



May 26, 2021

Charlie Cazier
Intracoastal Engineering, PLLC
5725 Oleander Drive
Wilmington, NC 28403



**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

RE: Franklin Forest Phase 2 located at 202 Lullwater Drive

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,

Brian Chambers

Brian Chambers, AICP
Senior Planner



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TRANSMITTAL LETTER

TO: Traci Lunceford, Zoning Compliance Officer
DATE: May 26, 2021
SUBJECT: **Franklin Forest Phase 2** Project # 2020052
LOCATION: 202 Lullwater Drive

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 5/26/21	Franklin Forest Phase 2 Approved Plans
1	Dated 5/26/21	City Tree Removal Permit TPP-21-099
1	Dated 5/26/21	City Stormwater Discharge Permit No. 2021007 (under separate cover)

REMARKS: **Franklin Forest Phase 2** located at 202 Lullwater Drive, 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 PROJECT WILL REQUIRE THE DEDICATION OF PUBLIC ACCESS EASEMENT(S).**
- G. 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.**
- H. 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.**
- I. 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.**
- J. 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.**
- K. 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.**
- L. 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.**
- M. 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. 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.**
- N. 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.

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

Please notify New Hanover County Building Inspections of this release.

Brian Chambers

Signature: _____
Brian Chambers, AICP
Senior Planner

Copy: Charlie Cazier	Applicant (e-mail only)
Bret Russell	Construction Manager
Rob Gordon	engineering (email only)
Jim Quinn	Stormwater Specialist (email only)
Aaron Reese	Urban Forestry (email only)
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)
Denys Vielkanowitz	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
Joseph Wurzel
Nick Drees
Jon Roan
Ben Hughes

City Attorney's Office (email only)
NC DOT (email only)
NC DOT (email only)
NC DOT (email only)
NC DOT (email only)

File: **Franklin Forest Phase 2**

Project File # 2020052



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: X DENIED: _____

PERMIT #: TPP-21-099

Application for Tree Removal Permit

Name of Applicant: Ritz Partners 3, LLC. (Matt Scharf) Phone: 910-538-9901 Date: 10/7/20

Name of Property Owner: Ritz Partners 3, LLC. (Matt Scharf) Phone: _____

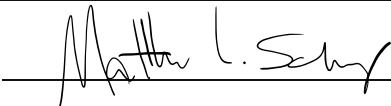
Property Owner Address: 1319-CC Military Cutoff Rd. #172 Wilmington, NC 28403

Address of Proposed Tree Removal: 202 Lullwater Dr. & 4912 Franklin Ave. Wilmington, NC 28403

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

- | | |
|--|-----------|
| 1. <u>Tree Removal per Tree Removal Plan</u> | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

Description of Replacement Tree(s): See Landscape Plan

Applicant Signature:  Date: 10/14/20

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

Reviewed By: B. Chambers Date: 5/26/21

Remarks: _____

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

NEW CONSTRUCTION: _____ EXPANSION: _____ OTHER: _____ PAID: \$50.00 PAID

Tree Preservation Permit Fees

12/7/20

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