



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: S-28-13 / Waters Infill Subdivision

Property owner: Tommy Waters
Designer: Patty Hilburn

General Location: South side of Currituck Drive, west of its intersection with Tyrrell Road, inside the City Limits.

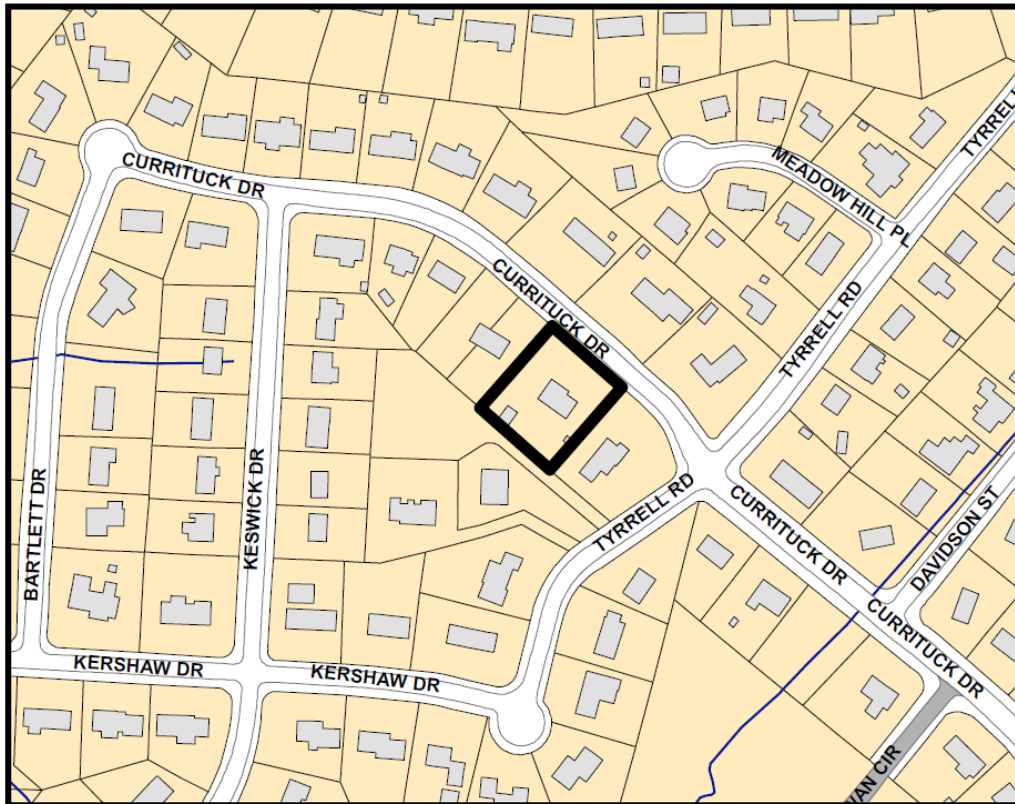
CAC: Midtown

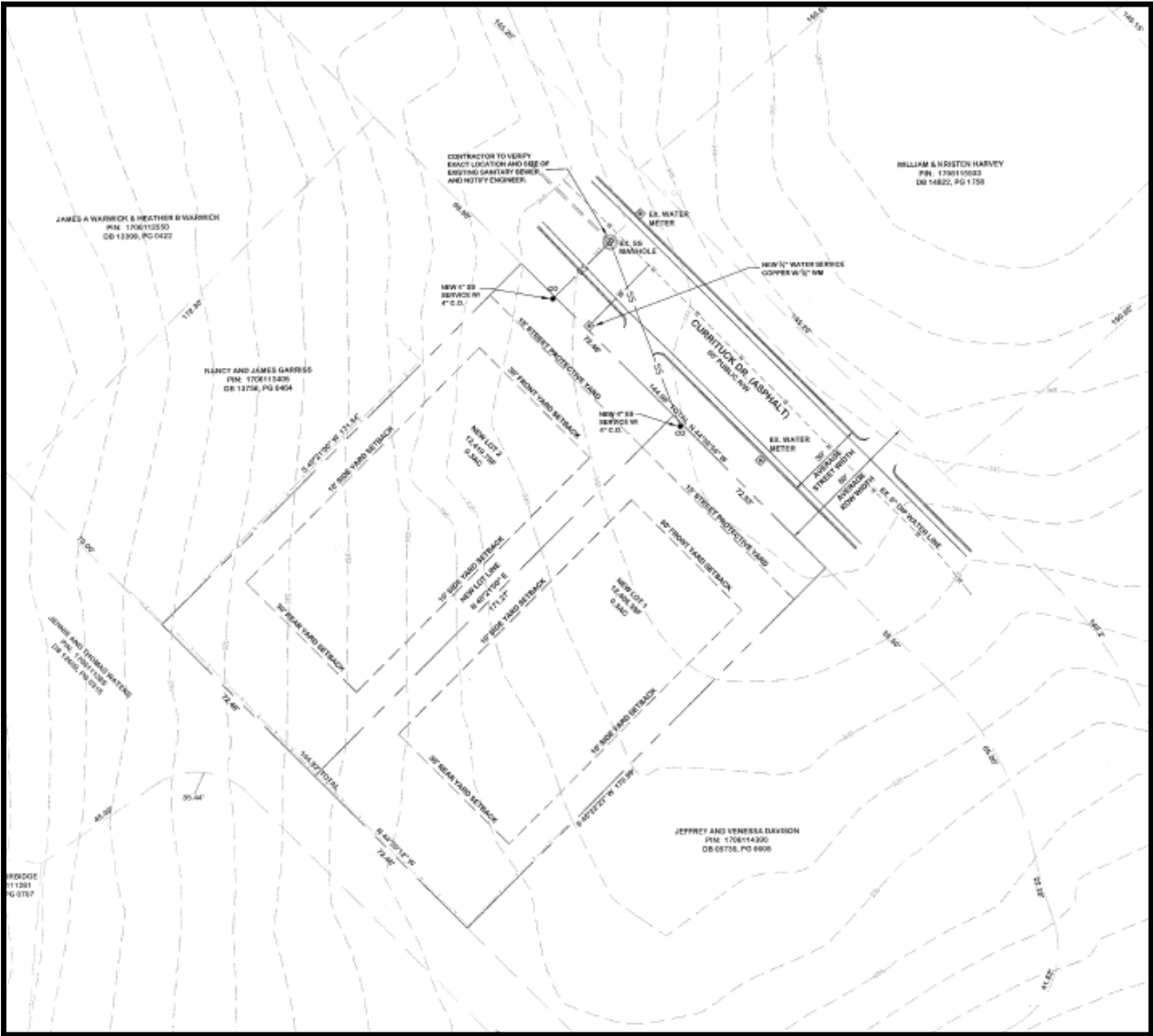
Nature of Case: This is an infill subdivision to subdivide one existing lot into two lots. The subject parcel is 0.57 acre in size and zoned Residential-4. A single family residence is currently developed on the property.

The proposed subdivision meets the standards of an infill subdivision because the subject property is less than five acres, is surrounded on more than 66% of periphery by single family detached residential, and would include lots with less than 80% of the median lot size and frontage.

Key Issues: Planning Commission should evaluate the request using the five standards of code section 10-3032(d) related to infill projects.

Contact: Patty Hilburn (919)848-4399





Subdivision Layout

SUBJECT: S-28-13 / Waters Infill

CROSS-REFERENCE: N/A

LOCATION: This site is located on the south side of Currituck Drive, west of its intersection with Tyrrell Road, inside the City Limits.

