Public Services
Engineering
414 Chestnut St, Suite 200
Wilmington, NC 28401
910 341-7807
910 341-5881 fax
wilmingtonnc.gov
Dial 711 TTY/Voice

COMPREHENSIVE STORMWATER MANAGEMENT PERMIT

DRAINAGE PLAN

SECTION 1 – APPROVAL

Having reviewed the construction drawings, application and all supporting materials, the City of Wilmington has determined that the proposed development meets the requirements for Drainage Plan Approval through the City of Wilmington's Comprehensive Stormwater Ordinance.

PERMIT HOLDER: **Legacy Properties - College Road Investments, LLC**
PROJECT: **Harris Teeter #158 Building Exp & Renovation**
ADDRESS: **820 S. College Rd**
PERMIT #: **2013008**

Therefore, the above referenced site is hereby approved and subject to all conditions set forth in Section 2 of this approval and all applicable provisions of the City of Wilmington Comprehensive Stormwater Management Ordinance.

This permit shall be effective from the date of issuance until modified or rescinded and shall be subject to the following specified conditions and limitations:

Section 2 - CONDITIONS

1. This approval is valid only for the stormwater management system as proposed on the approved stormwater management plans dated March 21, 2013.

2. The project will be limited to the amount and type of built-upon area indicated in Section IV of the Stormwater Management Application Form submitted as part of the approved stormwater permit application package, and per the approved plans.

3. This permit shall become void unless the facilities are constructed in accordance with the approved stormwater management plans, specifications and supporting documentation.

4. The permittee shall submit a revised stormwater management application packet to the City of Wilmington and shall have received approval prior to construction, for any modification to the approved plans, including, but not limited to, those listed below:
   a. Any revision to any item shown on the approved plans, including the stormwater management measures, built-upon area, details, etc.
   b. Redesign or addition to the approved amount of built-upon area.
   c. Further subdivision, acquisition, lease or sale of any part of the project area.
   d. Filling in, altering, or piping of any vegetative or piped conveyance shown on the approved plan.
   e. Construction of any permitted future areas shown on the approved plans.

5. A copy of the approved plans and specifications shall be maintained on file by the Permittee.

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6. During construction, erosion shall be kept to a minimum and any eroded areas of the system will be repaired immediately.

7. All areas must be maintained in a permanently stabilized condition. If vegetated, permanent seeding requirements must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual unless an alternative is specified and approved by the City of Wilmington.

8. A final inspection by City of Wilmington Engineering personnel will be required prior to issuance of a certificate of occupancy or operation of the permitted facility.

9. This permit is not transferable except after application and approval by the City of Wilmington. In the event of a change of ownership, name change or change of address the permittee must submit a completed Name/Ownership Change form to the City of Wilmington at least 30 days prior to the change. It shall be signed by all applicable parties, and be accompanied by all required supporting documentation. Submittal of a complete application shall not be construed as an approved application. The application will be reviewed on its own merits by the City of Wilmington and may or may not be approved. The project must be in compliance with the terms of this permit in order for the transfer request to be considered. The permittee is responsible for compliance with all permit conditions until such time as the City of Wilmington approves the transfer request.

10. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to enforcement action by the City of Wilmington, in accordance with Sections 18-52 and 18-53 of the Land Development Code.

11. The City of Wilmington 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 City of Wilmington for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the City of Wilmington that the changes have been made.

12. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other government agencies (local, state, and federal) having jurisdiction.

13. In the event that the facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by the City of Wilmington, such as the construction of additional or replacement stormwater management systems.

14. The permittee grants City of Wilmington Staff permission to enter the property during normal business hours for the purpose of inspecting all components of the permitted stormwater management facility.

15. The permit issued shall continue in force and effect until revoked or terminated by the City of Wilmington. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and re-issuance or termination does not stay any permit condition.

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16. The approved stormwater management plans and all documentation submitted as part of the approved stormwater management permit application package for this project are incorporated by reference and are enforceable parts of the permit.

