

**Development Services**  
Planning  
305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402-1810

July 28, 2015

John Tunstall  
Norris & Tunstall Consulting Engineers  
902 Market Street  
Wilmington, NC 28401

910 254-0900  
910 341-3264 fax  
wilmingtonnc.gov  
Dial 711 TTY/Voice

**RE: New Hanover County ABC Store Renovation, located at 523 S. 17<sup>th</sup> Street**

I have attached a copy of the construction release for the **New Hanover County ABC Store Renovation**, located at 523 S. 17<sup>th</sup> Street. **Please make note of the conditions for the release as they appear on the attached release letter.** These conditions must be followed and met in order for the construction to be approved. ***Prior to beginning any construction or grading on the site, you must have a pre-construction meeting between City staff and the project's representatives. Any violation of this condition will result in an immediate stop work order and other civil penalties.***

All construction on the site must be in accordance with the City of Wilmington standards and the approved construction plans stamped by the City. Any trees and areas designated to be saved or protected must be properly barricaded and/or marked throughout construction. In addition please be aware that to obtain a certificate of occupancy for this construction project, the appropriate departments within the City of Wilmington must perform and approve a final inspection.

To arrange for these inspections please contact Steve Sattler, Zoning Inspector, at 254-0900. Mr. Sattler will coordinate the final inspections and provide a punch-list to the Developer within 5 working days. Upon correction of the punch-list items a final inspection will be performed. If the inspection is passed then the Zoning Inspector of the City of Wilmington will be notified of the inspection approval for this development. ***NOTE: The Zoning Inspector will not sign for a Certificate of Occupancy until both the requirements of the City of Wilmington's zoning ordinance and Construction Management division are satisfied.***

**Please contact our office at 254-0900 to schedule the preconstruction meeting** and if you have any questions or concerns regarding this information. The City thanks you for your investment in our community and looks forward to working with you towards construction of a quality development project.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Chambers", written over a horizontal line.

Brian Chambers, Associate Planner



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## TRANSMITTAL LETTER

TO: Steve Sattler, Zoning Inspector  
 DATE: July 28, 2015  
 SUBJECT: **New Hanover County ABC Store Renovation** Project # 2015022  
 LOCATION: 523 S. 17<sup>th</sup> Street

The following items are being sent to you via this package.

| QUAN. | DWG./NO.      | DESCRIPTION                                  |
|-------|---------------|--|
| 1     | Dated 7/22/15 | NHC ABC Renovation Approved Plans            |
| 1     | Dated 6/5/15  | City Tree Removal Permit TPP-15-108          |
| 1     | Dated 6/10/15 | NC Erosion Control NEWHA-2015-024            |
| 1     | Dated 6/25/15 | City Engineering Driveway Variance           |
| 1     | Dated 7/24/15 | City Stormwater Discharge Permit No. 2015019 |

REMARKS: **New Hanover County ABC Store Renovations**, located at **523 S. 17<sup>th</sup> Street**, is hereby conditionally released for construction. The following conditions must be satisfied as part of this release:

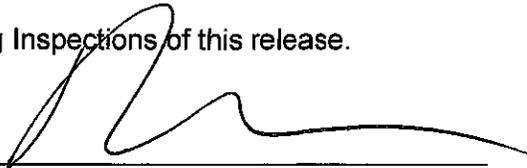
1. **A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE SITE CONTRACTOR AND CITY STAFF PRIOR TO ANY SITE WORK, TREE REMOVAL, CLEARING, OR GRADING BEGINNING ON THE SITE. FAILURE TO COMPLY WILL RESULT IN IMMEDIATE CIVIL PENALTIES.**
2. **ANY TREES, INCLUDING THE CRITICAL ROOT ZONE AREA, AND/OR AREA DESIGNATED TO BE SAVED MUST BE PROPERLY BARRICADED OR MARKED WITH FENCING AND PROTECTED THROUGHOUT CONSTRUCTION TO INSURE THAT NO CLEARING AND GRADING WILL OCCUR IN THOSE AREAS.**
3. **NO EQUIPMENT IS ALLOWED ON THE SITE AND NO CONSTRUCTION OF ANY BUILDING, STRUCTURE, WALL, UTILITIES, INFRASTRUCTURE, ETC., OF ANY KIND, INCLUDING FOOTINGS AND BUILDING SLABS, WILL BE PERMITTED UNTIL:**
  - A. **ALL TREE PROTECTION FENCING AND SILT FENCING HAS BEEN INSTALLED**
  - B. **THE CFPWA HAS AUTHORIZED THE WATER AND SEWER ACTIVITIES.**
  - C. **THE CITY ZONING INSPECTOR AUTHORIZES THE ACTIVITY.**
4. **THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS.**
5. **ALL APPLICABLE TRC REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.**
6. **IF THE CONDITIONS LISTED ABOVE ARE VIOLATED, A STOP WORK ORDER WILL BE ISSUED.**

