

**PLANNED UNIT DEVELOPMENT  
STAFF REPORT****Date: September 21, 2006**

**DEVELOPMENT NAME** Belle Isle Subdivision, Unit 1, Resubdivision of Lots 1-6

**LOCATION** 4710 Belle Isle Lane  
(North terminus of Belle Isle Lane)

**CITY COUNCIL  
DISTRICT** District 4

**PRESENT ZONING** R-1, Single-Family Residential

**CONTEMPLATED USE** Six Lot, Single-Family Residential Subdivision with a Gated, Private Street

**TIME SCHEDULE  
FOR DEVELOPMENT** Immediate

**ENGINEERING  
COMMENTS**

According to the tax assessor's office and existing records in the Engineering Department, the property shown as a private drive is City of Mobile right of way. If the ROW has been vacated, ½ of the property would have been appropriated to the property owner on the other side of the ROW. If the ROW has been vacated and the applicant has obtained the property, the COM Engineering Department needs documentation prior to submittal of the final plat. If the property is COM ROW it should be constructed, by way of a Land Disturbance permit, to COM standards prior to submittal of the final plat.

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, sizes, 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).

**REMARKS**

The applicant is requesting PUD approval to allow a six lot residential subdivision on a gated private street.

The site currently exists as six legal lots of record, part of the original Belle Isle Subdivision, Unit I, on an unimproved, unopened right-of-way. The application proposes to include the recorded, unimproved right-of-way for Belle Isle Lane. While the right-of-way has never been constructed or accepted for maintenance, by virtue of recordation of the final plat, it is in fact a dedicated right-of-way. Therefore, if it is to be included in the subdivision as a private street, it must be vacated. The applicant should also be aware that half of the property in a right-of-way vacation would go to the property owner on the opposite side of the former right-of-way (South of the site); it would be the applicant's responsibility to obtain the other half of the right-of-way after vacation prior to the final plat being signed.

The same PUD request was made earlier in 2006, along with an accompanying Subdivision request for the site, and both applications were withdrawn. Only the PUD is being resubmitted. As the record plat shows the proposed street as a dedicated right-of-way, a new Subdivision would also be required, showing the private drive (assuming vacation of right-of-way) as part of the Subdivision property.

The Subdivision Regulations allow private street developments under limited circumstances, such as unusual difficulties, innovative design, a family subdivision of five lots or fewer, or a gated development. In addition to limited circumstances, there are very specific construction requirements, signage requirements, maintenance requirements, storm water requirements and certification requirements, all of which are listed in Section VIII.E.2 of the Subdivision Regulations. Compliance with the requirements of Section VIII.E.2 should be required.

The application states that because the street cannot be a through-street, a gated street is appropriate for the site. It should be noted, however, that if use of the gate were to cease, the subdivision would no longer be in compliance with the Subdivision Regulations and the street would have to be brought into compliance with City standards for a public street.

Planned Unit Development approval is required for all private street subdivisions. 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.

