



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

April 1, 2019

Mr. Chris Bailey
Bailey and Associates, Inc.
405-D Western Boulevard
Jacksonville, NC 28546

RE: **Trolley Station** project, located at 6789 Wrightsville Ave

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,


Megan Crowe
Associate Planner



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Dial 711 TTY/Voice

TRANSMITTAL LETTER

TO: Traci Lunceford, Zoning Enforcement Inspector
DATE: April 1, 2019
SUBJECT: **Trolley Station Mixed Use** Project # 2018085
LOCATION: 6789 Wrightsville Ave

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 3/29/19	Trolley Station Approved Plans
1	Dated 1/9/2019	Approved Tree Preservation Permit (TPP 19-081)
1	Dated 3/28/19	City Comprehensive Stormwater Management Permit No. 2019017 (under separate cover)
1	1/2019	CD Modification Request

REMARKS: The **Trolley Station** project, located at 6789 Wrightsville Ave, 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. **BETH WETHERILL HAS FORMALLY ISSUED THE GRADING PERMIT AND AUTHORIZED THE ACTIVITY**
 - 3. **THE CFPUA HAS AUTHORIZED THE WATER AND SEWER ACTIVITIES. THE CONTRACTOR MUST HAVE A PRECON WITH CFPUA 332-6560.**
 - 4. **THE CITY ZONING INSPECTOR AUTHORIZES THE ACTIVITY.**

- D. PROPER DEDICATION OF PUBLIC EASEMENTS REQUIRES AN EASEMENT MAP (OR LEGAL DESCRIPTION) AND A DEED OF EASEMENT. THE EASEMENT MAP OR LEGAL DESCRIPTION IS PREPARED BY A LICENSED SURVEYOR. THE DEED OF EASEMENT IS PREPARED BY THE CITY ATTORNEY'S OFFICE (CAO). A TITLE POLICY FOR THE PROPERTY IS NECESSARY IN ORDER TO PREPARE THE DOCUMENT. RECORDATION OF BOTH THE EASEMENT MAP AND THE DEED OF EASEMENT WILL BE REQUIRED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**
- E. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS.**
- F. 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.**
 - AN ENGINEER'S CERTIFICATION SHALL ALSO 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 IS REQUIRED BY CITY OF WILMINGTON ENGINEERING PERSONNEL 910.341.0094.**
- 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. NO CONSTRUCTION ACTIVITY SHALL OCCUR WITHIN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) RIGHT-OF-WAY UNTIL ALL NCDOT PERMITS HAVE BEEN ISSUED AND RECEIVED BY THE CITY. ALL IMPROVEMENTS REQUIRED SHALL BE INSTALLED AND APPROVED BY NCDOT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**
- J. 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.**
- K. 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.

L. 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: _____

Megan Crowe, Associate Planner

Copy: Matt Haley, PE

Chris Bailey

Bret Russell

Rob Gordon

Jim Quinn

Aaron Reese

Rich Christensen

Trent Butler

Chris Elrod

Chris Walker

Brian Blackmon

Jim Sahlie

Bill McDow

Mitesh Baxi

Don Bennett

Bernice Johnson

Beth Easley Wetherill

Michelle Hutchinson

Amy Beatty

Ryan O'Reilly

Joan Mancuso

Amy Schaefer

Amy Dukes

Applicant (email only)

Owner (email only)

Construction Manager

Engineering

Stormwater Specialist

Urban Forestry

Engineering (email only)

Engineering (email only)

Wilmington Fire Department (email only)

Wilmington Fire Department (email only)

Surveyor (email only)

GIS Addressing (email only)

Traffic Engineering (email only)

Traffic Engineering (email only)

Traffic Engineering (email only)

CFPUA (email letter only)

NHC Erosion Control (email only)

GIS Engineer (e-mail only)

Community Services (email only)

Community Services (email only)

City Zoning (email only)

City Attorney's Office (email only)

City Attorney's Office (email only)

File: **Trolley Station**

Project File # 2018085



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APPROVED: DENIED:

PERMIT #: TPP # 19-081

Application for Tree Removal Permit

Name of Applicant: Bailey and Associates, Inc. Phone: (910) 346-8443 Date: 11-19-18

Name of Property Owner: Roseman Patricia M Rev Trust Phone: _____

Property Owner Address: Wilmington NC 28411

Address of Proposed Tree Removal: 6789 Wrightsville Avenue, Wilmington

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

- 1. See CD101/Necessary for development 6. _____
- 2. _____ 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

Description of Replacement Tree(s): All trees to be removed are considered exempt from mitigation per section 18-461 since they are essential for site improvements for the proposed

I, Elizabeth M. Nelson, PE, certify that the property owner has given me permission to apply for this permit on his/her behalf.

