

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: October 7, 2021****DEVELOPMENT NAME**

Leighton Place, Phase II

LOCATION4074 Leighton Place Drive
(East terminus of Leighton Place Drive).**CITY COUNCIL****DISTRICT**

District 4

AREA OF PROPERTY

17 Lots / 4.6± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow reduced front yard and side yard setbacks, and increased site coverage in an R-1, Single-Family Residential District.

TIME SCHEDULE**FOR DEVELOPMENT**

None provided.

ENGINEERING**COMMENTS**

1. Provide a LABELED PUD Site Plan.
2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:
 - a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
 - b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
 - c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
 - d. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other

impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area.

- e. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- f. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- g. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
- h. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Each lot is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City if access for public services is hindered (ex. garbage, fire access).

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

REMARKS

The applicant is requesting Planned Unit Development Approval to allow reduced front yard and side yard setbacks, and increased site coverage in an R-1, Single-Family Residential District.

The site has been given a Low Density Residential (LDR) land use designation, per the Future Land Use Plan and Map adopted May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation of the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and the City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

An explanatory narrative was not provided by the applicant; however, an entry into the online application simply states:

Increased site coverage: 40% requested

Reduced Front and Side setbacks:

Front: 20 feet

Side: 5 and 10 feet, total of 15 feet

The subject site has had several approvals for subdivisions and PUD's in the past. The most recent subdivision approval was in September, 2019 for Leighton Village Subdivision, proposed as 30 lots and 12.8± acres. An accompanying PUD to allow reduced front and side yard setbacks was also approved at that meeting. The PUD expired, but the subdivision was granted two extensions on the approval, the most recent being at the Commission's September 2nd meeting. That approval was conditioned upon the applicant obtaining approval for a new PUD to allow reduced front and side yard setbacks prior to signing the Final Plat; hence this application.

The site plan submitted encompasses the same area as the approved subdivision (12.8± acres), but only 17 lots are proposed in the current PUD, reducing the proposed developed area to 4.6± acres for Phase II. A large Common Area of 7.6± acres is for detention purposes. The remainder of 12.8± acres is labeled as Phase III.

The previous PUD for the site allowed a private street subdivision with 20-foot front yard setbacks, and five-foot and eight-foot side yard setbacks (13-foot combined side yard setbacks). The current application request is to allow 20-foot front yard setbacks; five-foot and ten-foot side yard setbacks (combined 15-foot side yards); and 40% site coverage. There is no request for a gated or private street in the current application.

The site is an extension of Leighton Place Drive, which is to be a minor street with curb and gutter and a compliant 50-foot right-of-way. The right-of-way should be retained on the site plan. As the requested 20-foot front yard setback is the same as was approved in the previous PUD approval, the allowance of such would not be uncommon for an innovative subdivision. The 20-foot front yard setback line is not labeled on the site plan; therefore, the site plan should clearly label the 20-foot front setback line along the street frontage. In addition, the site plan indicates side yard setback lines, but they are not labeled with setback dimensions. The site plan should clearly label the side yard setback dimensions.

All lots are indicated to have a drainage and utility easement along the rear. However, no width dimension is provided for the easement. The site plan should be revised to label the easement width, and if greater than eight feet, the rear setback line should be the same as the easement limits. A note should also be required on the site plan stating that no structure may be constructed or placed within any easement without permission of the easement holder. The applicant requests that the maximum site coverage allowance be increased from the standard 35% in an R-1 District to 40%. Such is not uncommon for innovative subdivisions and would seem reasonable for the proposed. The site plan should be revised to contain a note stating that the maximum site coverage on all lots is not to exceed 40%. The lots are labeled with their sizes

in square feet on the site plan. The site plan should be revised to label each lot with its size in both square feet and acres, or a table should be furnished on the site plan providing the same information.

As numerous Common Areas are indicated, a note should be required on the site plan stating that the maintenance of all Common Areas is the responsibility of the property owners and not the City of Mobile.

