



Public Services

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

May 19, 2014

Mr. Nelson MacRae
Midtown One, LLC
1303-A Independence Boulevard
Wilmington, NC 28403

**Subject: Stormwater Management Permit No. 2013020R1
Tiburon Parc Apartments, Phase II
Offsite Permit - Revision**

Dear Mr. MacRae:

The City of Wilmington Engineering Division has received a request for a revision to the Stormwater Management Permit for The Tiburon Parc Apartments, Phase II. Having reviewed the application and all supporting materials, the City of Wilmington has determined that the proposed revision meets the requirements of the City of Wilmington's Comprehensive Stormwater Ordinance.

The revisions include:

- All Phase II improvements

Please be aware all terms and conditions of the permit 6/28/2013 remain in full force and effect. Any additional changes to the approved plans must be approved by this office prior to construction. The issuance of the plan revision does not preclude the permittee from complying with all other applicable statutes, rules, regulations or ordinances which may have jurisdiction over the proposed activity, and obtaining a permit or approval prior to construction.

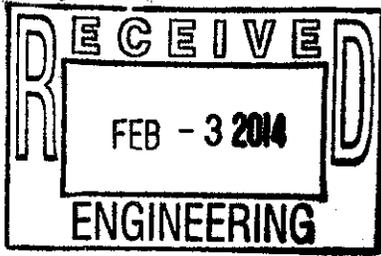
The stamped, approved stormwater management drawings will be released for construction by the Wilmington Planning Division under separate cover. These approved drawings will supplement the previously approved plan set. An electronic copy of the entire approved drawing set, permit, application and supplementary documents will be maintained by the Wilmington Engineering Division. If you have any questions, or need additional information, please contact Robert Gordon at (910) 341-5856 or rob.gordon@wilmingtonnc.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Sterling Cheatham".

for Sterling Cheatham, City Manager
City of Wilmington

cc: John Tunstall PE, Norris & Tunstall Consulting Engineers
Jeff Walton, Wilmington Development Services/Planning



A

*

unless otherwise noted



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

NET #13065

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.):

Tiburon Parc Apartments – Phase II

2. Location of Project (street address):

2945 Moynet Way

City: Wilmington

County: New Hanover

Zip: 28403

3. Directions to project (from nearest major intersection):

Travel south from the intersection of Oleander Dr. & Independence Blvd. along Independence Blvd. for 1 mile. The site will be on the left.

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: 2011033R1

State – NCDENR/DWQ: _____

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: 2011033R1

State – NCDENR/DWQ: _____

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:

Being reviewed.

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: Midtown One, LLC

Signing Official & Title: Nelson MacRae, Member

- a. Contact information for Applicant / Signing Official:

Street Address: 1303-A Independence Boulevard

City: Wilmington State: NC Zip: 28403

Phone: 910-392-3300 Fax: 910-392-5123 Email: nelson@oleandercompany.com

Mailing Address (if different than physical address): P.O. Box 3145

City: Wilmington State: NC Zip: 28406

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

- 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: _____

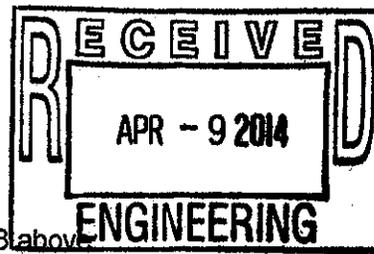
Mailing Address (if different than physical address): _____

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.



13065
(Rev. 04-09-14)
Page 3 of 7

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

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.

Stormwater will be treated in the existing Tiburon Parc stormwater pond previously permitted to accomadate this site.

2. Total Property Area: 521,413 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: 521,413 square feet.

6. Existing Impervious Surface within Property Area: 0 square feet *

7. Existing Impervious Surface to be Removed/Demolished: 0 square feet

8. Existing Impervious Surface to Remain: 0 square feet *

9. Total Onsite (within property boundary) Newly Constructed Impervious Surface (in square feet):

| | |
|--|----------------|
| Buildings/Lots | 110,458 |
| Impervious Pavement | 172,509 |
| Pervious Pavement (adj. total, with % credit applied) | 0 |
| Impervious Sidewalks | 35,462 |
| Pervious Sidewalks (adj. total, with % credit applied) | 0 |
| Other (describe) | 0 |
| Future Development | 20,491 |
| Total Onsite Newly Constructed Impervious Surface | 338,920 |

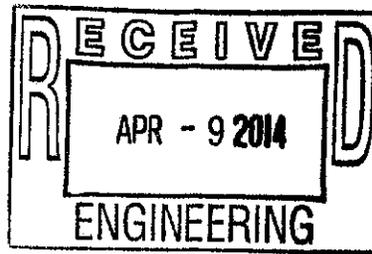
See attached inventory for plot #
R9

10. Total Onsite Impervious Surface

(Existing Impervious Surface to remain + Onsite Newly Constructed Impervious Surface) = 338,920 square feet

11. Project percent of impervious area: (Total Onsite Impervious Surface / Total Project Area) x100 = 65 %

*9,415 SF of MUP resides onsite & is not included in this stormwater permit.



