

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: **PBW Development, LLC**
PROJECT: **The Pearl**
ADDRESS: **724 South Fifth Street**
PERMIT #: **2018015R2**
DATE: **October 31, 2019**

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This permit shall be effective from the date of issuance until modified or rescinded and shall be subject to the following specified conditions and limitations: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 March 21, 2018.
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.



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Wilmington, NC 28412
910 341-7807
910 341-5881 fax
wilmingtonnc.gov
Dial 711 TTY/Voice

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. All applicable operation & maintenance agreements pertaining to all pervious pavement systems shall be referenced on the final plat and recorded with the Register of Deeds upon final plat approval. If no plat is recorded for the site the operation and maintenance agreements shall be recorded with the Register of Deeds so as to appear in the chain of title of all subsequent purchasers under generally accepted searching standards.
9. The permittee shall at all times provide the operation and maintenance necessary to assure the pervious pavement system functions at optimum efficiency. The approved Operation and Maintenance Plan must be followed in its entirety and maintenance must occur at the scheduled intervals including, but not limited to:
 - a. Scheduled inspections
 - b. Sediment removal/vacuum sweep surface
 - c. Immediate repair of eroded areas adjacent to pervious pavement
10. Each component of the stormwater management system should be inspected once a quarter and within 24 hours after every storm event greater than 1.5 inches.
11. Records of inspection, maintenance and repair for the permitted pervious pavement system must be kept by the permittee for at least 5 years from the date of record and made available upon request to authorized personnel of the City of Wilmington. The records will indicate the date, activity, name of person performing the work and what actions were taken.
12. 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, a certification. The 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.



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13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.



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Stormwater Management Permit issued this the 31st day of October, 2019.

A handwritten signature in blue ink, which appears to read "Rich Cheatham", is written over a horizontal line.

for Sterling Cheatham, City Manager
City of Wilmington

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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.):

The Pearl

2. Location of Project (street address):

724 S. 5th Street

City: Wilmington County: New Hanover Zip: 28401

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

From the intersection of US 17 (3rd St.) and US 76 (Dawson St.), travel approx.
0.1 mile east. 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: _____ 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: _____ 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:

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Unless noted otherwise

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: PBW Development, LLC

Signing Official & Title: David A. Spetrino, Jr., Member Manager

- a. Contact information for Applicant / Signing Official:

Street Address: 314 Walnut Street, Suite 200

City: Wilmington State: NC Zip: 28401

Phone: 443-0746 Fax: _____ Email: spetrino@plantationbuildingcorp.com

Mailing Address (if different than physical address): _____

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: _____

Signing Official & Title: _____

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

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Mailing Address (if different than physical address): _____

City: _____ State: _____ Zip: _____

IV. PROJECT INFORMATION

1. In the space provided below, briefly summarize how the stormwater runoff will be treated.
sheet flow to existing drop inlet, to existing pipe collection system

- 2. Total Property Area: 16,434 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: 16,434 square feet.
- 6. Existing Impervious Surface within Property Area: 13,005 square feet
- 7. Existing Impervious Surface to be Removed/Demolished: 11,435 square feet
- 8. Existing Impervious Surface to Remain: 1,570 square feet
- 9. Total Onsite (within property boundary) Newly Constructed Impervious Surface (*in square feet*):

Buildings/Lots	7,392
Impervious Pavement	1,966
Pervious Pavement (adj. total, with 100 % credit applied)	0 (1,380)
Impervious Sidewalks	1,095
Pervious Sidewalks (adj. total, with % credit applied)	-
Other (describe)	0
Future Development	982
Total Onsite Newly Constructed Impervious Surface	11,435

- 10. Total Onsite Impervious Surface
 (Existing Impervious Surface to remain + Onsite Newly Constructed Impervious Surface) = 13,005 square feet
- 11. Project percent of impervious area: (Total Onsite Impervious Surface / Total Project Area) x100 = 79.1 %

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

Impervious Pavement	415
Pervious Pavement (adj. total, with % credit applied)	0
Impervious Sidewalks	1,090
Pervious Sidewalks (adj. total, with % credit applied)	0
Other (describe)	0
Total Offsite Newly Constructed Impervious Surface	1,505

13. Total Newly Constructed Impervious Surface

(Total Onsite + Offsite Newly Constructed Impervious Surface) = 14,510 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	BMP #	BMP #	BMP #
Receiving Stream Name	NE Cape Fear River		
Receiving Stream Index Number	18-74-(61)		
Stream Classification	SC;Sw		
Total Drainage Area (sf)	2,365		
On-Site Drainage Area (sf)	2,365		
Off-Site Drainage Area (sf)	0		
Total Impervious Area (sf)	985		
Buildings/Lots (sf)	0		
Impervious Pavement (sf)	520		
Pervious Pavement (sf)	0(1,380)		
Impervious Sidewalks (sf)	465		
Pervious Sidewalks (sf)	0		
Other (sf)	0		
Future Development (sf)	0		
Existing Impervious to remain (sf)	0		
Offsite (sf)	0		
Percent Impervious Area (%)	41.6		

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
212 Operations Center Dr
Wilmington, NC 28412

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: Phillip G. Tripp, P.E.