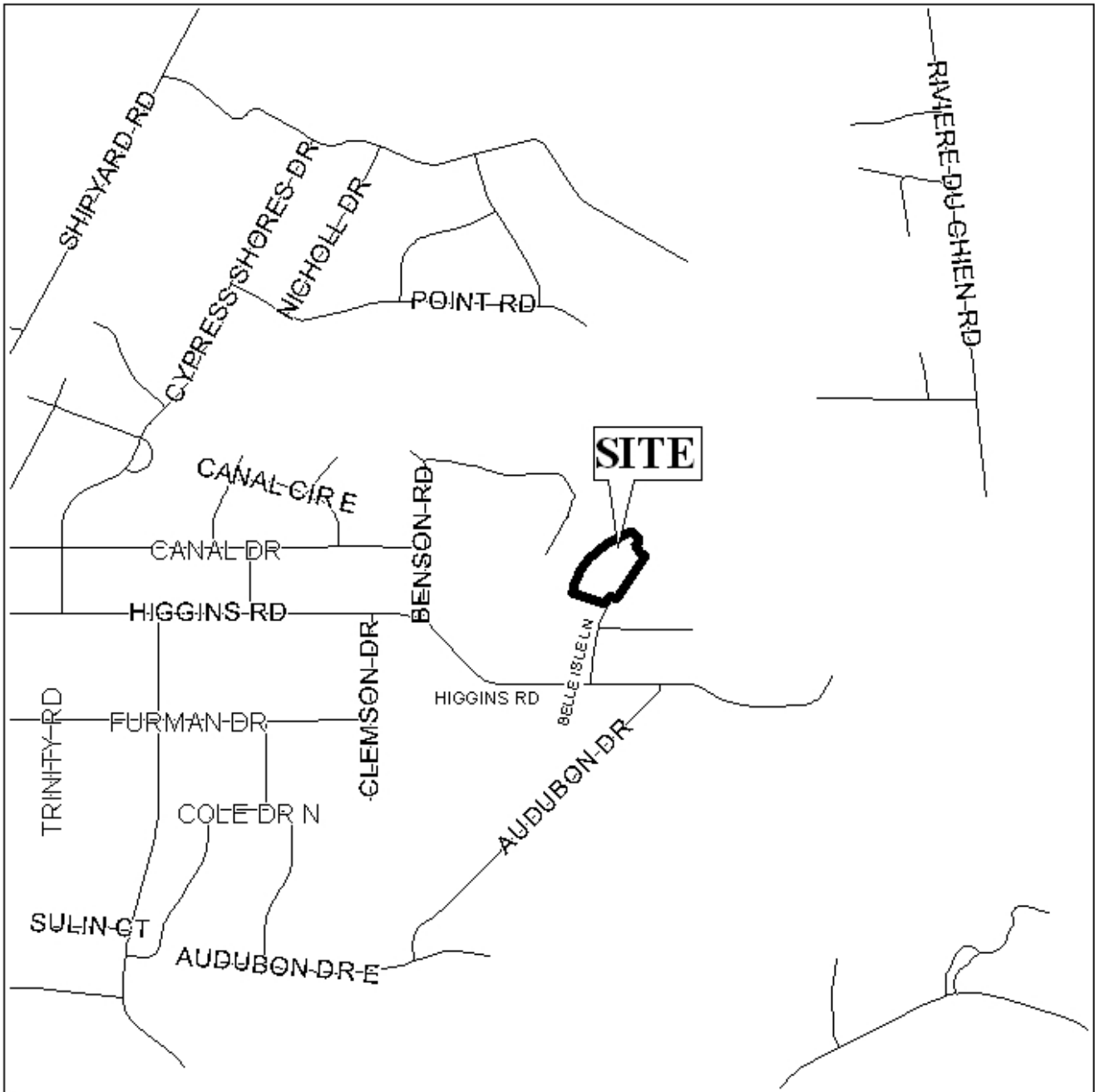
The site plan does not request reduced setbacks or increased site coverage, so standard setbacks and site coverage as required by Chapter 64.3.C.1 of the City Code (R-1 requirements) would be applicable.

The site is located in the Cypress Shores Community, adjacent to Halls Mill Creek, and is located within the 100 year and 500 year flood zones. Therefore, the site would be considered environmentally sensitive. Additionally, the site is located in an area potentially impacted by storm related surge.

### **RECOMMENDATION**

*Planned Unit Development* Based on the preceding, it is recommended that this application be held over until the October 19<sup>th</sup> meeting to allow the applicant to submit a Subdivision application illustrating the proposed private street, as well as evidence that the vacation process has been initiated.

