

Memo

To: Mayor and Town Board of Commissioners

From: Michael Elabarger, Senior Planner

Date: June 2, 2022

Re: Agenda Item C.4, C.5, C.6: Elizabeth Springs Watershed Removal Area

Background

The subject property was formerly located within the Little River Watershed Overlay protection area and is zoned the R40W Residential Watershed district under the Unified Development Ordinance (UDO), which greatly restricts the level of development possible. As part of the Construction Drawings (CD 18-01) approved for the overall Elizabeth Springs development, the Applicant regraded the area to no longer drain into the watershed, but out of it. The State of North Carolina inspected and approved of this regrading, thereby 'releasing' the subject land from being within the Litter River Watershed. With that accomplished, the Applicant is required to rezone (process a Map Amendment with the Town of Rolesville) the land from the R40W district to the zoning district established for the overall subdivision circa 2017, which is the Residential & Planned Unit Development (R&PUD) District under the Town's (now repealed) UDO. UDO Section 6.2.7. requires that a rezoning to the R&PUD District be accompanied/followed by a Preliminary Subdivision Plat and Special Use Permit application, which are also included and part of this comprehensive request.

Summary Information

Acreage: 6.53 acres

Current Zoning: R40W Residential Watershed district (UDO)

Proposed Zoning: Residential and Planned Unit Development (R&PUD) district (UDO).

Property Owner: Experience One Homes LLC

Developer: Experience One Homes LLC / Corey Schmidt

Project Contacts: Meggan Masters / Tim Grissinger – Bateman Surveying

PIN's:

1860039129	1860133781	1860135542
1860134506	1860133761	1860132857
1860134741	1860135888	1860134711
1860133576	1860133545	1860146265
1860136879	1860145215	1860137502
1860144005		

Entitlement / Development History and Applications

SUP 17-02	Special Use Permit approved 05/01/2018, entitling project for 89 SFD and 98 TH.
S 18-01	Preliminary Subdivision Plat approved 06/05/2018) for 89 SFD and 98 TH lots.
CD 18-01	Construction Drawings for infrastructure, approved 04/25/2019.
SUP 18-04	Amendment to Special Use Permit SUP 17-02, approved 10/02/2018.
SP 19-01	Site Plan for Townhome component, approved 11/04/019.
SUP 19-03	Amendment to Special Use Permit SUP 17-02, approved 11/04/019.

Applicant Justification

Per the background explanation, the subject property was always intended for residential development as part of the Elizabeth Springs project, pending removal from the watershed. With that removal completed, the process of entitling the property for the build-out of this front area of the project is now coming to fruition. The rezoning to the R&PUD would match that which was approved for the remainder of Elizabeth Springs. The Special Use Permit seeks to increase the previously approved maximum lot development for single-family detached from 89 to 100, and for townhomes from 98 to 105; Conditions of Approval (see Attachment 7) commit to these new maximum lot counts. The Preliminary Subdivision plat exhibit (Attachment 8) graphically details how the subject property would be developed with the requested entitlements. A trip generation analysis update to the original 2017 Traffic Impact Analysis details that no negative impacts would be created by the proposal.

Comprehensive Plan

Land Use

The Future Land Use designation for the subject property is Medium Density Residential, and the proposed zoning district, lot count, and lot layout is consistent with this land use category and the overall vision of the Comprehensive plan.

Transportation and Traffic

The Applicant provided an updated Trip Generation Analysis (see Attachment 9) to the original 2017 traffic impact analysis (TIA) report. The update contemplated the proposed 100 single family detached and 105 townhome lots, whereas the 2017 study proposed 94 single-family homes and 108 townhomes. The update, and these three applications, therefore propose a delta of 3 additional dwelling units. The analysis is that those 3 additional units will not impact the peak hour trips (some decreased due to more current calculation rates) nor impact any intersection operations negatively.

Development Review

Town Planning staff reviewed the three applications, and all Comments were addressed/resolved.

Staff Recommendation

Based on consistency with the Comprehensive Plan future land use category, the lack of traffic impact, and that this is fulfilling the previous Town approvals for the Elizabeth Springs projects as a whole, Staff recommends approval of the Map Amendment, and recommends the Town Board conduct evidentiary quasi-judicial hearings for the Special Use Permit and Preliminary Subdivision Plat to affirm the comply with the Findings of Fact.

Planning Board Recommendation

At the April 25, 2022, meeting, the Planning Board unanimously recommended approval of case MA 22-02, Elizabeth Springs Watershed Removal Area, as well as recommending the Town Board conduct evidentiary quasi-judicial hearings to consider SUP 22-01 and PR 22-03.

