



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

April 29, 2015

Ms. Zenia Duhaney
Charlotte-Mecklenburg Planning Commission
600 East Fourth Street
Charlotte, North Carolina 28202

Re: Rezoning Petition 2015-062

Location: 20.91 acres located at the intersection of NC Music Factory Blvd. & Hamilton St generally surrounded by I-77, West Brookshire Frwy, and Seaboard Coast Line Railroad.

Dear Ms. Duhaney:

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.

Programs with No Comment at this Time

Solid Waste

Recommendations and/or Ordinance Requirement Reminders

Air Quality

Purpose of Mecklenburg County Air Quality Review:

Mecklenburg County Air Quality (MCAQ) has reviewed the City of Charlotte June 2015 rezoning petitions 2015-057 through 2015-072 for the purpose of identifying regulatory requirements of the petitioner, informing the petitioner, planning staff and other affected parties of such regulatory requirements, and identifying potential effects on, and impacts from, nearby properties.

Scope of Review:

MCAQ has reviewed the petitions with regard to air quality regulations for stationary sources, transportation facilities, and demolition and/or renovation of structures (i.e. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses, sources of Toxic Air Pollutants, proximity to Risk Management Plan facilities, and proximity to known nuisance conditions. MCAQ has conducted the review based on information submitted by the petitioner, a review of aerial photographs (as available through the Mecklenburg County Polaris system), and a review of the "Air Pollution Facility Information Online" database available from the MCAQ website. The review is cursory based on limited information.

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Comments

2015-062 Silver Hammer Properties, LLC (Tax Parcel No. 078-341-01, 02 & 09)

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

Because the proposed development will likely attract commuter trips, MCAQ recommends that the petitioner be required to provide “preferred” (attractive, conveniently located, or reduced cost) parking for “Clean Commuters” (carpool, vanpool, hybrid vehicles and/or electric vehicles).

As a point of reference, the LEED (Leadership in Energy Efficiency and Design) standard for Alternative Transportation requires developers to provide preferred parking for 5% of total parking spaces for car/vanpools or fuel efficient, low emitting vehicles. More information on these standards can be found in *LEED 2009 for New Construction and Major Renovations* located at: www.usgbc.org.

Groundwater & Wastewater Services

GWS records indicate all of the properties included in the petition are within 1,000 feet of multiple contamination sites. An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. Municipally supplied water is available to these properties. In ARGU where municipally supplied water is available water supply wells for water supply, irrigation or open loop geothermal systems may not be permitted or constructed on or within 1,000 feet of contamination sites.

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

No water supply wells including irrigation wells and open loop geothermal wells will be constructed on the properties.

Water Quality

General Comments: The requirements of the post-construction storm water ordinance for the City of Charlotte should be applied to the proposed rezoning. More detailed information regarding ordinance requirements is available at the following website: <http://charmeck.org/stormwater/regulations/Pages/Post-ConstructionStormWaterOrdinances.aspx> and click on City of Charlotte.

Impaired Streams:

The property represented in this rezoning drains to surface waters listed on North Carolina’s Department of Natural Resources 303(d) list of impaired streams. **Irwin Creek** is listed for copper, lead, and zinc due to pollution discharges. By properly controlling pollutants both during and after construction you can help restore these surface waters. More information on North Carolina’s impaired waters and 303(d) list can be found at <http://portal.ncdenr.org/web/wq/ps/mtu/assessment>.

No further comments on the above petition at this time.

Please contact the staff members who conducted the reviews if you have any questions. The reviews were conducted by, Megan Green (Megan.Green@mecklenburgcountync.gov) with MCAQ, Dennis Tyndall (Dennis.Tyndall@mecklenburgcountync.gov) with GWS, Joe Hack (Joe.Hack@mecklenburgcountync.gov) with MCSW, and Rusty Rozzelle (Rusty.Rozzelle@mecklenburgcountync.gov) with MCWQ.

Respectfully,

Jeanne Quinn, Administrative Support Supervisor
Jeanne.quinn@mecklenburgcountync.gov