

9.0 PARKLANDS

This chapter describes publicly-owned parklands, recreation facilities, greenway trails and wildlife and waterfowl refuges located within the study area for the proposed LYNX Blue Line Extension Northeast Corridor Light Rail Project (LYNX BLE). It also discusses the potential effects on these resources for the proposed project under consideration in this Final Environmental Impact Statement (EIS). Impacts to park and recreation facilities were determined based on the proximity of the identified resources to the proposed project. The types of impacts considered include: real estate acquisitions; visual impacts; noise and vibration impacts; and access changes to and from park resources. Mitigation measures are identified, where necessary.

9.1 Changes to this Chapter since the Draft EIS

This chapter has been revised to reflect the identification of the proposed Light Rail Alternative as the Preferred Alternative for the LYNX BLE. Additionally, since the Draft EIS, the design of the proposed LYNX BLE has been refined as described in Chapter 2.0: Alternatives Considered. These refinements, including the potential effects to parklands, are also included in this chapter.

9.2 Affected Environment

The study area for the public parklands evaluation was defined as the area located within 1,000 feet on either side of the Preferred Alternative. Information on park and recreation facilities was obtained through field surveys conducted in September and October 2009, the City of Charlotte geographic information system (GIS), Mecklenburg County GIS, the Mecklenburg County Park and Recreation (MCPR) web site and in coordination with MCPR.

No federal wildlife or waterfowl refuges were identified within the study area; and no facilities within the study area were developed with grants from the U.S. Land and Water Conservation Fund. Therefore, no park and recreation facilities regulated under Section 6(f) of the U.S. Land and Water Conservation Fund exist.

The publicly-owned park and recreation facilities within the study area are owned and operated by MCPR. Additional park and recreation resources in the proposed project corridor are located on the University of North Carolina at Charlotte (UNC Charlotte) campus, which is a state-owned university; however, park and recreation facilities located on the campus are not open to the general public, with the exception of the UNC Charlotte Fitness Trails that are currently maintained by MCPR. MCPR also has access easements on the campus for the use of trails that are part of the Mecklenburg County Greenway Plan. Coordination with UNC Charlotte was conducted in October and November 2008 to identify the publicly-owned recreation facilities as well as the campus recreation facilities open for public-use on the state-owned campus.

The following sections describe the existing park and recreation facilities, as well as planned and other potential future park and recreation facilities located within the study area. Existing facilities in the study area include three parks, two greenways, one greenway connector, one recreation center (private, non-profit) and one special facility. A planned greenway is also located within the study area. In addition, MCPR is currently in discussion with owners of two parcels. These parcels could be transferred to MCPR in the reasonable and foreseeable future for potential park uses.

Planned facilities are defined as those included in the MCPR's adopted plans; the *Mecklenburg County Park and Recreation Greenway Plan Update* (2008); and the *Mecklenburg County Park and Recreation 10 Year Master Plan: 2008-2018*. Most of the projects identified as part of the five-year plan are funded and committed projects. The projects that are identified as part of the ten-year plan are anticipated to receive funding through a voter-approved referendum that was passed in 2008. Existing and planned park and recreation facilities are shown on Figures 9-1a and 9-1b. The following descriptions provide the facility name, location, acreage, park type (e.g. neighborhood, regional, etc.), the amenities offered and distance to the Preferred Alternative. The number provided for each of these facilities corresponds to the key used in Figures 9-1a and 9-1b. All facilities in the study area are located within the City of Charlotte.

9.2.1 Existing Parks and Recreation Facilities

The following section provides a brief description of existing park and recreation facilities within or partially within the study area, shown on Figures 9-1a and 9-1b.

