



Planning, Development and  
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April 18, 2015

Kathryn Espinoza, PE  
McKim & Creed  
243 Front St.  
Wilmington NC 28401

RE: RiverLights Ph I Conventional Subdivision SRB-10-415

Dear Ms. Espinoza:

On April 15, 2015 the Subdivision Review Board (SRB) conditionally approved the Preliminary Plan for 141 single-family cluster subdivision units on 60.33 acres located at 4410 River Road. The subject property is zoned R-7(CD) and MX (CD). Approval of the Preliminary Plan is subject to the following conditions:

1. The development of the subject property shall be in accordance with the preliminary plan as approved by the SRB.
2. Utilities shall be located under the asphalt **to the extent possible** in order to avoid landscaping conflicts (this condition contains new SRB-modified language).
3. A tree preservation plan and tree removal permit shall be required for this project and city staff will issue these based on acceptable limits of clearing and tree preservation.
4. The applicant is required to work with staff to preserve trees to the maximum extent practical. Trees designated to be preserved shall be properly protected during construction. Tree clearing will be limited to essential site improvements within the project limits as shown on the approved site plan.
5. Trees designated to be preserved must be properly protected during construction and tree protection fencing shall be noted on the construction plans.
6. The proposed areas on the plan that are designated to become common area are to be clearly labeled.
7. Notations and labels as to whether existing and proposed easements are public or private shall be included on the preliminary plan.
8. If necessary, resource areas, buffers and setbacks per requirements of the LDC shall be shown and labeled on the Preliminary Plan.
9. All City, State and Federal regulations shall be met.
10. All Technical Review Committee comments shall be followed.

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11. An acceptable Preliminary Plan which adequately addresses all TRC/SRB comments shall be submitted to the Subdivision Coordinator for signature within thirty (30) calendar days of SRB approval.
12. In order to provide pedestrian accesses to the walking trails within the right of way of the former River Road, this subdivision shall feature two footpaths. Sidewalk connections to each of the footpaths shall be constructed by the subdivider from the lot corners of Proposed Lots 47 and 56 respectively to each footpath. (This modification was added by SRB's approval motion).

The vote of the SRB was as follows regarding your waiver request:

1. Waiver to allow abbreviated offsets between centerlines of intersections and distances between centerlines of intersections. **APPROVED, 5-0**
2. Since it was duplicative, the second requested waiver was deleted and no vote was necessary
3. Waiver to allow two (2), 50-foot centerline curve radii along Water Willow. The minimum standard is 100 feet. **APPROVED, 5-0**
4. Allowance of a tangent length of less than 100 feet between curves along Shell Quarry Drive. **APPROVED, 5-0**
5. Construction of non-standard intersections at the intersection of Oyster Tabby Drive/Olde Towne Street. **APPROVED, 5-0**
6. Waiver/variance to allow the subdivider to modify the residential driveway standards by eliminating the 5-foot residential flared taper by directly connecting a driveway of up to 18 feet in width perpendicular to the street using a 3-foot curb radius. The Board specified that this modification shall be permitted on the condition that Autoturn data allow satisfactory use of driveways by SUV's. **APPROVED AS AMENDED, 5-0**
7. A condition was added that this modification shall be permitted on the condition that Autoturn data allow satisfactory use of this driveway by SUV's. **APPROVED AS AMENDED, 5-0**
8. Waiver of the sidewalk requirement on both sides of the proposed streets. While TRC may request for sidewalk to be moved from one side to the other side of a given street, generally as shown on the preliminary plan, and consistent with the Development Agreement as amended, some streets will have sidewalk on one side, while some will have sidewalk on both sides.

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The Board acknowledged that Olde Towne Street and Marsh Edge Drive shall be designated as collector streets. All other streets in the subdivision shall be local streets. Street cross-sections are featured in the Development Agreement, and TRC shall have input during site plan review.

An appeal from a decision of the Subdivision Review Board shall be to the Planning Commission, provided written notice of the appeal is filed within twenty (20) days of the Board's action to the secretary of the Planning Commission. The appeal shall be set for hearing before the Planning Commission within thirty (30) days receipt of the appeal or as soon thereafter as is practicable.

The decision of the Planning Commission shall be subject to review by the New Hanover County Superior Court. The appellant must file a petition for judicial review in Superior Court within thirty (30) days of the Planning Commission's final decision. Failure to file such petition within the time frame stated shall bar Superior Court review.

Should you or any interested party elect not to file an appeal, approval of the Preliminary Plan is effective for a period of eighteen (18) months, or until October 15, 2016.

Development Services staff will be glad to assist you with site plan submission so that the necessary review can occur so you can obtain release for construction. Prior to the start of construction activity on the site, City issuance of a clearing and grading release is required. If you need additional information, please contact me at 341-3257.

Sincerely,

*Jim Diepenbrock*

Jim Diepenbrock  
Associate Planner

Attachment: Preliminary Plan PS 620

Cc: Doug Brown, Newland