

Agenda Planning Commission

City of Decatur, AL

May 20, 2014

Time: 3:15 PM

City Council Chambers

Commissioners: **Gil Aldrich**, *Chairman*; **Tracy Tubbs**, *Vice Chairman*; **Em Barran**, *Secretary*;
Gary Borden; **Chuck Ard**; **Kent Lawrence**; **Collis Stevenson**; **Joseph Wynn**; **Nell Standridge**

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- May 20, 2014

3. PUBLIC HEARING

PAGE/MAP

REZONING REQUESTS

- | | | |
|------------|---|-------|
| A. 1282-14 | Rezoning
(The Property is located south of Beltline Road and west of Setter Avenue SW) | 1/6-9 |
|------------|---|-------|

PLAT

- | | |
|--|------|
| A. Thomas Johnson Farms Plat 1 – Minor Plat
(North of Mud Tavern Road and east of Old Moulton Rd) | 1/10 |
|--|------|

4. CONSENT AGENDA

CERTIFICATES

- | | | |
|------------|--|---------|
| A. 3241-14 | Certificate to Subdivide
(North of Red Bank Rd SE and west of Indian Hills Rd. SE) | 2/11-13 |
| B. 3242-14 | Certificate to Consolidate and Subdivide
(North of Boys Ranch Road and east side of Boger Loop) | 2/14-15 |

SITE PLANS

- | | | |
|-----------|--|------------------|
| A. 513-14 | Morgan County Jail Expansion
(South of Lee Street NE and west of 1 st Avenue NE) | 3/16
see plat |
| B. 514-14 | Beltline Car Wash
(South side of Beltline Rd. and west of Setter Avenue SW) | 3/17
see plat |
| C. 515-14 | Warehouse
(North of Gordon Terry Parkway and west side of Beltline Hwy 67) | 3/18
see plat |

ANNEXATION REQUEST

A. 342-14

(North of Bennich Road SE and west of Indian Hills Rd SE)

4/19-20

BOND REVIEW

A. Beltline Church of Christ

(Southwest side of Beltline Rd. SW and north of Westmead Drive SW)

4/21

5. OTHER BUSINESS

SITE PLAN

A. 512-14

Decatur Heritage Expansion

(South of Vestavia Drive SW and east of Spring Avenue SW)

5/22

see plat

6. New BUSINESS

A. Request for Planning Commission to set public hearing for Garden Centers
And Incidental Uses

5

PUBLIC HEARING

ZONINGS AND REZONINGS

REZONING 1282-14

Applicant: No. Central AL Properties LLC

Zoning From AG-1 (Agricultural) to M1-A
(Expressway Commercial)

Owner:

Acreage: 0.52

Request: This is a request to rezone an approximately 0.52 acre tract from AG-1 Agricultural District to M1-A Expressway Commercial District.

Location: The Property is located south of Beltline Road and west of Setter Avenue SW.

Recomm: Approval. This is in conformance with the Long Range Plan and adjacent properties.

PLAT

Thomas Johnson Farms Plat 1 – Minor Plat

Applicant: Mary Jane Sanford

Zoning: Outside Corp Limits

Owner: Same

Acreage: 130.78 acres

Request: Subdivide 130.78 acres into five tracts of 9.36 acres, 7.26 acres, 4.03 acres, 41.65 acres and 68.30 acres

Location: North of Mud Tavern Road and east of Old Moulton Rd.

