

PLANNED UNIT DEVELOPMENT,
SUBDIVISION &
SIDEWALK WAIVER REQUEST
STAFF REPORT

Date: June 21, 2007

<u>NAME</u>	The Pines at the Preserve LLC
<u>SUBDIVISION NAME</u>	Longleaf Gates Subdivision
<u>LOCATION</u>	North side of Girby Road, 1800'± West of Rue Preserve, and extending Northwest to Lloyds Lane
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	R-2, Two-Family Residential District
<u>AREA OF PROPERTY</u>	159 Lot / 84.2 ± Acres
<u>CONTEMPLATED USE</u>	<i>Planned Unit Development</i> approval to allow a private street, gated subdivision, and a public street subdivision, both with reduced lot sizes, reduced front yard and side yard setbacks, and increased site coverage, <i>Subdivision</i> approval to create 159-lots, and <i>Sidewalk Waiver</i> approval to waive construction of sidewalks along Girby Road and Lloyds Lane.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	<i>Phase One:</i> immediate, with completion by October 2008 <i>Phase Two:</i> schedule to be determined after Phase One is completed
<u>ENGINEERING COMMENTS</u>	Provide detention for 100-year storm with a 10-year release rate. The existing receiving stream is compromised and the culvert @ Girby Road is reportedly undersized. Therefore, a complete analysis of the existing and proposed conditions will be required. In addition, the development will not be permitted for Land Disturbance unless the culvert at Girby Road has a capacity to handle a 50-year storm. The flood zones shown on the preliminary plat should be revised to more accurately delineate the FEMA designated flood zones. Dedication of a drainage easement of the flood way and portion of the flood zone containing the actual drainage way will be required. A study of the distance from the top of bank to top of bank of the drainage way plus 15 feet for maintenance vehicle access will be required for drainage easement. Detention should be accomplished above the 100-year flood elevation. And, the predevelopment runoff coefficient to be used for the existing wetland areas should be accurate for wetland areas. 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. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.

Distinguish more clearly between public and private right-of-way.

Sidewalk Waiver: Please provide additional information depicting the edge of shoulder and the culvert, and water surface elevation.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Traffic Engineering requires traffic calming measures for "straight" sections of roadway over 650 feet in length with location and design to be approved by Traffic Engineering.

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

No comments.

REMARKS

The applicant is requesting *Planned Unit Development* approval to allow a private street, gated subdivision, and a public street subdivision, both with reduced lot sizes, reduced front yard and side yard setbacks, and increased site coverage, *Subdivision* approval to create 159-lots, and *Sidewalk Waiver* approval to waive construction of sidewalks along Girby Road and Lloyds Lane. Planned Unit Development approval is required to allow a private street, gated subdivision, reduced lot sizes, reduced front yard and side yard setbacks, and increased site coverage for any zoning district.

It appears that the plat and site plan do not include the full extent of the parcels set aside for "future development," thus the drawings should be revised to account for the entirety of all parcels. It also appears that the parcels comprising the "future development" area are split-zoned, thus rezoning applications should be included with future applications to develop the area.

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.

A previous PUD and Subdivision recently approved by the Planning Commission in November 2006 proposed 184 lots on 84.2 \pm acres, in a *generally* similar two phase configuration with public streets.

The applications currently under consideration depict a two-phased development, where Phase One consists of 133 single-family lots on 36.3 \pm acres, and Phase Two will consist of 26 lots on 5.8 \pm acres for single-family townhomes. The remaining 42.1 acres are set aside for future single-family residential development. Phase One is proposed to be a gated community, while Phase Two is proposed to have public streets, with no street-linkage to Phase One. Phase Two will also include a street-stub to 10-acres of adjacent land-locked property. It appears that the area reserved for future development may also eventually include private streets (due to provision of a proposed street stub).

