

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

December 3, 2010

HD 90, LLC
3800 Airport Blvd., Ste 310
Mobile, AL 36608

Re: Case #SUB2010-00127
Theodore Oaks Shopping Center Subdivision
5796, 5808, 5810 and 5812 US Highway 90 West
(Northwest corner of US Highway 90 West and Theodore Dawes Road).
5 Lot / 13.8± Acre

Dear Applicant(s):

At its meeting on December 2, 2010, the Planning Commission considered the above referenced subdivision.

After discussion, the Planning Commission tentatively approved the request, subject to the following conditions:

- 1) dedication of sufficient right-of-way along the U.S. Highway 90 West frontage of Lot 2 to provide 125 feet as measured from the centerline, and placement of the 25' building setback line for Lots 1 and 4 from the future right-of-way line;**
- 2) dedication of sufficient right-of-way along Theodore Dawes Road to provide 50-feet from centerline, except for that portion adjacent to the Mobile County Water, Sewer, and Fire Protection Authority pumping station if the facility must include the property for the existing facility;**
- 3) placement of a note on the final plat stating that the site is limited to its existing curb-cuts [three (3) to U.S. Highway 90 West and seven (7) onto Theodore Dawes Road], with any changes to the size, design, and location of the existing curb-cuts to be approved by Traffic Engineering and ALDOT, and to conform to AASHTO standards.**
- 4) resolution of the lots crossing jurisdictional boundaries so that they are either fully within or fully excluded from the City of Mobile, prior to any attempt to obtain building permits from the City of Mobile or Mobile County;**

Theodore Oaks Shopping Center Subdivision

December 3, 2010

Page 2

- 5) depiction of the 25-foot minimum building setback line from all street frontages, as required by Section V.D.9. of the Subdivision Regulations;
- 6) the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;
- 7) compliance with Engineering comments: *"If utilizing an existing detention system, need Engineer's certification that the detention system is adequately sized for the development and is functioning. Must comply with all stormwater and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right-of-way will require a right-of-way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer;"* and,
- 8) placement of a note on the 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.

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 (1) year, or the Tentative Approval will expire.

It is also requested that a digital copy (DXF or DWG – AutoCAD 2007 compatible) 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: Polysurveying