



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

September 17, 2014

Sent Via E-mail and USPS

Mr. James Borders  
SkyHouse Charlotte, LLC  
817 W. Peachtree Street, NW  
Suite 400  
Atlanta, GA 30304  
[jborders@novaregroup.com](mailto:jborders@novaregroup.com)

Subject: Letter of Eligibility  
City Center Inn  
601 N. Tryon Street  
Charlotte, Mecklenburg County 28202  
**Brownfields Project Number 18037-14-060**

Dear Mr. Borders:

The North Carolina Department of Environment and Natural Resources (DENR) has received and reviewed your August 18, 2014 Brownfields Property Application (BPA) on behalf of SkyHouse Charlotte, LLC as a Prospective Developer seeking a brownfields agreement regarding the 1.71 acre former residential, motel, restaurant, and auto sales, service, and body shop site referenced above. The candidate property is located immediately adjacent to the Renaissance Place Apartments site, for which a Brownfields Agreement has been completed and recorded (NC BF# 16063-12-060).

Upon review of the information 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 to specify whether information gaps exist that will require additional assessment. We are in receipt of the following documents submitted with your BPA:

Title	Author	Date
Phase I Environmental Site Assessment,	S&ME, Inc.	June 20, 2014

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Please forward any additional pertinent information or data you may have or can acquire for our evaluation. This should include reports from other DENR agencies or regional offices, if applicable. We will contact you regarding whether additional assessment 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 in part for construction of the high rise residential apartment complex known as Renaissance Place Apartments and an associated sub-grade parking deck, which will span across this property and the immediately adjacent property, and for a grocery store and auxiliary retail center.

Because risk management decisions may vary depending on the nature of the redevelopment, it is important that DENR review the locations of these various elements. Please provide redevelopment drawings or plans, even if conceptual in nature, as they become available or updated.

Pending execution of a Brownfields Agreement, eligibility is provisional. You do not have the protections such an agreement offers unless and until it is executed. Thus, you operate at the site pending conclusion of a Brownfields Agreement at the risk of jeopardizing your eligibility and/or becoming a party responsible for the contamination at the site if an agreement is not finalized.

Please consult closely with our Brownfield Project Manager, Ms. Sharon Eckard, regarding any planned site activities prior to agreement finalization, including potential demolition activities. Onsite demolition, if conducted, must be performed in accordance with applicable legal requirements, including without limitation, those related to lead and asbestos abatement that are administered by the Health Hazards Control Unit within the Division of Public Health of the North Carolina Department of Health and Human Services.

If a party other than the Prospective Developer will own the Brownfields property at the conclusion of the brownfields process, the final document (which gets recorded at the Register of Deeds' office) must be signed not only by the Prospective Developer but by that 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 retard, and could prevent, the Brownfields Agreement taking effect.

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We are enthusiastic about the potential for public benefit offered by the redevelopment at the City Center Inn site, 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 Sharon Eckard by phone at 919.707.8379, or by e-mail at [sharon.eckard@ncdenr.gov](mailto:sharon.eckard@ncdenr.gov).

Sincerely,

A handwritten signature in black ink that reads "Michael E. Scott". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Michael E. Scott  
Deputy Director  
Division of Waste Management

cc: Project File  
ec: Bruce Nicholson, DENR  
Sharon Eckard, DENR  
Amanda Short, Esq.