

PSP-23-03
Reserve at Mitchell Mill (fka 5109 Mitchell Mill)
2nd Submittal
Planning/Zoning Comments

Project Background:

The following is the 2nd review of the Preliminary Subdivision Plat, dated August 1, 2023, and last revised on December 5, 2023, for Reserve at Mitchell Mill. The site is located at 5109 Mitchell Mill Road and is split zoned Residential Medium (RM-CZ) and Neighborhood Center (NC-CZ) through the recently approved rezoning case, MA22-06. This application is subject to the Town Land Development Ordinance (LDO).

The 141.23 acre subdivision proposes:

- Within the RM-CZ zoned portion of the property, utilizing LDO Section 3.1.B. Cluster Development option, one hundred ninety-one (191) Single-family Detached (SFD) Lots/Dwelling units.
- In the NC-CZ zoned portion of the property, one hundred sixteen (116) Single-Family Attached (SFA aka Townhomes, or TH) Lots/Dwelling units, and seventy-five (75) Single-family Detached (SFD) Lots/Dwelling units
- An overall total of 382 residential lots/dwelljng units - 266 SFD and 116 SFA aka TH.

Cover Sheet

1. **Repeat Comment.** The address is 5109 Mitchell Mill Road, not 5019. **Please revise the plan set to include the correct address.**
2. Regarding the Site Data Table:
 - a. **Repeat Comment.** Per LDO Sec 3.4.3.C, a maximum of 75% of the gross acreage of the NC district can be dedicated to residential uses. **Please demonstrate compliance with the Ordinance by providing calculations showing that no more than 75% of the gross acreage of the NC zoned portion is devoted to residential uses.**
 - b. **Repeat Comment.** Per the APPROVED ZONING CONDITIONS and concept plan provided with MA22-06, the minimum lot size for townhomes shall be 2,000 sq. ft. **Please revise the use table to be consistent with the one provided in the comment response letter. The applicant is showing the lots as a MAXIMUM of 1,800 sq. ft., which is not consistent with the approved zoning conditions which require lots to 100' by 20' or 2,000 square feet and not the 90' by 20' that is represented within the Site Data Table.**
 - c. **Repeat Comment.** To the Site Data table, also add the following information:
 - i. Building Height (Maximum)
 - ii. Maximum Building Size (NC District)
 - iii. Building Size Proposed
 - iv. Minimum Lot Width
 - v. Minimum Lot Length (NC District)
 - vi. Lot Length Proposed
 - vii. Density within each Zoning District
 - viii. Minimum building square footage as specified in MA22-06 Conditions of Approval
 - ix. Parking Provided (Per Use)

All these items were shown within the Site Data Table included in the comment response letter. Please update the plan set with this new Site Data Table to address this comment.

Existing Conditions and Demolition

3. **Repeat Comment.** Include use and zoning district of adjacent properties. Please add a note to the plan set stating, "All adjacent properties are Wake County zoned R-30 properties according to the according to the Wake County Register of Deeds."
4. **Repeat Comment.** Label the tree line and tree protection fencing areas. The dashed symbol used for the tree line is incredibly difficult to see amongst the contour lines and neither that symbol nor the tree protection fencing symbol are included in the legend. Please revise for clarity and to clearly identify the location of the existing vegetation to remain and the required tree protection fencing (TPF).
5. **New Comment Based Upon Changes to the Plans:** The applicant has provided the tree survey and noted which trees are preserved. Please ensure that those trees are shown on the Existing Conditions and Demolition sheets within TPF and with their critical root zones labeled as applicable.

Overall Site Plan

6. **New Comment Based Upon Changes to the Plans:** Different symbols are being used for Active Open Space and Passive Open Space. Please update the legend to showcase all symbols used within the plan set.
7. **Repeat Comment.** Please label the zoning line using Pink or Orange, something not typical in the review/mark up process. Within the response letter the applicant noted that "Pink will be the NC-CZ Zone area West of Jonesville Road, Orange will be NC-CZ Zone east of Jonesville Road." However, this change was not made on the plan set. Please correct.

Partial Site Plan I

8. **Holding/Repeat Comment:** Label street names. We understand that the applicant has submitted a request to Wake County 911 for the approval of street names. Once received, please update the plans.
9. **Repeat Comment:** Label the ROW Width. The ROW width for Jonesville Road was not labeled on the plan sheet.
10. **Repeat Comment:** There are areas labeled as Open Space that are located to the rear of the individual lots or between the rear of a lot and ROW. This looks like an error as these should be buffer areas. The applicant responded stating "See Open Space Data Table Comment response 5." Upon review of the table, the applicant is proposing that 7.89 acres of perimeter buffer AND street yard buffer be deemed as passive open space across the entire site. According to LDO Section 3.1.B, only Type 2 buffers shall be counted towards open space for the RM-CZ zoned portion of the site. Note, Type 2 buffers shall be counted for NO MORE THAN 50% of the total open space for the RM-CZ zoned portion of the site and the Ordinance makes no mention of streetscape buffers being counted towards opens space requirements. Furthermore, buffers ARE NOT permitted to be counted as open space for the NC-CZ zoned portion of the site.

