

**MANDATORY REFERRAL-REPORT NO. 07-23**  
**Proposed Sale of City-Owned Land along the South Corridor Light Rail Line**

**PROJECT PROPOSAL AND LOCATION:**

The Boulevard Company (TBC) purchased the 0.87-acre former Fowler Office Supply property located at 1447 South Tryon Street (parcel # 12304109) in the South End area of Charlotte, for the purpose of redevelopment. The property is located in front of the "Y" intersection of Camden Road and South Tryon Street. Its neighbor to the south will be the future Charlotte Trolley Inc. (CTI) facility that will house their headquarters and an educational facility (subject of Mandatory Referral MR06-22). Between the Charlotte Trolley Inc. facility and the TBC development will be a 30-foot wide pedestrian walkway connecting the Bland Street Light Rail Station to Camden Road and South Tryon Street.

TBC plans to retain the former Fowler building on the north side of the property and to construct a building on the south side providing a view of the uptown skyline while fronting along the light rail tracks. The development would consist of ground level structured parking topped by four stories of residential units above the deck. To accomplish that objective, TBC had the site re-zoned to MUDD(CD) (mixed-use development district – conditional).

Several years ago, the City of Charlotte purchased a remnant parcel of land located between the TBC property and CATS' Light Rail Corridor (parcel #12304198), as part of property acquisition for the South Corridor Light Rail (the Bland Street Light Rail Station is being constructed immediately east of these properties). In order for TBC to front along the new transit corridor and build up to their property lines, they are requesting to purchase from the City the following real estate interests:

- § Parcel A – 2,255 sq. ft. of fee simple property (two parcels shown on attached maps),
- § Parcel B – 2,385 sq. ft. of "Charter" rail easement, and
- § Parcel C – 2,443 sq. ft. of "No-Build" easement to assure TBC that the City will not build a structure within the pedestrian walkway, to enable the TCB development to build to the lot line and with window openings facing the walkway.

**PROJECT JUSTIFICATION:**

Parcels A and B are not needed by the City for the transit corridor and their only economic value is to assemble them with TBC's property. The proposed development will bring more activity along the rail corridor to make the South End area a more vibrant place to live and work.

Parcel C (the "No Build" easement) is actually the offering of an easement and not fee simple ownership, that will guarantee that the pedestrian walkway will remain a walkway and not another building site (that could block TBC from opening windows on the walkway side of their development). Acquisition of the easement by TBC will allow the development to include fenestration (windows) overlooking the pedestrian walkway which adds another layer of interest and safety to the walkway corridor.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

Selling the City-owned surplus real estate interests is consistent with the City's asset management policy and generates both sale and tax revenue, as it places the land back onto the tax roles.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *South End Transit Station Area Plan* (2005) calls for mixed use development at density supportive of transit for the subject and surrounding properties. The Plan defines development standards for property adjacent to the rail corridor and envisions that surplus right of way may be incorporated into adjacent transit friendly development.

The TBC property is separated from the rail corridor by oddly shaped remnant property (Parcels A & B) owned by the City not usable except as an extension of the proposed TBC development. The proposed property disposition will enhance the primary transit access purpose with improved pedestrian interest and safety in accordance with the *South End Transit Station Area Plan*.

Likewise, the City-owned Parcel C is a narrow strip of land intended as a pedestrian access way from Camden Road to the light rail station immediately beyond. The proposed "no-build" easement facilitates providing windows from the proposed private development, to enhance pedestrian interest and safety. The additional windows also allow for increased residential density at this station location. As such, selling the City-owned real estate interests is in conformance City Council's adopted *South End Transit Station Area Plan* to guide development along the corridor.

**PROJECT IMPACT:**

Careful coordination will be needed with TBC during construction to avoid negative impacts to the rail corridor and to the pedestrian walkway. These issues will be addressed in a proposed Obligation Agreement that will be executed in conjunction with the proposed transaction, as well as execution of temporary construction easements to the developer.

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

CTI will likely be under construction before TBC begins construction. Careful attention will be given to protecting the "front door" of CTI from TBC's construction activities, as well as preventing any mishap from occurring along the rail corridor.

**ESTIMATED PROJECT COMPLETION DATE:**

TBC has not specified when they will begin construction. It may be as far out as a year or two from now.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

