



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

GARY L. WHITESIDE
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

City of Prattville Planning Commission

The minutes of the October 20, 2016 meeting of the City of Prattville Planning Commission were approved.

11/17/16

Tim Smith, Chairman

Date

Planning & Development Department

102 West Main Street ■ Prattville, Alabama 36067 ■ 334-595-0500 ■ 334-361-3677 Facsimile
planning.prattvilleal.gov



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

GARY L. WHITESIDE
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

CITY OF PRATTVILLE PLANNING COMMISSION AGENDA October 20, 2016 3:00 p.m.

Call to Order:

Roll Call:

Mayor Gillespie, Councilman Whiteside, Chairman Smith, Vice-Chairman Gardner, Chief Johnson, Mrs. Carpenter, Mr. Hindman, Mr. McAuley, and Mr. Nelson.

Minutes:

August 18, 2016 and September 15, 2016

Old Business:

New Business:

1. Preliminary Plat: Midtown Oaks Plat 2 *Public Hearing*
District 6
Location: George Drive and Sunset Drive
Owner: Goodwyn Building Company
Representative: Goodwyn, Mills & Cawood, Inc.
2. Preliminary Plat: Budget Car Sales Plat 1 *Public Hearing*
District 4
Location: 508 McQueen Smith Road
Owner: Gilmore, LLC
Representative: Alabama Land Surveyors, Inc.
3. Final Plat: Budget Car Sales Plat 1 *District 4*
Location: 508 McQueen Smith Road
Owner: Gilmore, LLC
Representative: Alabama Land Surveyors, Inc.

Miscellaneous:

Adjourn:

Planning & Development Department

102 West Main Street ■ Prattville, Alabama 36067 ■ 334-595-0500 ■ 334-361-3677 Facsimile
planning.prattvilleal.gov

**CITY OF PRATTVILLE PLANNING COMMISSION
MINUTES**

October 20, 2016

Call to order:

Vice-Chairman Reuben Gardner called the meeting to order at 3:10 p.m.

Roll Call:

The secretary called the roll. Present: Mayor Bill Gillespie, Councilman Gary Whiteside, Vice-Chairman Reuben Gardner, Mrs. Paula Carpenter, Mr. Roy McAuley and Mr. Bobby Nelson. Absent: Chief Dallis Johnson, and Mr. Mark Hindman.

Chairman Tim Smith arrived after the meeting began and presided after arriving.

(Quorum present)

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

Minutes:

Mr. McAuley moved to approve the minutes of the August 18, 2016 and September 15, 2016 meetings. Mrs. Carpenter seconded the motion.

The motion passed unanimously.

Old Business:

None

New Business:

- 1. Preliminary Plat: Midtown Oaks Plat 2**
Location: George Drive and Sunset Drive
Owner: Goodwyn Building Company
Representative: Goodwyn, Mills & Cawood, Inc.

Vice-Chairman Gardner opened the hearing for public comments on the preliminary plat of Midtown Oaks Plat 2.

Judy Lynn Rigby, 225 Leigh Drive, presented a letter of her concerns (letter made a part of the minutes). She expressed her frustration with the first phase of the development and felt that the second phase of the development would present the same conditions as indicated in her letter.

Vice-Chairman Gardner encouraged Ms. Rigby to write all her concerns and address them to the City Planner with the Planning Department, who can ensure that the development is operating within the city guidelines of construction.

After no further comments, Vice-Chairman Gardner closed the public hearing.

Chairman Smith chaired the meeting after the public hearing was closed.

Cedric Campbell of Goodwyn, Mills & Cawood, presented the preliminary plat of Midtown Oaks Subdivision Plat 2. He stated that this would be an extension of George Drive from Plat 1.

Mr. McAuley introduced a resolution recommending approval of the preliminary plat of Midtown Oaks Subdivision Plat 2 and moved for its approval. Mr. Nelson seconded the motion.

Mr. Duke provided the staff report for the proposed subdivision stating that the 20 lot preliminary plat provided an extension of George Drive to Sunset Drive which achieves a long sought after alternate access within the cut-off neighborhood. He addressed the staff comments (Attachment C) stating that they were minor issues that need to be corrected. He stated that it was to the Commission's discretion to approve the preliminary plat contingent on comments being addressed.

Mr. Duke also discussed the drainage issues arising from the first phase of the development. He stated that developer had challenges with erosion control, but has since gotten it under control. The city has recommended that the inlet be placed in this phase to divert the drainage to the organized drainage system.

Mr. Campbell agreed with Mr. Duke and provided the Commission the preliminary plat showing where the inlet would be placed in this phase of the development.

Mr. McAuley moved to approve contingent on all comments being resolved. Mr. Nelson seconded the motion.

The motion to amend passed unanimously.

The amended motion to approve passed unanimously.

- 2. Preliminary Plat: Budget Car Sales Plat 1**
Location: 508 McQueen Smith Road
Owner: Gilmore, LLC
Representative: Alabama Land Surveyors, Inc.

James Monk of Alabama Land Surveyors, Inc., petitioner's representative, presented the request for preliminary plat and final plat approval of Budget Car sales Plat 1. He stated that the plat will incorporate un-platted property with the existing lot where Budget Car Sales' is operating.

Chairman Smith opened the hearing for public comments. There were none. The public hearing was closed.

Mrs. Carpenter introduced a resolution recommending approval of the preliminary plat of Budget Car Sales Plat 1 and moved for its approval. Mr. Nelson seconded the motion.

Mr. Duke provided the staff report for the preliminary plat for Budget Car Sales Plat 1. He stated that the request to join an existing .39 acre parcel with 1.46 acres from an overall 2.70 acre parcel. The plat creates a 1.85 acre parcel and a 1.24 acre parcel remnant. He stated that the city has requested that the final plat show an access easement; which is indicated on the southern line and to add the remaining 1.24 acre parcel to the plat.

The motion to approve passed unanimously.

- 3. Final Plat: Budget Car Sales Plat 1**
Location: 508 McQueen Smith Road
Owner: Gilmore, LLC
Representative: Alabama Land Surveyors, Inc.

Mr. Gardner introduced a resolution recommending approval of the final plat of Budget Car Sales Plat 1 and moved for its approval. Mrs. Carpenter seconded the motion.

The motion to approve passed unanimously.