Conds:

1. Provide a stamped and sealed survey for recording
2. Parcel A, the 68.30 acre tract, is land locked. Must have 60' of real property to public ROW or replat to four lots if sight distance data is approved by the County Engineer
3. Payment of \$125.00 for minor plat application fee
4. Payment of \$ 45.36 for notification of adjacent property owners
5. Payment of recording fee
6. Provide letter from property owners requesting subdivision
7. Provide County Engineer with sight distance data at curve
8. Provide ROW dedication block for Mud Tavern (30' from the centerline of the road)
9. Provide signature block for Joe Wheeler Electric EMC
10. Change Alabama Power Easement to read Joe Wheeler EMC easement
11. Change all signature blocks to reflect those required in the Subdivision Regulations of the City of Decatur

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

Recomm: Approval with stated conditions

END PUBLIC HEARING

CONSENT AGENDA

Minutes Subdivision Committee June 10, 2014

Certificates

3241-14 Certificate to Subdivide

Applicant: BTV Associates

Zoning: R-6, Townhomes

Owner: Same

Acreage: 5.13 acres

Request: Subdivide Lot 3 of Burningtree Valley Subdivision, Add. No. 5 into two lots of 2.13 acres and 3.00 acres

Location: North of Red Bank Rd SE and west of Indian Hills Rd. SE

- Conds:
1. Provide a stamped and sealed survey for recording
 2. Verify/obtain septic tank approval for the 2.13 acre tract
 3. Provide property owner letter requesting subdivision
 4. Payment of recording fees

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

Recomm: Approval with stated conditions

3242-14 Certificate to Consolidate and Subdivide

Applicant: Robert P. Wilson

Zoning: Outside Corp Limits

Owner: Same

Acreage: 2.61 acres

Request: Consolidate 2.61 acres and subdivide into two tracts of 1.11 acres and 1.50 acres

Location: North of Boys Ranch Road and east side of Boger Loop

- Conds:
1. Provide a stamped and sealed survey for recording
 2. Verify/obtain septic tank approval for both Tracts 1 and 2
 3. Payment of recording fees
 4. Provide right-of-way dedication block on survey

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

Recomm: Approval with stated conditions

Site Plan Reviews

513-14 Morgan County Jail Expansion

Applicant: Morgan County

Zoning: M-1, Light Industry

Owner: Same

Acreage:

Request: Site plan approval for an addition to the existing Morgan County Jail

Location: South of Lee Street NE and west of 1st Avenue NE

Conds: 1. Provide lighting and landscaping plans
 2. Completion of Certificate to Consolidate 2701-03

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

Recomm: Approval with stated conditions

514-14 Beltline Car Wash

Applicant: North Central AL Properties LLC

Zoning: M-1A, Expressway Comm

Owner: Same

Acreage:

Request: Site plan approval for the construction of a car wash

Location: South side of Beltline Rd. and west of Setter Avenue SW

Conds: 1. Provide permit from ALDOT for access to frontage road
 2. Completion of Certificate to Consolidate and Subdivide 3238-14
 3. Provide off-site easement for sewer extension

Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense.***
2. Extend sewer prior to recording of Certificate #3238-14

Recomm: Approval with stated conditions

515-14 Warehouse

Applicant: Aaron Guthrie

Zoning: Outside Corp Limits

Owner: Same

Acreage:

Request: Site plan approval for the construction of an industrial warehouse facility

Location: North of Gordon Terry Parkway and west side of Beltline Hwy 67

Conds: 1. Obtain permit from ALDOT for access to frontage road

2. Obtain/verify septic tank permit
3. Extend water to property
4. Show any existing utility easements on the property
5. Dedicate an additional 10' of ROW on the south side of Valley Park Dr.

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

Recomm: Approval with stated conditions

ANNEXATION REQUEST

342-14

Applicant: Stratton Orr

Zoning: Outside Corp Limits

Owner: Heritage Trust LLC

Acreage: 2 acres

Request: Annex 2 acres into the corporate limits of the City of Decatur

Location: North of Bennich Road SE and west of Indian Hills Rd SE

Conds: 1. Provide completed Annexation Questionnaire to Planning Department

Recomm: Approval with stated condition

BOND REVIEW

Beltline Church of Christ

Applicant: Beltline Church of Christ

Zoning: M-1A, Expressway Comm

Owner: Same

Acreage: 15.04 acres

Request: Bond review for the completion of the construction of the frontage road (LOC Amt: \$150,000 – Expiration: August 12, 2014)

Location: Southwest side of Beltline Rd. SW and north of Westmead Drive SW

Conds: None

Recomm: The Subdivision Committee recommends the extension of the Letter of Credit or construction of the frontage road.

