

**MANDATORY REFERRAL-REPORT NO. MR 03-12
SALE OF CITY-OWNED LAND AT STATESVILLE ROAD LANDFILL SITE**

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Real Estate Division proposes to sell a ten acre tract of land located on the south side of the I-85 Service Road, east of Statesville Avenue between the Republic Solid Waste Transfer Station and a concrete recycling operation. This property is part of the former Statesville Road Landfill. This ten acre tract is the only portion of the 163.93 acre landfill property (parcel #07718101) that was not used in the former landfill operation. The rest of the landfill property will likely remain undeveloped. The likely purchaser of the property is the Ferebee Corporation and the proposed use is an asphalt plant. The subject property as well as surrounding properties are zoned I-2, which is an appropriate zoning classification for the proposed use, an asphalt plant.

PROJECT JUSTIFICATION:

The City has an opportunity to place ten acres of land back on the County tax roles. Development and use of this site could also produce jobs. Landfills typically settle over time; therefore, developing the parent tract for any other use, including parkland, is not feasible and potentially unsafe. There are no known public uses for this property.

The proposal to sell the ten acre tract to the Ferebee Corporation originated in April, 2003 in response to concerns from the Optimist Park neighborhood about the Ferebee's plans to locate an asphalt plant on North Davidson Street. The Ferebees have owned this land for over 30 years. The *Optimist Park Neighborhood Plan*, adopted March 25, 2002, recommends mixed use development at the Davidson street site.

City Council directed staff to research other possible locations for the Ferebee Corporation to consider for their operation. On May 27, 2003, City Council was presented the subject parcel as the recommended option readily available and that met the operational needs of the Ferebee Corporation. Council voted 9-2 to authorize the City Manager to pursue selling the ten acre tract to the Ferebee Corporation. The subject tract is the only centrally located property available that is zoned I-2, separated from residential development, and located in close proximity to the interstates and other thoroughfares. As a part of this proposal, the Ferebee Corporation agreed to the following:

- not allow an asphalt plant to ever be built on the Optimist Park property
- not to oppose an anticipated corrective rezoning to rezone the property to MUDD
- discontinue any industrial use of the site in Optimist Park twelve months after the rezoning is approved

CONSISTENCY WITH ADOPTED LAND USE PLANS AND PUBLIC POLICY:

The *Central District Plan*, adopted in 1993, notes that industrial land uses are appropriate for the subject property and recommends that the Landfill site be studied to determine if any portion of the site could be redeveloped for industrial use.

Selling this property is consistent with City Council's Asset Management Policy Statement to "maximize the City's return from its current and future asset portfolio. Maximizing the City's return will include pursuing alternative ownership/management strategies that optimize the benefits of private ownership (tax revenue streams and eliminating public costs associated with ownership) while meeting the City's public policy objectives".

PROJECT IMPACT:

The site is approximately ¼ to ½ mile from any properties used or zoned for residential. The site is also buffered from the Druid Hills Neighborhood by a 153-acre heavily wooded lot, the former landfill property, which will remain vacant. Major roads in the area-I-85, Statesville Avenue, and Asbury Avenue-provide additional separation from residential areas. The site is located on the I-85 Service Road and adjacent to other I-2 operations. Asphalt truck traffic will not be routed through any residential areas.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

City Council has agreed to sell this ten acre tract of land to relocate a proposed asphalt plant from Optimist Park. Council thinks this is important in supporting recommendations in the publicly adopted plan for Optimist Park. City staff has determined the ten acre tract to be a marketable piece of property and seeks to sell the land and, if not to the Ferebee Corporation, then to some other interested party.

ESTIMATED PROJECT COMPLETION DATE:

City Staff wants to sell the ten acre tract as soon as possible.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force has not reviewed this proposed transaction.

CMPC STAFF RECOMMENDATION:

Planning staff supports the proposal to sell this parcel of land to the Ferebee Corporation to build an asphalt plant on the site. The proposed use doesn't conflict with any adopted land use policies and plans, is compatible with the adjacent land uses, has excellent access to I-85 and I-77, and will have little or no transportation or environmental impacts on the area.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their June 2, 2003 meeting, the Planning Committee recommended approval by a 7-0 vote.

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Legend

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Railroad

Inter-State Hwy

Streets

