

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: January 17, 2008****DEVELOPMENT NAME**

Grande Oaks at Hillcrest Subdivision

SUBDIVISION NAME

Grande Oaks at Hillcrest Subdivision

LOCATION2709 Hillcrest Road
(East side of Hillcrest Road, 340'+ North of Shady Lane)**CITY COUNCIL
DISTRICT**

District 6

AREA OF PROPERTY

19 Lots / 6.4 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow a gated private street single-family residential subdivision, and Subdivision approval to create 19 lots.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

Need to show drainage easement from detention area to Weddington Court. Analysis of the receiving system will be required to determine if the existing system has the capacity to receive the additional flow. 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.

Revised for the Feb 21st meeting: 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).

Preservation status is to be given to the 48" Live Oak Tree located on the Southwest corner of Lot 19, the 60" Live Oak Tree located on the South side of Lot 16, the 56" Live Oak Tree located on the South side of Lot 15, the 76" Live Oak Tree located on the Northeast corner of Lot 11, and the 54" Live Oak Tree located in the middle of Lot 4, and for all 50" and larger trees that may occur within the development, not otherwise identified. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in

the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.

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.

REMARKS

The applicant is requesting Planned Unit Development to allow a residential subdivision with a gated private road, and Subdivision approval to create nineteen (19) lots from three metes and bounds parcels. The applicant states that the site is served by public water and sanitary sewer.

This site has been the subject of two recent Subdivision applications, and one combined PUD/Subdivision application, that were approved by the Planning Commission in May, 2006, February, 2007, and May 2007, respectively. The first two approvals were for subdivisions with lots fronting public roads. The most recent approval was for a gated a private street, with a total of 13 lots.

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 site fronts Hillcrest Road, a planned major street with an adequate 100-foot right-of-way. As Hillcrest Road is a major street, access management is a concern. Direct access to Hillcrest Road for any lot should be denied. Due to the limited width of each lot, each lot should be limited to one curb-cut, with the size, design and location to be coordinated with Urban Forestry, and approved by Traffic Engineering and in compliance with AASHTO standards.

Regarding the proposed gate, the current application depicts the gate a minimum of 70-feet from the edge of pavement on Hillcrest, compared with 30-feet for the previously approved plan. The additional stacking area provided by the current plan should lessen any potential problems with vehicles impeding traffic movement on Hillcrest Road.

The proposed private street will be a cul-de-sac, with what appears to be a large common area contained within the cul-de-sac. While the overall dimensions of the cul-de-sac appear to comply with the 2003 International Fire Code, as adopted by the City of Mobile, the apparent one-way circulation around the common area may not meet the minimum pavement width requirements, specifically where fire hydrants occur. The site plan and plat should be revised to ensure compliance with any requirements of the Mobile Fire-Rescue Department and Traffic Engineering.

The unlabeled area in the cul-de-sac should be labeled as common area, and a note should be placed on the site plan and plat stating that all common areas and the detention area are to be maintained by the property owners association.

All of the lots appear to meet the minimum dimensional requirements of the Subdivision Regulations, however, the minimum building setback line is not depicted for every lot. The site plan and plat should be revised to depict the minimum building setback line for each lot, where the lot is at least 60-feet in width. It should also be noted that there do not appear to be any requests by the applicant for reduced setbacks or increased site coverage, thus the standard requirements for R-1, Single-Family Residential districts will apply.

As previously mentioned, the applicant is requesting that the proposed subdivision be a gated community with a private street. Section VIII. of the Subdivision Regulations permits modifications to standard regulatory requirements under three circumstances: 1) Unusual difficulties, generally related to natural circumstances, where the normal application of the Regulations would cause undue hardship; 2) Innovative design, which can include cluster or Traditional Neighborhood Development subdivisions, as well as townhomes, terrace houses, multi-family projects, and commercial development; or 3) Family subdivisions, which allow a private street to serve up to 5 lots. The proposed provision of a gate for the subdivision indicates “innovative” design, however, if the subdivision is approved, the gate must remain operational and in use as a condition of the continuation of private street status.

