

THE BLUFFS AT CYPRESS CREEK **SUBDIVISION, PHASE ONE**

Engineering Comments: Shipyard Road shall be constructed to City Standard up through proposed Cypress Park Drive. Show Minimum FFE on plans and plat. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. No work to be permitted within wetlands without providing documentation that all required permits have been acquired from the Corps of Engineers. 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. Must provide detention for any impervious area added in excess of 4,000 square feet.

Traffic Engineering Comments: Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

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 61-929 and City Code Chapters 57 and 64).

Fire Department Comments: All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

The plat illustrates the proposed 52.0± acre, 43-lot subdivision, which is located at the North terminus of Cypress Business Park Drive extending to the West side of Shipyard Road, in City Council District 4. The applicant states that the site is served by public water and sanitary sewer facilities.

The purpose of this application is to create 43 lots of record and “Future Development (Phase 2)” area from a large metes and bounds parcels.

A similar application for 53-lots was approved by the Commission in 2003, and received several extension approvals. However, the Final Plat was never signed and the subdivision expired. The applicant has resubmitted this development as a phased subdivision, illustrating Phase One, of the portion of the originally approved subdivision and the remainder as “Future Development”.

The applicant should revise the 25-foot minimum building setback to illustrate the 25-foot within the lots that are flag-shaped.

The development of Phase One will front a new city standard street (Cypress Business Park Drive). As illustrated, the subdivision involves the creation of a new street, including connections to an existing street Shipyard Road; all streets and connections must be dedicated and constructed to City Engineering Standards.

The applicant should be aware that flag-pole shaped lots such as several of the proposed lots are unconventional in design; however, as the site is located along a waterway, and in an area of heavy commercial zoning this type of lot design is often used in industrial developments; therefore, the waiver of Section V.D.3. would be required.

As a means of access management, the placement of a note on the Final Plat stating that lots 1-6, 11, 24-26 and 31-43 are limited to one curb-cut, and lots 7 & 8, 9 & 10, 12 & 13, 14 & 15, 16 & 17, 18 & 19, 20 & 21, 22 & 23, 27 & 28 and 29 & 30 are limited to a shared curb-cut along their common interior lot lines, with the size, design and location to be approved by Traffic Engineering and conform to ASHTO standards.

The site is adjacent to Halls Mill Creek; thus, the area could be considered environmentally sensitive; therefore, the approval of all federal, state and local agencies would be required.

Detention/retention or common areas are depicted on the preliminary plat; therefore, a note should be placed on the Final Plat stating maintenance of these areas will be the responsibility of the property owners.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

With a waiver of Section V.D.3., the preliminary plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) the revision of the 25-foot minimum building setback to reflect 25-foot within the actual buildable area;
- 2) the placement of a note on the Final Plat stating that lots 1-6, 11, 24-26 and 31-43 are limited to one curb-cut, and lots 7 & 8, 9 & 10, 12 & 13, 14 & 15, 16 & 17, 18 & 19, 20 & 21, 22 & 23, 27 & 28 and 29 & 30 are limited to a shared curb-cut along their common interior lot lines, with the size, design and location to be approved by Traffic Engineering and conform to ASHTO standards;
- 3) the construction and dedication of the new streets to City Engineering standards and acceptance by City Engineering prior to signing the Final Plat;
- 4) subject to City Engineering comments: *(Shipyard Road shall be constructed to City Standard up through proposed Cypress Park Drive. Show Minimum FFE on plans and plat. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. No work to be permitted within wetlands without providing documentation that all required permits have been acquired from the Corps of Engineers. 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. Must provide detention for any impervious area added in excess of 4,000 square feet);*

- 5) approval of all applicable federal, state and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;
- 6) placement of a note on the plat/site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) labeling of all lots with the size in square feet, or placement of a table on the plat with the same information; and
- 8) placement of a note on the plat stating that maintenance of the detention and common areas is the responsibility of the subdivision's property owners.

Revised for the April 16, 2009 meeting:

At the March 19th Commission meeting an adjacent property owner of parcels R023306231000001.004 and R023306232000001.001 stated to the Commission she was given a guaranteed access via a private agreement. Therefore, the application was heldover to allow the applicant to address issues raised by the adjoining property owner relating to the alleged agreements and possible insufficient notification.

