

**PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: March 15, 2007**

<u>DEVELOPMENT NAME</u>	Mount Island Place Subdivision
<u>SUBDIVISION NAME</u>	Mount Island Place Subdivision
<u>LOCATION</u>	251 Mount Island Drive East and 2401 Old Government Street (West terminus of Old Government Street extending West to Mount Island Drive East)
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>AREA OF PROPERTY</u>	3.9± acres 10 Lots
<u>CONTEMPLATED USE</u>	Single-family residential subdivision with reduced setbacks and a private street.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Under Construction
<u>ENGINEERING COMMENTS</u>	Detention cannot be performed in the AE flood zone. Since this property does not have frontage on Mount Island Place, all lots on the property will be issued one address at the termination of Old Government St. All city services (garbage and trash pick-up) must be accessed from Old Government St. Show minimum finished floor elevation for any buildings or structures and/or slabs, on which, mechanical and electrical equipment will be installed. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.
<u>URBAN FORESTRY COMMENTS</u>	Any work on or under the 40" Live Oak located on the East side of Lot 9, the 50" Live Oak located on Lot 7, the 50" Live Oak located on Lot 6, the 40" Live Oak located on Lot 5 and 6, and the 40" Live Oak located on Lot 5 are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

REMARKS

The applicant has Submitted subdivision and Planned Unit Development applications to allow a private road, single-family residential subdivision with reduced setbacks.

As a point of clarification – the location description for these applications lists an address of 251` Mount Island Drive East. The address is in error. The address was obtained from the City of Mobile GIS base maps, which should not show any addresses for property on the East side of Mount Island Drive East as the only property adjacent to the East side of Mount Island Drive East is a dedicated 10' park strip. This park strip, which is also referenced later in the staff report, is not and cannot be a part of or utilized for the proposed development.

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.

It is very important to note that Planned Unit Development review is site plan specific; therefore *any* changes to the site plan must be submitted for Planned Unit Development review. Thus any changes to the site in terms of buildings, parking, circulation, etc., must be reviewed and approved through the planning process.

Virtually identical requests for Subdivision and PUD Approval were reviewed and approved by the Commission in October 2004, subject to several conditions. Due to delays in construction of the portion of Old Government Street which provides access to the site, as well other delays in development of the site, the approvals have expired; hence the applications now before the Commission. As the proposals are the same, comments stated in the original report are still applicable and are repeated below, with the exception of new comments regarding increased site coverage.

There is an extensive history associated with the site. In October 1994, PUD and subdivision applications for a 12 lot subdivision with a private street were considered by the Planning Commission. The applications were denied because some of the lots did not meet the minimum size requirements of the Subdivision Regulations; the proposed street did not meet the standards adopted by the Planning Commission for a private road; and there were questions about the use of the 10' park strip as access to lots within a private development.

In January 1995, the Commission denied a 10-lot subdivision with a private road. Those applications were denied because the development contemplated access to the lots via the designated park strip along the West property line.

The current application proposes 10 lots fronting a private road and having reduced front and side yard setbacks. The application states that the property faces unusual difficulties because of the 10-foot park strip along the West property line and the number of large, old live oaks on the property. The application goes on to state that a 25-foot right-of-way is requested for the private street, rather than the 50-foot wide right-of-way required by the Subdivision Regulations. The applicant states that the 25-foot wide right-of-way would allow for the maximum utilization of the lots and would allow the developer to work around the large oaks located on almost each lot. Discussions with the applicant have indicated that a 35' private road right-of-way would be possible. The applicant also proposes a modified turn around at the south end of the private road that would "allow emergency, mail, garbage, etc. easy access." It should be noted, however, municipal garbage service will not access the private street—all garbage and trash must be brought to Old Government Street.

Urban Forestry has conducted a site visit, and there are many trees that are recommended for preservation.

The Subdivision Regulations allow private road subdivisions for innovative design such as a traditional neighborhood development, gated community or patio homes. The Commission has in the past considered subdivisions with reduced setbacks as justification for a private road.

Section VIII. of the Subdivision Regulations allows the Planning Commission to modify the 50-foot right-of-way requirement where "topographic or other extraordinary or exceptional characteristics" exist; however, the "modification shall be the minimum modification that will make possible the reasonable subdivision of the land."

While the site is somewhat unique due to the park strip, this strip does not preclude development in accordance with all regulations. However, given the existing depth of the property (150'), in conjunction with the existing trees and constraints created by the drainage facility (Woodcock Creek), a reduction in the private street right-of-way to 35' may be appropriate.

As stated previously, use the park strip has been one of the reasons of the previous denials of applications for this property. In order to ensure that the park strip remains as such, a condition requiring the park strip to remain in its natural vegetative state would be appropriate.

