

LIPSCOMB-JACKSON SUBDIVISION

Engineering Comments: The following comments should be addressed prior to review, acceptance and signature by the City Engineer:

1. Provide all of the required information on the Final Plat (i.e. signatures, required notes) including the seal and signature of an Alabama Professional Land Surveyor.
2. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department.
3. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045).
4. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
5. Show and Label the POC and/or POB. Correct the written legal description as necessary.
6. The NWI overlay on GIS indicates that a potential for wetlands exist on this property. Show and label the existing wetlands, or provide written confirmation that no wetlands exist within the 2 proposed lots.

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 within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

The preliminary plat illustrates the proposed 2-lot, 3.6 acre \pm subdivision which is located at the south side of Lloyd Station Road, 250' \pm east of U.S. Interstate 10, and is in Council District 4. The applicant states that the subdivision is served by city water and sewer.

It appears the purpose of the current application is to create two legal lots of record by combining one existing legal lot and three meets-and-bounds parcels. It should be noted that both proposed lots are irregular in shape and the applicant has not provided justification for the creation of Flag Lots.

A portion of the proposed subdivision appears to be a part of the original Riviere Du Chien Woods Lloyd Station Subdivision which was approved by the Planning Commission in 1996. The approved subdivision was composed of 11 lots which fronted Lloyd Station Road and the remainder of the land was labeled "Future Development Area." In 1999, a portion of the now

proposed subdivision appeared before the Planning Commission and was granted approval. The 1999 request was a result of a court decision which mandated a division of land; however, the application expired which led to another submission in 2003 to the Planning Commission.

The 2003 application was approved as a 9 lot subdivision which included of a private drive; however, only two lots were recorded. The current application consists of nearly the same footprint of the proposed 2003 subdivision, but the nine lots have been consolidated into two lots and the private drive appears to have been replaced with a 50-foot non-exclusive easement for ingress and egress for Lots One and Two.

The lot character of both proposed lots has been affected and appears to be due to the previous divisions of land. The Subdivision Regulations govern lot character and Flag Lots may be permitted by the Planning Commission if in accordance with Section V.D.1.; however, the applicant has not substantiated their request. There are four flag-shaped lots in the site's vicinity which were approved by the Planning Commission, most recently in 2004. The proposed Lot 1 is considered a Flag Lot; the "Pole" is 200 feet long and has 35 feet of frontage along Lloyd Station Road and tapers to only 25 feet where the "Pole" meets the "Flag." The irregularity of Lot 2 is also apparent, but not as severe as Lot 1; its pole is 200 feet long but 85 ± feet wide. A waiver of Sections V.D.1. and V.D.3. of the Subdivision Regulations would be required if the Planning Commission were to approve the request.

Due to the limited frontage, a future subdivision of either lot should be prohibited until such time as additional frontage on a public or private street is provided. A note stating such should be placed on the Final Plat, if approved.

It should also be noted that there appears to be several existing easements on the site: a 15-foot drainage and utility easement on the eastern boundary of Lot 2; a 10-foot drainage and utility easement which is parallel to a 25-foot drainage, utility, and detention easement which together form a 35-foot easement which spans a portion of the both lots' northern boundary which then intersects the "pole" portion of both lots; and there is the proposed 50-foot ingress and egress non-exclusive easement for Lots 1 and 2 as mentioned previously. If approved, a note should be placed on the Final Plat stating that no permanent structures shall be constructed in any easement.

There seems to be several discrepancies with the preliminary plat. The lot size information is not depicted for either lot and the 25-foot minimum setback line for Lot 1 should be revised and depicted as a box where the "Flag" meets the "Pole" of the lot if approved. Also, the Point of Beginning location should be revised as well, as they appear to contain errors.

The proposed lots front Lloyd Station Road, a minor street which does not have curb or gutter. Since the proposed subdivision is a portion of a previously approved subdivision, no dedication will be required. As a means of access management, if approved a note should be placed on the Final Plat stating that both lots are limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards.

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.

