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MANDATORY REFERRAL REPORT NO. 15-40
Proposed Acquisition of Properties in Coulwood Neighborhood for Tree Canopy Preservation

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire six parcels in the Coulwood area of Charlotte for tree canopy preservation. The properties are located between Valleydale Road and Brookshire Boulevard, as shown on the location map below. Following acquisition by the City, conservation easements on the properties would then be donated to the Catawba Lands Conservancy in order to ensure that perpetual stewardship of the tree canopy is provided.

#	Parcel ID	Property Address	Acreage	Zoning
1	035-103-08	Goodman Rd	14.737	R-4 (single family residential) ⁽¹⁾
2	035-102-20	Lakehill Rd	16.505	R-4 (single family residential) ⁽¹⁾
3, 3.1	035-101-16, 035-101-17	7101 Lakehill Rd	6.18	R-4 (single family residential) ⁽¹⁾
4	035-101-14	7209 Brookshire Blvd	8.371	I-1 (light industrial) ⁽¹⁾
5	035-231-01	Bellhaven Blvd	13.867	R-4 (single family residential) ⁽¹⁾

(1) Per. the Charlotte Zoning Ordinance

Following acquisition these parcels are proposed to remain in a natural state, following removal of invasive species. The properties may also eventually serve some low-intensity recreational use (such as greenways).

PROJECT JUSTIFICATION:

The acquisition of these properties will enable the City to work toward reaching Charlotte City Council's goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas. This acquisition allows the City, as required by the Charlotte Tree Ordinance, to fulfill its role as administrator of a Tree Ordinance Mitigation Fund and to meet the greater intent of the tree ordinance to preserve and protect tree canopy and promote the benefits trees provide to the Charlotte community (Charlotte, North Carolina, City Code, §21).

Approximately thirty eight acres of existing contiguous forest, directly adjacent to existing FEMA and SWIM buffers, will be thereby protected as part of this acquisition.

A scoring model was developed and used to select these parcels as suitable tree canopy preservation candidate areas. This model uses criteria including acreage, current vegetative cover, potential for connectivity to greenways, partnering opportunities, and the level of development in the general geographic area.

Since the City lacks the capacity for property stewardship following acquisition, eligibility criteria used by the Catawba Lands Conservancy (stewardship partner) through a conservation easement was also considered. The Conservancy requires a minimum of 45 acres and places a premium on properties with certain biodiversity characteristics or important qualities for conservation (species, watershed, views, etc.).

Finally, it was determined that these properties were located within a geographic area in which tree save payment in lieu funds (mitigation) had been collected as part of the land development review process, so funding was potentially available for purchase.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The acquisition of these properties is consistent with the tree canopy goals established in the *Environmental Focus Area Plan*, adopted by City Council on June 28, 2011.

In order to complete the acquisitions, the City will utilize tree ordinance mitigation funds collected by Land Development through developer payment in lieu of on-site tree preservation to acquire these properties for conservation purposes, as established in the City's tree ordinance.

The acquisition of these properties is consistent with the general environmental goals associated with the Charlotte Post Construction Storm Water Control Ordinance (PCCO), the *Westside Strategic Plan*, and the Lake Wylie Watershed Overlay District (Charlotte, North Carolina, City Code, §18).

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The properties surround single family neighborhoods and act as a buffer between them and other land uses. The following table details the adopted land use for each parcel:

#	Parcel ID	Adopted Land Use	Plan (adoption date)
1	035-103-08	Single Family up to 4 DUA	<i>Mt. Holly Rd. Special Project Plan (1994)</i>
2	035-102-20	Single Family up to 4 DUA	<i>Mt. Holly Rd. Special Project Plan (1994)</i>
3, 3.1	035-101-16, 035-101-17	Single Family up to 4 DUA & Greenway	<i>Mt. Holly Rd. Special Project Plan (1994)</i> <i>Northwest District Plan (1990)</i>
4	035-101-14	Single Family up to 4 DUA	<i>Northwest District Plan (1990)</i>
5	035-231-01	Single Family up to 4 DUA, Greenway & Multi-Family	<i>Northwest District Plan (1990)</i>

The prescribed land use of “tree canopy preservation” aligns most closely with the land use categories of open space and greenways, typically used in the area plans. Typically area plans do not specifically prescribe open space or greenway as land uses unless the property is already in that use, or unless parks or greenway master plans specifically designate parcels for future open space or greenway use.

In general, open space is considered to be compatible with residential land uses; therefore, the prescribed use is considered to be consistent with the applicable area plans.

PROJECT IMPACT:

Acquisition will enable the City to work toward reaching the goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The properties are adjacent to the County’s Gum Branch Greenway and could provide future connectivity.

ESTIMATED PROJECT COMPLETION DATE:

Staff has received positive verbal responses from each of the property owners and will have Option to Purchase agreements signed by each party before proceeding with obtaining City Council approval on the October 26, 2015, agenda. If approved, staff will move forward with acquisition of the properties and plan to close before the end of the year.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their September 2, 2015, meeting, and Charlotte Department of Transportation (CDOT) staff mentioned that the conservation easements that are intended to be placed upon the property might have unintended consequences. First, they may preclude grading likely necessary for future greenway development across the property (and an eventual extension to Gum Branch Greenway is anticipated), and second, the easements would preclude road connectivity extensions across the property from Goodman Road (from the west) and Oak Street (from the south) that both stub into the subject property. Road connectivity across the subject parcel to the mobile home park to the east will likely be necessary in event the mobile home park eventually redevelops (as Brookshire Blvd. has limited access at this point and provides little if any site access). Staff from City Engineering, Real Estate, and CDOT agreed to work with one another and Catawba Lands Conservancy to establish necessary cross easements and to ensure that the conservation easements aren’t overly-restrictive.

