

09/03/2024

TO: Town of Rolesville Planning Department
502 Southtown Circle
Rolesville, NC 27571

SUBJECT: Reserve at Mitchell Mill **4th Submittal PSP-23-03 Planning Comment Responses**

In **response to review comments** provided on 07/10/2024, we are providing the following comment responses:

Cover Sheet

1. **Revised Comment.** To the Site Data table and/or the Site Data Amendment Table, please add or clarify the following information:
None of the information related to Nonresidential / Commercial Use is provided at this time. At a minimum the square footage of commercial space required as a portion of the conditions should be listed on the plans.
 - i. Building Size Proposed
 - ii. Minimum Lot Width
 - iii. Minimum Lot Length (NC District)
 - iv. Lot Length Proposed
 - v. Density within each Zoning District. **Please revise RM-CZ and NC-CZ densities as per calculations provided.**
 - vi. Parking Provided(Commercial)

SREG RESPONSE: Open Space requirements and calculations have been updated, please see sheets C6.0 - C6.3

Repeat comment: Table and requested information not found. This information does not relate to open space and should not be on the Open Space sheets (C6.0-6.3). In your response, please advise on which particular sheet this information is located.

SREG RESPONSE: All of this criteria has been added to the Cover Sheet, see C1.0

2. The applicant shall demonstrate compliance with the max 75% residential as per 3.4.3.C. Please add to this chart or indicate where this information is provided.

SREG RESPONSE: Open Space requirements and calculations have been updated, please see sheets C6.0 - C6.3

Repeat comment: Comment is still applicable and has not been addressed sufficiently to determine compliance. In your response, please advise on which particular sheet this information is located.

SREG RESPONSE: A “Residential Use” row has been added to the NC-CZ Spatial Use Requirement table on Sheet C6.0 that demonstrates the total area measuring less than 75%

Open spaces

3. **New comment:** On Sheet C6.0, the legend for Commercial Zone and Open Space appears reversed. Please review and revise as needed. This sheet has been reviewed according to that assumption.

SREG RESPONSE: The hatching colors have been updated in the legend, see Sheet C6.0

4. For the NC-CZ district, in accordance with Table 3.4.3, permitted Open Space types are greens, commons, squares, and plazas. The applicant should demonstrate compliance with this requirement, understanding that future commercial areas will also need to comply with this requirement.

SREG RESPONSE: Open Space requirements and calculations have been updated, please see sheets C6.0 - C6.3

Repeat comment: Comment is still applicable and has not been addressed sufficiently to determine compliance. Please label these areas on Sheet 6.0 and show detail drawings of each location, as needed.

SREG RESPONSE: Greens, commons, squares, and plazas have been accounted for as types of open space on Sheet C6.0. There is also a tabular breakdown of active and passive open space on Sheet C6.1.

5. 6.2.1.G contains many of the design standards for the provision of open space:
 - a. Open space areas shall demonstrate compliance with subsections 5 and 6, Public Seating. Please revise plans to show areas for public seating and trash receptacles.

SREG RESPONSE: Open Space requirements and calculations have been updated, please see sheets C6.0 - C6.3

Repeat comment: Please provide a note stating the requirement(s) and in your response to these comments identify which sheet has that note. Also please be aware that each open space area will require subsequent site plan review unless a detail drawing meeting all requirements is provided in this set.

SREG RESPONSE: Notes have been added to Sheets C5.0, C6.1 and C6.3 stating that detailed drawings of each amenity, that shows compliance with subsections 5 and 6, will be provided in a subsequent Site Plan submittal

6. **Partial Tree Inventory Map** -- The applicant has made part of the plan set, a partial tree inventory, consisting only of the trees within the required buffer areas. These are the trees that are subject to replacement if slated for removal:
- A number of the tree points included on the inventory are actually located off site; Although the critical root zone may be on site, these trees will not count toward tree preservation as they can be removed by the property owner – how, why, explain, and remove and revise accordingly.
 - The determination of required preservation AND replacement is based on the location of trees within the required buffer.** Remove these tree points from the data tables and include in a separate table. Highly suggest that Applicant take the necessary precautions to preserve the root zones of these trees found on site.

