

ASHBURY MANOR SUBDIVISION

Engineering Comments: Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added in excess of 4,000 square feet.

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 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.

The plat illustrates the proposed 1.8 acre \pm , 1 lot subdivision which is located at 6562 Old Shell Road (North side of Old Shell Road, 50' \pm West of Dickens Ferry Road) and is in Council District 7. The applicant states that the subdivision is served by public water and sanitary sewer. The purpose of this application is to combine two metes and bounds lots into a single legal lot of record.

The application has been necessitated because of right-of-way acquisition by Mobile County for the Old Shell Road widening project which is currently underway. Most of the front yard of the Ashbury Manor Retirement Home was acquired by the county for the widening. Also acquired was most of the metes and bounds parcel south of and adjacent to the Ashbury Manor property. Ashbury Manor has agreed to purchase the portion of the lot not to be used for right-of-way, and this application will combine those two parcels.

The site has frontage onto Old Shell Road, a proposed major street as shown on the Major Street Plan Component of the Comprehensive Plan. The Major Street Plan dictates a right-of-way of 100 feet for this proposed major street. The plat does not depict the current right-of-way of Old Shell Road at this location, however, with the recent right-of-way acquisitions that necessitated this application, it is likely that the right-of-way for Old Shell Road in this area now exceeds 100 feet. Nevertheless, the accurate right-of-way of Old Shell Road should be depicted on the final plat. Further, the plat illustrates that 55 feet of additional right-of-way was acquired for the widening project, as a result, an adequate right-of-way exists on the north side of Old Shell Road. Therefore, dedication should not be required.

Because Old Shell Road is a proposed major street, and considering the ongoing widening project, access management is a concern. The site currently has three curb cuts, one from the Ashbury Manor building's parking lot, and the other two are from the former single-family residential lot. The proposed lot should be limited to one curb cut to Old Shell Road, with the size, location, and design of the curb cut to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards.

It should be noted that approval of this subdivision would create a split-zoned lot, with the western portion being zoned R-3 and the eastern portion being zoned R-1. If the subdivision is approved, a successful rezoning application to eliminate the split zoning should be required before signing of the final plat. Further, a Nursing Home requires Planning Approval in an R-3 zoning district. Planning Approval was originally granted by the Planning Commission in 1998, and one of the conditions for approval was that the site was limited to the approved site plan. As this condition will be violated by the subdivision application, and because Planning Approvals are site specific anyway, a new Planning Approval should also be required before signing of the final plat.

The plat illustrates a lot of adequate size and adequate public right-of-way access to meet the minimum requirements of the Subdivision Regulations. The lot size, in square feet, is shown on the preliminary plat and should be retained on the final plat, if approved.

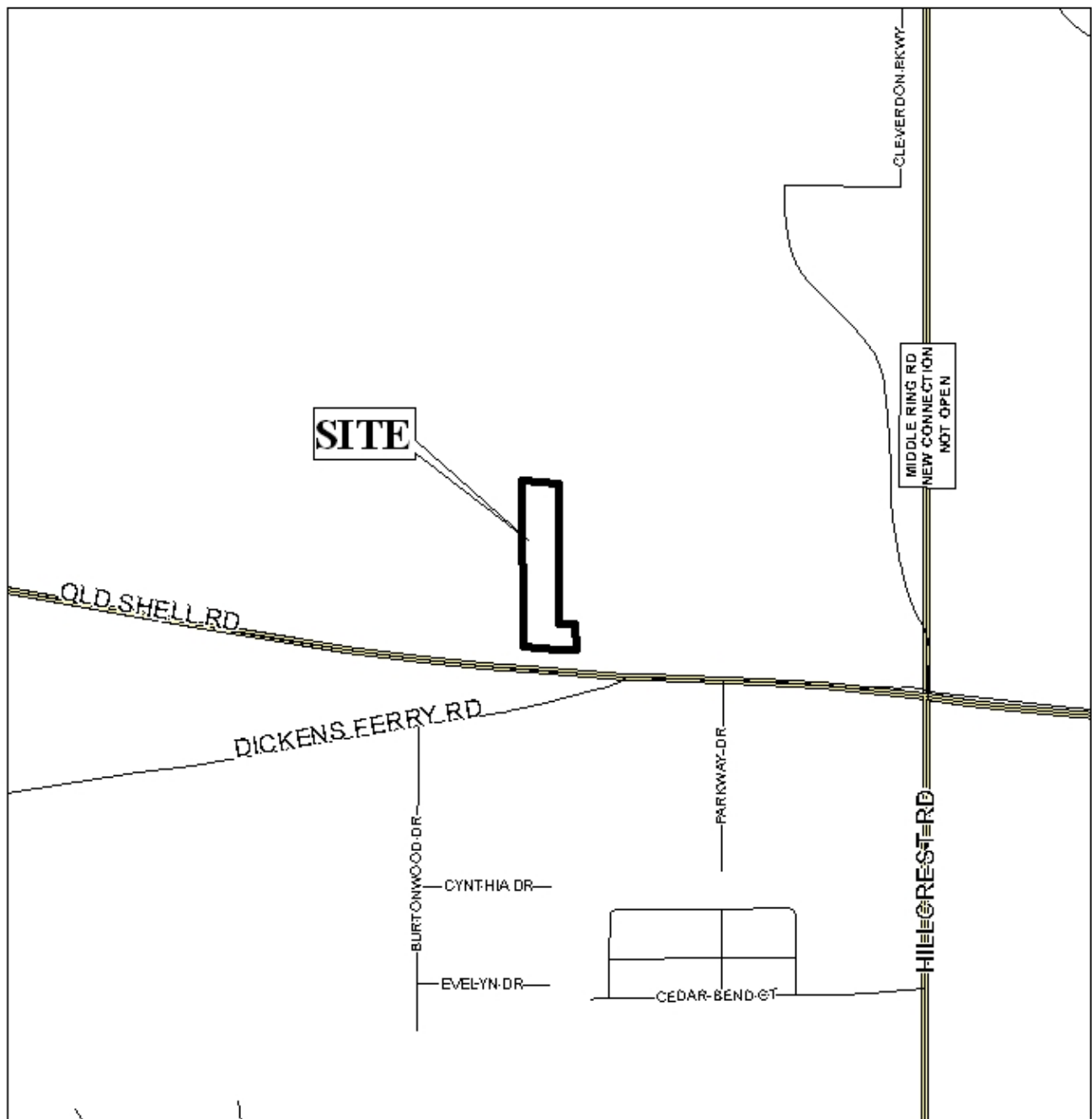
The 25-foot minimum building setback line is depicted and be retained on the final plat, if approved.

