



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

**To:** Michael Russell, Principal Planner City of Charlotte  
**From:** Dylan Kirk, Sustainability Program Coordinator  
**Date:** Monday, October 21, 2019  
**Subject:** City of Charlotte September Rezoning Petitions 2019-122 through 2019-137

Mr. Michael Russell  
Charlotte-Mecklenburg Planning Commission  
600 East Fourth Street Charlotte, North Carolina 28202

Dear Mr. Russell,  
Mecklenburg County has reviewed the City of Charlotte September rezoning petitions 2019-122 through 2019-137 to identify regulatory requirements of the petitioner; inform the petitioner, planning staff, and other affected parties of such regulatory requirements; and identify potential effects on, and impacts from, nearby properties.

**2019-122 Beacon Partners (Attn: John L. Morris) (Parcel #: 03720301)**

*Air Quality Comments:* 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.

*Ground Water Services Comments:* Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 037-203-01. No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

Information from property records indicate that the building or former building on parcel 037-203-01 uses or previously utilized oil, wood or coal heat. Based on this the property may contain an underground or above ground fuel oil storage tank. The tank and its contents should be removed, following applicable NCDEQ guidance, prior to any demolition or grading activity.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-123      Magnus Capital Partners (Attn: Vishal Aurora) (Parcel #: 07325301)**

Air Quality Comments: 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. Because the proposed development will likely attract commuter trips, MCAQ recommends that the petitioner provide “preferred” (attractive, conveniently located, or reduced cost) parking for “Clean Commuters” (carpool, vanpool, hybrid vehicles and/or electric vehicles).

As a point of reference, the LEEDv4 (Leadership in Energy Efficiency and Design) standard for Alternative Transportation requires developers to provide preferred parking for 5% of total parking spaces for car/vanpools or fuel efficient, low emitting vehicles. An additional 2% of parking spaces must have refueling stations: electric vehicle charging, liquid, gas, or battery facilities. More information on these standards can be found in LEED v4: Building Design and Construction located at: [www.usgbc.org](http://www.usgbc.org).

Ground Water Services Comments: Groundwater & Wastewater Services records indicate that parcel 073-253-01 is a Mecklenburg County Priority List (MPL) site because the parcel is listed as a Brownfields Property which includes specific Land Use Restrictions due to contamination. Therefore, additional assessment investigation should be considered based on the MPL sites identified above, historic land usage of this area and because more sufficient information will be necessary to determine that the change in use will not pose unacceptable health and safety risks.

Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Groundwater & Wastewater Services records indicate a Subsurface Investigation Permit (SIP) was issued for parcel 073-253-01. Please note that if monitoring wells exist on this parcel the wells need to be located, flagged and protected prior to development or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: A Floodplain Development permit must be obtained documenting compliance with the City of Charlotte Floodplain Regulations for all development occurring in the floodplain. In addition, staff recommend any structures proposed within the Community Special Flood Hazard Area be constructed to a Flood Protection Elevation equal to the Community Base Flood

Elevation plus two (2) feet of freeboard based upon recent analyses of the future floodplains supported by the Storm Water Advisory Committee.

**2019-124      Gvest Capital, LLC (Attn: Jonathan Visconti, Raymond M. Geem Susan Rosenblatt) (Parcel #: 16105103, 04, 13, 14)**

*Air Quality Comments:* 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.

The proposed development is likely to require the use of heavy-duty diesel equipment ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

*Ground Water Services Comments:* Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

*Mecklenburg County Solid Waste:* No comments.

*Storm Water Services Comments:* No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-125      SCOC-Mallard Crossing, LLC (Attn: Will Lisk) (Parcel #: 02936105)**

*Air Quality Comments:* 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.

*Ground Water Services Comments:* Groundwater & Wastewater Services records indicate that parcel 029-361-05 is a Mecklenburg County Priority List (MPL) site due to dry-cleaning solvents found in the groundwater at the site. Therefore, additional assessment investigation should be considered based on the MPL sites identified above, historic land usage of this area and because more sufficient information will be necessary to determine that the change in use will not pose unacceptable health and safety risks.

Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 029-361-05. No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

Groundwater & Wastewater Services records indicate a Subsurface Investigation Permit (SIP) was issued for parcel 029-361-05. Please note that monitoring wells on this parcel need to be located, flagged and protected prior to development or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-126 Harrison Tucker (Attn: Harrison Tucker) (Parcel #: 08107202, 06, 07)**

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-127 Regal Estates, LLC (Attn: Tiffany Cherry) (Parcel #: 11507109)**

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-128 Pulte Group (Attn: Fred Matrulli) (Parcel #: 19905101; 19906107; 19907101, 02, 05; 19951106)**

Air Quality Comments: 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.

The proposed development is likely to require the use of heavy-duty diesel equipment ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 199-071-01. No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-129 Mynhardt Investments, LLC (Attn: Lee Mynhardt) (Parcel #: 08312306)**

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-130      Greenway Holdings, LLC (Attn: Jeff Watson) (Parcel #: 14920352)**

*Air Quality Comments:* 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.

*Ground Water Services Comments:* Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 149-203-52. No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

*Mecklenburg County Solid Waste:* No comments.

*Storm Water Services Comments:* No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-131      Red Cedar Capital Partners (Attn: Jon Grabowski) (Parcel #: 03517438, 444)**

*Air Quality Comments:* 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.

The proposed development is likely to require the use of heavy-duty diesel equipment ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

*Ground Water Services Comments:* Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Groundwater & Wastewater Services records indicate that a water supply well is located within the bounds of parcel 035-174-44. The water supply well should be protected during site development by

flagging and fencing or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations prior to site development commencing.

Groundwater & Wastewater Services records indicate a registered septic system exists on parcel 035-174-38. No regulations govern the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a NC Licensed Septic Hauler to remove any residual contents and then crushed and backfilled. This recommendation is made because improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations or people posing a safety hazard.

Information from property records indicate that the building or former building on parcel 035-174-38 contains asbestos shingle and/or siding. If demolition or renovation is planned, then disturbance of Asbestos-Containing Materials (ACM) will likely be subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements for asbestos identification and abatement prior to demolition or renovation. Thus, this may include an asbestos survey conducted by a certified asbestos inspector and, if present, possible ACM removal by a certified asbestos contractor prior to demolition.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-132      Lennar Multifamily Communities, LLC (Attn: Brian Nicholson) (Parcel #: 14903412, 15, 16)**

Air Quality Comments: 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.

The proposed development is likely to require the use of heavy-duty diesel equipment ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate that parcel 149-034-12 is a Mecklenburg County Priority List (MPL) site due to a Leaking Underground Storage Tank (LUST) incident at the site. Therefore, additional assessment investigation should be considered based on the MPL sites identified above, historic land usage of this area and because more sufficient information will be necessary to determine that the change in use will not pose unacceptable health and safety risks.

Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-133      TBGC, LLC (Attn: Greg Zanitsch) (Parcel #: 08116615, 16)**

Air Quality Comments: 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.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-134      DJ Family Farms, LLC (Attn: John Fletcher) (Parcel #: 05521146)**

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: No comments.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-135      Charlotte-Mecklenburg Housing Partnership, Inc. (Attn: Fred Dodson, Jr.) (Parcel #: 19304366, 67, 69, 70)**

Air Quality Comments: No comment on this rezoning petition.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the properties included in the petition. 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. In an 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 on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

Mecklenburg County Solid Waste: No comments.



Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-136      Venkata Ammi Reddy (Attn: Venkata Ammi Reddy) (Parcel #: 06122233)**

Air Quality Comments: The proposed development is likely to require the use of heavy-duty diesel equipment ( $\geq 25$  hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

Ground Water Services Comments: No comments.

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.

**2019-137      Kinger Homes (Attn: Dhanesh Kumar) (Parcel #: 02735346)**

Air Quality Comments: 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.

Ground Water Services Comments: No comments

Mecklenburg County Solid Waste: No comments.

Storm Water Services Comments: No comments from Water Quality, Storm Water, or Permitting & Compliance.