

Planning, Development, &
Transportation Department
Planning
305 Chestnut Street
PO Box 1810
Wilmington, NC 28402-1810

June 25, 2019

Dan Fisk
Paramounte Engineering
122 Cinema Drive
Wilmington, NC 28403

910 254-0900
910 341-3264 fax
wilmingtonnc.gov
Dial 711 TTY/Voice

RE: **The Pointe at Barclay Phase I Building 5 & 6 located at 0 Stone Crop 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.***

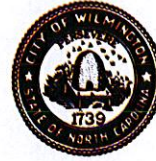
Please also be advised that any party aggrieved by the issuance of this approval may file a notice of appeal to the City Clerk within 30 days of receipt of active or constructive notice of this decision. It shall be presumed that all persons with standing to appeal have constructive notice of the decision 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,

A handwritten signature in blue ink, appearing to read "Brian Chambers".

Brian Chambers, AICP
Senior Planner



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TRANSMITTAL LETTER

TO: John Barham, Zoning Inspector
 DATE: June 25, 2019
 SUBJECT: **The Pointe at Barclay Phase I Building 5 & 6 (2019012)**
 LOCATION: 0 Stone Crop Drive

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 6/20/19	The Pointe at Barclay Phase I Building 5 & 6 Approved Plans
1	Dated 4/5/19	City Tree Removal Permit TPP-19-174
1	Dated 3/26/19	New Hanover County Grading Permit #20-14 Revision #13
1	Dated 6/20/19	City Stormwater Permit No. 2016004R3 (under separate cover)

REMARKS: **The Pointe at Barclay Phase I Building 5 & 6**, located at **0 Stone Crop Drive**, is hereby conditionally released for construction. The following conditions must be satisfied as part of this release:

- A. **NO CERTIFICATES OF OCCUPANCY SHALL BE AUTHORIZED UNTIL IMPROVEMENTS ALONG INDEPENDENCE BOULEVARD, BETWEEN GALLEY PARK BOULEVARD AND S. 17TH STREET, AND ALONG S. 17TH STREET, BETWEEN INDEPENDENCE BOULEVARD AND ELEMENT APARTMENTS, HAVE BEEN COMPLETED. THESE IMPROVEMENTS INCLUDE SIDEWALK AND STREETYARD ALONG INDEPENDENCE BOULEVARD AND A MULTI-USE PATH AND STREETYARD ALONG S. 17TH STREET.**
- B. **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.**
- C. **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.**
- D. **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.
- E. 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.
 - F. 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.
 - G. 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.
 - H. 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.
 - I. 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.
 - J. 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.
 - K. 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.
 - L. 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:	Dan Fisk	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)

File: **The Pointe at Barclay
Phase I Building 5 & 6**

Project File # 2019012



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APPROVED: X DENIED: _____

PERMIT #: TAP-19-1741

Application for Tree Removal Permit

Name of Applicant: Ryan Mosser Phone: 704.206.8319 Date: 3/27/19

Name of Property Owner: Barclay Commons Retail, LLC Phone: 704.206.8300

Property Owner Address: 1111 Metropolitan Avenue, Suite 700, Charlotte, NC 28204

Address of Proposed Tree Removal: Stone Crop Drive (The Pointe - Bldg 5 & 6 Pads)

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

- 1. N/A - Previously cleared building pads 6. _____
- 2. _____ 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

Description of Replacement Tree(s): N/A

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

Applicant Signature: [Signature] Date: 3/27/19

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

Reviewed By: [Signature] Date: 4/5/19

Remarks: No trees removed

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

NEW CONSTRUCTION: _____ EXPANSION: _____ OTHER: _____ PAID: [Signature]

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



NEW HANOVER COUNTY

Engineering Department/Water and Sewer District
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

March 26, 2019

Barclay Commons Retail, LLC
1201 Glen Meade Road,
Wilmington, North Carolina 28401

RE: Grading Permit # 20-14 Revision #13, Barclay West, The Pointe Phase I Building 5 & 6

Dear Mr. Hill Rodgers:

Enclosed is the original and a copy of the revised grading permit that you applied for. Please read the permit conditions carefully and return the signed original to our office and keep the copy for your records.

A preconstruction meeting not be required for this modification. Please contact us with the date construction is planned to begin on this portion of the project.

Thank you for your cooperation. If you have any further questions, please feel free to contact our office.

