



**MECKLENBURG COUNTY**  
**Land Use and Environmental Services Agency**  
**- AIR QUALITY -**

June 13, 2018

**MEMORANDUM**

**To:** Jeanne M. Quinn, Admin Support Supervisor

**Through:** Megan Green, Air Quality Program Manager

**From:** PJ McKenzie, Air Quality Specialist

**Subject:** Mecklenburg County and City of Charlotte August Rezoning Petitions 2018-001(c) and 2018-064 through 2018-079

**Purpose of Mecklenburg County Air Quality Review:**

Mecklenburg County Air Quality (MCAQ) has reviewed the Mecklenburg County and City of Charlotte August 2018 rezoning petitions 2018-001(c) and 2018-064 through 2018-079 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, sources of Toxic Air Pollutants, proximity to Risk Management Plan facilities, and proximity to known nuisance conditions or sensitive populations. MCAQ has conducted the review based on information submitted by the petitioner, review of aerial photographs (as available through the Mecklenburg County Polaris system,) review of the "Air Pollution Facility Information Online" database available from the MCAQ website, and review of Mecklenburg County Health Department records. The review is cursory based on limited information provided within petition applications and site plans.

**Comments to the Charlotte Mecklenburg Planning Commission:**

**2018-001(c) Northwood Ravin Development (Attn: Michael Gribble) (Tax Parcel No. 223-451-83 & 84)**

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.

**2018-064 Chick-fil-A, Inc. (Attn: Nate Thompson) (Tax Parcel No. 047-211-24)**

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 ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, 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.

**2018-065      Raley Miller Properties (Attn: G. Kenneth Orndorff) (Tax Parcel No. 029-052-17 & 029-371-66)**

No comment on this rezoning petition.

**2018-066      Anthony Moore (Tax Parcel No. 185-042-08)**

No comment on this rezoning petition.

**2018-067      NVR, Inc. (Attn: Mallie M. Colavita) (Tax Parcel No. 029-191-13, 14, & 15)**

No comment on this rezoning petition.

**2018-068      J.R. Atkinson (Tax Parcel No. 045-058-02)**

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 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.

**2018-069      Dependable Development, Inc. (Attn: S. Gasparini) (Tax Parcel No. 031-141-03)**

No comment on this rezoning petition.

**2018-070      Florian & Oltita Balaj (Tax Parcel No. 061-271-13)**

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.

**2018-071      Dependable Development, Inc. (Attn: David Cuthbertson) (Tax Parcel No. 105-171-07, 77, & 89)**

No comment on this rezoning petition.

**2018-072      Thunderbird, LLC (Attn: Tom Murphy) (Tax Parcel No. 037-081-12)**

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.

**2018-073      Moores Chapel Retail, LLC (Attn: Glen Cherry) (Tax Parcel No. 055-491-13, 14, 15, & 28)**

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.

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.

**2018-074      Elissa Mullis (Tax Parcel No. 108-081-07 & 23)**

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.

**2018-075      Fountain Residential Partners (Attn: Brent Little) (Tax Parcel No. 051-011-15, 16, & 35, 051-013-01, 02, 03, & 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.

**2018-076      Fountain Residential Partners (Attn: Brent Little) (Tax Parcel No. 049-242-07, 08, 09, 15, 19, & 22)**

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.

**2018-077      R2 Development (Attn: Pete Elmer) (Tax Parcel No. 219-091-26, 27, 28, & 29)**

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.

**2018-078      Conformity Corp. (Attn: Monte Ritchey) (Tax Parcel No. 125-243-61)**

No comment on this rezoning petition.

**2018-079      Three Pillars Capital, LLC (Attn: Michael Salzarulo) (Tax Parcel No. 083-044-01, 29, & 30)**

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.



