



**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

April 7, 2017

Kathryn Espinoza, PE  
McKim & Creed  
243 North Front Street  
Wilmington, NC 28401

**REVISION 1**

RE: Revision 1 of Riverlights Conventional Phase 1 Subdivision located 4410 River Road

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, AICP  
Senior Planner



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# TRANSMITTAL LETTER

TO: John Barham, Zoning Inspector  
DATE: April 7, 2017  
SUBJECT: **Riverlights Conventional Phase I** Project # 2015034  
LOCATION: 4410 River Road (RiverLights Project)

## REVISION 1

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 4/6/17	Riverlights Conventional Ph I Approved Plans
1	Dated 7/28/15	City Tree Removal Permit TPP-15-117
1	Dated 8/13/15	NHC Grading Permit #GP 28-15
1	Dated 4/18/15	SRB-10-415 Approval Letter
1	Dated 3/7/16	City Stormwater Management Permit SWP2016012 (under separate cover)

REMARKS: **Revision 1** of the **Riverlights Conventional Phase 1 Subdivision** located in the Riverlights project at 4410 River Road, 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. **ALL IMPROVEMENTS, AS RECOMMENDED BY THE SUBMITTED AND APPROVED TRAFFIC IMPACT ANALYSIS (TIA) SHALL BE INSTALLED AND INSPECTED PRIOR TO THE ISSUANCE OF THE FINAL ZONING APPROVAL.**



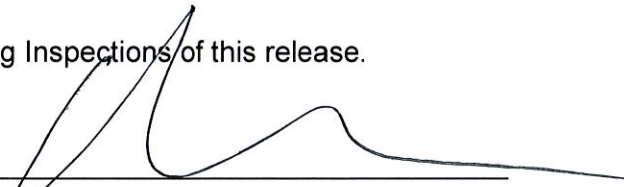
- E. A COPY OF THE RECORDED MAP SHOWING ANY REQUIRED EASEMENTS AND RIGHT-OF-WAY FOR THE PROJECT MUST BE SUBMITTED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.**
- F. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS.**
- G. 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. 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.**
- K. 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.**
- L. 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.**
- M. 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.

**N. 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: \_\_\_\_\_



Brian Chambers, AICP  
Senior Planner

Copy: Kathryn Espinoza, PE  
Bret Russell  
Rob Gordon  
Jim Quinn  
Aaron Reese  
Rich Christensen  
Trent Butler  
Chris Elrod  
Chris Walker  
Brian Blackmon  
Jim Sahlie  
Bill McDow  
Don Bennett  
Bernice Johnson  
Beth Easley Wetherill  
Michelle Hutchinson  
Amy Beatty  
Ryan O'Reilly  
Joan Mancuso

McKim & Creed (email only)  
Construction Manager  
Engineering  
Stormwater Specialist  
Urban Forestry  
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)  
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)

File: **Riverlights Conventional Ph I**

**Project File # 2015034**



RECEIVED

JUL 28 2015

PLANNING DIVISION



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-15-117

### Application for Tree Removal Permit

Name of Applicant: William Mumford, PE Phone: 704-887-5946 Date: 06/25/2015

Name of Property Owner: NNP IV Cape Fear River LLC Phone: 910-343-1048

Property Owner Address: 3410 River Road Wilmington, NC 28412

Address of Proposed Tree Removal: 4410 River Road Wilmington, NC 28412

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

- 1. See Attached 6. \_\_\_\_\_
- 2. \_\_\_\_\_ 7. \_\_\_\_\_
- 3. \_\_\_\_\_ 8. \_\_\_\_\_
- 4. \_\_\_\_\_ 9. \_\_\_\_\_
- 5. \_\_\_\_\_ 10. \_\_\_\_\_

Description of Replacement Tree(s): Trees within the Conventional neighborhood shall be replaced through the planting of street trees, buffer planting, and proposed park areas. Trees will also be preserved within conservation resource areas. See site plan.

