



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

December 27, 2017

Dewberry|Preble-Rish  
9949 Bellaton Avenue  
Daphne, AL 36526

**Re: 6050 Whitebark Drive**  
(North side of Girby Road, 125'± East of Bristlecone Drive, extending to the East terminus of Whitebark Drive.)  
Council District 6  
**PUD-000324-2017 (Planned Unit Development)**  
**Dewberry/Preble-Rish**

Dear Applicant(s)/ Property Owner(s):

At its meeting on December 21, 2017, the Planning Commission considered Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a private street subdivision.

After discussion, the Planning Commission heldover the request until the January 4, 2018 meeting, with revisions submitted by December 28, 2017, to allow the applicant time to address the concerns regarding adjacent property ownership and access to Whitebark Drive, as well as to address the following:

- 1) revision of the site plan to label the sizes of the proposed lots and common areas in both square feet and acres, or provision of a table on the site plan providing the same information;
- 2) placement of a note on the site plan stating that the maintenance of all common areas is the responsibility of the property owners and not the City of Mobile;
- 3) revision of the site plan to illustrate the 25' minimum building setback line along all street frontages;
- 4) placement of a note on the site plan stating the development of the private streets shall be in compliance with Section VIII of the Subdivision Regulations;
- 5) revision of the site plan to label Magpie Drive with "emergency access only";

- 6) placement of a note on the site plan stating that maintenance of the private streets is the responsibility of the property owners and not the City of Mobile;
- 7) placement of a note on the site plan stating that, if the private streets are not constructed and maintained to City standards inasmuch as they could ultimately be dedicated for public use and maintenance, then 100 percent of the cost of the improvements required to do so shall be assessed to the property owners at the time the private streets are dedicated;
- 8) placement of a note on the site plan stating each lot and common area is limited to one curb cut, with any changes in their sizes, locations, or designs to be approved by Traffic Engineering and conform to AASHTO standards;
- 9) placement of a note on the site plan stating that direct access to Common Area 2 from Girby Road is denied;
- 10) placement of a note on the site plan stating that no structures shall be constructed in any easement;
- 11) compliance with Engineering comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1) Any work performed in the existing Public ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6) The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 12) compliance with Traffic Engineering comments: *(Direct access to Girby Road is denied for all lots and common areas. Each lot and common area (as needed to maintenance) should be limited to one curb cut each with size, location and design to conform to AASHTO standards.);*

Dewberry/Preble-Rish PUD  
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- 13) compliance with Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64).); and,*  
14) compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).).*

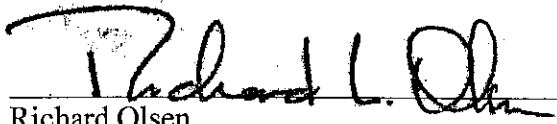
If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Ms. Jennifer Denson, Secretary

By:

  
Richard Olsen

Deputy Director of Planning & Zoning

cc: D. R. Horton, Inc. - Birmingham



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**Re: 6050 Whitebark Drive**

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Council District 6

**ZON-000326-2017 (Rezoning)**

**D.R. Horton, Inc. – Birmingham**

Dear Applicant(s)/ Property Owner(s):

At its meeting on December 21, 2017, the Planning Commission considered your request for a change in zoning from R-2, Two-Family Residential District, R-3, Multiple-Family Residential District and B-2, Neighborhood Business District, to R-2, Two-Family Residential District to allow a single-family residential subdivision and eliminate split zoning.

**After discussion, the Planning Commission heldover the request until the January 4, 2018 meeting to allow the applicant time to address the concerns regarding adjacent property ownership and access to Whitebark Drive.**

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Jennifer Denson, Secretary

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Richard L. Olsen", is written over a horizontal line.

Richard Olsen

Deputy Director of Planning & Zoning

cc: D. R. Horton, Inc. - Birmingham