

**MANDATORY REFERRAL REPORT NO. 09-07**  
**Proposed Sale of a Portion of City-Owned Property on W. 9<sup>th</sup> Street in Fourth Ward of Charlotte**

**PROJECT PROPOSAL AND LOCATION:**

City Real Estate has been approached by an individual who owns the residential property at 410 W. 8<sup>th</sup> Street (PID 078-074-57) interested in acquiring a portion of City-owned parcel (PID 078-074-18) located at 409 W. 9<sup>th</sup> Street in Charlotte's Fourth Ward. The prospective buyer's property adjoins this City-owned property. The majority of the City's parcel is developed and used as a parking lot (currently maintained by the Charlotte Department of Transportation), accommodating approximately 30 cars and used by patrons of area businesses during the daytime and by area residents and patrons of nearby restaurants during the evening. The portion of the parcel under consideration is the rear portion (currently landscaped and not used for parking) measuring approximately 56.13 feet in width (at the rear property line) and 31 feet deep (running perpendicular from the rear lot line), representing 1,740 square feet, or 11.5% of the total parcel. Therefore, the proposed transaction would not affect parking on the site.

The portion of the parcel under consideration is zoned UR-1 and UR-2 (Urban Residential). The remaining property for the parking lot is almost entirely zoned UR-C (Urban Residential-Commercial). The property is also within the Fourth Ward Historic District and improvements made to the property by the prospective purchaser would be subject to review and approval by the Historic District Commission.

The prospective purchaser proposes to acquire the property and add it to his adjoining property in order to construct a garage and other structure for storage of personal property in connection with his adjoining residential property.

**PROJECT JUSTIFICATION:**

The undeveloped portion of this property has reportedly been used as a magnet for loitering. The sale and redevelopment of the land will reduce the opportunities for behavior that is considered less than desirable by some nearby residents. The potential addition of a garage and storage building would increase the property tax base and contribute to the viability of the prospective buyer's residential property. The president of Friends of Fourth Ward has been contacted and has expressed no problems with the sale of the land as proposed.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

The sale of this portion of the land is consistent with the City's policy to maximize the performance of its assets. Sale will also reduce the maintenance liability incurred by the City. The sale of this land does not reduce the amount of parking spaces available to the neighborhood (the original goal of acquiring the land and developing the parking lot).

Departmental Polling was conducted in June, 2009 to gauge interest in other possible uses for this property, particularly in response to adding spaces to the parking lot to increase the amount of available parking for the area. No responses were received to the polling.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The last time a specific land use plan was adopted for this area was 1987. This plan - *Fourth Ward Special Project Plan* - recommended the parcel be zoned UR-C (Urban Residential-Commercial). Under this classification, the parcel could include a diversity of residential, retail, office, recreational and cultural uses in a mixed use and a higher density pattern. The proposed use of the land would meet this objective (as it would be residential), but its sale could prevent the parcel from becoming part of an opportunity to develop a larger/dense development in the future.

The *Center City 2010 Plan*, adopted by City Council in May 2000, made a general recommendation to increase densities on vacant tracts in Center City. If this parcel were to be combined with adjacent properties in the future, a large dense mixed use project could be possible. Loss of City control via sale of the property could lessen the likelihood of such a development occurring.

**PROJECT IMPACT:**

The sale of the land will increase the tax base and produce revenue for the City, while reducing loitering in the vicinity of the parking lot. The sale of the land has the potential of possibly negating future redevelopment opportunities.

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

This project has no relationship with any other planned public or private projects. However, if the adjacent strip commercial center were to redevelop, this parcel could be combined with that property and the nearby park's parking lot to create a desirable development in Fourth Ward. If the property is sold, it is likely to become a garage for a single family residence.

**ESTIMATED PROJECT COMPLETION DATE:**

This project does not require funding as the expenditures for value estimate will be funded by the Real Estate Division's asset management account. The land would be sold through the upset bid process and it will likely take until the end of October to complete the entire process.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their May 6, 2009 meeting and the question was raised as to the advisability of the sale if there is a need to expand the lot to accommodate more parking needed in the area. The Park & Recreation representative in attendance commented on the increased popularity of the nearby neighborhood park and the resulting increased parking demand. The comment was also offered that the size and configuration of the area proposed for sale would probably be insufficient to accommodate additional parking spaces.

