



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

October 15, 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: **Phoenix Mart**, located at 2238 S. 17th 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. Please contact our zoning office at 254-0900 to schedule the preconstruction meeting.**

All construction on the site must be in accordance with the City of Wilmington standards and the approved construction plans stamped by the City. All 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 final zoning inspection for this construction project, the appropriate departments within the City of Wilmington must perform and approve final inspections.

To arrange for inspections please contact John Barham, Zoning Enforcement Officer, at 254-0900. Staff will coordinate the 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. **NOTE: Zoning will not issue final approval until all requirements of the City of Wilmington are fulfilled.**

Please also be advised that any party aggrieved by the issuance of this approval may file a notice of appeal to the City Clerk within 30 days of receipt of active or constructive notice of this decision. It shall be presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.

The City thanks you for your investment in our community and we look forward to working with you towards the construction of a quality development project.

Sincerely,

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

Brian Chambers, Associate Planner



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TRANSMITTAL LETTER

TO: John Barham, Zoning Inspector
 DATE: October 15, 2015
 SUBJECT: **Phoenix Mart** Project # 2014040
 LOCATION: 2238 S. 17th Street

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 10/15/15	Phoenix Mart Approved Plans
1	Dated 7/8/15	City Tree Removal Permit TPP-16-01
1	Dated 10/15/15	City Stormwater Discharge Permit No. 2015038

REMARKS: **Phoenix Mart**, located at **2238 S. 17th Street**, is hereby conditionally released for construction. The following conditions must be satisfied as part of this release:

- A. **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.**
- B. **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.**
- C. **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:**
 - 1. **ALL TREE PROTECTION FENCING AND SILT FENCING HAS BEEN INSTALLED**
 - 2. **BETH WETHERILL HAS FORMALLY ISSUED THE GRADING PERMIT AND AUTHORIZED THE ACTIVITY**
 - 3. **THE CFPUA HAS AUTHORIZED THE WATER AND SEWER ACTIVITIES. THE CONTRACTOR MUST HAVE A PRECON WITH CFPUA 332-6560.**
 - 4. **THE CITY ZONING INSPECTOR AUTHORIZES THE ACTIVITY.**
- D. **ALL IMPROVEMENTS, AS RECOMMENDED BY THE SUBMITTED AND APPROVED TRAFFIC IMPACT ANALYSIS (TIA) SHALL BE INSTALLED AND INSPECTED PRIOR TO THE ISSUANCE OF THE FINAL ZONING APPROVAL.**
- E. **A COPY OF THE RECORDED MAP SHOWING ANY REQUIRED EASEMENTS AND RIGHT-OF-WAY FOR THE PROJECT MUST BE SUBMITTED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.**

- F. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS.
- G. ALL APPLICABLE TRC REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.
- H. THE REQUIRED STORMWATER PAYMENT-IN-LIEU MUST BE PAID PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- I. IF THE CONDITIONS LISTED ABOVE ARE VIOLATED, A STOP WORK ORDER WILL BE ISSUED.
- J. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR OPERATION OF THE PERMITTED FACILITY, THE APPLICANT SHALL SUBMIT A SEALED AS-BUILT AND ENGINEERS CERTIFICATION FOR THE STORMWATER MANAGEMENT FACILITIES.
- K. NO CONSTRUCTION ACTIVITY SHALL OCCUR WITHIN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) RIGHT-OF-WAY UNTIL ALL NCDOT PERMITS HAVE BEEN ISSUED AND RECEIVED BY THE CITY. ALL IMPROVEMENTS REQUIRED SHALL BE INSTALLED AND APPROVED BY NCDOT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- L. PROPERTIES WITHIN THE SPECIAL FLOOD HAZARD AREA SHALL BE SUBJECT TO COMPLIANCE WITH ARTICLE 13 OF THE LAND DEVELOPMENT CODE. PLEASE CONTACT KATHRYN THURSTON, ZONING ADMINISTRATOR/FLOODPLAIN MANAGER (910.341.3249) FOR CLARIFICATION ON REQUIREMENTS FOR DEVELOPMENT IN THE FLOOD PLAIN.
- M. 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.
- N. APPROVAL OF A MAJOR OR MINOR SITE PLAN SHALL EXPIRE AFTER EIGHTEEN (18) MONTHS FROM THE DATE OF SUCH APPROVAL IF THE APPLICANT HAS FAILED TO MAKE SUBSTANTIAL PROGRESS ON THE SITE. THE TECHNICAL REVIEW COMMITTEE MAY GRANT A SINGLE, SIX-MONTH EXTENSION OF THIS TIME LIMIT FOR MAJOR AND MINOR SITE PLANS, FOR GOOD CAUSE SHOWN, UPON RECEIVING A REQUEST FROM THE APPLICANT BEFORE THE EXPIRATION OF THE APPROVED PLAN. IN THE EVENT APPROVAL OF A SITE PLAN HAS EXPIRED, FOR WHATEVER REASONS, THE OWNER AND/OR APPLICANT WILL BE REQUIRED TO RESUBMIT FOR APPROVAL OF A SITE PLAN THAT MEETS CURRENT DEVELOPMENT STANDARDS UNLESS OTHERWISE NOTED IN THIS CHAPTER.

