

# Environment Committee

Wednesday, April 2, 2014; 9:00 – 10:00 a.m.

Police & Fire Training Academy  
1770 Shopton Road, Charlotte, NC

**\*\*Room C2142-43\*\***

Committee Members: John Autry, Chair  
Ed Driggs, Vice Chair  
David Howard  
Claire Fallon  
Kenny Smith

Staff Resource: Hyong Yi, Assistant City Manager

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## AGENDA

### I. **Mitigation Options**

*Staff Resource: Darryl Hammock, Engineering & Property Management Storm Water Services*

The Committee will continue its discussion on extending the temporary mitigation option. Staff will show development sites where the mitigation fee is useful, mitigation fee-funded restoration projects, and how the approach is cost-effective and often the environmentally preferred option.

*Action: Unanimously support staff's recommendation extending the temporary mitigation option until December 31, 2018.*

Attachment: 1. PCCO Mitigation Fee Follow-up Q&A.doc

### II. **FY2015 Focus Area Plan**

*Staff Resource: Hyong Yi, City Manager's Office*

Staff will review the draft Environment Focus Area Plan.

*Action: Committee recommendation to full Council if ready.*

Attachment: 2. Draft FY15 Environment Focus Area Plan.doc

### **Next Meeting**

Wednesday, April 9 at 2:00 p.m., Room CH-14

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Distribution: Mayor/City Council  
Bob Hagemann

Ron Carlee, City Manager  
Stephanie Kelly

Executive Team  
Environmental Cabinet

## **Environment Committee**

### **February 26 Follow-up Questions**

#### *What specific projects were undertaken as a result of the fee in lieu?*

From staff's perspective, at least three projects became possible because of the mitigation fee-in-lieu option:

- Bank of the Ozarks at 4126 Park Road,
- Walgreen's at 7824 Pineville-Matthews Road and
- CATO Corporate Building Addition at 8100 Denmark Rd.

These projects had site-specific drivers that made the fee necessary for the project to proceed. More detail on these sites is provided in the response to the next question below.

The reasons for use of the fee are unknown to staff for the remaining projects (7) that were undertaken. However, each of these projects were built on highly impervious sites with a highly urban nature. Business models of these projects involve full utilization of the site for buildings and other intense land uses. For smaller sites with limited space for construction, this is especially true. Examples of sites such as these will be provided in Committee.

#### *What evidence indicates these same projects would not have been built with the original PCCO rules?*

Each of the three locations above had difficult site constraints that prevented, or significantly deterred compliance with the ordinance. Therefore the projects could not have been built without extraordinary measures.

- **Bank of the Ozarks** - Onsite stormwater control measures could not be installed due to a shallow stormwater receiving system that necessitated disturbance on an adjoining property owner. This property owner refused to allow access to his property for this purpose which necessitated the payment-in-lieu option.
- **Walgreen's** - The site had multiple large stormwater pipes that were in direct conflict with the ideal location of a stormwater control device. Moving the pipes would have been cost-prohibitive for the developer, and the construction would have necessitated a disruption by the temporary lane closure of a major thoroughfare and State highway.
- **CATO Corporate Building Addition** - Due to challenging topography the 24 hour loading operation would have been disrupted for an extended period of time to install an underground sand filter. We were informed that the cost of the underground system along with operation disruption would have been enough to initiate a move of the entire site operations to South Carolina.

***How many projects made use of the pay in lieu?***

Ten (10) projects used the temporary fee-in-lieu option, 9 of these sites are less than 1.2 acres in size.

See response to next question.

***What and where are these projects? I know the map is a great resource but could I have development addresses?***

- McDonald's Wendover Road, 1035 Wendover Road
- Bank of the Ozarks, 4126 Park Rd.
- Southpark Auto Bell, 5606 Park Road
- AAA Montford Drive, 1812 Montford Dr.
- Cato Corporate Building Addition, 8100 Denmark Rd.
- Hendrick Luxury Collision Center , 5141 E. Independence
- Hendrick Motors of Charlotte Autohaus, 5201 E Independence Blvd.
- Harris Teeter Ballantyne, 15007 John J Delaney Dr.
- Walgreen's 7824 Pineville Matthews Rd.
- 7-Eleven #35580, 7511 Pineville Matthews Rd.

