

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: December 20, 2007****DEVELOPMENT NAME**

Perch Creek Preserve

SUBDIVISION NAME

Perch Creek Preserve

LOCATION

North side of Winston Road, 1100'± West of Dauphin Island Parkway, extending West and South to Perch Creek

**CITY COUNCIL
DISTRICT**

District 4

AREA OF PROPERTY

116 Lots / 85.1± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow a gated, 18'-wide, aggregate- surfaced private street single-family residential subdivision with reduced lot widths and sizes, reduced front and side setbacks, and increased site coverage of 50%.

**TIME SCHEDULE
FOR DEVELOPMENT**

None provided.

**ENGINEERING
COMMENTS**

No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

**URBAN FORESTRY
COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT**COMMENTS**

Subdivision layout and design must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile. Subdivisions which include new cul-de-sacs longer than 150' must comply with the design requirements of Appendix D of the 2003 International Fire Code. For new cul-de-sacs longer than 750' in length, the location of fire hydrants must be illustrated on the preliminary plat, or an intermediate turn around that complies with Appendix D must be provided. Must comply with Section 503 which states that the minimum width of an apparatus access street is to be 20', and where adjacent to a hydrant the minimum width is to be 26'

REMARKS

The applicant is seeking Planned Unit Development Approval to allow a gated, 18'-wide, aggregate-surfaced private street single-family residential subdivision with reduced lot widths and sizes, reduced front and side setbacks, and increased site coverage of 50%, and Subdivision Approval to create 116 Lots on 85.1± Acres. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The narrative submitted with the applications describes the development as a gated community of 116 lots on 85 acres with not direct wetlands impacts. The narrative goes on to state that two of the most beautiful areas on the site are being set aside for the enjoyment of the residents, along with acres of uplands and wetlands being preserved as common areas with use restrictions. Building lots will have to be approved by an Architectural Review Committee, and tree removal allowed only as needed.

A land use summary provided with the applications states that 58 acres of the 85 acre site will remain as Common Open Space. Of those 58 acres, 38 acres are wetlands and creek, and the remaining 20 acres which are uplands, will include a natural buffer behind each lot and will remain natural with select clearing for nature trails.

The development proposes private streets with a gated entry. The narrative states that the streets are to be 18' with 14' wide surfaces on one-way lanes. Surfaces are proposed to be crushed

aggregate permeable paving surface with ribbon curb, and asphalt or pavers to be used at intersections and other areas with heavy turning movements. Driveways are to be permeable.

Lots within the proposed subdivision are to be a minimum of 5500 sq.ft., with a minimum width of 50'. A reduced front setback of 20' is being requested in lieu of proposing a reduced private street right-of-way. Reduced side yard setbacks of 5' and increased site coverage of 50% are also being increased. All so the houses may be clustered to preserve more open space and enable the preservation of more trees on each lot.

The narrative ends with the statement that preservation, open space, natural common areas and privacy combine to create a true Smart Growth Development.

While statements and points made in the narrative may be accurate, there are several issues that must be addressed.

The first is that of studies that should be required before the application is acted upon. Given the number of lots proposed (116), and the facts that the site contains wetlands, is adjacent to a navigable waterway, and the overwhelming majority of the site is located in the AE Flood Zone, a Flood Study should be required. While this requirement is not something that has necessarily be required previously, it is something that COM staff recently learned was needed for COM FEMA compliance.

Another study that may be appropriate given the number of lots is a traffic study. Recently traffic impact of subdivisions has become more and more of an issue. At a recent business meeting the Commission discussed various types of developments and at what threshold would a Traffic Impact Study be required. Numbers for residential subdivisions varied from 50 lots to 150 lots. While no determination was formally made, given the nature of the access to this development as well as the culvert or structure it must cross, there is some concern regarding the adequacy of access. Further, there may be concern by MFD regarding not only the streets (as referenced in MFD comments), but also with regard to the structure's adequacy to accommodate fire apparatus.

