

## **COMPREHENSIVE STORMWATER MANAGEMENT PERMIT**

### **HIGH DENSITY DEVELOPMENT SERVED PARTIALLY BY AN OFF-SITE STORMWATER SYSTEM**

#### **SECTION 1 – APPROVAL**

Having reviewed the application and all supporting materials, the City of Wilmington has determined that the application is complete and the proposed development meets the requirements of the City of Wilmington’s Comprehensive Stormwater Ordinance.

PERMIT HOLDER: **ZP 367 Office, LLC**  
PROJECT: **Zimmer Development Company Office-Mayfaire**  
ADDRESS: **6725 Monument Drive**  
PERMIT #: **2022016**

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This permit shall be effective from the date of issuance until rescinded and shall be subject to the following specified conditions and limitations:

#### **Section 2 - CONDITIONS**

1. The runoff associated with this project has been approved to be discharged into Wet Pond 4 and Infiltration Basin 4 operated and maintained by Mayfaire Town Center, LP as well as runoff to be discharged into two areas of permeable pavement. under the terms and conditions set forth in the latest versions of State Permit No. SW8 010512 and SW8 220107, respectively.
2. This approval is valid only for the stormwater management system as proposed on the approved stormwater management plans dated April 5, 2022.
3. The built-upon area allocated to this development by Stormwater Management Permit No. 2022016, is 36,027 square feet. The built upon area for this project must not exceed the maximum built-upon area allocated to this project or a modification to Stormwater Management Permit No. SW8 010512 will be required. This project proposes 20,138 square feet. The amount available for future development is 15,889 square feet.
4. This permit is issued concurrently with NCDENR/DWQ State Stormwater Offsite Permit No. SW8 220107. This project is subject to the requirements, terms, and conditions of both permits. A revision or modification to one permit will not be reflected in the other without separate application.
5. 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.



6. This permit shall become void unless the facilities are constructed in accordance with the approved stormwater management plans, specifications and supporting documentation, including information provided in the application and supplements.
7. The runoff from all built-upon area within any permitted drainage area must be directed into the permitted stormwater control system for that drainage area.
8. 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 or to the drainage area.
  - c. Further subdivision, acquisition, lease, or sale of any part of the project area.
  - d. Filling in, altering, or piping of any vegetative conveyance shown on the approved plan.
  - e. Construction of any permitted future areas shown on the approved plans.
9. A copy of the approved plans and specifications shall be maintained on file by the Permittee.
10. During construction, erosion shall be kept to a minimum and any eroded areas of the system will be repaired immediately.
11. 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.
12. All applicable operation & maintenance agreements and easements pertaining to each stormwater treatment system 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 and easements 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.
13. 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.
14. 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



15. The permittee is responsible for keeping the stormwater collection system within the lot property boundaries clear of trash, debris, and sediment, and must control the sediment on the lot in accordance with the requirements of the NC Erosion and Sediment Control Design Manual. The following maintenance for the lot and its stormwater collection system shall be performed as indicated:
  - a. Semiannual scheduled inspections (every 6 months).
  - b. Sediment and trash removal as necessary.
  - c. Vegetate the stormwater conveyance swales and the non-paved areas of the lot.
  - d. Immediate repair and stabilization of any eroded areas on the lot.
  - e. Maintenance of all slopes in accordance with approved plans and specifications.
  - f. Repair or replacement of swales, catch basins and piping as necessary to capture the lot's runoff and maintain adequate drainage to the permitted BMP.
16. Records of inspection, maintenance and repair for the permitted stormwater 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.
17. 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 as-built plans for all stormwater management facilities. The plans shall show the final design specifications and the field location, type, depth, and invert of all measures, controls, and devices, as-installed. A 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.
18. 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. Neither the sale of the project nor the conveyance of common area to a third party should be considered as an approved transfer of the permit.
19. 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 and any other applicable section of the Land Development Code.



**Public Services**

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

20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. The permittee shall submit a renewal request with all required forms and documentation at least 180 days prior to the expiration date of this permit.
27. 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.

Stormwater Management Permit issued this the 31st day of October, 2022.

