



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION
February 11, 2019

D & M Properties, LLC
5721 Hwy 90
Theodore, AL 36582

Re: 5721 & 5723 U. S. Highway 90 West
(East side of U.S. Highway 90 West, 330'± South of Plantation Road).
Council District 4
PUD-000810-2019
D & M Properties, LLC

Dear Applicant(s)/ Property Owner(s):

At its meeting on February 7, 2019, the Planning Commission considered the above referenced Planned Unit Development to allow shared parking between two building sites.

Staff recommends the following Findings of Fact for Approval for the Planned Unit Development:

- a) the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is allowing additional development to occur on a developed lot;
- b) the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the current site has available undeveloped land to build on;
- c) the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because it is allowing the existing business to expand on the existing property;
- d) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because it is utilizing a site that is already developed that is already served with public infrastructure.

This application is recommended for Approval, subject to the following:

- 1) compliance with Engineering comments: *“ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1.Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from ALDOT; and, the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57,*

Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.”

- 2) placement of a note on the site plan stating the following Traffic Engineering comments: *“US Highway 90 West and its Service Road are ALDOT maintained roadways. Site is limited to its existing curb cuts with any changes in size, location and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.”*;
- 3) compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”*;
- 4) compliance with Fire comments: *“All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. 2012 International Fire Code.”*;
- 5) obtain all necessary land disturbance and building permits; and
- 6) full compliance with all municipal codes and ordinances.

Please note that a Planned Unit Development approval by the Planning Commission expires after one year if no permits are obtained.

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By:



Margaret Pappas
Deputy Director of Planning and Zoning

D & M Properties, LLC (PUD)
February 11, 2019

cc: Rowe Surveying