

**SUBDIVISION &
SIDEWALK WAIVER STAFF REPORT****Date: August 7, 2014**

<u>NAME</u>	Independent Living Center
<u>SUBDIVISION NAME</u>	Independent Living Center Subdivision
<u>LOCATION</u>	6750 Howells Ferry Road (Northwest corner of Howells Ferry Road and Erdman Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 7
<u>AREA OF PROPERTY</u>	1 Lot / 8.2± Acres
<u>PRESENT ZONING</u>	B-1, Buffer Business District
<u>ENGINEERING COMMENTS</u>	

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:

- 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #69) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- D. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- E. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.

- G. Show and label each and every Right-Of-Way and easement.
- H. Provide and label the monument set or found at each subdivision corner.
- I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- J. Provide the Surveyor's Certificate and Signature.
- K. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- L. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Sidewalk Waiver:

1. Howells Ferry Rd.: While there is an existing drainage ditch within the ROW, it appears that there is sufficient room for the construction of a sidewalk within the ROW, or within the property, that could be permitted through the ROW Permit process.
2. Erdman Street: While there is an existing drainage ditch within the ROW, it appears that there is sufficient room for the construction of a sidewalk within the ROW, or within the property, that could be permitted through the ROW Permit process.

TRAFFIC ENGINEERING**COMMENTS**

The site is denied access to Howells Ferry Rd, and limited to two driveways to Erdman Avenue with 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).

MAWSS**COMMENTS**

MAWSS has only water services available.

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.

REMARKS

The applicant is seeking Subdivision approval to create one legal lot of record from two existing metes-and-bounds parcels, and Sidewalk Waiver approval to waive construction of a sidewalk along Howells Ferry Road and Erdman Avenue. The site is located in Council District 7, and according to the applicant, is served by public water and septic tank sanitary services.

It should be noted that the site was granted Subdivision approval, Planning Approval to allow an adult daycare facility in a B-1, Buffer Business District, and Rezoning from R-1, Single-Family Residential, to B-1, Buffer Business, by the Commission at its May 2, 2013 meeting. The Subdivision expired, and a condition of the Planning Approval was the revision of the site plan to indicate a City standard sidewalk along Howells Ferry Road and Erdman Avenue, or the submittal and approval of a Sidewalk Waiver application; hence the current applications.

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.

The site fronts Howells Ferry Road with a compliant 80' right-of-way, and Erdman Avenue, with a compliant 50' right-of-way. Therefore, no dedication would be required. However, dedication should be required to provide a 25' radius curve at the intersection of Howells Ferry Road and Erdman Avenue. Magnolia Way, a private street associated with Magnolia Springs Estates Subdivision, borders the West side of the site. As this is a privately-maintained street, access to it should be denied. As a means of access management, a note should be placed on the Final Plat stating that the site is limited to two curb cuts to Erdman Avenue, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. A note should also be required on the Final Plat stating that direct access to Howells Ferry Road is denied.

The plat should be revised to indicate the 25' minimum building setback line along Howells Ferry Road and Erdman Avenue. No lot size is given on the preliminary plat. The plat should be revised to label the lot with its size in square feet and acres, after any required dedication, or a table should be furnished on the Final Plat providing the same information.

As the site adjoins residential sites, a note should be required on the Final Plat stating that a buffer, in compliance with Section V.A.8. of the Subdivision Regulations, must be provided where the lot adjoins residentially developed property.

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.

Regarding the Sidewalk Waiver request, the applicant simply states *“(1) 40' R/W on Erdman W/rural grassed, open drainage ditch. (2) Howells Ferry, rural, grassed, open, drainage ditch. (3) numerous Oak trees along R/W line, both streets.”*

City Engineering has determined that, along both street frontages, while there is an existing drainage ditch within the ROW, it appears that there is sufficient room for the construction of a sidewalk within the ROW, or within the property, that could be permitted through the ROW Permit process. Therefore, the Sidewalk Waiver request should be considered for denial.