Sincerely,

Beth Easley Wetherill

Beth Easley Wetherill
Soil Erosion Specialist
New Hanover County

cc: Jim Diepenbrock, City of Wilmington Planning
Daniel Fisk, PE, Paramounte Engineering, Inc.
Mr. Scott Sullivan, Cameron Properties Limited Partnership



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 **Barclay Commons Retail, LLC** authorizes the development of **71.9 acres** of land at **3401 & 3501 Independence Boulevard for Barclay West Phase I and Tract B** in New Hanover County. This permit issued on **June 13, 2014** 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.

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. The original permit approved 6/13/14 for 19.7 acres for SS infrastructure included a construction entrance, silt fences, temporary stream crossings and all disturbances in any ditch or stream must be immediately lined with excelsior mat prior to any rain event.

**Revision #1 approved 11/24/14 for stockpiles included 4 minimum sloped 2:1 stabilized stockpiles with additional silt fence.

**Revision #2 approved 6/9/15 for the addition of 26.78 acres for the pond, swales and ditch work included a construction entrance, silt fences, 2 temporary stream crossings, 4 rock pipe inlet protectors, outlet protection, a 2:1 sloped stabilized stockpile with silt fence, a ditch plug with immediate ditch filling prior to any rain event and immediate construction and stabilization of the stormwater pond with a 6 inch Faircloth Skimmer and a 5.8-inch orifice with a level spreader. NOTE: All work in ditches adjacent to Independence Blvd. and South Seventeenth Street must be completed and a liner must be installed PRIOR to any rain event. No activity is to take place in the R/W ditch along South Seventeenth Street between George Anderson Drive and the permanent stream crossing.

**Revision #3 approved 2/18/15 for an additional 2:1 sloped stabilized stockpile with silt fence.

****Revision #4 approved 9/28/15 for the addition of 21.7 acres on Tract B includes a construction entrance, silt fences, 6 temporary diversions sloped 2:1 with diversions 1-4 being 1.5 feet deep with 1.5 foot bottoms and diversions 5 & 6 (if required*) will be 2.5 feet deep with 5 foot bottoms, 2 sediment basins with 3 coir baffles and Faircloth Skimmers thru earthen dams. Skimmer in Basin #1 will be a 4 inch Faircloth Skimmer with a 3.6-inch orifice and the Skimmer in Basin #2 will be a 3 inch Faircloth Skimmer with a 3-inch orifice. The relocated stockpile will be sloped min. 2:1 and will be surrounded with silt fence. *Note: Diversion 5 & 6 shall be constructed in the event the pre-existing ditches onsite have been filled. Otherwise the pre-existing ditches will be used to convey water to the 2 Sediment Basins.**

****Revision #5 approved 11/5/15 includes 3.01 acres for expansion of the min. 2:1 stabilized stockpile with additional silt fence.**

**** Revision #6 approved 11/13/15 for The Point @ Barclay Phase I on Tract B includes 3 construction entrances, silt fences, inlet and outlet protection. NOTE: No activity is allowed without The City of Wilmington approval. Revision #7 approved 6/30/16 includes installation of the 2- 48 inch pipes adjacent to South 17th Street with silt fence and an energy dissipater.**

****Revision #8 changes the name of the property from Cameron Properties Limited Partnership and Cameron Properties Land Company, LLC to Barclay Commons Retail, LLC and changes the financially responsible party. **Revision #9 approved 12/6/16 for The Point @ Barclay Phase II on Tract B includes 2 construction entrances, silt fences and inlet protection. This revision includes 2.75 acres that were previously permitted.**

****Revision #10 approved 2/14/17 includes a 3:1 sloped diversion swale 6 feet deep with a 3 foot bottom, 18 inch pipe and a rip rap energy dissipater at the end of the diversion swale.**

****Revision #11 approved 8/8/17 includes Phase I Building #4 with a construction entrance, silt fence and inlet protection.**

****Revision #13 approved 3/26/2019 includes Phase I Building #5 & 6 with 2 construction entrances, silt fences and may need inlet protection.**

***Tree Removal Permits and Approvals are required from the City of Wilmington and/or New Hanover County prior to land disturbing activity.**

***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. After March 1, 2019 the rain event required for inspections is 1.0 inch. 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)

Signature

Beth Easley Wetherill

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