



**Public Services**

Engineering  
212 Operations Center Drive  
Wilmington, NC 28412  
910 341-7807  
910 341-5881 fax  
wilmingtonnc.gov  
Dial 711 TTY/Voice

December 10, 2018

Mr. W. Lee Williams  
Live Oak Bank Company  
1741 Tiburon Drive  
Wilmington, NC 28403

**Subject: Stormwater Management Permit No. 2011034R5  
Live Oak Bank at Tiburon Parc  
Offsite Permit Revision**

Dear Mr. Williams:

The City of Wilmington Engineering Division has received a request for a revision to the Stormwater Management Permit for Live Oak Bank at Tiburon Parc. 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:

- Revised Layout Plan (approved plan dated November 29, 2018)

Please be aware all terms and conditions of the permit Issued on November 23, 2011 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.

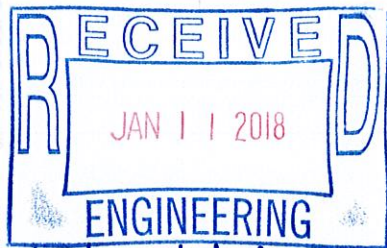
The revised stamped, approved stormwater management drawings will be released for construction by the Wilmington Planning Division under separate cover. Please replace any old plan sheets from the approved set with the new, revised sheet. An electronic copy of the approved drawing set, permit, application and supplementary documents will be maintained by the Wilmington Engineering Division. If you have any questions, or need additional information, please contact Richard Christensen at (910) 341-7813 or richard.christensen@wilmingtonnc.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sterling Cheatham'.

for Sterling Cheatham, City Manager  
City of Wilmington

cc: John Tunstall, Norris & Tunstall  
Eryn Futral, Associate Planner, City of Wilmington



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**STORMWATER MANAGEMENT PERMIT APPLICATION FORM**  
(Form SWP 2.2)

*N/T #16169  
(Rev. to 13015-  
Rev. 01-08-18  
LDB2)*

**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.):

Live Oak Banking Company Building 3 / Fitpark

2. Location of Project (street address):

1741 Tiburon Drive

City: Wilmington

County: New Hanover

Zip: 28403

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

From the intersection of Independence Blvd. & Tiburon Dr., travel east along Tiburon Dr. approximately 1,850'. The site is 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: 2011033R2

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: 2011034R2 (07-13-15)

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:

All required permits are currently being reviewed by various agencies for approval.

**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: Live Oak Banking Company

Signing Official & Title: W. Lee Williams, Executive Vice President

- a. Contact information for Applicant / Signing Official:

Street Address: 1741 Tiburon Drive

City: Wilmington State: NC Zip: 28403

Phone: 910-796-1647 Fax: 866-570-5526 Email: lee.williams@liveoakbank.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:

- 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: T. Jason Clark, P.E.

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

Street Address: 902 Market Street

City: Wilmington State: NC Zip: 28401

Phone: 910-343-9653 Fax: 910-343-9604 Email: jclark@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.

All new impervious will be treated by the newly revised (Oct. 2017) Regional Stormwater Pond (2011033R2). Tract BR (Live Oak Bank 1, 2 & 3) has been expanded.

2. Total Property Area: 1,109,987 square feet

(1,098,156 SF - Site  
31,831 SF - ROW Ext.)

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: 1,109,987 square feet.

6. Existing Impervious Surface within Property Area: 194,943 square feet

7. Existing Impervious Surface to be Removed/Demolished: 41,843 square feet

8. Existing Impervious Surface to Remain: 153,100 square feet

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

Buildings/Lots	79,600
Impervious Pavement	26,232
Pervious Pavement (adj. total, with 0% credit applied)	17,886
Impervious Sidewalks	22,055
<del>Pervious Sidewalks (adj. total, with _____% credit applied)</del>	<del>23,281</del>
Other (describe) MUP	2,781
Future Development *	362,854
<b>Total Onsite Newly Constructed Impervious Surface</b>	<b>534,689</b>

ROW

10. Total Onsite Impervious Surface

(Existing Impervious Surface to remain + Onsite Newly Constructed Impervious Surface) = 687,789 square feet

11. Project percent of impervious area: (Total Onsite Impervious Surface / Total Project Area) x100 = 62 %

\* Includes Future Available in Tract BR.  
Zero (0) Impervious is Allocated within ROW Portion.

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JAN 31 2018

ENGINEERING

Rev. 01-31-18

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(Rev. to 13015-  
LUB2)  
N+T # 11/16/9



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
<b>Total Offsite Newly Constructed Impervious Surface</b>	<b>0</b>

13. Total Newly Constructed Impervious Surface

(Total Onsite + Offsite Newly Constructed Impervious Surface) = 534689 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	BR (Type of BMP) BMP # 1	ROW (Type of BMP) BMP #	Total (Type of BMP) BMP #
Receiving Stream Name	UT Hewlett Creek (>1/2 Mile)	UT Hewlett Creek (>1/2 Mile)	UT Hewlett Creek (>1/2 Mile)
Receiving Stream Index Number	18-87-26	18-87-26	18-87-26
Stream Classification	SA; HQW (>1/2 Mile)	SA; HQW (>1/2 Mile)	SA; HQW (>1/2 Mile)
Total Drainage Area (sf)	1078156	31831	1109987
On-Site Drainage Area (sf)	1078156	31831	1109987
Off-Site Drainage Area (sf)	0	0	0
<b>Total Impervious Area (sf)</b>	<b>664508</b>	<b>23281</b>	<b>687789</b>
Buildings/Lots (sf)	79600	0	79600
Impervious Pavement (sf)	26232	20500	46732
Pervious Pavement, 0 % credit (sf)	17886	0	17886
Impervious Sidewalks (sf)	22055	0	22055
Pervious Sidewalks, 0 % credit (sf)	0	0	0
Other (sf) MUP	2781	2781	5562
Future Development (sf)	362854	0	362854
Existing Impervious to remain (sf)	153100	0	153100
Offsite (sf)	0	0	0
Percent Impervious Area (%)	61.6%	73.1%	62%

