

PSP-23-04 - Pearce Farms (FKA Tom's Creek)

2nd Submittal

Planning/Zoning Memo Comments

Project Background:

The following is the review of the 2nd Submittal of a Preliminary Subdivision Plat, completed by McAdams, originally dated December 1, 2023, and updated on April 1, 2024. The plat proposes 559 single-family detached [SFD] dwellings for the 222.83-acre site. The site was recently annexed (ANX22-07) and rezoned (MA21-10) to RM-CZ; the LDO Section 3.1.B. Cluster option is utilized. The proposed density is 2.51 dwelling units/acre, less than the rezoning permitted maximum density of 2.7 DU/AC. The plan has been reviewed against the requirements of the Town of Rolesville Land Development Ordinance (LDO).

The plans submitted are subject to Permit Choice outlined in Section 2.3.B. The dimensional standards provided on the plans are those applicable at the time of submission for the conditional Rezoning. The plans are not in compliance with currently in effect LDO standards for lot size and setbacks in an RM District utilizing the Cluster subdivision option.

Review Comments:

General Comments

1. **Phasing – The Response to V1 Comments states “ a phasing plan will be submitted with the next submittal.”** Staff will thus not be able to review this subdivision in the context of a phased project. Expect significant Comments to result from the review of Phasing related to Zoning conditions, open space calculations*, easements, and possibly other major aspects. Provide a Phasing Plan in the next submittal / do not resubmit without Phasing, or indicate that project will be 1 single phase (ie no phasing). *Per LDO Section 6.2.1.G.11, in multi-phased developments, open space shall be provided for each phase in an amount sufficient to satisfy the open space requirements for the subject phase of development and all preceding phases of development.
2. **# of Dwelling Units** - The plans provide an inconsistent number of dwelling units on multiple pages on the plan set. The plans show 559 but in calculations indicate anywhere from 556 to 559 units. Please update parking and mailbox kiosk calculations (Sheet C0.01) to reflect the current number of units proposed.
3. **Alley Pavement Widths** - Pavement widths in the alleys being shown at 16'; demonstrate how this is permitted within the LDO, or if absent a standard, how turning radii of trucks / SUV's in and out of driveways located 90-degrees to (16' alley pavement). This is ultimately a perpetual quality of life matter for future Town residents all due to an extra few feet of (alley widths). Staff notes typical parking lot drive aisles are anywhere between 20' and 24' of pavement width behind parking stalls.
4. **FYI - Environmental Permits** – Construction Infrastructure Drawings (CID) plans should include reference to any required approved/issued environmental permits for proposed disturbances to wetlands, riparian buffers, and floodplain.
5. **Temporary construction easements (TCE)** - There are several places where off-site (adjacent private properties) construction involving TCE's are proposed – explain, have those property owners been notified/asked of this, what is the progress on securing those easements, when will evidence of those be provided; prior to final approval of Construction Infrastructure Drawings, either recording information of those TCE's or inserted copies of those signed agreements shall be on/in the CID plan set. Construction occurs directly out of CID Plan set approval so easements must be obtained. Are

there any conflicts between TCE's and required buffer/landscape easements in any of these areas? The applicant should be prepared to discuss construction impacts on surrounding property owners with the Town.

Cover Sheet

6. **Repeat Comment.** Add case number PSP-23-04 to the cover sheet.
7. **Site Date Table** - Indicate in the CURRENT ZONING, that the zoning is "RM-CZ, Cluster Option." If the intent to subdivide using the Cluster Option is not clear, Staff cannot review lot and building setback dimensional standards correctly. The entire review of this Subdivision is predicated on whether it is being submitted under the standard dimensional standards of the zoning district, or as is only permitted for/in the RL and RM Districts, the Cluster option standards.
8. **Open Space / Trails Summary Table** - Revise this table to provide three [3] columns like: Requirement / Area Required / Area Provided.
 - a. Add the calculations used to determine the "REQUIREMENT acreage" . This is needed to demonstrate compliance with the Ordinance provisions in Chapter 3 and 6. Refer to plans for minimum calculations to be added and see Note in Open Space Plan comments below for more information.

