



Agenda Item #: 2 - EXTENSION SUB-002158-2022

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

6712 Old Dobbin Drive North

Subdivision Name:

Preserve at Milkhouse Creek Subdivision

Applicant / Agent:

Jade Consulting, LLC

Property Owner:

Benchmark Homes Group, LLC

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Schedule for Development (as applicable):

- Not Applicable

Proposal:

- One-year extension of Subdivision approval to create 49 legal lots of record from five (5) metes-and-bounds parcels.

Commission Considerations:

- One-year extension of previous approval.

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**PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL**



The site is surrounded by residential units.

APPLICATION NUMBER 2 DATE September 7, 2023
 APPLICANT Preserve at Milkhouse Creek Subdivision
 REQUEST Subdivision



SITE HISTORY

The site has been the subject of several subdivision and rezoning applications.

In 2008, the Commission approved a portion of the site as Amelia Woods Subdivision, Phase One, a 22-lot subdivision. Along with the subdivision, the Commission recommended approval of rezoning a portion of the site from R-2, Two-Family Residential District, and B-1, Buffer Business District, to R-1, Single-Family Residential District. Both the subdivision approval and the rezoning approval expired.

In 2020, the Commission approved Preserve at Milkhouse Creek Subdivision, a 49-lot subdivision. Along with the subdivision, the Commission approved rezoning of a portion of the site from R-1, R-2, and B-1, to R-1. The rezoning was tabled by the City Council, and the subdivision subsequently expired.

In September, 2022, the Commission again approved Preserve at Milkhouse Creek, this time as a 122-lot subdivision; and at its January 31, 2023 meeting the City Council adopted a rezoning of the site from R-1, R-2 and B-1, to R-1. The application at hand is the first extension request for the subdivision approval.

STAFF COMMENTS

Engineering Comments:

OK for EXTENSION. See previous comments (Sept 1, 2022 meeting).

Traffic Engineering Comments:

No comments.

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.

Fire Department Comments:

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 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.

Planning Comments:

The applicant is requesting a two-year extension of approval of the subdivision and states the following as reasoning:

Due to unforeseen circumstances, we would like to request a 24-month extension for the referenced project.

It should be noted that extensions of preliminary approval of subdivisions may be granted for a period of one (1)-year only, not two (2) years as requested by the applicant.

There have been no changes in conditions in the surrounding area that would affect the Subdivision as previously approved, nor have there been any changes to the Regulations which would affect the previous approval.

SUBDIVISION CONSIDERATIONS

Standards of Review:

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

Considerations:

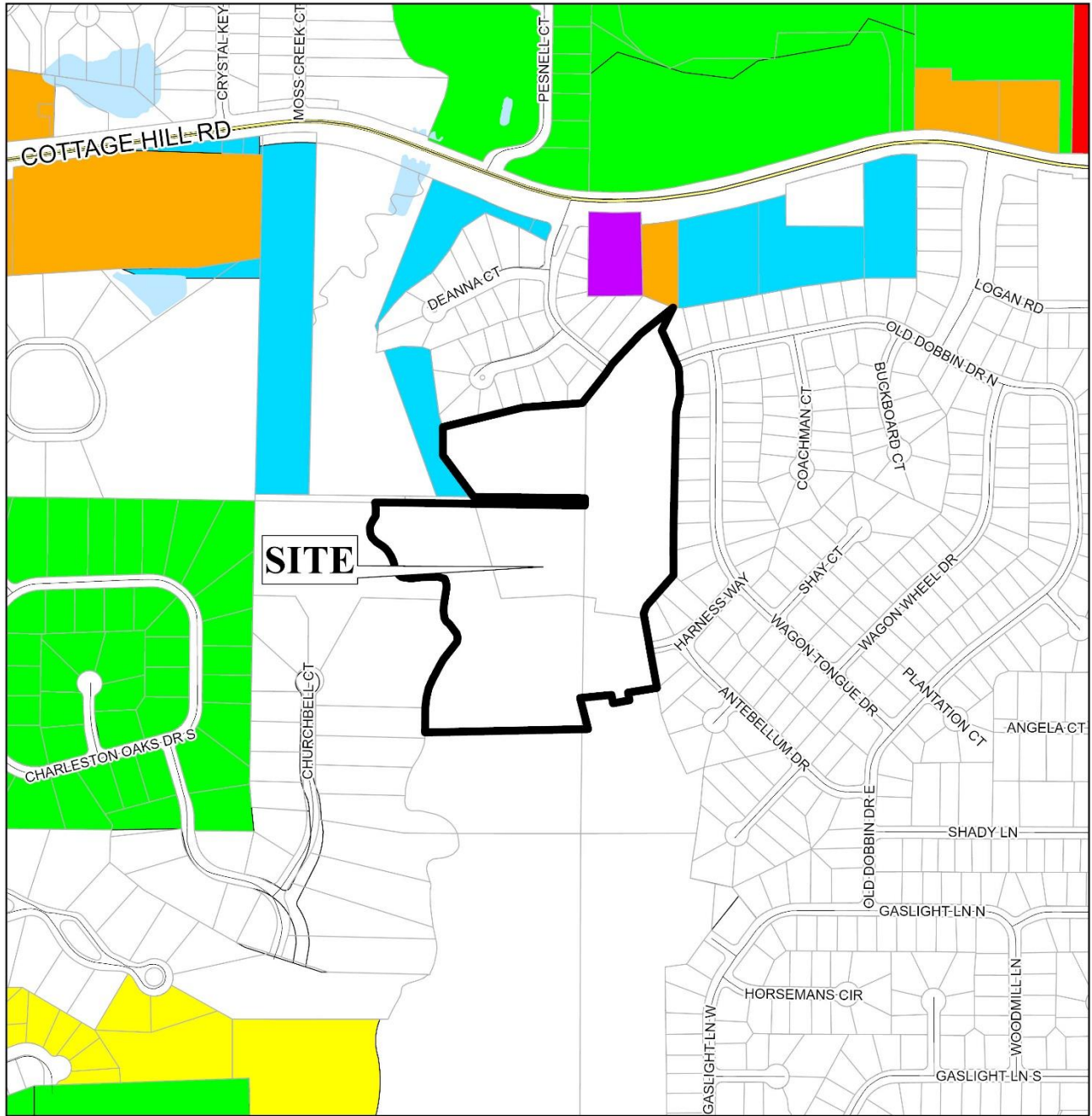
If the Planning Commission considers approving the extension request, the previous conditions of approval should still apply, except where applicable regulations have been updated, such as Fire requirements:

- 1) retention of the right-of-way width label for all streets on the Final Plat;
- 2) retention of the 25' minimum building setback line along all street frontages on the Final Plat;
- 3) retention of each lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 4) revision of Note #10 concerning structures in easements to state on the Final Plat that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 5) revision of Note #14 concerning the maintenance of detention facilities, common areas and wetlands to state on the Final Plat that the maintenance of all Common Areas is the responsibility of the property owner(s);
- 6) compliance with the Engineering comments: *(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 Licensure for Professional Engineers and Land Surveyors. B. On Sheet 1 of 3 -correct the LOT numbers shown in the DRAWING INDEX. C. On Sheet 1 of 3 – show and label the existing ROW for Blue Ridge Blvd., Old Dobbin Dr. N., Old Dobbin Dr. W., and Harness Way. D. Sheet 2 of 3 - show and label the existing ROW for Blue Ridge Blvd. Old Dobbin Dr. N., and Wagon Tongue Dr. E. Sheet 2 of 3 – Provide the exact measurement “observed” on the property lines that begin/end in Milhouse Creek. The monumentation indicates that an exact measurement should be available. F. Sheet 2 of 3 – Label each and every Common Area. G. Sheet 3 of 3 – show and label the existing ROW for Old Dobbin Dr. W., and Harness Way. H. Sheet 3 of 3 – Show and label the BFE (Base Flood Elevation) on each lot (LOT 41, 42, & 43) that contains an AE, V, or X (shaded) flood zone designation. BFE for that portion is elevation 51’. I. Sheet 2 & 3 - Check and revise the distances shown on the Plat and in the legal description. Four (4) legs do not show the bearing, and one (1) does not show the distance. J. Sheet 2 & 3 - Check the monumentation and written bearing and distance for the part that includes the western property line along Milkhouse Creek. The distances shown and written should be exact distances since the distance is between sets of capped rods. K. Label the different Common Areas on each of the three (3) sheets. L. Revise the plat to label the size (acres and square feet) of each Common Area. Place it underneath the Common Area label. M. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. N. All subdivision corners (exterior and interior) are*

required to be set prior to the City Engineer signing the PLAT. O. 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.);

