

## **CLEAR CREEK SUBDIVISION**

Engineering Comments: FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. REMOVE THE MOBILE COUNTY ENGINEERING DEPARTMENT NOTE. THIS PROPOSED SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS. THE COUNTY ENGINEER NO LONGER SIGNS PLATS WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MOBILE.
- B. 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 Licensure for Professional Engineers and Land Surveyors.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #65) LOTS 1, 2, & 3 will receive the following historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control), as follows: LOT 1 – NONE; LOT 2 – NONE, LOT 3 – NONE.
- E. Add a note to the SUBDIVISION PLAT stating 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.
- F. Add a note to the Plat stating 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.
- G. 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.
- H. Add a note to the plat stating that all 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.
- I. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- J. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review.  
**No signatures are required on this drawing.**
- K. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Traffic Engineering Comments: Each lot shall gain access to Clear Creek Drive via the ingress/egress easement to the south. No access is allowed to the public street to the north until such time that a City standard street is constructed to adjoin the public right-of-way.

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). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

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.

***Revised for April 4<sup>th</sup> meeting:***

*The Fire Department has determined that the construction of a fire access road, with corresponding water supply, is required. If the road is a public right-of-way, improvement to city standards would be required. The Fire Department staff provided the following comments:*

*“The City of Mobile has adopted the 2012 International Fire Code along with related appendix B,C & D with additional amendments listed in the City Municipal code.*

*2012 IFC sections 503, 507, and appendix D all give clear guidance on the required installation of fire access roads, fire water supplies and how they relate to structures.*

*(503.1.1 Building and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction.)*

*(507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.)”*

The plat illustrates the proposed 1.6 ± acre, 2-lot subdivision which is located at the East side of Clear Creek Drive, 170' ± North of University Avenue. The applicant states that the subdivision is served by public water and sewer facilities. The site is located in Council District 7.

The purpose of this application is to create two lots providing a non-exclusive easement for ingress and egress along a portion of Clear Creek Drive.

This site appeared before the Planning Commission at the September 6, 2018 meeting as a request for a three lot subdivision. The application was heldover to allow coordination between the Planning and Zoning staff, and the Fire Department, regarding concerns related to road frontage and accessibility. The application was heard again on September 20<sup>th</sup> and it was determined by the Fire Department that the construction of a fire access road, with corresponding water supply, was required, and if the road was a public right-of-way, improvement to city standards would be required. The Planning and Zoning staff also determined that in the initial subdivision request the applicant did not include the entire portion of each of the parcels. Staff reviewed a plat from 1977 that indicated that Clear Creek Drive was not a public-right-of-way where it abutted the property in question. Furthermore, the legal description provided with the

application did not account for approximately 60 feet that is missing from the plat. The application was then recommended for withdraw and the applicant withdrew the application. The applicant is now proposing a two lot subdivision, and a non-exclusive easement for ingress and egress along Clear Creek Drive.

The site has been given a Low Density Residential land use designation per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

The Low Density Residential designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline. The primary land use in the Low Density Residential districts is residential development where the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac.)

Low Density Residential neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as: complementary retail; parks and civic institutions, such as schools, community centers, neighborhood playgrounds; and, churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bike-able human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The lot sizes are depicted in square feet and acres. If approved, this information should be retained on the Final Plat.

The applicant asks for relief from the 25' minimum building setback requirements due to the designation of the non-exclusive ingress and ingress easement along the two properties. The applicant states that *"an easement now gives not only our subdivision but other parties contiguous access in the form of an easement to and from a public road"*. However, as submitted the 25' minimum building setback line is drawn from the proposed easement, and would provide the required front yard setback if Clear Creek Drive is improved to city standards.

The applicant's narrative, as well as the proposed site plan, indicate existing easements for ingress/ egress to the North of the subject site, as well as in front of a portion of the proposed Lot 2. However, there was no documentation provided with the application supporting this information. Copies of both existing easements should be submitted to the Planning and Zoning

Department for staff's review. The applicant also proposes to dedicate 50' from Lot 1 and a portion of 50' and 25' from Lot 2 to create a continuous non-exclusive easement.

