

**SUBDIVISION &
PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: September 5, 2019****DEVELOPMENT NAME** Leighton Village (Rick Twilley)**SUBDIVISION NAME** Leighton Village**LOCATION** East terminus of Leighton Place.**CITY COUNCIL
DISTRICT** District 4**AREA OF PROPERTY** 30 Lots / 12.8 ± acres**CONTEMPLATED USE** Subdivision to amend the previously approved Phase Two subdivision with 30 lots and request reduced side and front yard setbacks. Planned Unit Development Approval to allow a proposed subdivision with reduced front and side yard setbacks**TIME SCHEDULE
FOR DEVELOPMENT** Immediately.**ENGINEERING****COMMENTS** **Subdivision:** FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Check and revise the written description for the proposed 30 LOT subdivision. It appears to include LOT 31 which is not shown as part of the subdivision boundary and is not included in the application.
- C. Revise the written subdivision boundary description to include only the BOUNDARY of the subdivision. It appears to include all the LOTS and Common Areas but not the proposed ROW.
- D. Show an MFFE for each LOT located within the 2019 Preliminary X(S) flood zone. According to the preliminary 2019 FEMA map a number of lots within this parcel are proposed to be located within an x (shaded) flood zone when the maps are adopted and become effective. Any change to a flood zone may necessitate additional City of Mobile code requirements including, but not limited to, enforcement of the base flood elevation.

- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- G. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- H. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- I. The proposed private road must be constructed in accordance with current Engineering Department policy letters and design criteria. This would allow the potential for future acceptance of the roadway (and dedicated ROW) by the City.
- J. Provide the as-built certification form, test reports, etc. and as-built plans for the proposed infrastructure prior to providing a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review.
- K. The street must be submitted for acceptance by the Mobile City Council prior to submitting the Final Plat for City Engineer signature.
- L. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- M. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development:

- 1. Retain NOTES 8-15 as shown on the revised drawing (8-8-19) submitted.
- 2. Label the revised drawing (8-8-19) that was submitted as PUD SITE PLAN.

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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site 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).

REMARKS

The applicant is requesting Planned Unit Development and Subdivision for a 30 –lot, Single Family Residential Development with reduced front and sideyard setbacks, and a public street. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer.

The site has been given a Low Density Residential (LDR) land use designation, per the adopted Future Land Use Plan and Map. 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 semidetached, 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 on 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 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

PUD 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.

In pursuit of these purposes, 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 / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The applicant states the following:

“The development schedule is to begin immediately and will be completed within one year. The planned unit development will be held under one ownership, until each lot is sold and agreements or covenants are recorded to govern the use, maintenance and continued protection of the PUD.

The description of the proposed improvements and quantitative data is shown on the Planned Unit Development Site Plan and described as follows:

Proposed Plan is the development of a thirty (30) lot Subdivision, with Gate at Entrance to Phase Two, accessible by vehicles with no key or code numbers required. A common area for Entrance Gate has been submitted for Lot 31, Phase One and a 16 foot by 16 foot common area is shown on the plans for Lot 1, Phase Two. Gated Entrance shall consists of a six (6) foot wide concrete curbed grassed median island with Electric Swing Gates, Masonry CMU Block Walls. Road width will be modifies and constructed to maintain an asphalt width of eleven foot, six inches asphalt pavement lane width at the curbed median island. The Road to be constructed is 893.06 feet in length. Two (2) Cul-De-Sac's will be constructed with one (1) being at the approximate midpoint of the proposed road and (1) at the East terminus of the road. There will be no medians within the Cul-De-Sac's. All improvements and construction shall be in accordance with the City of Mobile Standards.

The total acreage of the site is 12.4715 acres. The total number of lots is thirty (30). The smallest lot size is 8,606 square feet. The Common Area with Detention is 13,306 square feet. Other Common Areas are 159,107 square feet for a total of 163,604 square feet or 3.95807 acres of Common Areas to be maintained by the Property Owners Association.”

It should be noted that Planning Commission most recently approved a Subdivision and Planned Unit Development to allow a private street gated subdivision for Leighton Place Phase Two in

2016. Staff is unable to find where the previous (2016) Subdivision was recorded, or that an extension was granted.

The proposed 30-lots front Leighton Place Drive, the continuation of a minor street with a 50' right-of-way width. Two cul-de-sacs are proposed along Leighton Place drive but neither will incorporate a median.

As there is no record of a current Subdivision approval for the site, and the Planned Unit Development requirements of the Zoning Ordinance stipulate that the application for approval of the Subdivision shall be made at the same time.

RECOMMENDATION

The Planned Unit Development request is recommended for Holdover to the September 5, 2019 meeting to allow the applicant to do the following:

1. Submit a Subdivision application that reflects the reduced setbacks and includes all applicable lots.
2. Provide detail/ illustration for the proposed gated entrance to comply with 2012 International Fire code access requirements.

