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: **S-89-07/ East Glendower Place**

Owner: Lawrence Homes
Designer: Thompson & Associates

General Location: On the northeast corner of Glendower Road and Pleasant Grove Church Road, inside the city limits.

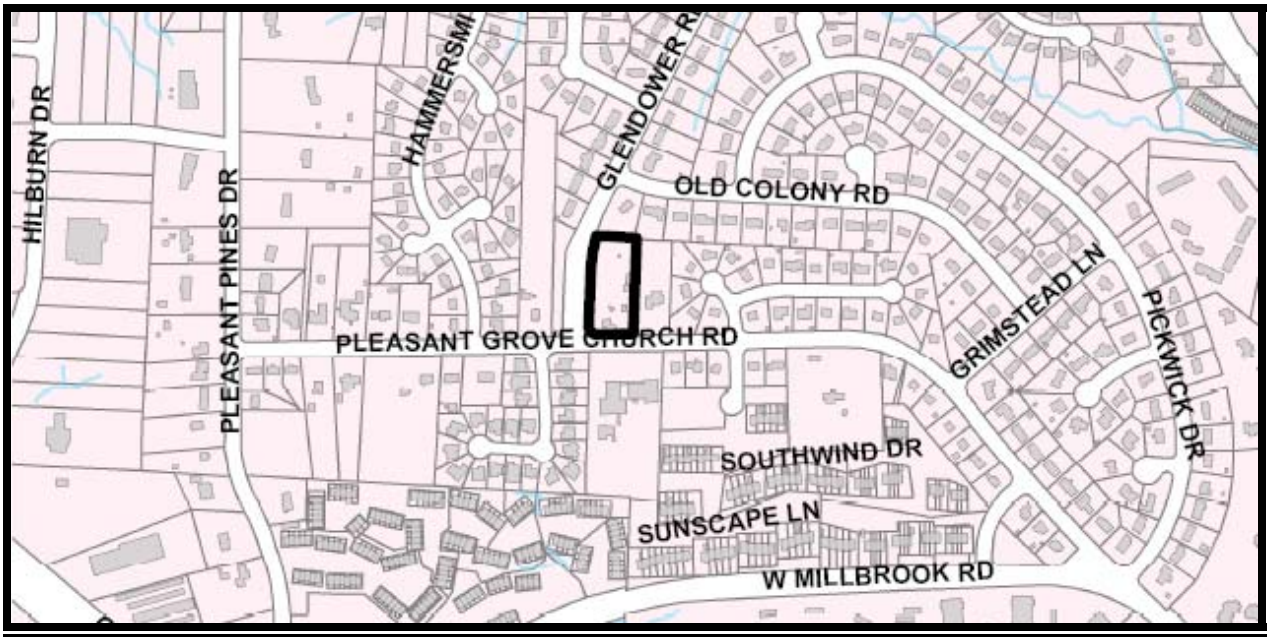
Planning District / CAC: Northwest / Northwest

Nature of Case: Subdivision of 1.38-acres into 7 single family lots zoned Residential-6 CUD.

