



August 25, 2021

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

CONSTRUCTION RELEASE
Cottages at Bradley Creek Subdivision
311 Hooker Road Project # 2021030

Consultant/ Mr. Garry S. Pape, PE *Property Owner:* The Cottages Bradley Creek LLC
Agent: GSP Consulting P. O. Box 64
6626 Gordon Road, Unit C Wrightsville Beach, NC 28480
Wilmington, NC 28411 (910) 452-1419
(910) 442-7870

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. Your project is hereby conditionally released for construction. Please make note of the conditions for this release as they appear below. These conditions must be followed and met for the construction to be approved.

Conditions of Release

1. A pre-construction meeting must be held between the site contractor/superintendent and city staff prior to any site work, tree removal, clearing or grading commences on site. Failure to comply will result in civil penalties. Please contact our zoning office at 910.254.0900 to schedule the preconstruction meeting.
2. Any trees, including the critical root zone area and/or the area designated to be saved, must be properly barricaded or marked with fencing and protected throughout construction to ensure that no clearing or grading will occur in those areas.
3. 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:
 - a. All tree protection fencing and silt fencing has been installed
 - b. New Hanover County has issued the grading permit and authorized the activity
 - c. Cape Fear Public Utility Authority has authorized the water and sewer activities
 - d. The assigned city zoning compliance officer has authorized the activity
4. This development shall comply with all local, regional, state, and federal development regulations. All applicable City of Wilmington Technical Review Committee requirements must be completed prior to the issuance of final zoning approval.
5. All truck traffic to and from the site shall adhere to NCDOT and City of Wilmington truck routes and restrictions (e.g. S. 3rd Street, Market Street). See city GIS gallery for routes, weight restrictions, etc.
6. Failure to comply with the above conditions may result in the issuance of a Stop Work Order (SWO).



Conditions of Final Zoning Approval

1. A plat 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 final zoning approval.
2. This project will require the dedication of public or private right(s)-of-way.
Name(s): Sea Lavender Drive; Ivy Stone Lane
3. This project will require the submittal of a request for recycling and trash services form. Submittal of this form will ensure all residents receive city recycling and trash services as required by Section 10-4 of the city code. It is required for public street dedications serving single-family or duplex lots and is optional for private streets. This is not applicable for streets (public/private) serving commercial or multi-family development. This form can be submitted to the City Engineering Department.
4. This project will require the creation/recordation of restrictive covenants to ensure compliance with the approved stormwater permit. Restrictive covenants and HOA/POA documents must be reviewed and approved by the City Attorney's Office, Planning Division, and City Engineering prior to recordation of the final plat. This document can be submitted to the project planner for distribution to the pertinent city departments.
5. 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) 341-5856.
6. Prior to a final inspection, a walkthrough with City Construction Management staff shall take place to verify completeness of site work in right(s)-of-way. Any material test reports and stormwater videos as required shall be submitted prior to and approved by city Engineering. Please contact the City Engineering Department at 910.341.0094.
7. 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.
8. This project is proposing greater 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 \$500. 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.
9. Properties within the special flood hazard area shall be subject to compliance with Article 13 of the Land Development Code. Please contact Kathryn Thurston, Zoning



Administrator/Floodplain Manager (910.341.3249) for clarification on requirements for development in the flood plain.

- 10. Approval of a major or minor site plan shall expire after 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.
- 11. 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.*
- 12. 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. Reference NC GS 160d-403.
- 13. Please notify New Hanover County Building Inspections of this release.

8/25/21

Project Planner:

Jeff Walton, Associate Planner

Date

I hereby acknowledge receipt of this construction release and understand and agree to adhere to all conditions as contained herein. The owner/developer assumes all risks and penalties with any delay or stop work order associated with a violation of this release. The City of Wilmington assumes no liability for any costs associated with this construction release.

