



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

To: Michael Russell, Principal Planner City of Charlotte
From: Dylan Kirk, Sustainability Program Coordinator
Date: Tuesday, November 26, 2019
Subject: City of Charlotte October Rezoning Petitions 2019-138 through 2019-153

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 October Rezoning Petitions 2019-138 through 2019-153 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.

2019-138 Roma Homes (Attn: Bill Katsaros) (Parcel #: 08316403)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-139 JDSI, LLC (Attn: Judson Stringfellow) (Parcel #: 10324103, & 10331225)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-140 C Investments 5, LLC (Attn: Rick J McCorkle) (Parcel #: 22313305)

Air Quality Comments: 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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-141 Mark Bolous (Attn: Mark Bolous) (Parcel #: 15720312)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-142 Kennedy Howard (Attn: Kennedy Howard) (Parcel #: 06504501)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-143 Tara Ellerbe - Elite (Attn: Tara Ellerbe) (Parcel #: 08102406, 10)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-144 York Acquisitions, LLC (Attn: Dan Koebel) (Parcel #: 02903112, 22, 24, 25)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Information from property records indicates that the home on parcel 029-031-12 uses or previously utilized wood, coal or oil 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. Any related soil and/or groundwater contamination should be remediated to NCDEQ standards prior to redevelopment of the property.

Mecklenburg County Solid Waste: No comments.

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

2019-145 MOD CLT, LLC (Attn: Frederick J. Laury III) (Parcel #: 12907619)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-146 ALB Architecture, PA (Attn: Angie F. Lauer) (Parcel #: 08107308)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-147 Guy Properties (Attn: James R. Guy, Jr.) (Parcel #: 09110101, 02, 03)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-148 Branful LLC (Attn: Adam McCurry) (Parcel #: 08707125, 40)

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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

2019-149 Wood Partners (Attn: Tom Burkert) (Parcel #: 08304408, 09, 10, 15, 16, 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.

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 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Subsurface Investigation Permit (SIP) 70002517 was issued for parcel 08304408. No active monitoring wells (MWs) are currently registered to this SIP.

GWS recommends that the petitioner identify any MWs within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the monitoring wells. A current SIP from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

Mecklenburg County Solid Waste: No comments.

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

2019-150 Oakmont Pacolet Acquisitions, LLC (Attn: Vincent Agliodoro) (Parcel #: 05312211, 12, 13, 14, 19, 20, 24, 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 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.

Ground Water Services Comments: 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Information from property records indicates that the home on parcel 05312214 and parcel 05312211 uses or previously utilized wood, coal or oil 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. Any related soil and/or groundwater contamination should be remediated to NCDEQ standards prior to redevelopment of the property.

A water supply well is registered as active drinking water well on parcel 05312219 and two water supply wells are registered on parcel 05312211, one active and one inactive. GWS records do not indicate that these water supply wells have been permanently abandoned.

GWS recommends that the petitioner identify any water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

A review of GWS records indicate a waste water disposal system permitted at parcel 05312228. No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents then subsequently crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

Mecklenburg County Solid Waste: No comments.

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

2019-151 Longbranch Development (Attn: Brett Basnight) (Parcel #: 02930105, & 02933108, 09, 34)

Air Quality Comments: 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: No comments.

Mecklenburg County Solid Waste: No comments.

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

2019-152 Spectrum Companies (Attn: Jason Fish) (Parcel #: 04924207, 08, 09, 10, 11, 15, 19, 22)

Air Quality Comments: 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: Information from property records indicates that the home on parcel 04924222 uses or previously utilized wood, coal or oil 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. Any related soil and/or groundwater contamination should be remediated to NCDEQ standards prior to redevelopment of the property.

A review of GWS records indicate a waste water disposal system registered as a pre-existing septic at parcel 04924209. No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents then subsequently crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

Mecklenburg County Solid Waste: No comments.

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

2019-153 650 South Tryon Development LLC (Attn: John Harris) (Parcel #: 07303206)

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Review of the North Carolina Department of Environmental Quality (NCDEQ) Division of Waste Management database shows parcel 07303206 is included in Brownfields Project Number 19084-15-060, West Stonewall Street Brownfield, with known soil, groundwater and soil/gas contamination of VOCs and metals. The Brownfields Property is located at 600 S. Tryon St., 806 S. Church St., 301 W. Stonewall St., 821 and 831 S. Mint St., and 621, 700, and 720 S. Poplar St. in Charlotte, North Carolina 28202. The Brownfields Property is the former site of the Charlotte Observer and Reeves Sheet Metal Works. sorting, warehousing, and newspaper transportation operations, as well as a metal fabrication and metalworking facility, a foundry, auto repair and tire service facilities, gasoline stations, residential properties, a school, and other commercial uses. GSLH Charlotte Realty Holdings, LLC intends to redevelop the Brownfields Property for Cellular Telephone and Data Transmission, Data Center, Exhibition, Hotel, Media Broadcasting, Multi-Family Residential, Office, Open Space, Parking, Post-Secondary Education, Recreation, Retail, Retail Banking, Storage, and, subject to DEQ's prior written approval, other Commercial uses. The Brownfield agreement includes land use restrictions as noted on pages 2-8 in the following document:

https://edocs.deq.nc.gov/WasteManagement/edoc/687482/19084_WestStonewallSt_RecordedNBP_2017.05.23.pdf?dbid=0&repo=WasteManagement&searchid=b8ab1a0c-552b-41f7-a8a2-d456742f1c1c

Any development on this parcel should comply with applicable NCDEQ requirements for management of this contamination site. The Groundwater & Wastewater Services Program (GWS) will assist the Planning Commission with review of specific site conditions upon request. Please contact Shawna Caldwell, P.G., Hydrogeologist, at 980-314-1626 to request assistance.

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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Mecklenburg County Solid Waste: No comments.

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