The site is adjacent to Perch Creek, a navigable waterway and tributary to Dog River. It appears that the may contains wetlands and is located within the "100 year" and "500 year" floodplains. The presence of wetlands and floodplains on the site indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities. Additionally, the entire Perch Creek Preserve Subdivision (all phases) appear to be located within an area subject to hurricane-related storm surges. The minimum finished floor elevation should be indicated for each lot, and the flood zone(s) should be indicated on the plat.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

Another issue is that the development proposes a 50' private street right-of-way, as required by the Subdivision Regulations. However, the streets are proposed to be 18' streets with a ribbon

curb (the regulations require two 2' asphalt wings), and 14' one way lanes. The surfacing is proposed to be aggregate, instead of the minimum standard asphalt paving required in the Subdivision Regulations. The issues here relate to MFD requirements, based upon the 2003 International Fire Code (Section 503 which states that the minimum width of an apparatus access street is to be 20', and where adjacent to a hydrant the minimum width is to be 26'), and appendices C & D.

The proposed private streets exceed the maximum length for a cul de sac or closed end street as stated in the Subdivision Regulations, the park areas indicated in the middle of the private street rights-of-ways may be sufficient to allow for a longer cul de sac and allow a fire truck to turn around. However, no information is provided as to the level of clearing and/or improvements there may be in these areas that would address these concerns.

Another issue is that the locations of the one-way and two-way surfaces are not shown on the plan, nor are the areas intended for asphalt or pavers. PUD Approval is site plan specific, therefore the plan should reflect the locations of the one-way and two-way surfaces, and the paving sections.

The plan denotes several areas as "PARK" and others as common area. Neither the narrative nor the plan reference the difference between the two, nor whether the "parks" are to be private or dedicated parks.

RECOMMENDATION

Subdivision: Based upon the preceding, it is recommended that this application be heldover until January 17, 2008 to allow the applicant to:

1. submit a Flood Study;
2. submit a Traffic Impact Study;
3. Revise the plan to comply with the International Fire Code (specifically, but not limited to, Section 503);
4. Revise the plat to illustrate locations of one-way and two-way surfacing, and areas of asphalt paving or pavers;
5. submit justification for aggregate surfacing in lieu of paved surfacing as required by the Subdivision Regulations;
6. Revise the plan to illustrate areas of clearing and/or improvements within the park areas illustrated in the private street rights-of-ways;
7. provide information regarding the areas denoted as "Park", explaining the difference between "Park" and "Common Area", and if the "parks" are to be private or dedicated parks;
8. provide verification of the adequacy of the culvert/structure on Winston Road to accommodate fire apparatus and the increased traffic generated by the development;
9. placement of a note on the plat stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;
10. Placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and
11. compliance with Engineering Comments .

Planned Unit Development: Based upon the preceding, it is recommended that this application be heldover until January 17, 2008 to allow the applicant to:

- 1) submit a Flood Study;
- 2) submit a Traffic Impact Study;
- 3) Revise the plan to comply with the International Fire Code (specifically, but not limited to, Section 503);
- 4) Revise the plat to illustrate locations of one-way and two-way surfacing, and areas of asphalt paving or pavers;
- 5) submit justification for aggregate surfacing in lieu of paved surfacing as required by the Subdivision Regulations;
- 6) Revise the plan to illustrate areas of clearing and/or improvements within the park areas illustrated in the private street rights-of-ways;
- 7) provide information regarding the areas denoted as “Park”, explaining the difference between “Park” and “Common Area”, and if the “parks” are to be private or dedicated parks;
- 8) provide verification of the adequacy of the culvert/structure on Winston Road to accommodate fire apparatus and the increased traffic generated by the development;
- 9) placement of a note on the plat stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;
- 10) Placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and
- 11) revision of the plat to reflect minimum finished floor elevation and square footage for each lot.

All additional information and revised drawing to be submitted by December 27, 2007.

Revised for January 17

The applicant did not submit many of the requested items needed for a full review in time to be reviewed for this report. As subdivision applications may only be pending before the Commission for 30 days, an additional holdover by the Commission would not be appropriate (unless initiated by the applicant – which has not been done).

