City of Fairhope
Planning Commission Agenda
5:00 PM
Council Chambers
February 4, 2019

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

1. Call to Order

2. Approval of Minutes

   - January 7, 2018

3. Consideration of Agenda Items:

   A. ZC 19.01 — Public hearing to consider the request of Dan Blackburn, on behalf of Michael Hollis, Leslie Hollis, Doris Faust Callies, and William Callies, III, to rezone properties from R-2 Medium Density Single Family Residential District to R-3 High Density Single Family Residential District. The property is located on the north side of Morphy Avenue and at the south end of Beecher Street.
   PPIN #: 14655, 356335, 356336, 356334, 356337, 356333, 14482, 243084, and 236236

   B. ZC 19.03 — Public hearing to consider the request of Robert Evans, on behalf of Evans Family Trust of 2013, to rezone property from M-1 Light Industrial District to B-2 General Business District. The property is located on the northwest corner of the intersection of Nichols Avenue and Professional Park Drive, to be known as The Hope Farm.
   PPIN #: 216208 and 216209

   C. — Public hearing to consider the request of the City of Fairhope Planning Department to accept Resolution 2019-01 for a proposed amendment to Article V, Section C. Greenspace Standards in the City of Fairhope Subdivision Regulations.

   D. SD 19.01 — Public hearing to consider the request of Michael Wettermark, on behalf of Joshua Mandell, for site plan approval of Wettermark MOP, a 3-unit Multiple Occupancy Project. The project is located on the west side of S. Mobile Street north of Denton Lane.
   PPIN #: 10623

   E. SD 19.06 — Public hearing to consider the request of The Bills' No. 2, LLC for Preliminary plat approval of Riverhorse Subdivision, a 25-lot division. The project is located on the northeast corner of the intersection of Blueberry Lane and Canyon Drive.
   PPIN #: 369809

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

F. SD 19.07 Public hearing to consider the request of The Bills' No. 2, LLC for Preliminary plat approval of Tracery, a 43-lot subdivision. The project is located on the west side of Lawrence Road just north of Sky Lane.
PPIN #: 369810

G. SD 19.10 Public hearing to consider the request of The Retirement Systems of Alabama for Final plat of Battles Trace, Phase 5, a 73-lot subdivision. The property is located on the north side of Battles Road, north of the Colony at the Grand.
PPIN #: 29244 and 372296

4. Old/New Business

5. Adjourn

Planning Commission

February 4, 2019

Zoning Change

Case: ZC 19.01 Hollis/Callies Property

Project Name:
Hollis/Callies Property

Project Type:
Rezoning 4.3 acres from R-2 Medium Density Single Family Residential District to R-3 High Density Single Family Residential District

Jurisdiction:
Fairhope Corporate Limits

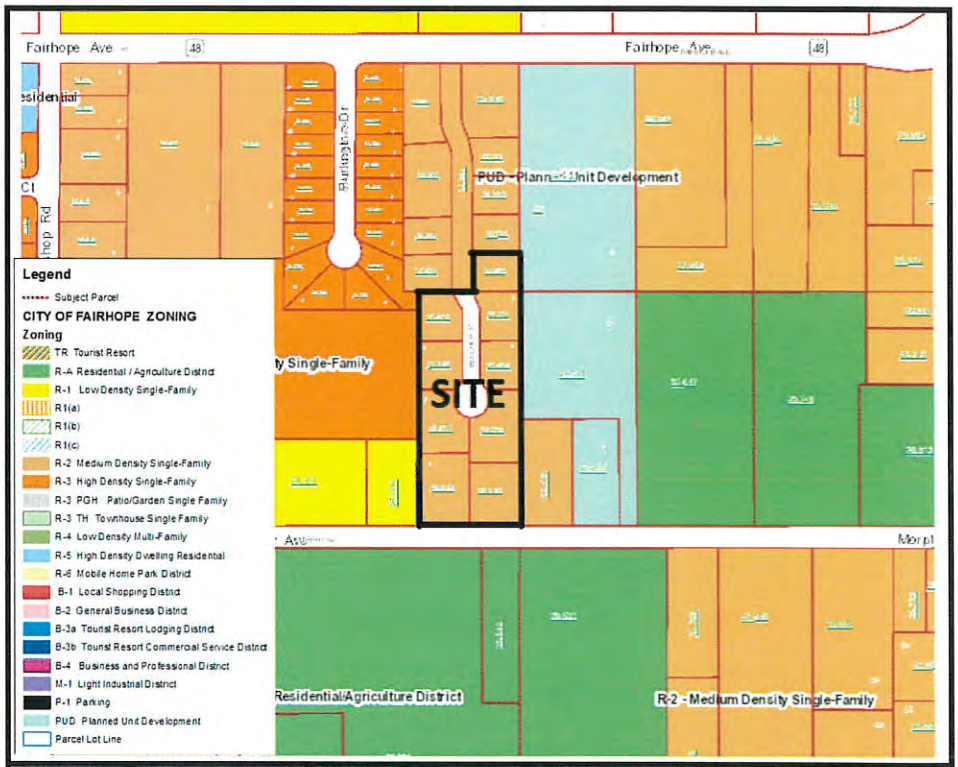
PPIN Number:
14655, 356335, 356334, 356333, 14482, 356336, 356337, 236236 and 243084

General Location:
East of Bishop Road, West of CR 13, South of Fairhope Ave. North of Morphy Ave., due South of Beecher Str.

Applicant:
Daniel G. Blackburn, on behalf Doris Callie

School District:
Fairhope Elementary, Intermediate, Middle, and High Schools

Recommendation:
Approve

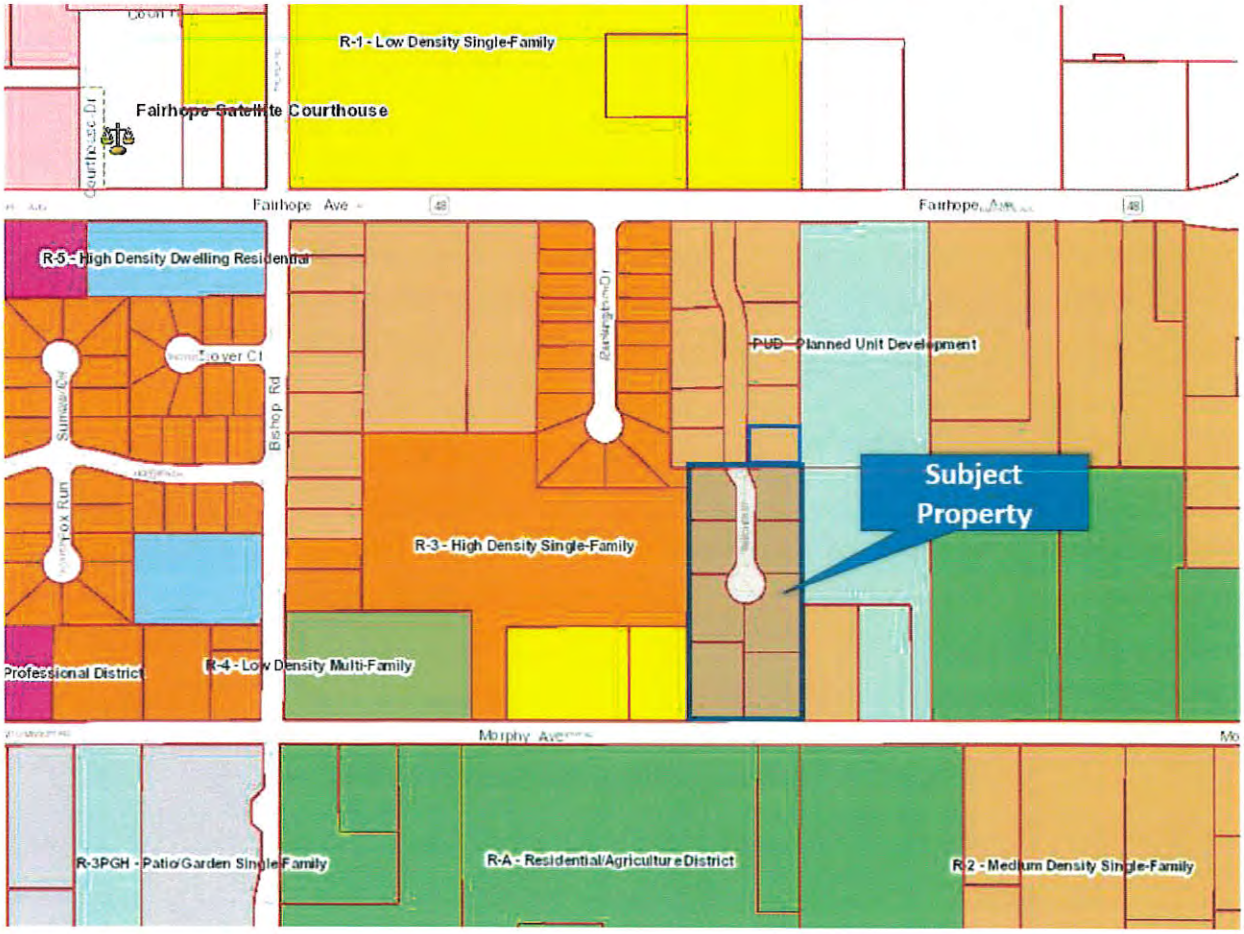


Summary of Request:

The applicant wishes to rezone approximately 4.2 from R-2 - Medium Density Single- Family Residential District to R-3 - High Density Single-Family Residential District.

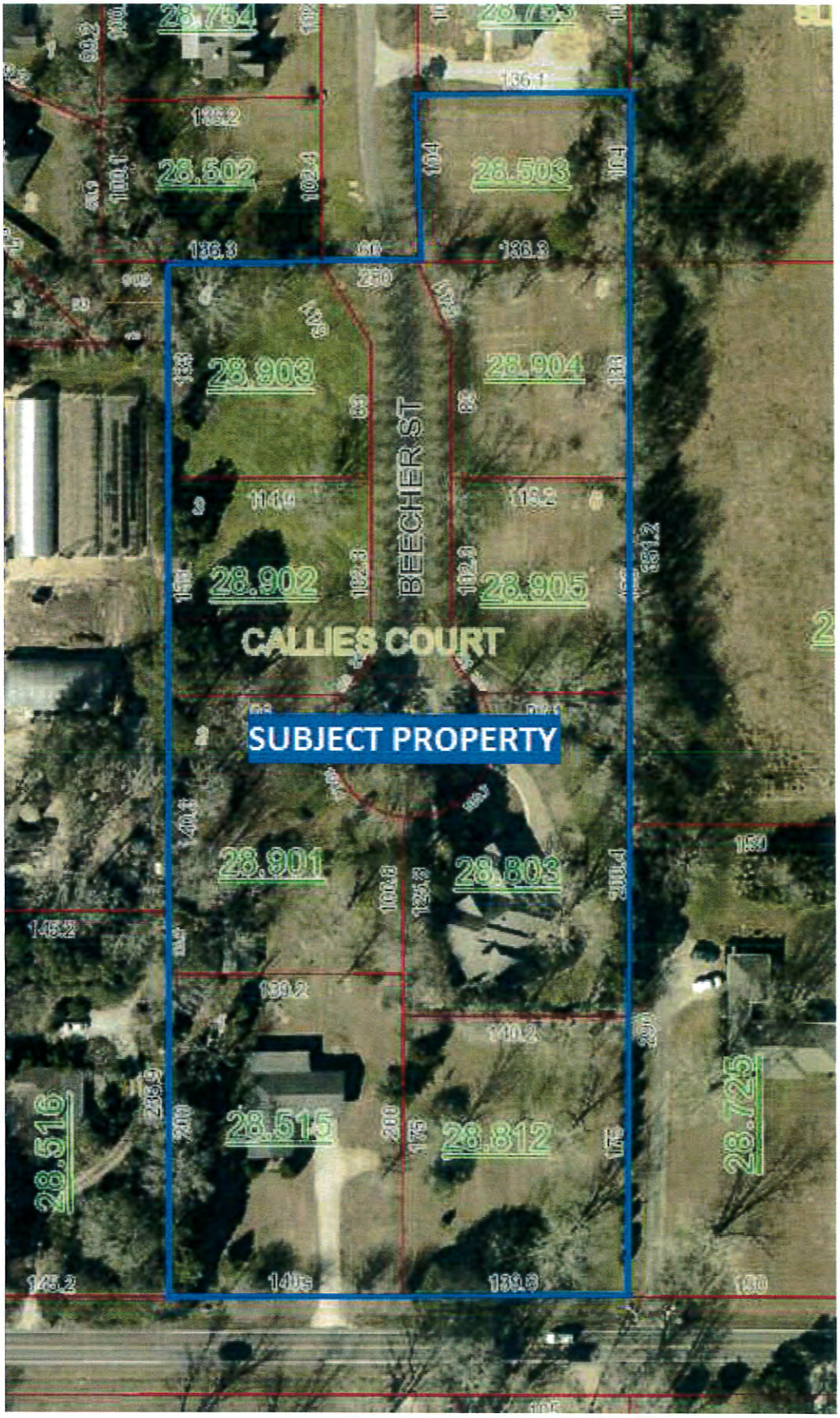
Zoning History of Nearby Properties:

Approximately 13.6 acres of property adjoining the subject property to the west is zoned R-3 - High Density Single-Family Residential District. The property to the north of the subject R-2 - Medium Density Single-Family Residential District. There are smaller parcels zoned Planned Unit Development (PUD), R-1 - Low Density Single-Family Residential District, and R-A - Residential/Agriculture District (see below).



Current Conditions:

The subject property is currently comprised of 8 lots and contains 2 single family homes. The remaining 6 lots are undeveloped.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BEECHER ST
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CALLIES COURT
SUBJECT PROPERTY
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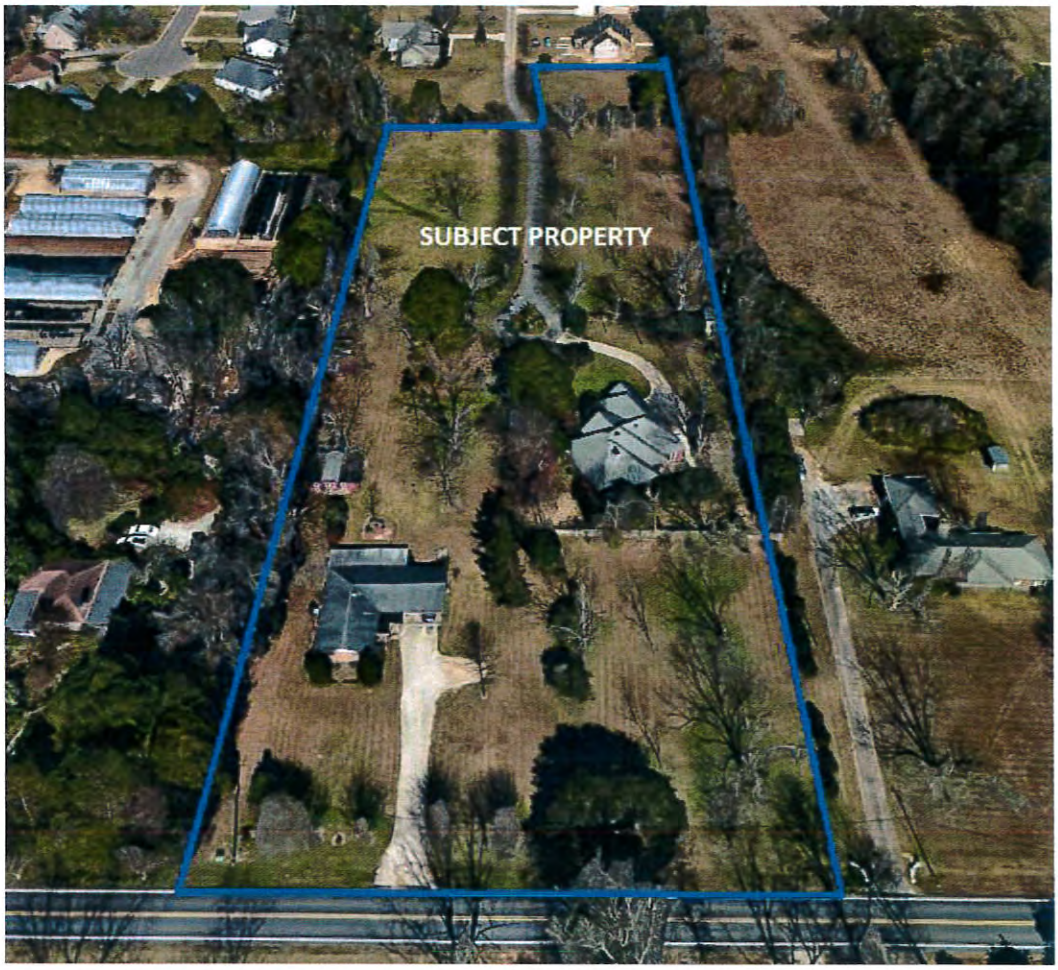
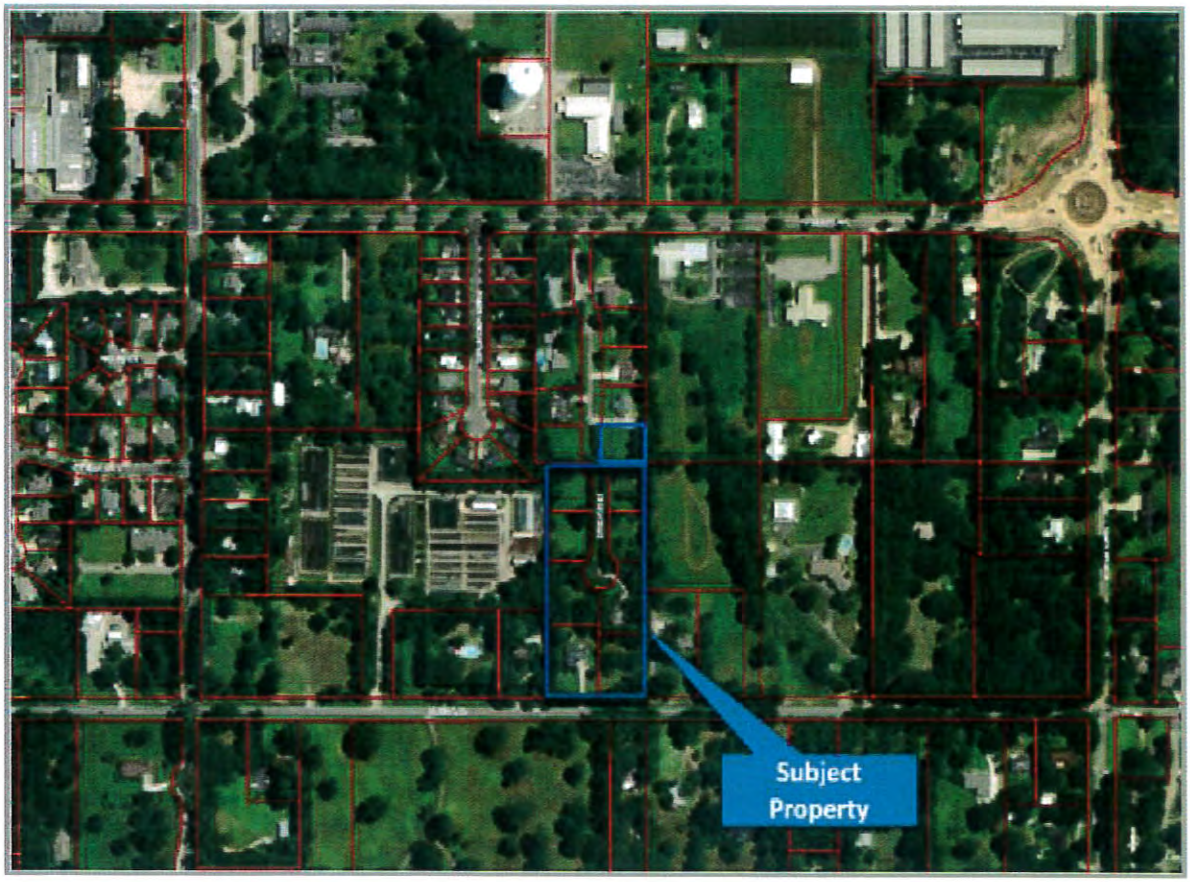

SUBJECT PROPERTY


Subject
Property

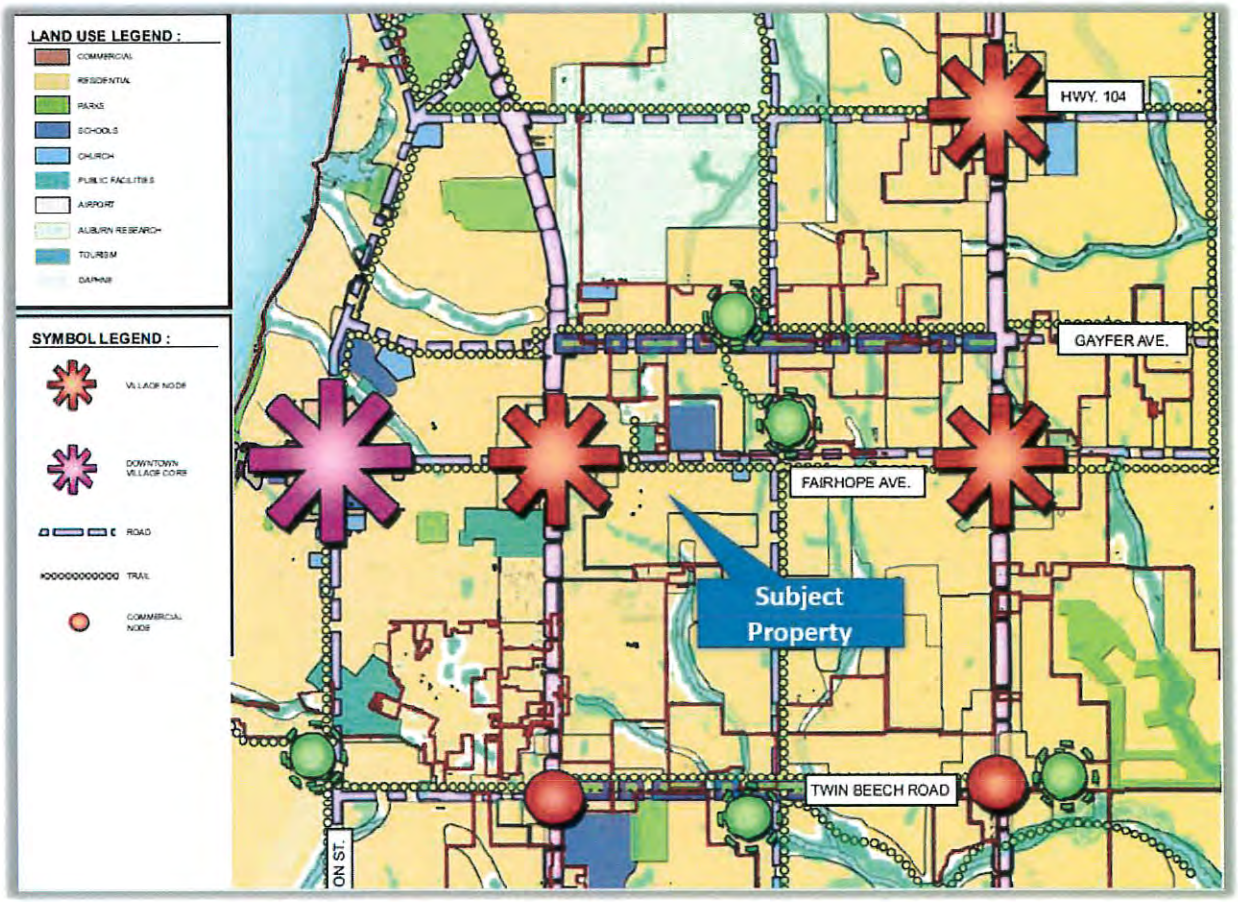
Looking east on Morphy Ave.

Looking west on Morphy Ave.

<u>Comments:</u>
Fairhope Zoning Ordinance
Article II.C(e).
Criteria – The application shall be reviewed based on the following criteria:

(1) Compliance with the Comprehensive Plan;
Response:
The subject property has a land use of residential and is located between two Village Node (Fairhope Avenue and Greeno Road and State Highway 104 and Fairhope Avenue. According to the 2006 Comprehensive Plan,

there are four land use types: Village Centers, Neighborhoods, Edges/Rural Areas and Special Districts[1]. "Higher-density residences should be located more closely to Village Centers or fronting major street corridors. Lower-density residences should transition to Edges, and Rural areas, or align landscaped boulevards[2]." The subject is approximately .7 miles from the Greeno Road Village Center, and is within the "impact area" of the village center as described in the 2006 land use plan illustration[3].



(2) Compliance with the standards, goals, and intent of this ordinance;

Response:

Table 3-2: Dimension Table - Lots and Principle Structure

Dimension District or use	Min. Lot Area/ Allowed Units Per Acre (UPA)	Min. Lot Width	Setbacks				Max. total lot coverage by principle structure	Max. height
			Front	Rear	Side	Street side		
R-3	7,800 s.f./ -	65'	30'	35'	8' [b]	20'	35%	30'

Table 3-2: Dimension Table - Lots and Principle Structure

Dimension District or use	Min. Lot Area/ Allowed Units Per Acre (UPA)	Min. Lot Width	Setbacks				Max. total lot coverage by principle structure	Max. height
			Front	Rear	Side	Street side		
R-2	10,500 s.f./ -	75'	35'	35'	10' [b]	20'	37%	30' [a]

(3) The character of the surrounding property, including any pending development activity;

Response:

[1] 2006 Comprehensive Plan, Section 5.1 DEVELOPMENT PATTERNS: CENTERS, NEIGHBORHOOD, EDGE, RURAL, page 43

[2] 2006 Comprehensive Plan, Section 5.4 Neighborhoods – Form, Function and Design, page 48

[3] 2006 Comprehensive Plan, SECTION 4 LAND USE PLAN, page 24

The proposed rezoning keeps the property as a residential use. The current use of the surrounding properties is either a plant nursery and residential. The property consisting of the plant nursery (property border subject property to the west) is zoned R-3 - High Density Single-Family Residential District. This rezoning is not anticipated to have an impact to the predominant residential character of the area.