As per the Traffic Engineering comments, each lot is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City if access for public services is hindered (ex. garbage, fire access). A note should be required on the site plan stating these comments.

If approved, a copy of a revised PUD site plan should be submitted to and approved by Planning and Zoning prior to the submittal for building or land disturbance permits.

RECOMMENDATION

Staff recommends the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is the continuation of an existing development and accommodates existing wetlands;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the current site has land that is developable;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because it is allowing the second phase of existing residential development; and
- d. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because it is utilizing a site that is already served with public utilities.

Based upon the preceding, this application is recommended for approval subject to the following:

- 1) retention of the right-of-way width of Leighton Drive on the site plan;
- 2) illustration and labeling of the 20-foot front minimum building setback line along the street frontage;
- 3) illustration and labeling of the side yard setback dimensions for all lots;

- 4) revision of the site plan to label the easement width along the rear of all lots, and if greater than eight feet, the rear setback line should be the same as the easement limits;
- 5) placement of a note on the site plan stating that the maximum site coverage on all lots is not to exceed 40%;
- 6) revision of the site plan to label each lot with its size in both square feet and acres, or the furnishing of a table on the site plan providing the same information;
- 7) placement of a note on the site plan stating that the maintenance of all Common Areas is the responsibility of the property owners and not the City of Mobile;
- 8) placement of a note on the site plan stating that no structure may be constructed or placed within any easement without permission of the easement holder;
- 9) compliance with the Engineering comments: *(1. Provide a LABELED PUD Site Plan. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. e. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. f. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. g. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. h. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 10) placement of a note on the site plan stating the Traffic Engineering comments: *(Each lot is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Consideration should be given to the*

building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City if access for public services is hindered (ex. garbage, fire access);

- 11) *compliance with the 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
- 12) *compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
- 13) *submittal to and approval by Planning and Zoning of a revised site plan prior to the submittal for building or land disturbance permits; and*
- 14) *full compliance with all municipal codes and ordinances.*

In order for any concerns to be considered by the Planning Commission you must email your concerns to planning@cityofmobile.org or they may be uploaded to the website via the portal under the meeting date and case. Comments must be entered by 2:00 PM on Wednesday, October 6th, before the meeting, in order to be considered by the Commission.

If you wish to participate in the meeting, you must email planning@cityofmobile.org by 2:00 PM on Wednesday, October 6th, before the meeting. In accordance with Planning Commission by-laws, no more than four (4) speakers are allowed to speak for or against an application. Speaking time is limited to five (5) minutes per speaker.

