



232 Matthews Station Street
Matthews, NC 28105
704.847.4411

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE

APPLICATION NUMBER _____ DATE FILED November 25, 2015
PETITIONER'S NAME Robert J. (Bob) Romano, AIA - Plantation Estates Expansion Program Manager
PETITIONER'S MAILING ADDRESS Bluewater Design-Build PO Box 955 Davidson, NC 28036
PETITIONER'S PHONE NUMBER/EMAIL ADDRESS 704-685-1825 B.Romano@BluewaterDB.com

I request consideration of the following change in text of the Matthews Zoning Ordinance:

Requested text change is:

- a change in wording to existing Section(s)
- an addition to Section(s)
- a deletion of wording at existing Section(s)

Below is the text requested to be changed, added or deleted:

Existing Section 155.506.16 Proposed Section 155.506.16

Please See Attached "Plantation Estates Expansion Text Amendment Memo" November 25, 2015 - Bluewater Design-Build

(continue on additional page(s) as necessary)

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What is the intended effect of this request?

The intended effect of this request will allow the Plantation Estates Continuing Care Retirement Community to remain as a single entity, as recognized by the NC Department of Insurance, even though it is divided into two tax property parcels on opposite sides of an existing Matthews Road.

(continue on additional page(s) as necessary)



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FILING INSTRUCTIONS

A petition for text amendment of the Matthews Zoning Ordinance must be completed on the application form provided for such purpose and submitted with the appropriate fee to the Town Hall. The petition shall be reviewed by the Town Planning Department for completeness and then submitted to the Town Board of Commissioners for acceptance. The Town Board of Commissioners shall set a public hearing date according to their policy. The petition shall be considered at a public hearing held jointly by the Town Commissioners and the Planning Board.

After the public hearing the petition shall be reviewed by the Planning Board at their next regular meeting. At that meeting, the Planning Board may recommend approval, denial, or approval with conditions. This recommendation is then passed on to the Board of Commissioners at their next regular meeting in which zoning issues are discussed, according to Town Board policy. The Town Board of Commissioners may then approve, amend and approve, deny, or table action of the petition. Any decision of the Town Board is final and subsequent revisions shall be handled in this same process as a new plan.

A petition for text amendment may be withdrawn by the petitioner at any time up to and including fifteen (15) days prior to the hearing date. Any subsequent withdrawal shall only be allowed by action of the Town Board of Commissioners.

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE FEE:

Add a permitted use:	\$100
Any other reason, fewer than three (3) paragraphs affected:	\$250
Any other reason, three (3) or more paragraphs affected:	\$400



B L U E W A T E R
DESIGN - BUILD

November 25, 2015

PLANTATION ESTATES EXPANSION - REZONING TEXT AMENDMENT

Project: Plantation Estates Expansion (Formerly: Village @ Plantation Estates)
South Trade Street, Matthews, NC
BWDB Project No. – 001-03-004

Subject: Town of Matthews UDO Text Amendment Request
155.506.16 Continuing Care Retirement Communities (CCRC)

To: Kathi Ingrish – Planning Director
Jay Camp – Senior Planner

From: Bob Romano – BWDB Program Manager

Purpose:

The purpose of this memo is to propose a Text Amendment to the Town of Matthews UDO for the Approved Rezoning Petition # 589 for the Village at Plantation Estates completed on 1/24/2013.

General:

1. Development Standard #1 on Drawing ZP-00 states that the Village @ Plantation Estates will consist of a Continuing Care Retirement Community (CCRC), which will include, by definition, Independent Living Units and Healthcare Beds in the Approved RI/CD Rezoning. According to the NC Department of Insurance, the project is an expansion of the existing Plantation Estates CCRC that is located across Fullwood Lane, which is a street owned by the Town of Matthews. ACTS recently secured Rezoning Approval # 2013-608 to connect Plantation Estates to the Expansion (Village) with a traffic signal controlled road intersection across Fullwood Lane.
2. ACTS hereby submits the Zoning Application for an Ordinance Text Change to request that the Healthcare Bed components of the CCRC expansion located on the Village Tax Parcel be allowed to remain on the original Plantation Estates (PE) tax parcel located just across Fullwood Lane where the PE Assisted Living Facility (and current Skilled Nursing Facility) is about 750 feet and the new PE Skilled Nursing Facility will be about 250 feet from the Village Tax Parcel. Both tax parcels will be connected by a pair of gated vehicle driveways situated across from each other on Fullwood Lane located at the new (previously approved) traffic signal intersection.
3. This type of Text Amendment could be beneficial to any CCRC located in the Town of Matthews.



B L U E W A T E R
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Text Amendment:

1. Partial Unified Development Ordinance Page 5-97 in Black with Proposed Text Changes in Red:

155.506.16 Continuing Care Retirement Communities (CCRC)

B. STANDARDS

1. A Continuing Care Retirement Community may include up to twenty (20) independent living units per gross acre and up to five (5) assisted living units per gross acre along with skilled nursing facilities, community buildings and ancillary services. **The assisted living units and/or the skilled nursing facilities may also be located on any adjacent or non-contiguous property zoned R/I for a CCRC held and operated by the same owner. The two properties may be separated by a public street, but the assisted living and/or skilled nursing facilities must be within 1,000 feet of the property that contains the independent living units. Each non-contiguous property must comply with Standards 2-8 below separately.**

Standard Items 2-8 are not shown as they are not to be modified for this text amendment request.

Zoning Application:

Please see the attached "Zoning Application for Text Change" dated November 25, 2015 with the accompanying Text Change Fee of \$250. We understand that since this Zoning Application was filed before December 2, 2015, the Public Hearing will be on January 11, 2016, and the Town Board Decision would be on February 8, 2016. Thank You again for your continued assistance.

Respectfully Submitted,
Bluewater Design-Build, LLC

Bob Romano

Robert J. Romano, AIA, NCARB, A-DBIA, CCCA, EDAC, LEED AP
Project Manager
B.Romano@BluewaterDB.com
704-685-1825

Cc: Ken Karmeris – ACTS VP Real Estate Services
Matt Langston, ASLA – LWDG Project Manager