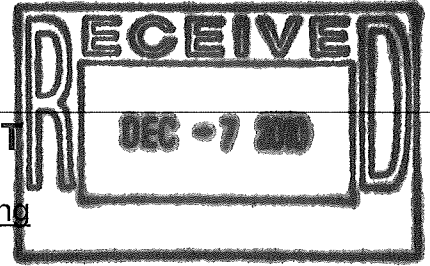


REZONING APPLICATION SUPPLEMENT

Required Community Meeting before Public Hearing



Rezoning Petition #2010-067 Parking Lot for Four Mile Creek Greenway at Bevington Place and Read Road

Date, time and location of meeting:

The Community Meeting was held on Monday, November 8, 2010 at 6:00 pm at the conference center of William R. Davie Park, 4635 Pineville-Matthews Highway, Charlotte NC 28226. The public hearing was part of a jointly hosted meeting of the Greenway Advisory Council and the South Park District Advisory Council of Mecklenburg County Park and Recreation. (Detailed minutes are attached as Exhibit A)

Notification:

Lists of citizens totaling 41 individuals and 5 neighborhood organizations were notified directly via postcards (copy is attached) including those required by the Planning Department. Postcards were mailed on October 20, 2010. In addition, notice of the meeting was published on the County's community calendar on approximately October 28, 2010.

<http://charmeck.org/mecklenburg/county/eventcalendars/Pages/default.aspx> A news release was issued on October 27, 2010 and a sign advertizing the meeting was placed at the entrance to William R. Davie Park on November 5, 2010.

Attendees:

A spreadsheet of the 16 citizens attending the meeting is attached. In addition, 23 citizens who are members of the Greenway and South Park District advisory councils were present. Advisory Council members are listed in the attached draft of the meeting minutes. Total attendance was 37 citizens.

Summary of issues discussed:

Gwen Cook of Mecklenburg County Park and Recreation and James Shapard of the Charlotte Department of Transportation presented information and a PowerPoint Presentation concerning the project. The concerns of the citizens were focused primarily on three issues: the contribution of the shopping center to the parking issues, traffic and funding. The managers of the shopping center have been verbally warning, then towing cars whose owners head for the greenway after parking in the private parking lots for the center. Tenants are complaining about the lack of parking. Although parking concerns existed before opening of the greenway, the greenway significantly increased the need for parking. This has turned out to be one of the most popular greenways in the County system, so accommodating greenway users is a positive issue. The citizens tended to place the blame for parking conflicts on their perceived over-building of the retail space. The manager of the property stated that they met the standards of the applicable zoning requirements for the development.

Traffic concerns included the location of the entrance to the parking lot not being in line with the shopping center entrance. Mr. Shapard explained that, although counter-intuitive, there would be fewer conflicting movements if the two were not aligned. He has spent time

observing traffic movements at this location. Questions were asked about moving the on-street parking to the south side of Bevington Place and using angled parking. Mr. Shapard's study of this option determined that fewer spaces would be available on-street than the current 25 spaces on the north side due to site limitations from storm drainage structures to floodplain. With the existing 25 spaces added to approximately 40 spaces proposed in the greenway parking lot, a total of approximately 65 spaces would be available to greenway users. Shoppers would be allowed to use the spaces but it is not anticipated that the greenway parking lot will be attractive to most shoppers.

The expenditure of \$120,000 is estimated for the parking lot with asphalt paving and curb and gutter. Citizens suggested that gravel be used in lieu of pavement. Staff pointed out that, although the short-term cost would be less, maintenance costs would increase from vehicles maneuvering and erosion of the surface. In addition, gravel is less efficient because spaces are not lined and the location does not lend itself to the more rural look of unpaved parking. The citizens felt strongly that the owner of the shopping center should pay the entire cost of the parking lot.

Another suggestion of the attendees was to consider parking at existing parking lots within reach of the greenway. Each of the locations suggested is a distance from the greenway ranging from ½ mile to ¾ mile including public locations (McAlpine Creek Elementary School and the South Regional Library) and private parking lots (Touchstone Shopping Center and Calvary Church). Staff pointed out that joint use of private parking has potential legal/liability implications and the distance to these remote parking locations, public or private, would not be effective in reducing the demand for greenway parking.

