

HOPKINTON ESTATES SUBDIVISION

Engineering Comments: Must comply with the Mobile County Flood Damage Prevention Ordinance.

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: Water and sewer services are available, but Capacity Assurance application for sewer service has not been applied for. MAWWS cannot guarantee sewer service until the Capacity application is approved by Volkert Engineering. Water and sewer services would have to be extended to the development.

The plat illustrates the proposed 503 lot, 226.0 \pm acre subdivision which is located on the West terminus of Redstone Drive South, extending to the East terminus of Roberts Lane East. The applicant states that the subdivision is served by public water and sanitary sewer systems provided by South Alabama Utilities.

The purpose of this application is to subdivide two metes and bounds parcels into 503 lots. It appears that one of the parcels, R0224072600000094., has had multiple child parcels sold off since the late 1980s, without going through the subdivision process. The applicant should either provide evidence of these parcels being created prior to July 1984, or include them as part of the application or provide justification supporting their exclusion from the application.

The applicant proposes to create 503 lots, of which approximately 193 lots will “typically” be approximately 6,300 square feet in size, which is less than the 7,200 square feet required by Section V.D.3. of the Subdivision Regulations. The plat appears to depict lots as small as 5,850 square feet. No justification has been provided for the reduced lot sizes.

The plat also shows areas of “green space” and then other areas with no indication of use, including a corridor that implies a utility easement. No area calculations have been provided regarding “green space” or other space set aside for common areas.

The site is bisected by two proposed major streets, Wulff Road Extension and Magee Road. Each proposed major street should have a minimum right-of-way of 100 feet, however there is no indication of the proposed subdivision accommodating the proposed major streets.

The proposed 503 lot subdivision will only have connections to two existing minor streets, although the connection to the existing Robert’s Lane is drawn in the wrong location. Three to four other street-stubs are depicted on the plat, however, they would connect to undeveloped land.

The site is bisected by a branch of Hamilton Creek, thus wetlands may be present on the site. The potential presence of wetlands indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

Because of the above issues, it appears that the application is not complete. Therefore this application is recommended for Denial for the following reasons:

- 1) The plat does not include the entirety of parent and child parcels for parcel R022407260000094., and no evidence has been provided that the child parcels should not be included as part of the application;
- 2) Numerous lots will not meet the minimum size requirements of Section V.D.3. of the Subdivision Regulations, and no justification has been provided for the reduced lot sizes;
- 3) No calculations have been provided for “green space” and other unlabeled, undeveloped portions of the site; and
- 4) There are errors in the drawing.

Revised for the October 18th meeting:

A revised plat and new written description were submitted. The plat depicts 523 lots, 20 more than originally proposed, accommodates proposed major streets, and clearly delineates and quantifies the common areas and detention areas. Eight connections, or street-stubs, are depicted on the plat, however, only two of the connections will link with existing streets: the remainder will potentially connect with future development on adjacent properties.

Observed lot sizes range from a minimum of 4,725 square feet to well over an acre (43,560 square feet). A table on the plat lists the following typical lot sizes and quantities:

- 220 lots – 45 X 140 feet (6,300 sf)*
- 161 lots – 70 X 140 feet (9,800 sf)*
- 142 lots – 90 X 140 feet (12,600 sf)*

While it appears that 220 of the lots will be below the minimum recommended lot size of 7,200 square feet, approximately 22.4 acres of common area will be set aside within the development. The proposed common area will provide a sufficient offset in acreage to compensate for the lots that fall below the minimum lot size recommended by Section V.D.2. of the Subdivision Regulations. The applicant also states that the design will be innovative, as the varying lot sizes will allow for a wider range of housing types on a site that could accommodate up to 938 standard lots if no common areas were provided.

The revised plat also depicts a large detention area of approximately 15.6 acres. While the site is in the County, compliance with the City of Mobile storm water and flood control ordinances will be required. A letter from a licensed engineer certifying compliance with the City’s storm water and flood control ordinances should be submitted to the Planning Section of Urban Development prior to the signing of the final plat, if approved.