Finally, the Planning Approval site plan should be revised to reflect any changes resulting from the applications at hand.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for tentative approval subject to the following conditions:

- 1) dedication to provide a 25' radius curve at the intersection of Howells Ferry Road and Erdman Avenue;
- 2) placement of a note on the Final Plat stating that access is denied to Magnolia Way (private street);
- 3) placement of a note on the Final Plat stating that the site is limited to two curb cuts to Erdman Avenue, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) placement of a note on the Final Plat stating that direct access to Howells Ferry Road is denied;
- 5) revision of the plat to indicate a 25' minimum building setback line along Howells Ferry Road and Erdman Avenue;
- 6) revision of the plat to label the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 7) placement of a note on the Final Plat stating that a buffer, in compliance with Section V.A.8. of the Subdivision Regulations, must be provided where the lot adjoins residentially developed property;
- 8) 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;
- 9) compliance with the Engineering comments: *[The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #69) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water*

runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. G. Show and label each and every Right-Of-Way and easement. H. Provide and label the monument set or found at each subdivision corner. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Provide the Surveyor's Certificate and Signature. K. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. L. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];

- 10) compliance with the Traffic Engineering comments: *(The site is denied access to Howells Ferry Rd, and limited to two driveways to Erdman Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 11) 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 (State Act 61-929 and City Code Chapters 57 and 64).];*
- 12) compliance with the 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);* and
- 13) submission and approval of two (2) copies of a revised Planning Approval site plan prior to the signing of the Final Plat.

Sidewalk Waiver: Based upon the preceding, this application is recommended for denial.

LOCATOR MAP



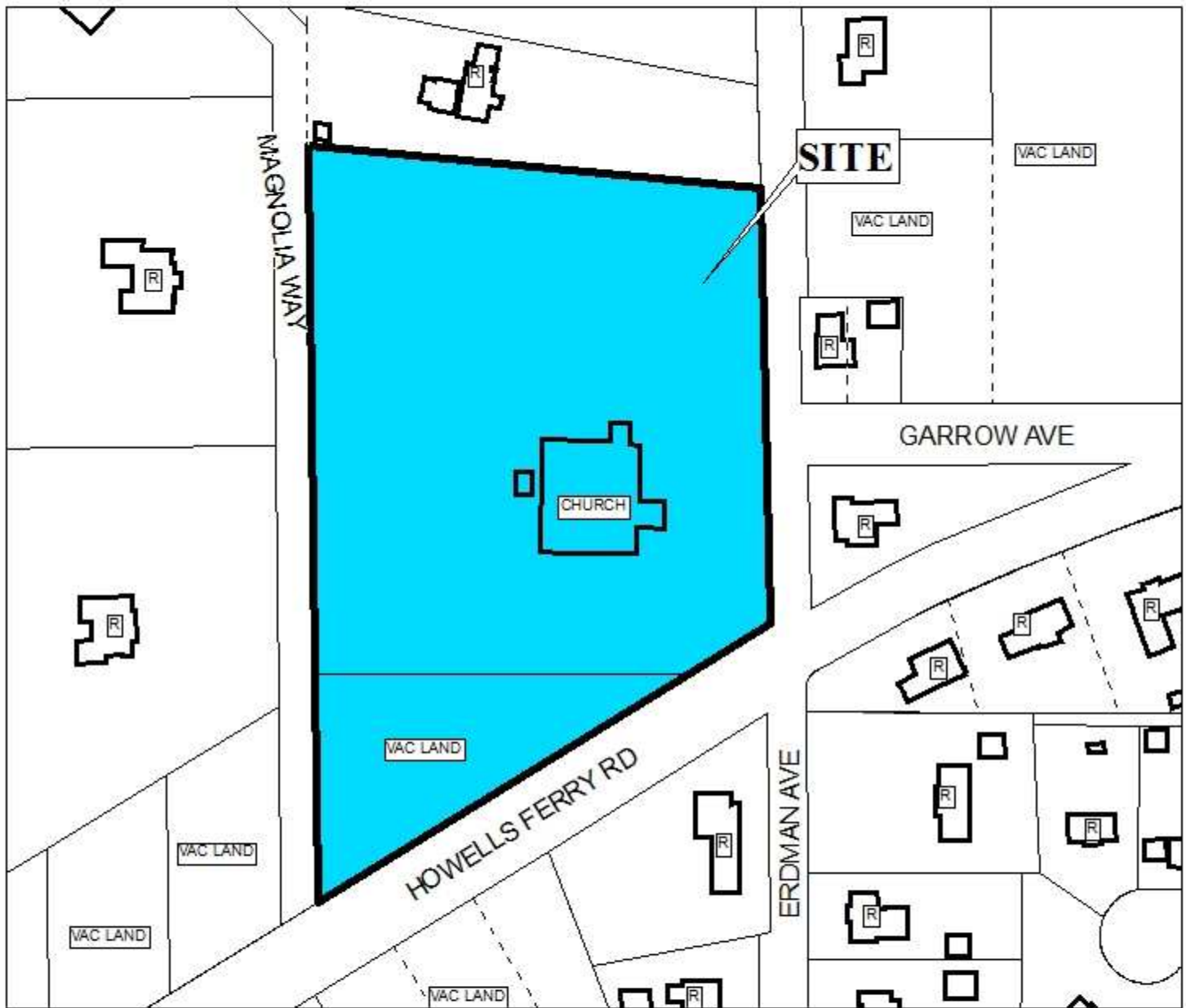
APPLICATION NUMBER 11 & 12 DATE August 7, 2014

APPLICANT Independent Living Center

REQUEST Subdivision, Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residences.

