



Case No. TA 22-01
Date rcvd 10-3-2022

Text Amendment Application

Contact Information

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Amendment Information

This petition is to amend the Land Development Ordinance as shown in the attached Exhibit B and for the purposes described in the attached Exhibit A.

Applicant Signature

I hereby certify that the information contained herein is true and completed. I understand that if any item is found to be otherwise after evidentiary hearing before the Town Board of Commissioners, that the action of the Board may be invalidated.

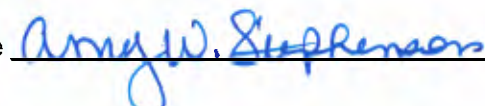
Signature  Date 9-21-2022
Matthew J. Carpenter

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, a Notary Public, do hereby certify that Matthew J. Carpenter
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 26th day of September 2022
My commission expires 10/2/2023

Signature  Seal

AMY W. STEPHENSON
NOTARY PUBLIC
WAKE COUNTY, N.C.

EXHIBIT A
to
Residential Care Text Amendment Application

Text Amendment Justification

This Text Amendment Application (“Text Change”) is filed concurrently with a Rezoning Application (the “Rezoning”) to facilitate the development of Arden – a senior housing community along the Town’s Main Street corridor (the “Project”).

The current senior housing market is characterized by government subsidized affordable senior housing on one end, and luxury all-inclusive senior housing on the other; leaving a large demographic of seniors unserved. This group is referred to as the missing middle – seniors who earn too much in retirement to qualify for medicare but not enough to afford all-inclusive congregate care facilities; often retired teachers, police officers, and nurses.

Arden seeks to serve missing middle seniors as an active adult, age-restricted community with congregate-care style living, controlled access, interior corridors and elevators, walking paths, fitness centers, and natural areas. Arden will offer residents the opportunity to live independently in a community designed specifically for active seniors with amenities such as a community dining room, craft/business center, library, pool, and fitness center. To ensure affordability to middle market senior residents, Arden will provide some services, including access to care and personal services such as dining, housekeeping, home and grounds maintenance, and security, on an a la carte basis through third party partnerships. This model allows residents to control costs by tailoring their level of services to their specific needs.

Due to its age restriction, unique a la carte services model, and focus on the middle-market senior demographic, Arden’s use does not fit neatly within any existing use definitions in the Town’s Land Development Ordinance (“LDO”). Accordingly, this Text Change proposes to:

- (1) Amend LDO Section 5.1.2.J. to create a new sub-use under Residential Care, Independent Living Facilities. To qualify as an Independent Living Facility, each dwelling must be occupied by at least one person 55 years of age or older. Independent Living Facilities provide a number of services and feature controlled access and interior corridors. The primary difference between Independent Living Facilities and Convalescent Care Facilities is the presence of 24-hour medical care.
- (2) Amend LDO Table 3.1.3. to allow maximum building height of 55 feet for Residential Care uses in the Residential High Density (RH) district. The additional building height allows a more efficient building design, economies of scale, and greater residential density near Main Street. These economies of scale allow for lower rents vs luxury buildings, which allow Arden to serve middle-market residents.

The Text Change is also consistent with the Text Amendment Review Standards in LDO Appendix A, Section 2.4.F. as follows:

1. **Whether the proposed amendment is consistent with the comprehensive plan and other applicable adopted town plans;**

Response: The Text Change will allow the development of much needed senior housing, in close proximity to the Town's revitalized Main Street. It will permit a housing type not currently permitted by the LDO to allow residents of Rolesville to age in place, consistent with the following goals and policies:

- Main Street Vision Plan, Corridor Development Strategy 1 for the Central – Lifestyle Village (Main & Burlington Mills): “Support market rate housing development with mix of product types: townhomes, apartments, senior housing. *See* Main Street Vision Plan, pg. 80.
- Main Street Vision Plan, Corridor Development Strategy 3 for Central – Lifestyle Village (Main & Burlington Mills): “Housing product to incorporate higher densities. *See* Main Street Vision Plan, pg. 80.
- Main Street Vision Plan, Corridor Development Strategy 1 for All Areas – “Facilitate expanded new housing options along the corridor.” *See* Main Street Vision Plan, pg. 80.
- Main Street Vision Plan, Goal #2: Promote diverse housing stock for multiple age groups and income levels: “One of the top issues raised by residents of Rolesville and people who want to move to Town is the lack of diverse housing. There are *few multifamily options* and most of the single-family housing starts at \$300,000, well out of the budget for workforce buyers and renters. By *diversifying the housing for* millennials and *aging retirees*, the opportunity arises for more people to live, work, and shop in Rolesville, boosting the local economy and creating the *opportunity for multiple generations of families to remain in the community they made a life in.*” *See* Main Street Vision Plan, pg. 16.
- Comprehensive Plan Goal LU1. Encourage a walkable, connected Town in the face of rapid growth. *See* Comprehensive Plan pg. 42.
- Comprehensive Plan Goal D1.1. Take actions to ensure that new housing stock provides diverse options around Main Street. “New neighborhoods that are developed should provide *a mix of housing options for* young adults, families, *senior citizens*, etc. *so that citizens can age in place* and have options for their housing expectations. *See* Comprehensive Plan pg. 83.

