

HERON LANDING SUBDIVISION

Engineering Comments: Per FEMA guidelines, any development greater than 5 acres in size or subdivision 50 lots in size, requires a flood study. Width of drainage easement to be approved by City Engineering before final plat is signed. Per residents' input, the existing drainage channel needs to be cleaned, as water currently ponds during rain events. Per storm water ordinance, land-disturbing activity cannot increase runoff on adjacent property.

It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.

Traffic Engineering Comments: Driveway number, sizes, location and design to be approved by Traffic Engineering and ALDOT, 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-Rescue 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. Subdivisions which include new cul-de-sacs longer than 150 feet must comply with the design requirements of Appendix D of the 2003 International Fire Code, as adopted by the City of Mobile.

The plat illustrates the proposed 20.7 ± acre, 20 lot subdivision which is located at the South side of Dauphin Island Parkway, 70'+ East of Willowdale Street, extending to the West side of Doyle Street, 600'+ South of Dauphin Island Parkway, and is in Council District 4. The applicant states that the subdivision is served by public water and sanitary sewer.

The applicant intends to resubdivide five lots into a twenty-lot subdivision, which will include six lots fronting onto Dog River, and a large common area that will encompass an existing canal and wetlands area on the site.

A subdivision application proposing the exact same configuration was approved by the Planning Commission at its July 20, 2006 meeting, however, the approval has since expired. The approval, which required a waiver of Section V.D.3., was subject to the following conditions:

- 1) *depiction and labeling of all drainage and sanitary sewer easements on the final plat;*
- 2) *depiction and labeling of FEMA flood zones and required finished floor elevation information on the final plat;*
- 3) *revision of the plat to include the phrase "future development" across all lots not proposed for inclusion in first phase of the subdivision;*

- 4) *placement of a note on the final plat stating that proposed lots 18-20 shall not be recorded until the zoning issues for lots 18 and 19 are resolved;*
- 5) *placement of a note on the plat stating that lot 5 is denied access to Doyle Street, and that lot 1 is denied direct access to Dauphin Island Parkway;*
- 6) *placement of a note on the plat stating that lot 20 is denied direct access to the proposed street, if it remains commercially zoned, and that the number, size and location of any curb-cuts onto Dauphin Island Parkway must be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards, however, if lot 20 is rezoned to a residential designation, it shall be denied access to Dauphin Island Parkway;*
- 7) *revision of the plat to depict a 55-foot setback line, as measured from the centerline of Doyle Street, for lot 5;*
- 8) *revision of the plat to depict the 25-foot minimum building setback line from the right-of-way for all lots;*
- 9) *placement of a note on the final plat stating that the design and location of the proposed road intersection with Dauphin Island Parkway be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;*
- 10) *placement of a note on the final plat stating that approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities; and*
- 11) *full compliance with all other municipal codes and ordinances.*

The plat currently under consideration does not reflect many of these conditions of approval.

During the previous application, the applicant's representative stated that the site will be developed in phases, with the first phase including the construction of the proposed road and the recording of lots 8 – 11, which face Dog River. It appears that the applicant has moved forward with obtaining permission from the U. S. Army Corps of Engineers and the Alabama Department of Environmental Management regarding the mitigation of wetlands for a portion of the development, however, staff does not know if final approvals have been secured.

The site fronts on Dauphin Island Parkway, a major street with adequate right-of-way, and has a portion of the site abutting Doyle Street, a minor street lacking curb and gutter. The existing right-of-way for Doyle Street where the site abuts it is 50-feet, which is not adequate due to the street lacking curb and gutter. Since Doyle Street dead-ends at Dog River, and due to the limited number of homes served by the street, it is recommended that the minimum building setback from Doyle Street for the site in question be increased to provide 55 feet, as measured from the centerline of Doyle Street. Access to Doyle Street from Lot 5 should be denied, as indicated on the plat.

The proposed Lot 1 has frontage on both the proposed residential street and Dauphin Island Parkway. The frontage on Dauphin Island Parkway is only 25-feet, and no justification is provided for the 25 by 320 foot long strip to be part of the proposed Lot 1, however, the adjacent property is under separate ownership, thus it cannot be required to be a part of the current application.

Primary access to the site will be via a proposed public street that intersects Dauphin Island Parkway. Since Dauphin Island Parkway is major street and an ALDOT facility, there are access

concerns. It should be noted that the roadway intersection with Dauphin Island Parkway must be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards.

