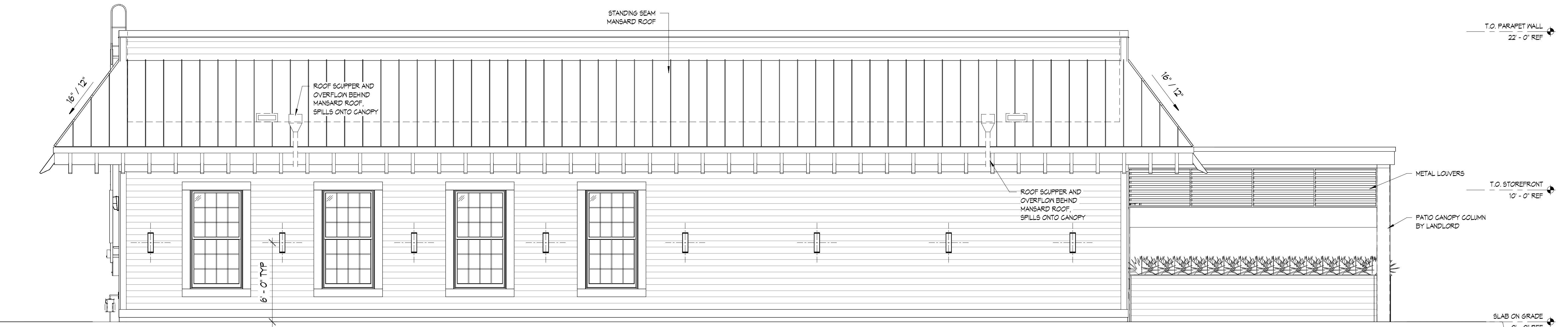
PROPOSED RESTAURANT
OUTLETS NAGS HEAD, 7100 S. CROATAN HWY, NAGS HEAD, NORTH CAROLINA 27959
PROPOSED RESTAURANT SKETCH PLAN

JOB NO.	57492
SHEET NO.	C1.2

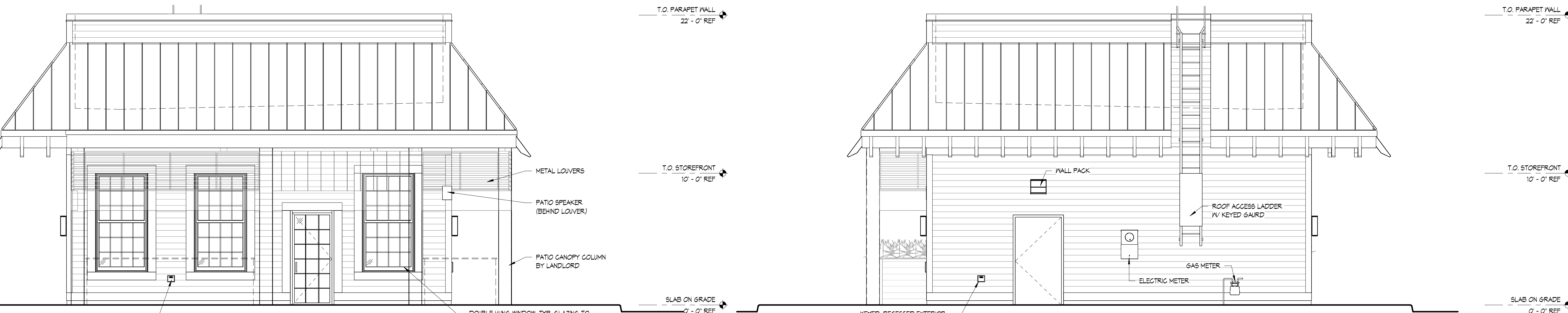
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1 FRONT ELEVATION
1/4" = 1'-0"



2 STREET ELEVATION
1/4" = 1'-0"



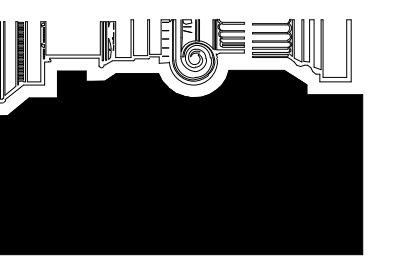
3 PATIO ELEVATION
1/4" = 1'-0"



4 STREET ELEVATION
1/4" = 1'-0"



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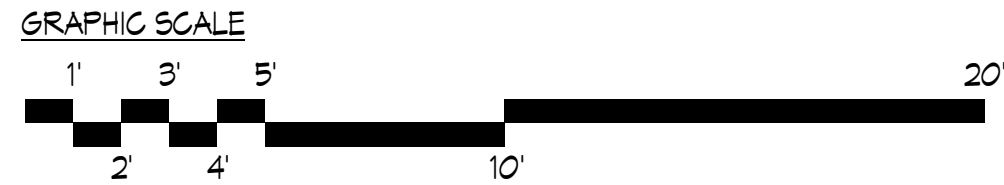


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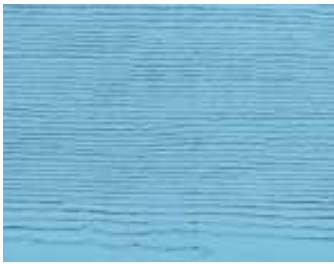
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Designed by: DET
Drawn by: AMP
Checked by: DET
Issue: 06/11/2024
Schematic Design 06/11/2024
Design Development
Permit Set:

