

March 1, 2024

Re: Comment Response Letter **Scarboro Apartments Case #REZ-23-05**

Dear Staff:

Below are the comment responses for the 3rd review of **Scarboro Apartments Case #REZ-23-05**

[Wake County Fire / EMS \(Brittany Hocutt\)- Approved](#)

[Engineering \(CJS/B&M\) \(Brian Laux / Jacque Thompson\)- Approved](#)

[Wake County Watershed Management \(Janet Boyer\)- Approved](#)

[COR Public Utilities \(Tim Beasley\)- Approved](#)

[Planning & Zoning – Planning Staff & WithersRavenel \(Karen Mallo & Liza Monroe\)](#)

Provide a written response to ALL the comments.

Comment: Add revision dates to ALL materials – add a Date/Revision date to the Conditions.

Response: Revised dates have been added to the Conditions.

Comment: FYI – TIA Status – Applicant has begun conversation with Planning Director; further review TBD.

Response: Noted.

Comment: Condition #2 – this references an “Exhibit A” for permitted / special use / prohibited uses – Staff does not find such Exhibit submitted. Staff has a framework document for this purpose, attain off-line.

Response: Included in this submittal in the Exhibit A Table for the permitted / special / prohibited uses within the zoning district.

Comment: Condition #6 – See V2 Comment on (what was then Condition #5 regarding timing of development). Current condition language only commits to construction of 5,000 SF with zero timing relation to the Residential, and hence, it may never occur, thereby being a hollow Condition. Staff finds 5,000 SF relative to 240 dwelling units greatly out of balance for the Town Center District. Cobblestone has a balance of ~165 multifamily units and ~50,000 SF of non-residential, for example.

Response: We have increased our minimum nonresidential development to 10,000 square feet gross floor area. The V2 Comment on then-Condition #5 spoke to the timing of the potential relocation of the existing home. The key difference between Scarboro Apartments and Cobblestone is the amount of frontage along S. Main Street. Cobblestone has over 600' of frontage along S. Main Street, while Scarboro Apartments has just over 200' of frontage along S. Main Street. Given this discrepancy, a nonresidential development range between 10,000 and 20,000 square feet is not inconsistent with other Town Center districts.

Comment: Condition #8 – by the proposal, which is Multifamily dwellings and potentially some non-residential, the building types would/could be either mixed use (if multifamily units and non-residential are in the same building) or non-residential buildings, as multifamily buildings are not considered “residential” by site development process nor Building Code. Revise last sentence to remove “residential”. See original Comment – is this really committing to anything not already minimally required in the LDO? IS this removing a Permitted material and “promising” not to use (that one, or two, etc.?) IF NOT, this is not a Condition, and should be removed.

Response: This version of the Zoning Conditions has removed that building side materials condition.

Comment: Condition #11 – Add/Clarify Greenway material is ‘at discretion of Town staff at time of development approval’.

Response: The provision is included in this version of the Zoning Conditions.

Comment: FYI – At the next step Development, anticipated to be Site Development Plan as there is no shown intention to perform Preliminary Subdivision of the property, a Tree and/or Vegetative survey is required. Per LDO Section 6.2.4.5, tree preservation and tree replacement are required. It is strongly recommended that the Applicant consider having the survey completed as soon as possible to know which trees are required to be preserved as well as what trees are required to be replaced if removed.

Response: Acknowledged

Comment: FYI – A street buffer of 30’ is required along Main Street. (Section 6.2.2.2). Perry Street is shown as a Collector Street on the proposed network map of the Transportation Plan. As such, it is required to provide a 15’ street buffer. Where the requirements of the TC district for street walls and reduced setbacks are in conflict with the buffer requirements, buffer plantings shall not be required. The Site Development Plan should be designed in accordance with the Concept Plan and Conditions of Approval.

Response: Acknowledged

Comment: FYI – As mentioned previously, mixed use buffers will be required in accordance with Section 6.2.3. It appears the placement of dumpsters and enclosures may not be in compliance with these standards.

Response: Per conversation with staff on 2/8/2024 the dumpster are limited service related structures which can be within compatibility transition area B.

Comment: FYI – The Site Development Plan shall demonstrate compliance with the parking landscaping of 6.2.4.4.

- a. It is highly recommended that the rows of parking spaces be broken up to provide interior islands in accordance with Section 6.2.4.4.E. It is recommended that islands be provided every 10-20 spaces.
- b. Section 6.2.4.4.C. requires all parking spaces to be within 60’ of the trunk of a tree.
- c. Perimeter parking plantings in accordance with 6.2.4.4.G. will be required where parking areas are visible from adjacent properties and right-of-way.