It should also be pointed out; the newly proposed plat appears to exclude a portion of the proposed Lot 2 located in the southeast corner of the lot. The plat that was submitted with the 2018 application depicted the rear portion of all the lots as straight lines as opposed to the indentation proposed on Lot 2. The inclusion of all of the property identified within the parcels must be depicted on the plat, and be included in the subdivision process.

Based upon the proceeding, the application is recommended for Holdover until the April 18<sup>th</sup> meeting, with revisions and documentation submitted by March 28<sup>th</sup> to address the following:

- 1) submission of documentation of both the existing easements for ingress and egress; and
- 2) inclusion of all of the property identified within the parcel to be a part of Lot 2 and additional postage if required.

***Revised for the April 4<sup>th</sup> meeting:***

*The application was heldover from the March 21<sup>st</sup> meeting to allow the applicant to submit documentation of both the existing easements for ingress and egress; and if necessary, to include all of the property identified within the parcel to be a part of Lot 2. The applicant was able to provide deeds and legal descriptions of the property as well as adequate documentation regarding both easements. The documentation indicates that there is an existing 50' ingress/ egress easement to the north of the proposed Lot 1 and 2 that does tie into Spyglass Drive. The other ingress/ egress easement to the south, in front of the proposed Lot 2, is only a 25 feet easement. However the applicant is proposing an additional 25 feet thus providing a 50 feet ingress/ egress easement, which will tie into the non-exclusive ingress/egress easement that is being created as a part of the 2 lot subdivision; thus providing connectivity and vehicular traffic.*

*It should also be noted, as previously mentioned in the report, the Fire Department has determined that the construction of a fire access road, with corresponding water supply, is required.*

*As previously referenced, the 2018 application indicated that the eastern property line had a due north/south lot line. In reviewing the applicant's documents, it appears, based on a "less and except" parcel, that the eastern portion of the property line adjoining the proposed Lot 2, should be vertical. This will correspond to the existing parcel line, thus the final plat should be revised to correspond to the existing "vertical" parcel line.*

*Based upon the preceding, the application is recommended for Tentative Approval, subject to the following conditions:*