NAGS HEAD RESTAURANT
1100 S. CREIGHT HILL
Nags Head, NC 27554
BUILDING ELEVATIONS

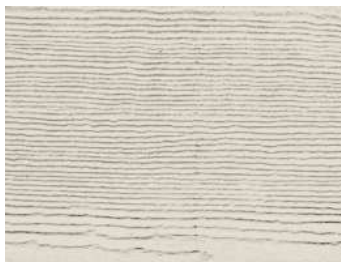
Sheet Number
6PK-3



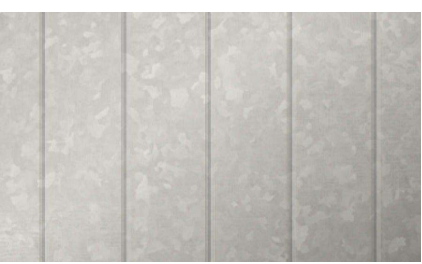
EXTERIOR FINISHES



HA-1
HARDIEPLANK LAP SIDING
BEADED SMOOTH
OCEAN TIDE



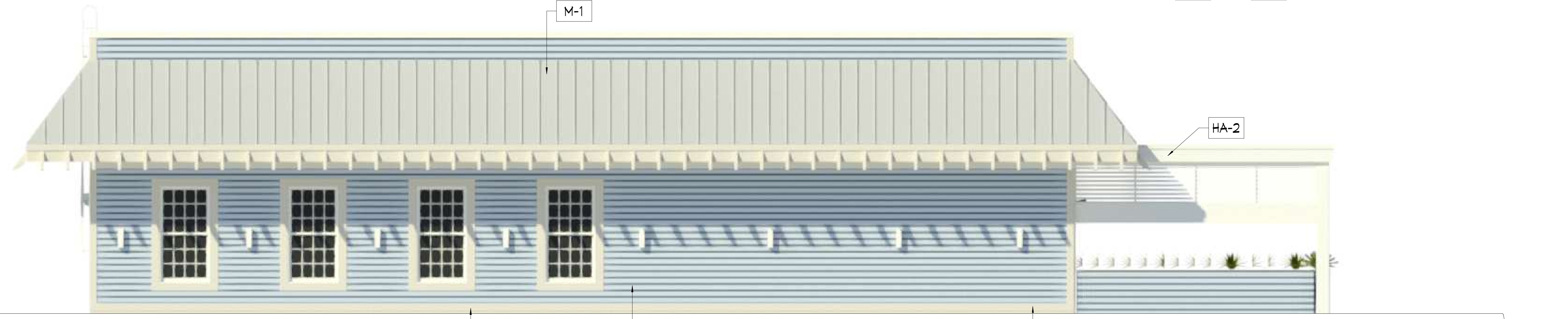
HA-2
HARDIETRIM BOARD
COTTON WHITE



M-1
MCELROY METAL
STANDING SEAM METAL ROOF
MAXIMA
12' FLAT PANEL, 1.5' SEAM
COLOR: PREWEATHERED
GALVALUME METALLIC



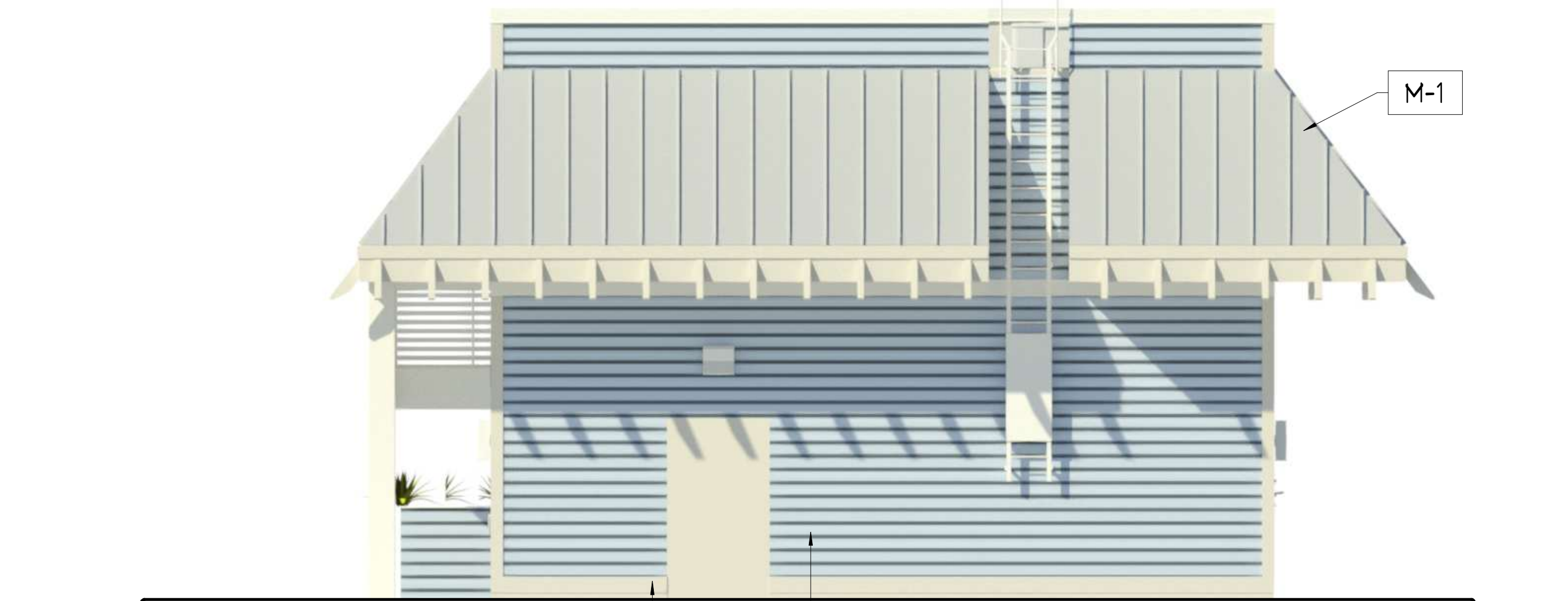
1 FRONT ELEVATION
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2 STREET ELEVATION
1/4" = 1'-0"



