



PLANNING
DEPARTMENT

CITY OF PRATTVILLE

JIM BYARD, JR.
MAYOR

CITY COUNCIL

DEAN R. ARGO
PRESIDENT
DISTRICT 3

TOM MILLER
PRESIDENT PRO TEMPORE
DISTRICT 4

BILL GILLESPIE, JR.
DISTRICT 1

WILLIE WOOD, JR.
DISTRICT 2

MIKE RENEGAR
DISTRICT 5

RAY C. BOLES
DISTRICT 6

NATHAN D. FANK
DISTRICT 7

City of Prattville Planning Commission

The minutes of the April 15, 2010 meeting of the City of Prattville Planning Commission were approved.



Reuben Gardner, Chairman

6/17/10

Date



PLANNING
DEPARTMENT

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DISTRICT 2

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DISTRICT 5

RAY C. BOLES
DISTRICT 6

NATHAN D. FANK
DISTRICT 7

CITY OF PRATTVILLE PLANNING COMMISSION

AGENDA
April 15, 2010
3:00pm

Call to Order:

Roll Call:

Mayor Byard, Councilman Miller, Chairman Gardner, Vice-Chairman McAuley, Chief Brown, Mrs. Carpenter, Mr. Hall, Mr. Nelson, and Mr. Smith.

Minutes:

None

Old Business:

1. **Rezoning: R-2 (Single Family Residential to R-3 (Single Family Residential)** *Held 3/18*
Old Ridge Road *District 3*
Garden Park, LLC, Petitioner
2. **Sketch Plan (Revised): Pendlebrook Subdivision** *Held 3/18*
Located on Old Ridge Road-North of Riverchase North *District 3*
Owner: Joe Watkins, Garden Park, Inc.
Engineer: Barrett-Simpson, Inc.
3. **Sketch Plan: Lake Haven Plat #3** *Held 3/18*
Located on Lake Haven Way *District 4*
Owner: CVJGJ Land Development, LLC
Engineer: Jeffcoat Engineers & Surveyors, LLC

New Business:

4. **Rezoning: B-4 (Highway Commercial) & FAR (Forest, Agriculture, Recreation) to B-2 (General Business)** *Public Hearing*
2189 Cobbs Ford Road *District 4*
Murphy Oil, USA, Inc., Petitioner

Miscellaneous:

Adjourn:

**CITY OF PRATTVILLE PLANNING COMMISSION
MINUTES
April 15, 2010**

Call to order:

The meeting of the Prattville Planning Commission was held on April 15, 2010. Vice-Chairman Roy McAuley called the meeting to order at 3:00 p.m.

Roll Call:

The secretary called the roll. Present: Vice-Chairman Roy McAuley, Chief Terry Brown, Mrs. Paula Carpenter, Mr. Gene Hall, Mr. Bobby Nelson and Mr. Tim Smith. Absent: Mayor Jim Byard, Councilman Tom Miller, and Chairman Reuben Gardner.

(Quorum present)

Staff present: Mr. Joel Duke, City Planner; and Ms. Alisa Morgan, Secretary.

Minutes:

None

Old Business:

- 1. Rezoning: R-2 (Single Family Residential to R-3 (Single Family Residential)
Old Ridge Road
Garden Park, LLC, Petitioner**

Chairman McAuley stated that the committee met with the developers of Old Ridge Road (April 6, 2010). The petitioner is currently working on making revisions to the rezoning and sketch plan and will present them at a later time.

Mr. Nelson moved to hold indefinitely. Mrs. Carpenter seconded the motion. The motion to hold indefinitely passed unanimously.

- 2. Sketch Plan (Revised): Pendlebrook Subdivision
Located on Old Ridge Road-North of Riverchase North
Owner: Joe Watkins, Garden Park, Inc.
Engineer: Barrett-Simpson, Inc.**

Mr. Nelson moved to hold indefinitely. Mrs. Carpenter seconded the motion. The motion to hold indefinitely passed unanimously.

- 3. Sketch Plan: Lake Haven Plat #3
Located on Lake Haven Way
Owner: CVJGJ Land Development, LLC
Engineer: Jeffcoat Engineers & Surveyors, LLC**

Mr. Nelson introduced a resolution recommending approval of the sketch plan of Lake Haven Plat #3 and moved for its approval. Mr. Hall seconded the motion.

Guthrie Jeffcoat, petitioner representative, presented the submitted sketch plan. He stated that the cul-de-sac is over the required 1000' as allowed by the city's subdivision regulations by 1350'. He

stated that with the support of a variance for the overage, they (the developers) are willing to place a home sprinkler system in each of the 47 lots.

Mr. Duke presented the staff report of the sketch plan of Lake Haven Plat #3. He stated that if approved, a subdivision regulation variance will be required at preliminary plat approval for the cul-de-sac to exceed 1000'. He stated that other items that should be addressed prior to preliminary plat approval are: 1) Obtain Corps of Engineers approval for wetland alteration/filling. 2) Obtain a Conditional Letter of Map Revision (CLOMR) from FEMA. 3) Clear understanding of the owners (homeowners association) ability to maintain the lake and dam.

The motion to approve passed by 4/2 vote as recorded. Favor: Chief Terry Brown, Mrs. Carpenter, Mr. Hall, and Mr. Tim Smith. Oppose: Vice-Chair McAuley and Mr. Nelson.

New Business:

- 1. Rezoning: B-4 (Highway Commercial) & FAR (Forest, Agriculture, Recreation) to B-2 (General Business)
2189 Cobbs Ford Road
Murphy Oil, USA, Inc., Petitioner**

Mr. Wayne Gibbs of Murphy Oil, USA, Inc., introduced the rezoning request and introduced the representative of the project, Mr. Ron Bordelon.

Ron Bordelon, petitioner representative, presented the plan and purpose of the request for rezoning. He stated that they plan to open a fuel station/convenient store on property.

Vice-Chair McAuley opened the public hearing.

Michael Mulcady, 1288 Cobbs Ford Road, inquired about the potential changes and impact that would affect the area with the proposed use.

Ray Boles, 2201 Cobbs Ford Road, owner of Prattville Carpet, stated that he was the adjacent property owner that would most likely be affected. He stated that he was in support of the request and would work with the property owner to be a good neighbor.

An e-mail letter received from **Pastor Rick Mason representative of Christ Lutheran Church** in objection to the request is attached and made a part of the minutes.

After no further comments, Vice-Chair McAuley closed the public hearing.

Chief Brown introduced a resolution recommending approval of the rezoning of property at 2189 Cobbs Ford Road from B-4 and FAR to B-2 and moved for its approval. Mr. Nelson seconded the motion.

