



# CITY OF MOBILE

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## MOBILE CITY PLANNING COMMISSION LETTER OF DECISION

SAMUEL L. JONES  
MAYOR

October 9, 2013

CITY CLERK  
LISA LAMBERT

HD 90, LLC  
P. O. Box 16146  
Mobile, AL 36616

Re: Case #ZON2013-02185

**HD 90, LLC**

5796 U.S. Highway 90 West

(West side of U.S. Highway 90 West, 615'± North of Theodore Dawes Road).

Planned Unit Development Approval to allow shared access and parking.

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

At its meeting on October 3, 2013, the Planning Commission considered for Planned Unit Development Approval to allow shared access and parking.

After discussion, it was decided to approve the above referenced Planned Unit Development subject to the following conditions:

- 1) revision of the site plan to provide a compliant City-standard public sidewalk within the frontage right-of-way of the proposed development, or the submission of a Sidewalk Waiver Application;
- 2) compliance with Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance regarding site lighting;
- 3) compliance with the Engineering comments: *[1) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permits are required for this proposed project. 2) Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff*

- Control. 3) A complete set of Construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4) Must comply with all Engineering Department Policy Letters: i.) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System) ii.) 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) iii.) 3-18-2004 Policy Letter (Additional subdivision street requirements).];*
- 4) compliance with the Traffic Engineering comments: *(U.S. Highway 90 is an ALDOT roadway. Driveway number, size, location, and design to be approved by ALDOT (Highway 90 only) and Traffic Engineering and conform to AASHTO standards. Owner/Developer will be required to provide documentation to the City from ALDOT to confirm their review and approval of the site prior to issuance of a Land disturbance permit. The new layout of the site affects parking and access aisles on Lot 2 of the PUD as the drive-thru is now further west on the property. Additional information needs to be provided to ensure that the overall site circulation is not negatively impacted by the changes on the Hardee's property);*
  - 5) compliance with 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). Preservation status is to be given to the 55" Live Oak Tree located on the North East side of Lot 2. 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);*
  - 6) compliance with the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
  - 7) full compliance with all other municipal codes and ordinances; and
  - 8) submittal of 2 (two) copies of a revised site plan to Planning reflecting all conditions of approval prior to the submittal for development permits.

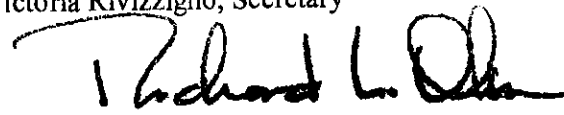
If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Dr. Victoria Rivizzigno, Secretary

By: \_\_\_\_\_



Richard Olsen  
Deputy Director of Planning

cc: Rowe Surveying & Engineering Company, Inc.