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CITY OF PRATTVILLE

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DISTRICT 1 DISTRICT 3

Memo

Date: 1/31/17
To: Cathy Dickerson, City Clerk
From: Alisa Morgan, Planning Commission Secretary
RE: Rezoning request for upcoming Council Agenda

**CITY OF PRATTVILLE
PLANNING COMMISSION
Prattville City Council Agenda Request**

A public hearing for the following was held on January 19, 2017. The following recommendation for approval was made by the Prattville Planning Commission.

Zoning: T-2 (Mobile Home Parks) *District 1*
Location: Rice Park Circle
Petitioners: Jerry W. Rice & Susan D. Rice, William S. Rice, William A. Flowers, Nelda F. Sorrells, and Angela G. Flowers
Representative: Joe Flowers

I am requesting to place this item on the upcoming City Council Agenda. Enclosed is a draft copy of the resolution with attached legal description and location map.

Thank you.

Planning & Development Department

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

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Attachment A
Legal Description

Rice Park Circle

Area to be zoned to T-2:

Lots 1, 2, 3, 5, and 6 of the Smitherman Subdivision as recorded in Deed Book 86 at Page 139 in the Office of the Judge of Probate of Autauga County, Alabama, and the following described parcels of property:

Parcel 1: Commencing at the Northwest corner of the North half of the Southwest quarter of Section 7, Township 17N, Range 16E; thence South 330.0 feet, thence East 12 feet; thence S 44°, 00' E 954.0 feet; N 88°, 15' E 647.0 feet to the south corner of the Mannie R. Clements lot and the point of beginning; thence S 01°, 00' W 144.0 feet; thence S 65°, 30' W 346.0 feet; thence N 03°, 30' W 144.00; thence N 55°, 30' E 74.0 feet; thence N 51°, 31' E 152.0 feet; thence N 88°, 15" E 148.0 feet to the point of beginning. Said tract of land lying in the West half of the Southwest quarter of Section 7, Township 17N, Range 16E, Autauga County, Alabama, and containing 1.36 acres, more or less, and

Parcel 2: Beginning at the Southeast corner of Lot 6 of the Smitherman Subdivision as recorded in Deed Book 86, at page 139, in the Office of Judge of Probate, Autauga County, Alabama, said point being 912.2 feet North and 38 feet West of the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 7, Township 17 North, Range 16 East; thence S 65° 00' W 284.5 feet; thence S 18° 23' E 148.0 feet; thence S 07° 20' E 186.5 feet; thence N 22° 00' E 107.7 feet; thence N 33° 22' E 256.9 feet; thence N 01° 19' E 135.6 feet to the point of beginning; said land lying in the Southwest Quarter of the Southwest Quarter of section 7, Township 17 North, Range 16 East Autauga County, Alabama, and containing 1.25 acres, more or less.

Parcel 3: A lot or parcel of land situated in the SW Quarter of the SW Quarter of Section 7, T 17N, R 16E described as: Beginning at the SE corner of the SW Quarter of the SW Quarter of said Section 7; thence North 294.6 feet; thence N 54° 27' W 231.1 feet to East side of County Road; thence S 30° W 494' along East side of said road to section line; thence East 425' along section line to the POB, containing three (3) acres, more or less.

Parcel 4: Beginning at lot corner No. 1, which is 294.6 feet north of the SE Corner of the West Half of the Southwest Quarter of Section 7, T-17-N, R-16-E, and which is marked by a 1" diameter pipe driven vertically into the ground and extend approximately 4" above the surface of the ground. Thence go North along the East side of the West Half of the Southwest Quarter of the said Section 7, a distance of 435.6 feet to Lot Corner No.2 (Marked similarly to Lot Corner No. 1), and which point lies on the East side of a ground surfaced county road. Thence go S 35° 0' W along the edge of said County road a distance of 151.9 feet to Corner No.3 (marked similarly to Corner No. 1). Thence go S 29° 09' W a distance of 203.5 feet along the edge of said County road to Corner No.4 (Marked similarly to Corner No. 1). Thence go S 54° 28' E a distance of 231.1 feet to the point of beginning at Corner No. 1. The above of described lot is in the East Half of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 7, T-17N, R- 16E, Autauga County and contains 1.0 acre more or less. Being the same lot conveyed by A.G. Carter and Wife to W.O. Durbin of the 27th day of October 1956 and on the 3rd day of March 1956. Said first deed is recorded in the office of the Judge of Probate of Autauga County in Deed Book 99 Page 436.