APPLICATION NUMBER 11 & 12 DATE August 7, 2014

APPLICANT Independent Living Center

REQUEST Subdivision, Sidewalk Waiver

RA	R-3	T-B	B-2	B-5	MUNI	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residences.

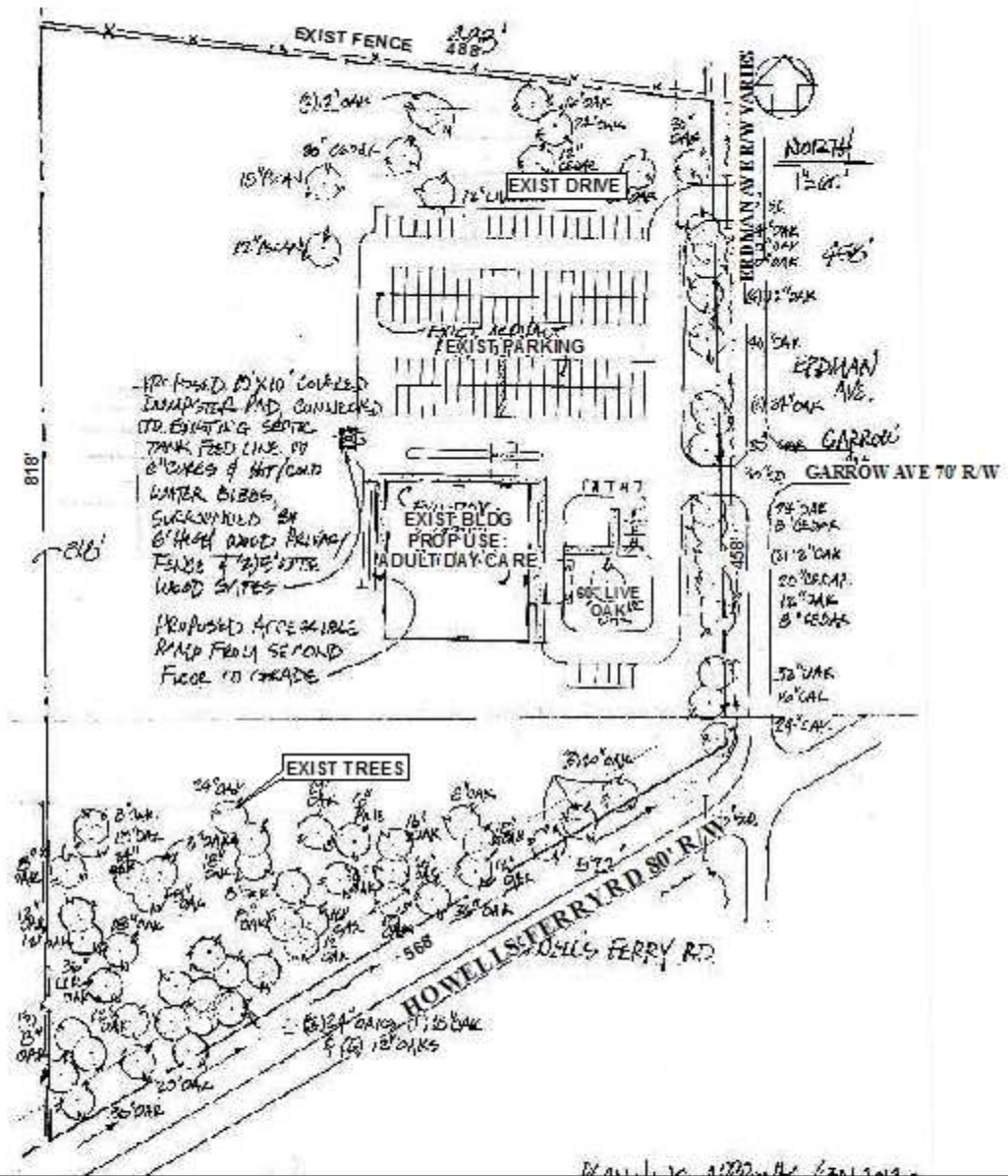
APPLICATION NUMBER 11 & 12 DATE August 7, 2014

APPLICANT Independent Living Center

REQUEST Subdivision, Sidewalk Waiver



SITE PLAN



The site plan illustrates the existing development.

