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MANDATORY REFERRAL-REPORT NO. 17-07
Proposed Acquisition of Property in University Research Park for Tree Canopy Preservation

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire one vacant forested parcel of approximately 27.032 acres (047-351-02), zoned RE-2 (Research) per the Charlotte Zoning Ordinance, in the University area of Charlotte for tree canopy preservation. The property is located near Research Drive and David Taylor Drive, as shown on the location map below, and is adjacent to Mallard Creek Greenway. This property is proposed to be maintained in a natural state following acquisition, and may be used for low-intensity recreational purposes such as a natural surface trail.

Following acquisition of this property by the City, the City anticipates donation of a conservation easement to the Catawba Lands Conservancy in order to ensure that perpetual stewardship of the tree canopy is provided. Since the City lacks the capacity for property stewardship following acquisition, the Catawba Lands Conservancy is a key stewardship partner to maintain properties through conservation easements. This property features biodiversity and habitat characteristics important for conservation.

This property was identified and considered under the City's scoring model for tree canopy preservation and was determined to be a good candidate for preservation due to its forest quality, conservation value, geographic location, and potential partnership opportunities. 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.

PROJECT JUSTIFICATION:

Acquisition of this property will enable the City to work toward reaching Charlotte City Council's goal of attaining fifty percent tree canopy coverage city-wide by the year 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 24.93 contiguous acres of existing mature forest on the 27.032-acre property will be protected as part of this acquisition will be protected as part of this acquisition.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The acquisition of this property 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 acquisition, 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 this property is consistent with the general environmental goals associated with the Charlotte Post Construction Stormwater Ordinance, North Carolina, City Code, §18, as well as the Charlotte Tree Ordinance.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The adopted future land use for this site is Residential/Office and Parks/Open Space as per the *University Research Park Area Plan* (adopted 2010). The Plan also had as a goal to preserve undeveloped land flanking Mallard Creek for the creation of a new community park and improved greenway. The Plan envisions a community park amenity that will connect the URP (University Research Park) to adjacent properties, as well as surrounding community.

PROJECT IMPACT:

Acquisition will enable to 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 "North Bridge project" will create a bridge connector over I-85 connecting Research Drive to J.W. Clay Boulevard and connections between University Research Park to shopping and services at University Place, the J.W. Clay LYNX station, the North Tryon street corridor, the Charlotte Research Institute, and the University of North Carolina at Charlotte. This project is anticipated to impact approximately one acre of the property, at the corner of David Taylor Drive and Research Drive, as a result of road realignment and intersection improvements.

ESTIMATED PROJECT COMPLETION DATE:

Staff have negotiated a purchase price with the property owners and plan to move forward with obtaining City Council approval to enter into a contract following Joint Use Task Force and Planning Committee review. Acquisition of the parcel is anticipated within eighteen months of Council approval.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017, meeting, and the following comments were offered.

An assessment was conducted by the Housing & Neighborhood Services Department on the suitability of the site for affordable housing and it was determined that it is not feasible due to the challenging topography.

A question was also asked as to whether the proposed conservation easement to be placed upon the property would allow public access for greenway access and passive recreation, and City Real Estate staff assured the group that the easement would allow such activity on the site.

Agencies in attendance at the meeting were City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Housing & Neighborhood Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed acquisition and below are the key findings:

Conclusions:

