

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

May 4, 2007

Grande Development LLC
5675 Rabbit Creek
Theodore, AL 36582

Re: Case #ZON2007-00865 (Planned Unit Development)
Grande Oaks at Hillcrest Subdivision
2709 Hillcrest Road
(East side of Hillcrest Road, 340'± North of Shady Lane).

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

At its meeting on May 3, 2007, the Planning Commission considered for Planned Unit Development the site plan to allow a residential subdivision with a gated private road.

After discussion, it was decided to approve this plan subject to the following conditions:

- 1) revision of the PUD site plan and Subdivision plats to depict a detention common area, if required, and labeling of the detention common area and placement of a note on the PUD site plan and plats stating that maintenance of the detention basin common areas, and any other common areas, are the responsibility of the subdivision's property owners;
- 2) completion of the Subdivision process for the Grande Oaks at Hillcrest Subdivision and the Lot A of The Oaks Subdivision;
- 3) compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
- 4) designation on the PUD site plan of utility easements acceptable to the appropriate provider of utility services within the subdivisions;
- 5) placement of a note on the PUD site plan stating that the street is privately maintained and not dedicated to the public;
- 6) placement of a note on the PUD site plan stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 7) placement of a note on the PUD site plan stating that the gate must remain operational and in use as a condition of the continuation of private street status,

- 8) full compliance with Engineering comments (*Verify that no public water is being accepted on-site. If it is, provide a drainage easement. The storm water ordinance does not allow water to be concentrated onto an adjacent property without a hold harmless agreement. All storm water must tie to the City of Mobile storm drainage system. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Detention is required for construction of impervious area greater than 4000 square feet.*);
- 9) full compliance with Urban Forestry comments, and placement of the comments as a note on the PUD site plan (*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 61-929 and City Code Chapters 57 and 64). For the Grande Oaks Subdivision, preservation status is to be given to the 48" Live Oak Tree located on the South West corner of Lot 1, the 60" Live Oak Tree located on the South side of Lot 3, the 56" Live Oak Tree located on the South West corner of lot 3, the 76" Live Oak Tree located on the North East corner of Lot 6, and the 54" Live Oak Tree located on the West side of Lot 10. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. For the Lot A of the Oaks Subdivision, preservation status granted for all 50" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.*);
- 10) depiction of the minimum building setback line for Lot A of the Oaks, where the lot is at least 60 feet wide;
- 11) provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plats; and
- 12) full compliance with all other municipal codes and ordinances.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Dr. Victoria Rivizzigno, Secretary

By: _____
Richard Olsen

Deputy Director of Planning

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

May 4, 2007

Grande Development LLC
5675 Rabbit Creek
Theodore, AL 36582

Re: Case #SUB2007-00067 (Subdivision)
Grande Oaks at Hillcrest Subdivision
2709 Hillcrest Road
(East side of Hillcrest Road, 340'± North of Shady Lane).
12 Lots / 5.2± Acre

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

At its meeting on May 3, 2007, the Planning Commission approved the above referenced subdivision subject to the following conditions:

- 1) revision of the PUD site plan and Subdivision plat to depict a detention common area, if required;**
- 2) compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;**
- 3) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;**
- 4) placement of a note on the plat stating that the street is privately maintained and not dedicated to the public;**
- 5) placement of a note on the plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;**
- 6) placement of a note on the plat stating that the gate must remain operational and in use as a condition of the continuation of private street status;**
- 7) compliance with Engineering comments (*Verify that no public water is being accepted on-site. If it is, provide a drainage easement. The storm water ordinance does not allow water to be concentrated onto an adjacent property without a hold harmless agreement. All storm water must tie to the City of Mobile storm drainage system. Must comply with all storm water and*)**

flood control ordinances. Any work performed in the right of way will require a right of way permit. Detention is required for construction of impervious area greater than 4000 square feet.);

- 8) **compliance with Urban Forestry comments, and placement of the comments as a note on the plat** (*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 61-929 and City Code Chapters 57 and 64). For the Grande Oaks Subdivision, preservation status is to be given to the 48" Live Oak Tree located on the South West corner of Lot 1, the 60" Live Oak Tree located on the South side of Lot 3, the 56" Live Oak Tree located on the South West corner of lot 3, the 76" Live Oak Tree located on the North East corner of Lot 6, and the 54" Live Oak Tree located on the West side of Lot 10. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.); and*
- 9) **full compliance with all other municipal codes and ordinances.**

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, seven copies of the recorded plat (including map book and page number) must be submitted to the Land Use Administration office. This procedure must be completed within one year, or the Tentative Approval will expire.

It is also requested that a digital copy of the final plat be submitted to the Land Use Administration office once the plat has been submitted to Probate for recording. This may be submitted on disk or via e-mail at travisz@cityofmobile.org.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Dr. Victoria Rivizzigno, Secretary

By: _____
Richard Olsen
Deputy Director of Planning

cc: Rester and Coleman Engineers, Inc.