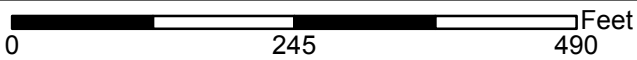


CURRIN PROPERTY S-44-2016



Zoning: **RX-3, NCOD**
CAC: **North Central**

Drainage Basin: **Pigeon House**
Acreage: **0.27**
Number of Lots: **2**

Planner: **Meade Bradshaw**
Phone: **(919) 996-2664**

Applicant: **Tina & Daniel Currin**
Phone: **919-349-2543**





Certified City Council Decision Preliminary Subdivision

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: S-44-16 / Currin Property Subdivision

General Location: The site is located on the north side corner of E. Edenton Street and the east side of N. East Street, inside the city limits.

CAC: North Central

Nature of Case: Proposal to approve the subdivision of a .269 acre parcel into 2 lots zoned Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) with a portion of lot 1 being within the Oakwood General Historic Overlay District (HOD-G).

This proposal is subject to the Unified Development Ordinance. Review and recommendation by the Raleigh Historic Development Commission (RHDC) and City Council approval is required for all subdivisions located within the General Historic Overlay District (HOD-G).

Currently, a detached house and a portion of a gazebo exist on the tract within the General Historic Overlay District and the plan indicates that both structures are to remain, on proposed Lot 1. Proposed lot size for Lot 1 is .104 acres (4,521 square feet), and .165 acres (7,186 square feet) for proposed Lot 2.

The RHDC is responsible for review and recommendation regarding subdivision approvals in a Historic Overlay District. At its November 15, 2016 meeting, the RHDC determined that since only a portion of the property is in the historic district the proposed subdivision is not incongruous with the development character of the historic district in terms of the lot width and proposed buildable portions of the resulting lot.

Also, since a portion of the proposed preliminary subdivision plan falls within the General Historic Overlay District, City Council is responsible for final action of this subdivision approval. A Quasi-Judicial Public Hearing is required, as per the City of Raleigh Unified Development Ordinance (UDO) Section 10.1.8., and 10.2.5.