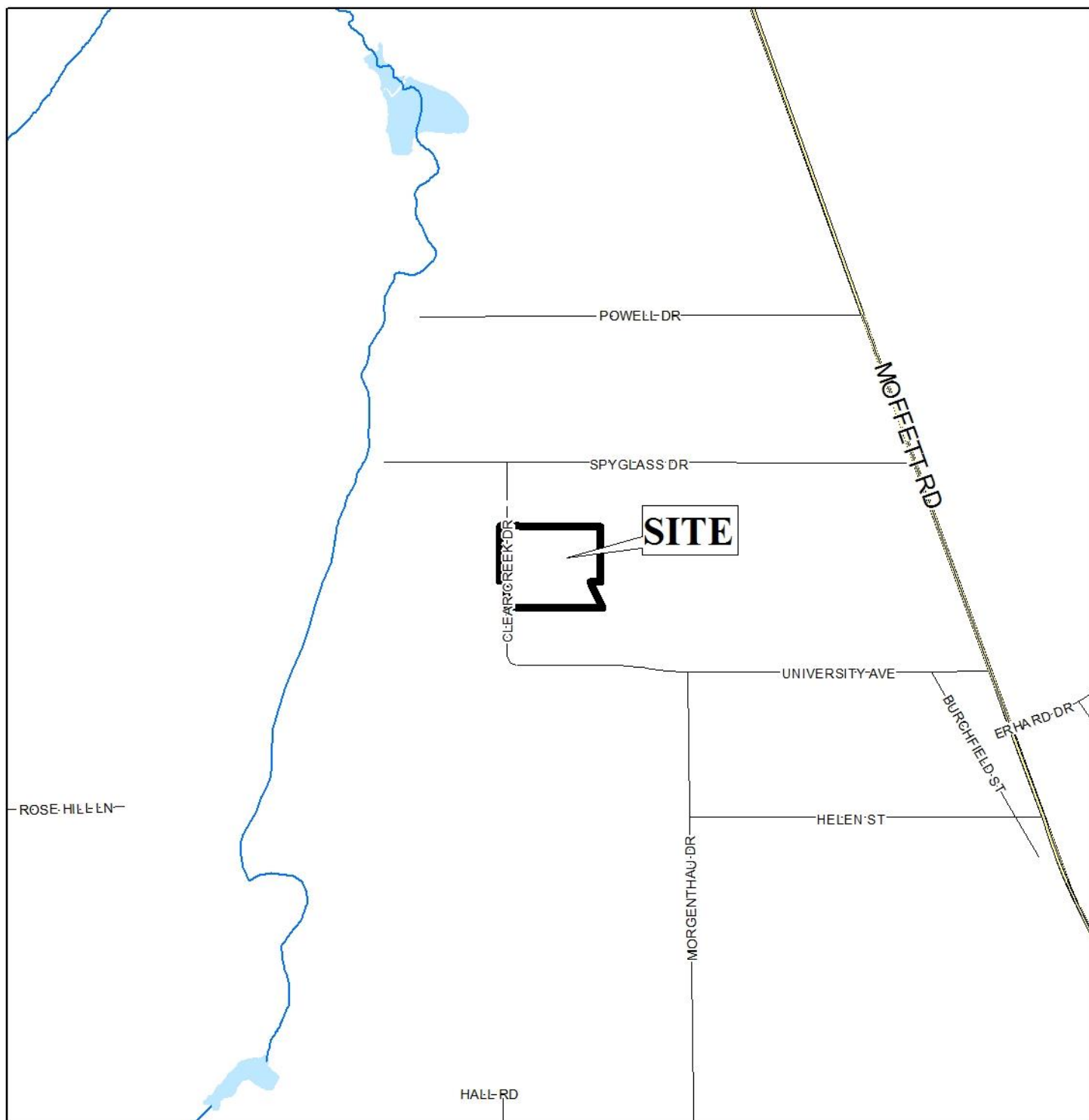
- 1) retention of the 25' minimum building setback line;
- 2) retention of the lot sizes in square feet and acres, or the provision of a chart depicting the same information;
- 3) the placement of a note on the plat that states no future subdivision of Lots 1 and 2;

- 4) *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. REMOVE THE MOBILE COUNTY ENGINEERING DEPARTMENT NOTE. THIS PROPOSED SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS. THE COUNTY ENGINEER NO LONGER SIGNS PLATS WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MOBILE. B. 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 Licensure for Professional Engineers and Land Surveyors. C. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #65) LOTS 1, 2, & 3 will receive the following historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control), as follows: LOT 1 – NONE; LOT 2 – NONE, LOT 3 – NONE. E. Add a note to the SUBDIVISION PLAT stating 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. F. Add a note to the Plat stating 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. G. 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. H. Add a note to the plat stating that all 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. I. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. J. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. **No signatures are required on this drawing.** K. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.”;*
- 5) *placement of a note on the Final Plat stating the following Traffic Engineering comments: “Each lot shall gain access to Clear Creek Drive via the ingress/egress easement to the south. No access is allowed to the public street to the north until such time that a City standard street is constructed to adjoin the public right-of-way.”;*
- 6) *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). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”;*
- 7) *compliance with Fire 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)”. The City of Mobile has adopted the 2012 International Fire Code along with related appendix B,C & D with additional amendments listed in the City*

*Municipal code. 2012 IFC sections 503, 507, and appendix D all give clear guidance on the required installation of fire access roads, fire water supplies and how they relate to structures.(503.1.1 Building and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction.)(507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.)”;*

- 8) the plat should be revised to include the remaining portion of the proposed Lot 2 to reflect a vertical parcel line as oppose to the irregular line depicted on the current preliminary plat; and*
- 9) full compliance with all municipal codes and ordinances.*

