

**MANDATORY REFERRAL REPORT NO. 16-46**  
**Proposed Sale of CMS Land at Ballantyne Elementary School**

**PROJECT PROPOSAL AND LOCATION:**

Charlotte-Mecklenburg Schools (CMS) proposes to sell surplus property it owns located at 15422 Marvin Road (parcel ID. 223-091-03) near Johnston Road in south Charlotte, adjacent to Ballantyne Elementary School.

The Ballantyne Elementary School was opened in 2007. The site consists of 32+/- acres of land that was rezoned in 2006 (Petition # 2006-48) to accommodate the new school and surrounding single family development. CMS developed the site including the school, roads and utilities with the intent of selling the residential lots for private development. Due to market conditions and other factors, CMS did not sell the residential portion of the site at that time.

The zoning of the site is MX-2(SPA), (mixed use) according to the Charlotte Zoning Ordinance. The zoning allows for 88 single-family dwelling units with a minimum lot size of 3,000 square feet and a minimum lot width of 30 feet. The property surrounds Ballantyne Elementary School and is bounded on the west by Lancaster Highway and to the east by Marvin Road. There is a mixture of multi-family and single-family residential to the south and large estate lots to the north.

Following transfer of the property to the purchaser (who plans to construct the 88 homes for which site improvements were previously installed and in accordance with the 2006 rezoning), the purchaser will then transfer 9.01 acres of the site to Mecklenburg County to serve as access to Clem's Branch greenway to the south.

**PROJECT JUSTIFICATION:**

Site improvements for this property were developed for single family residential use and not for school use. The proceeds from the sale will be contributed to the capital fund, will eliminate future maintenance and liability costs for CMS and will return the property to the tax rolls as single-family residences.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

The State General Statutes allow for local Boards of Education to dispose of real estate when it determines that the real estate is unnecessary or undesirable for public school purposes.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *South District Plan* (1993) was amended by the rezoning for the larger property which includes the school as well as the subject. The plan shows the school as institutional and the subject property surrounding the school as residential at a density of up to 4 dwellings per acre.

**PROJECT IMPACT:**

Sale of this property will provide additional housing to the Ballantyne area. The potential purchaser has worked with Mecklenburg County Parks and Recreation to allow the County to have access to the greenway in this area.

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

There are no known public or private projects that will be impacted by this project.

**ESTIMATED PROJECT COMPLETION DATE:**

CMS has identified a buyer and has entered into a contract for the sale of this property.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force reviewed this matter at their November 2, 2016 meeting and the City of Charlotte's Department of Neighborhood and Business Services (N&BS) expressed an interest in exploring the possibility of incorporating affordable housing into the site's development. As a follow-up to the Joint Use Task Force review, N&BS provided an official expression of interest in these parcels to CMS and requested that CMS delay the mandatory referral process to allow for further conversation between City staff and CMS.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends that CMS delay the mandatory referral process and sale of these parcels until further discussion with City staff can determine the site's potential for affordable housing development.

**Rationale:**

- Staff supports the sale of this property for appropriate development that is consistent with Council adopted goals and policies for this property and area.
- Ballantyne is an area of high opportunity for housing diversity where little to no affordable housing currently exists. These parcels could be used to build affordable housing, supporting City Council's goals of building vibrant and diverse neighborhoods by creating neighborhoods and amenities allowing residents to reach their full potential by

