

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 29, 2022

Project: Hills at Harris Creek
MA 22-01

Subject: Rezoning Application – 3rd Review Comments

We have completed a review of the rezoning application completed by Ellis Development Group for the development of Hills at Harris Creek located on Mitchell Mill Road. The accompanying site plan was completed by Strongrock Engineering Group. The project proposes the creation of a 155,619 square foot commercial lot, an amenity lot, and 318 residential lots (211 Single-Family Dwellings and 107 Townhouses), on approximately 115.94 acres. The current zoning of the site is Wake County, R30. The proposed zoning is Neighborhood Center Mixed Use (NC).

When resubmitting, please **cloud or highlight in another color any revisions** to the plan set as well as **flatten** the plan set. This application has been reviewed against the requirements found in the Town of Rolesville Land Development Ordinance (LDO). Comment responses were not included in the letter provided with the third submittal so many of the review comments are repeat in nature as a response was not received nor were changes reflected or clear on the plans. We offer the following:

A. Application Documents Provided

1. **Repeat Comment; Items not resolved.** Applications are only to be submitted by the property owner or their designated representative. The application is signed by Timothy Smith but Register of Deeds shows that the Watkins are still the property owners. A Property Owner Authorization from should be submitted for each of the parcels noted. The applicant has provided five property owner consent forms as requested. Three of the forms do not list a person as an authorized representative in the box below the signature. Two forms that do contain a name is that of “Matt Hook of Ellis Development”. Please update the application to have Matt as the applicant or submit an updated consent form with Timothy’s name and signature as he is not the property owner.
2. “Mitchell Mill Road Investors” is noted as a property owner on the application. According to iMaps, the property owners are Alan and Randy Watkins, Laura and Randall Watkins, and Ellis Land Investment Company, LLC. Please update property owner information.
3. Update application to have “Matt Hook” as the contact’s name for Ellis Land Investment Company as his name is mentioned on the consent form.
4. **Repeat Comment.** The Parcel Identification Number (PIN) “1757738648” does not populate on iMaps nor the Register of Deeds website. Correct the application and legal description.
5. **Repeat Comment.** The address “5326 Mitchell Mill Road” as noted on the application, concept plan, and legal description of is for the property across the street. This appears to be an error as this parcel is not a part of the site design. The correct PIN for this address/parcel is **(PIN 1757738451)**. The plans and application materials should be

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updated to be consistent with iMaps: 0 Mitchell Mill Road (PINs: 1757778982 & 1757758529), 5333 Mitchell Mill Road (PIN: 1757750520), and 3645 Rock Farm Road (PIN: 1757761273). Further, the name of the project on the cover sheet should be listed as Hills at Harris Creek.

6. **Repeat Comment.** There are two parcels within the site design with the address “**0 Mitchell Mill Road**” yet only one is mentioned. PIN 1757758529 is missing from both the application and the legal description. An updated application and legal description need to be submitted that includes this parcel.

B. Concept Plan – Repeat Comments

In accordance with Section 3.4.3.B., a Site Plan is required as part of the Zoning Map Amendment.

The concept plan must show the detail necessary for staff and the Board to determine the impact of the proposed rezoning, compliance and/or exceedance of ordinance requirements, and what potential conditions are needed to reduce the impacts from the proposed rezoning and eventual development of this site. The plan shall allow the Board to determine any mitigation efforts of the impacts of the requested rezoning, such as buffers, traffic improvements, recreation, and environmental resource protection.

AT A MINIMUM, the applicant shall amend the plan to address the following items:

1. Update the cover sheet and all site data tables with the same parcel and contact information noted on the application.
2. **Repeat Comment.** Update the site data table to include the breakdown of parking spaces between uses.
3. **Repeat Comment.** By providing the RESIDENTIAL architectural drawings, staff can assume that the applicant intends to comply with the architectural design guidelines noted into LDO Section 6.8.5. If an applicant chooses to comply with the guidelines of this section, the applicant shall include the **consent statement** within LDO Section 6.8.5C on any required application/permit and on the final plat.