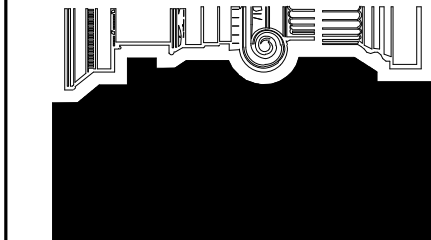
3 PATIO ELEVATION
1/4" = 1'-0"



4 STREET ELEVATION
1/4" = 1'-0"



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Comm # 220124
Scale 1/4" = 1'-0"
Designed by: DET
Drawn by: AMP
Checked by: DET
Issue: 06/11/2024
Schematic Design 06/11/2024
Design Development
Permit Set:

NAGS HEAD RESTAURANT
1100 S. Croatan Hwy
Nags Head, NC 27551
RENDERED ELEVATIONS
Sheet Number
6PK-9



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Planning Board

From: Kelly Wyatt, Planning Director
Joseph Costello, Deputy Planning Director

Date: June 14, 2024

Subject: Consideration of initiation of text amendment related to the dormitory use within the SED- 80, Special Environmental District zoning designation.

Overview

In response to ongoing discussions and concerns regarding workforce housing availability within the County, the Town of Nags Head is actively exploring the potential construction of at least two residential duplexes. These structures would primarily serve as housing for the town's lifeguards.

Town staff have been collaborating with Architect Chris Nason of Beacon Architecture and Design, PLLC to develop several potential layouts for these residential structures. The proposed site is the Town-owned property located at 425 W. Health Center Drive, formerly the Outer Banks Medical Center and now the Community Care Clinic. Specifically, the town is considering construction in the area of where the old helipad is located as it is no longer functioning.



This property is located within SED-80 (Special Environmental District). Section 6.6 of the Unified Development Ordinance (UDO) states that Nursing Homes and Medical Offices are permitted via the Special Use Permit process in the SED-80 zoning designation, with supplemental regulations outlined in Section 7.41 (see attached).

Section 7.41.6 of the supplemental regulation states: *"A dormitory for temporary use by staff of nursing homes may be allowed only in conjunction with nursing home facilities already permitted in the SED-80 District."*

Appendix A of the UDO, Definitions, defines a dormitory as *a commercial facility used for monthly rental of housing for unrelated residents in a communal non-transient living arrangement, with separate sleeping, bathing, and common living areas.*

Section 7.10, Supplemental Regulations for Dormitory, provides the following requirements for dormitory use:

1. A minimum lot area of 25,000 square feet and a minimum lot width of 100 feet.
2. Sleeping rooms with a minimum floor area of 70 square feet for the first occupant and 50 square feet for each additional occupant.
3. At least one restroom with a minimum of two water closets, two sinks, and two showers. Compliance with the North Carolina Plumbing Code is required for dormitory bathroom fixtures.
4. A minimum floor area of 20 square feet per occupant for common living areas (including kitchen and dining), but not less than 220 square feet per unit or floor. Circulation spaces less than six feet wide are excluded from this calculation.
5. No dormitory facility shall house more than 25 occupants.

As currently written, the UDO allows for dormitory structures meeting the criteria of Section 7.10 to be used on a temporary basis for staff employed by existing nursing home facilities within the SED-80 District.

Staff is requesting that the Planning Board consider initiating a text amendment to enable dormitories within the SED-80 District, thereby supporting the construction of town workforce housing at 425 W. Health Center Drive.

Staff anticipates suggesting amendments to Section 7.41.6 but acknowledges that additional amendments may be necessary. If the Planning Board recommends this course of action, staff will return to the July 16th Planning Board meeting with draft ordinance language for the Planning Board's consideration.



BOC ACTIONS WEDNESDAY, JUNE 5, 2024

1. Call to order - Mayor Cahoon called the meeting to order at 9 a.m. He recognized former Comr. Anna Sadler, former Mayor Bob Muller, and Kill Devil Hills Comr. Terry Gray in the audience.
2. Agenda – The Board approved the June 5th agenda as presented.
3. Recognition

INTRODUCTION OF LIFEGUARDS - Ocean Rescue Director Chad Motz introduced the 2024 summer season lifeguards via a video which was well received.

