



## Certified Action of the City of Raleigh Planning Commission Group Housing Development

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 516-2626  
www.raleighnc.gov

**Case File / Name:** GH-1-10 / Oberlin Road Condominium

**General Location:** On the northwest side of Oberlin Road, between Wayland Drive and Ashland Street, inside the city limits.

**Owner:** The Gantis Group, LLC  
**Designer:** Blackmon Development Associates, PLLC

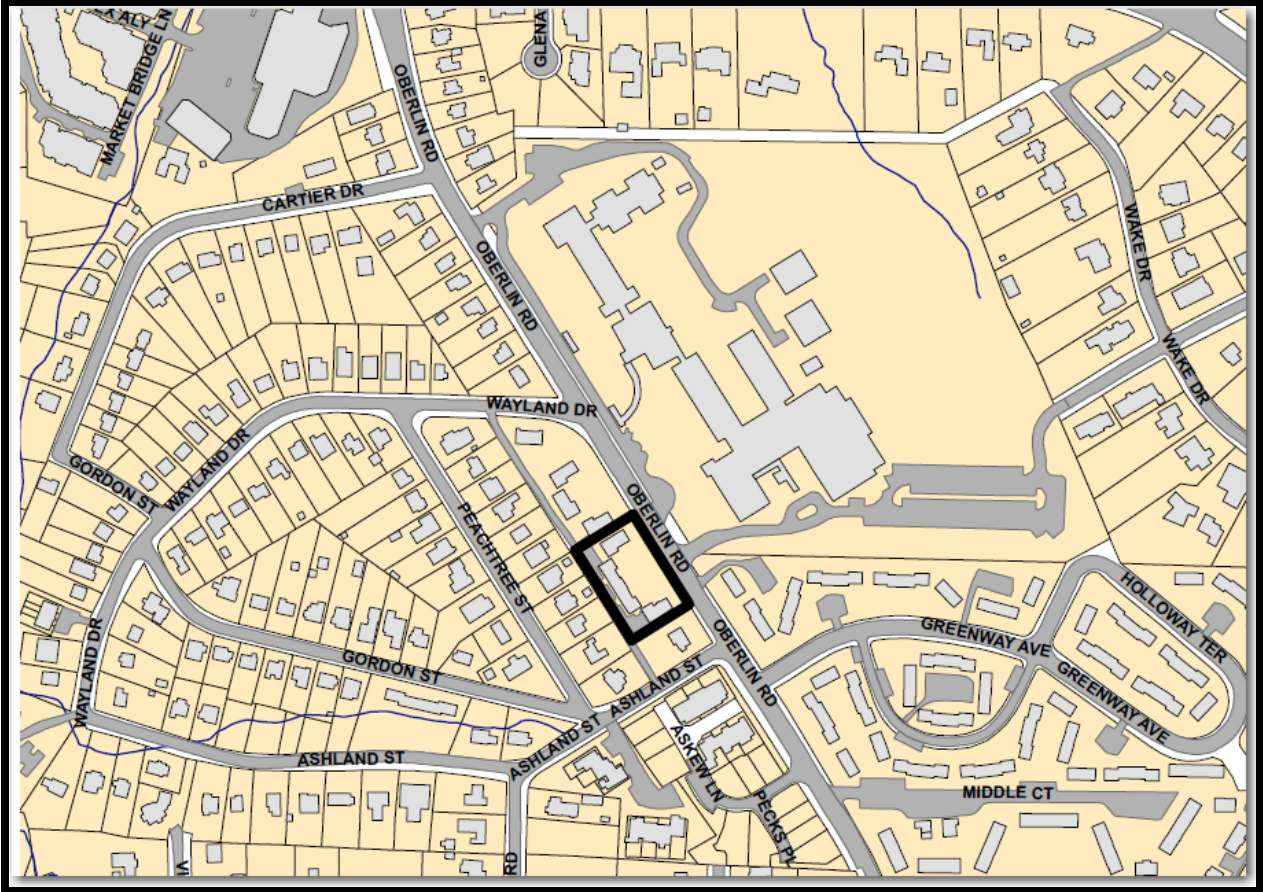
**CAC:** Wade

**Nature of Case:** This request is to approve a group housing development consisting of 8 units in 3 buildings on a .80 acre tract before right of way dedication and .75 acre tract after right of way dedication, zoned Residential-10. The overall residential density is 10.66 units per acre. Density has been transferred out of the right of way therefore the 10' of dedication along Oberlin Road is not eligible for reimbursement.