Revised for September 5, 2019 meeting:

The application was heldover from the August 1, 2019 meeting to allow the applicant to submit a Subdivision application and to provide more information regarding the proposed entrance gate. The applicant states the following:

“After meeting with Bureau of Fire Prevention, we have decided not to gate the entrance to Leighton Village.

We would like to resubmit with no gates, eliminate the island at the entrance and convert back to standard public streets.”

The preliminary plat illustrates the proposed 30-lot, 12.8± acre subdivision which is located on the East terminus of Leighton Place in Council District 4. The applicant states that the subdivision is served by city water and sanitary sewer systems. The purpose of this application is to amend the previously approved Phase Two subdivision with 30 lots and request reduced front and sideyard setbacks.

Both the preliminary plat and PUD site plan illustrate a 30-lot subdivision. Though the applicant has indicated that there will not be an entrance gate, there appears that a gate is still illustrated on the preliminary plat. If approved, the Final Plat and PUD site plan should both indicate the elimination of the entrance gate.

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 proposed lots front Leighton Place Drive, a minor street requiring a 50' right-of-way width. The preliminary plat illustrates a compliant 50' right-of-way width and should be retained on the Final Plat, if approved.

A 20-foot minimum building setback is depicted on the preliminary plat along Leighton Place Drive. If approved, the 20-foot setback should be retained on the Final Plat.

The proposed lots exceed the 7,200 square foot minimum lot size requirement for lots served by public water and sanitary sewer systems. The preliminary plat provides the lot size in square feet and acres. If approved, the lot size information should be retained on the Final Plat.

As a means of access management, a note should be placed on the Final Plat requiring full compliance with 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).

RECOMMENDATION: (September 5, 2019)

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

- 1) Retention of the 50' right-of-way width for Leighton Place Drive;*
- 2) Illustration of the minimum building setback for each lot;*
- 3) Retention of lot size information in both square feet and acres;*
- 4) Placement of a note stating that no structure shall be erected in any easement;*
- 5) Placement of a note on the Final Plat stating the following 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).");*
- 6) Compliance with Engineering comments: "(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City*

Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Check and revise the written description for the proposed 30 LOT subdivision. It appears to include LOT 31 which is not shown as part of the subdivision boundary and is not included in the application. C. Revise the written subdivision boundary description to include only the BOUNDARY of the subdivision. It appears to include all the LOTS and Common Areas but not the proposed ROW. D. Show an MFFE for each LOT located within the 2019 Preliminary X(S) flood zone. According to the preliminary 2019 FEMA map a number of lots within this parcel are proposed to be located within an x (shaded) flood zone when the maps are adopted and become effective. Any change to a flood zone may necessitate additional City of Mobile code requirements including, but not limited to, enforcement of the base flood elevation. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. G. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. H. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. I. The proposed private road must be constructed in accordance with current Engineering Department policy letters and design criteria. This would allow the potential for future acceptance of the roadway (and dedicated ROW) by the City. J. Provide the as-built certification form, test reports, etc. and as-built plans for the proposed infrastructure prior to providing a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review. K. The street must be submitted for acceptance by the Mobile City Council prior to submitting the Final Plat for City Engineer signature. L. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. N After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.”)

- 7) Compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 8) Compliance with Fire Department comments and placement of a note: (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).

Planned Unit Development: Based upon the preceding, staff recommends to the Planning Commission the following findings of facts for Approval of the Planned Unit Development:

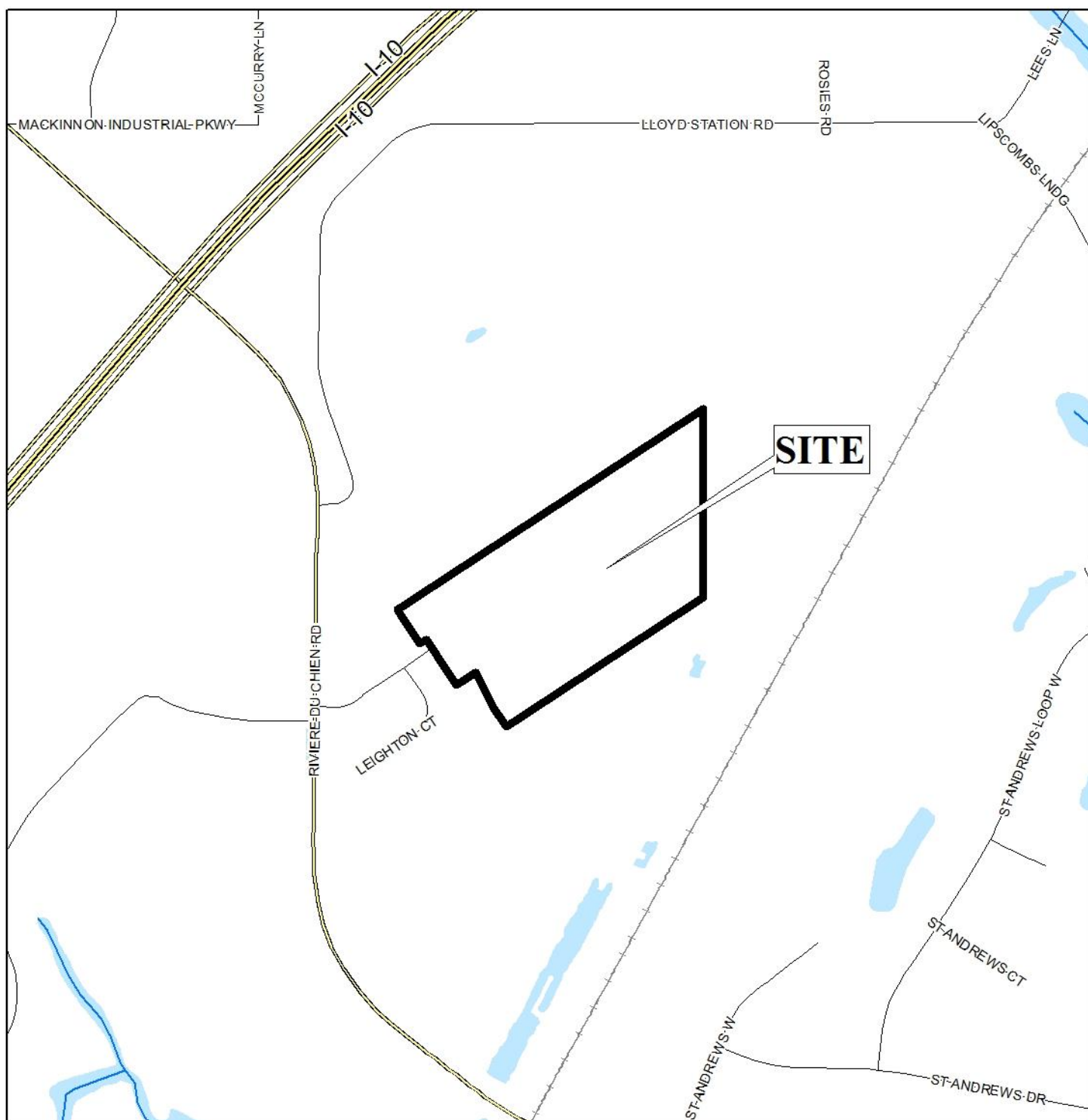
- a. *the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is the continuation of an existing development;*
- b. *the proposal promotes the objective of Flexibility (to permit greater flexibility in the 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;*
- 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 infrastructure.*

The Approval should be subject to the following conditions:

- 1) *Placement of a note stating that the maintenance of all common areas shall be the responsibility of the property owners and not the City of Mobile;*
- 2) *Retention of the lot sizes in square feet and acres;*
- 3) *Retention of 20' minimum building setback lines along Leighton Place Drive;*
- 4) *Retention of the 50' right-of-way width on PUD site plan;*
- 5) *Placement of a note on the PUD site plan stating that, as a condition of the continuation of private street status, the private access gate must remain operational and in use*
- 6) *Placement of a note on the PUD site plan stating that no structures shall be erected in any easements;*
- 7) *Provision of sidewalks along all new streets within the development at the time of new home construction;*
- 8) *Compliance with Engineering comments: “(1. Retain NOTES 8-15 as shown on the revised drawing (8-8-19) submitted. 2. Label the revised drawing (8-8-19) that was submitted as PUD SITE PLAN)”;*
- 9) *Placement of a note on the site plan stating the following 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).”;*
- 10) *compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”;*

- 11) *compliance with Fire 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).”; and*
- 12) *full compliance with all other municipal codes and ordinances.*

