



# 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-18-13 / Vanderbilt Homes

**Property owner:** Vanderbilt Homes  
**Designer:** Stewart-Proctor, PLLC

**General Location:** Located on Temple Street, west of the intersection with Dixon Drive

**CAC:** Midtown

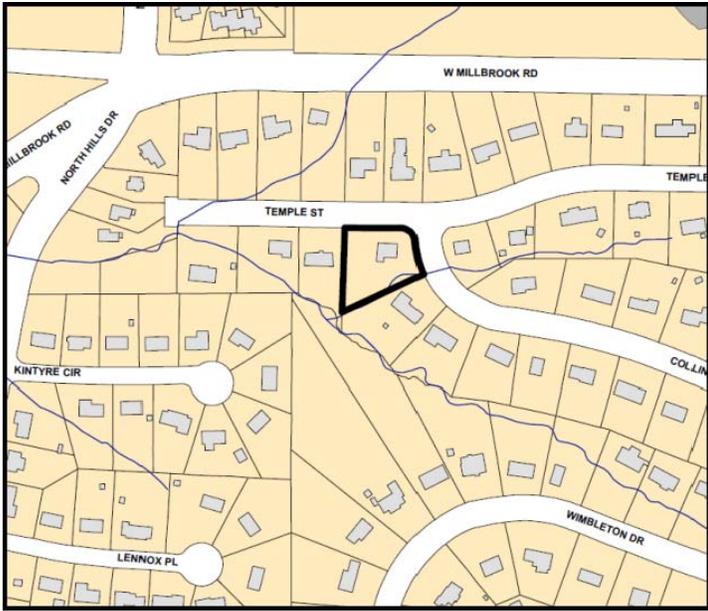
**Nature of Case:** The subdivision of a 0.59 acre parcel into two lots zoned Residential-4.

This development constitutes an "infill subdivision" with the proposed subdivision being less than 5 acres in size, located in a residential zoning district, more than 66% of its perimeter surrounded by single-family detached dwellings, and both lots created are less than 80% of the median lot size of the surrounding lots.

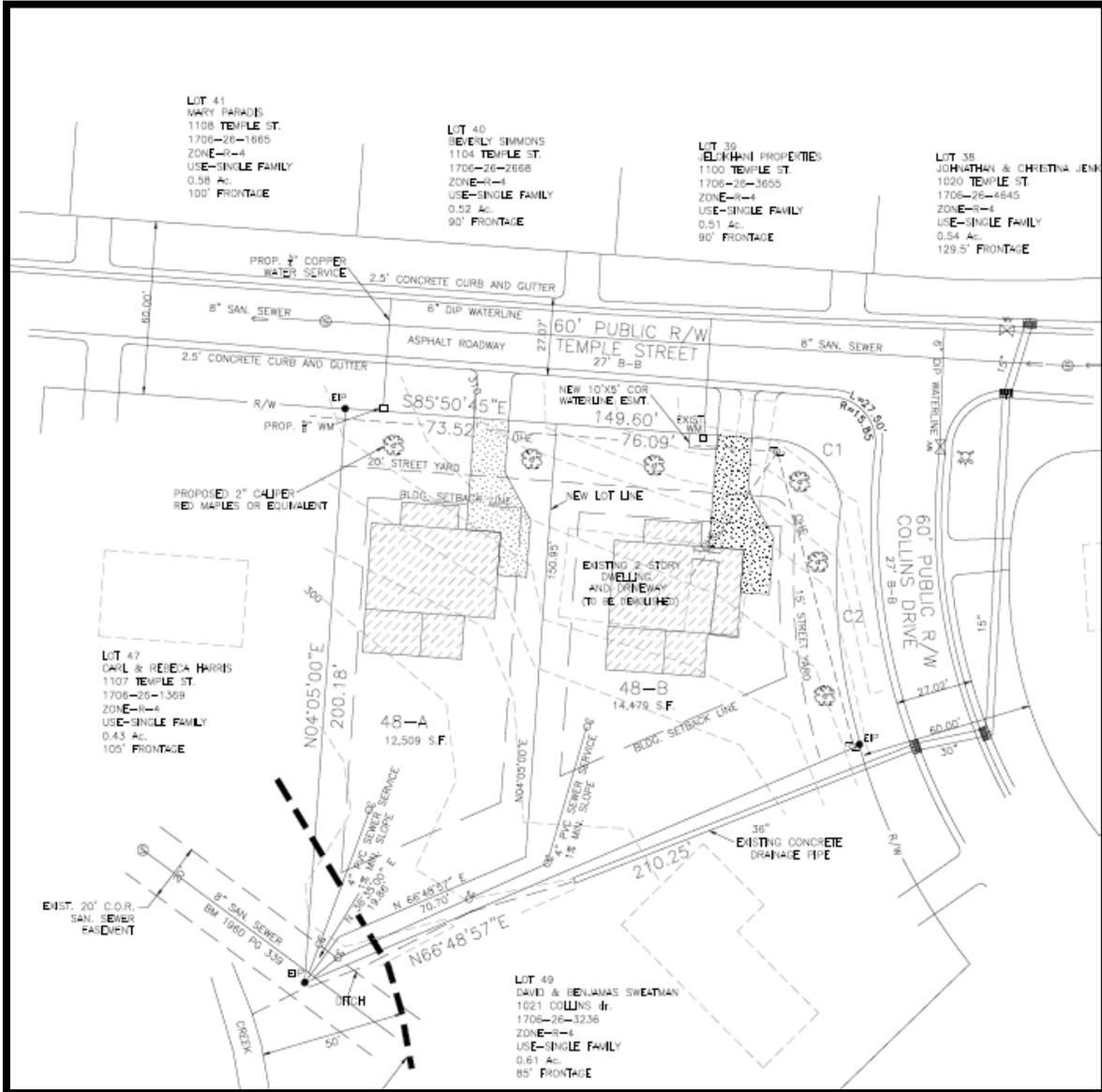
New lot 1 is proposed to be .27 acres (12,509 square feet) with a road frontage of 73.5' linear feet along Temple. New lot 2 is proposed to be .32 acres (14,479 square feet) with a road frontage of 76' linear feet along Temple Street and 84' along Collins Drive.

