Certified Action
of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: **IR- 4-07 / Woodrow Park**

General Location: This site is located on the east side of Saint Mary's Street, west of its intersection with Wedgedale Drive, inside the City Limits.

Planning District / CAC: North Hills / Glenwood

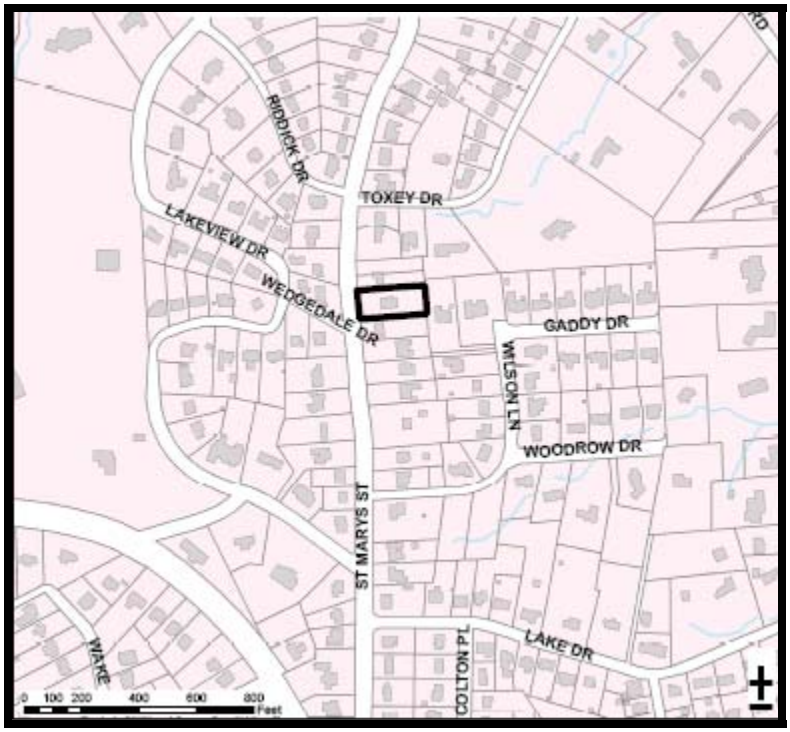
Nature of Case: This is an "infill" recombination to reconfigure 2 existing lots (lots 5 & 6 recorded BM 1911 PG 11 and BM 1941 PG 11608), into 2 lots zoned Residential-4.

