

MANDATORY REFERRAL REPORT NO. 10-01
Proposed Sale of City Owned Property Located on Albemarle Road East of W.T. Harris Blvd.

PROJECT PROPOSAL AND LOCATION:

City of Charlotte Real Estate is requesting to sell approximately two combined City-owned vacant parcels located in the northeast quadrant of the intersection of Albemarle Road and Lawyers Road Extension in East Charlotte. The two parcels, PID 10917111 and PID 10917112, were both acquired by the City in early 2002 for the Albemarle Road /Harris Boulevard intersection improvement project which is currently an unfunded project in the 2035 Long Range Transportation Plan. The City has begun construction on an interim transportation improvement project, Lawyers Road Extension (that should be completed by the end of 2010).

A buyer proposes to use approximately one acre of the property, zoned for business (B-2) under the Charlotte Zoning Ordinance, for a fast food restaurant which is a permitted use in the B-2 zoning District. The second parcel created by the remainder of PID 10917111 & PID 10917112 will be marketed for sale or lease for a use compatible with the City's land use plans for the area.

The plan is to sell the restaurant portion of the property, subject to the upset bid process, and to market the remaining property for retail uses consistent with the area plans and zoning.

PROJECT JUSTIFICATION:

Departmental Polling was conducted in March 2010 on these parcels. No replies were received that indicated interest by any City departments or other participating entities. The property is not needed for the Lawyers Road Extension project and is proposed to be declared surplus by City Council.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

It is the City Real Estate policy to maximize the City's assets by generating revenue with the sale of surplus property. The value of the property will be determined by an independent appraisal and will be sold via the upset bid process as outlined in the State of North Carolina General Statutes.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Eastside Strategy Plan* (adopted in 2001) is the most recent land use policy for this area, but does not provide a parcel-specific land use recommendation for this parcel. However, the *Eastside Strategy Plan* does confirm the land use guidance specified in the *East District Plan* (1990) which recommends retail land uses for this property, which is consistent with the suggested restaurant use on the one portion of the property, and the retail uses on the remainder of the property.

PROJECT IMPACT:

The sale of this property would eliminate maintenance and liability costs for the City and generate income. The sale would also create an additional parcel that could be sold or leased, creates jobs in the new business and be new business for an area that has had businesses move out of recently.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The proposed fast food restaurant would complement the future Charlotte Area Transit System (CATS) Park-and-Ride lot located across Lawyers Road extension.

ESTIMATED PROJECT COMPLETION DATE:

Completion of the upset bid process, Council approval and sale of the property should be complete by the end of 2010.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their meeting on April 7, 2010 and City Stormwater expressed concern that the amount of land offered the restaurant wouldn't provide sufficient space for necessary BMP's. City real Estate staff assured the group that this precaution will be taken into account as planning for the transaction progresses.

