



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

April 17, 2007

Mr. Solomon Fortune
Charlotte-Mecklenburg Planning Commission
600 East Fourth Street
Charlotte, North Carolina 28202

Re: Rezoning Petition 2007-076
Approximately 6.40 acres bounded by E 3rd Street, E 4th Street,
Queens Road and S Caswell Road

Dear Mr. Fortune:

Representatives of the Air Quality (MCAQ), Groundwater & Wastewater Services (MCGWS), Solid Waste (MCSW), Storm Water Services (MCSWS), and Water Quality (MCWQ) Programs of the Mecklenburg County Land Use and Environmental Services Agency (LUESA) have reviewed the above referenced rezoning petition. In order for the Mecklenburg County LUESA to support this rezoning, the following recommendations should be implemented and appear as notes or modifications on site plans:

Air Quality

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 will be 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 (MCAPCO) Regulation 2.0805 - "Parking Facilities". A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

Groundwater & Wastewater Services

One property contained in this petition (Parcel 155-013-05) has received a No Further Action letter from the NCDENR Underground Storage Tank Section for Incident number 18052. However, soil contamination that could not be excavated due to the proximity of buildings was left in place. Construction activity associated with the proposed use of the property may result in disturbance of the contaminated soil, therefore, LUESA opposes rezoning of this parcel until such time as the proper notification to the NCDENR has been made and any additional investigation or remediation that NCDENR may require has been completed.

Solid Waste

Mecklenburg County Solid Waste requests that the following information be indicated on the plans:

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities. The Plan shall specify that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report shall include the identification and location of facilities receiving disposed or recycled materials.

Mecklenburg County is committed to reduction of construction/demolition waste. Technical assistance is available at no charge to those companies willing to partner with the County in this effort. Please contact Diane Davis at (704) 432-0399 for more information regarding the County's technical assistance services and for submission of your Solid Waste Management Plan.

Storm Water

No Comment.

Water Quality

The Mecklenburg County Water Quality Program cannot support the rezoning of the subject property unless the comments and/or ordinances are implemented and appear on any revised site plans as notes and/or schematics.

The proposed project will include a substantial amount of impervious area, which will directly affect surface water quality due to storm water runoff from the project. Storm water runoff becomes contaminated with pollutants associated with the impervious area usage, transporting these pollutants to surface waters. In addition, this impervious area acts to increase the volume and velocity of storm water entering surface waters, which affects stream channel stability and negatively impacts water quality and aquatic habitat. In order to mitigate the impacts of these pollutants and to protect water quality conditions, the proposed project should incorporate the criteria specified below.

General Recommendations:

Storm Water Quality Treatment

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have water quality best management practices (BMPs) to treat storm water runoff from the entire built-upon area within the separate, defined drainage area. The BMPs are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1-inch of rainfall. The BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0.

The use of Low Impact Design (LID) such as bioretention systems in tree islands, grassed swales, vegetated buffers, level spreaders, and other innovative systems in a “treatment train” is optional and encouraged, where applicable. LID systems can be employed in whole or in part, to meet the 85% TSS treatment standard for storm water runoff. LID must be designed and constructed per the NCDENR Best Management Practices Manual, April 1999, Section 4.0.

Storm Water Volume and Peak Controls

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMPs) to control the entire runoff volume for the 1-year, 24-hour. The runoff volume drawdown time for the BMPs shall be a minimum of 24 hours, but not more than 120 hours. The peak runoff rates should be controlled with BMPs to match the predevelopment runoff rates for the 10-year and 25-year, 6-hr storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

Storm water runoff from the development shall be transported from the site by vegetated conveyances to the maximum extent practicable.

Please contact the staff members who conducted the reviews if you have any questions.

The reviews were conducted by, Leslie Rhodes

(Leslie.Rhodes@mecklenburgcountync.gov) with MCAQ, Jack Stutts

(Jack.Stutts@mecklenburgcountync.gov) with GWS, Joe Hack

(Joe.Hack@mecklenburgcountync.gov) with MCSW, Bill Tingle

(Bill.Tingle@mecklenburgcountync.gov) with MCSWS, and Rusty Rozzelle

(Rusty.Rozzelle@mecklenburgcountync.gov) with the MCWQ.

Respectfully,

Heidi Pruess

Environmental Policy Administrator