

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT**

Date: April 5, 2007

DEVELOPMENT NAME Grande Oaks at Hillcrest Subdivision

SUBDIVISION NAME Grande Oaks at Hillcrest Subdivision

LOCATION 2709 Hillcrest Road
(East side of Hillcrest Road, 340'± North of Shady Lane)

**CITY COUNCIL
DISTRICT** District 6

PRESENT ZONING R-1, Single-Family Residence District

AREA OF PROPERTY 12 Lots / 5.2 ± acres

CONTEMPLATED USE *Planned Unit Development* to allow a residential subdivision with a gated private road, and *Subdivision* approval to create twelve (12) lots.

**TIME SCHEDULE
FOR DEVELOPMENT** Immediate.

**ENGINEERING
COMMENTS** Verify that no public water is being accepted on-site. If it is, provide a drainage easement. The storm water ordinance does not allow water to be concentrated onto an adjacent property without a hold harmless agreement. 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 ALDOT 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 South West corner of Lot 1, the 60” Live Oak Tree located on the South side of Lot 3, the 56” Live Oak Tree located on the South West corner of lot 3, the 76” Live Oak Tree located on the North East corner of Lot 6, and the 54” Live Oak Tree located on the West side of Lot 10. 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.

**FIRE DEPARTMENT
COMMENTS**

No comments.

REMARKS

The applicant is requesting Planned Unit Development to allow a residential subdivision with a gated private road, and Subdivision approval to create twelve (12) lots from two metes and bounds parcels. The applicant states that the site is served by public water and sanitary sewer.

This site has been the subject of two recent Subdivision applications that were approved by the Planning Commission in May, 2006, and February, 2007. In both cases, the proposed subdivisions had lots fronting public roads. This application proposes a private street and proposes the exemption from the Subdivision and PUD of a 25-foot wide strip of land that links the proposed private street to an adjacent land-locked parcel that is the subject of agenda items #25 & 26.

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 must be approved 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 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. Proposed Lots 1 and 12 should be denied direct access onto Hillcrest Road. Also, the gate for the proposed private street may need to be moved further from Hillcrest so that traffic turning into the development will not stack-up into Hillcrest Road.

All of the lots appear to meet the minimum dimensional requirements of the Subdivision Regulations, however, the plat and PUD site plan should be revised to include the size of each lot in square feet as either a note on each lot, or as a table. It should be noted that there do not appear to be any requests by the applicant for reduced setbacks or increased site coverage, thus the standard requirements for R-1, Single-Family Residential districts will apply.

As previously mentioned, the applicant is requesting that the proposed subdivision be a gated community with a private street. Section VIII. of the Subdivision Regulations permits modifications to standard regulatory requirements under three circumstances: 1) Unusual difficulties, generally related to natural circumstances, where the normal application of the Regulations would cause undue hardship; 2) Innovative design, which can include cluster or Traditional Neighborhood Development subdivisions, as well as townhomes, terrace houses, multi-family projects, and commercial development; or 3) Family subdivisions, which allow a private street to serve up to 5 lots. The proposed provision of a gate for the subdivision indicates “innovative” design, however, if the subdivision is approved, the gate must remain operational and in use as a condition of the continuation of private street status.

Section VIII.E.2.f. of the Subdivision Regulations requires that a legal covenant be recorded with the Final Plat in Mobile County Probate Court, that: 1) provides for continuing maintenance of the street by an owners’ association or other entity; 2) grants right of ingress and egress for emergency and utility maintenance vehicles; and 3) saves harmless the governing body from damages to any owner within the association arising or which may arise out of the existence of such a private street. Furthermore, each and every owner of property abutting upon and with legal access to the proposed private street shall be a part to such document and agreement.

Section VIII.E.2.i. of the Regulations additionally requires that a sign shall be posted and maintained at the entrance to the private street, with the sign including the street name, and identifying the street as a private street. The sign shall be constructed to City standards, and must be approved by Traffic Engineering.

The following items from Section VIII.E.2. will be required on the Final Plat, if approved with a private street: 1) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision; 2) a note on the plat stating that the street is privately maintained and not dedicated to the public; and 3) a note on the plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners.

