

# MEMO

To: Anya Grahn, Senior Planner

From: Graham Smokoski, Project Manager, Self-Help

CC: Judy Johnson, Assistant Planning Director; Colleen Willger, Planning Director

Date: May 12, 2021

Re: CASA-Horizons Building at Homestead Gardens

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This document provides information relevant to Town staff as they consider a conditional rezoning application for a planned neighborhood development called Homestead Gardens that will be located at 2200 Homestead Road in Chapel Hill. CASA's planned 32-unit apartment building in the Homestead Gardens neighborhood will be master leased to UNC Horizons. Horizons plans to apply for a license, which is unrelated to developing or building the apartment building, for a residential recovery program which specifically requires the housing units licensed to be in a residential setting (not institutional or commercial). Residents of the planned apartment building will include participants in the UNC Horizons program as well as graduates of the program. State DHHS guidance is that typically these licenses are issued for apartment units in regular, market-rate apartment communities, which is exactly where Horizons is operating their housing now – in a group of apartments within a market rate community – and is consistent with the plans for Homestead Gardens.

## Program Participants

The Horizons program serves pregnant and parenting women recovering from substance abuse issues and their children. The Horizons program does not serve the populations listed in the Town's Group Care Facility definition, which includes:

- Handicapped  
The program does not serve participants on the basis of a handicap or mobility impairment, though such individuals would not be excluded if they otherwise qualify for the program.
- Aged  
The program does not serve participants on the basis of needs due to advanced age, as the program serves pregnant and parenting women with at least one child under age 12.
- Disabled  
The program does not serve participants on the basis of disability. Participants in the Horizons program must be able to live independently, and program participants do not qualify for disability benefits through SSI or SSDI.
- Runaway, Disturbed, or Emotionally Deprived Children  
The program does not serve runaway, disturbed, or emotionally deprived children, though children will reside in the apartment building with parents who are program participants.

### Program Services

The treatment services for Horizons program participants who will live in the CASA-developed apartment building at Homestead Gardens will be provided off-site at the Horizons facility in Carrboro. As described on the [Horizons website](#), the women “attend full-time treatment programming in Carrboro, including Horizons’ Substance Abuse Comprehensive Outpatient Treatment (SACOT) program, followed by our Substance Abuse Intensive Outpatient Program (SAIOP).” While participating in off-site treatment programming, Horizons program participants residing in the apartment building will live fully independently. Participants will maintain their own units in the apartment building and are responsible for their own shopping, cooking, child care, and all other daily tasks.

Horizons staff at the apartment building will provide general upkeep of the common areas of the facility; observe urine drug screens, which may occur on-site or off-site; observe patient medication (program participants are responsible for the administration of their own medication); and provide occasional child care to assist program participants.

### Facility Type

The apartment building to be developed by CASA at Homestead Gardens for lease to Horizons is not a facility of any of the five types included in the LUMO’s Group Care Facility definition.

- Is it a Group Home?

No, a group home is not defined by DHHS, but Orange County properties called Group Homes are classified by DHHS as Supervised Living for Adults with Developmental Disabilities, and involves staff present in the home with the occupants supervising them 24-7. Occupants have a disability that requires they be supervised at all times when in the home. A different license is required.

Additionally, it does not meet the “sniff test” of a group home. Typical group homes in NC are small, they are for persons with developmental disabilities, and they are not independent living – residents do not have their own dwelling unit, they do not have autonomy to come and go as they please, meals are provided. Examples of NC-wide group home providers include:

<https://rescarecommunityliving.com/our-services/group-homes/>

<https://www.nctlc.org/our-programs/residential-services/>

<https://www.arcnc.org/housing>

- Is it a Halfway House?

No, a halfway house is classified by DHHS as Supervised Living and involves staff present in the home with the occupants supervising them 24-7. Occupants have a disability that requires they be supervised at all times when in the home. A different license is required.

- Is it a Boarding Home for Children?

No, it is not a boarding home and it is for families with an adult head of household, not just children.

- Is it a Convalescent Home?  
No, individuals are not receiving nursing care to recover or rehabilitate from acute illness or injury.
- Is it a Nursing Home?  
No, its purpose is not to provide nursing or convalescent care.
  - DHHS definition of Nursing Home:

*Nursing home* means a facility, however named, which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for three or more persons unrelated to the licensee. A *nursing home* is a home for chronic or convalescent patients, who, on admission, are not as a rule, acutely ill and who do not require special facilities such as an operating room, X-ray facilities, laboratory facilities, and obstetrical facilities. A *nursing home* provides care for persons who have remedial ailments or other ailments, for which medical and nursing care are indicated; who, however, are not sick enough to require general hospital care. Nursing care is their primary need, but they will require continuing medical supervision. ([G.S. 131E-101](#))

*Nursing care* means:

1. Skilled nursing care and related services for residents who require medical or nursing care;
2. Rehabilitation services for the rehabilitation of injured, disabled, or sick persons; or
3. Health-related care and services provided on a regular basis to individuals who because of their mental or physical condition require care and services above the level of room and board, which can be made available to them only through institutional facilities.

These are services which are not primarily for the care and treatment of mental diseases. ([G.S. 131E-176](#))

*Nursing home* means a nursing home licensed under [this Chapter](#) and includes an adult care home operated as part of a nursing home. ([G.S. 131E-128.1](#))

### Summary

The information provided above confirms the CASA-Horizons apartment building at Homestead Gardens is a multi-family dwelling and is not a Group Care Facility.