

Agenda Item: Administrative Amendment – Entrance Monument

DATE: June 23, 2020
RE: Creek Bend
FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

Under approved Rezoning Application 2017-661, Land Investment Resources, LLC (now Creek Bend Subdivision) conditional note #10 Entrance Monuments/Street Frontage Fence states:

- A. *“Applicant shall install a monument on each side of the vehicular access into the Rezoning Site in the locations generally depicted on the Rezoning Plan (the “entrance Monument”). The actual location of each Entrance Monument is subject to minor modifications during the design review and permitting process.”*
- B. *Attached to the Rezoning Plan are several images of entrance monuments that are intended to depict the general conceptual style, design treatment and character of each Entrance Monument to be constructed on the Rezoning Site. Accordingly, each Entrance Monument shall be designed and constructed so that it is substantially similar in appearance to one the attached images. Notwithstanding the foregoing, changes and alterations to each Entrance Monument that do not materially change the overall conceptual style, design treatment and character shall be permitted.*

Matthews Planning staff is of the opinion that the new proposed monument sign does not meet the intent of approved conditional Notes #10.A and B.

The original proposed and approved Entrance Monument is a rustic gazebo style design with roof and seating capacity (see attached). The proposed revised subdivision shows a 2-foot knee wall on both sides of the street entrance and a single column sign on the western side of the subdivision along Idlewild Road. The proposed sign will be constructed of a stone base and column with a single hanging Creek Bend identifier attached (see attached photo and drawings).

Matthews UDO provides three levels of approvals for Administrative Amendments; staff review, Planning Board Action, and Board of Commissioners action. Because the Entrance Monuments are an intricate part of the subdivision design and streetscape, staff believes that the changes should be reviewed by the Planning Board for a recommendation to the Commissioners. The Board of Commissioners then can take action at their July 13, 2020 meeting.

If the Planning Board wishes to take action, the Statement of Consistency and Reasonableness is provided for your convenience.

**SUGGESTED
STATEMENTS OF CONSISTENCY AND REASONABLENESS
Final Decisions on Zoning-Related Issues**

ADMINISTRATIVE AMENDMENT---Creek Bend Entrance Monument

Matthews Planning Board makes the following 2 conclusions:

1) The requested zoning action, as most currently amended, **IS CONSISTENT** with the policies for development as outlined by the Matthews Land Use Plan and Town's long-range Vision Statements (as specified below)

OR

The requested zoning action, as most currently amended, **IS NOT CONSISTENT** with the Matthews Land Use Plan and/or other adopted land development policies and plans.

(A requested zoning can be found "consistent" and not approved, or found to be "not consistent", but approved.)

2) The requested zoning action **IS REASONABLE** and in the public interest because:
(ex., may be appropriate with specific surrounding land uses; has been shown that it will not create significant new traffic beyond area roads' capacities; creates/increases desirable use in Town.)

There is no significant impact to neighboring properties and still allows for subdivision signage.

OR

The requested zoning action **IS NOT REASONABLE** and in the public interest because:

Because the proposed monument does not meet the rustic design that was approved in the original rezoning of 2017-661.

(Reasons given for a zoning request being "reasonable" or "not reasonable" are not subject to judicial review.)

Decision Date June 23, 2020

Entrance Will Have Distinctive, Rustic
'Retreat' Style Amenities



Representative Styles – Similar
To Features Planned At Entry



LandInvestmentResources

COMPREHENSIVE LAND CONSULTING

June 12, 2020

Ms. Mary Jo Gollnitz
Senior Planner/Zoning Administrator
Town Of Matthews
232 Matthews Station Street
Matthews, NC 28105

Good Afternoon Ms. Gollnitz

As we have spoken about several times, we would like to request a change to the entrance features previously proposed for the Creek Bend subdivision. As is well know there was a number of ownership changes with the previous builder we were under contract with, and they ultimately terminated the contract. Shortly thereafter we signed a new agreement with Century Homes, whom we brought back in to approve elevations. Century seems to have developed a good reputation in the Town.