**7. THE DEVELOPER ASSUMES ALL RISKS AND PENALTIES WITH ANY DELAY OR STOP WORK ORDER ASSOCIATED WITH THE VIOLATION OF THIS RELEASE. THE DEVELOPER ACKNOWLEDGES THE CONDITIONS OF THIS RELEASE AND ASSUMES ALL RESPONSIBILITIES AND RISKS ASSOCIATED WITH IT. THE CITY OF WILMINGTON WILL NOT BE HELD LIABLE FOR ANY COSTS ASSOCIATED WITH THE CONSTRUCTION RELEASE.**

**8. A REPRODUCIBLE AS-BUILT IS REQUIRED PRIOR TO OCCUPANCY.**

Please notify New Hanover County Building Inspections of this release.

Signature: \_\_\_\_\_



Brian Chambers, Associate Planner

|                       |  |
|-----------------------|--|
| Copy: John Tunstall   | Norris & Tunstall Consulting Engineers   |
| Bret Russell          | Construction Manager                     |
| Rob Gordon            | Engineering                              |
| Jim Quinn             | Stormwater Specialist                    |
| Aaron Reese           | Urban Forestry                           |
| Chris Elrod           | Wilmington Fire Department (e-mail only) |
| Sammy Flowers         | Wilmington Fire Department (e-mail only) |
| Brian Blackmon        | Surveyor (e-mail only)                   |
| Jim Sahlie            | GIS Addressing (e-mail only)             |
| Bill McDow            | Traffic Engineering (e-mail only)        |
| Derek Pielech         | Stormwater (e-mail only)                 |
| Don Bennett           | Traffic Engineering (e-mail only)        |
| Bernice Johnson       | CFPUA (e-mail letter only)               |
| Beth Easley Wetherill | NHC Erosion Control (e-mail only)        |
| Michelle Hutchinson   | GIS Engineer (e-mail only)               |
| Alina Jakubcanin      | GIS Analyst (e-mail only)                |

File: **New Hanover County ABC Store Renovation**

**Project File # 2015022**





North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

June 10, 2015

**LETTER OF APPROVAL WITH MODIFICATIONS  
AND PERFORMANCE RESERVATIONS**

RECEIVED

JUN 15 2015

N & T

NHC ABC Board  
ATTN: William A. Kopp  
6009 Market Street  
Wilmington, NC 28405

RE: Project Name: NEW HANOVER COUNTY ABC FACILITY RENOVATIONS  
Acres Approved: 0.35  
Project ID: NEWHA-2015-024  
County: New Hanover, City: Wilmington  
Address: 523 South 17th Street  
River Basin: Cape Fear  
Stream Classification: Other  
Submitted By: John S. Tunstall, P.E., Norris & Tunstall Consulting Engineers, P.C.  
Date Received by LQS: May 18, 2015  
Plan Type: Commercial

Dear Mr. Kopp:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.

Please be aware that your project will be covered by the enclosed NPDES Construction Stormwater General Permit NCG010000. Please become familiar with all the requirements and conditions of this permit in order to achieve compliance.

Title 15A NCAC 4B .0118(a) requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to ensure compliance with the approved plan.

