

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: June 3, 2010****DEVELOPMENT NAME**

Oakleigh Place Subdivision

SUBDIVISION NAME

Oakleigh Place Subdivision

LOCATION

2709 Hillcrest Road

East side of Hillcrest Road, 450'± North of Weddington Court

CITY COUNCIL**DISTRICT**

District 6

AREA OF PROPERTY

19 Lots / 6.4 ± acres

CONTEMPLATED USE

Planned Unit Development Approval to allow reduced side yard setbacks and increased site coverage in an R-1, Single-Family Residential District, and Subdivision approval to create 19 lots.

TIME SCHEDULE**FOR DEVELOPMENT**

Immediate

ENGINEERING**COMMENTS**

Subdivision construction complete, need the following three items submitted to the Engineering Department before streets can be accepted for maintenance:

1. A 2-year Construction Bond in the amount of 25% of the cost for the construction of the roadway and drainage improvements;
2. Submit documentation proving that there is sufficient detention capacity for the increased site coverage; and
3. Need copy of the Property Owners Covenants, draft copy to be submitted when Plat is submitted for review and signature, and a recorded copy of the covenants to be submitted with copy of recorded plat.

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, the 72" Live Oak Tree Located on the South East side 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 seeking Planned Unit Development Approval to allow reduced side yard setbacks and increased site coverage in an R-1, Single-Family Residential District, and Subdivision approval to create 19 lots. The site is located in Council District 6, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to modify an existing approved PUD and Subdivision to allow reduced side yard setbacks (from 8 to 5 feet) and increased site coverage (from 35% to 40%). The applicant proposes to construct a single-family residential development within the subdivision, and three homes are currently under construction.

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 / Subdivision plat will require approval 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 was previously approved as a **gated private street** development at the February 21, 2008 meeting of the Planning Commission, and the approval included a specific requirement of standard front, side and rear setbacks and site coverage for an R-1, Single-Family District, to be a notation on the plat and site plan. No reduced setbacks or increased site coverage were requested during the application process. When the plat was signed, staff did not observe the notation on the plat stating 5-foot side yard setbacks: the Planning Commission note requiring

standard setbacks was also on the plat. It should be pointed out that the addition of the 5-foot side yard setback note was in direct conflict with the Planning Commission setback requirements, and thus was in violation of the Commission's conditions of approval. The current owner of the property states that they purchased the development with the understanding that the 5-foot side yard setbacks were valid.

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 (due to many existing large oak trees), and approved by Traffic Engineering and in compliance with AASHTO standards.

The previously approved application included a private, gated street, however there is *no indication that a private street with gate is being requested*, therefore it must be assumed that the street will be a public street. If the street was not built to public street standards, then the property owners must pay the cost to improve it to public street standards.

All 19 proposed lots appear to meet minimum size requirements, and each are labeled with their size in square feet on the preliminary plat. All lots also have the minimum front setback lines depicted and labeled, including the corner lots that have a secondary frontage onto Hillcrest Road. It should be noted that some of the front setbacks exceed the 25-foot minimum, as they are placed where the lot is 60-feet wide. These items should be retained for the final plat and site plan, if approved.

Proposed Lot 8 exceeds the width to depth ratio of Section V.D.3. of the Subdivision Regulations, however, the shape of the property makes it difficult to provide adequate street frontage. A waiver of this section may be appropriate.

The application does not include any justification for the increased site coverage or the reduced side yard setbacks. There do not appear to be any similar residential developments in the immediate vicinity along Hillcrest, however, similar requests have been approved along Cottage Hill Road and Girby Road.

The development includes areas labeled as common areas and detention areas. The preliminary plat and site plan include a note stating that maintenance of these areas is the responsibility of the property owners, and this note should be retained for the final plat and site plan, if approved.

It appears that a privacy / entrance wall has been built along the Hillcrest Road frontage for the development. Staff can find no evidence of building permits for the wall, and the wall is not indicated on the PUD site plan for this application or any previously approved application. The PUD site plan and the Subdivision plat should be revised to depict the wall as constructed, including the height, and permits should be obtained after the fact. If the wall is located in the right-of-way, separate approvals and permits will also be required.

