

## MEMORANDUM

**To:** Meredith Gruber, Town of Rolesville, Planning Director  
Michael Elabarger, Town of Rolesville, Senior Planner

**From:** Liza Monroe  
Karen Morgan Mallo, AICP

**Date:** August 31, 2022

**Project:** 4928 Universal Rezoning (Jonesville Road)  
**MA 22-08**

**Subject:** Rezoning Application 1<sup>st</sup> **Review** Comments

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We have completed a review of the zoning map amendment (rezoning) application completed by applicant and property owner Ping Chen, dated June 8, 2022 and submitted on August 1, 2022. The application requests the subject property, 4928 Universal Drive be rezoned from R-30, a Wake County zoning distinction, to Residential Medium Density (RM) and Residential High Density (RH).

The applicant proposes sixty-four (64), single-family units in a conservation subdivision with a cluster option in the Residential Medium Density (RM) zoned portion of the property. In the Residential, High Density (RH) zoned area, the applicant is proposing 81 townhomes.

We offer the following:

### A. **Application Documents Provided**

1. To ensure that new development and redevelopment does not adversely affect the capacity of streets and intersections to accommodate vehicular traffic safely and efficiently, a Traffic Impact Analysis (TIA) is required to be submitted with the rezoning application per LDO Section 8.C.
2. ***Point of Clarification / No Response Required:*** The “Property Owner Information” that is required on Page 4 of the application is intended for the information of the adjacent property owners required to be notified of the proposed rezoning and annexation. However, Page 4 contains the owner’s information for the multiple lots of the project site. The intended information is provided on a separate document in the application packet.

### B. **Zoning, Comprehensive Plan, and Future Land Use Map Consistency**

#### Consistency Statements Required

Appendix A, Section 2.3 of the LDO discusses the process for rezoning and specifically requires statements of consistency with the adopted Town Plans by both the Planning Board and the Governing Body, in accordance with the standards of NCGS 160D-604 and 605. It should be noted that if the map amendment is adopted and the action is deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan.

#### Consistency with Comprehensive Plan

As mentioned previously, the applicant is proposing a split zoning of the subject parcel to both RM and RH. The 2017 Comprehensive Plan and Future Land Use Map designates this parcel as *Medium Density Residential*, which is described as, “Predominately single-family residential uses with portions

of duplex, townhouse or multifamily residential. Further, 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.”

While the proposed RM zoning would be considered consistent, the RH zoning, which would allow 6-12 dwelling units per acre, does not fit with the intent of this area and can be considered inconsistent.

It should be noted, however, the applicant has submitted a “site plan” with the application (although not a conditional zoning) and based on these plans, the proposed densities, even in the RH zoned areas, appear to be less than what is permitted by the ordinance. The applicant has not provided the actual acreages to confirm this so we would ask that the applicant revise the plans to provide this data and support their claims that the plans are consistent with the adopted plans of the Town.

### Zoning Considerations

1. The applicant is requesting both a Cluster option (LDO Section 3.1.B) AND a Conservation Subdivision (LDO Section 6.3). It does not appear that both are necessary, and the applicant can achieve the same results with a cluster subdivision and a conditional rezoning/conditional district. A conditional district (LDO 3.3) would allow for flexibility in design, the consideration of open space options, and allow the Town to set parameters for the maintenance and preservation of open space in perpetuity.
2. The applicant should consider scheduling an on-line meeting with the Town of Rolesville staff to understand the best path forward and the intent of the proposed design, relative to the LDO options available.
3. It appears that the applicant is meeting all the requirements of the Cluster Development option but has not provided enough information on the plans to determine compliance with the Conservation Subdivision standards. If the applicant chooses to continue with this option they shall demonstrate compliance with the requirements of Section 6.3, including all required calculations, plans, and covenants and restrictions. While this information is not required until the submission of the preliminary plat, the provision of the information should be considered in light of the requested rezoning.
4. The protection, restrictions, and maintenance responsibilities of the provided open space will be of concern to the Town of Rolesville governing body and staff. We would defer to the Town of Rolesville staff as to the best way to approach the open space from a holistic perspective, noting there are specific open space requirements contained in Section 6.2.1, applicable to all development, and those specific to Conservation Subdivisions in Section 6.3.

### **C. Concept Plan**

*Please refer to the concept plans for these and additional comments related to the proposed design. It will be at the discretion of the applicant to address these comments prior to the rezoning or wait and address at preliminary plat, should the rezoning be approved. It should be noted that additional review and comments will be provided at the submission of the preliminary plat.*

### Cover Sheet

1. Remove the name and phone number of Town of Rolesville staff. The address is sufficient.

2. Add the Town of Rolesville Case number to the Cover Sheet
3. Include site address(es) in the site data table.
4. Given that the individual zoning district acreages have not been provided, staff cannot confirm if the density and open space calculations are correct. Additional comments may be forthcoming in the next review.
5. Include corner setback dimension for both housing types. For townhouses, include minimum width between structures (30 feet).
6. Break out the acreage to clarify how many acres will be within each zoning district. Note, per LDO Section 3.1.3.B, No more than 15 gross acres may be assigned to attached or multiple family uses. This acreage limit shall be applied to the total of all attached and multifamily uses within a subdivision. Notwithstanding the foregoing, the acreage limit may be divided within and/or distributed throughout a subdivision.

#### Existing Conditions

7. Within the legend, clarify what "FP" means. We assume it is referring to the floodplain.

#### Site Plan

8. It should be noted that the applicant is providing 15' front setback for townhouse units. However, for a parking space to be considered in the driveway, a minimum setback/length of driveway will need to be a minimum of 19' to accommodate a 9'x19' space.
9. The site design has a number of areas in which the corners of lots don't necessarily align with the side lot line. This creates a number of short segments for surveying when it comes time to plat. It is suggested these corners meet. Areas are delineated on the plan.
10. The intersections of the entrances to the parking lot (near Street E) with Streets B and D are in close proximity to the intersections of Street E with Streets B and D. We suggest a redesign of this area. Suggestions provided on the plan.

#### General

11. In accordance with Section 6.2.4.2.A., a tree and/or vegetative survey is required and the preservation standards of 6.2.4.5. shall be provided.