

## **MEMORANDUM**

**DATE:** April 15, 2015

**TO:** Planning Commissioners

**CC:** Mayor Don Kyle; Wally Terry; Herman Marks; Tony Powell; Tom Polk; Mark Petersohn; Carl Prewitt; Planning Staff

### **PLANNING COMMISSION MEETING**

**April 21, 2015**

**Pre-meeting – 2:15 p.m. (Annex)**

**Meeting – 3:15 p.m. (Council Chambers)**

# Agenda Planning Commission

City of Decatur, AL

**April 21, 2015**

Time: 3:15 PM

City Council Chambers

Commissioners: **Tracy Tubbs**, *Chairman*; **Em Barran**, *Vice Chairman*; **Kent Lawrence**, *Secretary*; **Gary Borden**; **Chuck Ard**; **Frances Tate**; **Joseph Wynn**; **Nell Standridge**; **Eddie Pike**

## 1. CALL MEETING TO ORDER

## 2. APPROVAL OF MINUTES- March 24, 2015

## 3. PUBLIC HEARING

PAGE/MAP

### ZONING TEXT AMENDMENT

- |               |   |     |
|---------------|---|-----|
| A. ZTA 231-15 | Changes to the prohibited uses section of the M-1 District<br>(The Decatur City Limits) | 1/4 |
|---------------|---|-----|

## 4. CONSENT AGENDA

### CERTIFICATES

- |            |  |       |
|------------|--|-------|
| A. 3264-15 | Certificate to Subdivide<br>(South of Prospect Drive SE and west of 2 <sup>nd</sup> Avenue SE) | 1/5-7 |
| B. 3265-15 | Certificate to Subdivide<br>(South of Eddy Rd and west side of Kirby Bridge Road)              | 2/8-9 |

### BOND REVIEW

- |  |         |
|--|---------|
| A. The Farm and the Farm, Addition 1                           | 2/10-11 |
| (South of Vestavia Drive SW and west side of Spring Avenue SW) |         |

## 5. OTHER BUSINESS

### ANNEXATION

- |  |      |
|--|------|
| A. 345-15  | 3/12 |
| (North of Poole Valley Rd. SW and west side of Highway 31 South) |      |

**Minutes  
Zoning Committee  
April 14, 2015**

<b>PUBLIC HEARING</b>
-----------------------

**ZONING TEXT AMENDMENT**

**231-15**

Applicant: City of Decatur  
Owner: N/A

Zoning: N/A  
Acreage: N/A

Request: These amendments are being proposed because there have been changes made to the state law to allow for Micro-breweries in the state of Alabama. The definition of beer needs to be adjusted to reflect the amendments to the state law. Also being amended is the prohibited uses section of the M1 light manufacturing zone to make it clear that the only thing prohibited for the production of alcohol is alcohol for non-consumption.

Location: The Decatur City Limits

Recomm: The Zoning Committee is in favor of sending these amendments to the City Council.

<b>END PUBLIC HEARING</b>
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**Minutes  
Subdivision Committee  
April 14, 2015**

<b>CONSENT AGENDA</b>
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**CERTIFICATES**

**3264-15 Certificate to Subdivide**

Applicant: Glenna Dee Jones  
Owner: Same

Zoning: RD - Redevelopment  
Acreage: 1.03 acres

Request: Subdivide 1.03 acres into two tracts of .72 acres and .31 acres

Location: South of Prospect Drive SE and west of 2<sup>nd</sup> Avenue SE

Conds: 1. Payment of recording fees

2. Provide a 10' (5' either side) utility easement on the west property line for existing electrical line

***Pt. of Info: Any relocation of utilities will be at the owner's expense.***

Recomm: Approval with stated conditions.

### 3265-15 Certificate to Subdivide

Applicant: Billy Parker  
Owner: Same

Zoning: Outside Corporate Limits  
Acreage: 2.27 acres

Request: Recognize an existing 2.27 acre tract within the planning jurisdiction of the City of Decatur

Location: South of Eddy Rd and west side of Kirby Bridge Road

- Conds:
1. Reconfigure Tract 2, Parcel B, an 8.3 acre tract created by Certificate to Subdivide 3188-12, into three tracts that meets the requirements of the City of Decatur and the Morgan County Commission
  2. Payment of recording fees
  3. Provide copy of deed showing ownership
  4. Provide letter from property owner authorizing subdivision
  5. Verify/obtain septic tank approval for all three tracts.

