



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

January 2, 2020

Byrd Surveying, Inc.  
2609 Halls Mill Road  
Mobile, AL 36606

**Re: 3703 Old Shell Road**  
(Southwest corner of Old Shell Road and Wacker Lane South).  
Council District 7  
**SUB-001084-2019**  
**Chinaberry Subdivision**  
**Number of Lots / Acres:** 1 Lot / 0.5± Acre

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

At its meeting on December 19, 2019, the Planning Commission considered the above referenced subdivision.

After discussion, the Planning Commission waived Sections V.B.14., V.B.16., V.D.6. and V.D.9. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) **Revision of the plat to depict a 25-foot setback along the Old Shell Road frontage, or as may be approved by the Board of Zoning Adjustment, if requested;**
- 2) **Revision of the plat to depict a 20-foot setback along the Wacker Lane South frontage;**
- 3) **Coordination with the City Engineer regarding any corner radius is requirements;**
- 4) **Compliance with Traffic Engineering comments, and placement of the comments as a note on the final plat (*Lot is denied access to Old Shell Road and limited to one curb cut to Wacker Lane with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*);**
- 5) **compliance with Engineering comments (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic*)**

*Engineer) at the northeast corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate and Signature. F. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #74) LOT 1 will receive 1,500 sf of historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). H. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. I. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. M. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.);*

- 6) Compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and*
- 7) Compliance with Fire comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)).*

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 Planning and Zoning Department office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

Please also submit a CAD compatible (DXF) digital copy of the final plat to the Planning and Zoning Department office once the plat has been submitted to Probate for recording. This may be submitted on disk, flash drive, memory stick, or via e-mail to [planning@cityofmobile.org](mailto:planning@cityofmobile.org).

**Chinaberry Subdivision SUB-001084-2019**  
**January 2, 2020**

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

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Ms. Jennifer Denison, Secretary

A handwritten signature in black ink, appearing to read "Margaret Pappas", is written over the typed name and title.

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

Margaret Pappas  
Deputy Director of Planning and Zoning

cc: BRPC Holdings, LLC