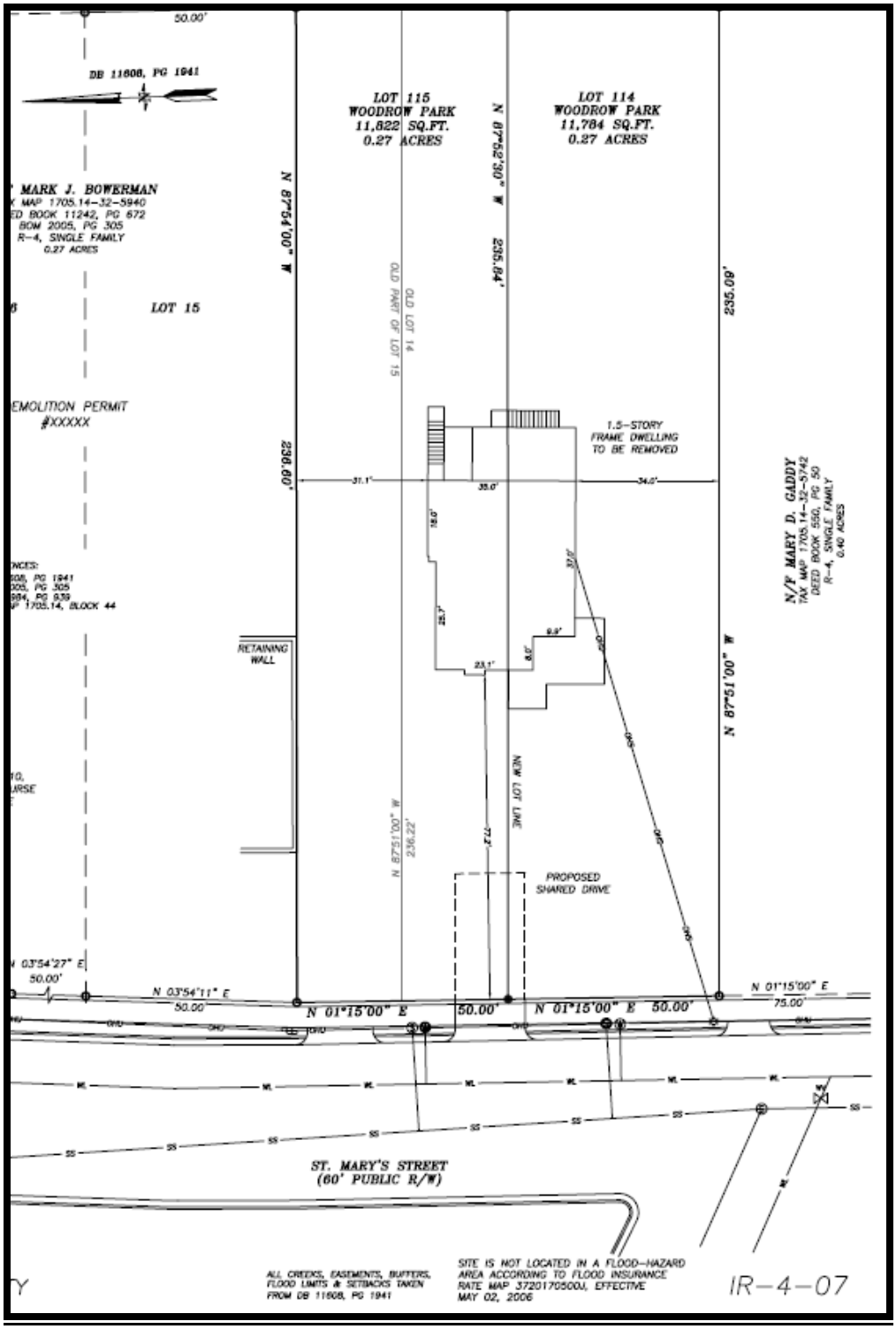
Lot 114 will be .27-acres (11,822 square feet) with a road frontage of 50.00 linear feet.

Lot 115 will be .27-acres (11,784 square feet) with a road frontage of 50.00 linear feet.

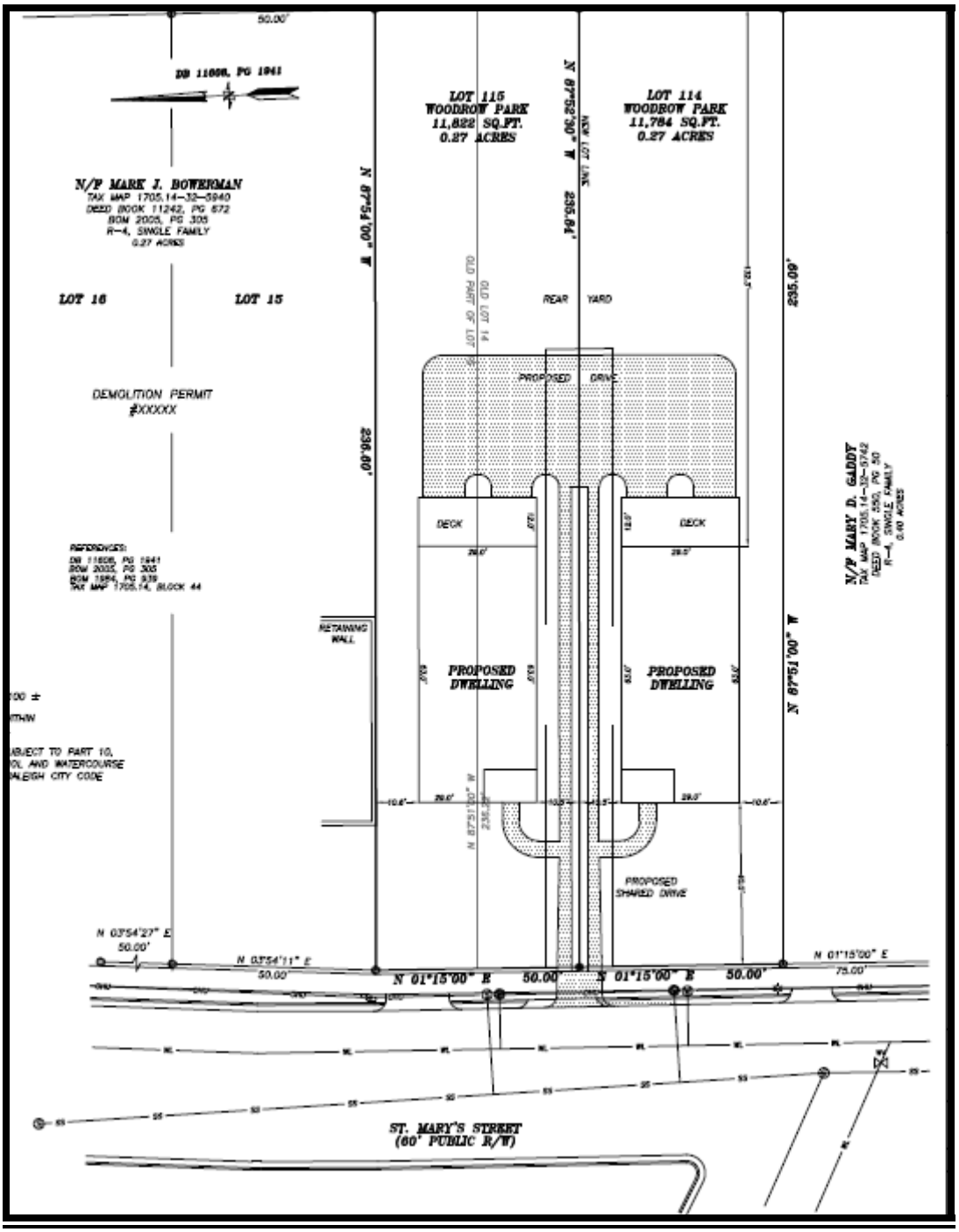
Key Issues: Planning Commission should evaluate this request utilizing the infill standards of Code section 10-3032(d) as found on page 8 of this staff report.