LOCATOR MAP



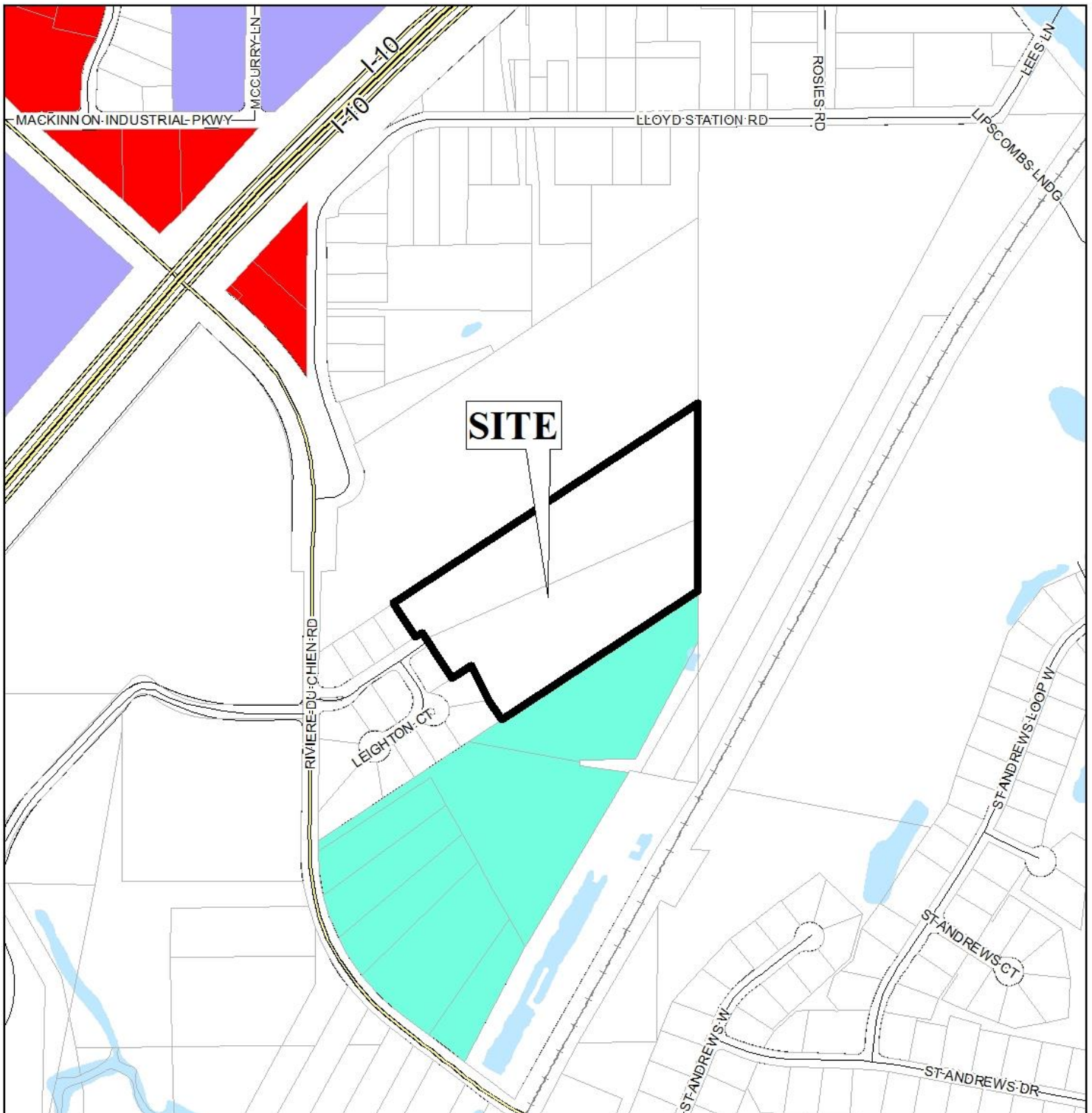
APPLICATION NUMBER 7 DATE October 7, 2021