NEW EMPLOYEES - Public Services Director Nancy Carawan introduced new Sanitation Equipment Operator Kevin Goudy and Planning Director Kelly Wyatt introduced new Planner Greg Daisey who were both welcomed by the Board to Town employment.

TWENTY YEARS – Planning Director Kelly Wyatt introduced Permitting Coordinator Lily Nieberding who was recognized for twenty years of service.

PRESENTATION – Finance Officer/Dep Town Manager Amy Miller introduced Tax Collector Linda Bittner who was recognized as Outstanding Tax Collector of 2024 from the NC Tax Collectors' Association.

PRESENTATION - 2024 Town Lightkeeper - Mayor Cahoon summarized the history behind the Lightkeeper award – Bob Muller was awarded the Lightkeeper of the Town for 2024 and joined the list of Town Lightkeepers which began in 2000 with Carl Nunemaker.

PRESENTATION - 2024 Nags Header - Mayor Cahoon summarized the history behind the Nags Header award – Lillie Daniels "Doll" Gray was awarded the Nags Header of the Town for 2024 and joined the list of Town Nags Header recipients which began in 2005 with Nellie Myrtle Midgette Pridgen.

4. Public Comment

PUBLIC COMMENT – ANN CABELL-BAUM – She is one of Carolista Baum's children who ran home to tell her mother that a bulldozer operator was behind the sand dunes – that began the movement to save Jockey's Ridge from development; next summer Jockey's Ridge State Park celebrates its 50th birthday with a four-day celebration (June 5-8); she asked the Board to please participate and to continue to support the efforts of the park.

PUBLIC COMMENT – BOB MULLER – He displayed an image on the screen of a silk screen done in the 1973-1974 timeframe which now hangs in the Mayor's office – this was the first piece of art in the Town's art collection and was given to the Town in appreciation of its support of Jockey's Ridge State Park; he asked the Board to support the 50th celebration with an allocation and participation in the events.

PUBLIC COMMENT – ANNA SADLER - In 1968 it was an awesome sight to see the sand dunes from her oceanfront house; Carolista Baum should be thanked and celebrated for what she did to save the dunes. She also thanked

the Public Works Dept as they go above and beyond their jobs; from Oct to the end of Apr if you put your debris in the right-of-way, the Town will pick it up. Other areas do not do this and she is thankful that Nags Head does.

- 5.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #12 to FY 23/24 Budget
 - Consideration of Tax Adjustment Report
 - Approval of minutes (May 1st Regular Session; May 21st Recessed Session; May 21st Budget Workshop)
 - Annual write-off of uncollectible water accounts
 - Request approval Moffat & Nichol/McKim & Creed for annual beach monitoring survey and analysis
 - Consideration of Personnel Policy update
 - Consideration of change order for dune grass plantings part of Coastal Storm Damage Mitigation Grant
 - Request for Public Hearing - NC Public Beach and Coastal Waterfront Access grant application
- 6.** Public Hearing to consider citizen comment on the Town Manager's proposed operating budget for July 1, 2024 – June 30, 2025, and additional documents – The Board passed motions to approve the following documents as presented:
 - Pay Plan (Salary Schedule/Grade List)
 - Organizational Chart
 - Capital Improvement Project Requests for FY 24/25 through FY 28/29
 - Consolidated Fee Schedule
 - FY 24/25 Budget Ordinance
 - Capital Investment Fund Policy
- 7.** Public Hearing – Text amendment to prohibit driving or parking on residential septic systems - The Board passed a motion to adopt the ordinance prohibiting driving or parking on residential septic areas as presented.
- 8.** Public Hearing - Text amendment submitted by Jernigan Oil Company, Inc. - The Board passed a motion to adopt the ordinance to allow LED, digital displays for fueling stations as presented.
- 9.** Planning Dept Report - Planning Director Kelly Wyatt summarized her monthly report. Board members thanked Ms. Wyatt for her and her staff's hard work.
- 10.** From March 6th Board meeting – Town Manager Garman presented and reviewed with Board members the amendments made to the Multi-Family Ordinance by the Multi-Family Ordinance Working Group. Working Group member Comr. Brinkley stated that the conversation during the meetings was enlightening, and everyone brought something to the table; Comr. Lambert agreed and thanked staff as well as the Planning Board for their work on this issue. It was Board consensus to move forward to the Planning Board with the proposed ordinance as presented.
- 11.** Committee reports –
Comr. Brinkley – Jennette's Pier Advisory Committee met last week; a few highlights: 7,500 students from 88 field trips have visited the park so far this spring; a full time Wildlife Stranding Director is now on staff; the Research Building at the end of the pier is getting a new roof to allow for additional research equipment.

Mayor Pro Tem Siers – The second meeting of the Dare County Workforce Housing Task Force is this Friday; in response to Mayor Cahoon, he said that the Event site soundside boardwalk is in a new design phase.

Comr. Lambert – There is nothing new from the Government Access Channel Committee; Mayor Cahoon mentioned that they continue to produce high quality work.
- 12.** Disaster Debris contracts - The Board approved the renewal agreements for Disaster Debris Removal and Monitoring as presented. This includes authorization for the Town Manager to execute the renewal agreements

with DRC Emergency Services and with DebrisTech, LLC.