- Cordelia Park (1): Located at 2100 North Davidson Street, is a 24-acre neighborhood park that features natural wooded areas, a stream, a full-court basketball court, an outdoor swimming pool, a playground, picnic shelters with grills, a playground and a walking trail. Cordelia Park is currently the northern terminus of the Little Sugar Creek Greenway. The western edge of the park is located approximately 900 feet southeast of the Preferred Alternative project corridor between the Parkwood Station and the 25th Street Station.
- Little Sugar Creek Greenway (2): A linear park located just south of the study area and terminates at Cordelia Park. The partially completed greenway follows Little Sugar Creek and extends approximately 15 miles from the South Carolina state line to Cordelia Park. The section of the greenway located adjacent to the proposed project study area includes a multi-use trail, several neighborhood connections and a community garden. In the study area, a completed portion of the greenway is located just south of Cordelia Park at East 17th Street, approximately 950 feet east of the Preferred Alternative corridor between the Parkwood Station and the 25th Street Station. A future greenway extension through Cordelia Park is anticipated; however, it is not included in the current Greenway Plans.
- Johnston Branch YMCA (3): Located at 3025 North Davidson Street, is a 4,500 square foot recreation facility, which features a fitness center, gymnasium and indoor pool. The facility offers a variety of exercise programs and educational programs, including preschool, afterschool care, adult education and English as a Second Language. A chapel and health center are also located in the facility. All activities at the site occur indoors, with the exception of a small playground area at the rear of the building. The YMCA is a charitable, non-profit organization and access is limited to YMCA members or program participants. The site is located approximately 500 feet southeast of the Preferred Alternative project corridor between the 25th Street Station and the 36th Street Station.
- Howie Acres Park (4): Located at 4200 Redwood Avenue, is a 13-acre neighborhood park that features a half-court basketball court, a picnic shelter with a grill, a playground and a walking trail. The park is located directly adjacent to the North Carolina Railroad (NCR) right-of-way (ROW) along the east side of the Preferred Alternative project corridor between the Sugar Creek Station and the Old Concord Road Station. The park has pedestrian and bicycle access points within the neighborhood at Bearwood Avenue, Redwood Avenue and Howie Circle.



Wooded buffer at Howie Acres Park.



Wooded buffer at Eastway Park.

- Eastway Park (5): Located at 423 Eastway Drive, is a planned 126-acre district sports park. Construction for Phase I was completed in 2009 and includes athletic fields, restroom facilities and parking areas. Future phases of this park are planned and will be built as funding becomes available. The site is primarily wooded with some wetland areas. The park is located directly adjacent to the NCR ROW between the proposed Sugar Creek and Old Concord Road Stations.

- UNC Charlotte Fitness Trails (6): Located on the UNC Charlotte campus just east of North Tryon Street/US-29, is a special facility that features fitness trails, fitness stations (outdoor exercise equipment), bike paths and nature trails. Wooded picnic areas and a small pond are also available to visitors. The trails are located directly adjacent to the Preferred Alternative project corridor between the JW Clay Blvd. Station and the UNC Charlotte Station. The trails are open for use by the general public and are currently maintained by MCPR but

campus expansion plans and changes to the existing easements for these trails, along with the Toby Creek Greenway Connector, will result in UNC Charlotte taking over the maintenance of these trails in the near future. The trails are located between Carolinas Medical Center–University (CMC–University) and undeveloped portions of the UNC Charlotte campus, creating both urban and natural settings.

- Toby Creek Greenway (7): A linear park that follows Toby Creek from University City Blvd./NC-49 through the UNC Charlotte campus. The two-mile greenway includes a multi-use trail which connects with the Mallard Creek Greenway.
- Toby Creek Greenway Connector (8): A greenway trail connector that connects the Toby Creek Greenway and the UNC Charlotte campus to the future Barton Creek Greenway on the west side of North Tryon Street/US-29. The connector is located between the Toby Creek Greenway and North Tryon Street/US-29 and is located on an easement that was granted to MCPR by UNC Charlotte. However, plans for expansion of the UNC Charlotte campus that include additional buildings and an extension of JW Clay Boulevard will require the relocation of this easement. UNC Charlotte has agreed to provide public greenway access through the area in conjunction with their development plans.

9.2.2 Planned Parks and Recreation Facilities

The following is a brief description of the planned park and recreation facilities within the study area or partially within the study area, shown on Figures 9-1a and 9-1b.

- Barton Creek Greenway (9): A planned linear park that will be constructed on the west side of North Tryon Street/US-29 near the intersection of North Tryon Street/US-29 and JW Clay Boulevard. This planned greenway will provide a connection to the Toby Creek Greenway trail and the UNC Charlotte campus. It would include a multi-use trail and is included in MCPR's ten-year plan.

9.2.3 Potential Parks and Recreation Facilities

The following is a brief description of the two parcels under discussion between MCPR and individual owners for future park and recreation facilities within the study area.

