

## MCMICHAEL FAMILY DIVISION 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 3 lot, 9.8± acre subdivision which is located at 9885 & 9887 Scott Dairy Loop Road South (Southeast corner of Scott Dairy Loop Road South and Johnson Highway). The applicant states that the subdivision is served by public water and individual septic system.

The purpose of this application is to reorient the lot lines between three existing meets and bounds parcels, and create three legal lots-of-record.

The proposed lots meet the minimum size requirements as regulated by Section V.D.2. of the Subdivision Regulations. The proposed lot size is indicated on the preliminary plat, and this should be retained on the final plat, if approved.

There are several issues of concern with this proposed plat. Firstly, it should be mentioned that the site fronts Scott Dairy Loop Road South to North, and Johnson Highway (unopened public right-of-way). Both Scott Dairy Loop Road South and Johnson Highway are major streets listed on the Major Street Plan Component of the Comprehensive Plan, and both require 100-foot wide rights-of-way. Dedication sufficient to provide 50 feet from the centerline of each major street right-of-way will be required, and, as such, dedication for this property may be necessary.

Secondly, the proposed subdivision consists of a rectangular lot, a flag lot with a 95-foot wide flagpole (with the 25-foot minimum building line behind where the lot opens up to 275 feet in width), and another flag lot with a 25-foot wide flagpole (with the 25-foot minimum building line behind where the lot opens up to 300 feet in width). There are no flag lots in the immediate vicinity of this site. GIS mapping shows the nearest flag lot to be almost one mile from the subject property. Further, the flag lots are being created to maintain frontage along Scott Dairy

Loop Road South, when the structures that are already there are accessing public right-of-way via a 10-foot wide privately maintained gravel drive built onto the public Johnson Highway right-of-way. With that being stated, the site does not appear to comply with Section V.D.1. of the Subdivision Regulations in that flag lots are not generally compatible with the existing development in the area, and that the two flag lots appear to be proposed in lieu of improving Johnson Highway to County Paved-Road Standards.

Further, as dedication of up to 20 feet will likely be required for the Johnson Highway right-of-way, the 25-foot wide flagpole portion of the proposed Lot 3 would be almost completely eliminated. If that happened, the proposed Lot 2 would also have to be reconfigured in order to accommodate the changes for the proposed Lot 3.

Also, given that the intersection of Scott Dairy Loop Road South and Johnson Highway is a proposed major street intersection, having two accessways for flag lots meeting at a major intersection would possibly present a traffic hazard.

Finally, it should be noted that the applicant did not provide any justification for a flag lot.

Based on the preceding, this application is recommended for denial due to the following reasons:

- 1) the site does not comply with Section V.D.1. of the Subdivision Regulations regarding flag lots.

***Revised for the March 18, 2010, meeting***

*The applicants submitted a revised plat indicating changes to the proposed 3 (three) lots. The applicant has also submitted evidence that this site is a family subdivision, and, as such, eligible for flag lots as per Section V.D.1. of the Subdivision Regulations.*

*The preliminary plat now indicates the proposed Lot 1 with 250.01 feet of frontage to Scott Dairy Loop Road South and the proposed Lots 2 and 3 as being flag lots with 25 feet of frontage to Scott Dairy Loop Road South. Scott Dairy Loop Road South is a major street on the Major Street Plan Component of the Comprehensive Plan. As such, a right-of-way of 100 feet is required. The preliminary plat indicates 20 feet of dedication for such, and this should be retained on the Final Plat, if approved. The 25-foot minimum building setback line is depicted exclusive of the dedication, and this should be retained on the Final Plat, if approved.*

*Given the status of Scott Dairy Loop Road South as a proposed major street, and the fact that a substantial intersection exists at this site, access management is a concern. As such, the proposed Lot 1 should be limited to the one existing curb cut to Scott Dairy Loop Road South, and the proposed Lots 2 and 3 should be limited to a single, shared curb cut to Scott Dairy Loop Road South, with the size, design, and location of the curb cut to be approved by Mobile County Engineering.*

*It should be noted that, according to records, no right-of-way has been obtained for the proposed Johnson Highway major street which appears on the Major Street Plan component of*

*the Comprehensive Plan. However, the existing Johnson Road centerline matches the westernmost property line of the site (which would become the western property line of Lot 3). In the event of Johnson Road's extension, 50-feet would need to be obtained for right-of-way. When this occurs, the "flagpoles" of the proposed Lots 2 and 3 would be absorbed into the right-of-way for Johnson Road, and the flagpole lots would be eliminated. As such, the plat is indicating a 75-foot minimum building setback line along the western property line of the site, 50 feet for future dedication and then the standard 25 feet for the minimum building setback line. A note should be placed on the Final Plat limiting the proposed Lots 2 and 3 to one curb cut each to Johnson Road, with the size, design, and location of the curb cut to be approved by Mobile County Engineering, at such time as the roadway is constructed.*

*The proposed Lot 1 also would have frontage along Johnson Road (if extended), and, given the existing curb cut along Scott Dairy Loop Road South, Lot 1 should be denied access to Johnson Road, in the event of its construction.*