17. If any one or more of the conditions of this permit is found to be unenforceable or otherwise invalidated, all remaining conditions shall remain in full effect.

Stormwater Management Permit issued this the 22nd day of March, 2013

for Sterling Cheatham, City Manager
City of Wilmington

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Unless otherwise noted

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NIT # 12050/12055

STORMWATER MANAGEMENT PERMIT APPLICATION FORM
(Form SWP 2.2)

I. GENERAL INFORMATION

1. Project Name (subdivision, facility, or establishment name - should be consistent with project name on plans, specifications, letters, operation and maintenance agreements, etc.):
   Harris Teeter Store #158 Building Expansion & Renovation

2. Location of Project (street address):
   820 S. College Road

   City: Wilmington County: New Hanover Zip: 28403

3. Directions to project (from nearest major intersection):
   Northwest corner of College Road and Wilshire Boulevard

II. PERMIT INFORMATION

1. Specify the type of project (check one): ☐ Low Density ☐ High Density
   ☐ Drains to an Offsite Stormwater System ☒ Drainage Plan ☐ Other
   If the project drains to an Offsite System, list the Stormwater Permit Number(s):

   City of Wilmington: N/A State – NCDENR/DWQ: N/A

2. Is the project currently covered (whole or in part) by an existing City or State (NCDENR/DWQ) Stormwater Permit? ☐ Yes ☒ No
   If yes, list all applicable Stormwater Permit Numbers:

   City of Wilmington: N/A State – NCDENR/DWQ: N/A

3. Additional Project Permit Requirements (check all applicable):
   ☐ CAMA Major ☐ Sedimentation/Erosion Control
   ☐ NPDES Industrial Stormwater ☐ 404/401 Permit: Proposed Impacts: _____
   If any of these permits have already been acquired please provide the Project Name, Project/Permit Number, issue date and the type of each permit:

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III. CONTACT INFORMATION

1. Print Applicant / Signing Official's name and title (specifically the developer, property owner, lessee, designated government official, individual, etc. who owns the project):

   Applicant / Organization: Legacy Properties - College Road Investments, LLC

   Signing Official & Title: William Thomas Dickson, Manager

   a. Contact information for Applicant / Signing Official:

   Street Address: 2600 Fairview Road, Suite 210

   City: Raleigh State: NC Zip: 27608

   Phone: 704-962-0466 Fax: N/A Email: Will.Dickson@cpgre.com

   Mailing Address (if different than physical address): Same as Above

   City: _____ State: _____ Zip: _____

   b. Please check the appropriate box. The applicant listed above is:

   - [x] The property owner (Skip to item 3)
   - [ ] Lessee* (Attach a copy of the lease agreement and complete items 2 and 2a below)
   - [ ] Purchaser* (Attach a copy of the pending sales agreement and complete items 2 and 2a below)
   - [ ] Developer* (Complete items 2 and 2a below.)

2. Print Property Owner's name and title below, if you are the lessee, purchaser, or developer. (This is the person who owns the property that the project is on.)

   Property Owner / Organization: _____

   Signing Official & Title: _____

   a. Contact information for Property Owner:

   Street Address: _____

   City: _____ State: _____ Zip: _____

   Phone: _____ Fax: _____ Email: _____

   Mailing Address (if different than physical address): _____

   City: _____ State: _____ Zip: _____

3. (Optional) Print the name and title of another contact such as the project's construction supervisor or another person who can answer questions about the project:

   Other Contact Person / Organization: Norris & Tunstall Consulting Engineers, P.C.

   Signing Official & Title: John S. Tunstall, P.E.

