



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

February 19, 2008

Mr. Solomon Fortune
Charlotte-Mecklenburg Planning Commission
600 East Fourth Street
Charlotte, North Carolina 28202

**Re: Rezoning Petition 2008-046
Approximately 269.27 acres located along Westmont Drive at the
Irwin Creek Treatment Facility**

Dear Mr. Fortune:

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. In order for the Mecklenburg County LUESA to support this rezoning, the following recommendations should be implemented and appear as notes or modifications on site plans:

Air Quality

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

Groundwater & Wastewater Services

No Comment.

Solid Waste

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities; when applicable. Additionally, the plan should specify that all land clearing and/or inert debris shall be taken to a properly permitted facility. The Plan shall also state that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report shall include the identification and location of all facilities receiving disposed or recycled materials.

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Mecklenburg County is committed to reduction of construction/demolition waste. Technical assistance is available at no charge to those companies willing to partner with the County in this effort.

Storm Water

No Comment.

Water Quality

In order for the Mecklenburg County Water Quality Program to support this rezoning, the following recommendations should be implemented and appear as notes on site plans.

Applicable Ordinances:

35 foot S.W.I.M. Buffer

Two stream segments located on the subject property drain more than or equal to 100 acres and less than 300 acres. According to the City of Charlotte Zoning Ordinance, Chapter 12, Part 8- Surface Water Improvement and Management (S.W.I.M.) Stream Buffers, Section 12.804, *Buffer Standards*, streams meeting this criterion are required to have buffers of 35 feet in width on the applicable sides of the stream.

100 foot S.W.I.M. Buffer

A stream segment on the subject property drains greater than or equal to 640 acres. According to the City of Charlotte Zoning Ordinance, Chapter 12, Part 8- Surface Water Improvement and Management (S.W.I.M.) Stream Buffers, Section 12.804, *Buffer Standards*, streams meeting this criterion are required to have buffers of 100 feet in width, plus 50% of the Federal Emergency Management Agency (F.E.M.A.) Floodfringe. The buffers are required on the applicable sides of the stream measured from the top of the bank.

The proposed project will include a substantial amount of impervious area, which will directly affect surface water quality due to storm water runoff from the project. Storm water runoff becomes contaminated with pollutants associated with the impervious area usage, transporting these pollutants to surface waters. In addition, this impervious area acts to increase the volume and velocity of storm water entering surface waters, which affects stream channel stability and negatively impacts water quality and aquatic habitat. In order to mitigate the impacts of these pollutants and to protect water quality conditions, the proposed project should incorporate the criteria specified below.

General Recommendations:

Stream Buffers

If applicable to the subject property, intermittent and perennial stream segments draining less than 50 acres shall be delineated by a certified professional using the U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology. The locations of streams and the required buffers shall be depicted on site plans.

If applicable to the subject property, a 35-foot protective buffer shall be established on both sides of intermittent and perennial stream segments draining between 50 acres and 100 acres. A buffer shall include two zones, a 20-foot undisturbed Streamside Zone, and

a 15-foot limited-use Upland Zone. The allowable uses in these Zones are to be the same as those outlined in the City of Charlotte Zoning Ordinance, Chapter 12, Part 8, S.W.I.M. Stream Buffers, for streams draining greater than 100 acres, but less than 300 acres. If applicable to the subject property, all intermittent and perennial stream segments draining less than 50 acres should have a minimum 30-foot vegetated buffer including an undisturbed or bioengineered 10-foot zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area in the 10-foot zone adjacent to the bank shall require stream bank stabilization using bioengineering techniques approved by MCWQP. All buffers shall be measured from the top of the bank on both sides of the stream.

Please contact the staff members who conducted the reviews if you have any questions.

The reviews were conducted by, Leslie Rhodes
(Leslie.Rhodes@mecklenburgcountync.gov) with MCAQ, Jack Stutts
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Respectfully,

Heidi Pruess
Environmental Policy Administrator