

PLANNING & ZONING MEMO

MA22-08 -- Harris Creek Farms

3rd Submittal

January 9, 2023

Project Background:

The following is the Third (V3) review of the zoning map amendment (rezoning) application and associated Concept Plan set, dated June 1, 2022, and last revised, December 1, 2022 for a residential subdivision named Harris Creek Farms.

The application and plans request the subject property (93.23 acres) be rezoned from Wake County's R-30 District to the following Zoning Districts under the Town's Land Development Ordinance (LDO):

- Residential Medium Density, Conditional Zoning (RM-CZ) to develop 61.08 acres for a maximum of 68 single-family detached dwelling lots utilizing the Cluster subdivision option. Density = 1.11 du/acre.
- Residential High Density, Conditional Zoning (RH-CZ) to develop 32.15 acres into a maximum of 81 single-family attached (Townhome) lots. Density = 5.77 du/acres.

A. Application Documents Provided

1. **Repeat** - 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. *Town Staff is aware that Ramey Kemp is preparing a Scope of Services asap for this, and progress should commence in January 2023.*
2. Provide a Survey and Legal Description (metes and bounds) of the two proposed Zoning Districts. The 10 sheet Concept Plan does not contain a straight-forward survey of the 2 districts, which is needed for mapping the districts should they be approved. Sheet C1.7 does not serve or meet this need. Per the Cover Sheet Site Data table, it appears the RH district is being proposed to be 32.15 acres, and the RM district 61.08 acres.

B. Proposed Conditions of Approval

1. FYI - LDO 3.3.B.2. states "Conditions ... shall be standards above and beyond the requirements of this LDO; conditions shall not lesser the standards in this LDO."
2. Condition #1 - There is/can be better language to get to the point of "general compliance" with the Concept plan on future Subdivision and Construction Drawing plans. Staff can make suggestions off-line if applicant is amenable.
3. Condition #2 - Please revise "Townhomes, Duplexes, and Single-family Units to match the terminology contained in Section 5 of the LDO. Ex: "Duplexes" are more specifically termed "Dwelling, Double Family".
4. Condition #2 - Regarding "Duplexes" - by the Concept Plan Sheet C1.0 it is unclear where these may be proposed; it is understood the difference between Single-family Detached Dwelling lots and Single-family Attached Dwelling lots, Staff would anticipate this to be a future question at public meetings (where are the duplexes to be located?).

5. Condition #4 - “Developed area within the RH-CZ portion of the Site will be less than 15 acres.” - it is unclear what is intended by this. LDO Section 3.1.3, / Table 3.1.3, in the Special Standards, it limits attached (Townhomes) or multiple family uses to a maximum of 15 acres of development. Because the RH district allows more uses than (attached or multiple family uses), it is unclear if the written condition is meant to imply that Townhomes will occupy no more than 15 acres within the proposed RH district. If that is the case, that is not a Condition but rather a re-statement of the LDO standard (a maximum in this case) and thus should not be written out as a Condition. **Remove** if this condition is simply restating the LDO.

6. Regarding “Cluster” (LDO Section 3.1.B). Concept Plan Cover Sheet in General Note #1 mentioned “Cluster” and the open space. The Proposed Conditions are silent to “cluster”, though #1 seems to relate to the Concept Plan (see that comment below).
 - ▶ If “Cluster” is to be shown and committed to, and used as a compelling factor for Approval of this request (due to low gross density), applicant should be prepared to demonstrate, at the public hearing, how the project is in compliance with Subsection 1 as it relates to open space [40% minimum contiguous] and the provision of a conservation easement and Subsection 2 as it relates to the Type 2 Buffer being its own lot to be maintained by the HOA.
 - ▶

7. Repeat - Open Space Responsibilities - It is anticipated that the protection, restrictions, and maintenance responsibilities of the provided Open Space will be of concern to the Town of Rolesville Planning Board and/or Town Board. It is again suggested that Applicant create and submit the HOA documents, including the Incorporation documents and the Covenants, Conditions, and Restrictions, etc. which will address these responsibilities. . NOTE that the response to this previously made Comment is “HOA documents shall be submitted upon Rezoning and Annexation approval.”

C. Concept Plan

1. See also mark-up comments on Sheets C1.0 and C1.2.

2. **Repeat Comment** - Sheet C1.2. - The handicap spaces in the parking lot nearest “Street D” do not have sidewalk associated with them - these spaces should be connected from the striped middle space to the sidewalk system by sidewalk at back-of-curb of these 2 spaces, and not be required to cross the parking lot to access sidewalk parking area

3. **Repeat Comment** - Sheet C1.2, others - Add LEGEND entry for the sidewalks which appear as an aggregate type design.

4. FYI - Note for Future Submittals: 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. This concept plan identifies no native trees and thus could be interpreted as the property being completely vacant and no tree removal involved in/for this project.

5. Per LDO 6.2.2.2.D.1. - Jonesville Road frontage requires a 30’ streetscape buffer. Currently a 25’ Perimeter buffer is shown. Revise to show a 30’ Streetscape buffer along Jonesville Road. Note that this buffer shall be designed to be in a separate platted lot that will be owned/maintained by the HOA. Demonstration of compliance with the planting/design of the Buffer to be vetted within Construction Infrastructure Drawing stage of development.