

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: April 17, 2008****DEVELOPMENT NAME**

Perch Creek Preserve

SUBDIVISION NAME

Perch Creek Preserve Subdivision

LOCATION

North side of Winston Road, 1100'± West of Dauphin Island Parkway, extending West and South to Perch Creek

**CITY COUNCIL
DISTRICT**

District 4

AREA OF PROPERTY

116 Lots / 85.1± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved PUD, to allow a gated, 20'-wide, aggregate-surfaced private street, single-family residential subdivision with reduced lot widths and sizes, reduced front and side setbacks, and increased site coverage of 50%.

**TIME SCHEDULE
FOR DEVELOPMENT**

Begin late 2008. Completion estimated within nine (9) months.

ENGINEERING**COMMENTS**

No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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 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).

FIRE DEPARTMENT**COMMENTS**

Table D103.4 of the 2003 IFC.

Shall comply with Section 508.5.1, Appendix D 103.4 and

REMARKS

The applicant is seeking Planned Unit Development Approval to allow a gated, 20'-wide, aggregate-surfaced private street, single-family residential subdivision with reduced lot widths and sizes, reduced front and side setbacks, and increased site coverage of 50%., and Subdivision Approval to create 116 Lots on 85.1± Acres. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer.

These applications are similar to applications approved by the Commission in February of this year. The applicant has made revisions to increase the amount of open space; decrease the amount of cleared, paved area, and specifically locate shared drives to maintain a specified green belt buffer between the lots and the paved/traveled way. While similar to the previously approved applications, the differences are significant enough to require approval by the Planning Commission. As the applications are so similar, much of the staff remarks will remain unchanged.

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 narrative submitted with the applications describes the development as a gated community of 116 lots on 85 acres with no direct wetlands impacts. The narrative goes on to state that two of the most beautiful areas on the site are being set aside for the enjoyment of the residents, along with acres of uplands and wetlands being preserved as common areas with use restrictions. Building lots will have to be approved by an Architectural Review Committee, and tree removal allowed only as needed.

A land use summary provided with the applications states that 60 acres of the 85 acre site will remain as Common Open Space. Of those 60 acres, 38 acres are wetlands and creek, and the

remaining 22 acres which are uplands, will include a natural buffer behind each lot and will remain natural with select clearing for nature trails.

The development proposes private streets with a gated entry. The narrative states that the streets are to be 20' for two-way traffic. Surfaces are proposed to be crushed aggregate permeable paving surface with ribbon curb, and asphalt or pavers are to be used at intersections and other areas with heavy turning movements. Driveways are to be permeable, and are to be cleared only to width of 15'. In most cases, driveways are to be shared by adjoining lots.

Lots within the proposed subdivision are to be a minimum of 5500 sq.ft., with a minimum width of 50'. A reduced front setback of 15' is being requested due to much of the private road right-of-way being substantially increased to include a greenbelt buffer. Reduced side yard setbacks of 5' and increased site coverage of 50% are also being increased. All of this is so the houses may be clustered to preserve more open space and enable the preservation of more trees on each lot.

The narrative ends with the statement that preservation, open space, natural common areas and privacy combine to create a true Smart Growth Development.

The site is adjacent to Perch Creek, a navigable waterway and tributary to Dog River. It appears that the site contains wetlands and is located within the "100 year" and "500 year" floodplains. The presence of wetlands and floodplains on the site indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities. Additionally, the entire Perch Creek Preserve Subdivision (all phases) appear to be located within an area subject to hurricane-related storm surges. The minimum finished floor elevation should be indicated for each lot, and the flood zone(s) should be indicated on the plat.

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.

Another issue is that the development proposes a 50' private street right-of-way, as required by the Subdivision Regulations. The surfacing is proposed to be permeable aggregate, instead of the minimum standard asphalt paving required in the Subdivision Regulations. Therefore, waiver of Section VIII.E.2.c would be required.