- 7) *placement of a note on the Final Plat stating the Traffic Engineering comments: (A traffic impact study has been previously conducted for this site and no off-site improvements are warranted based on the findings in the study. Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) *compliance with the 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.); and*
- 9) *compliance with the 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.).*

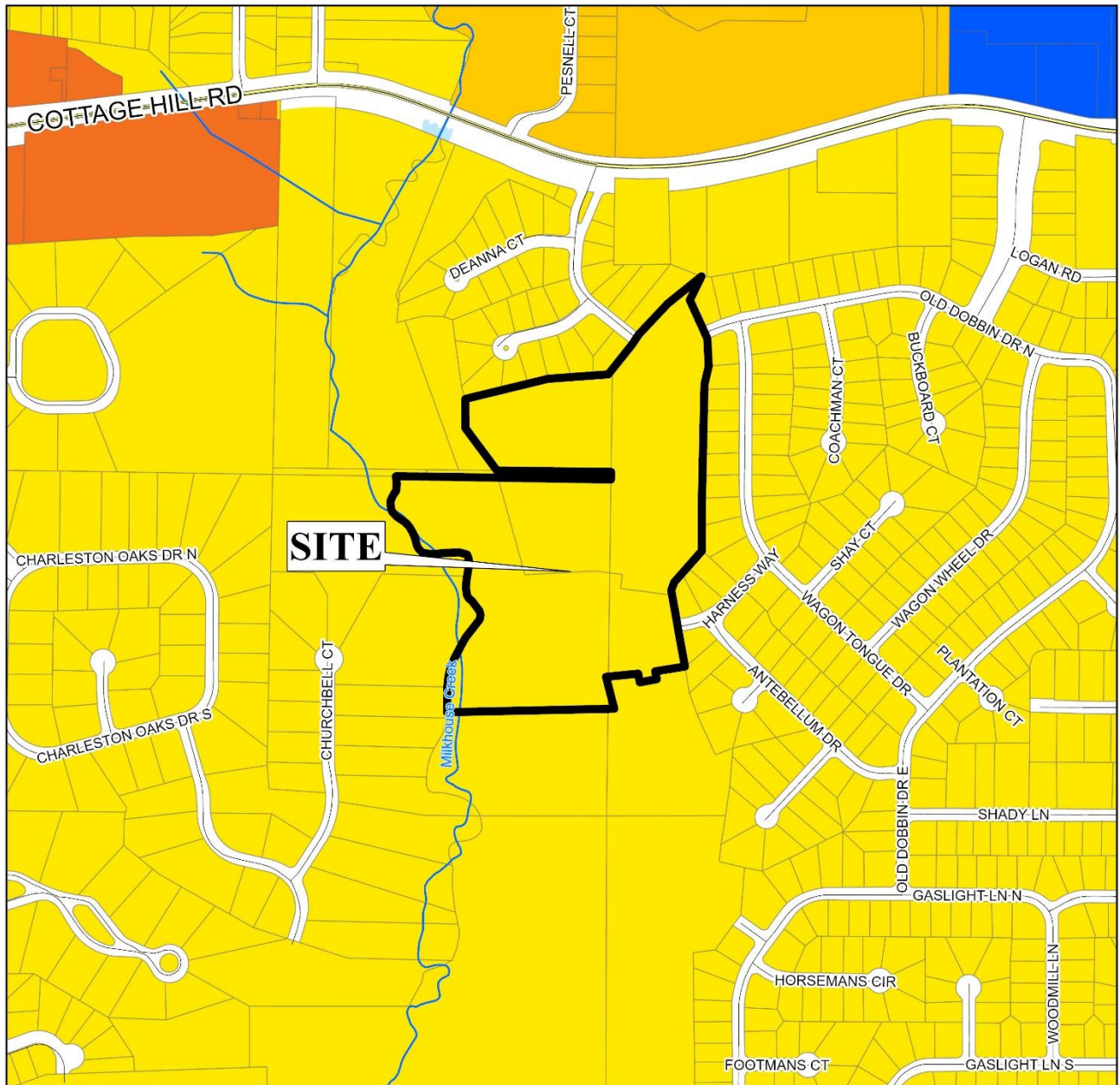
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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APPLICANT Preserve at Milkhouse Creek Subdivision

