

MILLER CREEK ESTATES SUBDIVISION,
RESUBDIVISION OF LOT 1

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

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.

MAWSS Comments: No comments.

The plat illustrates the proposed 2 Lots / 38.4± acre subdivision which is located at the North terminus of Foxgate Road, adjacent to the North side of Alderbrook Subdivision, extending to the South terminus of Sasser Lane. The applicant states that the subdivision is served by public water and individual septic systems.

The purpose of this application is to subdivide an existing legal lot and a tax parcel created by a 2009 court-ordered estate settlement into two lots. The single legal lot was approved by the Planning Commission at its June 3, 2004 meeting, although the original application proposed two lots.

Proposed Lot 1-A will be approximately 27.16 acres, while proposed Lot 1-B will be approximately 11.27 acres. Each lot will meet the minimum size requirements of the Subdivision Regulations. Lot 1-A will have frontage onto existing street stubs for Foxgate Road to the South and Sasser Lane to the North. The rights-of-way for each street are 60-feet, however, Sasser Lane is unpaved for its entire length. Lot 1-B is proposed to have 50-feet of frontage onto the terminus of Sasser Lane, and will have a "pole" of approximately 982 feet that leads to the bulk of the proposed lot. It should be pointed out that the "pole" section of the proposed lot also appears to act as an access easement for six other parcels related to the 2009 court-ordered estate settlement.

As each lot fronts onto minor streets, access management is a concern. Each lot should be limited to one curb-cut to each respective street frontage.

The proposed development will increase the number of lots fronting onto Sasser Lane, which is currently a street stub. It is recommended that dedication adequate to provide right-of-way for a closed-end street be provided, thus the plat should be revised to show dedication adequate to provide a 120-foot diameter right-of-way. An inquiry with Mobile County Engineering

regarding the maintenance status of Sasser Lane indicates that it is publicly maintained, however, that portion of the lane from the site North approximately 1200 feet appears to be the equivalent of a single-track dirt driveway, thus staff is unsure if this portion is maintained by Mobile County. Therefore, if the application is approved a note should be placed on the final plat stating that no additional development of proposed Lot 1-B should be allowed until additional frontage on a paved public street is provided, and no further subdivision of Lot 1-A should be allowed that would increase the number of lots fronting onto Sasser Lane until such time it is paved in its entirety, and a paved cul-de-sac is provided.

The site is bisected by floodplains and wetlands associated with Miller Creek. The site, therefore may be environmentally sensitive, and any new development on the site must be undertaken with the approval of all applicable federal, state and local agencies prior to the issuance of any permits or land disturbance activities.

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.

The 25-foot minimum building setback is not shown on the plat. The required setback should be depicted around any portion of Lot 1-A abutting a street-stub, and around that portion of Lot 1-B where the "pole" meets the "flag" portion of the lot. The setback line should also be labeled.

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.

While the site is located in the County, any new development will have to comply with the City of Mobile storm water and flood control ordinances.

The lot size information on the preliminary plat should be retained for the final plat, adjusted for any right-of-way dedication.

