

# REZ-24-02 - Hills at Harris Creek

## 1st Submittal

### Zoning/Planning Comments

#### Project Background:

The following is a review of the Rezoning application by Ellis Development Group for the development of Hills at Harris Creek located on Mitchell Mill Road. The project proposes a residential subdivision, on approximately 115 acres. There are three Exhibits provided as a portion of this submittal:

- Exhibit 1 is the accompanying concept plan, dated January 31, 2024, completed by Strongrock.
- Exhibit 2 is an open space calculation exhibit.
- Exhibit 3 is a proposed zoning condition.

#### Comments:

##### 1. Proposed Conditions for Conditional Zoning (CZ) Request.

The conditions will be discussed and revised with Town Staff & Boards; see the following:

- a. Item #5, Recreational Amenities indicates that the recreational amenities shall be provided as shown on Exhibit 1. However, Exhibit 1 is not labeled as Exhibit 1. The plans should be revised to indicate "Exhibit 1" especially if this is to be references in the Conditions of Approval.
- b. Item #5, Recreational Amenities indicates that the recreational amenities shall be provided as shown on Exhibit 1. Exhibit 1 (Site Plan) does not clearly indicate what the proposed amenity spaces are. Green areas are shown on the plans but it is not clear what will be the pool/cabana or a playground, etc.

##### 2. Rezoning Justification

Within the justification statement, the Applicant should consider addressing the following questions as these are the questions the Board must ask when reviewing the case at the Legislative hearing as noted in LDO Appendix A Section 2.3.F *Rezoning Review Standards*:

- a. Is the application consistent with the Comprehensive Plan/other applicable town plans?
- b. Is it in conflict with any provision of the LDO or the Town Code of Ordinances?
- c. Does the application correct any errors in the existing zoning present at the time adopted?
- d. Does it allow uses that are compatible with existing and allowed uses on surrounding land?
- e. Would it ensure efficient development within the town, including the capacity and safety of the street network, public facilities, and other similar considerations?
- f. Would it result in a logical and orderly development pattern?
- g. Would it result in adverse impacts on water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

The Board of Commissioners may also consider if the Conditional Rezoning addresses the impacts reasonably expected to be generated by the development or use of the site, can reasonably be implemented and enforced for the subject property, and if it will mitigate specific issues that would likely result if the subject property were zoned to accommodate all the uses and the minimum standards of the corresponding general zoning district.

### 3. Concept Plan Review:

- a. No dimensions are shown on the lots indicating width, total size, or setbacks, and there is no indication of the development type. Minus dimensions, Staff cannot determine with confidence if the size of these lots do/will comply [with the RM zoning district minimum standards]. Please note the minimum dimensional standards should be added to the concept plans in a data table and/or typical lot diagram, as outlined in Section 3.1.2.B.

#### b. Buffers

- (1) A Type 2 buffer is required for an RM development along the property lines, which is 15' wide and includes a fence. It appears that the buffers are the correct width, however, verification of compliance with ordinance standards will be determined at Preliminary Subdivision Plat and/or Construction Infrastructure Drawing stages of development.
- (2) Mitchell Mill Road is designated as a Major Collector road and will require a 30' Streetscape Buffer. It appears that the buffers are the correct width, however, verification of compliance with LDO standards will be determined at Preliminary Subdivision Plat and/or Construction Infrastructure Drawing stages of development.

#### c. Open Space.

- (1) It appears as though the pollinator planting area aligns with the proposed zoning condition of 4 acres, but this size should to be noted/designated on the plans (and verified completely at Preliminary Subdivision Plat and/or Construction Infrastructure Drawing stages of development).
- (2) All areas called out and calculated in the Open Space Chart must be labeled on the concept plan or on a supplemental exhibit to ensure compliance with Open Space requirements.
- (3) Residential developments greater than 50 acres are required to have either 1 small/medium and 1 large open space, or 1 small and 2 medium open spaces. Please indicate which open spaces areas fill this requirement – add/provide a TABLE of this information.
- (4) It is a requirement to assign a minimum of 50% of the open space as Active Recreation as indicated in section 6.2.1.G.12 of the LDO. The recreational amenities listed in Exhibit 3 may not fulfill this requirement, and there is no indication on the concept plan where these facilities are intended to go. This must be represented in the calculations and labeled on the concept plan or on a supplemental exhibit.
- (5) Please revise the circle indicating a “5-minute walk to clubhouse” to show the ½ mile distance to a medium/large park as noted in section 6.2.1.D.1.b of the LDO.

### 4. Preliminary Subdivision Plat (FYI Comments for next steps)

The following items should be noted ahead of submission of the Preliminary Subdivision Plat and included on the plans or with the application:

- a. Notes shall be added to the Preliminary Subdivision Plat that reflect the overall timing and schedule of improvements, including those required by ordinance and those approved as a part of the conditional zoning.
- b. A Tree survey will be required in accordance with Section 6.2.4.2. and the preservation requirements of Section 6.2.4.5.B. shall be met.
- c. The application and plans shall be in compliance with the Requirements and Design Standards of LDO Section 9., Subdivision.