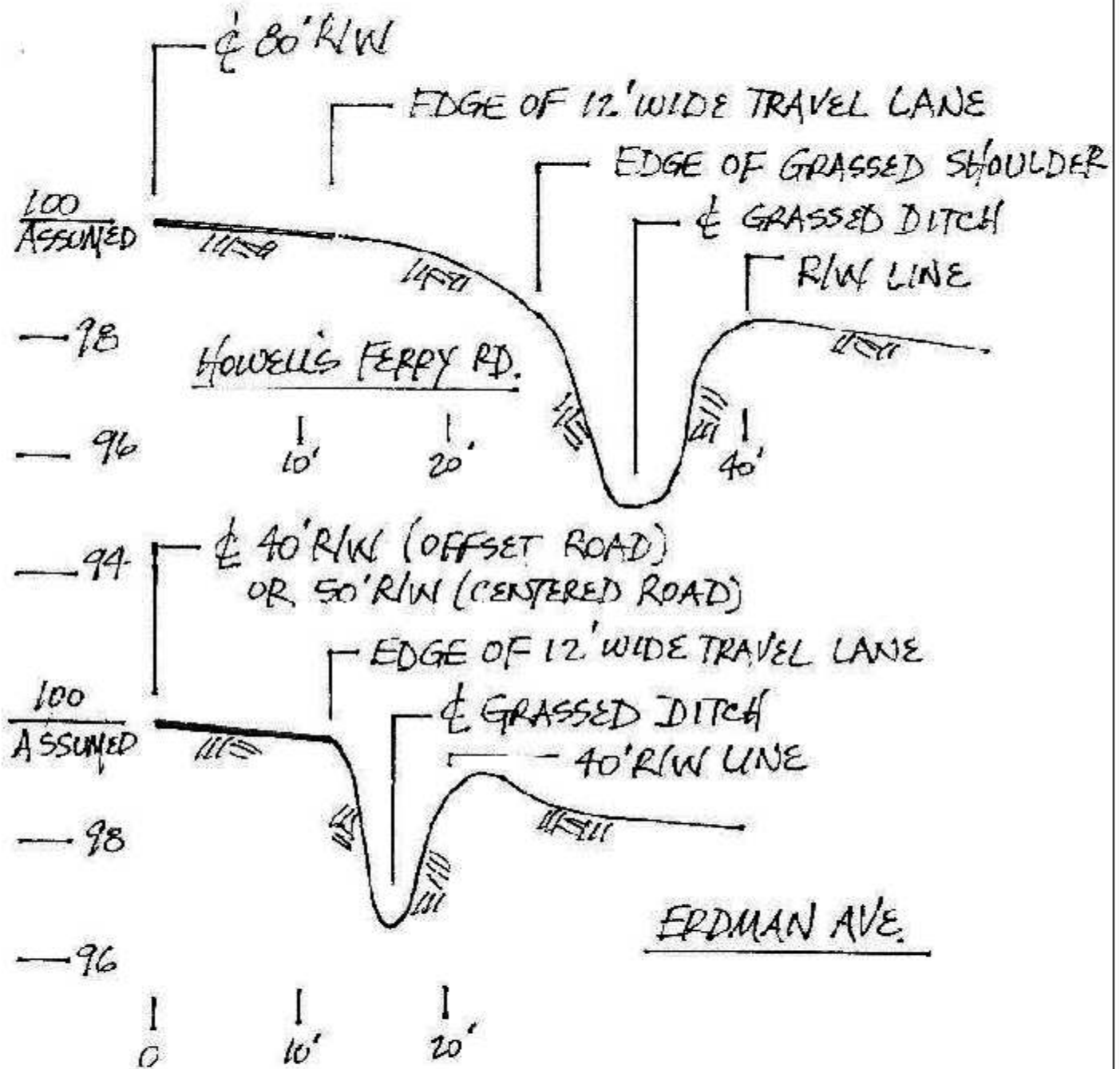
APPLICATION NUMBER 11 & 12 DATE August 7, 2014

APPLICANT Independent Living Center

REQUEST Subdivision, Sidewalk Waiver



DETAIL SITE PLAN



APPLICATION NUMBER 11 & 12 DATE August 7, 2014

APPLICANT Independent Living Center

REQUEST Subdivision, Sidewalk Waiver