(4) Adequacy of public infrastructure to support the proposed development;
Response:
The subject property and its 8 lots are currently being served with water, sewer and gas. If a rezoning is approved with a slight increase in density, no adverse impacts are anticipated.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;
Response:
The subject property currently contains 8 lots with 2 lots containing single family homes. Therefore, the subject property has previously been disturbed.

(6) Compliance with other laws and regulations of the City;
Response:
Staff will insure all laws and applicable regulations are followed.

(7) Compliance with other applicable laws and regulations of other jurisdictions;
Response:
Staff will insure all laws and applicable regulations are followed.

(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,
Response:
As stated previously, the subject property will remain residential. No impacts to adjacent property from a use perspective is anticipated. The proposed R-3 - High Density Single-Family Residential District is consistent with adjoining property and other properties in the immediate area.

(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response:
The current use of the surrounding properties is either a plant nursery and residential. The proposed use remains residential. No additional impacts are expected with this rezoning.

Recommendation:
Staff recommends that Case: ZC 19.01 Hollis/Callies Property, rezoning 4.3 acres from R-2 Medium Density Single Family Residential District to R-3 High Density Single Family Residential District, be **APPROVED**.

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information c/o Leslie Hollis

Name: See attached. Phone Number: 251-622-4320

Street Address: 20308 Beecher St.; 8725 Morphy Ave.; other unspecified

City: Fairhope State: AL Zip: 36532

Applicant / Agent Information

If different from above.

Notarized letter from property owner is required if an agent is used for representation.

Name: Daniel G. Blackburn Phone Number: 251-937-1750

Street Address: 110 Courthouse Square / P. O. Box 458

City: Bay Minette State: AL Zip: 36507

Current Zoning of Property: R-2

Proposed Zoning/Use of the Property: R-3

Property Address: See attached.

Parcel Number: See attached.

Property Legal Description: See attached.

Reason for Zoning Change: Increased density and settlement of litigation vs. City of Fairhope.

Property Map Attached	YES	NO
Metes and Bounds Description Attached	YES	NO
Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.	YES	NO

Character of Improvements to the Property and Approximate Construction Date: Property is unimproved except for 20308 Beecher St. and 8725 Morphy Avenue.

Zoning Fee Calculation:

Reference: Ordinance 1269

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Doris Faust Callies

Property Owner/Leaseholder Printed Name

DORIS FAUST CALLIES

Signature

Pete See.

11.21.18

Date

Fairhope Single Tax Corp. (If Applicable)

11.26.18

NOV 27 2018

BY: EB

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information c/o Leslie Hollis

Name: See attached. Phone Number: 251-622-4320

Street Address: 20308 Beecher St.; 8725 Morphy Ave.; other unspecified

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Street Address: 110 Courthouse Square / P. O. Box 458

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Current Zoning of Property: R-2

Proposed Zoning/Use of the Property: R-3

Property Address: See attached.

Parcel Number: See attached.

Property Legal Description: See attached.

Reason for Zoning Change: Increased density and settlement of litigation vs. City of Fairhope.

Property Map Attached	YES	NO
Metes and Bounds Description Attached	YES	NO
Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.	YES	NO

Character of Improvements to the Property and Approximate Construction Date: _____

Zoning Fee Calculation:

Reference: Ordinance 1269

MICHEAL E. HOLLIS

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

MICHEAL E HOLLIS

Property Owner/Leaseholder Printed Name

Michael E. Hollis

Signature

11/21/18

Date

E. Mill Hull fstc see

Fairhope Single Tax Corp. (If Applicable)

11.26.18

NOV 2 4 2018

BY: GB

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information c/o Leslie Hollis

Name: See attached. Phone Number: 251-622-4320

Street Address: 20308 Beecher St.; 8725 Morphy Ave.; other unspecified

City: Fairhope State: AL Zip: 36532

Applicant / Agent Information

If different from above.

Notarized letter from property owner is required if an agent is used for representation.

Name: Daniel G. Blackburn Phone Number: 251-937-1750

Street Address: 110 Courthouse Square / P. O. Box 458

City: Bay Minette State: AL Zip: 36507

unimproved except for 20308 Beecher St. and 8725 Morphy Avenue.

Current Zoning of Property: R-2

Proposed Zoning/Use of the Property: R-3

Property Address: See attached.

Parcel Number: See attached.

Property Legal Description: See attached.

Reason for Zoning Change: Increased density and settlement of litigation vs. City of Fairhope.

Property Map Attached	YES	NO
Metes and Bounds Description Attached	YES	NO
Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.	YES	NO

Character of Improvements to the Property and Approximate Construction Date: _____

Zoning Fee Calculation:

Reference: Ordinance 1269

WILLIAM J. CALLIES, III

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

William J. Callies III

Property Owner/Leaseholder Printed Name

Signature

11-21-18

Date

Fairhope Single Tax Corp. (If Applicable)

11.26.18

NOV 27 2018

BY: EB

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information c/o Leslie Hollis

Name: See attached. Phone Number: 251-622-4320

Street Address: 20308 Beecher St.; 8725 Morphy Ave.; other unspecified

City: Fairhope State: AL Zip: 36532

Applicant / Agent Information

If different from above.

Notarized letter from property owner is required if an agent is used for representation.

Name: Daniel G. Blackburn Phone Number: 251-937-1750

Street Address: 110 Courthouse Square / P. O. Box 458

City: Bay Minette State: AL Zip: 36507

unimproved except for 20308 Beecher St. and 8725 Morphy Avenue.

Current Zoning of Property: R-2

Proposed Zoning/Use of the Property: R-3

Property Address: See attached.

Parcel Number: See attached.

Property Legal Description: See attached.

Reason for Zoning Change: Increased density and settlement of litigation vs. City of Fairhope.

Property Map Attached	YES	NO
Metes and Bounds Description Attached	YES	NO
Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.	YES	NO

Character of Improvements to the Property and Approximate Construction Date: _____

Zoning Fee Calculation:

Reference: Ordinance 1269

LESLIE C. HOLLIS

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Leslie C. Hollis

Property Owner/Leaseholder Printed Name

Signature

21 November, 2018

Date

C. Michael Cabell fstc See.

Fairhope Single Tax Corp. (If Applicable)

11.26.18

NOV 27 2018

BY: ...

Planning Commission

February 4, 2019

Rezoning

Case: ZC 19-03 The Hope Farm

Project Name: The Hope Farm

Property Owner /Applicant: Evans Family Trust of 2013
703 Fairhope Ave.
Fairhope, Alabama 36532

General Location: The northwest corner of the intersection of Nichols Avenue and Professional Park. Drive.

Project Type: Re-zoning Request from M-1 Light Industrial District to B-2 General Business District.

Number of lots: 2 lots

Project Acreage: Approx. 1.18 acres.

Zoning District: Both Properties are currently zoned M-1.

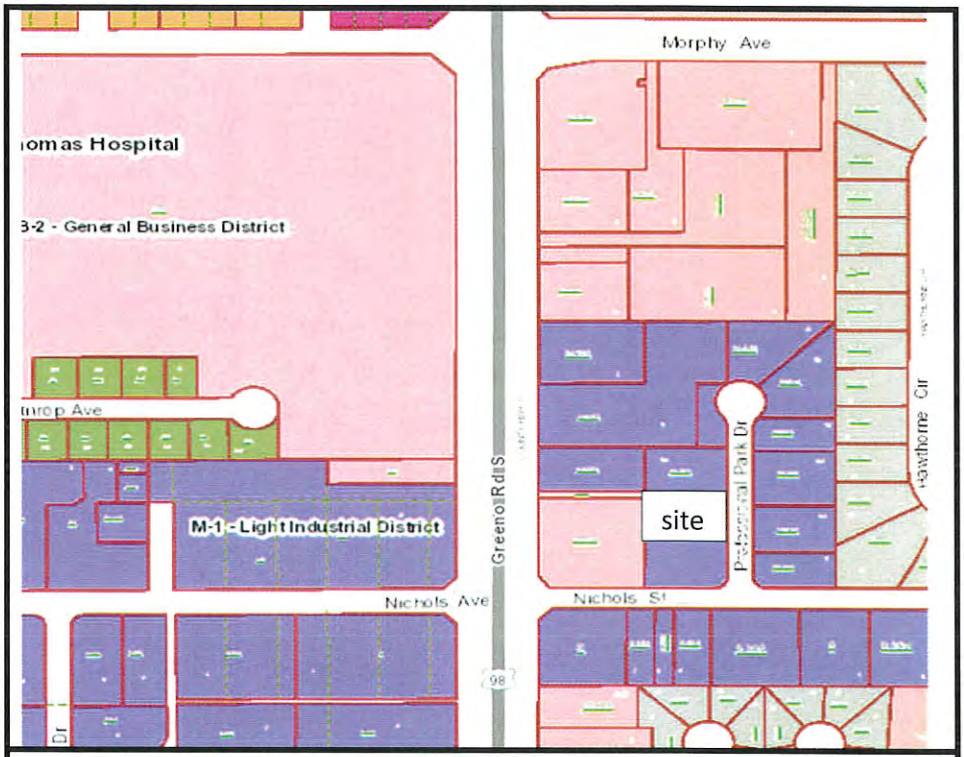
PPIN Number:216209 and 216208

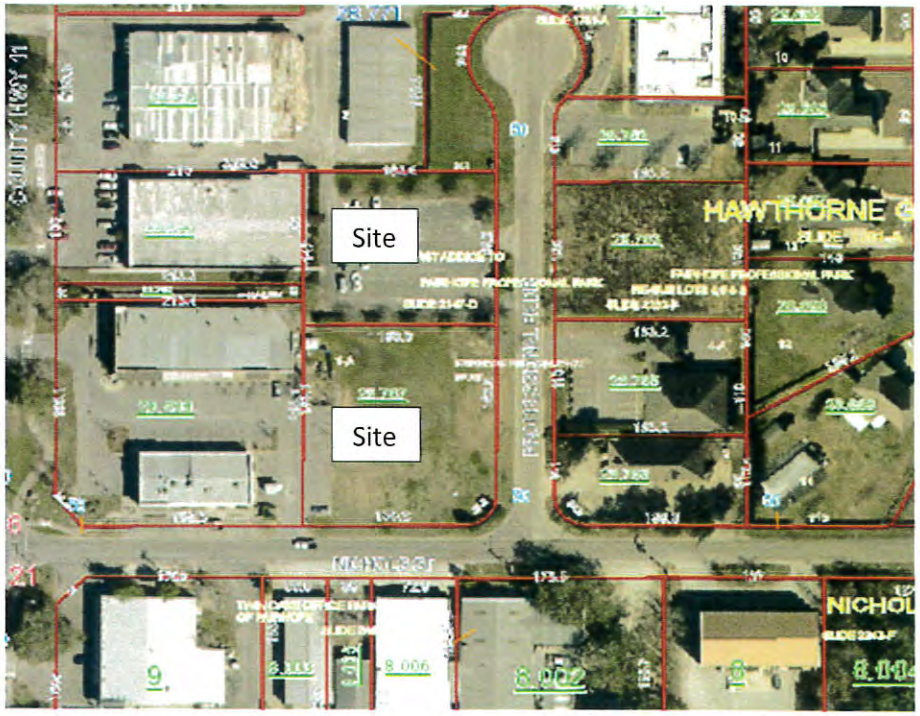
Engineer of record: None

School District: Fairhope Elementary, Middle, and High Schools

Report prepared by: Nancy Milford,Staff Planner, EIT, CAPZO Certified

Recommendation: Denial, based on meeting input from the City of Fairhope Industrial Board.





Summary of Request: Public hearing to consider the request of Robert Evans, on behalf of Evans Family Trust of 2013, to rezone property from M-1 Light Industrial District to B-2 General Business District. The property is located on the northwest corner of the intersection of Nichols Avenue and Professional Park Drive, to be known as The Hope Farm.

The property is owned by the Evans Family Trust of 2013. Mr. Roberts Evans is the authorized representative on this application. The property is approximately 1.18 acres, including both properties. The northern-most lot (ppin 216209) is approximately .55 acres and the southern-most (ppin 216208) lot Is approximately .63 acres.

The Planning Commission was presented the Hope Farm Application on January 4, 2019. The Planning Commission tabled the application to obtain input from the City of Fairhope Industrial Board regarding the impact of this project in removing M-1 property from the small pool of M-1 Properties that currently exists. On January 16, 2019, the Industrial Board met and provided input to staff that the pool of M-1 properties is currently too small and firmly expressed the need to maintain the current number of M-1 properties to have a reserve of light industrial properties for future City needs. After discussing all sides of the issue, the Board came to the decision that a restaurant/bar use within the M-1 Zoning district was not an objectionable use and may actually benefit an industrial area as long as the parameters for the restaurant/bar use was well-defined, such as no drive throughs allowed. They were not supportive of changing the existing zoning of the subject parcel to a B-2 designation. The Industrial Board made the recommendation to allow a restaurant/bar use (with well-defined parameters) in the M-1 zoning designation and asked the City Staff to prepare an ordinance that could be presented to the Industrial Board and City Council. The Industrial Board passed the following recommendation unanimously: The re-zoning request should be denied and the M1 zoning designation in the City Ordinance should be revised to include restaurants and bars with the specific restriction of not allowing drive through service windows. Staff is amending the original staff recommendation based on the concerns of the Industrial Board's concern for the loss of any M-1 zoning designations.

The applicant is proposing a primary use of restaurant and bar with the following accessory uses:

- Hydroponic Shipping Container gardens for produce for the restaurant.
- Entertainment venue.
- Educational facility.

Article IX Section B.8 defines accessory use as follows:

8. General Use Definitions and Descriptions

The following use definitions or descriptions do not fit into any single use category, but apply generally throughout this ordinance.

a. ***Accessory Use – a use that is customarily incidental to the principal use, is typically maintained and operated as part of the principle use, is subordinate to the principle use, and is located on the same lot as the principle use.***

According to Article III Section B.2:

2. ***Accessory Uses – Any use may be established as an accessory use to any permitted principal use in any district provided that such accessory use:***
   (a) ***is customarily incidental to and is maintained and operated as part of the principle use;***
   (b) ***is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principle use with which it is associated;***
   (c) ***does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or pollutants, in a greater amount than is customarily created by principle use; and (d) is not located in minimum exterior yard.***

Article IX Section B.5.q defines an entertainment venue as follows:

q. Entertainment Venue – a business where floorshows or other forms of entertainment by persons are provided for guests, which may include accessory dining, bar, and similar refreshment services. Examples include concert halls, dinner theaters, or banquet halls.

Article IV Section E.2 (Required Parking) *sets forth special parking requirements as follows in* ***Table 4-3 Parking Schedule:***

Indoor Recreation, Outdoor Recreation , **Entertainment Venues**, Places for Worship, stadiums and similar places of assembly	1 space for each 4 seats or each 200 square feet of assembly floor area, whichever is greater.

Parking for any proposed entertainment venue will be reviewed during site plan submittal.

The applicant is proposing a "destination" project with a combination of activities, including a full restaurant/bar as their primary use, which will also occasionally (2-3 times a month) host Guest Chef dinners. The applicant is providing an outdoor gathering space for community-oriented events along with fully enclosed on-site shipping containers that are repurposed for growing plants hydroponically.
At this time, the applicant is proposing enclosed hydroponic gardening within shipping containers. According to the applicant, all processes are fully self-contained with no on-site waste produced. They have a desire to use these agriculture products (lettuces, leafy greens, herbs and mushrooms) grown hydroponically within the restaurant and also use the hydroponic system as an educational venue. The applicant has provided a narrative regarding the hydroponic operation stating "These containers are **Temporary Structures**. There will be a 50' by 10' concrete slab that these containers will be placed with a crane. We have the ability to move these containers at any point as they are not fixed to the slab like a typical building structure. What is grown inside of these containers will be sold to local restaurants enabling us to enhance their "Farm to Table" offerings. ....There are zero noxious odors associated with this type of farming, and the discharge is nutrient rich water that will be utilized around the property"

Staff has reviewed the application with the regulations as they are listed in our current ordinances which address farming in the conventional way and do not have flexibility for the concept of urban farms which is ultimately a concept the applicant would like to embrace. Staff has discussed this issue with the applicant. The applicant said that they will accommodate their plan to only use what is grown within their own operations as a restaurant instead of selling to the public or other businesses.
The applicant has also expressed an interest in selling local artisan, agricultural products and specialty products in a farmers' market format in the open space area. The concept being proposed is very similar to the concept that was embraced in the Windmill Market that was located downtown Fairhope.
The applicant has submitted a general conceptual layout of what is proposed. However, this is a zoning application, so details of site plan will not be addressed as part of this application and will be addressed at a later date.

Site History:
This re-zoning is for two adjacent parcels. Both properties are currently zoned M-1. The southern-most parcel was originally part (Phase 3) of the "Little Nichols" site plan.
Little Nichols Site Plan:

Site Plan Review					
Case Number	**Applicant**	**Building Name**	**Address**	**PC Date**	**Decision**
SR 07-04	Little-Nichols/ Craig Dyas	Little Nichols	333 S. Greeno Road	4/2/2007	Approved

Phase 3 remained vacant and undeveloped with the exception of some minor parking and some café tables which appear to have encroached off of the current Little Nichols property onto the adjacent property (Mr. Evan's property). This encroachment is an issue between property owners and not an issue for this particular zoning case. The existing Little Nichols market is non-compliant for their parking requirements. Staff reviewed this issue with the Planning Director and with Mr. Richard Johnson, Public Works Director

and it has been determined that the Little Nichols Market has been non-compliant for parking which is considered an existing non-conforming situation.

The northern-most parcel is a parking lot that has been used by the adjacent church fronting on Greeno Road. Mr. Evans commented during DRC, that he has met with the adjacent church and the church is only using 4-5 parking spaces for church on Sunday and that parking is not an issue for the church and that the 4-5 spaces are not critical for the church. The parking is located on Mr. Evans parking and not on the Church property. Mr. Evans has provided an email to staff "Please accept this a confirmation that there are no outstanding agreements in place with the church, that is adjacent to the parking lot for The Hope Farm project, that would affect the parking allocations or access for our project. We have extended a verbal courtesy offering for overflow parking on Sunday morning if needed and is not a formal agreement. This was extended as a gesture of "being a good neighbor, to the church. They indicated they would rarely need to utilize the access but appreciated the offer and would notify me in advance of heir need."

There is currently some drainage infrastructure on the property. According to Mr. Richard Johnson, who met with the applicant's engineer regarding the drainage, the site can be re-developed and will be able to meet the drainage requirements of the City of Fairhope. These site plan details will be addressed at the time of site plan.

Site Photos: The Hope Farm

View across property looking east.

View looking across the property to the West

View of tree within the ROW at the property midpoint

View of the parking lot to the north (on 2nd parcel)

Full view of the 2nd parking lot parcel, looking west.

Comments: The Zoning Ordinance in ***Article II Section C*** specifies the following *Criteria* regarding zoning amendments.

1. *Zoning Amendments*
   e. *Criteria-* The application shall be reviewed based on the following criteria:
      (1) Compliance with the Comprehensive Plan;
      (2) Compliance with the standards, goals, and intent of this ordinance;
      (3) The character of the surrounding property, including any pending development activity;
      (4) Adequacy of public infrastructure to support the proposed development;
      (5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;
      (6) Compliance with other laws and regulations of the City;
      (7) Compliance with other applicable laws and regulations of other jurisdictions;
      (8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,
      (9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Article II Section C 1 e (1): Comprehensive Plan: The property is located on Greeno Road between a Village Center at Fairhope Avenue and the commercial node at Twin Beech Road. The site is currently zoned M-1 which is a more intense use than the proposed B-2 zoning. The B-2 zoning designation is consistent with the adjacent property fronting Greeno Road. There are some additional properties (the Church and two properties to the north) along the east side of Greeno Road which are currently under the M-1 zoning designation, but are predominately commercial uses more suited to a B-2 zoning designation. The predominate zoning along the east side of Greeno Road from Fairhope Avenue to Nichols are predominately designated B-2 with the exception of the three properties noted as M-1 (and discussed above) and the property located on the south east corner of Greeno Road and Nichols Ave. and currently consists of a dry cleaner and service station.
Staff believes that the B-2 zoning designation of the subject property is more consistent with the Comprehensive Plan than the current zoning designation of M-1.

Article II Section C 1 e (2) Compliance with the standards, goals, and intent of this ordinance:
According to Article III Section A (15), the purpose and intent of M-1 is as follows: M-1 Light Industrial: This district is intended to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic. Industrial parks should be encouraged. Locations should be in accordance with the Comprehensive Plan.

The purpose and intent for B-2 is as follows: B-2 General Business District: This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

The above B-2 zoning designation definition and the proposed primary and ancillary uses (excluding the farm market concept) of the project appear to be consistent and allowed in the B-2 District. B-2 is a less intense zoning designation than M-1 and is more consistent with the surrounding properties.

At the time of site plan, staff will review the site plan for specific requirements of the zoning ordinance.

Allowed uses for B-2 and M-1:

The allowed uses for B-2 are as follows:

Allowed by Right: Single Family; two family; mixed use; Single Family; Mixed Used; Elementary and Secondary Schools, Educational Facility, or Library; Public or Community Open Space; General or Professional Office; Grocery Store; General Merchandise; Shopping Center; General Personal Services; Automotive Repair Shop; Indoor Recreation; Boarding House or Dormitory; Restaurant; Bar; Entertainment Venue; Limited Manufacturing

Permitted on appeal and subject to special conditions: Cemetery; hospital; Community Center or Club; Public Utility; Automobile Service Station; Outdoor Sales Limited, Outdoor Sales Lot, Garden Center, Convalescent or Nursing Home, Civic, Outdoor Recreation Facility, Day Care, Mortuary or Funeral Home, Dry Cleaner, Laundry, Personal Storage, Kennel or Animal Hospital;

Permitted Subject to Special Conditions listed in the Ordinance: Home Occupations; Convenience Store; Recreational Vehicle Park

The allowed uses for M-1 are as follows:

Allowed by Right: Elementary and Secondary Schools, Educational Facility, or Library; Public Open Space and Community Open Space; General or Professional Office; Grocery; General Merchandise; General Personal Services; Automotive Repair; Indoor Recreation; Boarding House or Dormitory; Warehouse; Limited manufacturing; Light industrial.

Permitted only on appeal and subject to special conditions: Cemetery; Hospital; Community Center or Club; Public Utility; Automobile Service Station; Outdoors Sales Limited; Outdoor Sales Lot; Garden Center; Convalescent or Nursing Home; Clinic; Outdoor Recreation Facility; Daycare; Mortuary or Funeral Home; Dry Cleaner or Laundry; Personal Storage; Junk or Salvage Yard; General Manufacturing

Permitted Subject to Special Conditions listed in the Ordinance: Convenience Store; Recreational Vehicle Park

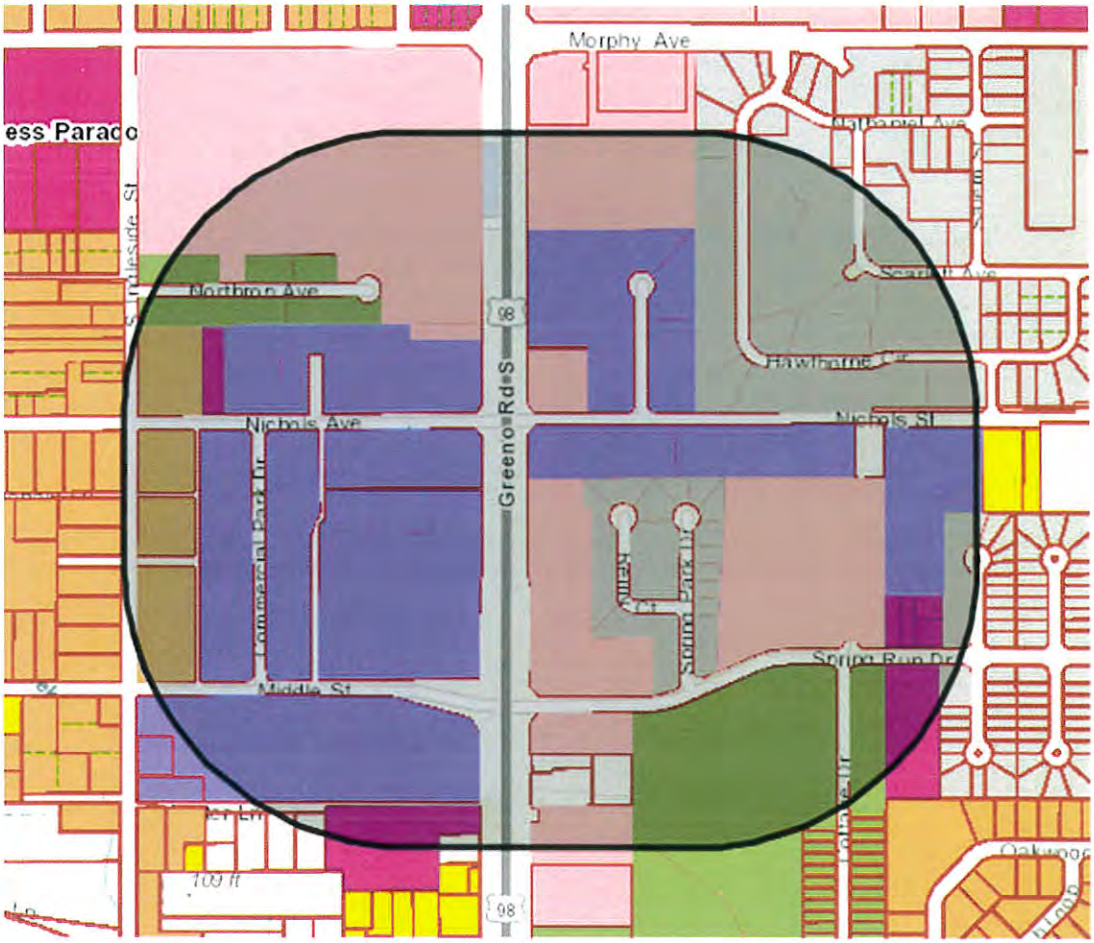
Article II Section C 1 e (3) The character of the surrounding property, including any pending development activity;

The property is bordered to the north by M-1 zoned property; to the east by M-1 zoned property; to the west by B-2 zoned property and to the south by M-1 zoned property. Properties outside of the immediately adjacent areas, but within the 1320-foot buffer include properties zoned:

B-2 (General Business District), B-4 (General Professional Office), R-A (Residential Agricultural District), R-3pgh (High Density Single -Family), R-2 (Medium Density Single-Family) M-1 (Light Industrial).

