

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

February 22, 2008

Steven F. Weller
P.O. Box 81235
Mobile, AL 36609

Re: Case #ZON2007-02935 (Rezoning)

Steven F. Weller

Southeast corner of Old Shell Road and East Drive.

Rezoning from R-1, Single-Family Residential, to B-3, Community Business, to allow a retail tire store.

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

At its meeting on February 21, 2008, the Planning Commission considered your request for a change in zoning from R-1, Single-Family Residential, to B-3, Community Business, to allow a retail tire store.

After discussion, it was decided to recommend a modified approval as B-2, Neighborhood Business District in zoning to the City Council subject to the following conditions:

- 1) completion of the Subdivision process prior to the submittal for building permits;**
- 2) the site is limited to one curb-cut onto Old Shell Road, and one curb-cut onto East Drive, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 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 50" Live Oak Tree located on the Northeast portion of the 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.*);**
- 4) provision of appropriate residential buffers required by Section 64-4.D.1. of the Zoning Ordinance, such as a 6-foot high wooden privacy fence or 10-foot wide landscaped buffer;**
- 5) compliance with the site lighting requirements specified in Section 64-4.A.2. and Section 64-6.A.3.c. of the Zoning Ordinance; and**
- 6) full compliance with all other municipal codes and ordinances.**

Steven F. Weller
February 22, 2008
Page 2

The advertising fee for this application is \$198.70. 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
Dr. Victoria Rivizzigno, Secretary

By: _____
Richard Olsen
Deputy Director of Planning

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

February 22, 2008

Steven F. Weller
P.O. Box 81235
Mobile, AL 36609

Re: Case #SUB2007-00337 (Subdivision)
Trax Tires Subdivision
Southeast corner of Old Shell Road and East Drive.
1 Lot / 0.7 \pm Acre

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

At its meeting on February 21, 2008, the Planning Commission approved the above referenced subdivision subject to the following conditions:

- 1) dedication of 10 feet along Old Shell Road, as depicted on the preliminary plat, subject to verification with City Engineering that dedication is required, or revision of the final plat to correct any errors;
- 2) dedication of sufficient right-of-way at the intersection of Old Shell Road and East Drive for radius, in compliance with Section V.D.6. of the Subdivision Regulations, to be approved by Traffic Engineering;
- 3) placement of a note on the final plat stating that the site is limited to one curb-cut onto Old Shell Road, and one curb-cut onto East Drive, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;
- 4) placement of a note on the final plat stating that approval of all applicable federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
- 5) compliance with Urban Forestry comments and placement of those comments as a note on the plat (*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 50" Live Oak Tree located on the Northeast portion of the lot. Any work on or under this tree is to be permitted*

Trax Tires Subdivision
February 22, 2008
Page 2

and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.); and
6) the labeling of the lot with its size in square feet.

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, seven copies of the recorded plat (including map book and page number) must be submitted to the Land Use Administration office. This procedure must be completed within one year, or the Tentative Approval will expire.

It is also requested that a digital copy of the final plat be submitted to the Land Use Administration office once the plat has been submitted to Probate for recording. This may be submitted on disk or via e-mail at travisz@cityofmobile.org.

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: Frank A. Dagley and Associates, Inc.