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

**Contact:** Stewart-Proctor, PLLC



Location Map



Subdivision Layout

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**SUBJECT:** S-18-13 / Vanderbilt Homes

**CROSS-  
REFERENCE:** N/A

**LOCATION:** This site is located on the southwest corner of the intersection of Temple Street and Collins Drive, inside the City Limits.

**REQUEST:** This request is to approve the subdivision of a .59 acre tract into two lots, zoned Residential-4. The overall residential density is four 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 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.

**Median lot size of surrounding lots** **.52 acres (80% = .42)**

**Proposed lot size lot #1** **.27 acres (52% of median)**

**Proposed lot size lot #2** **.32 acres (62% of median)**

**Median lot frontage of surrounding lots** **100' (80% = 80')**

**Proposed lot frontage lot #1** **73.5' (73.5% of median)**

**Proposed lot frontage lot #2 (corner lot)** **76' (76% of median)**

**84' (84% 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 following conditions of approval being met, complies with the infill lot layout standards of 10-3032(d). The Planning Commission also finds that this subdivision plan conforms to Chapter 2, Part 10, Sections 10-2017, and Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 4/8/13, owned by Vanderbilt Homes, submitted by Stewart-Proctor, PLLC.

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

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**To PC:** 6/25/13

**Case History:** N/A

**Staff Coordinator:** Meade Bradshaw

**Motion:** Butler  
**Second:** Fleming  
**In Favor:** Braun, Butler, Fleming, Fluhrer, Mattox, Schuster, Sterling Lewis and Terando  
**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)

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date: 6/25/13

date: 6/25/13



## 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);

Administrative Actions:

*Prior to Planning Department authorization to record lots:*

- (2) That a fee-in-lieu for the construction of ½ of a 5' sidewalk along both the Collins Drive and Temple Street frontages be paid to the Public Works Department;
  - (3) That a demolition permit be issued by the Inspections Department and this building permit number be shown on all maps for recording;
  - (4) That Neuse Riparian Buffers are shown on all maps for recording; and
  - (5) That a 2'x2' water line easement be dedicated to the City of Raleigh on Lot 2 and be shown on all maps for recording;
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ZONING:

**ZONING DISTRICTS:** Residential-4.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown. Installation of the street yard for each lot will be completed prior to the issuance of a certificate of occupancy for the lot. The subdivision creates a density less than seven units an acre, adjacent to properties equivalent to seven units an acre; therefore, transitional protective yards are not required.