## LOCATOR MAP



APPLICATION NUMBER 7 DATE September 21, 2006

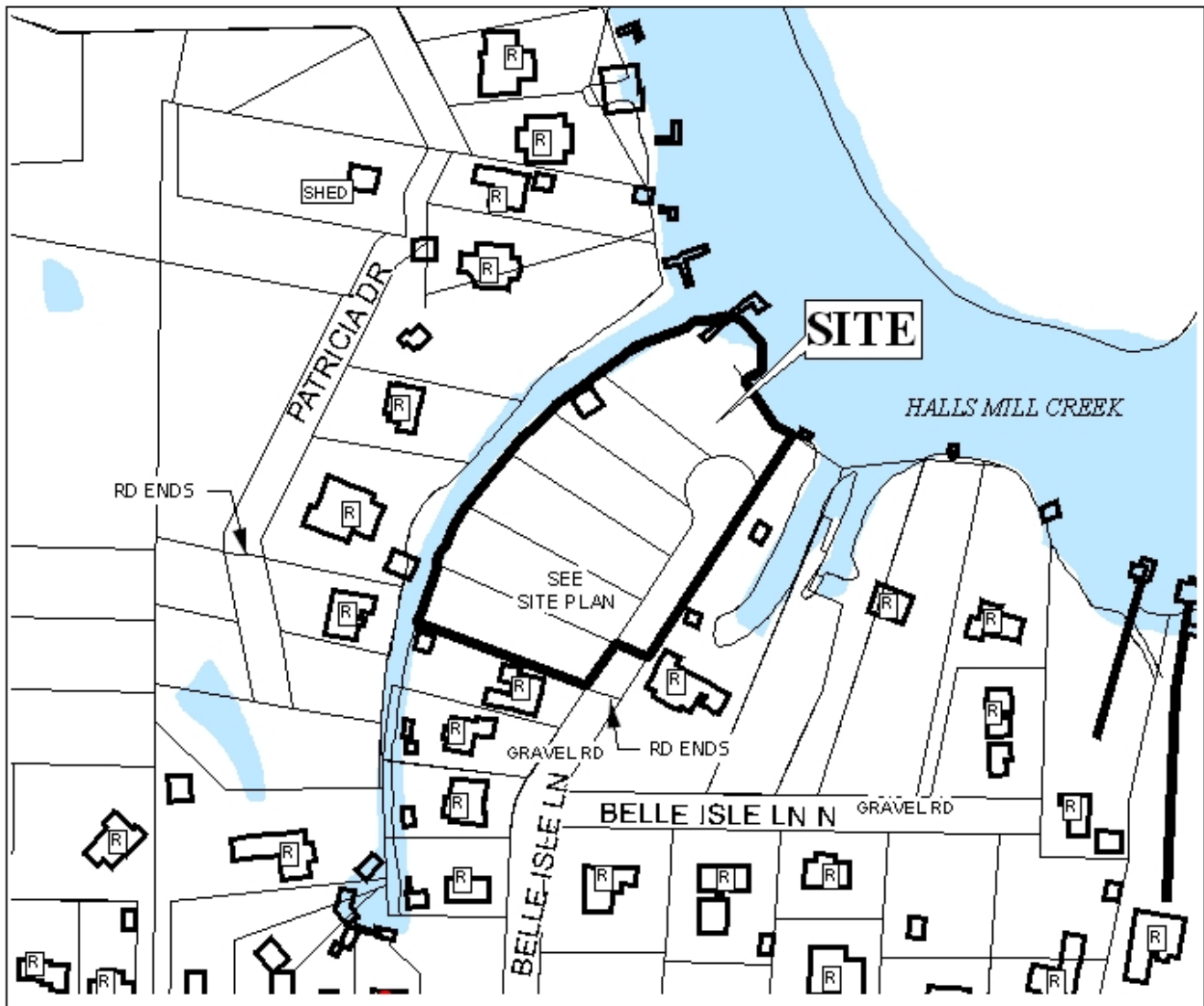
APPLICANT Belle Isle Subdivision, Resubdivision of Lots 1-6

