



Planning, Development, &  
Transportation Department  
Planning Division  
305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402-1810

910 254-0900  
910 341-3264 fax  
wilmingtonnc.gov  
Dial 711 TTY/Voice

TRANSMITTAL LETTER

TO: Zoning Enforcement Inspector  
DATE: May 14, 2021  
SUBJECT: **Cape Fear Blvd Apartments** Project # 2021014  
LOCATION: 448 Cape Fear Blvd

The following items are being sent to you via this package.

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 5/17/21	<b>Cape Fear Blvd Apartments</b> Approved Plans
1	Dated 5/14/21	Approved Tree Preservation Permit
1	Dated TBD	City Comprehensive Stormwater Management Permit No. 2021018

REMARKS: The **Cape Fear Blvd Apartments** project, located at 448 Cape Fear Blvd, is hereby conditionally released for construction. The following conditions must be satisfied as part of this release:

- A. **A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE SITE CONTRACTOR AND CITY STAFF PRIOR TO ANY SITE WORK, TREE REMOVAL, CLEARING, OR GRADING BEGINNING ON THE SITE. FAILURE TO COMPLY WILL RESULT IN IMMEDIATE CIVIL PENALTIES. CONTACT 910-254-0900.**
- B. **ANY TREES, INCLUDING THE CRITICAL ROOT ZONE AREA, AND/OR AREA DESIGNATED TO BE SAVED MUST BE PROPERLY BARRICADED OR MARKED WITH FENCING AND PROTECTED THROUGHOUT CONSTRUCTION TO INSURE THAT NO CLEARING AND GRADING WILL OCCUR IN THOSE AREAS.**
- C. **NO EQUIPMENT IS ALLOWED ON THE SITE AND NO CONSTRUCTION OF ANY BUILDING, STRUCTURE, WALL, UTILITIES, INFRASTRUCTURE, ETC., OF ANY KIND, INCLUDING FOOTINGS AND BUILDING SLABS, WILL BE PERMITTED UNTIL:**
  - 1. **ALL TREE PROTECTION FENCING AND SILT FENCING HAS BEEN INSTALLED**
  - 2. **THE CFPUA HAS AUTHORIZED THE WATER AND SEWER ACTIVITIES. THE CONTRACTOR MUST HAVE A PRECON WITH CFPUA 332-6560.**
  - 3. **THE CITY ZONING INSPECTOR AUTHORIZES THE ACTIVITY.**
- D. **A MAP SHOWING ALL REQUIRED EASEMENTS AND RIGHT(S)-OF-WAY MUST BE REVIEWED BY CITY STAFF AND RECORDED AT THE REGISTER OF DEEDS PRIOR TO ISSUANCE OF A FINAL ZONING APPROVAL.**

- E. THIS PROJECT WILL REQUIRE THE DEDICATION OF PUBLIC DRAINAGE EASEMENT(S).**
- F. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS. ALL APPLICABLE TRC REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.**
- G. PER THE REQUIREMENTS OF THE STORMWATER PERMIT, THE FOLLOWING SHALL OCCUR PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR OPERATION OF THE PERMITTED FACILITY:
  - AS-BUILT DRAWINGS FOR ALL STORMWATER MANAGEMENT FACILITIES SHALL BE SUBMITTED TO THE CITY OF WILMINGTON ENGINEERING DIVISION.**
  - A FINAL INSPECTION IS REQUIRED BY CITY OF WILMINGTON ENGINEERING PERSONNEL (910) 341-5856.****
- H. PRIOR TO A FINAL INSPECTION, A WALKTHROUGH WITH CITY INSPECTIONS SHALL TAKE PLACE TO VERIFY COMPLETENESS OF SITE WORK IN ROW. ANY MATERIAL TEST REPORTS AND STORMWATER VIDEOS AS REQUIRED SHALL BE SUBMITTED PRIOR TO AND APPROVED BY CITY ENGINEERING. PLEASE CONTACT THE CITY ENGINEERING DIVISION AT 910.341.0094.**
- I. CONTRACTOR SHALL SUBMIT A RADIO SIGNAL STRENGTH STUDY FOR ALL COMMERCIAL BUILDINGS THAT DEMONSTRATES THAT EXISTING EMERGENCY RESPONDER RADIO SIGNAL LEVELS MEET THE REQUIREMENTS OF SECTION 510 OF THE 2018 NC FIRE CODE.**
- J. THIS PROJECT IS PROPOSING LESS THAN 500 LINEAR FEET OF RIGHT-OF-WAY OR PUBLIC IMPROVEMENTS. PER CHAPTER V OF THE CITY FEE SCHEDULE, THE PROJECT WILL REQUIRE ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$250.00. THIS FEE MUST BE PAID PRIOR TO ISSUANCE OF PLAT RECORDATION OF CERTIFICATE OF OCCUPANCY. PLEASE CONTACT CITY ENGINEERING AT 910.341.0094 FOR PAYMENT OPTIONS.**
- K. THE DEVELOPER ASSUMES ALL RISKS AND PENALTIES WITH ANY DELAY OR STOP WORK ORDER ASSOCIATED WITH THE VIOLATION OF THIS RELEASE. THE DEVELOPER ACKNOWLEDGES THE CONDITIONS OF THIS RELEASE AND ASSUMES ALL RESPONSIBILITIES AND RISKS ASSOCIATED WITH IT. THE CITY OF WILMINGTON WILL NOT BE HELD LIABLE FOR ANY COSTS ASSOCIATED WITH THE CONSTRUCTION RELEASE.**
- L. APPROVAL OF A MAJOR OR MINOR SITE PLAN SHALL EXPIRE AFTER EIGHTEEN (18) MONTHS FROM THE DATE OF SUCH APPROVAL IF THE APPLICANT HAS FAILED TO MAKE SUBSTANTIAL PROGRESS ON THE SITE. THE TECHNICAL REVIEW COMMITTEE MAY GRANT A SINGLE, SIX-MONTH EXTENSION OF THIS TIME LIMIT FOR MAJOR AND MINOR SITE PLANS, FOR GOOD CAUSE SHOWN, UPON RECEIVING A REQUEST FROM THE APPLICANT BEFORE THE EXPIRATION OF THE APPROVED PLAN. IN THE EVENT APPROVAL OF A SITE PLAN HAS EXPIRED, FOR WHATEVER REASONS, THE OWNER AND/OR APPLICANT WILL BE REQUIRED TO RESUBMIT FOR APPROVAL OF A SITE PLAN THAT MEETS CURRENT DEVELOPMENT STANDARDS UNLESS OTHERWISE NOTED IN THIS CHAPTER.**

