

**MANDATORY REFERRAL REPORT NO. 06-26**  
**Proposed McDowell Creek Greenway Land Exchange**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County proposes to exchange ownership of approximately two acres of land along McDowell Creek in the Town of Huntersville. Through this exchange with private owners, the County will acquire that portion of 7218 Bud Henderson Road (Tax Parcel 015-051-09) encumbered by the 100-foot SWIM Buffer plus the area between the SWIM Buffer and the centerline of McDowell Creek for the purpose of land assembly for a future McDowell Creek greenway. In return, the private owners are proposed to receive approximately two acres of adjoining County-owned Tax Parcel 015-051-99. The private owners report their plan to incorporate the County acreage into their current farmland operation as additional pasture.

Both parcels are zoned Transitional Residential District (TR) by the Town of Huntersville. The 39-acre privately-owned property consists of floodplain forest, upland forest, pasture, and a single family residence. The 17.6-acre County property is mostly forested floodplain with a +/-2 acre old field situated above the floodplain. The old field portion of the County property is the proposed conveyance. The County acquired the property in December 2000 as a dedication associated with the nearby Glenwyck Subdivision. There are no restrictions governing future conveyance of this property.

When completed, the greenway will consist of a 10-foot wide asphalt trail that will accommodate both pedestrians and bicyclists.

**PROJECT JUSTIFICATION:**

The County is seeking this land exchange to facilitate the development of the McDowell Creek Greenway. This section of greenway, currently in the design phase, will extend approximately 2.2 miles from Beatties Ford Road to the confluence of McDowell and Torrence Creeks, where it will connect to the existing 1.4-mile long Torrence Creek greenway. A one-mile long extension of the Torrence Creek greenway is also currently being designed, which will extend the greenway network upstream (to the east) to the Rosedale shopping center near I-77 Exit 23.

The property proposed for acquisition is a vital link in this creek corridor and is one of only two property gaps in the lower stretch of McDowell Creek greenway.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

Acquisition of the SWIM Buffer on the private property is consistent with the County's acquisition of floodplain for greenway purposes and watershed protection. A land exchange is a viable acquisition tool used by the County when needed to achieve a specific outcome. Planning staff from the Town of Huntersville have been involved and are supportive of the proposed land exchange.

Currently, the majority of both properties lie within the FEMA 100 year flood plain which restricts most residential, commercial, and industrial land use. Furthermore, the land proposed to be swapped with the private owner was conveyed to the County for "Permanent Open Space". Any conveyance to the private owner would have to include this same deed restriction. The private property owner involved in the proposed transaction reports he is planning to use the land acquired from the County for pasture farm land which is consistent with the deed restriction and with floodplain restrictions. Conversely, the land to be conveyed to the County is planned to be used for the extension of McDowell Creek Greenway and for watershed preservation. The proposed use is also consistent with current floodplain restrictions.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The current zoning for both properties is Transitional Residential District (TR) in the Huntersville Zoning Ordinance. Huntersville considers its land use designation within its zoning ordinance as its land use plan. This zoning designation encourages the development of neighborhoods and rural compounds that set aside natural vistas and landscape features for permanent conservation. Some of the relevant permitted uses are outdoor recreation, parks, plant nurseries, and stables. The use of these properties for pasture land and for greenway trails are considered consistent with current zoning/land use policies.

**PROJECT IMPACT:**

This land exchange will enable the design and development of the McDowell Creek Greenway to continue on schedule with groundbreaking in June, 2007. The conveyance of +/- 2 acres from the County parcel will not negatively impact the property's value for watershed protection and open space, given the intended use and deed restriction.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

Securing this vital connection in this greenway corridor will enhance the pedestrian connectivity via greenway linkages to adjacent subdivisions, Bradley Middle School, the new Huntersville park adjacent to the school, and points upstream along the Torrence Creek greenway.

**ESTIMATED PROJECT COMPLETION DATE:**

If approved, the land exchange will be completed by December 2006. Greenway construction is anticipated to begin in June 2007.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their October 4, 2006 meeting. No joint use opportunities were identified at that time.