LOCATOR MAP



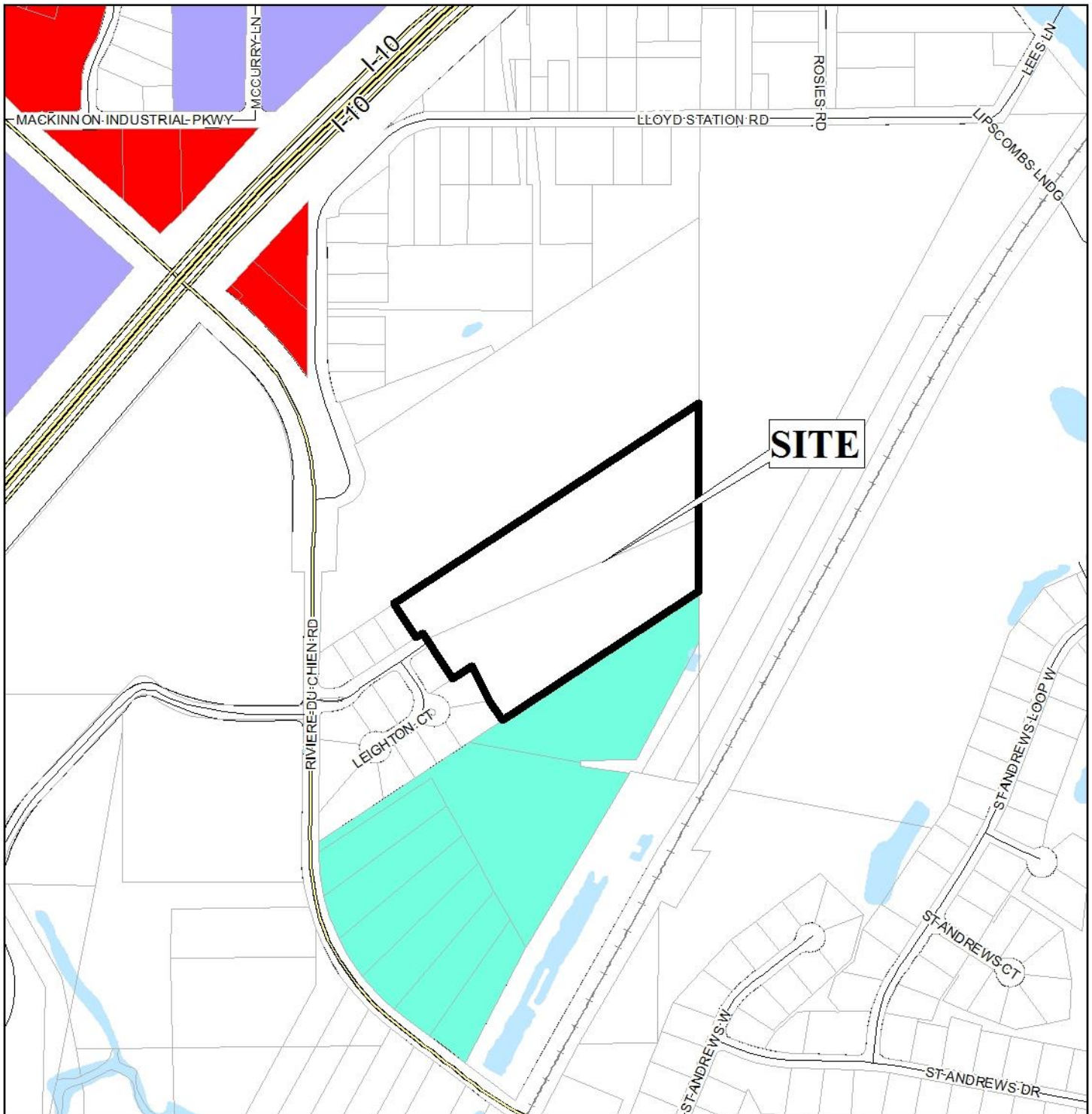
APPLICATION NUMBER 15 DATE September 5, 2019