Authorized Representative

Date

Zoning Compliance Officer:

Traci Lunceford, Compliance Officer

Date



The following items are included in this release package:

Item	Permit Number	Date
Cottages at Bradley Creek Approved Plans	2021030	8/25/21
City of Wilmington Tree Permit	TPP-21-183	8/25/21
New Hanover County Grading Permit	GP 10-21	8/3/21
City Comprehensive Stormwater Management Permit	2021039	TBD
Subdivision Review Board Executive Order	SRB-3-420	9/22/20

Copy: Traci Lunceford

Bret Russell

Rob Gordon

Jim Quinn

Aaron Reese

Rich Christensen

Eric Seidel

Trent Butler

Chris Elrod

Chris Walker

Brian Blackmon

Jim Sahlie

Bill McDow

Mitesh Baxi

Denys Vielkanowitz

Bernice Johnson

Beth Easley Wetherill

Michelle Hutchinson

Amy Beatty

Davina Bell

Joan Mancuso

Catherine Meyer

Shawn Evans

Courtney Salgado

Joseph Wurzel

Nick Drees

Jon Roan

Ben Hughes

Zoning Compliance

Construction Manager

Engineering (email only)

Stormwater Specialist (email only)

Urban Forestry (email only)

Engineering (email only)

Engineering (email only)

Engineering (email only)

Wilmington Fire Department (e-mail only)

Wilmington Fire Department (e-mail only)

Surveyor (e-mail only)

GIS Addressing (e-mail only)

Traffic Engineering (e-mail only)

Traffic Engineering (e-mail only)

Traffic Engineering (e-mail only)

CFPUA (e-mail letter only)

NHC Erosion Control (e-mail only)

GIS Engineer (e-mail only)

Community Services (e-mail only)

Community Services (e-mail only)

City Zoning (email only)

City Zoning (email only)

City Attorney's Office (email only)

City Attorney's Office (email only)

NC DOT (email only)

NC DOT (email only)

NC DOT (email only)

NC DOT (email only)

File: Cottages at Bradley Creek

Project #: 2021030



Development Services
 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-21-183**

Application for Tree Removal Permit

Name of Applicant: The Cottages Bradley Creek, LLC Phone: 910-452-1419 Date: _____

Name of Property Owner: The Cottages Bradley Creek, LLC Phone: _____

Property Owner Address: PO Box 64, Wrightsville Beach, NC 28480

Address of Proposed Tree Removal: 321 Hooker Road, Wilmington, NC

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

- 1. See Site Inventory Plan 6. _____
- 2. _____ 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

Description of Replacement Tree(s):

See Landscape Plan

Applicant Signature: [Signature] Date: 5/7/21

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

Reviewed By: [Signature] Date: _____

Remarks: **APPROVED**
 By waltonj at 11:43 am, Aug 25, 2021

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

RECEIVED
 By waltonj at 9:15 am, May 17, 2021



NEW HANOVER COUNTY

ENGINEERING

230 Government Center Drive, Suite 160, Wilmington, NC 28403
P: (910) 798-7139 | F: (910) 798-7051 | NHCgov.com
Jim Iannucci, PE, CFM, County Engineer

August 3, 2021

The Cottages Bradley Creek, LLC
P.O. Box 64,
Wrightsville Beach, North Carolina 38480

RE: Grading Permit #10-21, The Cottages @ Bradley Creek

Dear Marlean Edwards:

This office has reviewed the subject sedimentation and erosion control plan. We find the plan to be acceptable with performance reservations and modifications.

Please read the permit conditions carefully and return the signed blue original to our office and keep the copy for your records.

The land disturbing fee of is due to be paid to New Hanover County Engineering, to my attention, prior to Plat Recordation.

A preconstruction meeting is optional prior to any land disturbing activity on this project. Please contact me at (910) 798-7139 if you would like to schedule this meeting in our office. If you choose not to have the preconstruction meeting, please contact us with the date land disturbing activity will take place onsite and once the initial erosion control measures are installed.

Please be advised that a copy of the approved soil erosion plan, a copy of the grading permit, a rain gauge and the Combined Inspection Reports must be available at all times at the site.