***Pt. of Info: Any relocation of utilities will be at the owner's expense.***

Recomm: Approval with stated conditions.

### BOND REVIEW

#### The Farm and the Farm, Addition 1

Applicant: Peek Family  
Owner: Same

Zoning: R5 – Patio Homes  
Acreage: 8.5 acres

Request: Bond review for the extension of the collector, Bridle Path, and the completion of sidewalks along the collector in the Farm (LOC Amt: \$105,000 Expires: 6/19/2015)

Location: South of Vestavia Drive SW and west side of Spring Avenue SW

Recomm: The Subdivision Committee recommends extension of the LOC's until such time as development build out requires construction.

<b>END CONSENT AGENDA</b>
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<b>OTHER BUSINESS</b>
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## ANNEXATIONS

345-15

Applicant: Morgan County Commission  
Owner: Same

Zoning: Outside Corporate Limits  
Acreage: 4.5 acres

Request: Annex 4.5 acres into the corporate limits of the City of Decatur

Location: North of Poole Valley Rd. SW and west side of Highway 31 South

Conds: 

1. Provide copy of deed showing ownership
2. Applicant to sign Annexation Request
3. Provide completed Annexation Questionnaire

Recomm: Approval with stated conditions.

# ZONING TEXT AMENDMENT 231-15





SECTION NUMBER	OLD	PROPOSED
SECTION 25-12 M1 Uses Prohibited	<i>Uses prohibited:</i> Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage of hides; distillation of bones, coal, tar, or wood; fat rendering; forage plants; gasoline storage above ground in excess of five hundred (500) gallons; manufacture of acetylene, acid, alcohol, ammonia, bleaching powder, brick, pottery, terra cotta or tile, cement blocks, candles, disinfectants, dye-stuffs, fertilizers, illuminating or heating gas, including storage of same, paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations; Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act.	<i>"Uses prohibited:</i> Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage of hides; distillation of bones, coal, tar, or wood; fat rendering; forage plants; gasoline storage above ground in excess of five hundred (500) gallons; manufacture of acetylene, acid, alcohol for non-consumption, ammonia, bleaching powder, brick, pottery, terra cotta or tile, cement blocks, candles, disinfectants, dye-stuffs, fertilizers, illuminating or heating gas, including storage of same, paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations; Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act."
Sub-paragraph (4) of Section 25-2 Definitions	<i>Beer.</i> Any beer, lager beer, ale, porter, malt or brewed beverage or similar fermented malt liquor containing one half of one (1) percent or more of alcohol by volume and not in excess of four (4) percent alcohol by weight and five (5) percent by volume, by whatever name the same may be called.	(4) Beer, Malted or Brewed Beverages. Defined the same as defined in Section 28-3-1 of the Code of Alabama 1975, as last amended.