Finally, it should be noted that a portion of the site appears to be within a flood zone associated with Moore Creek, and may also contain wetlands. Any development of the site must comply with local, state and federal regulations regarding floodplains and wetlands.

Based on the preceding, the application is recommended for denial for the following reason as required by Section V.D.1. of the Subdivision Regulations:

- 1) The applicant has not provided justification for the creation of a Flag Lot.

Revised for the October 3, 2013 meeting:

The Planning Commission heldover the application from the August 8, 2013 meeting at the applicant's request. The applicant has since submitted the required justification for the creation of a Flag Lot and states:

- 1) Flag lots are common in the neighborhood and lists 7 flag lots in the site's vicinity; and*
- 2) This application is a continuation of the 2003 application which included a private drive and that this application as well as the 1999 request, was the result of a court decision which mandated a division of land.*

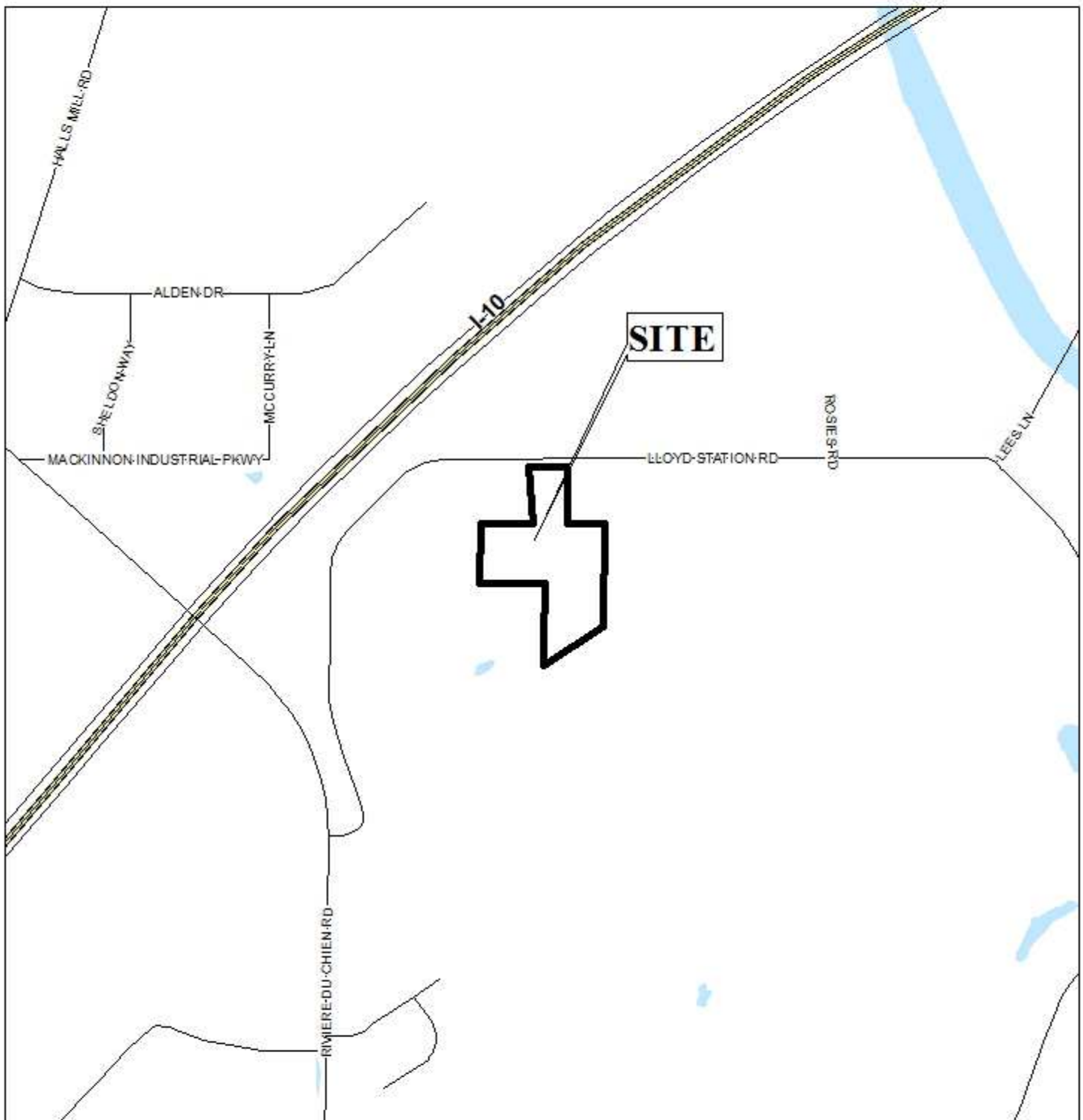
Staff has verified the applicant's claims; however the preliminary plat depicts a 50' easement and the applicant has not indicated whether the existing easement will be upgraded. It is recommended that the Final Plat be revised to depict a 50' private right-of-way in lieu of the 50' easement in addition to a note stating that no permanent structures be constructed in any easement or private right-of-way. The construction of any new street is to comply with Section VIII.E of the Subdivision Regulations and be approved by Engineering. A note should appear on the Final Plat, if approved, to reflect this requirement.