Section VIII.E.2.f. of the Subdivision Regulations requires that a legal covenant be recorded with the Final Plat in Mobile County Probate Court, that: 1) provides for continuing maintenance of the street by an owners’ association or other entity; 2) grants right of ingress and egress for emergency and utility maintenance vehicles; and 3) saves harmless the governing body from damages to any owner within the association arising or which may arise out of the existence of such a private street. Furthermore, each and every owner of property abutting upon and with legal access to the proposed private street shall be a part to such document and agreement.

Section VIII.E.2.i. of the Regulations additionally requires that a sign shall be posted and maintained at the entrance to the private street, with the sign including the street name, and identifying the street as a private street. The sign shall be constructed to City standards, and must be approved by Traffic Engineering.

The following items from Section VIII.E.2. will be required on the Final Plat, if approved with a private street: 1) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision; 2) a note on the plat stating that the street is privately maintained and not dedicated to the public; and 3) a note on the plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately

dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners.

Finally, 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.

RECOMMENDATION

Planned Unit Development: Based upon the revised PUD site plan, this application is recommended for Approval, subject to the following:

- 1) Labeling of all common areas, and placement of a note on the site plan and plat stating that maintenance of common and detention common areas is the responsibility of the property owners;
- 2) Depiction and labeling of the minimum building setback line from all street frontages for all lots, where the lot is a minimum of 60 feet in width;
- 3) Placement of a note on the site plan and plat that all lots are denied direct access to Hillcrest Road;
- 4) Placement of a note on the site plan and plat that each lot is limited to one curb-cut, with the size, design and location to be coordinated with Urban Forestry, and approved by Traffic Engineering and in compliance with AASHTO standards;
- 5) Redesign of the cul-de-sac, if necessary, after consultation with Mobile Fire-Rescue and Traffic Engineering;
- 6) Completion of the Subdivision process;
- 7) Compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
- 8) Designation on the site plan and plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
- 9) Placement of a note on the site plan and plat stating that the street is privately maintained and not dedicated to the public;
- 10) Placement of a note on the site plan and plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 11) Placement of a note on the site plan and plat stating that the gate must remain operational and in use as a condition of the continuation of private street status,
- 12) Full compliance with Engineering comments (*Need to show drainage easement from detention area to Weddington Court. Analysis of the receiving system will be required to determine if the existing system has the capacity to receive the additional flow. 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.*);

- 13) Full compliance with Urban Forestry comments, and placement of the comments as a note on the site plan and plat (*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). Preservation status is to be given to the 48" Live Oak Tree located on the Southwest corner of Lot 19, the 60" Live Oak Tree located on the South side of Lot 16, the 56" Live Oak Tree located on the South side of Lot 15, the 76" Live Oak Tree located on the Northeast corner of Lot 11, and the 54" Live Oak Tree located in the middle of Lot 4, and for all 50" and larger trees that may occur within the development, not otherwise identified. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.*);
- 14) Placement of a note on the site plan and plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 15) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plat; and
- 16) Full compliance with all other municipal codes and ordinances.

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

- 1) Labeling of all common areas, and placement of a note on the site plan and plat stating that maintenance of common and detention common areas is the responsibility of the property owners;
- 2) Depiction and labeling of the minimum building setback line from all street frontages for all lots, where the lot is a minimum of 60 feet in width;
- 3) Placement of a note on the site plan and plat that all lots are denied direct access to Hillcrest Road;
- 4) Placement of a note on the site plan and plat that each lot is limited to one curb-cut, with the size, design and location to be coordinated with Urban Forestry, and approved by Traffic Engineering and in compliance with AASHTO standards;
- 5) Redesign of the cul-de-sac, if necessary, after consultation with Mobile Fire-Rescue and Traffic Engineering;
- 6) Compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
- 7) Designation on the site plan and plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
- 8) Placement of a note on the site plan and plat stating that the street is privately maintained and not dedicated to the public;
- 9) Placement of a note on the site plan and plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 10) Placement of a note on the site plan and plat stating that the gate must remain operational and in use as a condition of the continuation of private street status,