The PUD is required to allow the reduced lot widths, increased density, and reduced setbacks for innovative design as well as private streets. The typical lots proposed are as follows:

Phase One (private streets)

- “Typical” lot size: 50 x 120 – 6000 SF (smaller lots observed on plan)
- Minimum building setback lines
 - Front (from ROW): 15 feet
 - Side: 3 feet and 7 feet (10 feet total)
 - Rear: 8 feet
- Maximum building site coverage: 50 % (40% allowed by right in R-2 district)

Phase Two (public streets)

- “Typical” lot size: 40 x 150 – 6000 SF
- Minimum building setback lines
 - Front (from ROW): 10 feet
 - Side: 0 feet
 - Rear: 10 feet
- Maximum building site coverage: 50 % (40% allowed by right in R-2 district)

It should be pointed out that maximum development of the site with single-family homes could result in approximately 206 dwelling units in the Phase One and Two area, and another 206 dwelling units in the future development area, for a total of 412 dwelling units. Since the site is zoned R-2, however, up to 386 dwelling units in the Phase One and Two areas, and 772 dwelling units total could be accommodated on the overall site. Therefore, it appears that the proposed development will not maximize the development potential for Phases One and Two.

The applicant states that *“Longleaf Gates will be a continuation of the traditional neighborhood plan underway at The Preserve with the added feature of being a ‘gated’ community.”* The applicant goes on to state *“The proposed family oriented community will afford opportunities not present within most other communities of Mobile along with providing the residents a neighbor*

friendly yet secure environment similar to that which exists in the historic neighborhoods of Mobile.”

The applicant states that the development will utilize “Smart Growth” design concepts that have already been applied in the neighboring development (The Preserve), and includes increased density, lot sizes less than the 7,200 SF minimum with common open space, reduced setbacks, a mixture of housing types, design control, alternative traffic calming devices, and wetlands preservation. At the same time, the applicant is requesting a sidewalk waiver along Lloyd’s Lane and Girby Road due to adverse topographic features, wetlands, and a lack of pedestrian traffic.

The site fronts Girby Road, a planned major street which has an existing right-of-way of 80-feet. The Major Street Plan component of the Comprehensive Plan calls for 100-feet of right-of-way, thus the dedication of adequate right-of-way to provide 50-feet from the centerline of Girby Road should be required. The site also abuts Lloyds Lane, a minor street with adequate right-of-way.

Access management is a concern due to the reduced size of the lots and the proximity to a proposed major street. A note should be placed on the site plan and plat stating that direct access to Girby Road and Lloyd’s Lane is denied for all lots and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards.

Common areas are depicted on the site plan. Some of the common areas include storm water detention facilities which will be shared between the Phase One and Phase Two developments. A “pigeonaire/guard house” is also proposed at the center of a traffic circle, however, the area is not labeled as a common area. The site plan and plat should be revised to label all common areas, and a note should be placed on the site plan and plat stating that maintenance of the common areas shall be the responsibility of the property owners.

The site adjoins a creek and as such the area may be considered environmentally sensitive; thus the approval of all applicable federal, state and local agencies would be required. Additionally, there are wetlands on the site, which encroaches into some lots; and while reduced lot widths and sizes are allowed, the applicant should submit documentation prior to the recording of the final plat, which illustrates that there is adequate buildable area for those lots containing wetlands.

There are several issues regarding the proposal. “Smart Growth” is more than just reduced lot sizes and open space preservation: it includes connectivity to adjacent developments, support for modes of transportation other than the private car, and normally encourages a mixture of residential and commercial uses so that auto-based trips can be replaced by bicycle or walking-based trips. Higher densities are also usually associated with some level of proximity to public transportation. Generally, “Smart Growth” developments are not gated, as that defeats the purpose of connectivity to the greater city context: there are few to no gated developments within Mobile’s historic districts. The development, however, will benefit the region by allowing more people to live in a smaller area within the city limits (thus reducing the demand for greenfield development in the county), and the protection of wetlands will potentially result in beneficial habitat preservation (if the wetlands are actually preserved and protected).