As revised, with a waiver of Sections V.D.1 and V.D.3 of the Subdivision Regulations, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) The lot size information in square feet and acres should be depicted on the Final Plat;*
- 2) The 25' minimum setback line should be revised for Lot 1 and depicted where the "Flag" meets the "Pole" on the Final Plat;*
- 3) The Point of Beginning location should be revised on the Final Plat;*
- 4) The Final Plat should be revised to depict a 50' private right-of-way in lieu of the 50' easement and a note stating that no permanent structures be constructed in any easement or private right-of-way;*
- 5) Placement of a note on the Final Plat stating: (The construction of new streets must comply with Section VIII.E of the Subdivision Regulations and be approved by Engineering)*
- 6) Placement of a note on the Final Plat stating: (Lots 1 and 2 are limited to one curb-cut each, with the size, design or location to be approved by Traffic Engineering and comply with AASHTO standards);*

- 7) *Placement of a note on the Final Plat stating: (Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);*
- 8) *Compliance with Engineering Comments: (The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signatures, required notes) including the seal and signature of an Alabama Professional Land Surveyor. 2. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 4. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 5. Show and Label the POC and/or POB. Correct the written legal description as necessary. 6. The NWI overlay on GIS indicates that a potential for wetlands exist on this property. Show and label the existing wetlands, or provide written confirmation that no wetlands exist within the 2 proposed lots.);*
- 9) *Compliance with Traffic Engineering Comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 10) *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 61-929 and City Code Chapters 57 and 64));*
- 11) *Compliance with Fire Department Comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);*
- 12) *Placement of a note on the Final Plat stating: (Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);*
- 13) *Placement of a note on the Final Plat stating: (Any development of the site must comply with local, state and federal regulations regarding floodplains and wetlands);*
- 14) *Placement of a note on the Final Plat stating: (The future subdivision of either lot is prohibited until additional frontage on a public or private street is provided); and*
- 15) *Full compliance with all other municipal codes and ordinances.*

