



127 Racine Drive
University Corporate Center (28403)
Post Office Box 7068
Wilmington, NC 28406-7068

P: 910.794.4800
F: 910.794.4877
sbf@wardandsmith.com

December 2, 2016

Mr. Brian Chambers
Associate Planner
City of Wilmington Planning, Development and Transportation
305 Chestnut Street
Wilmington, NC 28401

Mr. Ron Satterfield
Assistant Planning Director
City of Wilmington Planning, Development and Transportation
305 Chestnut Street
Wilmington, NC 28401

Ms. Amy C. Schaefer
Assistant City Attorney
City of Wilmington
Post Office Box 1810
Wilmington, NC 28402-1810

RE: SRB Submittal for 4114 Echo Farms Blvd.
Our File 161413-00001

Dear Mr. Chambers, Mr. Satterfield and Ms. Schaefer:

A copy of this letter accompanies our client's submittal of site specific development plans for Woodlands at Echo Farms, a multi-phased development planned for the property owned by Echo Farms, LLC located in the vicinity of Echo Farms Blvd., Appleton Way, and Belfairs Dr. off of Independence Blvd.

These plans are submitted for the sake of seeking by-right approval. No rezoning is sought in connection with these plans.

Zoning vested rights pursuant to N.C.G.S. 160A-385.1 and Wilmington Land Development Code, Article 4, Division II are sought with the approval of these plans. § 18-156(c) of the LDC contemplates use of a form to be provided by the City regarding the same. We understand that there is no such form available from the City, and, per Mr. Satterfield's direction to me this week, we therefore submit this letter in lieu of said form.

WARD AND SMITH, P.A.

Mr. Brian Chambers
Mr. Ron Satterfield
Ms. Amy Schaefer
December 2, 2016
Page 2

Consistent with the terms of LDC § 18-156(d) the plans include a notation regarding these vested rights. We understand that the date for expiration of those rights will be determined based on the date of approval of the plans.

It is anticipated that the project described by these site specific development plans will qualify as a multi-phased development under N.C.G.S. 160A-385(b1). Neither the LDC, nor the General Statutes require any specific claim for vested rights based on this section in connection with this application, nor do they include any express requirement for approval of those rights by the City. Nonetheless, the owner desires to provide notice of its intent to seek the protection of those vested rights, subject to the terms and conditions of the applicable General Statutes. A notation regarding the same is included on the plans.

Yours truly,



Samuel B. Franck

ND: 4823-6345-3501, v. 3
cc: Echo Farms, LLC (via email)