



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Pat McCrory  
Governor

Dexter R. Matthews  
Director

John E. Skvarla, III  
Secretary

February 12, 2014

Sent Via E-mail and USPS

Fred Dodson Jr.  
Charlotte Mecklenburg Housing Partnership, Inc.  
4601 Charlotte Park Drive, Suite 350  
Charlotte, NC 28217  
fdodson@cmhp.org

Subject: Letter of Eligibility  
Double Oaks Pool  
1033 Carter Ave & 2000-2014 Statesville Ave  
Charlotte, Mecklenburg County  
Brownfields Project Number 18002-14-060

Dear Mr. Dodson:

The North Carolina Department of Environment and Natural Resources (DENR), Brownfields Program has reviewed your January 7, 2014 Brownfields Property Application (BPA) submitted on behalf of Charlotte Mecklenburg Housing Partnership, Inc. (CMHP) as a Prospective Developer seeking a brownfields agreement regarding the subject site. We are very enthusiastic about the potential for public benefit offered by the reuse of this property. Upon review of the BPA with respect to the requirements of the Brownfields Property Reuse Act of 1997, DENR has determined that this project is eligible for entry into the North Carolina Brownfields Program and for continued evaluation for a Brownfields Agreement.

The next step in the process will involve a detailed review of available environmental and other relevant data to determine what is currently known about contamination at the site, and what, if any, information gaps may exist that may require additional assessment. We are in receipt of the following included in the BPA:

<i>Title</i>	<i>Prepared by</i>	<i>Date of Report</i>
Phase I ESA 2000-2014 Statesville Ave	Apex Companies, LLC	May 11, 2007
Phase I and II ESA 1033 Carter Ave	Hart & Hickman, PC	October 9, 2013
Phase I ESA Review 2000-2014 Statesville Ave	Hart & Hickman, PC	November 13, 2013
Asbestos Survey 1033 Carter Ave	Hart & Hickman, PC	December 12, 2013
Phase II ESA 2000-2014 Statesville Ave	Hart & Hickman, PC	December 19, 2013

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Historical site information from the files of DENR's Division of Waste Management will also be utilized during the evaluation process. Please forward any additional information or data you may have or can acquire for our evaluation. This should include reports from other DENR agencies or regional offices. We will contact you regarding any additional assessment that may be necessary to establish that the property is or can be made suitable for the intended reuse, as required by statute.

According to the BPA, the intended redevelopment for the site is recreational use, specifically a community pool. Please be aware that if the applicant Prospective Developer, CMHP does not actually buy the property for redevelopment, it cannot be a Prospective Developer under our authorizing statute and loses its eligibility for the Brownfields Program. This refers to CMHP itself, not an affiliate or any other party.

Also, if a party other than the Prospective Developer will own the Brownfields property at the conclusion of the brownfields process, the final Notice of Brownfields Property (which gets recorded at the Register of Deeds' office and to which the Brownfields Agreement is an exhibit) must be signed not only by the Prospective Developer but by that property owner. Failure by the Prospective Developer to ensure, by the time Brownfields Agreement negotiations are complete, the willingness to sign of any such party, and to provide DENR the exact name, e-mail address, telephone number and U.S. mail address of the party (along with signatory/signatory's title in the case of an entity) will delay, and could prevent, the Brownfields Agreement taking effect.

Again, we are eager about the potential for public benefit for Charlotte offered by the reuse of this property, and we look forward to working with you to advance this brownfields redevelopment project. If you have questions about this correspondence or require additional information, please feel free to contact the Project Manager by phone at 704-661-0330, or by e-mail [Carolyn.minnich@ncdenr.gov](mailto:Carolyn.minnich@ncdenr.gov).

Sincerely,



Linda M. Culpepper, Deputy Director  
Division of Waste Management

cc: Project File

ec: Bruce Nicholson, DENR  
Carolyn Minnich, DENR  
Mary-Katherine Stukes, [marykatherinestukes@parkerpoe.com](mailto:marykatherinestukes@parkerpoe.com)