REQUEST Planned Unit Development



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

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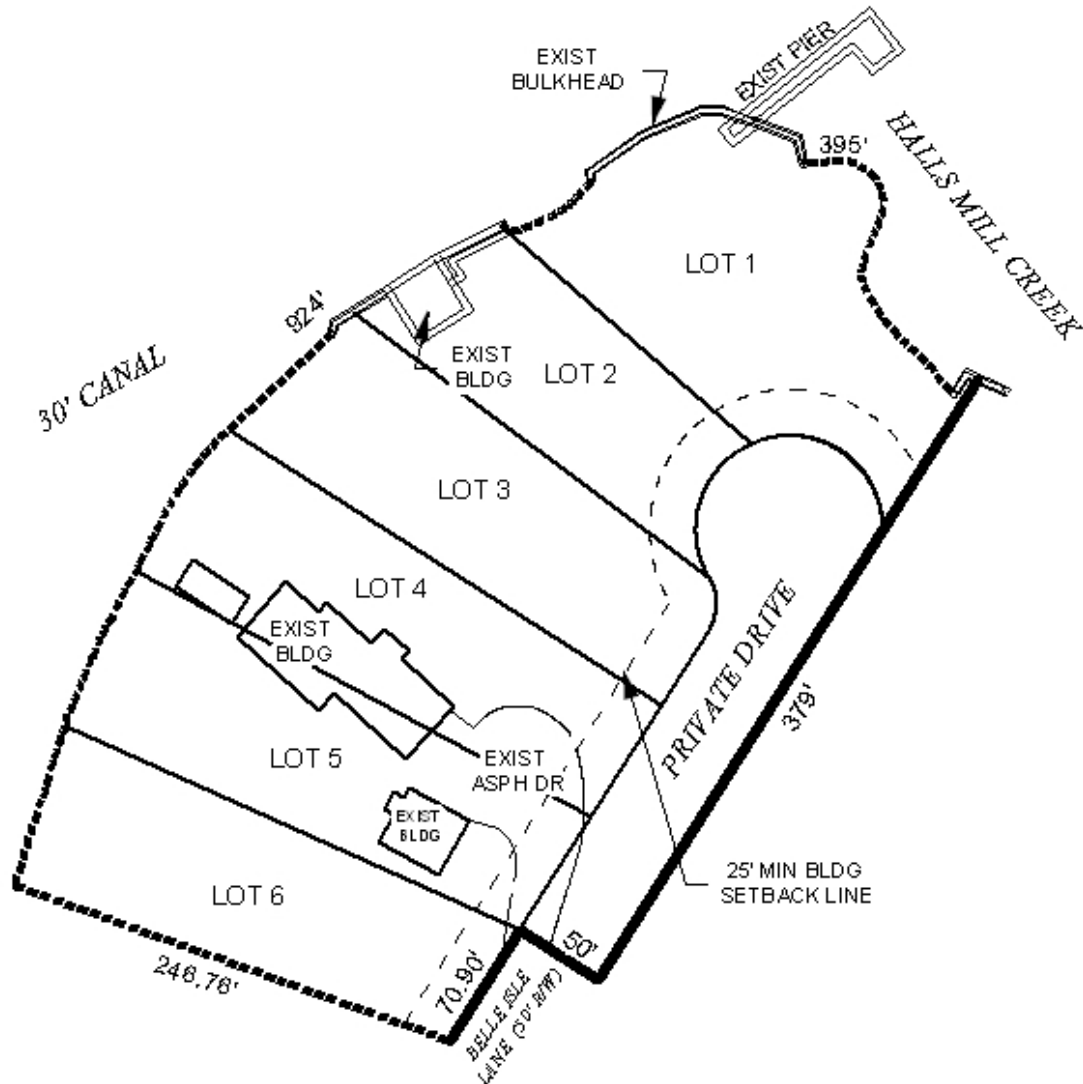
REQUEST Planned Unit Development

LEGEND

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



The site plan illustrates proposed lot lines, proposed drive, existing buildings, asphalt drive, and bulkheads.

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