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a. Contact information for person listed in item 3 above:

Street Address: 1127 Floral Parkway, Suite 400

City: Wilmington State: NC Zip: 28403

Phone: 910-343-9653 Fax: 910-343-9604 Email: jtunstall@ntengineers.com cc: anorris@ntengineers.com

Mailing Address (if different than physical address): Same as Above

City: _____ State: _____ Zip: _____

IV. PROJECT INFORMATION

1. In the space provided below, briefly summarize how the stormwater runoff will be treated.

_____

_____

_____

2. Total Property Area: 212,842 square feet
3. Total Coastal Wetlands Area: 0 square feet
4. Total Surface Water Area: 0 square feet
5. Total Property Area (2) – Total Coastal Wetlands Area (3) – Total Surface Water Area (4) = Total Project Area: 212,842 square feet.
6. Existing Impervious Surface within Property Area: 202,119 square feet
7. Existing Impervious Surface to be Removed/Demolished: 19,331 square feet
8. Existing Impervious Surface to Remain: 182,788 square feet
9. Total Onsite (within property boundary) Newly Constructed Impervious Surface (*in square feet*):

Buildings/Lots	5,736
Impervious Pavement	3,288
Pervious Pavement (adj. total, with % credit applied)	0
Impervious Sidewalks	4,136
Pervious Sidewalks (adj. total, with % credit applied)	0
Other (describe) Canopy & Patio	1,310
Future Development	0
Total Onsite Newly Constructed Impervious Surface	14,470

10. Total Onsite Impervious Surface
(Existing Impervious Surface to remain + Onsite Newly Constructed Impervious Surface) = 197,258 square feet

11. Project percent of impervious area: (Total Onsite Impervious Surface / Total Project Area) x100 = 93 %

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12. Total Offsite Newly Constructed Impervious Area (improvements made outside of property boundary, *in square feet*):

Impervious Pavement	
Pervious Pavement (adj. total, with % credit applied)	
Impervious Sidewalks	
Pervious Sidewalks (adj. total, with % credit applied)	
Other (describe)	
Total Offsite Newly Constructed Impervious Surface	0

13. Total Newly Constructed Impervious Surface
(Total Onsite + Offsite Newly Constructed Impervious Surface) = 14470 square feet

14. Complete the following information for each Stormwater BMP drainage area. If there are more than three drainage areas in the project, attach an additional sheet with the information for each area provided in the same format as below. Low Density projects may omit this section and skip to Section V.

Basin Information	(Type of BMP) BMP #	(Type of BMP) BMP #	(Type of BMP) BMP #
Receiving Stream Name			
Receiving Stream Index Number			
Stream Classification			
Total Drainage Area (sf)	0	0	0
On-Site Drainage Area (sf)			
Off-Site Drainage Area (sf)			
Total Impervious Area (sf)	0	0	0
Buildings/Lots (sf)			
Impervious Pavement (sf)			
Pervious Pavement, % credit (sf)			
Impervious Sidewalks (sf)			
Pervious Sidewalks, % credit (sf)			
Other (sf)			
Future Development (sf)			
Existing Impervious to remain (sf)			
Offsite (sf)			
Percent Impervious Area (%)			

15. How was the off-site impervious area listed above determined? Provide documentation:
Survey / site development CAD file.

V. SUBMITTAL REQUIREMENTS

1. Supplemental and Operation & Maintenance Forms - One applicable City of Wilmington Stormwater BMP supplement form and checklist must be submitted for **each** BMP specified for this project. One applicable proposed operation and maintenance (O&M) form must be submitted for **each type** of stormwater BMP. Once approved, the operation and maintenance forms must be referenced on the final plat and recorded with the register of deeds office.

2. Deed Restrictions and Restrictive Covenants - For all subdivisions, outparcels, and future development, the appropriate property restrictions and protective covenants are required to be recorded prior to the sale of any lot. Due to variability in lot sizes or the proposed BUA allocations, a table listing each lot number, lot size, and the allowable built-upon area must be provided as an attachment to the completed and notarized deed restriction form. The appropriate deed restrictions and protective covenants forms can be downloaded at the link listed in section V (3). Download the latest versions for each submittal.