Access is another concern. The proposed 133-lot private street development will have only two points of access, and appears to link to 42 acres of undeveloped land reserved for future development. The proposed 26-lot townhome development on a public street includes a street-stub to adjoining undeveloped property that appears to include approximately 20 acres of land in R-2 and R-3 zoning districts, thus there is potential for substantial development. Combined, it would appear that both the private-street development and the public-street development may lack adequate connections to ensure public safety in case of a fire or criminal activity. It is recommended that the applicant consider another connection to a public street for the future development area, and that an additional street-stub be provided to the land-locked property from the future development area (even if the connection is only to allow emergency access). Furthermore, Section VIII.E.b. of the Subdivision Regulations states *“Subdivisions in which Private Streets are allowed shall not be adjacent to large undeveloped potentially landlocked tracts of property where a street stub would be required.”*

The applicant is requesting that Phase One of 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. Full compliance with Section VIII.E. of the Subdivision Regulations will be required regarding the private street.

Due to the size of the proposed development, it is requested that the applicant revise the plat and site plan 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.

Finally, the applicant is requesting the waiver of the sidewalk requirements for Girby Road and Lloyds Lane. North and West of the site are apartment complexes, while South of the site, at the intersection of Lloyds Lane and Girby Road, is Burns Middle School. Aerial photographs show that the intersection next to the school has marked crosswalks, and it appears that there may be a sidewalk at the Northeast corner of the intersection, or a worn trail. A call to the administrative offices confirms that the school does have students walking to and from the school along Lloyds Lane and Girby Road.

While the development itself may not generate much pedestrian traffic to locations outside of the development, it is likely that students will continue to be generated by adjacent apartment developments along Lloyds Lane, especially North of the site. As for Girby Road, the adjacent development does not appear to provide as strong an argument regarding the need for a sidewalk, as the larger residential development is on the other side of Girby from the site, and the distance would appear to approach such that it would be less likely that students might walk to the school.

Again, the “Smart Growth” issue would indicate that sidewalks should be provided. The sections provided by the applicant do show that there are compelling topographic reasons to not

require sidewalks, yet the proximity to a public school, apartments and a major street counteract, at some level, the sheer physical challenge.

RECOMMENDATION

Planned Unit Development Based upon the preceding, this application is recommended for approval subject to the following conditions:

- 1) revision of the site plan to encompass the entirety of the parcels associated with the “future development” area;
- 2) submission of applications to correct split-zoning conditions in the “future development” area in conjunction with the other future applications that will be required for the area;
- 3) revision of the site plan to delineate common area in acres by phases, and overall total;
- 4) revision of the site plan to label all common areas, and placement of a note on the site plan stating that maintenance of the common areas is the responsibility of the homeowners (association);
- 5) placement of a note on the site plan identifying which streets are private, and that they are privately maintained and not dedicated to the public;
- 6) placement of a note on the site plan stating that additional street-stub connections will be required in the “future development area” – to adjacent public streets and landlocked properties;
- 7) placement of a note on the site plan and plat stating that direct access to Girby Road and Lloyd’s Lane is denied for all lots and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;
- 8) full compliance with the Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Traffic Engineering requires traffic calming measures for “straight” sections of roadway over 650 feet in length with location and design to be approved by Traffic Engineering.*);
- 9) full compliance with Engineering comments (*Provide detention for 100-year storm with a 10-year release rate. The existing receiving stream is compromised and the culvert @ Girby Road is reportedly undersized. Therefore, a complete analysis of the existing and proposed conditions will be required. In addition, the development will not be permitted for Land Disturbance unless the culvert at Girby Road has a capacity to handle a 50-year storm. The flood zones shown on the preliminary plat should be revised to more accurately delineate the FEMA designated flood zones. Dedication of a drainage easement of the flood way and portion of the flood zone containing the actual drainage way will be required. A study of the distance from the top of bank to top of bank of the drainage way plus 15 feet for maintenance vehicle access will be required for drainage easement. Detention should be accomplished above the 100-year flood elevation. And, the predevelopment runoff coefficient to be used for the existing wetland areas should be accurate for wetland areas. 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. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant’s responsibility to confirm*

or deny the existence of regulatory wetlands. Distinguish more clearly between public and private right-of-way.);

- 10) labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;
- 11) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat; and
- 12) that the applicant obtain all necessary federal, state and local permits.

