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MANDATORY REFERRAL-REPORT NO. 04-18
Acquisition of Catawba Avenue Theatre Property in the Town of Cornelius

PROJECT PROPOSAL AND LOCATION:

Mecklenburg County proposes to acquire Tax Parcels 005-061-25 and -26 through purchase and Tax Parcel 005-061-10 by donation to be utilized as a cultural center for visual and performing arts, after school programs, other park and recreation programs, a senior center, special events site and meeting place. There have also been discussions of using a portion of the site as a northern towns cultural center, as prescribed in the Arts and Science Council's Cultural Facilities Master Plan. The total area to be acquired is just over eight acres. Zoning for these properties is a combination of commercial and residential classifications.

Parcel 005-061-26 is the site of a multi-plex movie theatre that was constructed in about 2000. The site includes a parking lot for approximately 300 vehicles. The entire property is just south of 100 acres acquired by the County in 2001 for watershed protection and district park purposes, separated by a narrow strip of land owned by the Greens at Birkdale Property Owners' Association. The southerly half of this acreage is leased to the town of Cornelius for development of district park facilities; the northerly and easterly portions are protected by a conservation easement and managed by Mecklenburg County Park and Recreation Dept.

Parcels 005-061-10 and 005-061-25 are vacant.

PROJECT JUSTIFICATION:

This project has been requested by the Town of Cornelius for the above listed purposes. It is the Town's intention to establish a non-profit entity to manage the theatre facility for the uses indicated above.

Although Mecklenburg County's parkland lies north of this property, there are no specific County plans to utilize the subject property for recreational purposes.

CONSISTENCY WITH ADOPTED LAND USE PLANS AND PUBLIC POLICY

Parcel 005-061-10 is prescribed in the Town of Cornelius land use plan for medium density mixed residential, while the plan calls for parcels 005-061-25 and 005-061-26 (the theatre parcel) for neighborhood commercial development. Lacking more specific land development plans for this project, it would be difficult to determine the consistency of the proposed site development with the land plan.

The recently-completed Arts and Science Council's Cultural Facilities Master Plan calls for the establishment of a neighborhood cultural facility in northern Mecklenburg County to serve residents in the northern towns. The ASC has not selected a specific site, nor has it developed particulars with regard to specific locational criteria for this facility. The ASC has said that from their perspective, it is premature to be selecting a site, and that this particular facility appears to be too large for that prescribed in their Facility Master Plan, unless it is a facility that can be jointly used with other entities. Furthermore, ASC reports that its recently-completed northern towns cultural action plan recommends multiple accessible multi-use spaces rather than a single center or facility.

PROJECT IMPACT:

Lacking a more specific development plan, it is difficult to determine the project's impact. However, preliminarily it appears that the uses envisioned on the site by the Town of Cornelius are no more intense than the theatre operation that previously occupied the site. Therefore, impacts (traffic, hours of operation, etc.) would likely be comparable.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

If developed as proposed, the site could provide complementary use to the nearly adjoining district park site, and would serve to eliminate a vacant "big box" from the Cornelius landscape. Furthermore, there seems to be some relevance to the ASC's cultural facility plans, however, specific cultural facility needs have yet to be finalized.

ESTIMATED PROJECT COMPLETION DATE:

The proposal by Town of Cornelius is to use a portion of the 1999 land bonds allocated for their use to preserve open space (with a matching payment to leverage these funds). There are no specific identified funding source to adapt or up-fit the site for the proposed uses.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this proposal at their July 7, 2004 meeting and no specific joint use opportunities were identified, although several agencies expressed interest in determining what facilities would be developed on the site that might have joint use potential in the future.

CMPC STAFF RECOMMENDATION:

Staff recommends approval of the purchase for the stated purpose. However, staff has several concerns that should be addressed during project development. First, the location of the site appears to be in a transition between residential and commercial land uses. In developing a master site plan for the property, care should be taken to establish a land use intensity on the northern edge of the site that is consistent with the residential character of adjoining properties. Second, the success of the future facility may depend upon access across the land that lies between this site and the adjoining County park property. Efforts should be undertaken to obtain ownership (or at the least unimpeded access across) this property currently owned by Greens at Birkdale Property Owners Association. Perhaps a land swap with adjoining parkland could be undertaken in order to obtain control of the property.

Finally, staff feels that this project as it relates to the Arts and Science Council's proposed establishment of a northern towns cultural facility, would have stronger standing with buy-in from the other two northern towns and from the ASC itself. ASC staff is scheduled to present its northern towns cultural action plan to the northern town Town Councils during the month of August, after which more specific discussions regarding facilities can be held. If the Town of Cornelius's and Mecklenburg County's plans to acquire the property are contingent upon participation by ASC, the final property transaction should be deferred until after ASC presents its northern towns action plan, and until collaborative facilities discussions can be held among all three northern towns.

CMPC PLANNING COMMITTEE RECOMMENDATION:

This MR was deferred at applicant's request

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