



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 27, 2018

RJG Real Estate & Development
Attn: Ruffin Graham
6576 Airport Boulevard, Suite 300
Mobile, AL 36608

Re: North and East sides of Somerby Drive, 365'± East of Cody Road South
Council District 6
SUB-000719-2018 (Subdivision)
The Arbors at Somerby Park Subdivision
74 Lots /22.4± Acres

Dear Applicant(s):

At its meeting November 15, 2018, the Planning Commission considered the above referenced subdivision application.

After discussion, the Planning Commission Tentatively Approved the request, subject to the following conditions:

- 1) **Submission to and approval by the City of Mobile, of a fully executed release, indemnifying and holding harmless the City from any liability arising from the placement or operation of the gate on City right-of-way, prior to the recording of the final plat;**
- 2) **Location, design and operation of the gate to be approved by the City, including, but not limited to, that the gate will be visible at night, default to the open position during power outages and provide adequate queuing spaces;**
- 3) **Placement of a note on the final plat stating that the property owners, through a property owner's association, will be responsible for all maintenance, replacement, and associated costs etc., of the gate; and**
- 4) **Approval of a City of Mobile Right of Way Use Agreement.**
- 5) **revision of plat to depict the lot sizes in both square feet and acres;**
- 6) **revision of the plat to depict and label the reduced 20' minimum front yard setback and the 7.5' side yard setbacks;**

- 7) placement of a note on the Final Plat stating that no structures shall be placed or constructed within any easements;
- 8) retention of the right-of-way widths for all streets;
- 9) placement of a note on the Final Plat stating each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering;
- 10) compliance with Engineering comments: ***“FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or 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. Provide and label the monument set or found at each subdivision corner. C. Designate each Common Area with an individual designator (i.e. #1, A) D. Label the proposed ROW as either PRIVATE or PUBLIC. E. Provide an updated Plat for review that includes the proposed curve data and proposed roadway geometrics (i.e. centerline radius, common areas). F. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. G. Show and label any proposed public drainage easements. H. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. I. 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. J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. M. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.”***;
- 11) compliance with Traffic Engineering comments: ***“Each lot is limited to one curb cut to the proposed right-of-way. The common areas are denied any direct access from Somerby Road. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking***

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- restrictions may have to be implemented by the City (if public ROW) if access for public services is hindered (ex. garbage, fire access).”;*
- 12) compliance with 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 2015-116 and City Code Chapters 57 and 64).). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”;*
- 13) revision of the plat to reflect compliance with Fire comments:** *“All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). The fire access roads as depicted on the plan and measured by the scale provided do not meet the requirements of the 2012 IFC sec. 503 and Appendix D. They do not meet the 20 ft. unimpeded width provision. This applies to the entrance and all roadways.”;*
- 14) full compliance with all other municipal codes and ordinances; and**
- 15) provision of a revised PUD site plan prior to signing the Final Plat.**

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, seven copies of the recorded plat (including map book and page number) must be submitted to the Planning and Zoning Department office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

Please also submit a CAD compatible (DXF) digital copy of the final plat to the Planning and Zoning Department office once the plat has been submitted to Probate for recording. This may be submitted on disk, flash drive, memory stick, or via e-mail to planning@cityofmobile.org.

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By: 

Margaret Pappas
Deputy Director of Planning and Zoning

Cc: McCrory & Williams, Inc
CBC Holding Company, LLC



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MOBILE CITY PLANNING COMMISSION

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RJG Real Estate & Dev.
6576 Airport Blvd, Suite C300
Mobile, AL 36608

Re: North and East sides of Somerby Drive, 365'± East of Cody Road South
Council District 6
PUD-000720-2018 (Planned Unit Development)
The Arbors at Somerby Park Subdivision

Dear Applicant(s)/ Property Owner(s):

At its meeting on November 15, 2018, the Planning Commission considered Planned Unit Development Approval to allow reduced front, rear and side yard setbacks, to include A/C units taller than 3' within 18" of a side property line, and increased site coverage in a proposed subdivision.

After discussion, the Planning Commission determined the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is reconfiguring a previous lot to allow a unique development;
- b. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the site is adjacent to an improved public street and is served by utilities;
- c. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities) adjacent to an improved public street and is served by utilities.

The approval is subject to the following conditions:

- 1) Submission to and approval by the City of Mobile of a fully executed release, indemnifying and holding harmless the City from any liability arising from the placement or operation of the gate on City right-of-way, prior to the recording of the final plat;

- 2) Location, design and operation of the gate to be approved by the City, including, but not limited to, that the gate will be visible at night, default to the open position during power outages and provide adequate queuing spaces;
- 3) All maintenance, replacement, and associated costs etc., of the gate is the responsibility of the property owners;
- 4) Illustration of the gate on the Final PUD site plan;
- 5) Approval of a City of Mobile Right of Way Use Agreement;
- 6) no walls or fences greater than 3' in height are to be built along Somerby Drive, if not depicted on the PUD site plan;
- 7) revision of site plan to depict the lot sizes in both square feet and acres;
- 8) revision of the site plan to depict and label the reduced 20' minimum front yard setback and the 7.5' side yard setbacks;
- 9) placement of a note on the site plan stating that no structures shall be placed or constructed within any easements;
- 10) retention of the right-of-way widths for all streets;
- 11) placement of a note on the site plan stating each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering;
- 12) revision of the site plan to clearly depict and label the sidewalks, with sidewalks along Somerby Drive and all common areas to be constructed during street construction;
- 13) compliance with Engineering comments: ***“ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). 5. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 6. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.”***

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- 14) compliance with Traffic Engineering comments: *“Each lot is limited to one curb cut to the proposed right-of-way. The common areas are denied any direct access from Somerby Road. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City (if public ROW) if access for public services is hindered (ex. garbage, fire access).”*;
- 15) compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”*;
- 16) revision of the site plan to reflect compliance with Fire comments: *“All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). The fire access roads as depicted on the plan and measured by the scale provided do not meet the requirements of the 2012 IFC sec. 503 and Appendix D. They do not meet the 20 ft. unimpeded width provision. This applies to the entrance and all roadways.”*;
- 17) full compliance with all other municipal codes and ordinances; and
- 18) provision of a revised PUD site plan prior to signing the Final Plat.

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