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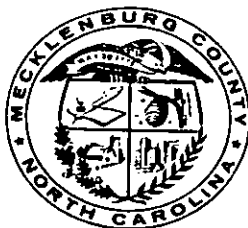
Petition # _____

Document type:

- Applications
- Correspondence
- Department Comments
- Land Use Consistency
 - Mail Info
 - Mapping
 - Other
- Site Plans



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MECKLENBURG COUNTY
Department of Environmental Protection

October 3, 2000

Paul L. Herndon
Moody Lake Office Park Development, LP
Suite 200
5950 Fairview Road
Charlotte, NC 28210

Re: Rezoning Petition Number 00-147
Air Quality Transportation/Stationary Facility Permit

Dear Mr. Herndon:

A review of Rezoning Petition number 00-147 by the Mecklenburg County Department of Environmental Protection ("MCDEP") revealed that the proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance ("MCAPCO") Regulations 1.5211 - "Applicability" and/or 2.0805 - "Parking Facilities." A copy of the applicable MCAPCO sections has been enclosed for your review.

A complete copy of MCAPCO, as well as air quality permit applications, may be downloaded from the Internet at the following addresses:

Regulations: <http://www.co.mecklenburg.nc.us/coenv/inside.htm>

Stationary Sources and Transportation Facilities:
http://www.co.mecklenburg.nc.us/coenv/Air/Applications/applications_and_notifications.htm

Please note that the regulations are in a zipped WordPerfect and MS-Word files. The applications are in zipped WordPerfect files. These regulations also are available from MCDEP for a nominal fee that covers reproduction and postage.

Should you have any questions regarding the content of this letter, please contact me at (704) 336-5500.

Sincerely,

S. David Ross
Air Quality Systems Analyst

SDR

Enclosure(1)

MCAPCO Regulations 1.5211 and 2.0805
cc: Charlotte-Mecklenburg Planning Commission (w/o enclosures)

PEOPLE ● PRIDE ● PROGRESS

700 North Tryon Street ● Suite 205 ● Charlotte, North Carolina 28202-2236 ● (704) 336-5500 ● FAX (704) 336-4391

Comment: The proposed development lies in the Water Supply Watershed Protection Area for Lake Wylie, Critical and Protected Areas. The buffer and built upon requirements specified in the applicable Zoning and Subdivision Ordinances apply.

Petition Number 2000-143

Location: Approximately 4.6 acres located on the northwest corner of Arrowood Rd. Extension and I-485, east of Sandy Porter Rd.

Current Zoning: R-3 and O-2

Requested Zoning: B-1 (CD) and O-1 (CD)

Comment: The proposed development (parcel # 201-041-10) intersects a stream which drains greater than 640 acres and requires a S.W.I.M. Stream Buffer at a width of 100 feet plus 50% of the flood fringe beyond 100 feet on both sides of the stream measured from the top of the bank. Plans should indicate the location of this buffer, the top of the bank from which the buffer is measured and all three of the buffer zones.

Petition Number 2000-147

Location: Approximately 7.3 acres located on the south side of Brown Grier Road, east of Sandy Porter Road and west of I-485 Outer Belt

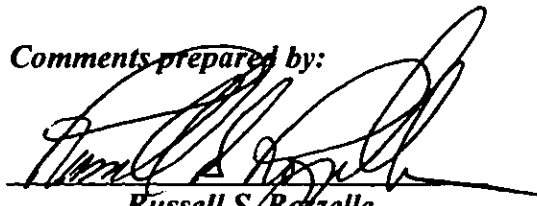
Current Zoning: R-17 MF (CD)

Requested Zoning: B-1 (CD)

Comment: The proposed development intersects a stream which drains between 100 and 300 acres and requires a S.W.I.M. Stream Buffer at a width of 35 feet on both sides of the stream measured from the top of the bank. Plans should indicate the location of this buffer, the top of the bank from which the buffer is measured and all three of the buffer zones. Plans should indicate the location of this buffer, the top of the bank from which the buffer is measured and all three of the buffer zones.

GIS maps indicate that the creeks located on parcels not discussed above drain less than 100 acres and therefore do not require SWIM Stream Buffers. For more detailed information on the exact location of stream buffers, please check MCDEP's web site at www.co.mecklenburg.nc.us/coenv/inside.htm

Comments prepared by:



Russell S. Rozelle
Water Quality Program Manager

Petitions: 2000 - 19C, 90, 93, 95, 132 - 155.

Solid Waste and Groundwater Section Comments, October 18, 2000

General Comments:

The following comment is generic in nature and refers to the disposal of land clearing and inert debris wastes and construction wastes generated during site development and construction:

G.S. §130A-301.1 requires that: "source reduction methods including but not limited to, chipping and mulching of land clearing and inert debris waste shall be utilized to the maximum degree technically and economically feasible".

Any on-site disposal of land clearing waste will require approval from MCDEP prior to occurring. Article 9 G.S. §130A-294 and G.S. §130A-301 codified as The North Carolina Solid Waste Management Rules, 15A NCAC 13B, Rule .0563(2) - "Applicability Requirements for Land Clearing/Inert Debris (LCID) Landfills" requires that the owner and operator must provide notification of the intent to operate the disposal site and requires the owner to record the disposal site on the deed of the property prior to operating the site. Siting criteria provided in Rule .0564 - "Siting Criteria for Land Clearing and Inert Debris (LCID) Landfills" specifies the required setbacks or buffers required for the disposal sites greater than 0.5 acres.

G.S. §130A-301.1 requires the following buffers for on-site disposal landfills less than 0.5 acres:

- 1) 50-feet from boundary of adjacent property.
- 2) 50-feet from public, commercial or residential buildings.
- 3) 50-feet from waste boundary to surface waters including storm water detention basins.

Any land clearing waste or construction and demolition wastes removed from the site during site development including wastes generated from land clearing, demolition of existing structures and pavement, and construction of planned structures must be transported to a solid waste management facility permitted by the North Carolina Department of Environment and Natural Resources or MCDEP for those management facilities located in Mecklenburg County.

Abandoned Structures:

Demolition permits must be acquired from the Engineering and Building Standards Department before structures are demolished. The Health Department (704) 336-5101 must be notified and perform a rodent inspection. MCDEP (336-5500) may require a NESHAP asbestos inspection and abatement prior demolition occurring (see MCDEP AIR Quality comments).

Underground Storage Tanks:

The installation and operation of an underground storage tank is regulated by North Carolina Department of Environment and Natural Resources and must meet requirements codified in Title 15 A Subchapter 2N Sections .0100 thru .0800, "Criteria and Standards Applicable Underground Storage Tanks," and Title 15A Subchapter 20 Sections .0100 thru .0500, "Financial

Responsibility Requirements For Owners And Operators of Underground Storage Tanks.” For additional information contact NCDENR, Mooresville Regional Office at 919 N. Main Street, Mooresville, NC 8301-5094; (704) 663-1699 or DENR-UST at 441 N. Harrington Street, Raleigh, NC 27603; (919) 733-8486.

Well Abandonment:

Abandonment of wells associated with any structures demolished or of abandoned wells discovered during the development process should be done in accordance with 15A NCAC 02C Rule .0133 - “Abandonment of Wells”.

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Zone petition SW comments