

**STATE OF ALABAMA
MONTGOMERY COUNTY
TOWN OF PIKE ROAD**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF PIKE ROAD, ALABAMA as follows:

SECTION 1 That the Zoning Ordinance of Pike Road, Alabama, adopted February 13, 2017, be amended by rezoning the following described property from (SC) SmartCode to Agricultural District (AG).

Subject Property:

“COMMENCE AT A CONCRETE MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SECTION 22, T16N, R20E, MONTGOMERY COUNTY, ALABAMA; THENCE ALONG THE SOUTH SECTION LINE OF SAID SECTION S89°32'03"W, 1325.52 FEET TO AN IRON PIN; THENCE S88°58'27"W, 245.06 FEET TO AN IRON PIN; THENCE LEAVING SAID SECTION LINE N06°21'59"W, 664.36 FEET TO AN IRON PIN; THENCE N89°27'34"W, 1273.24 FEET TO A POINT LOCATED ON THE EAST RIGHT OF WAY LINE OF MARLER ROAD (80' RIGHT OF WAY WIDTH); THENCE ALONG SAID RIGHT OF WAY N01°04'41"W, 347.33 FEET TO A CONCRETE MONUMENT; THENCE ALONG A CURVE, CONCAVE SOUTHWESTERLY, THE CHORD OF WHICH BEARS N06°29'56"W, 366.69 FEET (RADIUS 1940.81') TO AN IRON PIN, SAID PIN BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY, ALONG A CURVE, CONCAVE SOUTHWESTERLY, THE CHORD OF WHICH BEARS N16°26'54"W, 306.48 FEET (RADIUS 1940.81') TO A CONCRETE MARKER; THENCE N20°58'36"W, 150.82 FEET TO AN IRON PIN; THENCE ALONG A CURVE, CONCAVE NORTHEASTERLY, THE CHORD OF WHICH BEARS N18°36'18"W, 153.38 FEET (RADIUS 1853.21') TO AN IRON PIN; THENCE LEAVING SAID RIGHT OF WAY N81°20'15"E, 296.59 FEET TO AN IRON PIN; THENCE S80°34'44"E, 115.42 FEET TO AN IRON PIN; THENCE N83°28'16"E, 1206.19 FEET TO AN IRON PIN; THENCE ALONG A CURVE, CONCAVE NORTHEASTERLY, THE CHORD OF WHICH BEARS S54°43'42"E, 143.55 FEET (RADIUS 217.60') TO AN IRON PIN; THENCE S19°14'46"W, 662.98 FEET TO AN IRON PIN; THENCE ALONG A CURVE, CONCAVE SOUTHERLY, THE CHORD OF WHICH BEARS S87°07'14"W, 380.43 FEET (RADIUS 491.52') TO AN IRON PIN; THENCE ALONG A CURVE, CONCAVE NORTHEASTERLY, THE CHORD OF WHICH BEARS S76°56'35"W, 217.98 FEET (RADIUS 500.00') TO AN IRON PIN; THENCE S89°32'00"W, 362.37 FEET TO AN IRON PIN; THENCE N76°09'38"W, 161.88 FEET TO AN IRON PIN; THENCE S89°32'00"W, 202.57 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS LYING AND BEING SITUATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 16 NORTH, RANGE 20 EAST, MONTGOMERY COUNTY, ALABAMA AND CONTAINS 23.00 ACRES MORE OR LESS.”

This conveyance is made subject to all restrictions, rights of way and easements of record affecting subject property.

SECTION 2: this ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

APPROVED AND ADOPTED THIS 26th DAY OF October, 2022



MAYOR

[Signature]
E. Chapman
[Signature]
[Signature]
Amadiah

Attest: Isa W. Burke
Town Clerk



TO: Members of the Town Council

DATE: October 26, 2022

FROM: Keith Covington
Interim Planning Director

SUBJECT: ZC 22.21 – Century Church – Rezoning Request

OVERVIEW: Brad Flowers, of Flowers and White, seeks rezoning approval from SmartCode (SC) to Agricultural (AG). The property is in the Town of Pike Road and is located on the east side of Marler Road near Kingston Drive. A conditional use permit request for Century Church has been submitted to the Planning Commission concurrently with this rezoning request. The subject application requires a public hearing and all notification requirements have been met.

★ SUBJECT PROPERTY



ADJACENT ZONING & LAND USE: The site is bounded on the north, east, and south by property in the Town of Pike Road zoned SmartCode (SC). To the west across Marler Road is residential property in Unincorporated Montgomery County (UMC).