END CONSENT AGENDA

512-14 Decatur Heritage Expansion

Applicant: Decatur Heritage

Zoning: AG-1 & R-5.0

Owner: Same

Acreage:

Request: Site plan approval for an addition to the existing Decatur Heritage school

Location: South of Vestavia Drive SW and east of Spring Avenue SW

Conds: 1. Construction of a sidewalk on the south side of Vestavia Drive SW to Spring Ave SW

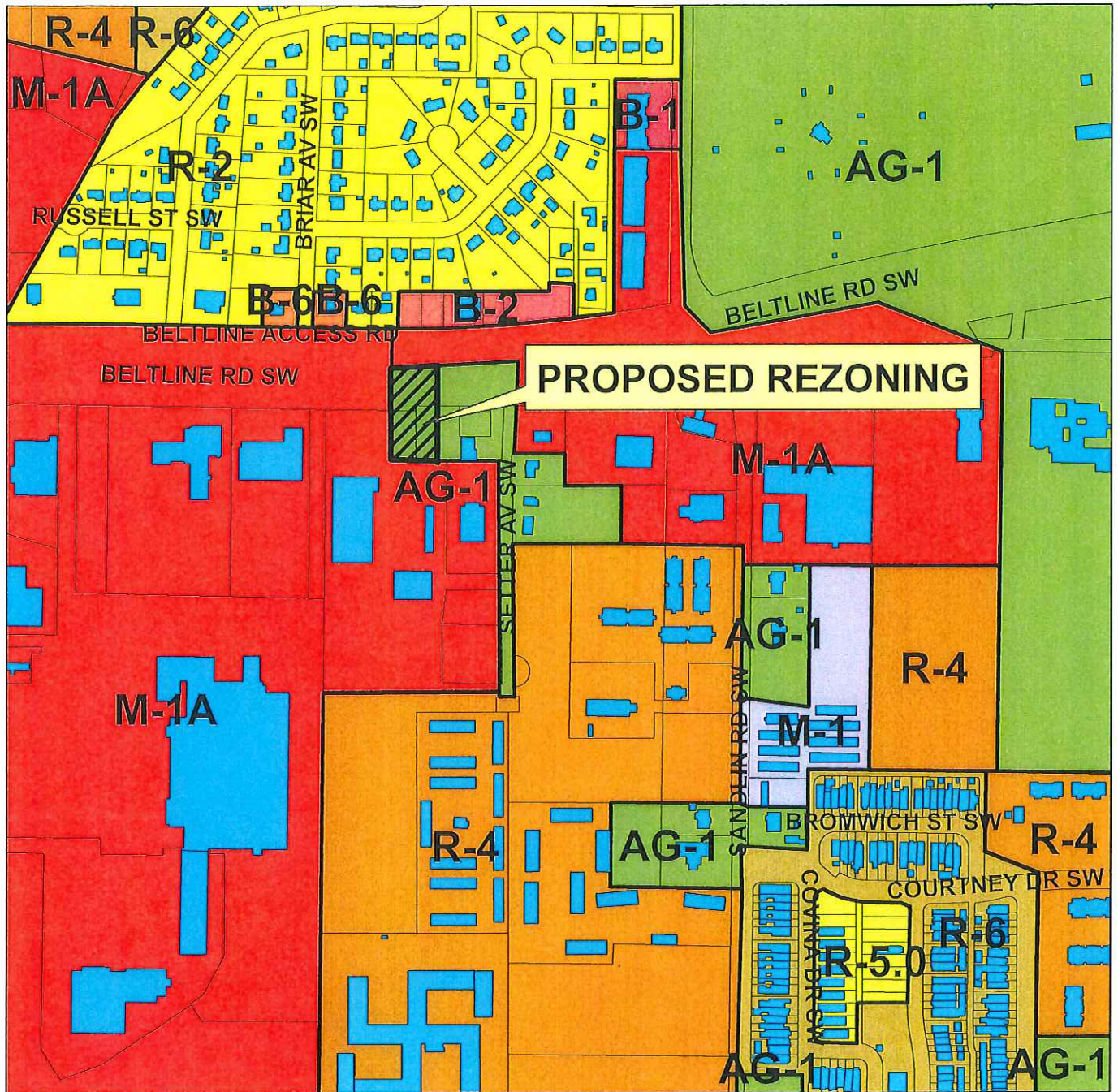
Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm: The Subdivision Committee recommends the approval of the extension of Vestavia Drive SW either Option A or Option B.