It should be noted that the above mentioned parcels could be included in this subdivision (as one lot) by providing access (between lots 1 and 2) to a public street as required by the Subdivision Regulations Sections V.D.1 and V.D.4., and creating one more flag lot.

Since no new information has been received, the subdivision is recommended for denial based on the fact that the proposed preliminary subdivision would result in land locked parcels (R023306231000001.004 and R023306232000001.001).

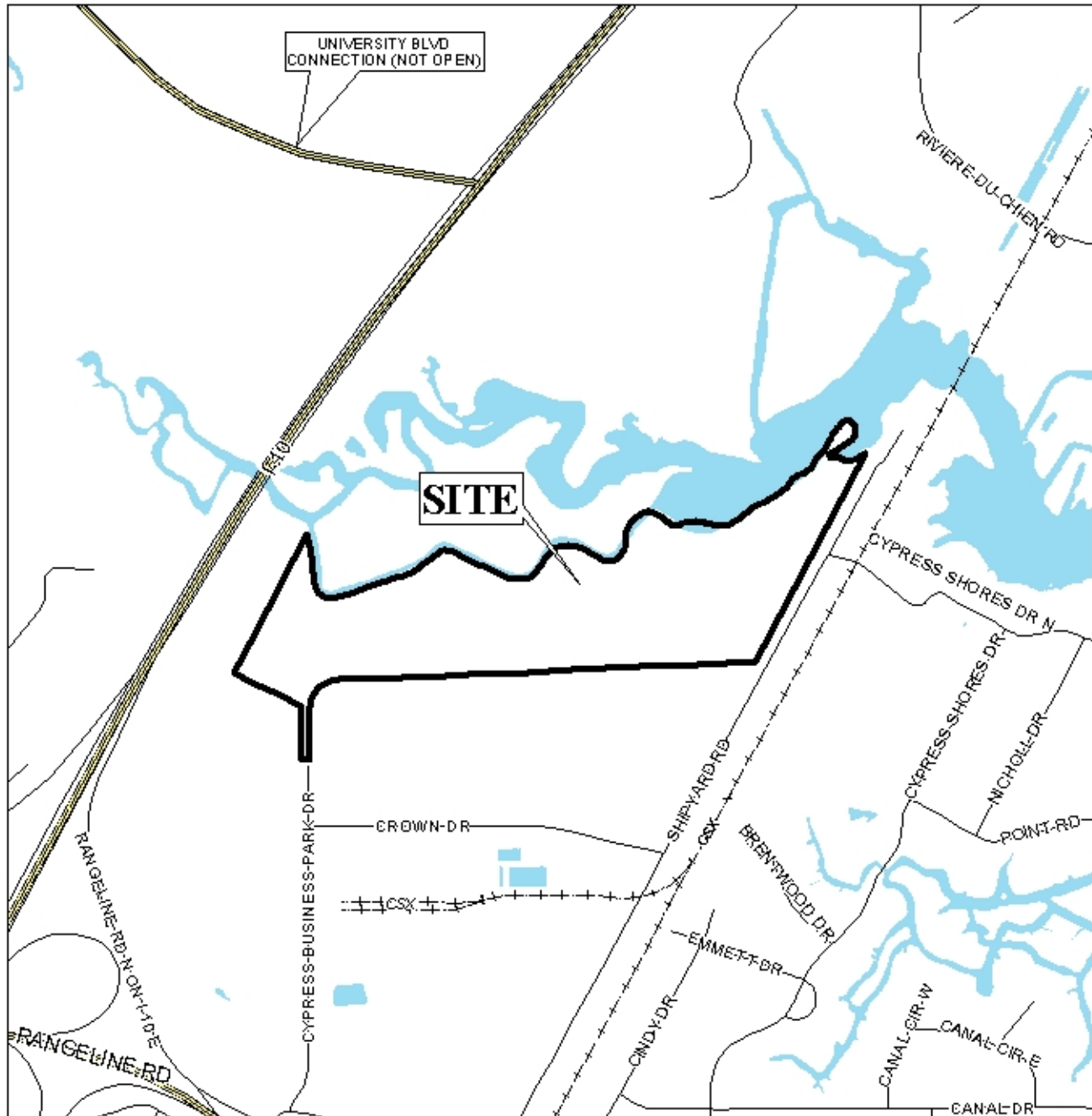
Revised for the May21, 2009 meeting:

Staff has met with the applicant and the applicant's engineer regarding access to the adjacent land locked property. The applicant initially suggested that a 30-foot easement be provided to allow access to the land-locked parcels; however, the Subdivision Regulations require that that the frontage/access actually be a part of the parcels and not simply an easement. Further, some 25 to 30 years ago there was a "land swap" between the site in question and the land locked parcel that did not go through the subdivision process. Staff recommended to the applicant that a deed transferring ownership of the property on which the 30' easement is described to the land locked property owner, with said deed being recorded simultaneously with the final plat would provide the minimum frontage required. The owner of the ,landlocked property would then have to file a one lot subdivision to incorporate the deeded property into their site and make it all a legal lot of record prior to development or the issuance of any permits.

With a waiver of Section V.D.3., the preliminary plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) recoding of the deed providing real property access/frontage to the land locked parcel simultaneously with the recording of the final plat;
- 2) the revision of the 25-foot minimum building setback to reflect 25-foot within the actual buildable area;
- 3) the placement of a note on the Final Plat stating that lots 1-6, 11, 24-26 and 31-43 are limited to one curb-cut, and lots 7 & 8, 9 & 10, 12 & 13, 14 & 15, 16 & 17, 18 & 19, 20 & 21, 22 & 23, 27 & 28 and 29 & 30 are limited to a shared curb-cut along their common interior lot lines, with the size, design and location to be approved by Traffic Engineering and conform to ASHTO standards;
- 4) the construction and dedication of the new streets to City Engineering standards and acceptance by City Engineering prior to signing the Final Plat;
- 5) subject to City Engineering comments: *(Shipyard Road shall be constructed to City Standard up through proposed Cypress Park Drive. Show Minimum FFE on plans and plat. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. No work to be permitted within wetlands without providing documentation that all required permits have been acquired from the Corps of Engineers. 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. Must provide detention for any impervious area added in excess of 4,000 square feet);*
- 6) approval of all applicable federal, state and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;
- 7) placement of a note on the plat/site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 8) labeling of all lots with the size in square feet, or placement of a table on the plat with the same information; and
- 9) placement of a note on the plat stating that maintenance of the detention and common areas is the responsibility of the subdivision's property owners.