Consistency and Reasonableness – Map Amendment MA 22-02

The Map Amendment is consistent with and supportive of the Comprehensive Plan future land use vision and development policies, as well as being consistent with multiple previous Town Board of Commissioners approval for the Elizabeth Springs project. This application (and associate Special Use Permit and Preliminary Plat) completes the process of removing the 6.53 acres originally surveyed as being in the Little River Watershed from that watershed and entitling it to develop in accordance with the Comprehensive Plan and Unified Development Ordinance.

Findings of Fact -Special Use Permit SUP 22-01 / Preliminary Subdivision Plat PR 22-03

The following findings, based on evidence and testimony received at an evidentiary hearing in accordance with procedures specified in the Unified Development Ordinance (UDO), must be made by the Town Board in order to approve a special use permit and preliminary plat:

- A. That the proposed development and/or use will not materially endanger the public health or safety;
- B. That the proposed development and/or use will not substantially injure the value of adjoining property;
- C. That the proposed development and/or use will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located;
- D. That the proposed development and/or use will generally conform with the Comprehensive plan and other official plans adopted by the Town:
- E. That the proposed development and/or use is appropriately located with respect to transportation facilities, water and sewer supply, fire, and police protection, and similar facilities:
- F. That the proposed development and/or use will not cause undue traffic congestion or create a traffic hazard:
- G. That the proposed development and use comply with all applicable requirements of this ordinance.

Proposed Motions – Map Amendment MA 22-02

- Motion to (approve or deny) rezoning request MA 22-02, Elizabeth Springs Former Watershed Area
 - (Following approval) Motion to adopt a Plan Consistency Statement, Statement of Reasonableness, and Future Land Use Map Amendment

Proposed Motions - Special Use Permit SUP 22-01

 Motion to (approve or deny) Special Use Permit request SUP 22-01, Elizabeth Springs Former Watershed Area, based on the evidence and testimony received at the hearing to determine the Findings of Fact.

Proposed Motions – Preliminary Subdivision Plat PR 22-03

• Motion to (approve or deny) Preliminary Subdivision Plat request PR 22-03, Elizabeth Springs Former Watershed Area, based on the evidence and testimony received at the hearing to determine the Findings of Fact.

Attachments

#	Туре	Date
1	Vicinity Map	
2	Future Land Use Map	
3	Existing Zoning Map	
4	Rezoning Legal Description and Exhibit	n/a
5	Rezoning Justification Statement	02/22/2022
6	Special Use Permit Exhibit	05/24/2022
7	Special Use Permit Proposed Conditions of Approval	05/24/2022
8	Preliminary Subdivision Plat	05/24/2022
9	Traffic Trip Generation Memo (Kimley-Horn)	03/15/2022