BACKGROUND: The subject application was received by the Planning Department on August 8th, 2022. Planning staff coordinated with the Waugh Volunteer Fire Department and Max Vaughn with GMC.

ANALYSIS: The subject property consists of approximately 23 acres. The applicant is proposing to rezone the property from SC to AG.

The Town of Pike Road Zoning Ordinance defines the AG district as follows: “This District is intended to protect and preserve areas of Pike Road that are presently rural agricultural, or forested in character and use. The standards developed for these areas are designed to permit development compatible with the preservation of their rural character and agricultural use, while not permanently foreclosing future development. This district does permit very low-density residential development generally on un-subdivided tracts of land where public sanitary sewer service and public water supply are least practical, but may be served by an onsite septic system.

The applicant has also submitted a conditional use permit to construct a church on the property. A church is a use “permitted with conditions” on property zoned AG.

The conditions governing a church are listed in the Zoning Ordinance under Article V. Land Use Development Standards, Section 501.D.B. and are covered in staff report for the conditional use permit request.

COMPREHENSIVE PLAN:

The Town of Pike Road Comprehensive Plan has this property under a Suburban Residential – Low (SRL) Policy. Suburban Residential-Low policy (SR-L) is applied to areas that contain existing low-density residential development intended to remain or undeveloped areas that are intended to be developed in a pattern similar to nearby low-density residential development. Any new development or redevelopment within SR-L areas should be within a density range of 1-2 dwelling units per acre and is governed by Pike Road’s conventional zoning ordinance.

Conversely the Town of Pike Road Comprehensive Plan has this property shown within the G-1 Restricted Growth Sector on the Pike Road Sector Map. The Sector Map is what guides applicants that choose to develop under Pike Road’s SmartCode. The G-1 Sector permits a Clustered Land Development (CLD, or “Hamlet”).

“The Waters, Future Land Use Map” is attached as Exhibit A and the “Pike Road Sector Map” as Exhibit B.

FIRE DEPARTMENT COMMENTS:

No comments for rezoning request.

ENGINEERING COMMENTS:

No comments for rezoning request.

STAFF COMMENTS:

The subject property is currently zoned SmartCode, but there is no adopted Community Plan for the property. The property is part of the original Waters annexation and has been shown as SmartCode on the Zoning Map since at least 2009. The subject property was part of a recent charrette effort to develop a cohesive SmartCode-governed master plan for the church property, the Henderson property to the north, and the Wiggins property to the south. The master plan for

the church property is part of a larger master plan for a Traditional Neighborhood Development (TND) on the Henderson property; however, the church's master plan is wholly within their property (Exhibit C). Since that planning effort, the Henderson's and Wiggins' are not ready to move forward with submitting a Community Plan to implement the cohesive vision. The Church, however, is ready to move forward. The church is committed to the overall vision and their conditional use permit request illustrates this, but they cannot move forward under the SmartCode without an adopted Community Plan. Additionally, the church property alone does not meet the minimum requirements of the SmartCode and adopting a Community Plan for just the church property would require too many exceptions to the requirements of the SmartCode.