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.

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

- 1) Approval of a rezoning application to eliminate split zoning created by the subdivision;
- 2) Approval of a planning approval application due to the change in site plan;
- 3) Revision of the plat to depict the current right-of-way of Old Shell Road at this location;
- 4) Placement of a note on the final plat limiting the lot to one curb cut with the size, location, and design of the curb cut to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards;
- 5) Retention of the 25 foot building setback line of the final plat;
- 6) Retention of the lot size (in square feet) labeling on the final plat;
- 7) 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
- 8) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



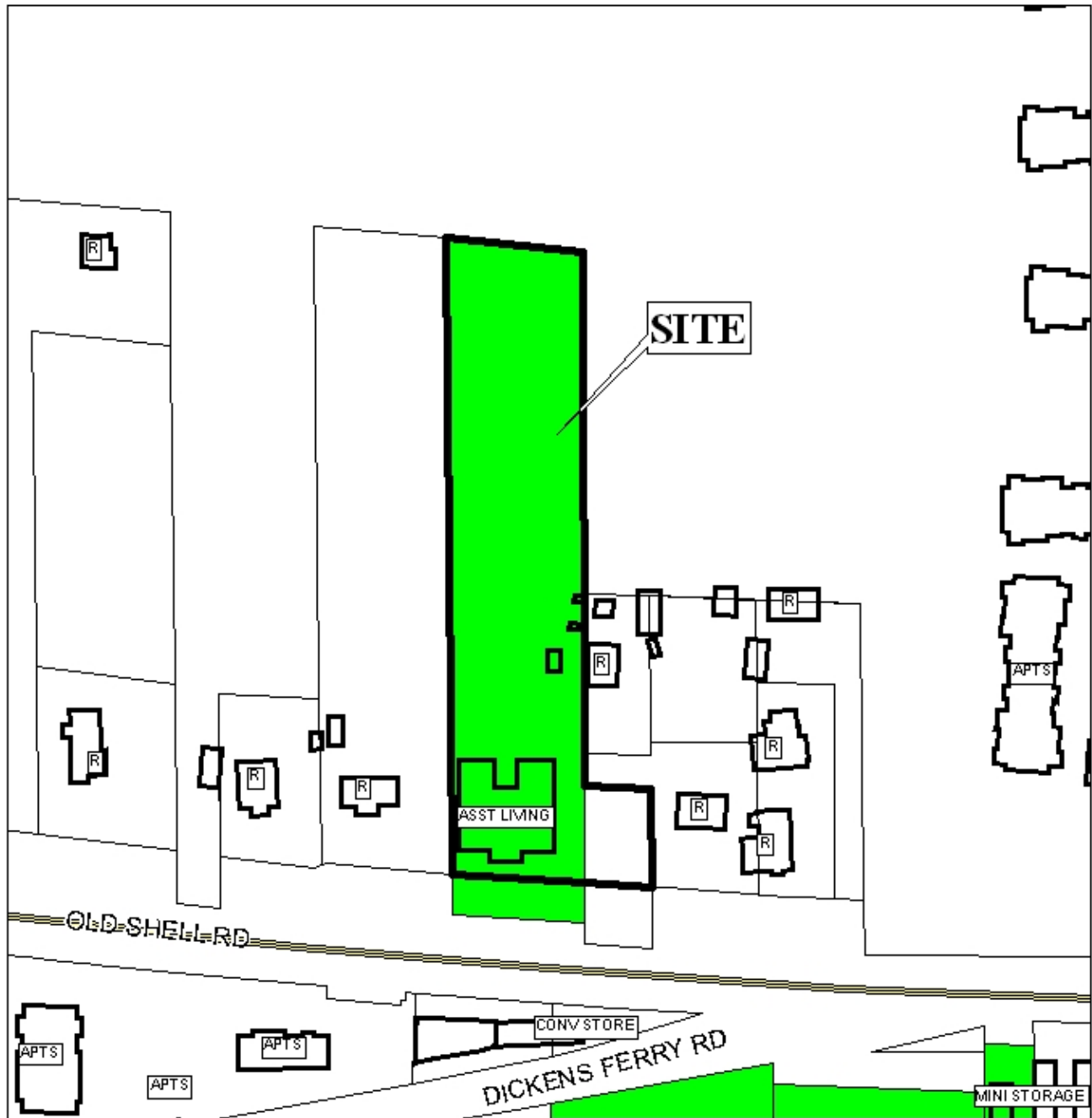
APPLICATION NUMBER 12 DATE April 2, 2009

APPLICANT Ashbury Manor Subdivision

REQUEST Subdivision



ASHBURY MANOR SUBDIVISION



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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



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