New Hanover County's Erosion and Sedimentation Control Program is performance oriented requiring protection of the natural resources and adjoining properties. If following the commencement of the project, it is determined that the plan is inadequate to meet the requirements of the New Hanover County's Erosion and Sedimentation Control Ordinance, this office may require revisions in the plan and its implementation to ensure compliance with the ordinance.

This permit will not preclude any other permits or approvals necessary for beginning or completing this development. It is the owner's responsibility to have all the approvals or permits that are required prior to beginning construction. Approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations, and rules.

Respectfully yours,

Beth Easley Wetherill
NHC Soil Erosion Specialist

cc: Garry Pape PE, GSP Consulting, PLLC
Jeff Walton, City of Wilmington Planning



Permit GP #10-21
LNDP 21-00030

Permit for a Land-Disturbing Activity

New Hanover County
Department of Engineering
230 Government Center Drive - Suite 160
Wilmington, North Carolina 28403
(910) 798-7139

As authorized by the New Hanover County Erosion and Sedimentation Control Ordinance

This permit issued to **The Cottages Bradley Creek, LLC** authorizes the development of **10.5** acres of land at **311 Hooker Road for The Cottages @ Bradley Creek** in New Hanover County with modifications. This permit issued on **August 3, 2021** is subject to compliance with the application and site drawings, all applicable regulations and special conditions and notes set forth below. **Any plan modifications must be approved by this office prior to field changes.**

It is understood by the applicant that a representative of New Hanover County's Engineering Department may inspect the site at any time following the issuance of this Permit. A copy of the approved Soil Erosion Control Plan as well as any approved deviations, this permit, a rain gauge, a copy of the NCG01 permit, a copy of the Certificate of Coverage (COC) from the State and copies of the Combined Self-Monitoring and Self-Inspection Reports must be available at all times at the site.

Failure to execute the provisions of this permit and the approved Soil Erosion Plan, or any other provisions of the New Hanover County Soil Erosion and Sedimentation Control Ordinance, may result in immediate legal action by the County to the limits prescribed by the Ordinance. If the measures outlined on the approved Soil Erosion Control Plan and this Permit prove insufficient, additional Erosion Control measures can and will be required which in turn will be considered provisions of this Permit. This Permit does not preclude any other permits or approvals necessary for beginning or completing this development. Approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State laws, regulations, and rules. It is the Permittee's responsibility to obtain all necessary permits and approvals.

SPECIAL CONDITIONS

(THESE CONDITIONS MUST BE FOLLOWED IN ADDITION TO THE PLANS AND SPECIFICATIONS)

*All the soil erosion control measures will be installed as the site is cleared and maintained throughout construction. These include a construction entrance, silt fences, inlet and outlet protection, 3 lined 3:1 diversion ditches that are 2 feet wide, a lined R/W swale with check dams and immediate construction and stabilization of 2 infiltration basins with a 1.25-inch skimmer in basin 1 at the 14.4 foot elevation and a 2.25-inch skimmer in basin 2 at the 15.5 foot elevation, a concrete washout and all NCG01 regulations. Note: Access is ONLY allowed from Hooker Road.

***Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County PRIOR to clearing of the site.**

*Silt fence stakes must be steel and will be placed **six feet apart without wire reinforcement** or **eight feet apart with wire reinforcement**. Silt fence is **not** allowed as inlet protection.

*This permit does not preclude any permits or approvals which may be necessary including but not limited to the City of Wilmington, New Hanover County, NC DEMLR, C.A.M.A., the US Army Corps. of Engineers, DEM Solid Waste, any other agency or any approvals that may be necessary.

*No sediment shall leave the site in suspension of water.

*If plan revisions are necessary, you must submit a copy to this office for approval **prior** to any field changes.

*If soil is brought onto this site or removed from this site, it must come from or be taken to an approved or permitted site, to be identified to this office **prior** to being brought onsite or removal from the site.

*All City and/or County and State drainage and stormwater requirements will be adhered to.

*If these measures fail to adequately control erosion, more restrictive measures will be required.

*If any phase of grading ceases for more than 90 calendar days, the site will be temporarily stabilized.

*All slopes must be stabilized within 21 calendar days of any phase of activity.

The approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations, and rules.

