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FOR: **Town of Rolesville – Planning Development
Via email**

DATE: April 16, 2025

RE: **REZ-24-05 – 2028, 2200, 2206, 2216, 2232 Wait Ave.– Comment Response #1
Town of Rolesville #REZ-24-05**

To Whom It May Concern:

**Planning & Zoning Comments V1
Planning Staff & Withers Ravenel**

1. Continue to Provide a Written Response to ALL comments.
Response: Noted.
2. Continue to Add revision dates to all submittal materials.
Response: Noted.
3. NOTE – This Rezoning will receive a Briefing by the Planning Director to the Board of Commissioners on March 18, 2025 – <https://www.youtube.com/c/TownofRolesvilleNC> - further input or direction could result from that.
Response: Noted.
4. Traffic Impact Analysis (TIA) per LDO Section 8 is under way by DRMP in March 2025; completion TBD.
Response: Noted.
5. REPEAT - Provide summary of the Neighborhood Meeting, which must be held at some point before the Town can contemplate a Planning Board meeting date.
Response: Neighborhood Meeting will be held as required.
6. Partial REPEAT – Applicant states the intent is to rezone to a 'general use' aka By-Right – NOT Condition Zoning (CZ) – Neighborhood Center (NC) Zoning District; see clip from Response to Comments:..

revised by the town.

7. Clarify if this is meant to be a Conditional Zoning (CZ) or straight NC District rezoning.
Response: This is meant to be NC District rezoning.

8. The concept plan is barely more than a survey with identification of the proposed Residential area.

Staff notes that the Town Board of Commissioners through their comments and actions of the last several years have indicated that they greatly prefer Rezoning requests be for 'Conditional Zoning' versions rather than 'general'. The Applicant pursues this Non-Conditional rezoning at their own risk of it being not well received due to it not being a Conditional Zoning district request.

Response: Please disregard previous comment response. The zoning requested is NC-CZ. The concept plan and applications were revised to reflect this update.

7. NEW – With this Applicant clarifying that this Application is now for a ‘general’ NC District, and NOT a Conditional Zoning (ie NC-CZ) form of Rezoning request:
- a. Remove Sheet 7 of 7 from the ‘WFINV, LLC Application’ file, and Sheet 9 of 9 from the “THALES Application” file, that were submitted, as proposed Conditions of Approval are only pursuant to an LDO Section 3.3 Conditional Zoning (CZ) form of a Rezoning request);
 - b. While the NC District does require a Concept Plan per LDO Sec. 3.4.3.B. – but with this Application NOT being a Conditional Zoning (CZ) form with a set of Conditions of Approval (which get SIGNED by the Property Owners) - Add a Property Owner signature block(s) to the Concept Plan exhibit.

Response: Please refer to the above response. The intent of this application is to rezone the requested properties to NC-CZ.

8. NEW - With this Application being for a ‘general use’ NC District, all Permitted Uses are as they are detailed in LDO Section 5, and there is no need for further conversation about specific Principal uses (ie like “self storage”, which is captured under the Zoning Principal Use of “Industrial, Light”, and is Not Permitted in the NC District) nor about the inherent development standards and requirements of the NC District (ie timing of development, maximum single-use Building size, etc.). As has been explained to the Applicant, even as a Conditional Zoning (CZ) request, the LDO does not permit an Applicant (through a written Condition of Approval) to modify, change, or lessen a minimum requirement.

Response: Noted. A text amendment application has been included in this rezoning package regarding the Self-storage, enclosed use.

9. NEW/FYI – IF the Applicant finds there is a standard in the LDO that does not meet their development desire/needs, the option of them pursuing an ‘Applicant-Initiated Text Amendment’ is always at their option.
- a. The document in paragraph #6 references a ‘development agreement’ – the Applicant’s Attorney should pursue that with the Town’s Attorney, as Staff believes has already occurred. See previous Comment regarding Applicant-Initiated Text Amendments to the LDO, which is the Applicant’s avenue to change the LDO to then permit what/how they wish to develop.

Response: Noted. Paragraph 6 has been revised for simplicity, and text amendments and a developers agreement will be submitted.

10. NEW/FYI – A Rezoning (Statement of) Justification is just a narrative for the Applicant to speak to the TRC Staff (and Town Planning Board/Board of Adjustment). There is no binding or future governing information contained within it; that is the purpose of pursuing a Conditional Zoning (CZ) application with proposed Conditions of Approval (binding voluntary contract commitments).

Response: The rezoning justification has been revised.