The area designated as light industrial include businesses as follows: a gas station, Gulf City Cleaners, Fairhope Brewing Company, Insurance Office, Dental Office, a church, a dialysis clinic, a medical supply office

The predominate character of the neighborhood is of a B-2 (General Business District). Staff recommends B-2 zoning as it is a less intense use near the Hawthorne Glenn neighborhood than the current M-1 zoning designation for the area.



Article II Section C 1 e (4)Adequacy of public infrastructure to support the proposed development:
According to Mr. Richard Peterson, Director of Operations, the City does have adequate utility availability for this project. The issues relating to service, such as grow lights, irrigation needs or potable water will be determined once they have submitted plans for construction. The existing utilities are adequate to provide service, the City won't know what the applicant will specifically require until building plans are submitted. As far as a request for a zoning change goes, the City of Fairhope Director of Operations has confirmed that from a public infrastructure perspective, there are no issues .

Article II Section C 1 e (5) Impacts on natural resources, including existing conditions and ongoing post-development conditions:

The site has been previously cleared and drainage infrastructure has been located on site. At this time, due to the fact the site has been cleared and the general vicinity of the site has been well developed, there are no known serious impacts to natural resources anticipated by this proposed project and re-zoning.

Article II Section C 1 e (6) Compliance with other laws and regulations of the City: At the time of site plan submittal, staff will review the project layout for compliance with the City of Fairhope Zoning Ordinance and any other applicable ordinances (such as the landscape ordinance and the erosion control ordinance, etc). The site is located within the City of Fairhope Corporate Limits, the permit jurisdiction, the police jurisdiction and the planning jurisdiction.
The City of Fairhope does have a regulation Article III Section D (Special Conditions for Uses) (10).
"***10. Building Materials on Commercially Zoned Property***

a. Intent: The intent of the special conditions on building material for commercially zoned property is to prevent negative visual impact, provide attractiveness and beautification, and protect commercial property values.
b. Location restrictions: The special conditions in this section shall apply to any commercially zoned property in the City of Fairhope.
c. No building or portion of a building visible from a public street or right-of-way shall be exposed metal. A façade of some type or material shall be used to visually screen the metal from the public street or right-of-way.

This will have to be addressed at the time of site plan in terms of screening the shipping containers to remain consistent with the City of Fairhope regulations, as the containers will be used in the place of buildings for growing plants.

Article II Section C 1 e (7& 8) Impacts on adjacent and surrounding property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,
The proposed development is consistent with the surrounding existing commercial developments in terms of noise and intrusion. The applicant is proposing a restaurant/bar which is a similar use to the adjacent property at the Little Nichols Market and the Fairhope Brewing Company across the street. The site plan approval process will address the parking other issues specified in the City of Fairhope Zoning ordinance.

Recommendation: Staff recommends the zoning request from M-1 to B-2 be denied based on the Industrial Board feed back regarding a lack of reserve for M-1 zoning designations. At the request of the Industrial Board, the City Planning Staff will prepare a zoning amendment to the City of Fairhope Zoning Ordinance regarding M-1 zoning designation to include a restaurant/bar use with restrictions on drive throughs. According to ***Article II, Section C Review Procedures, (f) Limitation on Re-submittal: If denied, no application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior the public hearing being opened by Planning Commission. A request to withdraw an application shall be made to the Director in writing.***
Please note, that a site plan approval may be required in accordance with Article II. C.2. requiring Planning Commission and City Council approval.

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information

Name: Evans Family Trust of 2013 Phone Number: 251-709-7000
Street Address: 703 Fairhope Ave
City: Fairhope State: AL Zip: 36532

Applicant / Agent Information

If different from above.
Notarized letter from property owner is required if an agent is used for representation.

Name: Robert Evans Phone Number: _____
Street Address: _____
City: _____ State: _____ Zip: _____

Current Zoning of Property: M-1
Proposed Zoning/Use of the Property: B-2
Property Address: _____
Parcel Number: 46-05-16-0-000-028.767
Property Legal Description: _____
Reason for Zoning Change: SEE ATTACHED

Property Map Attached	YES	NO
Metes and Bounds Description Attached	YES	NO
Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.	YES	NO

Character of Improvements to the Property and Approximate Construction Date: _____

Zoning Fee Calculation:
Reference: Ordinance 1269

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Property Owner/Leaseholder Printed Name: Robert Evans
Signature

Date: 11/27/2018
Fairhope Single Tax Corp. (If Applicable)

RECEIVED
NOV 27 2018
BY: .....

APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information

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Property Address: _____
Parcel Number: 46-05-16-0-000-028.768
Property Legal Description: _____
Reason for Zoning Change: SEE ATTACHED

Property Map Attached (YES) NO

Metes and Bounds Description Attached (YES) NO

Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached. (YES) NO

Character of Improvements to the Property and Approximate Construction Date: _____

Zoning Fee Calculation:
Reference: Ordinance 1269

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Property Owner/Leaseholder Printed Name: Robert Evans

Signature

Date: 11/27/2018

Fairhope Single Tax Corp. (If Applicable)

RECEIVED
NOV 27 2018
BY: EB

#7

Memo

Date: January 28, 2019

To: Fairhope Planning Commission

From: Wayne Dyess, AICP, Planning Director

Re: Greenspace standards amendment to Subdivision Regulations

****

During the past year, the Planning Commission has expressed concern about the location, type and amount of greenspace in subdivisions. Several projects were tabled, and greenspace modified by the applicant to alleviate the concerns of the Planning Commission.

Over the past several months staff has worked on an amendment to the greenspace standards. The staff has 3 primary goals to achieve with this amendment:

1. Ensure that the amount of was adequate to meet the needs of the neighborhood. One primary change was to calculate amount of greenspace based on the net density of the development. Therefore, public or private rights-of-way, storm water infrastructure, wetlands, water course and undevelopable land based on topography or physical constraints were removed from the density computation. The resulting usable land was then used calculate density.
2. Ensure that greenspace provided is in the proper context of the development type. Rural character is considered 1 dwelling unit per acre or less, suburban character is considered 2-4 units per acre and urban character and village center is considered more than 4 units per acre. Table 4-1 provides and visual examples as well descriptions and minimums and maximum sizes of greenspace.
3. Ensure that greenspace becomes an asset to a neighborhood. Greenspace is an important design element of quality neighborhoods. Greenspace, properly provided and designed, increases property values, provides recreational activities and builds identity and pride.

To assist engineers and designers, staff will also create a Greenspace Guide with examples and photos to further understanding of the greenspace standards.

C. GREENSPACE STANDARDS:

1. Purpose - These greenspace standards shall implement the Comprehensive Plan for the physical development of the City by setting the location, character and extent of playgrounds, squares, parks, and other public grounds and open spaces to promote good civic design and arrangement. This design and arrangement shall ensure adequate and convenient open spaces for recreation.

These standards shall promote the following goals in the Comprehensive Plan:

(a) create focal points for new and existing neighborhoods by providing appropriately located parks, schools, parkways, and other amenities; (b) support Planning Design Standards Street Standards development of recreational opportunities; (c) link village centers to neighborhoods with a parks and trail system; (d) provide public gathering places; and (e) include ~~open~~ spaces (plaza, parks, greenspace) for social activity and recreation in new infill development.

2. Applicability and Requirements - The regulations in this Section C. shall apply to any development ~~as dense or denser than the City R-1 Residential Zoning District~~, whether or not in the City Limits. Green Space amounts to be provided shall be based on the dwelling unit per acre of a subdivision. For purposes of this section, net density of a site is the resulting number of units per acre after removing public or private rights-of-way, storm water infrastructure, wetlands, water course and undevelopable land based on topography or physical constraints. ~~Greenspace shall be provided as follows: 10% Greenspace is required.~~

Green space shall be provided as follows:

Units Per Acre	Open Space Amount
Less than 2 units per acre	10%
2-4 units per acre	15%
4-6 units per acre	20%
More than 6 units per acre	25%
Multiple Occupancy Project (commercial)	10%
Multiple Occupancy Project Residential 3 units per acre 4-6 units per acre More than 6 units per acre	 15% 20% 25%

3. Eligible Greenspace - Greenspace eligible for meeting the requirements of this section shall:

a. be usable land for public active or passive recreation purposes.

b. be located in FEMA FIRM map zones AO, A99, D, or VO.

c. not be located in any wetland areas as defined by the Federal Government.

d. not include any retention, detention or similar holding basins, unless:

1. The holding basin is clearly integrated into an open space/park site with adjacent land available for pedestrian facilities and passive recreation.

2. Holding basin banks shall not exceed a 3:1 slope.

3. Open space credit for holding basin shall not exceed %30.

e. not include any right-of-way.

4. Design Requirements - All eligible greenspace shall conform to the following design requirements:

a. Maximize public exposure and public access to greenspace.

b. Streets shall align adjacent to greenspace.

~~c. Greenspace land must be contiguous but may be bisected by local streets, sidewalks, and pedestrian paths.~~

~~d. Greenspace must be located at the rear edge or interior of the development.~~

e. Greenspace shall not be located adjacent to a collector or arterial street.

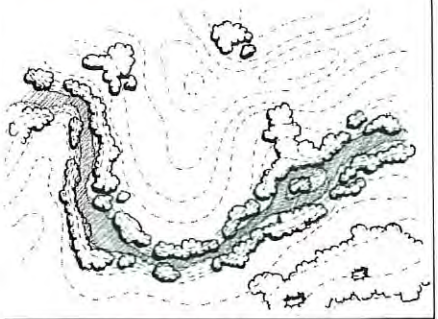
f. Due regard shall be shown for all-natural features such as lakes, ponds, water courses, historic sites and other similar features which, if preserved, will add attractiveness and value to the property.

g. The amount, distribution, location and type of green space provided shall be context sensitive with the built environment around it.

4. Types of Green Space

The following Table 4-1 indicates the categories, types, locations and general sizes of green space that are to be used to meet the City requirements. For purposes of this section rural character is considered 1 dwelling unit per acre or less, suburban character is considered 2-4 units per acre and urban character and village center is considered more than 4 units per acre.

Table 4-1: Green Space Categories and Types

Category	Type	Description	Location	Size Recommendation	Image
NATURAL GREEN SPACE	Preserve	An undeveloped area that contains significant natural features or habitat worthy of preservation. Features such as large stands of trees, water elements, or prominent topography characterize preserves. A preserve may by use for passive recreation or as a scenic and visual buffer. It generally contains little or no constructed improvements although trails may access the preserve.	Preserves may be located in any development type based natural features and the required level of preservation of natural characteristics required.	The size of a Preserve open space should be based on the site characteristics and potential continuity of natural features in the area along with the potential to connect to adjacent natural areas.	

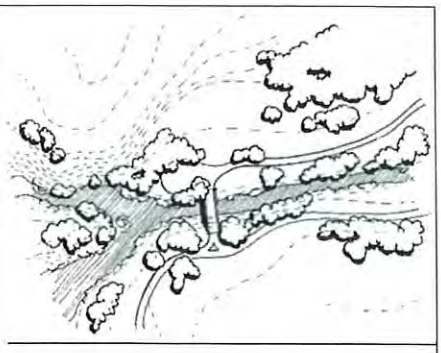
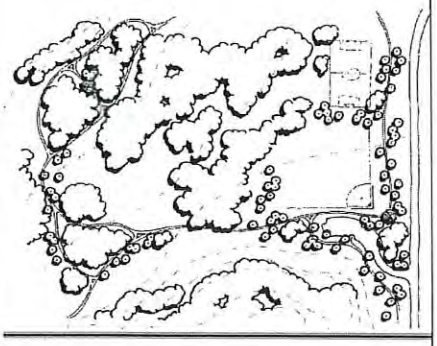
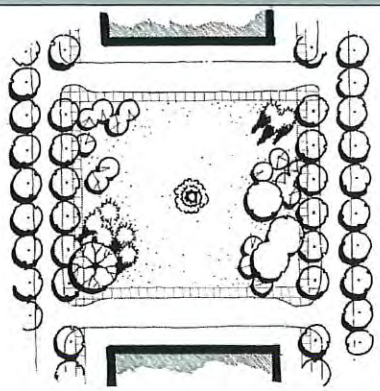
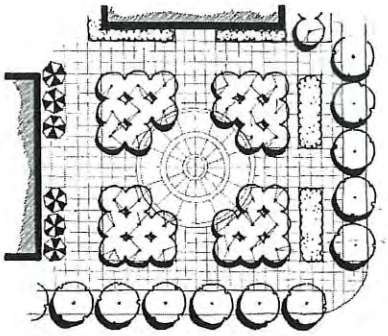
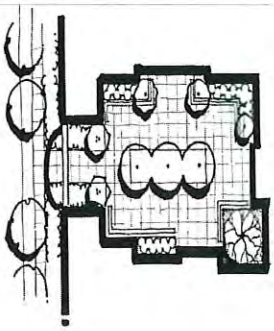
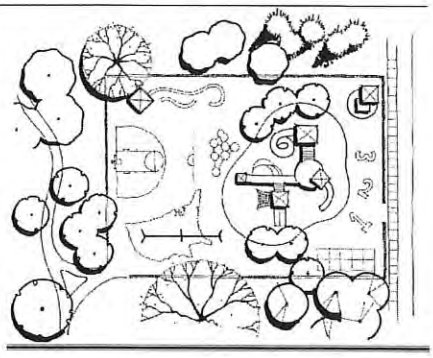
	Trail / Greenway	An undeveloped area of continuous linear natural features, often following a stream or floodplain. A trail or greenway should be usable for recreation and non-motorized transportation. It includes few constructed improvements except for those to enhance travel or recreational use.	Trail and Greenway system may be located in any development type based on linkages to proposed or existing trail / greenway networks.	Generally, should include at least 3 acres but should be sized and located based on providing significant continuity throughout a development and to areas beyond the development area. Must be at least 30' wide at all locations.	
	Park	An undeveloped natural area for unstructured recreation. A park may include some areas for structured recreation, such as ball fields, but generally this area should occupy no more than 25% of the total area. Parks are located based on the presence of natural features or based on convenience for surrounding residents. A park has a predominantly natural landscape although portions may be designed for aesthetic and recreation purposes, particularly for parks located due to convenience.	Parks may be in rural and suburban areas.	At least 3 acres	

Table 4-1: Open Space Categories and Types (continued)

Category	Type	Description	Location	Size Recommendation	Image
CIVIC GRREN SPACE	Green	An open space for unstructured recreation or aesthetic landscaping. A green is bordered by public rights-of-way on at least 2 sides, front building facades, and formal landscaped elements to define its boundaries. Generally, there are few constructed elements except as a formal entry to or a focal point for the green. Must be spatially defined by landscaping.	Predominantly located in residential neighborhoods of suburban or urban character.	¼ to 3 acres	
	Plaza	An open space for civic purposes and commercial activities. A plaza is bordered by public rights-of-way on at least 2 sides and building facades to define its boundaries. It is largely constructed of materials to withstand heavy pedestrian traffic, but contains intermittent lawns, landscape beds, or trees in a formal pattern.	Plazas should be located at the intersection of important streets in areas designated village centers and areas of urban character.	1/8 to 2 acres The size of plazas is generally determined by the height of surrounding buildings, maintaining between a 1:3 and 1:6 ratio of building height to plaza.	
	Courtyard	A small open space accessible to the public but generally serving one or a few surrounding buildings. Courtyards are primarily bordered by building facades, but have at least one side fully or partially boarded by a public right-of-way. Courtyards are often	Courtyards should be located in urban areas and village centers.	1000 square feet to 1/8 acre The size of courtyards is generally determined by the height of surrounding buildings,	

~~Strike Through~~ represents deletions, **underline in bold** represents additions

		constructed of materials to withstand heavy pedestrian traffic but contain intermittent formal landscape elements.		maintaining a between a 2:1 and 1:3 ratio of building height to courtyard.	
	Playground	Open space designed and equipped for structured recreation. Playgrounds are often boarded by a fence or other private boundary (as in the case of a playground internal to a block) but are accessible by common pedestrian path. Alternatively, playgrounds included as part of a larger civic or natural open space do not necessarily have borders.	Playgrounds may be located in any open space type.	1000 square feet to ¼ acres. A playground may be part of larger civic or natural open space.	

Planning Commission

February 4, 2019

Multiple Occupancy Project Approval

Case: SD 19.01 Wettermark MOP

Project Name:
Wettermark MOP

Property Owner /Applicant:
Joshua Mandell

General Location:
On Mobile Bay and S. Mobile Street 300' south of Laurel St.

Project Type:
Multiple Occupancy Project Within Corporate Limits

Number of units:
3

Project Acreage:
.63 acres

Zoning District:
B-3a Tourist Resort Lodging District

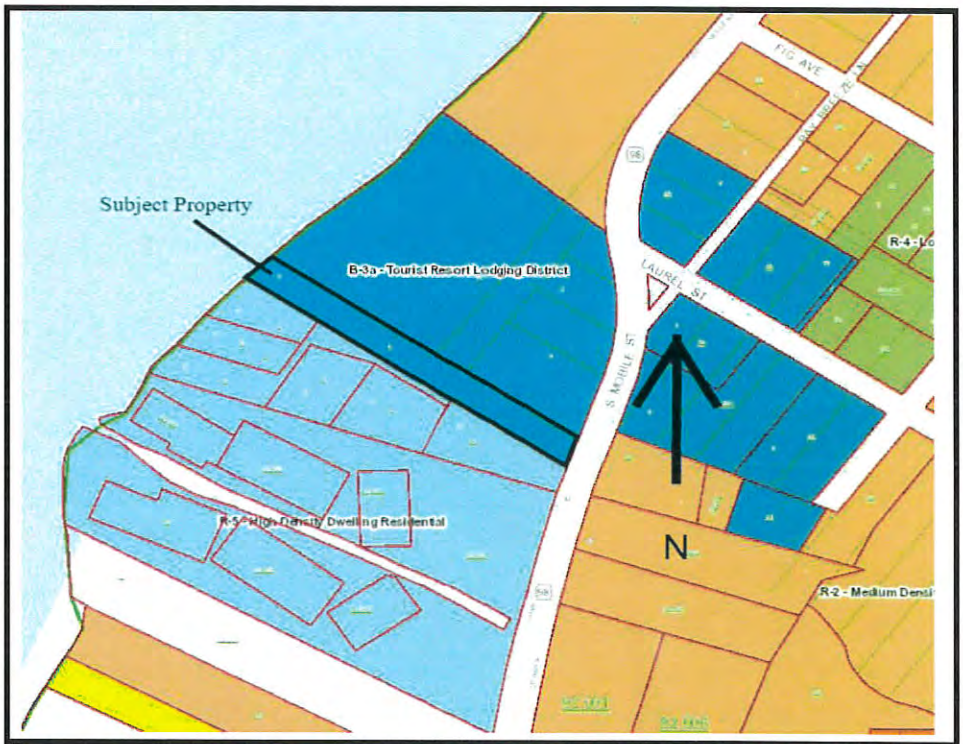
PPIN Number:
10623

Engineer of record:
S.E. Civil Engineering, LLC

School District:
Fairhope Elementary, Intermediate, Middle, and High School

Report prepared by:
Mike Jeffries, QCI
Planning Technician

Recommendation:
Approve with conditions



Summary of Request:

Public hearing to consider the request of SE Civil, LLC on behalf of Joshua Mandell property owner and associated investors Michael Wettermark, John Wettermark, and Lawrence Wettermark, a Multiple Occupancy Project (MOP). Subject property is located on Mobile Bay and South Mobile Street 300' south of Laurel St. and immediately south of the American Legion Post 199, consisting of approximately .63 total acres. Subject application is an MOP and does not request subdivision of lands or the creation of new lots. Three residential units are proposed for this site. Mr. Larry Smith, PE, of SE Civil serves as the engineer or record (EOR) for subject application. The staff recommendation reflects conditions of approval necessary for final closeout of the MOP but requiring a separate procedure due to the absence of a final plat approval associated with MOPs.

Comments:

MULTIPLE OCCUPANCY PROJECT (MOP) CRITERIA

The following item are excerpts from the various checklists utilized by staff to evaluate subject application's compliance with the *City of Fairhope Zoning Ordinance, City of Fairhope Subdivision Regulations* and other relevant ordinances and are included here to provide relevant background and rationale behind staff's recommendation. Staffs comments are in **Red Text** and any responses from applicant are in **Blue Text**. All Article, Section, and Paragraph numbers identified are references to the *City of Fairhope Subdivision Regulations* unless otherwise identified.

Article IV, Section C.1.b.(13) and *Article V, Section D.5.a.(9)* Tree protection plan for all required street trees or trees over 24" DBH. Tree protection fences shall be installed prior to land disturbance activities. (See Appendix G)		
☐N/A	☒Accepted with comments	☐Revise and Resubmit per comments
Cross Reference: *Ordinance number 1444, Tree Ordinance*		
Comments: ***Accepted if approved by Paul Merchant City of Fairhope's Horticulturalists*** ***Response: Noted.*** ***Approved by Paul Merchant***		

Article IV, Section C.1.b.(17) Site data box including but not limited to: • Total acreage of site • Acreage of common area(s) ○ Greenspace requirements of Article V, Section "C" not applicable to an MOP • Total number of lots • Square footage of each lot • Site Density • Number of units proposed		
☐N/A	☐Accepted	☒Revise and Resubmit per comments
Comments: ***Add number of units to site data box.*** ***Response: Added.***		

SITE ANALYSIS		
SITE ACREAGE ±0.63 AC (27,430 SF)	BUILDING HEIGHT 30 FT	# OF UNITS 3
BUILDING (UNDER ROOF) 5,589 SF (20.6%)	IMPERVIOUS AREA (EXCLUSIVE OF BLDG) 4,958 SF (17.5%)	PERVIOUS AREA 16,883 SF (61.9%)
REQUIRED PARKING 6 SPACES	PROPOSED PARKING 6 SPACES	
JURISDICTION CITY OF FAIRHOPE	ZONING B-3a	
BUILDING SETBACKS: FRONT YARD: SIDE YARD: REAR YARD:	REQUIRED: 30 FT 10 FT 35 FT	
MAXIMUM BUILDING HEIGHT:	30'	
MAX. LOT COVERAGE BY PRINCIPLE STRUCTURE:	30%	

Article IV, Section C.1.d. Drainage plan prepared by professional engineer, including proposed method of storm water detention and means of controlling erosion during construction. Any portion of the land in the proposed subdivision subject to periodic inundation by storm drainage, overflow or ponding shall be clearly identified on the plat. Lands lying within the flood plain, V or A Zones, shall be clearly identified on the plat. Storm-water detention facilities shall be shown in the plans and calculations provided.		
☐N/A	☒Accepted with comments	☐Revise and Resubmit per comments
Cross Reference: *Article V, Section F.3.a., b., and c.*		
Comments: ***Property is on Mobile bay and storm water will go directly into the bay. No other properties will be affected. LID techniques are being used to pretreat water before it enters the bay. Grass buffers, bio-retention, and rain gardens will be used.***		

Article IV, Section C.1.b.(8) Plan and profiles of all proposed utilities with connections (8) Plan and profiles of all proposed utility with connections to existing utility system and all proposed improvements. Approval of private utility connections for water and sewer shall be subject to the standards of Article VIII, Sections E. and G., respectively of the Fairhope Subdivision Regulations, and Chapter 12 of the Code of Ordinances of the City of Fairhope. The applicant shall submit one copy of utility letters stating availability of service. Utility letters and layout must be submitted from electric, water, sewer, phone, trash provider, and gas (if applicable), stating the property *may be adequately served* by such utility.		
☐N/A	☐Accepted	☒Revise and Resubmit per comments
Cross Reference: *Approval of private utility connections for water and sewer shall be subject to the standards of Article VIII, Sections E. and G., respectively of the Fairhope Subdivision Regulations, and Chapter 12 of the Code of Ordinances of the City of Fairhope.*		
Comments: ***Please provide utility letters stating availability of service.*** ***Response: We have reached out to Richard Peterson in regards to utilities. As his comments indicate service is available, we have requested a letter to confirm.*** ***Richard Peterson has provided letter confirming availability of utility services***		

