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MANDATORY REFERRAL REPORT NO. 17-31
Proposed Disposition of City-Owned Property on Toomey Avenue

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte proposes to dispose of a small vacant portion of a City-owned parcel on the corner of Remount Road and Toomey Avenue. The property is a portion of 2700 Toomey Avenue (parcel identification number 145-018-02), that is leased to and occupied by the Humane Society of Charlotte and used for their spay/neuter and kennel operations. The particular property proposed for disposition is approximately 0.23 acres, and is zoned R-22MF (Residential – multi-family) according to the Charlotte Zoning Ordinance.

The property borders (in addition to the Humane Society property) Southside Community Park to the east, multi-family residential to the north and vacant land to the west.

PROJECT JUSTIFICATION:

The City acquired the entire 2700 Toomey Avenue parcel in 1929 and for many years used the property for Charlotte Mecklenburg Police Department (CMPD) Animal Care & Control operations. CMPD Animal Care & Control began leasing the property for free to the Humane Society of Charlotte in 1981 in exchange for the provision of spay/neuter services. Following the construction of a new CMPD Animal Care & Control facility on Byrum Drive, the Humane Society of Charlotte continued to lease the property for their organizational operations. The Humane Society of Charlotte does not use the portion of the property proposed for disposition.

There is a creek with a 35 foot SWIM buffer and 35 foot post construction buffer separating the portion of the property proposed for disposition from the remainder of the City-owned property. The portion of the property proposed for disposition is the only available road access to the adjacent, privately-owned parcel (parcel identification number 145-018-01).

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

In June 2017, City Council adopted the *City-Owned Real Estate and Facilities Policy*, which aims to ensure that the acquisition, use, management and disposition of City-owned properties and facilities are responsible, responsive, transparent, and consistent with City Council priorities.

CONSISTENCY WITH ADOPTED LAND USE PLANS: The *New Bern Transit Station Area Plan (2008)* recommends institutional uses for the property in question.

PROJECT IMPACT:

Disposition of this portion of the property will reduce maintenance responsibilities for the City and place the property on the tax roll.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The adjacent, privately-owned property (parcel identification number 145-018-01) is currently under contract and given its accessibility limitations cannot be used or developed without use of the City-owned property.

ESTIMATED PROJECT COMPLETION DATE:

Market conditions will dictate the schedule of this sale.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their September 6, 2017 meeting and there were no comments offered.

The following agencies were represented at the September 6, 2017 Joint Use Task Force meeting: Park & Recreation, City Real Estate, Planning, Charlotte Water, City Engineering & Property Management, City Stormwater, Charlotte-Mecklenburg Library, Central Piedmont Community College, County Asset Management, County Stormwater, County Public Health, Charlotte Mecklenburg Police, Charlotte Water, Charlotte Department of Transportation, Charlotte Mecklenburg Housing Partnership, Town of Matthews.

PLANNING STAFF REVIEW:

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

Conclusions:

- The *New Bern Transit Station Area Plan (2008)* recommendation for institutional uses recognized the established institutional use, the Humane Society of Charlotte. The subject property, however, is separated from the Humane

Society facility by a creek with a 35 foot SWIM buffer and 35 foot post construction. Therefore, there is little relationship between the subject property and the existing institutional facility.