Partial Site Plan II

11. **Repeat Comment:** Correctly label buffer and open space areas include their width/sizes.
 - a. Stormwater facilities can go towards PASSIVE OPEN SPACE requirements so long as they meet the limitations of LDO Sec 6.2.1.G.7. According to the Ordinance section referenced, any stormwater facility used toward that requirement shall be publicly accessible through improved or primitive trails. Please label the required trails at each SCM in order for SCMs to be counted towards passive open space. Reminder: A maximum fifty (50) percent of total required passive open space may be stormwater facilities.

12. **Repeat Comment:** Include Greenway in Legend. Greenway was not included in the overall site plan legend. Please add to the legend.

Partial Site Plan III

13. **Repeat Comment:** Label SCM sizes. SCMs are included in the overall passive open space requirement. Please label the SCM sizes on the plan set so that we may confirm the information provided.

Partial Site Plan IV

14. Label the following:
 - a. **Holding/Repeat Comment:** Street names. See comment 8.
 - b. **Repeat Comment:** ROW Width of Jonesville Road The ROW width for Jonesville Road was not labeled on the plan sheet.
 - c. **Repeat Comment:** SCM sizes. See comment 13.

Partial Site Plan V

15. **New Comment Based Upon Changes to the Plan:** The applicant is now showing a lime green symbol through some of the townhome alley parking. Please clarify within the legend what this symbol represents.
16. **Holding/Repeat Comment:** Label Street Name. See comment 8.
17. **Repeat Comment:** Label SCM and open space sizes. See comment 13.

Partial Site Plan VI

18. **New Comment Based Upon Changes to the Plan:** Label SCM sizes. SCMs are included in the overall passive open space requirement. Please label the SCM sizes on the plan set so that we may confirm the information provided.
19. **Repeat Comment:** Label street name. See comment 8.
20. **Repeat Comment:** What is this area adjacent to "Street I" (previously street C)? The applicant responded stating that this area was to be open spaced however this is not labeled on this plan set. Please label this area as active or passive open space and include the correct symbol.

Partial Site Plan VII

21. **New Comment Based Upon Changes to the Plan:** Label the ROW width for Jonesville Road.

Partial Site Plan VIII

22. **New Comment Based Upon Changes to the Plan:** Please clarify what is meant by "Exercise Parking" as this is not an open space type mentioned on the open space chart.
23. **New Comment Based Upon Changes to the Plan:** The area across Mitchell Mill Road is being labeled as Open Space but there is not a safe way to access this area. According to LDO Section 6.2.1.G.4, "Open space shall be located and designed to be easily accessible for residents and/or users of the development. Open spaces shall make accommodations to provide universal designs that can be enjoyed by different target users and provide ADA accessibility." We will defer to staff, but we are unsure how this area can be counted towards the open space calculations based upon this LDO requirement.

Partial Site Plan IX

24. **Repeat Comment:** Label SCM size and width of all shown SCM easements. See comment 13.

Grading Plan

25. **Repeat Comment:** Label TPF. The applicant has provided a tree preservation plan noting the location of trees that are to be preserved. Please ensure that the grading plan sheets are consistent with the tree preservation plan in providing tree protection fencing and labeling tree protection fencing.
26. **Repeat Comment:** Label critical root zones. The applicant has provided a tree preservation plan noting trees that will require critical root zone protection. Please ensure that the grading plan sheets are consistent with the tree preservation plan & provide critical root zone protection to all applicable trees and label critical root zones on the plan set.

Preservation and Landscaping plan

27. **New Comment Based Upon Changes to the Plan:** The following comments relate to the Landscape Plan sheets provided:
- a. There are 14 street trees missing from the required amount.
 - b. Existing vegetation to be preserved needs to be labeled.
 - c. A lighting plan was not provided with this plan set. Please note that street lighting and trees will need to be coordinated to ensure adequate growth area.
 - d. A Type 2 buffer requires a six-foot-tall fence per LDO Table 6.2.2.1. Please update the plan to show the location of the fence and provide a detail.
28. **New Comment Based Upon Changes to the Plan:** The RM-CZ area of the site was approved by the Board as a "Cluster Subdivision". Please note the following requirements from LDO Section 3.1.B:
- e. Open space areas within the perimeter of the subdivision can be used for the buffering requirements. This is only applicable to portions of the site zoned RM-CZ. Please update the open space table to clearly separate open space within the required buffers and yards by zoning district.
 - f. The required open space **must be** conserved as a conservation easement. The applicant has not provided a note, or any indication of the street yard or perimeter buffers being placed into a conversation easement to be counted towards the open space requirement.
 - g. Required open space, recorded as a conservation easement, shall be indicated on all development approvals.
 - h. A Type 2 buffer shall be provided for cluster developments.
 - i. The Type 2 buffer may be counted towards **no more than 50%** of the required open space percentage for a cluster development. Again, please update the open space table to clearly separate open space within the required buffers and yards by zoning district AND to ensure that no more than 50% of Type 2 buffer is being used for credit.
 - ii. These buffers may also allow pedestrian paths within the buffers.
 - iii. These buffers shall be platted as separate tracts to be owned and maintained by the Homeowner's Association or similar entity. Please provide a note regarding this requirement.