The proposed private streets exceed the maximum length for a cul de sac or closed end street as stated in the Subdivision Regulations, therefore a waiver of V.B.6 would be required.

While the proposed development is unique to the Mobile area, it would qualify as innovative in that the developer is making every attempt to have a sustainable, eco-friendly development that preserves the natural beauty and features of the property – as stated in Section V.A.4 of the Subdivision Regulations.

RECOMMENDATION

Subdivision: Based upon the preceding, it is recommended that this application be considered under Section VIII of the Subdivision Regulations as an Innovative Subdivision, that Sections VIII.E.2.c and V.B.6 be waived and the plat be granted Tentative Approval subject to the following conditions:

- 1) shall comply with Section 508.5.1, Appendix D 103.4 and Table D103.4 of the 2003 IFC.
- 2) placement of a note on the Final Plat stating that the gate(s) are to be in operation at all times (any cessation of use will void approval as a gated subdivision and require the subdivision be brought up to city public street standards and all streets dedicated to the City of Mobile);
- 3) placement of a note on the Final Plat stating all common areas noted as natural area on the site plan submitted to remain in a natural undisturbed state, (with the exception of nature trails as noted in the narrative - nature trails to be indicated on the final plat) and maintenance of all common areas is to be the responsibility of the property owners;
- 4) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;
- 5) placement of a note on the Final Plat stating that approval of all applicable federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities, revised site plan to be submitted to the Planning Section of Urban Development Department;
- 6) compliance with Engineering Department Comments (No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS illustrates wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on the revised site plans and/or final plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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);
- 7) full compliance with all municipal codes and ordinances.

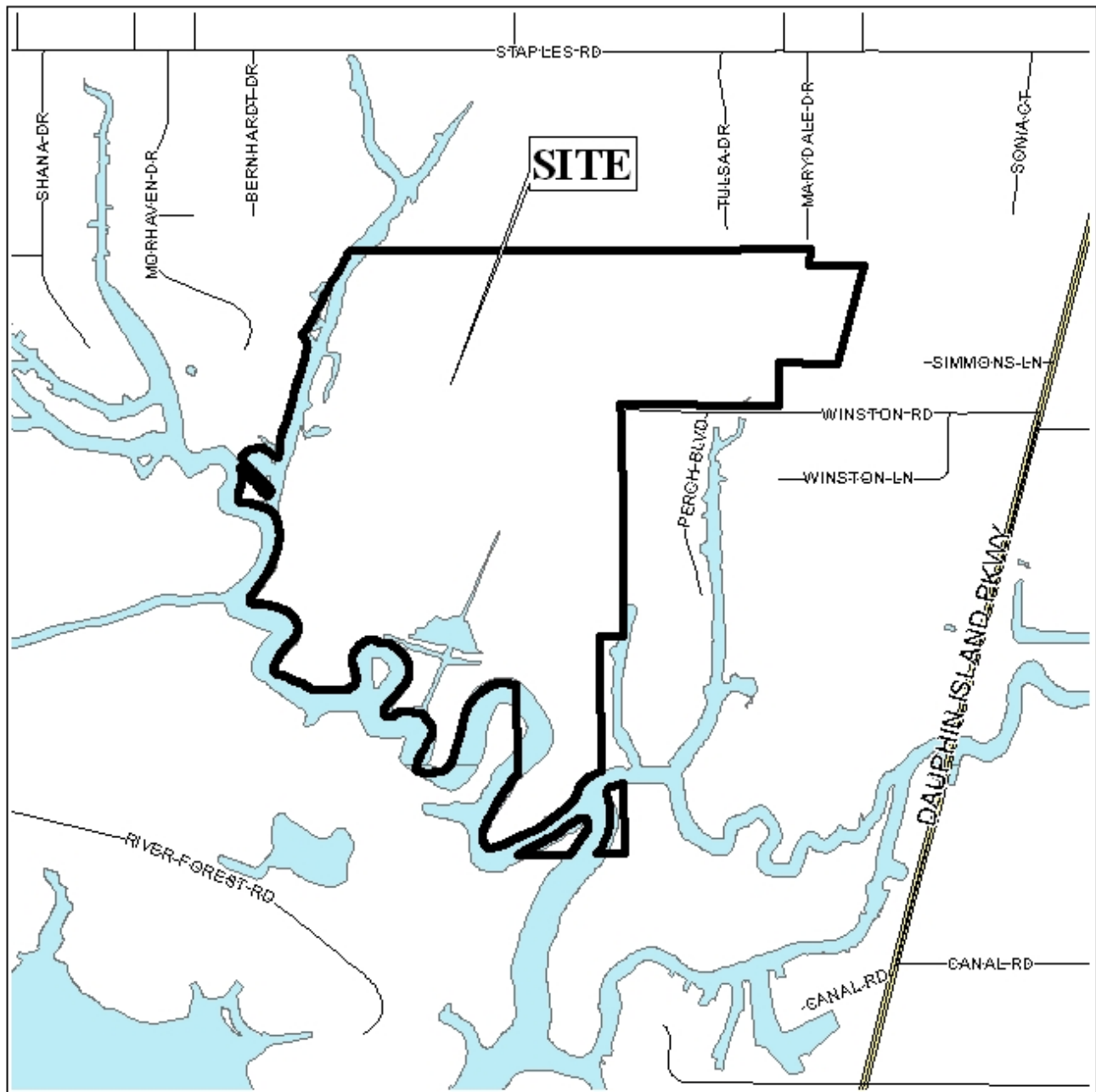
Planned Unit Development: Based upon the preceding, as this subdivision is considered under the Innovative Section of the Subdivision Regulations, it is recommended that this application be approved as a gated private road subdivision, and to allow 20' wide aggregate surfacing as illustrated on the plat submitted, subject to the following conditions:

- 1) shall comply with Section 508.5.1, Appendix D 103.4 and Table D103.4 of the 2003 IFC.
- 2) revision of the PUD plan to include placement of a note on the final plan stating that the gate(s) are to be in operation at all times (any cessation of use will void approval as a gated subdivision and require the subdivision be brought up to city public street standards and all streets dedicated to the City of Mobile) revised plan to be submitted to Planning Section of UDD;
- 3) revision of the PUD plan to include placement of a note on the final plan stating all common areas noted as natural area on the plat submitted to remain in a natural

undisturbed state, (with the exception of nature trails as noted in the narrative - nature trails to be indicated on the final plat) and maintenance of all common areas is to be the responsibility of the property owners, revised plan to be submitted to Planning Section of UDD;

- 4) revision of the PUD plan to include placement of a note on the final plan stating that the approval of all applicable federal, state and local agencies shall be provided prior to the issuance of any permits or land disturbance activities, revised plan to be submitted to Planning Section of UDD;
- 5) revision of the PUD plan to include placement of a note on the plat / site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities, revised plan to be submitted to Planning Section of UDD;
- 6) compliance with Engineering Department Comments (No fill in AE flood plain without flood study. If no fill proposed, add note to plat stating that the existing contour elevations are not to be changed. Minimum finished floor elevation to be obtained from City Engineering Dept. – to be 1' above high water elevation for Hurricane Katrina in this area. Show minimum finished floor elevation on each lot. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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);
- 7) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 35 & 36 DATE April 17, 2008