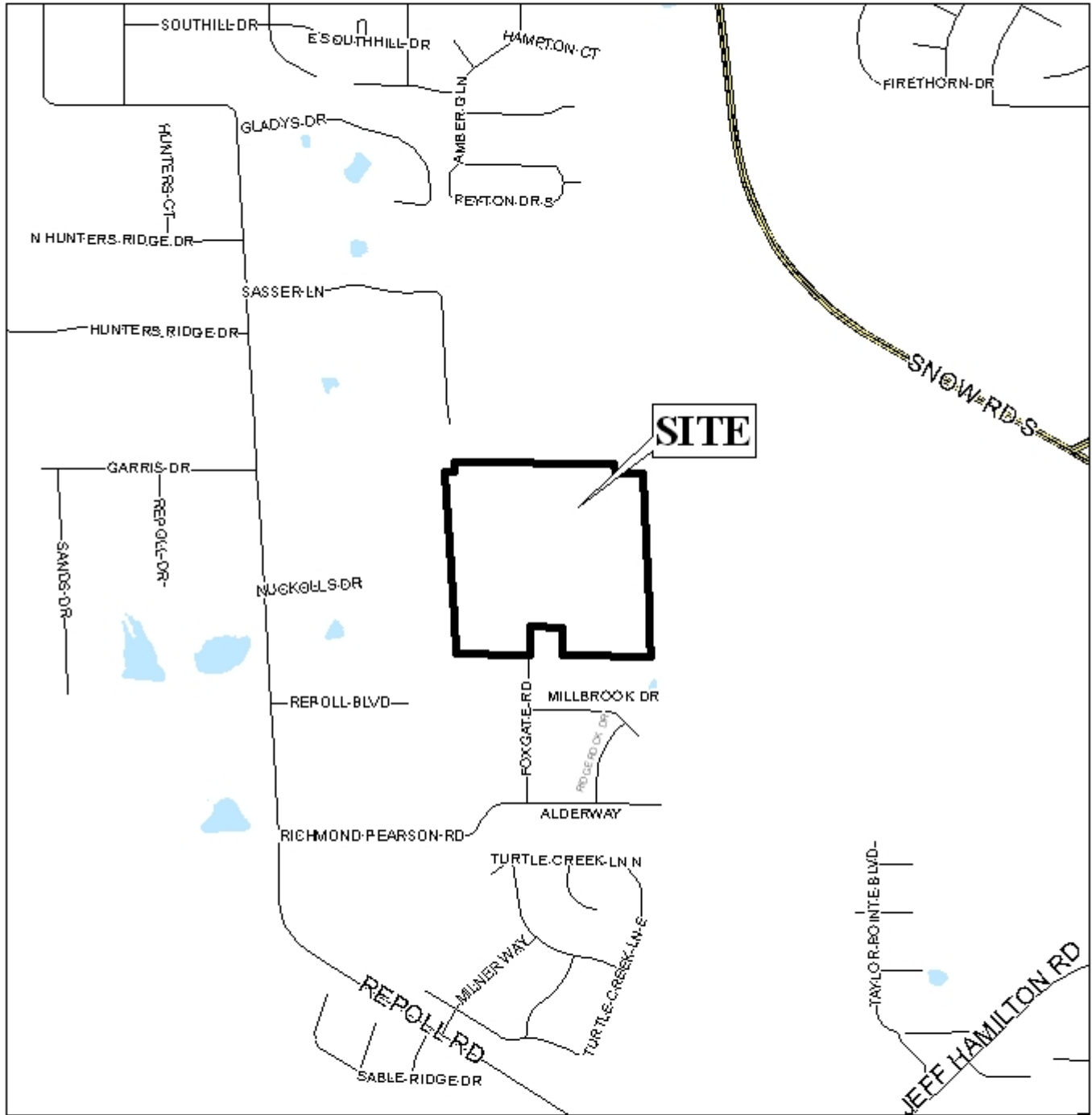
Finally, the applicant provided no justification for the proposed flag lot. As previously mentioned, however, the site is bisected by floodplains and wetlands associated with Miller Creek, thus there are substantive natural barriers that impact the site. The size of the site would allow, however, redesign of the proposed lot lines to eliminate the proposed flag lot configuration.

Based on the preceding, the application is recommended for Holdover until the August 20th meeting of the Planning Commission so that the following items can be addressed, with revisions due by August 3rd:

- 1) Provision of documentation that Sasser Lane is maintained by Mobile County for its entire length;
- 2) Revision of the plat to show provision of a 120-diameter cul-de-sac at the terminus of Sasser Lane, and revision of lot sizes to accommodate the cul-de-sac;

- 3) Placement of a note on the final plat stating that each lot is limited to one curb-cut onto each street frontage, with the size, design and location to be approved by Mobile County Engineering;
- 4) Depiction of the 25-foot minimum building setback line as discussed in the report;
- 5) Placement of a note on the plat stating that: "Development must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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."
- 6) Placement of a note on the 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;
- 7) Placement of a note on the plat stating that development on the site must be undertaken with the approval of all applicable federal, state and local agencies prior to the issuance of any permits or land disturbance activities;
- 8) Placement of a note on the plat stating that no additional development of proposed Lot 1-B is allowed until additional frontage on a paved public street is provided, and no further subdivision of Lot 1-A is allowed that would increase the number of lots fronting onto Sasser Lane until such time it is paved in its entirety, and a paved cul-de-sac is provided;
- 9) Placement of a note on the 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
- 10) Provision of justification for the flag-shaped lot.