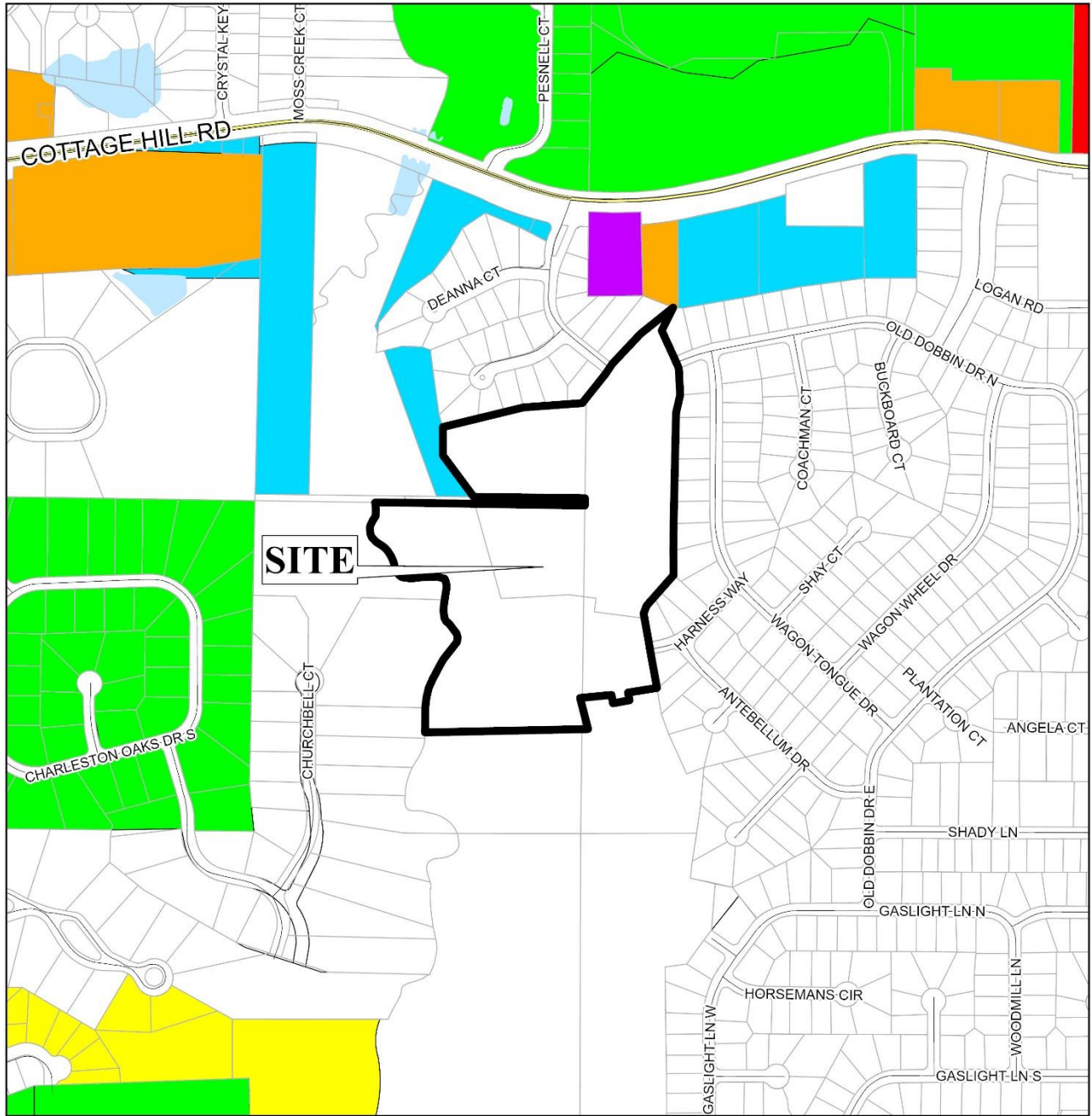
REQUEST Subdivision

Layer2

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



LOCATOR ZONING MAP



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REQUEST Subdivision



DETAIL SITE PLAN



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