The buildable area of each lot, based upon setbacks as shown on the plan submitted, creates individual lot site coverage of approximately 59%. The maximum site coverage allowed in R-1 districts is 35%. As the proposal is being considered as an innovative development and is a PUD, the site coverage may be calculated as an aggregate for the entire development. However, if this to occur, the applicant should provide a table on the PUD plan and the final plat, illustrating the maximum site coverage allowed for each lot to maintain an aggregate site coverage of 35% for the entire development.

RECOMMENDATION

Subdivision: Based on the preceding, it is recommended that this application be considered under the private road section of the Subdivision Regulations, and that due to unique and/or exceptional circumstances, the private road right-of-way be modified to allow a 35' right-of-way, subject to the following conditions: 1) full compliance with

Section VII.E.2 (Standards) of the Subdivision Regulations; 2) provision of a sidewalk along the West side of the private street; 3) placement of a note on the final plat stating that the park strip along the West property line to remain undisturbed, in its natural, vegetative state; 4) compliance with Urban Forestry Comments (Any work on or under the 40" Live Oak located on the East side of Lot 9, the 50" Live Oak located on Lot 7, the 50" Live Oak located on Lot 6, the 40" Live Oak located on Lot 5 and 6, and the 40" Live Oak located on Lot 5 are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger; and 5) provision of a table on the final plat illustrating the maximum site coverage allowed for each lot to maintain an aggregate site coverage of 35% for the entire development.

Planned Unit Development: Based upon the preceding, it is recommended that this application be approved subject to the following conditions: 1) development limited to the plan as submitted; 2) Old Government Street from Pinehill Drive to the site must be constructed prior to recording of the final plat; 3) completion of the subdivision process; 4) provision of a sidewalk along the West side of the private street; 5) the park strip along the West property line to remain in its natural, vegetative state; 6) compliance with Urban Forestry Comments (Any work on or under the 40" Live Oak located on the East side of Lot 9, the 50" Live Oak located on Lot 7, the 50" Live Oak located on Lot 6, the 40" Live Oak located on Lot 5 and 6, and the 40" Live Oak located on Lot 5 are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger); 7) revision of the PUD plan to include a table illustrating the maximum site coverage allowed for each lot to maintain an aggregate site coverage of 35% for the entire development and, 8) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 23 & 24 DATE March 15, 2007

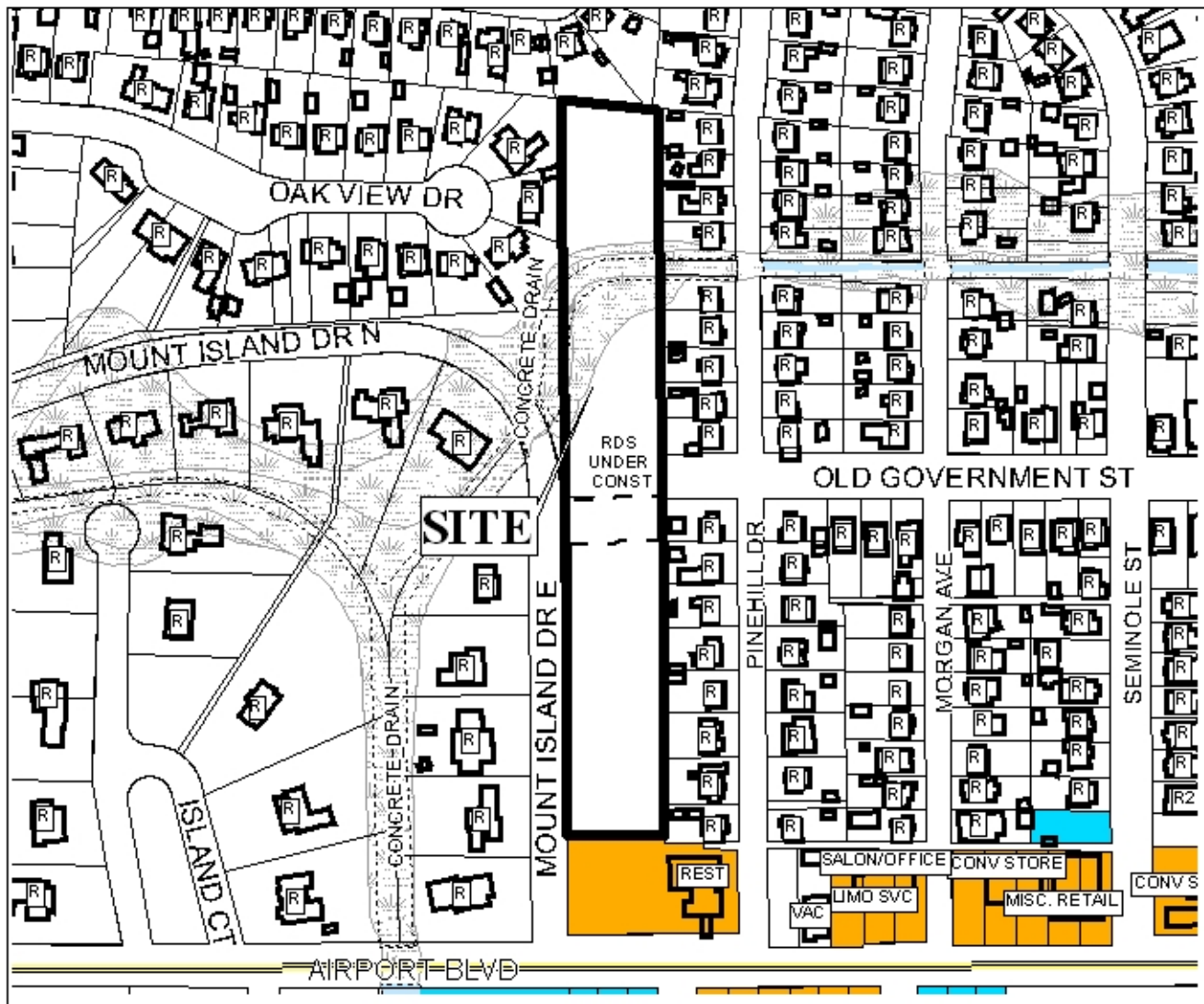
APPLICANT Mount Island Place Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units to the northwest, north and east of the site, vacant commercial property and retail to the south, and single family residential units to the west.

