

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT**

Date: February 7, 2008

DEVELOPMENT NAME

Falling Leaf Subdivision

SUBDIVISION NAME

Falling Leaf Subdivision

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

133 Lots / 70.3± Acres

CONTEMPLATED USE

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

**TIME SCHEDULE
FOR DEVELOPMENT**

Phase I under construction.

**ENGINEERING
COMMENTS**

Show limits of AE flood plain and floodway on plat. Show minimum finished floor elevation on each lot in the AE flood plain. Show location of storm water detention on plat. No fill is allowed in the AE flood plain without flood study. Any impact on the floodway must comply with FEMA regulations and City of Mobile Flood Plain Management Plan and Storm Water Ordinance. Any creek crossing must comply with AASHTO, Corps of Engineers, ADEM, FEMA, and City of Mobile Flood Plain Management Plan and Storm Water Ordinance. No detention is allowed in the City of Mobile right of way or AE flood plain. 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

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 seeking Subdivision Approval and Planned Unit Development Approval to create a gated private street single-family residential subdivision containing 133 lots. The site is located in Council District 6, and according to the applicant is served by public water and sanitary sewer.

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.

The purpose of this application is to reconsider previously approved subdivisions, and allow them to be a gated, private road subdivision.

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 Phase I to Phase II.

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.

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 North and 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.”

Based on the requirements of Sections V.B.1 and VIII.E.1.b all new streets and street stubs within the subdivision should be dedicated and constructed to meet City Engineering standards.

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.

There is an apparent mislabeling of lots on the plat submitted and on the application form – both of which indicate the overall subdivision as containing 133 lots. Close review of the plat found a lot that was not numbered, and apparently was not accounted for on the application form. This misinformation has created an issue in that the required notices were inaccurate because they reflected information as indicated on the application form and plat.

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 Denial for the following reasons:

- 1) The subdivision as proposed would not comply with Section V.B.1;
- 2) The proposed subdivision would not comply with Section VIII.E.1.b; and
- 3) The existing approvals are in compliance with the Subdivision Regulations

Planned Unit Development: Based upon the preceding, this application is recommended for denial for the following reasons:

- 1) Denial of the Subdivision as recommended makes the PUD unnecessary.

Revised for the March 6 Meeting

The developer and engineer met with the staff to discuss the application and reasons for modification to the staff recommendation. At the conclusion of the meeting it was stated that the staff recommendation would remain unchanged, however, some of the points made by the applicant were potentially valid and may be considered when presented to the Commission.

RECOMMENDATION

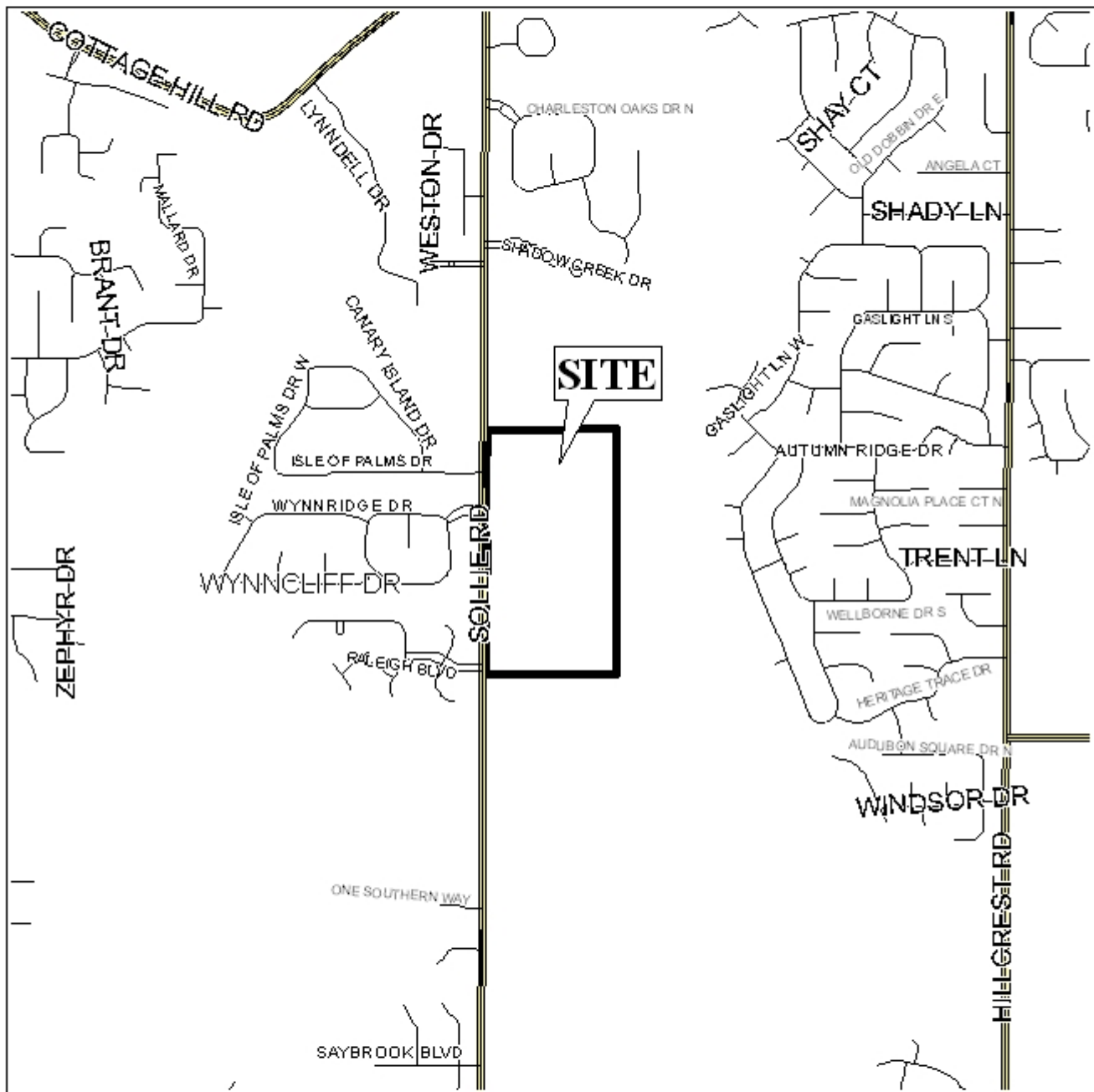
Subdivision: Based upon the preceding, this application is recommended for Denial for the following reasons:

- 1) The subdivision as proposed would not comply with Section V.B.1;
- 2) The proposed subdivision would not comply with Section VIII.E.1.b; and
- 3) The existing approvals are in compliance with the Subdivision Regulations

Planned Unit Development: Based upon the preceding, this application is recommended for denial for the following reasons:

- 2) Denial of the Subdivision as recommended makes the PUD unnecessary.

LOCATOR MAP



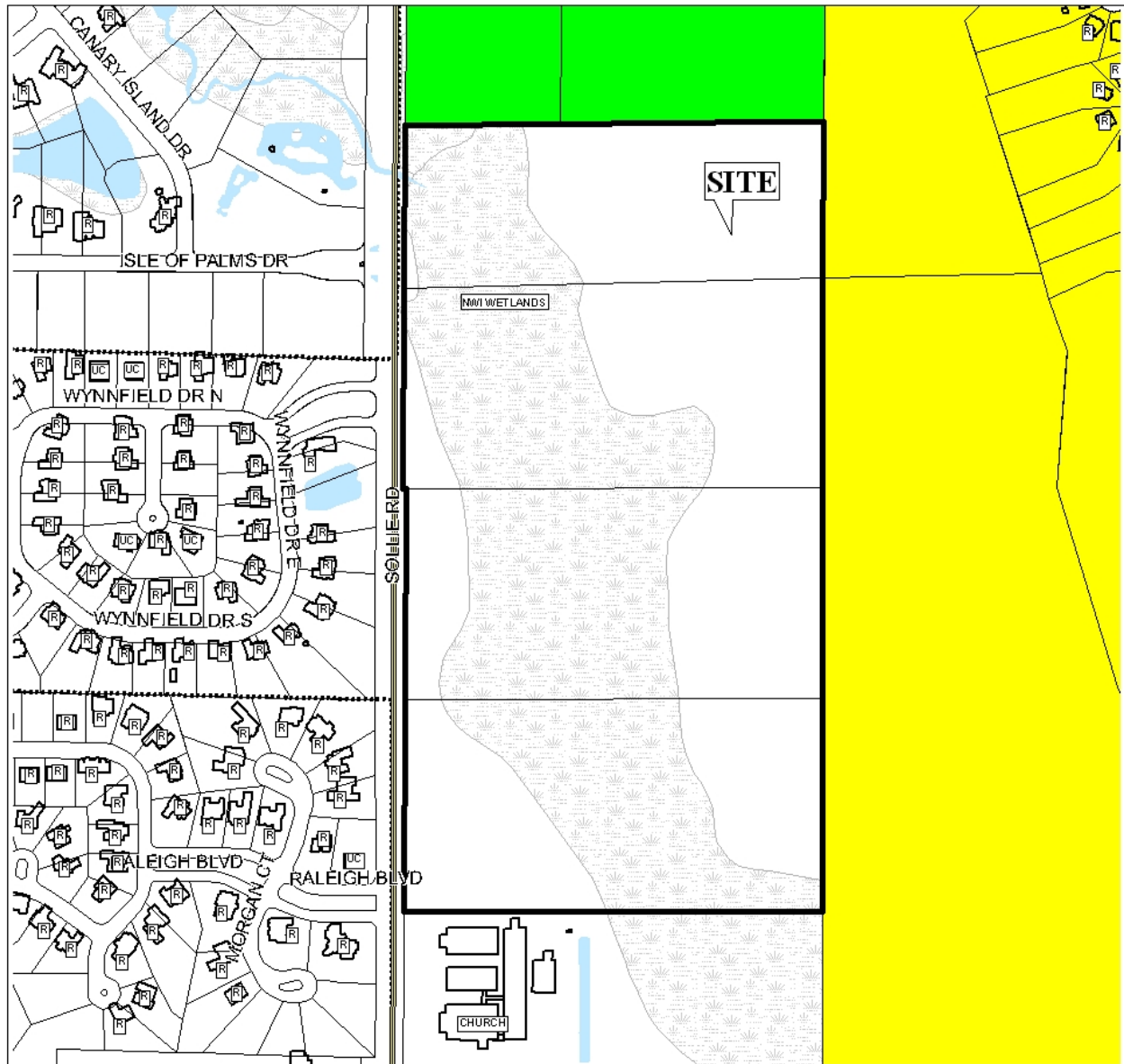
APPLICATION NUMBER 12 & 13 DATE March 6, 2008