APPLICANT Leighton Place, Phase II

REQUEST Planned Unit Development



LOCATOR ZONING MAP



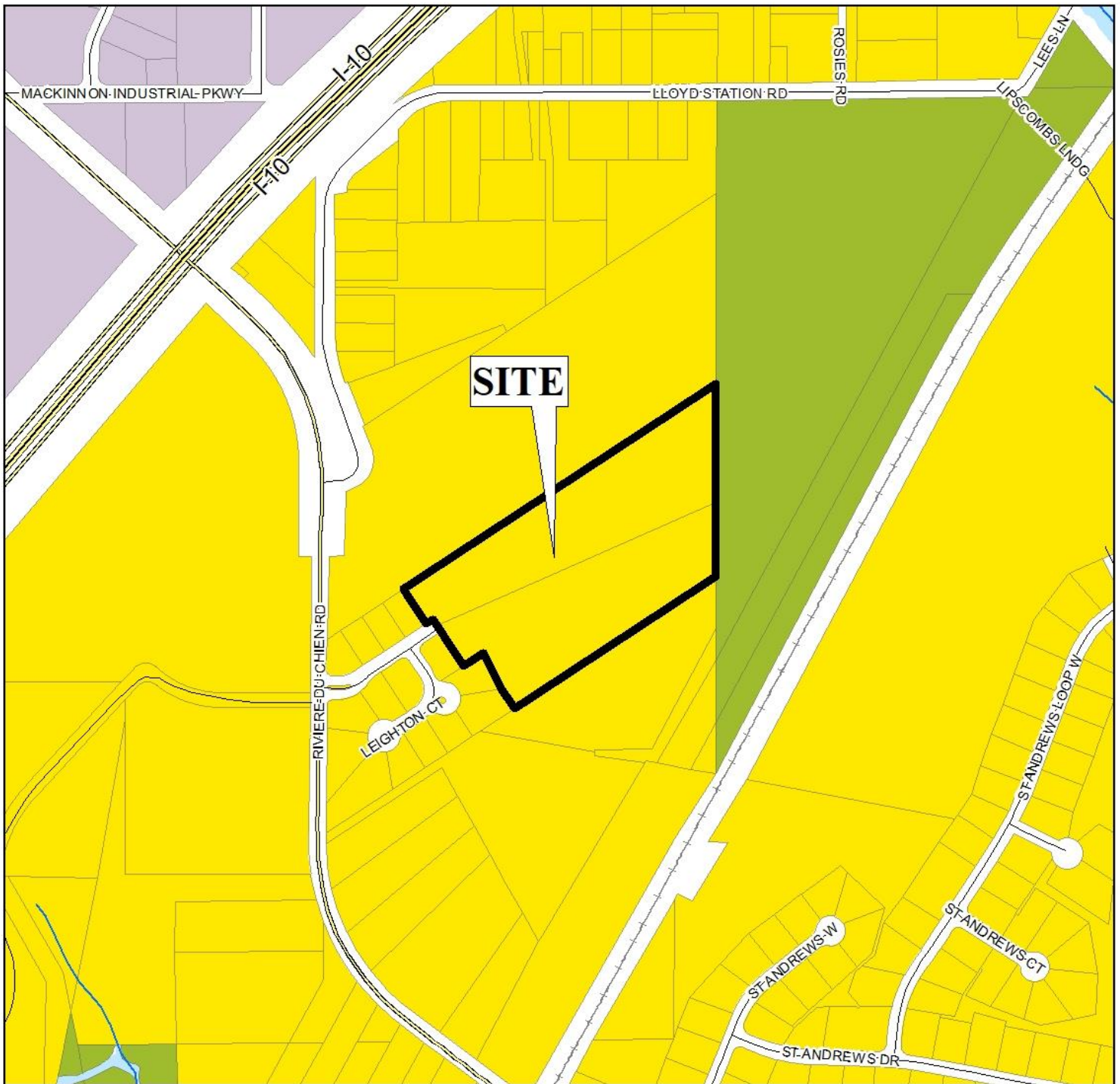
APPLICATION NUMBER 7 DATE October 7, 2021