Due to the limited number of existing roads adjacent to the site, development should be phased to ensure that connections to Redstone Drive South and Roberts Lane, with a link between the two, are provided by the second recorded phase. This requirement is to ensure minimum adequate access for residents as well as emergency service providers.

The site appears to be located within the Fire Jurisdiction of the City of Mobile, thus the 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. If any commercial buildings and sites are proposed as part of the development (none are indicated), they 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.

Due to the limited width of some of the lots, and due to the overall number of lots, each lot should be limited to one curb-cut each, with the size, location and design to be approved by Mobile County Engineering. Access to common areas should also be limited, so that common areas with less than 200 feet of road frontage are limited to one curb-cut, and all other common areas are limited to two curb-cuts.

The 25-foot minimum building setback line, required in Section V.D.9., is not shown for the subdivision, but would be required on the final plat, if approved. The setback line should also be depicted for the common areas.

This site is located in Mobile County, thus a note should be placed 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.7. of the Subdivision Regulations.

Finally, the applicant contacted owners of the six "child" parcels associated with one of the parcels that is part of the proposed development. The owners of four of the parcels have signed statements indicating that they do not wish to be a part of the subdivision application. The applicant states that the owners of the other two child parcels have no desire to be a part of the subdivision application, but also refuse to sign statements indicating this due to their opposition to the proposed development.

With a waiver of Section V.D.2., minimum lot size and width, due to innovative design, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Provision of connections to Roberts Lane and Redstone Drive South, with internal links to each street, by the recording of the second phase (second plat) of the development, if developed in phases;*
- 2) Labeling of all green space common areas as such;*
- 3) Renaming of the detention area to "detention common area";*
- 4) Placement of a note on the final plat stating that the maintenance of all common areas shall the responsibility of the property owners;*
- 5) Compliance with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, particularly as applied to the subdivision layout, design and road construction, to be verified by Mobile Fire-Rescue;*

- 6) *Dedication of the roads to Mobile County;*
- 7) *Depiction of the 25-foot minimum building setback line on all lots and common areas, on the final plat;*
- 8) *Approval of all applicable federal, state and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;*
- 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 a letter 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 signing of the final plat. 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 each lot is limited to one curb-cut, with the size, design and location to be approved by Mobile County Engineering Department;*
- 11) *Placement of a note on the final plat stating that common areas with less than 200 feet of road frontage are limited to one curb-cut, and that all other common areas are limited to two curb-cuts, with the size, design and location to be approved by Mobile County Engineering;*
- 12) *Revision of the plat to label each lot with its size in square feet, or placement of a table on the plat with the same information; and*
- 13) *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.7 of the Subdivision Regulations.*

Revised for the November 15th meeting:

The application was heldover from the October 18th meeting to allow the applicant to provide documentation from Mobile County regarding adequacy of access from existing streets, a phasing plan for the proposed development and consideration of a Traffic Impact Study for the entire development.

Revised information was provided to the Planning Section of Urban Development on the afternoon of Friday, November 9th.

The revised plat depicts a 4 phased development that includes additional, direct access to Old Wulff Road.

Per the information provided by the applicant, the Mobile County Engineering Department does not accept responsibility to determine adequacy for vehicular capacity access for this or any other development within its jurisdiction: instead Mobile County's position is only to ensure that proposed roads and drainage meet County standards. The applicant has, in lieu of a determination from the County, provided a statement from Volkert Engineering stating that the site will have adequate access with the connections as proposed.

A letter has also been provided on behalf of South Alabama Utilities stating that they will ensure water, sewer and natural gas capacity for the site.

The addition of direct access to Old Wulff Road encumbers three additional parcels / lots not previously included in the original application. The full extent of these additional parcels / lots needs to be included in the application, and additional postage and labels for notification, and lots fees for the additional lots that must be created should be included for the expansion of the application.