# CERTIFICATE TO SUBDIVIDE NO. 3264-15



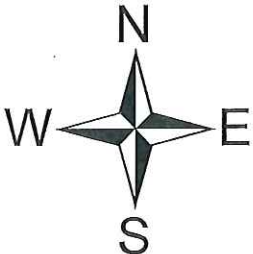
## Legend

-  Buildings
-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

## LOCATION MAP

**APPLICANT: GLENNA DEE JONES**

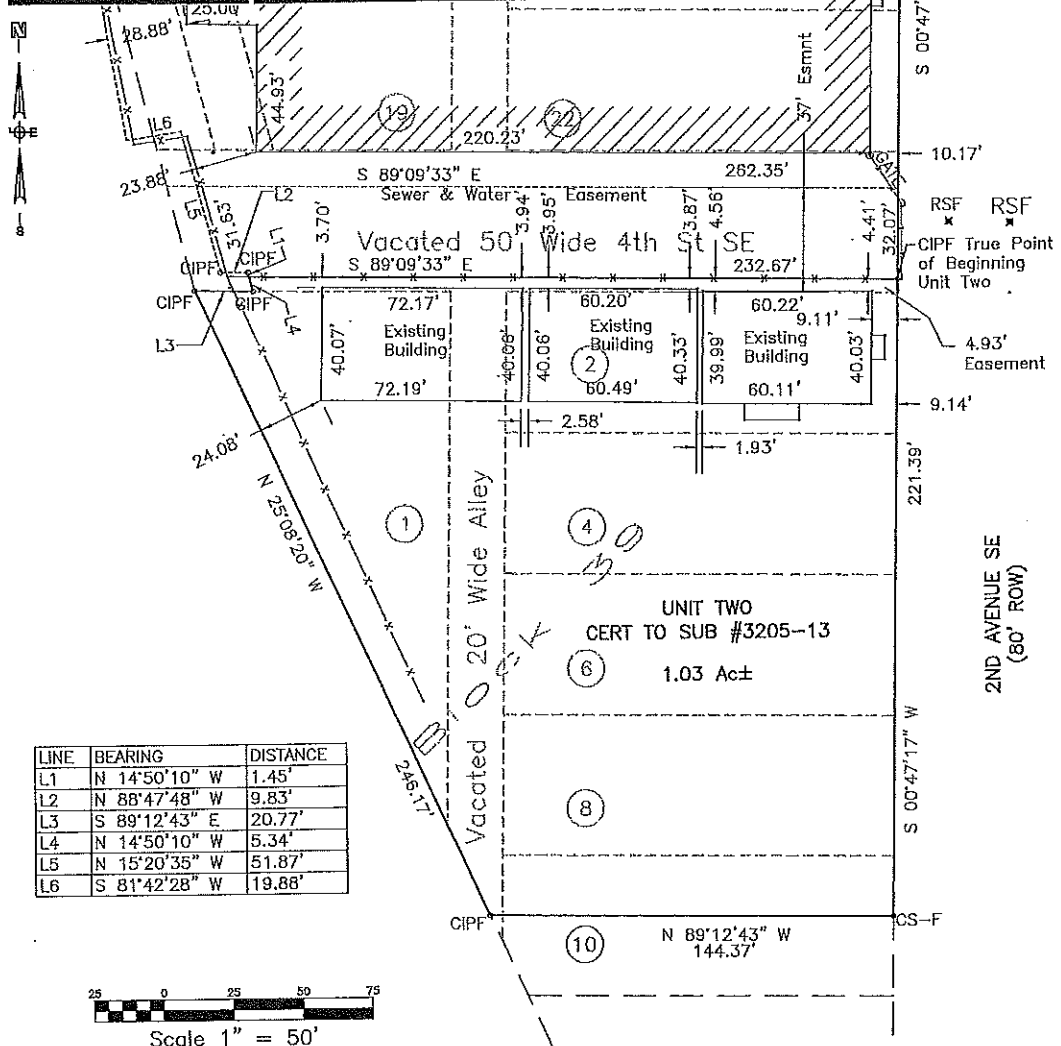
**PROPERTY ZONED RD**



**PUGH WRIGHT MCANALLY**  
CIVIL ENGINEERS

310 8TH AVENUE NE | DECATUR, ALABAMA 35601 | POST OFFICE BOX 2419 | 35602

256.353.3937P 256.350.2285F



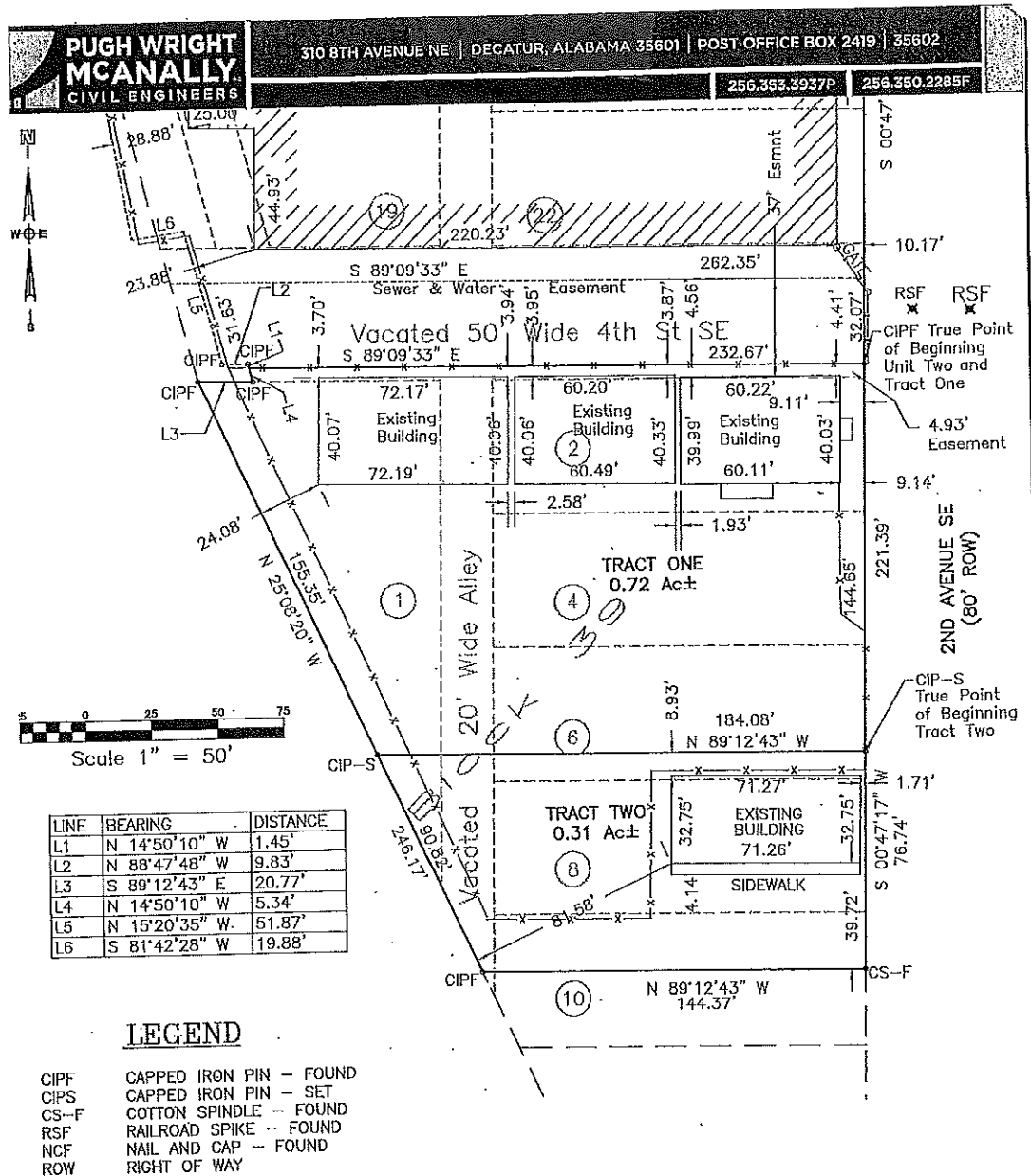
CERTIFICATE TO SUBDIVIDE - GLENNA DEE JONES PROPERTY - 807 2nd AVENUE SE, DECATUR, AL

AWING DATE: MAR., 2015	DRAWN BY: DDP	APPROVED BY: RWH	JOB No. D-32--15	SCALE: 1"=50'	PAGE 3 OF 3
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**PUGHWRIGHTMCANALLY.COM**

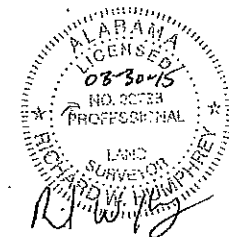


# CERTIFICATE TO SUBDIVIDE NO. 3264-15



## GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE SYSTEM GRID BEARING - WEST ZONE [NAD83] AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN.
3. SOURCE OF INFORMATION USED FOR SURVEY: MISC.B. 2013, PG 4434
4. PROPERTY ADDRESS IS 807 2nd AVENUE, SE, DECATUR, AL 35601.
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN.
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES.
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED IN MARCH, 2015.