Due to the limited frontage of all proposed lots, each lot should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and in conformance with AASHTO standards. Proposed Lot 1 should be denied direct access to Dauphin Island Parkway, as depicted by the note on the preliminary plat. Proposed Lot 20 should be denied direct access onto Dauphin Island Parkway if it is to be used residentially (and appropriately rezoned), otherwise its one curb-cut may be to Dauphin Island Parkway, subject to approval by Traffic Engineering and ALDOT.

It appears that the cul-de-sac design, as proposed, does not comply with the 2003 International Fire Code, as adopted by the City of Mobile. The road layout should be redesigned to ensure compliance: the cul-de-sac diameter should be revised to provide a 120-foot diameter right-of-way.

The 25-foot minimum building setback line from the right-of-way edge is not depicted for all proposed lots (with the exception of Lot 5), and will be required (from the right-of-way setback) on the final plat.

The site was the subject of two subdivision cases and a rezoning case in 2002, all of which were approved. The final plats for the subdivisions were recorded, and the rezoning was approved by City Council with conditions. The rezoning case changed the front portion of the site from R-1, One-Family Residence District, to B-2, Neighborhood Business District, however, none of the conditions for approval of the rezoning have been met, and that portion of the site has not been developed. The proposed subdivision will create a split-zoning condition for Lot 18, and the applicant's representative requested during the July 2006 application that the split-zoning issue identified for lot 18 be resolved at a future date, before that phase of the proposed subdivision is recorded. The current plat does not depict any phasing. Therefore, the plat should be revised to depict the proposed first phase, and the remaining lots should additionally be labeled as "future development." Furthermore, a note should be placed on the final plat, if approved, stating that proposed lots 18-20 shall not be recorded until the split-zoning condition of lot 18 is resolved.

Proposed Lots 6 – 11 do not comply with the recommended depth to width ratio in Section V.D.3. of the Subdivision Regulations. Due to the proximity to Dog River and the potential presence of wetlands, a waiver of Section V.D.3. may be appropriate.

It should also be noted that the final plats for the subdivisions approved in 2002 depicted drainage easements and sanitary sewer easements that may not be depicted on the current application's preliminary plat. The plat should be revised to show all easements that occur on the site, as they may affect the applicant's ability to develop the site. It should also be pointed out that research provided by an abutting property owner clearly shows that there is a public drainage easement crossing the site from Dauphin Island Parkway to Dog River: the drainage easement has not been maintained, thus flooding and ponding on the site is affecting neighboring properties.

The Southern portion of the site is bounded by Dog River, and the site is partially bisected by a canal that connects to an existing drainage easement. Wetlands associated with Dog River may

occur on a portion of the site. The site, additionally, appears to be partially located in the “100” and “500” year flood zones, as depicted on FEMA maps. The site also appears to be in an area subject to hurricane-related storm surge. The presence of wetlands and floodplains 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. The applicant has initiated a wetlands mitigation approval process, but staff is not aware if final approval has been obtained. It should also be pointed out that staff has become aware of FEMA requirements for flood studies, and this proposed subdivision will apparently require compliance with the FEMA requirements.

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.

