



## 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-24-11 / Chestnut Hills Lot 21 & 22

**Property owner:** Piedmont Real Properties, LLC  
**Designer:** Griffin Land Surveying, Inc.

**General Location:** Shelley Road, east of its intersection with Cranbrook Road.

**CAC:** Midtown

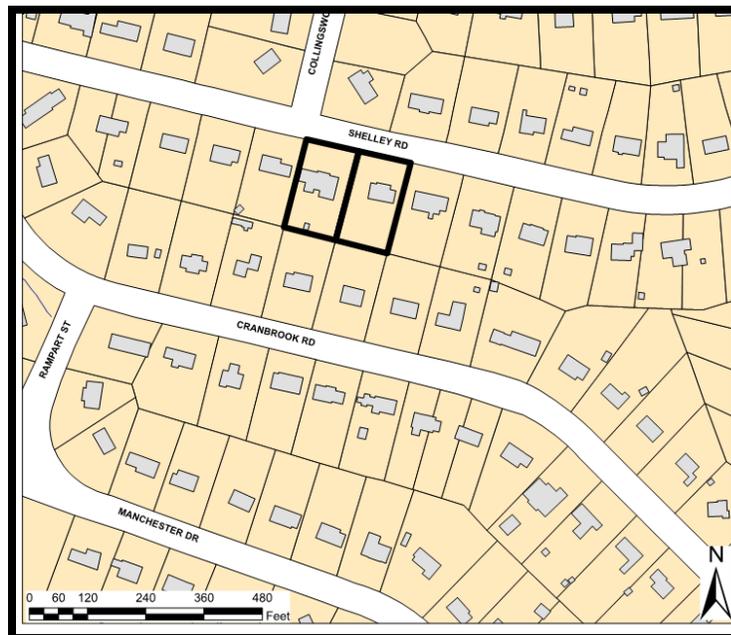
**Nature of Case:** The subdivision of two vacant lots, Lot 21 - .49 acres and Lot 22 - .48 acres, into three lots zoned Residential-4. Both houses have been removed from the properties.

This development constitutes an "infill subdivision" with more than 66% of its perimeter surrounded by single-family detached dwellings and all three proposed lot frontages are less than 80% of the median public street frontage of the peripheral developed lots and less than 80% of the median lot sizes of the surrounding lots.