LOCATOR MAP



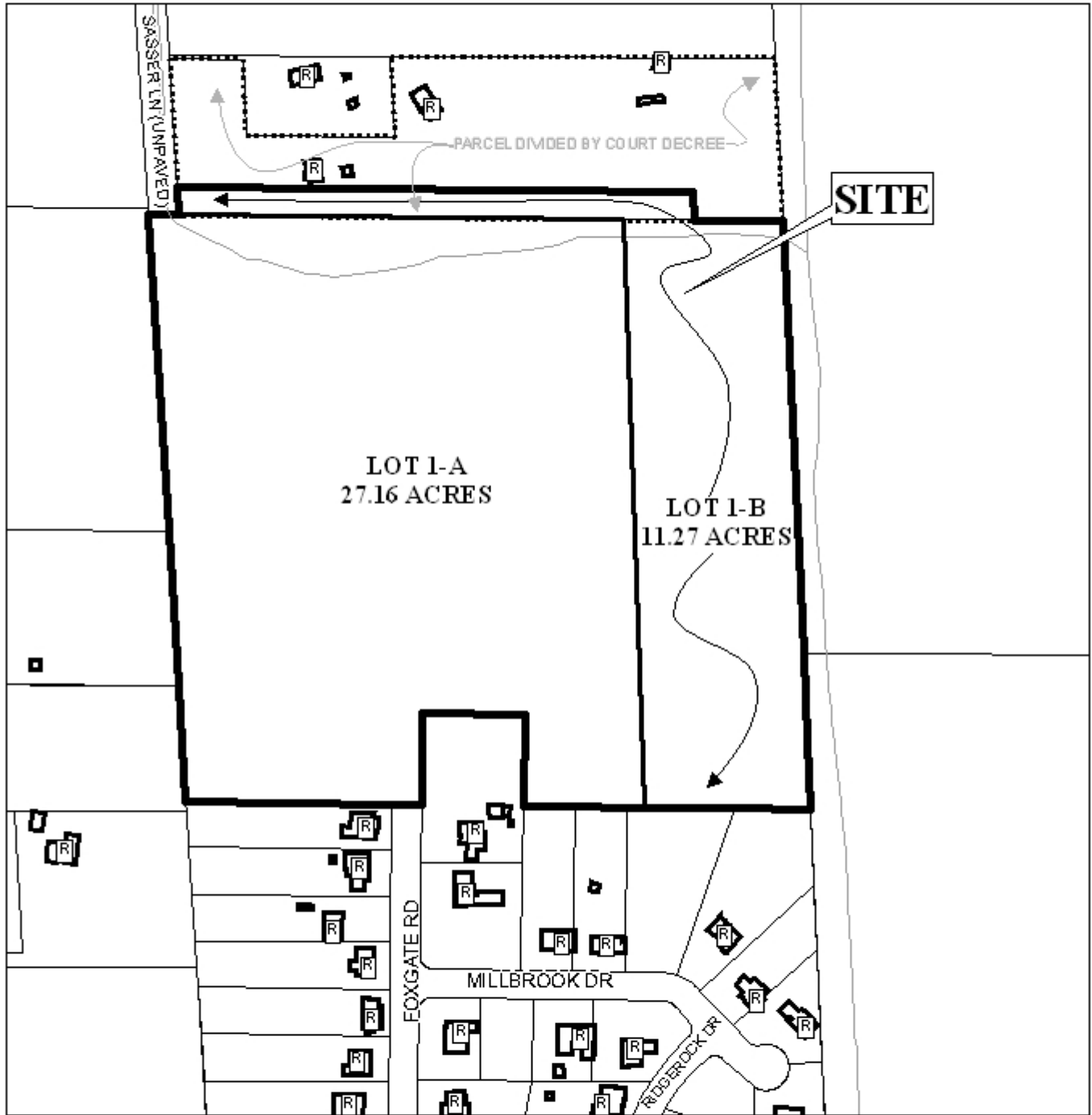
APPLICATION NUMBER 15 DATE July 16, 2009