2. **Whether the proposed amendment is in conflict with any standards of the LDO, Comprehensive Plan, and/or the Town Code;**

Response: The Text Change does not conflict with any standards of the LDO, Comprehensive Plan, or Town Code. But, rather, will provide a new housing type consistent with the Town's long range goal of providing diverse housing options.

3. **Whether there are changed conditions that require a text amendment;**

Response: The proposed Text Change, to create a new category of senior housing, is in direct response to rapid growth in Rolesville and urgent need for middle market senior housing.

4. **Whether the proposed amendment addresses a demonstrated need within the community;**

Response: As discussed above, the Text Change is in direct response to significant demand for middle-market senior housing in the Triangle as a whole and Rolesville specifically.

5. **Whether the proposed amendment is consistent with the purpose and intent of the zoning districts of the LDO, would improve compatibility among uses, ensure efficient development within the town, and addresses a standard that is inadequate for development in the LDO; and**

Response: As discussed above, the Text Change defines a new housing type for seniors that is not currently defined in the LDO. Accordingly, the Text Change will allow development of new senior housing units to serve the Town's growing population. It will also facilitate efficient development by allowing apartment style senior living that promotes walkability and alternative modes of transportation in close proximity to Main Street.

6. **Whether the proposed amendment would negatively affect health, safety, and welfare of the town.**

Response: The Text Change will not negatively affect health, safety, and welfare of the Town. Rather, it will improve health, safety, and general welfare by allowing more senior residents to age in place and live in a vibrant community of their peers. It will also provide housing for residents that are more likely to reside in Rolesville permanently and patronize existing and future retail along Main Street.

Exhibit B
to
Residential Care Text Amendment
Application

ROLESVILLE LAND DEVELOPMENT ORDINANCE

J. Residential Care (ALF, ILF, CCF)

1. Residential Care shall include Characteristics: ALF (Assisted Living Facilities (ALF)), Convalescent Care Facilities (CCF), and ILF (Independent Living Facilities (ILF)), each as defined below: CCF (Convalescent Care Facilities)-

a. ~~provide~~ Assisted Living Facilities and Convalescent Care Facilities:

residential facilities with on-site twenty-four (24) hour medical care for seniors. This use category describes building or buildings, section or distinct part of a building, private home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding 24 hours to one (1) or more adults who are not relatives of the owner or administrator.

~~b. Independent Living Facilities: One or more buildings featuring age-restricted Multiple Family Dwellings where each dwelling is occupied by at least one person 55 years of age or older that provide one or more of the following amenities or services for persons not related to the owner or administrator by blood or marriage: food service, trash service, local transportation services, community library, programmed activities, salon services, and other personal services. Independent Living Facilities shall feature controlled access to the principal building, interior elevators in buildings greater than two stories, and conditioned corridors. The term shall not mean Assisted Living Facilities and/or Convalescent Care Facilities that provide medical care and support services to persons not capable of independent living.~~

2. Accessory Uses. Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
3. Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.
4. Uses Not Included.
 - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see commercial categories).

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5. Use Standards.

- a. Residential care facilities are permitted a number of rooming units equal to two (2) times the density of the applicable district. For example, if ten (10) units per acre are allowed, the residential care facility may have twenty (20) rooming units per acre.
- b. Structures shall demonstrate a pedestrian circulation plan, including internal walkways, and shall include provisions for alternative transportation options within ½ mile radius for residents of the facility.
- c. Residential care facilities shall be designed and used to serve its residents and their guests only.
- d. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening.

ROLESVILLE LAND DEVELOPMENT ORDINANCE

3.1.3. RESIDENTIAL HIGH DENSITY (RH)

- A. **Purpose and Intent.** The Residential High Density (RH) zoning district is established as a district in which the principal use of land is for residential purposes, including attached, double family, and multiple family dwellings. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of higher density residential structures. RH implements the high density residential future land use at a density range of six (6) to twelve (12) dwelling units per acre.
- B. **Development Standards.** The RH district shall conform to the standards identified in Table 3.1.3.

Table 3.1.3. RH Development Standards

STANDARDS		RH REQUIREMENTS		
Building Height		Max: 35'		
		Max for Residential Care uses: 55'.		
Density		Max: 6 Dwelling Units Per Acre (Single Family Detached) Max: 9 Dwelling Units Per Acre (Attached) Max: 12 Dwelling Units Per Acre (Multifamily)		
		Single Family Detached	Attached	Multiple Family
Building Setback (Min/Max)	Front	15'	15'	20'
	Side	10'	0' Internal 10' End Unit Minimum 30' between structures	15'
	Rear	15'		
	Corner	15'	15'	20'
Lot	Width (Min)	75' (Single Family Detached) 20' (Attached)		
	Coverage	N/A		