

**COUNTY VACATION
& SUBDIVISION STAFF REPORT****Date: November 7, 2013****NAME**

Lance Hankinson

SUBDIVISION

LHRP 2 Commercial Park Subdivision

LOCATION1651 Schillinger Road North
(West side of Schillinger Road North, 35'± South of Tara Drive)**REQUEST**

Request to vacate a 15' wide drainage easement, two (2) 20' wide drainage and utility easements, a 24' wide ingress/egress easement, a 25' wide drainage easements/detention/common area, and a detention/common area; and create two (2) legal lots of record from three (3) existing legal lots of record.

MAWSS COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

REMARKS

The applicant is requesting vacation of a 15' wide drainage easement, two (2) 20' wide drainage and utility easements, a 24' wide ingress/egress easement, a 25' wide drainage easements/detention/common area, and a detention/common area; and creation of two (2) legal lots of record from three (3) existing legal lots of record.

The site is located at 1651 Schillinger Road North (West side of Schillinger Road North, 35'± South of Tara Drive).

The reason for the application is that a revised site plan for the future development of the property conflicts with the various easements which were recorded as part of LHRP Subdivision approved by the Planning Commission at its April 4, 2013 meeting. It should be noted that while the approved Subdivision was signed and recorded in Probate Court, no copies of the Final Plat were submitted to Urban Development as required.

Regarding the creation of the new lots, the plat depicts the proposed 2-lot, 8.3± acre subdivision. As stated previously, the site is currently three (3) legal lots of record. The proposed lots appear to meet the minimum size requirements as regulated by Section V.D.2. of the Subdivision Regulations. The sizes of the lots are not depicted in square feet or acres. If approved, the lot sizes should be provided on the Final Plat in square feet and acres, or a table with the same information should be provided.

The site is located on Schillinger Road North, which is a major street. As a major street, there should be a 100' right-of-way. The plat depicts a previous acquisition of right-of-way along the site's frontage to provide approximately 70' from the centerline of Schillinger Road North; therefore, no dedication would be required.

It should be noted that the proposed Lot 2 is a flag lot, with a 75' wide pole. The Planning Commission approved LHRP Subdivision with a flag lot at its April 4, 2013 meeting with a 33'± wide pole, therefore a waiver of Section V.D.1. of the Subdivision Regulations may be appropriate.

The 25' minimum building setback is not shown for either lot, and should be illustrated for both lots on the Final Plat, if approved.

While the applicant is proposing to vacate an existing ingress/egress easement, there is a new ingress/egress easement which would provide both of the proposed lots with access to Schillinger Road North, therefore the development should be limited to one shared curb cut to Schillinger Road North, with said curb cut to be located on the proposed Lot 2, with the size, design, and location of the curb cut to be approved by Mobile County Engineering and conform to AASHTO standards.

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.

RECOMMENDATION

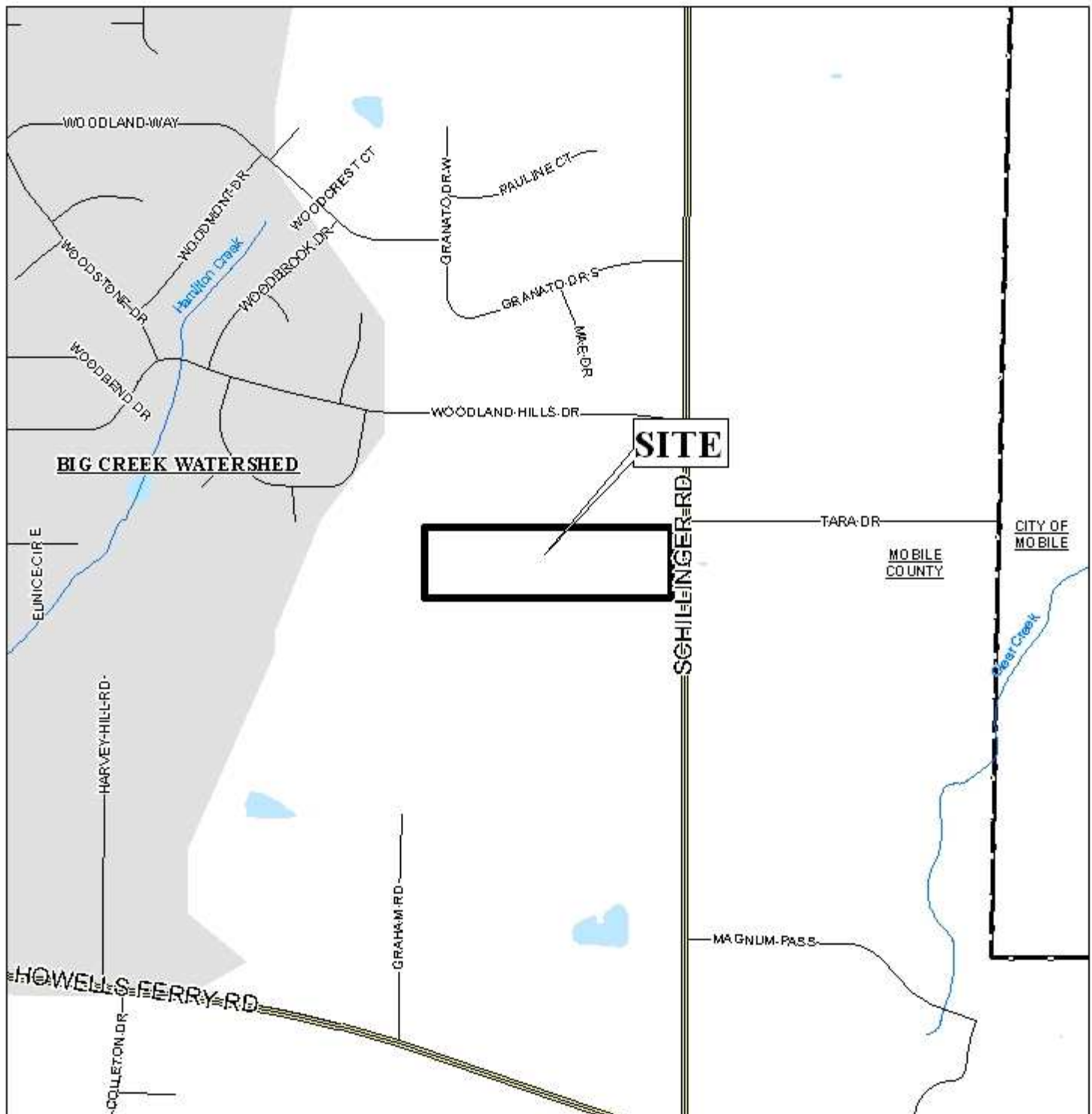
Vacation Request: The request to vacate a 15' wide drainage easement, two (2) 20' wide drainage and utility easements, a 24' wide ingress/egress easement, a 25' wide drainage easements/detention/common area, and a detention/common area, is recommended for approval subject to the following condition:

- 1) submission of seven (7) copies of the LHRP Commercial Park Subdivision plat as recorded in Mobile County Probate Court.

Subdivision: The request is recommended for tentative approval, with a waiver of Section V.D.1. of the Subdivision Regulations, subject to the following conditions:

- 1) depiction of the lot sizes in square feet and acres, or provision of a table on the Final Plat with the same information;
- 2) illustration of the 25' minimum building setback for both lots;
- 3) placement of a note on the Final Plat limiting the development to one shared curb cut to Schillinger Road North, with said curb cut to be located on the proposed Lot 2, with the size, design, and location of the curb cut to be approved by Mobile County Engineering and conform to AASHTO standards;
- 4) 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;
- 5) 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; and
- 6) 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.

LOCATOR MAP



APPLICATION NUMBER 23 & 24 DATE November 7, 2013

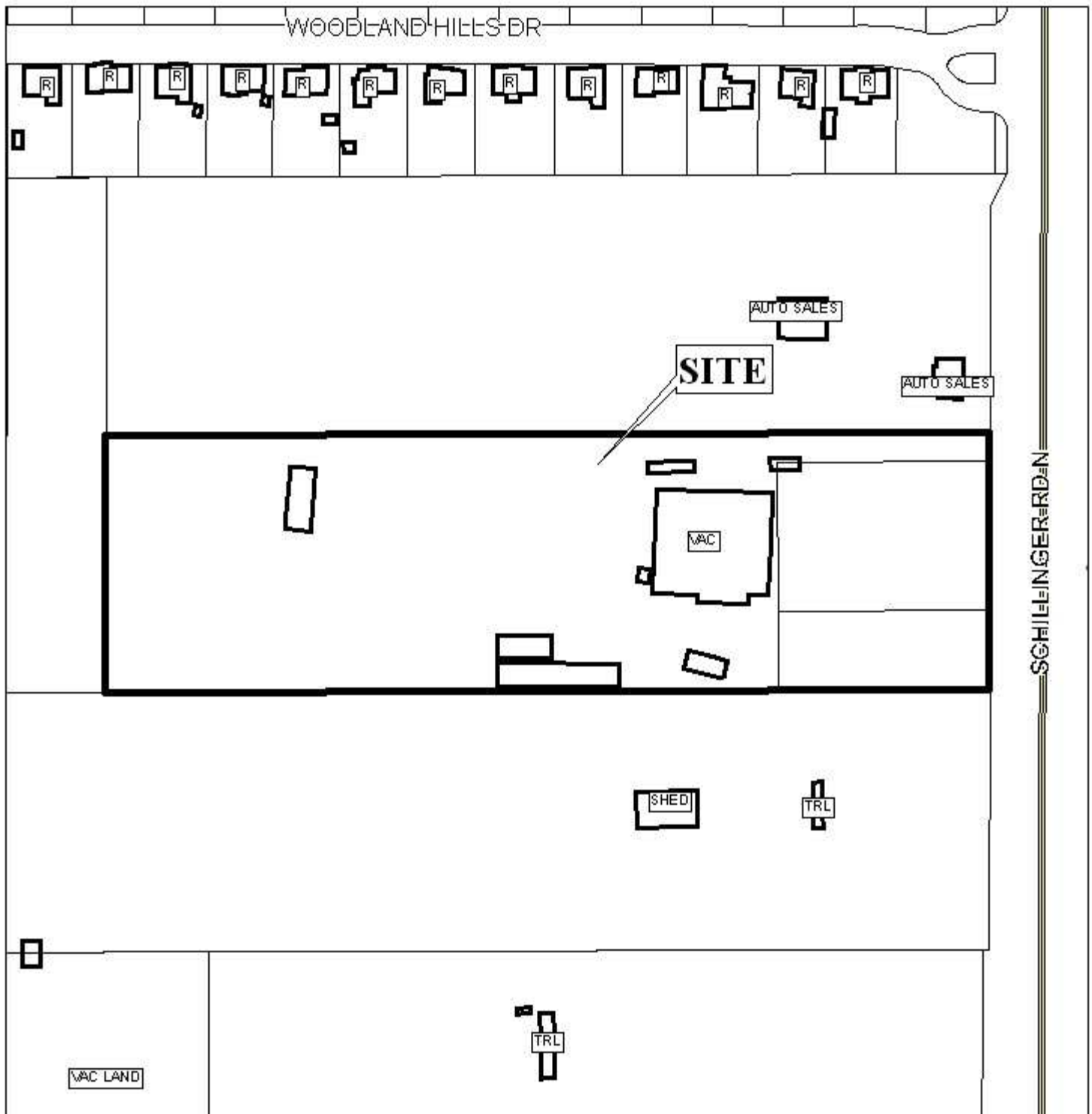
APPLICANT LHRP 2 Commercial Park Subdivision