SREG RESPONSE: Please see the tree inventory and protection sheets C3.1 - C3.10

Repeat comment: Comment is still applicable and has not been addressed sufficiently to determine compliance on Sheets C-12 et al. Off-site trees are still being shown and included.

SREG RESPONSE: The Preservation plans on Sheets C11.1 – C11.8 have been updated to address the presence of off-site trees on the plans.

7. The tree inventory is labeled based on the number of trees per linear that are to be provided for the buffers in that area. However, the required widths of these buffer areas are not provided/labeled, the buffer labels are not shown, and the widths of these areas do not seem to be consistent along the lot frontages. Revise plans to label all buffer width as required by ordinance and provide the corresponding ordinance section (ex. Streetscape buffers along Jonesville Road (6.2.2.2.D.): 30 feet in width or Class 2 buffer along width of RM-CZ (3.1.B.2): 15 feet).

SREG RESPONSE: Please see the tree inventory and protection sheets C3.1 - C3.10

Repeat comment: Comment is still applicable and has not been addressed sufficiently to determine compliance. Please label these areas (with widths) on Sheets C3.0-C3.8, as appropriate. Legend on these sheets also needs correction as yellow and green areas are identical in the legend.

SREG RESPONSE: The Tree Inventory sheets C2.1-C2.8 have been updated to label each buffer type and the corresponding town code section.

8. **Partial Site Plans VIII - *Revised Comment***: The small area across Mitchell Mill Road is being labeled as open space but there is not a safe way to access this area. According to LDO Section 6.2.1.G.4, "Open space shall be located and designed to be easily accessible for residents and/or users of the development." Further it is not clear if this area will be programmed or kept in a natural state. *Comment response indicated that this park has a new access point, however this is not depicted on Partial Site Plan VIII. The above comment stands. Please also address how the space is intended to be used.*

SREG RESPONSE: The use of this area is to be determined in the future and is hatched as open space.

Follow up comment: Unless this area is intended to be permanently dedicated as and used for open space (as it is currently shown in this development plan), it should be subdivided from this project and remain as a separate tract. If retaining flexibility in the use of this remnant tract is the desired outcome, then it will need to meet minimum lot standards for the zoning district and it will need to be separated from this development application. Recommend further discussion with the Planning Department as this tract could have commercial potential and/or possible future extension of Pendulum Street to the south across Mitchell Mill Rd.

SREG RESPONSE: The site boundary area has been updated to no longer include this area as part of the project.

9. **Partial Site Plans VIII** - The westernmost property line of the proposed site should provide a Mixed- Use Perimeter buffer as it separates the NC-CZ from the adjacent zoning, as outlined in L DO Section 6.2.3. The first ten feet (10') of this buffer is a Compatibility Transition Area 'A' and requires a minimum 10', landscaped buffer consisting of 1 canopy tree every 30 feet. Transition Area 'B' shall be a minimum of 10'. However, the plans should be revised to clearly show the correct buffers along this property line. **NOTE: the MA 22-06 Concept Plan is only a conceptual plan of the project; it was not reviewed NOR APPROVED by the Town Board of Commissioners as a Preliminary Subdivision Plat. Further under LDO Section 3.3.B.2., " conditions shall not lesser the standards in this LDO " – the Town Board cannot and did not approve any type of lessening of or tacit variance from LDO subdivision requirements as part of the Rezoning approval. The Applicant has been reminded and made aware of how LDO Conditional Rezoning work and function multiple times; the response provided is wholly incorrect. Follow the comment and make corrections.**

SREG RESPONSE: Section 6.2.3 and Table 6.2.2.2 outline the requirements of perimeter buffers within Rolesville jurisdiction. Since the adjacent property is classified as Wake County R-30, table 6.2.2.2 does not provide an applicable perimeter buffer requirement. A previously agreed upon Type 2 buffer is shown on the plans.