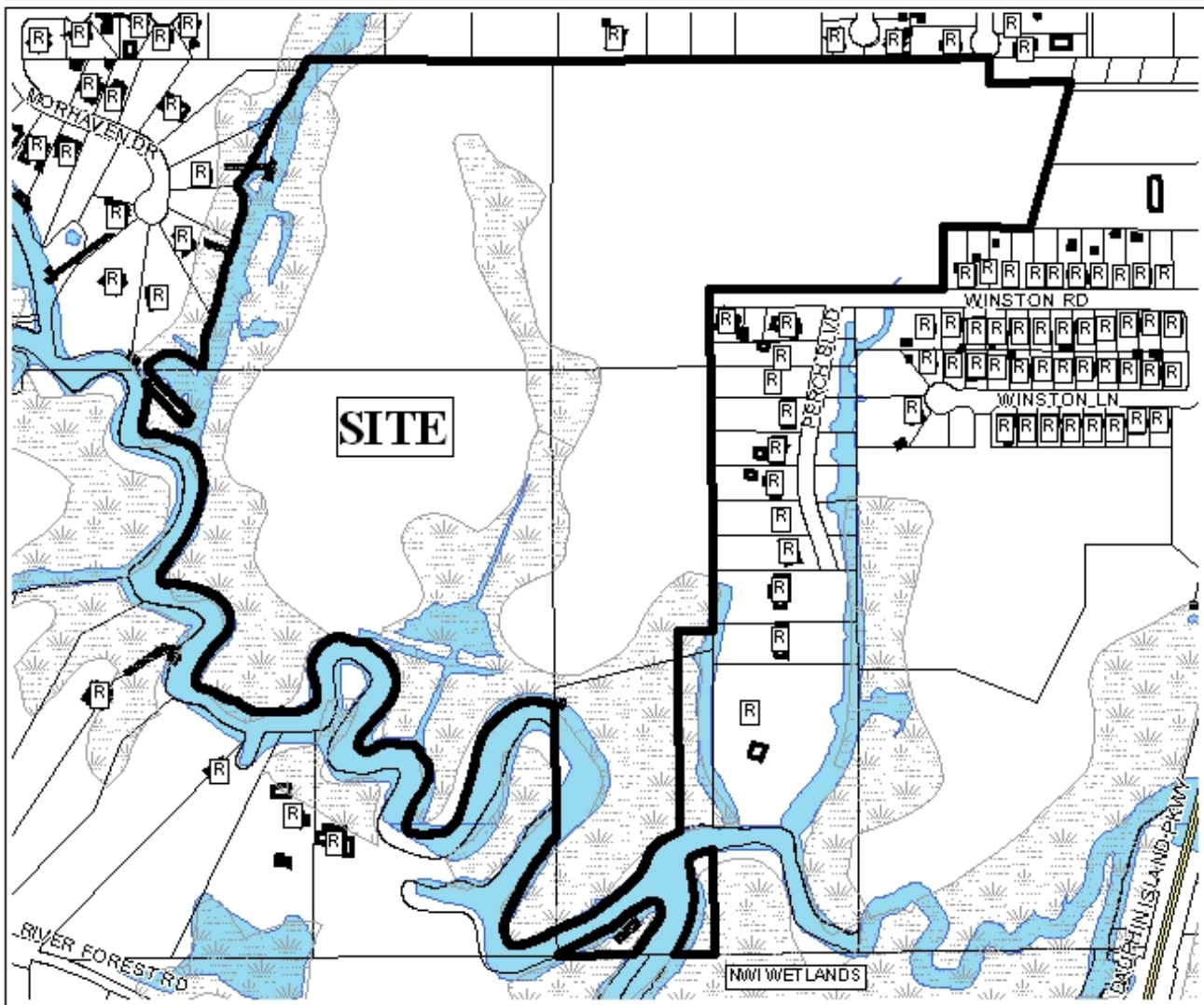
APPLICANT Perch Creek Preserve Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