- 11) Full compliance with Engineering comments (*Need to show drainage easement from detention area to Weddington Court. Analysis of the receiving system will be required to determine if the existing system has the capacity to receive the additional flow. 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.*);
- 12) Full compliance with Urban Forestry comments, and placement of the comments as a note on the site plan and plat (*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). Preservation status is to be given to the 48" Live Oak Tree located on the Southwest corner of Lot 19, the 60" Live Oak Tree located on the South side of Lot 16, the 56" Live Oak Tree located on the South side of Lot 15, the 76" Live Oak Tree located on the Northeast corner of Lot 11, and the 54" Live Oak Tree located in the middle of Lot 4, and for all 50" and larger trees that may occur within the development, not otherwise identified. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.*);
- 13) Placement of a note on the site plan and plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 14) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plat; and
- 15) Full compliance with all other municipal codes and ordinances.

Revised for the February 21st meeting:

The application was heldover from the January 17th meeting to allow the applicant to submit revised plans/plats illustrating the relocation of the detention facility and reconfiguration of the lots.

The revised site plan and plat depict 19 lots as before, but now shows the detention area as a narrow strip located behind Lots 1-6, along the southern property line. The revised plan labels the detention area as 7,680 square feet, however, measuring of the drawing indicates that it is in fact only half of the size claimed. Furthermore, the side lot-line dimensions are incorrect for the actual measured distance for the lots abutting the detention area. Finally, the area of Lot 8 should be rechecked, as it is the same as the previous application – even though the detention area is no longer located at the rear of Lot 8. It appears that even with these dimensional errors, the application will meet the minimum lot size and dimensional requirements of the Subdivision Regulations and the Zoning Ordinance.

It should be pointed out that the applicant has not requested any increased site coverage or reduced setbacks. To ensure accurate residential site plan review by staff as applications for individual homes are submitted, a note should be placed on the PUD site plan and Subdivision plat that the maximum building site coverage shall be 35%, and that standard side and rear setbacks shall apply.

The detention area should be fenced from all adjacent lots, including the existing residential property to the South of the site. Provisions for access and maintenance should be made regarding the design of the fence. Permits are required for any fencing, including that provided around the detention area. An access easement should be provided to the detention area from the street that is a part of the development so that access for maintenance is not from Hillcrest Road: the site plan and plat should be revised to depict the access easement.

RECOMMENDATION

Planned Unit Development: Based upon the revised PUD site plan, this application is recommended for Approval, subject to the following:

- 1) Revision of the site plan and plat to correct all dimensional and lot area errors, ensuring that all lots are a minimum of 7,200 square feet, and the labeling of all lots with their size in square feet;
- 2) Depiction and labeling of the minimum building setback line from all street frontages for all lots, where the lot is a minimum of 60 feet in width;
- 3) Placement of a note on the site plan and plat stating that the maximum building site coverage (35%) and the side and rear yard setbacks shall be as required by the Zoning Ordinance;
- 4) Revision of the site plan and plat to depict and label an access easement from the street that is part of the development to the detention facility to allow maintenance;
- 5) Provision of a six-foot high wooden privacy fence around the entirety of the detention area (except within required street setbacks, where it shall not exceed three feet in height), with appropriate permits, and revision of the site plan to depict and label a fence;
- 6) Labeling of all common areas, and placement of a note on the site plan and plat stating that maintenance of common and detention common areas is the responsibility of the property owners;
- 7) Placement of a note on the site plan and plat that all lots are denied direct access to Hillcrest Road;
- 8) Placement of a note on the site plan and plat that each lot is limited to one curb-cut, with the size, design and location to be coordinated with Urban Forestry, and approved by Traffic Engineering and in compliance with AASHTO standards;
- 9) Redesign of the cul-de-sac, if necessary, after consultation with Mobile Fire-Rescue and Traffic Engineering;
- 10) Compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
- 11) Designation on the site plan and plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
- 12) Placement of a note on the site plan and plat stating that the street is privately maintained and not dedicated to the public;
- 13) Placement of a note on the site plan and plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 14) Placement of a note on the site plan and plat stating that the gate must remain operational and in use as a condition of the continuation of private street status,