## MECKLENBURG COUNTY

Gibbie Harris, MSPH, BSN  
Health Director

Public Health

(704) 336-4700

July 3, 2018

### MEMORANDUM

**To:** Jeanne Quinn  
Administrative Support Supervisor (LUESA)

**From:** Brett Morris, L.G. Hydrogeologist  
Groundwater & Wastewater Services (GWS) *BM*

**Subject:** Groundwater & Wastewater Services (GWS) Comments  
Rezoning Petitions 2018-064 thru 2018-079

#### **Petitions 2018-064, 065, 066, 068, 069, 070, 072, 074, 075, 076, 078 and 079**

Groundwater & Wastewater Services (GWS) records indicate contamination sites 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 an ARGU where municipally supplied water is available water supply wells for potable 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 2018-067 and 071**

GWS records for the surrounding properties were only researched for Mecklenburg County. Please note that the Mecklenburg County and Cabarrus County line is within 1,500 feet of parcel 029-191-13 (Petition 2018-067), as well as all the parcels identified in Petition 2018-071. Thus, not all records for the surrounding properties within 1,500 feet were available for review.

#### **Petitions 2018-065, 069 and 074**

GWS records indicate Subsurface Investigation Permits (SIPs) have been issued for parcels 029-052-17 (Petition 2018-065), 031-141-03 (Petition 2018-069) and 108-081-07 (Petition 2018-074). Records indicate that the monitoring well that was registered to parcel 108-081-07 has been permanently abandoned. Five monitoring wells, two active and three permanently abandoned, were registered on parcel 029-052-17. Also, records indicate that one permanently abandoned and four active monitoring wells were registered to parcel 031-141-03. Please note that if monitoring wells exist on these parcels the wells need to be located, flagged and protected prior to development or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations.

**Petitions 2018-072, 073, 075 and 077**

GWS records indicate that water supply wells are located within the bounds of the proposed project on parcels 037-081-12 (Petition 2018-072), 055-491-13 (Petition 2018-073), 051-013-02 (Petition 2018-075) and 219-091-27 (Petition 2018-077). Also, note that records indicate that parcel 055-491-14 (Petition 2018-073) has a permanently abandoned water supply well. The water supply wells should be protected during site development by flagging and fencing or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations prior to site development commencing.

**Petitions 2018-072, 073, 075, 076, and 077**

GWS records indicate a pre-existing septic system on parcel 037-081-12 (Petition 2018-072), 051-013-02 (Petition 2018-075), 049-242-09 (Petition 2018-076), 219-09-128 (Petition 2018-077) and a permitted septic system on parcel 055-491-14 (Petition 2018-073). No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

**Petitions 2018-076**

Information from property records indicate that the house on parcel 049-242-22 (Petition 2018-076) uses or previously utilized oil, wood or coal heat. Based on this the property may contain an underground or above ground fuel oil storage tank. The tank and its contents should be removed, following applicable NCDEQ guidance, prior to any demolition or grading activity.

**Petition 2018-065, 068, 069, 072, 075, 079**

GWS records indicate that parcel 029-052-17 (Petition 2018-065) is a Mecklenburg County Priority List (MPL) site because of a Leaking Underground Storage Tank (LUST) incident. Parcel 045-058-02 (Petition 2018-068) is surrounded by various MPL sites and is a current garage/repair shop. Parcel 031-141-03 (Petition 2018-69) is a MPL site because of a LUST incident. Parcels identified in Petition 2018-75 are located across the street from a MPL site that was listed because of a LUST incident. Parcel 037-081-12 (Petition 2018-72) is located adjacent to a MPL site that was listed due to Leaking Aboveground Storage Tank (LAST) and LUST petroleum incidents. Also, parcels identified in Petition 2018-79 are located adjacent to a MPL site that was listed due to the site's inclusion into the Brownfield (BF) program.

Therefore, additional assessment investigation should be considered based on the MPL sites identified above, historic land usage of this area and because more sufficient information will be necessary to determine that the change in use will not pose unacceptable health and safety risks.