



MECKLENBURG COUNTY
Land Use and Environmental Services Agency
Land Development Services

Memorandum

To: Bill Sherrill, Zoning Administrator, Town of Matthews

CC: Randy Goddard, Kubilins

From: Desmond Cole PE, LUESA

Subject: Comments on Plantation Village TIA

Date: April 8th, 2008

We have completed our review of the TIA for the proposed 344 units of continued care retirement housing proposed to be located on a 44-acre vacant parcel in the northwest quadrant of the intersection of South Trade Street and Fullwood Lane in Matthews, North Carolina. The development also requires a rezoning from the existing zoning of RS-20 to RN-1. The anticipated build out of the site is 2013.

DESCRIPTION

The purpose of this review is to evaluate the analysis done on the traffic impacts of the building of the continued care retirement facility within the agreed upon area of influence.

We have reviewed the proposed TIA for the area of influence and offer the following comments:

- We find it unacceptable to use the suggested geometric improvements for Fullwood Lane and South Trade Street under the 2013 Build Scenario. This could be left in the analysis, but for comparison purposes and for mitigation decision making purposes we would like to see another 2013 Build scenario but with committed improvements only. The scenario with the possible improvements can be used by the town to know what they need for the future of these intersections. Please include the build scenario without the improvements and this would be better analyzed for mitigation requirements. In the report on page 14 it mentions that "Under the build scenario, with the addition of the site development, two of the eight intersections operate at an acceptable LOS of D or better during the morning peak period. In the

evening peak period, one of the eight intersections operates at an acceptable LOS of D or better. This scenario assumes that all intersections are unimproved.” The last sentence in this statement does not reflect this on the table on page 16.

- The developer responsibility shown on Figure 8b calls for a single lane from Freemont Road to Fullwood Lane, it would be safer and make for the ease of congestion to have a through and right turn lane and a short exclusive left turn lane. Similarly with the configuration out of Access A on to S. Trade Street, having a short exclusive left turn lane out of Access A is recommended.
- If these comments are addressed and the report is revised accordingly then the TIA will be good for approval.

CONDITIONAL DISTRICT ZONING PETITION STAFF CHECKLIST

Attach to:

ZONING PETITION STAFF CHECKLIST IF A CHANGE IN ZONING DISTRICT

Name of Petitioner: ACTS Retirement - Life communities

Address of Property: 801 S. Trade Street; 824 S. Trade Street; 914 S. Trade Street; 738 S. Trade Street

Tax Parcel Number(s): 227-151-12; 227-151-13; 227-151-14; 227-151-21; 227-151-22; 227-151-23; 227-151-24; 227-151-25

Name/Address of Owner if Different: Jimaana Properties, 824 S, Trade Street, Matthews, NC; Orié Johnson and Smith Wade & Co., 5821 Fairview Road, Ste208, Charlotte, NC; Jon S. Johnson and Robirene Johnson, 914 S. Trade Street, Matthews, NC; Aana Lisa Johnson Trust, 504 S. Trade Street, Matthews; Aana Lisa Allen, 730 South Trade Street, Matthews, NC; Aana Lisa Johnson Trust and Aana Lisa Whately, 504 South Trade Street, Matthews, NC; Johnson Venture Properties, 6927 Shinnecock Hill Lane, Charlotte, NC

DIMENSIONS

Actual property dimensions from site plan:

Lot width	1,750ft +/-
Lot area	44.879 acres
Front setback	50ft
Side yards	50ft
Rear yards	50ft
Max height	60ft
Open Space	50%

DESCRIPTION OF REQUEST

This petition seeks to rezone existing R-15, R-20, and R-VS parcels to R/I (CD) for development of a continuing care retirement facility.

SITE PLAN DATA

1. **What existing structures are on this property?** 5 single family residential structures
2. **What is current land use?** single-family residential and vacant land
3. **Does this plan show:**
 - A. specific lots with buildings.

Will additional site plan review by the Town be required? No (site plan shows a specific lots with building but conditional notes would allow the mix and location of buildings to be altered without further review)

When? na

B. ___ a generalized development plan.

Will individual site plan approval by Town Board be necessary on a lot-by-lot basis?

C. ___ a change in conditions to earlier zoning site plan.

What previous approved plan(s) will this amend, if approved?

4. **What changes or expansions of land use are proposed?** Development of a Continuing Care Retirement Facility

What new structures or additions are proposed? There are 45 structures on site plan described as cottages (38); villa buildings (2), two (2) Independent living apartment buldings w/underground parking including a bistro and wellness center, a clubhouse building and two (2) additional building for assisted living and skilled nursing care.