Applicant Signature: [Signature] Date: 11-19-18

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

Reviewed By: YMC Date: 1-9-2019

Remarks: All trees considered essential site Relocating magnolias to buffer. No mitigation required.
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 <input checked="" type="checkbox"/>
1-5 acres	\$50.00
5-10 acres	\$100.00
Greater than 10 acres	\$150.00

11/21/2018
YMC
RECEIVED

NOV 21 2018

PLANNING DIVISION



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Transportation**
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Mr. Christopher Bailey
Bailey and Associates, Inc.
405 D Western Boulevard
Jacksonville, NC 28546

RE: CD 25-518 Administrative Modification (6789 Wrightsville Avenue)

Mr. Bailey,

This letter serves as an approval for your request to administratively amend the Conditional District (CD 25-518) to modify the building footprint shape of the mixed use building as detailed on the submitted site plan. This modification will require compliance with all local city technical standards, regional, state and federal development regulations.

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.

Best,


Megan Crowe
Associate Planner

Attachments:

Modification Request Letter (Dated January 15, 2019)
Modification Site Plan (Dated September 2018)
CD 25-518 Ordinance (Dated July 17, 2018)



January 15, 2019

Ron Satterfield –
City of Wilmington Planning Division
P.O. Box 1810
Wilmington, NC 28402

Re: CD-25-518 / Trolley Station

Dear Ron:

A Conditional District was approved for the referenced project on July 17, 2018. While working through more detailed design for architecture and permitting, the developer has identified some minor modifications to the building architecture that they believe will improve the project. The following changes have been made:

- The building façade along Jones Avenue has been “flattened,” but still provides visual interest with inset covered porches on the top level, a gable roof feature, multiple windows, and changes in building materials.
- That same change to the building footprint resulted in a reduction of both the coverage and the overall gross floor area.

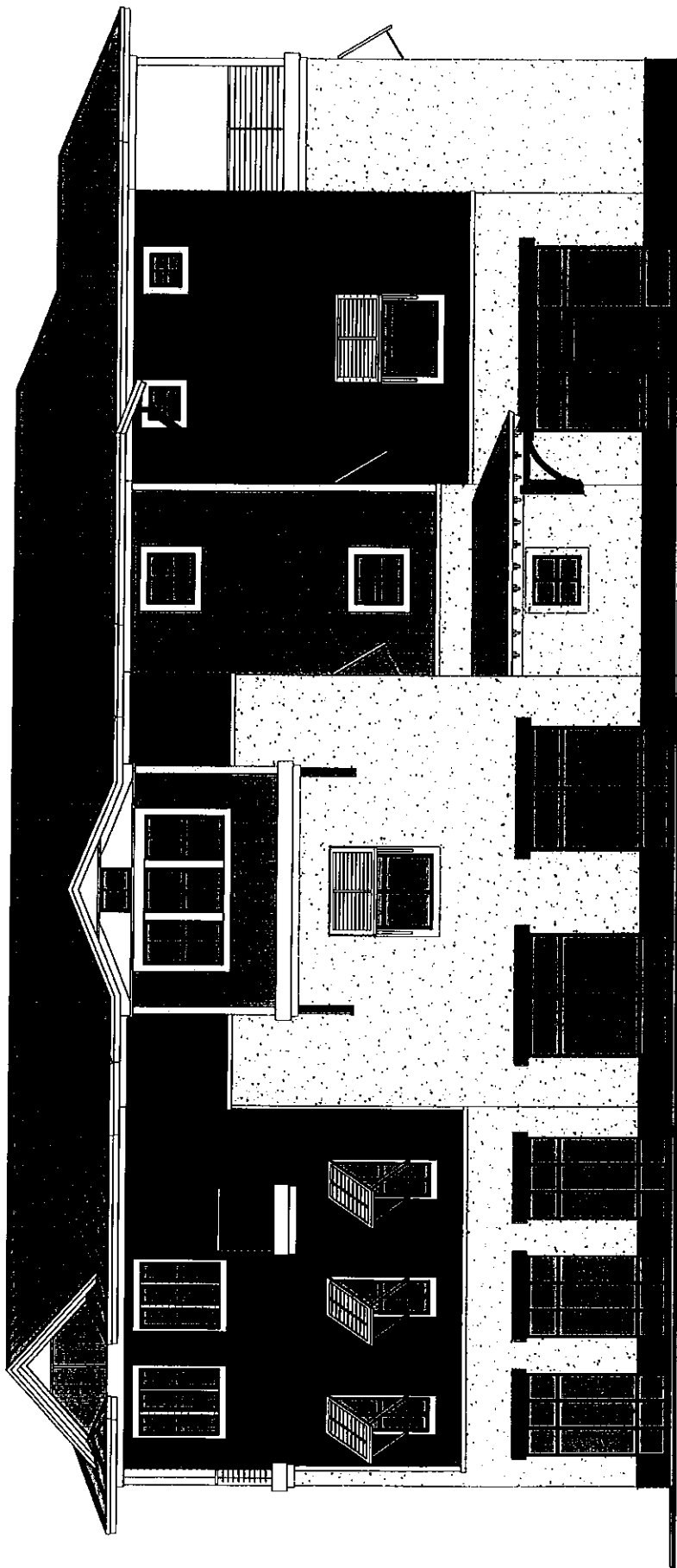
As provided in Article 5. Sec. 18-232 of the Wilmington Land Development Code, we would respectfully request an administrative amendment to replace the approved site plan with the attached modification plan. We believe these minor change will not affect any of the original conditions of approval, nor have there been changes in the applicable requirements of the Code or Technical Standards.