**M. IF THE CONDITIONS LISTED ABOVE ARE VIOLATED, A STOP WORK ORDER WILL BE ISSUED.**

Please notify New Hanover County Building Inspections of this release.

Signature:  \_\_\_\_\_  
Jeff Walton, Associate Planner

Copy: Luke Menius, PE	Applicant (e-mail only)
Bret Russell	Construction Manager
Rob Gordon	Engineering
Jim Quinn	Stormwater Specialist
Aaron Reese	Urban Forestry
Rich Christensen	Engineering (email only)
Eric Seidel	Engineering (email only)
Trent Butler	Engineering (email only)
Chris Elrod	Wilmington Fire Department (e-mail only)
Chris Walker	Wilmington Fire Department (e-mail only)
Brian Blackmon	Surveyor (e-mail only)
Jim Sahlie	GIS Addressing (e-mail only)
Bill McDow	Traffic Engineering (e-mail only)
Mitesh Baxi	Traffic Engineering (e-mail only)
Don Bennett	Traffic Engineering (e-mail only)
Bernice Johnson	CFPUA (e-mail letter only)
Beth Easley Wetherill	NHC Erosion Control (e-mail only)
Michelle Hutchinson	GIS Engineer (e-mail only)
Amy Beatty	Community Services (e-mail only)
Ryan O'Reilly	Community Services (e-mail only)
Joan Mancuso	City Zoning (email only)
Catherine Meyer	City Zoning (email only)
Debra Hornbuckle	City Zoning (email only)
Shawn Evans	City Attorney's Office (email only)
Courtney Salgado	City Attorney's Office (email only)



Planning, Development, &  
Transportation Department  
Planning Division  
305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402-1810

910 254-0900  
910 341-3264 fax  
wilmingtonnc.gov

May 14, 2021

David L. Menius, P.E.  
Stroud Engineering, P. A.  
102-D Cinema Drive  
Wilmington, NC 28403

**RE: Cape Fear Blvd Apartments project, located at 448 Cape Fear Blvd**

Please make note of the conditions for the release as they appear on the attached release letter. These conditions must be followed and met in order for the construction to be approved. ***Prior to beginning any construction or grading on the site, you must have a pre-construction meeting between City staff and the project's representatives. Any violation of this condition will result in an immediate stop work order and other civil penalties. Please contact our zoning office at 254-0900 to schedule the preconstruction meeting.***

All construction on the site must be in accordance with the City of Wilmington standards and the approved construction plans stamped by the City. All trees and areas designated to be saved or protected must be properly barricaded and/or marked throughout construction. In addition please be aware that to obtain a final zoning inspection for this construction project, the appropriate departments within the City of Wilmington must perform and approve final inspections.