The Greenway Advisory Council and the South Park District Advisory Council CONDITIONALLY endorse the proposal to construct a parking lot on Bevington Place ONLY with a significant increase in private/public partnership "cost sharing" (on the order of 50%) between the Shops at Piper Glen and Mecklenburg County.

Description of any changes to the rezoning petition made by the petitioner as a result of the meeting:

Staff does not recommend any changes to the design or delay of the project based on input from the meeting. Staff has already contacted a CMS representative concerning McAlpine Creek Elementary School and a representative for the public library. Both are open to discussing possible parking in off hours. The library is seeing increased use on open days, but closed days may make greenway parking acceptable in their location. CMS usually requests that Mecklenburg County Park and Recreation limit any joint-use parking to non-school hours.

Citizens have been contacting Touchstone Shopping Center and have indicated they are open to allowing greenway parking as long as it does not interfere with their retail. The County Attorney has been contacted to consider the viability of this option before pursuing it.

Regardless of the outcome of the rezoning or how infrequently the remote parking would be used, Mecklenburg County Park and Recreation plans to pursue, as a minimum, the publicly-owned parking opportunities described. This would mean that a blue parking symbol would appear on the website map and, potentially, an on-site sign at the parking, stating the limitations required by the agency-owner.

OPEN FORUM CITIZENS
PRESENT FOR 2010-007

Charlotte-Mecklenburg Planning Department

OPEN HOUSE FORUM

10/04/2010 for November Cases, 5:00pm - 6:00pm, CMCG
Sign-In Sheet

10
10/10/10

PLEASE PRINT CLEARLY AND FILL OUT COMPLETELY

Name	Mailing Address	City	State	Zip	Petition No.	Phone No.	E-Mail
Jane & Anthony Arnold	3235 Shillington Pl	Charlotte	NC	28210		704-574-3775	janold@scmusa.com
Steve Phillips	709 59th St	CLT	NC	28210		704-556-1237	Steve790@bellsouth.net
Joan Huelsman	7401 Broken Oak Ct	CLT	NC	28226		704-541-3796	joanhuelsman@gmail.com
Dee & Jane	7418 Broken Oak Ln	CLT	NC	28226		704-572-5757	RedLover@bellsouth.net
Ewen Cook	5841 Brookshire Blvd	CLT	NC	28216		704-432-1570	Ewen.Cook@mecklenburg.org
John Amishead	214 N. Tryon St.	CLT	NC	28202		704-331-7509	JohnAmishead@gmail.com
Todd Cummings	704 Fieburg Rd.	W-S	NC	27104		336-659-7847	tcummings@carroll.com
Jamie Dillon	5450 Fieburg Rd. Sec 100	Charlotte	NC	28210		704-553-8881	jilldillon@carroll.com
Gary With	1230 W. Morehead St	Charlotte	NC	28208		704-375-1588	garywith@carroll.com
Patrick Dillon	108 N. McDowell St	Charlotte	NC	28204		704-488-8815	pdillon@carroll.com
Jack Levinson	4530 Park Rd. Ste 300	"	"	28209		704-519-9241	Jack.Levinson@carroll.com
Math Hucko	8305 Merrimack Ct	"	"	28210	2010-72	704-719-1584	mhucko@earthlink.net

DRAFT OF DETAILED
MEETING MINUTES
(MUST BE APPROVED)



MECKLENBURG COUNTY
A Joint Meeting of the Greenway Advisory Council
and the South Park District Advisory Council

MINUTES
(Draft pending approval)

November 8, 2010
Conference Center at William R. Davie Park, 4635 Pineville-Matthews Road

GREENWAY ADVISORY COUNCIL

MEMBERS PRESENT:

Ed Barnhart, Chair
Bob Carter
Aubin Guinness
Mark Loflin
Brian Malec
Aubin Guinness
Kevin Walsh

ADVISORY COUNCIL

MEMBERS ABSENT:

Owen Sutkowski
Dick Winters

STAFF MEMBERS PRESENT

James R. Garges, Director
Lee Jones, Division Director, Capital Planning
Patricia Poteat, South Park Region General Manager
Gwen Cook, Planner

GUESTS & OTHERS PRESENT

Attendance List is attached.