Contact: Matthew Cash

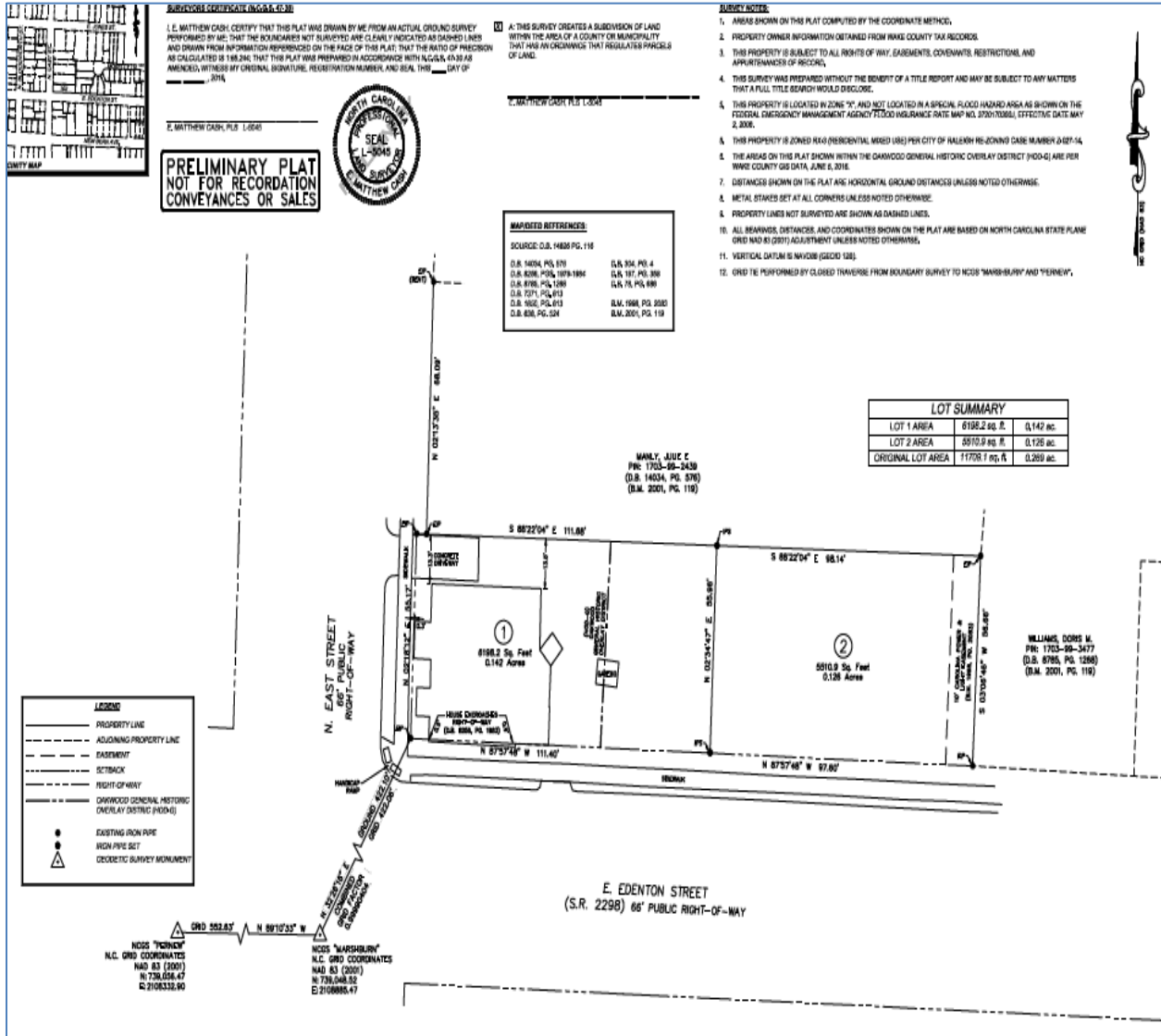
Design Adjustment: N/A

**Administrative
Alternate:** N/A

Location Map – Currin Property Subdivision



Subdivision Map for S-44-16



SUBJECT: S-44-16 / Currin Property Subdivision

CROSS-REFERENCE: N/A

LOCATION: The site is located on the north side corner of E. Edenton Street and the east side of N. East Street, inside the City limits.

PIN(S): 1703992423

REQUEST: This request is to approve the subdivision of a .269 acre parcel into 2 lots, zoned Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) with a portion of the lot being within the Oakwood General Historic Overlay District (HOD-G). A Residential Mixed Use zoning district, provides a variety of residential building types and housing options at density in excess of 10 dwelling units per acre.

OFFICIAL ACTION: Approval with Conditions

FINDINGS OF FACT:

The City Council finds, based on the record, that plans S-44-16 dated 04/24/2016 complies with these requirements.

1. All parties necessary to the determination of this request were properly notified and were present or had the opportunity to be represented at the hearing.
2. Proposal to approve the subdivision of a .269 acre parcel into two (2) lots, both zoned Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) with a portion of new Lot 1 being within the Oakwood General Historic Overlay District (HOD-G). This proposal is subject to the Unified Development Ordinance.

Currently, a detached house and a portion of a gazebo exist on the tract within the General Historic Overlay District and the plan indicates that both structures are to remain, on proposed new Lot 1. Proposed size for new Lot 1 is .104 acres (4,521 square feet) and .165 acres (7,186 square feet) for proposed new Lot 2.

The maximum residential density allowed with the Residential Mixed Use zoning district, provides a variety of residential building types and housing options at density in excess of ten (10) dwelling units per acre.