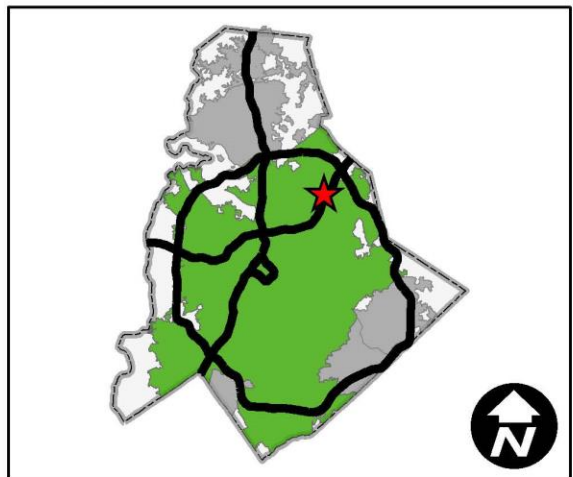
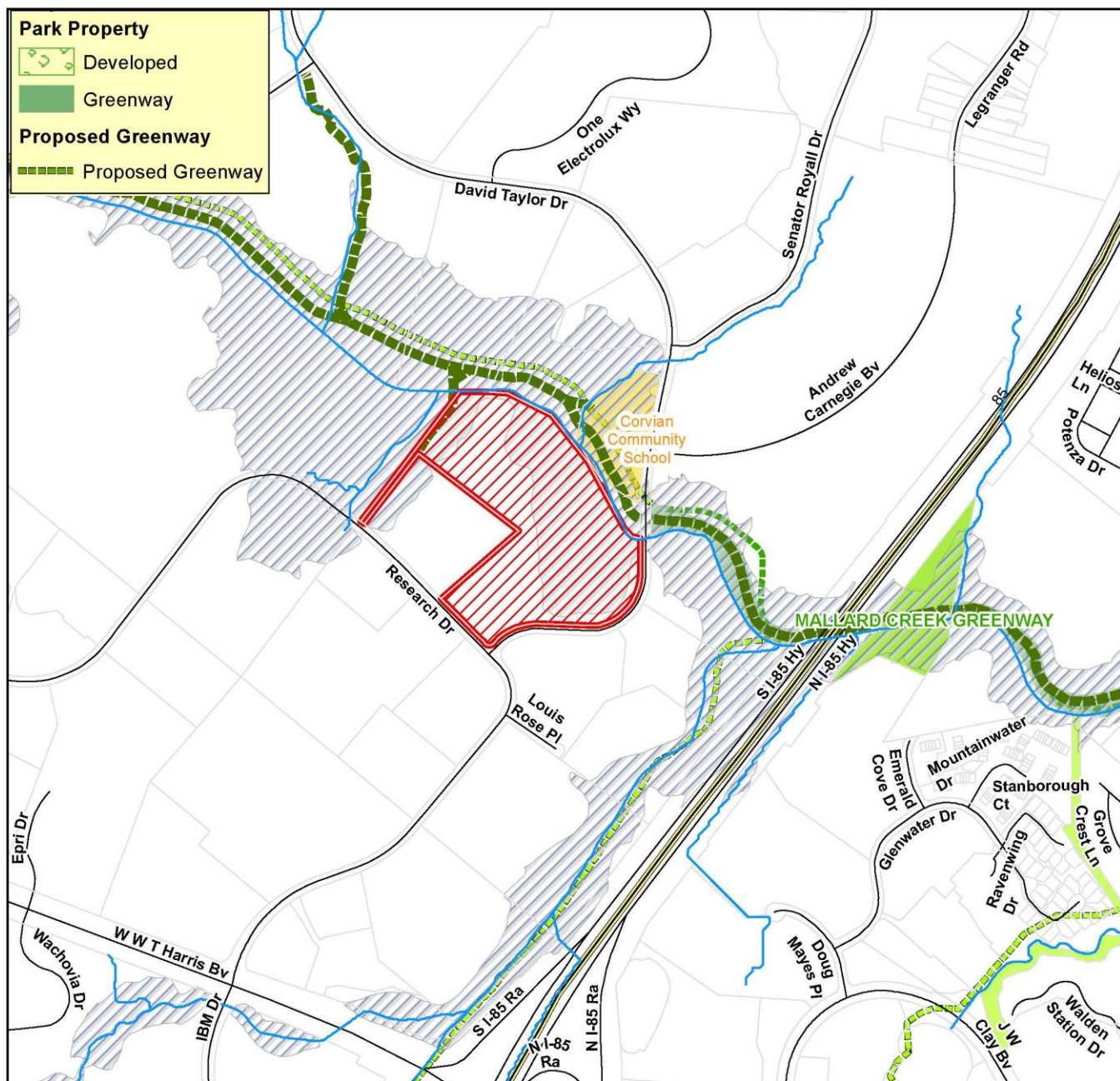
- A good portion of the property is within the 100-year floodplain.
- The site is challenged by topography making development prohibitive.
- The City of Charlotte's Housing & Neighborhood Services Department has determined that the site is not suitable for affordable housing.

Adopted Goals and Policies:

- The proposed use for the property for tree canopy preservation is consistent with the Park / Open Space future land use for the site as per the *University Research Park Area Plan* (adopted 2010).
- The proposed use is also consistent with stated goal in the *University Research Park Area Plan* for preservation of undeveloped land flanking Mallard Creek for the creation of a new community park and improved greenway.

CMPC PLANNING COMMITTEE REVIEW:

At their March 21, 2017 meeting the Planning Committee voted to offer no additional comments by a 6-0 vote.



Mandatory Referral 17-07

Initiated & Submitted by:
Engineering & Property Management

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



Produced by the Charlotte-Mecklenburg Planning Department