

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT**

**Date: May 15, 2008**

**DEVELOPMENT NAME**

Falling Leaf Subdivision

**SUBDIVISION NAME**

Falling Leaf Subdivision, Unit One  
Falling Leaf Subdivision, Unit Two

**LOCATION**

East side of Sollie Road, 400'± North of the East terminus of Isle of Palms Drive, extending to the East terminus of Raleigh Boulevard.

**CITY COUNCIL  
DISTRICT**

Council District 6

**AREA OF PROPERTY**

Unit One 52 Lots / 26.5± Acres  
Unit Two 82 Lots / 43.8± Acres  
PUD – 134 Lots / 70.3± Acres

**CONTEMPLATED USE**

Planned Unit Development Approval to allow a gated private street single-family residential subdivision.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Unit One under construction.

**ENGINEERING  
COMMENTS**

Any impact on the floodway must comply with FEMA regulations and City of Mobile Engineering Department standards. Any creek crossing must comply with AASHTO, Corps of Engineers, ADEM, FEMA, and City of Mobile Engineering Department requirements. No detention is allowed in the City of Mobile right of way or AE flood plain. Show Minimum FFE on plans and plat for all lots located within the X-Shaded and AE Flood Zones. 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 show 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. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. 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**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specifically, All roads, gates, bridges and dead ends shall comply with the following requirements of the 2003 International Fire Code =Section 503 Fire Apparatus Access Roads - 503.1.1 Buildings and facilities; 503.2.1 Dimensions; 503.2.3 Surface; 503.2.5 Dead ends; 503.2.6 Bridges and elevated surfaces; 503.2.7 Grade; 503.6 Security gates; 505.2 Street or road signs; 508.5.1 Where required - Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

Appendix D

SECTION D102, REQUIRED ACCESS - D102.1 Access and loading; SECTION D103

MINIMUM SPECIFICATIONS - D103.1 Access road width with a hydrant; D103.2 Grade; Exception: Grades steeper than 10 percent as approved by the fire chief.

FIRE LANE SIGNS

D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width;

### **REMARKS**

The applicant is seeking Subdivision Approval and Planned Unit Development Approval to create a gated private street single-family residential subdivision containing 134 lots. The site is located in Council District 6.

The plat illustrates the proposed 70.3+ acre, 134-lot subdivision which is located on the East side of Sollie Road, 400'+ North of the East terminus of Isle of Palms Drive, extending to the East terminus of Raleigh Boulevard, and is located within Council District 6. The applicant states that the subdivision is served by both public water and sewer.

A similar request was presented to the Commission in March, however the applicant withdrew the applications at that meeting to allow time to meet with staff and discuss possibilities for consideration. Discussions surrounded the adjacent property to the East, its ownership and developability. The applicant was advised to submit justification for consideration as a private street and Waiver of Section V.B.1. of the Subdivision Regulations (street stub requirements). Unfortunately no such documentation was submitted.

Sollie Road, which is shown as a major street on the Major Street Plan Map, has a variable existing right-of-way. The Major Street Plan requires a minimum right-of-way of 100' (50' from centerline). The plat illustrates an area that appears to be dedication to provide 50' from centerline where necessary; however, this area is not noted as dedication on the plat submitted.

Access to the site is proposed from Sollie Road via a new street (which is under construction based upon the previous approvals) and a new bridge over Second Creek is to connect Unit One to Unit Two.

The site is bisected by wetlands and is illustrated as a floodway (Second Creek) on the preliminary plat. The presence of wetlands 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.

Also, it should be noted that to lessen the impact on the creek, significant areas outside the floodplain are being left undeveloped and only one bridge across the creek is to be constructed. While this will result in only one point of access to Sollie Road, the plat does not provide any future street stubs to the adjacent undeveloped properties to the East, to allow for future development, as well as allowing for an additional access point to Sollie Road when the adjacent property is developed.