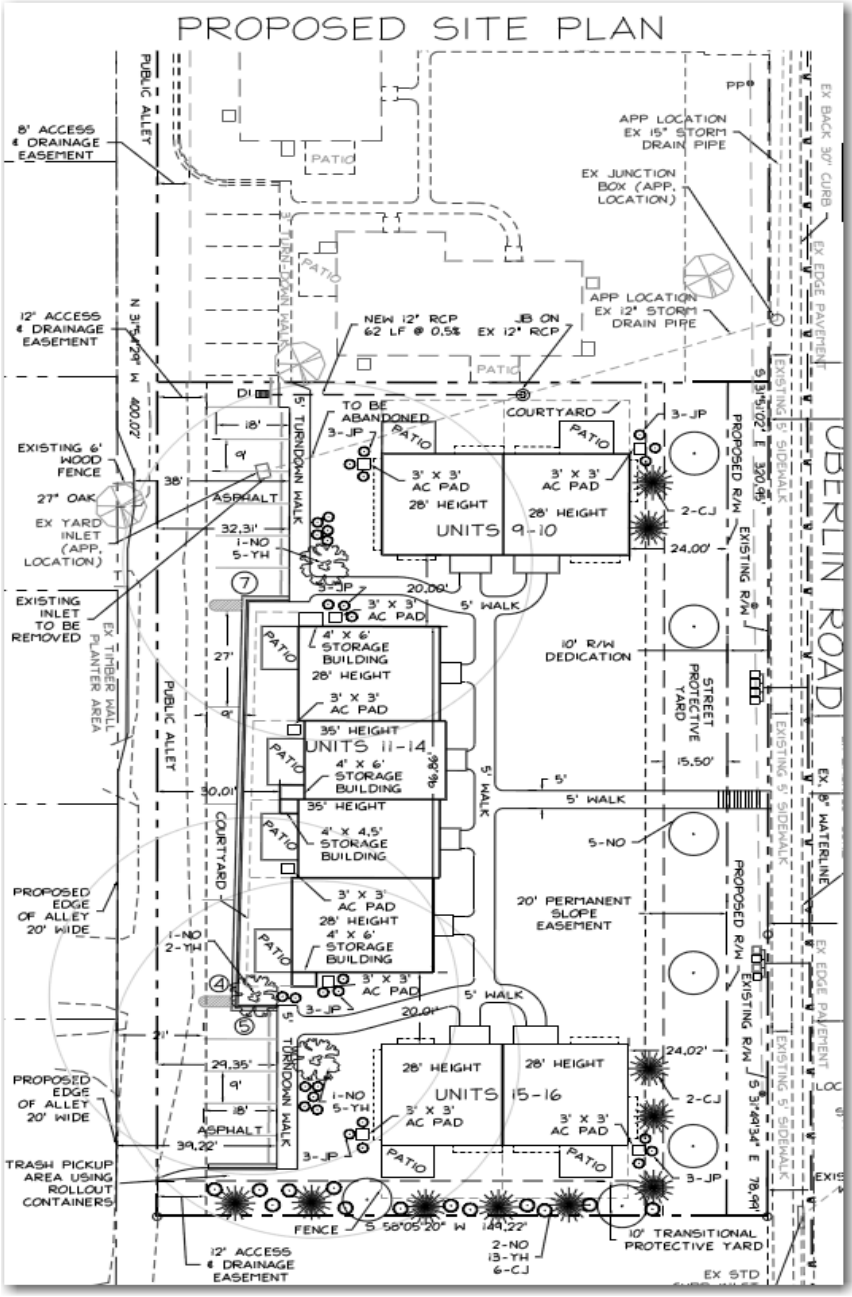
This proposal requires Planning Commission approval based on code section §10-2132.2(b)(12) applicable to "*multifamily dwelling developments, townhouse developments, residential unit-ownership and group housing developments* which are proposed to be located within a *residential zoning district* on any lot less than two (2) acres in area."