Consulting Firm: Tripp Engineering, P.C.

a. Contact information for consultant listed above:

Mailing Address: 419 Chestnut Street

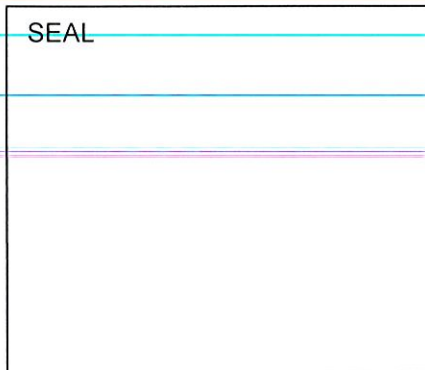
City: Wilmington State: NC Zip: 28401

Phone: 763-5100 Fax: 763-5631 Email: trippeng@ec.rr.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: _____

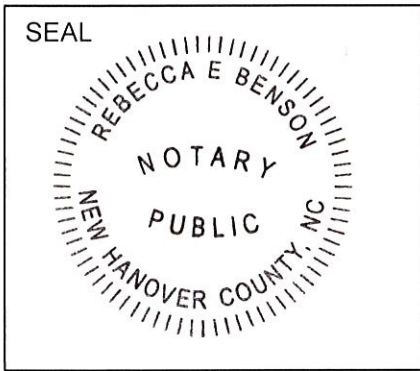
I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this day of _____, _____,

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), David A. Spetrino, Jr. 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: [Handwritten Signature]
Date: 12.28.2017

I, Rebecca E. Benson, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that David A. Spetrino, Jr. personally appeared before me this day of 28th December, 2017, and acknowledge the due execution of the application for a stormwater

permit. Witness my hand and official seal,

[Handwritten Signature]
My commission expires: 10-16-21

PERMEABLE PAVEMENT

The Pearl

THE DRAINAGE AREA		1
Drainage area number		1
Total coastal wetlands area (sq ft)		520 sf
Total surface water area (sq ft)		sf
Total drainage area (sq ft)	2044 sf	sf
BUA associated with existing development (sq ft)	0	sf
Proposed new BUA (sq ft)	985 sf	465 sf
Percent BUA of drainage area	48.2	985 sf
COMPLIANCE WITH THE APPLICABLE STORMWATER PROGRAM		
Stormwater program(s) that apply (please specify):		1.5 in
City Drainage Plan		295 cf
		345 cf
GENERAL MDC FROM 02H .1050		
#1 Is the SCM sized to treat the SW from all surfaces at build-out?	No	N/A
#2 Is the SCM located on or near contaminated soils?	No	N/A
#3 What are the side slopes of the SCM (H:V)?	N/A	N/A
#3 Does the SCM have retaining walls, gabion walls or other engineered side slopes?	No	N/A
#4 Are the inlets, outlets, and receiving stream protected from erosion (10-year storm)?	Yes	Yes
#5 Is there a bypass for flows in excess of the design flow?	N/A	Yes
#6 What is the method for dewatering the SCM for maintenance?	N/A	Yes
PERMEABLE PAVEMENT MDC FROM 02H .1055		
#1 Was the soil investigated in the footprint and at the elevation of the infiltration system?	Yes	
#1 Briefly describe the hydraulic properties and characteristics of the soil profile: Soils consist of interbedded clean fine sands in the upper 92 inches below the existing ground surface. Below the depth of 92 inches and continuing to the boring termination depth of 120 inches, sand with clay was encountered. No distinct zones of soil cementation were encountered in the profile.		1380 sf
#2 SHWT elevation (fmsl)	35.92	N/A
#2 Top of the subgrade (fmsl)	38.15	985 sf
#2 Storage elevation of the design rainfall depth (fmsl)	38.775	Yes
#2 Is a detailed hydrogeologic study attached if the separation is between 1 and 2 feet?	No	1.06
#3 Will toxic pollutants be stored or handled on or near the permeable pavement?	No	No
#4 Proposed slope of the subgrade surface (%)	0%	Yes
#4 Are terraces or baffles provided?	No	No
#5 Size of aggregate to be used in the subbase	#57	Yes
#5 Aggregate depth (in)	9 in	Yes
#5 Aggregate porosity (n)	40	Yes
#5 Will the aggregate be washed?	Yes	Yes
ADDITIONAL INFORMATION		
Please use this space to provide any additional information about this permeable pavement design that you think is relevant to the review: Other impervious is concrete pad and stairs		

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Permeable Pavement Operation and Maintenance Agreement

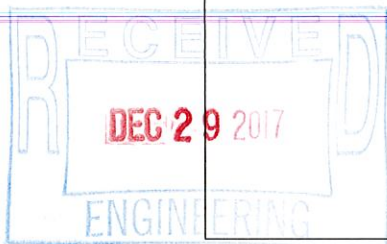
I will keep a maintenance record on this BMP. This maintenance record will be kept in a log in a known set location. Any deficient BMP elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the BMP.