Subdivision With a waiver of Section V.D.2., the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions:

- 1) revision of the plat to encompass the entirety of the parcels associated with the “future development” area;
- 2) submission of applications to correct split-zoning conditions in the “future development” area in conjunction with the other future applications that will be required for the area;
- 3) revision of the plat to delineate common area in acres by phases, and overall total;
- 4) revision of the plat to label all common areas, and placement of a note on the plat stating that maintenance of the common areas is the responsibility of the homeowners (association);
- 5) placement of a note on the plat stating that additional street-stub connections will be required in the “future development area” – to adjacent public streets and landlocked properties;
- 6) placement of a note on the site plan and plat stating that direct access to Girby Road and Lloyd’s Lane is denied for all lots and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards
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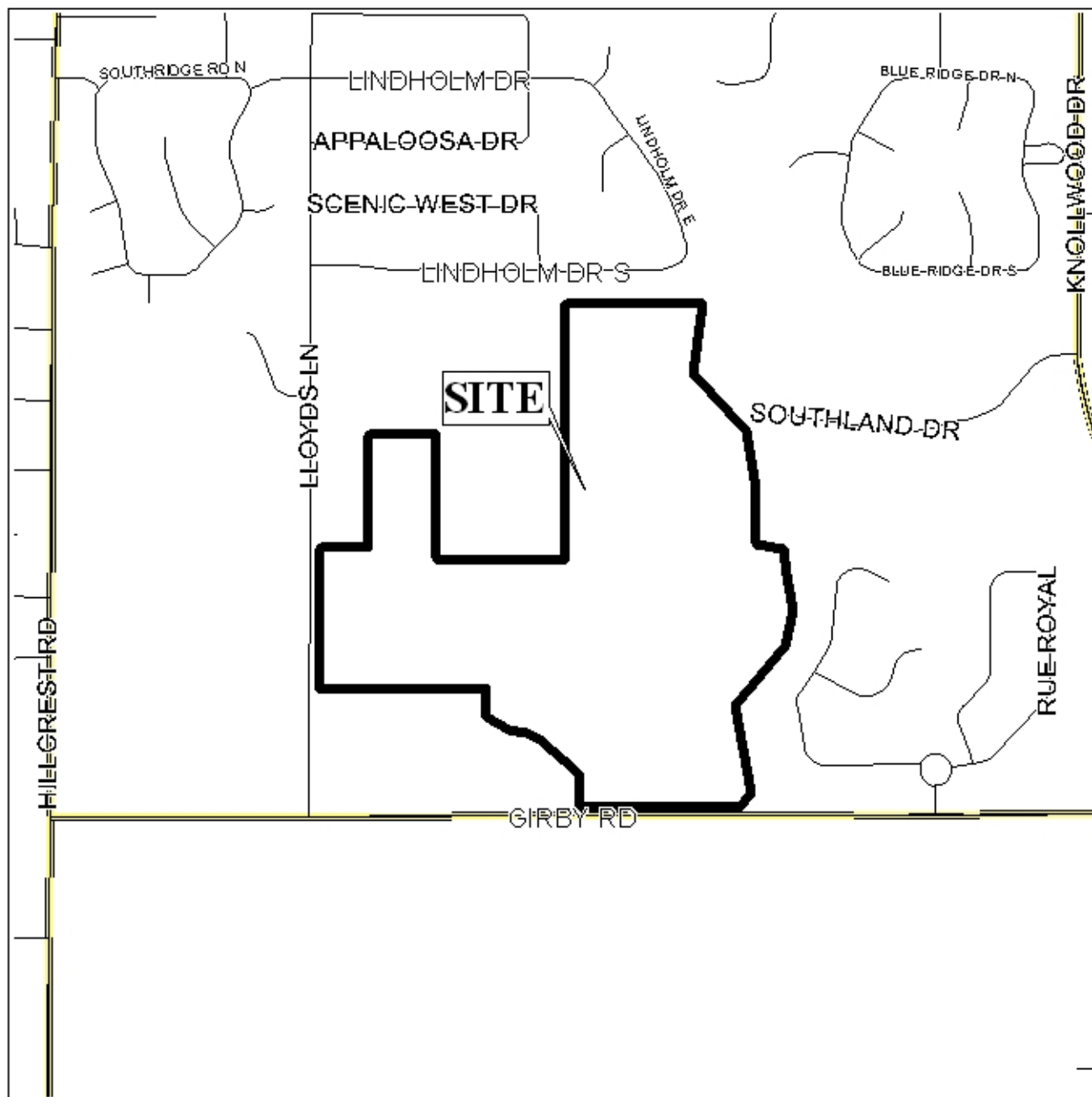
Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands. Distinguish more clearly between public and private right-of-way.);