13. Town Manager Garman - Town Engineer Ryan provided the latest update on the new Public Services Facility; Water Distribution building is next up for occupation and is expected the week of May 17th.

14. Town Manager Garman – Town Engineer Ryan presented an overview of a framework for traffic calming measures based on what other municipalities have done. He requested Board direction.

Comr. Brinkley feels that you can't go strictly off data and that community input is needed – if all town streets are included, how would you gauge community support; he appreciated all the information provided.

Mayor Cahoon said that he feels the measures should apply to all Town streets; speed signs do help slow people down and he likes the feedback provided from them; he would like to see more electronics being used than speed cushions; small median pavement lane is very effective in a neighborhood in Durham and is more decorative than speed cushions as long as trash trucks, emergency vehicles can get around them - he would like to see it tried in a neighborhood here to see the response. Engineer Ryan agreed and stated that while there are some limitations in the Town, he would like to explore the functionality of a small median pavement lane which would be more esthetically pleasing. He appreciated the Board's comments.

15. Town Manager Garman - Deputy Fire Chief Shane Hite summarized the 2024 Town Fireworks display; Zambelli is conducting the fireworks for July 4th at 9:25 pm at Nags Head Fishing Pier. The rain date is July 5th.

16. Comr. Bob Sanders – The Board passed a motion to authorize a \$15,000 contribution to the Jockey's Ridge State Park 50th Anniversary celebration next year and to approve the Budget Amendment as presented.

17. Comr. Kevin Brinkley – Comr. Brinkley said that he was contacted by a resident of Soundside Road – the new sign at the Soundside Road Jockey's Ridge State Park Access does not include the Town's information. He questioned the status of the Memorandum of Understanding. Nothing has been done at the Park local level. It was Board consensus to move this issue/MOU forward by contacting the Director of State Parks, Brian Strong.

18. Comr. Megan Lambert – She thanked the Town's Fire and Police Depts - as well as those assisting - who kept everything under control after the accident on US 158 this week. It generated a lot of concern on social media; by all accounts staff handled/coordinated the rescues/traffic in an exemplary manner.

19. Closed/Open Session - The Board entered Closed Session to consider a personnel issue and to discuss the possible acquisition of real property located at 4222 S Croatan Highway; the time was 11:20 a.m. The Board re-entered Open Session at 11:59 a.m.

20. Adjournment - The Board recessed to the ribbon cutting at the new Public Services Facility scheduled for 12:30 p.m. The time was 12:01 p.m.



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners
Planning Board

From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: May 30, 2024

Subject: Planning and Development Director's Report (G-1)

This memo provides an overview of selected Planning and Development Department activities, projects, and initiatives. If requested, Staff will be prepared to discuss any of this information in detail at the Board of Commissioners meeting on June 5th, 2024.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for March 2024*. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, Staff was involved in the following meetings or activities of note during the month:

- Wednesday, May 1st - Board of Commissioners Meeting
- Tuesday, May 7th – Technical Review Committee Meeting
- Wednesday, May 8th – Committee for Art and Culture Meeting
- Thursday, May 9th – Board of Adjustment Meeting (no hearings)
- Saturday, May 11th – Artrageous Kids Art Festival 10am – 2pm @ Dowdy Park
- Wednesday, May 15th – Board of Commissioners mid-month meeting
- Tuesday, May 21st – Planning Board Meeting
- Friday, May 24th – Multi-Family Housing Working Group Meeting

Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, May 21, 2024. There were no action items for consideration. As previously requested by the Planning Board, staff provided a brief presentation on the lighting associated with LED, digital displays, and mechanisms to measure the illuminance of digital characters while taking into consideration ambient light (lighting from other nearby sources). Additionally, staff provided information on the Community Rating System (CRS) Program and discussion of the upcoming verification visit.

The Planning Board's next meeting is scheduled for Tuesday, June 18th, 2024. Currently, the agenda is expected to include consideration of a Site Plan Amendment (3rd Submittal) for Inn at Whalebone, 87-unit Hotel on Lakeside Street for major deviations to the site plan as well as a request to consider amending or eliminating a condition imposed on the previous Site Plan Approval as it pertains to the expansion of W. Lakeside Street.

Board of Adjustment – Recent and Pending Applications

There were no items for the Board of Adjustments consideration in May 2024.