Please notify New Hanover County Building Inspections of this release.

Signature: _____

Brian Chambers, Associate Planner

Copy: John Tunstall
Bret Russell
Rob Gordon
Jim Quinn
Aaron Reese
Chris Elrod
Sammy Flowers
Brian Blackmon
Jim Sahlie
Bill McDow
Derek Pielech
Don Bennett
Bernice Johnson
Beth Easley Wetherill
Michelle Hutchinson
Alina Jakubcanin
Genna Porter

Norris & Tunstall Consulting Engineers
Construction Manager
Engineering
Stormwater Specialist
Urban Forestry
Wilmington Fire Department (e-mail only)
Wilmington Fire Department (e-mail only)
Surveyor (e-mail only)
GIS Addressing (e-mail only)
Traffic Engineering (e-mail only)
Stormwater (e-mail only)
Traffic Engineering (e-mail only)
CFPUA (e-mail letter only)
NHC Erosion Control (e-mail only)
GIS Engineer (e-mail only)
GIS Analyst (e-mail only)
Engineering (e-mail only)

File: **Phoenix Mart**

Project File # 2014040



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APPROVED: DENIED:

PERMIT #: TPP-16-01

Application for Tree Removal Permit

Name of Applicant: Greta Stanley, Executive Vice President
Springer-Eubank Company, Inc. Phone: 910-343-1991 Date: 06-25-15

Name of Property Owner: Canterbury Center, LLC Phone: 910-762-2676

Property Owner Address: P.O. Box 3649 Wilmington, NC 28406

Address of Proposed Tree Removal: 2238 S. 17th Street Wilmington, NC

Description of tree(s) to be removed/reason for removal: (provide attachment if necessary) N/A

- 1. 12" PINE (3) ESI 6. _____
- 2. 10" PINE (2) ESI 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

Description of Replacement Tree(s): Replacement trees for the Phoenix Mart Development
will be in accordance with the City of Wilmington Ordinance and approved landscape plan.
There are no significant trees onsite.

Applicant Signature: Greta Stanley Date: 6-29-15

*****FOR OFFICIAL USE ONLY*****

Reviewed By: [Signature] Date: 7/8/15

Remarks: TREES REMOVED AS PART OF ESSENTIAL SITE
IMPROVEMENTS (DUMPSTER)

ALL WORK MUST BE IN COMPLIANCE WITH THE CITY LAND DEVELOPMENT CODE,
ARTICLE 8, LANDSCAPING AND TREE PRESERVATION.

NEW CONSTRUCTION: EXPANSION: OTHER: PAID: \$ 50.00

Tree Preservation Permit Fees

Less than 1 acre	\$25.00
1-5 acres	\$50.00
5-10 acres	\$100.00
Greater than 10 acres	\$150.00