- 9) provision of documentation proving that adequate buildable area is provided for all lots with wetlands;
- 10) labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;
- 11) that the applicant obtain all necessary federal, state and local permits.
- 12) compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
- 13) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
- 14) placement of a note on the plat identifying which streets are private, and that they are privately maintained and not dedicated to the public;
- 15) placement of 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;
- 16) placement of a note on the plat stating that the gate must remain operational and in use as a condition of the continuation of private street status; and
- 17) full compliance with all other municipal codes and ordinances.

Sidewalk Waiver: The request is recommended for Holdover until the July 19th meeting, with 4 copies of revisions due to the Planning Section of Urban Development by June 27th, for the following reason:

- 1) the Engineering Department requires additional information depicting the edge of shoulder and the culvert, and water surface elevation, in plan and section as necessary to determine feasibility of sidewalk construction.

LOCATOR MAP



APPLICATION NUMBER 26 & 27 & 28 DATE June 21, 2007

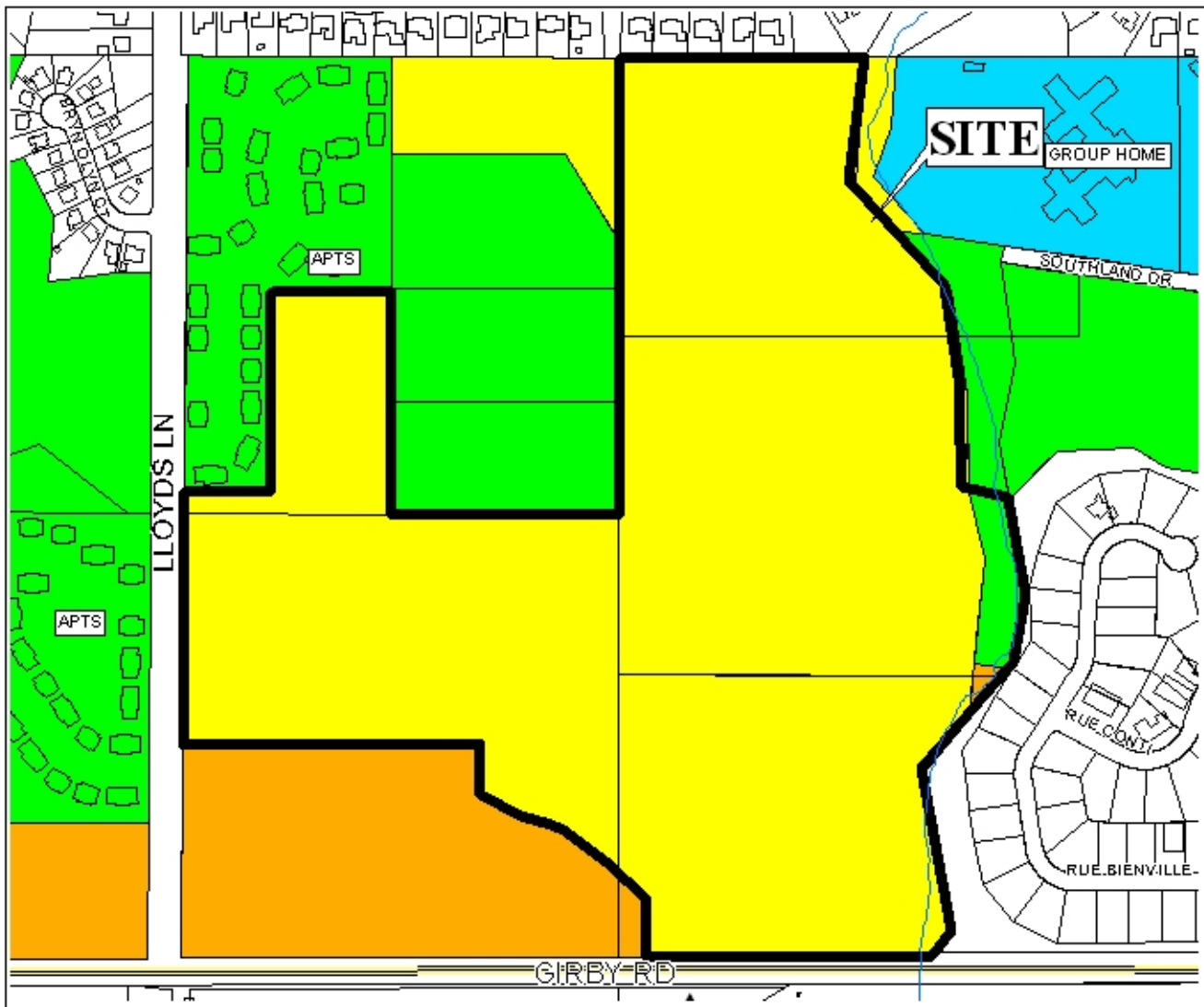
APPLICANT The Pines at the Preserve LLC

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. Apartments are located to the west of the site. A group home is located to the east of the site. A school is located to the south of the site.