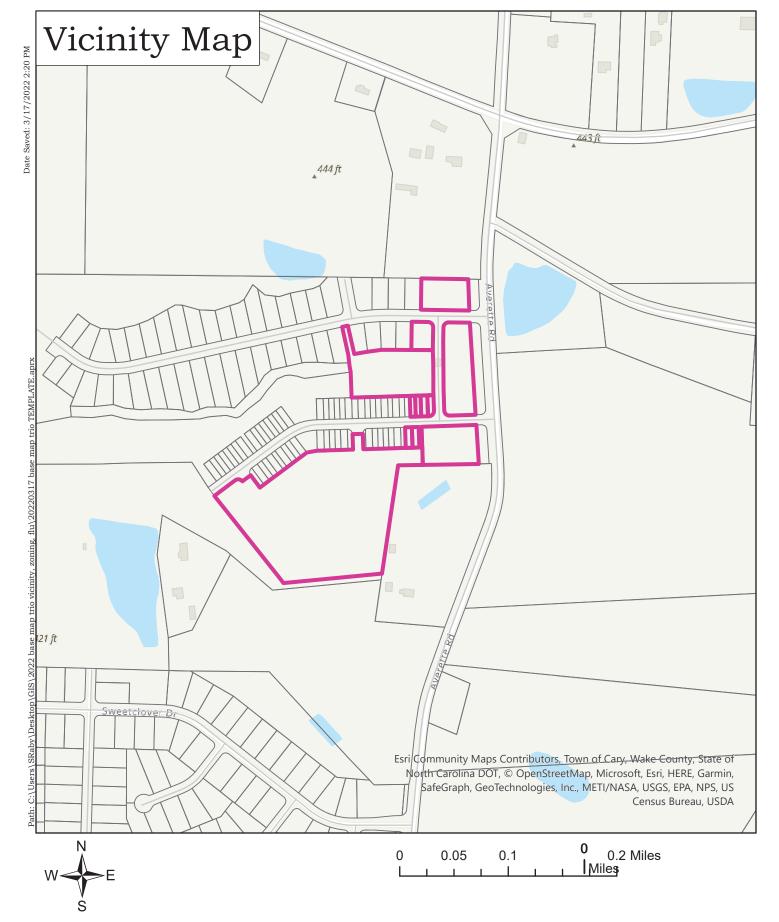
ATTACHMENT 1



Case: MA 22-02 Elizabeth Spring R40W area

Address: 1205 Averette Road

PIN 1860038619 Date: 03.17.2022



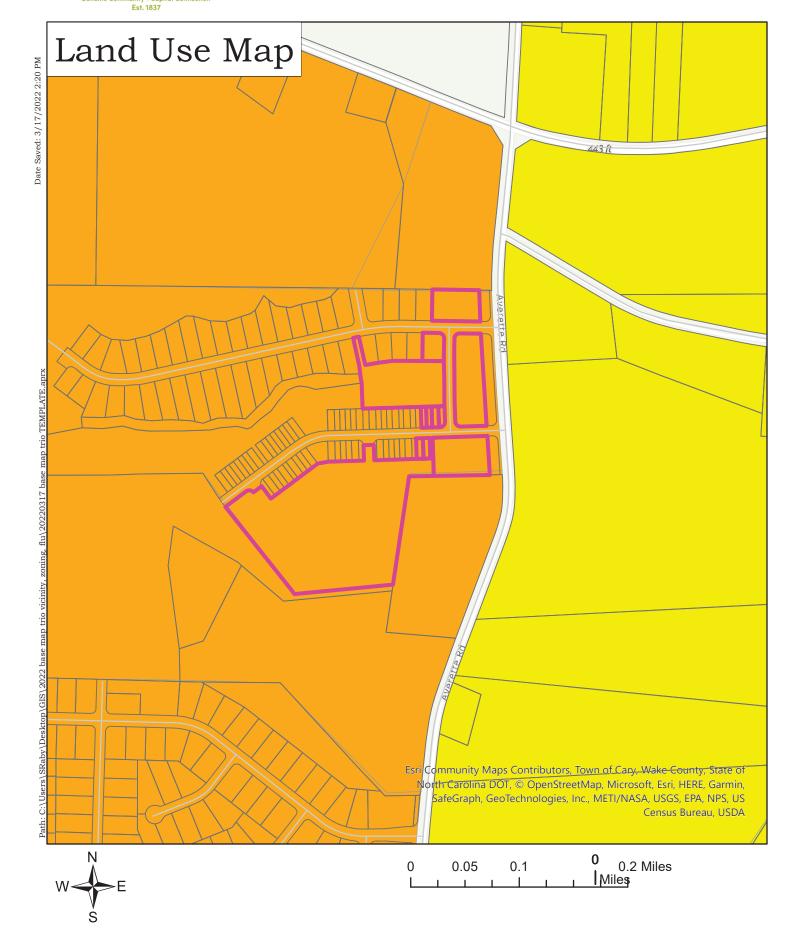
Rologvilla

ATTACHMENT 2

Case: MA 22-02 Elizabeth Spring R40W area

Address: 1205 Averette Road

PIN 1860038619 Date: 03.17.2022



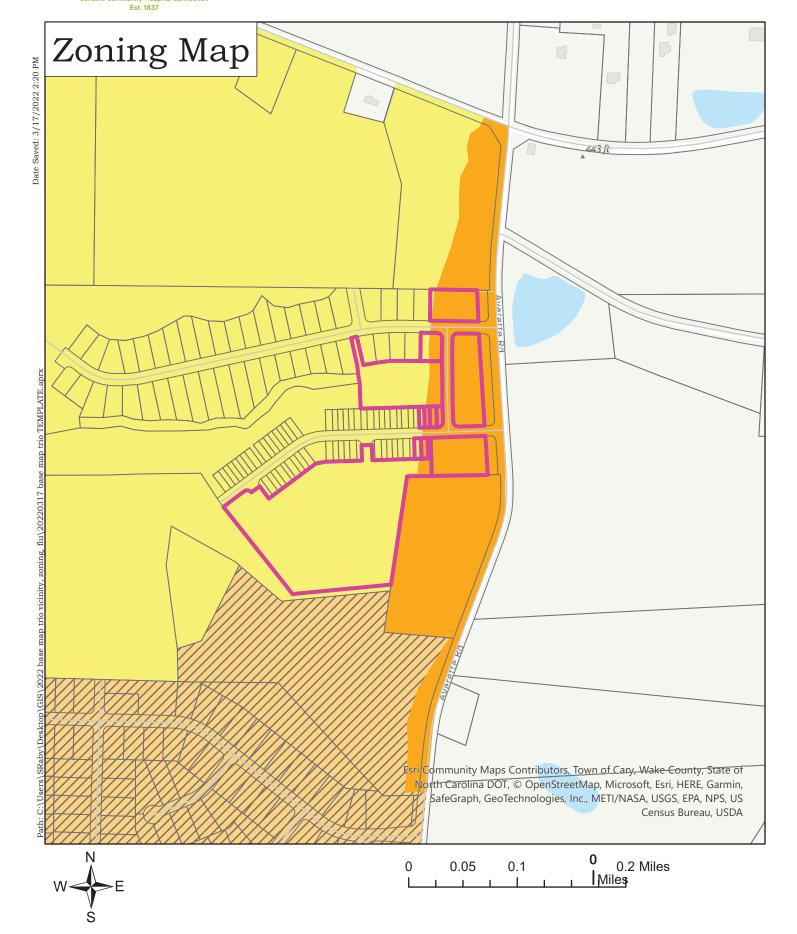
Rolesville

ATTACHMENT 3

Case: MA 22-02 Elizabeth Spring R40W area

Address: 1205 Averette Road

PIN 1860038619 Date: 03.17.2022