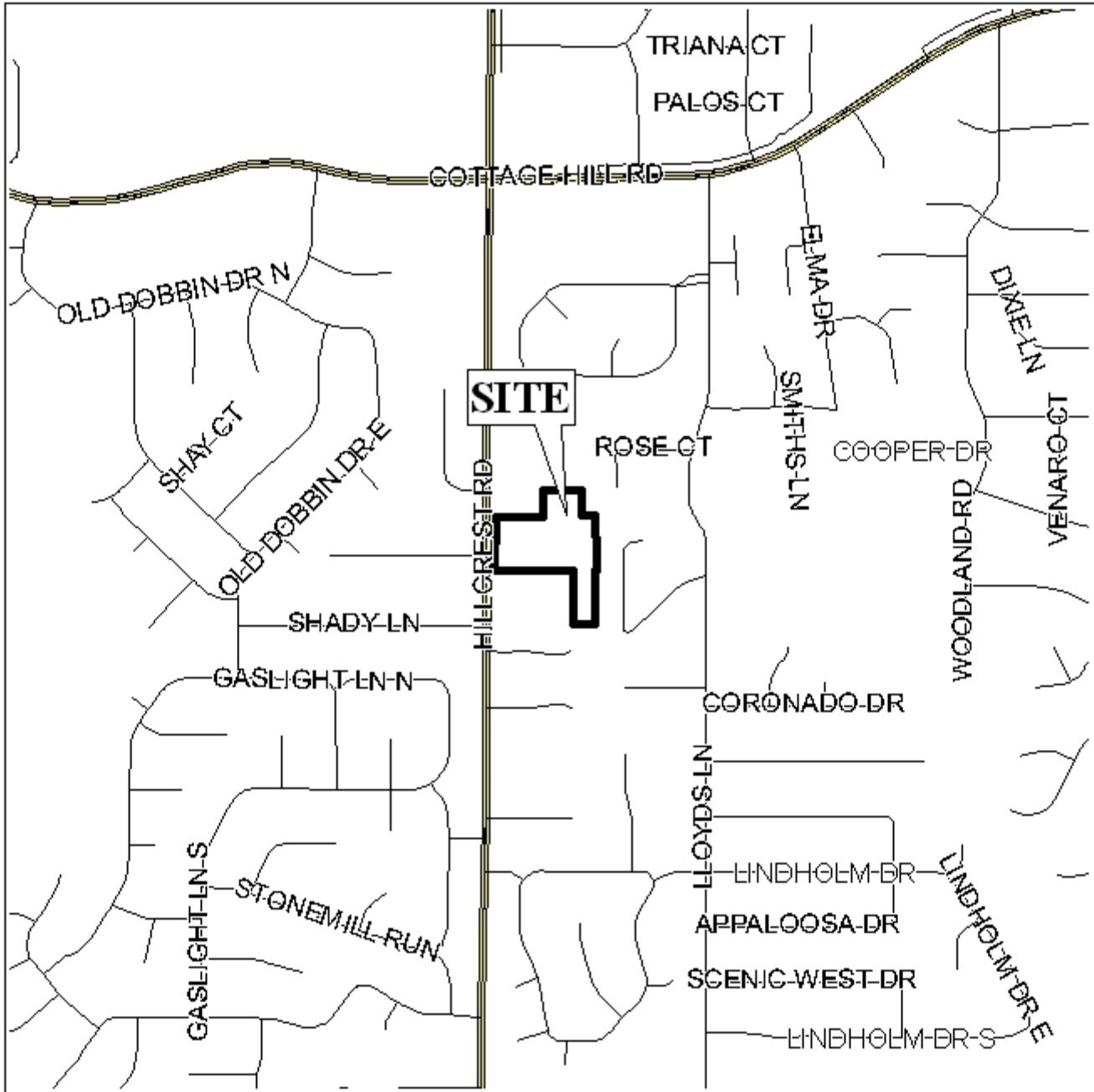
- 15) Full compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.*);
- 16) Full compliance with Urban Forestry comments, and placement of the comments as a note on the site plan and plat (*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). Preservation status is to be given to the 48" Live Oak Tree located on the Southwest corner of Lot 19, the 60" Live Oak Tree located on the South side of Lot 16, the 56" Live Oak Tree located on the South side of Lot 15, the 76" Live Oak Tree located on the Northeast corner of Lot 11, and the 54" Live Oak Tree located in the middle of Lot 4, and for all 50" and larger trees that may occur within the development, not otherwise identified. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.*);
- 17) Placement of a note on the site plan and plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 18) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plat;
- 19) Completion of the Subdivision process prior to any permitting activities; and
- 20) Full compliance with all other municipal codes and ordinances.

