



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

September 19, 2022

Carah Hall
McCrory & Williams, Inc.
3207 International Drive
Unit G
Mobile, Alabama 36606

Re: 701 Somerby Drive

(North and East side of Somerby Drive, 365'± East of Cody Road South).

Council District 6

PUD-002183-2022

Berwick Park Subdivision (formerly known as The Arbors at Somerby Park Subdivision)

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow reduced front, rear and side yard setbacks, to include A/C units taller than 3' within 18" of a side property line, and increased site coverage in a proposed subdivision.

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

At its meeting on September 1, 2022, the Planning Commission considered the above referenced Planned Unit Development application.

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

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it is reconfiguring a previous lot to allow a unique development;
- 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 is creating greater variety of housing types within the area;
- 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 site is adjacent to an improved public street and is served by utilities;
- d. the proposal promotes the objective of Open space (*to encourage the provision of common open space through efficient site design*), because the development is still allowing for a large area of common/ open space for the residents in the new community;
- e. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*) adjacent to an improved public street and is served by utilities.

The Approval is subject to the following conditions:

- 1) retention of the PUD notes on the site plan;
- 2) streets will not be gated, as they will be public streets;
- 3) no walls or fences greater than 3' in height are to be built in the setback along Somerby Drive, if not depicted on the PUD site plan;
- 4) retention of the lot sizes in both square feet and acres on the site plan;
- 5) retention of the labels indicating the reduced 20' minimum front yard setback and the 7.5' side yard setbacks on the site plan;

PUD-002183-2022 Berwick Park Subdivision

September 19, 2022

- 6) retention of the right-of-way widths of all streets on the site plan;
- 7) retention of the depiction and labeling of the sidewalks, with sidewalks along Somerby Drive and all common areas to be constructed during street construction;
- 8) compliance with the Engineering comments: *(1. Retain NOTES #4 - #10, as shown on the PUD MAP dated August 16, 2022, SHEET 1 of 1. 2. Revise the Kiosk layout to match the layout shown on the Land Disturbance permit drawings that shows the parking spaces located totally within the Common Area. 3. Relabel each and every drainage easement as "PRIVATE");*
- 9) placement of a note on the site plan stating the Traffic Engineering comments: *(Each lot is limited to one driveway with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, Common Area 8 is limited to one driveway with the size, location, and design to be approved by Traffic Engineering.);*
- 10) compliance with 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
- 11) compliance with the Fire Department 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 apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
- 12) full compliance with all other municipal codes and ordinances; and
- 13) submittal to the Planning and Zoning Department of a revised PUD site plan prior recording of the Final Plat for the Subdivision.

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