

**MOBILE CITY PLANNING COMMISSION  
LETTER OF DECISION**

November 20, 2009

Ben Cummings  
One Houston St.  
Mobile, AL 36606

**Re: Case #ZON2009-002549 (Planned Unit Development)**  
**The Family Pharmacy of Springhill**  
4401, 4413, 4415, 4417, and 4419 Old Shell Road  
(Southeast corner of Old Shell Road and McGregor Avenue).  
Planned Unit Development Approval to amend a previously approved Planned  
Unit Development to allow shared access and parking.

Dear Applicant(s):

At its meeting on November 19, 2009, the Planning Commission considered for Planned Unit Development the site plan to amend a previously approved Planned Unit Development to allow shared access and parking.

After discussion, it was decided to approve this plan subject to the following conditions:

- 1) Provision of a recordable parking agreement between the site and the adjacent church for a minimum period of five years, non-cancelable during that period, said agreement to be approved by the City of Mobile, and recorded by the applicant in the offices of the Judge of Probate for Mobile County;**
- 2) Development limited to include no more than 400 square foot soda fountain and seating, with any increase in the size of the soda fountain seating area subject to new PUD and parking agreement;**
- 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 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 48" Live Oak Tree located on the South side of Lot. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*);**

**The Family Pharmacy of Springhill**

**November 20, 2009**

**Page 2**

- 4) **Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.*); and**
- 5) **Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.**

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

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Dr. Victoria Rivizzigno, Secretary

By: \_\_\_\_\_  
Richard Olsen  
Deputy Director of Planning

cc: Ben Cummings