

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: Traci Lunceford Zoning Enforcement Inspector
DATE: September 20, 2019
SUBJECT: **Discount Tire** Project # 2019026
LOCATION: 5335 Market Street

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 8/6/19	Discount Tire Approved Plans
1	Dated 8/1/19	Approved Tree Preservation Permit
1	Under Separate Cover	City Comprehensive Stormwater Management Permit No. 2019048
1	Dated 9/20/19	NHC Grading Permit #83-95, Revision 1

REMARKS: The **Discount Tire** project, located at 5335 Market Street, 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. 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 ACCESS EASEMENT(S).**
- F. 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.**
- G. 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.**
- H. 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.**
- I. 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.**
- J. 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.**
- 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: 
Nicole D. Smith, Associate Planner

Copy: Mike Hull	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)
Amy Schaefer	City Attorney's Office (email only)
Amy Dukes	City Attorney's Office (email only)

File: **Discount Tire**

Project File # 2019026



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APPROVED: DENIED:

PERMIT #: TPP-20-022

Application for Tree Removal Permit

Name of Applicant: Halle Properties, LLC Phone: 480-606-6000 Date: 7/26/2019
 Name of Property Owner: Halle Properties, LLC Phone: _____
 Property Owner Address: 20225 N. Scottsdale Rd.
 Email address for permit to be sent: don.thrailkill@discounttire.com
 Address of Proposed Tree Removal: 5335 MARKET STREET, WILMINGTON, NC 28405

Description and location of tree(s) to be removed & reason for removal: (provide attachment if necessary and tag tree(s) on site)

1. 15" Bradford Pear, construction of driveway.
2. (3) 12" Bradford Pears, redevelopment of site, drives and parking area
3. 5" Bradford Pear, redevelopment of site, drives and parking area

Description of replacement trees: Per landscape plan.

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

Applicant Signature: *Michael W. Hull* Date: 7/30/2019

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

Reviewed by: Nicole D Smith Date: 8.1.19

Remarks: Proposed tree removal is exempt from mitigation per Sec 18-461(b) or is not regulated.

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

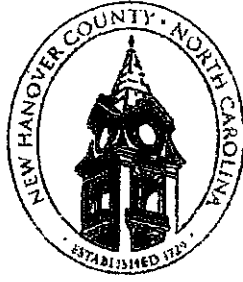
NEW CONSTRUCTION: EXPANSION: OTHER: PAID: \$ 25.00 pd 8.1.19

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

*** IF MITIGATION IS REQUIRED, CONTACT THE ZONING DEPARTMENT AT (910)254-0900 TO DISCUSS A PLANTING SCHEDULE ***

Application can be mailed, emailed to: zoning@wilmingtonnc.gov or dropped off at our office.



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

September 20, 2019

Halle Properties, LLC
20255 N. Scottsdale Road,
Scottsdale, Arizona 85255

RE: Grading Permit #83-95 Revision #1, Discount Tire

Dear Mr. Dan Thrailkill:

This office has reviewed the revised erosion and sedimentation 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.** Approval of this land disturbing permit hereby gives notice of our right of periodic inspection to ensure compliance with the approved plan.

As of April 1, 2019, all new construction activities are required to complete and submit an electronic Notice of Intent (NOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction Stormwater General Permit. This form MUST be submitted prior to the commencement of and land disturbing activity on the above named project, according to State Stormwater requirements. The NOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the NOI form to Annette Lucas at Annette.lucas@ncdenr.gov or Paul Clark at Paul.clark@ncddenr.gov. After you submit a complete and correct NOI Form, a COC will be emailed to you within three business days. Initially, DEMLR will not charge a fee for coverage under the NCG01 permit. However, on or after May 1, 2019, a \$100 fee will be charged annually. This fee is to be sent to the DEMLR Stormwater Central Office staff in Raleigh.

A copy of the enclosed land disturbing permit, a copy of the approved erosion and sedimentation control plan as well as any approved deviations, the NCG01 permit, a copy of the Certificate of Compliance (COC), records of inspections made during the previous 30 days and a rain gauge must be posted at the job site.

The land disturbing fee of **\$297** was overpaid by \$3.00. We will be issuing you a refund in the near future.

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, you need to contact us with the date land disturbing activity will take place onsite and again once the initial erosion control measures are installed.

New Hanover County's Erosion and Sedimentation Control Program is performance-oriented, requiring protection of existing 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 to the plan and its implementation of the revisions to insure compliance with the ordinance.

This land disturbing permit will expire within 1 year following the date of approval, if no land disturbing activity has been undertaken. If no activity takes place within one year after work has begun onsite, the permit will expire. Please contact this office to reactivate a permit that has expired.

Acceptance and approval of this erosion control plan is conditioned on your compliance with Federal and State water quality laws, regulations and rules. 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 and permits that are required prior to beginning construction.

Please note this approval is based in part on the accuracy of the information provided in the Financially Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form.

Your cooperation is appreciated,

Beth Easley Wetherill

Beth Easley Wetherill
NHC Soil Erosion Specialist

cc: Joshua Cox PE, Donaville Group, Inc.
Nicole Smith Associate Planner City of Wilmington



Permit# GP 83-95

Revision #1

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 Halle Properties, LLC authorizes the development of 0.99 acres of land at 5335 Market Street for Discount Tire in New Hanover County with performance reservations and modifications. This permit issued on September 20, 2019 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, this permit, a rain gauge 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 protection, silt sock sediment tubes, 2 barricades, concrete washouts and all NCG01 regulations. NOTE: Number 4 stone will be used on the construction entrance and the rock or sand bag curb inlet protector per detail Sd2-P WILL NOT BE ALLOWED.
- *Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County prior to issuance of this permit and clearing 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 such as City of Wilmington or New Hanover County Stormwater, NCDENR Water Quality, C.A.M.A., and the US Army Corps. of Engineers, DEM Solid Waste or any other agencies.
- *No sediment shall leave the site.
- *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 15 working 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 ½ 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 NCDENR 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 14 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 ½ 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 attached to 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)

Beth E. Wetherill
Beth E. Wetherill, C.P.E.S.C.
Soil Erosion Specialist/New Hanover County

Signature



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Transportation Department
Planning Division
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wilmingtonnc.gov

September 20, 2019

Mr. Mike Hull
BDGSE
3417 Donaville Street
Duluth, GA 30096

RE: **Discount Tire** project, located at 5335 Market Street

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 blue ink that reads "Nicole D. Smith".
Nicole D. Smith, AICP, CZO, CFM
Associate Planner