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

Subdivision: Based upon the understanding that the development will have a public street, and with a waiver of Section V.D.3. of the Subdivision Regulations for Lot 8, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Revision of the plat to depict and label (including height) the privacy / entrance wall that has been constructed along the Hillcrest Road frontage of the development, and the obtaining of building permits after the fact for the wall;
- 2) Depiction and labeling of the minimum building setback line to be at least 25-feet from all street frontages for all lots, or where the lot is a minimum of 60 feet in width for lots less than 60-feet wide at the street, as shown;
- 3) Placement of a note on the site plan and plat stating that the maximum building site coverage per lot is 40%, the minimum side yard setback is 5 feet, and the minimum rear yard setback is 8 feet, as shown;
- 4) Depiction and labeling of an access easement from the street that is part of the development to the detention facility to allow maintenance, as shown;
- 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, as shown;
- 6) Placement of a note on the site plan and plat that all lots are denied direct access to Hillcrest Road, as shown;
- 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, as shown;
- 8) Full compliance with Engineering comments (*Subdivision construction complete, need the following three items submitted to the Engineering Department before streets can be accepted for maintenance: 1. A 2-year Construction Bond in the amount of 25% of the cost for the construction of the roadway and drainage improvements; 2. Submit documentation proving that there is sufficient detention capacity for the increased site coverage; and 3. Need copy of the Property Owners Covenants, draft copy to be submitted when Plat is submitted for review and signature, and a recorded copy of the covenants to be submitted with copy of recorded plat.*);
- 9) Full compliance with Urban Forestry comments, and placement of the comments as a note on the site plan and plat (*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, the 72" Live Oak Tree Located on the South East side 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.*);

- 10) 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 prior to land disturbance or the issuance of permits;
- 11) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of any Subdivision plat;
- 12) Completion of the Subdivision process prior to any additional permitting activities, other than the privacy / entrance wall; and
- 13) Full compliance with all other municipal codes and ordinances.

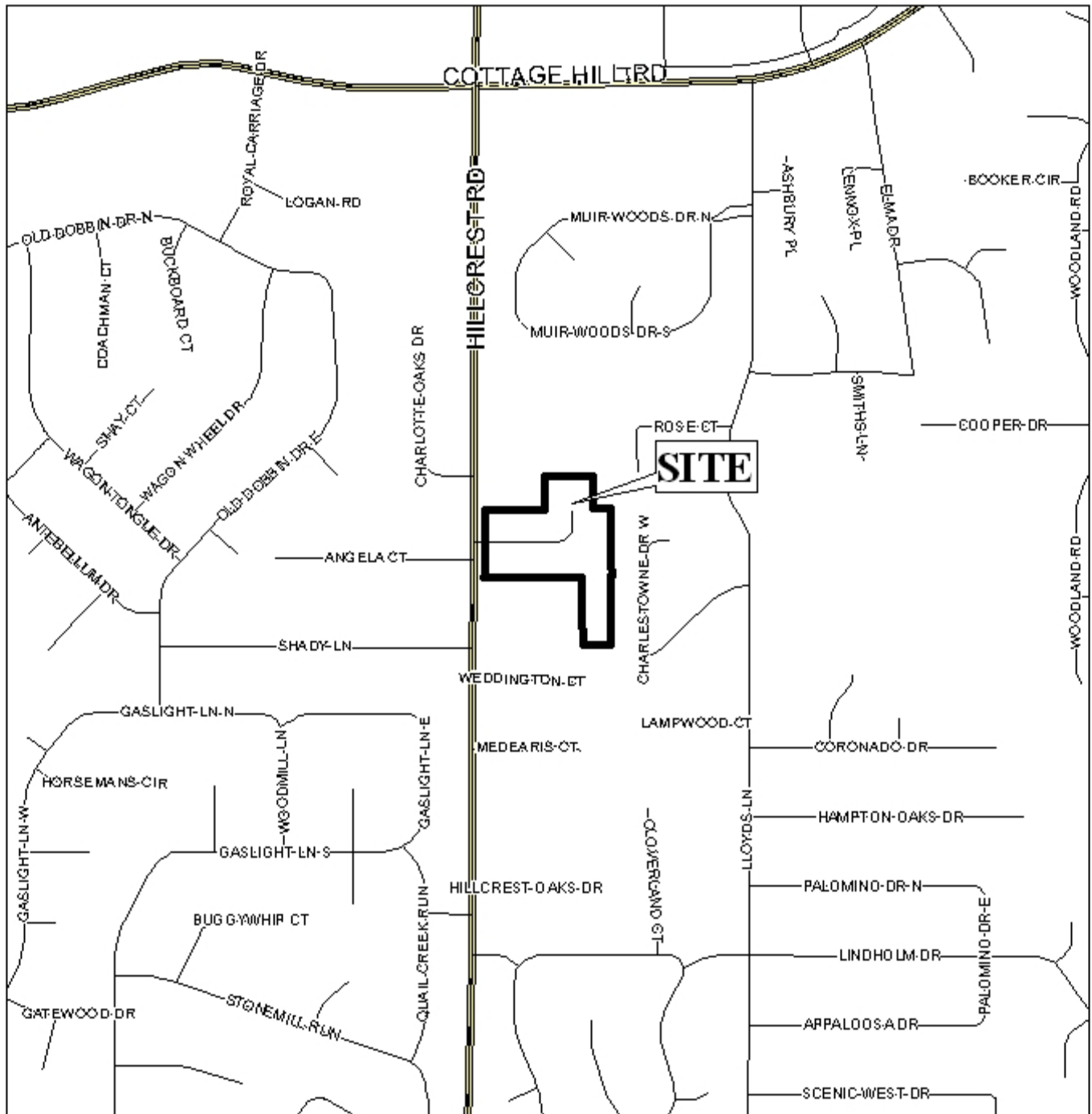
Planned Unit Development: Based upon the understanding that the development will have a public street, this application is recommended for Approval, subject to the following conditions:

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LOCATOR MAP



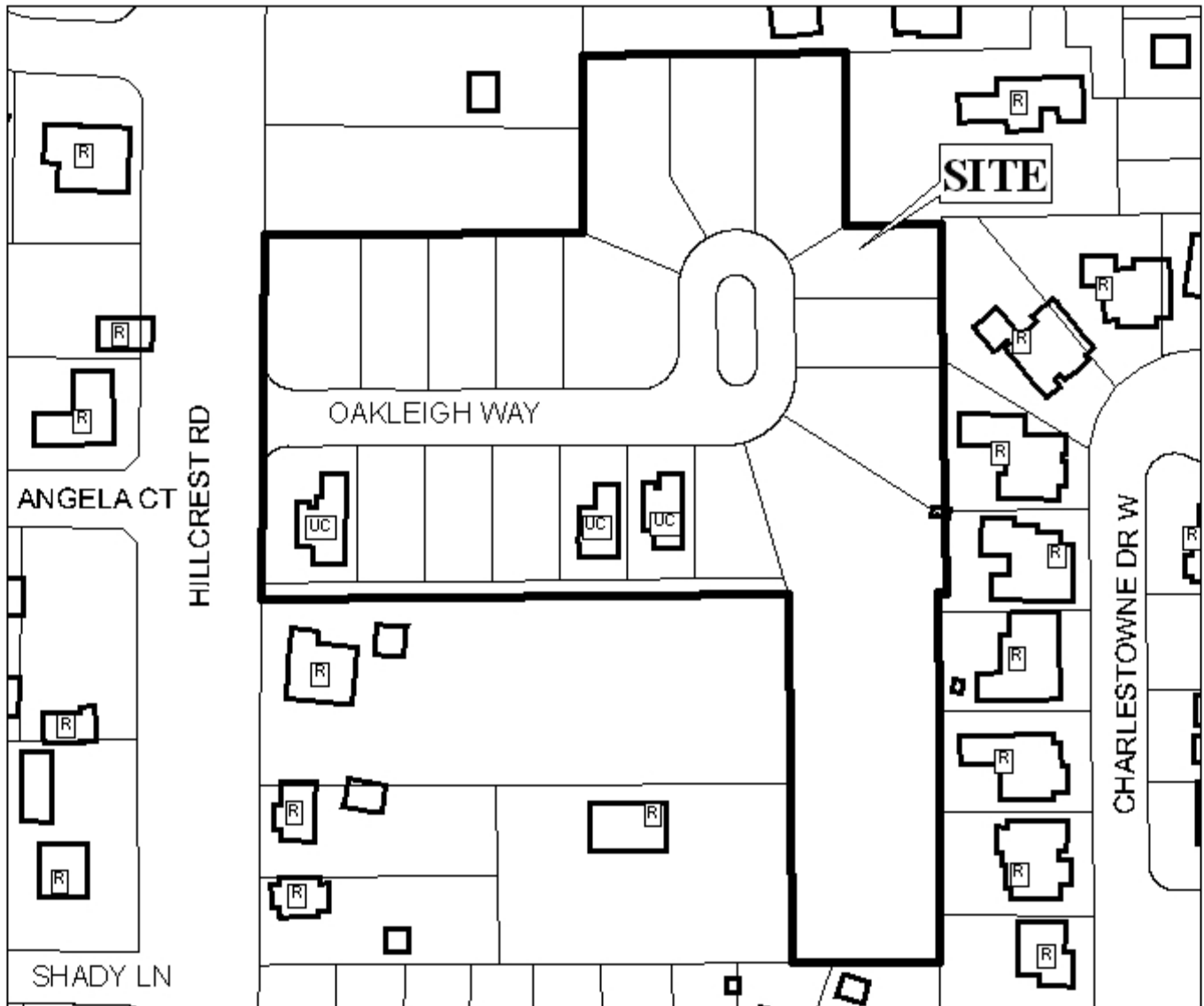
APPLICATION NUMBER 17 & 18 DATE June 3, 2010

