

MANDATORY REFERRAL REPORT NO. 01-22
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
LEASE AGREEMENT TO DEVELOP LAND
ADJACENT TO DOUBLE OAKS PARK
May 15, 2001

PROJECT LOCATION

A 14-acre site located on 2500 Double Oaks Road, adjacent to Double Oaks Park.

PROJECT PROPOSAL

This is a proposal by Mecklenburg County Park and Recreation Department to lease 14 acres of undeveloped land for thirty years to New Life Fellowship Center of Charlotte, Inc. New Life Fellowship Center of Charlotte proposes to develop the land with a neighborhood playground, regulation size softball field, and four half-court size basketball courts. A portion of the property would be used for overflow parking during church activities. The recreational facilities are to be developed in phases over the next three years.

PROJECT JUSTIFICATION

The subject property is located adjacent to Double Oaks Park and is currently undeveloped. This proposal would allow for expansion of the park and the development of additional recreational facilities to serve the Double Oaks community. The costs for the improvements will be absorbed by New Life Fellowship Center. The County will retain the first right of reservation for all athletic and picnic facilities and be responsible for scheduling and supervising public and non-New Life Fellowship Center use of the premises. New Life Fellowship Center of Charlotte will maintain the overflow parking area and related improvements throughout the remainder of the agreement, including maintaining the grounds (mow, edge, trim, collect refuse). The county will provide annual softball field maintenance (overseeding, topdressing, fertilizer), playground and picnic facility maintenance, and incremental expenses associated with county events. The agreement will be reviewed and approved by City Council.

RELATIONSHIP TO OTHER PUBLIC AND PRIVATE PROJECTS

The proposed recreational land use and parking for an existing church are proposed to go on property currently owned by Mecklenburg County Park and Recreation Department. The only existing recreational facilities on the park site are a walking trail and basketball court.

This property is the site of an old City landfill. New Life Fellowship Center of Charlotte has secured the professional opinion of an engineering firm as to the feasibility of the improvements on an old city landfill.

The *Central District Plan* recommends parks and recreational land uses for the subject property. Therefore, this proposal is consistent with recommendations in publicly adopted plans.

The Joint Use Task Force discussed this proposal at their meeting on May 2. The committee expressed concern about land use conflicts that might arise with the proposed arrangement for church parking on the playfields. Also, police in attendance at the meeting shared concerns with law enforcement problems that could arise from the arrangement.

PROJECT IMPACT

Leasing this property to New Life Fellowship Center to provide recreational and open space uses adjacent to Double Oaks Park will provide additional recreational needs to the surrounding Double Oaks Community. Double Oaks is a large housing complex. Currently the site is largely vacant and only has a walking trail and basketball court. This proposal would provide additional recreational facilities for area residents.

PROJECT COST

The cost of the proposed improvements is estimated to be valued at \$135,000 and is to be absorbed by New Life Fellowship Center.

STAFF RECOMMENDATION

Staff recommends leasing the subject property to New Life Fellowship Center of Charlotte to provide additional recreational land uses in the Double Oaks Community. Staff further recommends that New Life Fellowship Church of Charlotte work to incorporate crime prevention measures proposed by Charlotte-Mecklenburg Police intended to mitigate negative impacts into the operating agreement with Park and Recreation.

PLANNING COMMITTEE RECOMMENDATION

Approve 5-0.

Produced by the Charlotte-Mecklenburg Planning Commission, May 2001.

MANDATORY REFERRAL:

(Development, Use, and Maintenance Agreement for Double Oaks Park)

MCPR MR #01-22

CAPITAL PROJECT PROPOSAL FORM

Instructions:

This form is provided to capital project initiating agencies and departments for reporting proposed projects to the Charlotte-Mecklenburg Planning Commission in accordance with the requirements of North Carolina House Bill 855.

Proposed capital projects are to be submitted to the Planning Commission using this form at least 30 days prior to presentation to the governmental unit having approval authority.

Constructive review of a project proposal requires a full description of the project and its objectives. Please provide all of the requested information as well as pertinent graphic information. You will be advised when the project is scheduled for Planning Commission consideration so that your department representatives may be present to respond to questions.

I. Initiating Department: Mecklenburg County Park and Recreation Department

Date: April 29, 2001

Submitted By: R. Wayne Weston, Director

Department Representative: Brian Cox, Senior Manager

II. Project Name: Development, Use, and Maintenance Agreement for Double Oaks Park

III. Location and Description of Project: The property to be leased is +/- 14 acres at Double Oaks Park, 2500 Double Oaks Road. A map/plan is provided.

IV. Project Justification/Need: The County will lease to the New Life Fellowship Center of Charlotte, Inc., a North Carolina Non-Profit Corporation, +/-14 acres of undeveloped land at Double Oaks Park. New Life Fellowship Center (NLFC) will construct a regulation size softball within one year, a neighborhood playground within two (2) years, and four (4) half-court size basketball within three (3) years of the date of the agreement. The County will grant NLFC the right to use a portion of the park for overflow parking. The term of the agreement will be thirty (30) years.

V. Project Status (check all that apply):

<u>Nothing done but this report</u>		Land not yet acquired	
Preliminary plans completed	X	Land acquisition underway	
Detailed plans completed		Land acquired	
No land acquisition involved	X	Project under contract	

VI. Proposed Development Schedule:

Task	Begin	Completed
Planning		
Land		
Construction	July, 2001	July, 2004

(Identify any known external factors that are critical to the timing of this project. For example, the opening of a major shopping center or construction of a new school.) **N/A**

VII. Relation of this proposal to other public projects: (Is this project part of a series of interrelated capital projects? Is the project affected by or does it affect other public projects in this area?) .

VIII. Project Cost Estimate: (Indicate the estimated total project cost and describe how this estimation has been made.) The value of the improvements to be made within the agreement are estimated at \$135,000.

IX. Assistance Funds: (If state or federal assistance funds are proposed, indicate the specific assistance program and the status of any application for project funding assistance.)
N/A

DEVELOPMENT, USE AND MAINTENANCE AGREEMENT FOR DOUBLE OAKS PARK

Summary

The County will lease to the New Life Fellowship Center of Charlotte, Inc., a North Carolina Non-Profit Corporation, +/-14 acres of undeveloped land at Double Oaks Park. New Life Fellowship Center (NLFC) will construct a regulation size softball within one year, a neighborhood playground within two (2) years, and four (4) half-court size basketball within three (3) years of the date of the agreement.

The County will grant NLFC the right to use a portion of the park for overflow parking.

The term of the agreement will be thirty (30) years.

The County shall retain the first right of reservation for all athletic and picnic facilities, and will be responsible for scheduling and supervising the public and non-NLFC use of the premises.

NLFC will, at its expense, maintain the overflow parking area and related improvements throughout the term of the agreement, including routine litter pick up, collection of refuse in appropriate containers, grounds maintenance services, including the obligation to mow, edge, trim, overseed, fertilize, aerate, irrigate, and repair or renovate turf areas.

The County will provide annual softball field maintenance (overseeding, topdressing, fertilizer, etc.), necessary playground and picnic facility maintenance, and incremental expenses associated with County events.

The agreement will also be reviewed/approved by City Council. NLFC has secured the professional opinion of an engineering firm as to the feasibility of the improvements on what is an old city landfill.

Copies of the entire lease draft will be made available on request.