



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

Rezoning Petition Review

To: Keith MacVean, CMPC

From: Matthew Anderson / Doug Lozner / Jeff Hieronymus

Date of Review: November 9, 2007 **(Revised January 30, 2008)**

Rezoning Petition #: 08-17

Existing Zoning: MX-2 (LLWPA)
Proposed Zoning: MX-2 (LLWPA) SPA

Location of Property: Approximately 59.22 acres located on the south side of Freedom Drive between Allenbrook Drive and Toddville Road.

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

Recommendations

Concerning Storm Water: **Please revise the labeled Watershed Buffer to clearly show a 100' Undisturbed Buffer on both sides of the stream throughout the length of the project. Please also remove any amenity from the rezoning plan such as a golf course which may disturb this zoning buffer. Please also remove language which is meant to interpret that this amenity area is allowed to exist in this buffer.**

Watershed Buffer – Source: Lower Lake Wylie Watershed Overlay – Charlotte Code

This site is located in the Protected Area of the Lower Lake Wylie Overlay Districts. For projects with defined watersheds greater than 24% built-upon area a 100' undisturbed vegetated buffer is required along each side of perennial streams measured from the top of bank. The stream running through the site in this rezoning is a perennial stream and this project has an overall density of the site draining to this stream is greater than 24% built upon area therefore a 100' buffer measured from top of bank should be clearly shown and labeled on both sides of the stream throughout the length of the project.

The Par 3 golf course planned to linearly parallel the stream as shown on the rezoning plan would impact the undisturbed nature of this buffer significantly as well by 1.) removing vegetation along a significant length of the required buffer which could filter and infiltrate pollutants from storm water runoff before it enters the stream and by 2.) adding pollutants and nutrients (ie. fertilizer) to the stream from the golf course itself. Based on these storm water reasons we cannot support the petitioner showing this utilization in what would be a regularly required undisturbed buffer.

**Recommendations
Concerning Storm Water
Due to January 25th
Revision:**

Please clarify percentage built upon area for this entire project. Clarify notes to clearly indicate whether entire project will be developed high density or be developed low density, not both. If sitewide impervious is greater than 24% then revise the labeled Watershed Buffer to clearly show a 100' Undisturbed Buffer on both sides of the stream throughout the length of the project. Please also remove any amenity from the rezoning plan such as a golf course which may disturb this zoning buffer or potentially add fill in the SWIM buffer. Please also remove language which is meant to interpret that this amenity area is allowed to exist in this buffer.

Watershed Buffer – Source: Lower Lake Wylie Watershed Overlay – Charlotte Code

This site is located in the Protected Area of the Lower Lake Wylie Overlay Districts. The stream running through the site is perennial. For projects with defined watersheds greater than 24% built-upon area a 100' undisturbed vegetated buffer is required along each side of perennial streams measured from the top of bank. Watersheds are determined based on ridgelines and discharge points. Since the stream running through the development discharges from the project at one location then the entire project area is evaluated for density. If the entire project has an overall density greater than 24% then the entire project is considered high density. (BMP's and 100' buffers would be required throughout). Please evaluate percent built upon area for the project. If the project is high density then a 100' buffer measured from top of bank should be clearly shown and labeled on both sides of the stream throughout the length of the project.

The Par 3 golf course planned to linearly parallel the stream as shown on the rezoning plan would impact the undisturbed nature of this buffer significantly as well by 1.) removing vegetation along a significant length of the required buffer which could filter and infiltrate pollutants from storm water runoff before it enters the stream and by 2.) adding pollutants and nutrients (ie. fertilizer) to the stream from the golf course itself. Based on these storm water reasons we cannot support the petitioner showing this utilization in what would be a regularly required undisturbed buffer.