



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

**MEMORANDUM**

To: Charlotte-Mecklenburg Planning Commission

From: LUESA, Mecklenburg County

Date: 5.24.23

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.

<b><u>Petitioner Information:</u></b> Scott Bortz Tribek Properties 101 South Kings Drive, Suite 200 Charlotte, NC, 28204 Home Phone: 704-714-2860 sbortz@tribek.com	<b><u>Parcel GIS ID(s):</u></b> 11701110, 11701108, 11701109
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**2023-015: Tribek Properties**

*Air Quality Comments:* The proposed development may result in residential property being located adjacent to property zoned for industrial use (I-1/I-2) and within 0.5 mile of a facility required to hold an air quality permit. The proposed development is surrounded on all four sides by industrial zoning. Many industrial uses result in activities that produce regulated air emissions, odors, dust, noise, and truck traffic. The Mecklenburg County Air Pollution Control Ordinance has limited ability to remedy these situations or to deny air quality permits to new or expanding industrial facilities when all requirements of the ordinance are met. MCAQ recommends that the Planning Commission consider this information and determine whether to restrict residential uses on this parcel.

*Ground Water Services Comments:* 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.

Groundwater & Wastewater Services records indicate a Subsurface Investigation Permit (SIP) was issued for parcel 117-011-09. Please note that monitoring wells on this parcel need to be located, flagged and protected prior to development or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations.

*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:* PJ McKenzie - (paul.mckenzie@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.