



Charlotte Storm Water  
600 East Fourth Street  
Charlotte, N C 28202-2844  
OFFICE: 704 . 336 . RAIN  
FAX: 704 . 336 . 6586

## *Rezoning Petition Review*

---

**To:** Keith MacVean, CMPC

**From:** Danée McGee / Doug Lozner / Jeff Hieronymus

**Date of Review:** November 7, 2007 (**Revision #2: January 30, 2008**)

**Rezoning Petition #:** 08-04

**Existing Zoning:** NS:O-2: R-5  
**Proposed Zoning:** MUDD-O

**Location of Property:** Approximately 3.87 acres located on the northeast corner of North Davidson Street and E. 36<sup>th</sup> Street.

**Downstream Complaints and analysis:** Downstream complaints consist of flooding and erosion. This site drains to a stream listed as impaired by the NC Division of Water Quality.

**Source Citation:** A portion of the water quantity and quality comments reference information gained from the "Post-Construction Ordinance Stakeholders' Group Final Report". This report reflects consensus reached during the Council-approved process to include community input on the proposed ordinance language. Other comments, including the environmental permit, stream buffer and some detention requirements reflect existing regulations and ordinances.

### **Recommendations**

**Concerning Storm Water:** Include the following notes on the petition.

#### **Remove Note #7 and add the following notes:**

Development and Redevelopment projects within transit station areas designated by the Planning Director based on Corridor Record of Decisions or distressed business districts designated by the Economic Development Director are allowed by right to forego meeting the requirements of this ordinance, except for peak control and downstream analysis requirements on the increased impervious area of the project site, provided one (1) of the following three (3) measures are implemented on the site:

- (1) Provide 85% TSS removal from first inch of rainfall for entire site, **or**
- (2) Provide 1-year 24-hour volume control and 10-year 6-hour peak control for entire site, **or**

(3) Pay the City a mitigation fee according to rates set forth in the Administrative Manual for the pre-project built upon area and up to a maximum of five (5) acres of increased built upon area.

#### Storm Water Quantity Control

The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

#### Storm Water Quality Treatment – Source: *BMP recommendation taken from “Post-Construction Ordinance Stakeholders’ Group Final Report”*

For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Stormwater Best Management Practices Manual, July 2007. (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

#### Volume and Peak Control – Source: *Volume Control and Peak Control Downstream Analysis taken from “Post-Construction Ordinance Stakeholders’ Group Final Report”*.

For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. “Residential” shall be defined as “A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit.”

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

#### Additional Notes:

The following agencies must be contacted prior to construction regarding wetland and water quality permits:

Section 401 Permit	NCDEHNR – Raleigh Office (919) 733-1786
Section 404 Permit	US Army Corps of Engineers (704) 271-4854

**Recommendations**

**Due to Revisions:** No additional comments at this time.