- First Ward Park: An urban park planned to be located within a mixed-use development between East 7th Street, East 9th Street and North Brevard Street. The proposed development, called First Ward Urban Village, will include office and retail space, residential units, a park and an underground parking deck. The 4.5 acre park is part of a joint-venture between a private developer, UNC Charlotte, Mecklenburg County and the City of Charlotte, and is planned to be built on top of an underground parking deck. The park, which will be owned and maintained by MCPR, will be located directly adjacent to the east side of the Preferred Alternative project corridor between the current terminus of the LYNX Blue Line and the 9th Street Station. UNC Charlotte's new academic building (currently under construction) will anchor the initial phase of the First Ward Urban Village development. First Ward Park is scheduled to open in 2012.
- Cullman Avenue/Little Sugar Creek Floodplain Acquisition Project: Located along Cullman Avenue to the east of Little Sugar Creek, is a voluntary property acquisition project initiated by Charlotte-Mecklenburg County Storm Water Services to eliminate structures within the Little Sugar Creek floodplain. The County purchased 11 properties along Cullman Avenue between 2003 and 2007. The conglomeration of these properties could provide an opportunity for the development of public open space or inactive parkland along Little Sugar Creek. The County-owned properties along Cullman Avenue are located between 150 and 500 feet west of the Preferred Alternative project corridor, between the 25th Street Station and the 36th Street Station. Community involvement meetings were held in 2008 to help determine what should be developed on the site. A conceptual plan has been developed based on those meetings and includes a community garden, a walking trail, a dog park, a playground, an informal sports area and a pedestrian bridge. Formal plans have not been prepared, but the potential exists for this publicly-owned land to become a parkland facility in the future. The proximity of the proposed 36th Street Station, as well as the transfer of ownership to MCPR provides

the opportunity for the parkland facility to potentially be designed in conjunction with the proposed 36th Street Station.

9.3 Environmental Consequences

This section describes the permanent impacts (negative and positive) to park and recreation facilities that would result from the No-Build Alternative and the Preferred Alternative for the LYNX BLE; only long-term impacts are discussed. Construction-related impacts, along with avoidance, minimization and mitigation measures are discussed in Chapter 18.0: Construction Impacts.

9.3.1 No-Build Alternative

No impacts to park and recreation facilities would result from the No-Build Alternative.

9.3.2 Preferred Alternative

The Preferred Alternative would result in a potential impact to the Toby Creek Greenway. Potential impacts to this facility and would result from crossing the greenway and visual intrusions. All other park and recreation facilities would not be negatively impacted by the proposed project. See Section 9.3.3 for a discussion of *de minimis* and Section 4(f) findings.

It is anticipated that the Preferred Alternative would have a positive impact for several park and recreation facilities. The proximity of several proposed stations to existing park and recreation facilities would provide enhanced access, specifically for pedestrians or bicyclists, to these facilities. Accessibility to parks is a primary goal highlighted in the *Mecklenburg County Park and Recreation 10 Year Master Plan: 2008-2018*. In particular, this plan strives to “provide transportation alternatives and to link to other transportation opportunities” by encouraging a connection of mass transit to parks and greenways. Park and recreation facilities likely to benefit from enhanced access include Cordelia Park, Little Sugar Creek Greenway, Johnson Branch YMCA, UNC Charlotte Fitness Trails, the Toby Creek Greenway and the planned Barton Creek Greenway. An assessment of each park and recreation facility was undertaken with regards to negative effects of the Preferred Alternative. The following summarizes the assessment of impacts to existing and planned park and recreation facilities that would be negatively affected by the Preferred Alternative. Existing and planned parklands that would experience no negative impacts are not included in this discussion.

Toby Creek Greenway (9)

The Toby Creek Greenway is a MCPR linear park with a trail within the UNC Charlotte campus. Construction of this facility began in 2009 and was completed in early 2011. The existing greenway would be crossed by the Preferred Alternative approximately 600 feet west of the proposed UNC Charlotte Station. The proposed alignment would cross the Toby Creek floodplain and greenway with a pre-stressed concrete bridge approximately 805 feet in length. Access to the trail would not be permanently interrupted by the Preferred Alternative. An easement would be required in order to cross over the existing Toby Creek Greenway, similar to how the current Mallard Creek Greenway crosses under North Tryon Street/US-29. The Preferred Alternative would result in a potential impact to this greenway as natural areas would be replaced with views of the proposed project. The Preferred Alternative would enhance pedestrian and bicycle access to the Toby Creek Greenway as the proposed UNC Charlotte Station would be within a reasonable walking and bicycling distance (approximately 600 feet) of the trail.