APPLICANT Leighton Village

REQUEST Subdivision, PUD



LOCATOR ZONING MAP



APPLICATION NUMBER 15 DATE September 5, 2019

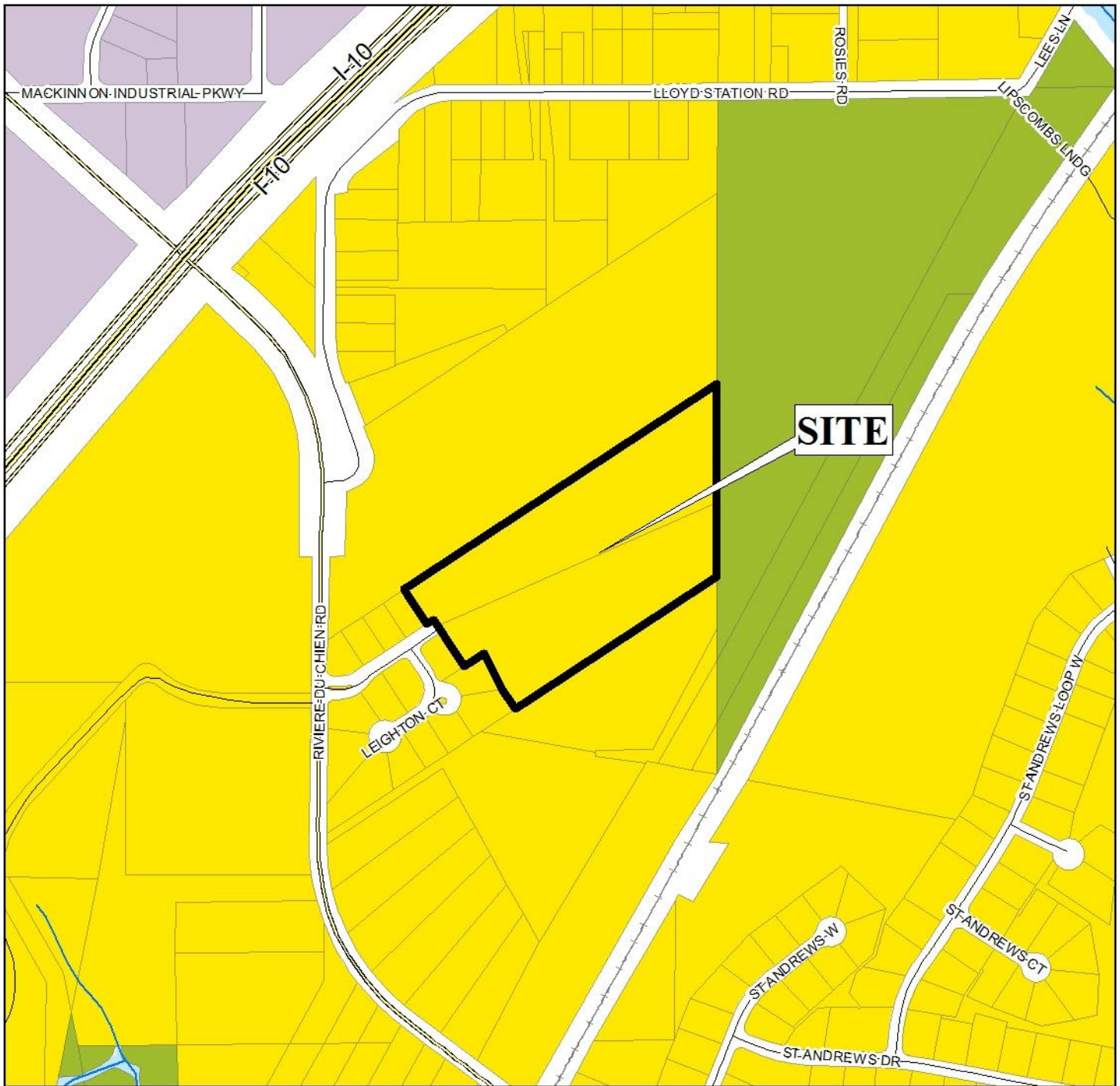
APPLICANT Leighton Village

REQUEST Subdivision, PUD



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FLUM LOCATOR MAP



APPLICATION NUMBER 15 DATE September 5, 2019