NEW BUSINESS

The Planning Department requests that the Planning Commission set a public hearing for the July 22, 2014 meeting for Garden Centers and Incidental Uses.

REZONING REQUEST NO.1282-14 FROM AG-1 TO M-1A .52 ACRES



Legend

- bldg
- Ownership



SUBJECT PROPERTY

PROPERTY ZONED AG-1

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT : NORTH CENTRAL ALABAMA PROPERTIES LLC



DRAWING NOT TO SCALE

Note: Every reasonable effort 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.

COMPARE AG1 & M1A

SECTION	AG1 (CURRENT)	M1A
USES PERMITTED	<p>Uses permitted: General farming including horticulture; dairying; apiaries; livestock and poultry raising; fish hatcheries; and other similar enterprises or uses.</p> <p>Aircraft landing fields; hangars and equipment; cemeteries; golf courses, swimming pools; country clubs; recreation buildings of a public or quasi-public character, sanatoriums, convalescent and nursing homes for human care; charitable institutions; animal hospitals and kennels; private clubs, lodges, summer camps, lodging and boarding houses.</p> <p>Accessory buildings and uses customarily incidental to the above uses.</p> <p>Any use permitted or permitted on appeal in and R-1 residential district and subject to all district requirements of an R-1 district as specified in section 25-10.</p> <p>Outdoor advertising structures, provided however, that such use shall be conditional as follows: Within sixty (60) days of the time that the zoning map is amended to cause advertising structures which have been erected in an AG-1 agricultural district to fall within a residential district such structures shall be removed.</p>	<p><i>Uses permitted:</i> On premises sale and off premises sale of alcoholic beverages; public and semi-public uses, including governmental buildings, hospitals, clinics, churches, schools, academies, and clubs; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1500 foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business of service not specifically restricted or prohibited; provided that special consideration is given for the development of all uses and their relationship to the adjoining service roads providing direct access, or adjoining "expressways" or other major arterials as designated by the major thoroughfare plan which may provide direct, or indirect access via a service road. The plat and plan of the proposed use and any subsequent addition thereto shall be submitted and have the approval of the planning commission before any structures or uses are authorized in these districts and before a building permit is issued for any structure or certificate of occupancy given for any use not requiring a structure.</p>
USES PERMITTED ON APPEAL	<p>Uses permitted on appeal: Sports arenas, recreational and amusement enterprises operated on a commercial basis; clubs the chief activity of which is customarily carried on as a business; clubs; on premises and off premises sale of alcoholic beverages by clubs when duly licensed as a class I club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under the pursuant to the Alcoholic Beverage Licensing Code; on-premises and off-premises sale of alcoholic beverages by organizations complying with the definition of a class II club located on and embracing within its sole possessory right, one tract or parcel of</p>	<p><i>Uses permitted on appeal:</i> Light industrial operations not obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor, or effluents; mobile home parks, provided such parks are laid out and utilities are made available for not less than ten trailers or mobile homes; and any use permitted in an R-4 Residential District, provided such use shall be subject to all district requirements thereof as set forth and specified in <u>section 25-10</u> hereof, other than the maximum height provision set forth therein which shall not be applicable, provided however no such use permitted on appeal shall have direct access to the Beltline Road (Alabama Highway 67) unless such applicant shall present to the board of zoning adjustment a limited access plan in writing, approved by the city engineer, or other duly designated authority, which plan must meet the approval of the board, and be a condition of any</p>