APPLICANT Oakleigh Place Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units.

APPLICATION NUMBER 17 & 18 DATE June 3, 2010

APPLICANT Oakleigh Place 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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

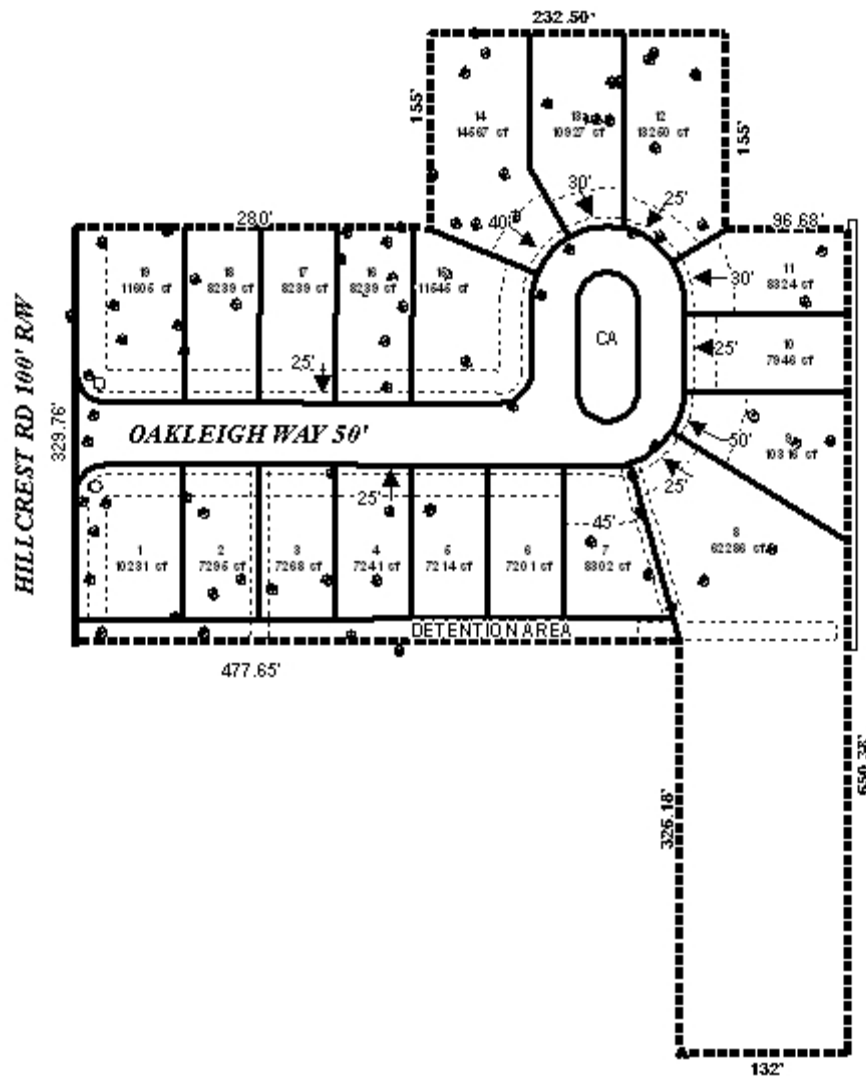


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SITE PLAN



The site plan illustrates the existing subdivision with proposed building setbacks.

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