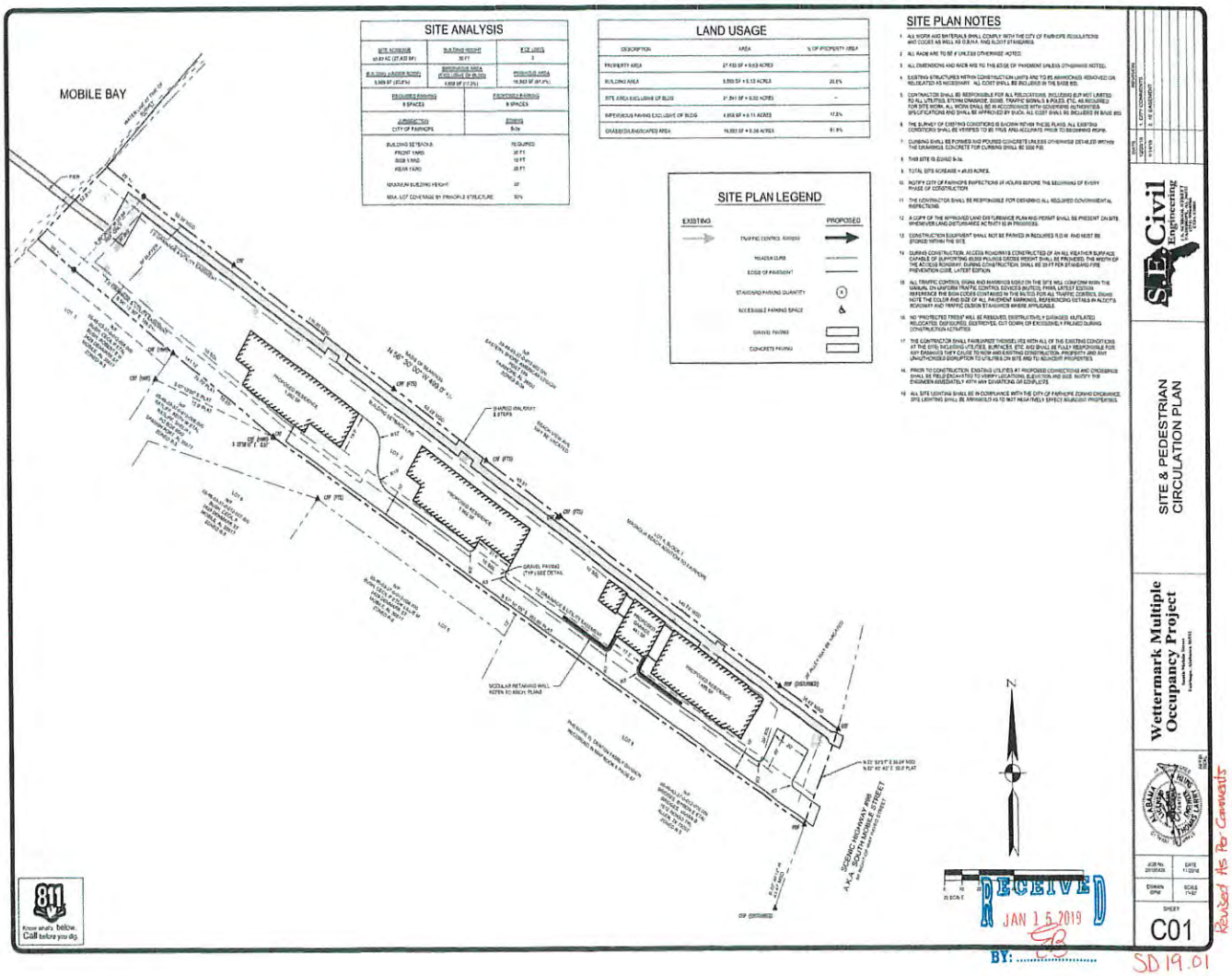
Article IV, Section C.6. a. and b. Expiration and Revocation 6. Expiration and Revocation - a. Any substantial deviation from the approved submittals during construction or failure to provide for traffic control, safety, environmental protection controls and/or best management practices and restoration of the site shall be grounds for the immediate suspension of the Preliminary Plat Approval and/or issuance of a stop work order. The Planning Commission shall have the power to reinstate Preliminary Approval when it is satisfied that conditions resulting in suspension have been mitigated. b. If a final plat is not submitted within two years or less after preliminary approval has been given, the preliminary approval shall expire and the preliminary plat shall be null, void and of no force or effect.		
☐N/A	☒Accepted with comments	☐Revise and Resubmit per comments
Comments: ***For the applicant's information please note the expiration and revocation requirements above. Though subject project is an MOP and does not require separate approval of a final plat, the requirements of paragraph "a" are a condition of approval.***		

- Traffic study is not warranted for this MOP. The EOR provided a letter stating the site does not generate the number of trips to trigger one.
- No new streets are being created therefore street lighting is not applicable.
- The city of Fairhope will require a set of as built drawings showing all improvements with engineers' certification and seal in place of signed Final Plat to review for final approval and recommendation for C/O.
- There is a 50' Buffer from Mobile Bay shown on site plans.
- A fire hydrant will be added on Mobile Street in front of property as shown in detail on sheet C04.
- Any damage to existing sidewalks will be repaired at applicants expense and which meet the City's standards and specifications expressed in Chapter 19 of the Code of Ordinances.

Site Photos

Subject property looking southwest from Mobile St.

Subject property looking northeast from end of Denton Lane.



Approval Standards

Address each of these criteria with either a "meets" or "does not meets". If any of the criteria is not met, a denial should be recommended.

"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such

land <u>is not suitable for</u> platting and development as proposed, due to any of thefollowing:
a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;

- meets

b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;

- meets

c. The proposed subdivision is not consistent with these Regulations;

- meets

d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or

- meets

e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

- meets

<u>Recommendation:</u>
Subject application is a Multiple Occupancy Project and as a result there is no "plat" to be submitted for final approval. In order to fulfill the final inspection requirements of Article IV, Section C.6.a. and b., as well as Article IV, Section D.4, staff recommends **APPROVAL** of the MOP request subject to the conditions below:

1) A re-plat of the property shall be recorded to show the location of the utility easements.

2) The following closeout procedures as well as request for the following closeout documents must be completed before recommendation for C/O's for any of the three units. The City of Fairhope reserves the right to modify closeout requirements and submission date at the direction of the Planning Director:
    a. One copy of the site as-built drawings as well as one copy of the drainage calculations, both containing the engineer's certificate required by Article IV, Section.D.1.b.(18) and Article VI, Section E.6.–8. and identifying the entity responsible for maintenance of drainage facilities outside the public ROW or public easements.
    b. One copy of the landscape as-built drawings with a statement from the landscape architect of record indicating the various landscape features have been completed as-designed.
    c. Inspection of all other MOP-applicable sections of Article IV, Section D. 1.b.(1) – (18)
    d. Inspection of all other MOP-applicable sections of Article VI, *Construction Standards* and Chapter 19 of the *City of Fairhope Code of Ordinances*, testing requirements
3) Add an Erosion Control Note: *No red soil or clay is allowed to be introduced on site as per the City of Fairhope Red Soil & Clay ordinance.*
4) Landscaping will comply with the Landscape-Tree Ordinance 1444.

APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)

☐ Preliminary Plat ☐ Final Plat ☒ Multiple Occupancy Project

Attachments: ☒ Articles of Incorporation or List all associated investors

Date of Application: 11/27/18

Property Owner / Leaseholder Information

Name of Property Owner: Joshua Mandell Phone Number: 205-541-4557

Address of Property Owner: 20 Montcrest Drive

City: Birmingham State: AL Zip: 35213

Proposed Subdivision Name: Wettermark Multiple Occupancy Project

No. Acres in Plat: 0.63 acres No. Lots/Units: 3 residential units

Parcel No: 05-46-03-37-0-012-003.000 Current Zoning: B-3a

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the City of Fairhope

Name of Authorized Agent: SE Civil, LLC Phone Number: 251-990-6566

Address: 1 S. School St.

City: Fairhope State: AL Zip: 36532

Contact Person: Larry Smith

Surveyor/Engineer Information

Name of Firm: SE Civil, LLC Phone Number: 251-990-6566

Address: 1 S. School St.

City: Fairhope State: AL Zip: 36532

Contact Person: Larry Smith

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

JOSHUA MANDELL

Property Owner/Leaseholder Printed Name

Signature

11/20/2018

Date

Fairhope Single Tax Corp. (If Applicable)

RECEIVED

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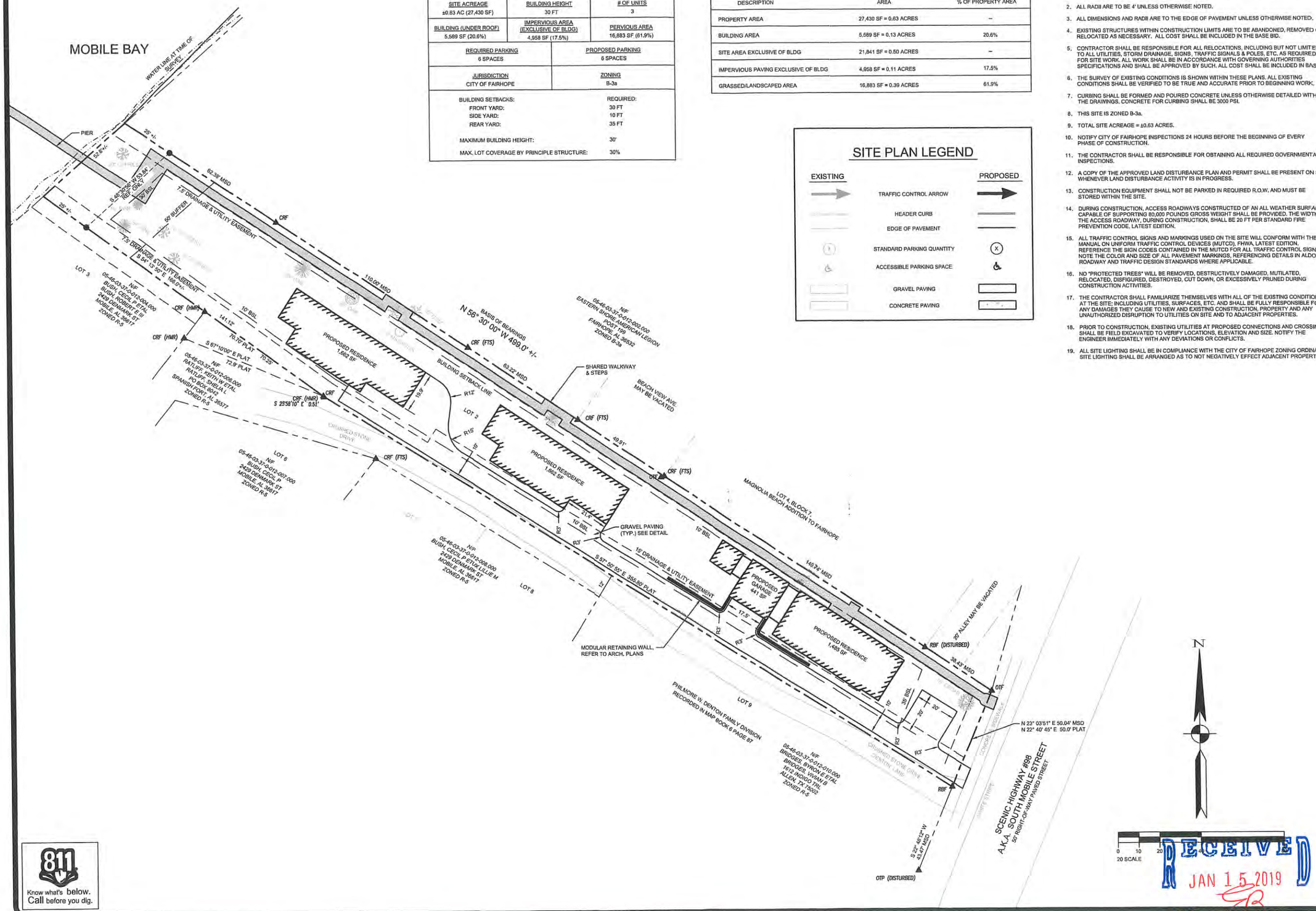
BY: EB



SITE ANALYSIS

SITE ACREAGE	BUILDING HEIGHT	# OF UNITS
±0.63 AC (27,430 SF)	30 FT	3
BUILDING (UNDER ROOF)	IMPERVIOUS AREA (EXCLUSIVE OF BLDG)	PERVIOUS AREA
5,589 SF (20.6%)	4,958 SF (17.5%)	16,883 SF (61.9%)
REQUIRED PARKING	PROPOSED PARKING	
6 SPACES	6 SPACES	
JURISDICTION	ZONING	
CITY OF FAIRHOPE	B-3a	

	REQUIRED:
BUILDING SETBACKS:	
FRONT YARD:	30 FT
SIDE YARD:	10 FT
REAR YARD:	35 FT
MAXIMUM BUILDING HEIGHT:	30'
MAX. LOT COVERAGE BY PRINCIPLE STRUCTURE:	30%

LAND USAGE

DESCRIPTION	AREA	% OF PROPERTY AREA
PROPERTY AREA	27,430 SF = 0.63 ACRES	–
BUILDING AREA	5,589 SF = 0.13 ACRES	20.6%
SITE AREA EXCLUSIVE OF BLDG	21,841 SF = 0.50 ACRES	–
IMPERVIOUS PAVING EXCLUSIVE OF BLDG	4,958 SF = 0.11 ACRES	17.5%
GRASSED/LANDSCAPED AREA	16,883 SF = 0.39 ACRES	61.9%

SITE PLAN LEGEND

EXISTING		PROPOSED
	TRAFFIC CONTROL ARROW	
	HEADER CURB	
	EDGE OF PAVEMENT	
	STANDARD PARKING QUANTITY	
	ACCESSIBLE PARKING SPACE	
	GRAVEL PAVING	
	CONCRETE PAVING	

SITE PLAN NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH THE CITY OF FAIRHOPE REGULATIONS AND CODES AS WELL AS O.S.H.A. AND ALDOT STANDARDS.
2. ALL RADII ARE TO BE 4' UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS AND RADII ARE TO THE EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
4. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN THE BASE BID.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED FOR SITE WORK. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
6. THE SURVEY OF EXISTING CONDITIONS IS SHOWN WITHIN THESE PLANS. ALL EXISTING CONDITIONS SHALL BE VERIFIED TO BE TRUE AND ACCURATE PRIOR TO BEGINNING WORK.
7. CURBING SHALL BE FORMED AND POURED CONCRETE UNLESS OTHERWISE DETAILED WITHIN THE DRAWINGS. CONCRETE FOR CURBING SHALL BE 3000 PSI.
8. THIS SITE IS ZONED B-3a.
9. TOTAL SITE ACREAGE = ±0.63 ACRES.
10. NOTIFY CITY OF FAIRHOPE INSPECTIONS 24 HOURS BEFORE THE BEGINNING OF EVERY PHASE OF CONSTRUCTION.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED GOVERNMENTAL INSPECTIONS.
12. A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON SITE WHENEVER LAND DISTURBANCE ACTIVITY IS IN PROGRESS.
13. CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN REQUIRED R.O.W. AND MUST BE STORED WITHIN THE SITE.
14. DURING CONSTRUCTION, ACCESS ROADWAYS CONSTRUCTED OF AN ALL WEATHER SURFACE CAPABLE OF SUPPORTING 80,000 POUNDS GROSS WEIGHT SHALL BE PROVIDED. THE WIDTH OF THE ACCESS ROADWAY, DURING CONSTRUCTION, SHALL BE 20 FT PER STANDARD FIRE PREVENTION CODE, LATEST EDITION.
15. ALL TRAFFIC CONTROL SIGNS AND MARKINGS USED ON THE SITE WILL CONFORM WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), FHWA, LATEST EDITION. REFERENCE THE SIGN CODES CONTAINED IN THE MUTCD FOR ALL TRAFFIC CONTROL SIGNS, NOTE THE COLOR AND SIZE OF ALL PAVEMENT MARKINGS, REFERENCING DETAILS IN ALDOT'S ROADWAY AND TRAFFIC DESIGN STANDARDS WHERE APPLICABLE.
16. NO "PROTECTED TREES" WILL BE REMOVED, DESTRUCTIVELY DAMAGED, MUTILATED, RELOCATED, DISFIGURED, DESTROYED, CUT DOWN, OR EXCESSIVELY PRUNED DURING CONSTRUCTION ACTIVITIES.
17. THE CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH ALL OF THE EXISTING CONDITIONS AT THE SITE; INCLUDING UTILITIES, SURFACES, ETC. AND SHALL BE FULLY RESPONSIBLE FOR ANY DAMAGES THEY CAUSE TO NEW AND EXISTING CONSTRUCTION, PROPERTY AND ANY UNAUTHORIZED DISRUPTION TO UTILITIES ON SITE AND TO ADJACENT PROPERTIES.
18. PRIOR TO CONSTRUCTION, EXISTING UTILITIES AT PROPOSED CONNECTIONS AND CROSSINGS SHALL BE FIELD EXCAVATED TO VERIFY LOCATIONS, ELEVATION AND SIZE. NOTIFY THE ENGINEER IMMEDIATELY WITH ANY DEVIATIONS OR CONFLICTS.
19. ALL SITE LIGHTING SHALL BE IN COMPLIANCE WITH THE CITY OF FAIRHOPE ZONING ORDINANCE. SITE LIGHTING SHALL BE ARRANGED AS TO NOT NEGATIVELY EFFECT ADJACENT PROPERTIES.

DATE	REVISION
12/20/18	1. CITY COMMENTS.
1/14/19	2. 15' EASEMENT

S.E. Civil Engineering
1 S. SCHOOL STREET
FAIRHOPE, ALABAMA 36532
(251) 990-6566
COA 03884

SITE & PEDESTRIAN CIRCULATION PLAN

Wettermark Multiple Occupancy Project
South Mobile Street
Fairhope, Alabama 36532

AFFIX SEAL

JOB No.	DATE
20180426	11/20/18
DRAWN	SCALE
GPW	1"=20'

SHEET
C01

Know what's below. Call before you dig.

RECEIVED
JAN 15 2019
BY: .....

Revised As Per Comments

SD 19.01

Planning Commission

February 4, 2019

Preliminary Plat

Case: SD 19.06 Riverhorse Subdivision

Project Name:
Riverhorse Subdivision

Property Owner /Applicant:
The Bill's No. 2, LLC

General Location:
¼ mile north of Gayfer Avenue
East side of Blueberry Lane,
North of North Station sub.

Project Type:
Major Subdivision

Number of lots:
25

Project Acreage:
22

Zoning District:
R-2 Medium Density Single Family Residential District

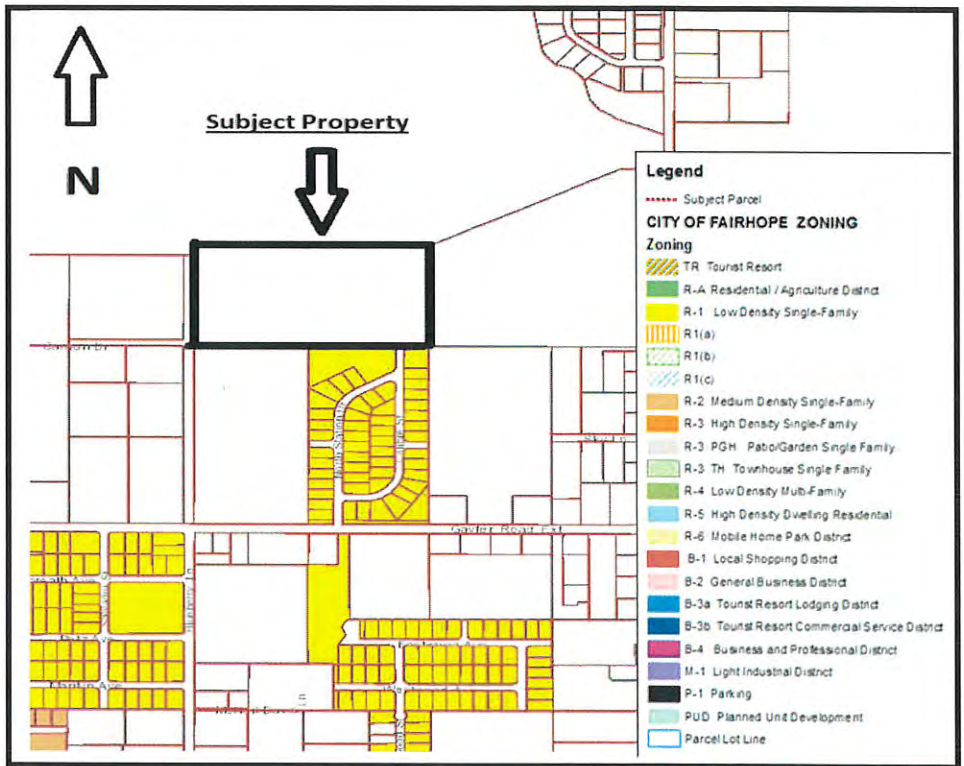
PPIN Number:
369809

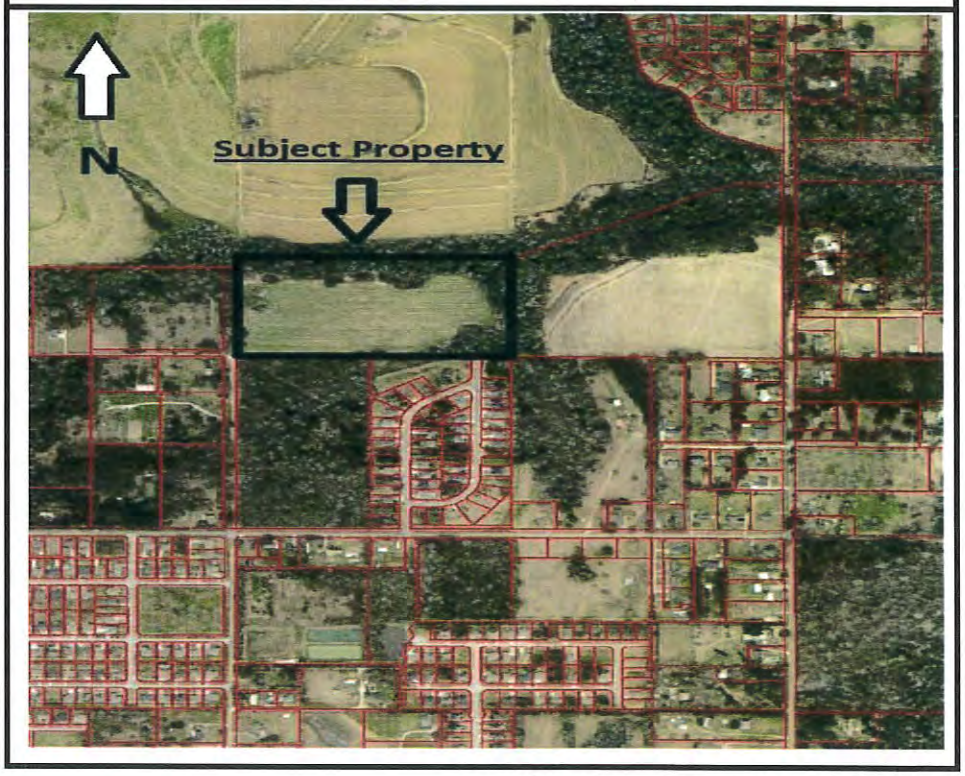
Engineer of record:
Dewberry Engineers

School District:
Fairhope Elementary, Intermediate, Middle, and High School

Report prepared by:
Mike Jeffries, QCI
Planning Technician

Recommendation:
Approve with conditions





Summary of Request:

Public hearing to consider the request of Dewberry Engineers, Inc on behalf of The Bill's No. 2, LLC owner and applicant for preliminary plat approval of Riverhorse, a 25-lot major subdivision. The property is located ¼ mile north of Gayfer Avenue on the east side of Blueberry Lane. Just North of the subdivision North Station. The subject property is 22 acres with the smallest lot 11,200 S.F. and largest lot 16,946 S.F. This subdivision will connect to an existing stub out street in North Station and to Blueberry Lane.

SITE DATA:

ZONING: R-2
LIN. FT. OF STREETS: 1,503 LF
NUMBER OF LOTS: 25
MINIMUM LOT SIZE: 10,500 SF
SMALLEST LOT: 11,200 SF (LOT 12)
LARGEST LOT: 16,946 SF (LOT 23)
COMMON AREA: 12.58 AC (57.2%)
GREENSPACE: 7.93 AC (36.0%)
WETLANDS: 4.65 AC (21.1%)
TOTAL AREA: 22.0 ACRES
DENSITY: 1.14 LOTS/AC

REQUIRED SETBACKS
FRONT - 35 FEET
REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

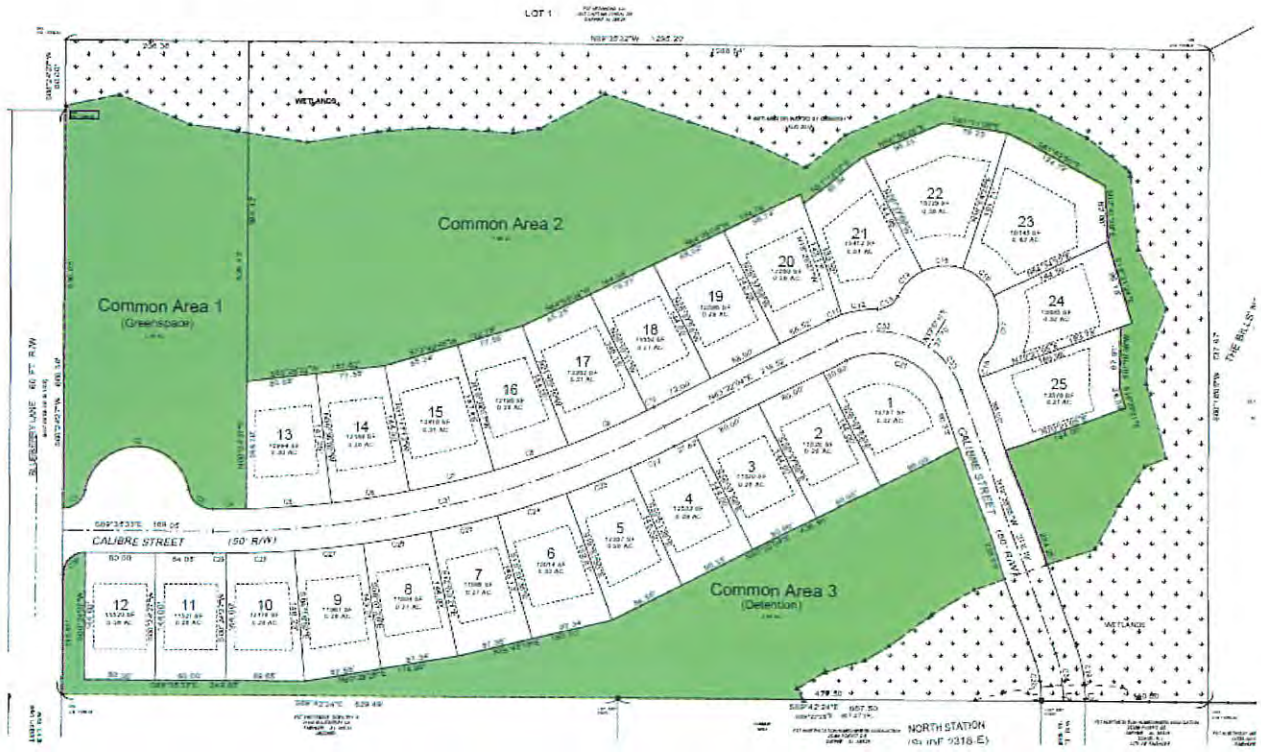
Comments:

The development will have 25 new single-family residential lots with new roads and infrastructure. And by definition of the City of Fairhope's Subdivision Regulations creating a major subdivision and must abide by the current regulations.