Attachment 4



Bateman Civil Survey Company, PC 2524 Reliance Avenue Apex, NC 27539

REZONING LEGAL DESCRIPTION

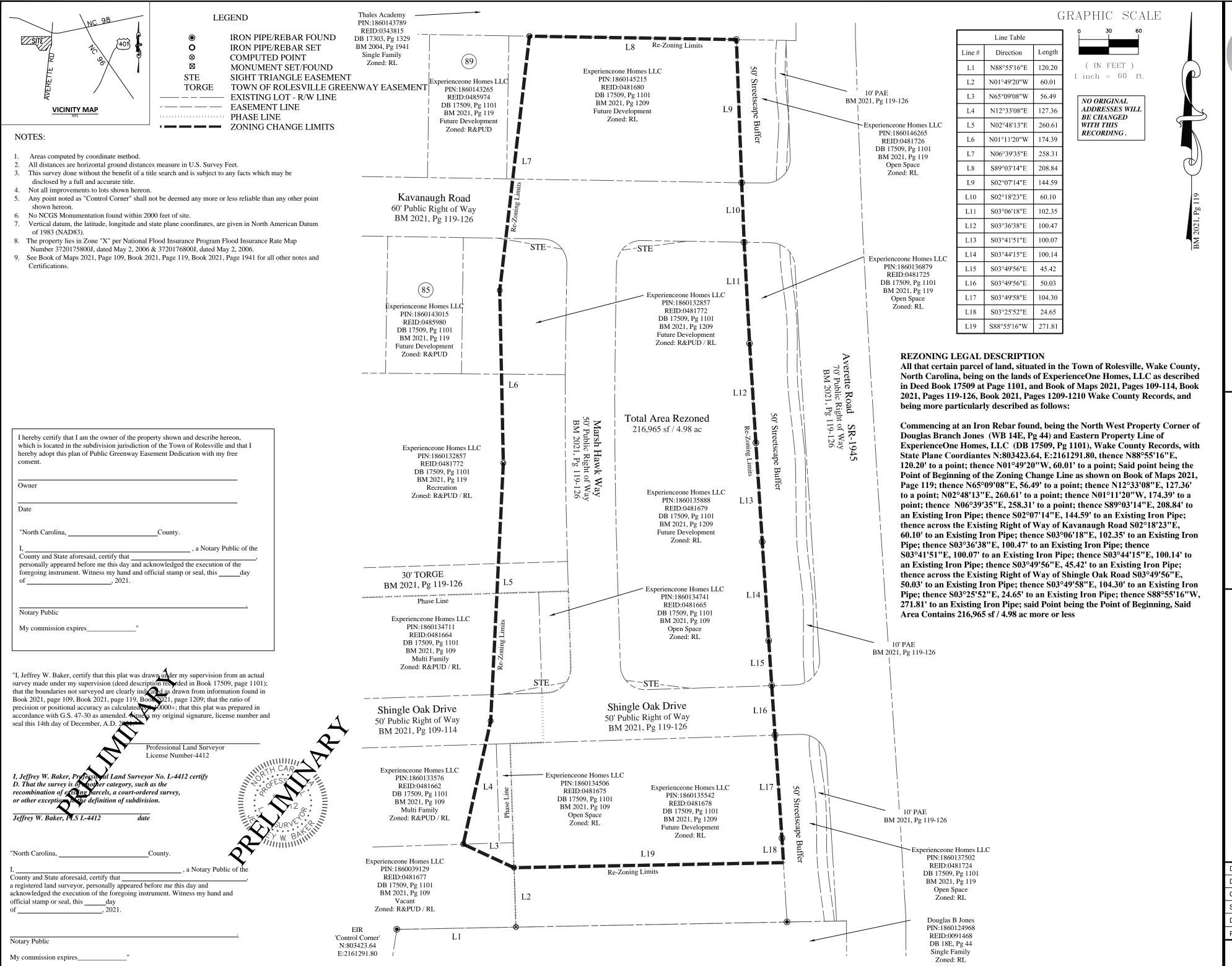
All that certain parcel of land, situated in the Town of Rolesville, Wake County, North Carolina, being on the lands of ExperienceOne Homes, LLC as described in Deed Book 17509 at Page 1101, and Book of Maps 2021, Pages 109-114, Book 2021, Pages 119-126, Book 2021, Pages 1209-1210 Wake County Records, and being more particularly described as follows:

Commencing at an Iron Rebar found, being the North West Property Corner of Douglas Branch Jones (WB 14E, Pg 44) and Eastern Property Line of ExperienceOne Homes, LLC (DB 17509, Pg 1101), Wake County Records, with State Plane Coordinates N:803423.64, E:2161291.80, thence N88°55'16"E, 120.20' to a point; thence N01°49'20"W, 60.01' to a point; Said point being the Point of Beginning of the Zoning Change Line as shown on Book of Maps 2021, Page 119; thence N65°09'08"E, 56.49' to a point; thence N12°33'08"E, 127.36' to a point; N02°48'13"E, 260.61' to a point; thence N01°11'20"W, 174.39' to a point; thence N06°39'35"E, 258.31' to a point; thence S89°03'14"E, 208.84' to an Existing Iron Pipe; thence S02°07'14"E, 144.59' to an Existing Iron Pipe; thence across the Existing Right of Way of Kavanaugh Road S02°18'23"E, 60.10' to an Existing Iron Pipe; thence \$03°06'18"E, 102.35' to an Existing Iron Pipe; thence \$03°36'38"E, 100.47' to an Existing Iron Pipe; thence S03°41'51"E, 100.07' to an Existing Iron Pipe; thence S03°44'15"E, 100.14' to an Existing Iron Pipe; thence S03°49'56"E, 45.42' to an Existing Iron Pipe; thence across the Existing Right of Way of Shingle Oak Road S03°49'56"E, 50.03' to an Existing Iron Pipe; thence S03°49'58"E, 104.30' to an Existing Iron Pipe; thence S03°25'52"E, 24.65' to an Existing Iron Pipe; thence S88°55'16"W, 271.81' to an Existing Iron Pipe; said Point being the Point of Beginning, Said Area Contains 216,965 sf / 4.98 ac more or less

Phone: (919) 577-1080

Fax: (919) 577-1081

info@batemancivilsurvey.com



ateman Civil Survey Company
Engineers • Surveyors • Planners

 $\mathbf{\omega}$

ExperienceOne Homes, LLC PO Box 5509 Cary, NC, 27512

ELIZABETH SPRINGS SUBDIVISION 2021, PG 109, BM 2021, PG 119, BM 2021, PG 1 Wake Forest Township, Rolesville Wake County, North Carolina

1209

Designed By: N/A
Drawn By: JCH

Checked By: JWB

Scale: 1"=60'

Date: 12/29/2021

Project Number: 190106

SHEET 1 OF 1

ATTACHMENT 5



2524 Reliance Avenue Apex, North Carolina 27539 Phone: 919.577.1080 info@batemancivilsurvey.com

FOR: Town of Rolesville Planning

PO Box 250

Rolesville, NC 27571

DATE: **February 22, 2022**

RE: Elizabeth Springs – Map Amendment Statement

BCSC Project # 170348 / 190106

Rolesville SP-01, Rolesville SUP 17-02, WSBA 21.08.04_Little River / Smith Creek

To Whom it May Concern:

Please see the responses below in regard to the 3.9.2 - Application

Except for amendments initiated by the Town Board, Planning Board, or Board of Adjustment, no proposed amendment shall be considered by the Town Board nor a public hearing held until the applicant has submitted an application containing the following information, and paid a fee in accordance with the Town's Fee Schedule:

• A statement of the present zoning regulations or district boundary;

The existing zoning is R40W, a Residential Watershed District. It is established with the purpose to provide water quality protection in the drainage basin of water supply watersheds. A watershed boundary adjustment was submitted and approved on 08.04.21.

• A statement of the reasonableness of the proposed rezoning which addresses consistency with the Comprehensive Plan and other Town adopted plans, the compatibility of the proposed rezoning with the property and surrounding area, the benefits and detriments on the proposed rezoning for the land owner, the immediate neighbors and the surrounding community:

The proposed zoning is R&PUD, a Residential and Planned Unit Development District. It is established to provide a variety of residential housing choices with varied densities, types and designs; create neighborhoods and preserve existing character while allowing for new, compatible development; and provide safe, appropriately located lands for residential development consistent with the Rolesville Comprehensive Plan.

The name and signature of the applicant;

Corey Schmidt, Experience One

- The tax parcel number of the lot in question; 1860039129, 1860133781, 1860135542, 1860142095, 1860133761, 1860132857, 1860134506, 1860135888, 1860143255, 1860134741, 1860133545, 1860134711, 1860133576.
- The current zoning and use of the subject lot, and

The current zoning is R40W and R&PUD. The use is open space / vacant. The intention is to match the adjoining lots and match the original special use permit that was approved.