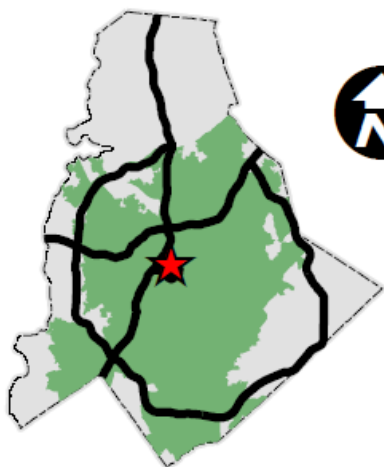
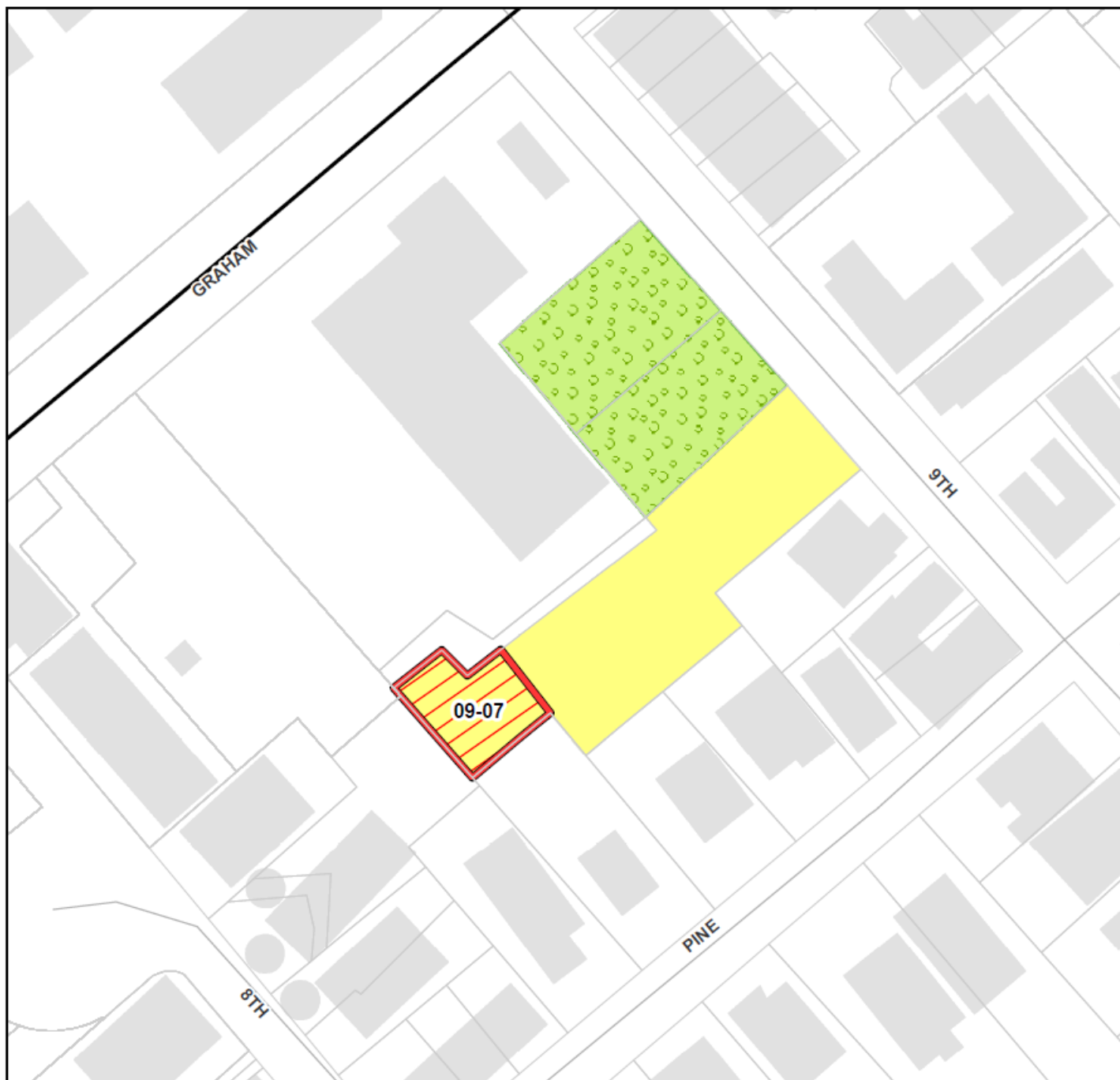
(Partially in response to the comment regarding increasing the quantity of parking, City Real Estate conducted the departmental polling in June, which resulted in no public agency recommending retention of the subject property for public use.)

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends retaining fee simple ownership of the property, while offering a lease to the adjoining property owner, allowing it to be used in a manner consistent with applicable ordinances. While redevelopment of the surrounding area (particularly the adjoining properties fronting North Graham Street) is not imminent, the longer term reuse of the property and the vicinity – and the role the City could play in guiding that redevelopment, if the City owns the property - should be considered.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

At their October 20, 2009 meeting the Planning Commission approved the staff recommendation that the City lease and not sell the property, by a vote of 5-0.



## Mandatory Referral 09-07

*City Real Estate*



Mandatory Referral



Park Property



County Property



City Property



Produced by the Charlotte-Mecklenburg Planning Department