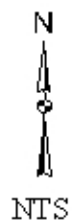
LOCATOR MAP



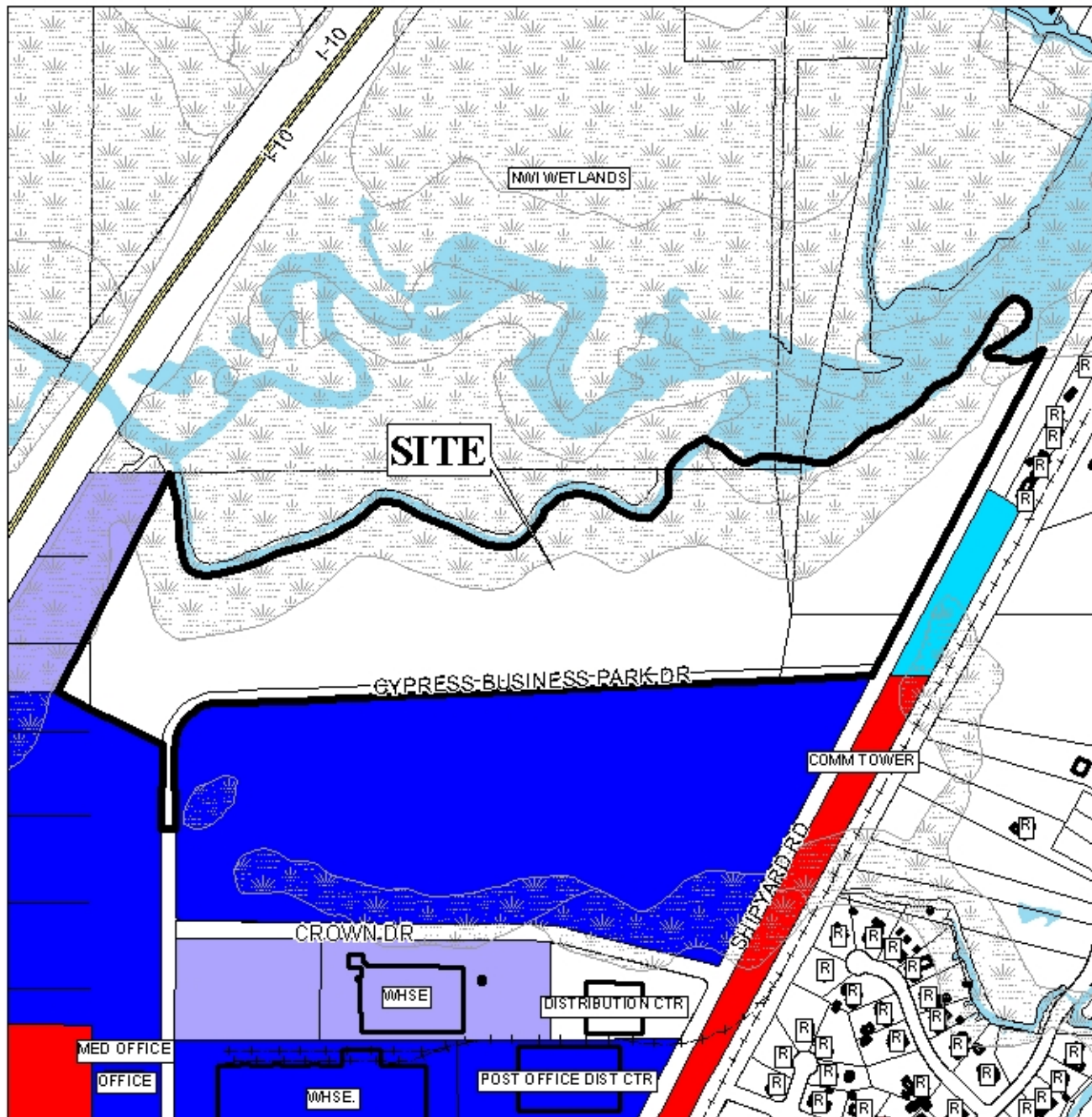
APPLICATION NUMBER 1 DATE May 21, 2009

APPLICANT The Bluffs at Cypress Creek Subdivision, Phase One

REQUEST Subdivision



THE BLUFFS AT CYPRESS CREEK SUBDIVISION, PHASE ONE



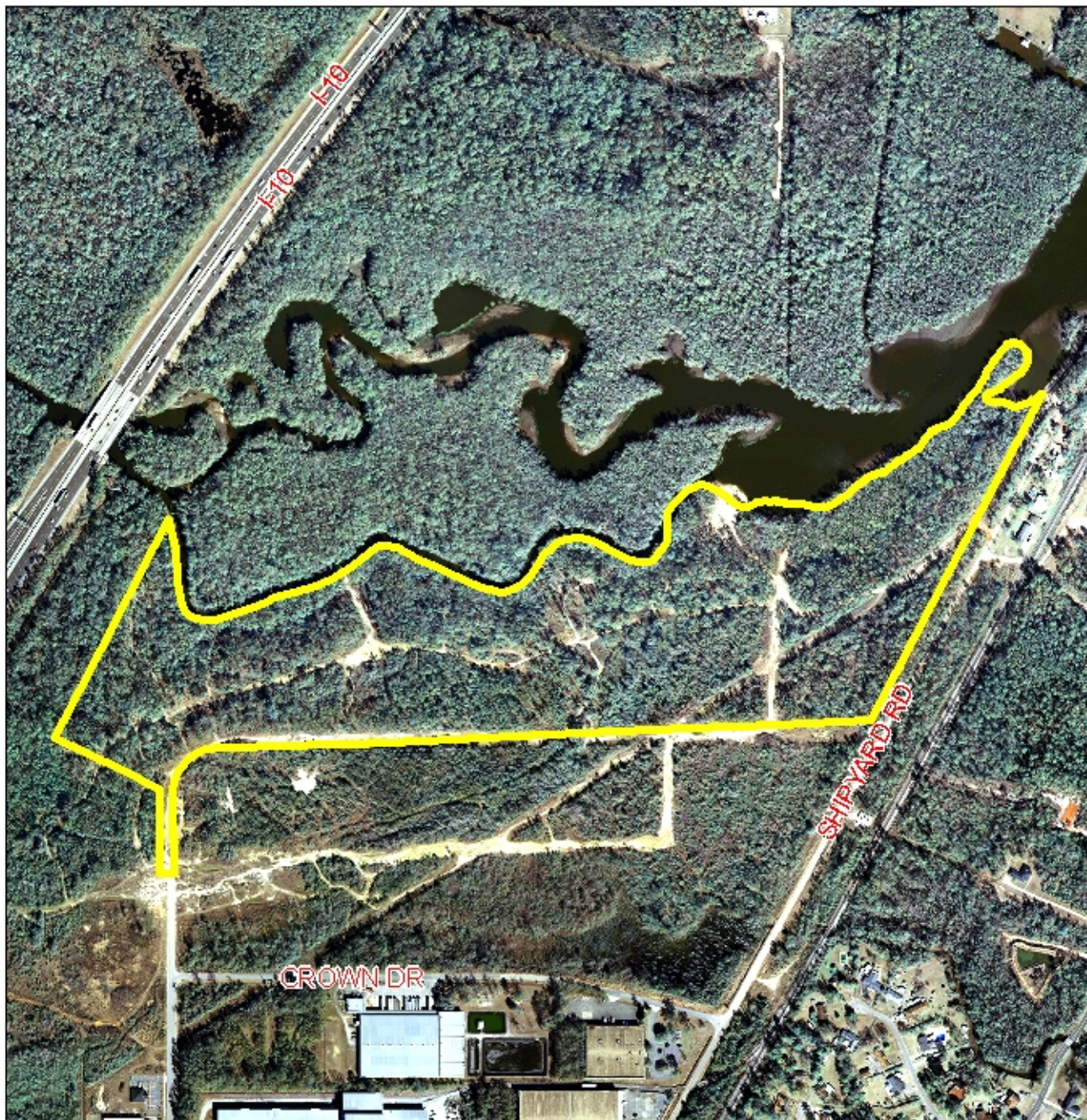
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LEGEND

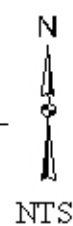