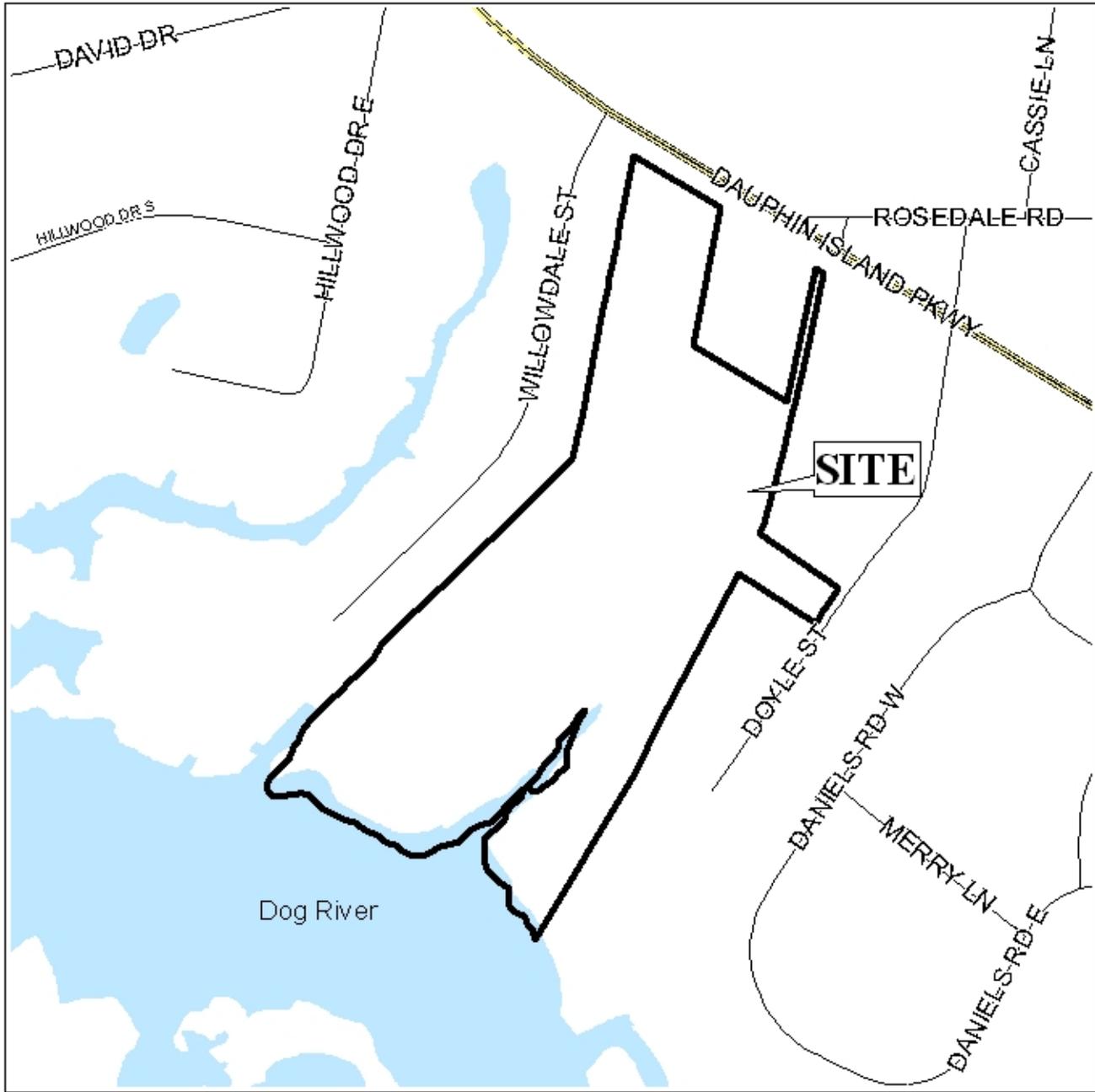
Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Compliance with Engineering requirements (*Per FEMA guidelines, any development greater than 5 acres in size or subdivision 50 lots in size, requires a flood study. Width of drainage easement to be approved by City Engineering before final plat is signed. Per residents' input, the existing drainage channel needs to be cleaned, as water currently ponds during rain events. Per storm water ordinance, land-disturbing activity cannot increase runoff on adjacent property. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.*);
- 2) Compliance with Fire-Rescue 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. Subdivisions which include new cul-de-sacs longer than 150 feet must comply with the design requirements of Appendix D of the 2003 International Fire Code, as adopted by the City of Mobile.*)
- 3) Depiction and labeling of FEMA flood zones and required finished floor elevation information on the final plat;
- 4) Revision of the plat to include the phrase “future development” across all lots not proposed for inclusion in first phase of the subdivision;
- 5) Placement of a note on the final plat stating that proposed lots 18-20 shall not be recorded until the zoning issues for lots 18 and 19 are resolved;
- 6) Placement of a note on the plat stating that lot 5 is denied access to Doyle Street, and that lot 1 is denied direct access to Dauphin Island Parkway;
- 7) Placement of a note on the plat stating that all Lots 1-19 are limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and in conformance with AASHTO standards, and that Lot 20 is limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO

standards, however, if lot 20 is rezoned to a residential designation, it shall be denied direct access to Dauphin Island Parkway;