Subdivision: The revised plat is recommended for Tentative Approval, subject to the following conditions:

- 1) Revision of the site plan and plat to correct all dimensional and lot area errors, ensuring that all lots are a minimum of 7,200 square feet, and the labeling of all lots with their size in square feet;
- 2) Depiction and labeling of the minimum building setback line from all street frontages for all lots, where the lot is a minimum of 60 feet in width;
- 3) Placement of a note on the site plan and plat stating that the maximum building site coverage (35%) and the side and rear yard setbacks shall be as required by the Zoning Ordinance;
- 4) Revision of the site plan and plat to depict and label an access easement from the street that is part of the development to the detention facility to allow maintenance;
- 5) Labeling of all common areas, and placement of a note on the site plan and plat stating that maintenance of common and detention common areas is the responsibility of the property owners;
- 6) Placement of a note on the site plan and plat that all lots are denied direct access to Hillcrest Road;
- 7) Placement of a note on the site plan and plat that each lot is limited to one curb-cut, with the size, design and location to be coordinated with Urban Forestry, and approved by Traffic Engineering and in compliance with AASHTO standards;
- 8) Redesign of the cul-de-sac, if necessary, after consultation with Mobile Fire-Rescue and Traffic Engineering;
- 9) Compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;

- 10) Designation on the site plan and plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
- 11) Placement of a note on the site plan and plat stating that the street is privately maintained and not dedicated to the public;
- 12) Placement of a note on the site plan and plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 13) Placement of a note on the site plan and plat stating that the gate must remain operational and in use as a condition of the continuation of private street status,
- 14) Full compliance with Engineering comments (*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.*);
- 15) Full compliance with Urban Forestry comments, and placement of the comments as a note on the site plan and plat (*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). Preservation status is to be given to the 48" Live Oak Tree located on the Southwest corner of Lot 19, the 60" Live Oak Tree located on the South side of Lot 16, the 56" Live Oak Tree located on the South side of Lot 15, the 76" Live Oak Tree located on the Northeast corner of Lot 11, and the 54" Live Oak Tree located in the middle of Lot 4, and for all 50" and larger trees that may occur within the development, not otherwise identified. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.*);
- 16) Placement of a note on the site plan and plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 17) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plat; and
- 18) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 7 & 8 DATE February 21, 2008