13065
(04-09-14)
Page 4 of 7

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

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

13. Total Newly Constructed Impervious Surface

(Total Onsite + Offsite Newly Constructed Impervious Surface) = 338920 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 # | BMP # | BMP # |
|------------------------------------|-----------------------------------|----------|----------|
| Receiving Stream Name | UT of Hewlett's Creek (>1/2 Mile) | | |
| Receiving Stream Index Number | 18-87-26 | | |
| Stream Classification | SA; HQW (>1/2 Mile) | | |
| Total Drainage Area (sf) | 521413 | 0 | 0 |
| On-Site Drainage Area (sf) | 521413 | | |
| Off-Site Drainage Area (sf) | 0 | | |
| Total Impervious Area (sf) | 338920 | 0 | 0 |
| Buildings/Lots (sf) | 110458 | | |
| Impervious Pavement (sf) | 172509 | | |
| Pervious Pavement, % credit (sf) | 0 | | |
| Impervious Sidewalks (sf) | 35462 | | |
| Pervious Sidewalks, % credit (sf) | 0 | | |
| Other (sf) | 0 | | |
| Future Development (sf) | 20491 | | |
| Existing Impervious to remain (sf) | 0 | | |
| Offsite (sf) | 0 | | |
| Percent Impervious Area (%) | 65.0 | | |

15. How was the off-site impervious area listed above determined? Provide documentation:

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

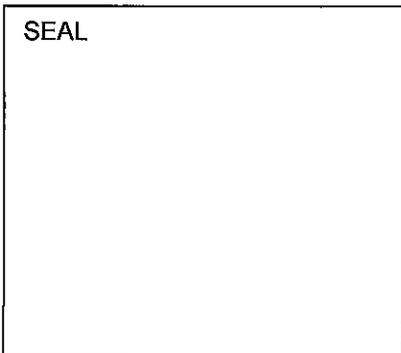
Phone: 910-343-9653 Fax: 910-343-9604 Email: jtunstall@ntengineers.com

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: _____



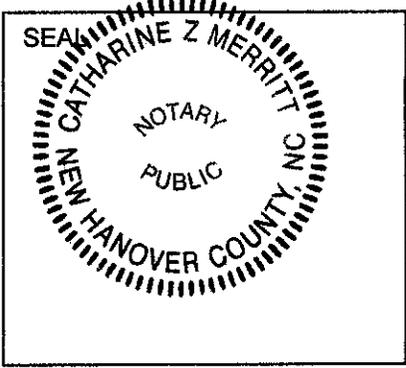
I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this day of _____, _____, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal,

My commission expires: _____

VIII. APPLICANT'S CERTIFICATION

I, (print or type name of person listed in Contact Information, item 1) Nelson MacRae, Member of Midtown One, LLC 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: *Nelson MacRae* Date: 1-23-14



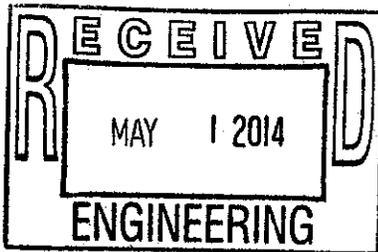
I, Catharine Z. Merritt, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that Nelson MacRae personally appeared before me this ^{23rd} day of January, 2014, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal,
Catharine Z Merritt
My commission expires: 10/09/2018