- 8) Placement of a note on the final plat stating that the design and location of the proposed road intersection with Dauphin Island Parkway be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 9) Revision of the plat to depict a 55-foot setback line, as measured from the centerline of Doyle Street, for lot 5, and revision of the plat to depict the 25-foot minimum building setback line from the right-of-way for all other lots;
- 10) Placement of a note on the final plat stating that approval of all applicable Federal, state and local agencies is required for wetlands and floodplains prior to the issuance of any permits or land disturbance activities;
- 11) Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
- 12) The labeling of the lots with their size in square feet, or placement of the same information in a table on the final plat; and
- 13) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 22 DATE January 17, 2008

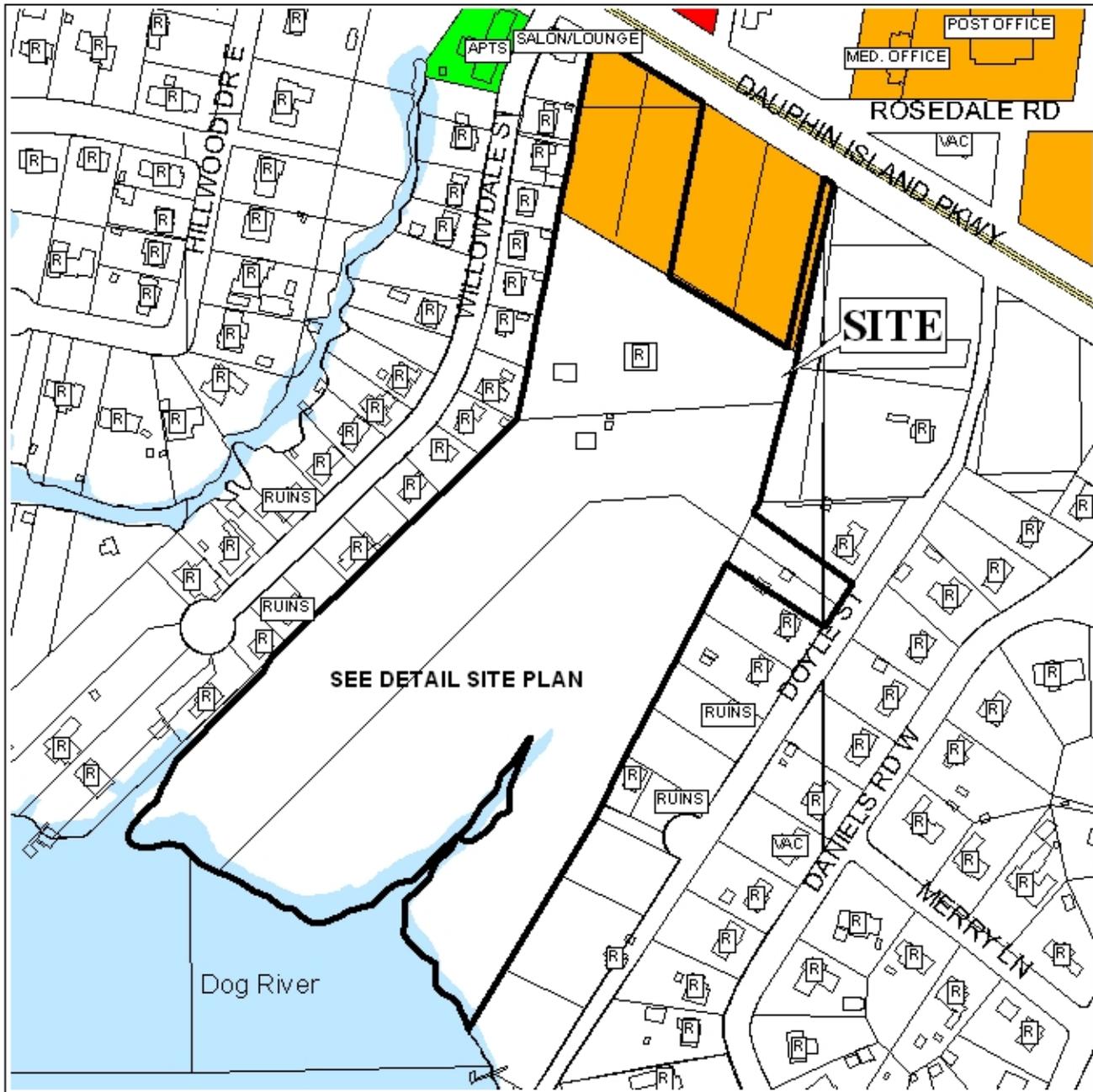
APPLICANT Heron Landing Subdivision

REQUEST Subdivision

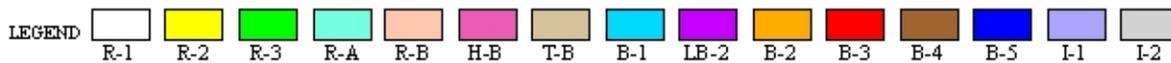


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HERON LANDING SUBDIVISION

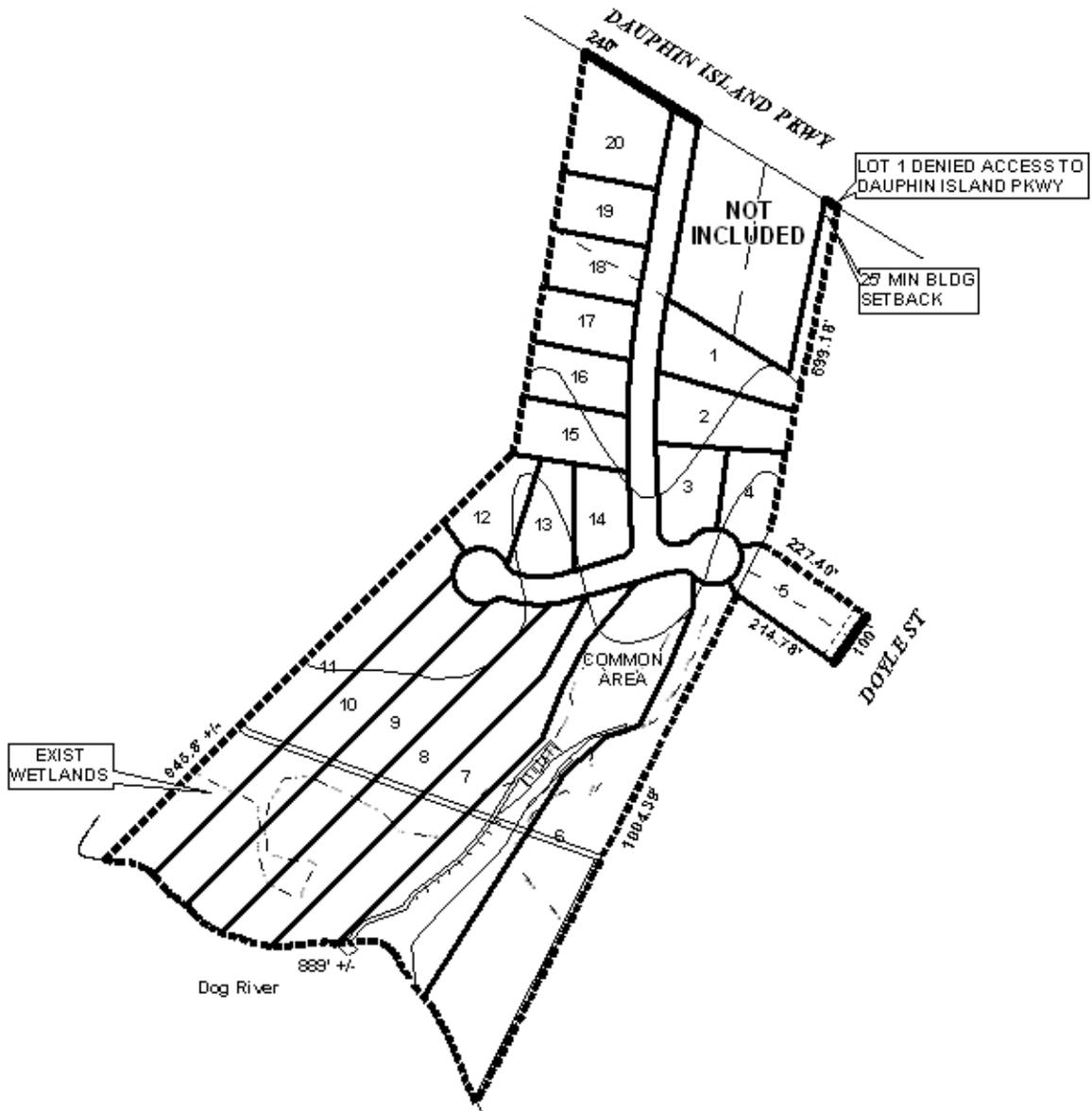


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NTS

DETAIL SITE PLAN



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APPLICANT Heron Landing Subdivision
REQUEST Subdivision



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