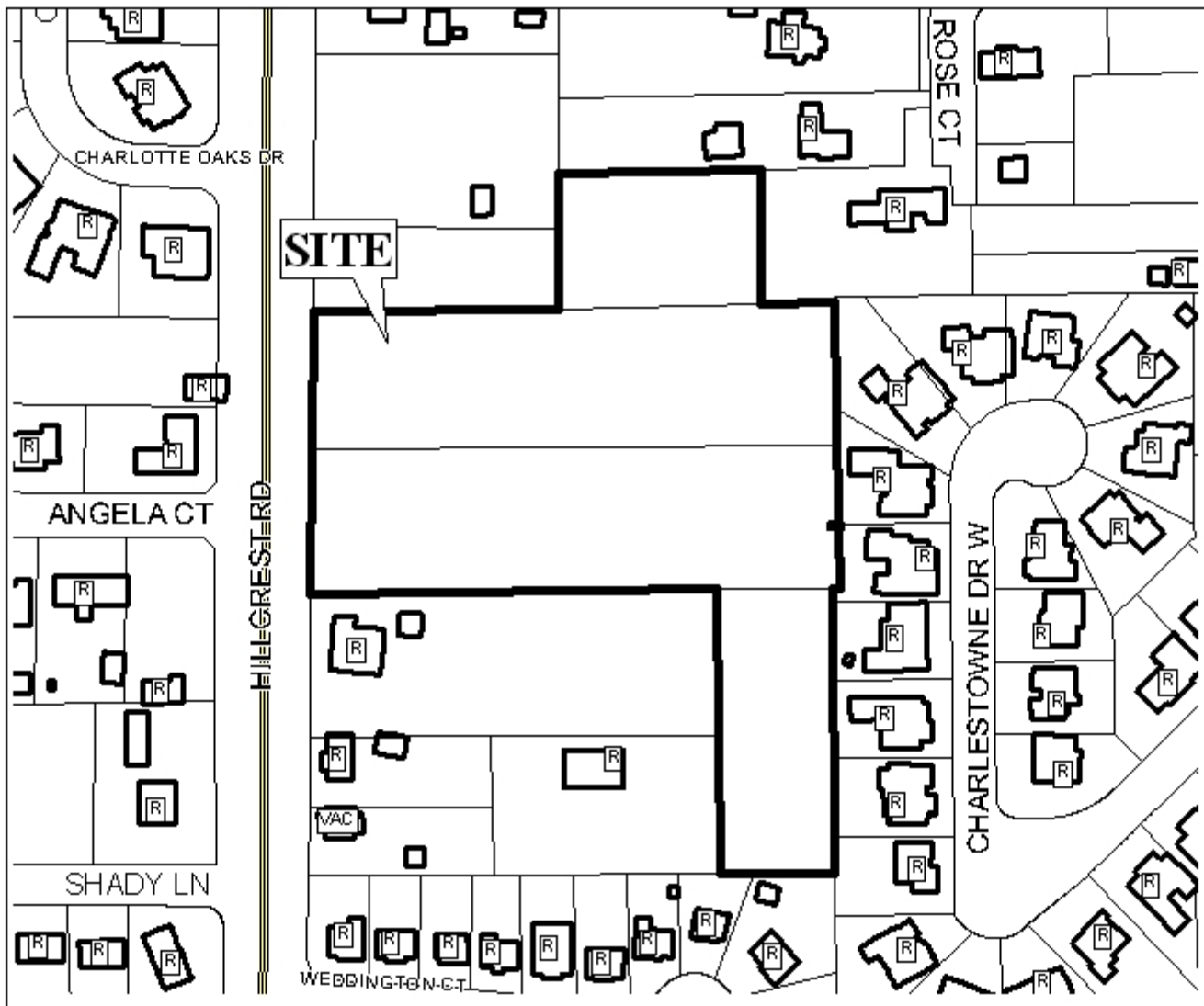
APPLICANT Grande Oaks at Hillcrest Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 7 & 8 DATE February 21, 2008