Additional Updates

- **DWMP/Septic Health Advisory Committee** – The proposed amendments to the Unified Development Ordinance prohibiting parking on septic areas, which was generated by discussions held by the SHAC, will be on the Board of Commissioners agenda for Public Hearing at their June 5, 2024 meeting. Continuing the implementation of the recommendations of the Decentralized Wastewater Management Plan, staff are in the process of purchasing four (4) additional water quality monitoring loggers and a GPS unit to begin recording and mapping locations of existing septic systems within the town. The next meeting of the Septic Health Advisory Committee will be held in July 2024.
- **Estuarine Shoreline Management Plan** – Staff has prepared a pre-proposal for a grant from the National Fish and Wildlife Foundations National Coastal Resilience Fund. This grant is for the design of the Villa Dunes and Soundside Road pilot sites. We are waiting to find out if we will be invited to submit a full proposal. Additionally, staff recently submitted a grant request for NC Resilient Coastal Communities Program (RCCP) 2024-25 application, Phase 3 for a living shoreline project.
- **Electric Vehicle Action Plan** – Public Services staff were able to locate and mark the outer periphery of the geothermal lines and wells along the southern portion of the parking area at Town Hall. Staff met with Daniel Parsons of LoWire Technologies and will move forward with verifying the depth of the geothermal lines before continuing with the installation of the two-Level II EV Chargers.
- **Sand Relocation and Dune Management Cost Share Program** – Following the close of the Sand Relocation program on April 30, 2024, we issued a total of 131 relocation authorization letters. As of May 29, 2024, \$385,000 of the \$400,000 allocated to the Dune Management Cost Share Program has been used. Environmental Planner Conner Twiddy and Code Enforcement Officer Ed Snyder have conducted final inspections of all sand relocation projects this season, identifying only a few sites that require further attention. We are currently awaiting the necessary paperwork from 55 citizens, who were approved for the Dune Management Cost Share funds, to process their reimbursements before the end of June.
- **Public Beach and Coastal Waterfront Access Grant Program** – Staff has been informed that the pre-application to the NC Public Beach and Coastal Waterfront Access Program has been selected to submit a Final Application for improvements to the June Street Beach Access. The deadline for final application submission is August 2nd, 2024. Item E-8 on Board of Commissioners June 5th meeting Consent Agenda is a Request for Public Hearing to consider the Final Grant Application.
- **Outer Banks Regional Hazard Mitigation Plan Update** – The Hazard Mitigation Planning Committee, comprised of representatives from Dare County EM, Dare County staff, staff from each town and members of the public from each community are in the process of updating the Outer Banks Regional Hazard Mitigation Plan.

As part of the Town's continued participation in the Community Rating System ("CRS") Program, the Town is required to provide updates on the actions contained in the Hazard Mitigation Plan. Staff has provided a memo and spreadsheet outlining updates to the action plan for the Board of Commissioners review. Staff is providing this to the Board of Commissioners and the community for informational purposes.

-
- **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture –**
Summertime events are starting up. For the month of June, the Town will be hosting the following:
 - Yoga on the Lawn, Tuesday mornings 7:30 – 8:30am all month long.
 - Fitness Fridays, Friday mornings 7:30 – 8:15am, beginning June 21st.
 - Summer Concert Series, Wednesday evenings 6:30 – 8:00pm.
 - Black Pearl on June 19th – local band
 - Uphill on June 26th – local band
 - Dowdy Park Farmers Markets, Thursdays 9am – 1pm: June 13th, 20th & 27th.
 - Movie at the Park, Friday June 7th at 8:00pm at Dowdy Park.Event Coordinator Paige Griffin will be releasing the vendor map for the upcoming Dowdy Park Farmers Markets soon, and notes that there has been a great response to Tuesday morning Yoga. Art & Culture Committee Member Molly Vaughan is coordinating with the Manteo High School Honors Art students for a crosswalk art project after the summer season. Below are two sketches of potential designs:



Upcoming Meetings and Other Dates

- Tuesday, June 4th – Technical Review Committee Meeting (Inn at Whalebone)
- Wednesday, June 5th - Board of Commissioners Meeting
- Thursday, June 6th – CRS Users Group Meeting, Elevation Certificate Training
- Wednesday, June 12th – Committee for Art and Culture Meeting
- Wednesday, June 12th – Eastern Carolina Council Resource Roundtable
- Thursday, June 13th – Board of Adjustment Meeting (no hearings)
- Tuesday, June 18th – Planning Board Meeting
- Wednesday, June 19th – Board of Commissioners mid-month meeting
- Dowdy Park Farmers Market – Thursday, June 13th, 20th, and 27th.
- Dowdy Park Summer Concert Series – Wednesday, June 19th and June 26th

TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
APRIL 2024

DATE SUBMITTED: May 7, 2024

	Apr-24	Apr-23	Mar-24	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	1	1	2	14	13	1
New Single Family, 3000 sf or >	0	0	0	4	7	(3)
Duplex - New	0	0	0	1	0	1
Sub Total - New Residential	1	1	2	19	20	(1)
Miscellaneous (Total)	48	46	49	420	459	(39)
<i>Accessory Structure</i>	7	8	3	37	42	(5)
<i>Addition</i>	1	2	3	26	23	3
<i>Demolition</i>	0	0	0	5	1	4
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	16	8	18	108	113	(5)
<i>Repair</i>	24	28	25	244	280	(36)
Total Residential	49	47	51	439	479	(40)
BUILDING PERMITS ISSUED - COMMERCIAL						
Multi-Family - New	0	0	0	0	0	0
Motel/Hotel - New	0	0	0	0	0	0
Business/Govt/Other - New	0	0	0	0	2	(2)
Subtotal - New Commercial	0	0	0	0	2	(2)
Miscellaneous (Total)	18	12	9	81	73	8
<i>Accessory Structure</i>	7	2	3	31	24	7
<i>Addition</i>	0	0	0	0	0	0
<i>Demolition</i>	0	0	0	1	1	0
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	5	2	5	24	22	2
<i>Repair</i>	6	8	1	25	26	(1)
Total Commercial	18	12	9	81	75	6
Grand Total	67	59	60	520	554	(34)
SUB-CONTRACTOR PERMITS						
Electrical	80	77	62	504	482	22
Gas	3	5	2	32	30	2
Mechanical	54	39	40	318	333	(15)
Plumbing	16	25	14	116	96	20
Fire Sprinkler	1	0	0	4	3	1
VALUE						
New Single Family	\$560,000	\$575,000	\$1,915,500	\$8,152,995	\$7,034,026	\$1,118,969
New Single Family, 3000 sf or >	\$0	\$0	\$0	\$2,642,945	\$7,233,733	(\$4,590,788)
Duplex - New	\$0	\$0	\$0	\$711,000	\$0	\$711,000
Misc (Total Residential)	\$1,262,571	\$1,626,964	\$1,726,871	\$15,409,727	\$15,500,935	(\$91,208)
Sub Total Residential	\$1,822,571	\$2,201,964	\$3,642,371	\$26,916,667	\$29,768,694	(\$2,852,027)
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$0	\$0	\$0
Business/Govt/Other - New	\$0	\$0	\$0	\$0	\$17,988,350	(\$17,988,350)
Misc (Total Commercial)	\$648,577	\$178,702	\$829,926	\$4,690,140	\$2,430,831	\$2,259,309
Sub Total Commercial	\$648,577	\$178,702	\$829,926	\$4,690,140	\$20,419,181	(\$15,729,041)
Grand Total	\$2,471,148	\$2,380,666	\$4,472,297	\$31,606,807	\$50,187,875	(\$18,581,068)

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
APRIL 2024**

DATE SUBMITTED: May 7, 2024

	Apr-24	Apr-23	Mar-24	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
ZONING						
Zoning Permits	69	64	64	563	557	6
Soil & Erosion	0	N/A	1	16	N/A	N/A
Stormwater Plans	1	N/A	6	29	N/A	N/A
CAMA						
CAMA LPO Permits	3	8	5	33	31	2
CAMA LPO Exemptions	7	10	13	57	61	0
Sand Relocations	31	115	67	281	279	N/A
CODE COMPLIANCE						
Cases Investigated	19	116	25	267	659	(392)
Warnings	3	20	4	31	98	(67)
NOVs Issued	15	18	20	231	144	87
Civil Citations (#)	0	0	0	1	10	(9)
Civil Citations (\$)	\$0	\$0	\$0	\$0	\$23,150	(\$23,150)
SEPTIC HEALTH						
Tanks inspected	8	15	10	94	115	(21)
Tanks pumped	5	8	10	100	76	24
Water quality sites tested	2	36	2	71	202	(131)
Personnel Hours in Training/School	52	6	44	371	206	165


 Kelly Wyatt, Planning Director



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners

From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: June 5, 2024

Subject: Hazard Mitigation Plan Update

As part of our continued participation in the Community Rating System (“CRS”) program, the Town is required to provide updates on the actions contained in our Hazard Mitigation Plan. The requirement for preparation of a Hazard Mitigation Plan was developed in response to NC Senate Bill 300 and the Federal Government Mitigation Act of 2000. The plan not only addresses natural hazards like hurricanes and nor’easters but other hazards such as terrorism, pandemics, and public health events. A plan must be adopted by the local governing board every five (5) years. A FEMA-approved hazard mitigation plan is a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects. Ultimately, hazard mitigation planning enables action to reduce loss of life and property, lessening the impact of disasters.

Dare County and Currituck County, and the towns of Manteo, Nags Head, Kitty Hawk, Kill Devil Hills, Southern Shores, and Duck, joined efforts on updating their Hazard Mitigation Plans. This effort was referred to as the *Outer Banks Regional Hazard Mitigation Plan*. The most recent Outer Banks Regional Hazard Mitigation plan was adopted by the Town of Nags Head on July 1, 2020¹. Dare County Emergency Management is currently preparing for the update of the Outer Banks Regional Hazard Mitigation.

As part of the Town's annual recertification for the CRS program, staff must review the plan and actions on an annual basis. Continued participation in the CRS program ensures that the Town is able to maintain a Class 5 CRS Rating and residents are able to receive a twenty percent (25%) discount on flood insurance. Attached is a spreadsheet outlining updates to the action plan. No action by the board is necessary. Town staff is providing this to the Board and the community for informational purposes. The entire Plan is available on the Town’s website.

¹ The OBX Regional Hazard Mitigation Plan can be found here:
<https://www.nagsheadnc.gov/DocumentCenter/View/3164/Outer-Banks-Regional-Hazard-Mitigation-Plan-FEMA-Review-Draft>