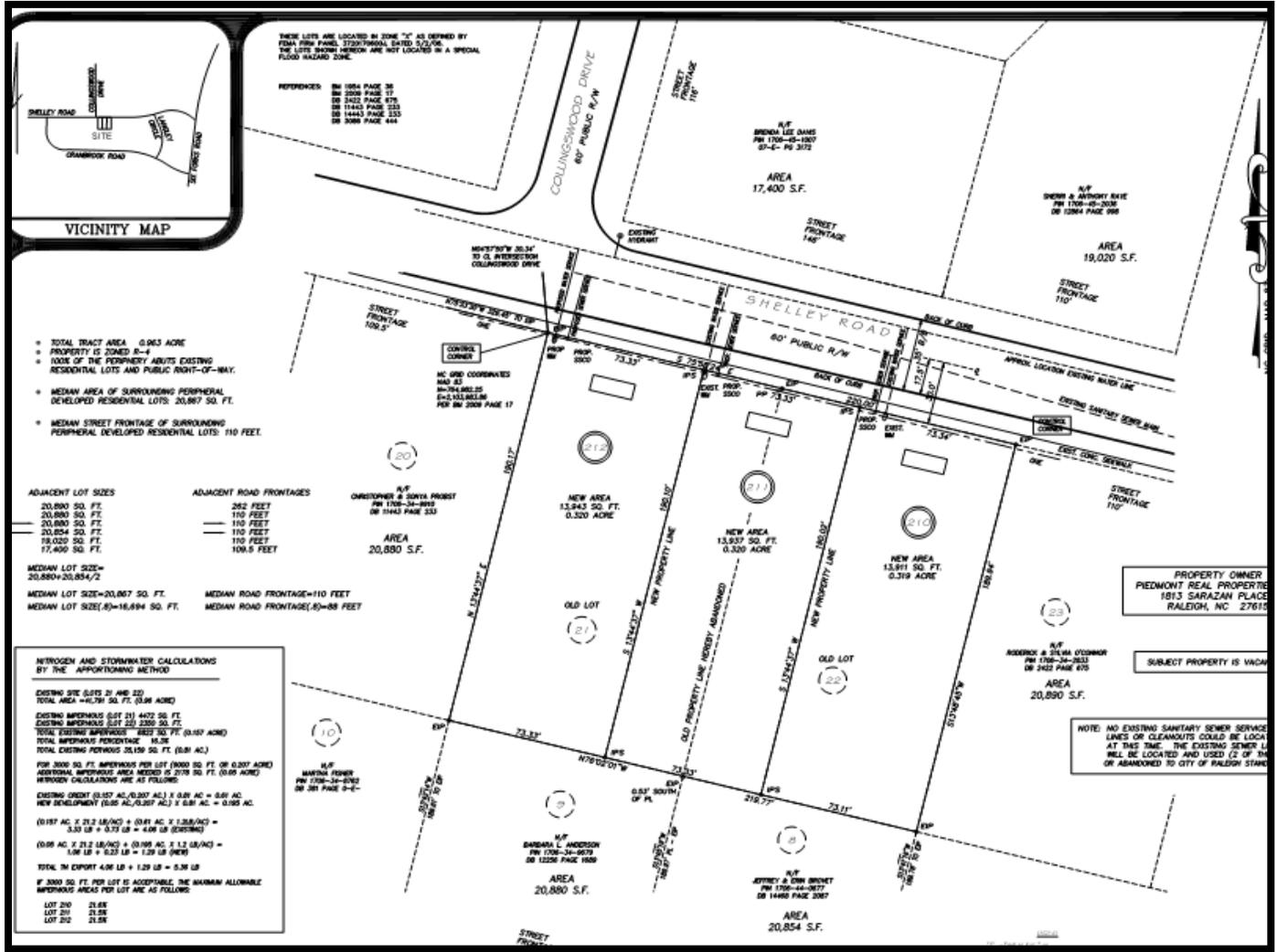
New lot 212 is proposed to be .320 acres (13,943 square feet) with a road frontage of 73 linear feet along Shelley Road. New lot 211 is proposed to be .320 acres (13,943 square feet) with a road frontage of 73 linear feet along Shelley Road. New Lot 210 is proposed to be .319 acres (13,911 square feet) with a road frontage of 73 linear feet along Shelley Road.

**Key Issues:** Planning Commission should evaluate this request utilizing the infill standards of Code section 10-3032(d) as found on page 7 of this staff report.

**Contact:** Bill Wendt



### S-24-11 Chestnut Hills Lot 21 & 22



### S-24-12 Chestnut Hills – Subdivision Layout

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**SUBJECT:** S-24-11 / Chestnut Hills lot 21 & 22

**CROSS-REFERENCE:** N/A

**LOCATION:** This site is located on the south side of Shelley Road, west of its intersection with Cranbrook Road, inside the City Limits.

**REQUEST:** This request is to approve the subdivision of a 2 tracts (.97 acres) into 3 lots, zoned Residential-4. The overall residential density is 4 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 indicates lot frontage less than 80% of the median of the surrounding lots, or lot size less than 80% of the median of the surrounding lots.

This request is to approve the subdivision and recombination of two lots of 21,344 square foot and 20,908 square foot, into 3 lots, zoned Residential-4. Lot 212 is proposed to be 13,943 square feet. Lot 211 is proposed to be 13,937 square feet. Lot 210 is proposed to be 13,911 square feet. The overall residential density is 3.13 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, 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** .47 acres (80% = .380 acres or 16,552.9 sq ft)

Proposed lot size lot #212	.320 acres (68% of median)
Proposed lot size lot #211	.320 acres (68% of median)
Proposed lot size lot #210	.319 acres (67% of median)

**Median lot frontage of surrounding lots** 110' (80% = 88')

Proposed lot size lot #212	73' (66% of median)
Proposed lot size lot #211	73' (66% of median)
Proposed lot size lot #210	73' (66% 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 below being met, complies with 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, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 11/8/11, owned by Piedmont Real Properties, LLC, submitted by Griffin Land Surveying, Inc.

