



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: Chris Hatcher Zoning Enforcement Inspector  
DATE: January 7, 2020  
SUBJECT: **Lofts at Park Avenue** Project # 2019050  
LOCATION: 5744 Park Avenue

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 12/4/19	Lofts at Park Avenue Approved Plans
1	Dated 1/7/2020	Approved Tree Preservation Permit
1	Under Separate Cover	City Comprehensive Stormwater Management Permit No. 2019065

REMARKS: The **Lofts at Park Avenue** project, located at 5744 Park Avenue, 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 PR**
- G. THE APPLICANT SHALL SUBMIT A PAYMENT IN LIEU FOR (SIDEWALK OR STORMWATER) IMPROVEMENTS TO IN ENGINEERING IN THE AMOUNT OF \$12,869.50 PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR USE OF THE FACILITY.**
- 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.**
  - 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.**
- 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. 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.**

- M. 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.**
- N. 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.**
- O. 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  
 Nicole D. Smith, Associate Planner

Copy:	Nathan Allen	Applicant (e-mail only)
	Bret Russell	Construction Manager
	Rob Gordon	Engineering
	Jim Quinn	Stormwater Specialist
	Aaron Reese	Urban Forestry
	Rich Christensen	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  
Amy Dukes

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

File: **Lofts at Park Avenue**

Project File # 2019050





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January 7, 2020

Mr. Nathan Allen  
Coastal Land Design  
PO Box 1172  
Wilmington NC 28402

RE: **Lofts at Park Avenue** project, located at 5744 Park Avenue

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,

  
Nicole D. Smith, AICP, CZO, CFM  
Associate Planner