Mallard Creek Greenway crossing under North Tryon Street/US-29.

9.3.3 *De Minimis* Section 4(f) Impacts Findings

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966, as amended, protects historic resources, public parks and wildlife refuges from conversion to transportation uses unless: (1) it

can be demonstrated that there is no feasible or prudent alternative to the use of such land, and (2) such use includes all possible planning to minimize harm to these resources. Section 4(f) applies to historic sites regardless of ownership, but only to publicly-owned parks, recreation areas and refuges.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), legislation established in 2005, authorizes the federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005-2009. SAFETEA-LU also revises Section 4(f) for the first time since 1966. The legislation amends both Title 49 U.S.C. Section 303 and Title 23 U.S.C. Section 138 simplifying the process and allowing for the approval of projects that would have only *de minimis* impacts on those lands identified during the Section 4(f) analysis. This new provision allows USDOT agencies to make a *de minimis* finding in situations where impacts to Section 4(f) resources would be minimal.

The FTA and CATS informed MCPR, the local agency with jurisdiction over the resources, of their intent to propose *de minimis* findings for the Toby Creek Greenway. A copy of this letter detailing the basis for the *de minimis* findings and MCPR's concurrence with this proposed finding is contained in Appendix B: Agency Correspondence. In addition, FTA solicited public review/input on this *de minimis* finding as part of the Draft EIS circulation/public hearing. Therefore, FTA has determined that a *de minimis* finding for impacts to the Toby Creek Greenway is appropriate.

9.4 Mitigation

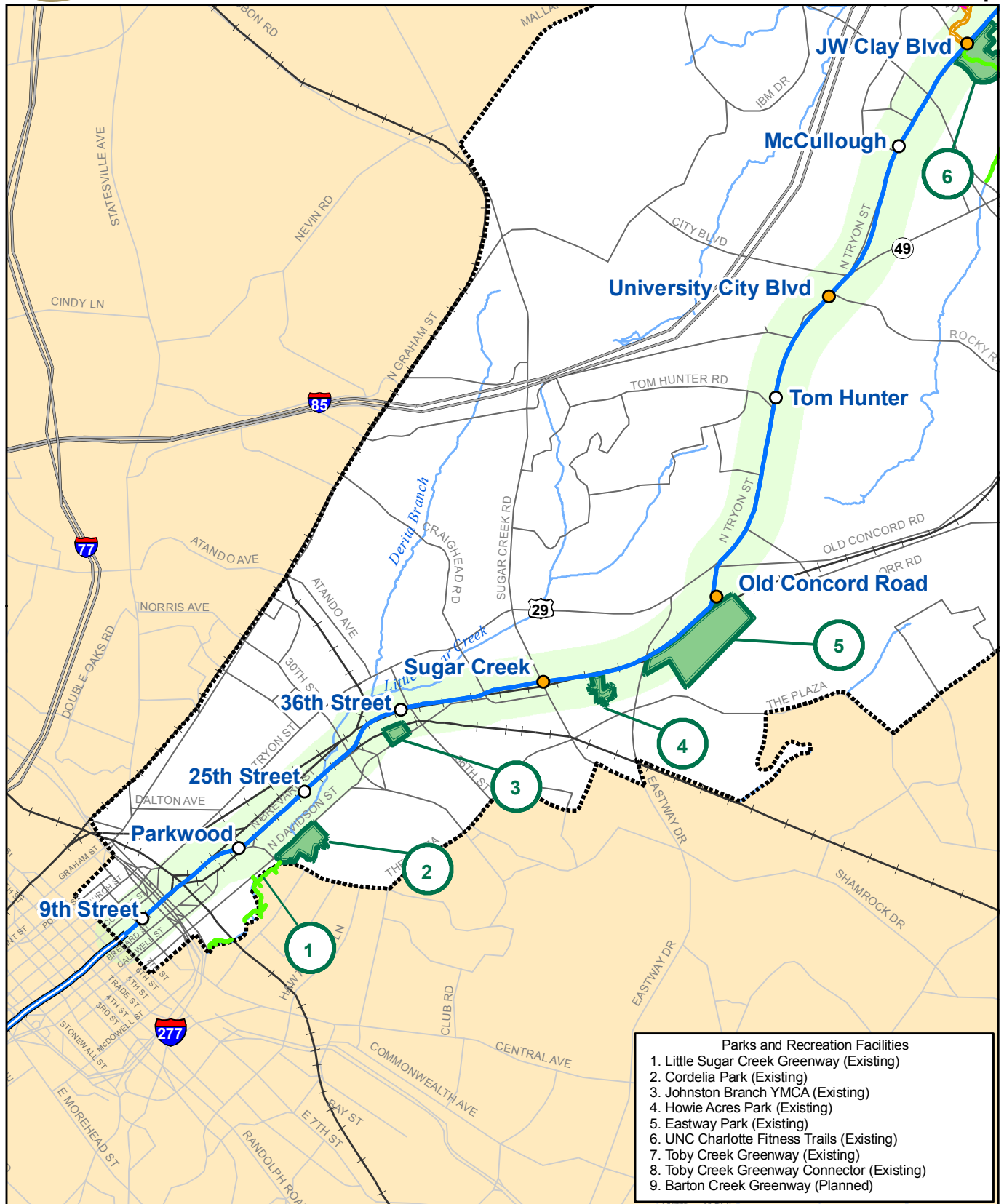
The following discusses mitigation measures associated with the identified permanent and direct impacts to park and recreation facilities.