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**ADDITIONAL NOTES:** No additional notes

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**To PC:** 5/22/12

**Case History:** N/A

**Staff Coordinator:** Meade Bradshaw

**Motion:** Haq

**Second:** Mattox

**In Favor:** Butler, Buxton, Fleming, Fluhrer, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis

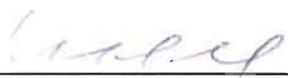
**Opposed:**

**Excused:**

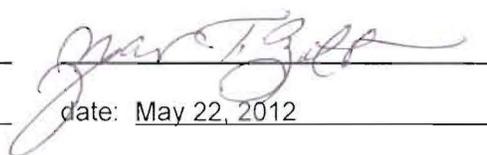
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

**Signatures:** (Planning Dir.)

(PC Chair)

  
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date: May 22, 2012

  
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date: May 22, 2012



## 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);

**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 (as measured pursuant to City of Raleigh Code section 10-2076(b));
- **Size:** Maximum floor area gross shall not be greater than 4,000 square feet; exclusive of basement and finished floor attic spaces (The definition of floor area gross except as modified herein, shall be pursuant to City of Raleigh Code section 10-2002).

***Prior to Planning Department authorization to record lots:***

- (2) That a final detailed landscape plan showing the streetyard in accordance with 10-2082.5 be submitted/stamped and approved by the Site Review Specialist in the Planning Department and a stamped approved copy is placed on file in the Planning Department;
- (3) That the recorded plat contains the following note: "A restrictive covenant for lots 210, 211, 212 has been recorded for impervious surface area, house size and building height;"
- (4) That a restrictive covenant has been recorded for lots 210, 211, 212 establishing a maximum floor area gross as defined in City Code Section 10-2002 of no more than 4,000 square feet, excluding finished floor attic and 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 county register of deeds office where the property is located. 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;

- (5) The entire site has an allowed maximum impervious surface, as defined in section 10-9002, of 10,050 square feet. This impervious surface area shall be allocated to each of the three lots in the restrictive covenant required in condition of approval number (4) above;
- (6) 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;
- (7) That a recombination of the two existing lots is recorded in conjunction with the lot recordation;
- (8) That the nitrogen offset payment must be made to a qualifying mitigation bank;

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

- (9) That as part of building permit applications, building plans with a copy of the recorded restrictive covenants be submitted to the Development Services Department; and
- (10) That water meters for all building construction on the new lots be located in conformance with adopted standards of the Public Utilities Department.

**ZONING:**

**ZONING DISTRICTS:** Residential-4.

**LANDSCAPING:** The preliminary Street yard landscaping per code Section 10-2082.5 is shown.

**TREE CONSERVATION:** Tree conservation is not required because this is a residential use on a parcel less than 2 acres in size.

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

**COMPREHENSIVE PLAN:**

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

**THOROUGHFARE / COLLECTOR PLAN:** Sufficient right-of-way and roadway improvements exists along Shelley Road

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

**URBAN FORM:** This site is located in the Midtown Citizen Advisory Council, in an area designated as Low Density Residential on the 2030 Comprehensive Plan Future Land Use Map. The Low Density Residential category encompasses most of Raleigh's single family detached residential neighborhoods, corresponding roughly to the R-2, R-4, and R-6 zoning districts (but excluding parks within these districts). It also identifies vacant or agricultural lands—in the city and in the county—where single family residential use is planned over the next 20 years. 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.

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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 20,867 square feet. The median lot frontage of the peripheral developed lots is 110 linear feet. The minimum lot size proposed in this subdivision is 13,911 square feet. The minimum lot frontage in this subdivision is 73 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 envelope for the proposed new lot(s) is 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 lot may be further subdivided and maintains at least 40' corridor for a future street.

**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, and 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 proposed with this development.

**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:** The existing street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area.

**PEDESTRIAN:** Existing sidewalk locations conform to City regulations.

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

**STORMWATER MANAGEMENT:** This site is subject to stormwater management nitrogen reduction and stormwater runoff control requirements of Part 10 Chapter 9. The stormwater runoff control is exempt under code section 10-9023(b) (1) in that post-development runoff will be less than a 10% increase from pre-development conditions. The entire site has an allowed maximum impervious surface of 10,050 square feet. A one time buy down is required for nitrogen reduction prior to issuance of a grading permit or map recording which ever occurs first. Maximum impervious for each lot will be determined and required at time of Plat recordation.

**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.