The requirements for street-stubs are based upon Section V.B.1. of the Subdivision Regulations, which states: "The street layout shall also provide for the future projection into unsubdivided lands adjoining of a sufficient number of streets to provide convenient circulation." The parcel East of the site is approximately 60+ acres, while the parcel North of the site is approximately 95+ acres. All adjacent parcels are currently undeveloped; however, the property to the North has recently received approval for rezoning to R-3, multi-family residential for the entire site, and Planned Unit Development Approval to allow multiple multi-family residential buildings on a single building site. The plan as approved for that development did provide for a connection to a street stub from the property in question. Therefore, the street stub to the North would not be appropriate. The property to the East, however, is landlocked and the only practical access at this time would be via a street stub from the property in question.

While the applicant desires a gated private street development, Section VIII paragraph E.1.b of the Subdivision Regulations states that "subdivisions in which private streets are allowed shall not be adjacent to large undeveloped potentially landlocked tracts or property where a street stub would be required."

Additionally, since Lots 8, 9, 56, 60, 61, 66, 67, 73, and 79 are corner lots, a note should be placed on the Final Plat stating they are limited to one curb-cut each with the size, design and located to be determined by Traffic Engineering. Labeling of each lot with its size in square feet, or provision of a table on the plat with the same information is also requested.

It appears that each lot meets the minimum size requirements for developments with access to public water and sewer. Due to the size of the proposed development, it is requested that the applicant revise the preliminary plat to provide the size of each lot in square feet on the plat, either as a table or as a label for each individual lot.

Several areas are shown on the preliminary plat along the Second Creek and between the one-way streets that should be labeled as common area, thus a note should be placed on the Final Plat stating that maintenance of the common area will be the responsibility of the property owners.

Also, as the application makes no reference to decreased setbacks or increased site coverage, all requirements of the Zoning Ordinance would apply. Further, no information was provided on the plat indicating the location of the proposed gate.

## **RECOMMENDATION**

**Subdivision:** Based upon the preceding, this application is recommended for Holdover until June 19 to allow the applicant to address the following:

- 1) Identify the 10' strip along Sollie Road;
- 2) Illustrate location of the proposed gate;
- 3) Provide justification for waiver of Sections V.B.1 and VIII.E.1.b, and consideration as a private street.

**Planned Unit Development:** Based upon the preceding, this application is recommended Holdover until June 19 to allow the applicant to address the following:

- 1) Identify the 10' strip along Sollie Road;
- 2) Illustrate location of the proposed gate;

**Revised for June 19, 2008**

These applications were held over from the May 15 meeting to allow the applicant to address the following points:

- 1) Identify the 10' strip along Sollie Road;
- 2) Illustrate location of the proposed gate;
- 3) Provide justification for waiver of Sections V.B.1 and VIII.E.1.b, and consideration as a private street.

The applicant has submitted a revised plat identifying the 10' strip as dedication, bringing that section of Sollie Road into compliance with Major Street Plan requirements. The revised plat also illustrates the location of the proposed gate, which is well within the development and provides adequate vehicular turn-around within the site (a "u-turn" at the end of the proposed median).

Justification for waiver of Sections V.B.1 and VIII.E.1.b was also submitted. The justification states that while separate parcels, all of the property to the East is under the same ownership, and that owner has frontage on Sollie Road. Another point addressed is that when the property adjacent to the North was recently approved for rezoning, subdivision and PUD, there was no requirement of a stub with those applications – and that owner is also the owner of the property to the East.

Also addressed is fact that when Phase II of the site in question is to be developed, the developer will be required to construct a bridge crossing a creek and area of wetlands. There is some question of the equitability of the developer expending the funds for this bridge, then providing access to an adjacent property with no sharing of costs or reimbursements. Also referenced is the fact that of the approximately 60 acres total of that adjacent property, only about 10± acres is developable due to Milk House Creek and adjacent wetlands.

Taking all of these factors into consideration, waivers of Sections V.B.1 and VIII.E.1.b could be considered appropriate.