***What were the total fees paid?***

\$756,660 by 10 sites

***When will the fees be used and what specific water quality improvements will the engineer's approach yield?***

Forecasting the receipt of mitigation fees is challenging. Not only does it involve forecasting where and when development occurs, but it also depends on the choice of the developer to use the mitigation option. In order to minimize lag time between the collection of the fee and construction of a water quality enhancement project, fees are often assigned to projects already underway as soon as they are collected. This approach accelerates the completion of high benefit projects that have already been identified through ranking procedures.

Each water quality enhancement project aims to enhance surface waters by:

1. Reducing pollutants in runoff,
2. Holding and slowly releasing runoff so that stream erosion is reduced, and
3. Providing other ancillary benefits such as flood reduction, habitat benefits, passive recreation, or economic gains.

Using an offsite, regional approach achieves these goals with much lower cost than with onsite controls, and with the addition of the ancillary benefits listed above.

Offsite regional projects remove metals, bacteria, sediments, excess nutrients, and other harmful substances from runoff. They do so equally to onsite controls, but at a significantly lower cost. The water quality enhancement projects include practices used nationally by stormwater managers and developers to meet regulatory requirements associated with watershed protection and watershed restoration.

Each watershed enhancement project funded by mitigation fees is evaluated such that all of the pollution that would have been removed with onsite controls is removed with the regional approach. Currently, we are achieving about *twice* the reduction of pollutants with this approach, meaning for every acre of redevelopment that pays the fee, we are retrofitting two acres of development elsewhere. This is a highly cost-effective and accelerated approach to watershed restoration than is achievable by on-site controls alone. Numerous communities across the nation have adopted similar programs.



## Environment Strategic Focus Area Plan

“Charlotte will become a global leader in environmental sustainability, preserving our natural resources while balancing growth with sound fiscal policy.”

The City of Charlotte recognizes that environmental stewardship is fundamentally important to quality of life and essential to maintaining a vibrant economy. Protecting our natural resources, promoting conservation, and improving the environment all enhance the City's mission to preserve its citizens' quality of life.

Charlotte will become a global leader in environmental sustainability by:

- Promoting and participating in the development of an environmentally sustainable community;
- Leading by example by practicing environmental stewardship in City operations and facilities;
- Seeking and supporting collaborative and regional solutions to environmental problems;
- Facilitating the growth of the clean energy industry, including the alternative energy sector.

Specific initiatives in the Economic Development and Transportation Focus Area Plans (FAP) relate directly to Charlotte's environmental goals. The Economic Development FAP includes an initiative to grow and retain businesses in several industry sectors, including the energy/environmental sector. The Transportation FAP includes an initiative for enhancing multi-modal mobility, with measures such as reducing vehicle miles travelled and increasing access to public transit.

FY2015 Initiatives	Key Indicators
Promote and participate in the development of a sustainable community	Reduced residential waste
	Protected and expanded a healthy tree canopy
	Maintained water quality in lakes and streams as well as ensured safe and adequate drinking water supply
	Continued reduction in ozone emissions across the City
	Engaged community to cooperatively reduce impacts of waste and energy use to air, water, and land quality
Lead by example by practicing environmental stewardship in city operations and facilities	Reduced energy use from City operations, facilities, and fleet
	Reduced ozone emissions from City operations, facilities, and fleet
Seek and support collaborative and regional solutions to environmental problems	Collaborated and participated in public and private sector partnerships to positively impact air quality, energy efficiency, water resources and reduction of waste
Facilitate the growth of the clean energy industry, including alternative energy sector	Worked with partners to attract and grow the clean energy industry sectors in Charlotte

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Become globally recognized for community sustainability efforts	Identified global benchmarks with which to measure City progress
	Engaged with stakeholders across the region to move towards global-level distinction