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MEMORANDUM

To:	Meredith Gruber, Town of Rolesville, Planning Director Michael Elabarger, Town of Rolesville, Senior Planner
CC:	Kelly Arnold, Town of Rolesville, Manager
From:	Karen Morgan Mallo, AICP
Date:	February 4, 2022
Project:	MA22-02 Elizabeth Springs
Subject:	Rezoning – Map Amendment

We have reviewed the application and associated documents for the proposed rezoning of a 4.95 acre portion of the Elizabeth Springs subdivision from R40W, Residential 40 Watershed to R&PUD, Residential and Planned Unit Development.

The parcels to be rezoned were recorded on a Final plat (BM2021, Page 00121) on January 15, 2021 and re-recorded on another "Renaming" Final Plat (BM2021, Page 01210) on July 6, 2021.

An application had been made on May 21, 2021 to the North Carolina Department of Environmental Quality to redirect stormwater from the subject site from the Little River Water Supply Protection Watershed to the Smith Creek watershed, which is outside the water supply watershed protection area, thus permitting the watershed boundary to be moved. This line change was approved on August 4, 2021 subject to the applicant submitting as-built drawings and an Engineer's Certification to ensure the grading was completed as proposed.

As such, the applicant is now requesting the site be rezoned as it is no longer encumbered by the water supply watershed protection area.

We offer the following as it relates to the proposed rezoning application:

I. Application Documents Provided

A. Signed Application Form. We have no comments.

B. Water Supply Watershed Boundary Letter. Acknowledged. As mentioned above, the boundary change is subject to the applicant submitting as-built drawings and an Engineer's Certification to ensure the grading was completed as proposed.

C. Rezoning Statement.

1. Bullet 2: The Statement of Consistency should indicate how the proposed project is consistent with the Comprehensive Plan. The Statement of Reasonableness should indicate why the proposed zoning change is reasonable (the benefits of new vs old rezoning, is it in best interest of public, etc). The statement provided is the purpose of the R&PUD as taken from the UDO.

2. Bullet 5: The current use of the subject lot is not indicated.

3. Bullet 6: "Any additional information" section discusses the TIA. It should be noted that the proposed number of lots (based on concurrent application FP 21-09) exceeds that which is listed in the original TIA. Further, it is not clear if newly lots will be a part of Phase I or Phase II to indicate if memo from January 2019 is still valid.

4. If the proposed change involves a Special Use District, the applicant shall simultaneously submit an application for a Special Use Permit.

   The applicant has noted that there is an approved SUP 17-02. However, it should be noted that in Item #3 of the Recorded Special Use Permit SUP 17-02 (Book 017248, Page 01636-1645), the 6.53 acres that are currently zoned R-40W are specifically EXCLUDED from the SUP. The Town may require an amended, revised or a new Special Use Permit for the 6.53 (or the 4.95 acres) acres to be applied for simultaneously, and with an associated site plan, in accordance with Sections 3.1 and 3.9.2 of the UDO.

D. TIA/Trip Generation. It appears the memorandum from 2019 is missing, although the calculations which support such memo have been provided. Also, see comment I.C.3 above.

E. Recorded Final Plat (BM2021, Page 00121). The provided recorded plat has been replaced with another Final Plat (BM2021, Page 01210), recorded on July 6,2021. This includes newly platted Lots 1,2,3, and 4, Lots 83, 84, and 85 and revised "Old Lot 3" and "Revised Old Lot 4". The applicant should verify if the acreage of the rezoning is correct based on the revisions to Lots 3 and 4.

II. Comprehensive Plan Consistency

The proposed rezoning is consistent with the 2017 Comprehensive Plan and Future Land Use Map designation, which shows this area of Rolesville as medium density residential on the FLUM.

Medium density is defined as predominately single-family residential uses with portions of duplex, townhouse or multifamily residential. These are lots or tracts at a density range of three to five dwelling units per gross acre including preserved open space areas along with limited non-residential uses under planned unit development or form base code provisions.

III. General Comments

A. It would be helpful if the applicant provided an exhibit clearly displaying the proposed zoning change, showing not only the existing zoning boundary but the proposed zoning boundary in relation to the site and surrounding area.

B. We are aware that a Final Plat showing the platting of the area subject to this rezoning, has been submitted to the Town and is currently in review. While the comments will be further addressed during that review, we have concern that the rezoned area was excluded from the original SUP and the lots were considered and counted as open space during the Board approval of the preliminary plan. Further, it should be noted that although the approved construction drawings do show lots sketched into this area, the proposed layout does not match the proposed final plat(s). The applicant should work with the Town staff to identify and correct the inconsistencies in the most reasonable way possible.