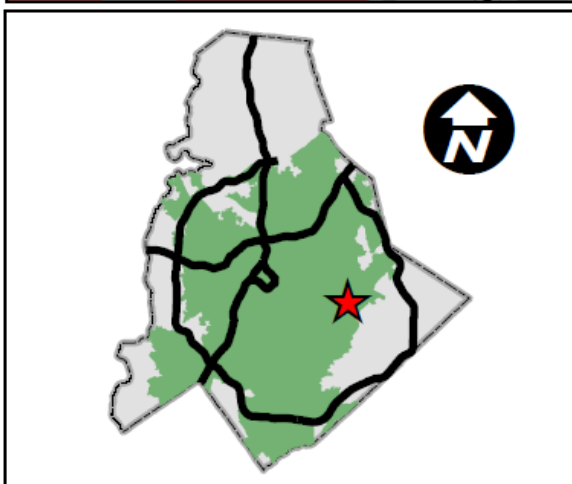
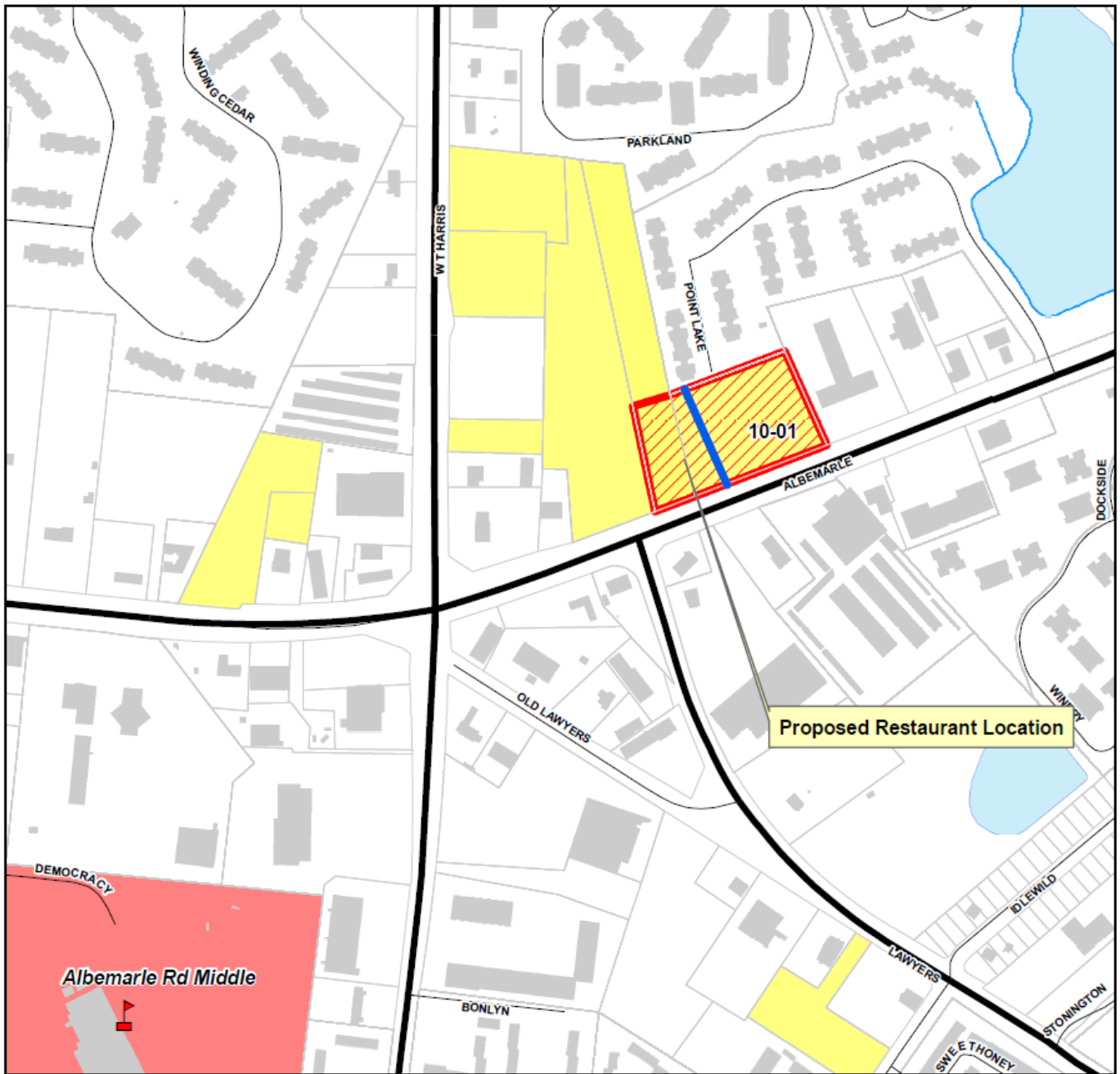
PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the proposed sale for the stated intended land uses.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their April 20, 2010 meeting, the Planning Committee recommended by a 6-1 vote to conditionally recommend approval of the proposed transaction. These conditions are:

- North Carolina Department of Transportation should be notified of the proposed transaction with respect to their potential future need for right-of-way in the event that the Albemarle-Harris interchange is ever constructed
- The need for additional frontage right-of-way on existing Albemarle and new Lawyer's Road extension, in addition to the need for on-site stormwater detention should be determined as part of the development review process.



Mandatory Referral 10-01

Submitted by: City Real Estate

Initiated by: City Real Estate



Mandatory Referral



City Property



Produced by the Charlotte-Mecklenburg Planning Department