Important operation and maintenance procedures:

- Stable groundcover will be maintained in the drainage area to reduce the sediment load to the permeable pavement.
- The area around the perimeter of the permeable pavement will be stabilized and mowed, with clippings removed.
- Any weeds that grow in the permeable pavement will be sprayed with pesticide immediately. Weeds will not be pulled, since this could damage the fill media.
- Once a year, the permeable pavement surface will be vacuum swept.
- At no time shall wet sweeping (moistening followed by sweeping) be allowed as a means of maintenance.
- There shall be no repair or treatment of Permeable Pavement surfaces with other types of pavement surfaces. All repairs to Permeable Pavement surfaces must be accomplished utilizing permeable pavement which meets the original pavement specifications.
- Concentrated runoff from roof drains, piping, swales or other point sources, directly onto the permeable pavement surface shall not be allowed. These areas must be diverted away from the permeable pavement.

Initial Inspection: Permeable Pavements shall be inspected monthly for the first three months for the following:

BMP element:	Potential problem:	How to remediate the problem:
The perimeter of the permeable pavement	Areas of bare soil and/or erosive gullies have formed.	In the event that rutting or failure of the groundcover occurs, the eroded area shall be repaired immediately and permanent groundcover re-established. Appropriate temporary Erosion Control measures (such as silt fence) shall be installed in the affected area during the establishment of permanent groundcover, and any impacted area of permeable pavement is to be cleaned via vacuum sweeping.
The surface of the permeable pavement	Rutting / uneven settlement	This indicates inadequate compaction of the pavement base / sub-base. If rutting or uneven settlement on the order of 1/2 inch or greater occurs, permeable pavement shall be removed and base / sub-base re-compacted, smoothed, and permeable pavement shall then be re-installed. Base and sub-base compaction shall be monitored by a licensed geotechnical engineer to ensure that infiltration capacity of base and sub-base are not compromised by compaction and smoothing processes.
	The pavement does not dewater between storms, or water is running off.	Vacuum sweep the pavement. If the pavement still does not dewater, consult a professional.



The permeable pavement will be inspected **once a quarter and within 24 hours after every storm event greater than 1.5 inches**. Records of operation and maintenance will be kept in a known set location and will be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

BMP element:	Potential problem:	How to remediate the problem:
The perimeter of the permeable pavement	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
	Vegetation is too short or too long.	Maintain vegetation at a height of 3 to 6 inches (remove clippings).
The surface of the permeable pavement	Trash/debris is present.	Remove the trash/debris.
	Weeds are growing on the surface of the permeable pavement.	Do not pull the weeds (may pull out media as well). Spray them with pesticide.
	Sediment is present on the surface.	Vacuum sweep the pavement.
	The structure is deteriorating or damaged.	Consult an appropriate professional. Damaged areas of the pavement shall be removed and repaired.
	The pavement does not dewater between storms.	Vacuum sweep the pavement. If the pavement still does not dewater, consult a professional. Permanently clogged pavement shall be removed and repaired.

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

Project name: The Pearl

BMP drainage area or lot number: 1

Print name: David A. Spetrino, Jr.

Title: Member Manager

Address: 314 Walnut Street, Suite 200, Wilmington, NC 28401

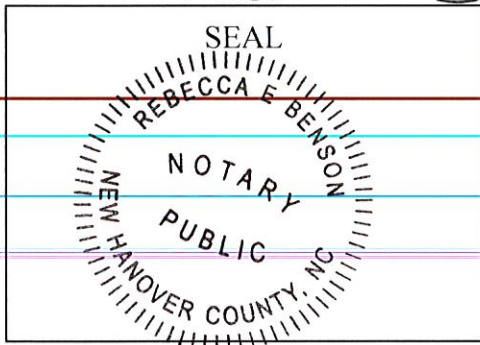
Phone: 910-443-0746

Signature: _____

Date: 12.28.2017

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, Rebecca E. Benson, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that David A. Spetrino, Jr. personally appeared before me this 27th day of December, 2017, and acknowledge the due execution of the forgoing permeable pavement maintenance requirements. Witness my hand and official seal, Rebecca E. Benson



My commission expires 10-16-21