



## MECKLENBURG COUNTY

### Land Use and Environmental Services Agency

May 20, 2019

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 April rezoning petitions 2019-049 through 2019-064 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.

#### **Comments to the Charlotte Mecklenburg Planning Commission (049 - 064):**

**2019-049      Apollo Holding Company, LLC (Attn: Anut N. Mittal) (Tax Parcel No. 061-251-08)**

Ground Water Services Comments: A review of GWS records indicate an individual waste water disposal system serves this residence.

GWS recommends that the petitioner identify any potential water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents then subsequently crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-050      Land Growth, LLC (Attn: James L. Keffer) (Tax Parcel No. 193-111-07)**

*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:* GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-051      Joyce M. Green (Attn: Joyce M. Green) (Tax Parcel No. 043-105-09)**

*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.

**2019-052      Beaver Creek CRE, LLC (Attn: Kirk Broadbooks) (Tax Parcel No. 131-111-10, 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.

**2019-053      Hopper Communities (Attn: Bart Hopper) (Tax Parcel No. 067-021-49)**

*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:* GWS records indicate a contamination site(s) 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

A Subsurface Investigation Permit (SIP), 70002513, was issued for this parcel in 2018. No monitoring wells are registered to this SIP.

GWS recommends that the petitioner identify any MWs within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

**2019-054      Cebtron W. Hester (Attn: Cebtron W. Hester) (Tax Parcel No. 053-221-07, 08)**

Ground Water Services Comments: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-055      Movement Resources (Attn: Garrett McNeill) (Tax Parcel No. 103-041-27, 32, 34)**

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: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-056      White Point Partners, LLC (Attn: Jay Levell) (Tax Parcel No. 067-021-12)**

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: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-057      DH Griffin Infrastructure, LLC (Attn: Christopher M. Carter) (Tax Parcel No. 077-063-03)**

Air Quality Comments: The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

Ground Water Services Comments: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

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.

**2019-058      Housing Authority of the City of Charlotte, N.C. (Attn: Connie Staudinger) (Tax Parcel No. 085-014-01)**

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: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-059      Win Development, LLC (Attn: Jesse McInerney) (Tax Parcel No. 045-062-10)**

Ground Water Services Comments: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-060      4400 Park Rd, LLC (Attn: Mark Fletcher) (Tax Parcel No. 171-043-24)**

Ground Water Services Comments: GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

**2019-061      Davis Development, LLC (Attn: Lance Chernow) (Tax Parcel No. 025-081-12A)**

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.

**2019-062      Suncrest Real Estate and Land (Attn: Sean Cooney) (Tax Parcel No. 105-011-08, & 105-012-13, 14, 15, 31)**

*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:* GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

Water supply wells are registered as active drinking water wells on PID105-012-13 and 105-012-15. GWS records do not indicate that the water supply wells have been permanently abandoned.

GWS recommends that the petitioner identify any water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

**2019-063      VLE Partners, LLC (Attn: Jonathan Dixon) (Tax Parcel No. 095-061-30)**

*Ground Water Services Comments:* GWS records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. 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 ARGU where municipally supplied water is available water supply wells for 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. Where no other water sources are available, wells may be permitted with special construction and sampling requirements within 1,500' of contamination sites.

A review of GWS records indicate a water supply well and an individual waste water disposal system serve this residence. GWS records do not indicate that the water supply well has been permanently abandoned.

GWS recommends that the petitioner identify any water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents then subsequently crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and

improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

**2019-064      Novant Health (Attn: Matthew Stiene) (Tax Parcel No. 033-046-18)**

*Air Quality Comments:* The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - “Air Quality Permits.” A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

*Ground Water Services Comments:* A review of GWS records indicate 6 water supply wells and 3 individual waste water disposal systems serve this residence. GWS records do not indicate that the water supply wells have been permanently abandoned.

GWS recommends that the petitioner identify any water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents then subsequently crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

***LIMITATIONS OF THE REVIEW***

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

Mecklenburg County Air Quality (MCAQ) has reviewed the City of Charlotte July 2019 rezoning petitions 2019-049 through 2019-064 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.

**Scope of Review:**

MCAQ has reviewed the petitions with regard to air quality regulations for stationary sources and demolition and/or renovation of structures (e.g. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses, sources of Toxic Air Pollutants, proximity to Risk Management Plan facilities, and proximity to known nuisance conditions or sensitive populations. MCAQ has conducted the review based on information submitted by the petitioner, review of aerial photographs (as available through the Mecklenburg County Polaris system,) review of the “Air Pollution Facility Information Online” database available from the MCAQ website, and review of Mecklenburg County Health Department records. The review is cursory based on limited information provided within petition applications and site plans.