Access from North Station will be going through a section of wetlands and the applicant has provided the appropriate wetland delineation and permit applications for construction of the road. *Article IV, Section C.1.b.(18)*

Three LID techniques are going to be utilized which will provide the required 80% or more TSS removal.
Vegetated/Grass Buffer- 84% TSS removal
Wet Basin- 80% TSS removal
Grass Swale (Included in wet basins)- 80% TSS removal
The sites post-development discharge is less than the pre-development out flow.

Greenspace accounts for 36% of the development and more than triples the 10% that is required. *Article V, Section C.2*
The detention area does count towards green space percentage.



Paul Merchant, City of Fairhope's Horticulturalist has approved the landscape plan. A tree protection was not needed. The site is bare of trees except what is in the wetland area and is already protection. A letter from the EOR was provided.

Traffic calming devices have been added, *Article V, Section D.4.b* Street Standards – Block Design, because the length of Calibre Street exceeded 660'.

The north and east side is surrounded by wetlands and the appropriate 30' buffer has been applied and proper signage will be provided.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.
"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;

- **Meets**

b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;

- ***Meets***

c. The proposed subdivision is not consistent with these Regulations;

- ***Meets***

d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or

- ***Meets***

e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

- ***Meets***

<u>Recommendation:</u>

Staff recommends approval SD 19.06 with the following conditions:

1. A 10' buffer along Blueberry Lane indicating "Reserved for planting of trees and shrubs".
2. Provide a sign and sealed letter with response to why a tree protection plan is not needed.
3. Revise Operation and Maintenance Plan to reflect a 5-year maintenance schedule and not 3.
4. Add note on plat that the greenspace is not dedicated to the City of Fairhope and that the City of Fairhope is not responsible for maintenance of any or all required greenspace.

APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)

☒ Preliminary Plat ☐ Final Plat ☐ Multiple Occupancy Project

Attachments: ☐ Articles of Incorporation or List all associated investors

Date of Application: December 5, 2018

Property Owner / Leaseholder Information

Name of Property Owner: THE BILLS' NO. 2, LLC Phone Number: _____

Address of Property Owner: P.O. BOX 1659

City: ROBERTSDALE State: AL Zip: 36567

Proposed Subdivision Name: RIVERHORSE SUBDIVISION

No. Acres in Plat: 22 AC No. Lots/Units: 25

Parcel No: _____ Current Zoning: R-2

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the City of Fairhope

Name of Authorized Agent: DEWBERRY Phone Number: 929-9785

Address: 25353 FRIENDSHIP RD

City: DAPHNE State: AL Zip: 36526

Contact Person: DAVID E. DIEHL

Surveyor/Engineer Information

Name of Firm: DEWBERRY Phone Number: 929-9789

Address: 25353 FRIENDSHIP RD

City: DAPHNE State: AL Zip: 36526

Contact Person: JASON N. ESTES

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

The Bills' No. 2, LLC
Property Owner/Leaseholder Printed Name

Signature

December 5, 2018
Date

Fairhope Single Tax Corp. (If Applicable)

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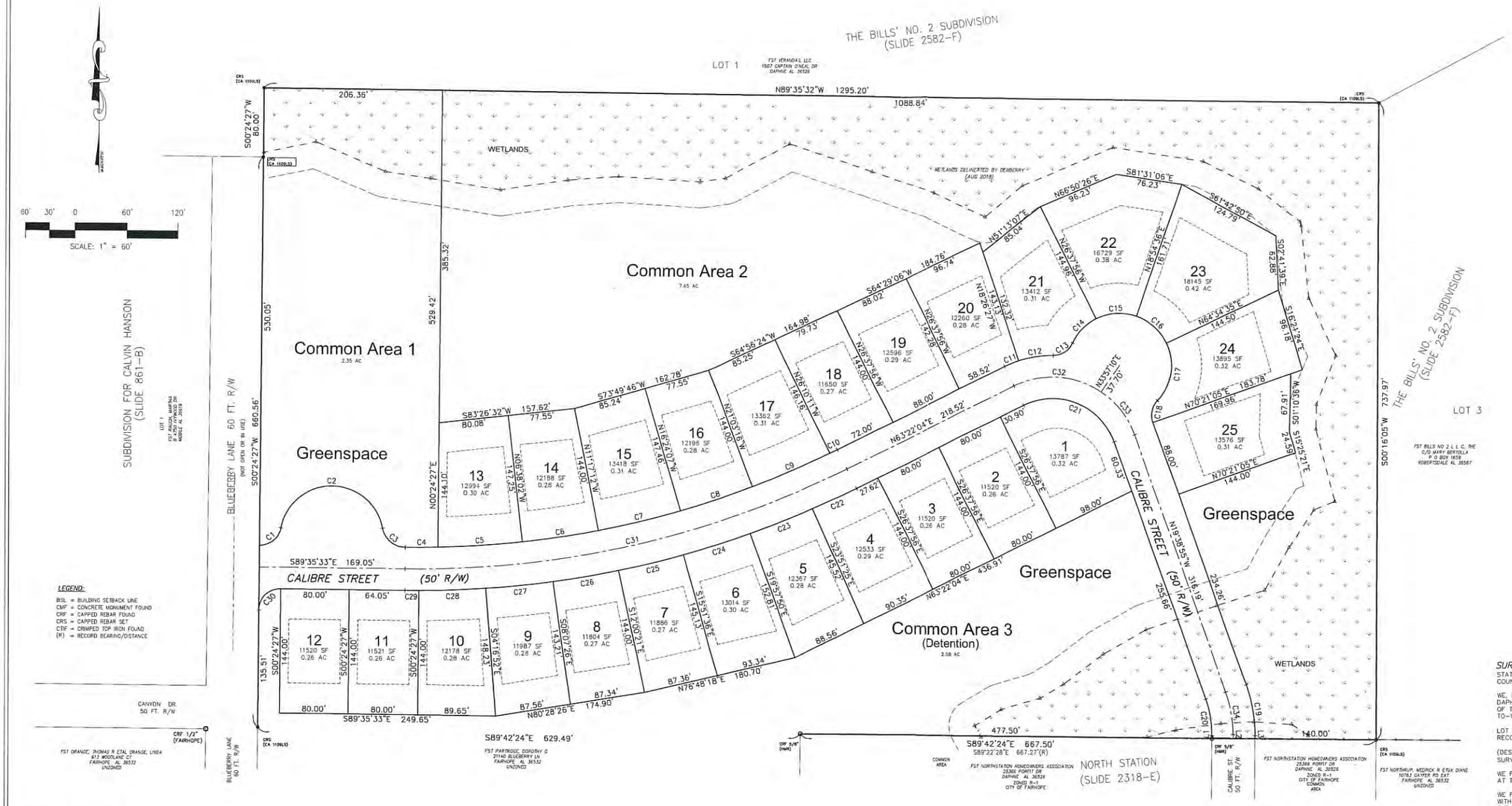
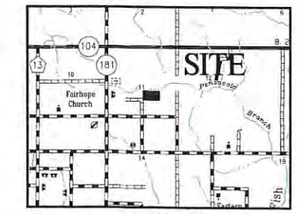
BY: EB



PROPERTY IS LOCATED IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
1" = 1 MILE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	25.00'	34.82'	32.07'	S50°30'29"W
C2	60.00'	165.98'	117.89'	S89°51'21"W
C3	27.00'	37.08'	34.24'	N50°14'33"W
C4	1100.00'	37.40'	37.39'	N89°26'16"E
C5	1100.00'	97.87'	97.84'	S85°54'54"W
C6	1100.00'	89.32'	89.30'	S81°02'23"W
C7	1100.00'	98.20'	98.17'	S76°09'21"W
C8	1100.00'	89.32'	89.30'	S71°16'19"W
C9	1100.00'	98.20'	98.17'	S66°23'17"W
C10	1100.00'	8.88'	8.88'	S63°35'57"W
C11	125.00'	17.87'	17.86'	N67°27'49"E
C12	125.00'	40.07'	39.90'	S80°44'32"W
C13	25.00'	28.38'	26.88'	S57°24'29"W
C14	60.00'	40.14'	39.39'	N44°03'20"E
C15	60.00'	47.85'	46.59'	S86°03'54"W
C16	60.00'	47.82'	46.57'	N48°15'25"W
C17	60.00'	71.57'	67.40'	N08°44'48"E
C18	25.00'	27.30'	25.96'	N11°38'03"E
C19	175.00'	60.01'	59.72'	N09°49'28"W
C20	125.00'	42.87'	42.66'	N09°49'28"W
C21	75.00'	126.95'	112.33'	S68°08'26"E
C22	1150.00'	55.70'	55.70'	S64°45'20"W
C23	1150.00'	78.14'	78.12'	N68°05'22"E
C24	1150.00'	82.37'	82.36'	S72°05'17"W
C25	1150.00'	77.65'	77.63'	N76°04'28"E
C26	1150.00'	77.63'	77.61'	N79°56'33"E
C27	1150.00'	77.65'	77.63'	S83°48'38"W
C28	1150.00'	77.63'	77.62'	N87°40'43"E
C29	1150.00'	15.95'	15.95'	N89°59'24"W
C30	25.00'	39.27'	35.36'	N45°24'27"E
C31	1125.00'	530.92'	526.01'	N76°53'16"E
C32	100.00'	105.74'	100.88'	S86°20'23"E
C33	100.00'	63.53'	62.46'	N37°50'53"W
C34	150.00'	50.17'	49.94'	N10°03'58"W

LINE	BEARING	DISTANCE
L1	N00°00'00"W	3.46'
L2	N00°29'00"W	4.67'
L3	S00°00'00"E	3.72'

LEGEND:
BSL = BUILDING SETBACK LINE
CMF = CONCRETE MONUMENT FOUND
CRF = CAPPED REBAR FOUND
CRS = CAPPED REBAR SET
CIF = CRIMPED IOP IRON FOUND
(R) = RECORD BEARING/DISTANCE

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOT 2, "THE BILLS' NO. 2 SUBDIVISION" ACCORDING TO THE MAP OR PLAT RECORDED ON SLIDE 2582-F, PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THAT WE HAVE SURVEYED AND DIVIDED SUBJECT PROPERTY AT THE REQUEST AND INSTANCE OF THE OWNER THEREOF.

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

DEWBERRY
DAVID E. DIEHL AL. P.L.S. No. 26014

ALABAMA LICENSED NO. 26014 PROFESSIONAL LAND SURVEYOR DAVID E. DIEHL

FLOOD CERTIFICATE:

THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0665 L, MAP EFFECTIVE DATE 7/17/2007.

CERTIFICATE OF OWNERSHIP

WE, FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED HEREON AND DO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYWAYS AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE, _____ AND _____ WHOSE NAMES AS PRESIDENT AND SECRETARY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS THE _____ DAY OF _____

FAIRHOPE SINGLE TAX CORPORATION,
AN ALABAMA CORPORATION

BY: _____
AS ITS: PRESIDENT

BY: _____
AS ITS: SECRETARY

CERTIFICATE OF NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ AS PRESIDENT, AND _____ AS SECRETARY, OF FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, AS OWNER OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND IN THEIR CAPACITY AS SUCH OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATED OFFICE OF BALDWIN COUNTY, ALABAMA, THIS DAY OF _____ 20____

AUTHORIZED SIGNATURE

CERTIFICATE OF LEASEHOLD OWNERSHIP

WE, THE UNDERSIGNED, THE BILLS' NO. 2, LLC, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS THE BILLS' NO. 2 SUBDIVISION, BALDWIN COUNTY, ALABAMA, AND THAT THE STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS ___ DAY OF _____ 20____

PRINT NAME SIGNATURE

CERTIFICATE OF NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME AS _____ OF THE BILLS' NO. 2, LLC, OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND AS SUCH LEASEHOLD OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY AT&T: (TELEPHONE)

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING COMMISSION

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION.

THE CITY OF FAIRHOPE PLANNING COMMISSION

BY: _____ DATE: _____
SECRETARY

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (WATER & SEWER):

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES: (ELECTRIC)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

GENERAL NOTES:

1. THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS, 7.5' ON EACH SIDE OF ALL REAR LOT LINES, AND A 7.5 FOOT UTILITY EASEMENT ON EACH SIDE OF LOT LINES, UNLESS OTHERWISE NOTED.
2. THERE IS A 30' SETBACK FROM WETLANDS WITHIN WHICH THERE IS A 5' NATURAL BUFFER ALONG THE UPLAND SIDE OF THE WETLAND LINE.
3. THE ONLY ALLOWED USES OF THE WETLAND BUFFER SHALL BE PER THE CITY OF FAIRHOPE SUBDIVISION REGULATIONS ARTICLE V SECTION F 4. STREAM B
4. THE REQUIRED PERMANENT BUFFER SIGNAGE SHALL BE INSTALLED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
5. NO RED SOIL/CLAY WITHIN 100' OF ANY CRITICAL AREA.
6. A TOTAL OF 21 WETLAND BUFFER SIGNS SHALL BE INSTALLED ALONG THE WETLAND BUFFER BOUNDARY AT 100 FOOT INTERVALS.

SURVEYOR/ENGINEER:

DEWBERRY
25353 FRIENDSHIP ROAD, DAPHNE, AL 36526
DAVID E DIEHL, PLS LIC. NO. 26014
JASON ESTES, PE LIC. NO. 22714

OWNER

THE BILLS' NO. 2, LLC
P.O. BOX 1659
ROBERTSDALE, AL 36567

DEVELOPER

68V PAY DIRT, LLC
29891 WOODROW LANE, STE. 100
SPANISH FORT, AL 36527

RECEIVED
JAN 22 2019
BY: GB

SITE DATA:

ZONING: R-2
LIN. FT. OF STREETS: 1,503 LF
NUMBER OF LOTS: 25
MINIMUM LOT SIZE: 10,500 SF
SMALLEST LOT: 11,200 SF (LOT 12)
LARGEST LOT: 16,946 SF (LOT 23)
COMMON AREA: 12.58 AC (57.2%)
GREENSPACE: 7.93 AC (36.0%)
WETLANDS: 4.65 AC (21.1%)
TOTAL AREA: 22.0 ACRES
DENSITY: 1.14 LOTS/AC

REQUIRED SETBACKS

FRONT - 35 FEET
REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES

WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

RIVERHORSE SUBDIVISION

JANUARY 11, 2019 - SHEET 1 OF 1
PRELIMINARY PLAT - NOT FOR FINAL RECORDING

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

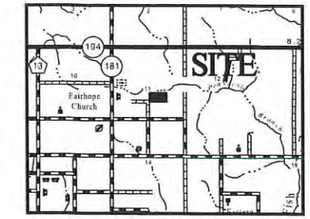
FIELD WK BY	D.E.D.	CP / TN	A.E.F.	CHKD	M.S.P.
DWN	J.D.L.	CHK'D BY	D.E.D.	PROJ MGR	J.G.A.
				SCALE	1"=60'
				JOB #	50106129
				FILE	50106129PRELIM
				SHEET	1 OF 1

Dewberry
25353 Friendship Road Daphne, AL 36526
251.990.9950 fax 251.929.9815

Revised As Per Comments

SD19.06

PROPERTY IS LOCATED IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
1" = 1 MILE

SCALE: 1" = 60'

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	25.00'	34.82'	32.07'	S50°30'29"W
C2	60.00'	165.98'	117.89'	S89°51'21"W
C3	27.00'	37.08'	34.24'	N50°14'33"W
C4	1100.00'	37.40'	37.39'	N89°26'16"E
C5	1100.00'	97.87'	97.84'	S85°54'54"W
C6	1100.00'	89.32'	89.30'	S81°02'23"W
C7	1100.00'	98.20'	98.17'	S76°09'21"W
C8	1100.00'	89.32'	89.30'	S71°16'19"W
C9	1100.00'	98.20'	98.17'	S66°23'17"W
C10	1100.00'	8.88'	8.88'	S63°35'57"W
C11	125.00'	17.87'	17.86'	N67°27'49"E
C12	125.00'	40.07'	39.90'	S80°44'32"W
C13	25.00'	28.38'	26.88'	S57°24'29"W
C14	60.00'	40.14'	39.39'	N44°03'20"E
C15	60.00'	47.85'	46.59'	S86°03'54"W
C16	60.00'	47.82'	46.57'	N48°15'25"W
C17	60.00'	71.57'	67.40'	N08°44'48"E
C18	25.00'	27.30'	25.96'	N11°38'03"E
C19	175.00'	60.01'	59.72'	N09°49'28"W
C20	125.00'	42.87'	42.66'	N09°49'28"W
C21	75.00'	126.95'	112.33'	S68°08'26"E
C22	1150.00'	55.70'	55.70'	S64°45'20"W
C23	1150.00'	78.14'	78.12'	N68°05'22"E
C24	1150.00'	82.37'	82.36'	S72°05'17"W
C25	1150.00'	77.65'	77.63'	N76°04'28"E
C26	1150.00'	77.63'	77.61'	N79°56'33"E
C27	1150.00'	77.65'	77.63'	S83°48'38"W
C28	1150.00'	77.63'	77.62'	N87°40'43"E
C29	1150.00'	15.95'	15.95'	N89°59'24"W
C30	25.00'	39.27'	35.36'	N45°24'27"E
C31	1125.00'	530.92'	526.01'	N76°53'16"E
C32	100.00'	105.74'	100.88'	S86°20'23"E
C33	100.00'	63.53'	62.46'	N37°50'53"W
C34	150.00'	50.17'	49.94'	N10°03'58"W

LINE	BEARING	DISTANCE
L1	N00°00'00"W	3.46'
L2	N00°29'00"W	4.67'
L3	S00°00'00"E	3.72'

LEGEND:
BSL = BUILDING SETBACK LINE
CMF = CONCRETE MONUMENT FOUND
CRF = CAPPED REBAR FOUND
CRS = CAPPED REBAR SET
CTF = CRIMPED TOP IRON FOUND
(R) = RECORD BEARING/DISTANCE

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOT 2, "THE BILLS' NO. 2 SUBDIVISION" ACCORDING TO THE MAP OR PLAT RECORDED ON SLIDE 2582-F, PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THAT WE HAVE SURVEYED AND DIVIDED SUBJECT PROPERTY AT THE REQUEST AND INSTANCE OF THE OWNER THEREOF.

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

DEWBERRY
DAVID E DIEHL AL. P.L.S. No. 26014

ALABAMA LICENSED NO.26014 PROFESSIONAL LAND SURVEYOR DAVID E. DIEHL

FLOOD CERTIFICATE:

THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0665 L, MAP EFFECTIVE DATE 7/17/2007.

CERTIFICATE OF OWNERSHIP

WE, FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED HEREON AND DO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYWAYS AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE, _____ AND _____, WHOSE NAMES AS PRESIDENT AND SECRETARY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS THE _____ DAY OF _____.

FAIRHOPE SINGLE TAX CORPORATION,
AN ALABAMA CORPORATION

BY: _____
AS ITS: PRESIDENT

BY: _____
AS ITS: SECRETARY

CERTIFICATE OF NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ AS PRESIDENT, AND _____ AS SECRETARY, OF FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, AS OWNER OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND IN THEIR CAPACITY AS SUCH OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATED OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF _____, 20____.

AUTHORIZED SIGNATURE

CERTIFICATE OF LEASEHOLD OWNERSHIP

WE, THE UNDERSIGNED, THE BILLS' NO. 2, LLC, AS PROPRIETOR(S), HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS THE BILLS' NO. 2 SUBDIVISION, BALDWIN COUNTY, ALABAMA, AND THAT THE STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS ___ DAY OF _____, 20____.

PRINT NAME SIGNATURE

CERTIFICATE OF NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____, WHOSE NAME AS _____ OF THE BILLS' NO. 2, LLC, OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND AS SUCH LEASEHOLD OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____.

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY AT&T:(TELEPHONE)

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING COMMISSION

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION.

THE CITY OF FAIRHOPE PLANNING COMMISSION

BY: _____ DATE: _____
SECRETARY

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (WATER & SEWER):

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES:(ELECTRIC)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

GENERAL NOTES:

1. THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS, 7.5' ON EACH SIDE OF ALL REAR LOT LINES, AND A 7.5 FOOT UTILITY EASEMENT ON EACH SIDE OF LOT LINES, UNLESS OTHERWISE NOTED.
2. THERE IS A 30' SETBACK FROM WETLANDS WITHIN WHICH THERE IS A 5' NATURAL BUFFER ALONG THE UPLAND SIDE OF THE WETLAND LINE.
3. THE ONLY ALLOWED USES OF THE WETLAND BUFFER SHALL BE PER THE CITY OF FAIRHOPE SUBDIVISION REGULATIONS ARTICLE V SECTION F.4 STREAM B.
4. THE REQUIRED PERMANENT BUFFER SIGNAGE SHALL BE INSTALLED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
5. NO RED SOIL/CLAY WITHIN 100' OF ANY CRITICAL AREA.
6. A TOTAL OF 21 WETLAND BUFFER SIGNS SHALL BE INSTALLED ALONG THE WETLAND BUFFER BOUNDARY AT 100 FOOT INTERVALS.

SURVEYOR/ENGINEER:

DEWBERRY
25353 FRIENDSHIP ROAD, DAPHNE, AL 36526
DAVID E DIEHL, PLS LIC. NO. 26014
JASON ESTES, PE LIC. NO. 22714

OWNER

THE BILLS' NO. 2, LLC
P.O. BOX 1659
ROBERTSDALE, AL 36567

DEVELOPER

68V PAY DIRT, LLC
29891 WOODROW LANE, STE. 300
SPANISH FORT, AL 36527

RECEIVED
JAN 22 2019
BY: GB

SITE DATA:

ZONING: R-2
LIN. FT. OF STREETS: 1,503 LF
NUMBER OF LOTS: 25
MINIMUM LOT SIZE: 10,500 SF
SMALLEST LOT: 11,200 SF (LOT 12)
LARGEST LOT: 16,946 SF (LOT 23)
COMMON AREA: 12.58 AC (57.2%)
GREENSPACE: 7.93 AC (36.0%)
WETLANDS: 4.65 AC (21.1%)
TOTAL AREA: 22.0 ACRES
DENSITY: 1.14 LOTS/AC

REQUIRED SETBACKS
FRONT - 35 FEET
REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

Revised As Per Comments

SD19.06

RIVERHORSE SUBDIVISION

JANUARY 11, 2019 - SHEET 1 OF 1
PRELIMINARY PLAT - NOT FOR FINAL RECORDING

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DESIGN	D.E.D.	DR. V.I.	A.E.F.	CHKD.	M.S.P.
EXP.	J.D.L.	PROJECT MGR.	D.E.D.	PROJ. MGR.	J.G.A.
				SCALE	1"=60'
				PROJ. NO.	50106129
				FILE	50106129PRELIM

Dewberry
25353 Friendship Road Daphne, AL 36526

Planning Commission

February 4, 2019

Preliminary Plat

Case: SD 19.07 Tracery

Project Name:
Tracery

Property Owner /Applicant:
The Bill's No. 2, LLC

General Location:
¼ mile north of Gayfer Avenue West side of Lawrence Road.

