



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 2, 2018

American Tower Corporation  
10 Presidential Way  
Woburn, MA 01801

Re: **721 Oak Circle Drive West**  
(East side of Oak Circle Drive West, 350'± North of Cottage Hill Road).  
Council District 5  
**PA-000706-2018**  
**American Tower Corporation**

Dear Applicant(s):

At its meeting on November 1, 2018, the Planning Commission considered Planning Approval to amend a previously approved Planning Approval to allow a communications tower in a B-2, Neighborhood Business District.

**After discussion, the Planning Commission adopted the following Findings of Fact for Approval:**

- a) **the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it should have no impact on any of those items due to the fact that no new structure is proposed in which persons will live or work;**
- b) **the proposal will not cause undue traffic congestion or create a traffic hazard, because there would not be anyone working or residing at the tower site; and**
- c) **the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the proposed tower is similar to the existing tower and no increased site activity is anticipated.**

**The Approval is subject to the following conditions:**

- 1) **revision of the site plan to remove all barbed wire fencing, or provision of documentation to verify such is required by FCC regulations;**
- 2) **revision of the site plan to provide an 8' high wooden privacy fence around the tower compound;**
- 3) **subject to the Board of Zoning Adjustment approval of the associated Height Variance request;**
- 4) **subject to the Engineering comments: [1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will**

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*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.];*

- 5) subject to the 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.];*
- 6) submittal to and approval by Planning and Zoning of two (2) copies of a revised site plan prior to the submittal for land disturbance and building permits; and
- 7) full compliance with all 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**

Jennifer Denson, Secretary

By:



Margaret Pappas  
Deputy Director of Planning and Zoning

cc: American Tower Asset Sub, LLC