Recommendation: *Subdivision: Based on the preceding, it is recommended that this application be denied due to insufficient information to review the application.*

Planned Unit Development: Based on the preceding, it is recommended that this application be denied due to insufficient information to review the application.

Revised for February 21

The application was heldover from the January 17th meeting at the applicant’s request. The applicant requested additional time to address the reasons as listed for holdover in the original report.

The applicant has met with Traffic Engineering, City Engineering, and Fire Department, and has submitted a revised plan that should address all of those concerns. Brief comments regarding each of the issues are contained in the list below.

- 1) submit a Flood Study;
As no fill is proposed, Engineering has indicated that a Flood Study is not required.
- 2) submit a Traffic Impact Study;
As the number of lots does not meet the minimum threshold established by Traffic Engineering, Traffic, Engineering has indicated that a Traffic Study is not required.
- 3) Revise the plan to comply with the International Fire Code (specifically, but not limited to, Section 503);
*MFD met with applicant approximately a month ago. At that time the plan proposed one way streets that did not meet the minimum required by the 2003 International Fire Code.
The applicant has submitted a revised plan eliminating one way streets, and is requesting approval of a crushed aggregate permeable surface with ribbon curb for most of the development, with asphalt or pavers at intersections and other heavy traffic and/or turning movements would dictate a more intense surface.
MFD has indicated that if the total width of the driving surface is a 20 foot minimum width and the road is designed and maintained to support the imposed loads of fire apparatus and surfaced to provide all-weather driving capabilities, then it would meet the intent of the fire code. Any bridges in the project would have to comply with Section 503.2.6 of the 2003 IFC. Fire hydrants would have to be provided per Section 508 of the 2003 IFC as part of the infrastructure of the project.*
- 4) Revise the plat to illustrate locations of one-way and two-way surfacing, and areas of asphalt paving or pavers;
As stated above, one-way design has been eliminated, and the plat has been revised to illustrate proposed locations of asphalt paving or pavers.
- 5) submit justification for aggregate surfacing in lieu of paved surfacing as required by the Subdivision Regulations;
The narrative submitted with the revised plan states the justification for the aggregate surface in lieu of paved surfacing is to minimize the impervious surface area in the development. The allowance of aggregate would reduce the impervious surface by approximately three acres. The overall intent is to maintain the natural character of the site and to preserve its natural beauty to the greatest extent possible, as well as being as eco-friendly as possible.
- 6) Revise the plan to illustrate areas of clearing and/or improvements within the park areas illustrated in the private street rights-of-ways;
While the majority of the common areas are noted as "Natural Area", the common areas within the private road right-of-way are so noted, nor is information provided to indicate if these area are to be cleared or maintained in a natural state.
- 7) provide information regarding the areas denoted as "Park", explaining the difference between "Park" and "Common Area", and if the "parks" are to be private or dedicated parks;

The plan has been revised to eliminate the term "Park", labeling all such areas as "Common (Natural Area)". The narrative references areas being preserved as common areas with careful use restrictions. Other common areas are specific noted are remaining natural with only select clearing for nature trails.

- 8) provide verification of the adequacy of the culvert/structure on Winston Road to accommodate fire apparatus and the increased traffic generated by the development;

While MFD has made no reference to the culvert/drainage structure on Winston Road, concerns remain on the adequacy of the structure. Documentation of such adequacy could be provided prior to issuance of any clearing or land disturbing permits, if the subdivision is approved.

- 9) placement of a note on the plat stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;

While this note has not yet been added to the plat, it is easily addressed as a condition, if the subdivision is approved.

- 10) Placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and

While this note has not yet been added to the plat, it is easily addressed as a condition, if the subdivision is approved.

- 11) revision of the plat to reflect minimum finished floor elevation and square footage for each lot.