This proposal also requires Planning commission approval based on code section §10-2132.2(b)(13) "*multifamily dwelling developments, townhouse developments, residential unit ownership, other than conservations of existing residential structures, and group housing developments* which are located within a residential district, which are less than five (5) acres in area, and at least sixty-six (66) per cent of the "periphery" of the development, including public right-of-way, 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" includes for purposes of this subsection *properties* both immediately abutting and across a public minor residential street, residential *street*, residential collector *street*, or collector *street* from the proposed development, all as defined in Part 10, Chapter 3. The subject property has 72.3% of its periphery adjoining existing residential building lots containing single family dwellings.

**Key Issues:** As presented, staff finds this plan conforms to Code standards and adopted land use policies. Planning Commission should evaluate the proposal using the 8 standards of code section 10-2132.2(d).



GH-1-10 Oberlin Road Condominiums – site map



GH-1-10 Oberlin Road Condominiums – site plan

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**SUBJECT:** GH-1-10 / Oberlin Road Condominium

**CROSS-  
REFERENCE:** TR#270326

**LOCATION:** On the northwest side of Oberlin Road, between Wayland Drive and Ashland Street, inside the city limits.

**REQUEST:** This request is to approve a group housing development consisting of 8 units in 3 buildings on a .80 acre tract before right of way dedication and .75 acre tract after right of way dedication, zoned Residential-10. The overall residential density is 10.66 units per acre. Density has been transferred out of the right of way therefore the 10' of right of way dedication along Oberlin Road is not eligible for reimbursement.

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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 conditions of approval below being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2021, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 7/21/10, owned by The Gantis Group, LLC, submitted by Blackmon Development Associates, PLLC.

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**ADDITIONAL  
NOTES:** The buildings on site have been demolished. The demolition permit was issued by the Inspections department on 7/12/10; permit number 87604.

**VARIANCES /  
ALTERNATES:** N/A

To PC: August 10, 2010

Case History:  
To CC:

Staff Coordinator: Jacque Baker

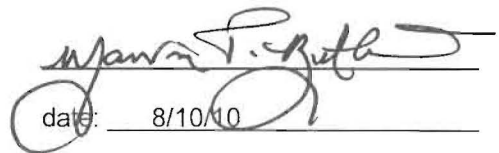
**Motion:** Smith  
**Second:** Haq  
**In Favor:** Butler, Anderson, Bartholomew, Batchelor, Fleming, Haq, Harris Edmisten, Mullins, Smith and Sterling  
**Opposed:**  
**Excused:**

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: 8/10/10



date: 8/10/10



## 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 first finds that this group housing project meets the standards of Section 10-2132.2(d).

**Administrative Actions:**

***Prior to issuance of building permits in the Inspections Department:***

- (2) That a final detailed landscape plan showing street yards 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 a 20-foot permanent slope easement on Oberlin Road be dedicated prior to or in conjunction with the recording of any map;
- (4) That the following note be placed on the map for recording: "A dwelling unit density transfer of .5 unit in accordance with Code Section 10-2074(a) has been utilized from the 0.05 acres of right of way dedication along Oberlin Road and therefore the right of way dedicated is not eligible for reimbursement";
- (5) That construction plans for public improvements including the widening of the alley be approved by the Public Utilities Department and the Public Works Department;
- (6) That an application for an encroachment agreement for stairs located within the public right-of-way, as indicated on the preliminary plan, is 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 Inspections Department, and that the encroachment agreement is to be recorded with the Wake County Register of Deeds;
- (7) That the demolition permit numbers for the previous structures on site be shown on all plats for recording and
- (8) That 10-feet of right of way shall be dedicated along Oberlin Road prior to or in conjunction with the recording of any map and a note be placed on the map the dedicated right of way is not eligible for reimbursement due to the density transfer.