Consent Statement: “THE DEVELOPMENT DEPICTED HEREIN IS SUBJECT TO THE TOWN OF ROLESVILLE SINGLE FAMILY AND DUPLEX DESIGN GUIDELINES. I VOLUNTARILY CONSENT TO THE APPLICATION OF THESE GUIDELINES FOR ALL DEVELOPMENT HEREIN, THE ACCEPTANCE OF WHICH SHALL RUN WITH THE LAND REGARDLESS OF CHANGES IN OWNERSHIP. I RECOGNIZE THAT FAILURE TO COMPLY WITH THE APPLICABLE GUIDELINES FOLLOWING APPROVAL IS A VIOLATION OF THE TOWN OF ROLESVILLE LAND DEVELOPMENT ORDINANCE.”

It is worth noting that the Buildings construction materials should be included on the architectural drawings. The “Single Family #3” drawing appears to have vinyl which is prohibited except where used as an accent material, up to five (5) percent maximum of the façade per LDO Section 6.8.5.F.

4. Developments zoned the Neighborhood Mixed Center (NC) District must show compliance with:
 - a. LDO 3.4.3.C., a maximum seventy-five (75) percent of gross acreage can be dedicated to residential uses.

- b. Per LDO 3.4.3.D.1., a minimum fifteen (15) percent allocation of gross area for nonresidential uses.
 - c. Revise Concept Plan cover sheet/site data table to provide the correct percentages to ensure compliance with these.
5. Regarding LDO 6.4.3.G, parking for “Dwelling, Single-family Attached” (ie Townhomes) – Revise Concept Plan to show areas of guest parking, or explain the intent to meet this standard at Major Preliminary Subdivision Plat stage of development.

C. Comprehensive Plan Consistency/FLUM

The proposed rezoning is consistent with the 2017 Comprehensive Plan and Future Land Use Map distinction 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.

D. Future Submittal Considerations

Where possible, we ask the applicant to address the following site plan comments on the submitted concept plan to allow the Town Board of Commissioners a better understanding of the proposed development. If not addressed during the Rezoning process, please consider these *draft* Preliminary Subdivision Plat/Construction Drawing comments that will be required to be addressed during those applications reviews. In our experience, these are comments that take a little longer to address during (those future application reviews) and it may help the Applicant to begin thinking about how they plan to address these. Note: This is not a complete list of (future) comments.

1. The Existing Conditions Plan should identify existing property lines of the four subject parcels that make up the project site, as well as the property lines of the adjacent parcels for which owner information has been provided.
2. Tree save areas are shown on the site, especially to the rear of the site. The tree save areas overlap with wetlands, stream buffers, and proposed greenway locations. Please note that during site plan and construction drawing reviews, the location of the greenway may need to shift as environmental features have specific development standards and encroachment limitations.
3. A landscape plan, including a preservation plan, shall be included in the site plan and must be in accordance with LDO Sections 6.2.4.2 and 6.2.4.5. Please note, tree survey results are required to be a part of the preservation plan. Further, buffers, including Mixed-use buffers as outlined in Section 6.2.3. will need to be addressed.
4. A lighting plan is required to be a part of the site plan and must be in compliance with LDO Section 6.6.F. We would recommend reaching out to Duke Energy to collaborate on standards and design in addition to ensuring the plan is compliance with the Rolesville LDO.
5. Sidewalks shall be provided in accordance with LDO Section 9.2.1.C.

6. The plans should be revised to demonstrate compliance with the open space requirements of LDO Table 3.4.3 AND Section 6.2.1E. There should be at least three (3) small open space types and two (2) medium open space types as outlined in Table 6.2.1.2. and meeting the design standards of 6.2.1.G. Only three (3) small open space areas are labeled in the most recent submittal.
7. The applicant should address the location and provision of Central Mailboxes and associated parking.
8. The applicant should note that although the minimum required front building setback is 15', if garages are designed at the front setback and a driveway is provided, a 15' driveway length is insufficient to count as a parking space. A parking space shall be a minimum of 19' in length and shall not be permitted to overhang into a public or private right-of-way.
9. A note shall be added to the plans indicating compliance with Section 3.4.3.D.4. and 5 as it relates to the timing of development.
10. The applicant shall demonstrate compliance with the frontage requirements of the NC Zoning District outlined in Table 3.4.3.
11. A full review of the architectural designs shall be conducted during the site plan/construction drawing review to ensure compliance with LDO Sections 6.8.2 (non-residential building design), 6.8.4 (nonresidential pedestrian consideration), and 6.8.5 (single-family design).
12. The plans should include the location and details of the required street wall in accordance with Section 3.4.E.3