Division of Energy, Mineral, and Land Resources  
Energy Section • Geological Survey Section • Land Quality Section  
127 Cardinal Drive Extension Wilmington, NC 28405 • Phone: 910-796-7215 • FAX: 910-350-2004  
Internet: <http://portal.ncdenr.org/web/lr/>  
An Equal Opportunity \ Affirmative Action Employer – 50% Recycled \ 10% Post Consumer Paper

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to ensure compliance with the Act.

Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project. Please notify us if you plan to have a preconstruction conference.

Your cooperation is appreciated.

Sincerely,



Rhonda Hall  
Regional Engineering Associate  
Land Quality Section

Enclosures: Certificate of Approval  
Modifications and Performance Reservations  
NPDES Permit

cc: John S. Tunstall, P.E., Norris & Tunstall Consulting Engineers, P.C.  
902 Market Street, Wilmington, NC 28401

## MODIFICATIONS AND PERFORMANCE RESERVATIONS

Project Name: NEW HANOVER COUNTY ABC FACILITY RENOVATIONS

Project ID: NEWHA-2015-024

County: New Hanover

1. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.
2. The developer is responsible for the control of sediment on-site. If the approved erosion and sedimentation control measures prove insufficient, the developer must take those additional steps necessary to stop sediment from leaving this site (NCGS 113A-57(3)). Each sediment storage device must be inspected after each storm event (NCGS 113A-54.1(e)). Maintenance and/or clean out is necessary anytime the device is at 50% capacity. All sediment storage measures will remain on site and functional until all grading and final landscaping of the project is complete (15A NCAC 04B .0113).
3. Any and all existing ditches on this project site are assumed to be left undisturbed by the proposed development unless otherwise noted. The removal of vegetation within any existing ditch or channel is prohibited unless the ditch or channel is to be regarded with side slopes of 2 horizontal to 1 vertical or less steep (15A NCAC 04B .0124 (d)). Bank slopes may be mowed, but stripping of vegetation is considered new earth work and is subject to the same erosion control requirements as new ditches (NCGS 113A-52(6)).
4. The developer is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of this land disturbing activity. This could include our agency's Stormwater regulations and the Division of Water Resources' enforcement requirements within Section 401 of the Clean Water Act, the U.S. Army Corps of Engineers' jurisdiction of Section 404 of the Clean Water Act, the Division of Coastal Management's CAMA requirements, the Division of Solid Waste Management's landfill regulations, the Environmental Protection Agency and/or The U.S. Army Corps of Engineers jurisdiction of the Clean Water Act, local County or Municipalities' ordinances, or others that may be required. This approval cannot supersede any other permit or approval; however, in the case of a Cease and Desist Order from the Corps of Engineers, that Order would only apply to wetland areas. All highland would still have to be in compliance with the N.C. Sedimentation Pollution Control Act.
5. If any area on site falls within the jurisdiction of Section 401 or 404 of the Clean Water Act, the developer is responsible for compliance with the requirements of the Division of Water Resources (DWR), the Corps of Engineers and the Environmental Protection Agency (EPA) respectively. Any erosion control measures that fall within jurisdictional wetland areas must be approved by the aforementioned agencies prior to installation. The Land Quality Section must be notified of a relocation of the measures in question to the transition point between the wetlands and the uplands to assure that the migration of sediment will not occur. If that relocation presents a problem or contradicts any requirements of either DWR, the Corps, or the EPA, it is the responsibility of the developer to inform the Land Quality Section regional office so that an adequate contingency plan can be made to assure sufficient erosion control remains on site. Failure to do so will be considered a violation of this approval (NCGS 113A-54.1(b)).