# LOCATOR MAP



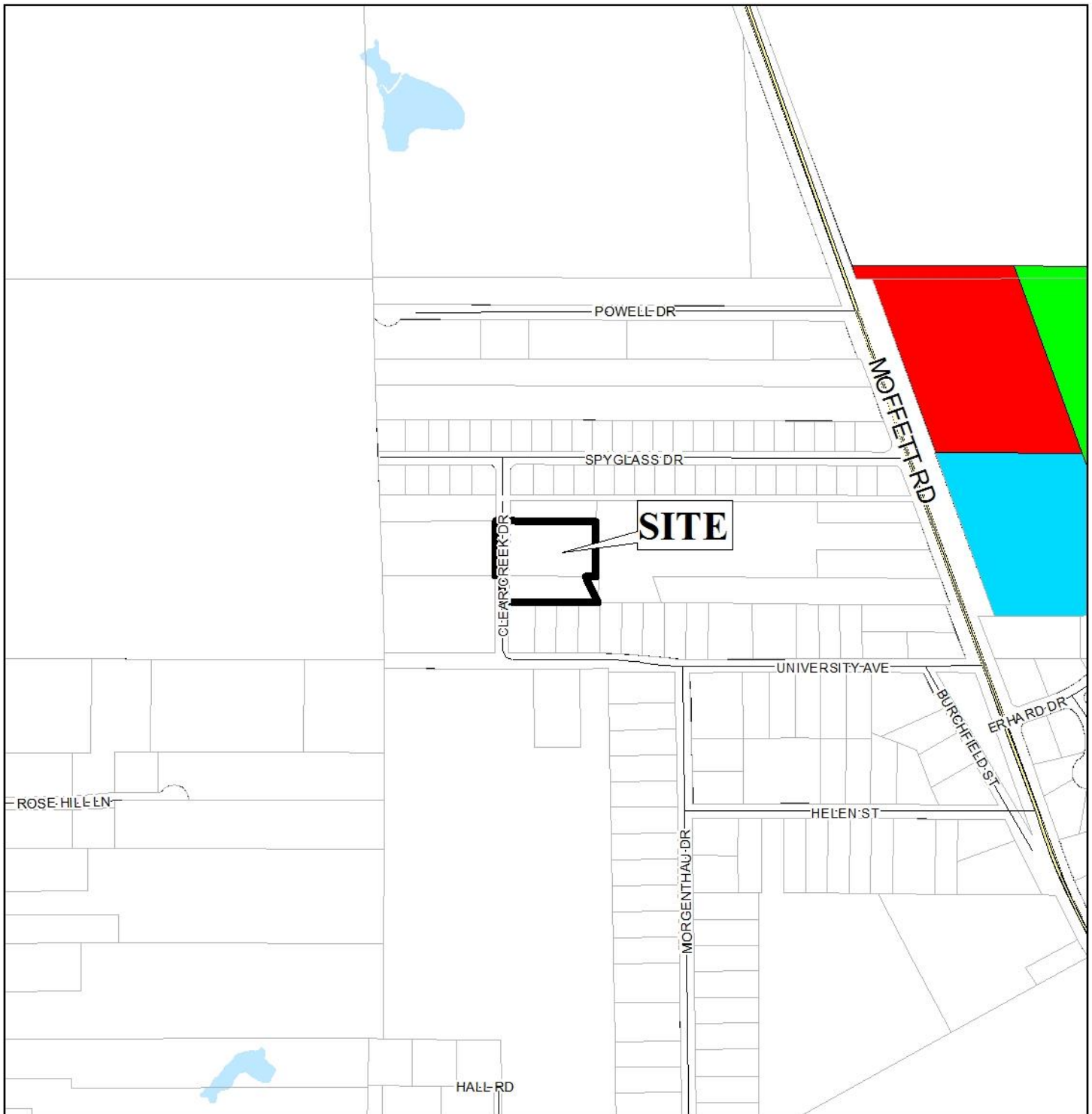
APPLICATION NUMBER 1 DATE April 4, 2019

APPLICANT Clear Creek Subdivision

REQUEST Subdivision



# LOCATOR ZONING MAP



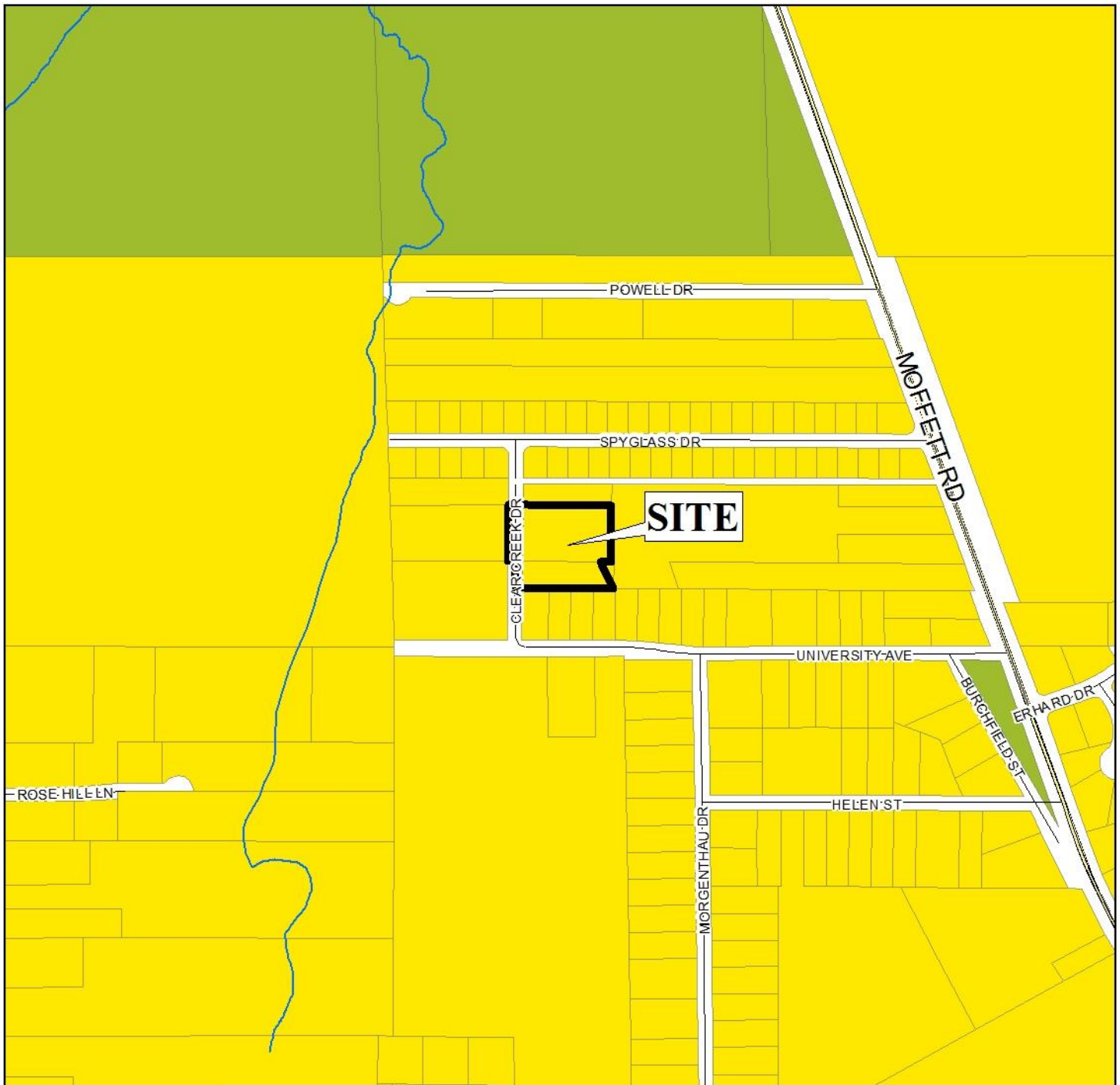