Based upon the revised information provided to staff on November 9th, this application is recommended for Denial for the following reasons:

- 1) The additional access provided to Old Wulff Road necessitates additional postage, labels and lot fees, as well as notification of the public, none of which has been provided by the applicant; and*
- 2) The statement regarding adequate access does not represent a Traffic Impact Study, and thus does not adequately address concerns raised by the Planning Commission.*

Revised for the December 20, 2007 meeting:

The application was Heldover from the November 15th meeting, at the applicant's request.

Revised drawings and a narrative were provided, requesting immediate approval only for a 133-lot Phase One, with additional submissions for approval from the Planning Commission required for future phases. The Phase One request additionally states that a Traffic Impact Study for the overall development will be provided as part of the application for the next phase submitted for Planning Commission approval.

The revised plat depicts the 133-lot Phase One, which will connect Roberts Lane and Redstone Drive as part of the Phase One development. The direct connection to Old Wulff Road to the North has been eliminated from the plat.

Previous discussions indicated that the Planning Commission wanted to know how many of the proposed 523 lots (for the overall development) would fall below the 7,200 square foot minimum required by the Subdivision Regulations. The Planning Commission also requested the same information for a large, recently approved 948 Lot / 439.8± acre subdivision near this site, known as Magnolia Springs.

Hopkinton Estates – 139 lots below 7,200 square feet (26.6% of 523-lot total)

Magnolia Springs – 90 lots below 7,200 square feet (9.5% of 948-lot total)

The above lot sizes are estimates, and the number measured by staff as being below 7,200 square feet is less than the number claimed by the applicant (220 lots). As the individual lots are not labeled with their size in square feet, and as no table with the same information is provided, staff can only roughly estimate the size of lots. It should also be pointed out that the staff report for the Magnolia Springs subdivision stated that 160 lots, or approximately 17% of the development would be lots less than 7,200 square feet.

Citizens have expressed concerns regarding traffic generation, environmental protection, flooding, and increasing the burden on already overcrowded local public schools.

The Institute for Transportation Engineers (ITE) has a trip generation guide that can be used to estimate the number of trips generated for a variety of different uses. Using the ITE guide regarding trips per day for a single-family residence, the proposed 523 lot development may generate an average of at least 3,000 trips per day – to the grocery store, to school, to work, etc. The site's distance from retail, school and job sites, and lack of other available transportation options, means that residents of the development will be entirely dependent upon the automobile for all off-site trips. A traffic impact study meeting ITE standards will help determine if improvements to existing roadways will be required to accommodate the anticipated traffic generated by the development at full build-out.

Regarding environmental issues, staff has confirmed that the National Wetlands Inventory depicts wetlands on the site of Hopkinton Estates. Any development on the site will have to comply with local, state and Federal regulations regarding wetlands. It should be pointed out that wetland and water quality can be impacted by development, both during and after construction. Impacts can occur through elimination of wetlands directly, or through siltation, nutrient loading, water volume increases, or the alteration of stream-side habitats.

The site is approximately 3 miles upstream from the J. B. Converse reservoir, the drinking water supply for the Mobile Area Water Sewer System. The Mobile County Commission, in 2004-05 adopted the following requirements for development within drinking water supply watersheds:

In any watershed which contains a public drinking water source ... no field lines or septic tanks may be constructed or maintained within a "flood prone area" ... or within a "Buffer Zone" as defined herein. Within any such watershed, storm water detention facilities are required in any Subdivision ... Detention criteria shall include a maximum release rate equivalent to the 10 year storm pre-development rate. The minimum detention capacity shall accommodate the volume of a 50 year post development storm.

The County Subdivision Regulations define a "Buffer Zone" as follows:

The area: Within 100 feet of a public drinking water source; within 50 feet of perennial streams and their associated wetlands; and within 25 feet of natural drainage features and their associated wetlands.

South Alabama Utilities will be providing water and sewer service to the development, thus no compliance will be required regarding protection of the "Buffer Zone" area from field lines or septic tanks.

Regarding storm water detention, City Engineering states that the County's detention and release rate requirements for subdivisions within the Converse watershed are more stringent, thus the County regulations shall apply where they are more stringent than City Engineering storm water and flood control regulations.