*Richard Christensen*  
\_\_\_\_\_  
for Anthony Caudle, City Manager  
City of Wilmington



**Public Services**  
 Engineering  
 212 Operations Center Dr  
 Wilmington, NC 28412  
 910 341-7807  
 91 341-5881 fax  
 wilmingtonnc.gov  
 Dial 711 TTY/Voice

**STORMWATER MANAGEMENT PERMIT APPLICATION FORM**  
 (Form SWP 2.3)

N&T #21144  
 (Offsite)

**I. GENERAL INFORMATION**

- Project Name (subdivision, facility, or establishment name - should be consistent with project name on plans, specifications, letters, operation and maintenance agreements, etc.):  
Zimmer Development Company Office – Mayfaire
- Location of Project (street address):  
6725 Monument Drive  
 City: Wilmington County: New Hanover Zip: 28405

**II. PERMIT INFORMATION**

- Specify the type of project (check one):  Low Density  High Density  
 Offsite Stormwater System  Drainage Plan  Redevelopment  Other  
 If the project drains to an Offsite System, list the Stormwater Permit Number(s):  
 City of Wilmington: 2002031A State – NCDEQ/DEMLR: SW8 010512
- Is the project currently covered (whole or in part) by an existing City or State (NCDEQ/DEMLR) Stormwater Permit?  Yes  No  
 If yes, list all applicable Stormwater Permit Numbers:  
 City of Wilmington: \_\_\_\_\_ State – NCDEQ/DEMLR: \_\_\_\_\_
- Additional Project Permit Requirements (check all applicable):  
 CAMA Major  Sedimentation/Erosion Control  404/401 Permit

**III. CONTACT INFORMATION**

- Print Applicant / Signing Official's name and title (the developer, property owner, lessee, designated government official, individual, etc. who owns the project):  
 Applicant / Organization: ZP 367 Office, LLC  
 Signing Official & Title: Jeffrey L. Zimmer, Manager

a. Contact information for Applicant / Signing Official:

Address: P.O. Box 2628

City: Wilmington

State: NC

Zip: 28402

Phone: 910-763-4669 Ext. 219

Email: JeffreyZimmer@zdc.com

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

- The property owner/Purchaser (Skip to item 3)  
 Lessee (Attach a copy of the lease agreement and complete items 2 and 2a below)  
 Developer (Complete items 2 and 2a below.)

2. Print Property Owner's name and title (if different from the applicant).

Property Owner / Organization: Mayfaire I, LLC

Signing Official & Title: Mayfaire Management Company, LLC by Jeffrey L. Zimmer, Manager

a. Contact information for Property Owner:

Street Address: 530 SE Greenville Boulevard, Suite 200

City: Greenville

State: NC

Zip: 27858

Phone: 910-763-4669 Ext. 219

Email: JeffreyZimmer@zdc.com

3. (Optional) Other Contact name and title (such as a construction supervisor) who would like to be copied on all correspondence:

Other Contact Person / Organization: Zimmer Development Company, LLC

Signing Official & Title: Adam Tucker, Development Manager

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

Street Address: P.O. Box 2628

City: Wilmington

State: NC

Zip: 28402

Phone: 910-294-8228

Email: adamtucker@zdc.com

4. Agent Authorization: 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: 2602 Iron Gate Drive, Suite 102

City: Wilmington

State: NC

Zip: 28412

Phone: 910-343-9653

Email: jtunstall@ntengineers.com

& anorris@ntengineers.com

**IV. PROJECT INFORMATION**

1. Total Property Area: 224783 square feet
2. Total Coastal Wetlands Area: 0 square feet
3. Total Surface Water Area: 0 square feet
4. Total Property Area (1) – Total Coastal Wetlands Area (2) – Total Surface Water Area (3) = Total Project Area: 224783 square feet.
5. Existing Impervious Surface within Project Area: 0 square feet
6. Existing Impervious Surface to be Removed/Demolished: 0 square feet
7. Existing Impervious Surface to Remain: 0 square feet
8. Total Onsite (within property boundary) Newly Constructed Impervious Surface (in square feet):

Buildings/Lots	14133
Impervious Pavement	0
Pervious Pavement (total area / adjusted area w credit applied)	42188 / 0
Impervious Sidewalks <b>with Curb</b>	5449
Pervious Sidewalks (total area / adjusted area w credit applied)	2279 / 0
Other (Describe) Stone	556
Future Development <b>Sidewalk, Curb &amp; Future Building</b>	15889
<b>Total Onsite Newly Constructed Impervious Surface</b>	<b>36027</b>