Miscellaneous Business:

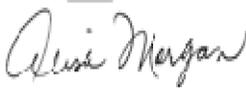
Mr. Duke presented the Commission with a request from the Board of Zoning Adjustment (BZA) or its guidance on Article 3 of the Zoning Ordinance on how to implement amendments to allow the BZA to operate more efficiently.

Commissioner Smith along with Commissioners Carpenter and McAuley were appointed as committee members to further review Article 3 of the Zoning Ordinance.

Adjourn:

The meeting was adjourned at 3:48 p.m.

Respectfully submitted,

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

Alisa Morgan, Secretary
Prattville Planning Commission



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

CLYDE CHAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

MEMORANDUM

DATE: October 17, 2016
TO: Prattville Planning Commission
FROM: Joel T. Duke, City Planner
RE: October 20, 2016 - Agenda

This memorandum has serve as the Planning Department staff report for items on the October 20, 2016 agenda.

- 1. Preliminary Plat: Midtown Oaks Subdivision, Plat 2- West end of Sunset Drive:** On May 15, 2014, the Commission approved a sketch plan for the development of Midtown Oaks Subdivision. The overall development will create 88 lots zoned as R-3, Single-Family Residential with typical dimensions of 65' x 120'. The overall development includes connections to Sunset Drive, Lawrence Street and Honeysuckle Drive. The City Council approved a rezoning of the overall sketch plan from R-2 to R-3 at their regular meeting on July 1, 2014. The initial preliminary plat of 26 lots located along an 860' extension of George Drive was approved by the Planning Commission on September 18, 2014. The final plat was approved on July 16, 2015.

The item under consideration is the preliminary approval for Plat 2. The plat contains 20 lots on a 730' extension of Sunset Drive connecting the subdivision to Leigh Drive and Stonewall Drive. The plat has been reviewed by city departments and comments returned to the project engineer. **The proposed plat matches the approved sketch plan, and is recommended for approval contingent on correction of outstanding review items.**

Included with this memorandum are:

- Attachment A: Midtown Oaks - Location Map
- Attachment B: Midtown Oaks, Plat 2
- Attachment C: Staff Review Comment Letter

Planning & Development Department

- 2. Preliminary Plat: Budget Car Sales Plat 1, 508 McQueen Smith Road South, Petitioner - Gilmore, LLC:** The petitioner is requesting permission to join an existing .39 acre parcel at 508 McQueen Smith Road S. with 1.46 acres from the adjacent 2.70 acre parcel. The petitioner, Gilmore, LLC is the owner of both parcels. The plat creates a 1.85 acre parcel and a 1.24 acre parcel. The existing 0.39 acre parcel is currently occupied by Budget Car Sales. The Planning Department has reviewed a preliminary proposal by Budget Car Sales for a permanent building and site occupying the proposed 1.85 acre parcel. The new parcels are adjacent to existing sanitary sewer, potable water, and stormwater facilities. **The proposed plat and a Final Plat listed as Item 3 are recommended for approval contingent on correction of outstanding review items.**

Included with this memorandum for your review are:

- Attachment D: Budget Car Sales, Plat 1 - Location Map
- Attachment E: Budget Car Sales, Plat 1
- Attachment F: Staff Review Comment Letter

If you have any questions concerning these items, please do not hesitate to contact me or stop by the office.

Prattville Planning Commission
Sign-In Sheet
10/20/16
3:00 p.m.

Name	Address
1. Judy K. Sibley	222 Leigh Drive 36067
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

October 19, 2016

Judy Lynn Pigby
222 Leigh Drive
Corner of Leigh + Sunset
205 217 2130

To City of Prattville "Levy" 205-217-2130
Prattville Planning Commission, 1D-20

George Goodwyn, Jr. copy later
George Walthall, Sr. copy later

Public Hearing

This is to give you notice that hardships and dangers were experienced in phases of PLAT 1 resulting in negative residual effects on my physical property, financial status, additional mental health stressors physical health. History tends to repeat it's so my concerns are great relative to PLAT 2.

One concern is —

Let it be known that I am not going to be responsible for three tower pines on sunset side. In a heavy rain, I have seen water come up over curb. What do you think is going to happen if you put 2 vehicles weight bumper to bumper, water will rise up and soak the roots which are on your easement line. The tree can't hold. Also, they are exposed to winds they were not before this property soil erosion. Winds are strong around this corner.
Drive by —



Judy Lynn Pigby
Troy University B.S. Alumni
Auburn University, C.P.M.
ARSEA ALABAMA RETIREMENT STATE EMP. MC
(ADA) American w/ Disabilities member

RESOLUTION

Preliminary Plat

Midtown Oaks Subdivision Plat 2

October 20, 2016

Whereas, Goodwyn Building Company is the developer of Midtown Oaks Subdivision Plat 2; and

Whereas, the proposed development is located inside the city limits on Sunset Drive at the end of George Drive; and

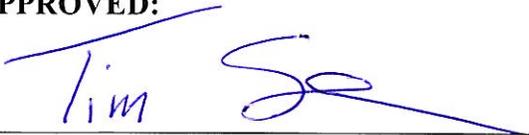
Whereas, a sketch plan of the proposed development was approved on May 15, 2014; and

Whereas, a public hearing for the proposed subdivision was heard on October 20, 2016; and

Whereas, the required City departments have reviewed and commented on the proposed development.

Now, Therefore, Be it resolved, that the City of Prattville Planning Commission hereby approves the submitted preliminary plat of Midtown Oaks Subdivision Plat 2 *contingent on all comments being resolved.*

APPROVED:



Tim Smith, Chairman



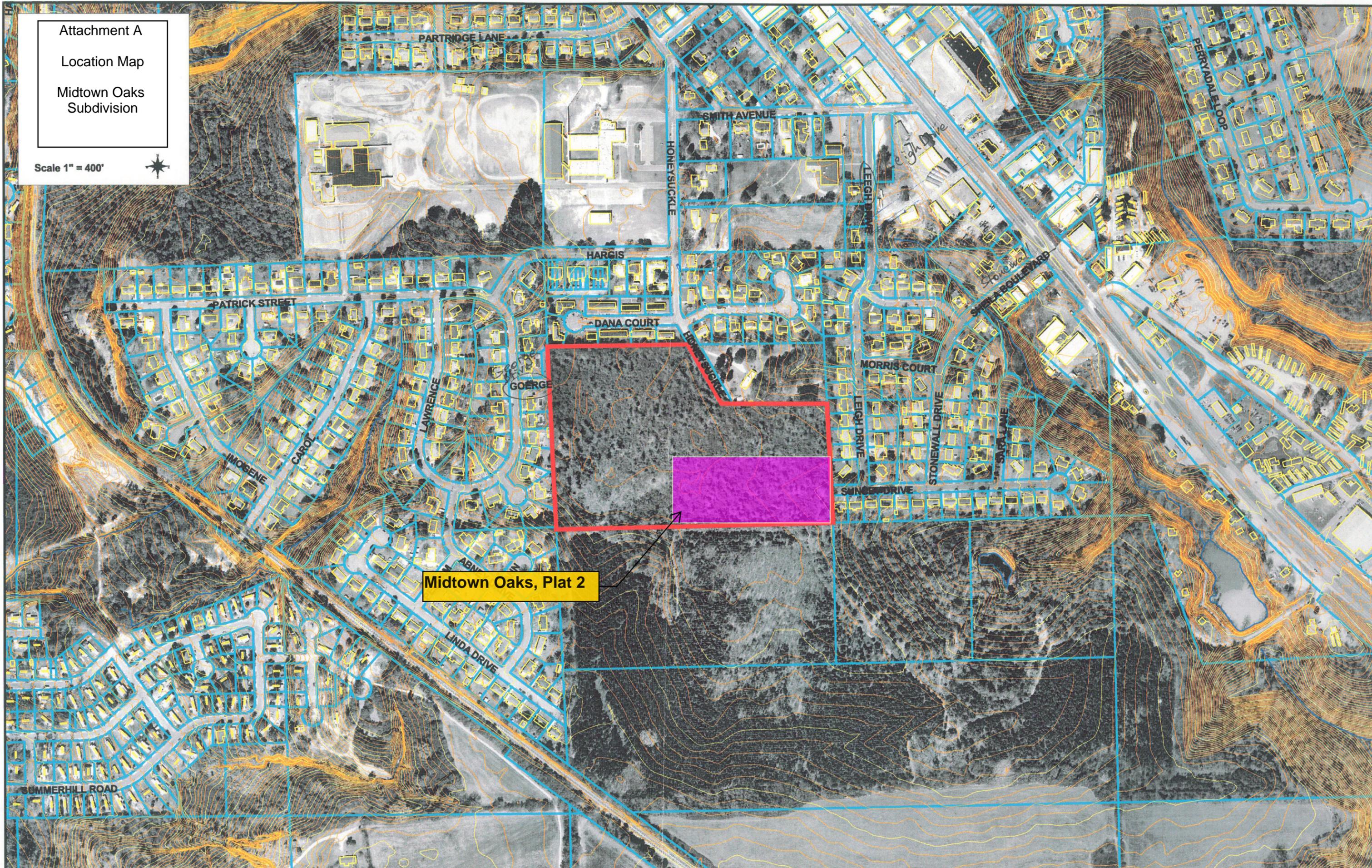
Alisa Morgan, Secretary

Attachment A

Location Map

Midtown Oaks
Subdivision

Scale 1" = 400'



ATTACHMENT C



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

CLYDE CHAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

October 18, 2016

Mr. Cedric T. Campbell
Goodwyn, Mills & Cawood, Inc.
2660 EastChase Lane, Suite 200
Montgomery, AL 36117

RE: Prattville Preliminary Plan Review #160006
Midtown Oaks Subdivision Plat 2 @ George Drive

Dear Mr. Campbell:

The preliminary plans for the Midtown Oaks Subdivision Plat 2 has been reviewed by the various City departments with the following comments:

PLANNING DEPARTMENT:

1. Expand/extend drainage facilities to capture stormwater collecting in NE corner of overall site.
2. Install OT-1 & OT- 5 with this plat in order to minimize disruption to existing lots in later phases of construction.
3. Temporary cul-de-sac will be required at the two stubs of Honeysuckle Drive.
4. Easement shown south of lots, Block "D" – Lots 1-9, is located on property that is outside of Plat. How will this area be platted/reserved as an easement?

ENGINEERING DEPARTMENT:

1. Is previous Detention adequate & in place for this phase?
2. Temporary turn-arounds on Honeysuckle required.
3. OT-1 this phase not future.
4. Private drainage easement appears to be off plat.
5. Show work at rear of Lot 18 current phase.
6. Sanitary sewer easement MH "J" appears to be off the plat?
7. Show traffic control signs and street signs.
8. Relocate SWS I-4to opposite end of radius and adjust other pipes accordingly.

Please respond to the review comments for this preliminary plan phase and provide us the revised hard copies. If there any questions, or need of further assistance, please contact.

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

Preliminary Plat

Budget Car Sales Plat 1

October 20, 2016

Whereas, Gilmore, LLC is the owner of Budget Car Sales Plat 1; and

Whereas, the proposed development is located inside the city limits at 508 McQueen Smith Road; and

Whereas, a public hearing for the proposed subdivision was heard on October 20, 2016; and

Whereas, the required City departments have reviewed and commented on the proposed development.

Now, Therefore, Be it resolved, that the City of Prattville Planning Commission hereby approves the submitted preliminary plat of Budget Car Sales Plat 1.

APPROVED:



