



# Administrative Action

## Preliminary Subdivision

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

**Case File / Name:** S-32-13 / Bernard Street

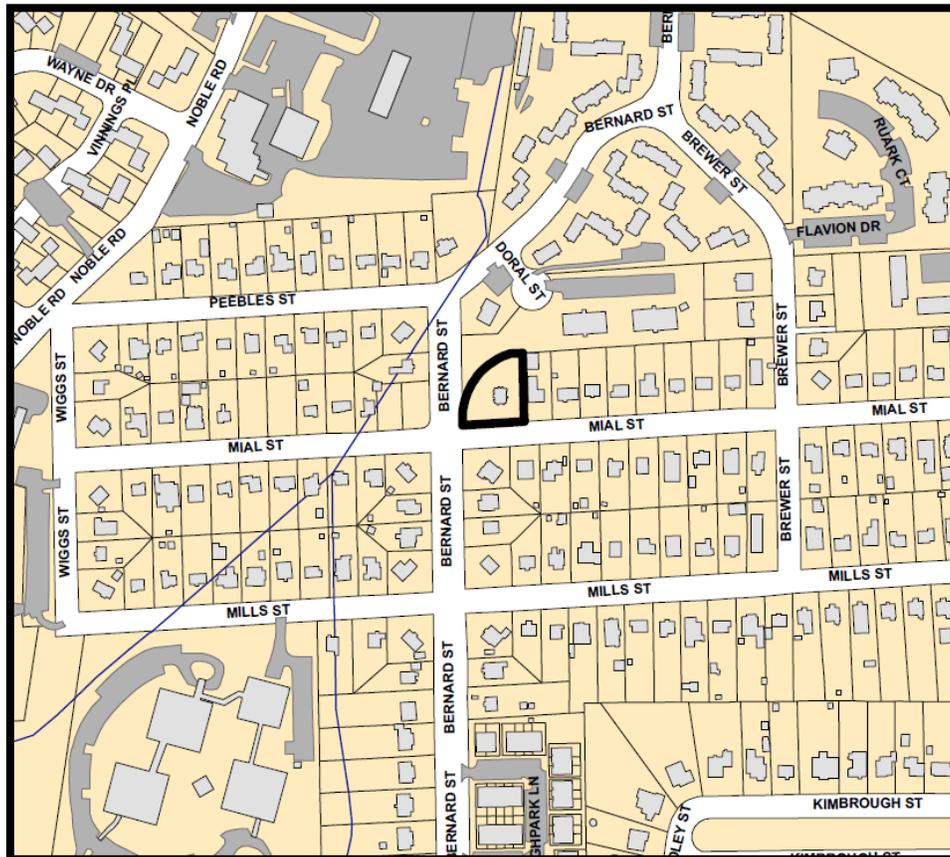
**General Location:** Located at the intersection of Mial Street and Bernard Street

