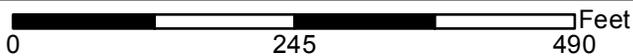
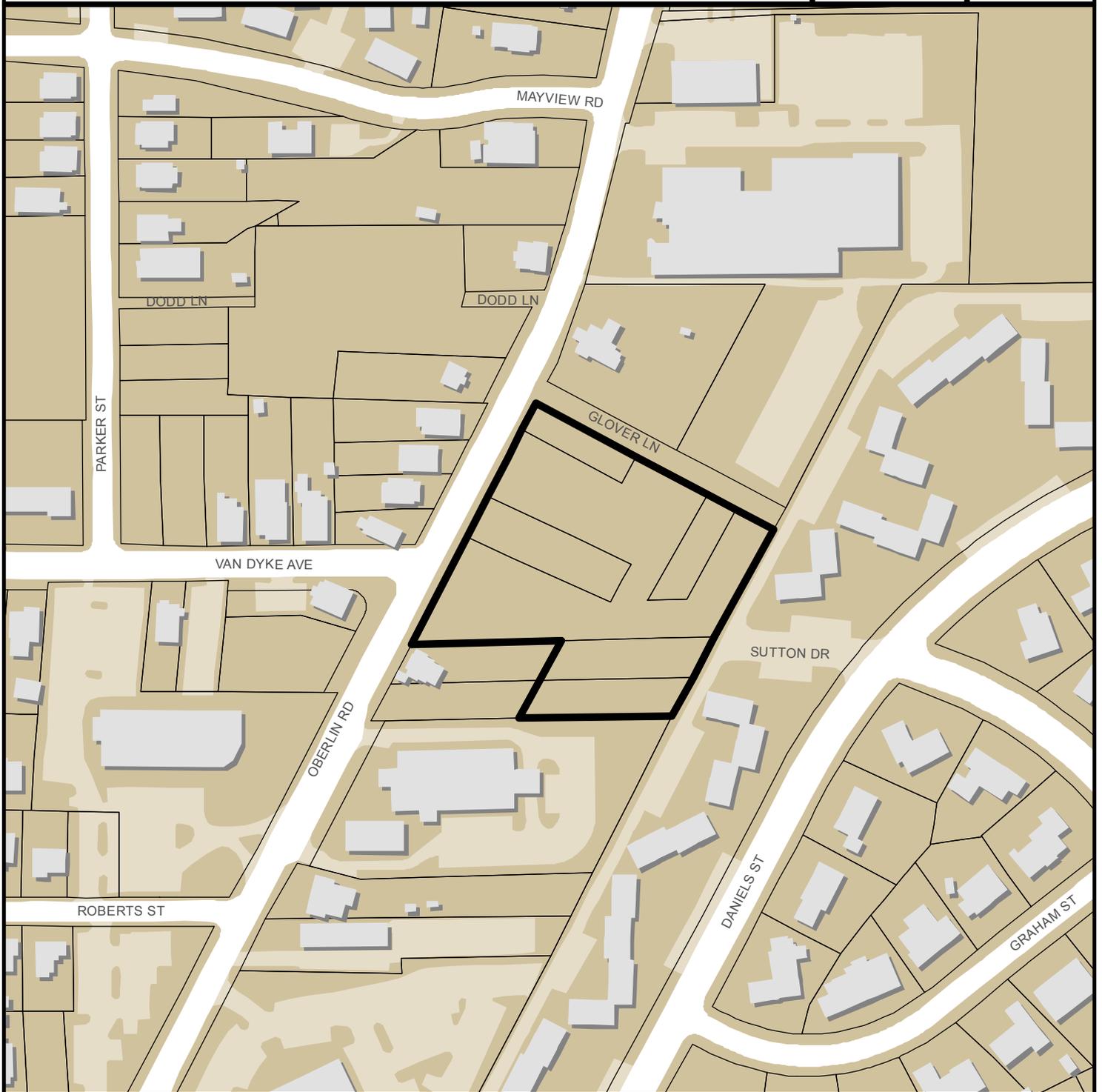


# THE OBERLIN CONDOMINIUMS SR-7-2016



Zoning: **RX-3-CU**  
CAC: **Hillsborough**  
Drainage Basin: **Pigeon House**  
Acreage: **2.17**  
Units: **24**

Planner: **Michael Walters**  
Phone: **(919) 996-2636**  
Applicant: **Kimberly Developer  
Group LLC**  
Phone: **(919) 271-6884**