APPLICANT Leighton Place, Phase II

REQUEST Planned Unit Development



FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE October 7, 2021

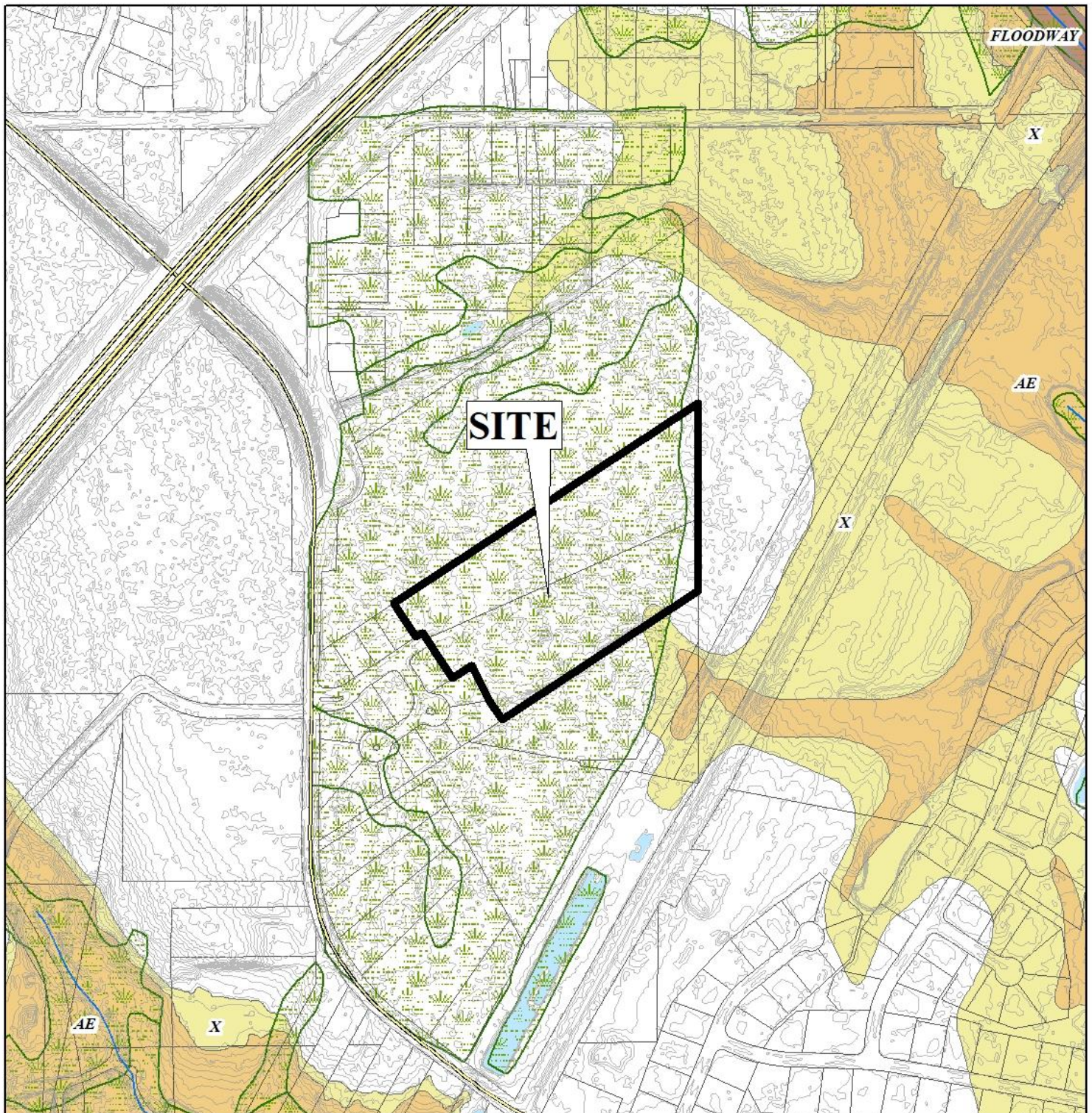
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REQUEST Planned Unit Development

