



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

January 11, 2022

Gary Cowles
Cowles, Murphy, Glover & Associates
457 St. Michaels Street
Mobile, Alabama 36602

Re: 4251 Bit and Spur Road
(South side of Bit and Spur Road at the South terminus of Horloesther Court East).
Council District 5
SUB-001890-2021 (Subdivision)
High Pointe Subdivision
Number of Lots / Acres: 12 Lots / 2.7± Acres
Engineer / Surveyor: Cowles, Murphy, Glover & Associates

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

At its meeting on January 6, 2022, the Planning Commission considered the above referenced Subdivision application.

After discussion, the Commission Tentatively Approved the application, with a waiver of Sections V.D.2. and VIII.E.2.c. of the Subdivision Regulations, subject to the following:

- 1) **revision of the Final Plat to show the existing right-of-way along Bit and Spur Road, with dedication to provide a minimum of 25-feet from the centerline or more, as determined by the City Engineer;**
- 2) **revision of the plat to include utility easements acceptable to the appropriate provider of utility services within the Subdivision;**
- 3) **placement of a note stating that if the street is not constructed and maintained to City standards that 100% of the cost of the improvements will be assessed to the property owners, if dedicated to the City;**
- 4) **revision to accommodate any other requirements of Section VIII.E.2. of the Subdivision Regulations;**
- 5) **retention of the front, rear, and side yard setbacks on the Final Plat;**
- 6) **placement if a note stating that site coverage is limited to a maximum of 40 percent;**
- 7) **retention of the lot sizes in square feet and acres, adjusted for dedication;**
- 8) **placement of a note on the Final Plat stating that maintenance of the detention area is the responsibility of the property owners;**
- 9) **full compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e., signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of**

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- Licensure for Professional Engineers and Land Surveyors. B. Provide reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner. D. Add a graphic scale. E. Add a legend or label everything. F. Add street names to the vicinity map. G. Provide a written legal description and matching bearing and distance labels for the proposed subdivision boundary. H. Redraw the proposed subdivision boundary to be a thicker/heavier line so that it is easily differentiated from the other lines on the Plat. I. Rename the Detention Area between LOT 6 and 7 to "Common Area (DETENTION). J. Show and label the proposed roadway parcel as Private Road or Common Area. K. The proposed ROW along Bit and Spur Rd should be a constant width. Do not dedicate additional ROW as shown around the entrance. That area can be part of the Private Roadway. L. Provide the amount of right-of-way dedication (square feet). M. Delete all of the proposed work from the Plat. N. Show and label the existing storm drainage pipe that runs south from Bit and Spur Road. This pipe will require a Public Drainage Easement. The width and alignment of the easement shall be coordinated with, and approved by, the Engineering Dept. (attn. G. Davis) prior to submitting the Plat for signatures. The width will be required to allow vehicular and equipment access. O. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. P. Provide the Surveyor's Certificate. Q. Provide the Surveyor's and Owner's (notarized) signatures. R. This area has been designated by the City Engineer as an area prone to localized flooding. Add a note to the SUBDIVISION PLAT stating that the development must provide stormwater detention for the 100-year (post-development) frequency storm event and limit the release rate to the 2-year (predevelopment) frequency storm event. S. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #80) the Subdivision will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: 6,000 sf for the entire development. T. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. U. Add a note that 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. V. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. W. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. X. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. Y. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. Z. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*
- 10) placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
 - 11) 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p.

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1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);

- 12) 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and**
- 13) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.**

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, **five** copies of the recorded plat (including instrument number) must be submitted to the Planning and Zoning Department office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

Please also submit a CAD compatible (DXF) digital copy of the final plat to the Planning and Zoning Department office once the plat has been submitted to Probate for recording. This may be submitted on disk, flash drive, memory stick, or via e-mail to planning@cityofmobile.org.

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:



Margaret Fappas
Deputy Director of Planning and Zoning



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

January 11, 2022

Gary Cowles
Cowles, Murphy, Glover & Associates
457 St. Michael Street
Mobile, Alabama 36602

Re: 4251 Bit and Spur Road
(South side of Bit and Spur Road at the South terminus of Horloesther Court East).
Council District 5
PUD-001891-2021
High Pointe Subdivision
Planned Unit Development Approval to allow reduced front, side, and rear yard setbacks, reduced lot sizes and increased site coverage for a proposed subdivision.

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

At its meeting on January 6, 2022, the Planning Commission considered the above referenced Planned Unit Development application.

After discussion, the Planning Commission determined the following Findings of Fact for Approval:

- a. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because of utilizing infill development practices; and
- b. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets, and community facilities), because no new public infrastructure must be constructed to develop the site as planned.

The Approval is subject to the following conditions:

- 1) revision of the Final Plat to show the existing right-of-way along Bit and Spur Road, with dedication to provide a minimum of 25-feet from the centerline or more, as determined by the City Engineer;
- 2) revision of the site plan to include utility easements acceptable to the appropriate provider of utility services within the Subdivision;

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- 3) placement of a note stating that if the street is not constructed and maintained to City standards that 100% of the cost of the improvements will be assessed to the property owners, if dedicated to the City;
- 4) revision to accommodate any other requirements of Section VIII.E.2. of the Subdivision Regulations;
- 5) retention of the front, rear, and side yard setbacks on the site plan;
- 6) placement of a note stating that site coverage is limited to a maximum of 40 percent;
- 7) retention of the lot sizes in square feet and acres, adjusted for dedication;
- 8) placement of a note on the site plan stating that maintenance of the detention area is the responsibility of the property owners;
- 9) full compliance with Engineering comments: *(1. Provide a thicker solid line for the outline of the development contained in the PUD. 2. Show and label the existing storm drainage pipe system that runs along the western property line and the proposed drainage easement. 3. Label the roadway as Common Area or Private ROW or Common Area (Private Road). 4. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing 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 Permitting 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). b. 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. c. 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. d. Each Lot Owner shall be required to submit a Single-Family Residential Affidavit application with the initial construction of a single-family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area provided in the subdivision detention design. e. The 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. f. 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. g. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

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- 10) placement of a note on the Final Plat stating Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 11) 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
- 12) 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and*
- 13) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.

Please note that a Planned Unit Development approval by the Planning Commission **expires after one year** if no permits are obtained.

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: _____



Margaret Pappas

Deputy Director of Planning and Zoning