# Administrative Action Administrative Site Review

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

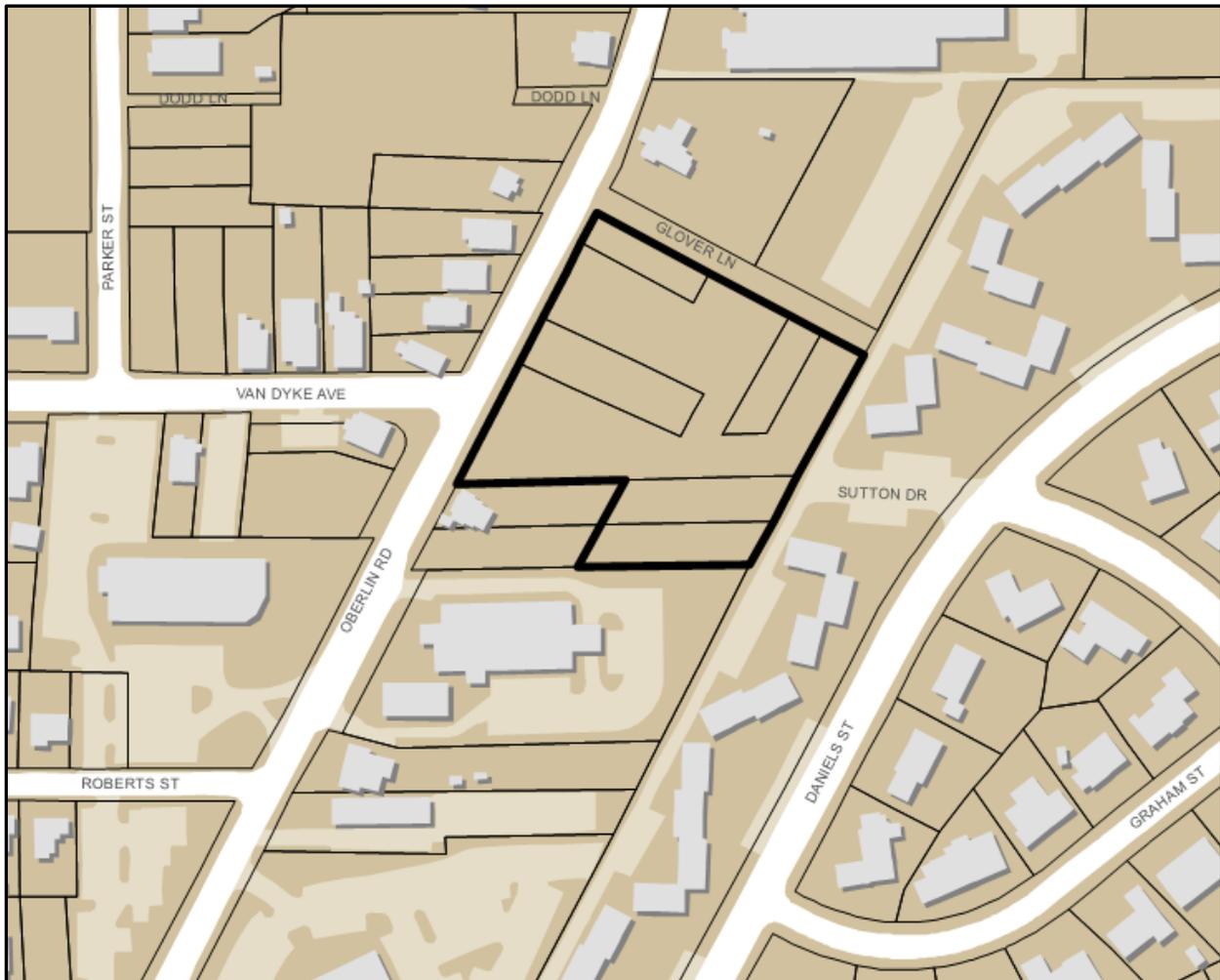
**Case File / Name:** SR-7-16 / The Oberlin Condominiums

**General Location:** This site is located on the east side of Oberlin Road at the intersection of Oberlin Road and Van Dyke Avenue.

**CAC:** Hillsborough

**Request:** Development of seven existing lots to be recombined into two lots, totaling 2.17 acres, zoned RX-3-CU (Residential Mixed Use – 3 – Conditional Use). Proposed are four residential buildings of two and three story height containing 24 residential dwellings total.

**Cross-Reference:** Z-36-14, TR# 461480







## Public Works Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	The Oberlin Condominiums	Date Completed Application Received	4/20/2016
	Case Number		Transaction Number	461480

Staff Response/Recommendation

Staff supports the request based off of existing infrastructure in the area and the conditional zoning conditions.

Staff Member	Cadell D. Hall	Support Request	<input checked="" type="checkbox"/>	Does Not Support	<input type="checkbox"/>
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### Public Works Director's Action:

Approve 
 Approval with Conditions 
 Deny


5/2/16

Richard L. Kelly, Interim Public Works Director Date

\*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval

Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

One Exchange Plaza, Suite 300  
Raleigh, NC 27601

Phone: 919-996-3030  
www.raleighnc.gov

<b>Code Conformance:</b>		<b>Code Section(s)</b>
<b>Zoning District:</b>	RX-3-CU (Residential Mixed Use-3- Conditional Uses), Z-36-14	3.4
<b>Overlay District:</b>	NA	
<b>Parking:</b>	Vehicular Required = 70 spaces, proposed = 77 spaces; Bicycle Required = minimum 4, proposed = 20 spaces;	<a href="#">7.1.2</a>
<b>Street Type(s):</b>	Oberlin Road – ½ of 80' R/W is to be dedicated for Oberlin Road, which is classified as Avenue 2-Lane Divided. Glover Lane – ½ of a 55' R/W is to be dedicated (existing is a 25' R/W and a gravel drive) . ½ of a 27' B/B street is proposed.	<a href="#">8.4</a>
<b>Streetscape:</b>	Oberlin Road - Due to the existing infrastructure, an alternative streetscape has been approved via a design adjustment. The placement of required street trees along Oberlin Road is being allowed outside of the normal 6' planting street. Also, due to existing overhead power lines, understory tree plantings are being proposed and have been noted in the design adjustment as well. Additional 1' of sidewalk width required will be met via a fee in lieu along Oberlin Road. Glover Lane (proposed) – Commercial. (8.5.2) along with a proposed 10' sidewalk/passageway (as per condition # 12 of Z-36-14, a portion of which is proposed outside of the Right of Way. An encroachment agreement is required for this portion of the 10' passageway.	<a href="#">8.5</a> & Design Adjustment
<b>Setbacks/Frontage:</b>	Front – along the Oberlin Road Frontage (min. 11' 6", as per Z-36-14, cond. # 9). corner, side - From Glover Lane- 5' minimum. From adjacent side, 0 or 6' rear – 0' or 6'	<a href="#">3.2,4</a> , Z-36-14
<b>Neighborhood Transitions:</b>	NA	<a href="#">3.5</a>
<b>Transitional Protective Yards:</b>	NA	<a href="#">7.2.4</a>
<b>Stormwater:</b>	Proposed underground sand filter detention.	<a href="#">9.2</a>

<b>Tree Conservation:</b>	As each individual lot is less than two acres in size therefore exempt from Article 9.1, Tree Conservation.	<a href="#">9.1</a>
<b>Variances, Design Adjustments, Administrative Alternates:</b>	Design Adjustment approved by the Public Works Director waiving the Block perimeter requirement, and allowing an alternative street section along Oberlin Road.	
<b>Other:</b>	Existing fire hydrant at intersection of Oberlin Road and Glover Lane is to be removed and a new hydrant relocated. The existing power pole at the intersection of Oberlin Road and Glover Lane is to be relocated.	

**OFFICIAL ACTION:** Approval with conditions

**CONDITIONS OF APPROVAL:**

**Prior to issuance of a mass land disturbing permit for the site:**

1. That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

**Prior to the issuance of any site permits, infrastructure construction plans or concurrent review process, whichever is applicable:**

2. That a stormwater control plan with a Stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;
3. That a nitrogen offset payment must be made to a qualifying mitigation bank;
4. That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;
5. That the Public Works Department approve a public sidewalk easement for any portion of the public sidewalk along Glover Lane located within private property;

6. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, ½ of a 27' back to back street, including streetscape trees along Glover Lane, and streetscape trees along Oberlin Road, is paid to the Public Works Department;
7. That as the intersection of Van Dyke Avenue and Oberlin Road is to be realigned to allow for non-conflicting left turn movement, infrastructure construction plan approval will be required;

**Prior to issuance of building permits:**

8. That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
9. That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
10. That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
11. That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association;
12. That infrastructure construction plans be approved by the City for all required public improvements;
13. That a fee in lieu is paid to the City of Raleigh for a 5' section of pedestrian passageway, 10' in width;
14. That a fee in lieu is to be paid to the City of Raleigh for an additional 1' of sidewalk width along Oberlin Road;
15. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;
16. That all conditions of Z-36-14 are complied with;
17. That ½ of the required 80' right of way for Oberlin Road and utility easement, and ½ of the required 55' right of way for Glover Lane and utility easement along with the 20' width slope

easement as shown on the preliminary plan is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;

18. That a 15' x 20' transit easement located along Oberlin Road be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement deed approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the City prior to building permit approval;
19. That a recombination map be recorded, recombining all existing lots into two lots;
20. That a cross access easement and a shared parking agreement between the two lots to comprise this development be recorded in the Wake County Registry, and that a copy of the recorded legal documents be returned to the City prior to building permit issuance;
21. That a Tree Impact Permit is obtained;
22. That the existing fire hydrant, and the existing power pole at the intersection of Oberlin Road and Glover Lane are to be relocated;
23. That if any portion of the sidewalk along Glover Lane be located on private property then a public sidewalk easement deed approved by the City Attorney shall be recorded and a copy provided to the city prior to building permit issuance;

**Prior to issuance of building occupancy permit:**

24. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;

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I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (J. Barber) Date: 6-3-16

Staff Coordinator: Michael Walters

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE PROCESS.

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 4/27/2015, submitted by Taylor Blakely, Blakely Design Group.

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**EXPIRATION DATES:** **The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan.** If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

**3-Year Expiration Date:** 6-3-2019

Obtain a valid building permit for the total area of the project, or a phase of the project.

**4-Year Completion Date:**

Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

**WHAT NEXT?:**

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the City for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE EXPIRATION THRESHOLDS AS NOTED ABOVE.