

## **HERRINGTON'S SUBDIVISION**

Engineering Comments: Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.

Fire-Rescue Department Comments: Subdivision layout and design must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile. Commercial buildings and sites within the City of Mobile Fire Jurisdiction 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.

MAWWS Comments: No comments.

The plat illustrates the proposed 5 lot, 4.5± acre subdivision which is located at 8969, 8979 and 8999 Padgett Switch Road (East side of Padgett Switch Road, 420'± South of Lee Circle West, extending to the West side of Jamestown Drive). The applicant states that the subdivision is served by public water and individual septic tanks.

The purpose of this application is to reconfigure two existing legal lots of record, two lots from an improper subdivision, and an existing metes and bounds parcel into five legal lots of record. It should be noted that this site is located in an area that came into the Planning Commission after the 2008 Theodore Annexation, and, as such, has only been under City of Mobile Subdivision Regulations since that time.

Most of the site in question was originally platted as Lot 22 and Lot 23 of Jamestown Estates, First Addition on March 16, 1968. The metes and bounds parcel included with this application appears on the December 1976 plat for Jamestown III and is labeled as "not included." In July 1995, James and Vivian Summerlin, parties to this application, acquired the South half of Lot 22, Jamestown Estates First Addition as the result of an improper subdivision. This improper lot was subsequently subdivided properly in August 1995, likely this was done in order to obtain a building permit from Mobile County. In 1996, the Summerlins sold the West 290 feet of their lot to Steven and Sandra Hamil, and this subdivision was done by deed conveyance and without the proper approvals that would have been required under the County regulations at the time. The Hamils' lot has been included in this application; however no authorization from them has been received by the Planning Section. As the properties in question have not changed hands and were the result of improper subdivision, both portions of the lot should be required to be included in this application.

It should further be noted that the legal description of the subdivision does not include the proposed Lot 5, and, as such, the legal description on the plat should be revised to include that portion of the site.

The sizes of the proposed lots are not shown on the preliminary plat; however, all appear to meet the minimum size requirements as regulated by Section V.D.2 of the Subdivision Regulations. As the lot sizes are not indicated, the plat should be revised to indicate the lot size, in square feet, or a table provided on the plat showing the same information.

The lots all are depicted as having adequate frontage on a public right-of-way. The site fronts Padgett Switch Road to the West and Jamestown Drive to the East. Padgett Switch Road is a major street as described in the major street plan component of the Comprehensive Plan, and requires a right-of-way of 100 feet. However, this portion of Padgett Switch Road which this site abuts is not depicted on the major street plan, because the plan calls for a new roadway to connect to the two portions of Padgett Switch Road at Half Mile Road as the two portions of the road are approximately one half mile apart from each other. As this portion of Padgett Switch Road is exempt from the major street plan requirements, the existing 80-foot right-of-way is more than adequate. Jamestown Drive is a minor street, and is depicted with an adequate right-of-way of 60 feet. As such, no further dedication should be required.

The proposed Lot 4 is depicted with access to both Padgett Switch Road and Jamestown Drive. Double frontage lots generally do not comply with Section V.D.8 of the Subdivision Regulations. However, in order to maintain the character of the existing subdivision, a waiver of this section may be appropriate. If a waiver is approved, then access to Jamestown Drive should be denied due to the site already accessing Padgett Switch Road.

The existing curb cuts to site are depicted on the preliminary plat. The proposed Lot 4 is depicted with two existing curb cuts to Padgett Switch Road, and the proposed Lot 5 is depicted with one curb cut to Padgett Switch Road. No other existing curb cuts (if any) to any other road are depicted. The proposed Lot 1, with 214 feet of frontage along Padgett Switch Road should be limited to two curb cuts to the same. The proposed Lot 3 should be limited to one curb cut to Jamestown Drive, and the proposed Lot 2 should also be limited to one curb cut to Jamestown Drive. The size, design, and location of all curb cuts should be approved by Mobile County Engineering and conform to AASHTO standards.

The 25-foot minimum building line is depicted on all lots and right-of-way except on the proposed Lot 5. The final plat, if approved, should be revised to depict the 25-foot building setback line along Padgett Switch Road on the proposed Lot 5.

While the site is in Mobile County, it will have to comply with the City of Mobile storm water and flood control ordinances. A note should be placed on the final plat, if approved, stating that the development will be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering.

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.

This site is located in the County, thus any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8 of the Subdivision Regulations.