Please do not hesitate to contact me if you have any questions or need additional information.

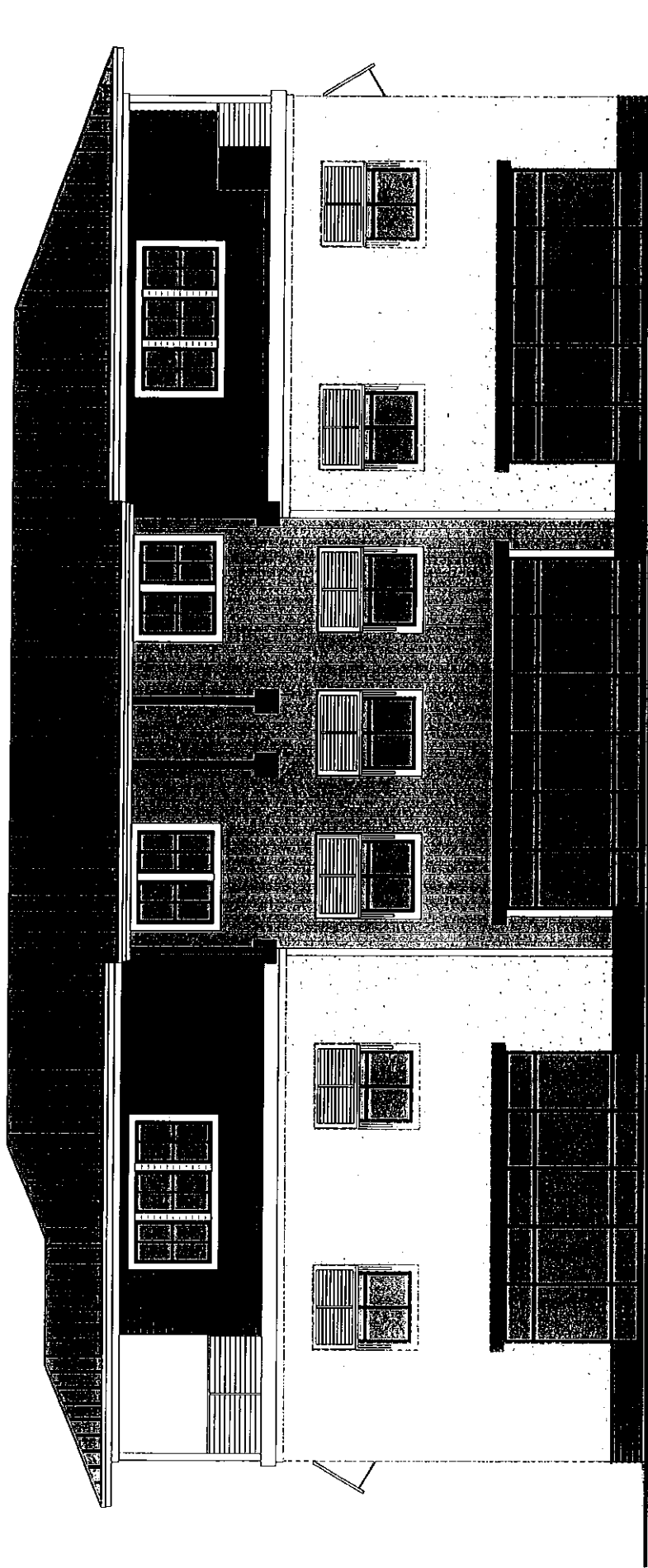
Respectfully,

A handwritten signature in black ink that reads "Cindee G. Wolf". The signature is written in a fluid, cursive style.