As a part of our agreement there were also some changes they have requested to the original 'gazebo' features proposed for the front entrance. In a simple statement, they believe that those structures are too involved for the narrow entrance areas, and would pose a potential safety hazard. In addition, they believe that the homeowners in this small community will be very sensitive to the high costs involved in the maintenance, repair and liability of those structures. There is also a concern about non-residents utilizing or vandalizing them.

Accordingly, we are requesting a change to simpler, more traditional entrance features. Apologizing in advance for the somewhat simple nature of the exhibits, we have tried to get this submitted in time to have it approved prior to their closing. Attached is a basic sketch showing the approximate location of two low 2 foot tall curved stone walls. These will be located behind the sight triangles in the strip of land between the Idlewild right of way and the side yards of Lots 1 and 29. They will not impede the view of Idlewild Road.

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3440 Toringdon Way
Suite 205
Charlotte, NC
28277

Behind the westernmost wall will be a stone post with a hanging wooden sign indicating the name of the community. A photograph of this is also enclosed. None of the required landscaping (as shown on the third attachment) would be affected by these features, and they would not encroach on the adjacent lots.

Please let me know if you have any further questions regarding this request.

With Best Regards,



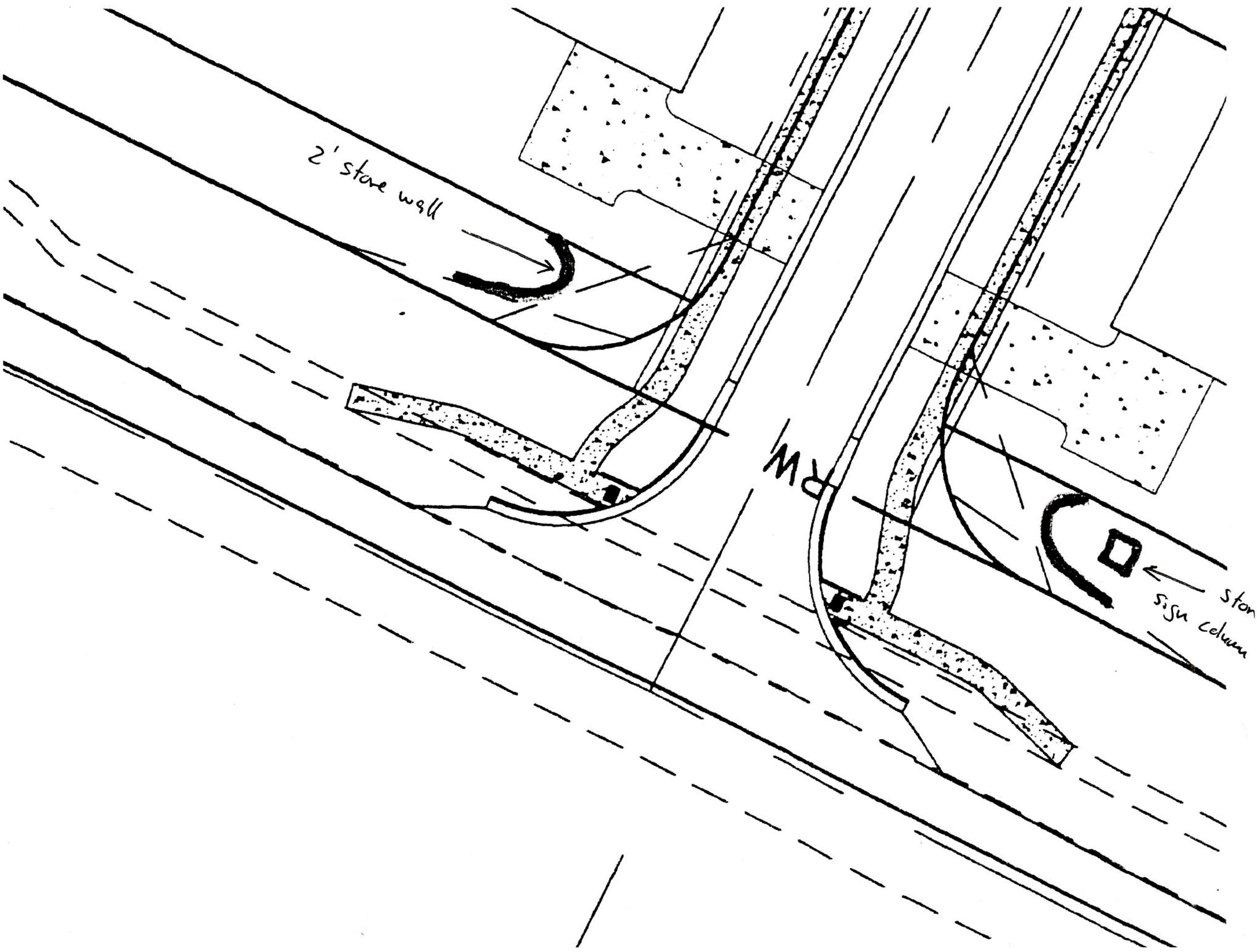
Philip M. Hayes

President

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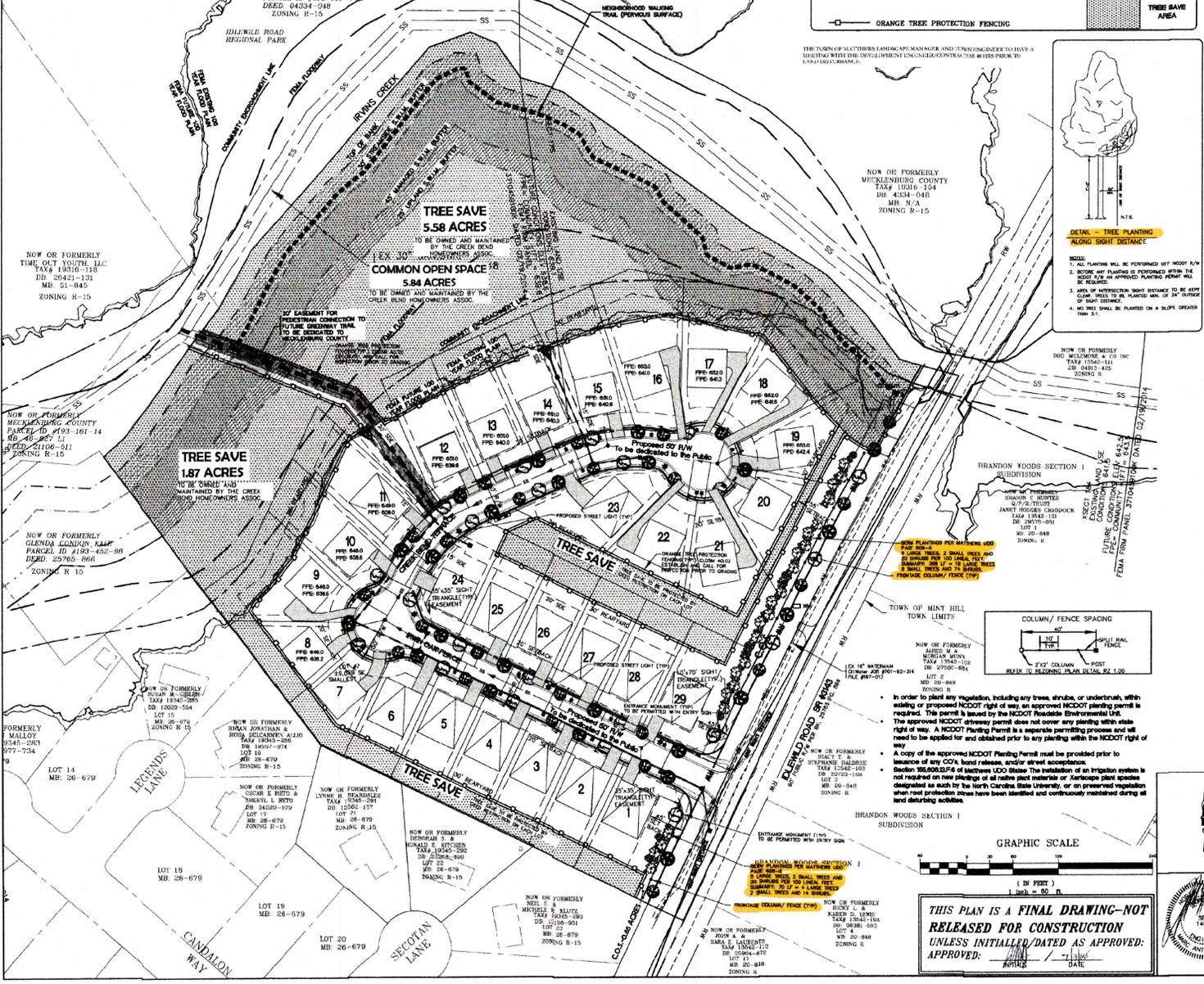
A stone pillar with a wooden crossbar supporting a sign that reads "MARVIN CHASE". The pillar is constructed from stacked, irregular stones in shades of tan and brown. A thick wooden beam is mounted horizontally across the pillar. A rectangular sign with a white background and a dark border is suspended from the beam. The sign features the text "MARVIN CHASE" in a bold, serif font. The scene is set outdoors with trees and a road in the background.