*It should also be noted that, given the limited access to an existing public right-of-way, a note should be placed on the Final Plat stating that no further Resubdivision of Lots 2 and 3 is to occur until such time as all lots have adequate frontage onto a publicly maintained right-of-way.*

*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.*

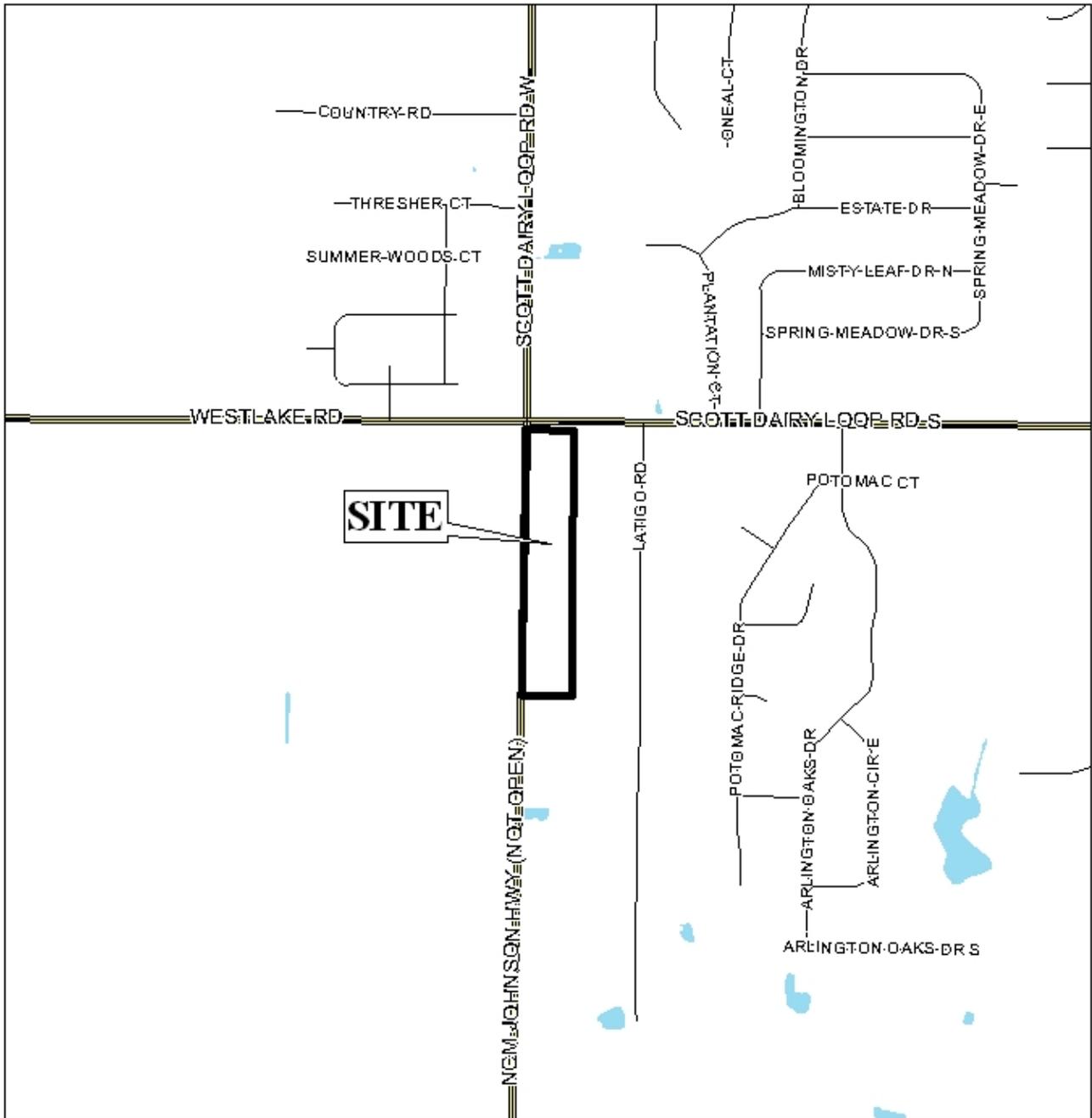
*Finally, this site is located in the County, thus any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.*

*Based on the preceding, the request for tentative plat approval is recommended for tentative approval subject to the following conditions:*

- 1) retention of the 20-foot dedication along Scott Dairy Loop Road South;*
- 2) retention of the 25-foot minimum building line for Lot 1 (exclusive of right-of-way dedication) along Scott Dairy Loop Road South;*
- 3) retention of the 75-foot minimum building line from the western property line of the site for all Lots as depicted on the preliminary plat;*
- 4) retention of the lot area size labeling in square feet as depicted on the preliminary plat;*