CURBCUTS

Number of curbcuts on site plan: 2

Distance between closest curbcuts on property and/or adjacent property: 120' +/- on South Trade Street and 50ft +/- on Freemont Street

Are curb cuts connecting to:

- X **NCDOT maintained road.**
- X **Town maintained road.**
- ___ **Private street.**
- X **Thoroughfare designated on MUMPO Thoroughfare Plan.**

Zoning conditions for curbcuts: All lots or parcels are entitled to at least one driveway construction per street frontage on any street, excpet those along which access is otherwise limited or controlled. Requests for two driveways will be accepted only for lots with a street frontage of 350' or more.

Are zoning conditions being met? yes

PARKING AND LOADING

Proposed land use: continuing care retirement facility

How is parking calculated for this use in the Zoning Ordinance? 1.1 spaces for each independent living unit plus one space per each 2 employees on shift of greatest employment

Number of parking spaces required? 415

Number of parking spaces proposed? 562

Square footage of structure(s): 943,800sf for apartment buildings; 56,400sf for skilled nursing building; 37,400 sf for assisted living building and up to 3,300sf exclusive of garages for each cottage (38 cottages)

Number of employees on shift of greatest employment: 49

Will this use require a loading dock or zone? yes

If so, is it designed so it will not interfere with parking areas, driveways, streets or sidewalks? yes

SIGNS

Number of signs proposed attached: not given **detached:** 3
Size(s) of attached signs: na
Which way do attached signs face? na
Location of detached signs: at main entrance on S. Trade Street; at entrance from new section of Freemont Street; and near the intersection of S. Trade Street and Fullwood Lane
Size(s) of detached signs: 40 sq. ft. each
Zoning conditions for signs: 1 freestanding sign (40 sq. ft. maximum) per building, not to exceed one sign per 500 lineal feet of street frontage

LANDSCAPING AND OVERLAY REQUIREMENTS FOR SUBSEQUENT STAFF REVIEW

This property is subject to landscaping provisions as found in:

- X Landscaping Chapter of Zoning Ordinance
- Highway Overlay
- Downtown Overlay
- Screening Requirements for lots with rear yards or side yards abutting a thoroughfare.
- This property is exempt from landscape requirements.

Have any plans been provided with sufficient detail to determine that landscaping or overlay provisions appear in general to be met? no

If so, what deviations or deficiencies should be noted here? na

NEIGHBORHOOD MEETING

Has the required neighborhood/community informational meeting been held? yes

If yes, date of meeting: March 11, 2008

What, if any, changes are proposed by the petitioner as a result of the meeting? none

LAND USE PLANS

Has the applicant provided an explanation of how the petition will comply with adopted land use plans covering the geographical location of the Conditional Petition? yes

Is the explanation consistent with adopted plans? yes

If not, what is the discrepancy? none

ADDITIONAL REQUIREMENTS OR COMMENTS:

1. A Concept Plan for Post Construction Ordinance requirements must be approved by the Storm Water Administrator prior to approval of the zoning petition (#21 of the instructions for filing a zoning petition).
2. A thirty (30) foot landscape buffer is proposed along portions of the site bordering S. Trade Street and Fullwood Lane (no details are given). This area may or may not include the existing brick wall along S. Trade Street shown on the plan (note #28) and may or may not include fencing along the perimeter of the site (note #27).
3. A thirty (30) foot undisturbed buffer is proposed along portions of the site bordering existing residential zoning and development.
4. The proposed Freemont Street Section needs to be revised to meet Town standards.
5. Note #3 limits the total number of units and total number of beds to not more than 500 total while providing flexibility to alter the number of units/beds by type not to exceed the limits by type as outlined in notes 4 thru 9. Note 9 includes duplex buildings not included on the site plan. As written a change in site unit mix would not require further approval from the Town.
6. The signs on page ZP-06 should be labeled as internal signs to avoid confusion.
7. Site walls (typical) are shown on the site plan. Are these retaining walls? Petitioner needs to provide more detail information.

