



**MECKLENBURG COUNTY**  
Land Use and Environmental Services Agency

October 24, 2014

Ms. Zenia Duhaney  
Charlotte-Mecklenburg Planning Commission  
600 East Fourth Street  
Charlotte, North Carolina 28202

**Re: Rezoning Petition 2014-119**

20.32 acres located on the south side of E. Independence Blvd and generally surrounded by Briar Creek Rd, Television Place, Chipley Ave, and Arena Blvd.

Dear Ms. Duhaney:

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.

**Programs with No Comment at this Time**

Solid Waste

**Recommendations and/or Ordinance Requirement Reminders**

**Purpose of Mecklenburg County Air Quality Review:**

Mecklenburg County Air Quality (MCAQ) has reviewed the City of Charlotte December 2014 rezoning petitions 2014-112 through 2014-120 for the purpose of identifying regulatory requirements of the petitioner, informing the petitioner, planning staff and other affected parties of such regulatory requirements, and identifying potential effects on, and impacts from, nearby properties.

**Scope of Review:**

MCAQ has reviewed the petitions with regard to air quality regulations for stationary sources, transportation facilities, and demolition and/or renovation of structures (i.e. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses, sources of Toxic Air Pollutants (TAP), proximity to Risk Management Plan facilities, and proximity to known nuisance conditions. MCAQ has conducted the review based on information submitted by the petitioner, a review of aerial photographs (as available through the Mecklenburg County Polaris system), and a review of the "Air Pollution Facility Information Online" database available from the Mecklenburg County Air Quality website. The review is cursory based on limited information.

Comments: The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance (MCAPCO) Regulation

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

Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

## **Water Quality**

**General Comments:** The requirements of the post-construction storm water ordinance for the City of Charlotte should be applied to the proposed rezoning. More detailed information regarding ordinance requirements is available at the following website: <http://charmec.org/stormwater/regulations/Pages/Post-ConstructionStormWaterOrdinances.aspx> and click on City of Charlotte.

### **Impaired Streams:**

The property represented in this rezoning drains to Briar Creek which discharges to surface waters listed on North Carolina's Department of Natural Resources 303(d) list of impaired streams. Little Sugar Creek is listed for ecological/biological integrity of benthos, ecological/biological integrity of fish, fecal coliform, copper, turbidity, and water column mercury due to pollution discharges. By properly controlling pollutants both during and after construction you can help restore these surface waters. More information on North Carolina's impaired waters and 303(d) list can be found at <http://portal.ncdenr.org/web/wq/ps/mtu/assessment>.

## **Groundwater and Wastewater Services**

GWS records indicate a contamination sites exist on one of the parcels included in the rezoning petition (PID 159-028-01). An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. Both of the parcels included in the rezoning petition (15902801 and 15902621) are within 1,000 feet of the contamination sites. In ARGU where municipally supplied water is available water supply wells for potable water supply, irrigation or open loop geothermal systems may not be permitted or constructed within 1,000 feet of contamination sites. Water supply wells may be constructed between 1,000 feet and 1,500 feet of contamination sites with special construction or sampling requirements pending review.

No further comments on the above petition at this time.

Please contact the staff members who conducted the reviews if you have any questions. The reviews were conducted by, Megan Green (Megan.Green@mecklenburgcountync.gov) with MCAQ, Dennis Tyndall (Dennis.Tyndall@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 MCWQ.

Respectfully,

Heidi Pruess, Environmental Policy Administrator  
[Heidi.Pruess@mecklenburgcountync.gov](mailto:Heidi.Pruess@mecklenburgcountync.gov)