TIBURON PARC APARTMENTS

IMPERVIOUS INVENTORY BY PHASE

| | PHASE 1 | PHASE 2 | FUTURE | TOTAL |
|------------------------------------|---------|---------|--------|---------|
| TOTAL IMPERVIOUS AREA (SF) | 225,800 | 92,629 | 20,491 | 338,920 |
| BUILDINGS/ LOTS (SF) | 73,316 | 37,142 | 0 | 110,458 |
| IMPERVIOUS PAVEMENT (SF) | 123,484 | 49,025 | 0 | 172,509 |
| PERVIOUS PAVEMENT (SF) | 0 | 0 | 0 | 0 |
| IMPERVIOUS SIDEWALKS (SF) | 29,000 | 6,462 | 0 | 35,462 |
| PERVIOUS SIDEWALKS (SF) | 0 | 0 | 0 | 0 |
| OTHER (SF) | 0 | 0 | 0 | 0 |
| FUTURE DEVELOPMENT (SF) | 0 | 0 | 20,491 | 20,491 |
| EXISTING IMPERVIOUS TO REMAIN (SF) | 0 | 0 | 0 | 0 |
| OFFSITE (SF) | 0 | 0 | 0 | 0 |

**** 9475 SF OF C.O.W. MUP RESIDES ONSITE BUT DOES NOT DRAIN TO ONSITE SYSTEM & IS THEREFORE NOT REQUIRED TO BE INVENTORIED AS PART OF STORMWATER PERMIT.**



STORMWATER MANAGEMENT PERMIT APPLICATION FORM

OFF-SITE SYSTEM SUPPLEMENT

FOR DEVELOPMENT DRAINING TO PERMITTED OFF-SITE TREATMENT SYSTEMS

This form may be photocopied for use as an original

N&T #13065

City of Wilmington Stormwater Management Plan Review:

A complete stormwater management plan submittal includes a stormwater management permit application, an off-site system supplement for each off-site stormwater treatment system, appropriate supplement forms for any on-site stormwater treatment systems, and plans and specifications showing all stormwater conveyances and drainage details for the project.

I. PROJECT INFORMATION

Project Name : Tiburon Parc Apartments - Phase II

Contact Person: John S. Tunstall, P.E. Phone Number: (910) 343-9653

Is all drainage from the project directed to the off-site system? (check one): Yes No

II. OFF-SITE SYSTEM INFORMATION (please complete the following information for the off-site system that will treat runoff from your project):

Permit No. 2011033R1

Project Name: Tiburon Parc

Type of System (wet pond, infiltration basin, etc.): High Density Regional Wet Pond

Lot No. (if part of a subdivision): A1-B

How much built upon area draining to the permitted treatment system has been allocated to this project? 99,604 SF

III. REQUIRED ITEMS CHECKLIST

Prior to issuing an off-site permit, verification of the following information must be provided. Initial in the space provided to indicate that the following requirements have been met and supporting documentation is attached. If the applicant has designated an agent in the Stormwater Management Permit Application Form, the agent may initial below. If a requirement has not been met, attach justification.

Applicants Initials

- [Signature] a. Deed restrictions limiting the built-upon area on the site have been recorded.
- [Signature] b. Engineers certification for the existing off-site system has been submitted to DWQ.
- [Signature] c. There are no outstanding Notices of Violation for the off-site system.
- [Signature] d. Off-site system is in compliance with the issued permit.

IV. STORMWATER COLLECTION SYSTEM MAINTENANCE REQUIREMENTS

1. Mowing will be accomplished as needed according to the season. Grass height will not exceed six inches at any time.
2. Accumulated sediment and trash will be removed from the collection system as necessary. Swales and ditches will be reseeded or sodded following sediment removal.
3. Eroded areas of swales and ditches will be repaired and reseeded. Swales and ditches will be revegetated as needed based on monthly inspections.
4. The collection system, including catch basins, curb cuts, velocity reduction devices, and piping, will be inspected monthly or after every significant runoff producing rainfall event. Trash and debris will be cleared away from grates, curb cuts, velocity reduction devices, and piping.
5. The collection system may not be altered in any way without prior approval from the City of Wilmington Engineering Division.

I acknowledge and agree by my signature below that I am responsible for maintaining the stormwater collection system in accordance with the five maintenance procedures listed above. I agree to notify the City of Wilmington of any problems with the system or prior to any changes to the system or responsible party.

Print Name and Title: Nelson MacRae, Member of Midtown One, LLC

Address: P.O. Box 3145 Wilmington, NC 28406

Phone: 910-392-3300 Date: 1-23-14

Signature: [Signature]

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold and a resident of the subdivision has been named the president.

I, Catharine Z. Merritt, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that Nelson MacRae personally appeared before me this 23rd day of January, 2014, and acknowledge the due execution of the forgoing document including the stormwater collection system maintenance requirements. Witness my hand and official seal,



[Signature]
Notary Public
My commission expires 10/09/2018