Based on the preceding, this application is recommended for holdover until the January 7, 2010 meeting, with revisions due by Wednesday, December 16, 2009 to address the following:

- 1) Submittal of authorization from the property owner for inclusion of the proposed Lot 5 (West 290 feet of Lot 1, Resubdivision of Lot 22 Jamestown Estates First Addition MB 67 MP 54); and
- 2) Submittal of a new preliminary plat showing the revised Legal Description which incorporates the proposed Lot 5 area;

***Revised for the January 7, 2010 meeting***

*The applicant has submitted documentation from the property owner of the proposed Lot 5 (West 290 feet of Lot 1, Resubdivision of Lot 22 Jamestown Estates First Addition MB 67 MP 54) indicating their willingness to participate in the subdivision request. Also, the applicant has submitted a revised plat and revised legal description. Additionally, that plat was revised to depict the 25-foot building setback line along all public rights-of-way.*

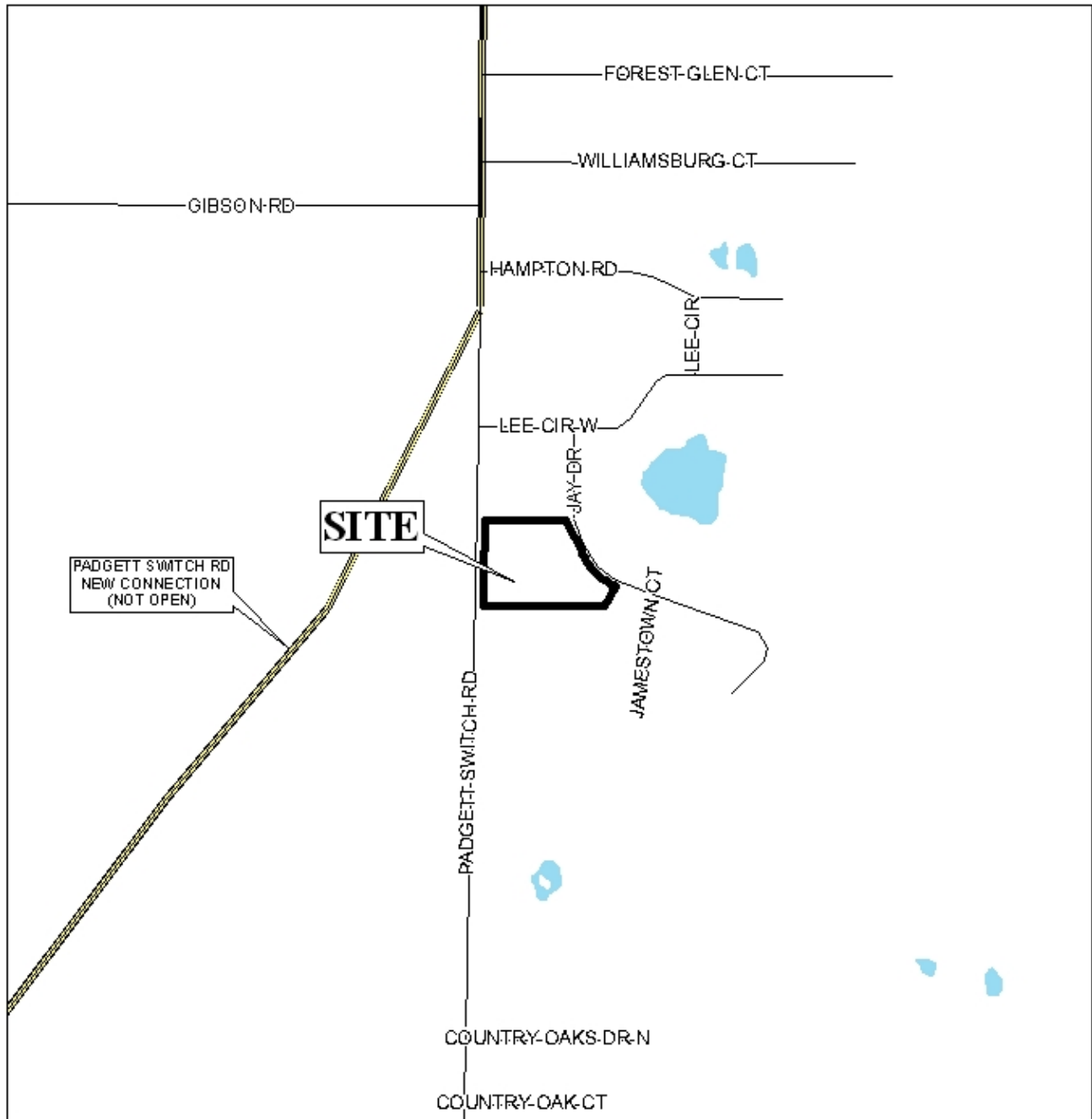
Based on the preceding, and with a waiver of Section V.D.8 of the Subdivision Regulations, the plat is recommended for tentative approval subject to the following conditions:

- 1) Placement of a note on the final plat stating that Lot 4 is denied access to Jamestown Drive;
- 2) Placement of a note on the final plat stating that Lots 4 and 5 are limited to the existing curb cuts to Padgett Switch Road;
- 3) Placement of a note on the final plat stating that Lot 1 is limited to one curb cut to Padgett Switch Road;
- 4) Placement of a note on the final plat stating that Lots 2 and 3 are limited to one curb cut each to Jamestown Drive;
- 5) Placement of a note on the final plat stating that the size, design, and location of all curb cuts shall be approved by Mobile County Engineering and conform to AASHTO standards;
- 6) Retention of the 25-foot building setback line along all public rights-of-way on the final plat;
- 7) Retention of the labeling of each lot with the size in square feet;
- 8) Retention of the note on the plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8 of the Subdivision Regulations;
- 9) Retention of the note on the plat stating that the development will be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile

storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;