Mr. Duke presented the staff report. He stated that the petitioner is proposing to rezone one (1) acre of the 1 ½ acre lot. The proposed zoning is consistent with the proposed use of a gas station/convenience store. Also, it is consistent with the comprehensive plan and with the existing surrounding uses. He made recommendation that the entire 1 ½ acre be included in the rezoning. The petitioner is agreeable to including the entire 1 ½ acre lot in the rezoning. He concluded that the proposed zoning would not negatively impact the area.

Mrs. Carpenter moved to amend the resolution to require that the entire 1 ½ acre parcel is included in the rezoning. Mr. Smith seconded the motion.

The motion to amend passed unanimously.

The amended motion passed unanimously.

Miscellaneous:

Adjourn:

The meeting was adjourned at 3: 35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alisa Morgan".

Alisa Morgan, Secretary
Planning Commission

Prattville Planning Commission
Sign-In Sheet
4/15/10
3:00 p.m.

Name	Address
1. Michael Mulcahy	1288 CR #J 36067
2. Ray Bolt	2201 Cobbs Ford Rd.
3.	
4.	
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19.	
20.	

RESOLUTION

Sketch Plan

Lake Haven Subdivision Plat 3

March 18, 2010

Whereas, CVJGJ Land Development, LLC is the owner of Lake Haven Subdivision Plat 3; and

Whereas, the proposed development is located at the east end of Poplar Street, Lake Haven Way south of Windstone Way and north of East Main Street; and

Whereas, the proposed development is located inside the city limits; and

Whereas, the city department heads have reviewed and commented on the proposed development.

Now, Therefore, Be It Resolved, that the City of Prattville Planning Commission hereby gives its favorable review of the submitted sketch plan of Lake Haven Subdivision Plat 3.

APPROVED:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed by 4/2 vote as recorded. Favor: Chief Terry Brown, Mrs. Carpenter, Mr. Hall, and Mr. Tim Smith.
Oppose: Vice-Chair McAuley and Mr. Nelson.
4/15/10

CITY OF PRATTVILLE
Planning Commission

Planning Department Staff Report



SKETCH PLAN Lake Haven Subdivision – Plats 3 –
(Planning Department Submission 100004)

DATE March 12, 2010

PROPOSED DEVELOPMENT

Petitioner: CVJGJ Land Development, LLC
Property Owner: CVJGJ Land Development, LLC
Agent: Jeffcoat Engineers and Surveyors, LLC
Location: East end of Poplar Street, Lake Haven Way south of Windstone Way and north of East Main Street. See attached map.

Development Status and History

Submission Status: Second submission by current owner. Previously submitted and reviewed as CVJGJ Land Development, LLC Property (April 2009) Ricky Glenn Property (June 2004) and Lake Haven Subdivision (December 1996). Proposed sketch plan covers the remaining 55 acres of the original 91 acres.

Previous Approvals: Revised Lake Haven Sketch Plan, December 19, 1996 and Ricky Glenn Property, June 3, 2004.

Conditions of Previous Approvals: Lake Haven Way may be connected to East Main Street if appropriate turning and deceleration lanes are constructed (June 2004).

Property Configuration

Acreage: 54.98 acres

Proposed Number of Lots and Configuration: 47 single-family residential lots configured along a southward extension of Lake Haven Way ending in a cul-de-sac near East Main Street

The sketch plan also includes three non-buildable lots. Lot A is the existing 7.25 acre lake created with original Lake Haven Subdivision. Lot B is a 25.30 acre non-buildable lot stretching from the southern end of Lot A to East Main Street with Pine Creek running through the center. Lot C is a 1.06 acre parcel located within the boundary of Lot B

reserved for storm water detention.

- Proposed Use:* Single-family residential – average lot size 16,550 ft²
- Current Zoning:* R-2, Single-family residential. Minimum lot size 10,500 ft²
- Required Zoning:* Lots sizes can be accommodated in FAR, R-1 or R-2 classification.
- Surrounding Developments and Uses:* The proposed subdivision is surrounded by medium to large lot single family residential. To the west are Lake Haven, Plat 1 along Scott Lane and plats in the Woodland Heights subdivision along Shady Oak Drive. To the east and north are Lake Haven, Plat 2 and the Silver Hills subdivision. To the east at the southeast corner is New Vision Baptist Church. To the south and across East Main Street is forested vacant property recent acquired by the City of Prattville as open space.
- Street Extensions or New Streets:* The proposed development contains one street extension. Lake Haven Way is extended south from its current stub south of Windstone Way 2,350' to a cul-de-sac near East Main Street.
- Developer is requesting a variance to the 1,000' maximum cul-de-sac length established by city regulation. See developers letter of February 16, 2010 included as Attachment 3. CVJGJ Land Development, LLC is offering to require by covenant that structures built on each of the subdivision's 47 lots include fire suppression sprinklers in accordance with the *2009 International Building Code*.
- Water and Sewer:* Potable water is available to the proposed subdivision by Prattville Water Board mains in the Lake Haven 2 and Woodland Heights subdivisions.
- The City of Prattville's 24" Pine Creek interceptor main runs north to south through the property with several smaller trunk lines branching to the east.
- Sufficient water and sewer capacity exists to serve the proposed subdivision.

Unique Features: Pine Creek runs length of the subject property entering between the ends of East Poplar Street and Poplar Street. Features associated with the creek include a 7.25 lake created with Plat 2 of Lake Haven subdivision and a 400' to 500' wide floodplain extending either side of the main creek channel. See Attachment 4 for approximate floodplain boundary.

The site contains U.S. Army, Corps of Engineers regulated wetlands in separate areas. A 6.14 acre wetland is located on the east bank of the creek along the west side of the Lake Haven Way extension. A 1.96 acre tract is located on the southern boundary at East Main Street.

12.77 acres containing the Pine Creek channel and a portion of the floodplain and running south from the dam to East Main Street is reserved as Lot B, a common area for use by a homeowners association.

PLANNING STAFF EVALUATION

Reviewed by: Joel T. Duke, AICP
City Planner

Site Visits Conducted: March 10, 2010

Recommendation: Approval with conditions to be met prior to submission for preliminary plat consideration.

Staff Comments:

When a sketch plan for this property was considered by the Commission in the spring and summer of 2009, the southward extension of Lake Haven Way generated the most concern among city staff and Commissioners. The extension was presented by CVJGJ Land Development in various versions of the sketch as a 2,300' cul-de-sac or a through street connection to East Main Street. City staff and some Commissioners objected to an additional ingress/egress to East Main Street. Even with the subject property's numerous limitations created by topography, wetlands and the Pine Creek floodplain, most Commissioners were reluctant to approve a cul-de-sac at greater than 1,000'. Both versions were ultimately rejected by the Commission and the sketch plan was withdrawn from consideration.