Applicant Signature: [Signature] Date: 6-25-2015

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

Reviewed By: [Signature] Date: 7-28-15

Remarks: Tree permit approved for Phase 1 per grading plan S

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

NEW CONSTRUCTION: X EXPANSION: \_\_\_\_\_ OTHER: \_\_\_\_\_ PAID: ok

#### 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



**Wilmington Landscaping Ordinance**

Minimum number of Trees to be on Post Development Site	
15 Trees/Acre * <b>47.61</b> Project Area	
Equals = <b>716</b> Trees	

Protected Trees to be Removed					
797	Pines	0	Gum/Maple	0	Mimosa
188	Oaks	0	Cherry	0	Poplar
0	Crate Myrtle	0	Magnolia	0	Amer. Holly
Total =		985	Trees		
Type	Regulated	Significant			
Conifers	797	0			
Hardwoods	188	0			
Flowering Trees	0	0			
Total Removed =		985			

Regulated Trees for Mitigation			
Pines	( 10,266 DBH * 50% )	/	3 = 1,711 Trees
Oaks	( 1,805 DBH * 100% )	/	3 = 535 Trees
Gum/Maple	( 0 DBH * 50% )	/	3 =
Cherry	( 0 DBH * 0% )	/	3 =
Crate Myrtle	( 0 DBH * 0% )	/	3 =
Magnolia	( 0 DBH * 0% )	/	3 =
Mimosa	( 0 DBH * 0% )	/	3 =
Poplar	( 0 DBH * 0% )	/	3 =
Amer. Holly	( 0 DBH * 100% )	/	3 =

Significant Trees for Mitigation			
Oaks	( 0 DBH *2* 100% )	/	3 =
Gum/Maple	( 0 DBH *2* 50% )	/	3 =
Cherry	( 0 DBH *2* 0% )	/	3 =
Crate Myrtle	( 0 DBH *2* 0% )	/	3 =
Magnolia	( 0 DBH *2* 0% )	/	3 =
Mimosa	( 0 DBH *2* 0% )	/	3 =
Poplar	( 0 DBH *2* 0% )	/	3 =
Amer. Holly	( 0 DBH *2* 100% )	/	3 =



# NEW HANOVER COUNTY

Engineering Department  
230 Government Center Drive · Suite 160  
Wilmington, North Carolina 28403  
TELEPHONE (910)-798-7139  
Fax (910) 798-7051

Beth E. Wetherill, C.P.E.S.C.  
Soil Erosion Specialist

August 13, 2015

NNP IV-Cape Fear River LLC  
13777 Ballantyne Corporate Place, Suite 250,  
Charlotte, North Carolina 28277

**RE: Grading Permit # 28-15, River Lights Phase I Conventional Subdivision**

Dear Mr. William Mumford:

This office has reviewed the revised subject sedimentation and erosion control plan. We find the plan to be acceptable.

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

A preconstruction meeting is required prior to any land disturbing activity on site. Please contact us at (910) 798-7139 to set this up with us.

The land disturbance fee of **\$16,050** is due to be paid to New Hanover County, to my attention, prior to issuance of any Plat Recordation.

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 insure 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*

Beth Easley Wetherill  
NHC Soil Erosion Specialist

CC: Nick Lauretta PE, Mckim & Creed  
Jeff Walton, City of Wilmington Planning



## 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 NNP VI-Cape Fear River, LLC authorizes the development of 47.51 acres of land at 4410 River Road for River Lights Phase I Conventional Subdivision in New Hanover County. This permit issued on August 13, 2015 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 all 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, shall 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.