APPLICATION NUMBER 26 & 27 & 28 DATE June 21, 2007

APPLICANT The Pines at the Preserve LLC

REQUEST Subdivision, Planned Unit Development, Sidewalk Waiver

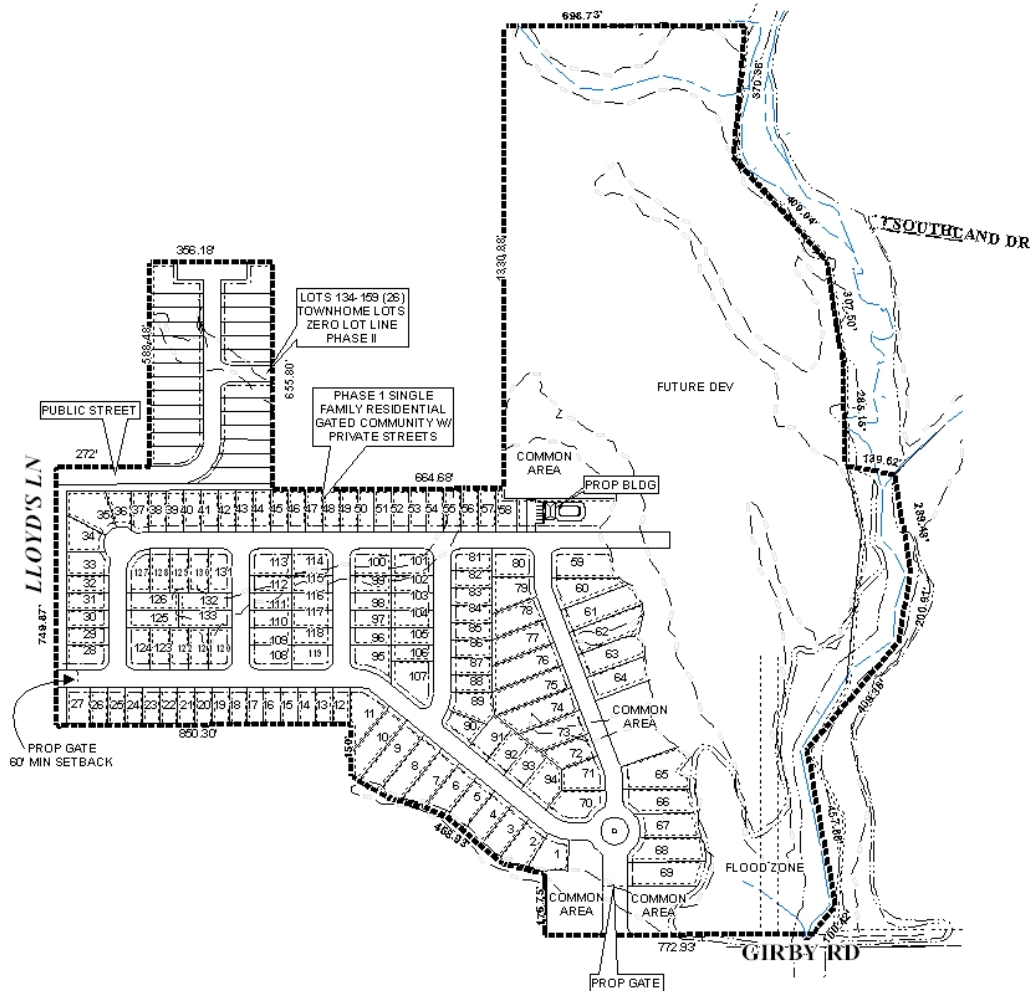
LEGEND

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 the proposed development

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REQUEST