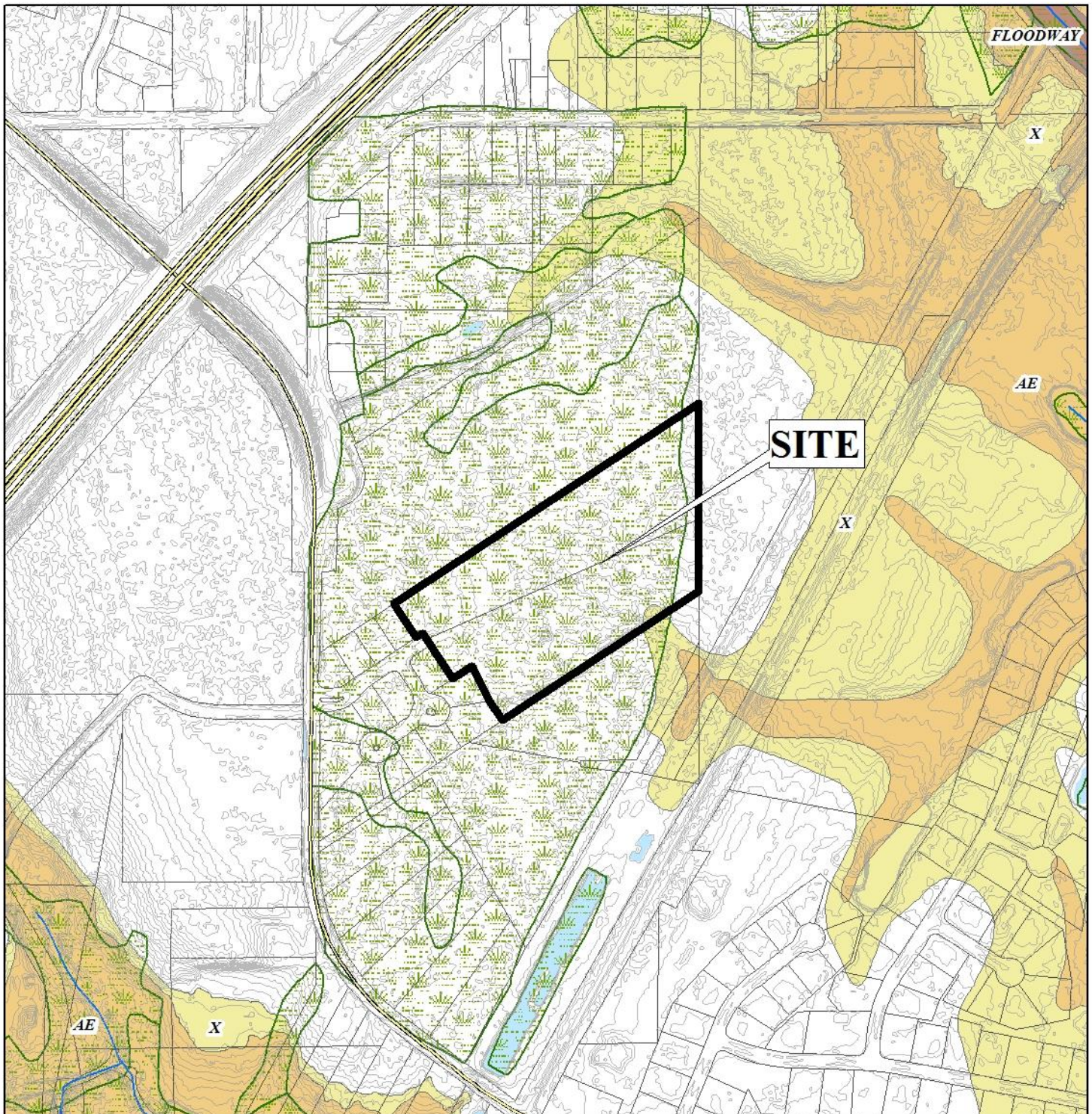
APPLICANT Leighton Village

REQUEST Subdivision, PUD

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	



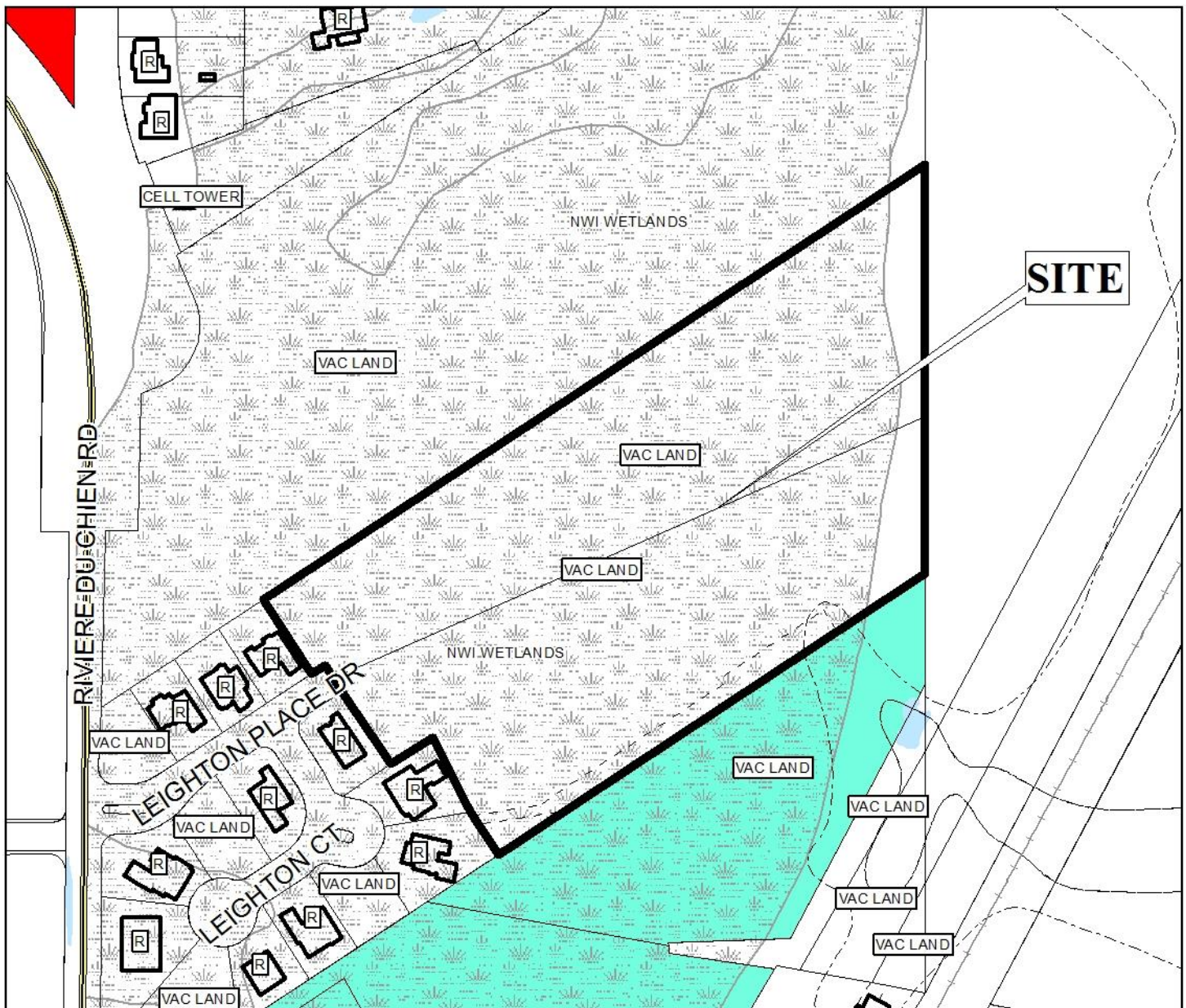
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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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