*Note the required rates for seed, lime, fertilizer, and mulch in your seeding specifications.

***Enclosed is a Combined Self-Monitoring and Self-Inspection Form that meets the requirements of both the NPDES Stormwater Permit for Construction Activities, NCG 010000 reporting and the Land Resources Self-Inspection Program that satisfies the requirements of the Sedimentation Pollution Control Act. These are mentioned below with specific requirements for each program. These reports are the responsibility of the property owner. They require a rain gauge onsite, inspections and reporting every 7 calendar days and within 24 hours of every 1.0-inch rain per 24-hour period and at specific phases of construction. Additional copies of this Combined Construction Inspection Report can be found at <http://portal.ncdenr.org/web/lr/erosion> . Reports must be available onsite at all times. If you have questions, please contact New Hanover County Engineering (910) 798-7139 or the Land Quality Section at the NC DEMLR Regional office at (910) 796-7215.**

***Note the NPDES information from the State for sites disturbing 1 acre or more and the reporting requirements. All NEW projects permitted after August 3, 2011 must include the following surface water withdrawal locations and stabilization requirement designations on the plan in order to qualify for coverage under the most recent NPDES Construction General Permit. All settling basins must have outlet structures that withdraw water from the surface, with the exception of basins or traps that have a drainage area of less than 1 acre. The NPDES permit also requires ground cover within 15 calendar days on disturbed flat areas and ground cover within 7 calendar days on all areas within HQW Zones, perimeter dikes, swales, ditches, perimeter slopes and all slopes steeper than 3:1. Exceptions include slopes that are 10 feet or less in length and not steeper than 2:1 which must be stabilized within 14 calendar days and slopes greater than 50 feet which must be stabilized within 7 calendar days. It requires inspections of all erosion control measures and reporting every 7 days and within 24 hours of every 1.0-inch rain event in a 24-hour period. This permit also includes other new requirements which are listed in the text of the NPDES Stormwater Discharge Permit for Construction Activities, which is included with the original copy of each land-disturbing permit.**

***Note the Land Resources Self Inspection Program Requirements. This program is separate from the NPDES reporting and requires inspection and documentation after each phase of construction. These phases include: Installation of perimeter erosion control measures, Clearing and Grubbing of existing ground cover, Completion of any phase of grading of slopes or fills, Installation of storm drainage facilities, Completion of construction or development, Establishment of permanent ground cover sufficient to restrain erosion and any Deviation from the approved plan.**

***Pre-construction meetings are optional. Contact Beth E. Wetherill at (910) 798-7139 to set up a meeting prior to land-disturbing activity onsite. If you do not choose to have a preconstruction meeting prior to starting work on site, you should contact us when activity begins and again when the initial measures have been installed.**

This Permit will expire one year from date of issue if no construction activity begins on site. This permit may not be amended or transferred to another party without approval of this office.

Acknowledgment of receipt of Permit

Owner

By (please print)

Signature

Beth E. Wetherill

Beth E. Wetherill, C.P.E.S.C.

Soil Erosion Specialist/New Hanover County

ORDER APPROVING A PRELIMINARY PLAN

This matter came before the Wilmington Subdivision Review Board (SRB) for a public hearing on August 19, 2020, to consider case number SRB-3-420 submitted by Suzanne O'Bryant on behalf of Timberlynn Village, LLC for preliminary plan approval for an 56-lot planned-unit development residential subdivision (PUD-R) to include construction of public streets, utility extensions, storm management facilities, and open space dedication. The property is located at 321 Hooker Road, contains approximately 10.73 acres, and is zoned R-15, Residential District.