APPLICANT Miller Creek Estates Subdivision, Resubdivision of Lot 1

REQUEST Subdivision



MILLER CREEK SUBDIVISION, RESUBDIVISION OF LOT 1



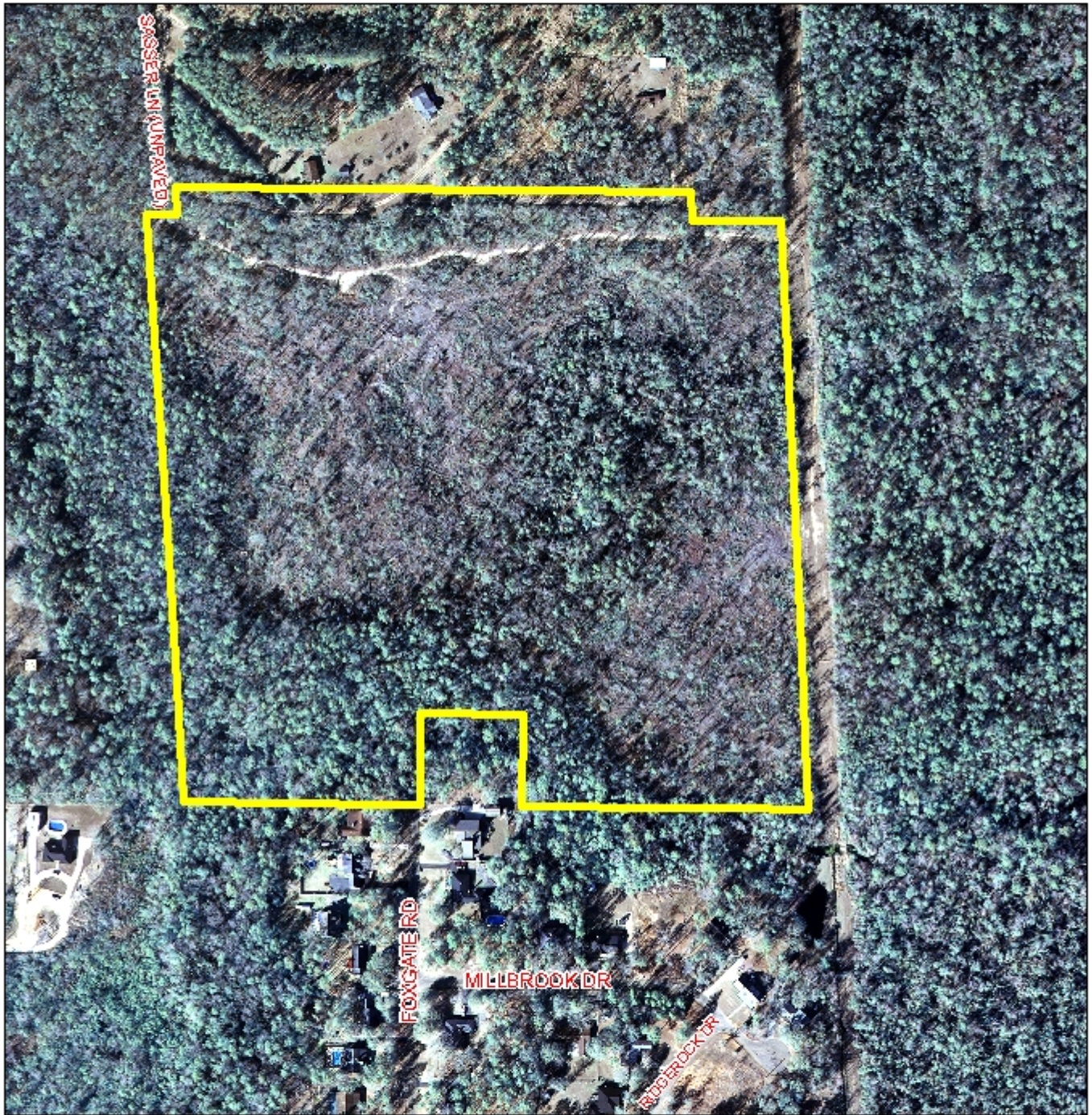
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LEGEND

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

N
NTS

MILLER CREEK SUBDIVISION, RESUBDIVISION OF LOT 1



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