ZONING PETITION STAFF CHECKLIST

IDENTIFYING DATA

Name of Owner Jimaana Properties; Ori Johnson and Smith Wade & Co.; Jon S. Johnson and Robirene Johnson; Aana Lisa Johnson Trust; Aana Lisa Kane (Allen); Aana Lisa Johnson Trust and Aana Lisa Whatley; Johnson Venture Properties

Address of Property 801 S. Trade Street; 824 S. Trade Street; S. Trade Street; 914 S. Trade Street; 738 S. Trade Street; S. Trade Street

Tax Parcel Number(s) 227-151-12; 227-151-13; 227-151-14; 227-151-21; 227-151-22; 227-151-23; 227-151-24; 227-151-25

Date 04/09/08

GENERAL BACKGROUND DATA

Current Zoning R-20, R-15, R-VS **Proposed Zoning** R/I (CD)

Current Use vacant and single-family residential **Proposed Use** retirement village

Property Dimensions
Lot Width 1,750 +/- along S. Trade Street **Lot Area** 44.879 acres

Established front setback, if structure present 50' +/-

DIMENSIONAL REQUIREMENTS

Current Zoning	R-15;	R-20;	R-VS	Proposed Zoning	R/I (CD)
Lot Area	15,000sf	20,000sf	3,000sf	Proposed Lot Area	5 acres
Lot Width	80ft	90ft	30ft	Proposed Lot Width	200ft
Front Setback	40ft	50ft	20ft	Proposed Front Setback	50ft
Side Yards	10ft	12ft	8'6'	Proposed Side Yards	50ft
Rear Yards	55ft	60ft	25ft	Proposed Rear Yards	50ft
Max. Height	35ft	35ft	35ft	Proposed Max. Height	60ft
Open Space	65%	70%	20%	Proposed Open Space	50%

Comments: none

MISCELLANEOUS PROVISIONS

If considered necessary, has a copy of the petition been sent by the applicant to the property's fire department for their review? yes

Date sent 02/20/08

Is any portion of this property in floodplain? no

Are there any known zoning violations on this site? no

If so, explain: na

Tax records indicate the owner(s) as: Jimaana Properties LLC; Ori E. Johnson and Smith Wade Co, Jon S. Johnson and Robirene Johnson; Aana Lisa Johnson Trust and Aana Lisa Johnson Trustee; Aana Lisa J. Allen: Aana Lisa Johnson Trust and Aana Lisa Whatley; Johnson Venture Properties III LLC

This application is submitted by: X the owner listed above
 X an agent for the owner
 X other

If agent or other, what documentation has been provided from owner or is none required?
 Letters of authorization from owners

LAND USE PLAN CONFORMANCE

Is there a discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy? no

Land Use Plan elements that impact the subject property:

The general objectives of the Institutional section of the plain (page 18).

- To encourage quality institutional services and facilities for all residents
- As demographics of the community indicate need, provide services/opportunities for senior citizen housing, day care, recreation, assisted living and nursing/rest home care.

The general recommendations of the Institutional section of the plan (page 19).

- Encourage programs and development projects that provide services/opportunities for senior citizens

ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?
 Pending South Trade Street improvements with possible changes to the S. Trade Street/Fullwood intersection

2. What are adjacent properties zoned, and what are adjacent land uses?

Direction	Zoning	Land Use
North	R/I (CD); R-12	nursing home and single-family residential
Northeast	R-12	single-family- residential
East	R/I (CD)	Matthews Methodist Church
Southeast	R/I (CD)	Matthews Methodist Church
South	R-15	single-family residential
Southwest	R-15	single-family residential
West	C	Plantation Estates
Northwest	C	Plantation Estates

3. What are development plans in the area – roads, schools, future commercial development, etc.?
 Pending S. Trade Street improvements including possible changes to S. Trade/Fullwood intersection: Weddington Road Moving Ahead project in 2008 and future I-485/Weddington Road interchange

4. **Is there a reason the current land use cannot continue to be feasible as it now exists?**
no - could continue as single-family residential property

5. **List some potential uses under existing zoning.** R-15 and R-20 - Dwellings, one family detached; Group Homes; Farms; Parks and playgrounds; Customary Home Occupations; Fire Stations; Churches and related uses with less than 400 seating capacity; Schools, elementary, junior and senior high, public and private, which have a capacity of up to 100 students; Bed and Breakfast Guest Homes; Private stables; Child Day Care Homes; Accessory Apartments. R-VS – Limited to a sheltered household operated by Lois’ Lodge.

6. **List some potential uses under proposed zoning.** Parks and Playgrounds; Fire Stations; Cemeteries; Public Libraries; Churches and related uses; Community Recreation Centers; Schools, elementary, Junior and Senior high, public and private; Child day care homes and child day care facilities; Adult Day Care Centers; Nursing Homes; Rest Homes; and homes for the aged; Hospitals; Indoor and/or outdoor tennis and racket clubs, and associated swimming pools and swimming facilities, operated on a commercial basis under specific conditions; Commercial Riding Stables; Young Men’s Christian Association and comparable organizations; Continuing Care Retirement Communities.

7. **Are any of these uses inappropriate for this location, and if so, why?** Yes, those uses which would impact traffic during am and pm peak travel times.