• Any additional information requested by the Zoning Administrator, Planning Board, or Town Board.

These parcels were recently plat recorded on BM2021, Page 0021. The resulting area being rezoned is 4.95 Acres.

The proposed development shall consist of 94 Single Family detached homes and 108 Townhomes.

The Memorandum dated 01.09.2019 from Travis Fluitt, PE at Kimley Horn notes an analysis of the phasing improvements for the Elizabeth Heights (Springs / Averette Farms) development. It was determined that the site traffic does not meet the threshold to require a TIA. This document has been included with this statement letter.

If the proposed change involves rezoning to a Special Use District, the applicant shall simultaneously submit an application for a Special Use Permit. The applicant shall, as part of the Special Use Permit application, present a site plan in accordance with the requirement of section 3.1 of this ordinance of the proposed use for the district, and/or if the request involves other conditions, a detailed description of the proposed conditions. The Planning Director, Planning Board, and Town Board may require additional information and plan details necessary to determine whether the property will be developed consistent with the purposes of this ordinance as part of the Special Use Permit application, including any information required in Article 8 of this ordinance, if the use would be a special use in the corresponding district.

Approved SU Permit: Rolesville SUP 17-02

If the proposed change involves zoning to a Conditional District, the applicant shall follow the requirements outlined in Section 5.4 of this ordinance.

N/A

The Planning Director shall prepare a Zoning Report and forward both the original zoning application and the Zoning Report to the Planning Board. The Planning Board shall review the application and Zoning Report at a regularly scheduled Planning Board meeting.

After hearing presentations, the Planning Board must review the amendment application, staff report, and additional information and comments submitted or presented to the Planning Board and must recommend to the Board of Commissioners approval or denial of the application in writing. In deciding whether to recommend approval or denial of the application, the Planning Board shall consider whether the proposed amendment is consistent with the Comprehensive Plan and other town adopted plans and otherwise advances the public health, safety, and general welfare.

Kind Regards,

Tim Grissinger
Civil Engineering & Land Development
P: 919.577.1080
t.grissinger@batemancivilsurvev.com

ELIZABETH SPRINGS SUP EXHIBIT

PRELIMINARY

Bateman Civil Survey Company
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2524 Reliance Avenue, Apex, North Carolina 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

MEM AS SHOWN 05.24.22 P170348

SHEET EX.1



2524 Reliance Avenue Apex, North Carolina 27539 Phone: 919.577.1080 info@batemancivilsurvey.com

FOR: Town of Rolesville Planning

PO Box 250

Rolesville, NC 27571

DATE: May 24, 2022

RE: Elizabeth Springs – SUP 22-01

Rolesville SP-01, SUP 17-02, MA 22-02, WSBA 21.08.04 Little River / Smith Creek

ATTN: MICHAEL ELABARGER

To Whom It May Concern:

Condition 1: SUP 22-01 requests approval of raising the maximum allowed dwelling Units to 100 SFD and 105 TH (from 89 & 98).

SUP 17-02 was approved to permit 89 SFD lots and 98 townhomes lots. This amendment to that SUP thus seeks to request 11 additional SFD lots (for a new maximum total of 100 SFD lots) and 7 additional TH lots (for a new maximum total of 105 TH lots).

The recorded SUP order for SUP 17-02 states the approved maximum lot numbers in the Preamble and in finding of facts #5.

