



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

July 17, 2007

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

Re: Rezoning Petition 2007-106
Approximately 26.96 acres located between Rozzelles Ferry Road and
W Trade Street, west S Smallwood Place

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:

Mecklenburg County LUESA request that petition 2007-106 be **changed to Conditional**.

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.

Groundwater & Wastewater Services

No Comment.

Solid Waste

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.

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.

Applicable Ordinances:

100 foot S.W.I.M. Buffer

A stream segment on the subject property drains greater than or equal to 640 acres. According to the City of Charlotte Zoning Ordinance, Chapter 12, Part 8- Surface Water Improvement and Management (S.W.I.M.) Stream Buffers, Section 12.804, *Buffer Standards*, streams meeting this criterion are required to have buffers of 100 feet in width, plus 50% of the Federal Emergency Management Agency (F.E.M.A.) Floodfringe. The buffers are required on the applicable sides of the stream measured from the top of the bank.

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

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Respectfully,

Heidi Pruess

Environmental Policy Administrator