



MECKLENBURG COUNTY
Land Use & Environmental Services Agency

MEMORANDUM

To: Charlotte-Mecklenburg Planning Commission
From: LUESA, Mecklenburg County
Date: 6.27.24
Subject: Rezoning Petition Comments

Charlotte-Mecklenburg Planning Commission
600 East Fourth Street Charlotte, North Carolina 28202

Mecklenburg County has reviewed the City of Charlotte rezoning petition below 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.

<u>Petitioner Information:</u> Travis Ferguson Charlotte PEC, LLC 333 E. Trade St Charlotte, NC, 28202 Home Phone: 704-688-8081 tferguson@hornets.com	<u>Parcel GIS ID(s):</u> 04919120, 04919116, a portion of 04919115, 04919117, 04919118, 04919119
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2024-061: Performance Enhancement Center - 5th St. Rezoning

Air Quality Comments: No Comments

Ground Water Services Comments: *Executive Summary- Contamination incidents exist onsite (parcel ID 080-054-01) and in the vicinity, so there may be restrictions for water supply wells.*

Groundwater & Wastewater Services records indicate that parcel 080-054-01 is a contaminated Mecklenburg County Priority List (MPL) site (MPL# 795) due to a Underground Storage Tank (UST) petroleum release incident. Subsequently, incident file 15867 was created within the North Carolina's Department of Environmental Quality's (NCDEQ's) UST Section. As residual contamination remains

additional investigation should be considered. And, as Land Use Restrictions (LURs) apply to the parcel, and due to the historic land usage, more information may be necessary to determine that the change in use will not pose unacceptable health and safety risks.

Groundwater & Wastewater Services records indicate 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 an ARGU where municipally supplied water is available water supply wells for potable 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.

Storm Water Services Comments: No Comments

Solid Waste Comments: No Comments

Department Contacts:

Petitioners seeking to address individual comments and issues may follow up with the following Mecklenburg County staff:

Air Quality Comments: Megan Green - (megan.green@mecklenburgcountync.gov)

Ground Water Services: Shawna Caldwell - (shawna.caldwell@mecklenburgcountync.gov)

Storm Water Services: Myrette Stephen - (myrette.stephen@mecklenburgcountync.gov)

Solid Waste Comments: Joe Hack - (joe.hack@mecklenburgcountync.gov)

Additionally, please CC Erin Stanforth, (erin.stanforth@mecklenburgcountync.gov) on all communications to individual departments.

MCAQ Scope of Review:

Mecklenburg County Air Quality (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.