APPLICATION NUMBER 1 DATE April 4, 2019

APPLICANT Clear Creek Subdivision

REQUEST Subdivision



# FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE April 4, 2019

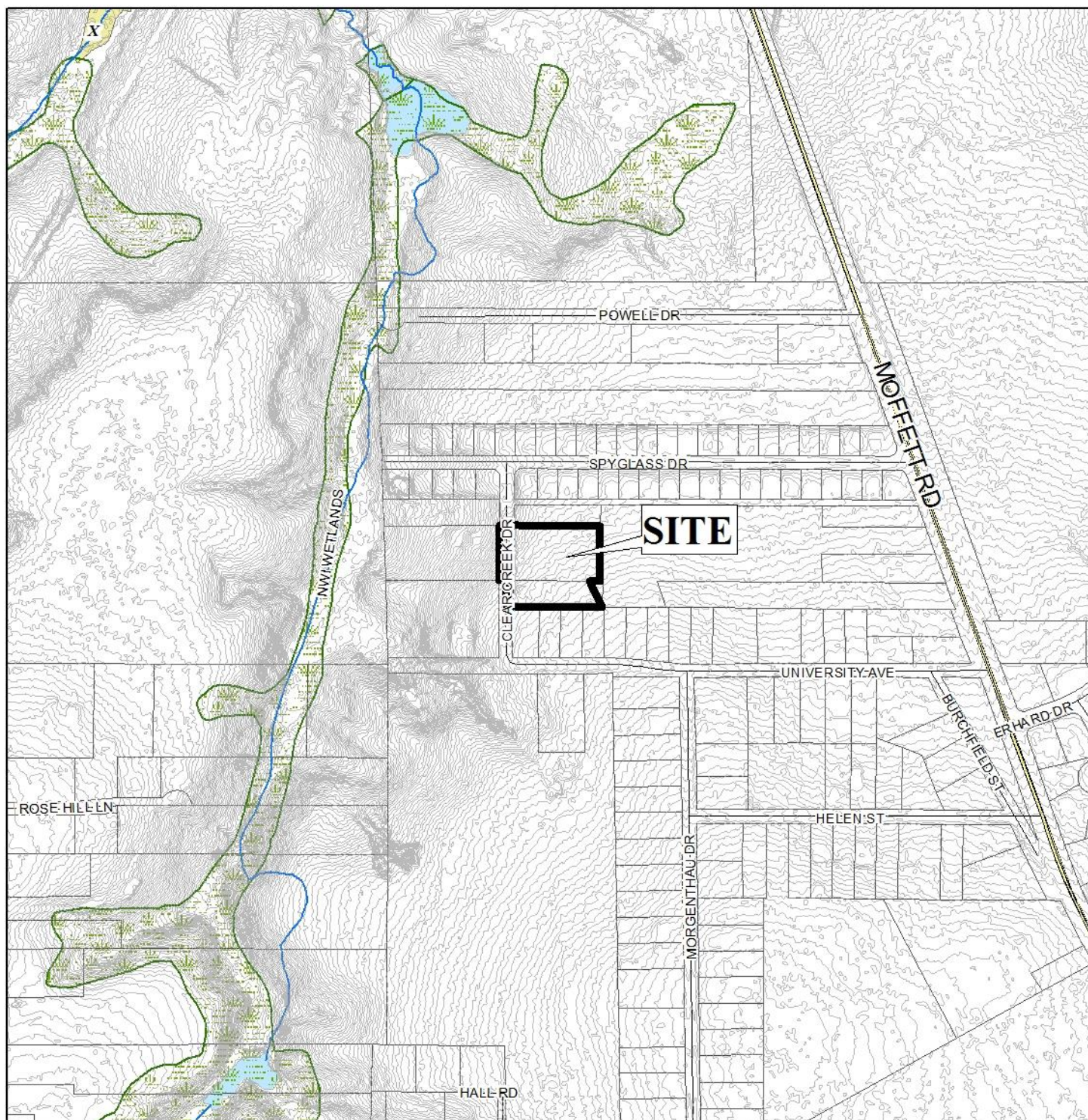
