

**MOBILE CITY PLANNING COMMISSION  
LETTER OF DECISION**

December 19, 2008

Benny Chinnis  
1641 Conception Street Road  
Mobile, AL 36610

**Re: Case #SUB2008-00239**  
**Papa John's**  
5401 Cottage Hill Road  
(Southwest corner of Cottage Hill Road and Vivian Drive).  
2 Lots / 1.1± Acres

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

At its meeting on December 18, 2008, the Planning Commission approved the above referenced subdivision subject to the following conditions:

- 1) **labeling of the five foot widening strip, along Vivian Drive, as being dedicated to the City of Mobile;**
- 2) **closing of the continuous curb cut along Vivian Drive;**
- 3) **placement of a note on the final plat stating that Lot 1 is limited to two curb-cuts onto Vivian Drive, with the sizes, designs and locations to be approved by Traffic Engineering and in conformance with AASHTO Standards;**
- 4) **placement of a note on the final plat stating that the subdivision is limited to the one existing curb cut to Cottage Hill Road, which is to be shared by the two lots;**
- 5) **labeling of the lots with their sizes in square feet (in addition to acreage), or the provision of table on the plat with the same information;**
- 6) **placement of a note on the plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;**
- 7) **submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to signing the final plat; and**
- 8) **subject to Engineering comments: *(Need to provide a private drainage easement along the south end of proposed Lot 1 to accept drainage from proposed Lot 2. 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. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet).***

**Papa John's**  
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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 (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: Speaks & Associates, Consulting Engineers, Inc.  
Chinnis Holding, LLC

**MOBILE CITY PLANNING COMMISSION  
LETTER OF DECISION**

December 19, 2008

Benny Chinnis  
1641 Conception Street Road  
Mobile, AL 36610

**Re: Case #ZON2008-02841 (Planned Unit Development)**  
**Papa John's Subdivision**  
5401 Cottage Hill Road  
(Southwest corner of Cottage Hill Road and Vivian Drive).  
Planned Unit Development Approval to allow shared access between two building sites.

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

At its meeting on December 18, 2008, the Planning Commission considered for Planned Unit Development the site plan to allow shared access and parking between two building sites.

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

- 1) completion of the subdivision process;
- 2) placement of a note on the site plan stating that Planned Unit Development review is site plan specific; therefore any future changes (parking, structure expansion, etc.,) must be resubmitted for Planned Unit Development review, and be approved through the planning process;
- 3) labeling of the five foot widening strip, along Vivian Drive, as being dedicated to the City of Mobile;
- 4) placement of a note on the site plan stating that Lot 1 is limited to two curb-cuts onto Vivian Drive, with the sizes, designs and locations to be approved by Traffic Engineering and in conformance with AASHTO Standards;
- 5) placement of a note on the site plan stating that the subdivision is limited to the one existing curb cut to Cottage Hill Road, which is to be shared by the two lots;
- 6) revision of the site plan to include information regarding the uses of the site;

- 7) revision of the privacy fence, along the Southern property line, to no taller than three feet within the 25' minimum building setback from Vivian Drive;
- 8) placement of a note on the site plan stating that any lighting for the parking lot shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic, as required by Section 64-6.A.3.c of the Zoning Ordinance;
- 9) provision of a dumpster, screened from view and in compliance with Section 64-4.D.9 of the Zoning Ordinance, or placement of a note on the site plan stating that no dumpster will be provided;
- 10) placement of a note on the site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 11) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to signing the final plat;
- 12) full compliance with all other municipal codes and ordinances; and
- 13) subject to Engineering comments: *(Need to provide a private drainage easement along the south end of proposed Lot 1 to accept drainage from proposed Lot 2. 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. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet).*

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