The applicant has placed a note on the final plat stating that MFF shall be the higher of either FEMA or Mobile City Engineering requirements. However, Engineering has requested that MFF be reflected on each lot. While this has not yet been added to the plat, it is easily addressed as a condition, if the subdivision is approved.

RECOMMENDATION

Subdivision: Based upon the preceding, it is recommended that this application be considered under the Innovative Section of the Subdivision Regulations, be approved as a gated private road subdivision, and that Section VIII.E.2.c be waived to allow 20' wide aggregate surfacing as illustrated on the revised plat submitted, subject to the following conditions:

1. the road shall be designed and maintained to support the imposed loads of fire apparatus and surfaced to provide all-weather driving capabilities,
2. Any bridges in the project shall comply with Section 503.2.6 of the 2003 IFC.
3. Fire hydrants shall be provided per Section 508 of the 2003 IFC;
4. placement of a note on the final plat stating that the size, location and design of locations of asphalt paving or pavers require approval from Traffic Engineering, City Engineering and Planning prior to installation
5. placement of a note on the final plat stating that the gate(s) are to be in operation at all times (any cessation of use will void approval as a gated subdivision and require the subdivision be brought up to city public street standards and all streets dedicated to the City of Mobile)
6. compliance with Section VIII.E.2.a, d-k of the Subdivision Regulations;
7. placement of a note on the final plat stating all common areas noted as natural area on the plat submitted to remain in a natural undisturbed state, (with the exception of nature trails

as noted in the narrative - nature trails to be indicated on the final plat) and maintenance of all common areas is to be the responsibility of the property owners.

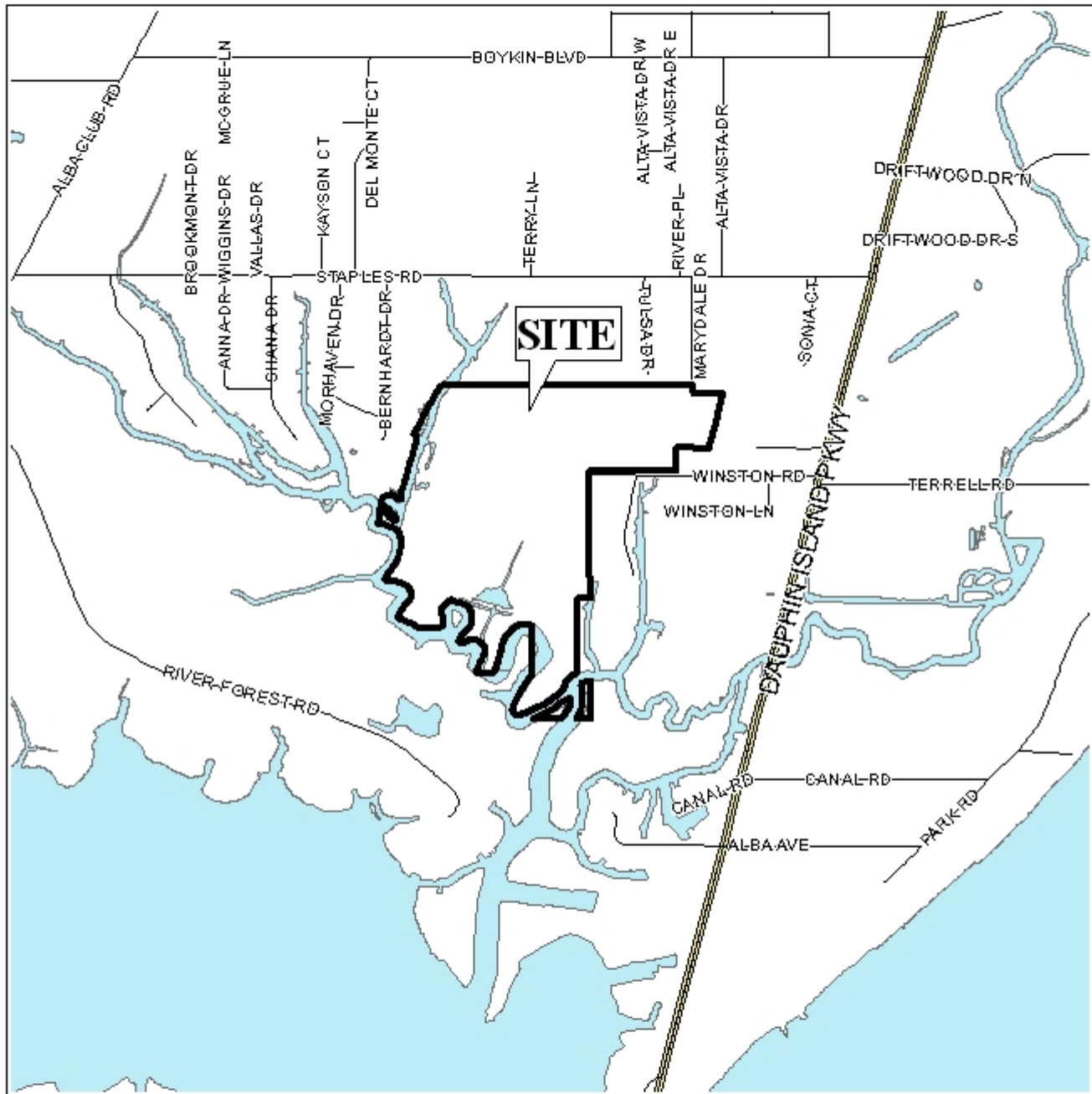
8. submission of documentation of adequacy of the culvert/structure on Winston Road to accommodate fire apparatus and the increased traffic generated by the development prior issuance of any clearing or land disturbing permits;
9. placement of a note on the plat stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;
10. placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
11. compliance with Engineering Department Comments (No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit).