- 5) *placement of a note on the Final Plat limiting Lot 1 to the one existing curb cut to Scott Dairy loop Road South and limiting Lots 2 and 3 to one single shared curb cut to Scott Dairy Loop Road South with the size, design, and location of the curb cut to be approved by Mobile County Engineering;*
- 6) *placement of a note on the Final Plat stating that no further Resubdivision of Lots 2 and 3 is to occur until such time as all lots have adequate frontage onto a publicly maintained right-of-way;*
- 7) *placement of a note on the Final Plat denying Lot 1 access to Johnson Road (at such time as the roadway may be constructed);*
- 8) *placement of a note on the Final Plat limiting Lots 2 and 3 to one curb cut each to Johnson Road (at such time as the roadway may be constructed), with the size, design, and location of the curb cut to be approved by Mobile County Engineering;*
- 9) *placement of a note on the Final 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) *placement of a note on the Final 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, and*
- 11) *placement of a note on the Final 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.*

# LOCATOR



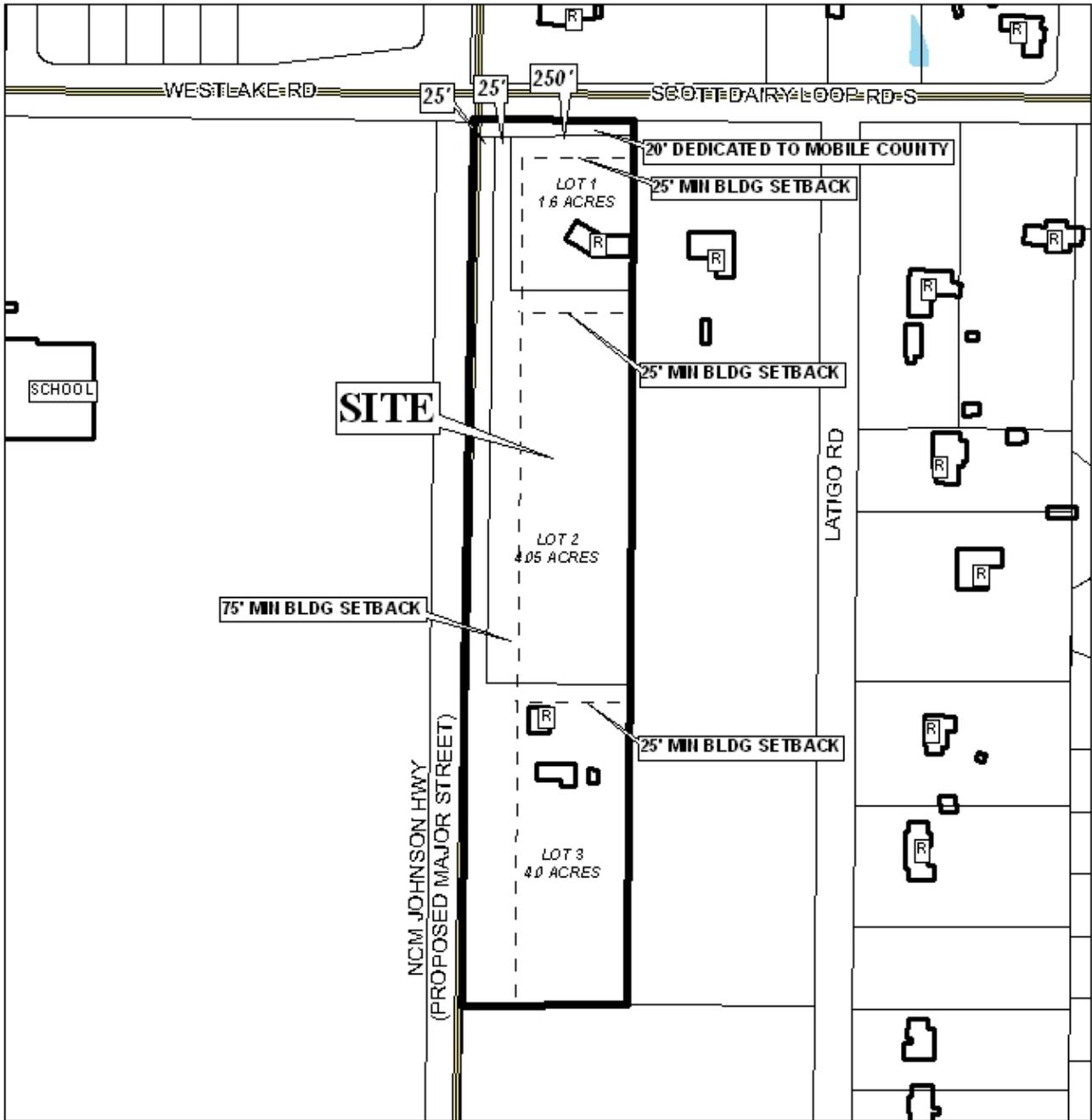
APPLICATION NUMBER 4 DATE March 18, 2010

APPLICANT McMichael Family Division Subdivision

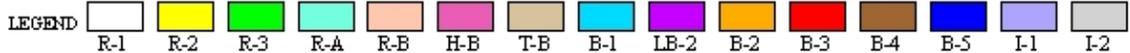
REQUEST Subdivision



# MCMICHAEL FAMILY DIVISION SUBDIVISION



APPLICATION NUMBER 4 DATE March 18, 2010



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