Parcel 5: A parcel of land lying in the West Half of the Southwest Quarter of Section 7, Township 17N, Range 16E, being more particularly described as follows: Commence at the southeast corner of said West Half of the Southwest Quarter of Section 7 and run northerly along the east line of the West Half of the Southwest Quarter of Section 7 a distance of 912.2 feet to the point of beginning of the parcel of land herein conveyed; thence from such point of beginning continue northerly along the East line a distance at 730 feet more or less to a point; thence west to northeast corner of the Smitherman Subdivision as recorded in Deed Book 86, at page 139, in the Office of Judge of Probate, Autauga County, Alabama. Thence southeasterly along the east lot lines of the Smitherman Subdivision and the west margin of a dirt road a distance of 600 feet to a point; thence run easterly a distance of 38 feet to the point of beginning.

CITY OF PRATTVILLE
Planning Commission

Planning Department Staff Report



ZONING APPLICATION

Various Properties – Rice Park Circle

Zoning Case – ZN-2017-02 – FAR to T-2, Mobile Home Parking Area.

January 17, 2017

PROPOSED DEVELOPMENT

- Petitioners:** Jerry W. Rice, Susan Rice, William S. Rice, William A. Flowers, Nelda F. Sorrells, and Angela G. Flowers
- Property Owners:** Same as petitioner
- Agent:** N/A
- Location:** Various addresses on Rice Park Circle - north side of Indian Hills Road, approximately 1,080 feet west of U.S. Highway 82 Bypass

Development Status and History

- Submission Status:* Applicants have requested the rezoning of 12.98 acres containing 11 parcels on Rice Park Circle from FAR, Forest Agriculture Recreation to T-2, Mobile Home Parking Area. Lots contains a mixture of site-built and manufactured residential units.
- Applicants have requested the zoning change to allow replacement and placement of manufactured homes on the properties.
- Previous Approvals:* Area annexed in its current configuration in 2001. No previous development plans are on file for the subject tract.
- Conditions of Previous Approvals:* N/A.

Property Configuration

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| <i>Acreage:</i> | 12.98 acres |
| <i>Proposed Number of Lots and Configuration:</i> | Rezoning request is not accompanied by a formal development plan. |
| <i>Proposed Uses:</i> | Mixture of single-family residential units and manufactured housing units. |
| <i>Consistency with Adopted Future Land Use Plan</i> | The Future Land Use Plan/Map in Section 2.2 of the Prattville Comprehensive Plan adopted by the Planning Commission on January 21, 2010 shows the subject property as “Low Density Residential”. The requested zoning to T-2, Mobile Home Parking Area is consistent with the adopted plan. |
| <i>Current Zoning:</i> | FAR, Forest Agriculture Recreation – USES PERMITTED: General and specialized farming, forestry and agricultural uses, except commercial feed lots; roadside stands for the sale of produce raised on the farm premises. Conservation areas and structures for the development, protection, preservation and conservation of open space, watersheds, water, soil, forest and wildlife resources. Parks, playgrounds, play fields, general recreation facilities, golf courses and clubhouses. Single-family detached dwellings. Accessory structures or use customarily incidental to any of the aforementioned permitted uses. Home occupations only in accordance with the provisions specified in Article 6 USES PERMITTED ON APPEAL: Churches and other places of worship, schools offering general education courses, clubs not conducted for profit, outdoor advertising signs and structures, plant nurseries and greenhouses, hospitals, sanitariums, nursing homes and orphanages, resorts, campgrounds, riding academies and stables, airports, sanitary landfills, quarries, railroad rights-of-way, cemeteries, and essential community |

facilities. Accessory structures or uses customarily incidental in any of the aforementioned conditional uses.

USES PROHIBITED: All uses not permitted or permitted on appeal are prohibited

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|---------------------------------------|------------------------|
| | <i>FAR</i> |
| <i>Minimum Lot Size</i> | 40,000 ft ² |
| <i>Minimum Width at Building Line</i> | 150 feet |
| <i>Maximum Lot Coverage</i> | 20% |
| <i>Front Setback</i> | 50 feet |
| <i>Rear Yard</i> | 40 feet |
| <i>Side Yards</i> | 10 feet |

MAXIMUM HEIGHT: 35 feet.

Proposed Zoning:

T-2, Mobile Home Parking Area –

USES PERMITTED: Permanent or temporary parking for mobile homes. Any use permitted or permitted on appeal in the R-4 residential district and subjected to all district requirements of an R-4 district as specified in Section 71 hereof.