Tim Smith, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
10/20/16

CITY OF PRATTVILLE, AL

Budget Car Sales

Plat 1

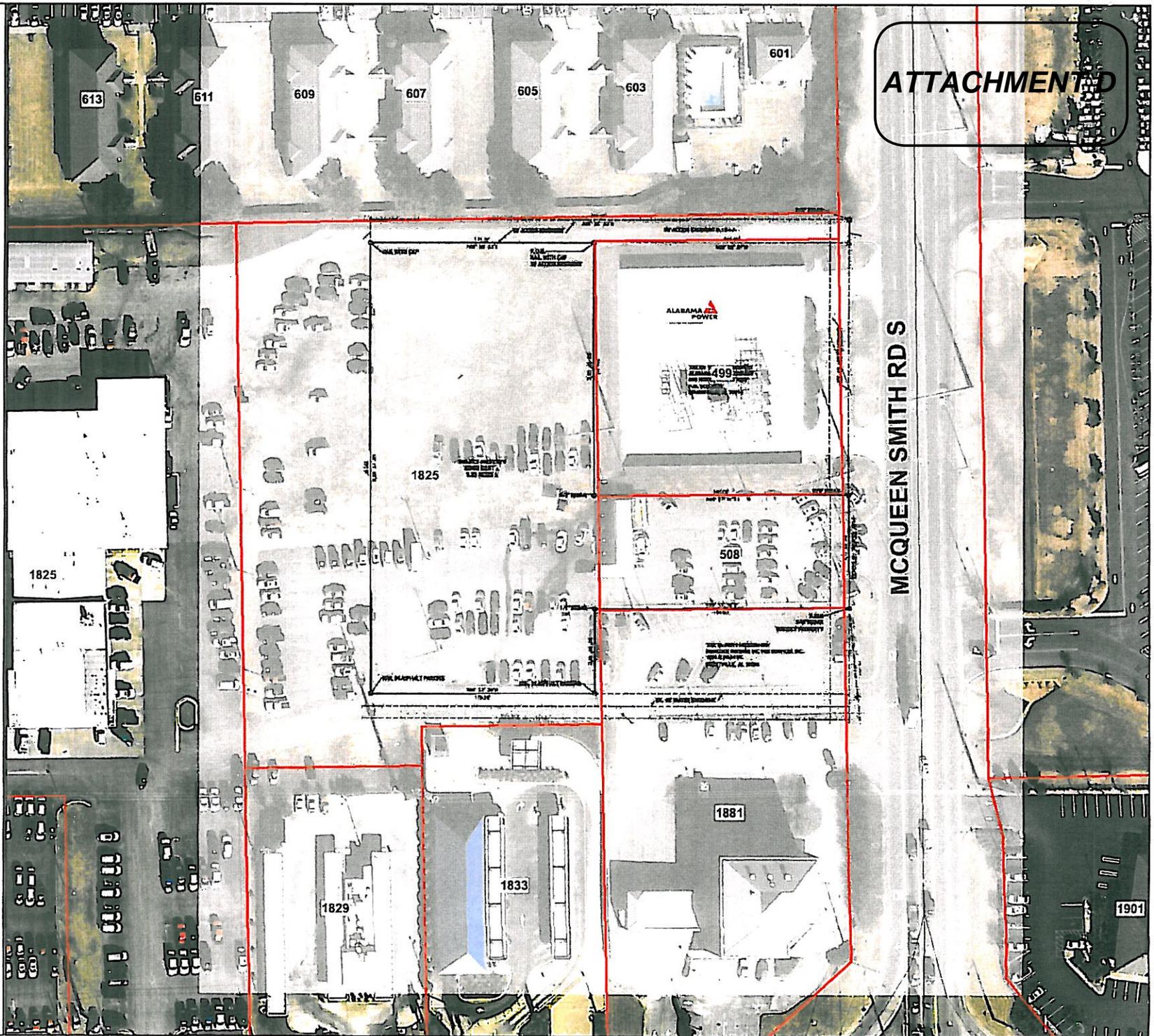
Zoning: B-2

Scale: 1" = 100'



STREETS

TAX PARCEL



ATTACHMENT D

PROPERTY DESCRIPTION:

COMMENCE AT A POINT AT THE INTERSECTION OF COBBS FORD ROAD AND McQUEEN SMITH ROAD BEING THE SE CORNER OF THE SECTION 11, T-17-N, R-16-E, AUTAUGA COUNTY, ALABAMA; THENCE N 05° 33'32" W, 399.15 FEET TO AN IRON PIN ON THE WEST RIGHT OF WAY OF McQUEEN SMITH ROAD; THENCE LEAVING WEST RIGHT OF WAY, S 89° 53'39" W, 199.60 FEET TO AN IRON PIN; THENCE S 00° 07'47" E, 66.62 FEET TO A NAIL; THENCE S 89° 53'39" W, 175.28 FEET TO A NAIL; THENCE N 00° 11'48" W, 356.90 FEET TO A NAIL; THENCE N 89° 55'23" E, 175.28 FEET TO A NAIL; THENCE S 00° 06'09" E, 200.09 FEET TO AN IRON PIN; THENCE N 89° 57'11" E, 200.00 FEET TO AN IRON PIN ON THE WEST RIGHT OF WAY OF AFOREMENTIONED ROAD; THENCE ALONG SAID WEST RIGHT OF WAY, S 00° 12'11" E, 89.91 FEET TO THE POINT OF BEGINNING.

ALL LYING IN THE SE 1/4 OF THE SE 1/4 OF SECTION 11, T-17-N, R-16-E, AUTAUGA COUNTY, ALABAMA AND CONTAINING 1.84 ACRES, MORE OR LESS.

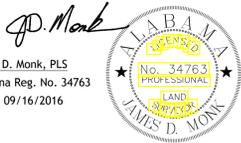
TOGETHER WITH A 18± ACCESS EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT AT THE INTERSECTION OF COBBS FORD ROAD AND McQUEEN SMITH ROAD BEING THE SE CORNER OF THE SECTION 11, T-17-N, R-16-E, AUTAUGA COUNTY, ALABAMA; THENCE N 05° 33'32" W, 399.15 FEET TO AN IRON PIN ON THE WEST RIGHT OF WAY OF McQUEEN SMITH ROAD; THENCE N 00° 12'11" W, 89.91 FEET TO AN IRON PIN; THENCE LEAVING SAID EAST RIGHT OF WAY, S 89° 57'11" W, 200.00 FEET TO AN IRON PIN; THENCE N 00° 06'09" E, 200.09 FEET TO A NAIL AND BEING THE POINT OF BEGINNING OF SAID ACCESS EASEMENT; THENCE S 89° 55'23" W, 175.28 FEET TO A NAIL; THENCE N 00° 11'48" W, 18.02 FEET TO A POINT; THENCE N 89° 55'22" E, 375.26 FEET TO A POINT ON THE WEST RIGHT OF WAY OF AFOREMENTIONED ROAD; THENCE ALONG SAID WEST RIGHT OF WAY, S 00° 12'11" E, 18.32 FEET TO A POINT; THENCE N 89° 59'27" W, 200.00 FEET TO THE POINT OF BEGINNING.

ALL LYING IN THE SE 1/4 OF THE SE 1/4 OF SECTION 11, T-17-N, R-16-E, AUTAUGA COUNTY, ALABAMA AND CONTAINING 0.15 ACRES, MORE OR LESS.

SURVEYOR'S STATEMENT

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge information and belief.