9. Total Onsite Impervious Surface  
(Existing Impervious Surface to remain + Onsite Newly Constructed Impervious Surface) 36027 square feet
10. Net Change in Onsite Impervious Surface (+ for net increase, - for net decrease) +36027 square feet
11. Project percent of impervious area: (Total Onsite Impervious Surface / Total Project Area) x100 = 16.03 %
12. Total Offsite Newly Constructed Impervious Area (in square feet):

Impervious Pavement <b>Offsite Driveway</b>	1013
Pervious Pavement (total area / adjusted area w credit applied)	0 / 0
Impervious Sidewalks	0
Pervious Sidewalks (total area / adjusted area w credit applied)	0 / 0
Other (Describe)	0
<b>Total Offsite Newly Constructed Impervious Surface</b>	<b>0</b>

NT #21144  
(2DC offsite)



13. Complete the following information for each Stormwater SCM drainage area. Low Density and Drainage Plan projects (with no permeable pavements) may omit this section and skip to Section V.  
To Pond #4 (SW8 010512)

Basin Information	Type of SCM SCM # 1	Type of SCM - PC #1 SCM # 2	Type of SCM - PC #2 SCM # 3
Receiving Stream Name	Howe Creek	Howe Creek	Howe Creek
Receiving Stream Index Number	CPF24 18-87-23	CPF24 18-87-23	CPF24 18-87-23
Stream Classification	SA ORW	SA ORW	SA ORW
Total Drainage Area (sf)	50195	54865	5468
On-Site Drainage Area (sf)	44075	54865	5468
Off-Site Drainage Area (sf)	6120	0	0
Buildings/Lots (sf)	14133	0	0
Impervious Pavement (sf)	0	0	0
Pervious Pavement (total / adjusted) (sf)	0 / 0	42188 / 0	0 / 0
Impervious Sidewalks (sf) & Curb	662	4442	345
Pervious Sidewalks (total / adjusted) (sf)	0 / 0	0 / 0	2279 / 0
Other (sf) Stone	556	0	0
Future Development (sf) Sidewalk, Curb & Bldg	15324	403	162
Existing Impervious to remain (sf)	0	0	0
Offsite (sf)	0	0	0
<b>Total Impervious Area (sf)</b>	<b>30675</b>	<b>4845</b>	<b>507</b>
<b>Percent Impervious Area (%)</b>	<b>61.1%</b>	<b>8.8%</b>	<b>9.3%</b>

Basin Information	Type of SCM SCM #	Type of SCM SCM #	Type of SCM SCM #
Receiving Stream Name			
Receiving Stream Index Number			
Stream Classification			
Total Drainage Area (sf)			
On-Site Drainage Area (sf)			
Off-Site Drainage Area (sf)			
Buildings/Lots (sf)			
Impervious Pavement (sf)			
Pervious Pavement (total / adjusted) (sf)	/	/	/
Impervious Sidewalks (sf)			
Pervious Sidewalks (total / adjusted) (sf)	/	/	/
Other (sf)			
Future Development (sf)			
Existing Impervious to remain (sf)			
Offsite (sf)			
<b>Total Impervious Area (sf)</b>			
<b>Percent Impervious Area (%)</b>			



**V. SUBMITTAL REQUIREMENTS**

Only complete application packages will be accepted and reviewed by the City. A complete package includes all of the items listed below. Copies of forms, deed restrictions, checklists as well as detailed instructions on how to complete this application form may be downloaded from the City of Wilmington Plan Review website below:

<https://www.wilmingtonnc.gov/departments/engineering/plan-review/stormwater-permits>

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

Please indicate that the following required information have been provided by initialing in the space provided for each item.