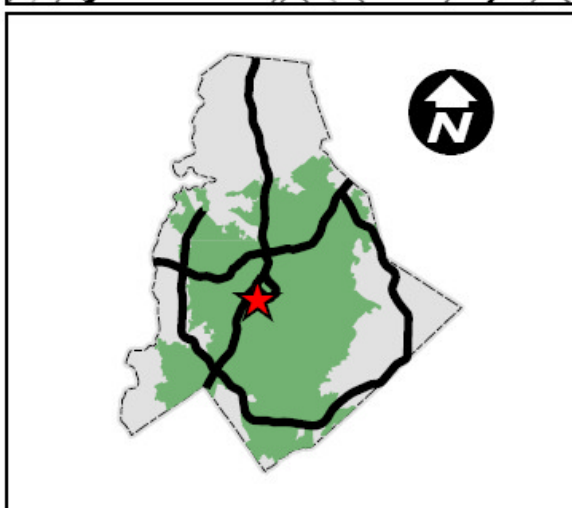
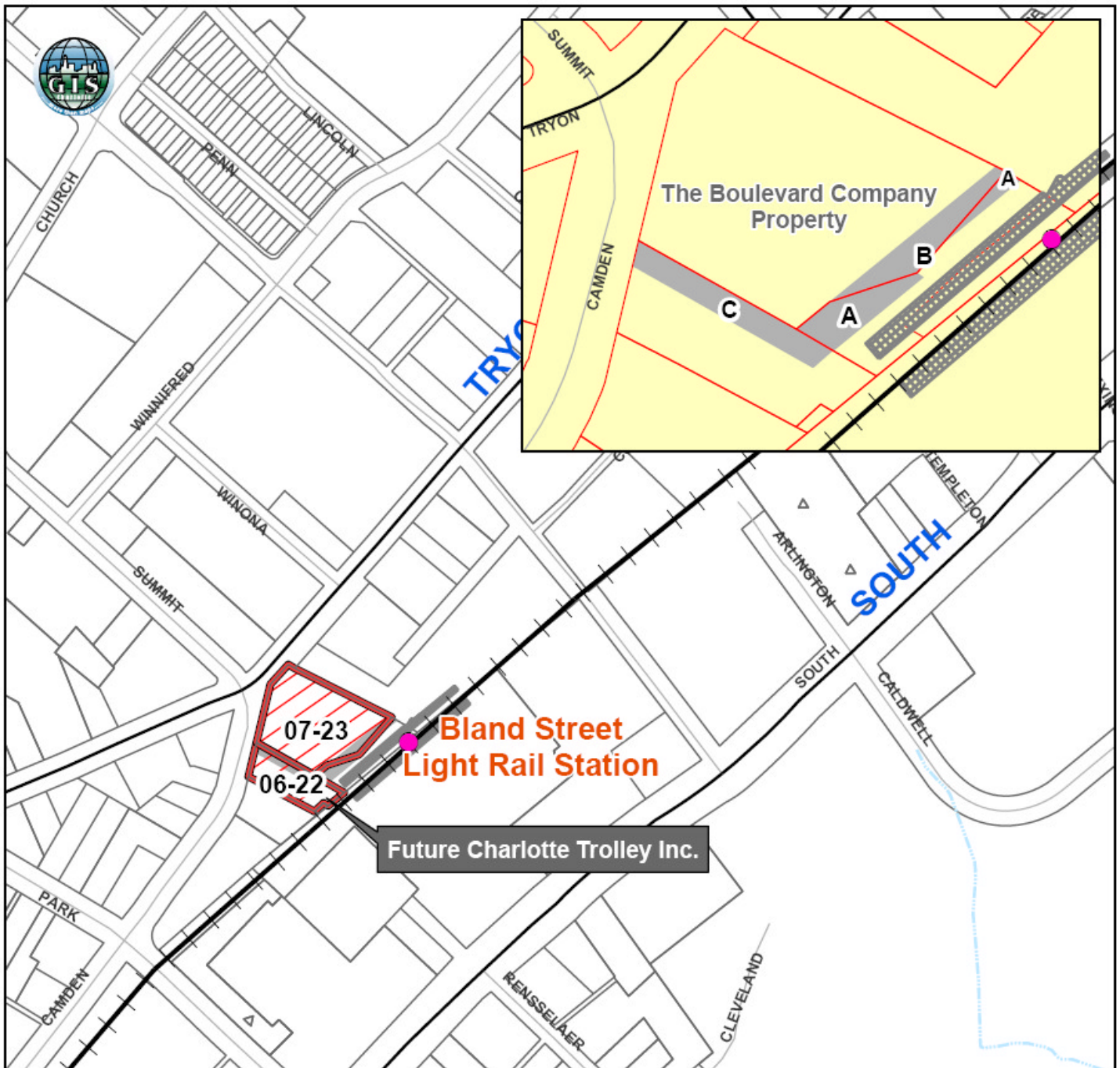
The Joint Use Task Force discussed this matter at their November 7, 2007 meeting and no comments were offered.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the proposed transaction because the project supports the land use recommendations of the *South End Transit Station Area Plan*, and provides for improved pedestrian interest and safety.