*MARVIN
CHASE*

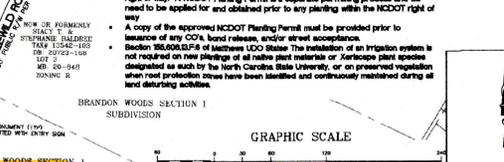
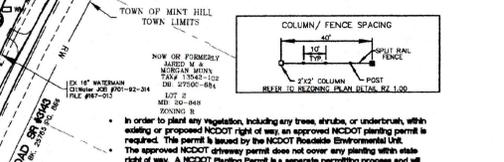
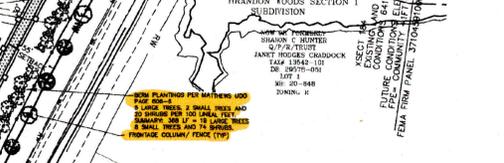
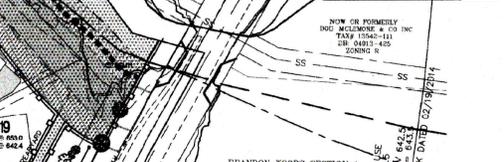
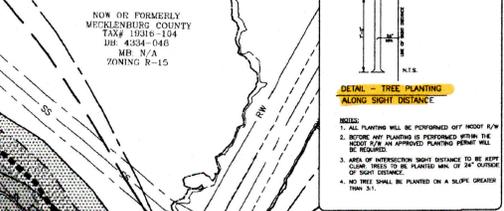
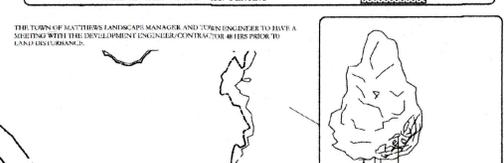


- CONTRACTOR IS FULLY RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR FLAGGING BARRIERS, CONE TRAFFIC, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL EXCAVATION SHALL BE PROTECTED BY THE TOWN OF MINT HILL AND C&D PROFESSIONAL.
- WORKING SHALL BE ACCORDING TO C&D RECORDING CONVENTIONS. THIS SHALL BE IN THE HANDLING. RECORDING SHALL BE APPROVED BY C&D PROFESSIONAL PRIOR TO CONSTRUCTION.

LANDSCAPE INSTALLMENT GUARANTEE
 Part of the terms of a Certificate of Occupancy, proper maintenance of the present and proposed trees and shrubs during landscape installation period shall be guaranteed by the contractor. The contractor shall be responsible for the maintenance of the trees. The bond amount shall be equal to the total cost of one year from the date of installation. The bond shall be held by the contractor. The contractor shall be responsible for the maintenance of the trees. The bond amount shall be equal to the total cost of one year from the date of installation. The bond shall be held by the contractor. The contractor shall be responsible for the maintenance of the trees.