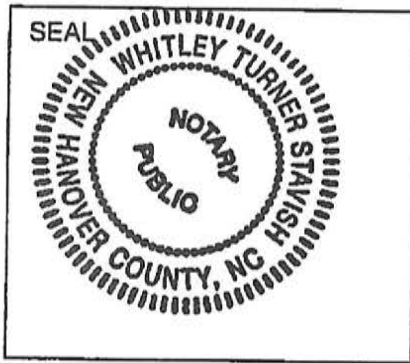
- |  | Initials       |
|--|----------------|
| 1. One completed Stormwater Management Permit Application Form.  | <u>JST/asn</u> |
| 2. One completed Supplement Form for each SCM proposed (signed, sealed and dated).   | <u>JST/asn</u> |
| 3. One completed Operation & Maintenance agreement for each <u>type</u> of SCM.  | <u>JST/asn</u> |
| 4. Proposed Deed Restrictions and Restrictive Covenants (for all subdivisions)   | <u>JST/asn</u> |
| 5. Appropriate stormwater permit review fee.   | <u>JST/asn</u> |
| 6. Minimum requirements identified on the Engineering Plan Review Checklist have been addressed.   | <u>JST/asn</u> |
| 7. One set of calculations (sealed, signed and dated).   | <u>JST/asn</u> |
| 8. A detailed narrative (one to two pages) describing the stormwater treatment/management system for the project.  | <u>JST/asn</u> |
| 9. A USGS map identifying the site location. If the receiving stream is reported as class SA or the receiving stream drains to class SA waters within ½ mile of the site boundary, include the ½ mile radius on the map. | <u>JST/asn</u> |
| 10. A copy of the soils report, if applicable. Must meet NCDEQ SCM Manual and MDC requirements for the type of SCM proposed. The report must include boring logs and a map of boring locations.                          | <u>JST/asn</u> |
| 11. One full set of plans <u>folded to 8.5" x 14"</u> .  | <u>JST/asn</u> |
| 12. A map delineating and labeling the drainage area for each SCM proposed.  | <u>JST/asn</u> |
| 13. A map delineating and labeling the drainage area for each inlet and conveyance proposed.   | <u>JST/asn</u> |
| 14. A digital copy of the entire submittal package (can be submitted via flash drive, CD, email, dropbox or other file sharing system).  | <u>JST/asn</u> |

VI. PROPERTY OWNER AUTHORIZATION (If Section III(2) has been filled out, complete this section)

I, Jeffrey L. Zimmer, certify that I own the property identified in this permit application, and thus give permission to Jeffrey L. Zimmer with ZP 367 Office, LLC 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 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: [Signature] Date: 12/22/21

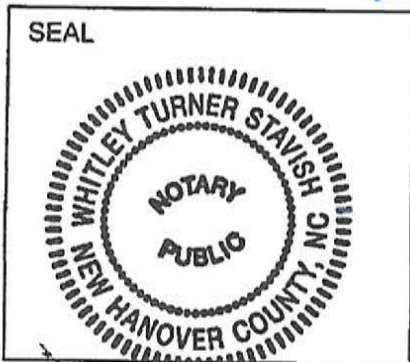


I, Whitley Turner Stavish, a Notary Public for the State of North Carolina, County of New Hanover do hereby certify that Jeffrey L. Zimmer personally appeared before me this day of December 22, 2021, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal. [Signature] My commission expires: My Commission Expires September 27, 2026

VII. APPLICANT'S CERTIFICATION

I, Jeffrey L. Zimmer, 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 rules under the City's Comprehensive Stormwater Ordinance.

Signature: [Signature] Date: 12/22/21



I, Whitley Turner Stavish, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that Jeffrey L. Zimmer personally appeared before me this day of December 22, 2021, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal. [Signature] My commission expires: My Commission Expires September 27, 2026

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*

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.

NT #21144  
(ZDC offsite)  
Rev. 01-05-22

**I. PROJECT INFORMATION**

Project Name : Zimmer Development Company Office - Mayfaire

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. 2002031A

Project Name: Mayfaire Town Center Phase I

Type of System (wet pond, infiltration basin, etc.): Wet Detention & Infiltration Basin - Pond #4

Lot No. (if part of a subdivision): \_\_\_\_\_

How much built upon area draining to the permitted treatment system has been allocated to this project? Per permit, Pond #4 has 112,819 SF of Future impervious area (SW8 010512). This project will direct 30,675 SF of impervious area to Pond #4, which the SW8 010512 permit will be modified to reduce Future to 82,144 SF (112,819 SF - 30,675 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

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

\* to the best of our 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: Jeffrey L. Zimmer, Manager ZP 362 Office, LLC

Address: P.O. Box 2628 Wilmington, NC 28402

Phone: 910-766-4669 Ext. 219 Date: 11/17/21

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, Katherine Turner Stavish, a Notary Public for the State of North Carolina, County of New Hanover, do hereby certify that Jeffrey L. Zimmer personally appeared before me this 17 day of November, 2021, and acknowledge the due execution of the forgoing document including the stormwater collection system maintenance requirements. Witness my hand and official seal.



[Handwritten Signature]  
Notary Public

SEAL

My commission expires My Commission Expires September 27, 2026