With regard to justification for consideration as a private road subdivision, the applicant is proposing that the development be a gated community, designed for an elderly or mature residential base. Being a gated community would afford these residents a sense of security.

In addition, the roads that have been constructed in Phase I have been built to city standards, which is a much higher standard than required by the private road section of the Subdivision Regulations. The applicant has also indicated that the future bridge will be built to ALDOT standards, and the roads in Phase II will also be constructed to city standards.

## **RECOMMENDATION**

**Subdivision:** Based upon the preceding, this application is recommended the Sections B.B.1 and VIII.E.1.b be waived, and the plat granted Tentative Approval subject to the following conditions:

1. dedication of 10' along the portion of Sollie Road as shown on the plat submitted;
2. placement of a note on the final plat stating that Lots 1-21, 51 and 52 are denied curb cuts to Sollie Road;
3. labeling of the wetlands, creek and detention areas as Common Area, and the placement of a note on the final plat stating that maintenance of all Common Areas and Detention Areas/Facilities shall be the responsibility of the property owners;
4. compliance with Section VIII.E.2 of the Subdivision Regulations (private road standards);
5. compliance with Engineering Comments Any impact on the floodway must comply with FEMA regulations and City of Mobile Engineering Department standards. Any creek crossing must comply with AASHTO, Corps of Engineers, ADEM, FEMA, and City of Mobile Engineering Department requirements. No detention is allowed in the City of Mobile right of way or AE flood plain. Show Minimum FFE on plans and plat for all lots located within the X-Shaded and AE Flood Zones. 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 show 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. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Any work performed in the right of way will require a right of way permit.);
6. compliance with Fire Department Comments (All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specifically, All roads, gates, bridges and dead ends shall comply with the following requirements of the 2003 International Fire Code =Section 503 Fire Apparatus Access Roads - 503.1.1 Buildings and facilities; 503.2.1 Dimensions; 503.2.3 Surface; 503.2.5 Dead ends; 503.2.6 Bridges and elevated surfaces; 503.2.7 Grade; 503.6 Security gates; 505.2 Street or road signs; 508.5.1 Where required - Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

### **Appendix D**

**SECTION D102, REQUIRED ACCESS - D102.1 Access and loading; SECTION D103 MINIMUM SPECIFICATIONS - D103.1 Access road width with a hydrant; D103.2 Grade; Exception: Grades steeper than 10 percent as approved by the fire chief.**

### **FIRE LANE SIGNS**

**D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width;);**

7. the approval of all applicable federal, state and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;
8. certification via placement of a note on the plat stating that the property owner/developer will comply with all local, state and federal regulations regarding endangered, threatened or otherwise protected flora and fauna; and
9. depiction of the 25-foot minimum building setback lines from all street frontages;

**Planned Unit Development:** Based upon the preceding, this application is recommended that this application be approved subject to the following conditions:

1. dedication of 10' along the portion of Sollie Road as shown on the plat submitted;
2. revision of the Final Site Plan to include placement of a note stating that Lots 1-21, 51 and 52 are denied curb cuts to Sollie Road;
3. revision of the Final Site Plan to include labeling of the wetlands, creek and detention areas as Common Area, and the placement of a note on the final plat stating that maintenance of all Common Areas and Detention Areas/Facilities shall be the responsibility of the property owners;
4. compliance with Engineering Comments Any impact on the floodway must comply with FEMA regulations and City of Mobile Engineering Department standards. Any creek crossing must comply with AASHTO, Corps of Engineers, ADEM, FEMA, and City of Mobile Engineering Department requirements. No detention is allowed in the City of Mobile right of way or AE flood plain. Show Minimum FFE on plans and plat for all lots located within the X-Shaded and AE Flood Zones. 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 show 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. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Any work performed in the right of way will require a right of way permit.);
5. compliance with Fire Department Comments (All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specifically, All roads, gates, bridges and dead ends shall comply with the following requirements of the 2003 International Fire Code =Section 503 Fire Apparatus Access Roads - 503.1.1 Buildings and facilities; 503.2.1 Dimensions; 503.2.3 Surface; 503.2.5 Dead ends; 503.2.6 Bridges and elevated surfaces; 503.2.7 Grade; 503.6 Security gates; 505.2 Street or road signs; 508.5.1 Where required - Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