Planned Unit Development: Based upon the preceding, it is recommended that this application be considered under the Innovative Section of the Subdivision Regulations, be approved as a gated private road subdivision, and to allow 20' wide aggregate surfacing as illustrated on the revised plat submitted, subject to the following conditions:

1. the road shall be designed and maintained to support the imposed loads of fire apparatus and surfaced to provide all-weather driving capabilities,
2. Any bridges in the project shall comply with Section 503.2.6 of the 2003 IFC.
3. Fire hydrants shall be provided per Section 508 of the 2003 IFC;
4. revision of the PUD plan to include placement of a note on the final plan stating that the size, location and design of locations of asphalt paving or pavers require approval from Traffic Engineering, City Engineering and Planning prior to installation, revised plan to be submitted to Planning Section of UDD;
5. revision of the PUD plan to include placement of a note on the final plan stating that the gate(s) are to be in operation at all times (any cessation of use will void approval as a gated subdivision and require the subdivision be brought up to city public street standards and all streets dedicated to the City of Mobile) revised plan to be submitted to Planning Section of UDD;
6. revision of the PUD plan to include placement of a note on the final plan stating all common areas noted as natural area on the plat submitted to remain in a natural undisturbed state, (with the exception of nature trails as noted in the narrative - nature trails to be indicated on the final plat) and maintenance of all common areas is to be the responsibility of the property owners, revised plan to be submitted to Planning Section of UDD;

7. submission of documentation of adequacy of the culvert/structure on Winston Road to accommodate fire apparatus and the increased traffic generated by the development prior issuance of any clearing or land disturbing permits;
8. revision of the PUD plan to include placement of a note on the final plan stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities, revised plan to be submitted to Planning Section of UDD;
9. revision of the PUD plan to include placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities, revised plan to be submitted to Planning Section of UDD;
10. compliance with Engineering Department Comments (No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit);
11. full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE February 21, 2008