To ensure the highest, reasonable protection of the Converse watershed, the developer should ensure that “best management practices” are employed during site development activities. The developer should coordinate with the Mobile Area Water and Sewer Service to ensure that proper erosion and siltation control methods are used on the site.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species, such as the gopher tortoise, 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 public schools, coordination of Planning Commission activities with existing and anticipated school capacity has not historically occurred. Some communities in the Southeast have “adequate public facilities” ordinances that require developers to coordinate growth with classroom availability, as well as police, fire, water, sewer, etc. availability. Staff is not aware of the existence of any adequate public facilities ordinances within the State of Alabama, and state enabling legislation may not exist in Alabama to allow such ordinances. Ordinances that require adequate public facilities, or that require impact fees, are not without their implementation or legal problems, however.

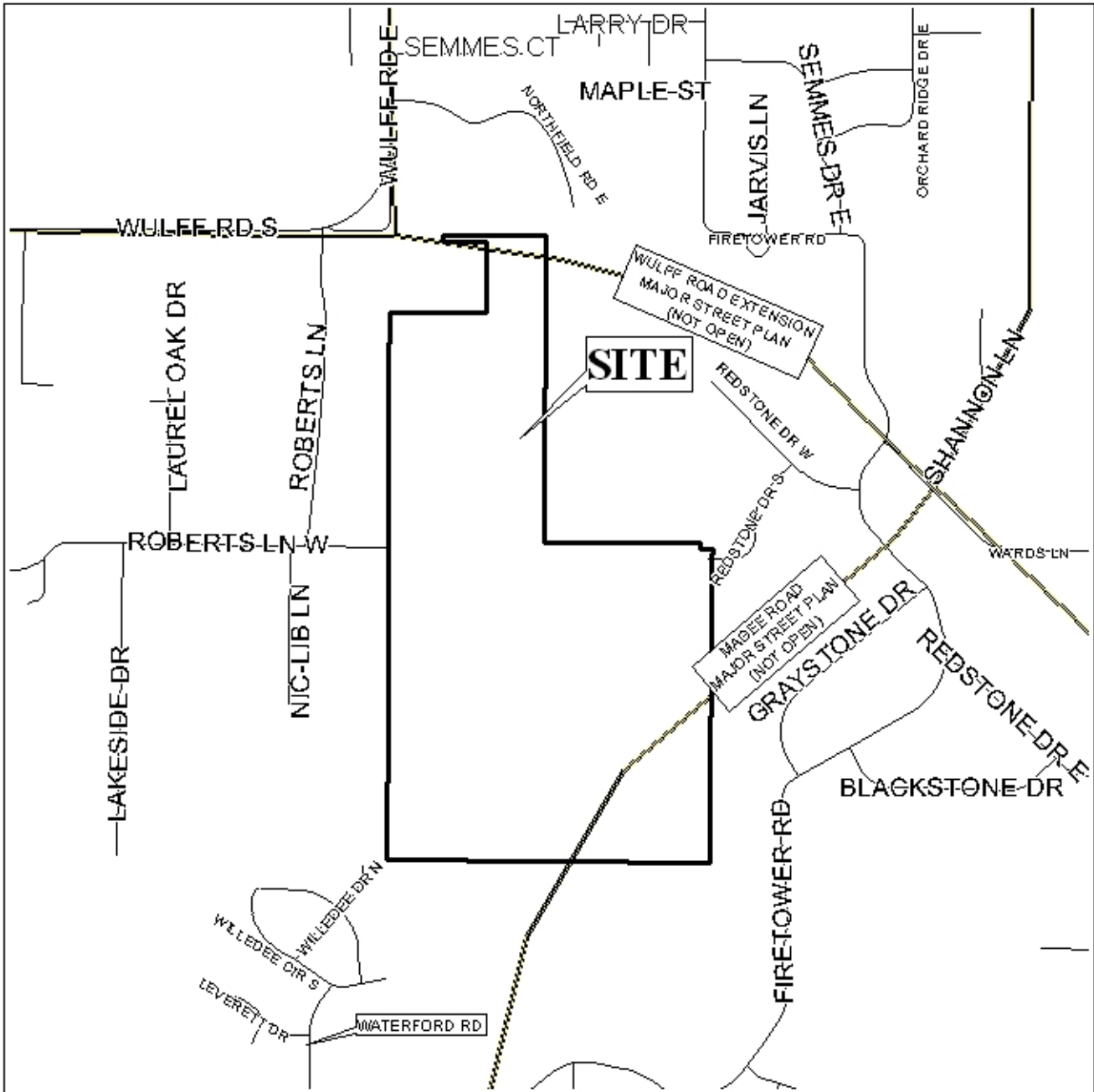
Finally, while this development may meet local standards for innovative development, many other communities within the Southeast and across the nation have higher, more restrictive requirements, especially as it relates to design and environmental protection. It should be pointed out, however, that the local residential market and the corresponding regulatory framework may not be ripe for more demanding standards for innovation.