REQUEST Subdivision, Vacation Request



PLANNING COMMISSION

VACATION REQUEST - PLANNING JURISDICTION



APPLICATION NUMBER 23 & 24 DATE November 7, 2013

APPLICANT LHRP 2 Commercial Park Subdivision

REQUEST Subdivision, Vacation Request

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

N
NTS

PLANNING COMMISSION VACATION REQUEST - PLANNING JURISDICTION



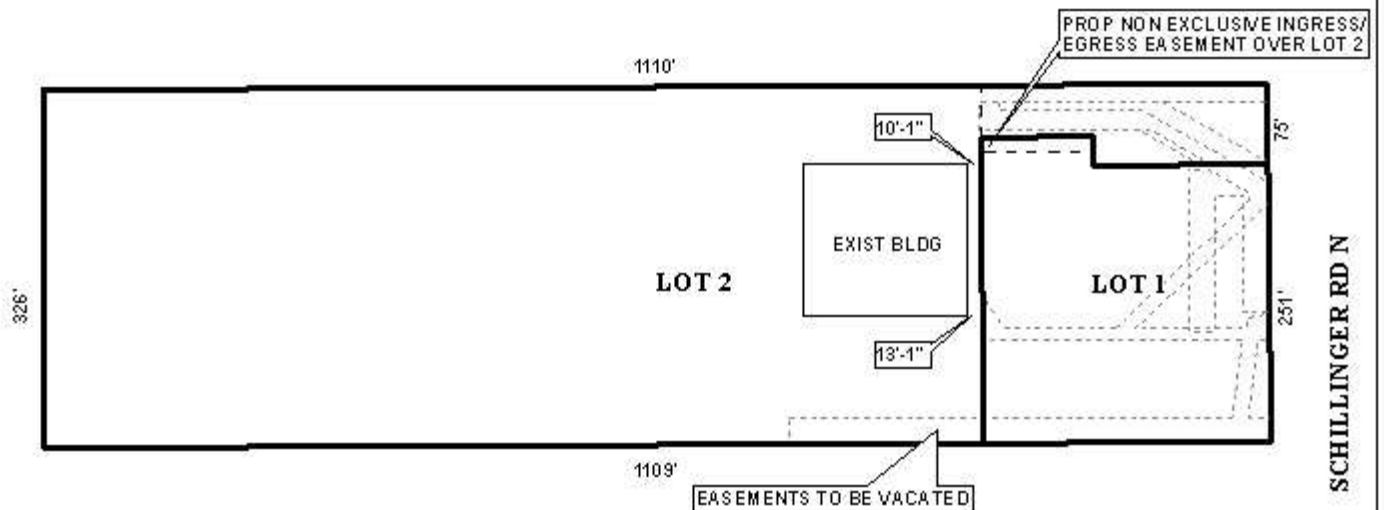
APPLICATION NUMBER 23 & 24 DATE November 7, 2013

APPLICANT LHRP 2 Commercial Park Subdivision

REQUEST Subdivision, Vacation Request



SITE PLAN



The site plan illustrates the existing easements to be vacated, proposed easements, and proposed lot configuration.

APPLICATION NUMBER 23 & 24 DATE November 7, 2013

APPLICANT LHRP 2 Commercial Park Subdivision

REQUEST Subdivision, Vacation Request

