



**MECKLENBURG COUNTY**  
Land Use and Environmental Services Agency

**To:** Michael Russell, Principal Planner City of Charlotte  
**From:** Dylan Kirk, Sustainability Program Coordinator  
**Date:** Wednesday, February 26, 2020  
**Subject:** City of Charlotte October Rezoning Petitions 2020-002 through 2020-027

Mr. Michael Russell  
Charlotte-Mecklenburg Planning Commission  
600 East Fourth Street Charlotte, North Carolina 28202

GIS Parcels:  
10304199  
10304140  
10304108

Dear Mr. Russell,  
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.

**2020-027: Eastland Mall**

*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:* Groundwater & Wastewater Services records indicate that parcel 103-041-99 is a Mecklenburg County Priority List (MPL) site because the parcel is listed as contaminated due to leaking underground storage tank incident(s). Therefore, additional assessment investigation should be considered based on the MPL sites identified above, historic land usage of this area and because more sufficient information will be necessary to determine that the change in use will not pose unacceptable health and safety risks. Groundwater & Wastewater Services records indicate contamination sites exist on or within 1,500 feet of the property 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.

Mecklenburg County Solid Waste: No Comments.

Storm Water Services Comments: No Comments for WQ, P&C and STW.

**MCAQ 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.