Project Type:
Preliminary Plat

Number of lots:
43

Project Acreage:
31.93

Zoning District:
R-2 Medium Density Single Family Residential District

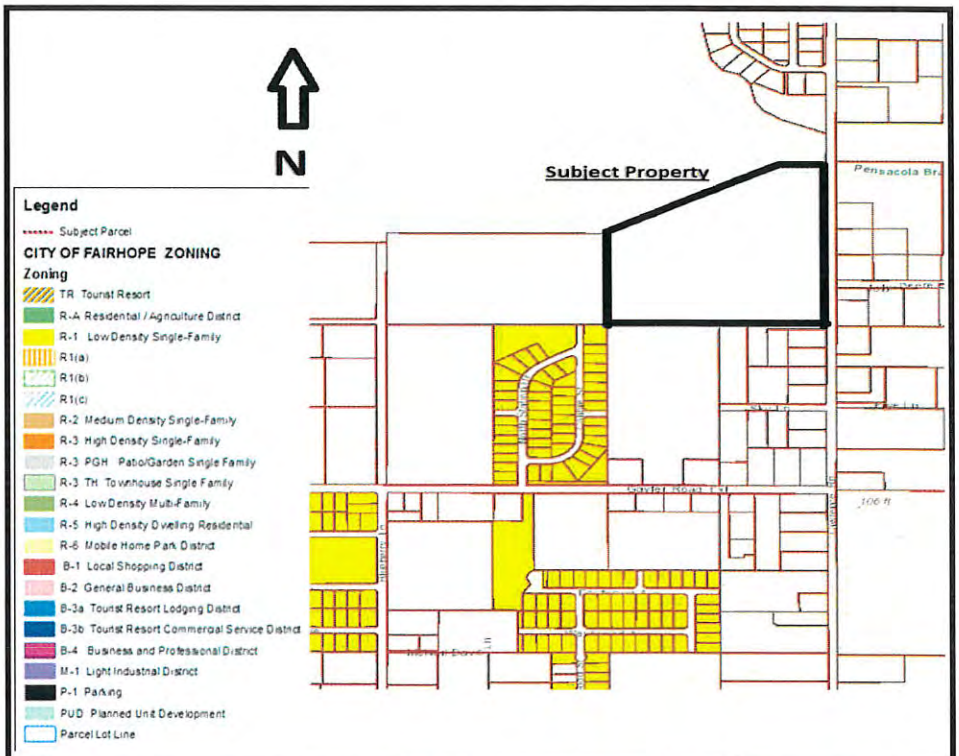
PPIN Number:
369810

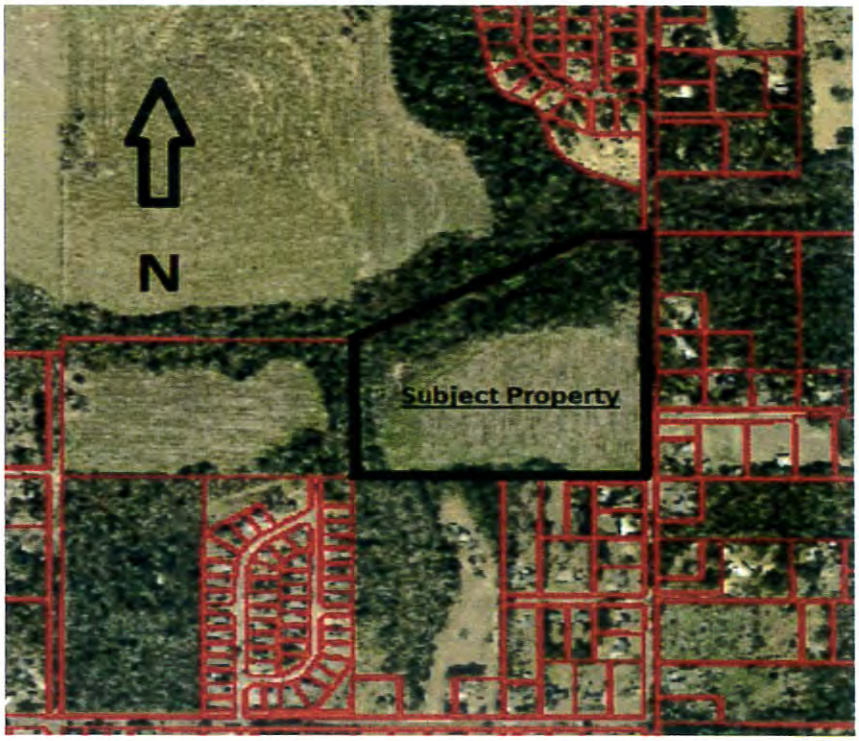
Engineer of record:
Dewberry Engineers

School District:
Fairhope Elementary, Intermediate, Middle, and High School

Report prepared by:
Mike Jeffries, QCI
Planning Technician

Recommendation:
Approve with conditions





Summary of Request:

Public hearing to consider the request of Dewberry Engineers, Inc on behalf of The Bill's No. 2, LLC owner and applicant for preliminary plat approval of Tracery, a 43-lot major subdivision. The property is located ¼ mile north of Gayfer Avenue on the west side of Lawrence Road. The subject property is 31.93 acres with the smallest lot 11,520 S.F. and largest lot 23,105 S.F. The average lot size is 12,993 S.F. This subdivision will have access from Lawrence Road.

View looking west towards subject property from Lawrence Road

SITE DATA:
ZONING: R-2
TOTAL ACREAGE: 31.93 ACRES
NUMBER OF LOTS: 43
DENSITY: 1.35 LOTS/AC
SMALLEST LOT: 11,520 SF
LARGEST LOT: 23,105 SF (LOT 39)
AVERAGE LOT: 12,993 SF
LIN. FT. OF STREETS: 2,277 LINEAR FEET
COMMON AREA: 16.43 AC (51.4%)
GREEN SPACE: 7.49 AC (23.5%)

REQUIRED SETBACKS
FRONT - 35 FEET
REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

Comments:

The development will have 43 new single-family residential lots with new roads and infrastructure. And by definition of the City of Fairhope's Subdivision Regulations creating a major subdivision and must abide by the current regulations.

Four LID techniques are going to be utilized which will provide the required 80% or more TSS removal.

LID Technique	TSS Removal %	Drainage Area
Vegetated/Grass Buffer*	84	9.66 acres
Wet Basin (Onsite)	80	14.15 acres
Wet Basin (Offsite)	80	3.25 acres
Grass Swale (Included in Wet Basins)	80	4.51 acres

The sites post-development discharge is less than the pre-development out flow.

Greenspace accounts for 23.5% of the development and more than doubles the 10% that is required. *Article V, Section C.2*

Paul Merchant, City of Fairhope's Horticulturalist has approved the landscape plan. A tree protection was not needed. The site is bare of trees except what is in the wetland area and is already protection. A letter from the EOR was provided.
The north and west side is surrounded by wetlands and the appropriate 30' buffer has been applied and proper signage will be provided.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.
"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land <u>is not suitable for</u> platting and development as proposed, due to any of the following:

a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;

- **Meets**

b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;

- ***Meets***

c. The proposed subdivision is not consistent with these Regulations;

- ***Meets***

d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or

- ***Meets***

e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

- ***Meets***

<u>Recommendation:</u>
Staff recommends approval SD 19.07 with the following conditions:

1. A 10' buffer along Lawrence Road indicating "Reserved for planting of trees and shrubs".
2. Provide a sign and sealed letter with response to why a tree protection plan is not needed.
3. Revise Operation and Maintenance Plan to reflect a 5-year maintenance schedule and not 3.
4. Add note on plat that the greenspace is not dedicated to the City of Fairhope and that the City of Fairhope is not responsible for maintenance of any or all required greenspace.

APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)

☒ Preliminary Plat ☐ Final Plat ☐ Multiple Occupancy Project

Attachments: ☐ Articles of Incorporation or List all associated investors

Date of Application: ~~23 October 2018~~ December 5, 2018

Property Owner / Leaseholder Information

Name of Property Owner: FST, The Bills No. 2 LLC Phone Number: _____

Address of Property Owner: PO BOX 1659

City: Robertsdale State: AL Zip: 36567

Proposed Subdivision Name: Tracery

No. Acres in Plat: 31.93 acres No. Lots/Units: _____

Parcel No: 05-46-01-11-0-000-001.622 Current Zoning: R-2

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the City of Fairhope

Name of Authorized Agent: Dewberry Phone Number: 251 929 9785

Address: 25353 Friendship Road

City: Daphne State: AL Zip: 36526

Contact Person: David Diehl

Surveyor/Engineer Information

Name of Firm: Dewberry Phone Number: 251 929 9789

Address: 25353 Friendship Road

City: Daphne State: AL Zip: 36526

Contact Person: Jason Estes

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

The Bills' No. 2, LLC

Property Owner/Leaseholder Printed Name

Signature

~~23 October 2018~~ December 5, 2018

Date

Fairhope Single Tax Corp. (If Applicable)

DEC 18 2018

BY: _____

RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

VICINITY MAP
1" = 1 MILE

0 60 120 180

SITE DATA:
ZONING: R-2
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REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

OWNER
THE BILLS' NO. 2 LLC
PO BOX 1659
ROBERTSDALE, AL 36567

DEVELOPER
TRACERY 2018, LLC
29891 WOODROW LANE STE 300
SPANISH FORT, AL 36527

ENGINEER/SURVEYOR
DEWBERRY
25353 FRIENDSHIP ROAD
DAPHNE, AL 36526
JASON ESTES, AL PE 22714
DAVID DIEHL, AL PS 26014

LEGEND
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CMF = CONCRETE MONUMENT FOUND
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(R) = RECORD BEARING/DISTANCE

CERTIFICATE OF OWNERSHIP
WE, FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED HEREON AND DO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYWAYS AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE _____, AND _____, WHOSE NAMES AS PRESIDENT AND SECRETARY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS THE _____ DAY OF _____

FAIRHOPE SINGLE TAX CORPORATION,
AN ALABAMA CORPORATION

BY _____
AS ITS: PRESIDENT

BY _____
AS ITS: SECRETARY

CERTIFICATE OF NOTARY PUBLIC:
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____, AS PRESIDENT, AND _____, AS SECRETARY, OF FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, AS OWNER OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND IN THEIR CAPACITY AS SUCH OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____.

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF LEASEHOLD OWNERSHIP
WE, THE UNDERSIGNED, THE BILLS' NO. 2, LLC, AS PROPRIETOR(S), HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS THE BILLS' NO. 2 SUBDIVISION, BALDWIN COUNTY, ALABAMA, AND THAT THE STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS ___ DAY OF _____, 20____.

PRINT NAME SIGNATURE

CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING:
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATED OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF ____, 20____.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (ELECTRIC)
THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY AT&T (TELEPHONE)
THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE (SEWER)
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (WATER):
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF NOTARY PUBLIC:
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____, WHOSE NAME AS _____ OF THE BILLS' NO. 2, LLC, OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND AS SUCH LEASEHOLD OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE ____ DAY OF _____.

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING COMMISSION
THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION.

THE CITY OF FAIRHOPE PLANNING COMMISSION

BY _____ DATE: _____
SECRETARY

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS ____DAY OF _____, 20____.

COUNTY ENGINEER

FLOOD CERTIFICATE
THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0665 L, MAP EFFECTIVE DATE 7/17/2007.

GENERAL NOTES:

1. THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS, 7.5' ON EACH SIDE OF ALL REAR LOT LINES, AND A 7.5 FOOT UTILITY EASEMENT ON EACH SIDE OF LOT LINES, UNLESS OTHERWISE NOTED. THERE IS DEDICATED HEREWITH A DRAINAGE EASEMENT OVER THE ENTIRE COMMON AREA 1 & 3.
2. THERE IS A 30' SETBACK FROM WETLANDS WITHIN WHICH THERE IS A 5' NATURAL BUFFER ALONG THE UPLAND SIDE OF THE WETLAND LINE.
3. THE ONLY ALLOWED USES OF THE WETLAND BUFFER SHALL BE PER THE CITY OF FAIRHOPE SUBDIVISION REGULATIONS ARTICLE V SECTION F 4. STREAM B.
4. THE REQUIRED PERMANENT BUFFER SIGNAGE SHALL BE INSTALLED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
5. NO RED SOIL/CLAY WITHIN 100' OF ANY CRITICAL AREAS.
6. A TOTAL OF 21 WETLAND BUFFER SIGNS SHALL BE INSTALLED ALONG THE WETLAND BUFFER BOUNDARY AT 100 FOOT INTERVALS.

SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. DESCRIPTION AS FURNISHED BY CLIENT.
3. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE OF SAID PROPERTIES.
4. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
5. SURVEY WAS CONDUCTED ON OCT. 2016, AND IS RECORDED IN FIELD BOOK R01.
6. BEARINGS ARE BASED ON STATE PLANE GRID COORDINATES ALABAMA WEST ZONE 0102 (NAD 83 DATUM).
8. THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	75.00'	117.81'	S45°16'05"E	106.07'
C2	100.00'	157.08'	N45°16'05"E	141.42'
C3	125.00'	30.53'	S07°15'53"W	30.45'
C4	125.00'	61.39'	S28°19'53"W	60.78'
C5	125.00'	104.43'	S66°20'05"W	101.42'
C6	25.00'	16.61'	N19°17'53"E	16.30'
C7	60.00'	39.76'	N19°20'34"E	39.04'
C8	60.00'	47.52'	N22°19'45"W	46.28'
C9	60.00'	49.90'	N68°50'23"W	48.47'
C10	60.00'	18.91'	S78°18'30"W	18.83'
C11	45.00'	28.67'	S87°31'50"W	28.18'
C12	125.00'	33.84'	N81°58'33"W	33.74'
C13	100.00'	157.08'	S44°43'55"E	141.42'
C14	75.00'	117.81'	S44°43'55"E	106.07'
C15	25.00'	39.34'	N44°39'15"W	35.40'
C16	25.00'	39.20'	S45°20'45"W	35.31'
C17	25.00'	39.27'	N45°16'05"E	35.36'
C18	25.00'	39.27'	S44°43'55"E	35.36'
C19	125.00'	29.10'	N06°24'08"W	29.04'
C20	75.00'	117.81'	S44°43'55"E	106.07'
C21	100.00'	157.08'	S44°43'55"E	141.42'
C22	125.00'	44.39'	S79°33'28"E	44.16'
C23	125.00'	61.53'	S55°16'51"E	60.91'
C24	125.00'	61.32'	S27°07'31"E	60.71'

SURVEYOR'S CERTIFICATE:
STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOT 3, "THE BILLS' NO. 2 SUBDIVISION" ACCORDING TO THE MAP OR PLAT RECORDED ON SLIDE 2582-F, PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THAT WE HAVE SURVEYED AND DIVIDED SUBJECT PROPERTY AT THE REQUEST AND INSTANCE OF THE OWNER THEREOF.

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

ALABAMA LICENSED NO. 26014 PROFESSIONAL LAND SURVEYOR DAVID E. DIEHL

DEWBERRY
DAVID E DIEHL AL. P.L.S. No. 26014

RECEIVED
JAN 22 2019
BY: .....

TRACERY

OCTOBER 23, 2018 - SHEET 1 OF 1
PRELIMINARY PLAT - NOT FOR FINAL RECORDING

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DRAWN:	DED	SCALE:	DED	CHKD:	MSP
FILE:	ANB	SURVEYOR:	DED	PROJ. MGR:	ANB
				SCALE:	1"=60'
				PROJ. NO.:	50106131
				FILE:	PRELIM

Dewberry
25353 Friendship Road
DAPHNE, ALABAMA 36526
PHONE: 251.990.9950

Revised As Per Comments

SD 19.07

PROPERTY IS LOCATED IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

VICINITY MAP
1" = 1 MILE

0 60 120 180

OWNER
THE BILLS' NO. 2 LLC
PO BOX 1659
ROBERTSDALE, AL 36567

DEVELOPER
TRACERY 2018, LLC
29891 WOODROW LANE STE 300
SPANISH FORT, AL 36527

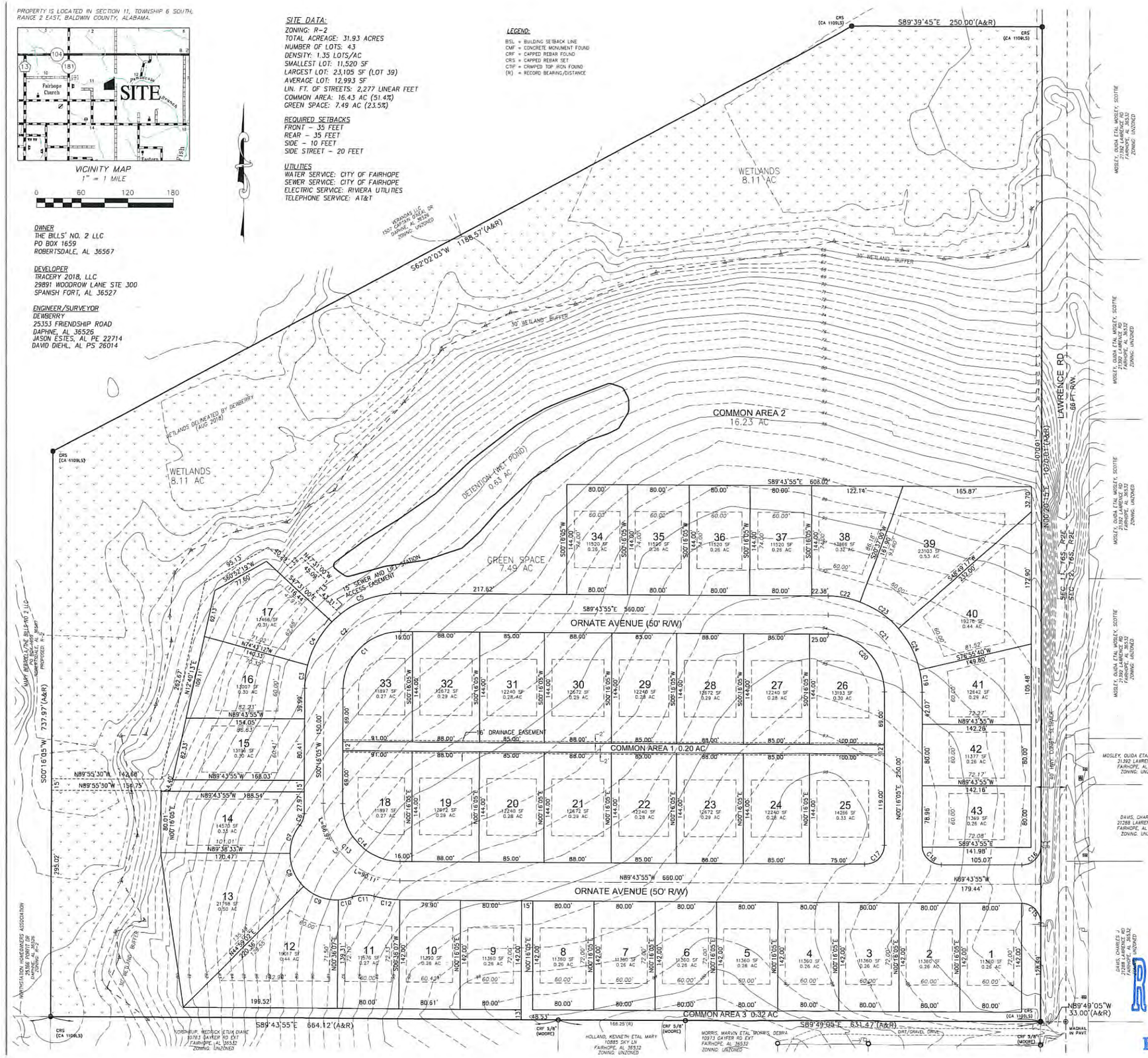
ENGINEER/SURVEYOR
DEWBERRY
25353 FRIENDSHIP ROAD
DAPHNE, AL 36526
JASON ESTES, AL PE 22714
DAVID DIEHL, AL PS 26014

SITE DATA:
ZONING: R-2
TOTAL ACREAGE: 31.93 ACRES
NUMBER OF LOTS: 43
DENSITY: 1.35 LOTS/AC
SMALLEST LOT: 11,520 SF
LARGEST LOT: 23,105 SF (LOT 39)
AVERAGE LOT: 12,993 SF
LIN. FT. OF STREETS: 2,277 LINEAR FEET
COMMON AREA: 16.43 AC (51.4%)
GREEN SPACE: 7.49 AC (23.5%)

REQUIRED SETBACKS
FRONT - 35 FEET
REAR - 35 FEET
SIDE - 10 FEET
SIDE STREET - 20 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: RIVIERA UTILITIES
TELEPHONE SERVICE: AT&T

LEGEND:
BSL = BUILDING SETBACK LINE
CMF = CONCRETE MONUMENT FOUND
CRF = CAPPED REBAR FOUND
CRS = CAPPED REBAR SET
CTIF = CRIMPED TOP IRON FOUND
(R) = RECORD BEARING/DISTANCE



CERTIFICATE OF OWNERSHIP
WE, FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED HEREON AND DO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYWAYS AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE, _____ AND _____ WHOSE NAMES AS PRESIDENT AND SECRETARY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS THE _____ DAY OF _____

FAIRHOPE SINGLE TAX CORPORATION,
AN ALABAMA CORPORATION

BY: _____
AS ITS: PRESIDENT

BY: _____
AS ITS: SECRETARY

CERTIFICATE OF NOTARY PUBLIC:
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ AS PRESIDENT, AND _____ AS SECRETARY, OF FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION, AS OWNER OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND IN THEIR CAPACITY AS SUCH OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY

OF_____

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF LEASEHOLD OWNERSHIP
WE, THE UNDERSIGNED, THE BILLS' NO. 2, LLC, AS PROPRIETOR(S), HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS THE BILLS' NO. 2 SUBDIVISION, BALDWIN COUNTY, ALABAMA, AND THAT THE STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS ___ DAY OF _____ 20____

PRINT NAME SIGNATURE

CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING:
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATED OFFICE OF BALDWIN COUNTY, ALABAMA, THIS DAY OF _____ 20____

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES:(ELECTRIC)
THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY AT&T:(TELEPHONE)
THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE:(SEWER)
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20_____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (WATER):
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____ 20_____

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF NOTARY PUBLIC:
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME AS _____ OF THE BILLS' NO. 2, LLC, OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, AND AS SUCH LEASEHOLD OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY OF _____

NOTARY PUBLIC MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING COMMISSION
THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION.

THE CITY OF FAIRHOPE PLANNING COMMISSION

BY: _____ DATE: _____
SECRETARY

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS ____DAY OF_____ 20_____

COUNTY ENGINEER

FLOOD CERTIFICATE:
THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0665 L, MAP EFFECTIVE DATE 7/17/2007.

GENERAL NOTES:

1. THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS, 7.5' ON EACH SIDE OF ALL REAR LOT LINES, AND A 7.5 FOOT UTILITY EASEMENT ON EACH SIDE OF LOT LINES, UNLESS OTHERWISE NOTED. THERE IS DEDICATED HEREWITH A DRAINAGE EASEMENT OVER THE ENTIRE COMMON AREA 1 & 3.
2. THERE IS A 30' SETBACK FROM WETLANDS WITHIN WHICH THERE IS A 5' NATURAL BUFFER ALONG THE UPLAND SIDE OF THE WETLAND LINE.
3. THE ONLY ALLOWED USES OF THE WETLAND BUFFER SHALL BE PER THE CITY OF FAIRHOPE SUBDIVISION REGULATIONS ARTICLE V, SECTION F 4. STREAM B.
4. THE REQUIRED PERMANENT BUFFER SIGNAGE SHALL BE INSTALLED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
5. NO RED SOIL/CLAY WITHIN 100' OF ANY CRITICAL AREAS.
6. A TOTAL OF 21 WETLAND BUFFER SIGNS SHALL BE INSTALLED ALONG THE WETLAND BUFFER BOUNDARY AT 100 FOOT INTERVALS.

SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. DESCRIPTION AS FURNISHED BY CLIENT.
3. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE OF SAID PROPERTIES.
4. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
5. SURVEY WAS CONDUCTED ON OCT. 2016, AND IS RECORDED IN FIELD BOOK 801.
6. BEARINGS ARE BASED ON STATE PLANE GRID COORDINATES ALABAMA WEST ZONE 0102 (NAD 83 DATUM).
8. THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	75.00'	117.81'	S45°16'05"W	106.07'
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C23	125.00'	61.53'	S55°16'51"E	60.91'
C24	125.00'	61.32'	S27°07'31"E	60.71'

SURVEYOR'S CERTIFICATE:
STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOT 3, "THE BILLS' NO. 2 SUBDIVISION" ACCORDING TO THE MAP OR PLAT RECORDED ON SLIDE 2582-F, PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THAT WE HAVE SURVEYED AND DIVIDED SUBJECT PROPERTY AT THE REQUEST AND INSTANCE OF THE OWNER THEREOF.

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

ALABAMA LICENSED NO. 26014 PROFESSIONAL LAND SURVEYOR DAVID E. DIEHL

DEWBERRY
DAVID E DIEHL AL. P.L.S. No. 26014

LINE	BEARING	DISTANCE
L1	S51°53'52"W	5.98'
L2	N89°24'41"E	20.07'
L3	N89°24'41"E	20.07'

RECEIVED
JAN 22 2019
BY: .....

TRACERY

OCTOBER 23, 2018 - SHEET 1 OF 1
PRELIMINARY PLAT - NOT FOR FINAL RECORDING

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DED	CKH	MSP	
JNE	DED	JNE	
		1"=60'	
		50106131	
		PRELIM	
		1	1

Dewberry
25353 Friendship Road
Daphne, Alabama 36526
Phone: 251.990.9950
www.dewberry.com
Certificate of Authorization No. 1102

Revised As Per Comments SD 19.07

Planning Commission

February 4, 2019

Case: SD 19.10

Project Name: Battles Trace Phase 5a & 5b
Final Plat

Property Owner /Applicant: Retirement Systems of Alabama

General Location: The property is located on the north side of Battles Road, north of the Colony at the Grand.

Project Type: Major Subdivision Inside the corporate limits, the Planning, Permit, and Police Jurisdiction.