Approximately, thirty-three percent (33%) of the proposed preliminary subdivision plan falls within the Historic Overlay District – General (Oakwood); thus a Quasi-Judicial Public Hearing is required, as per Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance.



Final Conditions of Approval

CONDITIONS OF APPROVAL:

City Council Actions:

- (1) The City Council finds that with the following conditions of approval being met, this request conforms to the Unified Development Ordinance including Sections 5.4.3.F.9., 10.1.8, and 10.2.5. This approval is based on a preliminary plan dated 04/24/2016 owned by Christina Haver Currin and Daniel Grayson Currin, submitted by Matthew Cash.

Administrative Actions:

Prior to authorization to record lots:

- (1) That a fee-in-lieu payment for (5) street trees on Edenton Street and N. East Street is paid to the Development Services Department;
- (2) That a fee-in-lieu for 1' of sidewalk along entire property frontage along N. East Street and Edenton Street, will be required to be paid to the Development Services department;
- (3) That a surety for closing of the driveway, located on Lot 1, adjacent to Edenton Street for the restoration of curb and gutter be paid;

Prior to issuance of building permits:

- (4) That all applicable standards of the New Bern – Edenton Neighborhood Conservation Overlay District are met;
- (5) That all applicable standards of the Oakwood General Historic Overlay District (HOD-G) are met for Lot 1;

To City Council: April 4, 2017

City Council Status: Approved April 18, 2017

Staff Coordinator: Martha Y. Lobo

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

ZONING:

ZONING DISTRICTS: Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) and a portion of the lot is within the Oakwood General Historic Overlay District (HOD-G).

TREE CONSERVATION: The subject parcel is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation is therefore not required.

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no Greenway on this site.

STREET PLAN MAP:

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)	Slope Easement
N. East Street	Neighborhood Street	66'	N/A	37'	N/A	N/A
Edenton Street (NCSR 2298)	Avenue-4-Lane, Parallel Parking	66'	N/A	42'	N/A	N/A

TRANSIT: This site is presently served by the existing transit system. Route 10 Longview travels north on N. East Street. This bus runs every 30 minutes during peak periods and hourly at other times. In addition, Route 15 WakeMed travels west on Edenton Street and runs every 15 minutes from ~7am-7pm M-F and hourly other times.

COMPREHENSIVE PLAN:

This site is located in the North Central CAC in an area designated for neighborhood mixed use development.

**SUBDIVISION
STANDARDS:**

- LOT LAYOUT:** The minimum lot size in Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) and a portion of the lot is within the Oakwood General Historic Overlay District (HOD-G) zoning district is 4,000 square feet per the New Bern-Edenton-NCOD. There is no minimum lot depth requirement within RX-3 zoning district. The minimum lot width of an interior lot or corner lot in this zoning district is 30 feet, per the New Bern-Edenton-NCOD. Lots in this development conform to these minimum standards.
- 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.
- SOLID WASTE:** Individual lot service by the City is to be provided.
- BLOCKS / LOTS / ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO, with the condition that a surety for closing of the driveway, located on Lot 1, adjacent to Edenton Street, for the restoration of curb and gutter, be paid prior to subdivision recordation.
- NCDOT has approved the encroachment for a portion of the existing structure, located on proposed Lot 1, adjacent to Edenton Street.
- STREETSCAPE TYPE:** UDO Section 8.5.1 requires the installation of street trees in a 6' planting strip between the curb and sidewalk, based on 40' o.c. spacing or 20' o.c. spacing beneath overhead powerlines. The applicable streetscape cannot be installed on Edenton Street and N. East Street at this time and a fee-in-lieu payment for (5) street trees is required, prior to subdivision recordation.
- PEDESTRIAN:** A 5' sidewalk currently exists along both sides of N. East Street and Edenton Street (NCSR 2298). A fee-in-lieu for 1' of sidewalk along the entire property frontage of N. East Street and Edenton Street will be required. Access to the public right of way is provided in accordance with 8.3.4 of the UDO.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:**
- Exemptions:**
- That the proposed use for this project is single-family detached housing as part of a subdivision less than one acre and therefore claiming exemption from active stormwater control measures per TC-6-15(A)3.;
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or riparian buffers are required on this site.