Toby Creek Greenway

- Vegetative screens will be maintained to the extent practicable, and where existing vegetation must be removed, landscaping will be planted where the ROW width would allow.
- CATS will coordinate with MCPR to ensure that the bridge would not conflict with the Toby Creek Greenway.
- CATS will coordinate with MCPR to minimize impact to the Toby Creek Greenway during construction of the Preferred Alternative. It is anticipated that CATS will have to temporarily close a portion of the greenway during construction of the Preferred Alternative; an alternative route will be provided and attempts will be made to coordinate closure during the period of the least activity (such as the winter holiday when students and facility are absent).
- CATS will notify MCPR 48 hours in advance of temporary closure of greenways due to construction.

The Preferred Alternative could also provide an opportunity for inclusion of public spaces within the station areas that could serve park-like functions. Opportunities for the design of public spaces at station locations are possible at Parkwood Station, 36th Street Station, JW Clay Blvd. Station and UNC Charlotte Station. First Ward Park has not been evaluated for environmental consequences due to the currently limited information regarding this facility and unknown nature of its future park amenities. However, CATS is aware of the project and will continue to coordinate the 9th Street Station design and construction with the developer of this adjacent project. CATS will also coordinate with Mecklenburg County regarding the Cullman Avenue/Little Sugar Creek Floodplain Acquisition Project, if necessary.

