



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.

<u>Petitioner Information:</u> Larry Reed Rhyne Land Holdings, LLC PO Box 1318 Pineville, NC, 28134 Home Phone: 980-334-2003 lisa.arnold@alexanderricks.com	<u>Parcel GIS ID(s):</u> 05113202, 05113201, 05113204, 05142102, 05142111
---	--

2023-030: Caldwell Business Park

Air Quality Comments: Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.

The proposed development may result in residential property being located adjacent to property zoned for industrial use (I-2). 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 this rezoning would result in an incompatible land use.

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 (GWS) records indicate that a water supply well has been registered and located within the bounds of parcels 051-132-02, 051-132-04 and 051-421-02. Water supply wells should be protected during site development by flagging and fencing or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations prior to site development commencing.

Information from property records indicate that the building or former building on parcel 051-132-02 contains asbestos shingle and/or siding. If demolition or renovation is planned, then disturbance of Asbestos-Containing Materials (ACM) will likely be subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements for asbestos identification and abatement prior to demolition or renovation. Thus, this may include an asbestos survey conducted by a certified asbestos inspector and, if present, possible ACM removal by a certified asbestos contractor prior to demolition.

Storm Water Services Comments: A Floodplain Development permit must be obtained documenting compliance with the City of Charlotte Floodplain Regulations for all development occurring in the floodplain. In addition, staff recommend any structures proposed within the Community Special Flood Hazard Area be constructed to a Flood Protection Elevation equal to the Community Base Flood Elevation plus two (2) feet of freeboard based upon recent analyses of the future floodplains supported by the Storm Water Advisory Committee.(05142102 &05142111)

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.

PEOPLE ● PRIDE ● PROGRESS ● PARTNERSHIP
2145 Suttle Avenue ● Charlotte, North Carolina 28208 ● Fax 980.335.2253
www.mecknc.gov

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.