TAX ID: 1901114000004111
GILMORE LLC
1825 EAST MAIN STREET
PRATTVILLE, AL 36067

James D. Monk, PLS
Alabama Reg. No. 34763
Dated: 09/16/2016

ATTACHMENT E

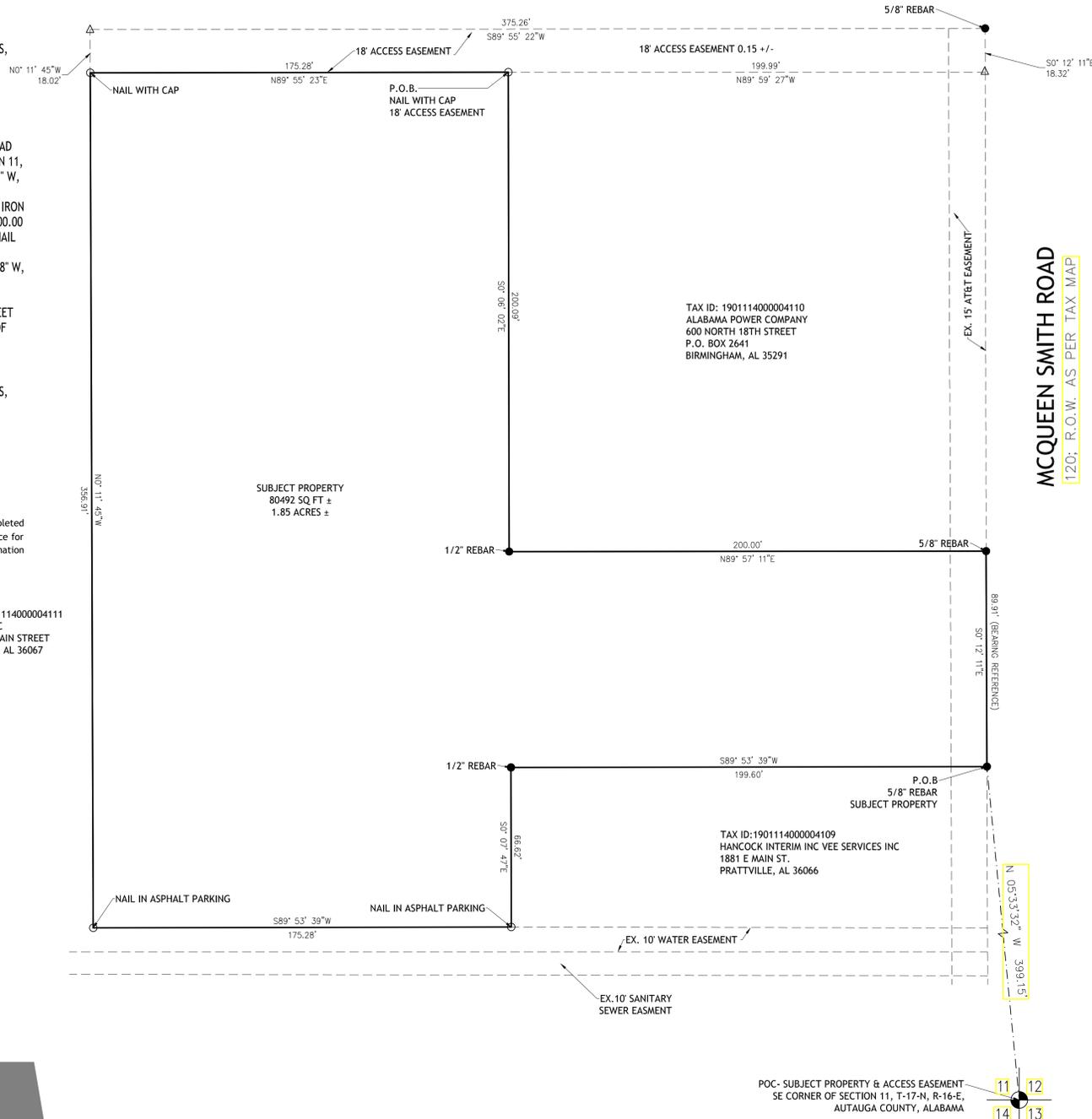
BUDGET CAR SALES, PLAT NO. 1

BEING A PLAT OF A PORTION OF PREVIOUSLY UNPLATTED LANDS BELONGING TO GILMORE, LLC., AS RECORDED IN RLPY 2008, PG 1274. LYING IN THE SOUTHEAST QUARTER OF SECTION 11, ALL IN T-17-N, R-16-E AUTAUGA COUNTY, ALABAMA.

TAX ID: 1901114000004003
MCQUEEN VILLAGE LTD
601 MCQUEEN SMITH ROAD
PRATTVILLE, AL 36066

TAX ID: 1901114000004110
ALABAMA POWER COMPANY
600 NORTH 18TH STREET
P.O. BOX 2641
BIRMINGHAM, AL 35291

TAX ID: 1901114000004109
HANCOCK INTERIM INC VEE SERVICES INC
1881 E MAIN ST.
PRATTVILLE, AL 36066



NOTES:

- Field work for this survey was completed on 09/13/2016.
- All easements and rights-of-way of which the surveyor had knowledge at the time of the survey have been shown. The surveyor has made no investigation or search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Rotated to match the east line of warranty deed as the same is recorded in RLPY Book 2008 at Page 1274 in the office of the judge of probate, Autauga County, Alabama.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency for the City of Prattville, Autauga County, Alabama (Community Number 010002), Map Number 01001C0358E, Effective Date 3 SEPT, 2014, this site lies within Zone X defined as "Areas determined to be outside the 0.2% chance floodplain."

STATE OF ALABAMA)
AUTAUGA COUNTY)

DEDICATION
WE, GILMORE, LLC. AS PROPRIETOR HAVE CAUSED THE LAND EMBRACED HERE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS BUDGET CAR SALES PLAT NO.1 SAID SUBDIVISION LYING IN THE SE 1/4 OF THE SE 1/4 OF SECTION 11, T-17-N, R-16-E, AUTAUGA COUNTY, ALABAMA AND CONTAINING 1.84 ACRES MORE OR LESS, AUTAUGA COUNTY, ALABAMA, AND THAT THE STREETS, ALLEYS, SEWER EASEMENTS, ETC, SHOWN ON PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

STAN GILMORE, GILMORE, LLC.

