



MECKLENBURG COUNTY
Land Use and Environmental Services Agency

March 18, 2008

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

**Re: Rezoning Petition 2008-069
Approximately 2,238.06 acres located along Wilkinson Blvd,
Tuckaseegee Rd, Little Rock Rd, Old Dowd Rd, Wallace Neal Rd,
Dixie Rd and West Blvd**

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.

Solid Waste

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, 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. 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.

Should the Airport permitted LCID, permit number 60AU be impacted, all permit requirements regarding closure to include recording and redevelopment requirements are to be followed. Additionally, several locations within this area have historically been

impacted by significant occurrences of illegal dumping. Any un-permitted dump sites are to be properly cleaned and reported prior to redevelopment.

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.

Groundwater & Wastewater Services

Multiple parcels contained in this petition have been served by a private water supply wells. No demolition or grading activity should be conducted until existing wells are either properly abandoned. The Mecklenburg County Groundwater & Wastewater Services (GWS) Program should be contacted at 704-336-5103 prior to undertaking any well related activity.

Multiple parcels in this petition were served by individual on-site wastewater disposal systems (septic system). 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, and then 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.

Four parcels in this petition (113-141-07, 113-154-10, 115-181-01, and 115-191-07) have soil and/or groundwater contamination. Any development of these properties must comply with North Carolina Department of Environment and Natural Resources regulations for contaminated sites. Any groundwater monitoring wells must be properly abandoned prior to any grading or demolition activity.

Groundwater & Wastewater Services request the following statements be added to the notes of the site plan:

All water supply wells and monitoring wells shall be abandoned per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity.

Existing septic tanks shall be located, pumped by a licensed waste hauler to removal residual contents, crushed and backfilled prior to any demolition or grading activity.

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:

Lower Lake Wylie Watershed Overlay District

A portion of the subject properties are located in the Lower Lake Wylie Watershed Overlay, Protected Area, as specified in the City of Charlotte Zoning Ordinance. The undisturbed perennial stream buffer and built-upon area requirements specified in the Zoning Ordinance shall apply to the property.

According to the project Site Plan, the property is to be developed as greater than 24% impervious area, which is the High Density option of the zoning Overlay, requiring 100-foot undisturbed buffers along all perennial streams. The High Density option of the zoning Overlay also requires that structural best management practices (BMPs) be employed to treat storm water from the site. The BMPs are to be constructed to treat the runoff generated from the first inch of rainfall for 85% Total Suspended Solids removal. All BMPs are to be designed and constructed in accordance with the Design Manual.

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.

50 foot S.W.I.M. Buffer

A stream segment located on the subject property drains greater than or equal to 300 acres and less than 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 50 feet in width on both sides of the stream measured from the top of the bank.

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

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