

MANDATORY REFERRAL REPORT NO. 12-06

Proposed Land Exchange of County Owned Property for Duke Energy Property in Belmont Community

PROJECT PROPOSAL AND LOCATION:

Mecklenburg County proposes a land exchange between the County and Duke Energy that will allow Duke Energy to construct a substation in the Belmont area to serve Uptown Charlotte. The County and Duke Energy both own property in the Belmont neighborhood along Little Sugar Creek and bounded by N. Alexander Street, Belmont Avenue, N. Myers Street, and 13th Street. The proposal involves Duke Energy exchanging a portion of the property it owns at the corner of Belmont Ave. and N. Alexander Street (a portion of parcel #081-082-01; +/- 0.40 acres) for a portion of County owned property along 13th Street (a portion of parcel #081-082-04; +/- 0.42 acres). The exact amount of the property to be exchanged will be determined by a survey that is mutual agreeable to both parties.

To meet regulatory setback requirements, Duke Energy is in the process of having the portions of 13th and N. Myers Streets that border this property abandoned. (The Charlotte Department of Transportation has been working with Duke Energy on this matter and Duke staff are optimistic that the abandonment can be completed.) The portion of Duke Energy's property to be transferred to the County is vacant and zoned B-2 (Business), and the County's property is vacant and zoned R22MF (Residential Multi-Family) according to the Charlotte Zoning Ordinance. Duke has reported that no re-zoning of the property to be acquired from the County will be required in order to construct the substation, once the portion of 13th Street is abandoned.

PROJECT JUSTIFICATION:

The proposed exchange will benefit the County by providing street frontage property that the County's Park and Recreation Department has deemed desirable for the greenway program. Park and Recreation envisions using the exchange property as an amenity area for the future greenway trail such as a parking lot/information kiosk center. The property exchange is necessary for Duke Energy to meet site requirements such as setback rules for its planned electrical substation.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The exchange of this property is consistent with the County's 2008 Park and Recreation Master Plan goal of providing additional access to existing and future greenway trails. A future parking lot or other amenities at this location will provide citizens in this area and visitors increased access to trails.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The site is in the plan area of the *Belmont Area Revitalization Plan* (2003), which recommends the land use as Greenway/Open Space. Using this criteria, the proposed exchange is consistent for the portion of the site that will be used to enhance greenway access, but not for the land used for the substation. However, electrical substations are not typically contemplated in the area plan process; they are built where they are needed.

PROJECT IMPACT:

This project will have a positive impact on the community by helping to reduce the view of the substation from the street as well as providing increased greenway trail access.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This project has no relationship with, nor is it anticipated to impact, other public or private projects in the vicinity.

ESTIMATED PROJECT COMPLETION DATE:

The goal is an August, 2012 closing date for the land exchange.

JOINT USE TASK FORCE REVIEW COMMENTS:

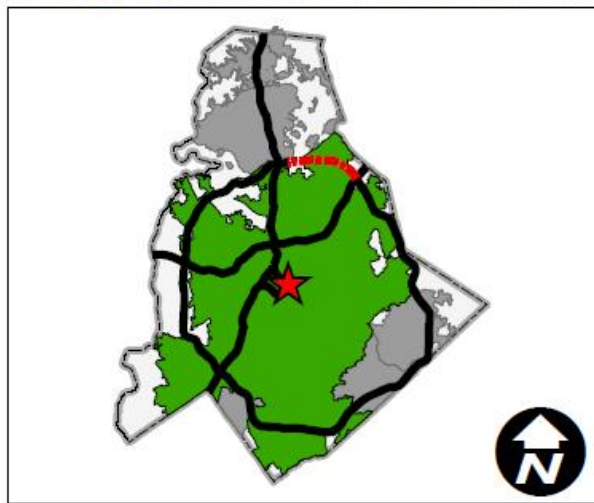
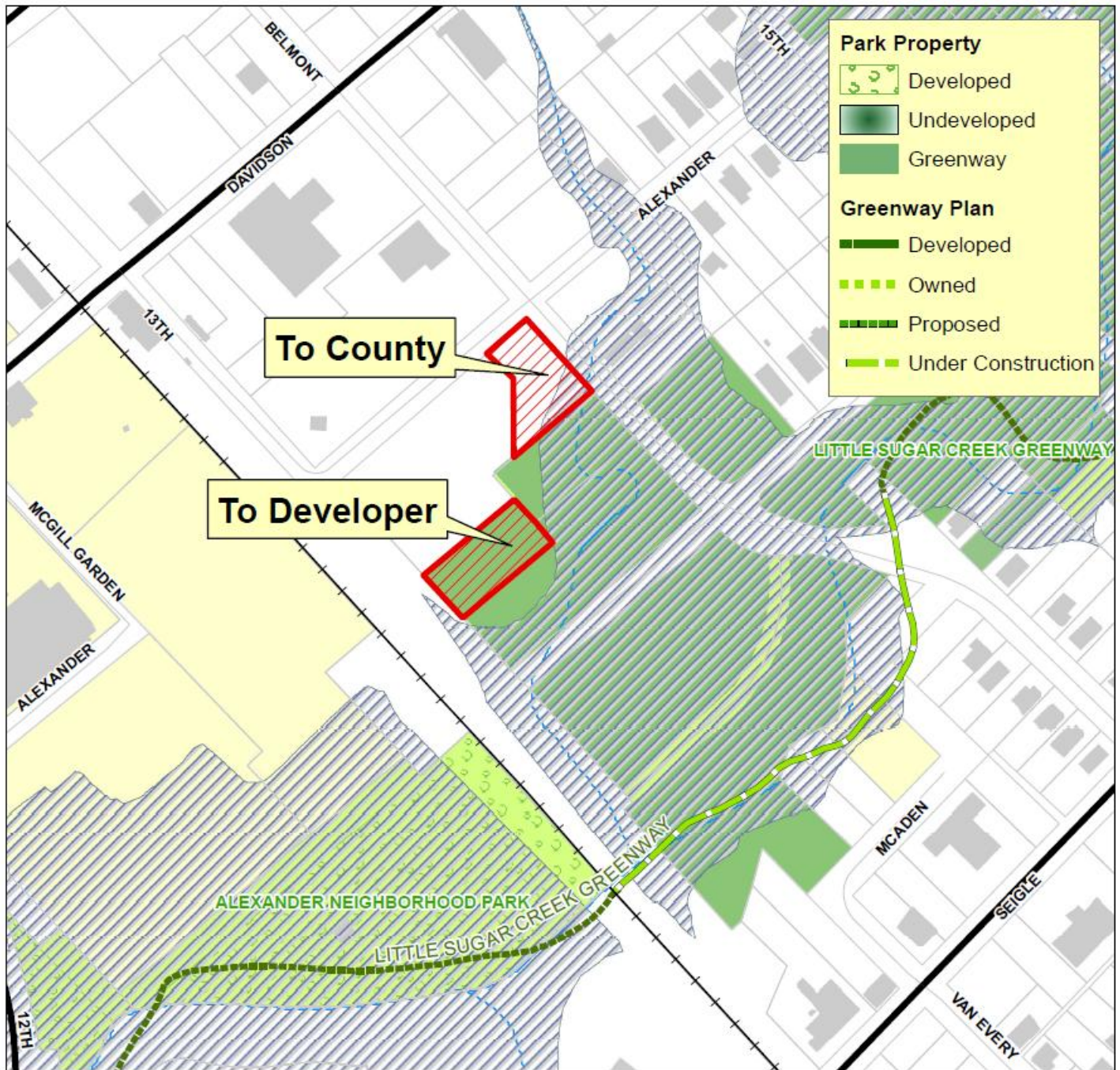
This matter was discussed at the May 2, 2012 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

The subject location is bounded by a rail line, abandoned street right-of-way, and county-owned open space, and is across the street from a warehouse use. It is more than 300 away from single family zoning, and even further from the nearest single family residence. The current zoning - B-2 and R-22MF - appear to allow for electrical substations. However, Duke Energy should consider the addition of public art or other aesthetic enhancements in the area in order to mitigate the visual impact of the proposed substation. In light of the benefit of enhanced greenway access and the limited impact the substation would have on surrounding residential areas, Planning staff supports this proposed land exchange.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their May 15, 2012 meeting the Planning Committee recommended approval of the proposed transaction by a 5-0 vote. Additionally, the committee voiced strong support for the concept of Duke Energy integrating public art into their plan for the proposed substation in order to help screen its appearance from adjoining properties and land uses.



Mandatory Referral 12-06

Submitted by: County Real Estate Services Department

Initiated by: County Park & Recreation Department

- Mandatory Referral
- County Property
- City Property
- FEMA 100 Year Floodplain