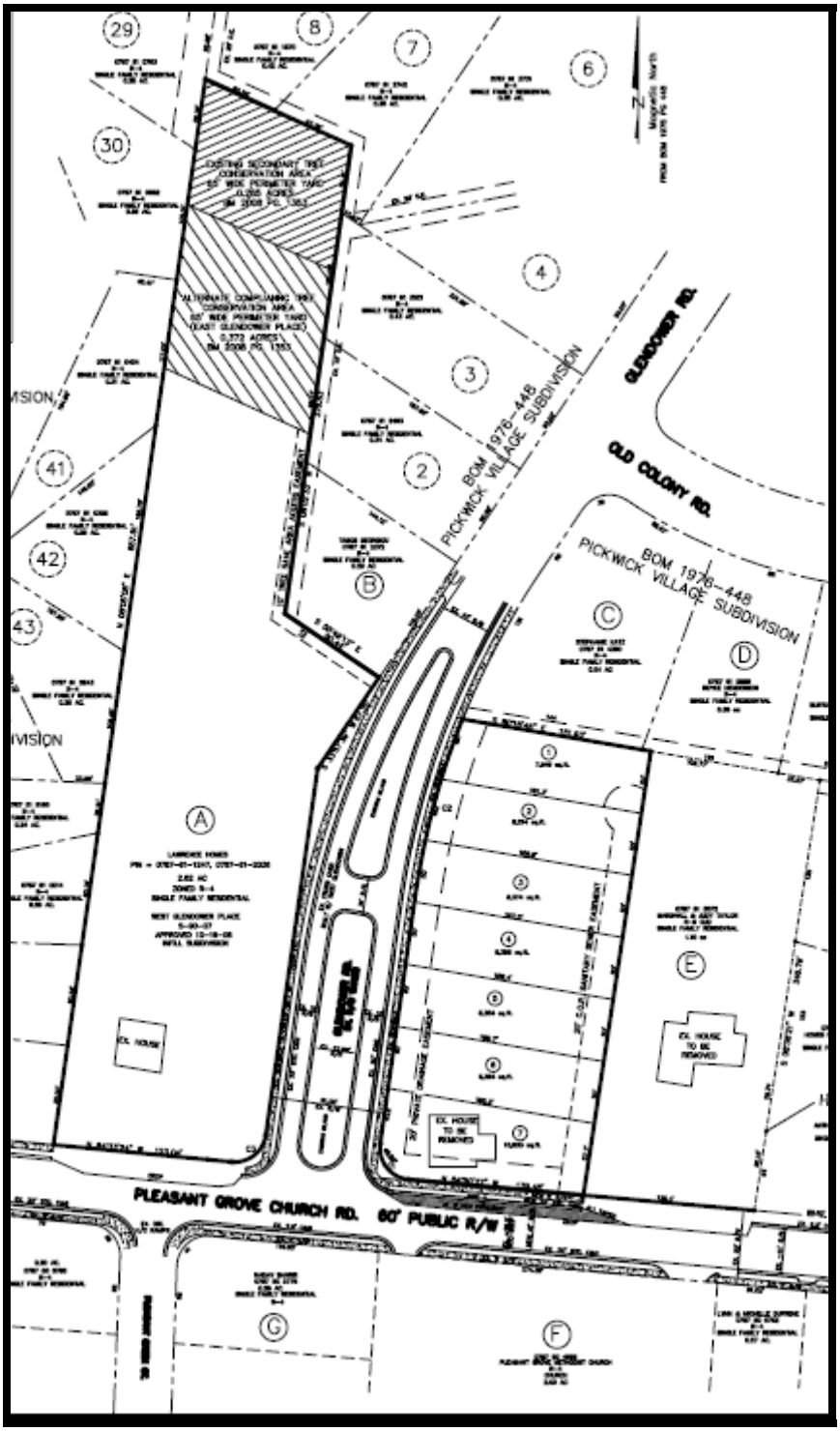
This development constitutes an "infill subdivision" of less than 5 acres surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and contains one or more lot frontages less than 80% of the median of the surrounding lots, or contains one or more lot sizes less than 80% of the median of the surrounding lots or both.

Issues and Outstanding Issues: Planning Commission should evaluate this request utilizing the infill standards of Code section 10-3032(d) as found on pages 8 & 9 of this staff report.

Contact: Thompson & Associates



Site location



S-89-07 / East Glendowner Place – preliminary plan

SUBJECT: S-89-07 East Glendower Place

CROSS-REFERENCE: S-90-07 & Z-20-07

LOCATION: On the northeast corner of Glendower Road and Pleasant Grove Church Road, inside the city limits.

REQUEST: This request is to approve the subdivision of 1.38 acres into 7 single family lots, zoned Residential-6 CUD.

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, with lot sizes less than 80% of the median of the surrounding lots, and lot frontages containing lots with frontage less than 80% of the median of the surrounding lots.