Kind Regards,

Tim Grissinger
Civil Engineering & Land Development

P: 919.577.1080

t.grissinger@batemancivilsurvey.com

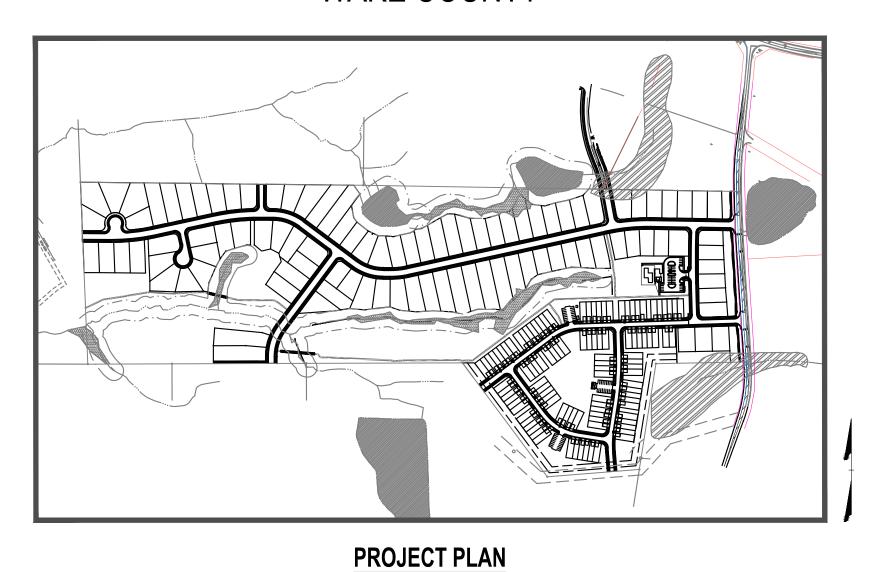
ELIZABETH SPRINGS

PRELIMINARY PLAT EXHIBIT

SUBMITTAL 1: 04.12.22

SUBMITTAL 2: 05.24.22

1205 AVERETTE ROAD WAKE FOREST, NC 27587 WAKE COUNTY



SCALE: 1" = 500'

SHEET INDEX SHEET NUMBER SHEET TITLE COVER SITE PLAN

SUP 17-02 (APPROVED BY TOWN BOARD 05.01.2018) MA 22-02 (REZONING OF WATERSHED REMOVAL AREA 4.98 AC. - VI) MA 22-02 (REZONING OF WATERSHED REMOVAL AREA 4.98 AC. V2) SUP 22-01 (AMENDING SUP 17-02)



OWNER:

N/F DOUGLAS JONES 1109 AVERETTE RD. WAKE FOREST, NC 27587

DEVELOPER: EXPERIENCE ONE HOMES CONTACT: COREY SCHMIDT PO BOX 5509

CARY, NC 27512

ENGINEER: BATEMAN CIVIL SURVEY COMPANY

CONTACT: TIM GRISSINGER 2524 RELIANCE AVE. APEX, NC 27539



Company

Planners olina 27539

Bateman Civil Survey C
Engineers ● Surveyors ● F
2524 Reliance Avenue, Apex, North Carolin
Phone: 919.577.1080 Fax: 919.577.1
NCBELS FIRM No. C-2378



Date:	04.12.22	
Project #:	P170348	
	SHEET	
	EX.0	

DATE DESCRIPTION **VICINITY MAP**

TRACT A -OS 21.53 AC.

<u>SITE (</u>)ATA
OWNER	DOUGLAS JONES
ADDRESS	1109 AVERETTE RD.
NDBNE66	WAKE FOREST, NC 27587
DIN	4000 00 0040
PIN REALID	1860-03-8619
REALID	2813
ACREAGE	82.399 A.C.
EXISTING USE	VA CANT
ZONING	R & PUD & R40W
RIVER BASIN	NUESE
FEMA MAP	#372018500J & #3720186000.
ROW DEDICATION	0.874 AC.
NEW TRACT AREA	81.525 A.C.
DEVELOPMENT TYPE -	
PROPOSED USE	SF RESIDENTIAL
DENSITY UNITS PROVIDED	1.29 UNITS / AC. 105 UNITS
UNITS PROVIDED	100 011173
MIN. LOT AREA	11.382 SF
MIN. LOT WIDTH	
PROPOSED LOT WIDTH	
SETBA	
FRONT / CORNER	25'
SIDE	5'
REAR	25'
OPEN S	PACE
COVERAGE REQUIRED	(10%) 5.84 A.C.
COVERAGE PROVIDED	(37%) 21.53 A.C.
AOS REQUIRED (50% OF 5.84 AC.)	2.92 AC.
AOS PROVIDED	5.79 AC.
POS PROVIDED	15.74 AC.
PARK	
PARKING CALCS.	4 SPACES / LOT
PARKING REQUIRED	420 SPACES
PARKING PROVIDED (DRIVEWAY)	420 SPACES
CBU PA PARKING REQUIRED	4 SPACES
PARKING PROVIDED	5 SPACES
I ARRING I ROVIDED	3 01 AOLO
DEVELOPMENT TYPE	TRACT B (23.15 AC.)
PROPOSED USE	TH RESIDENTIAL
DENSITY	4.32 UNITS / AC.
UNITS PROVIDED	100 UNITS
MIN. LOT WIDTH	20'
PROPOSED LOT WIDTH	26'
<u>SETBA</u>	
FRONT / CORNER (ROW)	15'
PROPOSED	20'
REAR	25'
OPEN S	
COVERAGE REQUIRED COVERAGE PROVIDED	(15%) 3.47 A.C. (50%) 11.47 A.C.
COVERAGE PROVIDED	(30%) 11.47 AC.
IOS REQUIRED (35% OF 3.47 AC.)	1.21 AC.
IOS PROVIDED	3.16 AC.
POS PROVIDED	8.31 AC.
PAR	
PARKING CALCS.	3 SPACES / UNIT
PARKING REQUIRED	300 SPACES
PARKING PROVIDED	324 SPACES
CBU PA	
PARKING REQUIRED	4 SPACES
PARKING PROVIDED	6 SPACES
AMENITY	PARKING
PARKING REQUIRED	33 SPACES
PARKING PROVIDED	33 SPACES
IMPER'	
NET TRACT AREA	81.525 A.C.
EXISTING IMPERVIOUS	0.A.C