SOUTH PARK REGION

ADVISORY COUNCIL

MEMBERS PRESENT:

Ed Barnhart, Chair
Dorothea Dawkins
Gary Rhinehart
Jennifer Lynch-Caldwell
Betty H. McGill
Michael Jones
Aaron Beck
Henk-Jan Van Etteken
Hermes Goudes
Robert Busbee
Charlie Williams
Classie Worthy
Roger Raymer
Alicia McKenzie
Vernon Frost
Michelle McDonald
Kim Weissinger

SOUTH PARK REGION

ADVISORY COUNCIL

MEMBERS ABSENT:

Sarah Waterrose	David Jones
Rodger Nolden	Carolyn Millen
Michael Mulder	

Thomas Bagger

CALL TO ORDER

The meeting was called to order at 6:02 PM.

PLEDGE OF ALLEGIANCE

Ed Barnhart, Chair led the pledge of allegiance

WELCOME

Ed Barnhart welcomed all guests present. Recognition was given to Bob Otten, President of Lat Purser Associates and Jack Levinson who are involved with The Shops at Piper Glen. James Shapard from CDOT was recognized as was Gary Wirth of Wirth and Associates, Inc. and Mecklenburg County Park and Recreation staff (MCPR).

CITIZEN PARTICIPATION

1. Proclamations and Awards – None.
2. Public Hearings- Proposed parking lot for Four Mile Creek Greenway
at Rea Road and Bevington Place (Third public hearing)

Gwen Cook began a short PowerPoint presentation (attached) describing the existing Four Mile Creek Greenway and it's profound popularity as one of the longest greenways in the system and as a place to view significant natural resources. The greenway's popularity has led to the positive problem of needing to accommodate greenway users and get them safely on the greenway, minimizing any conflicts with the commercial retail across Bevington Place. The proposed parking would provide up to 40 parking spaces, a lot approximately the same size as the Johnston Road trailhead.

James Shapard of the Charlotte Department of Transportation (CDOT) spoke about his on-site study of the traffic patterns and congestion at this location. Reasons for not constructing additional parking on the south side of Bevington included floodplain restrictions, the presence of a large culvert that eliminates the possibility of sidewalk beyond that point, and lack of sidewalk to make it more likely bikes and people (especially children) are unloaded off-road. At most 18 spaces could be provided on the south side of Bevington and the 25 existing spaces on the north side would have to be removed. The road feels too narrow for parking on both sides.

James stated that is important to traffic flow that the entrance to the shopping center and the entrance to the greenway parking lot do not align. This seems counter-intuitive, but after watching the way traffic functions at the existing intersection, too many conflicts of movement exist. In addition, the restrictions of the floodplain where the creek is closest to Bevington Place make it difficult to move the parking or an access road to line up with the shopping center entrance. The parking lot access needs to be right in, right out and separated from the shopping center entrance as proposed.

Gwen Cook presented the proposed schedule for the remaining rezoning events (attached in PowerPoint presentation). The final City Council vote will be on January 18, 2011. Funding is currently budgeted at

\$120,000. Lat Purser and Associates, Inc. has agreed to partner with funding toward the project. The County funds will be from the Capital Reserves fund at the discretion of the County Manager and the Board of County Commissioners (BOCC).

Public Discussion:

Many concerns were expressed about the proposed parking lot. These fell generally into the following categories:

- a. Can this expense be avoided by a shared parking arrangement with an existing lot? The Rea Rd library was mentioned. Staff agreed to contact the library to discuss the possibility. (According to the library, usage is up on the days the library remains open. They are willing to discuss closed days. The library is approximately 3/4 mile from the greenway). Calvary Church, Touchstone Shopping Center (where Tuesday Morning is located) and McAlpine Elementary School are both approximately 1/2 mile from the greenway) were recommended as other locations to investigate. A citizen representing Touchstone stated that their neighborhood was not in favor of the Touchstone Shopping Center access suggestion. Staff noted that shared parking arrangements with private entities are difficult to realize. Staff will talk with the County attorney before contacting the private entities. Direct contact had already been made with the owner of the Streets of Toringdon and they were adamant about no greenway parking at their location. Ballantyne Corporate Park, also suggested by the citizens, withdrew their support of donation of land and funding for a connector even though there have been many requests from people who would commute or access the greenway there.