Subdivision, Planned Unit Development, Sidewalk Waiver

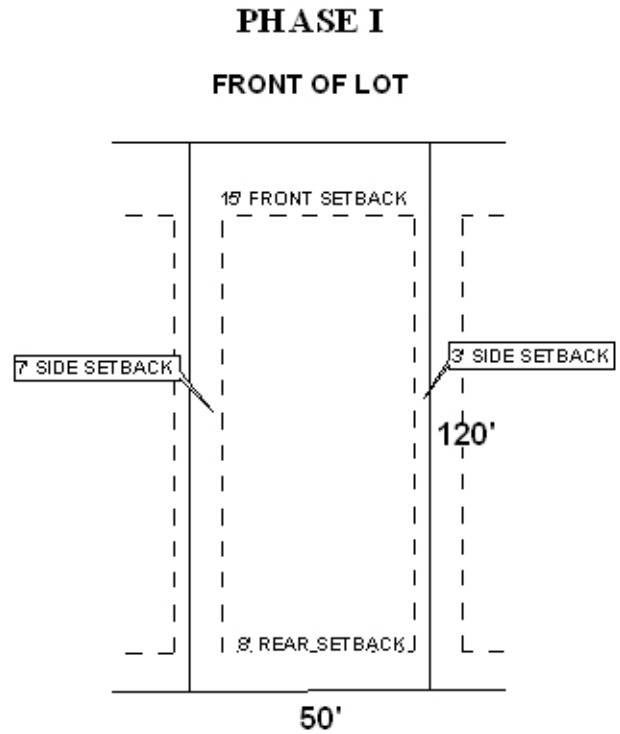
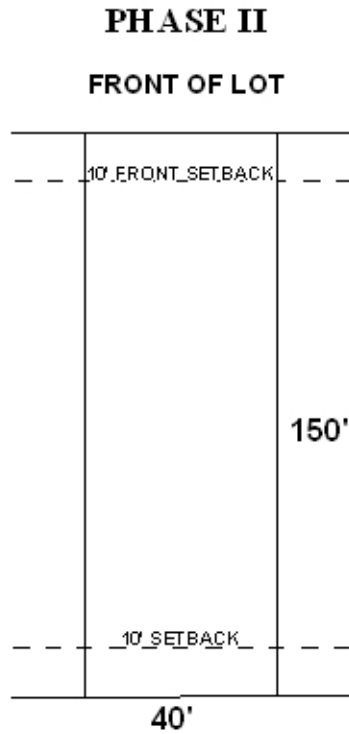
LEGEND

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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TYPICAL LOT LAYOUT



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