

Exhibit Three

REZ-24-02 / Hills at Harris Creek

Conditions of Approval

~~Residential Medium Density Conditional Zoning District Zoning Conditions~~

Conditions Applicable to the entire property:

1. The subject property shall be developed generally in accordance with the **Concept Sketch Plan** attached hereto as Exhibit 1 and incorporated herein as if fully set out. The improvements described herein may be developed in phases in accordance with a phasing plan **introduced during Preliminary Subdivision Plat review and** approved by the Town of Rolesville.
2. **The property shall be rezoned to a Residential Medium Density Conditional Zoning (RM-CZ) District and may be developed with up to a maximum of total number of dwellings on the subject property shall not exceed 225 single family detached dwelling units.**
3. **Affordable Housing:** Prior to the issuance of the first **residential dwelling unit** building permit **issuance for a dwelling unit**, the property owner shall donate Twenty Thousand Dollars and No Cents (\$20,000.00) to Homes for Heroes [or another non-profit organization with a substantially similar mission statement].
4. **Pollinator Plantings:** At least four acres of the landscaping planted within the **DUKE Energy** power line easement on the subject property shall utilize plant materials that are listed as Native Pollinator Plants on North Carolina Wildlife Federation ("NCWF") or other resources for native plants recommended by the NCWF. Where evergreen plantings or street trees are required by the Rolesville Land Development Ordinance as the same may be amended from time to time, pollinator plantings shall not be required. Nothing herein shall be construed to limit the plant materials permitted on individual residential lots.
5. **Recreational Amenities:** The following recreational amenities shall be provided generally as shown on the attached Exhibit 1 as a part of the development of the subject property and dedicated to the community's homeowner's association except for those areas offered to and accepted by the Town of Rolesville:
 - a. A swimming pool and cabana, including changing rooms and restrooms shall be constructed prior to the **issuance of the 150th residential dwelling unit building permit issuance for a dwelling unit**;
 - b. At least one fenced playground shall be constructed prior to the **issuance of the 150th residential dwelling unit building permit issuance for a dwelling unit**
 - c. At least one fenced dog park shall be constructed prior to the **issuance of the 150th residential dwelling unit building permit issuance for a dwelling unit**
 - d. At least one (1) garden park shall be provided prior to the **issuance of the 200th residential dwelling unit building permit issuance for a dwelling unit**.
6. **Transportation Improvements:** The property owner shall install all required roadway and transportation improvements set forth in the Traffic Impact Analysis report associated with this project in order to address the transportation impacts reasonably expected to be generated by the development. All transportation improvements shall be installed in accordance with future phasing plans approved by the Town during the Preliminary Subdivision Plat. **While it is anticipated that the improvements contemplated by this condition will be clarified by a formal development agreement,**

Commented [EMS1]: In general, Town finds it unnecessary to commit to TIA in a Zoning Condition of approval, as the TIA is binding unto itself.

reimbursement agreement, or other written agreement between the property owner and the Town, the absence of such a subsequent written agreement shall not be deemed to invalidate this condition. Notwithstanding the foregoing, the Town acknowledges that some of the potential traffic improvements set forth in the Traffic Impact Analysis report associated with this project are also contemplated by and included in other Traffic Impact Analysis reports for unrelated development projects in the general area of this Project ("Nearby Projects"). Nothing contained within this condition shall be construed to limit or hamper the property owner's ability to enter into agreements with the owners of those Nearby Projects to share the costs of any roadway and transportation improvements set forth in the Traffic Impact Analysis report associated with this project.

Commented [EMS2]: Explain why Town would enter into any such agreement.

Commented [EMS3]: Town Attorney must comment on this.

7. Foundations -- All homes shall include either crawl space foundations or stem wall foundation. Any stem wall foundations shall have an average of at least twelve inches (12") in height across the front facade of the home and shall have brick or stone veneer on all sides facing a public street. Compliance shall be demonstrated on each Residential building permit application by submittal of a < how will you be demonstrating compliance with this at Building Permit? Typical Wake County inspectors are not enforcing Rolesville Zoning Conditions; Town staff do not perform individual house inspections. >
8. Each single family detached dwelling shall contain a ~~The~~ minimum gross building square footage shall be of 2,000 square feet for single family detached dwellings.
9. Prior to the issuance of a building permit for the 150th residential dwelling unit building permit issuance, the property owner shall contribute Twenty-Five Thousand Dollars (\$25,000.00) to the Town of Rolesville to be used by the Town of Rolesville to install a traffic light at the intersection of the US 401 Bypass and Jonesville Road.

Commented [EMS4]: IS this simply a generous donation?

Commented [EMS5]: This is a DOT intersection - unsure if Town has any mechanism for this - must ask Finance Director, Town manager.