



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

August 26, 2019

Mr. Michael Russell
Charlotte-Mecklenburg Planning Commission
600 East Fourth Street Charlotte, North Carolina 28202

Dear Mr. Russell,
Mecklenburg County has reviewed the City of Charlotte July petitions 2019-086 through 2019-104 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.

Comments to the Charlotte Mecklenburg Planning Commission (086 - 104):

2019-086 JW McAdams II (Attn: JW McAdams II) (Tax Parcel No. 209-2343-04)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-087 JDSI, LLC (Attn: Judson Stringfellow) (Tax Parcel No. 108-211-05)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste

2019-088 JDSI, LLC (Attn: Judson Stringfellow) (Tax Parcel No. 108-121-01, 19)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

GWS records indicate that a water supply well is located within the bounds of parcel 108-121-01. The water supply well 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.

Storm Water Services Comments: A Floodplain Development permit must be obtained documenting compliance with the City of Charlotte Floodplain Regulations for all development occurring in the floodplain. In addition, staff recommend any structures proposed within the Community Special Flood Hazard Area be constructed to a Flood Protection Elevation equal to the Community Base Flood Elevation plus two (2) feet of freeboard based upon recent analyses of the future floodplains supported by the Storm Water Advisory Committee.

Solid Waste Comments: No comments from Solid Waste.

2019-089 Alpa Parmar (Attn: Alpa Parmar) (Tax Parcel No. 061-251-12)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 061-251-12. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-090 Culp Road Materials, LLC (Attn: Kojo Sapon) (Tax Parcel No. 113-122-55, 56)

Air Quality Comments: 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.

Ground Water Services Comments: Information from property records indicate that the house on parcel 143-134-03 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.

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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-091 Ramon Adams (Attn: Ramon Adams) (Tax Parcel No. 051-292-58, 59)

Air Quality Comments: 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.

Ground Water Services Comments: GWS records indicate that a water supply well is located within the bounds of parcel 051-292-58. The water supply well 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.

Information from property records indicate that the houses on parcels 051-292-58 and 051-292-59 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-092 Carolina Development Group NC, LLC (Attn: Russ Sinacori) (Tax Parcel No.078-231-01, 02, 03, 12)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-093 406 W 32nd, LLC (Attn: Rich Moyer) (Tax Parcel No. 085-014-17)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-094 Andrew Parker (Attn: Andrew Parker) (Tax Parcel No. 083-073-01)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-095 Shea Homes (Attn:Michael Shea) (Tax Parcel No. 108-121-02)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 108-121-02. 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.

Storm Water Services Comments: A Floodplain Development permit must be obtained documenting compliance with the City of Charlotte Floodplain Regulations for all development occurring in the floodplain. In addition, staff recommend any structures proposed within the Community Special Flood Hazard Area be constructed to a Flood Protection Elevation equal to the Community Base Flood Elevation plus two (2) feet of freeboard based upon recent analyses of the future floodplains supported by the Storm Water Advisory Committee.

Solid Waste Comments: No comments from Solid Waste.

2019-096 Shea Homes (Attn:Michael Shea) (Tax Parcel No. 163-082-23)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-097 Ardent Acquisitions, LLC (Attn: Tyson Reilly) (Tax Parcel No. 145-134-01, 03, 22, 27, 28)

Air Quality Comments: 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, 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.

Ground Water Services Comments: GWS records indicate that parcel 145-134-03 is a Mecklenburg County Priority List (MPL) site because of chlorinated solvents found in the groundwater at the site. 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.

Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

GWS records indicate that a water supply well is located within the bounds of parcel 145-134-22 The water supply well 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.

Groundwater & Wastewater Services records indicate Subsurface Investigation Permits (SIPs) were issued for parcel 143-134-03. Please note that if monitoring wells exist on this parcel 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-098 Flagship Healthcare Properties, LLC (Attn: Thorn Baccich) (Tax Parcel No. 157-016-29)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: A Floodplain Development permit must be obtained documenting compliance with the City of Charlotte Floodplain Regulations for all development occurring in the floodplain. In addition, staff recommend any structures proposed within the Community Special Flood Hazard Area be constructed to a Flood Protection Elevation equal to the Community Base Flood Elevation plus two (2) feet of freeboard based upon recent analyses of the future floodplains supported by the Storm Water Advisory Committee.

Solid Waste Comments: No comments from Solid Waste.

2019-099 Townes Mozer (Attn: Townes Mozer) (Tax Parcel No. 145-052-01)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-100 Pike Properties, LLC (Attn: Matt Connolly) (Tax Parcel No. 081-084-15)

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Groundwater & Wastewater Services records indicate that a Subsurface Investigation Permit (SIP) was issued for the parcel listed on the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-101 City of Charlotte (Attn: Patrick Cerri) (Tax Parcel No. 081-115-01)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: GWS records indicate that parcel 081-115-01 is a Mecklenburg County Priority List (MPL) site because of multiple Leaking Underground Storage Tank (LUST) incidents. According to accessible records, Land Use Restrictions were filed with the Registrar of Deeds Office on July 25, 2007 for this site in accordance with a Notice of Residual Petroleum. The Notice of Residual Petroleum can be accessed here: <https://edocs.deq.nc.gov/WasteManagement/0/doc/1178420/Page1.aspx?searchid=a0a266a2-4210-4f1e-948a-a5c376574d40> Please note the Perpetual Land Use Restrictions portion of the Notice of Residual Petroleum below that stipulates that the property usage shall be used as industrial/commercial only:

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

Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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.

Groundwater & Wastewater Services records indicate a Subsurface Investigation Permit (SIP) was issued for the parcel listed on the petition. 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.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

Administrative Amendments:

2019-102 **[Alan Goodwin](#) ([Chapter 15: Transit Oriented Development Districts](#))**

Air Quality Comments: No comment on this amendment.

Ground Water Services Comments: No comments Ground Water Services.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

Rezoning Text Amendments:

2019-103 **[Kevin May](#) ([Zoning Ordinance Sign Regulations](#))**

Air Quality Comments: No comments on this amendment.

Ground Water Services Comments: No comments Ground Water Services.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

2019-104 **[Pete Grisewood](#) ([Chapter 21 Tree Ordinance & Part 2 Zoning Ordinance](#))**

Air Quality Comments: No comment on this amendment.

Ground Water Services Comments: No comments Ground Water Services.

Storm Water Services Comments: No comments from Storm Water Service, Water Quality or Permitting & Compliance.

Solid Waste Comments: No comments from Solid Waste.

MCAQ Scope of Review:

Mecklenburg County Air Quality (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.