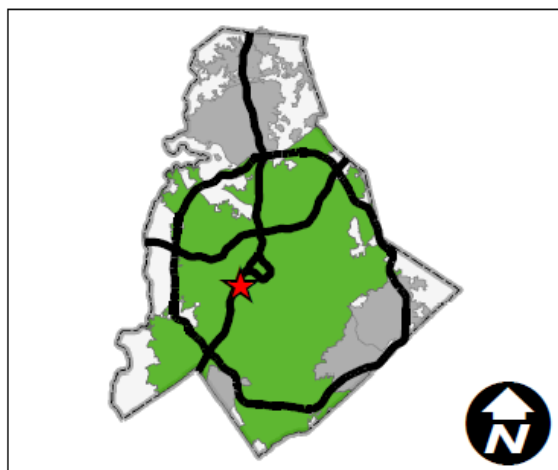
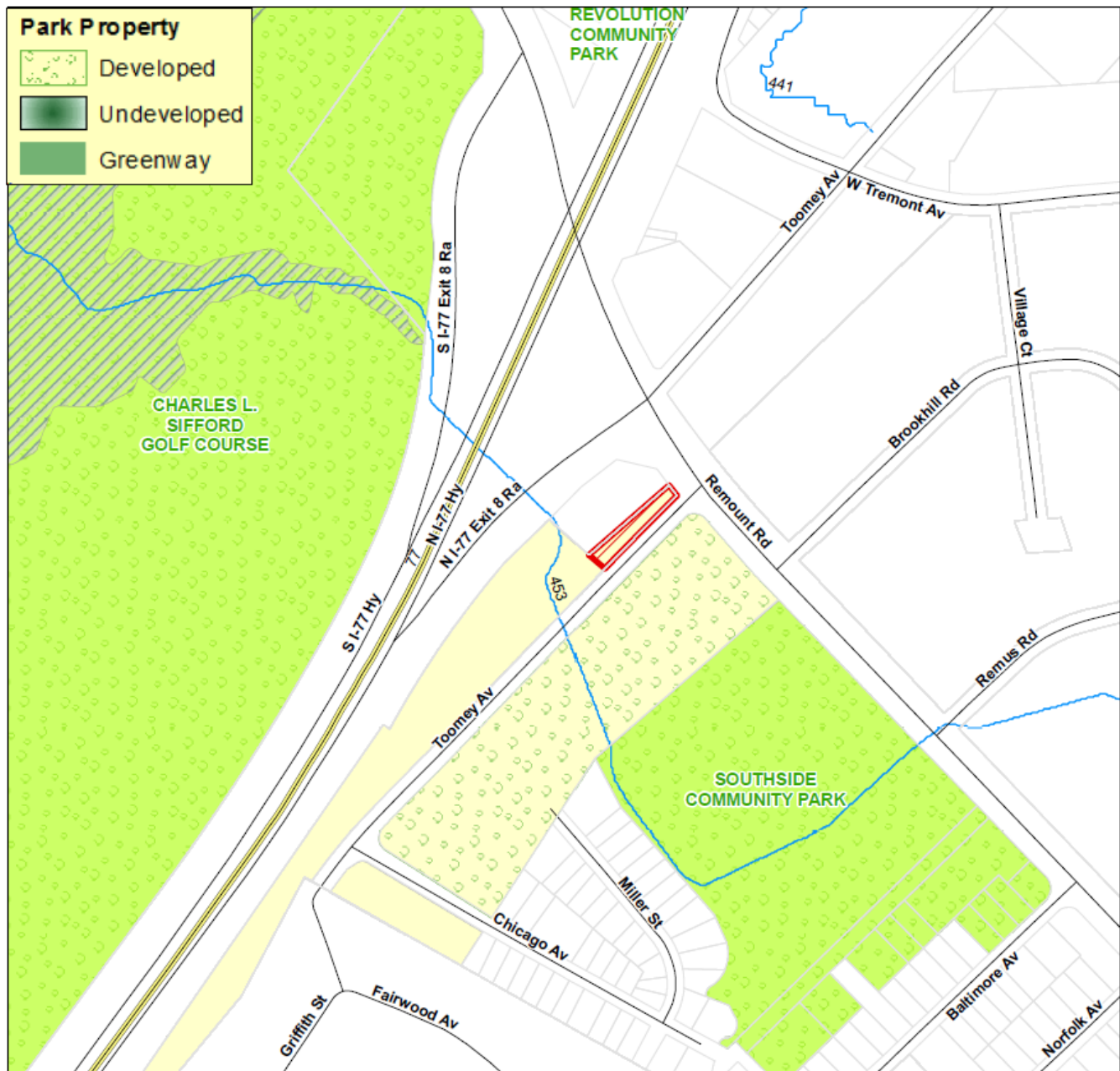
- The adjacent, privately-owned property (parcel identification number 145-018-01) is currently zoned R-22MF (multifamily residential up to 22 dwelling units per acre) allowing residential, institutional, and recreational uses.
- The adjacent, privately-owned property is also subject to the *New Bern Transit Station Area Plan (2008)*. The plan recommends office uses for this site.
- The adjacent property has limited accessibility and cannot be used or developed without use of the subject property.
- If the adjacent property owner wants to develop the site for uses not permitted in the R-22MF zoning district they would need to request a rezoning.
- Due to the size of the subject property, residential construction is not feasible as a standalone use. The zoning for the subject site and adjacent property could allow for residential construction. If the potential buyer of the adjacent property plans to develop the site for a residential use, it would be consistent with council priorities to explore partnering with the property owner on a mix of units that furthers Council's housing production goals.

Adopted Goals and Policies:

- The *New Bern Transit Station Area Plan (2008)* recommends institutional uses.

CMPC PLANNING COMMITTEE REVIEW:

At their September 19, 2017 meeting the Planning Committee voted 6-0 that it had no additional comments to offer to the submitting agencies.



Mandatory Referral 17-31

Initiated by: CMPD

Submitted by: E&PM

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

Produced by the Charlotte-Mecklenburg Planning Department