STATE OF ALABAMA)
AUTAUGA COUNTY)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE AT LARGE, HEREBY CERTIFY THAT STAN GILMORE, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF INSTRUMENT, EXECUTED THE SAME VOLUNTARILY.

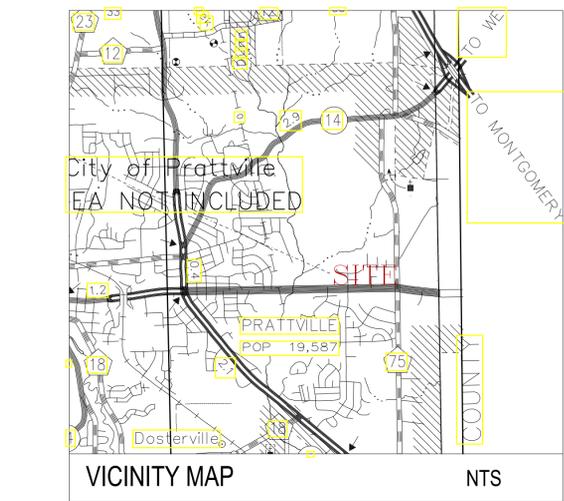
GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2016.
NOTARY PUBLIC (SEAL)
MY COMMISSION EXPIRES: _____

CERTIFICATE OF THE WATER WORKS BOARD
THE UNDERSIGNED, AS AUTHORIZED BY THE WATER WORKS BOARD OF THE CITY OF PRATTVILLE, ALABAMA, HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
WATER WORKS BOARD
PRATTVILLE, ALABAMA

CERTIFICATE OF THE CITY ENGINEER
THE UNDERSIGNED, AS THE ENGINEER OF THE CITY OF PRATTVILLE ALABAMA HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
CITY ENGINEER
PRATTVILLE, ALABAMA



LEGEND

- AIR CONDITIONER
- BENCHMARK
- BOLLARD
- CLEAN OUT
- ELECTRIC BOX
- GAS METER
- GUY WIRE
- LIGHT STANDARD
- MAIL BOX
- MEASURED
- POWER METER
- POWER POLE
- RECORDED
- SANITARY MANHOLE
- SATELLITE DISH
- SEPTIC TANK
- STORM MANHOLE
- TELEPHONE PEDESTAL
- TREE
- WATER METER
- WATER VALVE
- RETAINING WALL
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- OVERHEAD POWER

CERTIFICATE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
THE UNDERSIGNED, AS DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF PRATTVILLE, ALABAMA HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
DIRECTOR OF PLANNING AND DEVELOPMENT
PRATTVILLE, ALABAMA

CERTIFICATE OF THE COUNTY HEALTH DEPARTMENT
THE UNDERSIGNED, AS AUTHORIZED BY THE AUTAUGA COUNTY HEALTH DEPARTMENT HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
HEALTH OFFICER
AUTAUGA COUNTY, ALABAMA

CERTIFICATE OF THE COUNTY ENGINEER
THE UNDERSIGNED, BEING THE COUNTY ENGINEER OR ACTING COUNTY ENGINEER OF AUTAUGA COUNTY, ALABAMA, HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
COUNTY ENGINEER
PRATTVILLE, ALABAMA

CERTIFICATE OF THE PRATTVILLE FIRE DEPARTMENT
THE UNDERSIGNED, AS AUTHORIZED BY THE FIRE DEPARTMENT OF THE CITY OF PRATTVILLE, ALABAMA, HEREBY ACCEPTS THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF AUTAUGA COUNTY, ALABAMA. THIS THE _____ DAY OF _____, 2016.

BY:
FIRE DEPARTMENT
PRATTVILLE, ALABAMA

OFFICE OF THE JUDGE OF PROBATE

I HEREBY CERTIFY THAT THIS PLAT OR MAP WAS FILED IN THIS OFFICE FOR RECORD THIS THE _____ DAY OF _____, 2016, AT _____ O'CLOCK _____ M, AND RECORDED IN BOOK _____ OF PLATS AND MAPS, PAGE _____, RECORDING _____ PAID.

BY:
JUDGE OF PROBATE
AUTAUGA COUNTY, ALABAMA

Alabama Land Surveyors, Inc.
752 S Memorial Drive, Prattville, AL 36067
334-264-0266 www.alabamalandsurveyors.us

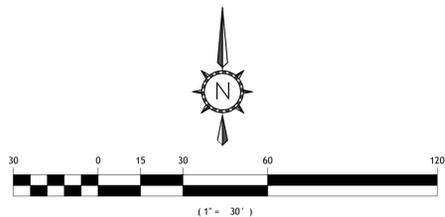
SHEET TITLE:	FINAL PLAT	NO.	REVISIONS	DATE
SHEET NUMBER:	01			
SURVEY END DATE:	9/13/2016			
DRAWING SCALE:	AS SHOWN			
DRAWING END DATE:	9/14/2016			

BUDGET CAR SALES, PLAT NO. 1

McQueen Smith Road

PARCEL ID: 1901114000004137

ALABAMA LAND SURVEYORS, INC. COPYRIGHT © 2008-2015, ALL RIGHT RESERVED



ATTACHMENT F



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

GARY L. WHITESIDE
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

October 18, 2016

Mr. James Monk, PLS
Alabama Land Surveyors, Inc.
752 S. Memorial Drive
Prattville, AL 36067

RE: Prattville Plat Review #160016 (preliminary & final)
Budget Car Sales Plat 1 @ 508 McQueen Smith Road

Dear Mr. Monk:

The Budget Car Sales Plat 1 (preliminary & final) has been reviewed by the various City departments with the following comments:

PLANNING DEPARTMENT:

1. Is southern access through Hancock Bank a record access, or only water & sewer easements?
2. The final plat for recording must show the remainder of Parcel #1901114000004081 as another parcel.

Please review these comments and provide us the revised plats. If we can be of further assistance please contact us.

Sincerely,

George Stathopoulos
Senior Planner

Planning & Development Department

RESOLUTION

Final Plat

Budget Car Sales Plat 1

October 20, 2016

Whereas, Gilmore, LLC is the owner of Budget Car Sales Plat 1; and

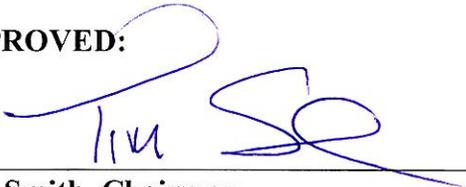
Whereas, the proposed development is located inside the city limits at 508 McQueen Smith Road; and

Whereas, a preliminary plat for the proposed subdivision was approved on October 20, 2016; and

Whereas, the required City departments have reviewed and commented on the proposed development.

