



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: IR-3-13 / Lakeview Ridge (formerly known as S-33-13)

Property owner: Sarah L. Weisman, Trustee & Deborah Levine Rubenstein
Developer: White Oak Properties
Designer: CMS Engineering

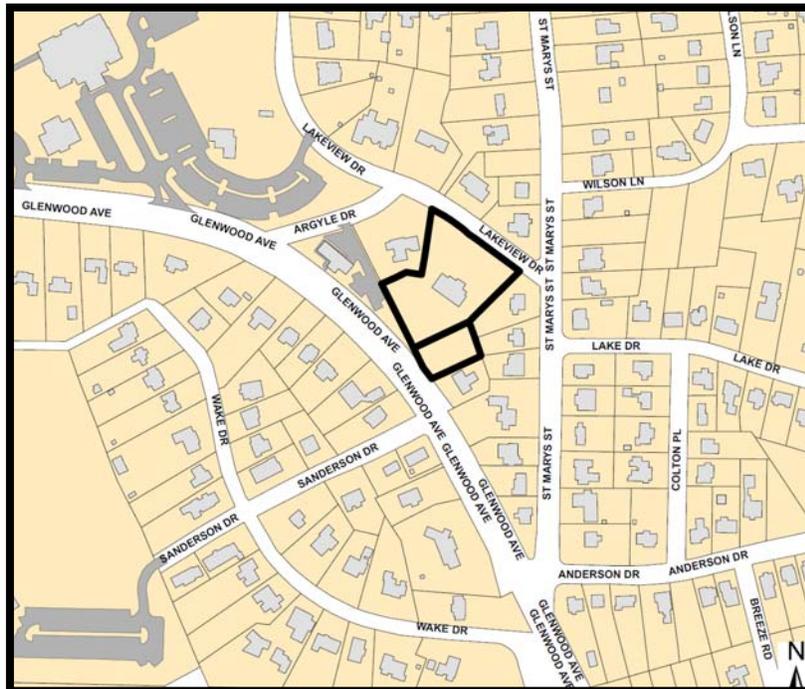
General Location: The south side of Lakeview Drive between Argyle Drive and St. Mary's Street

CAC: Glenwood

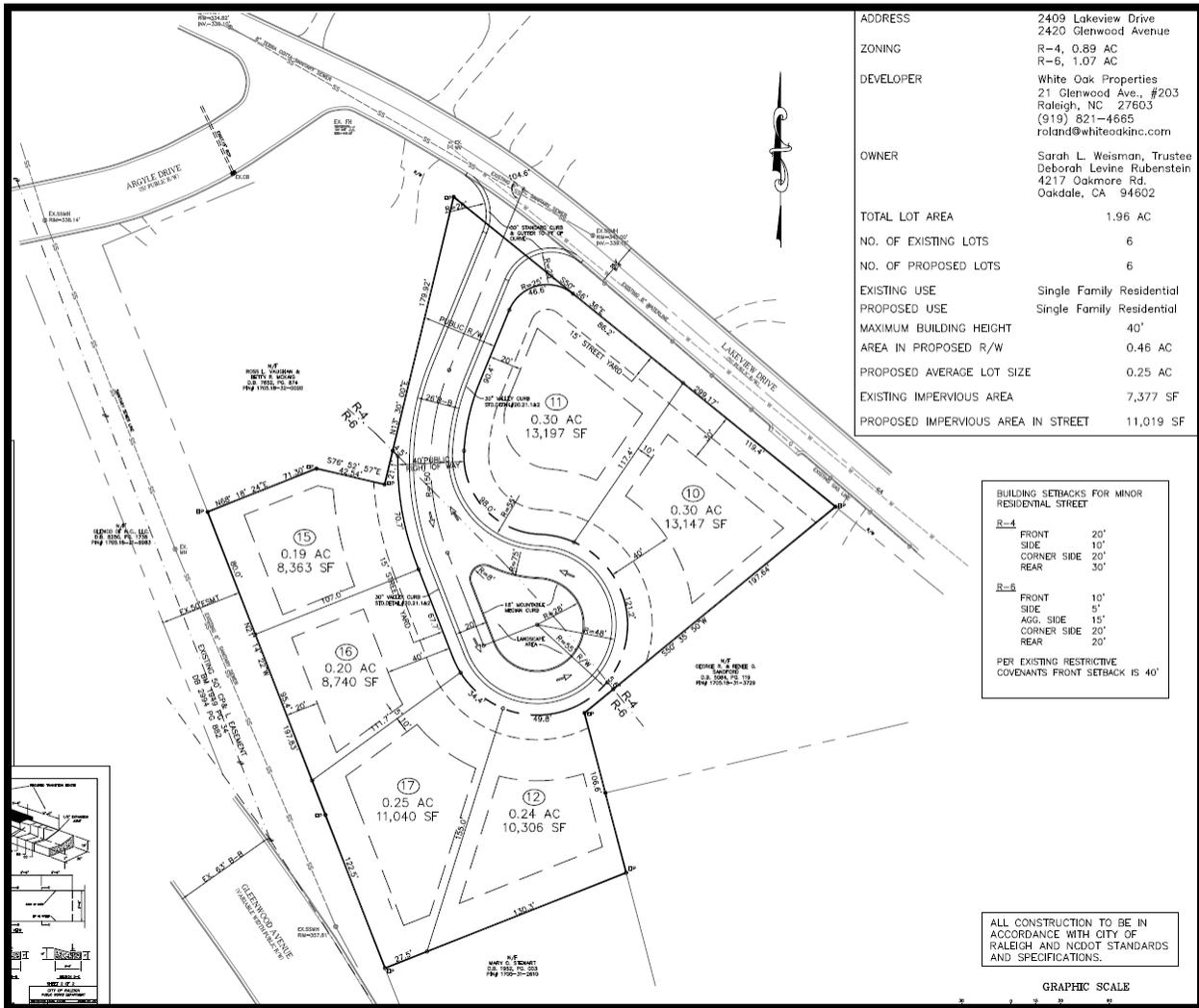
Nature of Case: The recombination of 1.96 acres of land comprised of six existing lots (four of which are "ghost lots") zoned Residential-4 (.89 acres) and Residential-6 (1.07 acres) into six lots (two R-4 & 4 R-6) with a new street right-of-way connecting into the property. The existing dwelling will be removed as part of this proposed development. This development was submitted prior to the effective date of the City's new Unified Development Ordinance and constitutes an "infill recombination" under the previous regulations. As such, the proposed infill development requires Planning Commission review.

