



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

August 9, 2019

VWC of Mobile, LLC
dba Voo Doo Wing Company
140 N. College Street, Suite 202
Auburn, AL 36830

Re: 5713 & 5753 Old Shell Road
(Southeast corner of Old Shell Road and Long Street).
Council District 6
PUD-000967-2019
VWC of Mobile, LLC dba Voo Doo Wing Company

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

At its meeting on August 1, 2019, the Planning Commission considered the above referenced Planned Unit Development to amend a previously approved Planned Unit Development to allow shared access and parking between two building sites.

After discussion, the Planning Commission determined the following findings of fact for Approval:

- a) 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 business is already existing and located within a developed area; and
- b) the proposal promotes the objective of public services (to encourage optimum use of available public utilities, streets and community facilities), because no new public infrastructure must be constructed to meet the applicant's needs.

The Approval is subject to the following conditions:

- 1) Full compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpsters;
- 2) Full compliance with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance regarding site and parking area lighting;
- 3) Approval limited to the maximum square footage of food and/or beverage establishments as proposed (8,952 square feet);
- 4) Revision of the site plan to indicate any and all outdoor dining areas;
- 5) 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 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.;
- 6) Compliance with Traffic Engineering comments (Site is limited to its existing curb cuts with any changes in size, location and design to be approved by 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.);
 - 7) 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.);
 - 8) 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)*);
 - 9) Submission of a revised PUD site plan to Planning and Zoning illustrating the revised number of parking spaces (105) and compliance with all conditions; and
 - 10) Full compliance with all other municipal codes and ordinances.

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: South Landing Green, LLC
Element 3 Engineering