REQUEST: This request is to approve the subdivision of a 0.57 acre tract into two lots, zoned Residential-4. This development constitutes an "infill subdivision" of less than 5 acres surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and contains lot frontage less than 80% of the median of the surrounding lots, and lot size less than 80% of the median of the surrounding lots.

Lot 1 is proposed to be 0.28 acre. Lot 2 is proposed to be 0.29 acre.

Median lot size of surrounding lots .511 acres (80% = .409)

Proposed lot size lot #1 .28 acres (55% of median)

Proposed lot size lot #2 .29 acres (57% of median)

Median lot frontage of surrounding lots 144' (80% = 115')

Proposed lot frontage lot #1 72.53' (50% of median)

Proposed lot frontage lot #2 72.46' (50% of median)

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL: As noted on the Staff Report, attached

FINDINGS: The Planning Commission finds that this request, with the above conditions being met, meets the infill lot layout standards of 10-3032(d). The Planning Commission also finds that this plan conforms to Chapter 2, Part 10, Sections 10-2021, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 9/03/13, owned by Tommy Waters, submitted by Patty Hilburn.

ADDITIONAL NOTES: It should be noted that this development plan was submitted prior to September 1st, 2013 and the Unified Development Ordinance does not apply.

To PC: 9/24/13

Case History: xxxxx

Staff Coordinator: Stan Wingo

Motion: Terando
Second: Lyle
In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Mattox, Swink and Terando
Opposed: xxxxx
Excused: xxxxx