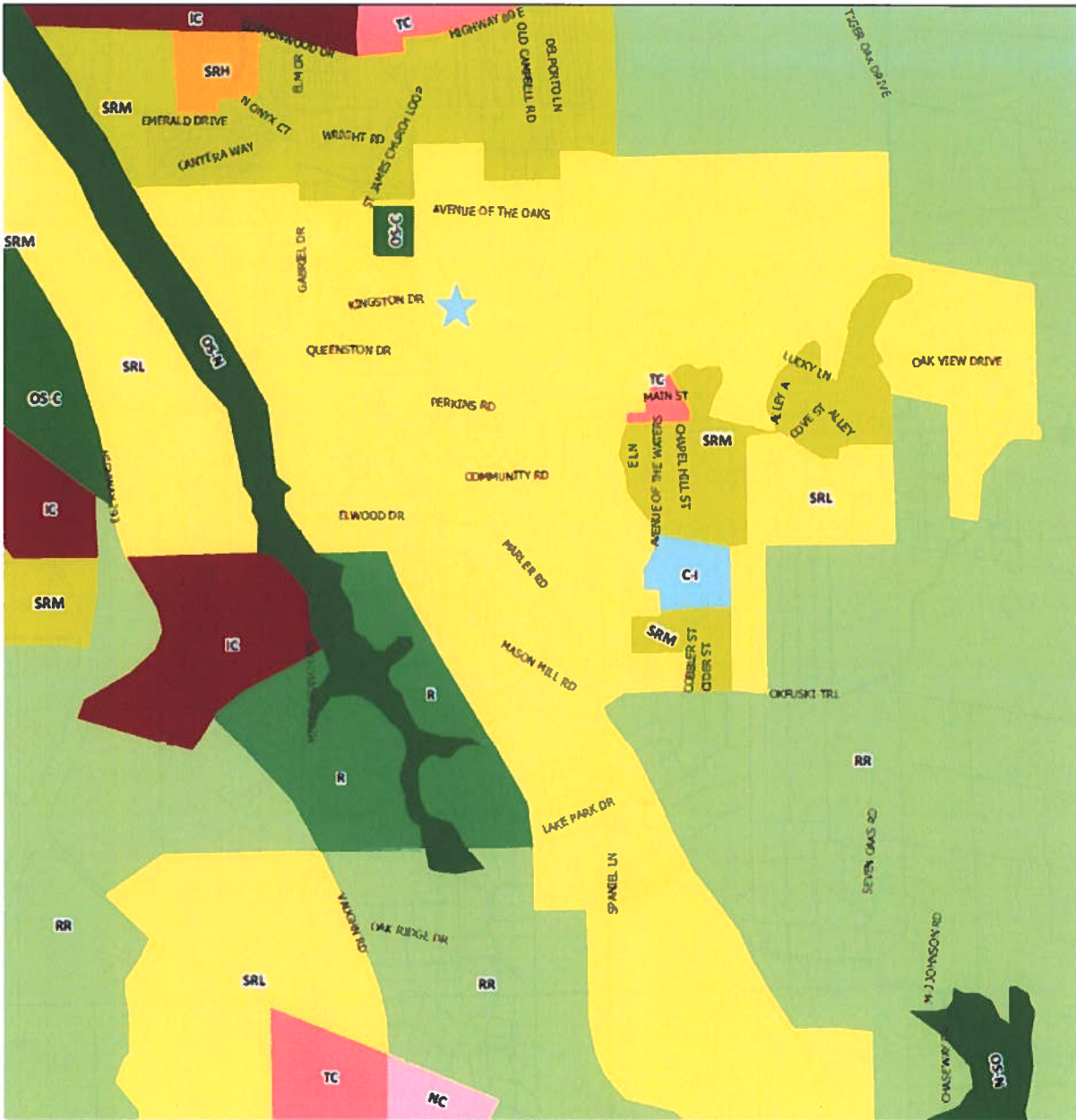
For the reasons mentioned above, Staff recommended that the church 1) request a rezoning to AG, and 2) request a conditional use permit to build the church as envisioned within the constraints of the conditions for churches in the conventional zoning ordinance. Staff believes this is the best path forward because AG is not in conflict with the Comprehensive Plan's conventional policy and does not prevent the church from realizing their full vision when a Community Plan for the Henderson property is adopted under SmartCode zoning. In other words, the SmartCode is still an available option for the church property in the future, while allowing them to move forward now with their first building.

PLANNING COMMISSION RECOMMENDATIONS:

With a unanimous vote, the Planning Commission recommends to the Town Council that the rezoning request from SC to AG be approved.

