

**MINUTES  
PLANNING BOARD  
TUESDAY, JANUARY 22, 2019  
7:00 PM  
HOOD ROOM, MATTHEWS TOWN HALL**

**PRESENT:** Chairman David Wieser; Vice-Chairman Kerry Lamson; Members Jana Reeve, Michael Ham, Mike Foster, and Natasha Edwards; Youth Voice Matheus Sadovsky; Acting Town Attorney Craig Buie; Interim Planning Director Jay Camp; Senior Administrative Specialist /Deputy Town Clerk Shana Robertson.

**ABSENT:** Member Mike Rowan; Alternate Members Larry Whitley and Scott Query

**CALL TO ORDER**

Chairman David Wieser called the meeting to order at 7:00 pm.

**APPROVAL OF THE MINUTES**

Michael Ham motioned to approve the minutes from the January 8, 2019 Planning Board meeting. Mike Foster seconded and the motion to approve was unanimous.

**ELECTION OF CHAIR AND VICE CHAIR FOR 2019**

Kerry Lamson nominated David Wieser as 2019 Planning Board Chair and the nomination was seconded by Mr. Foster. The nomination was unanimously approved.

Natasha Edwards nominated Kerry Lamson for the 2019 Planning Board Vice-Chairman. The nomination was seconded by Jana Reeve and unanimously approved.

**ADMINISTRATIVE AMENDMENT – 2035 Moore Rd, Liberty Healthcare, Royal Park CCRC, Revisions to Phase 2, Independent Living Units**

Interim Planning Director Jay Camp reviewed the Planning Board's request for a continuance from the November 28, 2018 meeting. Mr. Camp gave a summary of the Administrative Amendment request and the changes that had been made since the Planning Board last heard from the applicant. The changes included the addition of fourteen guest parking spaces around the cottage units and more detailed elevations of the clubhouse and the cottage units. Mr. Camp reminded the Board that there would be no change to the total max number of units for all three phases of the project.

Mr. Lamson asked for a review of the number of units in the project. Mr. Camp said that the rezoning allowed for 204 units to be developed in the second phase of the project. This was out of the maximum 300 units and phase two would include 184 independent living apartment units and 20 cottage units.

Mr. Ham asked if the assisted care facility that was planned in phase three would be coming back to the Board for approval. Applicant representative John Carmichael with Robinson Bradshaw, 101 N Tryon Street, Suite 1900, Charlotte, NC 28246 said that the conditional notes required the office development to come back for elevation approval but there was nothing in the notes that would require site plan or elevation approval for the assisted living phase of the project. Mr. Carmichael said that the assisted living facility was part of the total development but it was not part of the second phase.

Mr. Wieser clarified that phase two would be for 204 units. Mr. Camp said that was correct and the applicant could construct 96 additional units somewhere on the site in the third phase of development.

Mr. Lamson said that the conditional notes for phase three only listed the construction of the assisted living facility. Mr. Camp asked if the applicant would be comfortable clarifying the conditional notes to include both assisted living and independent living for phase three. The applicant said that they would agree to the change.

Mr. Ham asked if the applicant had considered adding some studio style units to reduce costs further. Jay Oglesby, President of Capstone Lifestyle Communities said that in other markets the demands were for larger one and two bedroom units. Mr. Ham said that just adding a few studio units would increase the affordability of the development. Mr. Oglesby said they were looking to target active seniors from the Windsor Run or Plantation Estates communities that were looking for more affordable space.

Mr. Ham said that he was bothered that the third phase would not be coming back to the Board for site plan or elevation approvals. Mr. Ham asked if he could make that a condition of the approval and Acting Town Attorney Craig Buie said that phase three was not a matter before the Board that evening.

Mr. Foster asked what the tentative date for the construction was of the third phase. Paul Babinski, Nursing Home Facilitator with Liberty Senior Living said that he estimated a two to five year time period.

Mr. Lamson motioned to approve the requested zoning action as it was found to be consistent with the Matthews Land Use Plan as it supported the economic viability of the Royal Park development. It was reasonable because it met the definition of CCRC and was in the public interest because it provided additional services for Royal Park customers. The site modifications, reduction of density and architectural revisions were consistent with the general vision from the original rezoning plan that was approved in 2011. Mr. Ham seconded the motion and it was unanimously approved.

#### **REQUEST FOR REAPPLICATION: Proposed Discount Tire at 1625 Windsor Square Drive**

Mr. Camp explained to the Board that after a rezoning is denied, the Unified Development Ordinance required a one year waiting period for any new applications to be submitted for a parcel. This waiting period could be waived by the Board of Commissioners if there was a substantial change from the previous request. Mr. Camp said that it was staff's recommendation to allow that the one year waiting period be waived to allow Discount Tire to submit an application for a change of condition because the changes proposed were significantly different than the previous request. This request was being made for property at 1625 Windsor Square Drive that was proposed for a use by the Alcoholic Beverage Commission but denied in August 2018. Mr. Camp said that reasons for the waiting period was more related to residential neighborhoods. Mr. Camp added that the Independence Boulevard widening project and the loss of the traffic signal aided in the hardship of the property owner to lease or sale as restaurant use.

Mr. Foster said that the building was unattractive and something needed to be done with it. Ms. Edwards agreed.

Ms. Reeve recommended that the Town Board of Commissioners waive the one year waiting period to allow Discount Tire to submit an application for a change of condition. Mr. Foster seconded the motion and it was unanimously approved.

#### **ADJOURNMENT**

Ms. Edwards motioned to adjourn and Mr. Ham seconded. The motion passed unanimously and the meeting adjourned at 7:37 pm.

Respectfully submitted,



Shana Robertson  
Senior Administrative Specialist/Deputy Town Clerk

**APPROVED**  
2/26/2019