Citizens encouraged pursuit of options that would encourage kids to bike to school, the library and the greenway.

- b. Lat Purser and Associates created this problem, their customers are likely to use the parking lot and they should pay for the entire project. It is not appropriate for the County to be funding this project at this time.

The representatives from Lat Purser stated they were contributing up to \$20,000 toward the project not because they have to, but to be good to the community. They are also willing to ask their contractors to bid the parking lot. Their retail facility meets the zoning requirements for retail centers throughout Charlotte-Mecklenburg and meets Urban Land Institute recommendations of at least 5 spaces per 1000 SF lease space. They acknowledged there was a retail parking concern prior to the greenway opening, but it has gotten far worse with greenway users parking in the retail area and crossing to the greenway. Lat Purser and Associates has a policy for their parking patrol of verbal warning for people once they begin to leave the retail parking, then towing. Several greenway users have been towed from the private shopping center. Lat Purser and Associates worked with CDOT and provided funding for striping 25 on-street parking spaces on the north side of Bevington Place. They do not expect many of their customers to use the greenway. Customers and tenants are both complaining about greenway parking in the center. They want two successful amenities operating beside each other. The current situation is dysfunctional and no one wins. This is the completion of a process. It is time to finish it.

Citizens generally felt that paying \$120,000 when schools are being closed is not right. Lat Purser and Associates should pay the full amount for the project. Staff pointed out that the funding for this lot is capital reserve funding set aside by the BOCC for capital projects. The County Manager

- recommends projects to the BOCC It could not be used for schools, libraries, teachers, etc.
- c. There was a general dissatisfaction in regard to the lack of alternatives. It was recommended that the parking lot be gravel to save money. Staff pointed out that a gravel parking lot would cost more to maintain, have storm water run-off problems, be less efficient without marked spaces and would appear inappropriate for the neighborhood.
 - d. One citizen was not in favor of the parking lot because he was convinced that twice as many people would come and the problem will be worse. Another felt that people would drive the shortest distance and that the parking won't help. Concern for people crossing to the greenway was expressed James Shapard pointed out that switching spaces to the south side of Bevington allowed sidewalk for only six of the 18 spaces. There would still be people unloading in the street.
 - e. Several citizens expressed support of the project, feeling it was necessary and would help. It might even solve the problem. The greenway is a great amenity and is self-policing. Several cars have been seen parking illegally at Elm Lane, totally greenway users. A gentleman who lives on Bevington Lane has people making U-turns at his house. U-turns were a concern for the group as a whole. James Shapard explained again why parking on the south side of Bevington Place does not work from a traffic standpoint. Sixty degree parking would allow only 18 spaces due to culvert and impacts on SWIM buffer and floodplain.
 - f. One citizen, a former CDOT employee, stated that people will figure out how to use the new traffic pattern as they did at Ivy Hall off Elm Lane. It might be worth asking for the speed limit to be lowered on Bevington Place. This is a positive solution for a positive issue.
 - g. It's not the shopping center's fault; parking on both sides of Bevington Place won't work. People don't pay attention when unloading on Bevington Place. The off-street parking is needed. This is the appropriate place; it will be safe. People will have to slow down.
 - h. One citizen expressed the feeling that this process was a "sham" and that the decision has already been made. Others agreed. Staff assured the group that so many suggestions had been received and vetted since the greenway opened, that those efforts have pointed back to the solution being proposed. No one claims that it is a cure, but the parking lot can be expected to improve traffic safety, provide off-road parking for safer unloading of bikes and people and reduce the conflict between greenway users and retail customers.
 - i. One citizen suggested that what is needed is a campaign to change lifestyles. People should get together and talk it over. Focus on health. What if the cost goes over the budget? Consider a lease back program in which Lat Purser and Associates would build and lease back the parking lot, partnering with the County to cover 50% of the cost plus maintenance. There is no difference in greenway users and retail customers, both stay a long time.
 - j. One citizen stated that this solution will be a headache which CDOT will not fix when it goes wrong. U-turns, especially SUV's will be a problem. Think it through. Several citizens said they remember when the first shopping center there became a ghost town. No one wants that again. This issue is not the shopping center's problem.
 - k. Concern was expressed that the meeting was not posted on the greenway. It was posted at the entrance to William R Davie Park. Postcards were sent to all organizations (including Homeowners Associations) and individuals requested by the Charlotte-Mecklenburg Planning Commission as well as those attending previous meetings.
 - l. It was suggested that the greenway be extended through Piper Glen and to William R. Davie Park.
 - m. Staff said that the proposed parking lot will alleviate the problem, not cure it. The cars are the result of the greenway's popularity. No U-turn signs can be considered. We will continue to work