Open Space Plan

9. As previously mentioned - update the Open Space / Trails Summary. As has been discussed, the open space required by Section 3.1.B. for the Cluster option is 40%. The open space requirement in Chapter 6, for the RM base zoning district, is 12%. Demonstration of compliance with the requirements for Active and Passive Open Space, as well as the minimum and maximum based on the TYPE of Open Space, are calculated based off of/from the 12% overall Open Space required acreage (ie NOT the 40% triggered by use of Cluster). The following shall be noted:
 - a. The Cluster triggered 40% Open Space acreage shall be **contiguous**. It does not matter if this open space is active or passive or environmentally constrained. Plans only need to indicate the acreage of contiguous open space to demonstrate compliance with [Cluster 40% gross acreage requirement].
 - b. The Open Space design standards of Section 6.2.1.G are applicable only to the RM District triggered 12% Open Space requirement per Section 6.2.1.D.1. and therefore, the open space / trails summary chart shall be updated accordingly and compliance with those acreages demonstrated.
10. **Revised Comment.** Per LDO Section 6.2.1.D.1.b, at least fifty (50 %) percent of dwelling units must be within one-half (½) mile of a medium or large park. Please **demonstrate** compliance with this requirement – highly suggest a chart or table to express this; Staff will not be using measurement tools to measure all ~555 residential lots for compliance.
11. **Revised Comment.** Per LDO Section 6.2.1G.8., a maximum twenty (20 %) percent of total required Passive Open Space may be environmentally sensitive or unique lands such as wetlands, protected stream buffers, rock outcroppings, and floodplains. Please **demonstrate** compliance – highly suggest a chart or table to express this. Note - this acreage is a percentage of the RM District 12% standard, not the Cluster option 40% overall open space standard.

12. LDO Section 6.2.1.G.12 and 6.2.1.J.10 both indicate that Greenways are **passive features**. In Response to V1 Comment #21 / #22, Applicant has indicated that portions of the Greenway are considered active. In order to demonstrate that Greenways are not their default Passive feature, Plans must clearly demonstrate how (linearly measured portions of Greenways) can be considered Active; in off-line meeting, Staff offered this can be accomplished by the clear indication of items such as workout stations, disc golf, parking lots*, or other qualifying (per the LDO) Active features. Staff acknowledges that such demonstration of physical constructable features is appropriate at CID time (and not PSP), but for Applicant to demonstrate compliance with these Open Space calculations, clarity must be expressed (now at PSP review). * - *Note that on up to ten (10) of the parking spaces can count as a portion of the open space.*
13. Total the columns of the 'Open Space Areas and Programming' table and then commensurately update the Open Space / Trails Summary Table on the Cover sheet.

Existing Conditions and Demolition Plan

14. Bold/increase line weight of property boundary on both plans sheets to distinguish where the actual project boundary is located. There should be no question as to the boundary of the subdivision.
15. Response to V1 Comment #27 - is that '*a tree survey is being completed at this time*'. This means to date, through creation of 2 submittals and review by TRC of 2 submittals, it has all been done in a vacuum of Existing Vegetation. Staff would anticipate significant comment generous from this omission.
- Add the existing tree lines to the Existing Conditions plan and Demolition Plans as stated below. Further, all locations where Tree Protection Fencing (TPF) will be installed shall be clearly indicated on the demolition plan.
 - Holding comment:** Label existing vegetation (with general description and location).
 - Holding Comment:** Label all vegetation that is proposed to be removed, especially those that require replacement per LDO Section 6.2.4.5.

Preliminary Plat and Pavement Markings

16. **Revised Comment.** Revise the typical lot layout graphic to show the location as well as the width of the driveways to be provided. This will ensure parking is able to be provided as indicated.
17. 10' Landscape easement - Add to every residential lot the 10' landscape easement that is proposed; a single note off to the side will not suffice. This easement shall be graphically represented on all CID plans and on Final Subdivision Plats; such graphic omission and reliance on a Note risks these being forgotten/lost at later stages, all the way to Lot-by-Lot Permitting.
18. Plans show trees and landscape/buffer easements on the right-of-way cross sections and trees on the landscape plans sheets. As a Preliminary Plat, actual/proposed individual trees are pre-mature, remove and save for CID landscape plan sheets.
19. 5' access, maintenance, and utility easement - Graphically show on every affected lot the 5' access, maintenance, and utility easement. On the typical sections for the alley, the Plans show a 5' access, maintenance, and utility easement on the back of both sides of the Right-of-Way (but not the individual lots).
20. FYI - Crosswalks should be provided at all intersection points; as a Preliminary Plat, these are more appropriate for CID plans. See mark-up for examples.

21. Project Boundary Line - Increase line width so that is different/greater than the other line work on the drawings.
22. FYI at CID -- Applicant should strongly consider the placement of "No On-Street Parking" signs. Rights of way provided do not allow for on-street parking in a number of areas, especially in alleys, and may hinder the access of emergency vehicles. Defer to Wake County Fire, Town Engineer, or Planning for the consideration of larger vehicular access.
23. FYI at CID -- Bollards, signage, and a permanent turn-around solution should be added to the proposed "dead-end" on Alley "16".