Now, Therefore, Be it resolved, that the City of Prattville Planning Commission hereby approves the submitted final plat of Budget Car Sales Plat 1.

APPROVED:



Tim Smith, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
10/20/16



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

GARY L. WHITESIDE
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

MEMORANDUM

DATE: October 18, 2016

TO: Prattville Planning Commission

FROM: Joel T. Duke, City Planner

RE: Proposed Amendment – Article 3, Prattville Zoning Ordinance

CC: Prattville Board of Zoning Adjustment

Over the last two years, I have conducted several training sessions with the Prattville Board of Zoning Adjustment (BZA). Those sessions have strengthened the BZA's understanding of its role in the city's land development process and allow the Planning Department to recommend changes to their processes.

The sessions have also illuminated weaknesses in the city's zoning ordinance. One such area is the lack of guidance and boundaries for the BZA in the local zoning ordinance. Boards of zoning adjustment are authorized by §11-52-80 and §11-52-81 of the *Code of Alabama, 1975*, as amended. A copy of the section is included as Attachment A. The code sets the powers of a board to hear appeals related to the administration of the zoning ordinance and grant relief if warranted. A board is also authorized for use to review and approve conditional uses (known as uses-on-appeal in the Prattville ordinance). The Prattville board is established by Article 3 of the Prattville zoning ordinance. Article 3 is included as Attachment B. Article 3 provides no local guidance to the BZA as it conducts business. That guidance should be provided by the legislative process that creates the local zoning ordinance.

Included as Attachment C is a draft amendment to zoning ordinance replacing Article 3. The draft includes language from state law, but also provides local guidance where state law permits. The draft is intended as a starting point for discussion. I would appreciate a few minutes at your October 20, 2016 meeting to review the draft and recommend next steps.

Planning & Development Department

102 West Main Street ■ Prattville, Alabama 36067 ■ 334-595-0500 ■ 334-361-3677 Facsimile
planning.prattvilleal.gov

Code of Alabama, 1975 as amended**Section 11-52-80**

Board of adjustment - Creation; composition; qualifications, appointment, terms of office and removal of members; vacancies; adoption of rules of procedure; meetings; record of proceedings; procedure for appeals to board from decisions of administrative officials; powers of board as to appeals.

(a) In availing itself of the powers conferred by this article, the legislative body of any incorporated city or town may provide for the appointment of a board of adjustment and, in the regulations and restrictions adopted pursuant to the authority of this article, may provide that the said board of adjustment shall in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purposes and interests and in accordance with general or specific rules therein contained.

The board of adjustment shall consist of five members, each to be appointed for a term of three years, except that in the first instance one member shall be appointed for a term of three years, two for a term of two years, and two for a term of one year, and thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed; provided, that in all cities having a population of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census, all members of the board, including any alternate member provided for in this subsection, shall be bona fide residents and qualified electors of such cities; provided further, that the members of boards of adjustment created shall serve out their terms, and thereafter the members of such boards shall be appointed in the manner prescribed in this subsection for boards created after August 26, 1971. In addition to the five regular members provided for in this subsection two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three-year terms and shall be eligible for reappointment. Appointed members may be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

(b) The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine; provided that, in cities having populations of not less than 175,000 nor more than 275,000, the board shall meet regularly once a month on a day determined by the board. Such chairman or, in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each

member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the board and shall be a public record.

(c) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

(d) The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto;

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance; and

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(e) In exercising the powers mentioned in subsection (d) of this section, such board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and, to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

(f) The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called on by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(Acts 1935, No. 533, p. 1121; Code 1940, T. 37, §781; Acts 1963, No. 563, p. 1185; Acts 1965, No. 588, p. 1100; Acts 1971, No. 431, p. 1163.)

ZONING ORDINANCE OF THE CITY OF PRATTVILLE

ARTICLE 3. - BOARD OF ZONING ADJUSTMENT

Section 31. - Appointment, duties and responsibilities.

A Board of Zoning Adjustment is hereby established. The appointment, procedure, powers and action of said Board of Zoning Adjustment shall be governed and controlled by Title 11, Chapter 52, sections 80 and 81, Code of Alabama 1975, as the same may be amended [Code of Ala. 1975, §§ 11-52-80, 11-52-81].

Section 32. - Application fee.

Any person making application to the Board of Adjustment for any relief or action requiring notice by publication shall pay an application fee of fifty dollars (\$50.00) to the City of Prattville at the time of making the application.

(Ord. of 4-1-1975)

ATTACHMENT C

Proposed Amendments to Article 3, Prattville Zoning Ordinance – October 2016

ARTICLE 3. - BOARD OF ZONING ADJUSTMENT

Section 31. - Appointment, duties and responsibilities.

A Board of Zoning Adjustment is hereby established. The appointment, procedure, powers and action of said Board of Zoning Adjustment shall be governed and controlled by Title 11, Chapter 52, Sections 80 and 81, Code of Alabama 1975, as the same may be amended.

~~Section 32. - Application fee.~~

~~Any person making application to the Board of Adjustment for any relief or action requiring notice by publication shall pay an application fee of fifty dollars (\$50.00) to the City of Prattville at the time of making the application.~~

~~(Ord. of 4-1-1975)~~

Section 32. – Board Procedures

- a. The Board of Zoning Adjustment shall adopt rules and procedures in accordance with state law and the provisions of this article. Board rules and procedures shall specify the selection of officers and their terms; the meeting dates, times and procedures; the format and content of applications to the board; the format of and timeframe for hearing notices; and the maintenance and retention of board records.
- b. Applications to the Board of Zoning Adjustment shall be accompanied by a \$100 fee.

Section 33. Section 3. - Powers and Duties.

The Board of Adjustment shall have the following powers as defined by Section 11-52-80 of the Code of Alabama, 1975, as amended.