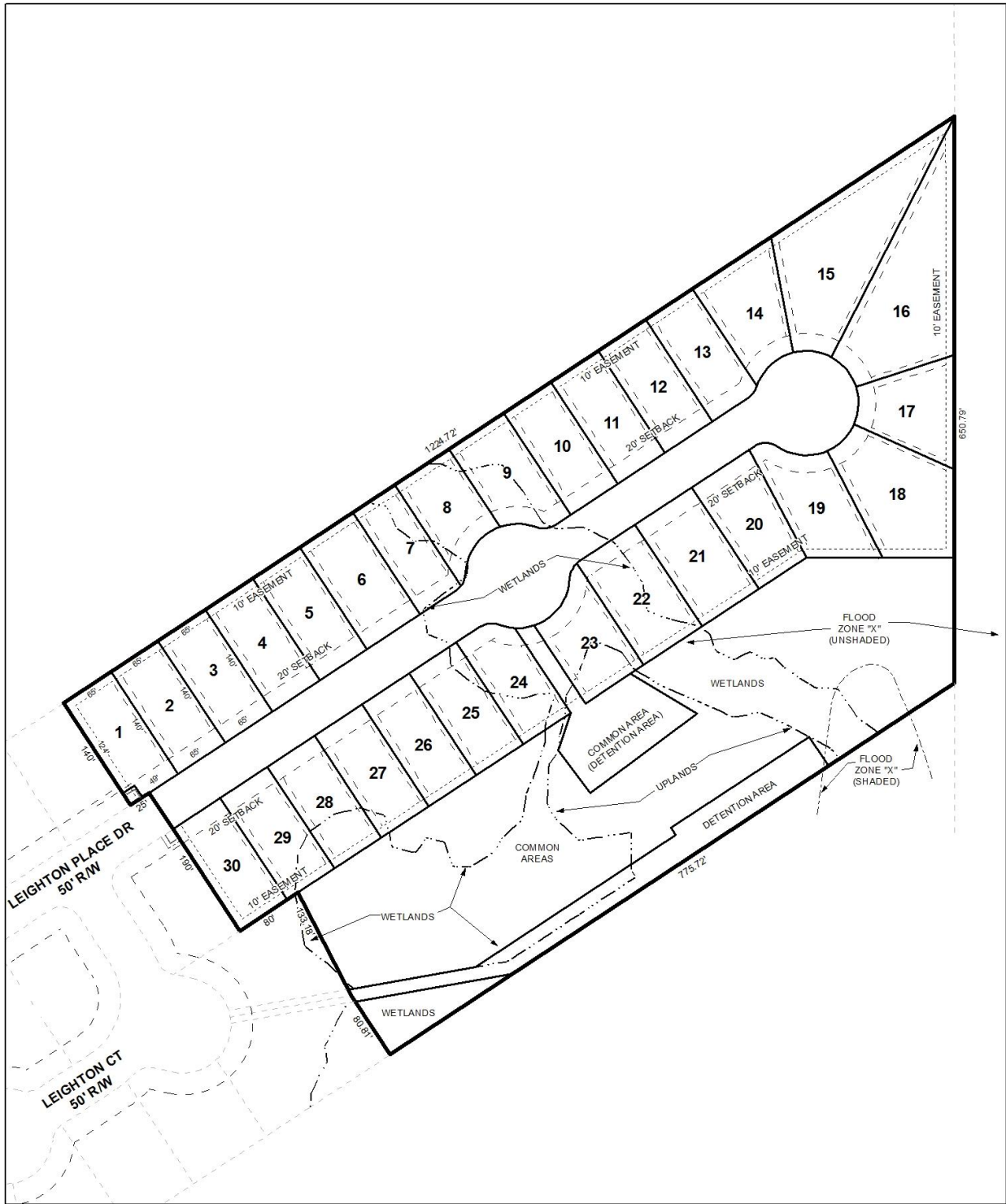


The site is surrounded by residential units.