The presented sketch plan returns to the concept of a 2,300' cul-de-sac terminating near East Main Street. Using the cul-de-sac eliminates many of the concerns raised with an East Main Street intersection: increased congestion on East Main Street, potential for

accidents at the intersection and traffic speeds on the Lake Haven Way extension. The current sketch plan proposal reduces the number of lots from sixty-two to forty-seven with twenty-one lots located past the 1,000' point of the cul-de-sac. To mitigate any issues created by the 2,300' cul-de-sac, the developer has also offered to require the installation of fire suppression sprinklers in each residential structure built in the subdivision. If the subject property is developed, the cul-de-sac proposal generates the fewest issues. A subdivision regulation variance will be required at preliminary plat approval for the cul-de-sac to exceed 1,000'

The following Planning Department staff comments should be addressed by the developer prior to submission for preliminary plat approval.

1. Obtain Corps of Engineers approval for wetland alteration/filling.
2. Conditional Letter of Map Revision (CLOMR) must be obtained from FEMA. Area of study/revision shall be the area between the Lake Haven dam and East Main Street.
3. The cul-de-sac of greater than 1,000' will require a Planning Commission variance.
4. The proposed sketch includes 25.37 acres to be platted as common area. The area is divided into 12.77 in the Pine Creek floodplain, 7.25 in the lake, and 5.35 acres in wetlands. According to the plat these areas will be deeded to a homeowners association. Consideration should be given to how the area will be maintained during the subdivision maintenance period and following a transfer to an association. In addition, the Commission should examine the willingness and ability of the homeowners association to maintain the lake and dam. The developer should be able to address the following questions:
 - a. Will the homeowners association be comprised of only the 47 lots in the proposed Lake Haven Subdivision, Plat 3? Will any of the previously platted lots be included?
 - b. What is the expected maintenance cost of the lake and dam? What additional amenities will be provided and maintained by the homeowners association? What are the dues per lot required to address the annual maintenance cost?
 - c. The previous owner of the subject property and the homeowners in Lake Haven, Plats 1 and 2 were recently involved in a lawsuit concerning amenities that were not provided. What is the status of that lawsuit? Is any of the property in the proposed common area involved in the lawsuit?

COMMENTS FROM OTHER CITY DEPARTMENTS

See Staff Comment Letter (Attachment 5)

ATTACHMENTS

1. Location Map
2. Sketch Plan
3. Developer Letter, February 16, 2010
4. Floodplain Boundary Map
5. Staff Comment Letter

**PRATTVILLE
PLANNING COMMISSION**

**Lake Haven Subdivision
Revised Sketch Plan**

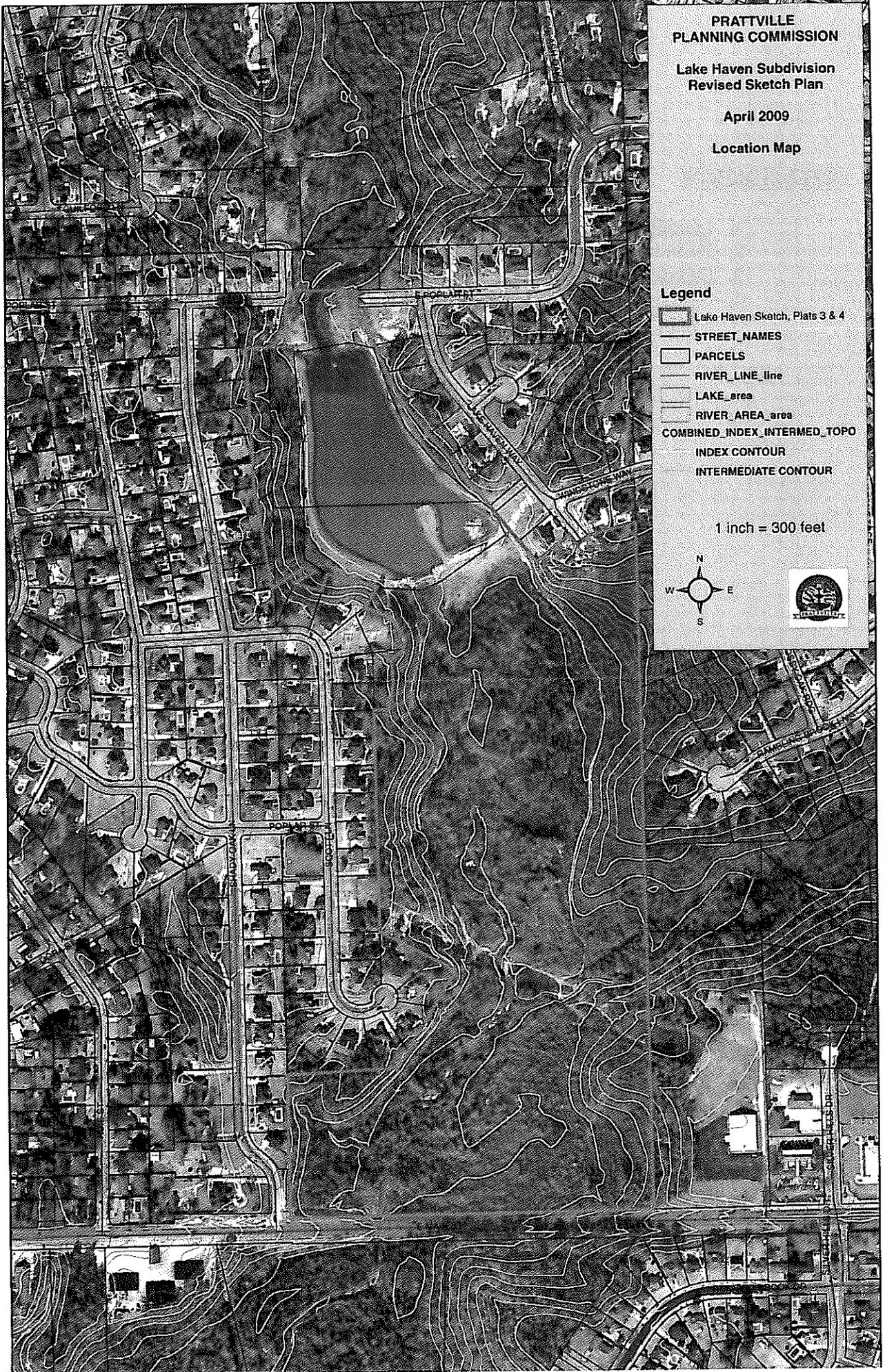
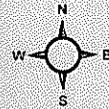
April 2009