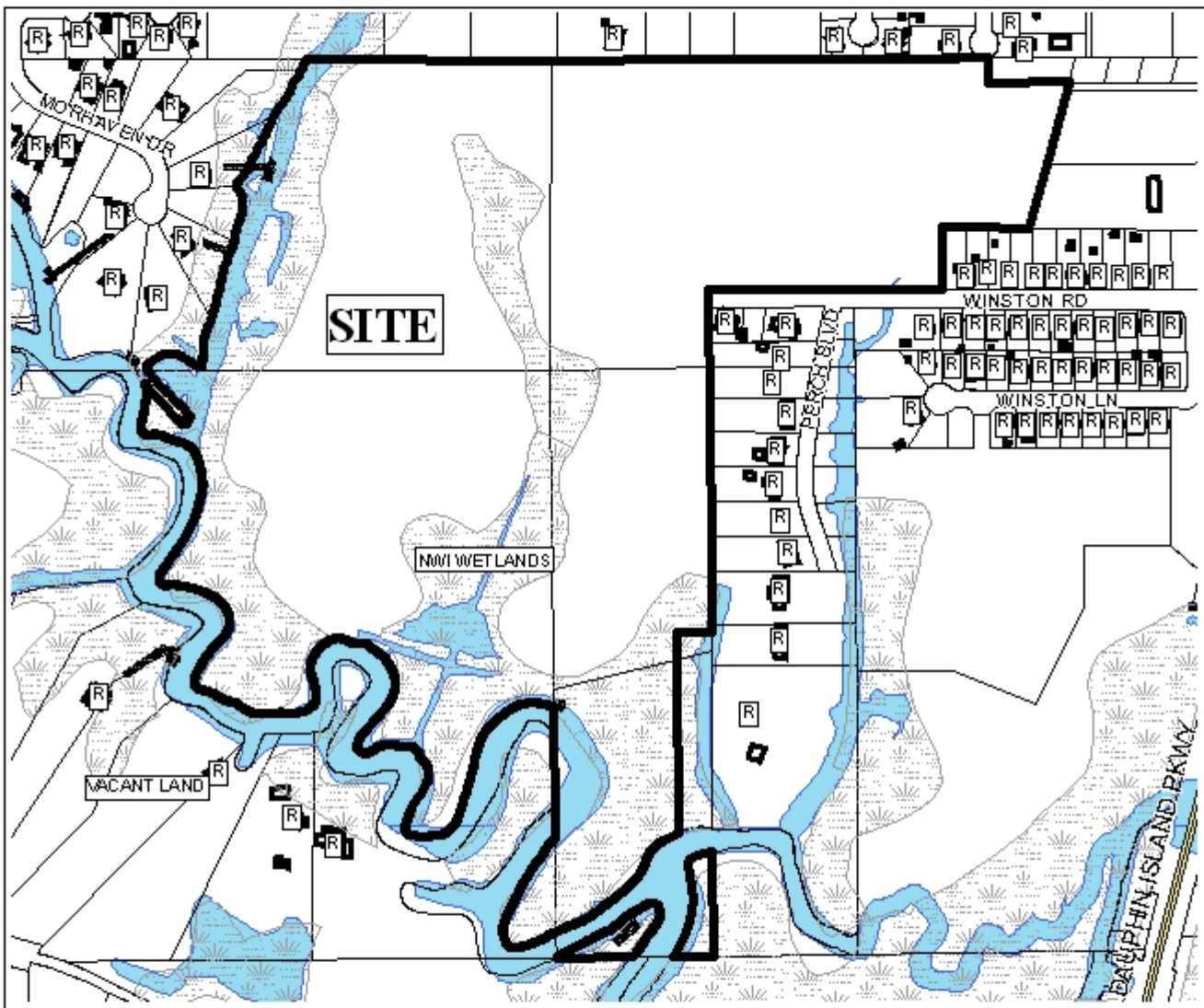
APPLICANT Perch Creek Preserve Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

