

**Agenda Item:**

**Decision on Application 2019-701, R-20 & B-1(CD) to R/I(CD), Covenant Day Church-Warner Park**

**DATE: October 7, 2019**

**FROM: Mary Jo Gollnitz, Senior Planner**

**Background/Issue:**

At their September 24, 2019 meeting, Planning Board recommended approval with the condition that Covenant Day continue to work with the neighbors regarding noise issues. Since the Public Hearing, the applicant has revised the plans and conditional notes as follows:

- Revised site plan indicates a stub street aligning with the neighboring Liberty Commerce street stub. The cross access will be gated in order to minimize access to Warner Park property.
- A 10' tall noise wall between the existing asphalt drive and outer edge of the softball field will be installed. The noise wall will be made of brick.
- A row of Eastern Red Cedars will be installed between the 50' setback and asphalt drive (along Erb property) for sound buffering.
- Note V.b under Parking and Access has been updated specifying the limit of access through the site from Monroe Rd (see attached).
- A conditional note has been added stating that sporting events will not be hosted on Sundays or before 9 am on Saturdays, except for extenuating circumstances.
- Covenant Day Church will continue to work with the Town on the proposed multi-use path.

**Proposal/Solution:**

Planning Board unanimously recommended approval of the request.

**Related Town Goal(s) and/or Strategies:**

Quality of Life

Economic Development/Land Use Planning

**Recommended Motion/Action:**

Approve rezoning application 2019-701 Covenant Day Church---Warner Park as most recently submitted.

**DRAFT---FOR APPROVAL**

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES  
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # \_\_\_\_\_

ZONING MOTION # 2019-701 Warner Park Covenant Day School

ADMINISTRATIVE AMENDMENT \_\_\_\_\_

Matthews Board of Commissioners adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

**CONSISTENT: with Matthews Land Use Plan by further developing an existing athletic field with additional seating, appropriate parking, addition of noise buffers, and future multi-use path for recreational purposes.**

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**REASONABLE: The rezoning is reasonable as it allows the current recreational use to remain in place and continue providing a buffer between commercial uses along Monroe Rd and residential neighborhoods.**

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**OR**

**DRAFT – FOR DENIAL**

B)  The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), and **NOT REASONABLE**, as follows:

**INCONSISTENT: The increase of the recreational development would create additional traffic and noise.**

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**NOT REASONABLE: The rezoning is not reasonable because it would allow the existing use to increase intensity and remain amongst residential neighborhoods.**

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*(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being “consistent” or “not consistent” are not subject to judicial review.)*

Date: *October 14, 2019*



COVENANT DAY SCHOOL INC.  
DEVELOPMENT STANDARDS

**REVISIONS OUTLINED IN RED**

I. General Provisions

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Covenant Day School Inc. (the "Petitioner") to accommodate the enhancement of the Warner Park sports fields located at 515 Matthews Township Parkway and the Colchester Property located at 10812 Monroe Road, associated with Covenant Day School athletics, more particularly described as tax parcel numbers 213-012-01 and 213-012-17 (the "Site").

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions under the Unified Development Ordinance of the Town of Matthews (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the R1 Zoning District shall govern all development taking place on the Site.

The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements and locations of access points. The configuration, placement and size of facilities such as athletic fields and associated field houses, concession areas, rest rooms, etc. as well as the parking and circulation patterns shown in this Rezoning Plan are schematic in nature and may be modified so long as such modifications are incidental in nature and consistent with the basic design layout as shown. In addition, other changes and modifications of this Rezoning Plan may be proposed in conformance with the provisions of Section 15.104.5(B) of the Ordinance.

II. Permitted Uses & Restrictions

The Site may be used for athletic or sports fields, including associated facilities, such as but not limited to concession stands, field houses, media rooms, spectator seating, restrooms, storage and maintenance rooms, and locker rooms, together with any incidental or accessory uses associated therewith.

Officially sponsored sporting events shall not be hosted on Sundays or before 9:00 a.m. on Saturdays, except in extenuating circumstances.

III. Architectural Design Standards

- a) Field houses and other principal and accessory buildings shall comprise a minimum of 20% per façade of brick, natural stone (or its synthetic equivalent), stucco, cementitious products (such as HardiePlank, panel, shingles, or similar products). The proposed buildings will be constructed to be similar in character and material to the existing buildings on the Covenant Day School campus and Warner Park, such as the existing baseball dugouts (photos of same included in this Rezoning Plan as example reference only).
- b) Mechanical equipment shall be screened from view of public streets.