Location Map

Legend

-  Lake Haven Sketch, Plats 3 & 4
-  STREET_NAMES
-  PARCELS
-  RIVER_LINE_line
-  LAKE_area
-  RIVER_AREA_area
-  COMBINED_INDEX_INTERMED_TOPO
-  INDEX CONTOUR
-  INTERMEDIATE CONTOUR

1 inch = 300 feet



LEGEND:

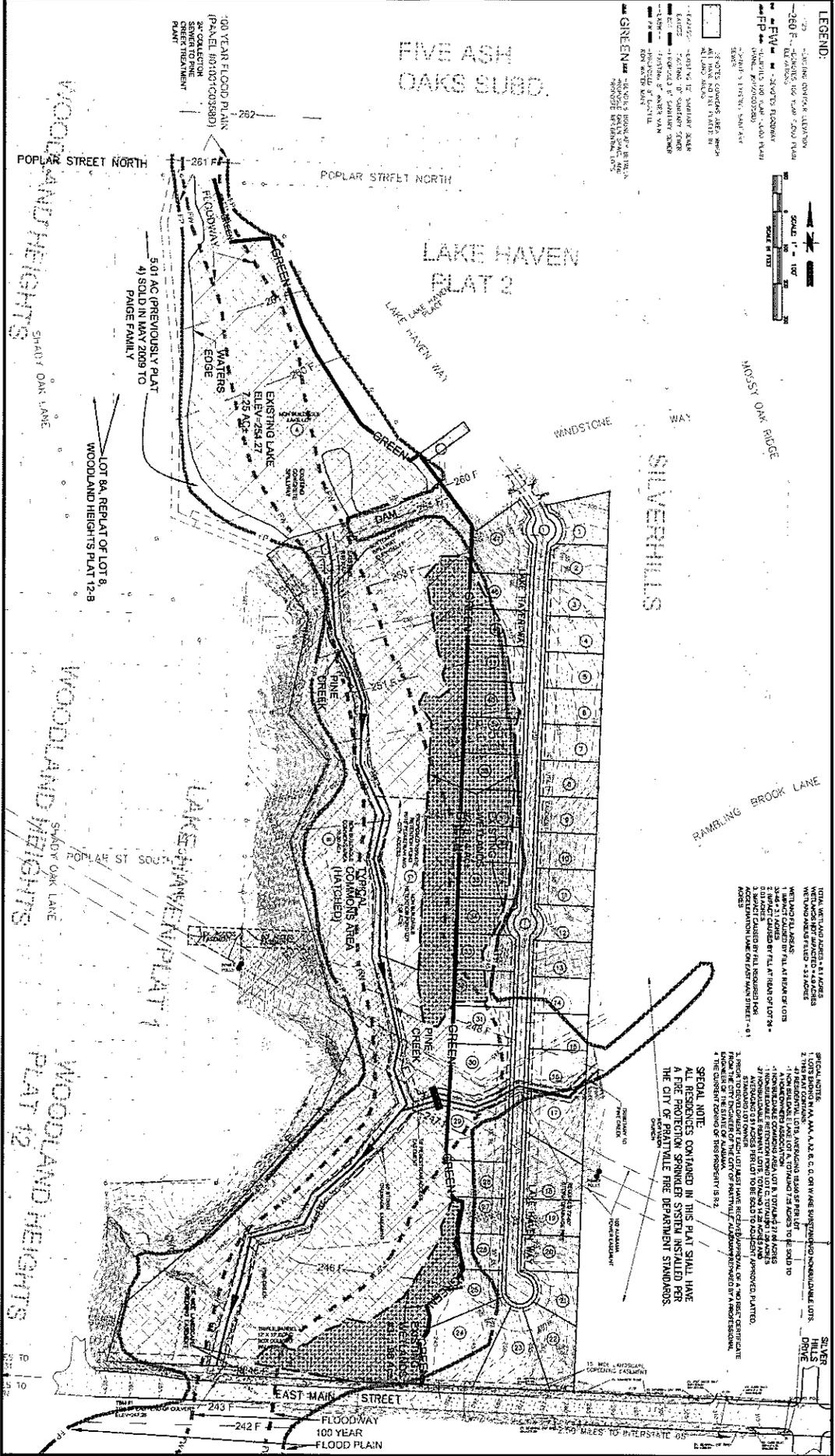
- 160 F - 100 YEAR FLOOD ELEVATION
- 145 F - 100 YEAR FLOOD ELEVATION
- 130 F - 100 YEAR FLOOD ELEVATION
- 115 F - 100 YEAR FLOOD ELEVATION
- 100 F - 100 YEAR FLOOD ELEVATION
- 85 F - 100 YEAR FLOOD ELEVATION
- 70 F - 100 YEAR FLOOD ELEVATION
- 55 F - 100 YEAR FLOOD ELEVATION
- 40 F - 100 YEAR FLOOD ELEVATION
- 25 F - 100 YEAR FLOOD ELEVATION
- 10 F - 100 YEAR FLOOD ELEVATION
- 25 F - 100 YEAR FLOOD ELEVATION
- 40 F - 100 YEAR FLOOD ELEVATION
- 55 F - 100 YEAR FLOOD ELEVATION
- 70 F - 100 YEAR FLOOD ELEVATION
- 85 F - 100 YEAR FLOOD ELEVATION
- 100 F - 100 YEAR FLOOD ELEVATION
- 115 F - 100 YEAR FLOOD ELEVATION
- 130 F - 100 YEAR FLOOD ELEVATION
- 145 F - 100 YEAR FLOOD ELEVATION
- 160 F - 100 YEAR FLOOD ELEVATION



- 1" = 1" - 1" SCALE
- 1" = 2" - 1/2" SCALE
- 1" = 3" - 1" SCALE
- 1" = 4" - 1/2" SCALE
- 1" = 5" - 1" SCALE
- 1" = 6" - 1/2" SCALE
- 1" = 7" - 1" SCALE
- 1" = 8" - 1/2" SCALE
- 1" = 9" - 1" SCALE
- 1" = 10" - 1/2" SCALE
- 1" = 11" - 1" SCALE
- 1" = 12" - 1/2" SCALE
- 1" = 13" - 1" SCALE
- 1" = 14" - 1/2" SCALE
- 1" = 15" - 1" SCALE
- 1" = 16" - 1/2" SCALE
- 1" = 17" - 1" SCALE
- 1" = 18" - 1/2" SCALE
- 1" = 19" - 1" SCALE
- 1" = 20" - 1/2" SCALE

**FIVE ASH
OAKS SUBD.**

**LAKE HAVEN
PLAT 2**



TOTAL LOT AREA: 141 ACRES
 TOTAL LOT AREA NOT MAINTAINED: 44 ACRES
 TOTAL LOT AREA MAINTAINED: 97 ACRES
 TOTAL LOT AREA NOT MAINTAINED: 44 ACRES
 TOTAL LOT AREA MAINTAINED: 97 ACRES
 TOTAL LOT AREA NOT MAINTAINED: 44 ACRES
 TOTAL LOT AREA MAINTAINED: 97 ACRES

SPECIAL NOTE:
 ALL RESIDENCES CONTAINED IN THIS PLAT SHALL HAVE A FIRE PROTECTION SPRINKLER SYSTEM INSTALLED PER THE CITY OF PRATTVILLE FIRE DEPARTMENT STANDARDS.