APPLICANT Clear Creek Subdivision

REQUEST Subdivision

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 1 DATE April 4, 2019

APPLICANT Clear Creek Subdivision

REQUEST Subdivision



# CLEAR CREEK SUBDIVISION

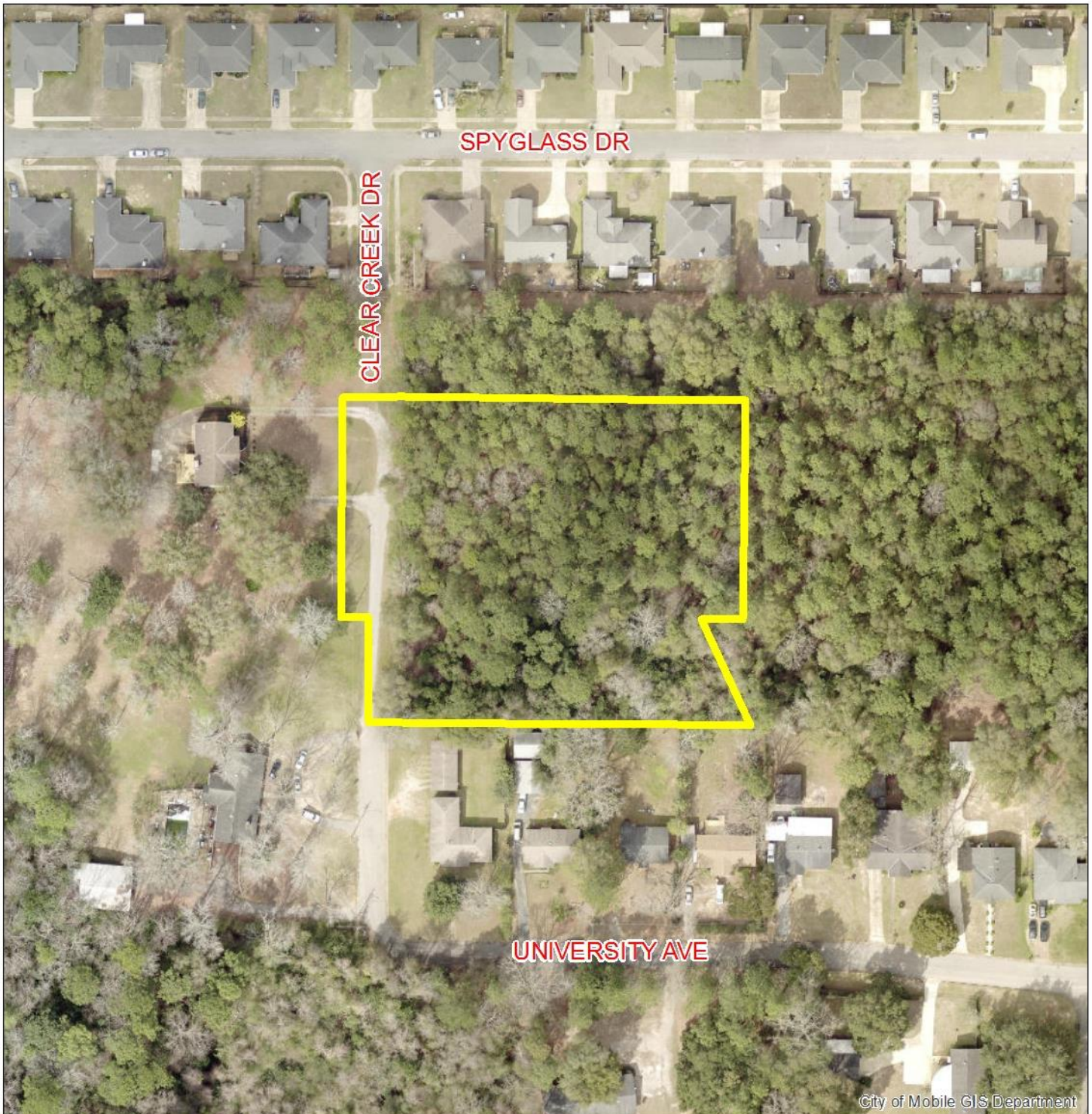


APPLICATION NUMBER 1 DATE April 4, 2019

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



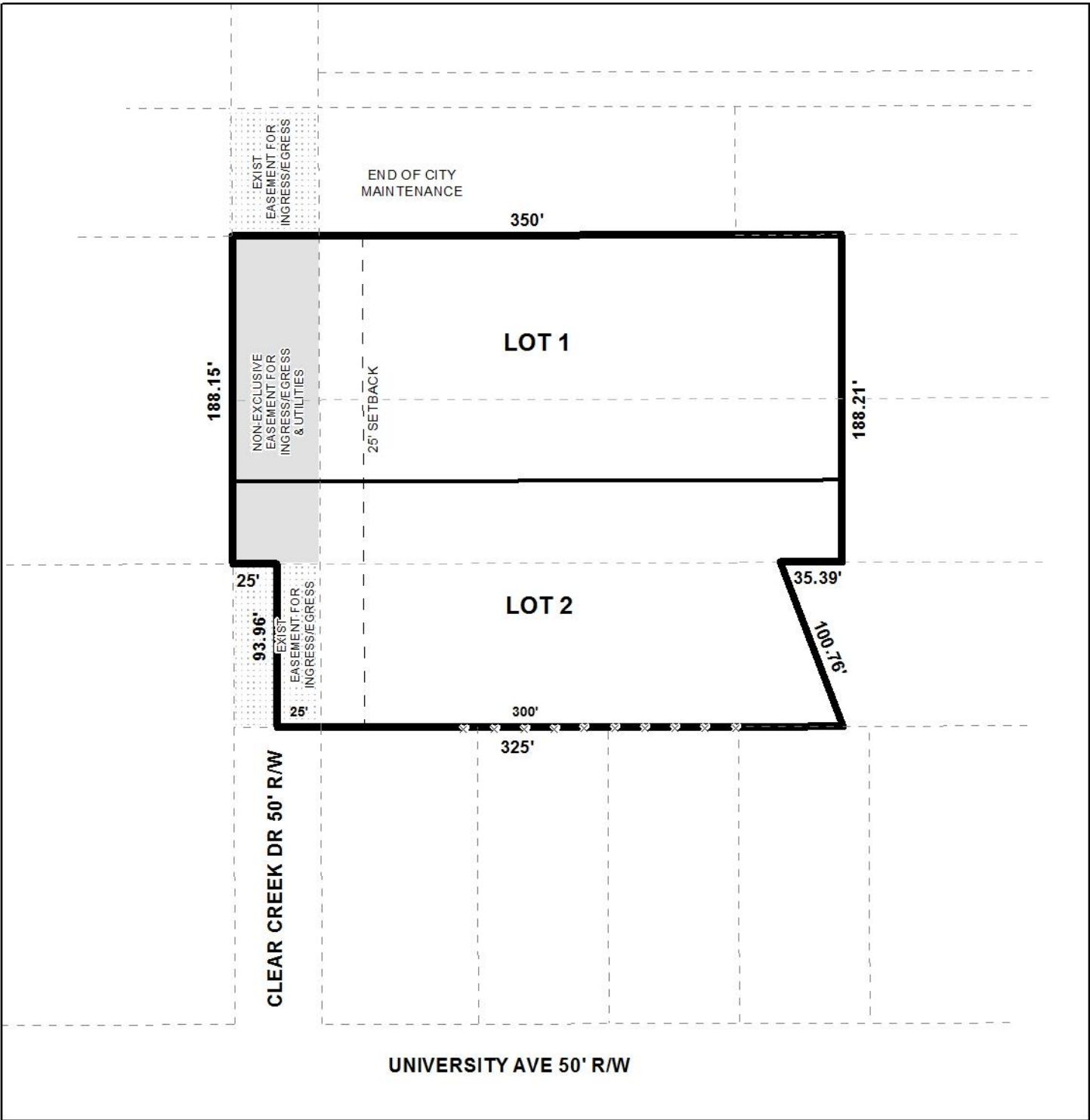
# CLEAR CREEK SUBDIVISION



APPLICATION NUMBER 1 DATE April 4, 2019



# DETAIL SITE PLAN



APPLICATION NUMBER 1 DATE April 4, 2019  
 APPLICANT Clear Creek Subdivision  
 REQUEST Subdivision