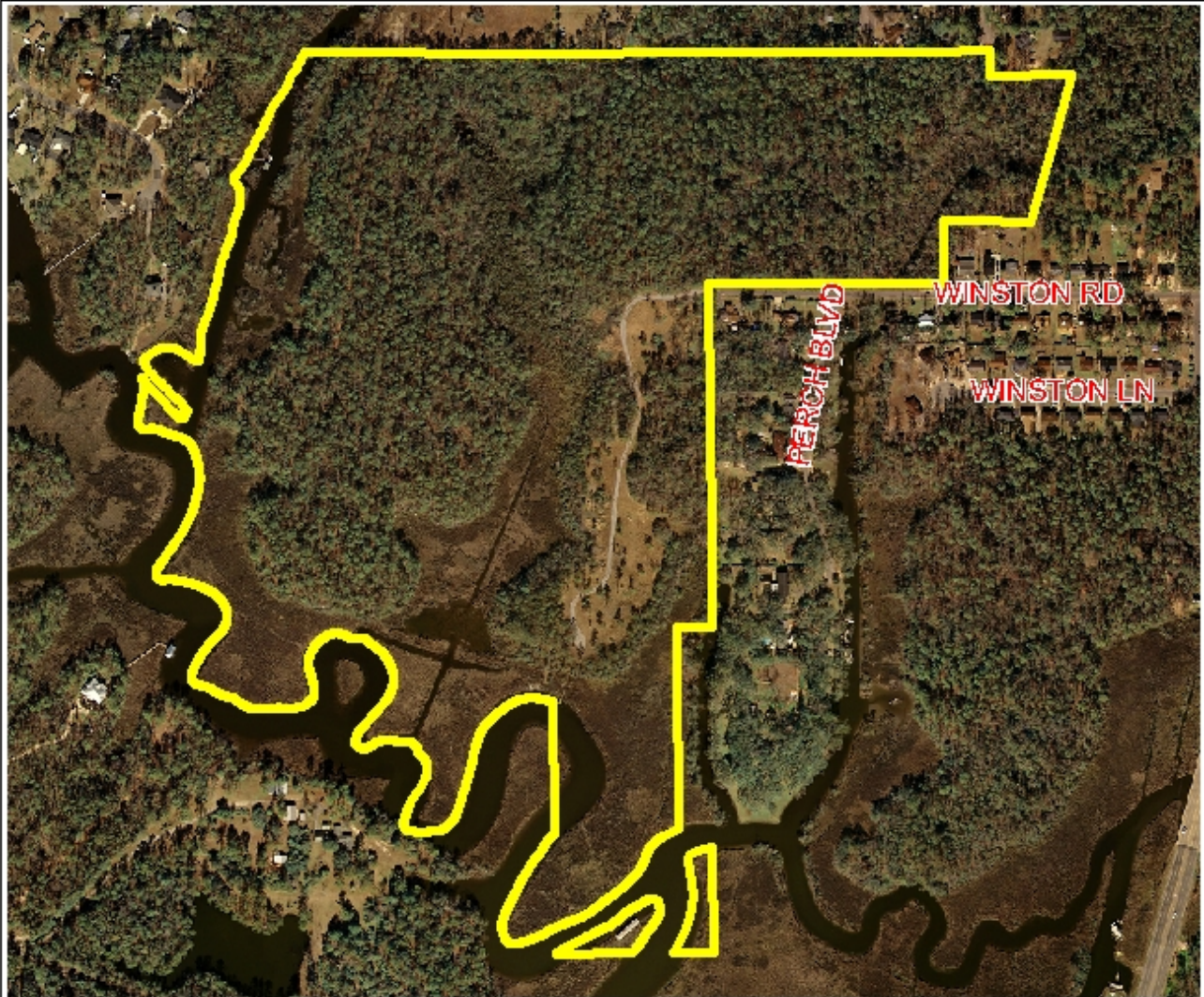
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REQUEST Subdivision, Planned Unit Development

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 NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