COMPARE AG1 & M1A

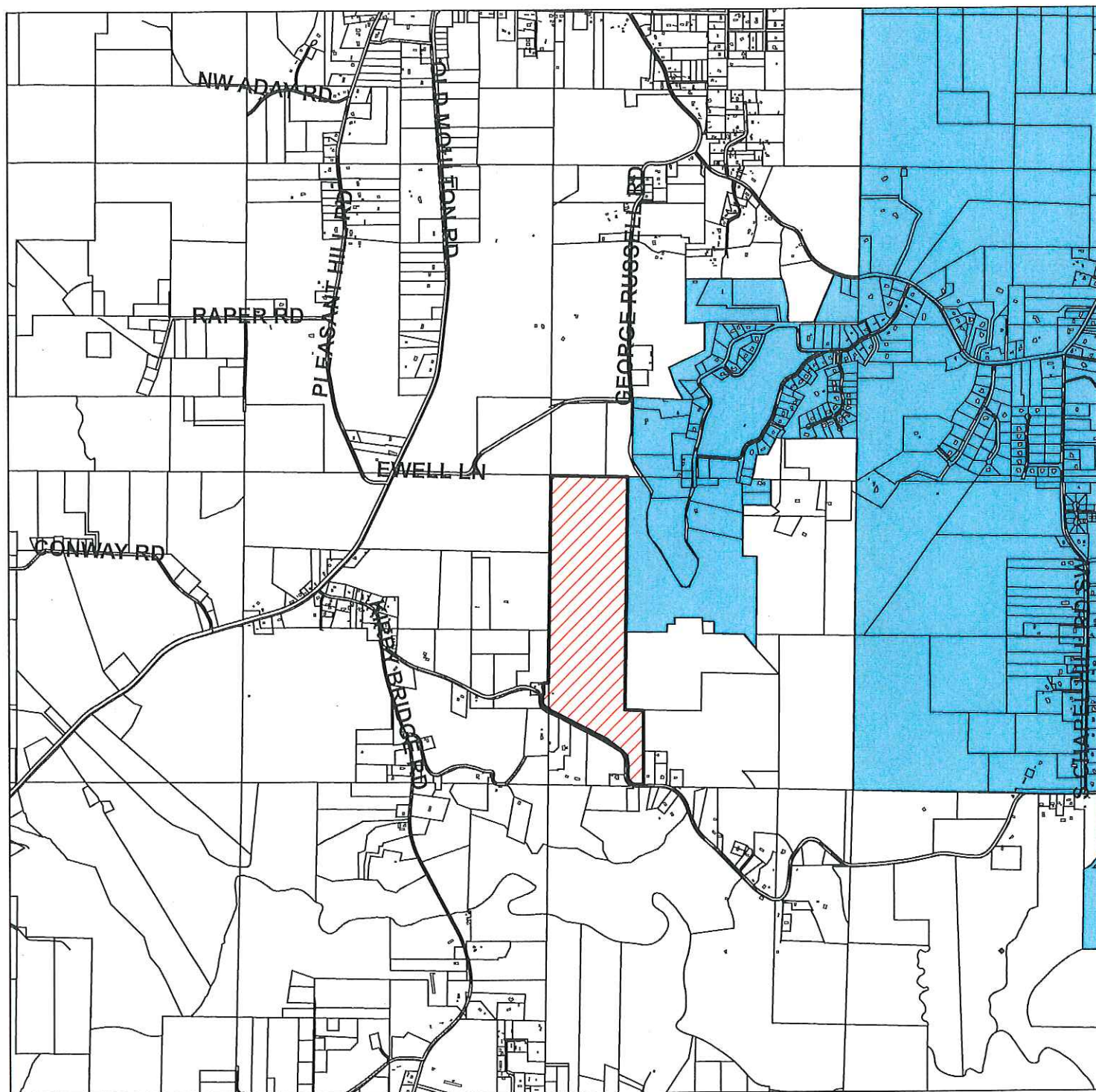
SECTION	AG1 (CURRENT)	M1A
	land not less than twenty (20) acres in size provided such tract or parcel of land is utilized by such organization on a regular basis for recreational or athletic purposes and further provided that such organization is duly licensed as a class II club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code; event venues, tourist courts, tourist homes; motor courts and trailer courts, when these uses, in the opinion of the board of zoning adjustment will not impair an existing or potential future residential neighborhood and permitted subject to such conditions as the said board may require to preserve and protect the character of the district and otherwise promote the purpose of this chapter.	grant or approval by such board.
USES PROHIBITED	Uses prohibited: On premises and off premises sale of alcoholic beverages, except as herein otherwise allowed; residential, commercial and industrial uses, not specifically permitted on appeal.	<i>Uses prohibited:</i> Stockyard; live animals or poultry sales; coal yards; lumber mills; auto wrecking; grist or flour mills; ice plants; junk scrap paper, rag, storage or bailing; stone or monument works. Any use as determined by Building Director whose operations would be obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, vibration, noise, odor, effluence, or appearance.
MINIMUM LOT SIZE	Minimum lot size: Minimum required lot area 15,000 square feet, Minimum required lot width at building line – 100 feet	<i>Minimum lot size:</i> It is the intent of the ordinance that lots of sufficient size be used for any use to provide adequate off-street parking and off-street loading space in addition to the space required for the other normal operations of the enterprise or use.