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### 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. This project includes 2 phases. Phase one includes installation of the construction entrance, tree protection silt fences, Faircloth Skimmer Sediment Basins with baffles, installation of the temporary diversion ditches after installation of the Skimmer Sediment Basins, rough grading and demolition. It includes a construction entrance, silt fences, double rows of silt fences on the southwest side of the site, 9 lined diversion ditches with check dams and 6 skimmer sediment basins with 3 coir baffles with Faircloth skimmers connected to 4 inch barrels thru earthen dams. Diversion ditch #2 and #3 will have 2 check dams, diversion ditch #4 will have 1 check dam, diversion ditch #5 will have 3 check dams, diversion ditch #6 will have 5 check dams, diversion ditch #7 will have 3 check dams, diversion ditch #8 will have 8 check dams and diversion ditch #9 will have 1 check dam. The skimmer in Basin #1 is 4 inches with a 3.2 inch orifice, the skimmer in Basin #2 is 3.4 inches with a 1.7 inch orifice, the skimmer in Basin #3 is 2 inches with a 1.4 inch orifice, the skimmer in Basin #4 is 1.5 inches with a 1.2 inch orifice, the skimmer in Basin #5 is 2.5 inches with a 2.2 inch orifice and the skimmer in Basin #6 is a 1.5 inch skimmer with a 1.1 inch orifice. Phase two includes a construction entrance, silt fences, installation of phase two erosion control measures upon completion of clearing and grubbing operations and rough grading and installation of the stormwater collection system with inlet protection, removal of the temporary diversion ditches and completion of the proposed improvements. It includes a construction entrance, silt fence, double rows of silt



fences on the southwest side of the site, inlet protection 4 skimmer sediment basins with coir baffles Faircloth skimmers and outlet protection and 1 infiltration basin . All barrels will be 4 inches except sediment basin #2 that will have a 5 inch barrel. The skimmer in Basin #1 will be 4 inches with a 3.3 inch orifice, the skimmer in Basin#2 will be 5 inches with a 4.3 inch orifice, the skimmer in basin #3 will be 2 inches with a 1.8 inch orifice and the skimmer in Basin #4 will be 2.5 inches with a 2.0 inch orifice. Note: All openings in outlet boxes below the overflow weir must be blocked for the skimmer to function.

\*Tree Removal Permits must be acquired 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 metal 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 removed from the site, it must be taken to an approved or permitted site to be identified to this office prior to 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.**

**\*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 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. This permit also includes other new requirements which are listed in the text of the NPDES Stormwater Discharge Permit for Construction Activities. Inspections of all erosion control measures and reports are required every 7 days and within 24 hours of every 1/2 inch rain event in a 24 hour period.

**\*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.

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.

This report is the responsibility of the property owner. It requires a rain gauge onsite and inspections and reporting every 7 calendar days and within 24 hours of every 1/2 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.

\*A pre-construction meeting is required prior to any activity on site. Please contact Beth E. Wetherill at (910) 798-7139 to set up this meeting.

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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

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

---

By (please print)

---

Signature



Planning, Development and  
Transportation  
Planning Division  
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April 18, 2015

Kathryn Espinoza, PE  
McKim & Creed  
243 Front St.  
Wilmington NC 28401

RE: RiverLights Ph I Conventional Subdivision SRB-10-415

Dear Ms. Espinoza:

On April 15, 2015 the Subdivision Review Board (SRB) conditionally approved the Preliminary Plan for 141 single-family cluster subdivision units on 60.33 acres located at 4410 River Road. The subject property is zoned R-7(CD) and MX (CD). Approval of the Preliminary Plan is subject to the following conditions:

1. The development of the subject property shall be in accordance with the preliminary plan as approved by the SRB.
2. Utilities shall be located under the asphalt **to the extent possible** in order to avoid landscaping conflicts (this condition contains new SRB-modified language).
3. A tree preservation plan and tree removal permit shall be required for this project and city staff will issue these based on acceptable limits of clearing and tree preservation.
4. The applicant is required to work with staff to preserve trees to the maximum extent practical. Trees designated to be preserved shall be properly protected during construction. Tree clearing will be limited to essential site improvements within the project limits as shown on the approved site plan.
5. Trees designated to be preserved must be properly protected during construction and tree protection fencing shall be noted on the construction plans.
6. The proposed areas on the plan that are designated to become common area are to be clearly labeled.
7. Notations and labels as to whether existing and proposed easements are public or private shall be included on the preliminary 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 City, State and Federal regulations shall be met.
10. All Technical Review Committee comments shall be followed.