Exhibits and Attachments

Exhibit A -  Subject Property



THE WATERS - FUTURE LAND USE MAP

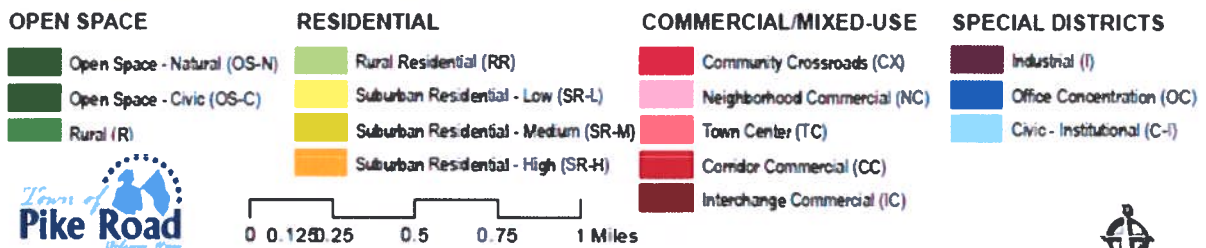
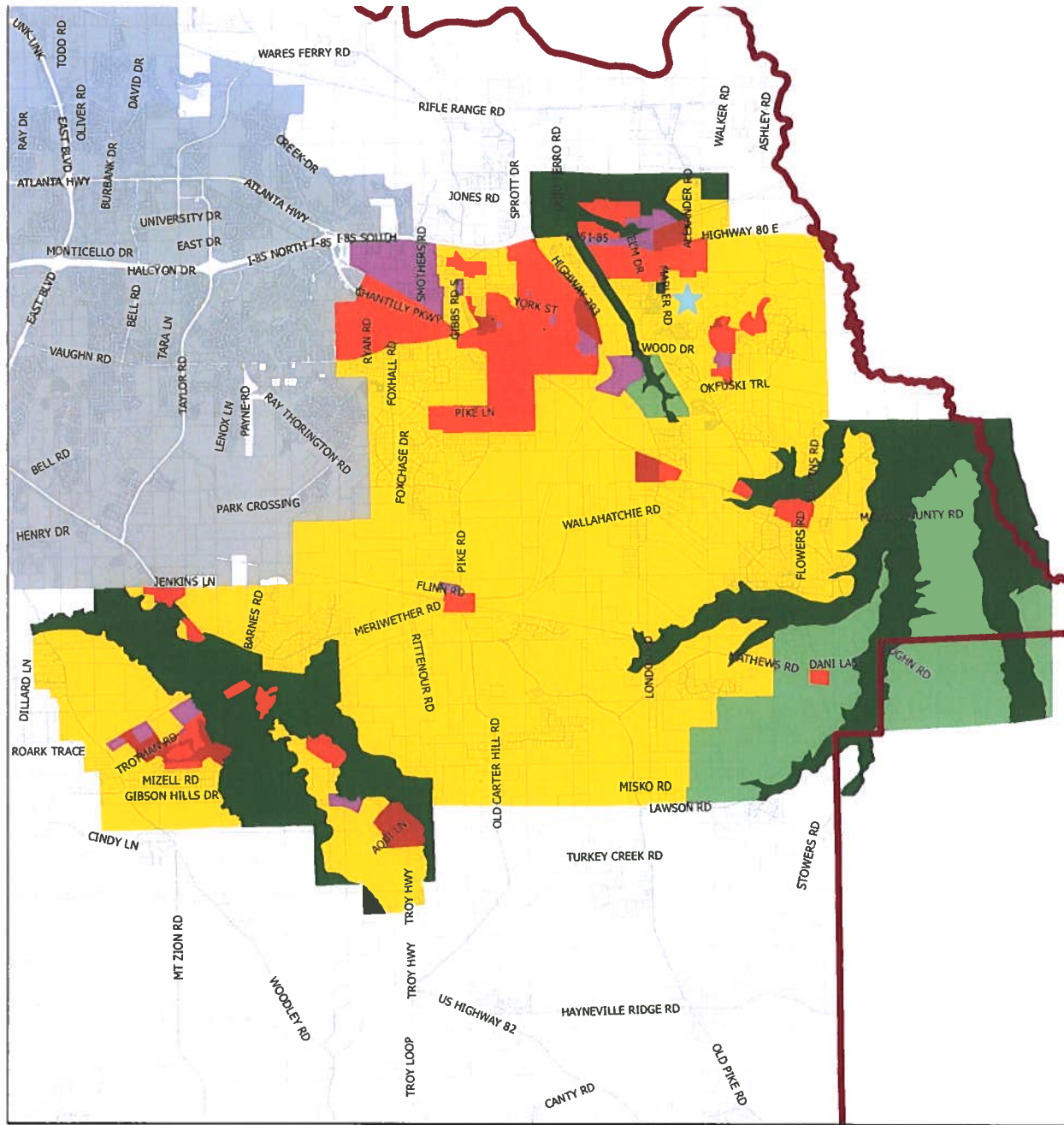


Exhibit B - ★ Subject Property



PIKE ROAD
 SECTOR MAP



Smart Code Sectors

- Preserved Open Sector (O-1)
- Reserved Open Sector (O-2)
- Restricted Growth Sector (G-1)
- Controlled Growth Sector (G-2)
- Intended Growth Sector (G-3)
- Special District

Other Symbols

- Tax Parcels
- Montgomery County Limits
- City of Montgomery (not in study area)

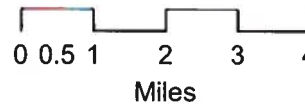


Exhibit C - ★ Subject Property