Grading and Erosion Control

24. **Holding Comment:** Response to V1 Comments indicates that a tree survey will be submitted – thus 2 submittals of Grading & Erosion have been created without knowing IF or WHERE a tree may be being preserved, which affects (grading & erosion control greatly). Note that grading and erosion plans will need to be updated to label existing vegetation (types and locations) as required per LDO Section 6.2.4.5. Further, locations of all TPF will be required and critical root zones (CRZ) shall be identified as required per LDO Section 6.2.4. These are locational aspect that dictate spacing and so forth and thus are appropriate at PSP stage.
25. Clarify or speak to the intended heights of the retaining walls, if possible now at PSP stage; Staff concern these may be considered a safety hazard, given proximity to residential and open spaces uses. Address/indicate what types of fencing and/or railings would be installed in these areas; this is a CID type of specificity, but it helps Staff understand the big picture regarding Retaining walls as part of grading plan.

Landscape Plan

While a majority of the following comments can be addressed and or clarified at the time of Construction Drawings, we offer the following – Applicant may choose to response/address with the next submission of the PSP.

26. Street A:
 - a. Staff classifies this as a 'collector' which LDO Section 6.2.2.2.D. requires a 15' wide Buffer – please revise to clearly and graphically show a 15' Street yard buffer on both sides; Vegetation planting and spacing can be demonstrated within CID landscaping plans.
 - b. The street cross section on Sheet 2 show "Main Street without parking" having trees both within the ROW (planting strip) and outside of the right-of-way on either side of the sidewalk. However, it does not appear that this is reflected on the landscape sheets. Please revise accordingly.
27. Where street trees / street buffers are shown in the legend on each page, it would be extremely helpful to have the quantities listed of each and not duplicated or shown on other pages. It would also be helpful to have an Overall Landscape Plan with an index map.
28. **Revised Comment.** Re: plant list - Please add the condition of root ball (B&B, container) to each of the plants listed or indicate in a note.

29. **Revised Holding Comment.** Per LDO Section 6.2.4.2.A., a Preservation Plan is required. This can also be on the landscape plan sheet, but Staff would suggest this be its own plan sheet(s). It is understood that this is being prepared. The applicant should also address replacement trees and demonstrating compliance with the required 10% preservation requirement.
30. It is recommended that the following plant species be updated / replaced:
- a. White Ash and Green Ash. Due to susceptibility to Emerald Ash Borer.
 - b. Southern Magnolia as a street tree. This would be better served as a specimen tree or in a buffer.
31. **Revised Comment:** A 6-foot fence is required for a Type 2 buffer according to LDO Section 6.2.2.1. Label fence location and provide the detail. *Due to the anticipation of preserving the majority of trees in the perimeter buffer, the applicant has requested that an additional three evergreen understory trees be added to the buffer instead of the placement of fencing in these areas. This appears to be satisfactory for those area where trees are tagged for preservation and their effectiveness in providing the require buffering can be evaluated at installation/inspection. However, where buffer areas are slated for disturbance and adjacent properties are residential in nature, fencing may be appropriate as required.*

This entire topic can only be addressed once the Required Vegetative Survey is provided and reviewed. The LDO has some language speaking to preservation of existing vegetation over removal and replanting with the prescriptions of Bufferyards, but it provides no clear translation or equation table or mathematics to allow an Applicant to proposed an “in lieu of new plantings” data table of the existing vegetation, making the case that existing is superior to and meeting the intent of the LDO over the buffer yard prescriptions. However, it is unknown to Staff how any existing vegetation can equate to or exceed a 6’ solid opaque fence when it comes to the Type 2 (and 3, and 4) Perimeter bufferyards. Please make it explicitly clear that the Applicant is asking Staff to make the judgement call that existing vegetation = LDO compliance, as opposed to the Applicant pursuing a Variance to achieve that same goal through the Evidentiary Quasi-judicial process of the Board of Adjustment.

Items to be provided or addressed with Construction Infrastructure Drawings

The following information may be provided with the submission of the Construction Infrastructure Drawings. However, the applicant should note that these items will need to be compliant with the ordinance requirements at that time. Should a requirement be unable to be met, the applicant may need to request a variance and/or revise plans if staff deems it necessary.

32. In accordance with Section 6.2.1.G, public seating, trash cans, and other pedestrian amenities shall be located and detailed on the plan set.
33. **Repeat and Revised Comment.** Retaining wall details, as well as details for bicycle racks, fences, benches, mail kiosks, etc. shall be provided.
34. **Revised Comment.** Mail kiosk locations and parking areas are not clearly identified and labeled on the plans. Further, this area will require signage. Please ensure there is adequate space for this provision, even if details are to be provided at Construction Drawings.
35. **Revised Comment.** LDO Section 6.6.F requires a lighting plan to be submitted as a portion of the site plan application. The applicant will need to demonstrate compliance with the requirements of Section 6.6. Please note, all proposed lighting features be added to the plans and where outside of utility easement, additional easements will be needed for the placement of light poles.