IV. Buffers, Landscaping and Screening

- a) Buffers and screening shall be provided as generally depicted on the Rezoning Plan and in accordance with the Ordinance. Perimeter landscaping shall be provided as required by the Ordinance where existing vegetation is not adequate to meet the intent of the Ordinance.
- b) The Petitioner shall continue to coordinate with the Town of Matthews to determine a feasible location and access for a multi-use path, including continuing discussions regarding financial contribution to the construction of such multi-use path.
- c) Landscaping shall be provided as depicted on the Rezoning Plan along the Site's frontage of Monroe Road. Perimeter landscaping shall be provided as required by the Ordinance where existing vegetation is not adequate to meet the intent of the Ordinance.
- d) Internal landscaping shall be provided to meet the requirements of the Ordinance and approved separately by Matthews Planning Staff.
- e) Additional trees and landscaping shall be provided adjacent to Parcel 213-274-04 (currently owned by Thomas and Nancy Erb), in the area as generally depicted on the Rezoning Plan.
- f) Petitioner shall construct a ten (10) foot tall noise barrier adjacent to the softball field extending from home plate down the length of the softball field, in the area as generally depicted on the Rezoning Plan.

V. Parking and Access

- a) Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by NCDOT for approval. All streets shall meet Ordinance requirements.
- b) The depicted driveway connection on Monroe Road shall be gated to ensure controlled access through the Site to Matthews Township Parkway, as generally depicted on the Rezoning Plan. The gate shall be closed so as to not allow vehicular traffic through the Site except for during the following events: (1) access for team busses; (2) access for ambulance, fire, and other emergency vehicles; (3) access for routine maintenance; and (4) other extenuating circumstances that are reasonably unforeseeable (e.g., if the main entrance on Matthews Township Parkway is blocked).
- c) The existing northernmost driveway cut on Monroe Road, north of the existing building to be demolished, shall be permanently closed.
- d) The Petitioner shall observe all NCDOT sight distances as required.
- e) Parking shall be provided to meet or exceed the standards of the Ordinance. All parking areas shall consist of paved surface. If parking is provided offsite (such as at the main Covenant Day School campus), a shuttle bus or pedestrian traffic signal shall be provided to ensure safe crossing to the Site.
- f) Sidewalks will be enhanced or installed where necessary to create a pedestrian network linking parking areas to the athletic fields and facility buildings.

VI. Lighting

- a) All lighting shall meet Ordinance standards and be approved separately by Matthews Planning Staff.
- b) A uniform lighting system shall be employed throughout the Site within the parking area.
- c) Any newly installed sports field or parking lighting on the Site shall not exceed the height of lighting as currently installed on the Site.

VII. Signage

- a) All signs located on the property shall be in conformance with the Ordinance, including monument signs as generally depicted on the Rezoning Plan. Signage shall be approved separately by Matthews Planning Staff.
- b) Once widening of Mathew Township Parkway occurs, Covenant Day will relocate the existing sign behind the new right-of-way at their expense.

VIII. Fire Protection

Fire protection to all facilities shall be provided as required by code.

IX. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the term "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.



EXAMPLE OF ARCHITECTURAL STYLE

W:\Community\Schools\Covenant\_Day\1121198600 Warner Park Master Plan\2 Design\9 Engineering\Civil\CD\_REZONING\RZ100-RZ300 REZONING PLANS.dwg Oct 2, 2019 10:20am

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|---------------------|--------|------|
| ISSUE FOR           |        |      |
| ISSUE DATE          |        |      |
| 10.02.2019          |        |      |
| REVISIONS           |        |      |
| NO.                 | REASON | DATE |
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| PROJECT TEAM        |        |      |
| PRINCIPAL IN CHARGE |        |      |
| David Powlen, RLA   |        |      |
| PROJECT MANAGER     |        |      |
| Frank Miller, PE    |        |      |
| DESIGN TEAM         |        |      |
| JIB                 |        |      |
| PROJECT NAME        |        |      |
| CDS - Warner Park   |        |      |
| PROJECT NUMBER      |        |      |
| 101.6654.00         |        |      |
| SHEET TITLE         |        |      |
| NOTES               |        |      |
| SHEET NUMBER        |        |      |
| RZ300               |        |      |