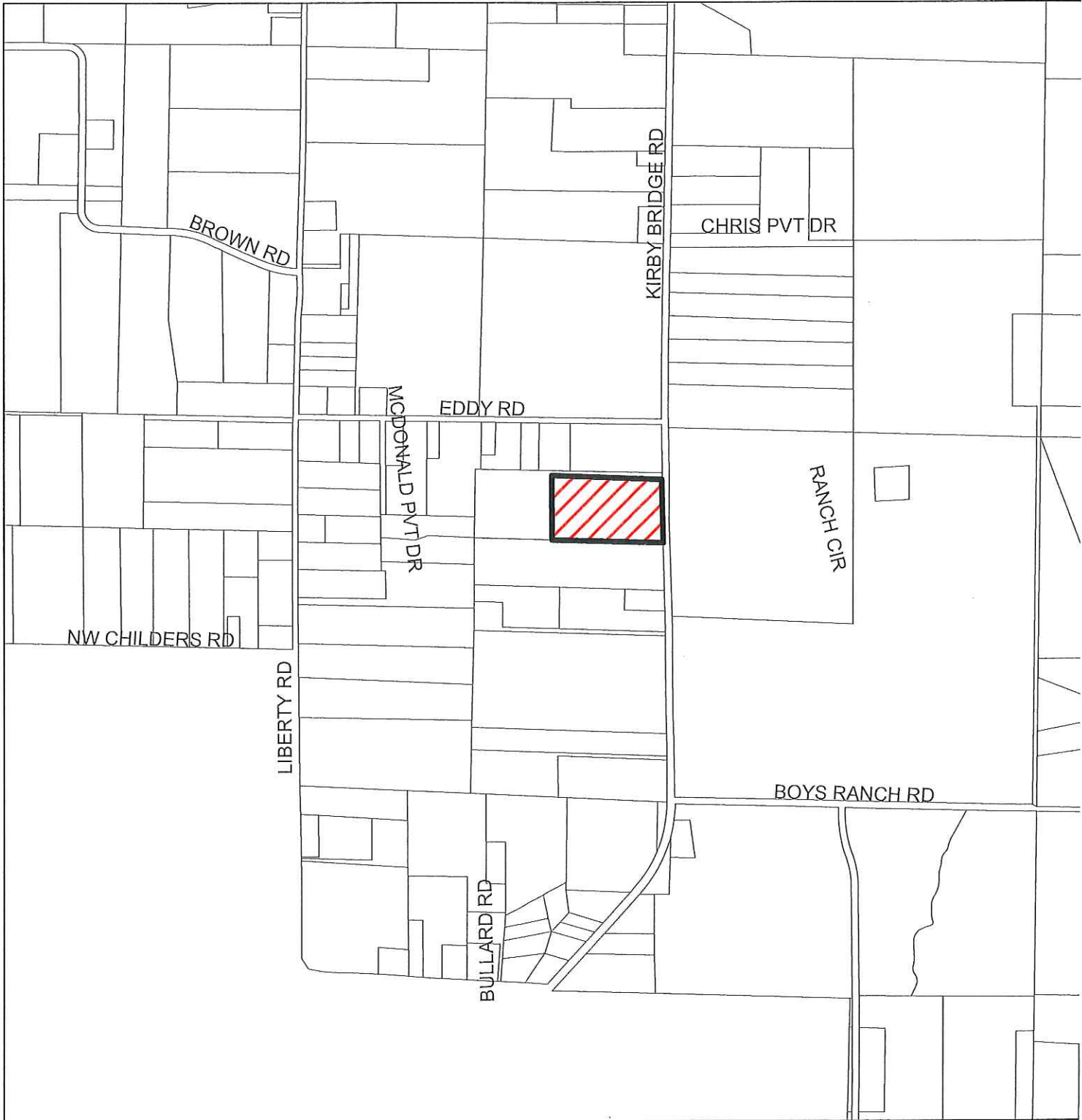


BOUNDARY SURVEY - GLENNA DEE JONES PROPERTY - 807 2nd AVENUE SE, DECATUR, AL

DRAWING DATE: 03/30/2015 | DRAWN BY: DDP | APPROVED BY: RWH | JOB No. S-33-15 | SCALE: 1"=50' | PAGE 3 OF 3

PUGHWRIGHTMCANALLY.COM

# CERTIFICATE TO SUBDIVIDE NO. 3265-15



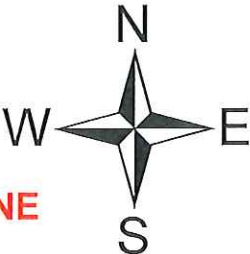
## Legend

- Buildings
- Ownership
- Corporate Limits