Response: Acknowledged

Comment: FYI - The northernmost parking area is partially located in the required 15' street buffer. The applicant should demonstrate compliance with Sections 6.2.2.2.D. and 6.2.4.4.G.

Response: The parking area is located along the build to portion of the street frontage. The street buffer has been located adjacent to the environmentally sensitive areas of the street frontage.

Comment: FYI - Will a separate lot be created for the commercial building(s) or will it be part of the larger development?

Response: A separate lot will not be created. It will be part of the full development.

Comment: FYI - Non-residential building standards (Section 6.8.2 and 3) will apply to the commercial buildings and the Multi-family design standards of Section 6.8.6 will apply to the apartment buildings. It should be noted that the design should reflect the Building Orientation and Placement standards of Section 6.8.6.E.

Response: Acknowledged

Comment: FYI - Sidewalk and pedestrian connectivity should be considered in the design.

Response: Acknowledged

Comment: FYI - The dumpster areas located on terminal island of the parking areas will create conflict with any landscaping, specifically canopy or shade trees) intended for these islands.

Response: The dumpsters have been removed from the concept plan per conversation with staff on 2/8/2024.

Comment: FYI - Additional parking may be required for the additional retail space and recreational areas provided (eg. parking for the pool or clubhouse). Applicant shall address location or designation of these spaces.

Response: Per conversation with staff on 2/8/2024 no additional parking is required for the accessory uses.

Comment: FYI - Streetwalls are required per LDO Table 3.4.1. :

a. Streetwalls shall be constructed of brick, masonry, stone, wrought iron/aluminum, or other decorative material and shall be designed with the same building materials and architectural appearance as the primary structure. Wood, fencing, and chain link are prohibited materials for a streetwall.

b. Streetwalls shall be a minimum of three (3) feet and a maximum of four (4) feet in height. Breaks in streetwalls are permitted to allow for pedestrian or vehicular access, recessed storefront entrance, plazas, or for tree protection.

c. Street walls may be a maximum of fifty (50) feet in length. Breaks must be provided using columns or offsets, including landscaping/trees, of at least ten (10) feet in width, up to a maximum of twenty (20) feet in width. On corner parcels, the corner of the building may be recessed from the front and side property lines on a diagonal. Streetwalls or combination of streetwalls and canopy trees with hedge not to exceed three (3) feet in height can be substituted for a continuous streetwall. Streetwalls shall constitute at least two-thirds (2/3) of the frontage where a streetwall/tree/hedge design is used.

Response: Acknowledged.

Parks and Recreation (Eddie Henderson)

Comment: On Concept Plan and/or in written conditions, express a clear intent to make the Greenway paralleling the new north/south Collector road as "non-sidewalk-like" as possible (Response to V2 Comment did NOT address this specific). Staff suggests an aggressive landscaping scheme involving land berms, natural items such as boulders, natural canopy tree placement (i.e., not rigid 50' spacing on a straight line), etc. Staff's goal is to make this Greenway as close to a true Greenway (where intent is to run through as-natural-as-possible locales) while still being parallel to this road. Provide a written response to this comment to clearly indicate this direction is understood. Staff is open to meet to help develop a cross section for this area. Staff will NOT support the Rezoning if this is not satisfactorily provided.

Response: Staff's design intent is understood. The greenway map has outlined this required connection to overlap where the CTP has required a road connection which places the greenway within the right of way of the road. The greenway trail will need to be designed closer to a sidepath greenway rather than a traditional natural greenway due to this right of way condition. Please also see email from Courtney McQueen to Michael Elabarger, Eddie Henderson, June Greene and Worth Mills Dated 2/23/2024 concerning the location of the greenway.

Comment: Confirm the trail around the stormwater pond is a private, non-paved trail, clarifying intended surface material and width.

Response: The trail is 8 feet wide and will be publicly accessible to meet the open space requirements in 6.2.1.G.7. The trail surface material will be determined with the site plan.

NCDOT (Trevor Darnell)

Comment: DOT shall be party to and approve of the scope of a traffic impact analysis (TIA) and shall review the completed TIA and may make further comments at that time.

Response: Acknowledged

Respectfully,

Courtney McQueen, PLA, ASLA
Project Coordinator | Landscape Architect
Qunity, P.A.