With a waiver of Section V.D.2., minimum lot size and width, due to innovative design, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Limited to 133-lots for Phase One as proposed, with new individual Subdivision applications required for any future phase;*
- 2) Provision of an ITE compliant traffic impact study by a third party engineering firm for the entire proposed 523-lot subdivision with the next Subdivision application for any future phase;*
- 3) Provision of a minimum detention capacity volume of a 50 year post development storm, with a maximum release rate equivalent to the 10 year storm pre-development rate, and the placement of a note on the final plat stating that the development has been designed to comply with all other 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, as well as the detention and release rate requirements of Mobile County for projects located within the Converse watershed, prior to the signing of the final plat. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;*
- 4) Provision of temporary turn-arounds for all street-stubs longer than 150-feet, linking to future phases;*

- 5) *Labeling of all green space common areas as such;*
- 6) *Renaming of the detention area to “detention common area”;*
- 7) *Placement of a note on the final plat stating that the maintenance of all common areas shall the responsibility of the property owners;*
- 8) *Compliance with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, particularly as applied to the subdivision layout, design and road construction, to be verified by Mobile Fire-Rescue;*
- 9) *Dedication of the roads to Mobile County;*
- 10) *Depiction of the 25-foot minimum building setback line on all lots and common areas, on the final plat;*
- 11) *Use of “best management practices” during site development in order to minimize negative down stream impacts, coordinating with MAWSS if necessary to ensure adequate protection of the drinking water supply;*
- 12) *Approval of all applicable federal, state and local agencies for wetlands prior to the issuance of any permits or land disturbance activities, and placement of a note on the final plat certifying that the site has been developed in compliance with all local, state and Federal regulations pertaining to wetlands;*
- 13) *Approval of all applicable federal, state and local agencies regarding endangered, threatened or otherwise protected species prior to the issuance of any permits or land disturbance activities, and placement of a note on the plat certifying that the site has been developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;*
- 14) *Placement of a note on the final plat stating that each lot is limited to one curb-cut, with the size, design and location to be approved by Mobile County Engineering Department;*
- 15) *Placement of a note on the final plat stating that common areas with less than 200 feet of road frontage are limited to one curb-cut, and that all other common areas are limited to two curb-cuts, with the size, design and location to be approved by Mobile County Engineering;*
- 16) *Revision of the plat to label each lot with its size in square feet, or placement of a table on the plat with the same information; and*
- 17) *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.7 of the Subdivision Regulations.*

