MECKLENBURG COUNTY

Land Use and Environmental Services Agency

February 19, 2008

Mr. Solomon Fortune
Charlotte-Mecklenburg Planning Commission
600 East Fourth Street
Charlotte, North Carolina 28202

Re: Rezoning Petition 2008-049
Approximately 3.77 acres located on the west side of Lancaster Highway between Southcrest Lane and Winghurst Drive

Dear Mr. Fortune:

Representatives of the Air Quality (MCAQ), Groundwater & Wastewater Services (MCGWS), Solid Waste (MCSW), Storm Water Services (MCSWS), and Water Quality (MCWQ) Programs of the Mecklenburg County Land Use and Environmental Services Agency (LUESA) have reviewed the above referenced rezoning petition. In order for the Mecklenburg County LUESA to support this rezoning, the following recommendations should be implemented and appear as notes or modifications on site plans:

Air Quality

Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or renovation of an existing structure. A letter of notification and the required forms will be mailed directly to the petitioner by MCAQ.

Groundwater& Wastewater Services

The age of home construction (built in 1910) indicates that parcel 223-451-81 would have been served by a water supply well. No demolition or grading activity should be conducted until existing wells are either properly abandoned or the wellhead cordoned off to protect it from damage. The Mecklenburg County Groundwater & Wastewater Services (GWS) Program should be contacted at 704-336-5500 prior to undertaking any well related activity.

The age of construction also indicates that at e the home was served by individual on-site wastewater disposal systems (septic system). No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents, and then crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and

improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

Groundwater & Wastewater Services request the following statements be added to the notes of the site plan:

Any water supply wells located shall be abandoned per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity.

Existing septic tanks shall be located, pumped by a licensed waste hauler to removal residual contents, crushed and backfilled prior to any demolition or grading activity.

Solid Waste

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities. Additionally, the plan should specify that all land clearing and inert debris shall be taken to a properly permitted facility. The Plan shall also state that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report shall include the identification and location of all facilities receiving disposed or recycled materials.

Mecklenburg County is committed to reduction of construction/demolition waste. Technical assistance is available at no charge to those companies willing to partner with the County in this effort.

Storm Water

No Comment.

Water Quality

In order for the Mecklenburg County Water Quality Program to support this rezoning, the following recommendations shall be implemented and appear as notes on site plans.

Mecklenburg County Post Construction Ordinance:

Storm Water Quality Treatment

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is considered high density and is to have water quality best management practices (BMPs) to treat storm water runoff from the entire built-upon area within the separate, defined drainage area. The BMPs are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1-inch of rainfall.

The use of Low Impact Design (LID) such as bioretention systems in tree islands, grassed swales, vegetated buffers, level spreaders, and other innovative systems in a “treatment train” is optional and encouraged, where applicable. LID systems as described in the

Design Manual can be employed in whole or in part, to meet the 85% TSS treatment standard for storm water runoff.

Storm Water Volume and Peak Controls

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMPs) to control the entire runoff volume for the 1-year, 24-hour storm. The runoff volume drawdown time for the BMPs shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, the peak runoff rates should be controlled with BMPs to match the predevelopment runoff rates for the appropriate storm frequency (i.e., 10, 25, 50 or 100-year, 6-hrs) as determined by the Storm Water Administrator based on a downstream flood analysis provided by the owner or designee using the criteria specified in the Design Manual *or* if a down stream analysis is not performed the peak shall be installed for the 10-year, 25-year, 6-hour.

For commercial projects with greater than 24% BUA, the peak control shall be installed for the 10-year, 6-hour storm and additional peak control provided for the appropriate storm frequency (i.e., 25, 50 or 100-year, 6-hour) as determined by the Storm Water Administrator based on a downstream flood analysis provided the owner or designee using the criteria specified in the Design Manual *or* if a downstream analysis is not performed the peak shall be controlled for the rates for the 10-year and 25-year, 6-hour storms.

Controlling the 1-year, 24-hour volume achieves peak control for the 2-year, 6-hour storm. The emergency overflow and outlet works for any pond or wetland constructed as a storm water BMP shall be capable of safely passing a discharge with a minimum recurrence frequency as specified in the Design Manual. For detention basins, the temporary storage capacity shall be restored within 72 hours. Requirements of the Dam Safety Act shall be met when applicable.

Storm water runoff from the development shall be transported from the site by vegetated conveyances to the maximum extent practicable.

Undisturbed Open Space Criteria

A project with greater than or equal to 50% built-upon area shall include as Open Space within the boundaries of the project a minimum of 10% of the project area. The Undisturbed Open Space location shall be recorded at the Register of Deeds Office as "Undisturbed Open Space" and future disturbance is prohibited except for greenway trails with unlimited access, new Charlotte-Mecklenburg Utility Lines and channel work/maintenance activities by Charlotte- Mecklenburg Storm water Services. Other utility work may be allowed in the Undisturbed Open Space area provided it will not result in loss of Undisturbed Open Space as approved by Mecklenburg County.

Visit http://www.charmeck.org/Departments/StormWater/Contractors/Post-Construction+Storm+Water+Ordinances.htm for further guidance.

Please contact the staff members who conducted the reviews if you have any questions. The reviews were conducted by, Leslie Rhodes (Leslie.Rhodes@mecklenburgcountync.gov) with MCAQ, Jack Stutts (Jack.Stutts@mecklenburgcountync.gov) with GWS, Joe Hack (Joe.Hack@mecklenburgcountync.gov) with MCSW, Bill Tingle (Bill.Tingle@mecklenburgcountync.gov) with MCSWS, and Rusty Rozzelle (Rusty.Rozzelle@mecklenburgcountync.gov) with the MCWQ.

Respectfully,

Heidi Pruess
Environmental Policy Administrator