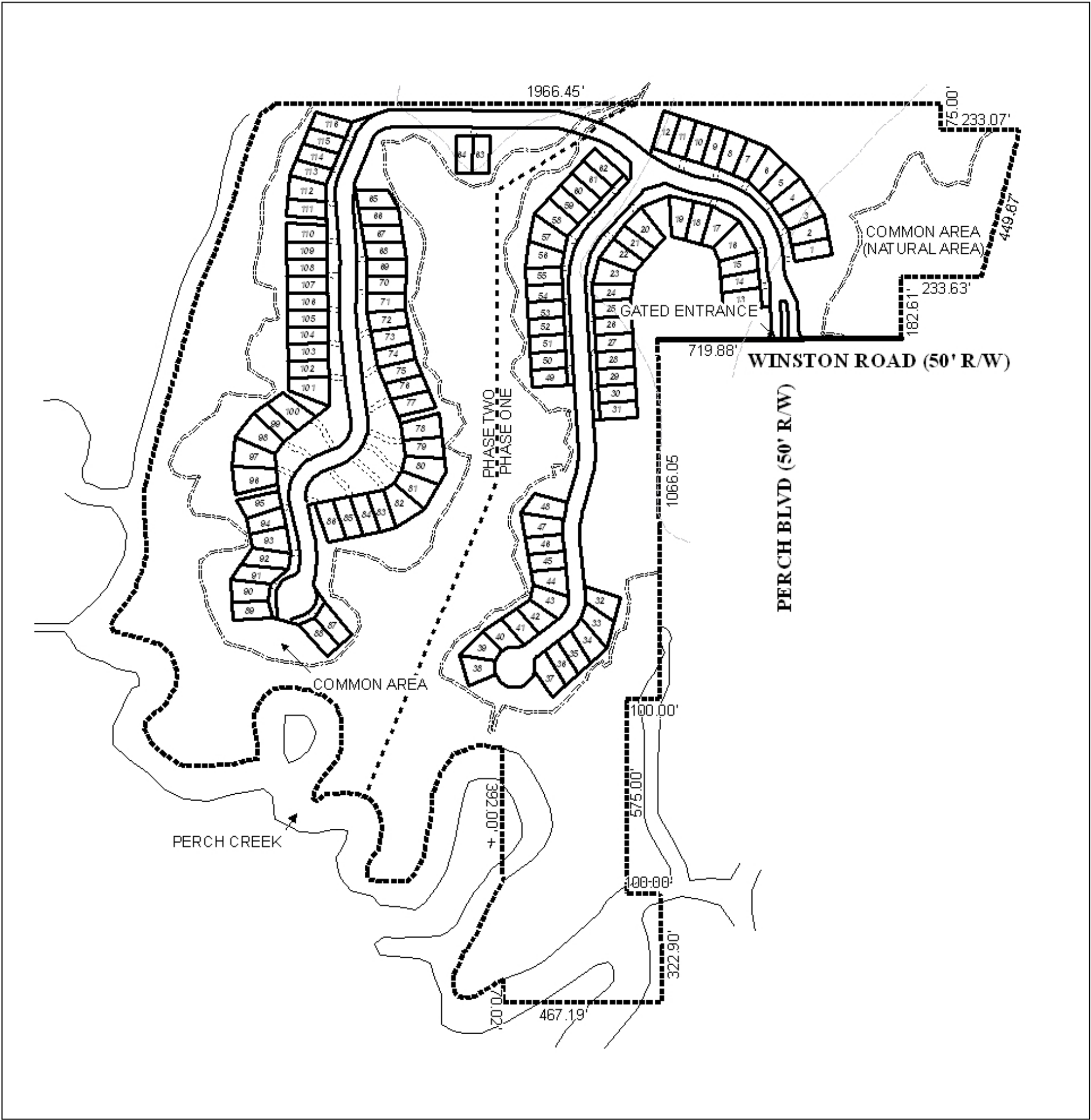
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REQUEST Subdivision, Planned Unit Development

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PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



This site plan illustrates lot configuration.

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REQUEST Subdivision, Planned Unit Development