To arrange for inspections please contact the assigned Zoning Enforcement Officer, at 254-0900. Staff will coordinate the inspections and provide a punch-list to the Developer within 5 working days. Upon correction of the punch-list items, a final inspection will be performed. ***NOTE: Zoning will not issue final approval until all requirements of the City of Wilmington are fulfilled.***

Please also be advised that any party aggrieved by the issuance of this approval may file a notice of appeal to the City Clerk within 30 days of receipt of active or constructive notice of this decision. It shall be presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.

The City thanks you for your investment in our community and we look forward to working with you towards the construction of a quality development project.

Sincerely,

A handwritten signature in black ink that reads "Jeff Walton".

Jeff Walton  
Associate Planner



Department of Planning,  
Development and Transportation  
Planning Division  
305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402-1810

910 254-0900  
910 341-3264 fax  
www.wilmingtonnc.gov  
Dial 711 TTY/Voice

APPROVED:  DENIED:

PERMIT #: TPP-21-182

**Application for Tree Removal Permit**

Name of Applicant: FRANKLIN CONSTRUCTION, INC. Phone: 910-279-6359 Date: 2/11/2021

Name of Property Owner: TWO BROS HOMES, LLC Phone: 910-279-6359

Property Owner Address: PO BOX 3579 WILMINGTON, NC 28406

Address of Proposed Tree Removal: 448 CAPE FEAR BOULEVARD

**Description of tree(s) to be removed/reason for removal: (provide attachment if necessary)**

- |  |           |
|--|-----------|
| 1. <u>10" Maple located in Building #1 footprint</u> | 6. _____  |
| 2. _____   | 7. _____  |
| 3. _____   | 8. _____  |
| 4. _____   | 9. _____  |
| 5. _____   | 10. _____ |

Description of Replacement Tree(s): An mitigation exemption is claimed based on Section 18-461 (a) based on:  
The total building footprint does not exceed twenty-five (25) percent of the total lot area, and the applicant has  
designed around trees in order to retain as many trees as practicable.

I, RODNEY WILLIAMS, certify that the property owner has given me permission to apply for this permit on his/her behalf.

Applicant Signature: *Rodney Williams* Date: 2/15/21

\*\*\*\*\*FOR OFFICIAL USE ONLY\*\*\*\*\*

Reviewed By: *Jeff Walter* Date: 5/14/21

Remarks: \_\_\_\_\_

**ALL WORK MUST BE IN COMPLIANCE WITH THE CITY LAND DEVELOPMENT CODE, ARTICLE 8, LANDSCAPING AND TREE PRESERVATION.**

NEW CONSTRUCTION: \_\_\_\_\_ EXPANSION: \_\_\_\_\_ OTHER: \_\_\_\_\_ PAID: \_\_\_\_\_

**Tree Preservation Permit Fees**

Less than 1 acre	\$25.00
1-5 acres	\$50.00
5-10 acres	\$100.00
Greater than 10 acres	\$150.00



## STROUD ENGINEERING, P. A.

CONSULTING ENGINEERS  
102D CINEMA DRIVE  
WILMINGTON, NORTH CAROLINA 28403  
WWW.STROUDENGINEER.COM  
LICENSE NO. C-0647

May 13, 2021

City of Wilmington  
Planning, Development And Transportation  
P.O. Box 1810  
Wilmington, NC 28402-1810  
Attn: Jeff Walton

Re: Tree Removal at Cape Fear Boulevard Apartments

Mr. Walton,

I am writing to advise of the need to remove 3 significant trees which were identified on a Conditional District concept plan as being retained or relocated. In all cases, no viable options exist for realigning essential site improvements. The plan and CD-6-917 approval are attached hereto for reference. A description of the trees to be removed and the reasoning for their removal is as follows:

An 8" dogwood located in the footprint of a sidewalk and within 2 feet of a required parking stall was to have been relocated onsite by way of spading. The city arborist advises that this species of tree generally does not tolerate relocation and the condition of this particular tree does not change this assessment. Given that the tree will likely not survive, it will be removed with appropriate mitigation.

An 8" dogwood located in the footprint of the building was to have been relocated onsite by way of spading. Again, the city arborist advises that this species of tree generally does not tolerate relocation and the condition of this particular tree does not change this assessment. Given that the tree will likely not survive, it will be removed with appropriate mitigation.

A 28" laurel oak located within 3 feet of a required drive aisle was to have been retained by way of maintaining approximately one third of the critical root zone in a landscape island. The city arborist advises that this will not be sufficient to support the tree. Given that the tree will likely not survive, it will be removed with appropriate mitigation.

Thank you for your attention to this matter. Please contact me with any questions or concerns.

Respectfully,

*David L. Menius*

David L. Menius, P.E.  
Stroud Engineering, P.A.