

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

December 16, 2011

New Day Christian Ministries, Inc.
6900 Howells Ferry Road, #13
Mobile, AL 36618

Re: Case #SUB2011-00134 (Subdivision)
A New Day Subdivision
808 Cody Road North
(East side of Cody Road North, 75'± North of Felhorn Road North)
Number of Lots / Acres: 1 Lot / 7.9 Acres±
Engineer / Surveyor: Rester and Coleman Engineers, Inc.
Council District 7

Dear Applicant(s):

At its meeting on December 15, 2011, with a waiver of Section V.D.3., the Planning Commission tentatively approved the above referenced subdivision, subject to the following conditions:

- 1) **dedication to provide 90' from the centerline of Cody Road to allow for the Major Street Plan requirements and a future 40' parallel service road;**
- 2) **revision of the 25' minimum building setback line to be measured from any required dedication;**
- 3) **labeling of the lot with its size in square feet and acres after any required dedication, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **placement of a note on the Final Plat stating that the lot is limited to one curb-cut to Cody Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **placement of a note on the Final Plat stating that no structures are to be placed within any easements;**
- 6) **placement of a note on the Final Plat stating that the approval of all applicable federal, state, and local agencies will be required for floodplain issues prior to the issuance of any permits;**
- 7) **placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state, and federal**

A New Day Subdivision

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- regulations regarding endangered, threatened, or otherwise protected species; and,
- 8) subject to the Engineering comments: *“50’ is required to be dedicated to public right-of-way for Cody Road (10’) and Cody Road Service Road (40’). The proposed work within the Cody Road ROW (right-of-way) will require a ROW permit from the Engineering Department and must comply with all City of Mobile ROW code and ordinance requirements. Must comply with all stormwater and flood control ordinances. Final width of drainage easement for Three Mile Creek will be determined by City Engineer.”*

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: Rester and Coleman Engineers, Inc.

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

December 16, 2011

New Day Christian Ministries, Inc.
6900 Howells Ferry Road, #13
Mobile, AL 36618

Re: Case #ZON2011-02988 (Rezoning)
New Day Christian Ministries, Inc.
808 Cody Road North
(East side of Cody Road North, 75'± North of Felhorn Road North)
Rezoning from R-1, Single-Family Residential District, and R-3, Multi-Family Residential District, to B-1, Buffer Business District, to eliminate split zoning in a proposed subdivision and allow the construction of a church.
Council District 7

Dear Applicant(s):

At its meeting on December 15, 2011, the Planning Commission considered your request for a change in zoning from R-1, Single-Family Residential District, and R-3, Multi-Family Residential District, to B-1, Buffer Business District, to eliminate split zoning in a proposed subdivision and allow the construction of a church.

After discussion, it was decided to recommend a change in the zoning to the City Council to B-1, Buffer Business District, subject to the following conditions:

- 1) **completion of the Subdivision process prior to requests for permits;**
- 2) **compliance with Section 64-4.A.2. of the Zoning Ordinance pertaining to illumination of uses to ensure that light does not shine directly into adjacent residential properties;**
- 3) **subject to the 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). Coordinate with Urban Forestry the design and construction of the Northern curb cut to minimize impact to the root system of the existing 30” Live Oak Tree. Urban Forestry is not requesting Preservation Status for the three additional large Live Oak Trees along the South property line due to structural defects with the trees;”* and,**
- 4) **full compliance with all other municipal codes and ordinances.**

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The advertising fee for this application is **\$217.45**. 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

cc: Rester and Coleman Engineers, Inc.