SKETCH PLAN "E" OF PROPOSED DEVELOPMENT OF RESIDENTIAL AND ASSOCIATED LOTS OF LAKE HAVEN PLATS 3 FOR CVJGJ LAND DEVELOPMENT LLC AS OF MARCH 18, 2009 LYING IN THE W 1/2 OF SEC. 11, T-17-N, R-16-E R-16-E, PRATTVILLE, AUTAUGA COUNTY, ALABAMA

JEFFCOAT ENGINEERS & SURVEYORS, L.L.C.
 CIVIL ENGINEERS AND SURVEYORS/PLANNERS
 MAIN OFFICE: 902 SOUTH HILL STREET, PRATTVILLE, ALABAMA 36068
 PHONE: (205) 836-0400
 FAX: (205) 836-0401
 107 WEST CHURCH STREET, PRATTVILLE, ALABAMA 36068
 PHONE: (205) 836-0400

SHEET 1 OF 1

PROJECT NO. 2009-01
 DRAWN BY: J. W. WATKINS
 CHECKED BY: J. W. WATKINS
 DATE: 03/18/09



JEFFCOAT ENGINEERS & SURVEYORS, L.L.C.
CIVIL ENGINEERS / LAND SURVEYORS / PLANNERS

February 16, 2010

Mr. Joel Duke
City of Prattville
Hand Delivered

RE: Sketch Plan, Lake Haven Plat 3

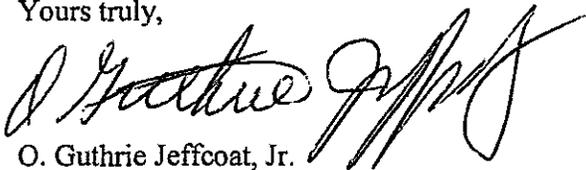
Dear Mr. Duke:

Please find enclosed herewith eight copies of the above referenced plan of which we request that it be considered for approval by the Planning Commission at the March hearing date. We are asking for a 1,350 foot variance on the length of the cul-de-sac since the total length is 2,350 feet which is 1,350 feet greater than the 1,000 feet allowed in the subdivision regulations.

Please see the special note at the top right hand corner of the drawing regarding sprinkler systems. We would like this to be a pilot project for the City of Prattville and be totally sprinkled on all forty-seven lots. This is after discussions and understanding with the fire department that they would support the variance.

We met with Robby Anderson and presented an alternate proposal to enter East Main Street and he is still very much opposed to any intersection with East Main Street but does support this plan presented herewith. I believe you too have expressed an agreement that under the circumstances of the situation at hand, this solution for development is justified. Again, the fire department feels very comfortable as long as the sprinkler systems are constructed. Incidentally, we are submitting an application fee check in the amount of \$100.00 herewith. Thanks in advance for your consideration.

Yours truly,



O. Guthrie Jeffcoat, Jr.
P. E. & L. S.

cc: General Correspondence / File Scott, Bob SR-93-076
Enclosure
OGJ:tcw

Marty
March 18th
P.C. agenda

**PRATTVILLE
PLANNING COMMISSION**

**Lake Haven Subdivision
Revised Sketch Plan**

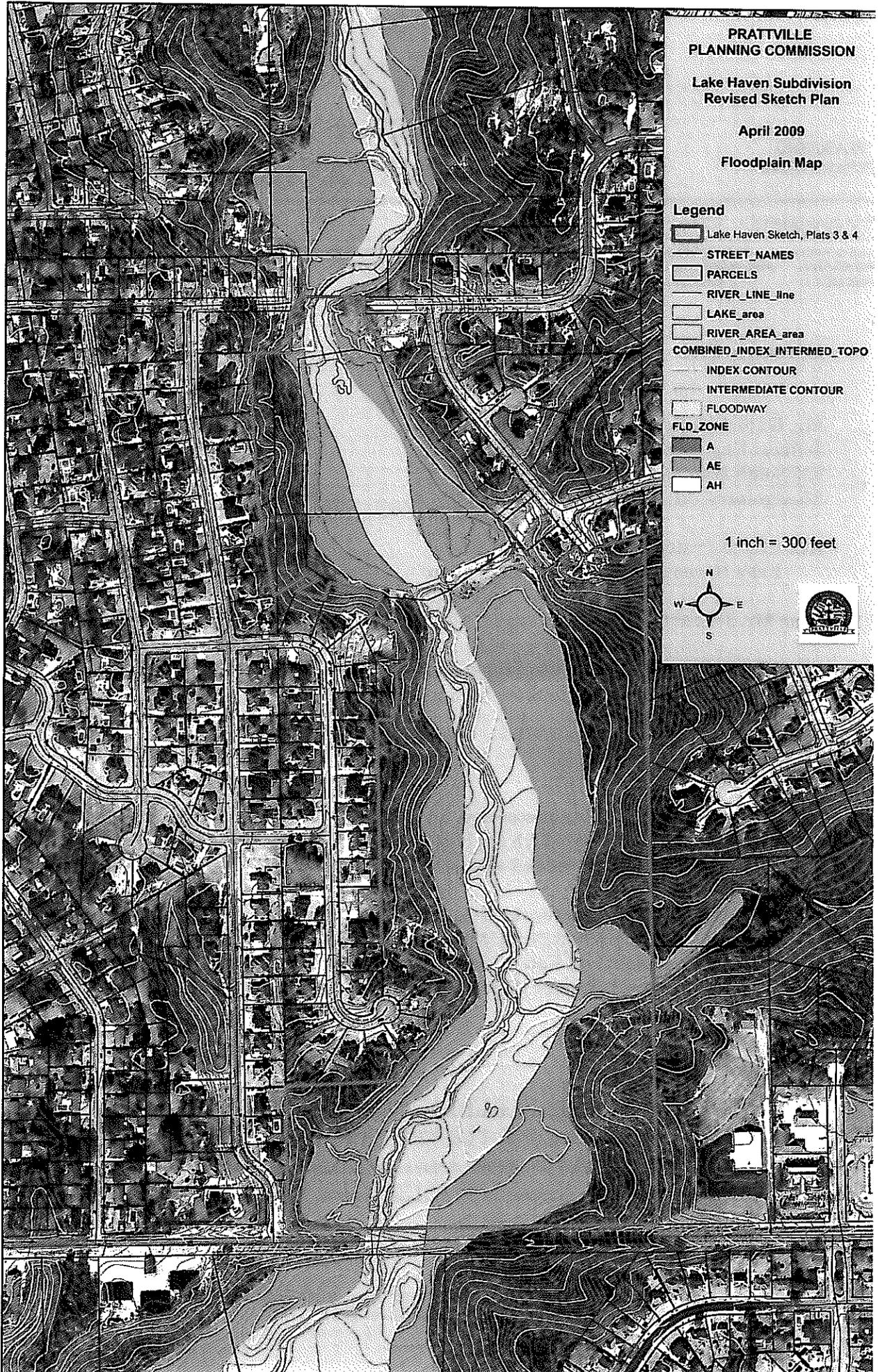
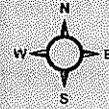
April 2009