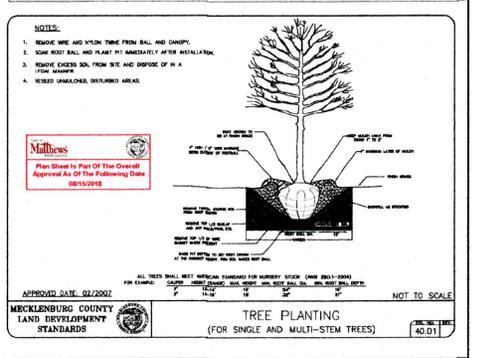
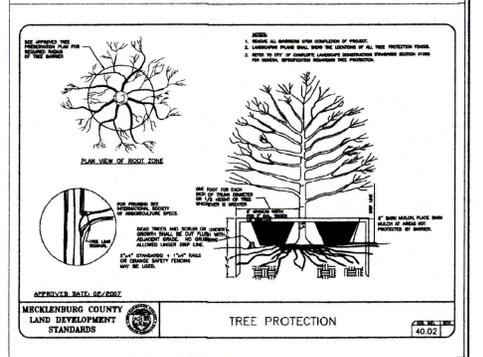
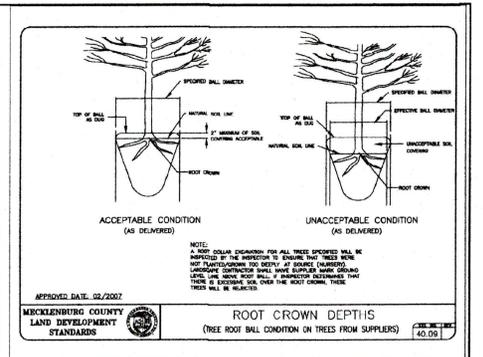


| STREET NAME | ROAD FRONTAGE | APPROXIMATE WIDTH | TREES PER VIEW | CYNT | CALL | SIZE | REMARKS |
|-----------------------|---------------|-------------------|------------------|------|------|------|---|
| CREEK BEND DRIVE | 1,800 LF | 32 FT | 22 (2x8x8 MARLB) | 6x8 | 2" | 8 FT | PHI: 1.000, HEALTHY FOR PLANT, CENTRAL LEADER, STRAIGHT TRUNK, FULL DEVELOPED, HEALTHY FOLIAGE. |
| POPULAR NOVELTY PLACE | 1,070 LF | 28 FT | 23 (2x8x8 MARLB) | 6x8 | 2" | 8 FT | PHI: 1.000, HEALTHY FOR PLANT, CENTRAL LEADER, STRAIGHT TRUNK, FULL DEVELOPED, HEALTHY FOLIAGE. |
| UNPAVED ROAD | 600 LF | 28 FT | 23 (2x8x8 MARLB) | 6x8 | 2" | 8 FT | PHI: 1.000, HEALTHY FOR PLANT, CENTRAL LEADER, STRAIGHT TRUNK, FULL DEVELOPED, HEALTHY FOLIAGE. |



THIS PLAN IS A FINAL DRAWING - NOT RELEASED FOR CONSTRUCTION UNLESS INITIALED/DATED AS APPROVED.

APPROVED: _____ DATE: _____



| NO. | DATE | DESCRIPTION | BY | PROJECT NO. |
|-----|---------|---|----|-------------|
| 1 | 1/20/07 | ISSUED FOR PERMIT | MS | 07-007 |
| 2 | 1/20/07 | REVISED TO SHOW THE TYPE OF SERVICES CONTRACT | MS | 07-007 |
| 3 | 1/20/07 | REVISED TO SHOW THE TYPE OF SERVICES CONTRACT | MS | 07-007 |
| 4 | 1/20/07 | REVISED TO SHOW THE TYPE OF SERVICES CONTRACT | MS | 07-007 |

TREE PLANTING PLAN

PROJECT: CREEK BEND MATTHEWS, MECK. CO., N.C. FOR: CREEK BEND PARTNERS, LLC.

DATE: 12/11/17

DESIGNED BY: BIC

DRAWN BY: MAH

CHECKED BY: _____

DATE: 02/15/2018

MECKLENBURG COUNTY LAND DEVELOPMENT STANDARDS

YARBROUGH-WILLIAMS & HODDS, INC.
 Planning & Surveying & Engineering

261-90

184 16