Regarding this application’s request for a PUD to allow a private street, and Agenda items #25 & 26, “Lot A of The Oaks”, which proposes a one-lot subdivision and PUD that will link to the private street proposed as part of this application, it would seem that both the “Grand Oaks at Hillcrest Subdivision” and the “Lot A of The Oaks” subdivision should be linked by one PUD application to ensure that Lot A will have full legal access to the proposed private street, and thus to Hillcrest Road.

Finally, the PUD site plan and Subdivision plat do not depict any area set aside for detention. As PUD approval is site plan specific, and as the Subdivision plat may need to show any detention as common area, both the site plan and plat should be revised to depict a detention area for the development.

RECOMMENDATION

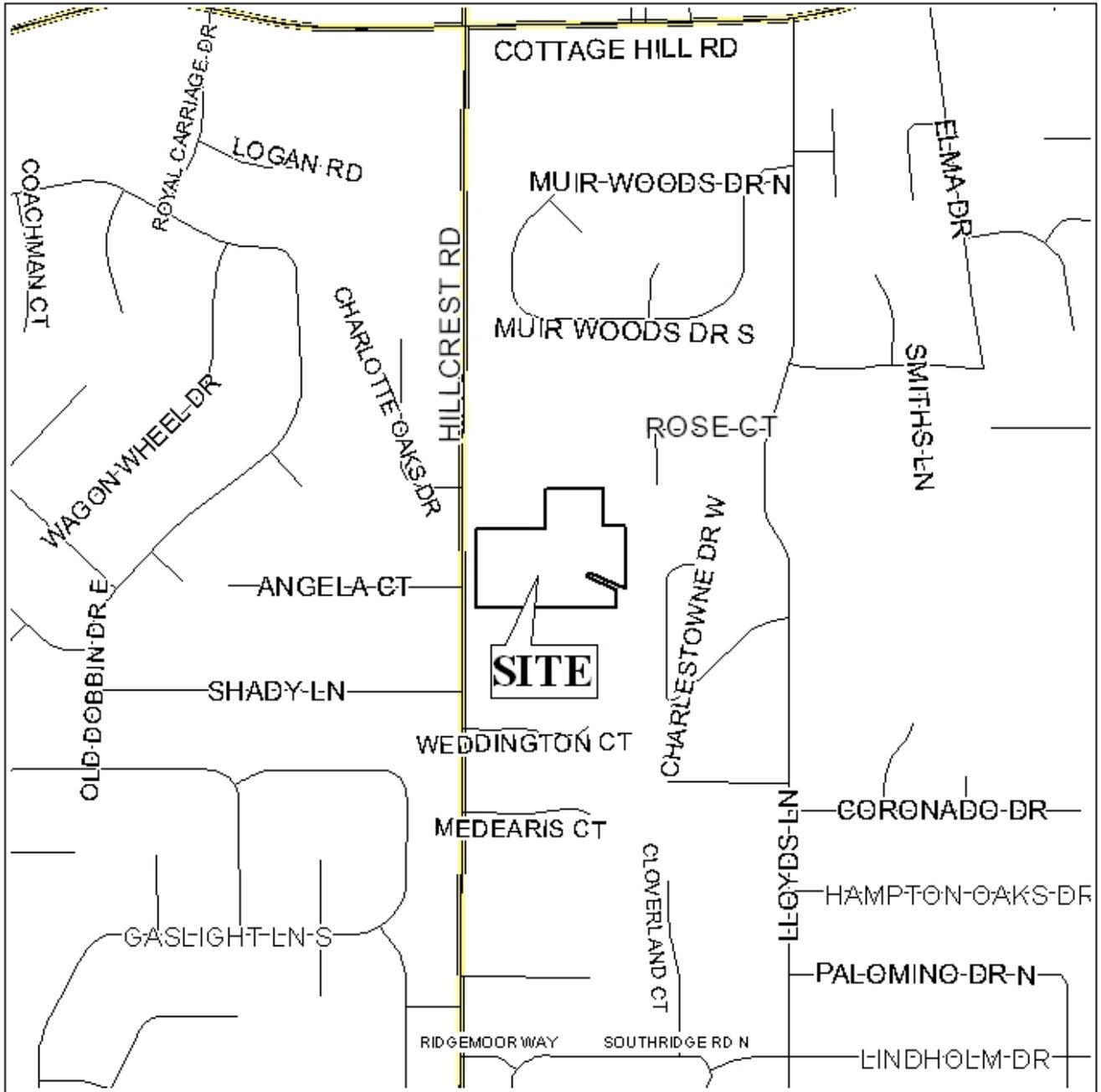
Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the May 3rd meeting, with revisions due to the Planning Section of Urban Development by April 10th, to allow for the following:

- 1) amending of the PUD application to include “Lot A of The Oaks” as part of the PUD application (including revised area information), and provision of additional labels and postage as necessary due to expanded notification requirements;
- 2) revision of the PUD site plan and Subdivision plat to depict a detention common area, if required; and
- 3) consultation with Traffic Engineering regarding the proposed gate, and revision of the PUD site plan and Subdivision plat to move the proposed gate further away from Hillcrest Road if determined necessary;

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LOCATOR MAP



APPLICATION NUMBER 23 & 24 DATE April 5, 2007

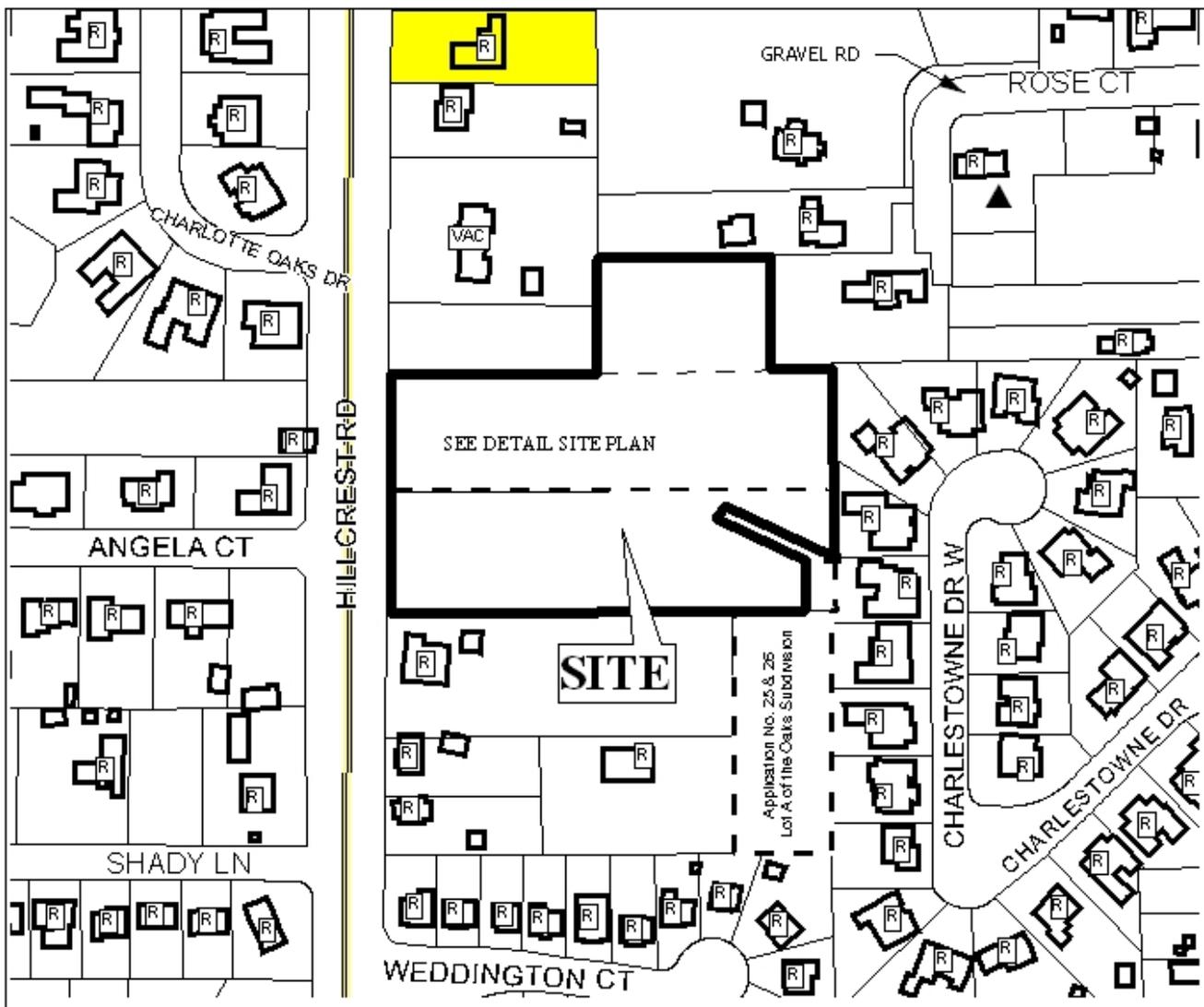
APPLICANT Grande Oaks at Hillcrest Subdivision