- SUBJECT PROPERTY**

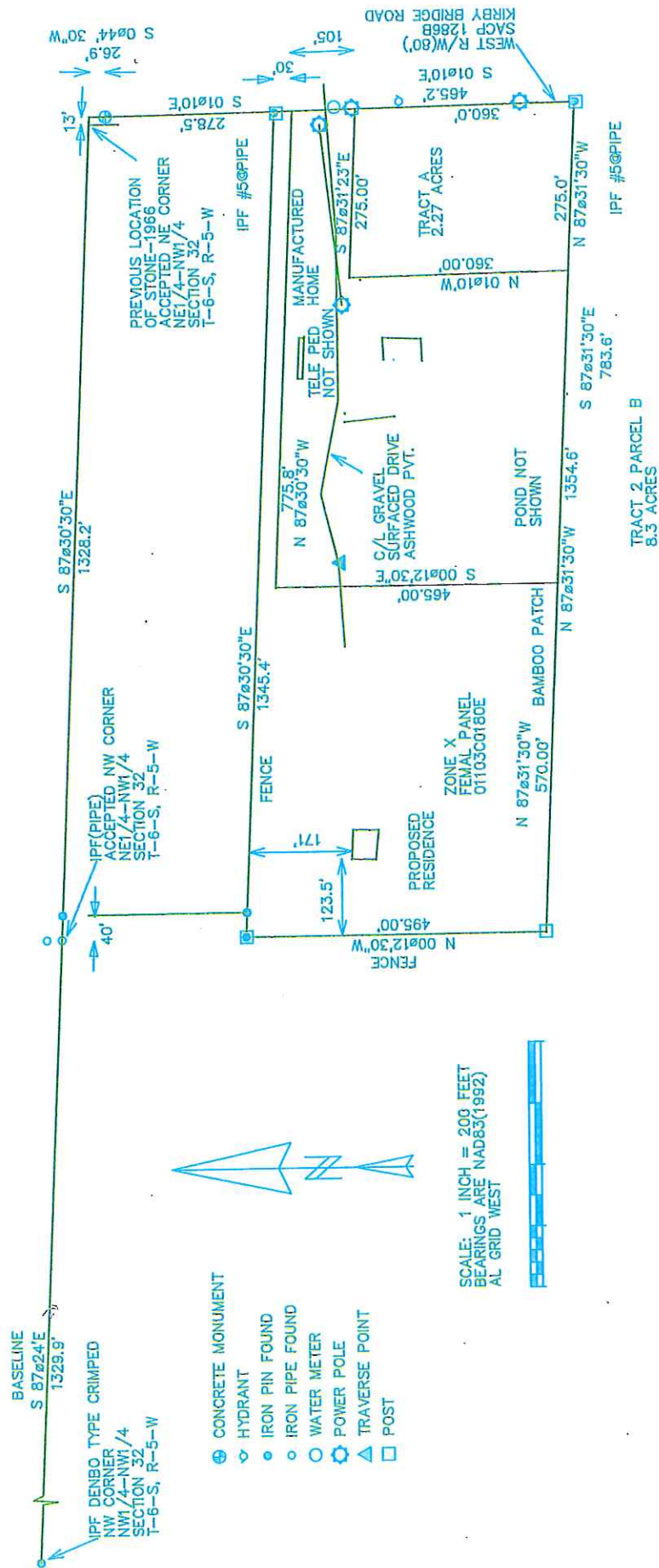
## LOCATION MAP

**APPLICANT: BILLY B. PARKER**

**PROPERTY PJ ONLY NO ZONE**



# CERTIFICATE TO SUBDIVIDE NO. 3265-15



DIVISION OF LAND  
BILLY B. PARKER PROPERTY  
RAYMEY S. ELLENBURG  
RLS # 22090  
628 BROWN ROAD  
DANVILLE, AL 35619  
256.221.7646  
EMAIL: ellenbrs@bellsouth.net  
SURVEY DATE: 7.23.2012  
DRAWING DATE: 3.30.2015



