



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

September 20, 2024

Timothy D. Lawley
Sawgrass Consulting, LLC.
30673 Sgt. E.I. Boots Thomas Drive
Spanish Fort, Alabama 36527

Re: 2301 McFarland Road
SUB-003039-2024
Anglebrook Subdivision, Phase 2
Tim Lawley, P.E., Sawgrass Consulting, LLC
District 6
Subdivision of 48 lots, 3.28± acres

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

At its meeting on September 19, 2024, the Planning Commission considered the above referenced application.

After discussion the Planning Commission waived Sections 6.C.2.(b)(2) and 6.C.3. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Revision of the plat to label each lot with its size in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
2. Retention of the 15-foot minimum building setback line on the Final Plat;
3. Revision of the plat to illustrate turnarounds at the end of each private street extension, each with adequate diameter as determined by the City Engineer and in compliance with International Fire Code requirements per Section 6.B.9;
4. Placement of a note on the Final Plat stating that the streets are privately maintained and that there shall be no public right-of-way, per Sections 9.D.1(b)(5) and 9.D.1(b)(7);
5. Placement of a note on the revised plat stating that if the private streets are ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the streets up to the prevailing standards shall be assessed to the property owner(s) at the time the private streets are dedicated, and that said assessment shall run with the land to any subsequent property owners, per Section 9.D.1(b)(9) of the Subdivision Regulations;
6. Per Section 9.D.1(b)(6), prior to signing of the plat, the applicant is to present a legal document to the Planning and Zoning Department to run as a covenant with the land providing for continuing maintenance of the private streets by an owners' association, or other entity, granting rights of ingress and egress for emergency and utility maintenance vehicles, and holding harmless the city

from damages to any owner within the subdivision arising, or which may arise, out of the existence of the private streets. This document shall be approved by the City Attorney or their designee as to form and legality and shall be properly executed and recorded simultaneously with the Final Plat in the records of Mobile County Probate Court;

7. In compliance with Section 9.D.1(b)(8), a sign shall be posted and maintained at the entrance to the private streets with the street names and identifying them as private streets, per Manual on Uniform Traffic Control Devices (MUTCD) standards with blue backgrounds and white legends. The signs shall be made to city standards, and the names of the private streets must be approved by the City Engineer;
8. Revision of the plat to label all Common Areas with their sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
9. Placement of a note on the Final Plat stating that the maintenance of all Common Areas is the responsibility of the property owners;
10. Revision of the plat to depict utility easements acceptable to the appropriate provider of utilities within the subdivision, per Section 9.1(b)(4) of the Subdivision Regulations;
11. Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without permission from the easement holder;
12. Completion of the Rezoning process prior to signing the Final Plat;
13. Compliance with all Engineering comments noted in the staff report;
14. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
15. Compliance with all Urban Forestry comments noted in the staff report; and,
16. Compliance with all Fire Department comments noted in the staff report.

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, a digital copy of the recorded plat (both CAD compatible [DXF] and pdf) must be submitted to the Planning and Zoning Department office. This may be submitted on disk, flash drive, memory stick, or via e-mail to planning@cityofmobile.org. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Jennifer Denson, Secretary

By:


Bert Hoffman
Deputy Director of Long Range Planning



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

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Timothy D. Lawley
Sawgrass Consulting, LLC.
30673 Sgt. E.I. Boots Thomas Drive
Spanish Fort, Alabama 36527

Re: 2301 McFarland Road
ZON-UDC-003038-2024
Anglebrook Subdivision
Tim Lawley, P.E., Sawgrass Consulting, LLC
District 6
Rezoning from Single-Family Residential Suburban District (R-1) to Multi-Family Residential Suburban District (R-3).

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

At its meeting on September 19, 2024, the Planning Commission considered the above referenced application.

After discussion, the Planning Commission determined the following criteria prevail to support rezoning of the property to R-3, Multi-Family Residential Suburban District:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan;
- B) Mistake. There was a mistake or error in the original zoning map; and
- C) Compatibility. The proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) The amendment would not adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- D) Health, Safety and General Welfare. The proposed amendment promotes the community's public health, safety, and general welfare.
- E) Capacity. The infrastructure is in place to accommodate the proposed amendment; and,

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- F) Change. Changed or changing conditions in a particular area make an amendment necessary and desirable.
- G) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of rezoning the property to R-3, Multi-Family Residential Suburban District, subject to the following conditions:

1. Completion of the Subdivision process;
2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and,
3. Full compliance with all municipal codes and ordinances.

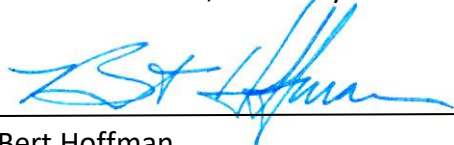
The advertising fee for this application based on the current legal description is \$343.52. Upon receipt of this fee (*check made out to the "City of Mobile"*), your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION

Jennifer Denson, Secretary



Bert Hoffman

Deputy Director of Long Range Planning