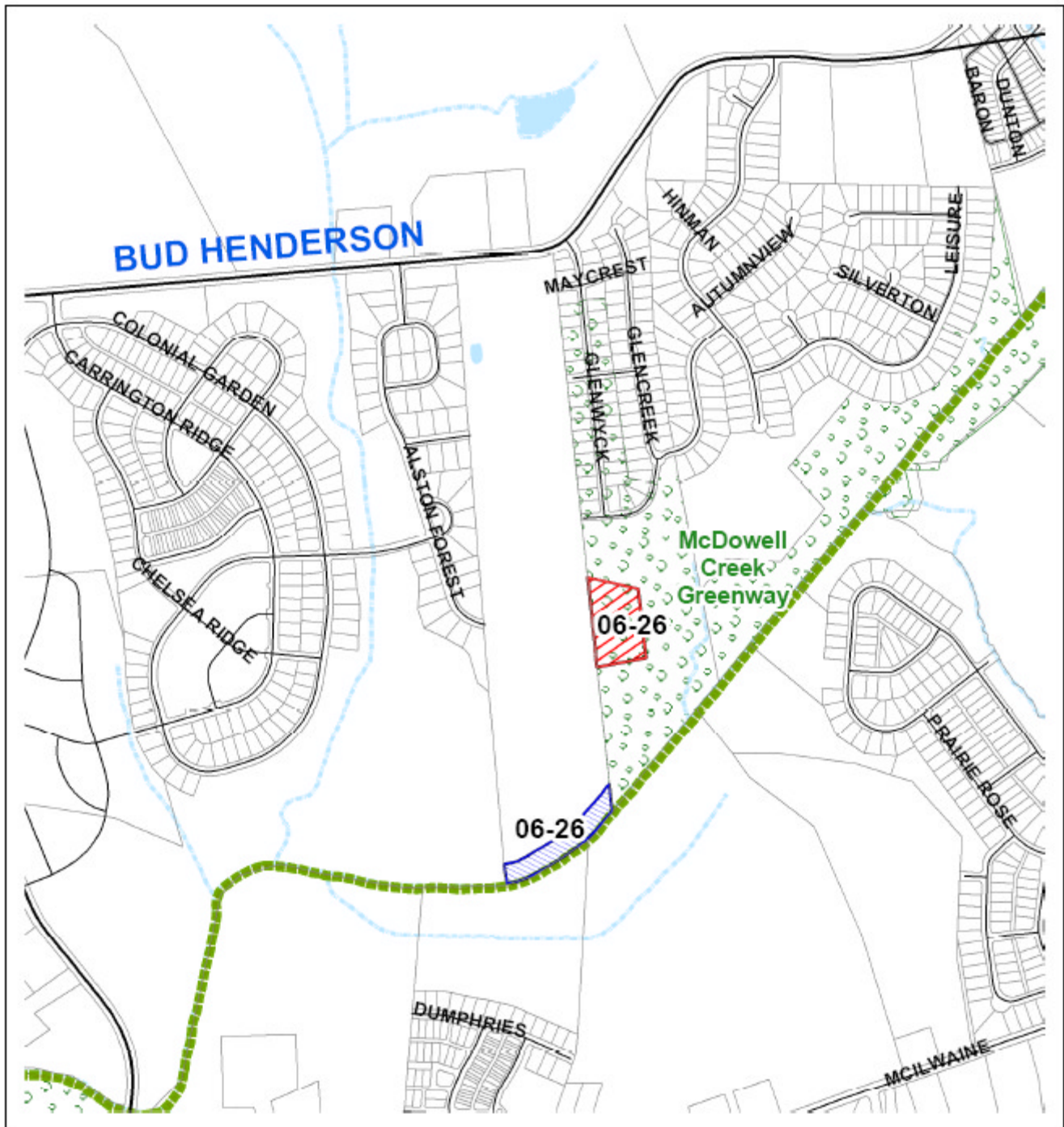
**CMPC STAFF RECOMMENDATION:**

Staff recommends approval of the two acre portion of parcel 015-051-99 be conveyed to the private property owner in exchange for his land between the 100 foot SWIM buffer and McDowell Creek centerline of parcel 015-051-09.






**CMPC PLANNING COMMITTEE RECOMMENDATION:**

At their October 17, 2006 meeting the Planning Committee recommended approval by a 5-0 vote.

# Mandatory Referral 06-26



**Department: Mecklenburg County Real Estate**

-  Publicly Owned Property (to be transferred to the citizen)
-  Privately Owned Property (to be transferred to the County)
-  Park Property
-  Greenway
-  Creeks