8. **(A) What is applicant’s stated reason for requesting rezoning?** "To provide for the development of a continuing care retirement community, Plantation Village, that will compliment the existing Plantation Estates."

(B) Comments: none

9. **(A) What will be the benefits to the surrounding properties?** Non commercial development of one of the last large parcels of land near downtown. Projected use would not have significant impact on am and pm travel times.

(B) What will be the detriments to the surrounding properties? Traffic impact associated with development of largely vacant land area.

10. **Is a traffic study required for this petition?** yes

If so, what are the recommendations of the study? - As revised (4/09/08)
 1. South Trade Street Access
 - Construct Access to the site with one ingress and two lanes of egress (left turn lane and a combination through-and-right lane) and a raised median.
 - Construct a left turn lane w/150’ of storage and a 100’ taper.

 2. Freemont Street Access
 - Construct Access with one ingress and one egress lane.

 3. Freemont Street
 - Construct extension of Freemont Street to Fullwood Lane to comply will all subdivision requirements/standards.

 4. Freemont Street and Fullwood Lane
 - Construct the approach to Fullwood Lane from Freemont Street to consist of an exclusive left turn lane with 50’ of storage and appropriate tapers and a combination through-and-right lane.

11. **What does the purpose statement of the proposed zoning district say?** This district is intended to allow complementary development of certain institutional or public uses in predominately residential areas. Uses in the R/I District are generally considered compatible with residential growth but are of a significant size and or scale which requires extra conditions in order to lessen their impact on neighboring residences. It is intended that the R/I District designations be scattered within single- or multi-family districts.
12. **Will this proposal meet the intent of the above purpose statement?** yes

OUR TOWN – *Our Vision*

1. Small Town Feeling and Identity Matthews has kept its small town feeling and identity, while continuing to grow. Attractive neighborhoods, a variety of churches, quality schools and an outstanding medical center make for a full service community. Above all, people feel safe and secure here. Streets in Matthews exude a small town charm - overarching street trees, attractive landscaping, understated signage, and wide, shaded sidewalks. Small parks and natural areas dot the community. Retail parking lots, once viewed as "seas of asphalt", have been broken up, softened, and shaded with landscaped islands and perimeter buffers. Matthews has avoided "anywhere USA" franchise-style development. Instead, buildings, old and new, honor the 100-year-plus heritage of the community. New buildings are largely of modest height and scale, and are finished in traditional wood and brick architectural themes.

2. Well-Planned, Functional Transportation System A system of improved arterial roads, combined with traffic calming measures downtown, have successfully diverted non-local, commuter traffic away from downtown Matthews. These improvements were part of a comprehensive transportation plan, pushed through as a priority with State and regional funding. Trade and John Streets have especially benefited, and are now better able to serve patrons of downtown shops, restaurants and other attractions, as well as local residents. The character of these and most other town streets reflect a more pedestrian-friendly environment. A new mass transit service, with several stops in Matthews, provides a useful alternative for those seeking a stress free trip to and from Charlotte.

X 3. Walkable and Bikeable Community - The proposed project will include significant new sections of sidewalk along South Trade Street and Fullwood Lane. Matthews continues to work toward becoming a very walkable and bikeable community. New streets, as well as improvements to existing streets, are designed for multiple users (motorists, bicyclists, and pedestrians) -according to the level of traffic intended. Most streets have sidewalks on both sides; many larger streets have bike lanes. Designated crosswalks are evident throughout Matthews, especially in the downtown area. In general, there is a high level of connectivity between streets, sidewalks, bikeways, walking trails, and greenway trails. Parking lots are also connected to allow shoppers to go from store to store without entering the highway. This continuous system provides for a multitude of driving, walking and bicycling alternatives. Cul de sacs are employed sparingly, in favor of fully connected neighborhood streets.

X 4. Vibrant, Pedestrian-Friendly Downtown - Project supports pedestrian friendly downtown by providing a significant new residential community in walking distance to Downtown. Downtown Matthews has gained even more prominence as the social and cultural heart of the community. The downtown has become a true destination in the region, with a reputation for quality restaurants, quaint shops, boutiques and other thriving businesses. Sidewalks and streets are filled with people of ail ages day and night, drawn by the historic character and beauty of the area, the human scale of its buildings and public spaces, and a constantly changing venue of arts and entertainment offerings. New, moderate-density housing at the edge of the downtown and in the upper floors of downtown buildings provides support to merchants and twenty-four hour security for downtown visitors. The Town government has been proactive in creating a physical, financial, and regulatory environment especially conducive to small business development in the downtown area.