R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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NTS

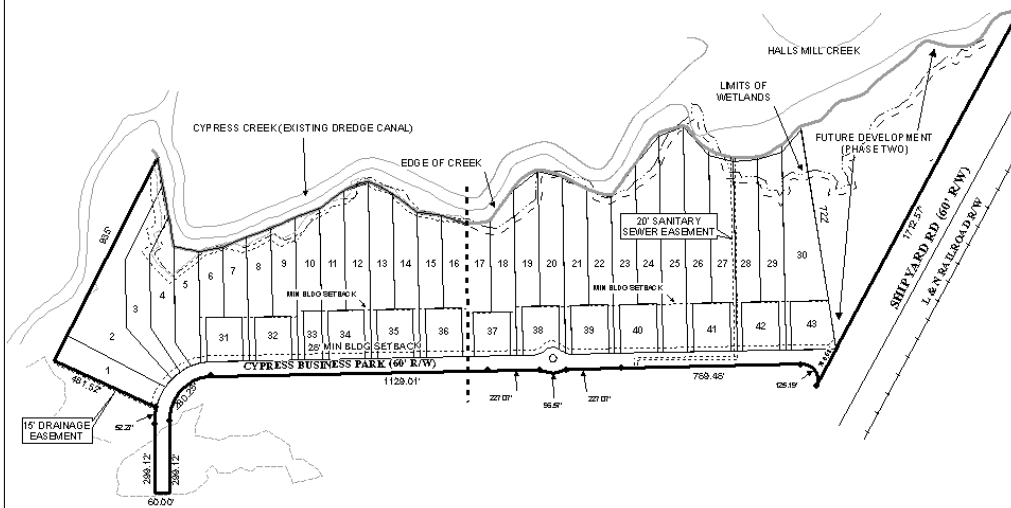
THE BLUFFS AT CYPRESS CREEK SUBDIVISION, PHASE ONE



APPLICATION NUMBER 1 DATE May 21, 2009



DETAIL SITE PLAN

APPLICATION NUMBER 1 DATE May 21, 2009APPLICANT The Bluffs at Cypress Creek Subdivision, Phase OneREQUEST Subdivision