

MEMORANDUM

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

From: Liza Monroe
Karen Morgan Mallo, AICP

Date: October 31, 2022

Project: 4928 Universal Rezoning / Jonesville Road / Harris Creek Farms
MA 22-08

Subject: Rezoning Application 2nd Submittal Review Comments

We have completed a review of the zoning map amendment (rezoning) application and associated Site Plan, dated June 1, 2022, and last revised, September 30, 2022. The application and plans request 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-eight (68) single-family detached dwelling units using the LDO Section 3.1.B 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. The sum total is 149 dwelling units on 93.23 acres.

When resubmitting, please cloud or highlight in another color any revisions to the plan set as well as “flatten” the plan set when converting to a PDF.

This application has been reviewed against the requirements found in the Town of Rolesville Land Development Ordinance (LDO).

We offer the following:

A. Application Documents Provided

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. *The applicant has indicated that a Traffic Study has been initiated.*

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 could be considered inconsistent. However, the applicant’s reason for requesting the RH zoning is that single-family attached homes (townhomes) are only permitted in the RH zoning district and not in the RM zoning district. With the intended 81 townhome units, the proposed density in the RH district of 5.77 units per acre is under the intended density of the High Density Residential in the Land Use Plan.

Zoning Considerations

1. The applicant is proposing a rezoning from [Wake County R30] to a split zone of RM and RH as mentioned previously. The applicant has also provided a detailed site plan showing the proposed layout of the site. However, the applicant has not requested a Conditional Zoning as a portion of this application. As such, if the rezoning is approved, the applicant is not bound to the proposed layout and may utilize the permitted densities for each of the proposed districts respectively. To ensure the layout is in substantial conformance to the site plan submitted, we suggest that the applicant revise the application to request a conditional zoning.
2. The applicant is requesting a Cluster option (LDO Section 3.1.B). The applicant will need to demonstrate compliance with Subsection 1 as it relates to open space and the provision of a conservation easement and Subsection 2 as it relates to the buffer being it’s own lot to be maintained by the HOA.
3. 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 suggest that the applicant submit the HOA documents, including the Incorporation documents and the Covenants, Conditions, and Restrictions. etc.. The applicant should also submit the ordinance wording for the conservation easements required.

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. The name of the project seems to be developing. Please remove Joneville Road and use, “Harris Creek Farms” instead.
2. Include corner setback dimension for both housing types. For townhouses, include minimum width between structures (30 feet).

3. 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 (single-family) 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

1. Existing Conditions Note 2 indicates that the property lies in Zone 'X' based on FIRM maps from 2006. First, the maps have been updated as of July 2022. Further, the property lies in multiple zones, including zone X but also a large portion of Zone AE, in the Special Flood Hazard Area. Please update the plans accordingly.
2. The symbol for manholes (MH) should be added to the Legend and we ask that the bold font be turned off.

10-Sheet Concept Plan set

1. The handicap spaces in the parking lots on Street C do not have sidewalk associated with the parking area. We suggest that sidewalk be provided from the handicap space to connect to the proposed sidewalk for the development along Street C.
2. The sidewalk proposed shown in typical cross section should be labeled and dimensioned. As the sidewalk is shown as a separate material, add to the legend provided on the site plan sheet.
3. In accordance with Section 6.2.4.2.A., a tree and/or vegetative survey is required and the applicant shall demonstrate compliance with the preservation standards of 6.2.4.5.
4. In the provision of open space and recreational discussion, the applicant should address the maintenance and ownership of the propped Greenway and trails. It is generally preferred by the Town that the trails be privately held/owned but publicly accessible with an access easement. We defer additional comment to the Town's Park and Recreation Department.