LOCATOR MAP



APPLICATION NUMBER 1 DATE December 20, 2007

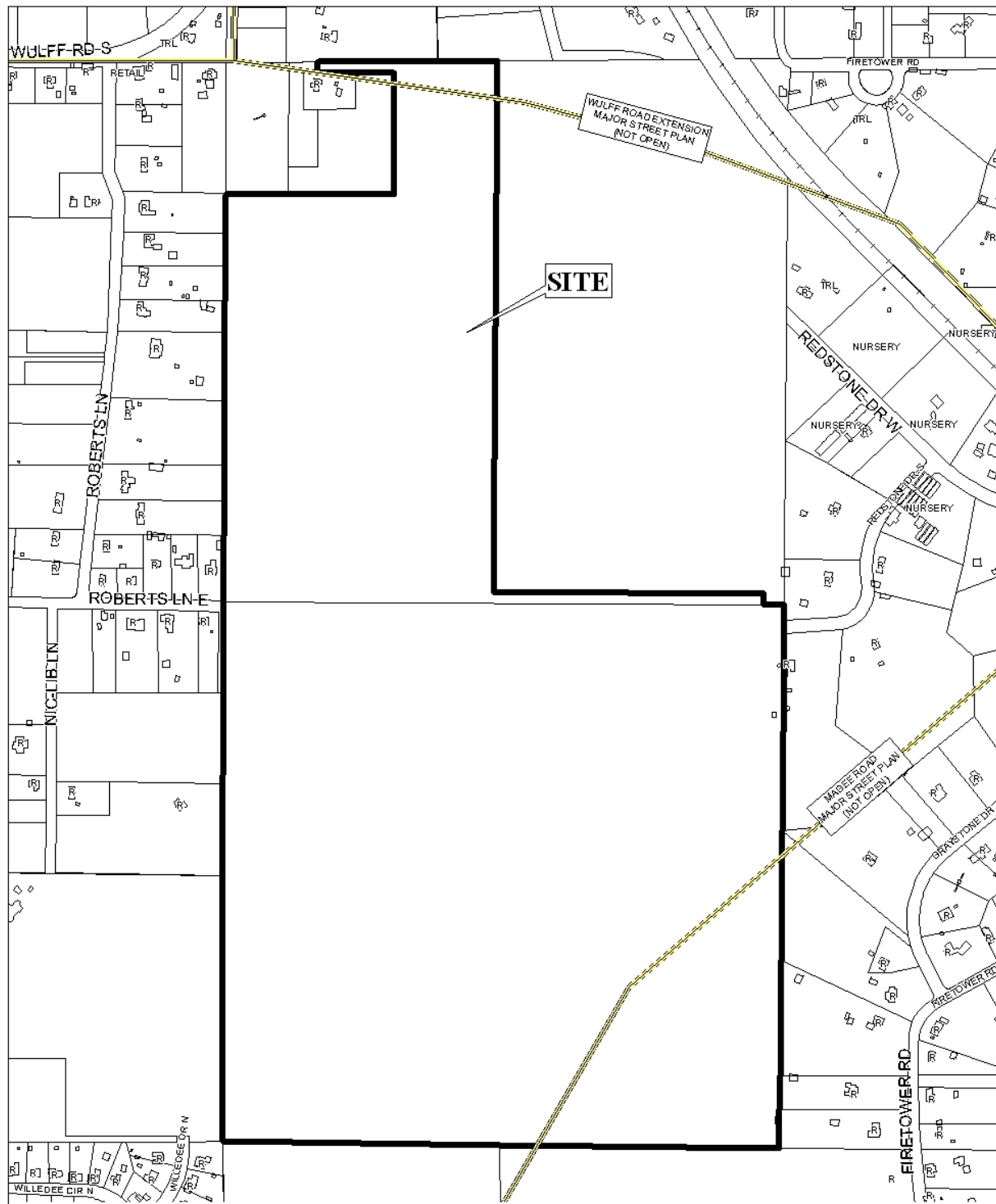
APPLICANT Hopkinton Estates Subdivision

REQUEST Subdivision

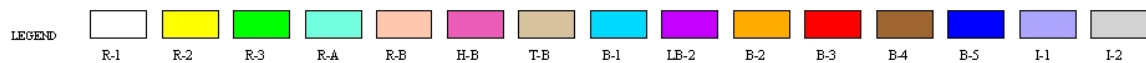


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