11. NEW – the Concept Plan references “NC Re-zoned Areas Post R/W Reservation” (Wait Ave/Averette Rd) –
- a. The ultimate Right-of-way needs have NOT BEEN determined, partly/mainly due to the fact that the TIA has not been completed. Thus, removing or ‘reserving’ area is an educated guess at this point.
 - b. Sec. 3.4.3.C., in regards to the minimum required split of residential and non-residential area, speaks to “gross acreage” – not ‘post ROW dedication’.
 - c. Unless the ROW for/along Wait Ave. (NC 98) and Averette Road are being dedicated via Deed NOW, the gross area of the property is the basis for any calculations at this time.
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- d. Revise the calculations to reflect GROSS ACREAGE and not post dedication of Right-of-way. Applicant should however anticipate the loss of land, so that at subsequent stages of **development**, the MINIMUM acreages are met and not been lessened post-ROW dedication.

Response: The applications and concept plan were revised to reflect the gross area as requested.

12. NEW - Classical Way Connection/CTP Amendment: Planning Staff is aware that the Applicant and Town's Attorneys discussed the necessary process for the Applicant to propose to the Board of Commissioners a deviation from the Community Transportation Plan (CTP) for the extension of Classical Way (meant to be a Collector, not a local residential street) into this property; Staff defers to the Town Attorney on that matter as to what/if the Applicant needs to do beyond presenting the Rezoning and Concept Plan to the BOC. Staff n collector road connection (screengrab below)?

Response: Noted.

13. NEW/SUMMARY – Overall, Planning Staff does not feel that the NC District is the appropriate choice of Zoning District for a ~101 acre assemblage tract that, by the Concept Plan, is seeking to develop a 75 acre residential subdivision, a 23 acre commercial center at the corner of 2 major roadways, and a 2.5 acre stand-alone commercial tract. Staff has previously suggested, and now repeats, that a multi-zoning district approach, as Conditional Zoning (CZ) districts, would be more straight forward. Staff fully understands that the NC District residential minimum lots widths (SFD of 50', SFA (Townhome) of 20') is the key standard and impetus for choosing the NC District, as all other 'pro's' or benefits of the NC District could be replicated through Voluntary Conditions of Approval to achieve the same synergy and, to the core intent of the NC District, a timing of delivery of non-residential development relative to the residential development.

- a. Note – to date, the largest NC District is a 55-acre portion of the Reserve at Mitchell Mill (MA 22-06, approved January 2023); it is an NC-CZ District. That overall project also entailed an 86-acre RM-CZ residential only district.

Response: Please refer to the above response. The intent of this application is to rezone the requested properties to NC-CZ.

Parks & Recreation Comments V1

Eddie Henderson

1. Parks and Recreation staff with the support of the Rolesville Parks and Recreation Advisory Board (PARAB) would like to ask about the possibility of the open space lots and adjacent creeks and existing pond of this development to be donated to the Town as a future Public park. (See image). The Town lacks Public parkland in this northern part of Town and the described area could/would serve as a logical end and destination for the network of Greenways that run through neighborhoods along Averette Road/W Young Street.

Response: The development park area will be dedicated and designed by others at a later stage of development.

2. Full credit for Open Space calculations would be provided to the Applicant's benefit.

Response: Noted.

3. With the above, Staff asks that the proposed Greenway be revised to connect to this park instead of Wait Ave.

Response: Greenway layout shown is conceptual only and may be revised during preliminary subdivision plat. A note has been added to the concept plan.

NCDOT Comments V1

Jacob Nicholson

1. No new comments were provided – DOT expects to be part of the Scoping of the TIA – connect DOT directly.

Response: Noted.

Engineering Comments V1

Jacque Thompson

1. No comments based upon the level of detail in concept drawing; full review at later stages of development.

Response: Noted.

COR Public Utilities Comments V1

Tim Beasley

1. No further comments – refer back to the 2 FYI comments provided on the V1 review.

Response: Noted.

Wake Co Fire / EMS Comments V2

Brittany Hocutt

1. There are no comments on the materials contained in this submittal; future review of subdivision plans for compliance with Fire Code will occur.

Response: Noted.

Wake Co Watershed Management Comments V2

Elizabeth Powell

1. No comments were received; not new staff, as Janet Boyer has retired. Wake County rarely comments on Rezoning so no constructive comments are expected; they will be involved mostly in Construction Infrastructure Drawing and Site Development Plans (both of which require County signatures).

Response: Noted.

Kind Regards,

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