LOCATOR MAP



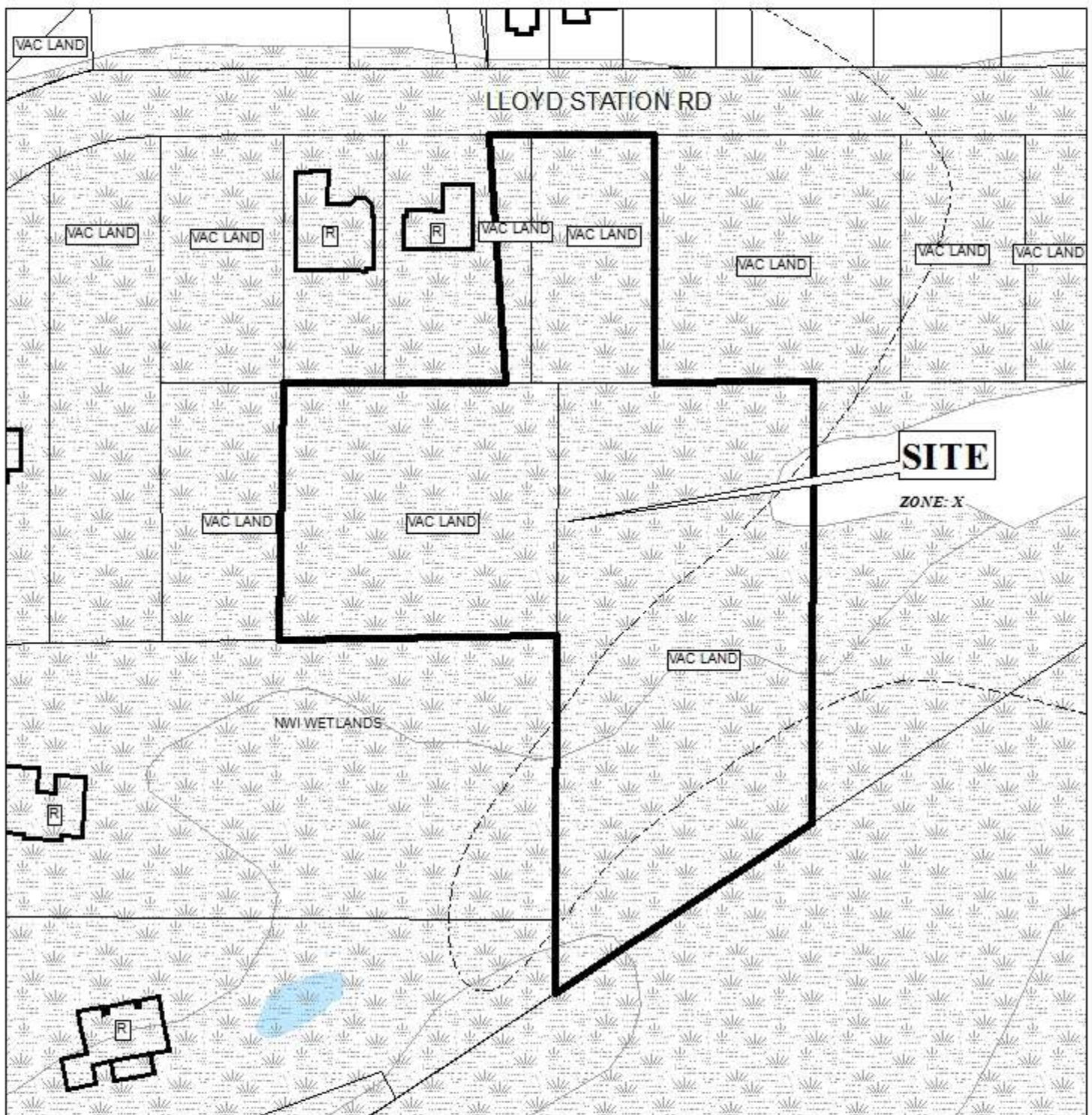
APPLICATION NUMBER 2 DATE October 3, 2013