Contact: Turning Point Surveying





Originally submitted plan



Revised plan showing shared driveway parking in the rear and proposed building envelopes

SUBJECT: IR-4-07 / Woodrow Park

CROSS-REFERENCE: N/A

LOCATION: This site is located on the east side of ST. Mary's Street, west of its intersection with Wedgedale Drive, inside the City Limits.

REQUEST: This request is to approve an "infill recombination" to recombine 2 existing lots into 2 lots, zoned Residential-4. This development constitutes an "infill recombination" of less than 5 acres surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and contains either one or more lot frontages less than 80% of the median of the surrounding lots, or one or more lot sizes less than 80% of the median of the surrounding lots or both. Currently a house exists on this site and it is proposed to be demolished.

Median lot size of surrounding lots	**.53 acres (80% = .42)**
Proposed lot size lot #114	**.27 acres (51% of median)**
Proposed lot size lot #115	**.27 acres (51% of median)**
Median lot frontage of surrounding lots	**62.50' (80% =50')**
Proposed lot frontage lot #114	**50' (80% of median)**
Proposed lot frontage lot #115	**50' (80% 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 conditions of approval below 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, Section 10-2017, and to Chapter 3, Part 10, and Sections 10-3001 through 10-3059. This approval is based on a preliminary plan dated July 5, 2007, owned by William & Sue Stevens, submitted by Turning Point Surveying.

ADDITIONAL NOTES: There are no additional notes for this plan.

To PC: July 22, 2008

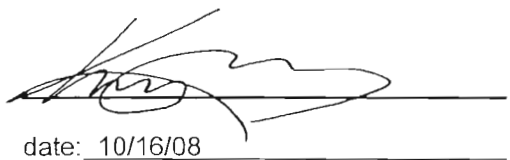
Case History: Planning Commission deferred the item for two (2) weeks to August 12, 2008. The Planning Commission would like to take a closer look at how this request adheres to "infill standards" item #5. How will the construction of two (2) homes protect the surrounding properties to air, light and privacy? Planning Commission also had concerns with the shard driveway location and the owner being absent from the public hearing due to a family emergency. The owner was out of town in August so the plan was submitted to public hearing on September 23, 2008 at 9:00 as a deferred item.
The owner was present at the meeting and Planning Commission applied two new conditions to the CA; that no less than 40' front yard setback for both lots and only parking in the rear no front parking. The owner presented house plans at the meeting indicting how the new houses may be constructed. When the PC viewed the house renderings the owner's were ask if the homes could be constructed at the 32' height limitation as presented. The owner's were unsure and the item was deferred to October 14, 2008 hearing.