Median lot size of surrounding lots	**.45 acres (80% = .36)**
Proposed lot size lot #1	**.18 acres (40% of median)**
Proposed lot size lot #2	**.18 acres (40% of median)**
Proposed lot size lot #3	**.19 acres (42% of median)**
Proposed lot size lot #4	**.19 acres (42% of median)**
Proposed lot size lot #5	**.19 acres (42% of median)**
Proposed lot size lot #6	**.19 acres (42% of median)**
Proposed lot size lot #7	**.24 acres (53% of median)**
Median lot frontage of surrounding lots	**248' (80% = 198.4')**
Proposed lot frontage lot #1	**50.7' (20% of median)**
Proposed lot frontage lot #2	**50.2' (20% of median)**
Proposed lot frontage lot #3	**50' (20% of median)**
Proposed lot frontage lot #4	**50' (20% of median)**
Proposed lot frontage lot #5	**50' (20% of median)**
Proposed lot frontage lot #6	**50' (20% of median)**
Proposed lot frontage lot #7 (corner lot)	**64.76' (26% of median)**
Proposed lot frontage lot #7 (corner lot)	**216.54' (87% of median)**

OFFICIAL ACTION: **Denied.**

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

FINDINGS: The Planning Commission finds that this request, be denied with the above conditions being met, does not meet the infill lot layout standards of 10-3032(d)(5). The Planning Commission also finds that this plan conforms to Chapter 2, Part 10, Sections 10-2019, Chapter 3, Part 10, Sections 10-3001-3059. This denial is based on a preliminary plan dated February 14, 2009, owned by Lawrence Homes, submitted by Thompson & Associates.

ADDITIONAL NOTES: On October 28, 2008 Planning Commission approved S-90-07 West Glendower Place. This subdivision is located on the west side of Glendower Road directly across the street.
The Planning Commission voted 11-0 to deny the infill subdivision request based on code section 10-3032(d)(5). The Planning Commission found that the infill project did not contain adequate measures to protect other property from adverse effects. The adverse effect stated by the Planning Commission include but not limited to; driveway locations to each lot as all the driveways would be right in and right out only, road frontage of each lot smaller than the surrounding properties.

To PC: April 14, 2009
Case History:

Staff Coordinator: Jacque Baker

Motion: Haq
Second: Harris Edmisten
In Favor: Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith, Vance
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: 4/15/09 date: 4/15/09

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

Planning Commission Actions:

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

The applicant has provided materials and information to meet standard 5 of code section 10-3032(d) (5) for the following:

- Air, Light and privacy
- Building Heights

The owner has proposed in writing the following:

- **Height:** Maximum building height not to exceed 36-feet from average natural ground elevation (pursuant to City of Raleigh Code section 10-2076(b);

- **Size.** The minimum floor area gross shall be no less than 2,000 square feet and maximum floor area gross shall not be more than 3,500 square feet excluding basement, decks and porches (pursuant to City of Raleigh Code section 10-2002);

Administrative Actions:

Prior to issuance of a land disturbing permit for the site:

(2) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;

Prior to approval of construction drawings for public improvements:

(3) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings, whichever event comes first;

Prior to Planning Department authorization to record lots:

(4) That the recorded plat contain the following note: “A restrictive covenant for lots 1-7 has been recorded for house size, building height and maximum impervious surface limitation not to exceed 2,400 square feet. Impervious

surface shall have the same meaning as contained in Raleigh City Code Part 10 Chapter 9.";

(5) That the City Attorney shall approve a restrictive covenant stating that lots 1-7 each shall have an impervious surface, as defined in Part 10 Chapter 9 of the Raleigh City Code of no more than 2,400 square feet. No amendment or termination of this restrictive covenant shall be made without the prior written consent of the Raleigh City Attorney. This covenant shall be recoded with Wake 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 owner shall the preparation of a restrictive covenants requiring for lots 1-7 establishing a minimum floor area gross of no less than 2,000 square feet and no more than 3,500 square feet, excluding porches, decks and basement area, and establishing a building height not to exceed 36-feet, as measured from the average natural ground elevation per City Code Section 10-2076(b). That the City Attorney approves the restrictive covenant prior to its recordation. This covenant shall be recoded with Wake 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;

(7) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association."