**Appendix D**

**SECTION D102, REQUIRED ACCESS - D102.1 Access and loading; SECTION D103**

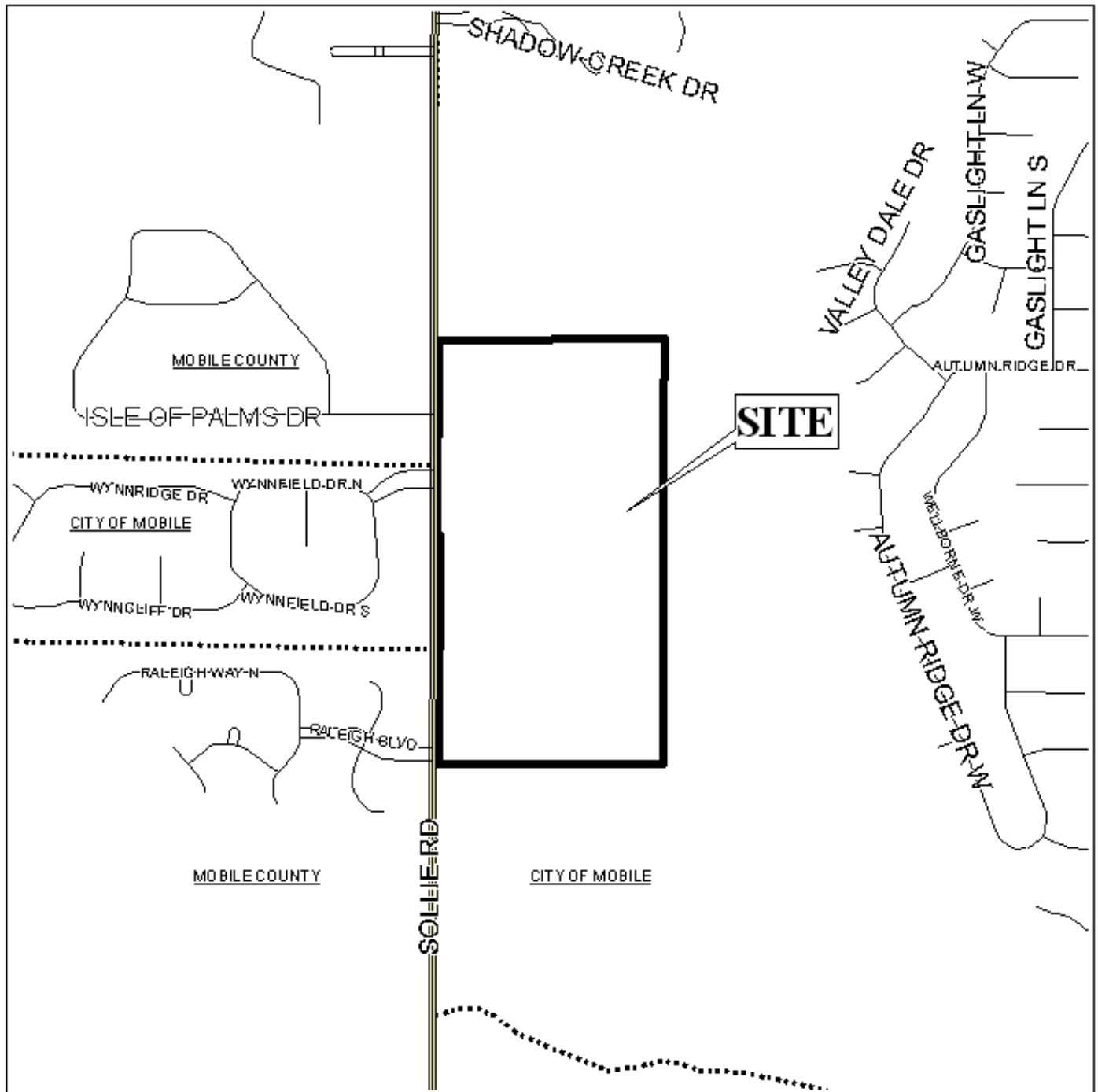
**MINIMUM SPECIFICATIONS - D103.1 Access road width with a hydrant; D103.2 Grade; Exception: Grades steeper than 10 percent as approved by the fire chief.**