**Prior to issuance of Certificate of Occupancy in the Inspections  
Department:**

(9) That condominium documents for lots 1 & 2 are prepared in accordance with G.S.-47C and that certification is made to the Chief Zoning Inspector that the legal documents contain the language required by 10-2108(g) and a copy returned to Planning and be placed in the file located in the Planning Department;

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**ZONING:**

**ZONING DISTRICTS:** Residential -10

**DEVELOPMENT DENSITY:**

The number of units allowed in this zoning district is 8. The proposed plan contains 8 dwelling units a density transfer from the 10' right of way dedication along Oberlin Road has been utilized per §10-2074.

**SETBACKS / HEIGHT:**

Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 24.02'. Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Building-to-building setbacks are shown in accordance with Sec. 10-2103(b). Buildings greater than 28' in height meet min. 30' setback from perimeter property lines.

**PHASING:** There are no phases in this development.

**OPEN SPACE:** Open space conforms to minimum requirements. 10% or .8 acres required, and provided, based on the open space standards of §10-2103(d).

**PARKING:** Off-street parking conforms to minimum requirements: 20 spaces required, based on 2.5 parking spaces per 3 bedroom units. 16 spaces are provided on lot 2 and 4 spaces provided on lot 1. A cross access & cross parking easement agreement has been recorded DB13765 Pg 1286-1293. Parking spaces meet minimum standards for size and aisle width.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Landscape areas for tree planting are a minimum of 350 square feet per tree in area, and have a minimum dimension of 7 feet. This is a medium residential use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Southern Property line	Type C	10'

**TREE CONSERVATION:** Site is zoned residential and less than 2 acres in size therefore no tree conservation is required.

**OTHER GROUP  
 HOUSING  
 STANDARDS:**

Private dead-end streets exceeding 150 feet provide turnarounds with a minimum interior curb radius of 30 feet. Fire hydrants, loop water system and fire truck access meet the standards of 10-2103(g). The main circulation route through this site meets private street standards. Sidewalks are shown to be provided from the main entrance of each dwelling unit and from all recreation facilities to the public sidewalk system.

**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:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Oberlin Road	10' dedicated	N/A	20' permanent

Additional right-of-way to be dedicated is not reimbursable under the facility fees program. The applicant has requested a density transfer out of the 10' right of way along Oberlin Road into the development.

**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 West CAC. The plan supports the general policy guidance provided by the Comprehensive Plan:

- Policy LU 2.5—Healthy Communities
- Policy LU 4.5—Connectivity
- Policy LU 5.1—Reinforcing the Urban Pattern
- Policy LU 8.9—Open Space in New Development
- Policy LU 8.12—Infill Compatibility
- Policy T 5.2—Incorporating Bicycle and Pedestrian Improvements
- Policy UD 5.1—Contextual Design
- Policy UD 5.6—Protection of Neighborhood Open Space

**APPEARANCE  
 COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
The committee recommends that the street presence of all building elevations facing Oberlin Road be carefully considered (e.g. that utility and HVAC units screened or relocated away from street view).	Plan revised to show additional landscaping and HVAC units relocated more behind the unit with additional screening
Given the predominance of oaks in the immediate vicinity, and the ample ground available for planting along Oberlin Road, substitute a locally-adapted Oak variety for the proposed red maples.	Nuttall Oaks used instead of red maples as shown on the landscape plan.



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**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** The existing 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:** Refuse collection is to be provided based on the standards in the Solid Waste Manual.

**CIRCULATION:** Existing street improvements conform to normal City construction standards.

**PEDESTRIAN:** Proposed private sidewalks and existing public sidewalk locations conform to City regulations.

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

**STORMWATER  
MANAGEMENT:** Site is exempt from Stormwater Regulations per code section 10-9021(6). The proposed site demonstrates a reduction in impervious surface from existing conditions.

**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. All internal parking is private.

**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.