Floodplain Map

Legend

-  Lake Haven Sketch, Plats 3 & 4
-  STREET_NAMES
-  PARCELS
-  RIVER_LINE_line
-  LAKE_area
-  RIVER_AREA_area
- COMBINED_INDEX_INTERMED_TOPO**
-  INDEX CONTOUR
-  INTERMEDIATE CONTOUR
-  FLOODWAY
- FLD_ZONE**
-  A
-  AE
-  AH

1 inch = 300 feet





PLANNING
DEPARTMENT

CITY OF PRATTVILLE

JIM BYARD, JR.
MAYOR

CITY COUNCIL

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DISTRICT 3

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BILL GILLESPIE, JR.
DISTRICT 1

WILLIE WOOD, JR.
DISTRICT 2

MIKE RENEGAR
DISTRICT 5

RAY C. BOLES
DISTRICT 6

NATHAN D. FANK
DISTRICT 7

March 11, 2010

Mr. Guthrie Jeffcoat
Jeffcoat Engineers & Surveyors
928 South Hull Street
Montgomery, AL 36104

RE: City of Prattville Review # 100004
Lake Haven Plat 3 Revised Sketch Plan

Dear Mr. Jeffcoat:

The submitted revised sketch plan for the Lake Haven Plat 3 has been reviewed by the relevant city departments with the following comments:

PLANNING DEPARTMENT:

1. Adjust Note # 3. It is unnecessary. Special Note # 3 is not required for all lots, only those in the floodway which appears to be only Lot no's. 29, 30, 31, 32.
2. Corps approval for wetland alterations/filling required with preliminary plat submission.
3. Floodplain administrator requires conditional letter of Map revision approved by FEMA prior to preliminary plat submission. Area of study/revision shall be between Lake Haven dam and East Main Street culvert.
4. Cul-de-sac length greater than 1,000 feet requires a Planning Commission variance.

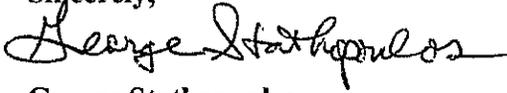
FIRE DEPARTMENT:

1. Verify existing hydrant at Lake Haven Way and Windstone Way. If it is there, I will need one hydrant in the area of Lot 12/34 (distance increased to approximately 1200 feet from 800 feet) and one at the dead end (distance increased). These increases are based on NFPA 13D systems in all 47 Lots shown.

- 2. Additional hydrants allowed if the developer request and submits changes, but not required.**

These items noted above need to be addressed with revised sketch plans submitted and approved before sketch plan approval may be considered by the Prattville Planning Commission. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "George Stathopoulos". The signature is written in a cursive style with a long horizontal flourish at the end.

**George Stathopoulos
Senior Planner**

RESOLUTION

Rezoning Request (B-4 and FAR to B-2)

2189 Cobbs Ford Road

Murphy Oil, USA, Inc., Petitioner

April 15, 2010

Whereas, Roland L. Hepburn is the owner of the property described in Attachment A; and shown in Attachment B; and

Whereas, the property to be rezoned is located at 2189/2181 Cobbs Ford Road; and

Whereas, the subject property is currently inside the city limits and is zoned B-4, Highway Commercial, and FAR, Forest, Agricultural and Recreation and the petitioner wishes to rezone the property to B-2, General Business; and

Whereas, a public hearing on the proposed zoning was held by the Prattville Planning Commission on April 15, 2010.

Now, Therefore, Be it Resolved, that the City of Prattville Planning Commission hereby recommends the rezoning of said property from B-4 and FAR to B-2 *contingent that the entire 1 ½ acre is included in the rezoning.*

APPROVED:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

Mrs. Carpenter moved to amend that the entire 1 ½ acre parcel is included in the rezoning. Mr. Smith seconded the motion. The motion to amend passed unanimously.

The amended motion passed unanimously.
4/15/10

Murphy Oil USA, Inc.
2189 Cobbs Ford Road
Rezoning (B-4 and FAR to B-2)

Attachment A
Legal Description

All that tract or parcel of land lying and being in the Southwest Quarter of Section 7, Township 17 North, Range 17 E, City of Prattville, Elmore County, Alabama and being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 7, Township 17 North, Range 17 East, Elmore County, Alabama; thence running East 972.91 feet to a point; thence running South 947.78 feet to a 1/2" rebar found; thence South 00°00'37" East, a distance of 107.47 feet to a point and the true point of beginning. Thence North 89°48'13" East, a distance of 200.05 to a 1/2" rebar set; thence South 00°00'13" West, a distance of 217.00 feet to a Pk Nail found on the North right-of-way of Cobb's Ford Road (right-of-way varies); thence along said right-of-way South 89°48'13" West, a distance of 200.00 feet to a 1/2" rebar found; thence leaving said right-of-way North 00°00'37" West, a distance of 217.00 feet to the point of beginning. Said tract of land containing an area of 43,406 square feet or 0.996 acres, more or less.