**FIRE LANE SIGNS**

**D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width;); and**

6. revision of the Final Site Plan to include placement of a note stating that standard setbacks and site coverage shall apply.

# LOCATOR MAP



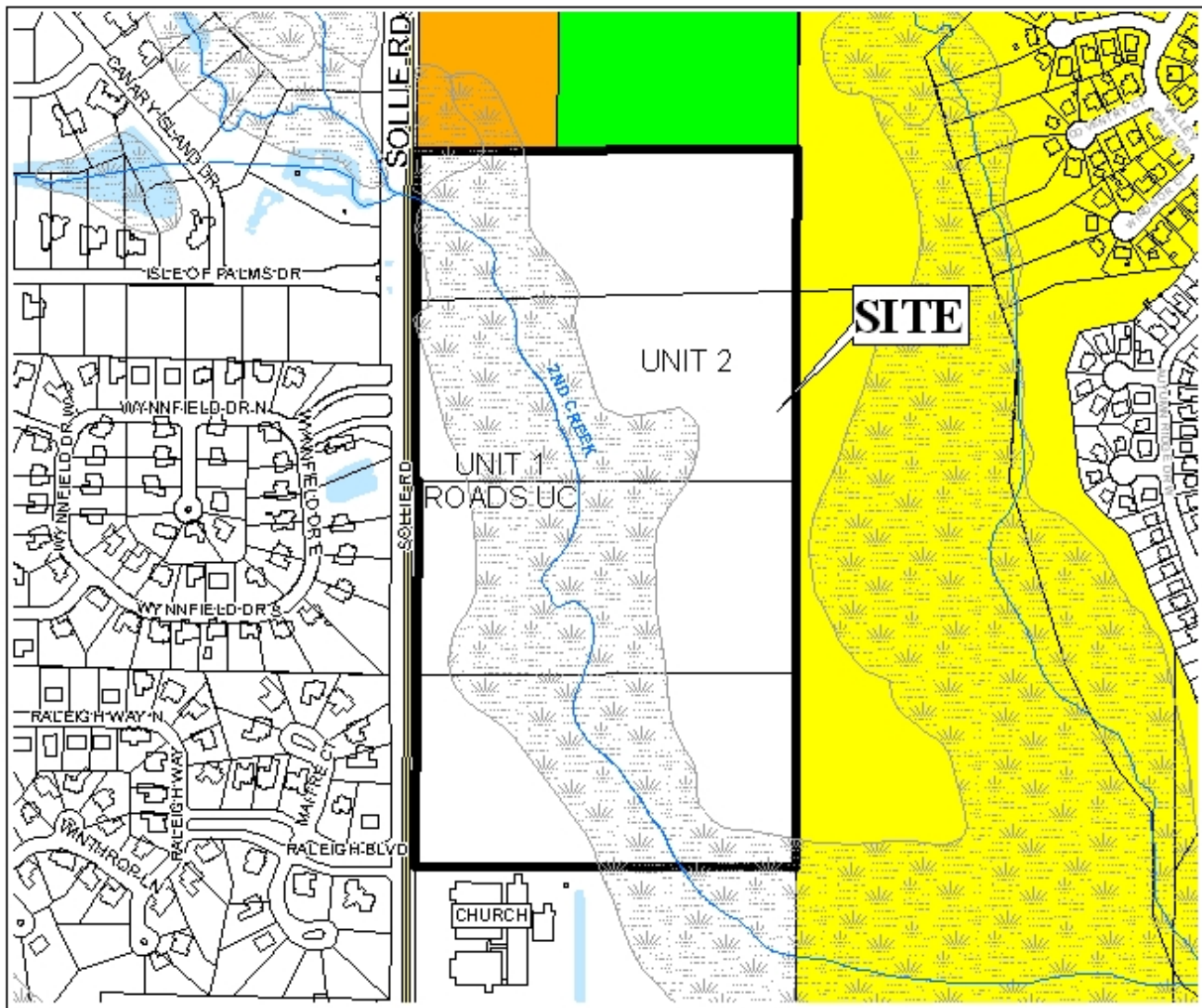
APPLICATION NUMBER 3 & 4 & 5 DATE June 19, 2008