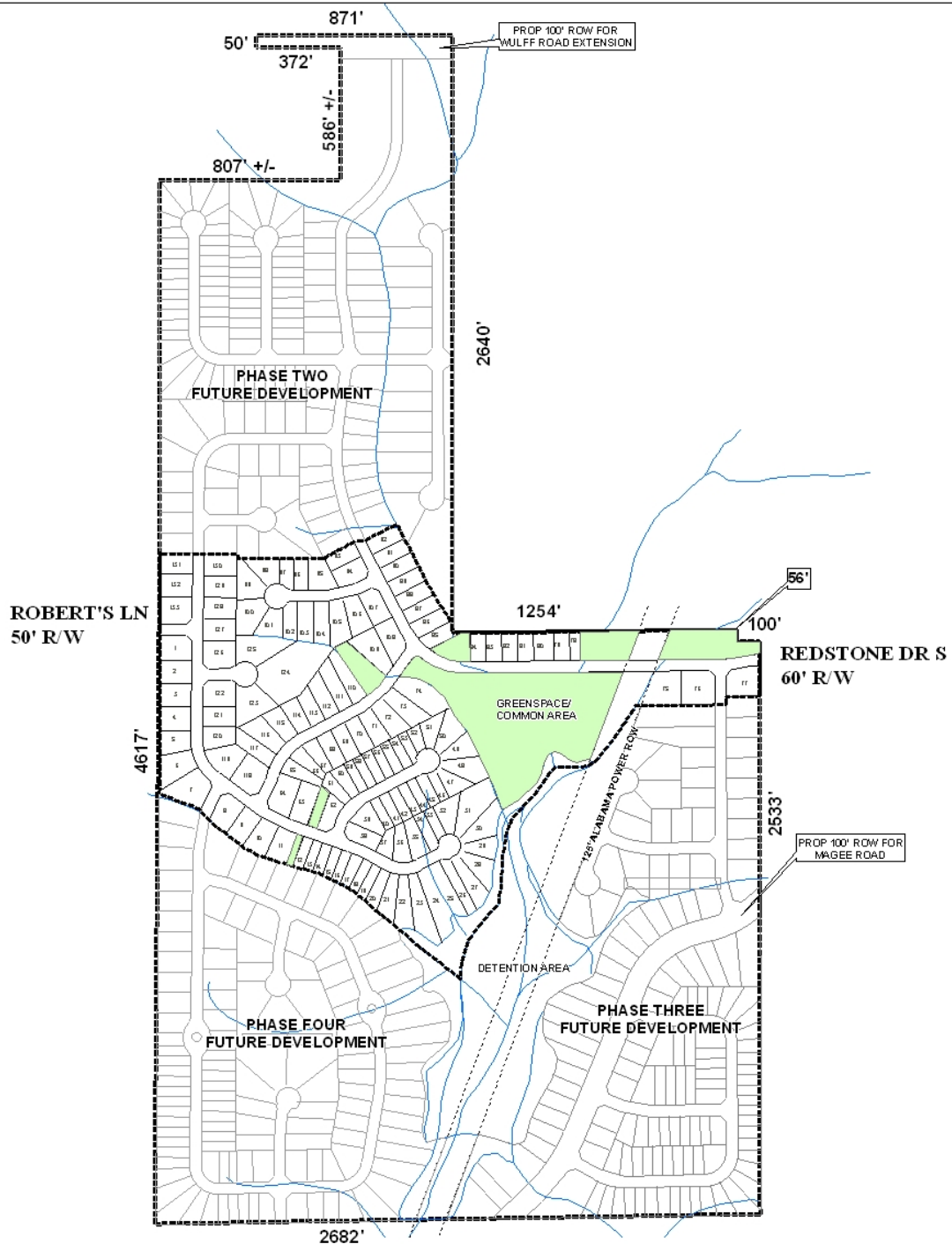
HOPKINTON ESTATES SUBDIVISION



APPLICATION NUMBER 1 DATE December 20, 2007



DETAIL SITE PLAN



APPLICATION NUMBER 1 DATE December 20, 2007

APPLICANT Hopkinton Estates Subdivision

REQUEST Subdivision