Number of lots 73

Project Acreage: 27.6 acres

Zoning District: TR (Tourist Resort) District

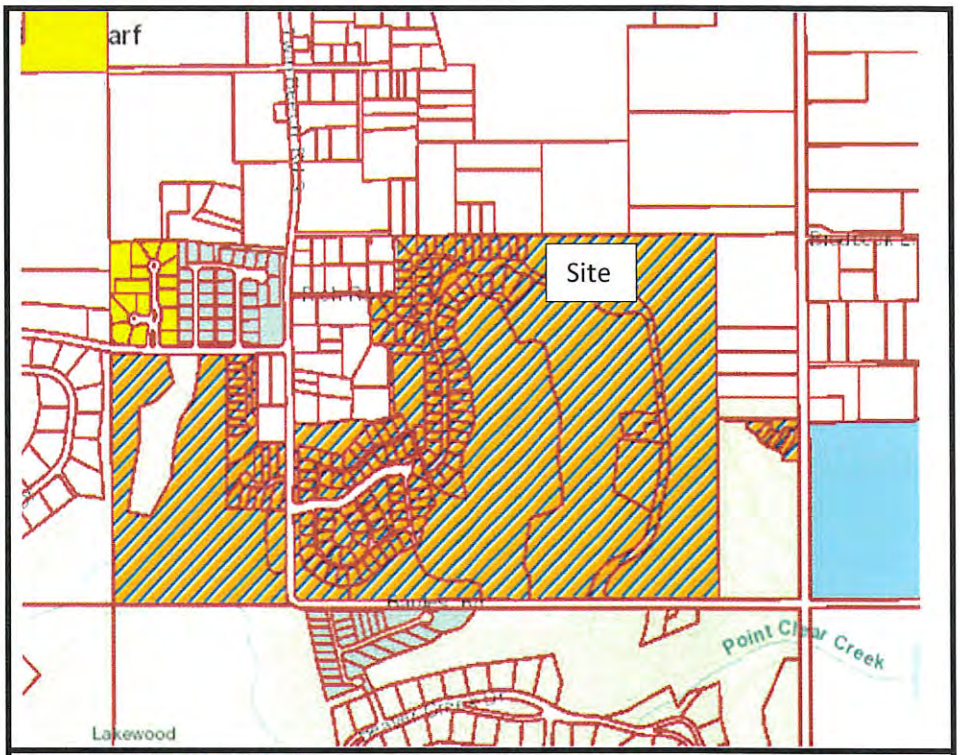
PPIN Number: 29244

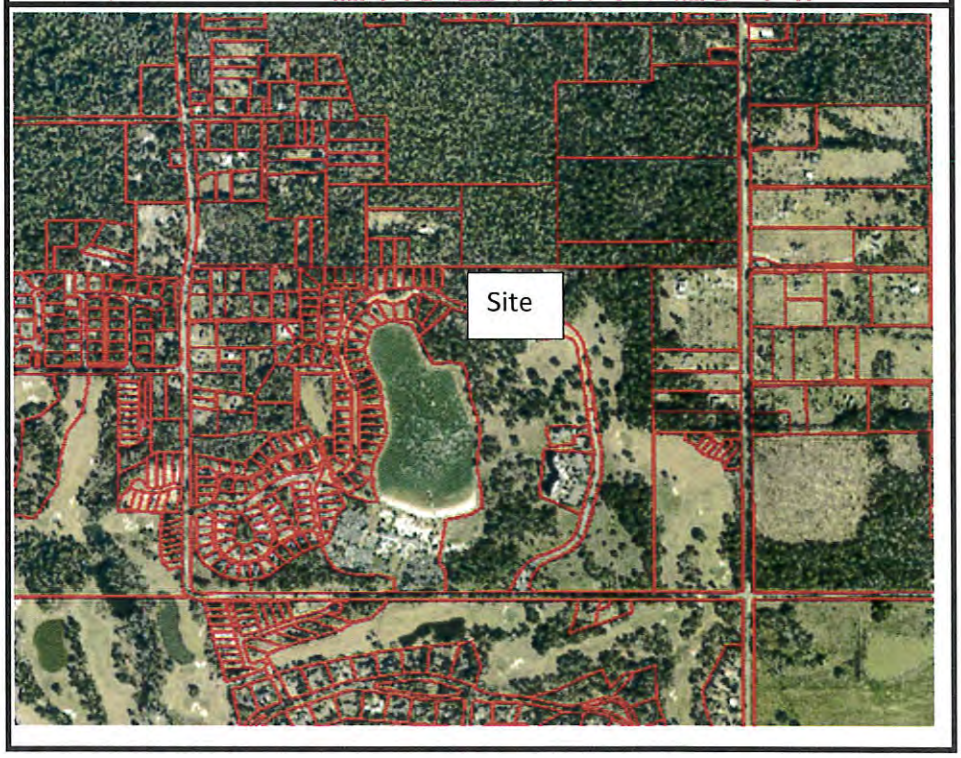
Engineer of record: : Mr. Tim Lawley, HMR, LLC, 2039 Main Street, Daphne, Alabama 36526

School District: Larry J. Newton Elementary, Fairhope Middle and High Schools

Report prepared by: Nancy Milford, Staff Planner, EIT, CAPZO Certified

Recommendation: Approve with Conditions





Summary of Request: Public hearing to consider the request of The Retirement Systems of Alabama for Final Plat of Battles Trace Phase 5 (A & B). The property is located on the north side of Battles Road, north of the Colony at the Grand.
The property is owned by the Retirement Systems of Alabama and their authorized representative is HMR LLC.

The total site acreage is 27.58 acres, with the largest lot being approximately 15,185 sf and the smallest lot being 8,125 sf.

Comments:
Site History: The Tourist Resort District (approximately 186.2 acres with a total allowed density of 637) was approved in 2010 with multiple development zones, including a recreational zone, a low-rise zone, limited commercial zone, a mid-rise zone, and a high-rise zone which were presented in a land use map. An updated land use map is attached to this staff report.
In 2016, the applicant requested an amendment to the TR district land use map rearranging the percentages of the various zones and reducing the designated high-rise land use area. At the time of the amendment, the staff cover letter for the amendment reports the applicant anticipates to be well below the maximum allowed 637 units at final build out.

Zoning Cases

Case Number	PC Date	PC Result	CC Date	Dev. Name	Applicant	Owner	Request	Address	Ordinance Number
ZC 10.04	6/7/10	Approved	8/23/10	Colony At the Grand	Point Clear Partners	Point Clear Partners	Conditional annexation to TR	Battles Road	Approved – Ord. No. 1434
ZC 16.04	4/4/16	Approved	6/27/16	TR District Amendment	HMR	RSA	TR District Amendment	Old Battles Rd	Approved-Ord. No. 1579

The Battles Trace Subdivision Preliminary Plat, first phase of this development, was approved in September 18, 2012 and is considered low-rise residential (not to exceed 35'). The total anticipated number of phases for this overall development has not been determined yet. According to the applicant's engineer, the number of total phases will depend on the market and how the developer will choose to break up the phasing. The final plat Battles Trace was approved on September 5, 2017.

Battles Trace Subdivision Cases

Case No.	Applicant	Case Type	Subdivision Name	No. of Lots	Zoning	PZ Date	PZ Decision	Recorded Plat
SD 06-05	Volkert/Daniel Corp	Minor	Colony at the Grand-triangle	2	N/A	2/6/06	Approved	5/15/2006, 5/15/2006, 5/15,2006
SD 13-12	HMR/Point Clear Partners	Minor Replat2, Replat 1	Colony at the Grand Sub., Ph 1A	3	TR	9/3/13	Approved	12/17/12 3/5/2014
SD 10-03	HMR, LLC	Minor	Colony at the Grand	2	TR	11/1/10	Approved	5/3/11, 11/22/11
SD-12-05	HMR	Preliminary	Battles Trace at the Colony	66	TR	9/18/12	Approved	N/A

SD-13-18	HMR	Final	Battles Trace at the Colony, Phase 1	42	TR	12/2/13	Approved	6/3/2014
SD-16-02	HMR, LLC	Final	Battles Trace, Phase 2	24	TR	1/4/16	Approved	1/29/2016
SD-15-25	HMR / RSA	Preliminary	Battles Trace, Phase 3	43	TR	11/2/15	Approved	N/A
SD-16-31	HMR, LLC	Final	Battles Trace, Phase 3	43	TR	11/10/16	Approved	1/20/2017
SD-16-15	HMR	Preliminary	Battles Trace, Phase 4	27	TR	7/5/2016	Approved	N/A
SD-17-22	HMR	Final	Battles Trace, Phase 4	27	TR	9/5/2017	Approved	10/10/17

The Preliminary Plat application for Battles Trace Phase 5 was heard by Planning Commission on December 4, 2017. The applicant voluntarily tabled the application for the applicant to work with the Director of Operations, Mr. Richard Peterson, PE, on the pending sewer issues. A meeting was held on December 12, 2017 between RSA Representatives, Mr. Tim Lawley, PE, HMR, and Mr. Richard Peterson, PE, City of Fairhope Director of Operations. No agreement was obtained between all the parties. On December 13, 2017, the applicant has submitted a waiver (attached) request from the Standard Specifications for Constructing Sanitary Sewer and Water Facilities, allowing the installation of low pressure sewer main at Battles Trace Subdivision (Phase 5).
This application was heard at the January 4th, 2018 meeting. The applicant submitted an alternative plan for sewer, which was approved by Richard Peterson, Director of Operations. The application was approved by Planning Commission meeting on February 5, 2018.

Site Photos: **Battles Trace Phase 5**

Colony Phase 5 Signage

View of the Landscape Island on Colony Dr.

View of the Lake from Battles Trace Ph. 5.

View that seeding not complete.

Second view of incomplete seeding.

View of curb re-work.

View looking toward the previous phase.

View looking at Colony Drive

View of Landscaping and pedestian crossing

View of Tree Damage

View of construction materials

View of second damaged curb repair

View of Road Repair

View of construction staging.

School Impact analysis:
The Preliminary Plat for Battles Trace, Phase 5 contains 73 single family lots. Applying the student yield factors, the development is expected to generate 28.47 (73x.39) elementary school students, 8.03 (73x.11) middle school students and 12.41 (73X.17) high school students.

Development Name	Application Type	Housing Type	Total Units	Attendance Zone	SYF	Expected Number students
Battles Trace Ph 5	Final Plat	SF	73	**Larry J. Newton**	.39	28.47
				Fairhope Middle	.11	8.03
				Fairhope High	.17	12.41
				Total		48.91

Green space: The applicant states that 7.53 acres of greenspace (28% of the site) has been provided for this development. This brings the overall Battles Trace development to a total of 35% green space (63.8 acres of the total 184.6 acres).

Operations and Maintenance Plan: The applicant has provided the Operations and Maintenance Plan amendment with phase 5 of development. The document has been signed and notarized. The applicant shall record the amendment at the time of final plat.

Wetlands: According to the applicant, no wetlands are located this phase of development.

Storm Sewer: Storm sewers are private. The City of Fairhope will not maintain private sewer. Drainage infrastructure maintenance is the responsibility of the homeowner's association. According to the City of Fairhope's Engineer, the storm water system at this location is private. The engineer that has signed the certification is responsible for the design and functionality of the system; therefore, they are the responsible for inspection and review of the storm water video. The City will not require the video as the submittal for this development.

Mr. Richard Johnson, PE, verified the existing note on the plat regarding drainage responsibility was acceptable.

Roads: The roads in this development are private. There were some issues with the roads that will need to be corrected and the last layer of road has not been installed. Typically, staff would require bonding of any uncompleted item; however, the applicant has committed to have the work completed prior to the Planning Commission Meeting. Staff has met with the Public Works Director on this item. Per the Public Works Director, all improvements are to be inspected and accepted prior to the Planning Commission meeting. All remaining items that are not completed, inspected or accepted are to require a performance bond.

Water and Sewer: The applicant was missing several submittal items on the initial submittal, including bac t tests and sanitary sewer video. Since that time, the required submittals were provided and all passed the approval of the City of Fairhope, Director of Operations, Mr. Richard Peterson, PE.

Building Official Comments: The Building Official has requested the following as a note on the plat: "Per the Building Official, the International Residential Code requirements for firewalls, fire rating of eaves and soffits and limitation of openings (doors windows, etc) will be enforced based on building proximity to a property line, not separation from structures on other lots."

***Final Inspection*:** A final inspection was conducted on January 16, 2019. The following items were identified as requiring completion or action:

- No street signs.
- Several water and sewer department items.
- Several storm water box issues
- No final layer of road on the street.
- Site not stabilized.
- Construction entrance did not appear to be "rocked".

A number of the submittal items and final inspection were delayed. At the time of this writing, no road tests have been submitted. However, the Planning Director and the Public Works Director were willing to work with the applicant on the incomplete items. The final inspection was scheduled for January 16, 2019. At the time of final inspection, the applicant was planning on bonding the final wearing layer of road; however, the applicant chose to move forward and complete the final wearing layer. During the final inspection issues with the road were brought to the attention of the contractor and a segment of the road had to be removed and re-worked. The day of this writing, the Public Works Director inspected for final completion. His conditions of approval have been added to the recommendation.

Staff received word from the Water and Sewer Department that the water and sewer items have been completed and approved.

Financial Guaranty: The applicant submitted a performance agreement for the pedestrian path.

A maintenance bond was provided by the contractor doing the work. A maintenance agreement was provided by RSA; however, it was missing the exhibit page.

Other: Any applicable outside agency permits shall be obtained.
The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.
"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:
a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;
b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;
c. The proposed subdivision is not consistent with these Regulations;
d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or
e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

The project does not appear to be inconsistent with the applicable criteria of the City of Fairhope. There are some items pending which the City Supervisors will not release without Supervisory Approval. The subject parcel is located within the City of Fairhope Corporate limits (designated as the TR District), the police jurisdiction, permit jurisdiction, and in the City of Fairhope Planning Jurisdiction. Staff is unaware of any pending issues related to applicable state or federal locals and regulations and health and safety. The burden of responsibility is on the applicant to coordinate with any appropriate agency regarding their proposed project.

Recommendation:

Staff recommends approval of the application contingent upon the following conditions:

1. All improvements shall be inspected and accepted by the City of Fairhope by the time of the Planning Commission meeting or the applicant shall submit a performance bond for all incomplete items. All final inspection items shall be completed. The final plat will not be signed until a thorough re-inspection occurs ensuring all pending/remaining work is completed.
2. The building official's note to the plat shall be added.
3. All material test reports shall be submitted, reviewed, approved and accepted prior to the signing of the final plat.
4. All utility related test reports shall be submitted, reviewed, approved and accepted prior to the signing of the final plat.
5. The applicant shall submit the exhibits that go with the agreement.
6. The applicant shall provide a letter verifying the project is 90% complete.

APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)

☐ Preliminary Plat ☒ Final Plat ☐ Multiple Occupancy Project

Attachments: ☐ Articles of Incorporation or List all associated investors

Date of Application: 12/12/18

Property Owner / Leaseholder Information

Name of Property Owner: Retirement Systems of Alabama Phone Number: 334-264-2345

Address of Property Owner: 135 South Union St., Suite 228

City: Montgomery State: AL Zip: 36104

Proposed Subdivision Name: Battles Trace Phase 5

No. Acres in Plat: 27.3 No. Lots/Units: 73

Parcel No: 05-46-09-30-0-000-078.143 Current Zoning: TR
05-46-09-30-0-000-078.000

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the City of Fairhope

Name of Authorized Agent: Hutchinson, Moore & Rauch, LLP Phone Number: 251-380-8746

Address: 2039 Main Street

City: Daphne State: AL Zip: 36526

Contact Person: Tim Lawley

Surveyor/Engineer Information

Name of Firm: Hutchinson, Moore & Rauch, LLC Phone Number: 251-380-8738

Address: 2039 Main Street

City: Daphne State: AL Zip: 36526

Contact Person: Stuart Smith

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Tim Lawley - Auth. Agent
Property Owner/Leaseholder Printed Name

Signature

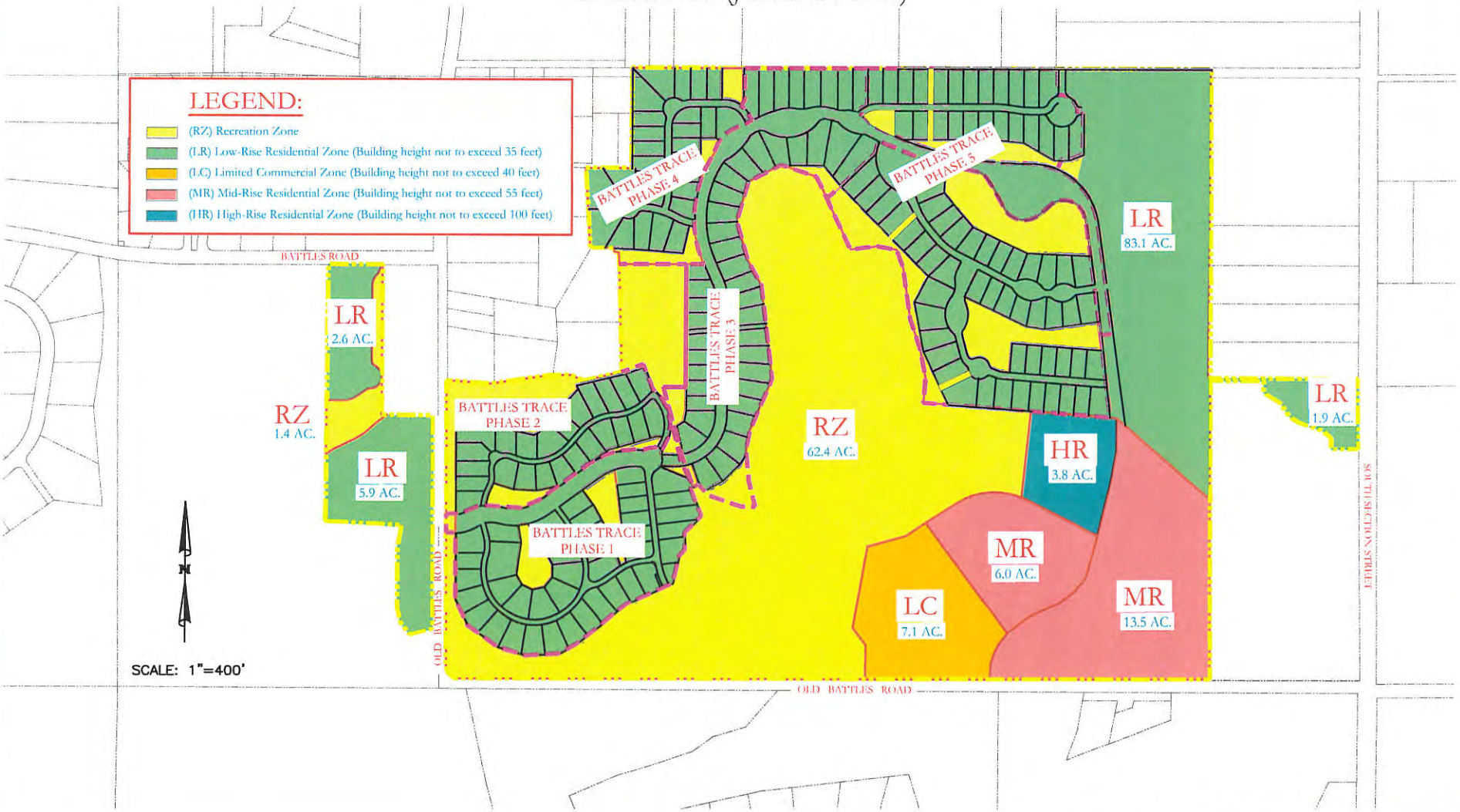
12/13/18
Date

Fairhope Single Tax Corp. (If Applicable)

RECEIVED
DEC 18 2018
BY: EB

THE COLONY AT THE GRAND

ZONING MAP (JANUARY 2019)



HUTCHINSON, MOORE & RAUCH, LLC
ENGINEERS • SURVEYORS

BATTLES TRACE AT THE COLONY
PHASE 5

LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
(A) ACTUAL
(R) RECORD DEED
(P) PLAT OF RECORD
OTIF OPEN TOP IRON PIPE FOUND
IPF IRON PIN FOUND
CTIF CRIMP TOP IRON PIPE FOUND
CRF CAPPED REBAR FOUND
RBF 1/2" REBAR FOUND
CRS 1/2" CAPPED REBAR SET STAMPED CA#604
CMF CONCRETE MONUMENT FOUND
CMS CONCRETE MONUMENT SET
LS# LICENSED PROFESSIONAL SURVEYOR'S NUMBER
CA# CERTIFICATE OF AUTHORIZATION NUMBER
(DIST) DISTURBED
(REF) REFERENCE CORNER SET ON LINE
(UNR) UNTREADABLE
INST # INSTRUMENT NUMBER
SECT. SECTION
T- TOWNSHIP
R- RANGE
-O- POWER POLE
⟵ GUY WIRE
R/W RIGHT-OF-WAY
R.O.W. RIGHT-OF-WAY
O FIRE HYDRANT
EL./ELEV ELEVATION
INV INVERT

NOTE: ALL PROPERTY CORNERS SET OR FOUND ARE HMR (CA#604LS) UNLESS OTHERWISE STATED.

OWNER/DEVELOPER
THE TEACHERS' RETIREMENT SYSTEM OF ALABAMA
THE EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA
201 SOUTH UNION STREET
MONTGOMERY, AL 36104

SURVEYOR
STUART L. SMITH
AL. LICENSE NO. 27403

ENGINEER
TIMOTHY D. LAWLEY, P.E.
AL. LICENSE NO. 30859

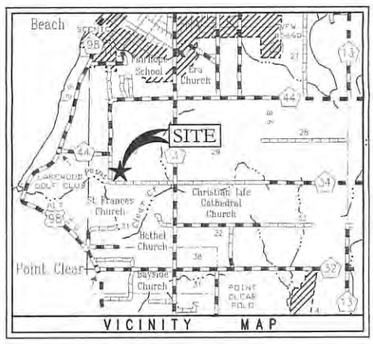
SITE DATA
TOTAL SITE AREA = 27.98 ACRES± (1,201,261 S.F.±)
TOTAL NUMBER OF LOTS = 73
SMALLEST LOT = 0.18 ACRES± (7,019 S.F.±)
TOTAL COMMON AREA = 7.74 ACRES± (336,778 S.F.±)
TOTAL LINEAR FEET OF STREET = 3,174 FEET±

ZONING
TOURIST-RESORT DISTRICT

ZONING REQUIREMENTS
- 5' REAR SETBACK
- NONE SIDE SETBACK
- 10' FRONT SETBACK

DEDICATED EASEMENTS
- ALL LOTS ARE SUBJECT TO A 10' UTILITY EASEMENT ALONG ROADSIDE LOT LINES.
- LOTS 171 & 172 ARE SUBJECT TO A 10' DRAINAGE & UTILITY EASEMENT ALONG THE REAR LOT LINE
- LOT 174 IS SUBJECT TO A 5' DRAINAGE & UTILITY EASEMENT ALONG THE NORTHERLY LINE

GENERAL SURVEYORS NOTES:
1. SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS FIRM, SURVEYS BY OTHER FIRMS AND INFORMATION FURNISHED BY CLIENT. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT PROVIDED AT TIME OF SURVEY.
2. BEARINGS ARE BASED ON NORTH AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION. ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARD FEET.
3. THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, MAP PANEL NO. 01003C0275GL, REVISED JULY 17, 2007.
4. FIELD WORK FOR THIS SURVEY WAS PERFORMED JULY, 2015.
5. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE AND ENERGY COSTS OF ANY STREET LIGHTS.
6. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS.
7. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE ROADWAY.
8. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE INFRASTRUCTURE.
9. ALL LOTS SHOWN HEREON ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE BATTLES TRACE AT THE COLONY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS TO BE RECORDED IN BALDWIN COUNTY, ALABAMA (THE "DECLARATION"), INCLUDING THE VARIOUS EASEMENTS, USE RESTRICTIONS AND THE CREATION OF LIENS FOR THE PAYMENT OF ANNUAL ASSESSMENTS AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION.
10. A MINIMUM 12 FOOT SEPARATION SHALL BE ESTABLISHED BETWEEN ALL STRUCTURES TO MEET ISO REQUIREMENTS.
11. THE SURVEYED PROPERTY LIES WITHIN SECTION 30, TOWNSHIP 6 SOUTH, RANGE 2 EAST.
12. THE INTERNATIONAL RESIDENTIAL CODE REQUIREMENTS FOR FIREWALLS, FIRE RATING OF EAVES, SOFFITS, & LIMITATION OF OPENINGS WILL BE ENFORCED BASED ON BUILDING PROXIMITY TO THE PROPERTY LINE.



UTILITIES
SEWER – FAIRHOPE WATER AND SEWER
WATER – FAIRHOPE WATER AND SEWER
POWER – RIVIERA UTILITIES
TELEPHONE – AT&T
GAS – FAIRHOPE GAS

LEGAL DESCRIPTION

PHASE 5A

A PORTION OF LOT 1, THE COLONY AT THE GRAND SUBDIVISION (REPLAT), AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2453-A IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHEAST CORNER OF LOT 84, BATTLES TRACE AT THE COLONY PHASE 3, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2585-A, B & C IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°03'47" EAST A DISTANCE OF 157.93 FEET TO A POINT; THENCE RUN SOUTH 89°55'57" EAST A DISTANCE OF 818.77 FEET TO A POINT; THENCE RUN SOUTH 00°04'02" WEST A DISTANCE OF 94.81 FEET TO A POINT; THENCE RUN SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.14 FEET, AN ARC LENGTH OF 28.19 FEET, A CHORD BEARING SOUTH 32°11'25" WEST, AND A CHORD DISTANCE OF 26.73 FEET TO A POINT; THENCE RUN EASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 68.07 FEET, AN ARC LENGTH OF 106.63 FEET, A CHORD BEARING SOUTH 70°28'24" EAST, AND A CHORD DISTANCE OF 96.06 FEET TO A POINT; THENCE RUN SOUTHEASTERLY ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 28.15 FEET, A CHORD BEARING SOUTH 57°44'14" EAST, AND A CHORD DISTANCE OF 26.69 FEET TO A POINT; THENCE RUN SOUTH 22°14'08" EAST A DISTANCE OF 32.41 FEET TO A POINT; THENCE RUN SOUTH 00°04'02" WEST A DISTANCE OF 175.28 FEET TO A POINT; THENCE RUN SOUTH 12°25'44" WEST A DISTANCE OF 124.01 FEET TO A POINT; THENCE RUN WESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 231.55 FEET, A CHORD BEARING NORTH 68°37'18" WEST, AND A CHORD DISTANCE OF 225.84 FEET TO A POINT; THENCE RUN WESTERLY ALONG A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1,372.11 FEET, AN ARC LENGTH OF 101.72 FEET, A CHORD BEARING NORTH 88°36'33" WEST, AND A CHORD DISTANCE OF 101.70 FEET TO A POINT; THENCE RUN NORTH 85°12'58" WEST A DISTANCE OF 60.77 FEET TO A POINT; THENCE RUN WESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1,372.11 FEET, AN ARC LENGTH OF 533.17 FEET, A CHORD BEARING NORTH 72°46'55" WEST, AND A CHORD DISTANCE OF 529.82 FEET TO A POINT; THENCE RUN NORTHWESTERLY ALONG A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 37.00 FEET, AN ARC LENGTH OF 16.62 FEET, A CHORD BEARING NORTH 47°16'00" WEST, AND A CHORD DISTANCE OF 16.48 FEET TO A POINT; THENCE RUN NORTHWESTERLY ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 119.00 FEET, AN ARC LENGTH OF 22.99 FEET, A CHORD BEARING NORTH 38°23'06" WEST, AND A CHORD DISTANCE OF 22.96 FEET TO A POINT; THENCE RUN NORTH 57°44'44" WEST A DISTANCE OF 56.88 FEET TO A POINT; THENCE RUN EASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 15.61 FEET, A CHORD BEARING NORTH 78°36'45" EAST, AND A CHORD DISTANCE OF 14.92 FEET TO A POINT; THENCE RUN NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 116.51 FEET, AN ARC LENGTH OF 43.75 FEET, A CHORD BEARING NORTH 58°03'10" EAST, AND A CHORD DISTANCE OF 43.50 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 7.65 ACRES, MORE OR LESS.