APPLICANT Falling Leaf Subdivision, Units One & Two

REQUEST Subdivision, Planned Unit Development

N  
NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. A church is located to the south of the site.

APPLICATION NUMBER 3 & 4 & 5 DATE June 19, 2008

APPLICANT Falling Leaf Subdivision, Units One & Two

REQUEST Subdivision, Planned Unit Development

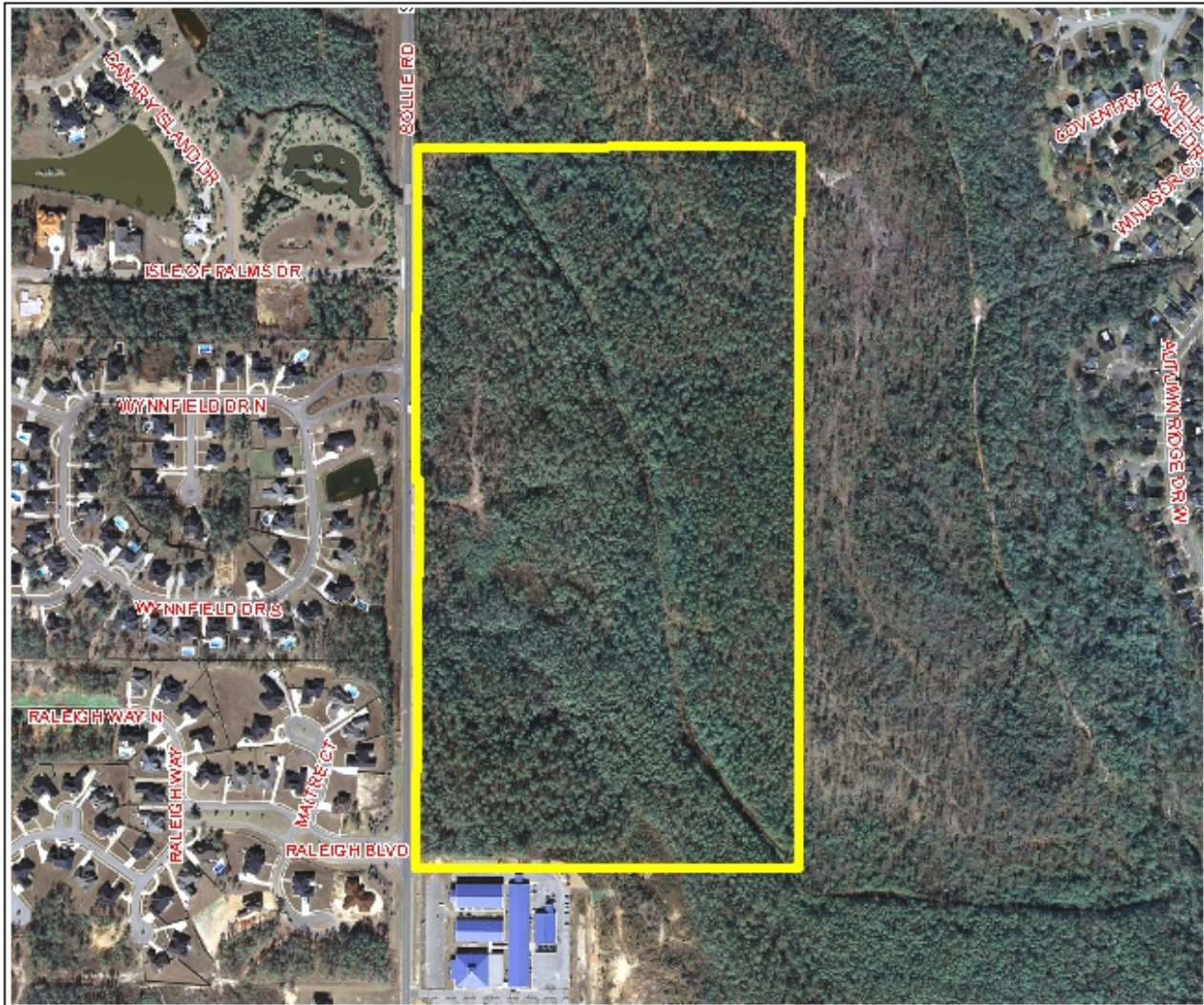
LEGEND

														NTS
R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2





## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. A church is located to the south of the site.

APPLICATION NUMBER 3 & 4 & 5 DATE June 19, 2008

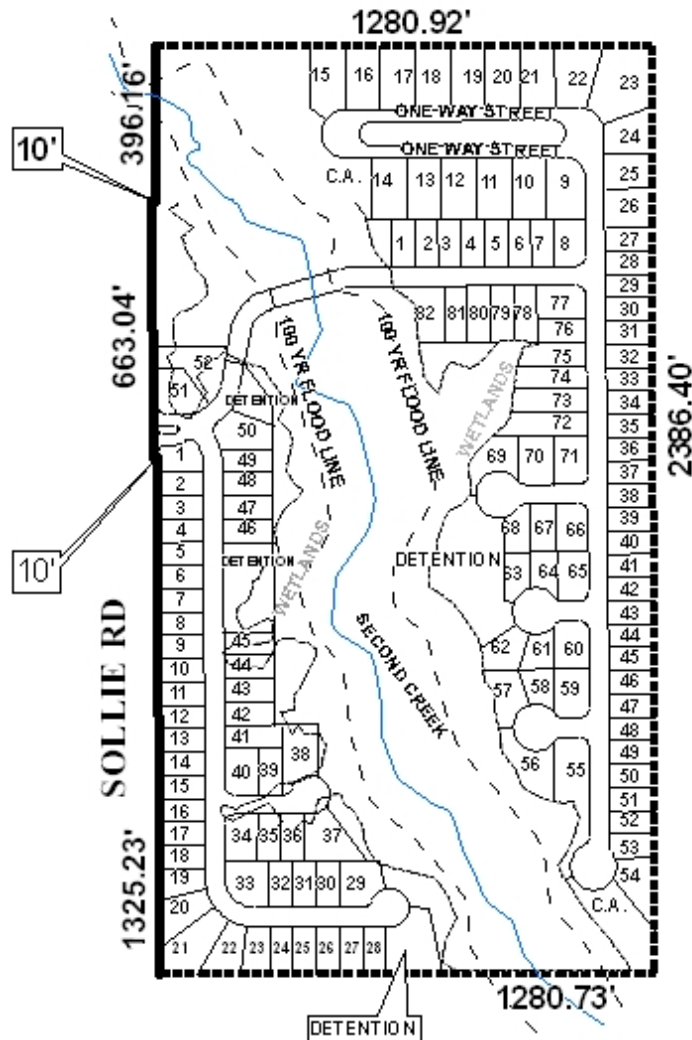
APPLICANT Falling Leaf Subdivision, Units One & Two

REQUEST Subdivision, Planned Unit Development



NTS

# SITE PLAN



The site plan illustrates the proposed development

APPLICATION NUMBER 3 & 4 & 5 DATE June 19, 2008  
 APPLICANT Falling Leaf Subdivision, Units One & Two  
 REQUEST Subdivision, Planned Unit Development



NTS