From: revmason49@aol.com <revmason49@aol.com>
To: mayor
Sent: Wed Apr 14 21:37:23 2010
Subject: Rezoning on Cobbs Ford

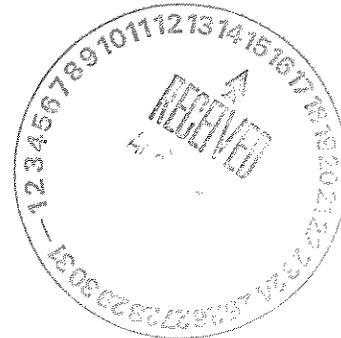
Mayor Byard,

I will not be able to attend the zoning meeting on April 15 due to a previous commitment; but I would like to voice my objection to the proposed change that would permit the property next to Christ Lutheran Church to be used for a convenience store & gas station. I believe this will have a detrimental effect upon the value of our property.

Thanks for your assistance.

Yours in Christ,
Pastor Rick Mason

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CITY OF PRATTVILLE

Planning Commission

Planning Department Staff Report



REZONING 2189/2181 Cobbs Ford Road – B-4, Highway Commercial/FAR to B-2, General Business

DATE April 12, 2010

PROPOSED DEVELOPMENT

Petitioner: Roland L. Hepburn/Murphy Oil USA
Property Owner: Roland L. Hepburn
Agent: Pan American Engineers (Ron Bordelon)
Location: 2189/2181 Cobbs Ford Road (presently Brashers Fencing – adjacent to Prattville Carpet)

Development Status and History

Submission Status: Initial Request
Previous Approvals: N/A
Conditions of Previous Approvals: N/A

Property Configuration

Acreage: Request covers .996 acres of a 1.5 acre parcel currently separated in as 0.72 acre and 0.78 acre lots

Proposed Number of Lots and Configuration: Associated development plan for convenience store/fuel station will require platting and reconfiguration of two existing lots.

Proposed Use: Convenience store/fuel station – Murphy Oil USA

Current Zoning: Zoning of the proposed parcel is split between B-4, Highway Commercial and FAR, Forest, Agricultural and Recreation. Existing business uses are legal non-conforming uses.

Required Zoning: Proposed convenience store layout will require B-2, General Business rather than the existing B-4 due to the greater setback requirements in B-4.

<i>Consistency with Adopted Future Land Use Plan</i>	The Future Land Plan/Map adopted by the Planning Commission on January 21, 2010 shows the Cobbs Ford Road frontage between the Elmore County line and Interstate 65 as "Commercial". The requested change to B-2 is consistent with the adopted plan.
<i>Surrounding Developments and Uses:</i>	<p>North/East: Bleu Lake Commercial subdivision – all vacant – proposed use retail and office – B-2 zoning.</p> <p>East: Prattville Carpet – FAR zoning</p> <p>West: Christ Lutheran Church – FAR zoning</p> <p>South: Prattville Church of Jesus Christ of Latter-day Saints – R-4 zoning</p>
<i>Street Extensions or New Streets:</i>	No new public streets are required or requested. The proposed development plan shows a reconfiguration of the existing site access. Final access will be determined during site review by city staff.

PLANNING STAFF EVALUATION

- Reviewed by:** Joel T. Duke
- Site Visits Conducted:** April 12, 2010
- Recommendation:** Approval with conditions. See staff comments.
- Staff Comments:**

Consistency with Plan/Appropriateness

As mentioned earlier in the report, the city's Future Land Use adopted in January 2010 classifies the Cobbs Ford Road frontage, including the subject property, as "Commercial". This land use classification combines Commercial- Retail and Commercial – Office classifications from the 1996 plan. The proposed rezoning from FAR/B-4 is consistent with the adopted plan.

The proposed rezoning is also consistent with the past development pattern and surrounding uses. As seen on the zoning map, the subject property and the immediately adjacent properties to the west and east are also zoned FAR. Christ Lutheran Church is an allowed use in the FAR zone. The business uses, including the subject properties, existed prior to annexation into the city and have been allowed to continue as legal non-conforming uses under Article I, Section 4(B) of the *Prattville Zoning Ordinance*. While the business uses may continue under the requirements of Section 4(B), they may not be expanded. Rezoning the subject property is appropriate and necessary to allow for redevelopment of the site.

Conditions

Based on the Murphy Oil USA development plan, only 0.996 acres are under contract with the owner, Roland Hepburn. This will require presentation of subdivision plat at a later Commission meeting to reconfigure the existing 0.72 acre and 0.78 acre parcels. The rezoning request presented by Mr. Hepburn includes only the 0.996 parcel rather than the entire 1.5 acres. Rather than zoning only the 0.996 acres, Mr. Hepburn's request should be modified to place all 1.5 acres in a B-2 district. This will eliminate any non-conforming use issues with the future development of the remaining 0.504 acre parcel and the need for a future rezoning request.