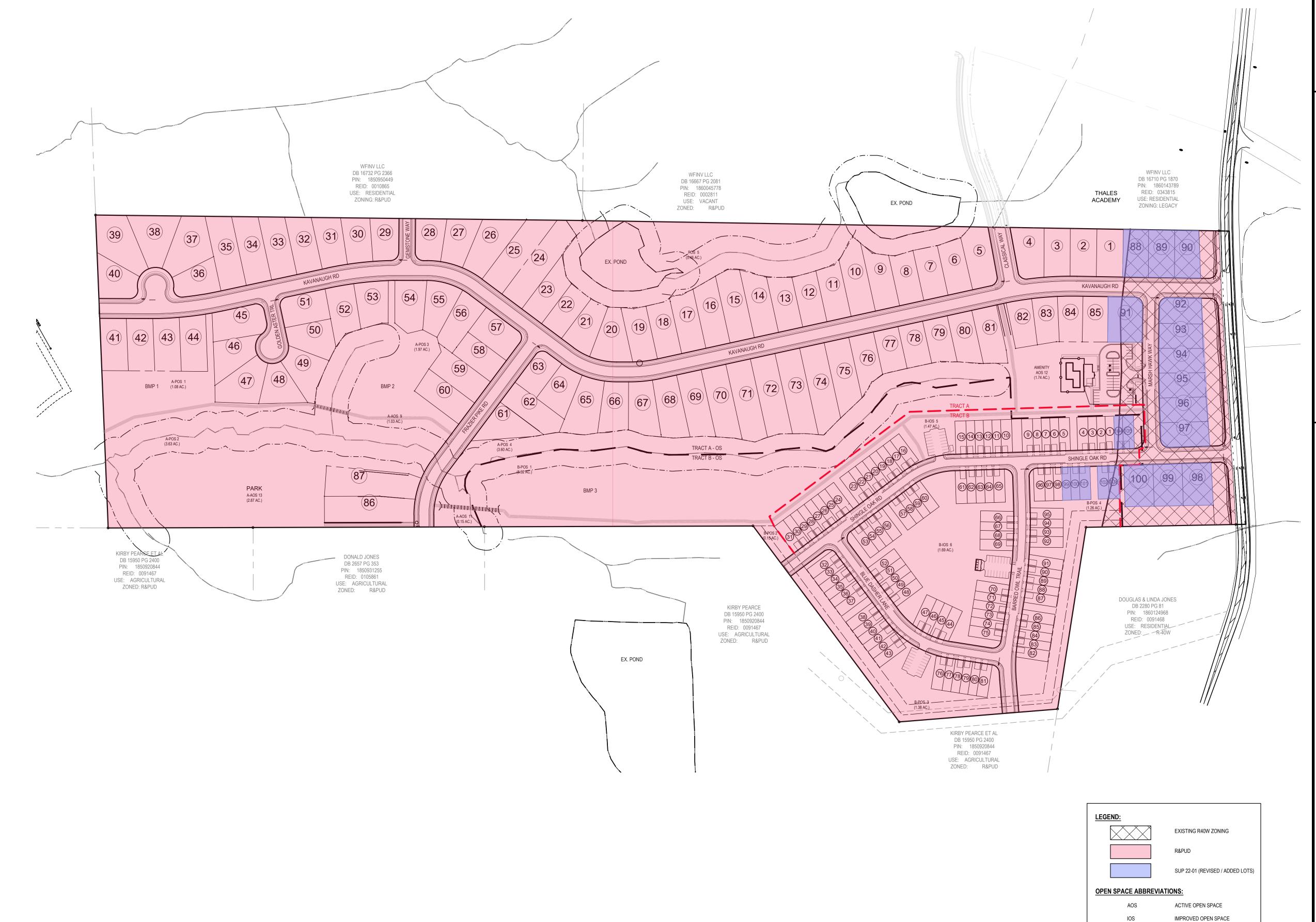
EXISTING IMPERVIOUS

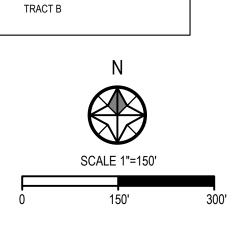
PROPOSED IMPERVIOUS

AVG. IMPERVIOUS / LOT

0 A C.

13.15 AC. (572,814 SF) - 16% 2,500 SF





PASSIVE OPEN SPACE

TRACT A

TRACT ABBREVIATIONS:

ELIZABETH SPRINGS PRELIMINARY PLAT EXHIBIT

PRELIMINARY

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Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

TSG MEM Designed By: AS SHOWN 04.12.22 P170348 SHEET

EX.1