APPLICATION NUMBER 23 & 24 DATE March 15, 2007

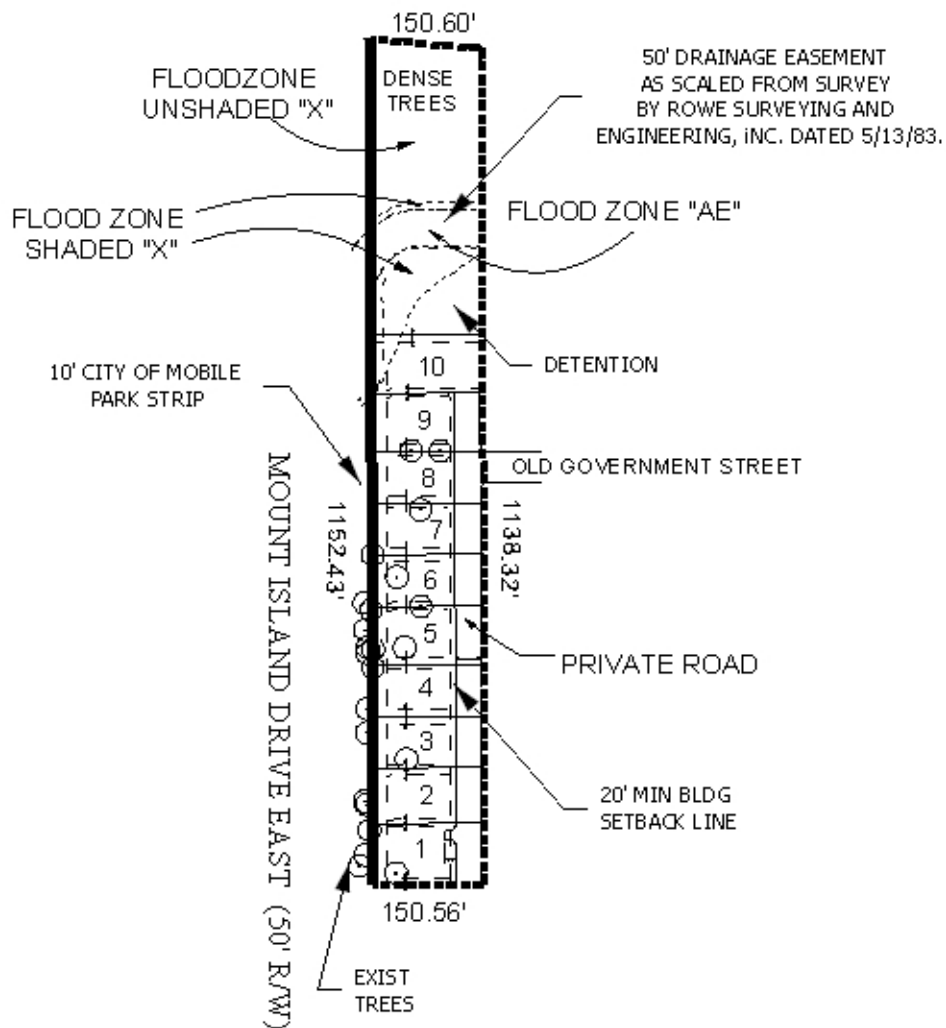
APPLICANT Mount Island Place Subdivision

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	NTS
-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	-----	-----	-----	-----

SITE PLAN



The site plan illustrates private road, setback line, floodzones, and lot boundaries.

APPLICATION NUMBER 23 & 24 DATE March 15, 2007
 APPLICANT Mount Island Place Subdivision
 REQUEST Subdivision, Planned Unit Development



NTS