ATTACHMENTS

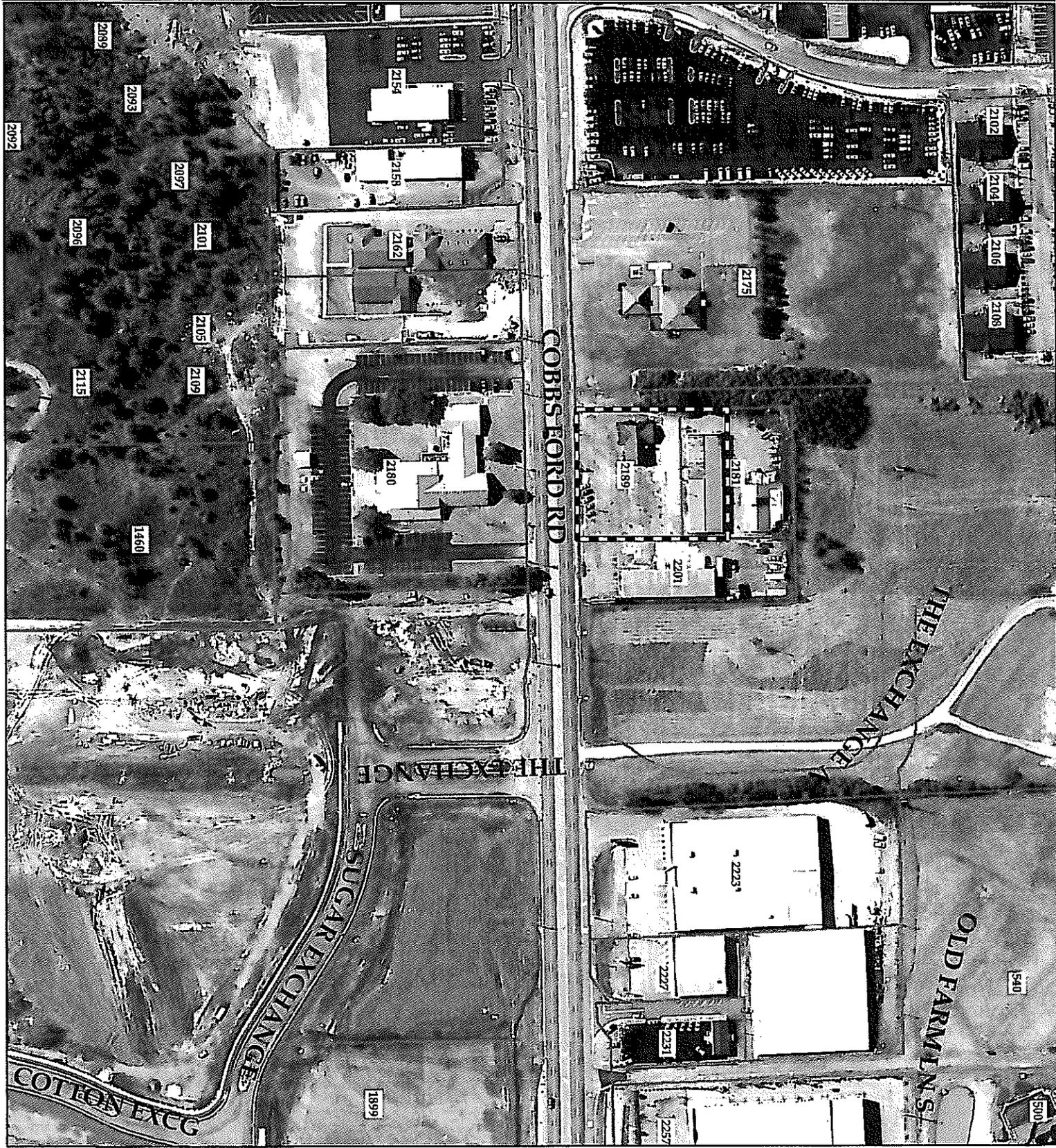
1. Location Map
2. Zoning Map

CITY OF
 PRATTVILLE, ALABAMA
 2189 COBBS FORD RD
 CURRENT ZONING
 B-4 & F.A.R.
 REZONING TO: B-2

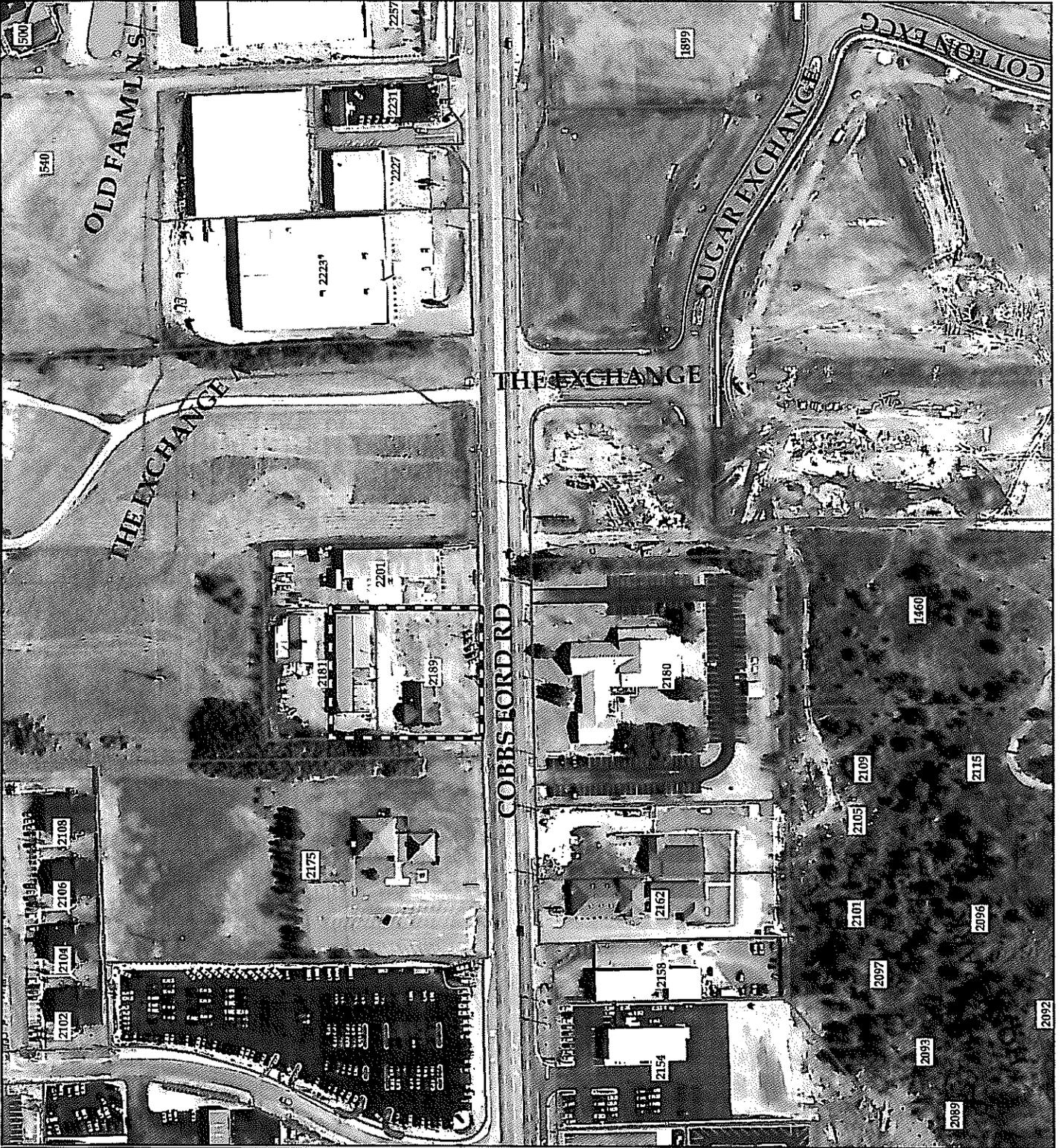
1" = 200'



STREETS
 TAX PARCELS

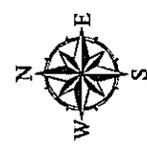


Ryan Peckham, C.I.S., Coordinator



CITY OF
 PRATTVILLE, ALABAMA
 2189 COBBS FORD RD
 CURRENT ZONING
 B-4 & F.A.R.
 REZONING TO: B-2

1" = 200'



STREETS
 TAX PARCELS



Ryan Techarika, C.I.S., Coordinator