REQUEST Subdivision, 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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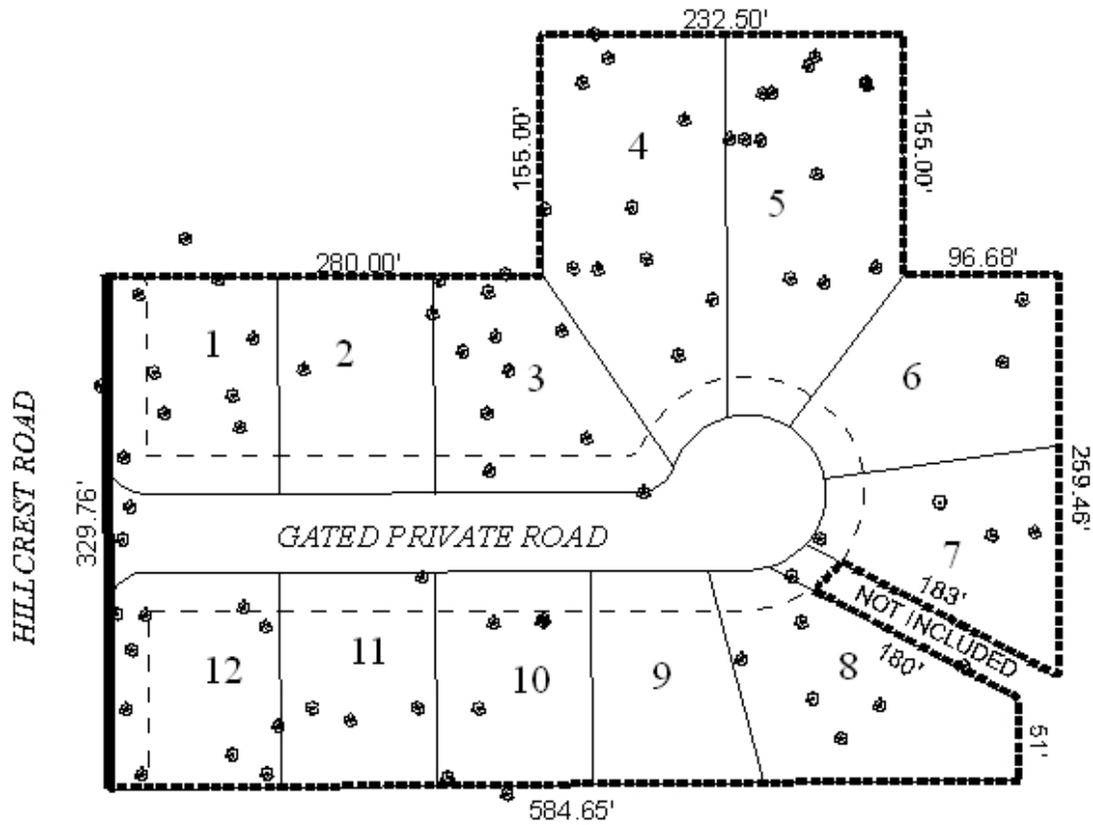
REQUEST Subdivision, Planned Unit Development

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 lots, existing trees, building setback, and proposed boundary.

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