**TREE CONSERVATION:** Code Section 10-2082.14 – Tree conservation is not required because parcel is less than 2 acres in size and zoned residential.

**PHASING:** There is one phase in this development

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COMPREHENSIVE PLAN:

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE  
/ COLLECTOR  
PLAN:**

The subdivision is not located on a street classified as a thoroughfare or a collector street.

**TRANSIT:** This site is presently not served by the existing transit system.

**URBAN FORM:**

The site is located within the Midtown CAC, and is designated as Low Density Residential on the Future Land Use Map. The Low Density Residential category applies to most of Raleigh's single family detached residential neighborhoods, corresponding roughly to the R-2, R-4, and R-6 zoning districts. Clustered housing, duplexes, and other housing types would be consistent with this designation as long as an overall gross density not exceeding 6 units per acre was maintained.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies:

- LU 2.2 – Compact Development
- LU 5.1 – Reinforcing the Urban Pattern
- LU 8.5 – Conservation of Single-Family Neighborhoods
- LU 8.12 – Infill Compatibility
- UD 1.4 – Maintaining Façade Lines
- UD 5.1 – Contextual Design

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**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. 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 0.52 square feet. The median lot frontage of the peripheral developed lots is 100' linear feet. The minimum lot size proposed in this subdivision is 0.27 square feet. The minimum lot frontage in this subdivision is 73.5 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. The proposed lots may not be further subdivided.

**BLOCK LAYOUT:**

No new streets are required or proposed with this development plan.

**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. A 2'x2' waterline easement is required on Lot 2 for the installation of a water meter.

**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 do not exist on either Temple Street or Collins Drive. A fee-in-lieu of construction for ½ a 5' sidewalk is required along Collins Drive and Temple Street.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is exempt from stormwater regulations per Code Section 10-9021(3) for any single –family detached dwelling not exceeding two dwelling units, placed within any subdivision of one acre or less in aggregate size.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are located on this site and will be shown on all maps for recording.
- 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.

**Sec. 10-3032(d) Infill lots and infill projects.**

Any infill lot formed either by recombination or by subdivision after the application of this regulation\* shall comply with all of the following:

- (1)
  - 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.
- (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 infill project does not create sharp changes from the physical development pattern of residential lots located on the "periphery "of the infill development with respect to dwelling height, setback, placement and size . Periphery shall have the same meaning as set forth in subparagraph (3) of the definition of infill lots or infill project.
- (5) 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 incompatible characteristics such as the amount and placement of impervious surface, the placement of structures and vehicular surface areas, and the orientation of uses and entranceways.

The notice, approval procedures, hearings and appeal provisions of §10-3013 shall apply to all infill projects.

For purposes of this subsection, infill lots or infill project means a recombination of tracts of land or the subdivision of land where all of the following conditions exist:

  - (1) The total area subject to the recombination or subdivision is five (5) acres or less, and will result in the formation of at least one (1) lot that at the time of the recombination or subdivision does not contain a dwelling, as defined in Part 10 chapter 2.
  - (2) The property is in a residential zoning district as defined in §10-2002

- (3) At least sixty-six (66) per cent of the "periphery," including public right-of-way, of the proposed area subject to the recombination or subdivision abuts existing residential building lots containing a single-family detached dwelling or a structure which was originally constructed as a single family detached dwelling. "Periphery" for the purposes of this subsection includes properties both immediately abutting and across a public minor residential street, residential street, residential collector street, or collector street from the proposed recombination or subdivision.
- (4) The proposed recombination or subdivision contains any lot which is eighty (80) per cent or less than the median lot size of the surrounding peripheral developed residential lots determined by subparagraph (3) above, or the proposed recombination or subdivision contains one (1) or more lots whose public street frontage is eighty (80) per cent or less of the median public street frontage of the surrounding peripheral developed residential lots as determined in subparagraph (3) above.
- (e) Side lot lines.  
Side lot lines shall be as near as practicable at right angles to the street line on which the lot faces.