



## 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-14-13 / Brewer Street Infill

**Property owner:** Stuart Cullinan – Five Horizons Development  
**Designer:** Chance & Associates

**General Location:** West side of Brewer Street, north of its intersection with Mial Street

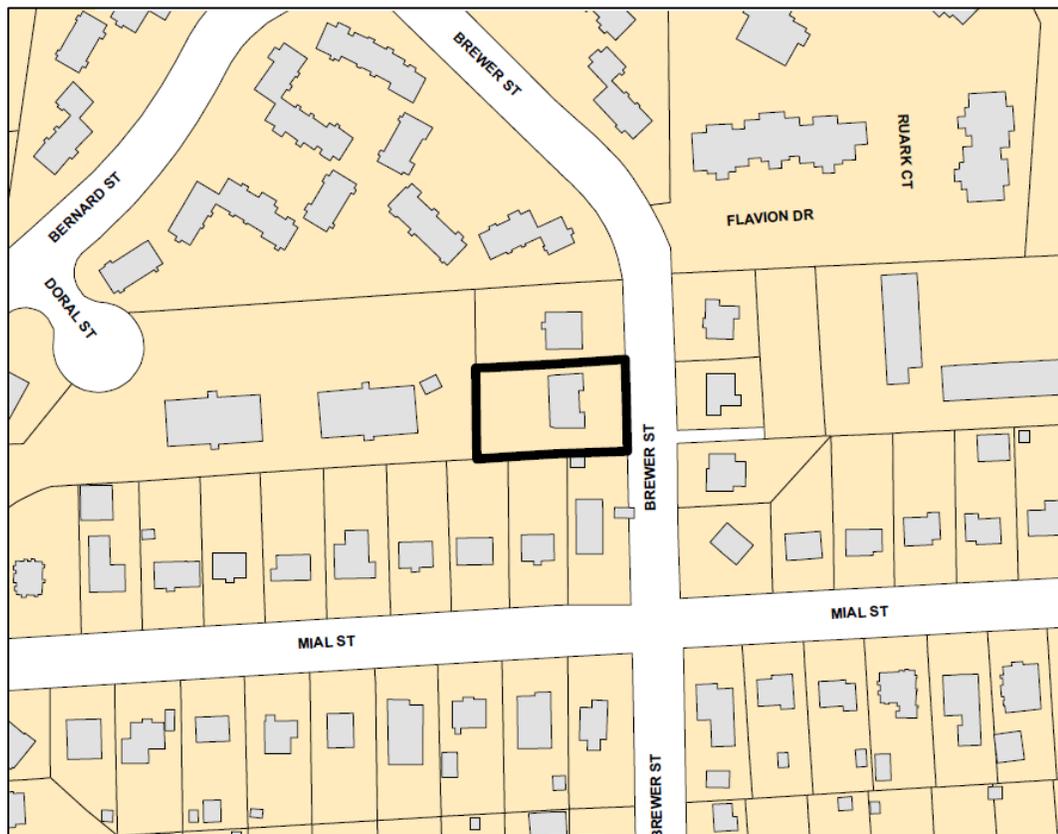
**CAC:** Five Points

**Nature of Case:** This is an infill subdivision to create two lots. The subject parcel is 0.312 acre in size and zoned Residential-10. A residential duplex is currently developed on the property. Proposal would create two lots to be developed as two single family residential dwellings

The proposed subdivision meets the standards to be considered an infill subdivision. The subject property is less than five acres, is surrounded on more than 66% of periphery by single family detached residential, and would be 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:** Stoney Chance





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**SUBJECT:** S-14-13 Brewer Street Infill

**CROSS-REFERENCE:** N/A

**LOCATION:** This site is located on the west side of Brewer Street, north of its intersection with Mial Street, inside the City Limits.

**REQUEST:** This request is to approve the subdivision of a 0.312 acre tract into two lots, zoned Residential-10. The overall residential density is 6.41 units per acre. 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 both lot frontages less than 80% of the median of the surrounding lots, and lot sizes less than 80% of the median of the surrounding lots. Lot 1 is proposed to be 6,792.5 square feet. Lot 2 is proposed to be 6,792.5 square feet.

**Median lot size of surrounding lots** .20 acres (80% = .16)

**Proposed lot size lot #1** .156 acres (78% of median)  
**Proposed lot size lot #2** .156 acres (78% of median)

**Median lot frontage of surrounding lots** 72' (80% = 57.6')

**Proposed lot frontage lot #1** 45' (62.5% of median)  
**Proposed lot frontage lot #2** 45' (62.5% of median)

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**OFFICIAL ACTION:** Approval with conditions

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

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**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 4/12/13, owned by Five Horizons Development, submitted by Stoney Chance.

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

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To PC: 5/28/13

Case History: xxxxx

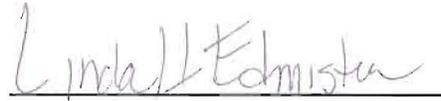
Staff Coordinator: Stan Wingo

**Motion:** Mattox  
**Second:** Fluhrer  
**In Favor:** Braun, Butler, Buxton, Fleming, Fluhrer, Harris Edmisten, Mattox,  
Schuster and Sterling Lewis  
**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: 5/28/13

date: 5/28/13



## Staff Report

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**RECOMMENDED ACTION:** Approval with Conditions

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**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);
- (2) That a restrictive covenant is approved by the City Attorney's office for the following restrictions:
  - i. The height of the house from the top of the foundation wall to the top of roof ridge will not exceed 34'. The property falls from front to back and this measurement is in addition to the front foundation height not to exceed 4'.
  - ii. The house will not exceed 2,600 heated square feet.
  - iii. Building materials will be Hardie plank or equivalent lap siding.

Administrative Actions:

*Prior to Planning Department authorization to record lots:*

- (3) That payment of a fee-in-lieu for ½ of a 5-foot sidewalk along the frontage of Brewer Street be made to the Public Works Department.
  - (4) That demolition permit number must be shown on recorded subdivision plat.
  - (5) That condition #2 above is approved.
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ZONING:

**ZONING DISTRICTS:** Residential-10

**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.

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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 Five Points 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

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**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** The minimum lot size in this zoning district is 5,000 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 Section 10-3003. The total acreage is less than 5 acres. The median lot size of the peripheral developed lots is 8,712 square feet. The median lot frontage of the peripheral developed lots is 72 linear feet. The minimum lot size proposed in this subdivision is 6,795 square feet. The minimum lot frontage in this subdivision is 45 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:** 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.

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

**CIRCULATION:** Street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** There are no sidewalks currently constructed along Brewer Street. Developer is responsible for the payment of a fee-in-lieu for ½ of a 5-foot sidewalk along the frontage of Brewer Street.

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

**STORMWATER MANAGEMENT:** This subdivision is exempt from Stormwater Regulations per code section 10-9021(3).

**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.