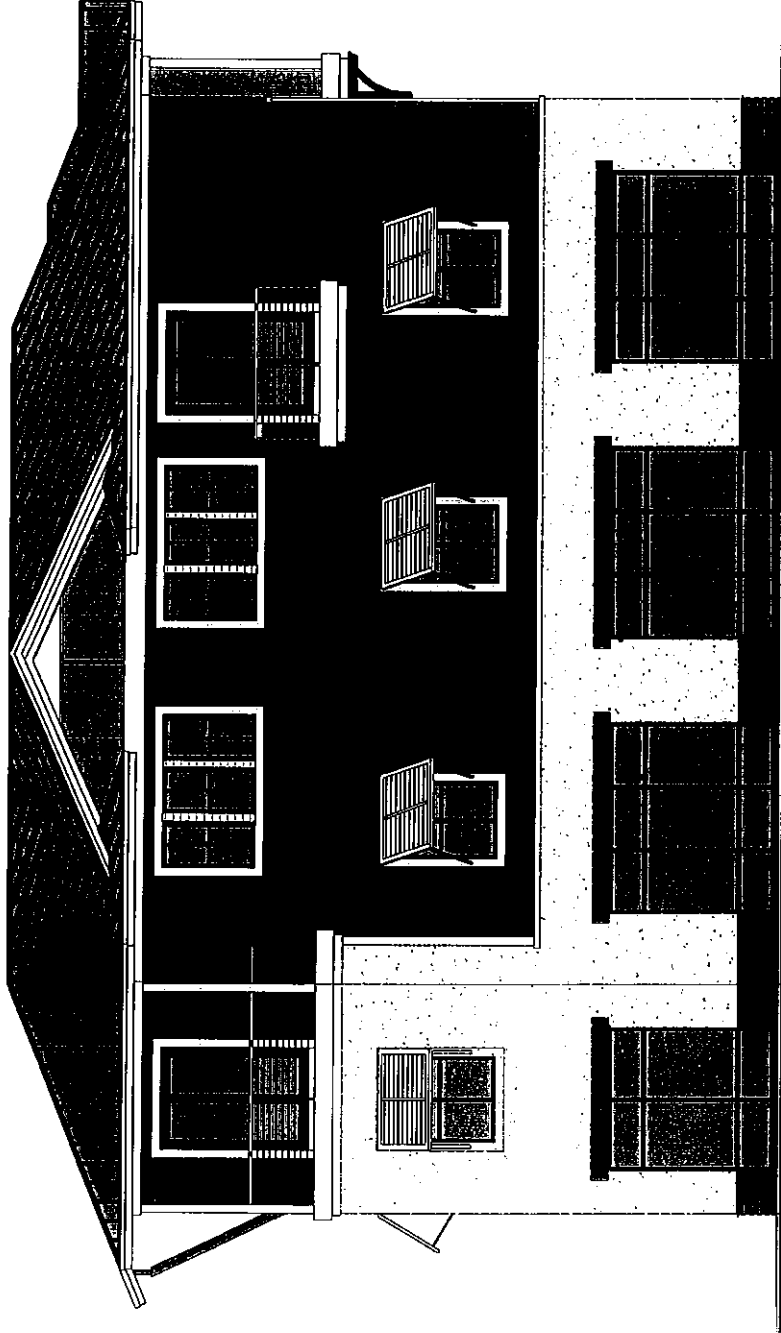
Cindee Wolf



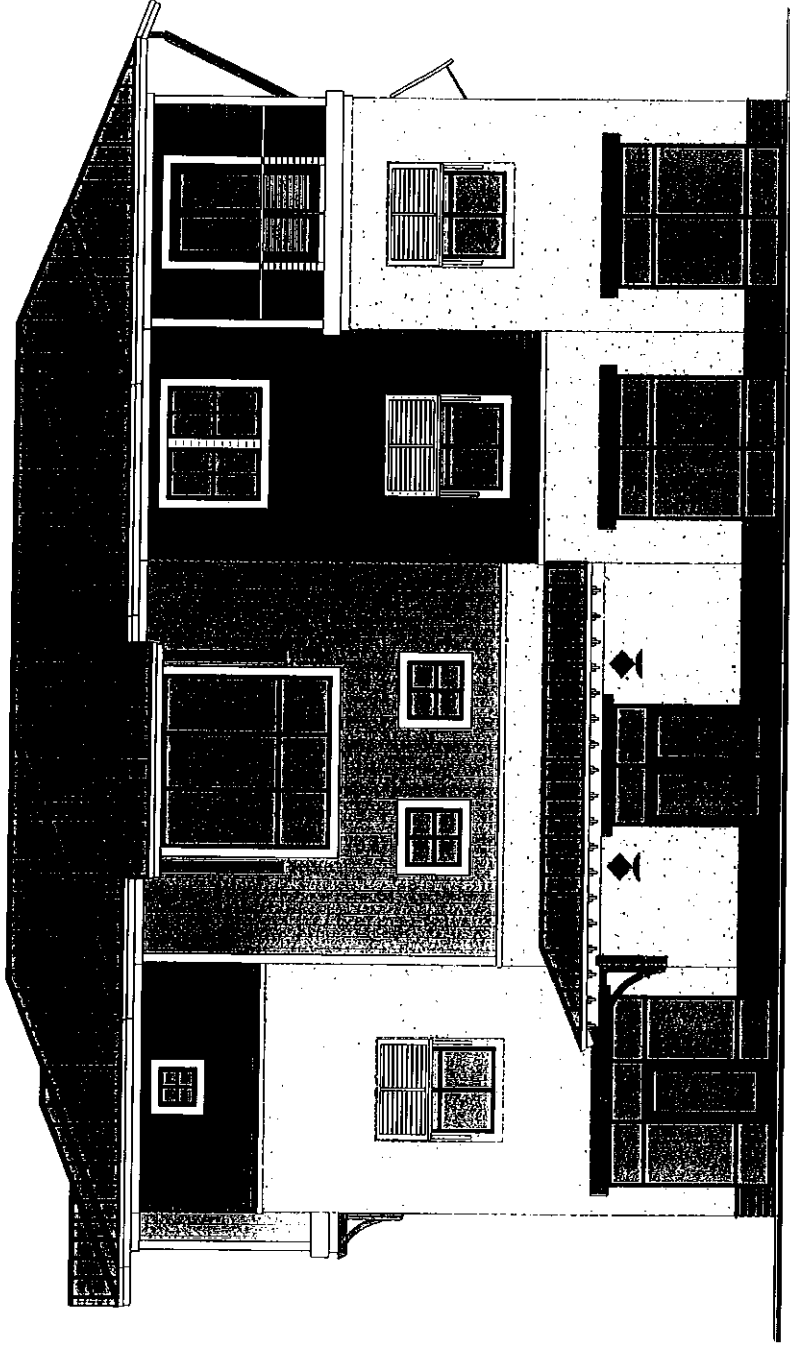
PARKING/JONES AVE ELEVATION
6789 WRIGHTSVILLE AVE.



WRIGHTSVILLE AVE ELEVATION
6789 WRIGHTSVILLE AVE.



WRIGHTSVILLE AVE/JONES AVE ELEVATION
6789 WRIGHTSVILLE AVE.



PARKING/WRIGHTSVILLE AVE ELEVATION
6789 WRIGHTSVILLE AVE.