APPLICATION NUMBER 1 & 2 DATE February 21, 2008

APPLICANT Perch Creek Preserve Subdivision

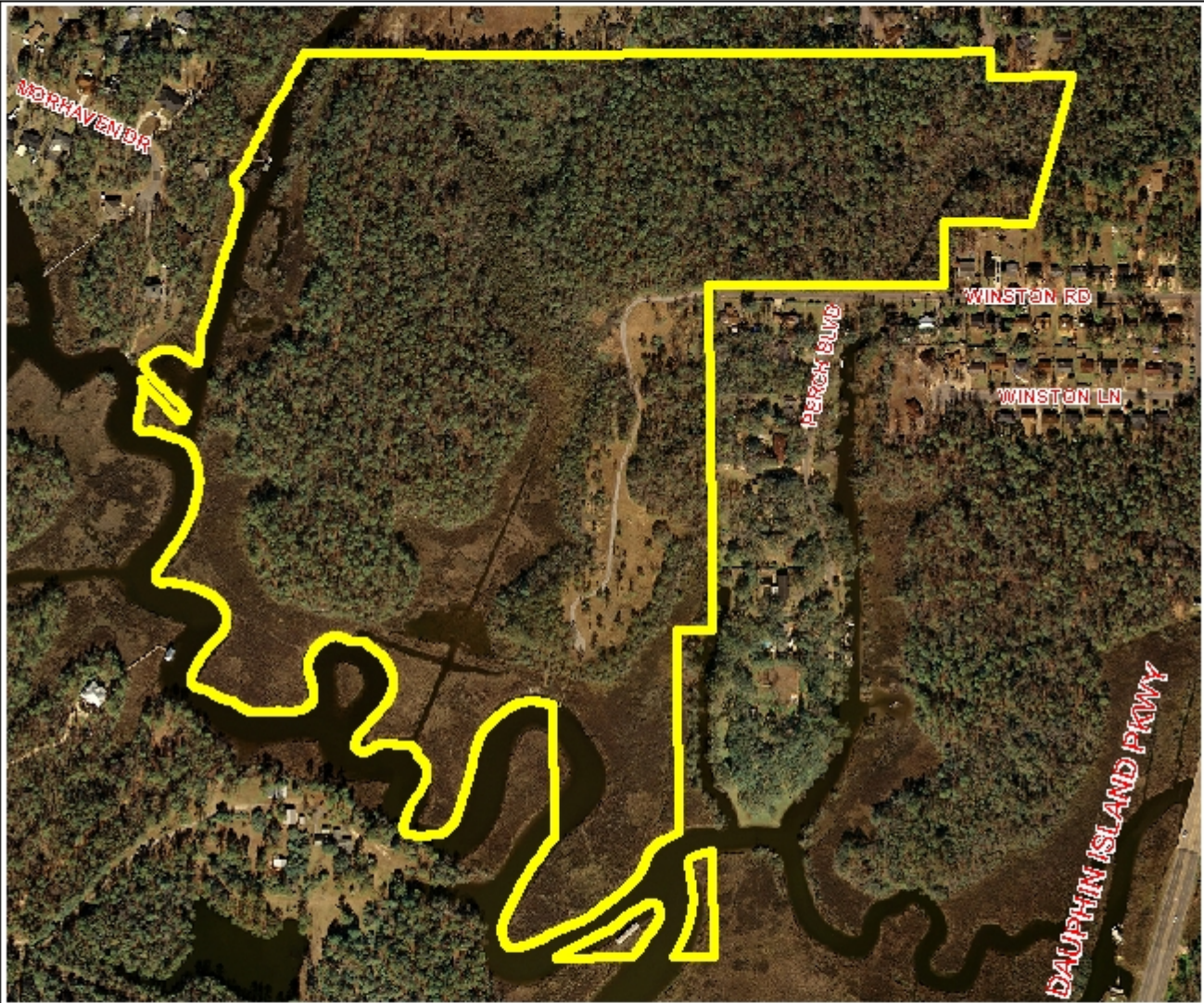
REQUEST Subdivision, Planned Unit Development