APPLICANT Grande Oaks at Hillcrest Subdivision

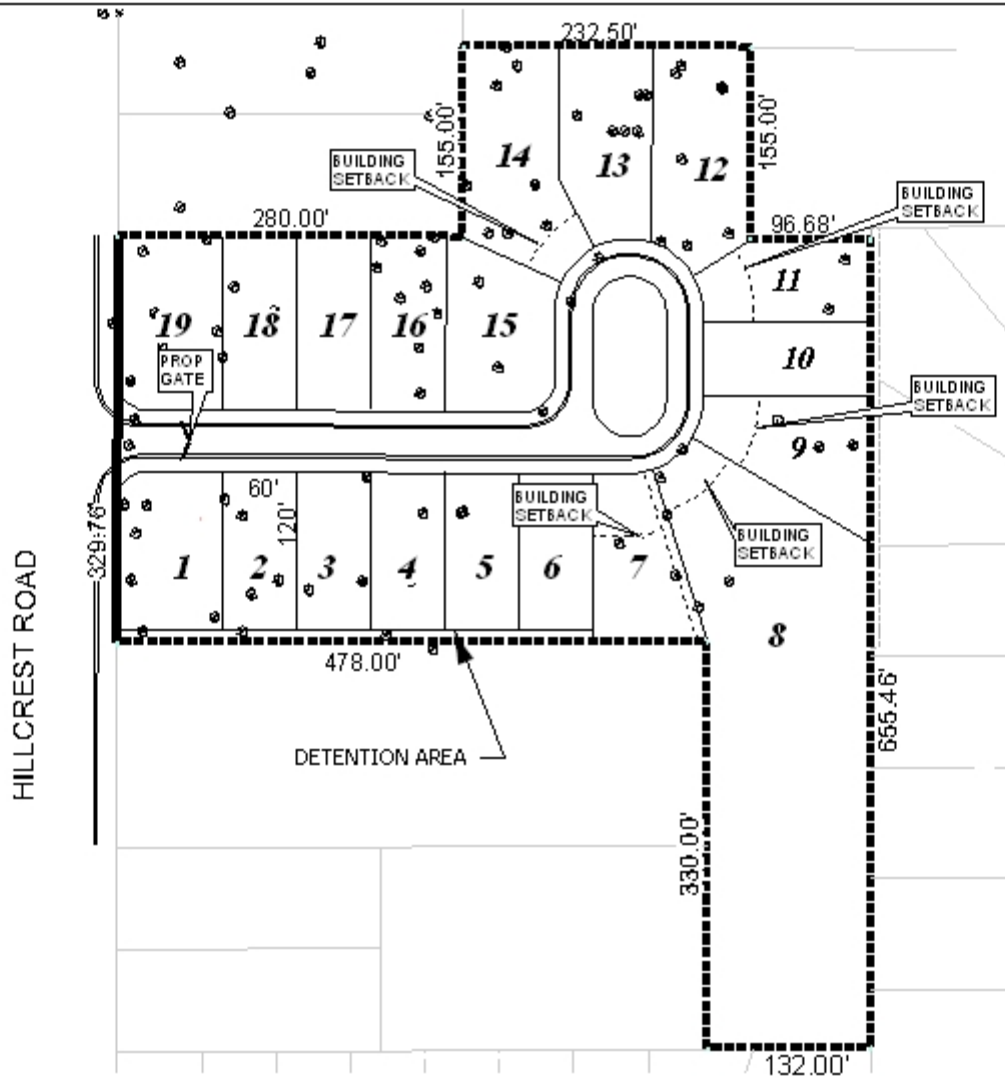
REQUEST Subdivision, Planned Unit Development

LEGEND

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



The site plan illustrates the proposed lot lines, setbacks, detention area, and easements.

APPLICATION NUMBER 7 & 8 DATE February 21, 2008
 APPLICANT Grande Oaks at Hillcrest Subdivision
 REQUEST Subdivision, Planned Unit Development



NTS