



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

October 9, 2018

David Shumer
3213 Midtown Park South
Mobile, AL 36606

Re: 101 Marine Street & 916 Church Street
(Northeast corner of Church Street and Marine Street extending to the Southeast corner of Marine Street and Government Street).
Council District 2
PUD-000675-2018 (Planned Unit Development)
David Shumer

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

At its meeting on October 4, 2018, the Planning Commission considered Planned Unit Development Approval to allow multiple buildings on a single building site along with off-site parking.

After discussion, the Planning Commission determined the following Findings of Fact for Approval of 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), as it creates a unique restaurant and non-traditional site configuration within a neighborhood;**
- 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 it allows a vacant lot to become a facility that can be utilized by the surrounding neighborhoods and the public;**
- 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 the applicant is developing within the city and capitalizing on vacant land;**

- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the site will not only provide services to neighbors within the area, but can be utilized by all citizens.

The Approval is subject to the following conditions:

- 1) submission of an associated two lot subdivision application, or the provision of a deed for both properties prior to 1952;
- 2) submission of variance requests to the Board of Zoning Adjustment to address the parking lot and tree plantings;
- 3) revision of the site plan to depict the existing right-of-way width of Government Street, and any dedication necessary to provide the 100' right-of-way;
- 4) revision of the site plan to include a note stating the restaurant and bar will operate simultaneously, the bar shall not be open without the restaurant in operation;
- 5) a note should be placed on the site plan stating any exterior work will require permits and approvals from the city's Historic Development Department;
- 6) retention of the 25' minimum building setback lines along Government Street and a portion of Marine Street for the parking lot (property closest to Government Street);
- 7) retention of the 5' minimum building setback lines along Church Street and a portion of Marine Street for the proposed restaurant portion of the site (property closest to Church Street);
- 8) retention of the right-of-way widths for Marine Street and Church Street;
- 9) full compliance with Engineering comments: *"Planned Unit Development: ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer. 2. 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."*;
- 10) placement of a note on the Final Plat stating the following Traffic Engineering comments: *"Government Street (US Highway 90) is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering 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. Revise Note 7 accordingly."*;
- 11) full 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)."*;

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October 9, 2018

- 12) full 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). Fire Code compliant paved access required from both streets.”*;
- 13) provision of two revised Planned Unit Development site plans depicting compliance with these conditions to Planning & Zoning; and
- 14) completion of the Subdivision process (if pre-1952 deeds are not furnished) prior to the issuance of permits.

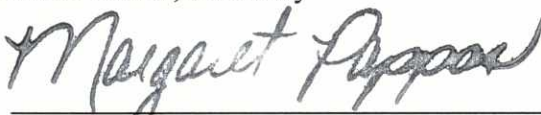
Please note that a Planned Unit Development approval by the Planning Commission expires after one year if no permits are obtained.

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

Cc: Taylor Atchison



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3213 Midtown Park South
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Re: 101 Marine Street & 916 Church Street

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Council District 2

ZON-000676-2018 (Rezoning)

David Shumer

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

At its meeting on October 4, the Planning Commission considered your request for a change in zoning from B-1, Buffer Business District, to R-B, Residential Business District, only for the portion of the site located at the Northeast corner of Church Street and Marine Street (916 Church Street).

At the meeting, the Commission decided to recommend the application for Approval to the City Council, subject to the following:

- 1) submission of a Subdivision application; and**
- 2) full compliance with all municipal codes and ordinances.**

The advertising fee for this application is \$250.75. Upon receipt of this fee, your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

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

cc: Taylor Atchison