LEGEND

R-1	R-2	R-3	R-4	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



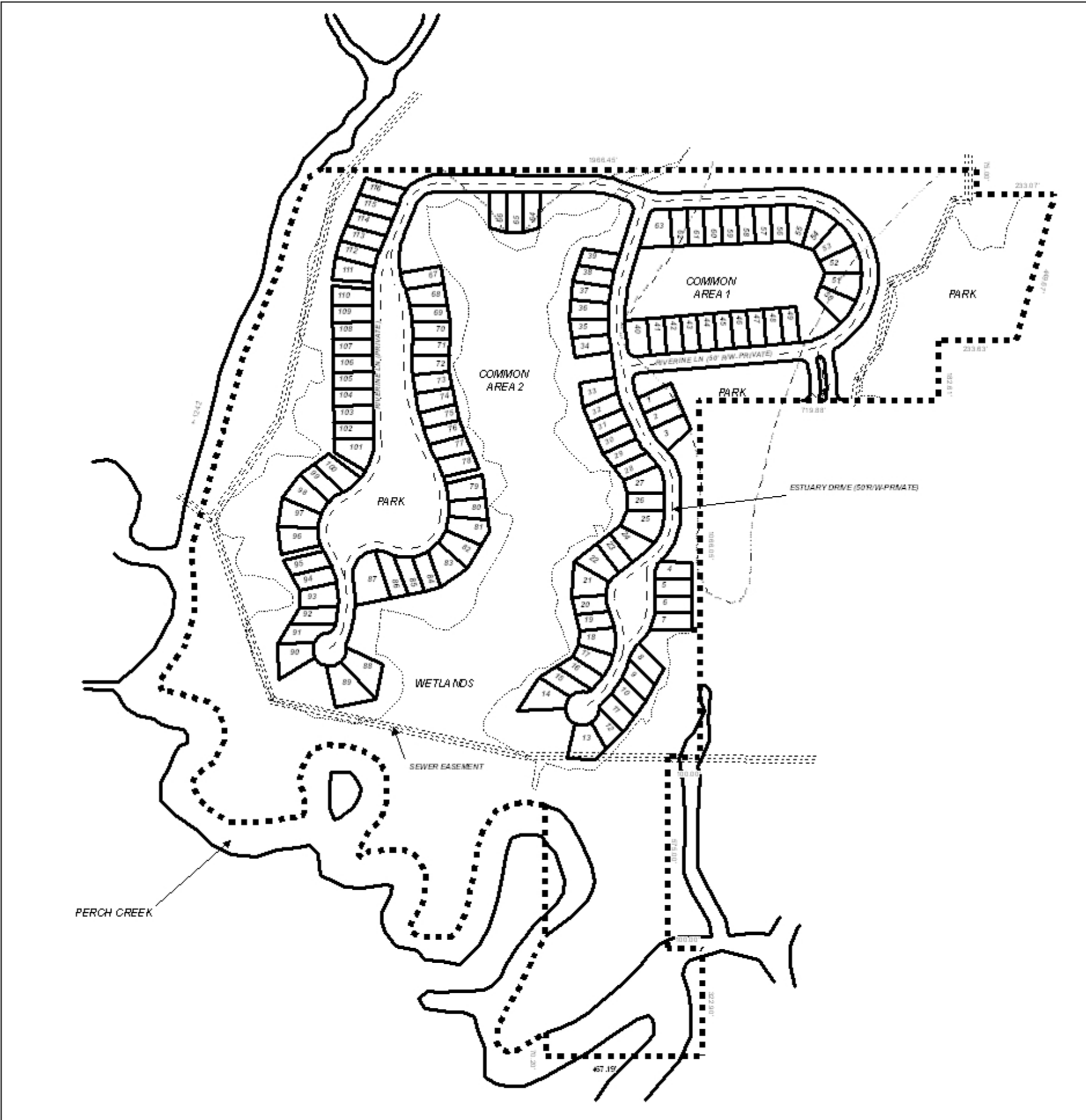
This site is surrounded by residential land use.

APPLICATION NUMBER 1 & 2 DATE February 21, 2008
APPLICANT Perch Creek Preserve Subdivision
REQUEST Subdivision, Planned Unit Development



NTS

SITE PLAN



This site plan illustrates proposed lot configuration.

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REQUEST Subdivision, Planned Unit Development

NTS