5. Extensive Park and Open Space System As the community has grown, Matthews has steadily added to its system of parks and open space. Several larger park and open space areas have come about, through advanced planning and property acquisition by the Town. Many smaller park and open space areas have been created as part of the Town's routine development approval process. Tools such as cluster development, open space incentives, conservation easements, and land dedication (or fees in lieu of land dedication) have ensured that new developments provide for their fair share of park and open space areas. In addition, an extensive system of greenway trails, primarily adjoining area streams, connects many schools, parks, open spaces, and neighborhoods in Matthews.

6. Locally Controlled, Neighborhood Schools Schools in Matthews have been planned well in advance of growth to avoid overcrowding and the need for mobile classrooms. Instead of building large, impersonal schools, new smaller schools have been located and designed to serve and be accessible to the local areas around them. Rather than functioning as single purpose "factories to educate children", schools in Matthews, whether public or private, serve as true neighborhood centers, providing meeting space for community gatherings, recreational events and other functions. As part of this trend toward smaller, community-oriented schools, oversight of public schools in Matthews has shifted from regional governance to town governance.

7. Healthy Town Financial Footing By facilitating compact growth and efficient development patterns, Matthews has continued to deliver quality municipal services for a tax rate below regional averages. In addition, the Town has been able to maintain a healthy balance of quality residential development and compatible commercial development—thereby affording the Town a favorable tax base. Impact fees and infrastructure improvements, paid for by developers, have been successful in offsetting the costs of additional infrastructure and services brought about by growth-induced demand. This has lessened reliance upon existing property tax payers to pay for growth.

8. Firm and Fair Growth and Development Process The town government of Matthews has continued to advance a firm and fair process for managing growth and development. Through its land use plan and development ordinances, the Town has set clear policies and standards to assure quality development. The Town enforces these standards diligently and consistently. The Town's development review process emphasizes effective communication and consensus among all parties, including the Town Council, the Planning Board, the Town staff, the developer, other Town advisory boards, and the public. The Town requires that necessary infrastructure, including especially adequate roads, schools, open space and greenways, sidewalks, and drainage, must be in place prior to the occupancy of the new development it serves.

9. Balanced, Compatible Commercial Development Town leaders have navigated a careful course, balancing the need for sustained economic development against the potential threats to the community from over-commercialization. Small, locally owned shops have been especially encouraged by a zoning and regulatory environment conducive to small business. Both small and large businesses alike have been required to take on development forms that blend easily into a small town setting and image. Previously vacant commercial and industrial buildings have been renovated and adapted for use as cultural facilities, retail enterprises, office and institutional use, innovative housing, and as small business development centers. Policies have been implemented to prevent indiscriminate abandonment and prolonged vacancies of "big boxes" left behind for "bigger boxes".

x 10. Quality Residential Development **The proposed continuing care retirement community can provide needed senior housing opportunities while providing on-site services to reduce need for auto related trips.**

Matthews has remained mostly a low density, single-family residential community. Within this context, housing innovations have evolved to address two key issues: (1) traffic congestion and (2) quality affordable housing. To cut down on the growth in traffic, walkable neighborhoods convenient to appropriate, pedestrian-scaled areas, as well as transit services, have been favored over automobile-dependent, cookie-cutter subdivisions. The affordable housing needs of service workers, senior citizens, young couples, and others have been met through a variety of housing forms compatible with single family neighborhoods (rather than typical large complexes of apartments, condominiums or institutional housing). New and old neighborhoods alike are well maintained, having benefited from the town's strategic location, sustained economic prosperity, and overall quality of life.

11. Destination for Arts and Culture Matthews has solidified its position as a major destination for arts and culture in the Charlotte region. Appreciation for the arts and culture begins with value placed on the unique heritage of the area, exemplified by the preservation of historic buildings and landmarks throughout the community. Cultural activities include a broad selection of traditional and contemporary art forms, festivals, concerts, plays, movies, sporting venues, and cross-cultural events. Young and old, as well as people from many ethnic backgrounds, are drawn to a constantly changing array of indoor and outdoor events. It is this great variety of offerings that has given Matthews an outstanding reputation in the cultural and social landscape of the region.

x 12. Healthy, Sustainable Environment **By providing on-site amenities and services the continuing care community will reduce need for auto related trips.**

In managing its growth, Matthews has worked to minimize adverse impacts to the region's air and water quality. The Town's growth policies and development standards have reduced automobile dependency; many residents of Matthews are able to walk or bicycle to most daily activities. Matthews' walkable neighborhoods and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through Matthews receive less storm water runoff and pollution due, in part, to policies on tree preservation, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides. Solid waste levels have been substantially reduced through area-wide recycling efforts.