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



ENVIRONMENTAL LOCATOR MAP



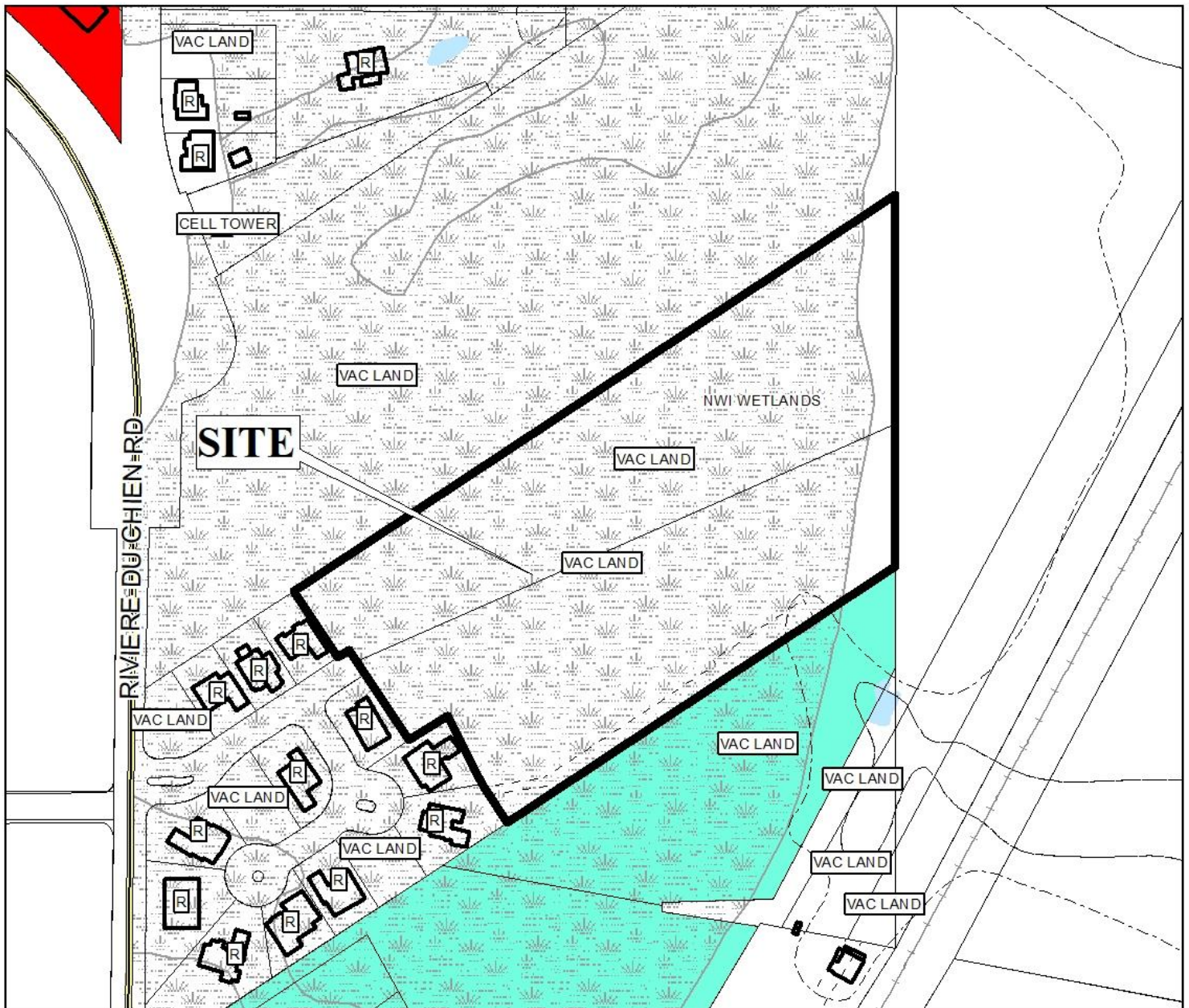
APPLICATION NUMBER 7 DATE October 7, 2021

APPLICANT Leighton Place, Phase II

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by vacant lands and residential units.