STREET NAMES: No new streets are being proposed with this development.

OTHER REGULATIONS: Developer shall meet all City requirements, including underground utility service, flood protection measures, and the soil erosion ordinance, unless specifically varied by this approval.

SUNSET DATES: If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: April 18, 2020
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.



City Of Raleigh
NORTH CAROLINA

April 24, 2017

Mr. Matthew Cash
1224 Courtland Drive
Raleigh, NC 27604-1339

RE: Preliminary Subdivision Plan – S-44-16 – Currin Property Subdivision

Dear Mr. Cash:

In its meeting held on April 18, 2017 and following an evidentiary hearing held on April 4, 2017, the Raleigh City Council approved the preliminary subdivision of a .269-acre parcel located at 102 North East Street into two lots (Currin Property Subdivision, Case No. S-44-16). The property is zoned Residential Mixed Use-3 (RX-3) within the New Bern-Edenton Neighborhood Conservation Overlay District (NCOD), and a portion of the lot is within the Oakwood General Historic Overlay District (HOD-G). Enclosed is a copy of the Findings of Fact and Conclusions of Law adopted by the Council on April 18, 2017.

Please contact Martha Lobo in the Planning Department (919-996-2664) to determine the steps necessary to proceed.

Sincerely,

Leslie H. Eldredge
Deputy City Clerk

Enclosure

c: Planning – Martha Lobo

NORTH CAROLINA

BEFORE THE RALEIGH CITY COUNCIL

WAKE COUNTY

S-44-16

IN RE: Currin Property Subdivision

On April 4, 2017, the Raleigh City Council held a hearing to receive evidence from Matthew Cash, on behalf of property owners, Christina Haver Currin and Daniel Grayson Currin, for approval of a proposed preliminary subdivision, S-44-16, Currin Property Subdivision. The applicant requests preliminary subdivision approval pursuant to Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance. As a result of that hearing and the testimony and other evidence received therein, the City Council makes the following subdivision approval.

FINDINGS OF FACT

The City Council finds, based on the record, that S-44-16 complies with these requirements.

1. All parties necessary to the determination of this request were properly notified and were present or had the opportunity to be represented at the hearing.
2. Proposal to approve the subdivision of a .269 acre parcel into two (2) lots, both zoned Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) with a portion of new Lot 1 being within the Oakwood General Historic Overlay District (HOD-G). This proposal is subject to the Unified Development Ordinance.

Currently, a detached house and a portion of a gazebo exist on the tract within the General Historic Overlay District and the plan indicates that both structures are to remain, on proposed new Lot 1. Proposed size for new Lot 1 is .104 acres (4,521 square feet) and .165 acres (7,186 square feet) for proposed new Lot 2.

The maximum residential density allowed with the Residential Mixed Use zoning district, provides a variety of residential building types and housing options at density in excess of ten (10) dwelling units per acre.

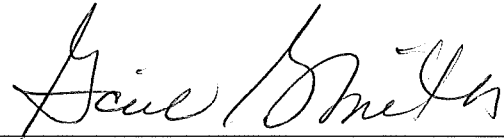
Approximately, thirty-three percent (33%) of the proposed preliminary subdivision plan falls within the Historic Overlay District – General (Oakwood); thus a Quasi-Judicial Public Hearing is required, as per Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance.

CONCLUSIONS OF LAW

1. Based on evidence presented at the hearing, the Raleigh City Council concludes that S-44-16 complies with Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance.

Therefore, the proposed preliminary subdivision is hereby approved.

This the 18th day of April, 2017.



Gail G. Smith
City Clerk