

**MOBILE CITY PLANNING COMMISSION  
LETTER OF DECISION**

February 4, 2011

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

**Re: Case #SUB2010-00152**  
**Theodore Oaks Shopping Center Subdivision, Phase One**  
5812 U. S. Highway 90 West  
(Northwest corner of U. S. 90 West and Theodore Dawes Road).  
2 Lot / 1.8± Acre

Dear Applicant(s):

At its meeting on February 3, 2011, the Planning Commission considered the above referenced subdivision.

**After discussion, the Planning Commission waived Section V.B.9. of the Subdivision Regulations, and tentatively approved the request, subject to the following conditions:**

- 1) placement and labeling of the minimum building setback line to be 25-feet from the existing right-of-way of U.S. Highway 90 West;**
- 2) placement of a note on the Final Plat stating that the lots are limited to their existing curb-cuts/shared access, 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;**
- 3) compliance with Engineering comments: *(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,**
- 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.**

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](mailto: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 Engineering