with the situation incrementally and work toward adequate infrastructure/signage/alternative and remote parking as suggested by those present.

- n. Advisory Council members further discussed the project. Ed Barnhart stated he had asked Lat Purser and Associates for 50% participation to no avail. Other members expressed concern that the project was being pursued when there are no funds or staff to maintain it. With schools closing, this kind of expenditure looks bad. Other members saw the project as a necessity. Doing nothing is not an option. Perhaps a gravel lot should be considered. Staff explained the capital funds again; they are operational funds which will be spent of capital projects. Some were concerned about a precedent being set.
- o. Both the GAC and the SPDAC discussed the parking options at length and unanimously approved the following resolution:
 - In an effort to mitigate parking issues on Bevington Place and surrounding areas
 - AND
 - ~~-In an effort to address citizen safety for greenway users~~
 - AND
 - In an effort to allow more users to have access to the Four Mile Creek Greenway

The Greenway Advisory Council and the South Park District Advisory Council
CONDITIONALLY endorse the proposal to construct a parking lot on Bevington Place ONLY
with a significant increase in private/public partnership "cost sharing" (on the order of 50%)
between the Shops at Piper Glen and Mecklenburg County.

The South Park Region Advisory Council was excused.

GAC CONSENT ITEMS

- 3. Consent Items were all approved as presented. Two email address changes were later received by staff and the directory will be updated.

BRAINSTORMING

- 4. No additional discussion.

STAFF REPORTS AND REQUESTS

- 5. Gwen Cook provided a wrap-up on October 16 GAC bike tour. The weather was beautiful and it was a great overview of what is happening with greenways.
- 6. Bond Project Status Reports and Budget Updates- The GAC was encouraged to read the information distributed and call Gwen with questions.
- 7. Grant update- Toby Creek Greenway- Phase II from Rockland Drive to WT Harris at Hwy 49 is

fully funded between CMAQ (NCDOT) funds, the City of Charlotte Planning Department and the Carolina Thread Trail. Design should begin by spring 2011.

8. Gwen provided an update on the connector to the Streets of Toringdon from Lower McAlpine Creek Greenway. Redesign is beginning. Funding for construction is not yet in place, but plans are to begin next summer.
9. Wayfinding is in various stages of design, testing of prototypes and installation of identification and kiosk signs.
10. A charrette will be held in December to develop a feasibility study for a trail paralleling the Red Line. Planners and designers from Mooresville, Davidson, Huntersville, Cornelius, CDOT, CATS and MCPR as well as professionals from the private sector and citizen volunteers involved advisory groups have been invited to participate. The goal is to produce a study to determine where the trail can best be located and how it can best be achieved. The next step would be to discuss its potential with Norfolk Southern Railroad.

UPCOMING EVENTS

11. **Monday, December 13, 2010 at 6:30 pm** - Greenway Advisory Council and South Park Region Advisory Council Meeting at Conference Center, William R. Davie Park, 4635 Pineville-Matthews Highway. This meeting will include a public meeting regarding a proposed field for athletics between Four Mile Creek and High Ridge Road at Providence Road.
12. **Monday, January 10, 2011 at 6:00 pm** - Greenway Advisory Council and South Park Region Advisory Council Meeting at The Rankin Room, The Fletcher School, 8500 Sardis Road. Enter through the main school entrance. This meeting will include a public meeting regarding the impending construction of the McAlpine Relief Sewer and its impact on Upper McAlpine Creek Greenway, James Boyce Park and McAlpine Creek Park.

ADJOURNMENT

The meeting was adjourned at approximately 9:40 PM