

MANDATORY REFERRAL REPORT NO. 07-05
Proposed Sale of City-Owned Property Located on West Tyvola Road
(portions of Parcel ID No. 143-133-01)

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte Real Estate Division proposes the conveyance of an 11.25-acre City-owned parcel located on West Tyvola Road (Parcel ID No. 143-133-01) directly across from the entrance road to the old Coliseum. The property is currently vacant and zoned R-4 (single family residential).

The property is an odd crescent-shaped, fragmented remnant parcel. Across Tyvola Road to the northeast is the old Coliseum site, rezoned for a mix of Office, Commercial, and Residential uses in 2003 as part of a major redevelopment effort. To the northwest, across from the portion of the site designated for greenway use, it borders office/industrial park property. A Duke Power substation sits at the center of the "crescent" on the southwest. Utility easements cross the site into the substation. To the southeast is the City golf course property. Although zoned R-4 single-family residential, the property borders no existing or potential single-family neighborhoods.

The conveyance is proposed in the following fashion:

The "frontage" portion (5.56 acres) is proposed to be sold via the private sale process. The purchaser and developer of the old coliseum property, Pope & Land Enterprises, Inc., has expressed interest in purchasing this property as part of the assemblage of the Coliseum property, to be used for retail at the entrance to their development "City Park" that is proposed on the Coliseum property immediately across West Tyvola Road. The property would have to be rezoned to allow this use.

Another portion of the parcel – about .25-acre immediately adjacent to the electrical substation – is proposed to be conveyed to Duke Energy to enable the property to be used as a buffer between the substation and the future development on the frontage portion of the site.

The remainder of the site – two portions of the site totaling about 5.44 acres – is proposed to be conveyed to Mecklenburg County to be added to the adjacent Renaissance Park golf course and to the Sugar Creek greenway.

PROJECT JUSTIFICATION:

The property was originally a portion of the York Road landfill property but was never used as a landfill. A portion of this property was sold to Duke Power Company in 1987 for a substation to provide electricity for all the new development including the Coliseum. Duke Power was required to put a 50-foot landscape buffer around this substation. The frontage 5.56 acres is free of encumbrances and will be developed for retail uses while the remainder acreage (just under six acres) is encumbered with access easements, sewer easements, overhead power line easements, and creek and floodway easements. The proposed retail will be incorporated into the master plan for the new City Park development, while the portion of the site proposed to be sold to Duke Energy will serve as a buffer between the substation and the proposed retail. After disposal from City inventory, the retail and Duke Energy portions of the parcel will generate property taxes.

Given the adjoining Park & Recreation facilities, coupled with a portion of the parcel's accessibility limitations, Mecklenburg County is the scheduled recipient of the remainder of the parcel to serve as park and open space uses.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The proposal is consistent with the City's Asset Management Policy as the sale of the subject property will generate revenue while returning it to the real property tax rolls.

The proposal is also consistent with the Mecklenburg County Greenway Plan.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Southwest District Plan* (1993) calls for this parcel to be Open Space, as over half of the site is proposed to be used, for greenway, golf course, and buffer. The Tyvola Road frontage lends itself to commercial/mixed use in coordination of the more recently approved mixed use redevelopment project on the old Coliseum site. (A rezoning application for any such use will provide an opportunity for scrutiny of specific proposed land uses.)

PROJECT IMPACT:

The sale of the property will allow for economic development of this highly visible property. Given the well-developed highway network, no traffic or roadway impacts are anticipated.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The Sugar Creek greenway (including about 5.4 acres of this site) will be integrated into the County greenway system, as

well as being connected to a three mile athletic trail that will be constructed in the City Park project on the Coliseum site. This trail/greenway is being coordinated with Mecklenburg County Park and Recreation Department.

ESTIMATED PROJECT COMPLETION DATE:

The City Park project will begin construction in the Fall of 2007 and the first phase, which includes the subject property, is estimated to be completed in Winter 2009.

JOINT USE TASK FORCE REVIEW COMMENTS:

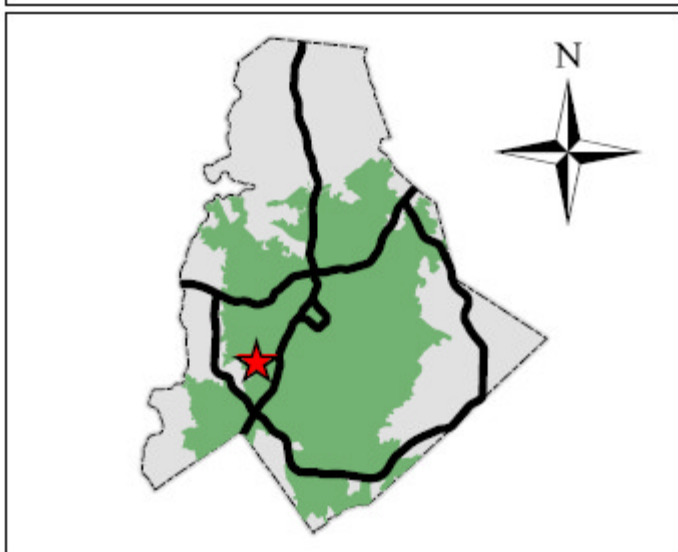
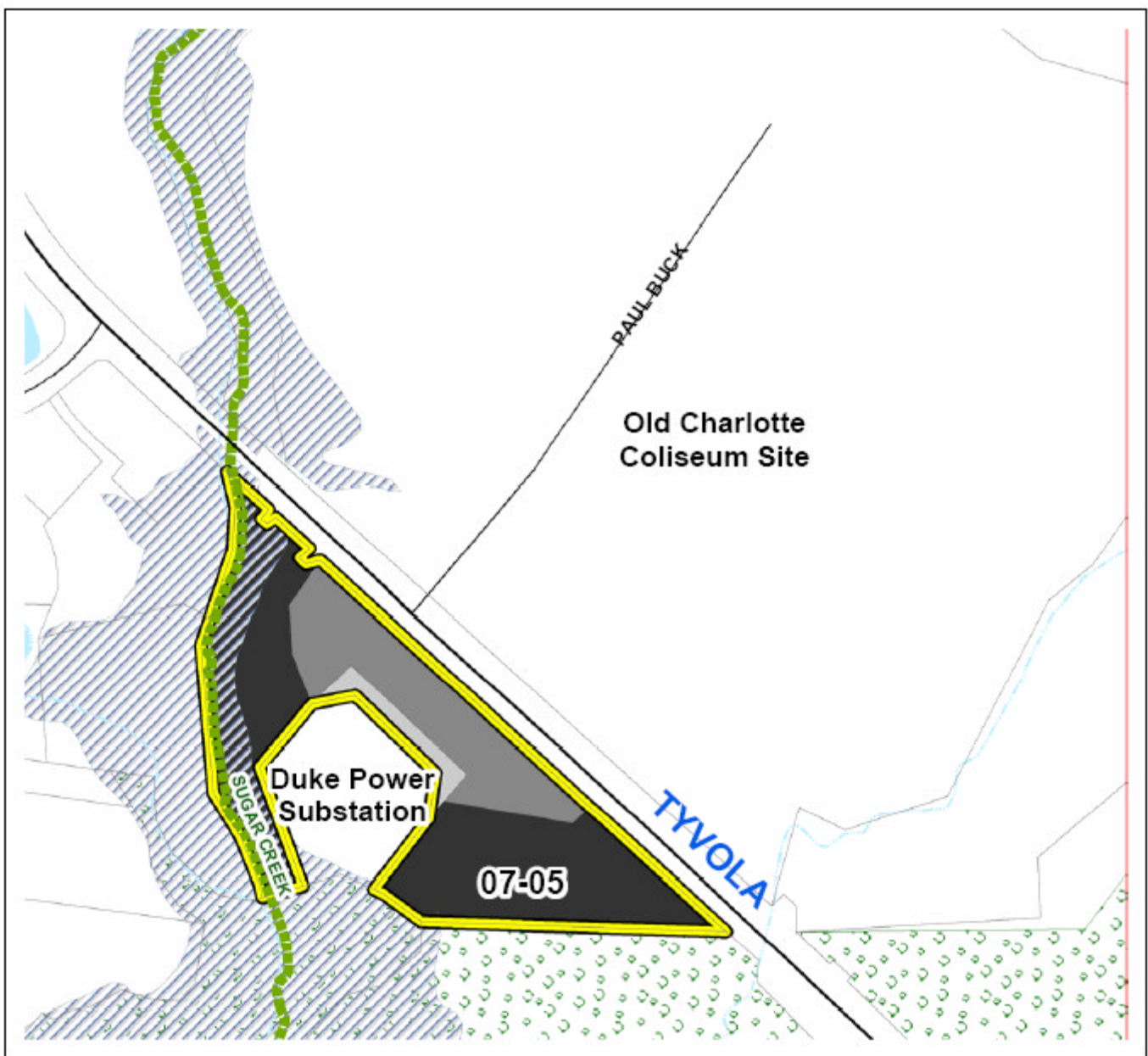
The Joint Use Task Force considered this matter at their March 7, 2007 meeting. The City Neighborhood Development Department expressed interest in exploring potential affordable housing opportunities on the site. (After subsequent consideration, Neighborhood Development reported that the site was not a good candidate for residential use.)