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.) (PC Chair)

date: 9/24/13

date: 9/24/13



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That an underground stormwater detention device will be installed and constructed on each lots such that there will be no net increase in stormwater runoff peak discharge rate leaving each lot between the pre and post development conditions for the 2, 10 and 25 year storms and 24 hour storm;
- (2) That the stormwater discharge from the detention device shall be converted to sheet flow before leaving the properties unless adjoining property owners agree to allow piping from the lots to the existing stormwater system located down stream;
- (3) That the impervious surface on each lot shall not exceed 4,000 square feet;
- (4) That the underground stormwater detention devices be constructed as open chamber devices to allow for water infiltration into the soil;
- (5) That the stormwater devices installed on the property be maintained in accordance with Code section 10-9027 and 10-9028.
- (6) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department;
- (7) That the Planning Commission finds that this infill subdivision meets the lot layout standards of Section 10-3032(d) noted below:
 - (1) All lot line boundaries shall meet all of the following:
 - a. Lot lines shall be angled from the street in a similar manner to the angle that is typical of the surrounding peripheral residential lots;
 - b. Lots shall consist of no more than four (4) lines (front, rear, side, side) where such a configuration is typical of the surrounding peripheral residential lots;
 - c. Lots shall not be configured in such a way that building envelopes for houses are placed one behind the other when viewed from the public street, where such a configuration is not typical of the surrounding peripheral residential lots.

Lot line boundaries may be approved that do not meet subparagraphs a. b. or c. above if the Planning Commission finds the lot line configuration is harmonious with the lot configuration pattern of the surrounding peripheral lots.

(2) Lots shall be configured to be adequately served by City services, allow for access of emergency vehicles, and meet City standards for proximity to fire hydrants and fire lines where public water is available.

(3) If a lot is to be formed of a size that would allow further subdivision, a forty-foot minimum width shall be maintained on all parts of the lot to allow a public street to be extended to serve any additional lots that may be proposed in the future.

(4) The Planning Commission first finds that the infill project is in accordance with the general plans for the physical development of the City as embodied in the Comprehensive Plan (including the design standards contained therein), redevelopment plans, Streetscape Plans, Neighborhood Plans or other City Council - adopted plans and standards. If there are conflicts between the plan and Code restrictions, the more stringent shall apply.

(5) The Planning Commission finds that the infill project contains adequate measures to protect other properties, including public corridors from adverse effects expected from the development or recombination, including stormwater, traffic, and interference with air, light and privacy of surrounding residential properties.

Administrative Actions:

Prior to Planning Department authorization to record lots:

- (8) That payment of a fee-in-lieu for ½ of a 5-foot sidewalk along the frontage of Currituck Drive be made to the Public Works Department.
- (9) That infrastructure construction plans be approved for the proposed public sanitary sewer extension.
- (10) That demolition permits must be obtained and the permit number shown on the final plat prior to lot recordation.

ZONING:

ZONING DISTRICTS: Residential-4

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown.

TREE CONSERVATION: Tree Conservation is not required as the subject property is less than 2 acres in size.

PHASING: There is only one phase associated with this proposed subdivision.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR
PLAN:**

Dedication of right-of-way is not required with this subdivision.

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: This site is located in the Midtown Citizen Advisory Council, in an area designated as Low Density Residential. The proposed subdivision is consistent with the Comprehensive Plan and the following policies:
Policy LU 2.2 – Compact Development
Policy LU 5.1 – Reinforcing the Urban Pattern
Policy LU 8.5 – Conservation of Single Family Neighborhoods
Policy LU 8.12 – Infill Compatibility
Policy UD 1.4 – Maintaining Façade Lines
Policy UD 5.1 – Contextual Design

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in this zoning district is 10,890 square feet. The minimum lot depth in this zoning district is 70 feet. Lots in this development conform to these minimum standards. This is an infill subdivision as defined in Sec. 10-3003. The total acreage is less than 5 acres. The median lot size of the peripheral developed lots is 22,259 square feet. The median lot frontage of the peripheral developed lots is 144 linear feet. The minimum lot size proposed in this subdivision is 12,196 square feet. The minimum lot frontage in this subdivision is 72.46 linear feet.

Lot lines are angled from the street in a similar manner as typical surrounding lots. Lots consist of no more than 4 lines as is typical of surrounding lots. The building envelopes for the proposed new lots are placed in such a way that they are not one behind the other when viewed from the public street. Lots proposed may be adequately served by City services.

INFILL STANDARDS: Any infill lot formed either by recombination or by subdivision after the application of this regulation shall comply with the following:

BLOCK LAYOUT: No new streets are required or proposed.

PUBLIC UTILITIES: City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site, including the extension of a public sanitary sewer line.

SOLID WASTE: Individual lot service by the City is to be provided.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

- PEDESTRIAN:** There are no sidewalks currently constructed along Currituck Drive. Developer is responsible for the payment of a fee-in-lieu for ½ of a 5-foot sidewalk along the Currituck Drive frontage.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** Proposed subdivision would be considered exempt from Stormwater Controls under 10-9021(3) of the City Code, however, there have been past issues with structural flooding immediately downstream of this property. It should be noted that the developer has included notes on the plan sheets to address potential stormwater impacts.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** No new street names are required for this development.
- OTHER REGULATIONS:** Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.