



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

January 16, 2018

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

Please find below the Land Use and Environmental Services Agency comments on Petitions 2017-175 through 2017-190 from Air Quality, Storm Water Services and Groundwater & Wastewater Services (GWS):

Purpose of Mecklenburg County Air Quality Review:

Mecklenburg County Air Quality (MCAQ) has reviewed the City of Charlotte February 2018 rezoning petitions 2017-175 through 2017-190 to identify regulatory requirements of the petitioner, inform the petitioner, planning staff and other affected parties of such regulatory requirements, and identify 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 and demolition and/or renovation of structures (e.g. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses and proximity to known nuisance conditions or sensitive populations. MCAQ has conducted the review based on information submitted by the petitioner and a review of aerial photographs (as available through the Mecklenburg County Polaris system or Google Maps.) The review is cursory based on limited information. It should be noted that this review is subject to change as additional information becomes available.

Comments to the Charlotte Mecklenburg Planning Commission:

2017-175 332 West Bland Street, LLC (Attn: Vishal Arora) (Tax Parcel No. 073-083-01, 02, 03, 05, & 14)

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 have been mailed directly to the petitioner by MCAQ.

2017-176 McDonald Development Company (Attn: Tracy White) (Tax Parcel No. 141-071-20 & 141-251-14)

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 have been mailed directly to the petitioner by MCAQ.

2017-177 NAI Southern Real Estate (Attn: Caldwell Rose) (Tax Parcel No. 125-118-01 & 04)

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.

The proposed development is likely to require the use of heavy duty diesel equipment (≥ 25 hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, and daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

2017-178 Atlantic Coast Contractors, Inc. (Attn: Matthew S. Bath) (Tax Parcel No. 207-011-20)

The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

2017-179 Davis Development, Inc. (Attn: Lance Chernow) (Tax Parcel No. 029-191-04, 14, & 15)

No comment on this rezoning petition.

2017-180 JS Helms Family Properties, LLC (Attn: Jerry Helms) (Tax Parcel No. 111-461-03, 04, 05, 08, & 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.

2017-181 Dakota Legacy Group (Attn: Richard Larson) (Tax Parcel No. 047-461-07)

No comment on this rezoning petition.

2017-182 QuikTrip Corporation (Attn: Paulette Morin) (Tax Parcel No. 025-211-93, 98, & 99)

The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

2017-183 Hopper Communities, Inc. (Attn: Bart Hopper) (Tax Parcel No. 175-094-44, 45, 46, 47, & 48)

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.

2017-184 Sean Brady (Tax Parcel No. 033-012-01, 02, 21, 23, & 36)

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.

2017-185 High Family Partnership I, LP (Attn: Andrew Basile) (Tax Parcel No. 029-011-20 & 32)

The proposed development is likely to require the use of heavy duty diesel equipment (≥ 25 hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, and daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

2017-186 The Drakeford Company (Attn: Robert T. Drakeford) (Tax Parcel No. 119-089-04, 05, 06, & 07)

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.

2017-187 MAGA Development, LLC (Attn: Ty A. Matthews) (Tax Parcel No. 055-091-09)

No comment on this rezoning petition.

2017-188 Providence Group Capital, LLC (Attn: J.Q. Freeman) (Tax Parcel No. 149-024-05, 14, & 16)

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 have been mailed directly to the petitioner by MCAQ.

2017-189 SL Horton Road, LLC c/o The Silverman Group (Attn: Dan Lacz) (Tax Parcel No. 121-012-10)

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 have been mailed directly to the petitioner by MCAQ.

The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality

Permits.” A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

2017-190 C4 Investments, LLC (Attn: Barry James) (Tax Parcel No. 089-064-39)
No comment on this rezoning petition.

Storm Water Services Comments

2017-189

Mecklenburg County Storm Water Services recommends the following measures to aid in the protection of surface water resources within and downstream of the proposed rezoning project. The proposed project drains to Beaverdam Creek and Browns Cove on Lake Wylie which has documented historical sedimentation issues. Additional water quality measures are necessary to protect environmentally sensitive coves from sediment impacts.

Automated In-Situ Monitoring: Perform continuous in situ monitoring in any streams which are immediately downstream of active construction. Monitoring should begin prior to land disturbing activity and continue throughout construction until site is stabilized and grading permit is closed. Parameters to be measured are turbidity, water level, and rainfall. Data must be immediately available via a network communication system and be able to provide immediate alerts to staff when thresholds are exceeded, which may indicate a failure of erosion control devices. It is recommended that this monitoring be performed by Mecklenburg County Storm Water Services. The Land Developer is to pay all costs associated with the installation and maintenance of the monitoring site.

Justification: This monitoring will be valuable for detecting any potential erosion control failures and will allow the immediate notification to the project developers and regulators in order to minimize impacts.

Water Quality Specialist: Provide a staff person dedicated solely to the protection of surface water resources. Duties to include the day to day inspection of erosion control measures and land disturbing activities, the routine inspection of surface waters and all activities necessary to ensure the compliance with all water quality regulations and rezoning conditions.

Justification: A dedicated staff for water quality protection has proven to be effective in several other large development projects in sensitive watersheds. This provides a point of contact for environmental regulators and provides piece of mind for the project developers that someone is always keeping a daily watch out for environmental issues.

Erosion Controls: Additional erosion control measures should be in place such as increased basin sizing, increasing stream buffer widths and the use of polyacrylamides (PAM) were appropriate, including all requirements specified in the Charlotte Land Development’s Enhanced Erosion Control Measures Checklist, as further determined by Charlotte Land Development.

Justification: Potential sedimentation impacts to Beaverdam Creek and Brown's Cove is the most significant concern regarding development in this area. Enhanced erosion control measures have proven effective in several other developments in sensitive areas.

Post Construction Controls: All development (regardless of built upon area) should be treated with controls designed for the 1-year volume control and peak control for the 10 and 25 year, 6-hour storms or additional controls if necessary as determined by Charlotte's Storm Water Administrator.

Justification: This is necessary for the protection of the stream channels and to prevent degradation due to the increase in impervious surfaces and increased storm water flows.

Groundwater & Wastewater Services (GWS) Comments

Petitions 2017-159, 160, 161, 162, 163, 164, 166, 167, 168, 170, 171, 172 & 173

GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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. 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. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Petition 2017-161

GWS records indicate permanent groundwater monitoring wells associated with Douglas Furrier Cleaners (former Elizabeth Cleaners) 1200 E. Independence Blvd. are located on parcels 08019403, 04, 05 & 07 included in the petition. These wells need to be located, flagged and protected prior to development or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations.

The well owner is listed as NCDSCA, Billy Meyer (919) 707-8336

The consultant is listed as URS Corporation/AECOM (704) 522-0300

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