APPLICANT Falling Leaf Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single family residential units are located to the west of the site and a church is to the south.

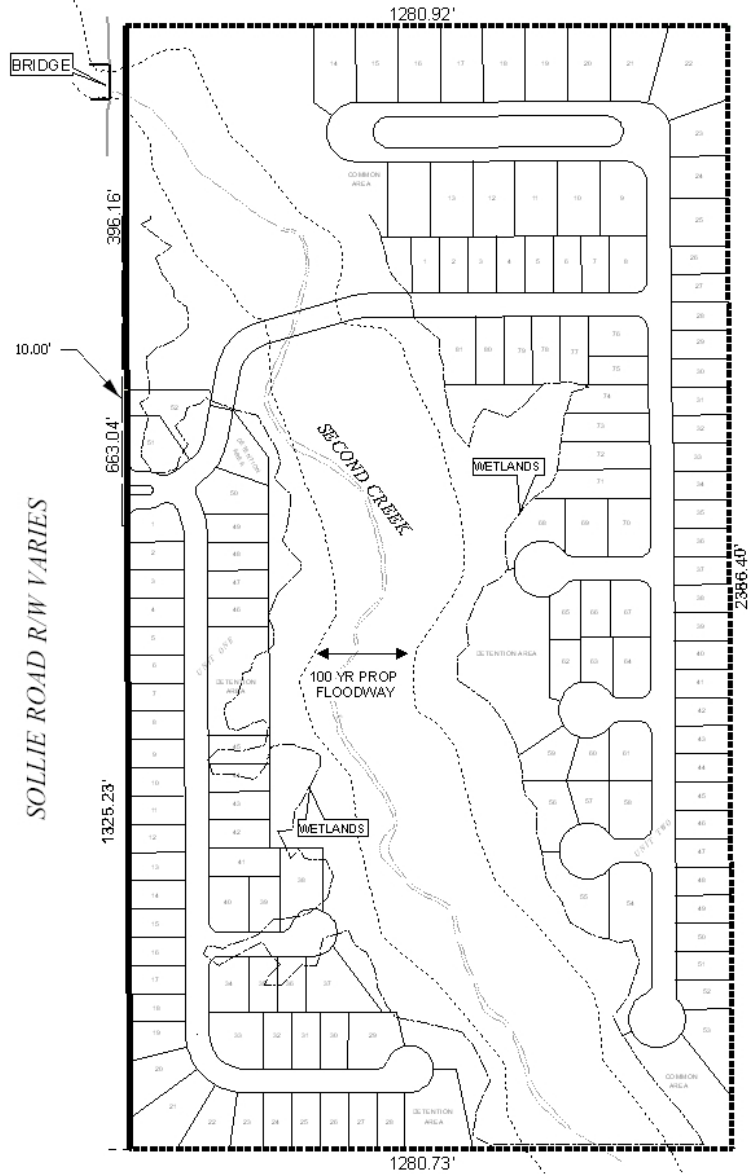
APPLICATION NUMBER 12 & 13 DATE March 6, 2008

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REQUEST Subdivision, Planned Unit Development

LEGEND NTS

SITE PLAN



The site plan illustrates the proposed lots, floodway, and wetlands.

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REQUEST Subdivision, Planned Unit Development