The SRB having heard the evidence and arguments presented at the hearing makes the following findings of fact:

1. The site includes approximately 10.73 acres and is currently zoned R-15, Residential.
2. The applicant proposes a 56-lot planned-unit development residential subdivision (PUD-R) to include construction of public streets, utility extensions, storm management facilities, and open space dedication.
3. The applicant has requested to rezone from R-15, Residential District, to R-7(CD), Residential Conditional District for a 56-lot single-family development.
4. The applicant submitted an application for a Special Use Permit to allow a PUD-R, Planned Unit Development – Residential for creative and design standards flexibility as listed in 18-294 of the Land Development Code (LDC).
5. The site is currently developed as a mobile home park with approximately 69 units; according to New Hanover County tax records the manufactured housing park, known as Timberlynn Village (previously Ponderosa), has been in existence since 1968.
6. The existing manufactured housing park is considered a legal non-conforming use and may continue to operate unless all units are removed for a period of 180 days.
7. The applicant proposes to create new private streets that will provide access to the lots within the proposed subdivision.
8. The applicant proposes 40-foot private rights-of-way throughout the project. The preliminary plan includes a required connection to Ivy Stone Court, an existing 50-foot public right-of-way that currently ends along the eastern property line.
9. Designs for on-site stormwater management would be reviewed for compliance with the city's stormwater management regulations.
10. The *Technical Standards and Specifications Manual* specifies that the minimum tangent length between horizontal curves is to be 100 feet. The applicant proposes a tangent length less than 100-feet and a waiver is required.
11. The *Technical Standards and Specifications Manual* specifies a standard cross-section detail for a residential street. The applicant proposes non-standard cross-sections and a waiver is required.

12. The *Technical Standards and Specifications Manual* specifies a minimum offset of 400 feet between the centerlines of intersections. The applicant proposes intersection offsets that are less than 400 feet and a waiver is required.

THEREFORE, IT IS ORDERED that the preliminary plan for an 56-lot planned-unit development residential subdivision (PUD-R) to include construction of public streets, utility extensions, storm management facilities, and open space dedication located at 321 Hooker Road be approved subject to the following:

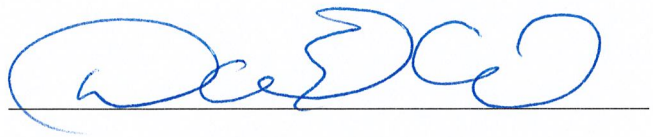
1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Land Development Code, the City of Wilmington Technical Standards and Specifications Manual and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this preliminary plan does not constitute technical approval of a 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 preliminary plan shall be null and void.
4. The use and development of the subject property shall be in accordance with the approved preliminary plan as submitted and approved.
5. Utilities shall be located under the asphalt to avoid landscaping conflicts.
6. A tree preservation plan and tree removal permit shall be required for this project and city staff shall issue these based on acceptable limits of clearing and tree preservation.
7. Trees designated to be preserved shall be properly protected during construction and tree protection fencing shall be noted on the construction plans. Tree clearing will be limited to essential site improvements within the project limits as shown on the approved site plan.
8. If necessary, resource areas, buffers and setbacks per requirements of the LDC shall be shown and labeled on the Preliminary Plan.
9. All existing and proposed public and non-municipal easements shall be added as necessary to the Preliminary Plan.
10. All proposed private streets shall remain open, gates shall not be permitted at either road connection on Hooker Road or at the Ivy Stone Court connection.
11. An acceptable Preliminary Plan which adequately addresses all TRC/SRB comments shall be submitted for signature.
12. The use of pine straw as ground cover shall be prohibited within ten (10) feet of any combustible exterior construction.
13. All City, State and Federal regulations shall be met.
14. All Technical Review Committee requirements shall be met.

It is further ordered that the following allowances and waivers from the city's technical standards (TSSM) and Land Development Code (LDC) requirements are granted:

1. Approval of a waiver from the minimum tangent length between horizontal curves due to

- the environmental features and traffic calming effects.
2. Conditional approval of a waiver from the standard cross-section for a local street for traffic calming due to site constraints and an effort to save trees. Utility easements must be clear of trees.
 3. Approval of a waiver to allow for an intersection offset of less than 400 feet due to the circulation and emergency access.

SIGNED this 1ST day of SEPTEMBER, 2020.



David Cowell, Chairman
Subdivision Review Board

ATTEST:

Amy W. Bradshaw
Designated Secretary to the Subdivision Review Board

Date Order Filed with Planning Office: _____