USES PERMITTED ON APPEAL: Same as T-1 district. (from T-1) - Customary home occupations; public utility structures, such as electric substations, gas metering stations, sewage pumping stations and similar structures; general hospitals for humans, except primarily for mental cases; churches; cemeteries; semipublic buildings, golf courses; municipal, county, state, or federal use; kindergartens, nurseries, nursery schools, day care centers, and private schools.

USES PROHIBITED: Commercial and industrial uses, including parking lot or parking areas in connection with these uses; double parking or connection of two or more

mobile homes except that two mobile homes with totally identical exterior finishes may be connected under one roof.

| | |
|---------------------------------------|-----------------------|
| | T-2 |
| <i>Minimum Lot Size</i> | 7,500 ft ² |
| <i>Minimum Width at Building Line</i> | 60 feet |
| <i>Maximum Lot Coverage</i> | 40% |
| <i>Front Setback</i> | 25 feet |
| <i>Rear Yard</i> | 10 feet |
| <i>Side Yards</i> | 10 feet/6 feet |

Surrounding Developments and Uses:

North: Single-family residential structures
 South: Single-family residential structures and manufactured housing
 East: Single-family residential units
 West: Undeveloped property and single-family residential units.

Street Extensions or New Streets:

None proposed.

PLANNING STAFF EVALUATION

Reviewed by: Joel T. Duke, AICP
 City Planner

Site Visits Conducted: Various times during November 2016 and December 2016

Recommendation: Proposed rezoning is consistent with existing development pattern in the neighborhood. The mixture of site-built and manufacturing housing appears to be an acceptable pattern to the residents and property owners. Area annexed into the city in 2001. Single-family residential uses, site-built units and manufactured homes have been the persistent land use

in the neighborhood prior to and since annexation. Proposed zoning will permit replacement of older manufacture housing units not permitted under current zoning. Planning staff recommends approval of the application.

Staff Comments:

Property Evaluation – The subject area encompasses 11 individual lots containing a mixture of site built and manufactured housing units. Six of the parcels comprise the Rice Mobile Home Park containing 20 manufactured homes and 2 site built homes. The subject area is located approximately 450 feet north of Indian Hills Road and extends approximately 3,400 further north. The Rice family owns two additional lots fronting Indian Hills Road, which are not included in the current request. The majority of the subject area is not visible from Indian Hills Road. A review of aerial photography available in the city archives and from the U. S. Geological Survey since 1975 shows the configuration and composition of housing on Rice Park Circle to relatively unchanged over the forty-two period. The manufactured home park and individual lots are served by the Prattville Water Works Board and private septic systems.

Compatibility with Neighborhood – A quick review of the Location Map and the neighborhood immediately surrounding the subject property shows a mixture of site built and manufactured housing. A review of aerial photography overtime shows little change in the number of units, whether site-built or manufactured homes. The area has seen little change since it was annexed into the city limits in 2001. The consistency of this pattern suggests it is generally accepted by the neighborhood property owners and residents.

As indicated by the aerial photograph records, the Rice Mobile Home Park has been in operation for several decades. Many of the units in the park were manufactured before the adoption of modern codes and have deteriorated over time. Under the current zoning, the park owner is prohibited from replacing deteriorated or obsolete units. With periodic repairs to the existing units, the existing park may continue under the current zoning designation as a legal non-conforming use. If designated T-2, the park owner would be permitted to replace the deteriorated homes with newer units. The same legal non-conforming situation exists for the other parcels included in the zoning request. Owners are not currently permitted to replace obsolete or deteriorated units. If the zoning application is approved, the city's minimum requirements for mobile home lots will apply and units may be replaced. Since city sewer will not be extended along Indian Hills Road in the near term, the Rice Park Circle area will continue to use private septic systems. While the T-2 designation permits a higher number of units per lot than allowed under FAR, the state regulations for septic tank installation and use will maintain the unit density near current levels. Overall, classifying the

subject area as T-2 will provide the owners an opportunity to improve their property while maintaining the historic unit density and intensity of the land use. The proposed zoning change will have negligible impact on the surrounding neighborhood.

Consistency with Comprehensive Plan - On January 21, 2010, the Planning Commission adopted an updated Prattville Comprehensive Plan. The Future Land Use Plan and Map in Section 2.2 of the document shows the subject parcels as “Low Density Residential” (See Attachment C). As stated on Page 2.14, “Low Density Residential refers to single family homes on single lots, usually at least one-sixth of an acre or larger. These lots have front, side and rear setbacks, and will only in very rare cases abut a land use other than single-family or greenspace. Target densities would not exceed eight units per acre.” The development pattern along Rice Park Circle and many of the surrounding parcels differs from the concept of single units per lot, but it meets the land use and density targets for Low Density Residential. The existing zoning designation of FAR and the requested T-2 are consistent with adopted land use plan for this area.