ALL GRADING PLANS

10. **ALL GRADING PLANS - Repeat Comment:** Label Tree Protection Fencing (TPF) and Critical Root Zones (CRZ). The applicant has provided a tree preservation plan noting the location of trees that are to be preserved. Please ensure that the grading plan sheets are consistent with the tree preservation plan in providing tree protection fencing and labeling tree protection fencing. *Existing vegetation, TPF, and CRZ are not depicted or labeled. Staff are unable to evaluate consistency between Grading Plan and Tree Preservation Plan.*

SREG RESPONSE: Please see the existing conditions plan and tree protection plan, sheets C3.0 and C3.10

Repeat comment: Not seeing tree protection (TP) areas shown or labeled on the plans as requested, particularly on the partial sheets.

SREG RESPONSE: Please refer to the Preservation Plan sheets for the tree protection and proposed site grading, thank you

11. **ALL GRADING PLANS** - Please verify symbol shown on plans as a dashed line with square boxes. It appears this is a fence. Is it existing or proposed? Please add to legend.

SREG RESPONSE: The legend has been updated, see Sheet C8.0

Follow up comment: Unless the proposed fence is for tree protection, the proposed fence will need a detail drawing showing compliance with the Town's ordinances (Section 6.5).

SREG RESPONSE: The proposed fence now has an accompanying detail on Sheet D1.3

12. **Landscape Plans** - As mentioned in Comment #27, the westernmost property line of the proposed site should provide a Mixed-Use Perimeter buffer as it separates the NC- CZ from the [Wake County jurisdiction adjacent zoning, which is R-30, which is considered the least intense Zoning District of the LDO, the RL district), as outlined in Section 6.2.3. The plans should be revised to show the clearly shown the correct buffers along this property line. The proposed plantings for this buffer should also be shown, including any existing vegetation that will be used to meet the requirements of this section. **NOTE: the MA 22-06 Concept Plan is only a conceptual plan of the project; it was not reviewed NOR APPROVED by the Town Board of Commissioners as a Preliminary Subdivision Plat. Further under LDO Section 3.3.B.2., " conditions shall not lesser the standards in this LDO " – the Town Board cannot and did not approve any type of lessening of or tacit variance from LDO subdivision requirements as part of the Rezoning approval. The Applicant has been reminded and made aware of how LDO Conditional Rezonings work and function multiple times; the response provided is wholly incorrect. Follow the comment and make corrections.**

SREG RESPONSE: Section 6.2.3 and Table 6.2.2.2 outline the requirements of perimeter buffers within Rolesville jurisdiction. Since the adjacent property is classified as Wake County R-30, table 6.2.2.2 does not provide an applicable perimeter buffer requirement. A previously agreed upon Type 2 buffer is shown on the plans.

13. **Preservation Plan** - Plans shall be revised to demonstrate compliance with the requirements of Section 6.2.4.5, specifically the following:
- a. Replacement tree calculations shall be provided as required in subsection B.3 and 4. As these calculations are not overly clear in the ordinance, they shall be provided as follow:
 - i. Where a tree meeting the criteria mentioned above is slated to be removed, it shall be replaced with four or more trees. The size of the tree is as listed in Section 6.2.4.3. and the type shall match closely that was which removed. (1 tree removed = 4 trees replaced)
 - ii. Where a tree over 60" is removed it shall be replaced inch for inch using a minimum of 3" trees. (1, 60" tree removed = 20, 3"

trees minimum)

SREG RESPONSE: The Preservation Plans have been updated, see Sheet C12.0 – C12.9

Follow up comment: Please add a table (Sheet C-12.9 would be a good place) summarizing the trees removed and showing the number of trees replacing them. This table should demonstrate compliance with the section and guidance above.

SREG RESPONSE: Sheet C11.9 shows an updated table of trees to be removed and a subsequent table of newly proposed trees. Thank you.