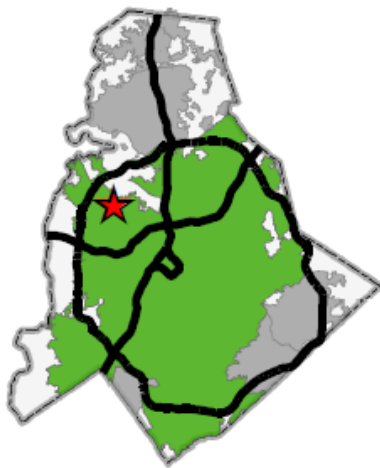
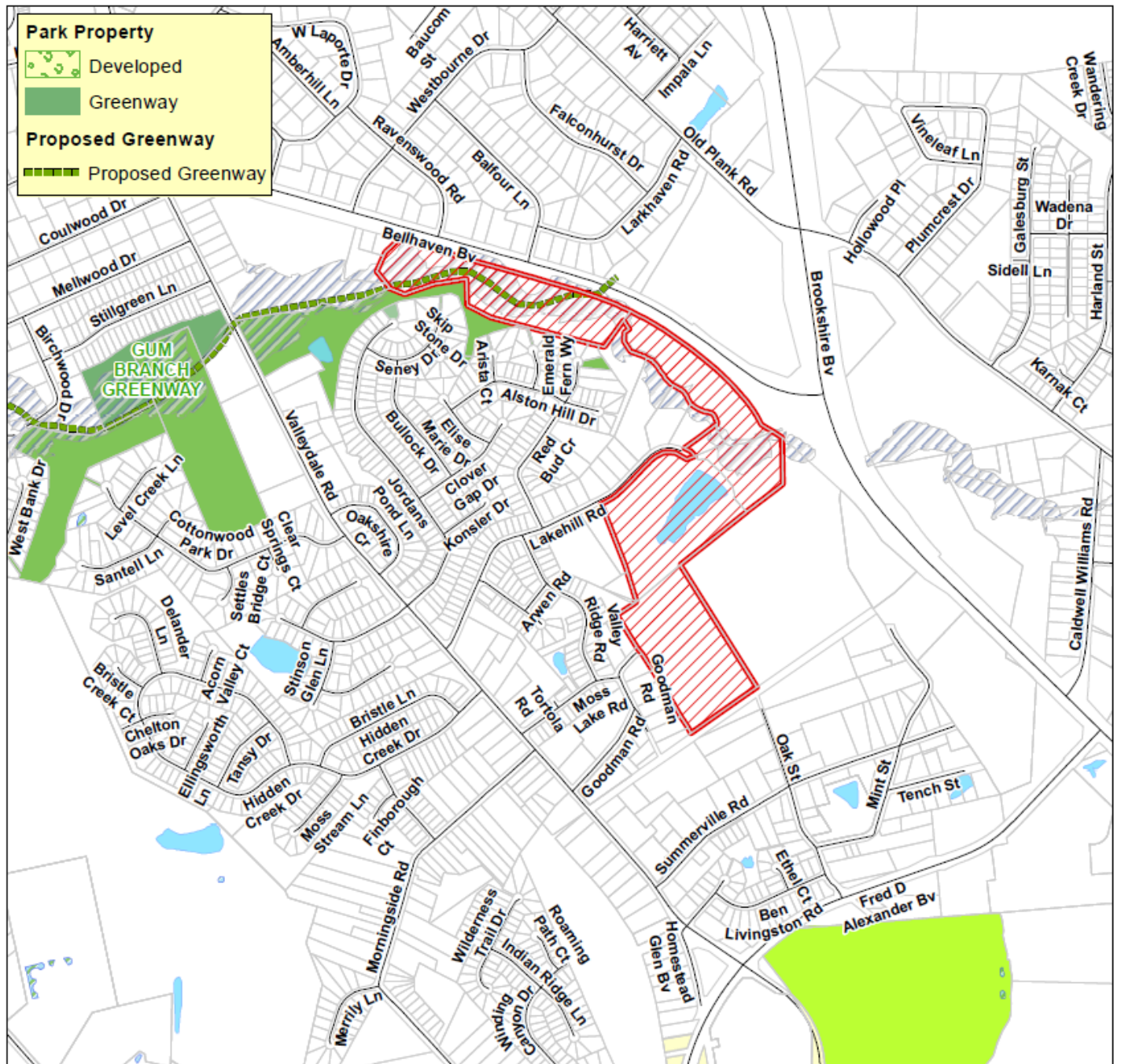
PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the land acquisitions once outstanding issues identified by CDOT at the Joint Use Task Force meeting are resolved.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their September 15, 2015 meeting the Planning Committee recommended approval by a 5-0 vote, with staff stated conditions.

Staff resource: Alberto Gonzalez



Mandatory Referral 15-40

Initiated by: E&PM, Landscape Management

Submitted by: E&PM, Real Estate

- Mandatory Referral
- City Property
- County Property
- Ponds
- FEMA 100 Year Floodplain

Produced by the Charlotte-Mecklenburg Planning Department