THE FARM SIDEWALK CONSTRUCTION PLAN  
APPROVED BY PLANNING COMMISSION MAY 09



## LOCATION MAP

### Legend




 bldg

PREPARED BY THE CITY OF DECATUR  
PLANNING DEPARTMENT

APPLICANT: DAVID PEEK



DRAWING NOT TO SCALE

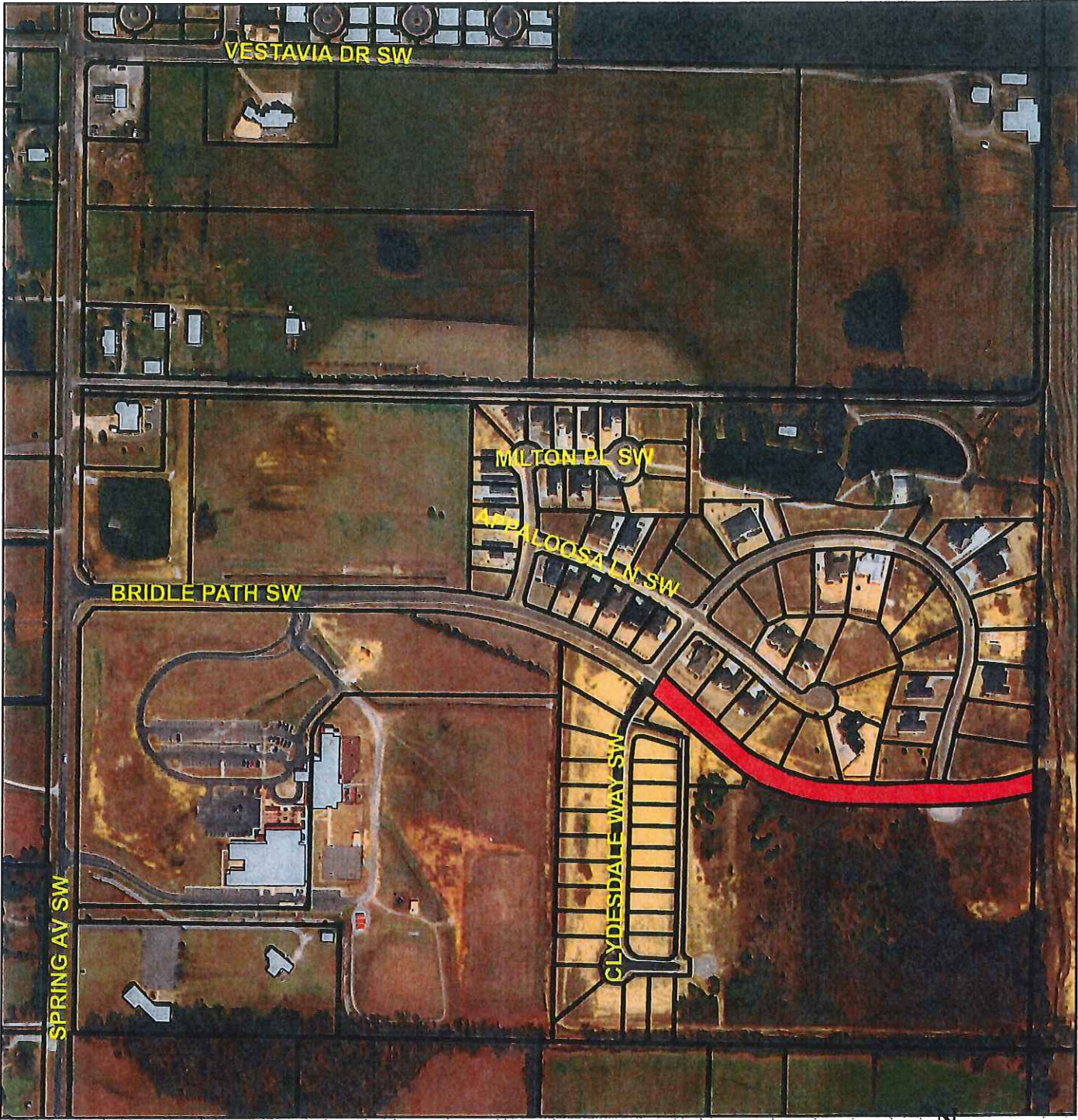
-  SIDEWALK CONSTRUCTED
-  SIDEWALK BUILT WHEN STREET COMPLETED
-  CROSSWALK

**ZONED R-2 AND R-5**

Note: Every reasonable efforts has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. This map is provided without warranty of any kind, either, expressed or implied.