PHASE 5B

A PORTION OF LOT 1, THE COLONY AT THE GRAND SUBDIVISION (REPLAT), AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2453-A IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHEAST CORNER OF LOT 85, BATTLES TRACE AT THE COLONY PHASE 3, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2585 A, B & C IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 71°49'28" EAST A DISTANCE OF 186.75 FEET TO A POINT; THENCE RUN SOUTH 71°40'03" EAST A DISTANCE OF 10.40' FEET TO A POINT; THENCE RUN EASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,420.76 FEET, AN ARC LENGTH OF 107.63 FEET, A CHORD BEARING SOUTH 74°02'47" EAST, AND A CHORD DISTANCE OF 107.60 FEET TO A POINT; THENCE RUN EASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,421.15 FEET, AN ARC LENGTH OF 127.48 FEET, A CHORD BEARING SOUTH 78°46'50" EAST, AND A CHORD DISTANCE OF 127.44 FEET TO A POINT; THENCE RUN SOUTHEASTERLY ALONG A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, AN ARC LENGTH OF 78.05 FEET, A CHORD BEARING SOUTH 55°19'13" EAST, AND A CHORD DISTANCE OF 76.36 FEET TO A POINT; THENCE RUN SOUTH 29°17'28" EAST A DISTANCE OF 134.35 FEET TO A POINT; THENCE RUN SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 99.00 FEET, AN ARC LENGTH OF 174.31 FEET, A CHORD BEARING SOUTH 78°43'57" EAST, AND A CHORD DISTANCE OF 152.65 FEET TO A POINT; THENCE RUN NORTH 49°49'35" EAST A DISTANCE OF 63.89 FEET TO A POINT; THENCE RUN EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 91.00 FEET, AN ARC LENGTH OF 177.70 FEET, A CHORD BEARING SOUTH 74°13'54" EAST, AND A CHORD DISTANCE OF 150.78 FEET TO A POINT; THENCE RUN SOUTHERLY ALONG A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 45.60 FEET, A CHORD BEARING SOUTH 13°03'53" EAST, AND A CHORD DISTANCE OF 45.53 FEET TO A POINT; THENCE RUN SOUTH 07°50'24" EAST A DISTANCE OF 480.78 FEET TO A POINT; THENCE RUN SOUTH 82°09'36" WEST A DISTANCE OF 5.59 FEET TO A POINT; THENCE RUN SOUTH 07°50'24" EAST A DISTANCE OF 299.54 FEET TO A POINT; THENCE RUN SOUTH 08°00'36" EAST A DISTANCE OF 55.39 FEET TO A POINT; THENCE RUN NORTH 85°33'20" WEST A DISTANCE OF 806.53 FEET TO A POINT; THENCE RUN NORTH 04°54'01" EAST A DISTANCE OF 107.49 FEET TO A POINT; THENCE RUN NORTH 10°48'58" WEST A DISTANCE OF 116.92 FEET TO A POINT; THENCE RUN NORTH 18°16'24" WEST A DISTANCE OF 150.59 FEET TO A POINT; THENCE RUN NORTH 08°02'36" WEST A DISTANCE OF 214.78 FEET TO A POINT; THENCE RUN NORTH 20°06'15" WEST A DISTANCE OF 83.24 FEET TO A POINT; THENCE RUN NORTH 78°33'40" WEST A DISTANCE OF 84.49 FEET TO A POINT; THENCE RUN SOUTH 82°13'16" WEST A DISTANCE OF 114.28 FEET TO A POINT; THENCE RUN NORTH 29°21'51" WEST A DISTANCE OF 238.51 FEET TO A POINT; THENCE RUN NORTH 45°36'37" EAST A DISTANCE OF 288.80 FEET TO A POINT; THENCE RUN NORTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 160.50 FEET, AN ARC LENGTH OF 40.88 FEET, A CHORD BEARING NORTH 12°52'07" EAST, AND A CHORD DISTANCE OF 40.77 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 19.93 ACRES, MORE OR LESS.

CERTIFICATE OF OWNERSHIP

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT THE TEACHER'S RETIREMENT SYSTEM OF ALABAMA IS THE OWNER OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREIN, FOR THE USES AND PURPOSE HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS FOR UTILITY USE AS NOTED TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS THE _____DAY OF _____, 20

_____
THE TEACHERS' RETIREMENT SYSTEM OF ALABAMA

NOTARY FOR TEACHERS' RETIREMENT SYSTEM OF ALABAMA

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, _____THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT DAVID G. BRONNER, WHOSE NAME AS SECRETARY-TREASURER OF THE TEACHERS' RETIREMENT SYSTEM OF ALABAMA, AN INSTRUMENTALITY OF THE STATE OF ALABAMA, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF SAID INSTRUMENT, HE, AS SUCH SECRETARY-TREASURER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID PUBLIC CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ___ DAY OF _____, 20

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF OWNERSHIP

STATE OF ALABAMA

COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT THE EMPLOYEE'S RETIREMENT SYSTEM OF ALABAMA IS THE OWNER OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREIN, FOR THE USES AND PURPOSE HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS FOR UTILITY USE AS NOTED TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS THE _____DAY OF _____, 20

_____
THE EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA

NOTARY FOR EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, _____THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT DAVID G. BRONNER, WHOSE NAME AS SECRETARY-TREASURER OF THE EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA, AN INSTRUMENTALITY OF THE STATE OF ALABAMA, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF SAID INSTRUMENT, HE, AS SUCH SECRETARY-TREASURER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID PUBLIC CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____DAY OF _____, 20

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATION

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

_____ 1/22/2019
STUART L. SMITH, PLS — DATE
ALABAMA LICENSE NUMBER 27403

*DRAWING IS INVALID WITHOUT SIGNATURE & SEAL OF A LICENSED LAND SURVEYOR

CERTIFICATION OF ENGINEER
STATE OF ALABAMA
COUNTY OF BALDWIN

I, THE UNDERSIGNED, A REGISTERED ENGINEER IN THE STATE OF ALABAMA HOLDING CERTIFICATE NUMBER 30859, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPALS OF GOOD ENGINEERING PRACTICE. I FURTHER CERTIFY THAT I HAVE OBSERVED THE CONSTRUCTION OF THE WITHIN IMPROVEMENTS, THAT THE SAME CONFORMS TO MY DESIGN, THAT THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED AND THAT SAID IMPROVEMENTS ARE HEREBY RECOMMENDED FOR ACCEPTANCE BY THE CITY OF FAIRHOPE, ALABAMA.

TIMOTHY D. LAWLEY, P.E.
ALA.REG. NO. 30859

_____
PROJECT ENGINEER & LICENSE NO.

_____
DATE

_____
NAME OF PROJECT TO WHICH THE CERTIFICATE APPLIES BATTLES TRACE AT THE COLONY PHASE 5. PLANS WHICH ARE CERTIFIED CONSIST OF PAGE 1 THRU 48, EACH OF WHICH BEARS BY SEAL AND SIGNATURE.

CERTIFICATE OF APPROVAL BY AT&T

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 20

_____
AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY FAIRHOPE WATER AND SEWER

THE UNDERSIGNED, AS AUTHORIZED BY FAIRHOPE WATER & SEWER, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 20

_____
AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY FAIRHOPE GAS

THE UNDERSIGNED, AS AUTHORIZED BY FAIRHOPE GAS, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 20

_____
AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY THE RIVIERA UTILITIES

THE UNDERSIGNED, AS AUTHORIZED BY THE RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 20

_____
AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL OF THE CITY OF FAIRHOPE PLANNING COMMISSION

THE WITHIN PLAT OF BATTLES TRACE AT THE COLONY, PHASE 4, BALDWIN COUNTY, ALABAMA, IS HEREBY APPROVED BY FAIRHOPE CITY PLANNING COMMISSION.

THIS THE _____ DAY OF _____, 20

_____
SECRETARY

HMR
HUTCHINSON, MOORE & RAUCH, LLC
2039 MAIN STREET
DAPHNE, ALABAMA
36526
ENGINEERS ◆ SURVEYORS
LAND PLANNERS
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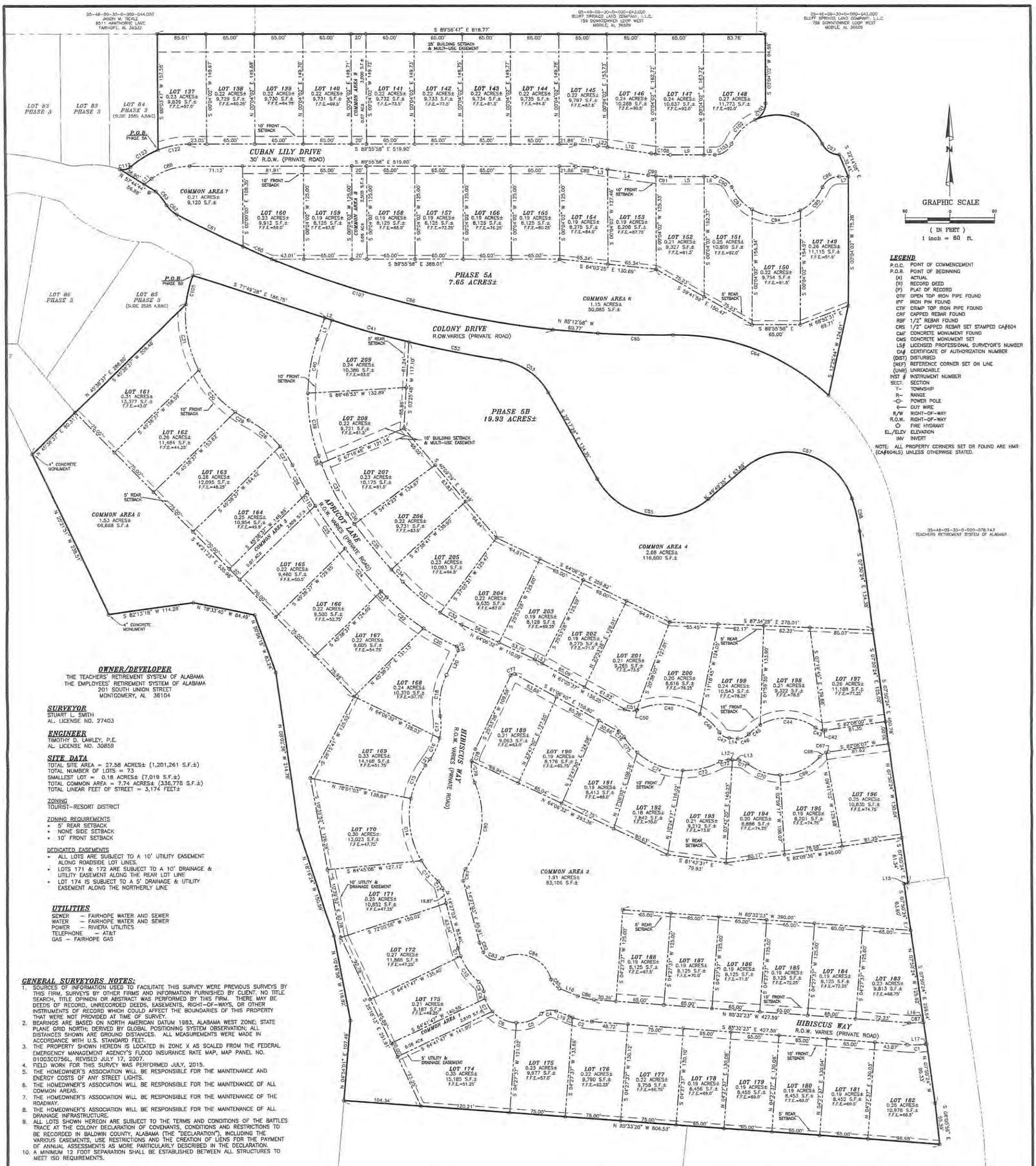
ALABAMA LICENSED No. 27403 PROFESSIONAL SURVEYOR STUART L. SMITH

4576-PH5-PLAT-R1
R7316/4576-10.01

FINAL PLAT
BATTLES TRACE AT THE COLONY PHASE 5
RETIREMENT SYSTEMS OF ALABAMA

SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
NOT TO SCALE	JANUARY 2019	TEB	SLS	1 OF 2

RECEIVED



OWNER/DEVELOPER
THE TEACHERS' RETIREMENT SYSTEM OF ALABAMA
THE EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA
201 SOUTH UNION STREET
MONTGOMERY, AL 36104

SURVEYOR
STUART L. SMITH
AL. LICENSE NO. 27403

ENGINEER
TIMOTHY D. LAWLEY, P.E.
AL. LICENSE NO. 30859

SITE DATA
TOTAL SITE AREA = 27.58 ACRES± (1,201,261 S.F.±)
TOTAL NUMBER OF LOTS = 73
SMALLEST LOT = 0.18 ACRES± (7,019 S.F.±)
TOTAL COMMON AREA = 7.74 ACRES± (336,778 S.F.±)
TOTAL LINEAR FEET OF STREET = 3,174 FEET±

ZONING
TOURIST-RESORT DISTRICT

ZONING REQUIREMENTS
- 5' REAR SETBACK
- NONE SIDE SETBACK
- 10' FRONT SETBACK

DEDICATED EASEMENTS
- ALL LOTS ARE SUBJECT TO A 10' UTILITY EASEMENT ALONG ROADSIDE LOT LINES.
- LOTS 171 & 172 ARE SUBJECT TO A 10' DRAINAGE & UTILITY EASEMENT ALONG THE REAR LOT LINE
- LOT 174 IS SUBJECT TO A 5' DRAINAGE & UTILITY EASEMENT ALONG THE NORTHERLY LINE

UTILITIES
SEWER – FAIRHOPE WATER AND SEWER
WATER – FAIRHOPE WATER AND SEWER
POWER – RIVIERA UTILITIES
TELEPHONE – AT&T
GAS – FAIRHOPE GAS

LEGEND
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
(A) ACTUAL
(R) RECORD DEED
(P) PLAT OF RECORD
OTF OPEN TOP IRON PIPE FOUND
IPF IRON PIN FOUND
CTF CRIMP TOP IRON PIPE FOUND
CRF CAPPED REBAR FOUND
RBF 1/2" REBAR FOUND
CRS 1/2" CAPPED REBAR SET STAMPED CA#604
CMF CONCRETE MONUMENT FOUND
CMS CONCRETE MONUMENT SET
LS# LICENSED PROFESSIONAL SURVEYOR'S NUMBER
CA# CERTIFICATE OF AUTHORIZATION NUMBER
(DIST) DISTURBED
(REF) REFERENCE CORNER SET ON LINE
(UNR) UNREADABLE
INST # INSTRUMENT NUMBER
SECT. SECTION
T- TOWNSHIP
R- RANGE
-O- POWER POLE
⟵ GUY WIRE
R/W RIGHT-OF-WAY
R.O.W. RIGHT-OF-WAY
O FIRE HYDRANT
EL./ELEV ELEVATION
INV INVERT

NOTE: ALL PROPERTY CORNERS SET OR FOUND ARE HMR (CA#604LS) UNLESS OTHERWISE STATED.

GENERAL SURVEYORS NOTES:
1. SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS FIRM, SURVEYS BY OTHER FIRMS AND INFORMATION FURNISHED BY CLIENT. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT PROVIDED AT TIME OF SURVEY.
2. BEARINGS ARE BASED ON NORTH AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION; ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARD FEET.
3. THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, MAP PANEL NO. 01003C0756L, REVISED JULY 17, 2007.
4. FIELD WORK FOR THIS SURVEY WAS PERFORMED JULY, 2015.
5. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE AND ENERGY COSTS OF ANY STREET LIGHTS.
6. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS.
7. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE ROADWAY.
8. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE INFRASTRUCTURE.
9. ALL LOTS SHOWN HEREON ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE BATTLES TRACE AT THE COLONY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS TO BE RECORDED IN BALDWIN COUNTY, ALABAMA (THE "DECLARATION"), INCLUDING THE VARIOUS EASEMENTS, USE RESTRICTIONS AND THE CREATION OF LIENS FOR THE PAYMENT OF ANNUAL ASSESSMENTS AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION.
10. A MINIMUM 12 FOOT SEPARATION SHALL BE ESTABLISHED BETWEEN ALL STRUCTURES TO MEET ISO REQUIREMENTS.

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C1	115.00'	24.74'	S88°17'50"W	24.69'
C2	100.00'	26.60'	N77°55'13"W	69.79'
C3	100.00'	4.84'	N68°58'19"W	64.72'
C4	19.00'	21.52'	S79°54'23"W	20.39'
C5	46.33'	36.80'	S70°12'31"W	73.83'
C6	46.33'	36.78'	N64°17'46"W	73.83'
C7	46.33'	20.20'	N29°03'41"W	20.04'
C8	46.33'	9.95'	N10°25'00"W	9.93'
C9	19.00'	14.83'	N26°37'36"W	14.46'
C10	90.00'	42.89'	N35°20'16"W	42.48'
C11	90.00'	11.36'	N18°04'06"W	11.36'
C12	19.00'	11.05'	N31°06'24"W	10.89'
C13	119.33'	36.11'	N39°05'34"W	35.98'
C14	119.33'	86.73'	N09°36'04"W	84.83'
C15	119.33'	50.13'	N23°15'22"E	49.76'
C16	80.67'	31.79'	N24°00'10"E	31.58'
C17	80.67'	29.56'	N02°12'54"E	29.40'
C18	94.33'	56.27'	N08°48'13"E	55.43'
C19	4.00'	6.38'	N19°47'19"W	5.72'
C20	315.00'	51.67'	N60°46'10"W	51.61'

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C21	315.00'	65.06'	N50°09'13"W	64.94'
C22	315.00'	65.06'	N50°09'13"W	64.94'
C23	720.00'	11.37'	N43°47'04"W	11.37'
C24	720.00'	75.22'	N40°20'21"W	75.18'
C25	720.00'	71.07'	N34°31'06"W	71.04'
C26	720.00'	41.95'	N28°23'04"W	41.94'
C27	139.50'	30.33'	N32°56'42"W	30.27'
C28	139.50'	54.92'	N50°27'07"W	54.56'
C29	160.50'	21.36'	N57°05'04"W	21.34'
C30	160.50'	75.87'	N40°33'49"W	75.16'
C31	160.50'	91.30'	N10°43'29"W	90.08'
C32	285.00'	32.99'	N60°47'34"W	32.97'
C33	285.00'	65.86'	N50°51'25"W	65.71'
C34	690.00'	22.66'	N43°17'46"W	22.66'
C35	690.00'	79.42'	N39°03'28"W	79.38'
C36	690.00'	16.90'	N35°03'31"W	16.90'
C37	301.33'	76.33'	N27°05'59"W	76.13'
C38	301.33'	10.68'	N18°46'39"W	10.68'
C39	234.67'	86.72'	N09°27'07"W	86.23'
C40	234.67'	73.74'	N10°08'14"E	73.44'

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C41	1420.76'	107.63'	S74°02'47"E	107.60'
C42	16.98'	3.63'	S87°36'21"W	3.62'
C43	18.98'	10.82'	N70°35'23"W	10.67'
C44	69.29'	79.02'	N86°55'41"W	74.81'
C45	69.29'	20.09'	S53°05'39"W	20.02'
C46	16.98'	16.43'	S68°35'14"W	15.92'
C47	18.17'	15.75'	N60°39'14"W	15.26'
C48	91.98'	36.31'	N47°07'52"W	36.07'
C49	91.98'	88.70'	N86°04'20"W	85.30'
C50	18.24'	0.77'	S67°29'58"W	0.77'
C51	18.24'	16.35'	N85°37'40"W	15.80'
C52	1421.15'	127.48'	S78°46'50"E	127.44'
C53	87.00'	79.05'	S55°19'13"E	76.36'
C55	99.00'	174.31'	S79°43'57"E	152.65'
C57	91.00'	177.70'	S74°13'54"E	150.78'
C58	250.00'	45.60'	S13°03'53"E	45.53'
C60	1372.11'	42.20'	N86°41'44"W	42.20'
C61	1372.11'	98.93'	N83°44'56"W	98.91'
C62	37.00'	18.62'	N47°16'00"W	18.42'
C63	119.00'	22.99'	N38°23'06"W	22.96'

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C64	300.00'	231.20'	N68°37'18"W	225.84'
C65	1372.11'	101.72'	N88°36'33"W	101.70'
C66	1372.11'	392.04'	N75°45'43"W	390.71'
C67	19.02'	3.82'	S76°22'33"W	3.82'
C68	19.07'	10.20'	S85°15'04"W	10.08'
C69	69.36'	60.83'	S65°00'38"W	58.90'
C70	69.36'	47.98'	N70°02'52"W	47.03'
C71	19.02'	12.31'	N58°45'44"W	12.09'
C72	20.46'	11.84'	S77°27'02"W	11.68'
C73	96.56'	52.53'	S76°28'06"W	51.88'
C74	96.56'	67.78'	N67°50'29"W	66.41'
C75	96.56'	27.97'	N39°26'08"W	27.87'
C76	20.73'	10.36'	N45°27'31"W	10.25'
C77	4.00'	6.49'	S72°23'24"W	5.80'
C78	55.67'	17.47'	S16°54'11"W	17.39'
C79	55.67'	30.49'	S07°46'26"E	30.11'
C80	119.33'	123.03'	S08°04'20"W	117.65'
C81	19.00'	16.60'	S10°34'43"W	16.08'
C82	60.00'	14.21'	S21°14'15"E	14.18'
C83	19.00'	29.56'	S72°35'23"E	26.67'

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C84	48.33'	82.02'	S88°26'11"E	71.72'
C85	19.00'	17.22'	S41°40'50"E	16.64'
C86	70.00'	21.86'	S78°35'29"E	21.78'
C87	85.00'	18.29'	N88°17'50"E	18.25'
C88	85.00'	54.70'	N71°37'57"E	53.76'
C89	185.00'	25.65'	S82°57'39"E	25.63'
C90	25.00'	28.15'	S57°44'14"E	26.69'
C91	215.00'	19.81'	S87°21'38"E	19.80'
C93	65.00'	41.17'	S42°49'13"E	40.55'
C94	68.00'	67.79'	S88°43'27"E	65.01'
C95	68.00'	44.20'	N44°05'46"E	43.43'
C96	25.00'	28.15'	N57°44'14"E	26.69'
C97	25.00'	28.15'	S57°44'14"E	26.69'
C98	68.07'	108.63'	S70°28'24"E	98.00'
C99	215.00'	10.25'	S83°21'18"E	10.25'
C101	25.14'	28.19'	S32°11'25"W	26.73'
C102	68.07'	46.40'	S45°07'30"W	45.50'
C103	25.00'	28.15'	S57°44'14"W	26.69'
C105	160.50'	40.85'	N12°53'07"E	40.77'
C107	1372.11'	533.17'	N72°48'55"W	529.82'

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C108	185.00'	19.78'	N86°56'11"W	19.77'
C110	720.00'	20.57'	N30°52'19"W	20.57'
C111	215.00'	39.81'	N85°57'39"W	39.78'
C112	15.00'	15.61'	N78°36'45"E	14.92'
C122	116.51'	42.94'	S79°22'09"W	42.70'
C123	116.51'	43.75'	N58°03'10"E	43.50'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N18°08'23"E	30.77'
L2	S71°40'03"E	10.40'
L3	S81°59'20"E	17.75'
L4	S81°59'20"E	55.35'
L5	N90°00'00"E	45.22'
L6	N90°00'00"E	14.82'
L7	N90°00'00"E	12.26'
L8	N90°00'00"W	14.76'
L9	N90°00'00"W	45.25'
L10	N81°59'20"W	99.53'
L11	N51°15'00"E	12.24'

LINE TABLE

LINE #	DIRECTION	LENGTH
L12	N85°59'10"W	5.39'
L13	N85°59'10"W	9.26'
L14	N85°29'10"W	11.47'
L15	S82°09'36"W	5.59'
L16	N82°08'02"E	1.42'
L17	S82°08'02"W	1.41'
L18	S67°38'35"E	26.80'
L19	N67°38'35"W	19.07'
L20	N25°53'26"E	36.50'
L21	N35°17'30"E	10.91'
L22	N81°59'20"W	13.56'

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ALABAMA LICENSED PROFESSIONAL SURVEYOR No. 27403 STUART L. SMITH

4576-PH5-PLAT-R1
R7316/4576-10.01

FINAL PLAT
BATTLES TRACE AT THE COLONY PHASE 5
RETIREMENT SYSTEMS OF ALABAMA

SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
1"=60'	JANUARY 2019	TBS	SLS	2 OF 2