**CAC:** Five Points

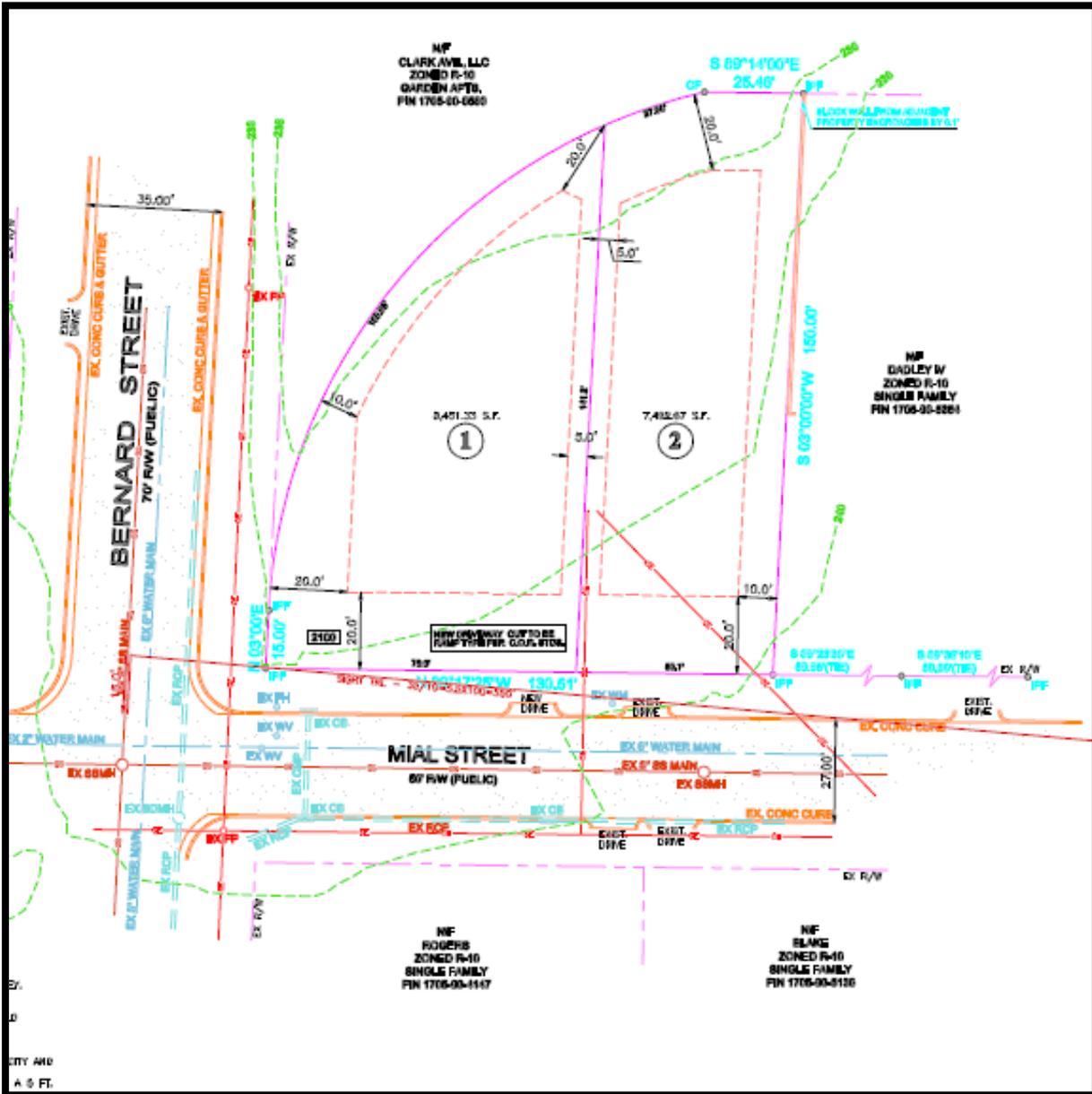
**Nature of Case:** The subdivision of a 0.366 acre parcel into two lots, zoned Residential-10.

Lot 1 – 8,451 square feet  
Lot 2 – 7,492 square feet

**Contact:** Stony Chance, Chance & Associates



**S-32-13 / Bernard Street – Location Map**



S-32-13 / Bernard Street - Subdivision Layout

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**SUBJECT:** S-32-13

**CROSS-  
REFERENCE:** N/A

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

**PIN:** 1705904373

**REQUEST:** This request is to approve the subdivision of a 0.366 acre tract into two lots, zoned Residential-10.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

*Prior to Planning Department authorization to record lots:*

- (1) A fee-in-lieu for ½-5' sidewalk on Mial Street and Bernard Street is required to be paid prior to map recordation;
- (2) That a demolition permit be issued and this building permit number be shown on all maps for recording;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)

*Mitchell Sitr (C. W. Sitr)*

Date:

*12-17-13*

**Staff Coordinator:**

Meade Bradshaw

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

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10-2021, owned by Tephra Development, LLC, submitted by Chance & Associates.

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**ZONING:**

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DISTRICTS:** Residentail-10.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown.

**TREE CONSERVATION:** The subject parcel is residential and smaller than two acres. No tree conservation is required.

**UNITY OF DEVELOPMENT:** Not applicable

**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:**

No dedication of right-of-way or construction of any subdivision streets are required by the Thoroughfare and Collector Street Plan.

A fee-in-lieu for ½-5' sidewalk on Mial Street and Bernard Street is required to be paid prior to map recordation.

**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 a residential area.

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 5,000 square feet. The minimum lot depth in this zoning district is 70'. The minimum lot width in this zoning district is 45'. Lots in this development conform to these minimum standards.

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

**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:** Existing street conditions conform to normal City construction standards.
- PEDESTRIAN:** Sidewalks do not exist along either Mial Street or Bernard Street. A fee-in-lieu for ½-5' sidewalk on Mail Street and Bernard Street
- FLOOD HAZARD:** There are no flood hazard areas on this site per letter from Protocol Sampling Service, Inc. (David E. Meyer, NCLSS) dated 9/10/13.
- STORMWATER  
MANAGEMENT:** 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 streets are being created.
- 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.

**SUNSET DATES:** If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval by City Council before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

**3-Year Sunset Date:** 12/16/16  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 12/16/18  
Record entire subdivision.

**WHAT NEXT?:**

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

**FACILITY FEES  
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.