Park and Recreation Facilities - Southern Portion Base Map



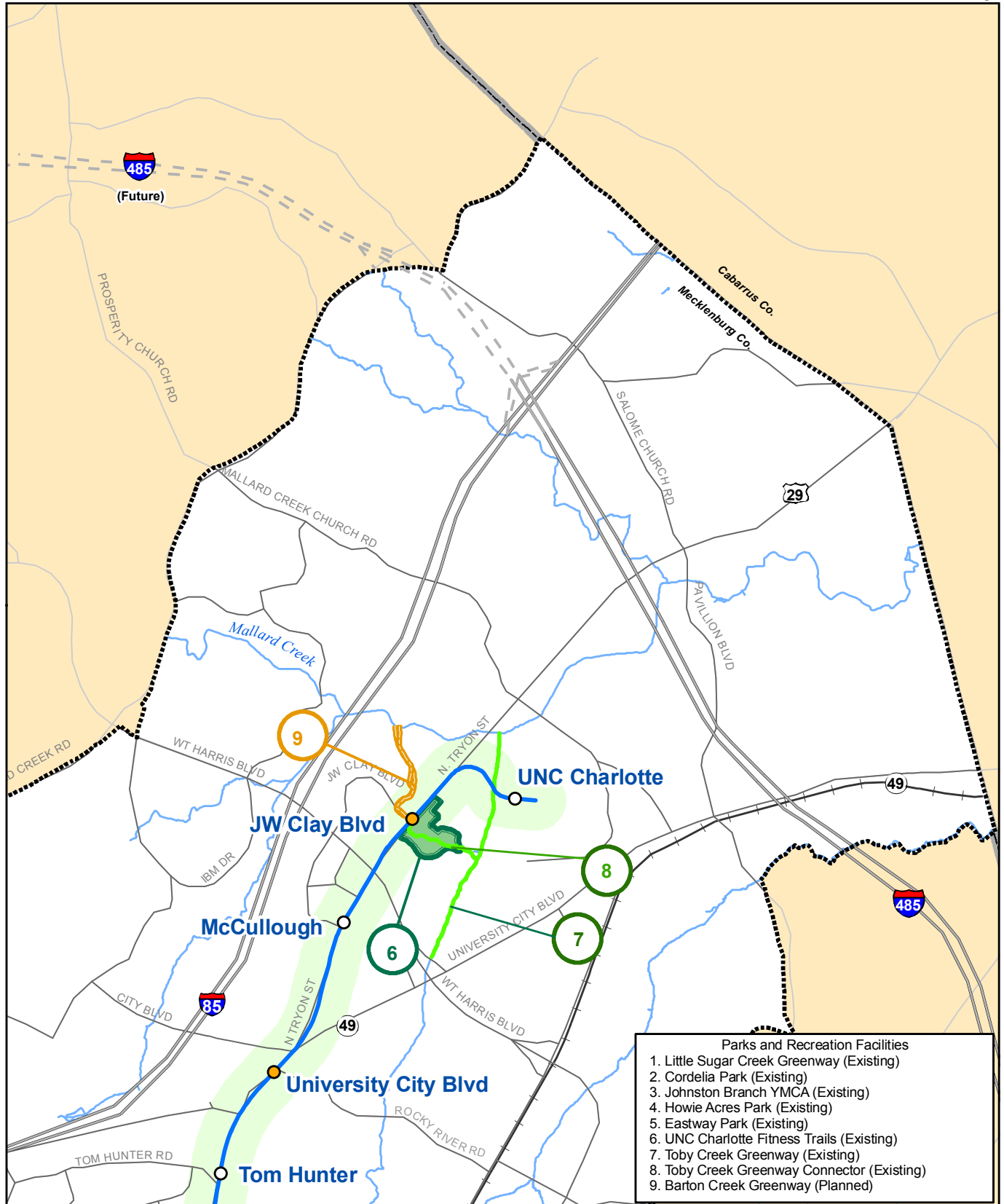
- Parks and Recreation Facilities**
1. Little Sugar Creek Greenway (Existing)
 2. Cordelia Park (Existing)
 3. Johnston Branch YMCA (Existing)
 4. Howie Acres Park (Existing)
 5. Eastway Park (Existing)
 6. UNC Charlotte Fitness Trails (Existing)
 7. Toby Creek Greenway (Existing)
 8. Toby Creek Greenway Connector (Existing)
 9. Barton Creek Greenway (Planned)

Northeast Corridor Limits	Major Roads	Streams
LYNX Blue Line	Highway	Parklands Study Area
Proposed Light Rail Alignment	Highway (Future)	Existing Greenways
Proposed Stations	Railroads	Future Greenways
Proposed Stations with Park-and-Ride	County Line	Mecklenburg County Parks

Miles

Data Source:
CATS, City of Charlotte GIS, and Mecklenburg County GIS

Park and Recreation Facilities - Northern Portion Base Map



- Parks and Recreation Facilities**
1. Little Sugar Creek Greenway (Existing)
 2. Cordelia Park (Existing)
 3. Johnston Branch YMCA (Existing)
 4. Howie Acres Park (Existing)
 5. Eastway Park (Existing)
 6. UNC Charlotte Fitness Trails (Existing)
 7. Toby Creek Greenway (Existing)
 8. Toby Creek Greenway Connector (Existing)
 9. Barton Creek Greenway (Planned)

Northeast Corridor Limits	Major Roads	Streams
LYNX Blue Line	Highway	Parklands Study Area
Proposed Light Rail Alignment	Highway (Future)	Existing Greenways
Proposed Stations	Railroads	Future Greenways
Proposed Stations with Park-and-Ride	County Line	Mecklenburg County Parks

Miles

Data Source: CATS, City of Charlotte GIS, and Mecklenburg County GIS

BLUE FEIS Figure 9-1b.pdf

1/17/17/20