Key Issues: Planning Commission should evaluate the request using the five standards of code section 10-3032.2(d) related to infill projects.

Contact: Patti Hildreth, CMS Engineering



IR-3-13 / Lakeview Ridge – Location Map



IR-3-13 / Lakeview Ridge – Preliminary Plan Lot Layout

SUBJECT: IR-3-13 / Lakeview Ridge

CROSS-REFERENCE: S-33-13 Lakeview Ridge (Former project number)

LOCATION: This site is located on the south side of Lakeview Drive, between its intersections with Argyle Drive and St. Mary's Street, inside the City Limits.

PIN: 1705-31-1980 & 1705-31-1678

REQUEST: This request is to approve the recombination of a 1.96 acre tract into six lots, two of which are zoned Residential-4 and four of which are zoned Residential-6. The existing dwelling will be removed as part of this proposed development. The overall residential density is 3.06 units per acre. The Residential-4 zoned lots meet the Residential-4 requirements and the Residential-6 lots meet the Residential-6 requirements. 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 both 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.

Median lot size of surrounding lots .36 acres (80% = .29)

Proposed lot size lot #10	.30 acres (83% of median)
Proposed lot size lot #11	.30 acres (83% of median)
Proposed lot size lot #12	.24 acres (66% of median)
Proposed lot size lot #15	.19 acres (52% of median)
Proposed lot size lot #16	.20 acres (55% of median)
Proposed lot size lot #17	.25 acres (69% of median)

Median lot frontage of surrounding lots 95' (80% = 76')

Proposed lot frontage lot #10	120' (126% of median)
Proposed lot frontage lot #11	161' (169% of median)
Proposed lot frontage lot #12	50' (52% of median)
Proposed lot frontage lot #15	34' (35% of median)
Proposed lot frontage lot #16	68' (71% of median)
Proposed lot frontage lot #17	105' (110% 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 below 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 10-2017, 10-2019, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated August 29, 2013, owned by White Oak Properties, submitted by CMS Engineering.

**ADDITIONAL
NOTES:**

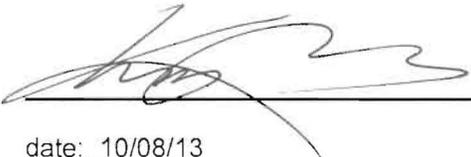
This development was submitted prior to September 1, 2013, the effective date of the City's new Unified Development Ordinance.

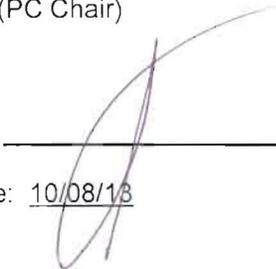
To PC: 10/8/13
Case History: xxxxx
Staff Coordinator: Eric S. Hodge, AICP

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

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: 10/08/13


date: 10/08/13



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That the Planning Director accepts the proposed street right-of-way associated with this infill recombination. The cul-de-sac street does not bisect the property;
- (2) That an HOA complying with Chapter 47F of the North Carolina General Statutes is established and recorded at the Wake County Register of Deeds Office for the maintenance of the planting island and landscape in the cul-de-sac and annual inspection of the bio-retention measures. The HOA shall also have the right to maintain the bio-retention measures if not maintained by the lot owner. .
- (3) If mutually agreed to by the subdivider and the owners of that property described in deed book 5084 Page 119 , a landscape easement for the preservation and maintenance of the an existing hedgerow along the common boundary of future recombined lot 10 shall be recorded prior to the recording of the recombination plat;
- (4) That a 5' sidewalk is constructed on Lakeview Drive for the frontage of this subdivision;
- (5) That a note appear on the recording plat stating, "That for lots zoned R-6, (lots 12 and 15) that a minimum 10' side yard perimeter setbacks is provided;
- (6) That the Planning Commission finds that this infill recombination meets the lot layout standards of Section 10-3032(d) note below:
 - (A) 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.