- 10) Retention of the note on the plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

# LOCATOR



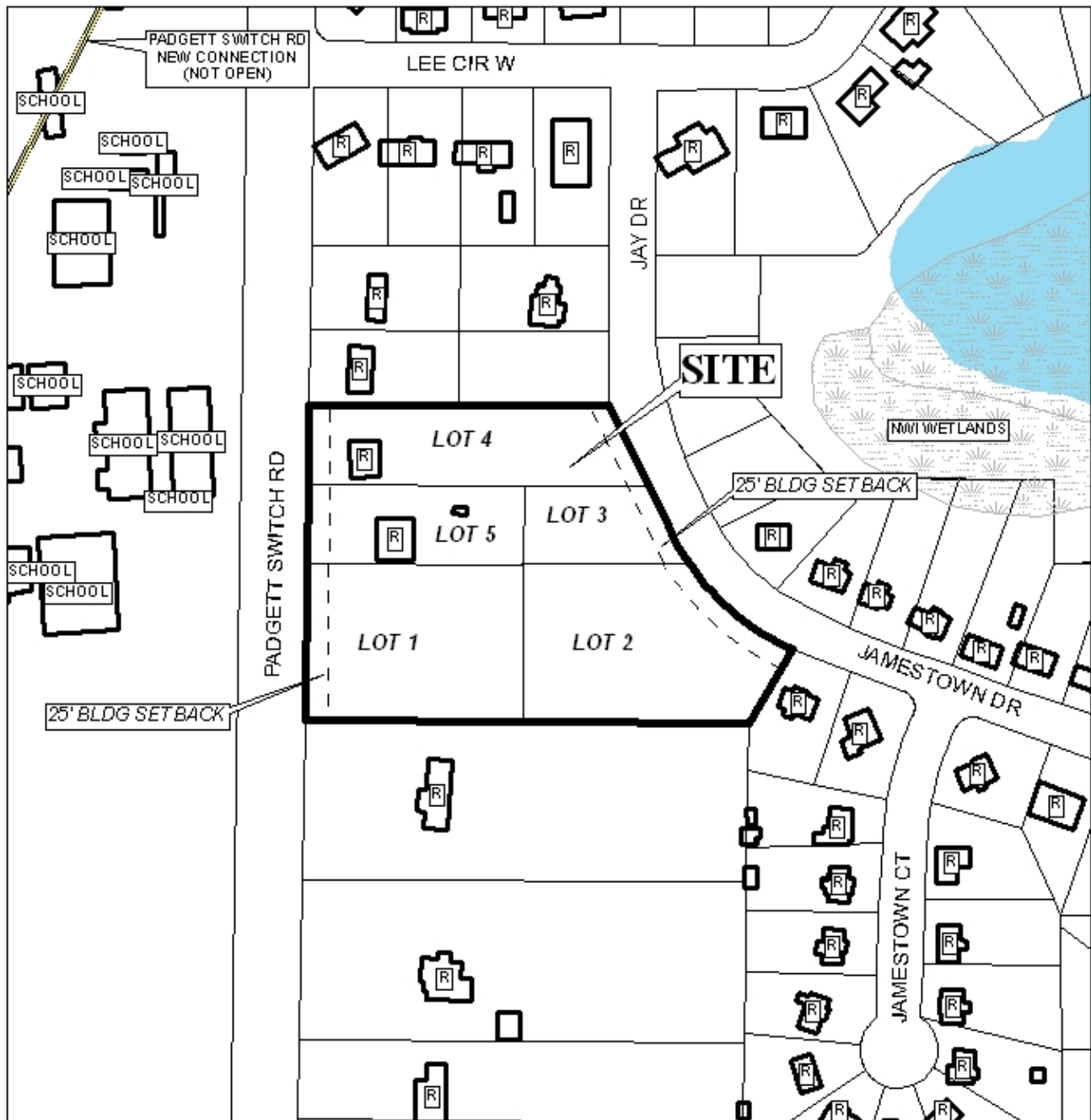
APPLICATION NUMBER 2 DATE January 7, 2010

APPLICANT Herrington's Subdivision

REQUEST Subdivision

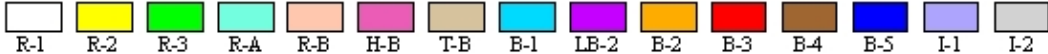


# HERRINGTON'S SUBDIVISION



APPLICATION NUMBER 2 DATE January 7, 2010

LEGEND



NTS



# HERRINGTON'S SUBDIVISION



APPLICATION NUMBER 2 DATE January 7, 2010