Ordinance



City Council
City of Wilmington
North Carolina

CERTIFIED TO BE A TRUE COPY

Introduced By: Sterling B. Cheatham, City Manager

Date: 7/17/2018

Ordinance Amending the Official Zoning Maps of the City Adopted March 27, 1984 to Rezone Property Containing 1.03 Acres Located at 6789 Wrightsville Avenue from R-10, Residential District to O&I-1(CD), Office and Institutional District-1 (Conditional District) for a Mixed Use Building (CD-25-518)

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, NCGS Section 160A-385 authorizes local governments to change or modify zoning boundaries within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS Section 160A-364 and Article 3, Section 18-117 of the Land Development Code.

THEREFORE, BE IT ORDAINED:

SECTION 1: The Official Zoning Maps of the City of Wilmington are hereby amended by removing the hereinafter described tract of land from the present R-10, Residential District and putting it the O&I-1, Office and Institutional District-1 (Conditional District) classification, said tract being more particularly described as follows:

Legal Description for Conditional District Rezoning of 6789 Wrightsville Avenue

Beginning at a point in the northern boundary of Wrightsville Avenue, a 100' public right-of-way; said point being at the southwestern corner of "Tract "A" MacCumber Terrace - Section 1," a division recorded in the land records of the New Hanover County Registry in Map Book 25, at Page 13; and running thence from the point of beginning:

North 42058'45" East, 259.69 feet to a point in the western boundary of Jones Road; thence North 65003' East, 15.00 feet to a point in the centerline of Jones Road; thence with that centerline, South 24057' East, 283.74 feet to its intersection with the centerline of Wrightsville Avenue; thence with that centerline, North 87059' West, 312.27 feet to a point; thence North 02001' East, 50.00 feet to the point and place of beginning, containing 44,807 square feet, or 1.03 acres, more or less.

SECTION 2: The following rules, regulations, and conditions shall apply to the property described in this ordinance:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Land Development Code, the City of Wilmington Technical Standards and Specifications Manual and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this conditional district rezoning does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to release of the project for construction.
3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and of no effect and proceedings shall be instituted to rezone the property to its previous zoning classification.
4. The use and development of the subject property shall be in accordance with the site plan and elevations as presented in the City Council public hearing on July 17, 2018.
5. All landscaping and buffers shall be installed in accordance with Land Development Code.
6. Landscaping shall utilize indigenous tree species in all required street yards and buffer yards.
7. The buffer on the western property boundary be the full 20 feet as required in the LDC.
8. All site utilities shall be located underground where possible.
9. The site shall include pervious paving materials and other best management practices (BMPs) in order to reduce stormwater runoff and protect sensitive environmental areas.
10. The site shall contain one shared freestanding sign(s) on the site which shall be a maximum of 6 feet in height, monument style with landscaping around the base of the sign; no pole signs shall be permitted.
11. The applicant shall coordinate with WAVE transit to install the necessary improvements for the transit stop and bus pull out located to the west of the site access on Wrightsville Avenue.
12. Building height shall not exceed 45 feet, as calculated in the Land Development Code.
13. Strict adherence to the design standards will be confirmed as part of the technical review.
14. All City, State and Federal regulations shall be met.

SECTION 3: The City Clerk and the Planning Director are hereby authorized and directed under the supervision of the City Manager to change the Zoning Maps on file in the office of the City Clerk and the Planning Division, to conform with this ordinance.

SECTION 4: That any person violating the provisions of this ordinance, including the

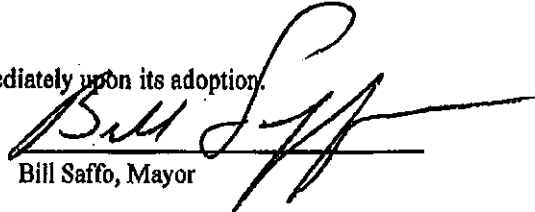
approved site plan, shall be subject to the penalties set forth in Section 18-52 of the Land Development Code.

SECTION 5: Any prior rezoning related to this property that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6: If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7: That this ordinance shall be effective immediately upon its adoption.

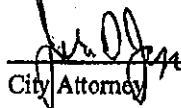
Adopted at a regular meeting
on July 17, 2018


Bill Saffo, Mayor

Attest:


Penelope Spicer-Sidbury, City Clerk

Approved As To Form:


City Attorney

