

# MECKLENBURG COUNTY Land Use and Environmental Services Agency

July 19, 2006

Mr. David Barley Charlotte-Mecklenburg Planning Commission 600 East Fourth Street Charlotte, North Carolina 28202

### Re: Rezoning Petition 2006-103 Approximately 3.3 acres located south of Moores Chapel Road and east of Cedarvale Rd.

Dear Mr. Barley:

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. The following comments were provided:

#### Air Quality

No comment.

Groundwater & Wastewater Services

No comment.

<u>Solid Waste</u>

No comment.

#### 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.

#### Lower Lake Wylie Watershed Overlay District

The subject property is located in the Lake Wylie Watershed Overlay, Protected Area, as specified in the City of Charlotte Zoning Ordinance. The undisturbed perennial stream

#### Page 2

buffer and built-upon area requirements specified in the Zoning Ordinance shall apply to the property.

According to the project Site Plan, the property is to be developed as greater than 24% impervious area, which is the High Density option of the zoning Overlay, requiring 100-foot undisturbed buffers along all perennial streams. The High Density option of the zoning Overlay also requires that structural BMPs be employed to treat storm water from the site. The BMPs are to be constructed to treat the runoff generated from the first inch of rainfall for 85% Total Suspended Solids. Any BMPs are to 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.

#### Stream Buffers

If applicable to the subject property, intermittent and perennial stream segments draining less than 100 acres shall be delineated by a certified professional using the U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology. The locations of streams and the required buffers shall be depicted on site plans.

If applicable to the subject property, a 35-foot protective buffer shall be established on both sides of intermittent and perennial stream segments draining between 50 acres and 100 acres. A buffer shall include two zones, a 20-foot undisturbed Streamside Zone, and a 15-foot limited-use Upland Zone. The allowable uses in these Zones are to be the same as those outlined in the City of Charlotte Zoning Ordinance, Chapter 12, Part 8, S.W.I.M. Stream Buffers, for streams draining greater than 100 acres, but less than 300 acres. If applicable to the subject property, all intermittent and perennial stream segments draining less than 50 acres should have a minimum 30-foot vegetated buffer including an undisturbed or bioengineered 10-foot zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area in the 10-foot zone adjacent to the bank shall require stream bank stabilization using bioengineering techniques approved by MCWQP. All buffers shall be measured from the top of the bank on both sides of the stream.

#### 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 <u>or</u> 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 Rusty Rozzelle (<u>rozzers@co.mecklenburg.nc.us</u> with the MCWQ, Leslie Rhodes (<u>rhodelh@co.mecklenburg.nc.us</u>) with MCAQ, Scott Brown (<u>brownsl@co.mecklenburg.nc.us</u>) with MCSW, Bill Tingle

## Page 3

(tinglwr@co.mecklenburg.nc.us) with MCSWS ,and Jack Stutts (stuffjl@co.mecklenburg.nc.us) with GWS.

Respectfully,

Rusty Rozzelle Water Quality Program Manager