   In instances where the applicant is different than the property owner, it is the responsibility of the property owner to sign the deed restrictions and protective covenants form while the applicant is responsible for ensuring that the deed restrictions are recorded.

   By the notarized signature(s) below, the permit holder(s) certify that the recorded property restrictions and protective covenants for this project, if required, shall include all the items required in the permit and listed on the forms available on the website, that the covenants will be binding on all parties and persons claiming under them, that they will run with the land, that the required covenants cannot be changed or deleted without concurrence from the City of Wilmington, and that they will be recorded prior to the sale of any lot.

3. Only complete application packages will be accepted and reviewed by the City. A complete package includes all of the items listed on the City Engineering Plan Review Checklist, including the fee. Copies of the Engineering Plan Review Checklist, all Forms, Deed Restrictions as well as detailed instructions on how to complete this application form may be downloaded from:

   http://www.wilmingtonnc.gov/PublicServices/Engineering/PlanReview/StormwaterPermits.aspx

   The complete application package should be submitted to the following address:

   City of Wilmington – Engineering
   Plan Review Section
   414 Chestnut Street, Suite 200
   Wilmington, NC 28402

VI. CONSULTANT INFORMATION AND AUTHORIZATION

1. Applicant: Complete this section if you wish to designate authority to another individual and/or firm (such as a consulting engineer and /or firm) so that they may provide information on your behalf for this project (such as addressing requests for additional information).

   Consulting Engineer: John S. Tunstall, P.E.

   Consulting Firm: Norris & Tunstall Consulting Engineers, P.C.

   a. Contact information for consultant listed above:

   Mailing Address: 1127 Floral Parkway, Suite 400

   City: Wilmington State: NC Zip: 28403

   Phone: 910-343-9653 Fax: 910-343-9604 Email: jtunstall@ntengineers.com cc: anorris@ntengineers.com

VII. PROPERTY OWNER AUTHORIZATION (If Section III(2) has been filled out, complete this section)

I, (*print or type name of person listed in Contact Information, item 2*)_____, certify that I own the property identified in this permit application, and thus give permission to (*print or type name of person listed in Contact Information, item 1*)_____ with (*print or type name of organization listed in Contact Information, item 1*) _____ to develop the project as currently proposed. A copy of the lease agreement or pending property sales contract has been provided with the submittal, which indicates the party responsible for the operation and maintenance of the stormwater system.

As the legal property owner I acknowledge, understand, and agree by my signature below, that if my designated agent (*entity listed in Contact Information, item 1*) dissolves their company and/or cancels or defaults on their lease agreement, or pending sale, responsibility for compliance with the City of Wilmington Stormwater Permit reverts back to me, the property owner. As the property owner, it is my responsibility to notify the City of Wilmington immediately and submit a completed Name/Ownership Change Form within 30 days; otherwise I will be operating a stormwater treatment facility without a valid permit. I understand that the operation of a stormwater treatment facility without a valid permit is a violation of the City of Wilmington Municipal Code of Ordinances and may result in appropriate enforcement including the assessment of civil penalties.

Signature: _____ Date: _____

SEAL	I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this day of _____, _____, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal, _____ My commission expires: _____

CITY OF WILMINGTON ENGINEERING

VIII. APPLICANT'S CERTIFICATION

I, *(print or type name of person listed in Contact Information, item 1)* , William Thomas Dickson, Manager certify that the information included on this permit application form is, to the best of my knowledge, correct and that the project will be constructed in conformance with the approved plans, that the required deed restrictions and protective covenants will be recorded, and that the proposed project complies with the requirements of the applicable stormwater rules under.

Signature: _____ Date: 10/23/12

SEAL

LINDA GILLIKIN NOTARY PUBLIC My Comm. Exp. Dec. 22, 2014 WAKE COUNTY, N. C.

I, Linda Gillikin, a Notary Public for the State of NC, County of Wake, do hereby certify that William Thomas Dickson personally appeared before me this day of 10-23, 2012, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal,

_____

My commission expires: 12-22-2014