



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

REVISED

TRANSMITTAL LETTER

TO: Cynthia Roush, Zoning Enforcement Inspector
DATE: August 24, 2018
SUBJECT: **Smith & Gsell Design Studio** Project # 2017051
LOCATION: 216 Victory Gardens Drive

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

| QUAN. | DWG./NO. | DESCRIPTION |
|-------|---------------|-------------------------|
| 1 | Dated 8/17/18 | Approved Landscape Plan |

NOTE: ATTACHED LANDSCAPE PLAN SHOULD REPLACE THE EXISTING LANDSCAPE PLAN (SHEET L1).

REMARKS: The **Smith & Gsell Design Studio** project, located at 216 Victory Gardens 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. **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.
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- D. A COPY OF THE RECORDED MAP SHOWING REQUIRED PUBLIC DRAINAGE EASEMENTS, PUBLIC ACCESS EASEMENTS, AND RIGHTS-OF-WAY FOR THE PROJECT MUST BE SUBMITTED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.
 - E. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS.
 - F. ALL APPLICABLE TRC REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.
 - G. THIS PROJECT WILL REQUIRE THE DEDICATION OF PUBLIC ACCESS EASEMENT(S). 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 ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - 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:
 - 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. 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
 Nicole D. Smith, Associate Planner

| | | |
|-------|-----------------------|--|
| Copy: | Brannon Smith | 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) |
| | Amy Schaefer | City Attorney's Office (email only) |
| | Amy Dukes | City Attorney's Office (email only) |



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August 24, 2018

Mr. Brannon Smith
216 Victory Gardens Dr.
Wilmington, NC 28409

RE: **Smith & Gsell Design Studio** project, located at 216 Victory Gardens 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,


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