

## **MANDATORY REFERRAL | REPORT NO. 2018-20**

### **Charlotte's Engineering & Property Management Department (E&PM) Proposed Acquisition of Property in Biddleville 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 parcel of approximately .236 acres (078-191-08), zoned B-1 (Pedestrian Overlay) per the Charlotte Zoning Ordinance, in the Biddleville area of Charlotte for tree canopy preservation. The property is located off West Trade Street, as shown on the location map below, and is near Johnson C. Smith University.

This property will be purchased with Tree Ordinance Mitigation funds. The 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 geographic location and potential partnership opportunities for replanting. This model uses criteria including acreage, current vegetative cover, and potential for connectivity to greenways and partnering opportunities, as well as the level of development in the general geographic area.

#### **PROJECT JUSTIFICATION:**

The 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 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).

This property provides a replanting opportunity and expansion of the program into more urban, developed areas. Tree canopy loss typically occurs more frequently in denser urban areas. Additionally, numerous program fees have been collected in close proximity to this property.

#### **CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

The acquisition of this property is consistent with the tree canopy and general environmental goals associated with the City of Charlotte's Tree Canopy Preservation Program, and City Council's "50% in 2050" Tree Canopy (both adopted 2011) as well as City Council's Environmental Focus Area Plan (adopted 2018).

#### **CONSISTENCY WITH ADOPTED LAND USE PLANS:**

Area plans do not typically identify privately owned property for future green/open space or tree preservation. *The West End Land Use and Pedscape Plan* (2005), therefore, recommended the subject parcel for Mixed Use (Multi-Family/Office/Retail) development. The proposed use for tree preservation, however, is consistent with the plan's recommendation for this portion of the larger area to provide urban public spaces that should be designed to encourage public use and contribute to the overall fabric of the built environment.

#### **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 tree planting and the preservation of forested properties in developing areas.

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

The Bruns Avenue Gold Line stop will be located across the street, and this property will create green space and a community amenity in close proximity.

#### **ESTIMATED PROJECT COMPLETION DATE:**

Staff are negotiating a purchase price with the property owners and received City Council approval on September 24, 2018, for expenditures for the urban arboretum trail project within the Tree Canopy Preservation Program. To complete the acquisition, the City will utilize tree ordinance mitigation funds collected through developer payment in lieu of on-site tree preservation as established in the City's tree ordinance.

The family who owns the property strongly favors a tree preservation use, and staff plans to enter into a contract following Planning Committee review. Acquisition of the parcel is anticipated within six to eight months of entering into a contract.

#### **JOINT USE TASK FORCE REVIEW COMMENTS:**

At their October 3, 2018, meeting, the Joint Use Task Force reviewed this proposal and offered the following comments:

- Planning Department staff provided comments on possibly working with local artist who has an exhibition currently at the JCSU Mosaic Village tree save area, which is slated to be removed due to future expansion plans.

#### **Attending Agencies:**

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Centralina Council of Governments (CCOG); Charlotte Department of Transportation (CDOT); Charlotte Economic Development (ED); Charlotte Engineering & Property Management (E&PM) - Engineering, Real Estate & StormWater Services; Charlotte Housing Authority (CHA); Charlotte Water (CLTW); Charlotte Mecklenburg Libraries (CML); Charlotte-Mecklenburg Schools (CMS); Charlotte Planning, Design & Development (PDD); County Finance; County Health Department; County Asset & Facility Management; County Park & Recreation (P&R); County Storm Water Services; Central Piedmont Community College (CPC), Matthews Planning Department; Pineville Planning Department.

### **PLANNING STAFF REVIEW:**

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

#### **Conclusions:**

- The property will be acquired with Tree Ordinance Mitigation funds collected through developer payment in lieu of on-site tree preservation as established in the City's tree ordinance.
- Numerous program fees have been collected in close proximity to this property.
- The property provides a replanting opportunity and expansion of the program into more urban, developed areas.

#### **Adopted Goals and Policies:**

- The adopted plan, the *West End Land Use and Pedscape Plan* (2005) does not identify privately-owned properties for green/open space or tree preservation; however, such uses are compatible uses within neighborhoods.
- *The West End Land Use and Pedscape Plan* states as a goal the provision of urban public spaces that should be designed to encourage public use and contribute to the overall fabric of the built environment.
- The 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 2050 through the preservation of forested properties in developing areas.
- The acquisition of this property is consistent with the tree canopy and general environmental goals associated with the City of Charlotte's Tree Canopy Preservation Program (2011); City Council's "50% by 2050" Tree Canopy Goal (2011); and City Council's Environmental Focus Area Plan (2018).

### **CMPC PLANNING COMMITTEE REVIEW:** *(Completed by Planning Staff)*

At their October 16, 2018, meeting, the Planning Committee recommended