Staff Coordinator: Jacque Baker

Motion: Holt
Second: Mullins
In Favor: Anderson, Bartholomew, Butler, Chambliss, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith
Opposed:
Excused:

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: 10/16/08



date: 10/16/08

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

Planning Commission Actions:

(1) That the Planning Commission finds that this infill recombination meets the lot layout standards of Section 10-3032(d);

The applicant has provided materials and information to meet standards of code section 10-3032(d) for the following:

- Building Heights
- Air, Light and privacy

The owner has proposed in writing the following:

- **Height:** Maximum building height not to exceed 36-feet from average natural ground elevation (per City of Raleigh Code section 10-2076(b);
- **Size:** The minimum floor area gross shall be no less than 2,500 square feet and maximum floor area gross shall not be more than 3,5 00 square feet, excluding finished attic, basement, decks;
- **Access:** Lots 114 & 115 will have a shared driveway onto St. Mary's Street and all parking will be located in the rear of each lot;
- **Setbacks:** Lots 114 & 115 shall have no less than a 40' front yard setback;

Administrative Actions:

Prior to Planning Department authorization to record lots:

(2) That a demolition permit be issued for the removal of the existing house, by the Inspections Department, and this building permit number be shown on all maps for recording;

(3) That the recorded plat contain the following note: "A restrictive covenant for lots 114 & 115 has been recorded for house size and building height;

(4) That a final detailed landscape plan showing street protective yards in accordance with 10-2082.5 be submitted/stamped and approved by the Site Review Specialist in the Inspection Department and a stamped approved copy is placed on file in the Planning Department;

(5) That the owner prepare a restrictive covenant for recombined lots 114 & 115 establishing a minimum floor area gross of no less than 2,500 square feet and no more than 3,500 square feet, including finished floor, excluding basement area, and a maximum building height not to exceed 36 -feet from the average natural ground elevation [as per City Code Section 10-

2076(b)]. That the City Attorney approves the restrictive covenant prior to its recordation, and that the approved restrictive covenant shall be recorded with the local county register of deeds office. That the recorded copy of this restrictive covenant be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this document is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(6) That the recorded map show the 40' front yard setback for lots 114 & 115 and that the following note be placed on all maps for recording; That lots 114 & 115 shall have no less than a 40' front yard setback;

(7) That a note be placed on all maps for recording: That all parking will be located in the rear of the proposed houses on lot 114 & 115;

(8) That a cross access and shared driveway agreement between lots 114 and 115 be recorded in accordance with the City Code and a recorded copy be returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded document is not provided to the Planning Department within the 14 day period, further plat recordings and building permit authorization may be withheld; and

(9) That the following note be placed on all maps for recording: That existing driveway cuts be closed and all curb, gutter and sidewalk be replaced;

Prior to issuance of building permits in the Inspections Department:

(10) That as part of building permit applications a copy of the recorded restrictive covenants be submitted to the Inspections Department;

Prior to issuance of an occupancy permit in the Inspections Department:

(11) That the existing driveway cuts are closed and the curb, gutter and sidewalk be replaced.

ZONING:

ZONING DISTRICTS: Residential-4

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

TREE CONSERVATION: Site is less than 2.0 acres and is exempt from Tree Conservation.

PHASING: There are no phases in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: Dedication of right-of-way and construction not required with a recombination.

TRANSIT: Transit easement dedication not required with a recombination.

URBAN FORM: This site is located in the North Hills Planning District, in an area designated a residential area.

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 100'. Lots in this development conform to these minimum standards. Lots consist of no more than 4 lines as is typical of surrounding lots. This is an infill recombination as defined in Section 10-3003. 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:

(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 first 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.

BLOCK LAYOUT: No new streets are 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.

SOLID WASTE: Refuse collection is to be provided based on the standards in the Solid Waste Manual.

CIRCULATION: Street improvements are not required in a recombination.

PEDESTRIAN: Sidewalk improvements are not required with a recombination.

FLOOD HAZARD: There are no flood hazard areas on this site.

STORMWATER MANAGEMENT: This site is not subject to stormwater management requirements of Part 10 Chapter 9; the property is less than 1.00-acre in size (code section 10-9021 exemptions).

This infill recombination is exempt from stormwater regulations by 10-9021 (2) in that the 2 existing lots are both less than ½ acre in size and are currently exempt. Because both will remain less than ½ acre in size after the recombination, the lots will be exempt from the stormwater regulations.

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.