**CMPC PLANNING COMMITTEE RECOMMENDATION:**

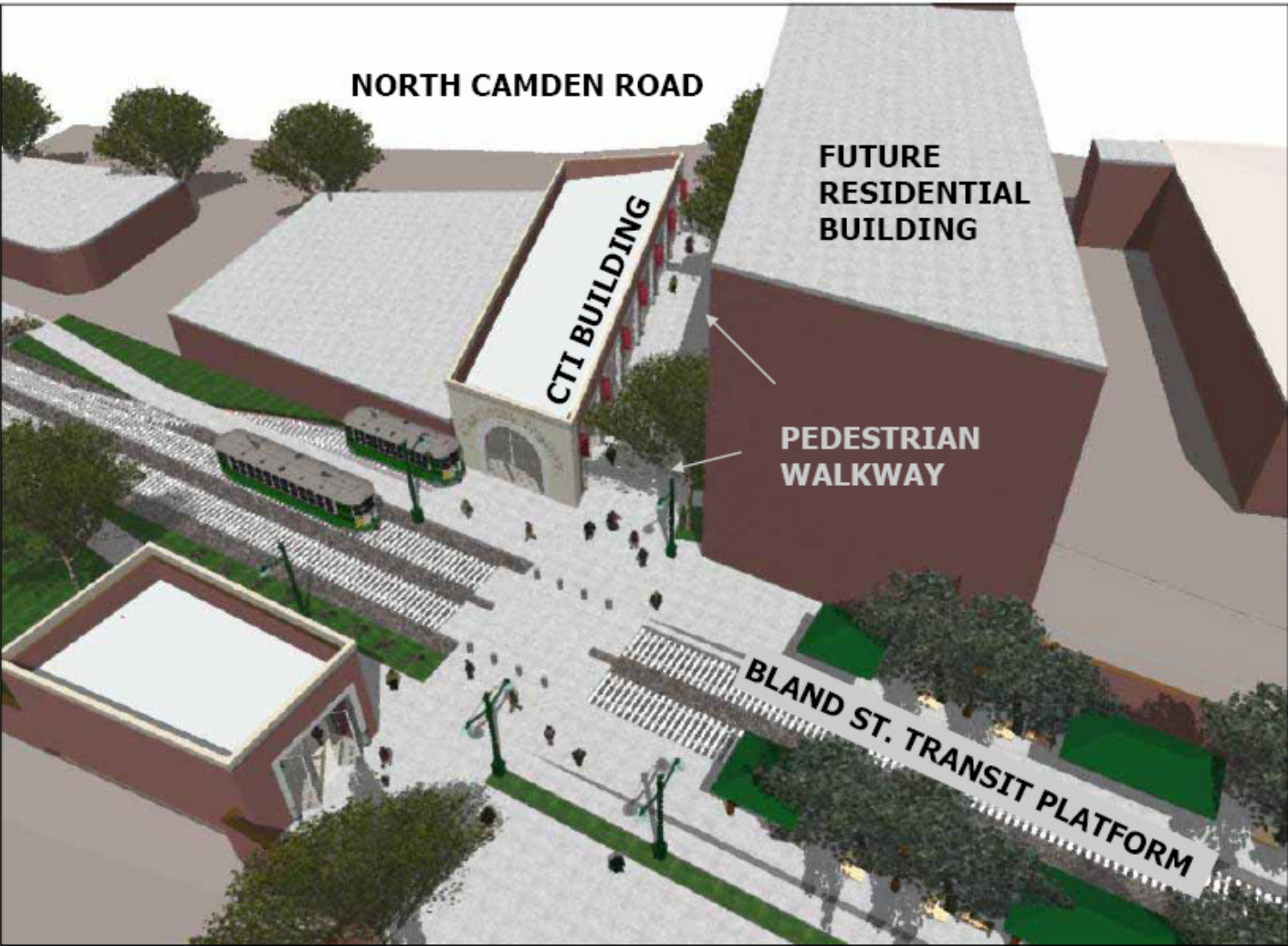
At their November 13, 2007 meeting, the Planning Committee recommended approval by a 6-0 vote.



## Mandatory Referral 07-23

*Charlotte Real Estate Services*

-  Mandatory Referral
-  South Corridor Transit Station
-  Transit Platform
-  Commuter Light Rail





T&E  
R.E. Opie &  
Assoc., Inc.  
Chgo. 742,307

Summit  
Ave.

S. Tryon St.

S. Tryon St.  
Major Thoroughfare

Camden  
Rd

# The Boulevard Company Property

10 PARKING SPACES UNDER BUILDING

2,848 S.F.

City of Charlotte  
Deed Book 19257 Page 364

200 East Blvd Street, LLC  
Deed Book 8300 Page 82  
Deed Book 8745 Page 441

- Parcel "A" = FEE SIMPLE FROM 1971 TO 1980, 1981
- Parcel "B" = HOLDING IN TRUST FROM 1981 TO 1982
- Parcel "C" = AD-BUILD EASEMENT (15'-17')

Utility Box  
Access to electric  
pole (fraction)  
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Utility Box  
Access to electric  
pole (fraction)  
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FOUNTAIN

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