BOND REVIEW FOR THE EXTENSION OF BRIDLE PATH SW  
THE FARM SUBDIVISION



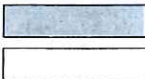
LOCATION MAP

PREPARED BY THE CITY OF DECATUR  
PLANNING DEPARTMENT

APPLICANT: DAVID PEEK



Legend



bldg  
corplim

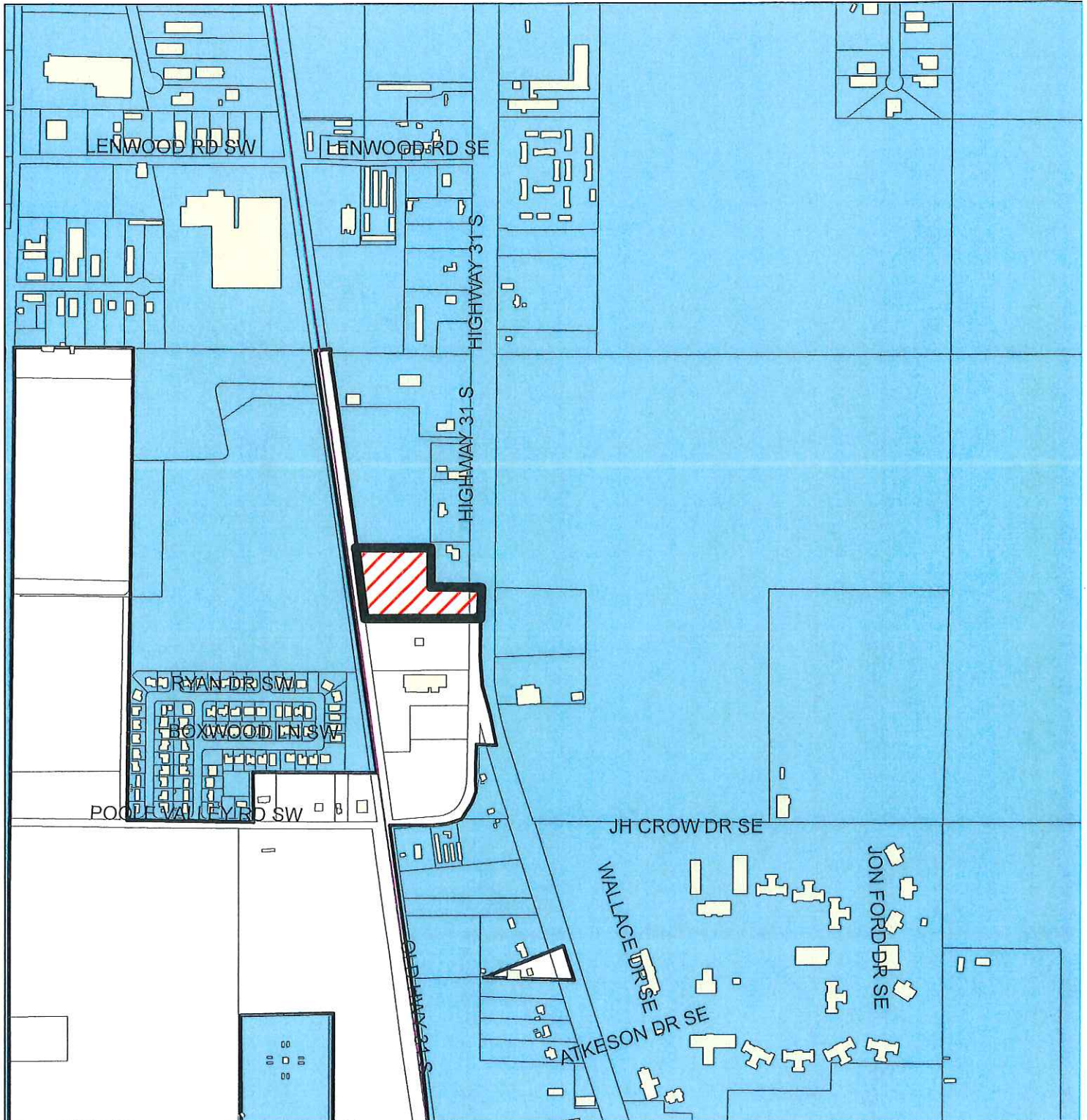
 SUBJECT PROPERTY

ZONED R-2 AND R-5

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# ANNEXATION REQUEST NO. 345-15 4.50 ACRES



## Legend

- Buildings
- Ownership
- Corporate Limits
- SUBJECT PROPERTY**

## LOCATION MAP

**APPLICANT: MORGAN COUNTY COMMISSION**

**PROPERTY PJ ONLY NO ZONE**



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DRAWING NOT TO SCALE