APPLICATION NUMBER 7 DATE October 7, 2021

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REQUEST Planned Unit Development

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

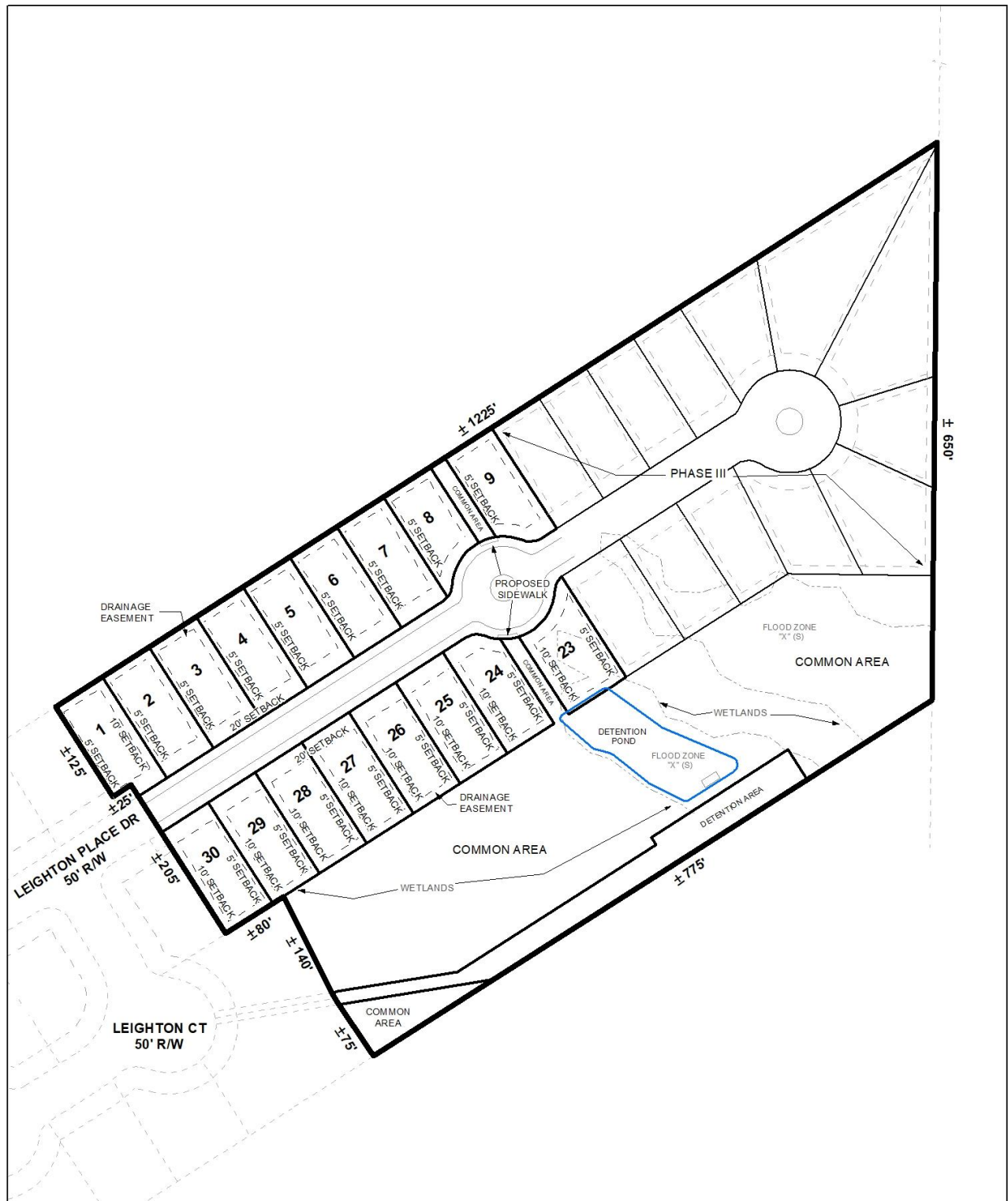


The site is surrounded by vacant lands and residential units.

APPLICATION NUMBER 7 DATE October 7, 2021
 APPLICANT Leighton Place, Phase II
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SITE PLAN



The site plan illustrates proposed setbacks, easements and detention areas.

APPLICATION NUMBER 7 DATE October 7, 2021

APPLICANT Leighton Place, Phase II

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NTS