ATTACHMENTS

- A. Location Map
- B. Future Land Use Maps – Subject Property Indicated



LOCATION MAP

**PROPOSED REZONING
FAR TO T-2
ZN-2017-02**

Legend

- Flowers - Rice Rezoning - ZN-2017-02
- County Tax Parcel
- BUILDING_FOOTPRINT 2010
- Building Footprint 2005



Aerial photography date:
March 2019

1 inch = 300 feet

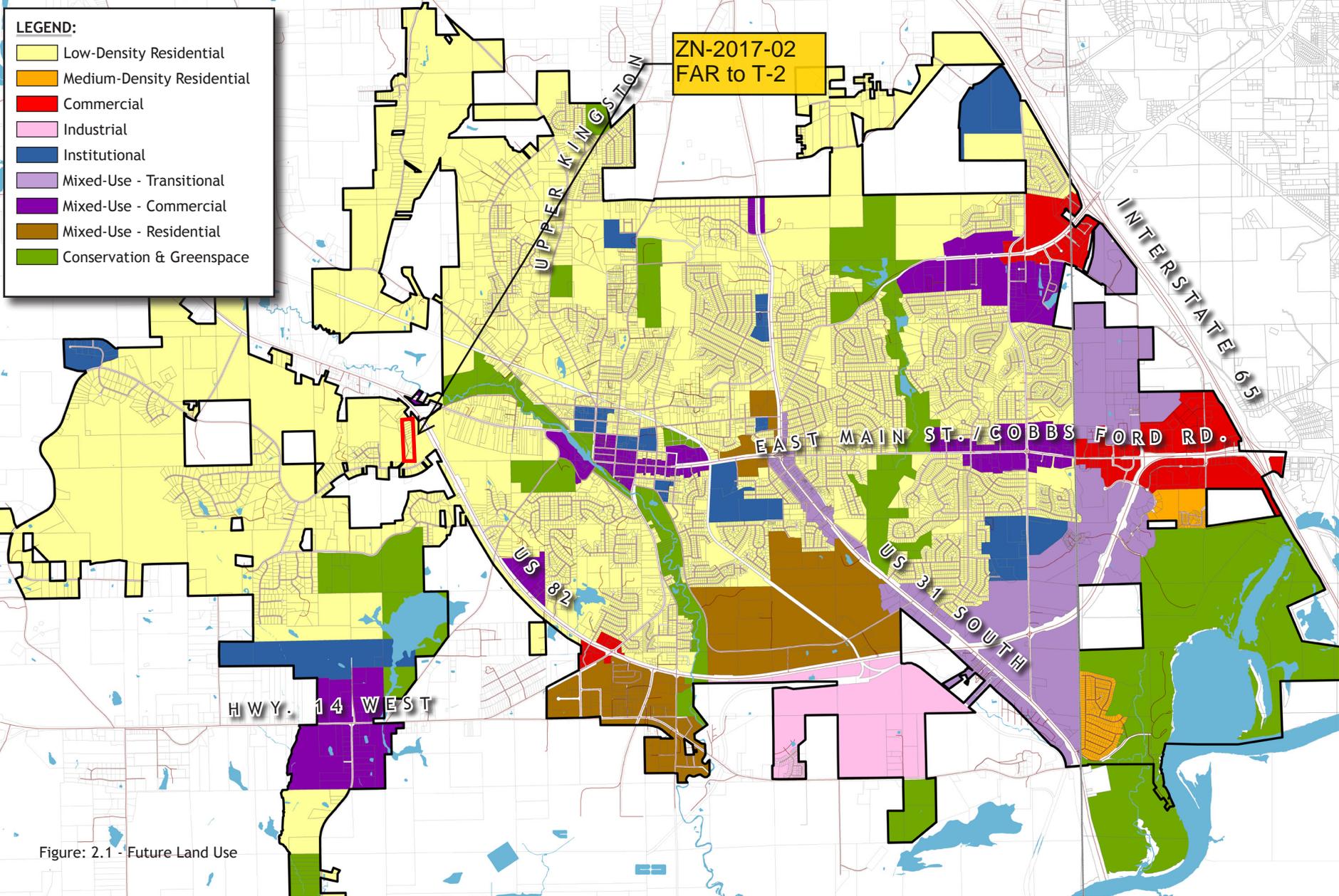


Figure: 2.1 - Future Land Use