



**MECKLENBURG COUNTY**  
**Land Use and Environmental Services Agency**

Revised September 21, 2018

**MEMORANDUM**

**To:** Michael Russel, Charlotte Planning

**From:** Jeanne Quinn, Support Services

**Subject:** City of Charlotte November Rezoning Petitions 2018-096 through 2018-112

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

Mecklenburg County Air Quality (MCAQ) has reviewed the City of Charlotte November 2018 rezoning petitions 2018-096 through 2018-112 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:**

**2018-096 Boulevard Real Estate Advisors LLC (Attn: Chris Branch) (Tax Parcel No. 081-111-06 & 13)**

No comment on this rezoning petition.

**2018-097 Stamatis Tsilimos (Tax Parcel No. 095-071-03, 04, 05, & 06)**

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.

**2018-098 Cygnus Construction (Attn: John Costanzo) (Tax Parcel No. 081-061-01)**

No comment on this rezoning petition.

**2018-099      Shea Homes (Attn: Mike Shea) (Tax Parcel No. 091-091-04, 05, 34, & 35)**  
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.

**2018-100      Selwyn Property Group, Inc. (Attn: Patrick Pierce) (Tax Parcel No. 181-061-12, 13, 14, 15, & 16)**  
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.

**2018-101      Llewellyn Development (Attn: Terrence Llewellyn) (Tax Parcel No. 231-054-05)**  
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.

**2018-102      Audies Moore (Tax Parcel No. 065-125-15)**  
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.

**2018-103      Griffin Industrial Realty (Attn: Scott Bosco) (Tax Parcel No. 025-271-04, 05, 06, 07, 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.

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.

**2018-104      Pal-A-Roos Properties, LLC (Attn: Dianna J. Horney) (Tax Parcel No. 027-251-57 & 58)**  
No comment on this rezoning petition.

**2018-105      Greg Godley (Tax Parcel No. 083-163-14)**  
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.

**2018-106      Lincoln Harris, LLC (Attn: Brett Phillips) (Tax Parcel No. 177-063-05)**

No comment on this rezoning petition.

**2018-107 JDSI, LLC (Attn: Judson Stringfellow) (Tax Parcel No. 107-312-04)**

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 ( $\geq 25$  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.

**2018-108 Elmington Capital Group (Attn: Joseph Horowitz) (Tax Parcel No. 201-181-02 & 44)**

The proposed development will result in residential property being located adjacent to property zoned for industrial use (I-1 and I-2). Many industrial uses can be considered incompatible with residential uses due to regulated air emissions and other common features of industrial uses such as odors, dust, noise, and truck traffic. The proposed development is surrounded on three of four sides by I-1 industrial zoning and on the fourth side by I-2 industrial zoning. Within 0.5 mile of the parcels there are 12 facilities that are known sources of air pollution:

Facility Classification	Number of Facilities within 0.5 mile
Major	1
Synthetic Minor	2
Minor	3
Registered	6

MCAQ recommends that the Planning Commission consider this information in its determination of whether this rezoning request constitutes an incompatible land use. The requested rezoning will result in residential development in close proximity to existing heavy industrial use.

**2018-109 Eastgroup Properties, L.P. (Attn: John Coleman) (Tax Parcel No. 201-071-10; 201-082-01 & 02)**

No comment on this rezoning petition.

**2018-110 Mattamy Homes (Attn: Bob Wiggins) (Tax Parcel No. 199-011-02)**

No comment on this rezoning petition.

**2018-111 David Weekley Homes (Attn: Mark O. Gibbs) (Tax Parcel No. 083-142-10, 11, 12, 13, 14, 15, & 16; 083-144-01, 02, 03, 04, 05, 06, 07, & 08)**

No comment on this rezoning petition.

**2018-112 Michael Loeb (Tax Parcel No. 093-022-01)**

No comment on this rezoning petition.