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SITE PLAN



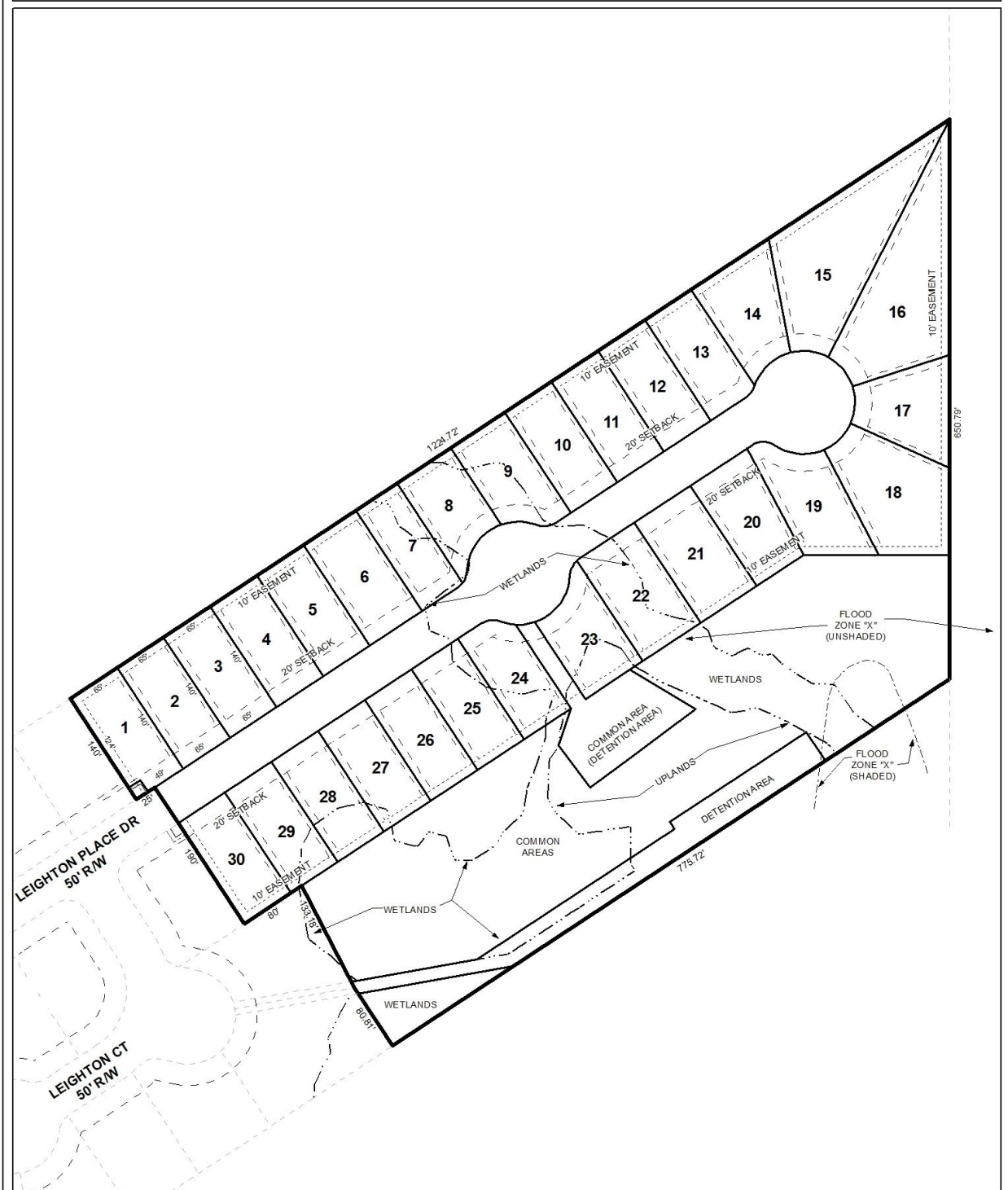
The site plan illustrates the proposed lots, detention areas, setbacks, and easements.

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SITE PLAN

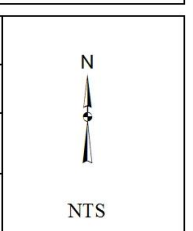


The site plan illustrates the proposed lots, detention areas, setbacks, and easements.

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