6. Any borrow material brought onto this site must be from a legally operated mine or other approved source. Any soil waste that leaves this site can be transported to a permitted mine or separately permitted construction sites without additional permits under NCGS 74-49(7)(d). Disposal at any other location would have to be included as a permit revision for this approval.
7. This permit allows for a land disturbance, as called for on the application plan, not to exceed 0.35 acres. Exceeding that acreage will be a violation of this permit and would require a revised plan and additional application fee. Any addition in impervious surface, over that already noted on the approved plan, would also require a revised plan to verify the appropriateness of the erosion control measures and stormwater retention measures (NCGS 113A-54.1(b)).
8. The construction detail for the proposed silt fence requires reinforcing wire and steel posts a maximum of eight (8) feet apart. Omission of the reinforcing wire is a construction change that necessitates more posts for support, i.e., the spacing distance needs to be reduced to no greater than six (6) feet apart (E&SC Planning & Design Manual 6.63, Rev. 6/06).
9. A graveled construction entrance must be located at each point of access and egress available to construction vehicles during the grading and construction phases of this project. Access and egress from the project site at a point without a graveled entrance will be considered a violation of this approval. Routine maintenance of the entrances is critical (113A-54.1(b)).
10. As a condition of the provided NPDES General Stormwater Permit (NCG010000), groundcover stabilization must meet specific time frames. Slopes (including cuts, fills, and ditch banks) that are steeper than 3 horizontal to 1 vertical left exposed will, within seven (7) calendar days after completion of any phase of grading, be provided with groundcover. Slopes that are 3 horizontal to 1 vertical or flatter will be provided with groundcover within fourteen (14) calendar days.
11. As a part of routine monitoring of the approved land-disturbing activity, the financially responsible party shall assure inspections of the area covered by the approved plan after each phase of the plan has been completed and after establishment of temporary ground cover in accordance with North Carolina General Statute 113A-54.1(e).



Public Services  
Engineering  
212 Operations Center Dr.  
Wilmington, NC 28412

910 341-7807  
910 341-5881 fax  
wilmingtonnc.gov  
Dial 711 TTY/Voice

Via e-mail: [jtunstall@ntengineers.com](mailto:jtunstall@ntengineers.com)

June 26, 2015

Norris & Tunstall Consulting Engineers, P.C.  
902 Market St.  
Wilmington NC 28401

Re: Request for Administrative Variance  
New Hanover County ABC Facility Renovations

Dear Mr. Tunstall:

On behalf of the City Engineer, I have reviewed your request for a variance and rendered the following decision:

**Standard Driveway**

Granted  Denied

**Description:** The applicant seeks a deviation from the required minimum side street driveway offset from a major thoroughfare of 60 feet. Chapter 7, Section C(c)(1), pg. 7-13.

**Justification:** Compliance with the standard is not practical or feasible due to the fact this is an existing facility.

Please note that granting of these variances does not exclude the requirement of obtaining a City Driveway Permit. All other aspects of a City standard driveway (alignment, concrete thickness, compaction test, concrete form inspection, etc.) will be required except those specifically listed above. Please provide a copy of this letter to the City when applying for the City Driveway Permit.

Please call me at 910-341-5818 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Derek R. Pielech'.

Derek R. Pielech, PE  
Plan Review Engineer



**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: **NHC ABC Board**  
PROJECT: **New Hanover County ABC Facility Renovations**  
ADDRESS: **523 South 17<sup>th</sup> Street**  
PERMIT #: **Drainage Plan #2015019**  
DATE: **07/29/2015**

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 July 24, 2015.
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.



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. Upon completion of construction, before a Certificate of Occupancy shall be granted, and prior to operation of this permitted facility, the applicant shall submit to the City of Wilmington as-built plans for all stormwater management facilities. The plans shall show the field location, type, depth and invert of all devices, as-installed. A certification shall be submitted, along with all supporting documentation that specifies, under seal that the as-built stormwater measures, controls and devices are in compliance with the approved stormwater management plans. A final inspection by City of Wilmington 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.



**Public Services**

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212 Operations Center Drive  
Wilmington, NC 28412  
910 341-7807  
910 341-5881 fax  
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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.
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 29th day of July, 2015

A handwritten signature in blue ink, appearing to be 'S. Cheatham', is written above a horizontal line.

for Sterling Cheatham, City Manager  
City of Wilmington