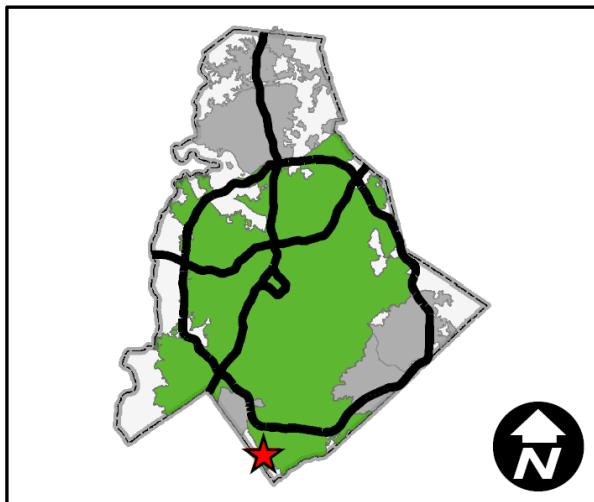
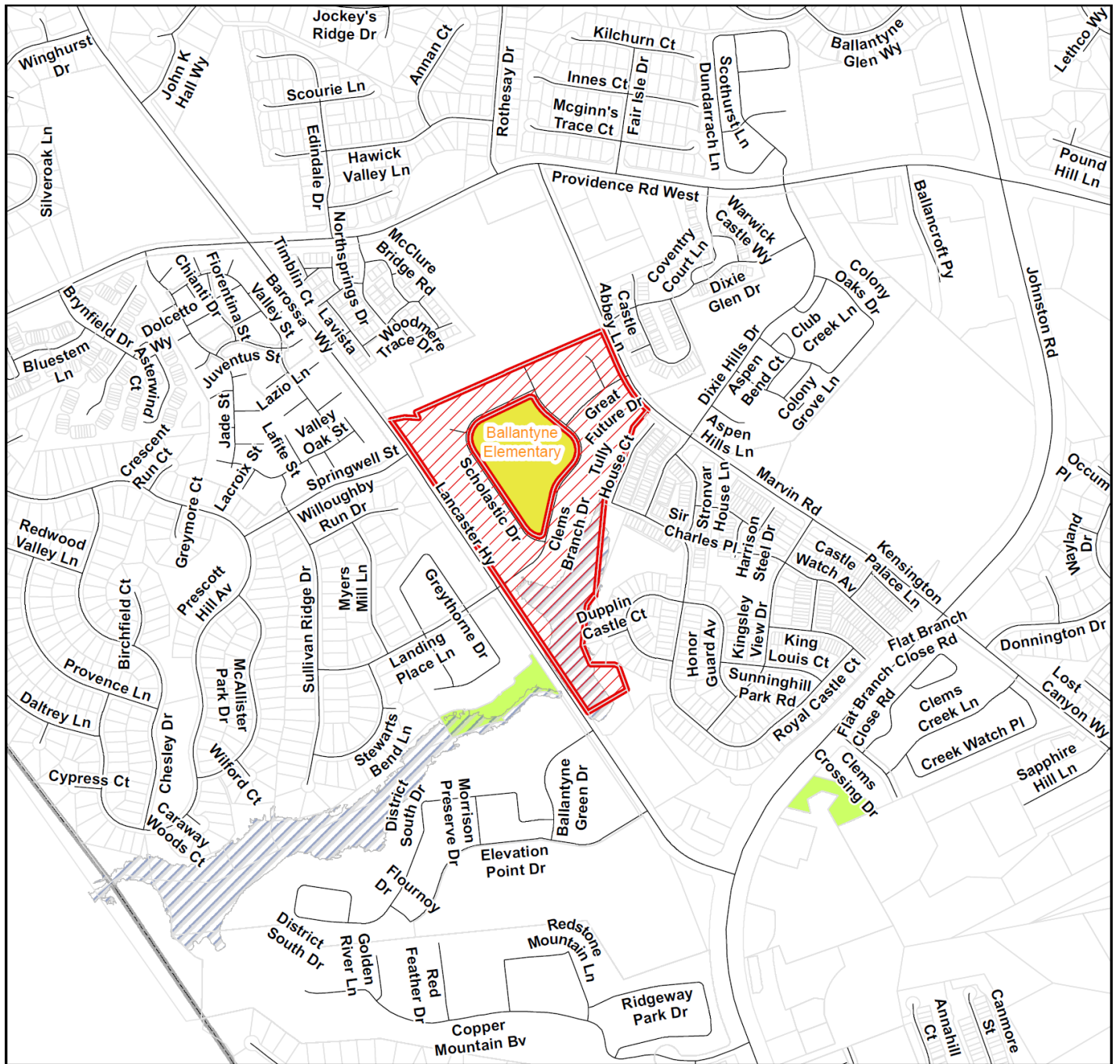
creating places where families have access to quality affordable housing, quality education and equitable economic opportunity and services.

**Adopted Goals and Policies:**

- City Council has articulated a goal of creating 5,000 affordable housing units within three years. There is an overall need to increase and geographically disperse the supply of affordable and workforce housing units by 34,000 housing units.
- The adopted future land use for the property is residential at a density of up to 4 dwellings per acre, reflecting the intention at the time of the rezoning to develop single family homes surrounding the school.
- The site is zoned MX-2 by petition 2006-048. The conditional site plan provides for up to 88 single family homes on the subject; additionally, the property designated for future greenway donation corresponds to land in the rezoning plan intended for open space and stream preservation.





**CMPC PLANNING COMMITTEE RECOMMENDATION:**

At their November 15, 2016 meeting the Planning Committee recommended approval of staff's recommendation by a 7-0 vote.



# Mandatory Referral 16-46

Initiated & Submitted by:  
Facility Planning & Management, CMS

-  Mandatory Referral
-  County Property
-  Schools
-  FEMA 100 Year Floodplain