- a. Administrative Appeals. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Enforcing Officer acting under the authority of this ordinance.
- b. Variances. To hear and decide appeals for a variance from the provisions of this ordinance where, owing to special conditions, a literal enforcement of such provisions would result in unnecessary hardship, but where the spirit of the ordinance can be observed and substantial justice done.
- c. Uses-on-Appeal. To hear and decide uses-on-appeal as provided in Article 1, Sections 4 and 5.

Section 34. – Administrative Appeals

- a. The Board of Zoning Adjustment shall hear and decide appeals where it is alleged that an error exists in any order, requirements, decision or determination made by Enforcing Officer in the interpretation or enforcement of this ordinance
- b. Appeals to the board of zoning adjustment may be taken by any person or by any officer, department, board, or bureau of the City of Prattville aggrieved or affected by any zoning-related decision of the Enforcing Officer.
- c. All appeals shall be filed in writing on forms prescribed by the board and made available by the Enforcing Officer. Any such appeal shall be filed with the board and the Enforcing Officer within a reasonable time period, as defined by the board, of the date of the decision being appealed. The Enforcing Officer shall present to the board all of the papers constituting the record upon which the action appealed was taken. The board shall select a reasonable time and place for hearing the appeal. Notice of the hearing to the public and the parties in interest shall be provided in accordance board rules and procedures.
- d. An appeal stays all proceedings in furtherance of the action appealed therefrom, unless the Enforcing Officer certifies to the board after the notice of appeal has been filed that by reason of facts cited in such certification a stay would, in the Enforcing Officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record.
- e. In exercising the power of administrative review the board must apply, not vary, the terms of this ordinance.
- f. The board may affirm, reverse wholly or in part, or modify the Enforcing Officer's decision, order, or determination as in its opinion ought to be done, and to that end shall have all the powers of the Enforcing Officer.

Section 35. – Uses-on-Appeal

- a. The Board of Adjustment shall hear and decide requests for approval of uses permitted on appeal as defined by Article 1, Section 4 and non-conforming uses as defined by Article 1, Sections 4 and 5.

- b. Uses-on-Appeal shall require the submission of an application to the board. The application shall be filed according to rules and submission requirements published by the board.
- c. Notice of the scheduled hearing shall be to the applicant and other interested parties in accordance with board rules.
- d. The board shall review the application for compliance with this ordinance and all other applicable codes and ordinances of the City. The board shall make written findings determining that the proposed use-on-appeal will not:
 - 1. Be contrary to the public interest and will insure that the spirit of this ordinance is observed;
 - 2. Permit the establishment of a use prohibited in the zoning district; or
 - 3. Cause a substantial adverse impact on property or improvements in the vicinity or in the district in which the proposed use is located.
- e. The board may impose such conditions for approval that it deems necessary in the particular case to protect the public interest and the intent of the Comprehensive Plan and this ordinance. Such conditions shall apply to the land, structure, and use for which the Use-on-Appeal is granted and not to a particular person. Violations of conditions lawfully attached to any Use-on-Appeal shall be deemed to be violations of this ordinance.
- f. Any approval granted by the board for a Use-on-Appeal shall pertain solely to that specific use at the location specified in the application. Such approval shall not be transferable to another use at that location or the same use at another location.
- g. A Use-on-Appeal granted by the board shall lapse and be of no effect if, after the expiration of one (1) year from the date of such action by the board, no construction or change in use pursuant to such Use-on-Appeal has taken place. The board may, for good cause shown, specify a longer period of time in conjunction with its approval to grant the Use-on-Appeal.

Section 36. – Variances.

- a. The board may authorize upon appeal in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.
- b. A variance may be granted in such individual cases upon a finding by the board that an unnecessary hardship does, in fact, exist. In no case shall the board grant a variance that permits the land, building or structure to be occupied by a use prohibited within the zoning district in which the land, building or structure is located.
- c. It is the intent of this ordinance that a variance be issued only to mitigate a physical condition of a parcel of land which poses a practical barrier to its development and use conformance with this ordinance. Variances shall be limited to the minimum adjustment necessary for the reasonable use of the land.
- d. Before any variance is granted, the board shall make written findings certifying all of the following standards.
 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands structures, or buildings in the same district.
 2. That a literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance.
 3. That special conditions do not result from actions of the applicant (self-imposed hardship);
 4. That granting of the variance will not confer any special privilege on the applicant that is denied by this ordinance to other lands, structures, or buildings in the same district;
 5. That granting of the variance is in harmony with the intent and purposes of the ordinance;
 6. That the variance will not adversely affect surrounding property, the general neighborhood, or the community as a whole;
 7. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or

buildings in other districts were considered as a basis for the issuance of a variance;

8. That the variance will not allow the establishment of a use not permissible under the terms of the ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the ordinance in said district.
 9. The variance requested is the minimum adjustment necessary to enable the legal use of the land, building or structure.
- e. A Variance granted by the board shall lapse and be of no effect if, after the expiration of one (1) year from the date of such action by the board, no construction pursuant to such Variance has taken place. The board may, for good cause shown, specify a longer period of time in conjunction with its action to grant the Variance.

Section 37. - Rehearing.

- a. All decisions rendered by the Board of Adjustment shall be final and binding upon all parties. No appeal of an administrative decision, or decision on an application for a variance or a use-on-appeal shall be reheard, and no further application shall be accepted once a decision has been rendered except under one or more of the following conditions:
 1. New evidence or information pertinent to the request has been discovered which was not available to the applicant at the time of the original hearing.
 2. The decision resulted from an error in procedures required by this ordinance or State law and made by the board, the Enforcing Officer, or any other city official.
 3. The decision resulted from an error in substantive law under the provisions of this ordinance or the Code of Alabama, 1975, as amended.
- b. Where no error is alleged and no new evidence is available, a new or more effective presentation by the applicant shall not constitute grounds for rehearing a decision of the board.
- c. Any applicant wishing a rehearing shall appear before the board in accordance with regular application and hearing procedure to present one or more of the qualifying conditions listed in Section 37.a.
- d. If the board finds that one or more of the qualifying conditions exist, the applicant may submit a new application. This new application shall be heard at a subsequent board

meeting, and shall be subject to all regular advertising and procedural requirements. Allowing a new application does not obligate the board to grant the requested action.

Section 38. - Appeals

Final judgments or decisions by the Board of Zoning Adjustment may be appealed as specified by Section 11-52-81 of the Code of Alabama, 1975, as amended. Written notice of appeal must be filed with the board within fifteen (15) days following the decision by the board.