 - (B) 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.

(C) 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.

(D) 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.

(E) 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:

- (7) That infrastructure construction drawings, including the lot bio-retention facilities, are approved by the Public Works and Public Utilities Departments;
- (8) That a note must be included on the recorded recombination plat stating that: "Prior to the issuance of a certificate of occupancy, each lot shown on this plat must have a bio-retention facility installed to capture a minimum of ½ roof runoff from the single family house located on the lot. An approved planting palette for the bio-retention facility is shown on construction drawings on file with the City of Raleigh Stormwater Division.";
- (9) That a demolition permit be issued and the permit number noted on the plat for recordation;
- (10) That a street name be approved by the City and by Wake County prior to recording;
- (11) That an encroachment agreement for any plantings, lawn area within a cul-de-sac public street, planters, awnings or stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;

Prior to issuance of building permits:

- (12) That a final plat for recordation of lots in accordance with this preliminary plan be submitted to the City Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds;
- (13) That a stormwater tracking permit must be issued with each building permit to ensure a bio-retention facility is installed on each lot in conformance with the approved planting palette shown on approved construction drawings;
- (14) That driveways are located no closer than 3.5' to the side property line unless they are shared with an adjacent lot;
- (15) That when 75% of the permits have been issued for residential developments, then all of the proposed private drainage improvements or public improvements that are required to be accepted by the City for maintenance shall be completed. If this does not occur, then a financial security equal to 1.5 time the cost of the incomplete public or private improvements will be provided to the Public Works Department;

Prior to issuance of an occupancy permit:

- (16) That a bio-retention facility is installed on each lot, and that the facility captures ½ of the roof runoff;
- (17) That for residential developments, where a security has been posted for public or private improvements equal to 1.5 times the cost, then the last certificate of occupancy shall be withheld until such time the improvements are accepted by the City of Raleigh;

ZONING:

ZONING DISTRICTS: Residential-4 and Residential-6

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

TREE CONSERVATION: As this development is comprised of residentially zoned property less than 2 acres in total size, no tree conservation areas were required.

PHASING: This is a single phase development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR**

PLAN: No dedication of right-of-way or construction of any streets was required by the Thoroughfare and Collector Street Plan.

TRANSIT: No transit-oriented features of this site are incorporated into the proposed plan. This site is not directly served by the existing transit system. .But bus transit is available nearby on both Glenwood Avenue and St. Mary's Street.

URBAN FORM: This site is located in the Glenwood Citizen Advisory Council, in an area designated Low Density Residential on the future land use map. That category encompasses most of Raleigh's single family detached residential neighborhoods, as well as vacant lands where single family residential use is planned over the next 20 years.

Staff has reviewed the preliminary plan and finds this plan in compliance with the Comprehensive Plan and the following policy:

- LU 2.2 Compact Development
- LU 8.11 Development of Vacant Sites

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in the Residential-4 zoning district is 10,890 square feet. The minimum lot width in the Residential-4 zoning district is 65' and 80' for corner lots. The minimum lot depth in the Residential-4 zoning district is 100'. Lots in the Residential-4 portion of this development conform to these minimum standards. The minimum lot size in the Residential-6 zoning district is 7,260 square feet. The minimum lot width in the Residential-6 zoning district is 50' and 65' for corner lots. The minimum lot depth in the Residential-6 zoning district is 80'. Lots in the Residential-6 portion of this development conform to these minimum standards.

This is an infill recombination as defined in Sec. 10-3003. The total acreage is less than 5 acres. The median lot size of the peripheral developed lots is 15,681 square feet. The median lot frontage of the peripheral developed lots is 95 linear feet. The minimum lot size proposed in this development is 8,363 square feet. The minimum lot frontage in this recombination is 34 linear feet.

Lot lines are generally angled from the street in a similar manner as typical surrounding lots. Lots generally consist of no more than 4 primary lot lines as is typical of surrounding lots. The building envelope 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. The proposed lots may not be further subdivided.

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, Sidewalk and Driveway Access Manual. 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:** Sidewalks are not proposed for the proposed new cul-de-sac street. A cul-de-sac within a 40 foot right-of-way does not require a sidewalk when less than 10 lots front on the street (under the pre-UDO regulations).
- 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. There are 6 lots existing and 6 lots proposed; therefore the site meets the intent of the code under Section 10-9021 exemptions. No regulatory BMP's are required for the infill-recombination. However, as a condition of the infill-recombination approval, each lot is to have a bio-retention facility installed to capture ½ of the roof runoff for the home of the respective lot. This requirement is to be contained in a note on the recombination recording plat.
- WETLANDS
/ RIPARIAN
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** One new street name is required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.
- 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.