



Charlotte Storm Water
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Rezoning Petition Review

To: Keith MacVean, CMPC

From: Matthew Anderson / Doug Lozner / Jeff Hieronymus

Date of Review: November 9, 2007

Rezoning Petition #: 08-14

Existing Zoning: R-3
Proposed Zoning: R-8MF (CD), R-12MF (CD) and O-2(CD)

Location of Property: Approximately 2.94 acres located on the southeast corner of N Clarkson Street and Cates Street.

Downstream Complaints and analysis: No observed downstream complaints. 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: **Charlotte Storm Water Services recommends that this petition be revised to include the following notes on the petition:**

Please revise note 9.3 under "Storm Water Management" to read as follows:

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.

Please include the following notes on the site plans:

Stream Buffers

The S.W.I.M. Stream Buffer requirements apply described in the City of Charlotte_Zoning Ordinance, Chapter 12. In addition, intermittent and perennial streams within the project boundary shall be delineated by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be shown in the site plan submittal along with all buffer areas.

All perennial and intermittent streams draining less than 50 acres shall have a minimum 30-foot vegetated buffer including a 10-foot zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area must be re-vegetated and disturbance of the 10-foot zone adjacent to the bank shall require stream bank stabilization using bioengineering techniques as specified in the Design Manual.

All streams draining greater than or equal to 50 acres and less than 300 acres shall have a 35-foot buffer with two (2) zones, including stream side and upland. Streams draining greater than or equal to 300 acres and less than 640 acres shall have a 50-foot buffer with three (3) zones, including stream side, managed use and upland.

Streams draining greater than or equal to 640 acres shall have a 100-foot buffer, plus 50% of the area of the flood fringe beyond 100 feet. This buffer shall consist of three (3) zones, including stream side, managed use and upland.

All buffers shall be measured from the top of the bank on both sides of the stream. The uses allowed in the different buffer zones as described in the S.W.I.M. Stream Buffer requirements in the Zoning Ordinance, Chapter 12, as well as the other provisions of the S.W.I.M. ordinance shall apply (except buffer widths).

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