PLANNING DEPARTMENT STAFF RECOMMENDATION:

Staff recommends approval of the proposed property sales/conveyances, on condition that development of the portion to be privately-developed (frontage portion) is improved with an appropriately use-mixed (retail/office) and designed development, and not with conventional retail strip pad site highway-oriented development.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their March 27, 2007 meeting, the Planning Committee recommended approval – subject to stated staff conditions – by a 6-0 vote.



Mandatory Referral 07-05

City Real Estate Services

-  Convey to County
-  Convey to Developer
-  Convey to Duke Power
-  Park Property
-  FEMA 100 Year Floodplain
-  Greenway

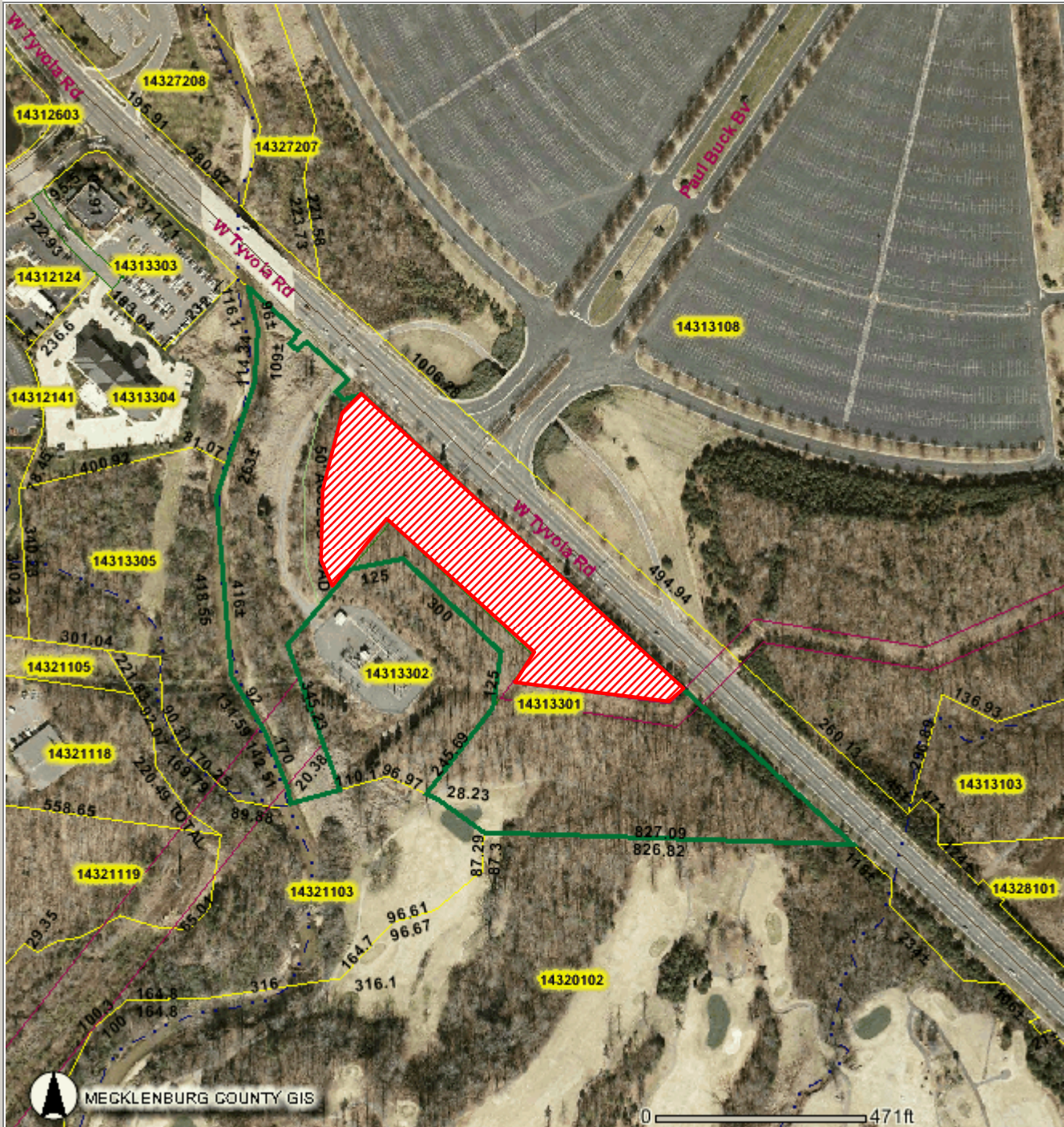
Map Produced by the Charlotte-Mecklenburg Planning Department for illustrative purposes only.

POLARIS

Property Ownership Land Records Information System

Date Printed: Fri Feb 23 10:14:20 EST 2007

Portion of 143-133-01



This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