Kathryn Espinoza, PE  
RiverLights Conventional Ph I Subdivision  
SRB-10-415  
Page Two  
April 18, 2015

11. An acceptable Preliminary Plan which adequately addresses all TRC/SRB comments shall be submitted to the Subdivision Coordinator for signature within thirty (30) calendar days of SRB approval.
12. In order to provide pedestrian accesses to the walking trails within the right of way of the former River Road, this subdivision shall feature two footpaths. Sidewalk connections to each of the footpaths shall be constructed by the subdivider from the lot corners of Proposed Lots 47 and 56 respectively to each footpath. (This modification was added by SRB's approval motion).

The vote of the SRB was as follows regarding your waiver request:

1. Waiver to allow abbreviated offsets between centerlines of intersections and distances between centerlines of intersections. **APPROVED, 5-0**
2. Since it was duplicative, the second requested waiver was deleted and no vote was necessary
3. Waiver to allow two (2), 50-foot centerline curve radii along Water Willow. The minimum standard is 100 feet. **APPROVED, 5-0**
4. Allowance of a tangent length of less than 100 feet between curves along Shell Quarry Drive. **APPROVED, 5-0**
5. Construction of non-standard intersections at the intersection of Oyster Tabby Drive/Olde Towne Street. **APPROVED, 5-0**
6. Waiver/variance to allow the subdivider to modify the residential driveway standards by eliminating the 5-foot residential flared taper by directly connecting a driveway of up to 18 feet in width perpendicular to the street using a 3-foot curb radius. The Board specified that this modification shall be permitted on the condition that Autoturn data allow satisfactory use of driveways by SUV's. **APPROVED AS AMENDED, 5-0**
7. A condition was added that this modification shall be permitted on the condition that Autoturn data allow satisfactory use of this driveway by SUV's. **APPROVED AS AMENDED, 5-0**
8. Waiver of the sidewalk requirement on both sides of the proposed streets. While TRC may request for sidewalk to be moved from one side to the other side of a given street, generally as shown on the preliminary plan, and consistent with the Development Agreement as amended, some streets will have sidewalk on one side, while some will have sidewalk on both sides.

Kathryn Espinoza, PE  
RiverLights Conventional Ph I Subdivision  
SRB-10-415  
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April 18, 2015

The Board acknowledged that Olde Towne Street and Marsh Edge Drive shall be designated as collector streets. All other streets in the subdivision shall be local streets. Street cross-sections are featured in the Development Agreement, and TRC shall have input during site plan review.

An appeal from a decision of the Subdivision Review Board shall be to the Planning Commission, provided written notice of the appeal is filed within twenty (20) days of the Board's action to the secretary of the Planning Commission. The appeal shall be set for hearing before the Planning Commission within thirty (30) days receipt of the appeal or as soon thereafter as is practicable.

The decision of the Planning Commission shall be subject to review by the New Hanover County Superior Court. The appellant must file a petition for judicial review in Superior Court within thirty (30) days of the Planning Commission's final decision. Failure to file such petition within the time frame stated shall bar Superior Court review.

Should you or any interested party elect not to file an appeal, approval of the Preliminary Plan is effective for a period of eighteen (18) months, or until October 15, 2016.

Development Services staff will be glad to assist you with site plan submission so that the necessary review can occur so you can obtain release for construction. Prior to the start of construction activity on the site, City issuance of a clearing and grading release is required. If you need additional information, please contact me at 341-3257.

Sincerely,

*Jim Diepenbrock*

Jim Diepenbrock  
Associate Planner

Attachment: Preliminary Plan PS 620

Cc: Doug Brown, Newland