Community:	Nags Head								
Action Details									
Action #	Action Description	Hazard(s) Addressed	Goal Addressed	Priority	Lead Agency / Department	Potential Funding Source	Implementation Timeline	2024 Implementation Status (Completed, Deleted, Carried Forward, New)	2024 Implementation Status Comments
NGH1	Petition FEMA through the Town's state and regional NFIP representatives to consider adopting realistic regulations regarding the determination of destroyed structures. Specifically, this would apply to structures which are located on the public beach that are not eligible for flood insurance until they collapse.	Coastal Hazards, Flood, Hurricane and Tropical Storm, Severe Weather	3.1	Low	Planning/Town Manager	General Fund	5+ years	Carry Forward	Revised. The Town Manager participated in the threatened structures working group. A report is being written which details a multi-prong approach with actionable items to solve this goal.
NGH2	Explore seeking authority and adopting regulations which would allow qualified Town staff to inspect sewer treatment facilities and on-site septic systems after a storm. These regulations should also allow staff to request the corrective actions necessary to ensure proper operation of these systems.	Coastal Hazards, Flood, Hurricane and Tropical Storm, Severe Weather	2.2	Low	Planning, Septic Health	General Fund	5+ years	Carry Forward	Revised. Carry forward damage information to the health department so they can take action for any repairs that are required. Use Crisis Track to report damages after storm events. No need to seek independent authority.
NGH3	Lobby the State for a state policy and strategy on beach nourishment and beach re-nourishment through joint efforts with other local governments and organizations such as the North Carolina Beach and Inlet Waterways Association. This includes an annually funded state program to support local nourishment activities.	Coastal Hazards, Flood, Hurricane and Tropical Storm, Severe Weather	4.1	High	Board of Commissioners	General Fund	3-5 years	Carry Forward	Revised. Beach and inlet management plan developed by the NC beach and waterways association we participate in. We collectively pursue with other localities.
NGH4	Develop a long-term plan for shoreline management which includes the oceanfront and estuarine shoreline. This may include financing, permitting, ongoing project implementation (in coordination with Dare County and other Dare County municipalities), and monitoring of changing shoreline conditions.	Coastal Hazards, Flood, Hurricane and Tropical Storm, Severe Weather	4.1	High	Planning, Town Engineer	General Fund, Dare County Shoreline Fund	2-3 Years	Completed	Revised. The Town completed the Estuarine Shoreline Management Plan, and it was adopted by the Board of Commissioners in February 2023.
NGH5	Develop contingency plans for infrastructure or services that may be lost as a result of exposure to hazards. Potential infrastructure includes roads/streets, waterlines, wastewater, stormwater, and other key utilities.	All Hazards	2.2	Medium	Planning, Public Works	Grant Funding	2-3 years	Carry forward	Revised. The Town has developed a comprehensive Infrastructure Plan where stormwater, waterlines, streets, and paving work are reviewed at the same time during our CIP process. Upgrading drainage system with larger drainage pipes funded through Golden Leaf Grant.
NGH6	Evaluate the Nags Head Woods Fire Plan annually and coordinate information with Nature Conservancy	Wildfire	3.3	Medium	Town Manager/Fire/Police	General Fund, Grant Funds	1 Year	Carry Forward	Staff discusses and reviews the Nags Head Woods Fire Plan annually for update and to discuss areas for fuel reduction. Staff seeks grant opportunities as needed.
NGH7	Plan and participate with partners to evaluate the need and maintenance of wild land urban interface areas including removal of dead wood in critically fire prone areas and controlled burn activities.	Wildfire	1.2	Medium	Board of Commissioners/Public Works	General Fund	1 Year	Carry Forward	Revised. Continue to work with the NPS, Dominion and the Nature Conservancy to maintain reduction of fuel loads in wildland-urban interface areas and to seek opportunities for grant funding to reduce vegetation in wildland-urban interface areas of the Town.
NGH8	Explore the feasibility of becoming a Firewise Community.	Wildfire	3.3	Medium	Fire	General Fund	2-3 Years	Carry Forward	No action taken as of this date.
NGH9	Purchase and install weather stations to track rainfall and weather in the Town that will be helpful in identifying changing weather patterns and future stormwater planning and modeling needs. Explore partnerships with agencies where this weather information would be relevant (i.e. NC Climate Center).	Coastal Hazards, Drought, Flood, Hurricane and Tropical Storm, Severe Weather	3.3	High	Planning/Town Engineer	General Fund, Grant Funds	2-3 Years	Completed	Revised. The town partnered with NC State Parks to install a weather station, funded through NC State Climate Office, in Jockey's Ridge State Park. Town has 3 other weather stations at Station 21, Town Hall, Water Plant
NGH10	Work with Dare County to expand Town representation on the Local Emergency Planning Committee.	All Hazards	4.2	Low	Fire	General Fund	1 Year	Carry Forward	Town staff continue to participate on the committee.
NGH11	Acquire equipment and materials and retrofit critical facilities to ensure critical facilities and infrastructure remain operational during events.	All Hazards	2.1	High	Town Manager/Fire/Police/Public Works/Planning	Grant Funding	2-3 Years	Carry Forward	Revised. The public works and water distribution facilities were redesigned and are currently under construction for more efficiency in operations and with contingency plans for hazards. Expectation of Public Services master plan completion September 2024. Currently developing a master plan for Fire station and Town Hall facilities.
NGH12	Purchase property, utilizing grants, when possible, to acquire property for the purpose of mitigating damage and co-locating (dual use) Town facilities.	Coastal Hazards, Drought, Flood, Hurricane and Tropical Storm, Severe Weather	1.2	High	Planning/Town Engineer/Town Manager	General Fund/Stormwater	2-3 Years	Carry Forward	Staff seeks any viable opportunity, on a case by case as needed basis, for funds to acquire properties for the purposed of mitigating damage, improvement water quality, preserving open space, protecting natural resources, and collocating Town facilities.