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

N/A

Tract Area, Developable Area & Allocated Built Upon Area

Tiburon Parc  
Wilmington, NC

Tract	Area	Developable Area	BUA Allocation	% of Developable Area
A-1A & A-1B	14.18 AC	11.97 AC	7.78 AC = 338,920 SF	84%
A2R	4.23 AC	3.71 AC	2.782 AC = 121,205 SF	75%
A3	3.34 AC	3.03 AC	2.272 AC = 98,985 SF	75%
BR	14.34 AC	14.34 AC	10.755 AC = 468,488 SF	75%
Road R/W	3.56 AC	3.56 AC	2.47 AC = 107,861 SF	69%
Pond	6.64 AC	0	0	0%
Future TRACT	6 AC	6 AC	4.5 AC = 196,020 SF	75%
Total:	52.29 AC	42.61 AC	30.559 AC = 1,331,479 SF	----

←---- Expanded in 2017 (Add LOB III)

←---- Added in 2017

JST/asn

11021 06-05-17-17-Tract, Developable Area & BUA Chart (Revised)

\*Future Tract is part of the BE tract.  
BE Tract is one offsite permit  
1/25/18 fac

## 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: T. Jason Clark, P.E.

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

a. Contact information for consultant listed above:

Mailing Address: 902 Market Street

City: Wilmington State: NC Zip: 28401

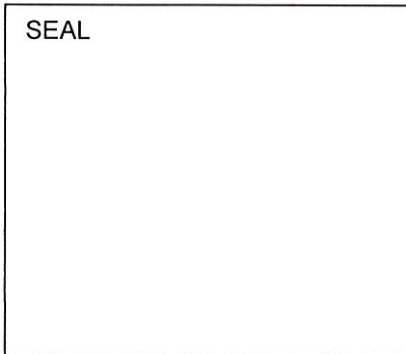
Phone: 910-343-9653 Fax: 910-343-9604 Email: jclark@ntengineers.com cc: anorris@ntengineers.com

**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: \_\_\_\_\_



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,

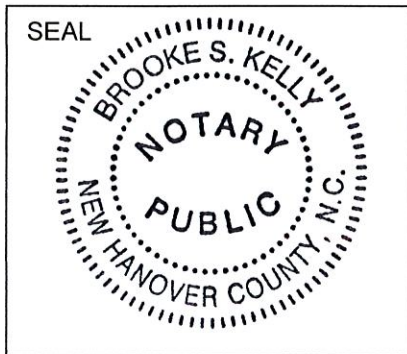
\_\_\_\_\_  
My commission expires: \_\_\_\_\_



**VIII. APPLICANT'S CERTIFICATION**

I, (print or type name of person listed in Contact Information, item 1) , W. Lee Williams, Executive Vice President 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: *W. Lee Williams* Date: 6/8/17



I, Brooke S. Kelly, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that W. Lee Williams personally appeared before me this day of June 8, 2017, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal,

*Brooke S. Kelly*  
My commission expires: 2/19/2022

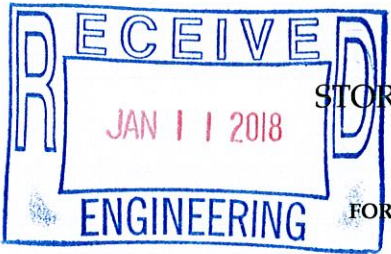
STORMWATER MANAGEMENT PERMIT APPLICATION FORM

**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 #16169  
(Rev. to 13015-  
Rev. 01-08-18 LOB 2)



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 : Live Oak Banking Company Building 3 / Fitpark

Contact Person: T. Jason Clark, 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. 2011033R2

Project Name: Tiburon Parc

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

Lot No. (if part of a subdivision): N/A

How much built upon area draining to the permitted treatment system has been allocated to this project? Tracts BR + Road R/W = 772,369 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.

Applicant's Initials

- W. Williams a. Deed restrictions limiting the built-upon area on the site have been recorded.
  - W. Williams b. Engineers certification for the existing off-site system has been submitted to DWQ.
  - W. Williams c. There are no outstanding Notices of Violation for the off-site system.
  - W. Williams d. Off-site system is in compliance with the issued permit.
- \* To best of my knowledge*

#### 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: W. Lee Williams, Executive Vice President

Address: 1741 Tiburon Drive Wilmington, NC 28403

Phone: 910-796-1647 Date: 6/8/17

Signature: *[Handwritten 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, Brooke S. Kelly, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that W. Lee Williams personally appeared before me this 8 day of June, 2017, and acknowledge the due execution of the forgoing document including the stormwater collection system maintenance requirements. Witness my hand and official seal,



Brooke S. Kelly  
Notary Public  
My commission expires 2/19/2022