APPLICANT Lipscomb - Jackson Subdivision

REQUEST Subdivision

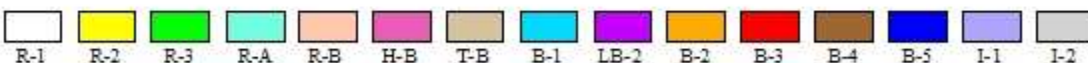


LIPSCOMB - JACKSON SUBDIVISION



APPLICATION NUMBER 2 DATE October 3, 2013

LEGEND



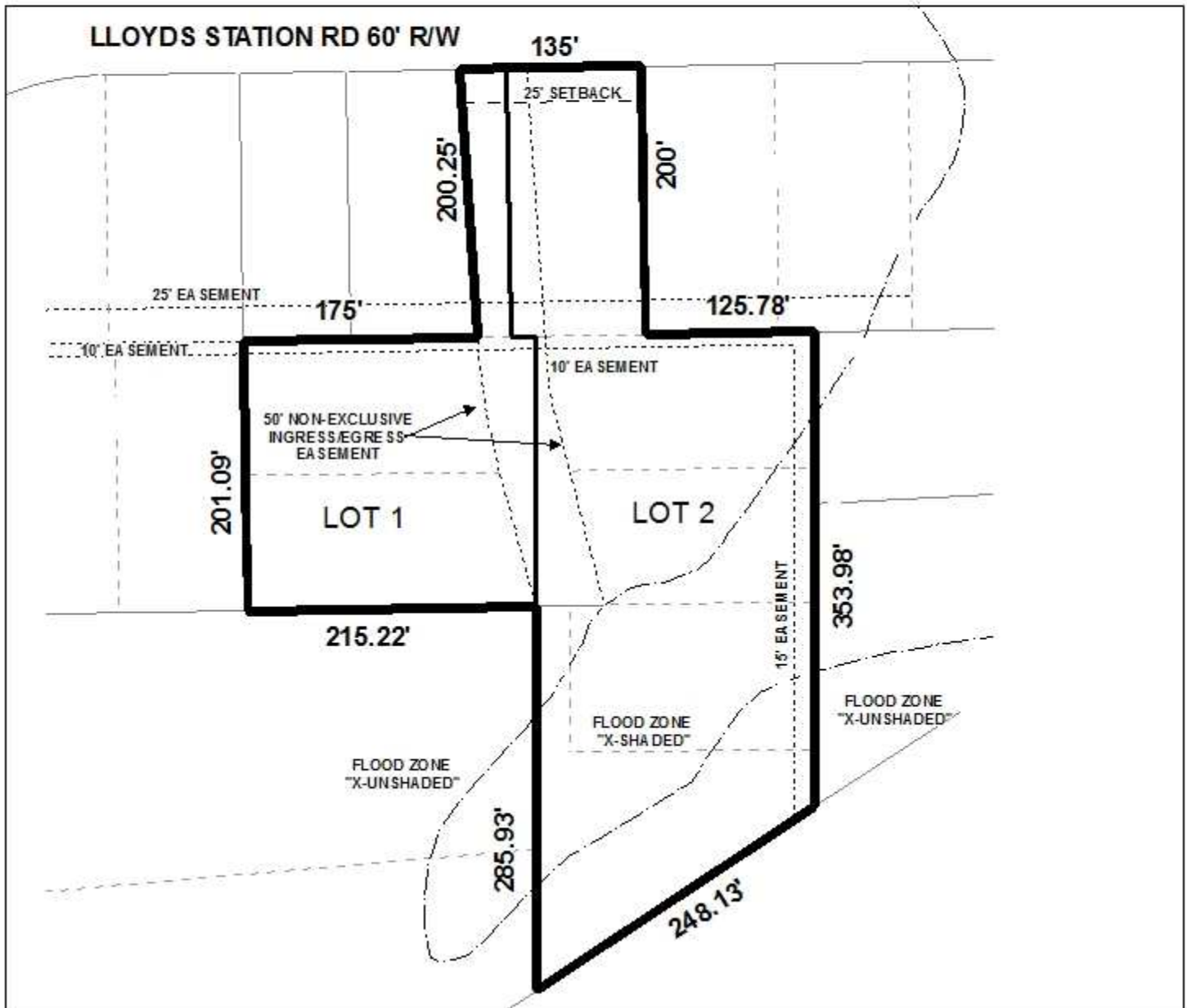
LIPSCOMB - JACKSON SUBDIVISION



APPLICATION NUMBER 2 DATE October 3, 2013



SITE PLAN



The site plan illustrates the setback, easements, and proposed lots.

APPLICATION NUMBER 2 DATE October 3, 2013

APPLICANT Lipscomb - Jackson Subdivision

REQUEST Subdivision