(8) That as stormwater control facilities are to be owned and maintained by a property owners' association, the City's three party form "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version) shall be completed and executed by the developer, the property owners' association and given to the City of Raleigh Attorney for signature of the City Manger. Following the signatures of the City, the developer shall record the Stormwater Agreement with the local county Register of Deeds. A recorded copy of the Stormwater Agreement shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;

(9) That as this subdivision plan creates lots less than one acre in size, underground detention stormwater control measures will be shared among all lots, and said stormwater control measures shall be owned and maintained by a homeowners association for which all lot owners shall be a member. The homeowners' legal documents shall be prepared in strict conformity with City approved forms on file in the Planning Department and required by Raleigh City Code Section 10-3071 through 10-3074 and 10-9027(b). A recorded copy of these forms must be provided to the Planning Department within 14-day from authorization of lot recording. If recorded

copies of the of the deed are not provided to the Planning Department within this 14-day period, further plat recordings and building permit issuance may be withheld;

(10) That the following note is shown on all maps for recording: Lot 7 driveway access will be limited to Pleasant Grove Church Road;

(11) That a demolition permit be issued by the Inspections Department and this building permit number be shown on all maps for recording;

Prior to issuance of building permits in the Inspections Department:

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

(13) That the maximum impervious surface coverage for lots 1-7shall not exceed 2,400 square feet on a per lot basis;

(14) That documentation be submitted to the Stormwater Engineer in the Public Works Department that shows the maximum impervious surface coverage of the development on a per lot basis;

(15) No building permits will be issued until an easement conforming to Raleigh City Code 10-2082.14(e) is recorded with the Wake County Register of Deeds Office.

ZONING:

ZONING DISTRICTS: Residential-6 CUD. Z-20-07, Ordinance N0 (2007) 238ZC604; effective 6/5/07.

1. Right-of-way reimbursement shall be provided at the existing zoning, Residential-4.
2. Dwellings shall be limited to single-family detached units.
3. The number of dwelling units constructed on the Property shall be limited to a maximum of twelve (12).

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. This is a low impact use under Section 10-2082.9. Transitional protective yards are not required.

TREE CONSERVATION: Tree Conservation areas associated with this site have already been recorded with the Wake County Registry in BM 2008 Page 1353. These tree conservation areas will also serve S-90-07 West Glendower Place, which has not yet been recorded. All tree conservation areas are required to be preserved with an easement per City Code section 10-2082.14(e). No easement has been recorded, and no building permits will be issued until an easement conforming to Raleigh City Code 10-2082.14(e) is recorded with the Wake County Register of Deeds Office.

PHASING: There 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 of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Pleasant Grove Church Rd	60' existing	8.5' on a 41' b/b with 5' sidewalk	
Glendower Road	91' existing	5' sidewalk	

TRANSIT: No transit-oriented features are incorporated into the proposed plan. The City's Transit Technician determined there was not a need for any improvements at this location.

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

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 7,260 square feet. The minimum lot depth in this zoning district is 80'. The minimum lot frontage in this subdivision is 50 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:

(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.

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

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.

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

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Pleasant Grove Church Road.

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

STORMWATER MANAGEMENT: This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. Nitrogen is being reduced by a swale and the remainder is being bought down. Stormwater runoff control will be achieved using an underground storage detention pipe.

PAYMENT TO NCDENR

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

Replacement - A “Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution” (Installment or Lump

Sum payment version form, as required by Section 10-9027(c), shall be completed between the developer, the property owners' association and the City, recorded, and returned to the Conservation Engineer within 14 days of recording.

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.

LAWRENCE
HOMES, INC.

Project: Glendower Place, East and West
Numbers: S-89-07
Numbers: S-90-07

August 18, 2008

From: Lawrence Homes – Owner
To: City of Raleigh Planning – Jacque Baker

Per your request:

Minimum floor area gross heated excluding porches, decks, basements, & or garages:
2000 sf

Maximum floor area gross heated excluding porches, decks, basements, & or garages:
3500 sf

Maximum height of homes:
36'

Sincerely,

Jeanette Langer

Jeanette Langer
Lawrence Homes Inc.
Vice President
919-528-7767

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