MINIMUM YARD SIZE	Minimum yard size; Front, 20 feet; rear, 45 feet; sides, 15 feet; except any structure used for the housing of livestock of any kind shall not be located closer than 100 feet to any property line or line of a district other than an agricultural district.	<i>Minimum yard size:</i> Sixty (60) foot minimum set back from and along the Beltline Road; thirty-five (35) foot minimum set back from and along all other public street rights-of-way; thirty-five (35) foot minimum rear yard; and no side yard required excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a twenty-five (25) foot minimum yard size. Gasoline pump islands (uncovered) may be placed within the front yard or set back area along the Beltline Road provided they maintain a thirty-five (35) foot minimum set back from all public street rights-of-way. In the event of conflict between any of the provisions herein, the stricter of such provisions shall apply.
MAXIMUM BUILDING	Maximum coverage - None specified	<i>Maximum building area:</i> 40 per cent of lot area including specified yard space providing that

COMPARE AG1 & M1A

SECTION	AG1 (CURRENT)	M1A
AREA		required off-street parking and off-street loading and unloading areas are provided.
MAXIMUM HEIGHT	Maximum height: 35 feet or 2 ½ stories.	<i>Maximum height:</i> None.
OFF STREET PARKING	Off-street parking; See § 25-16	<i>Off-street parking:</i> See <u>§ 25-16</u>
OFF STREET LOADING AND UNLOADING	Off-street loading and unloading; Shall provide adequate space for loading and unloading on rear and/or side yard.	<i>Off-street loading and unloading:</i> Adequate space for loading and unloading of all vehicles or trucks incidental to the operation of the business or use shall be provided.

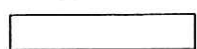



THOMAS JOHNSON FARMS PLAT 1

MINOR PLAT

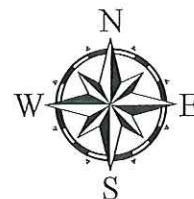


LOCATION MAP

Legend

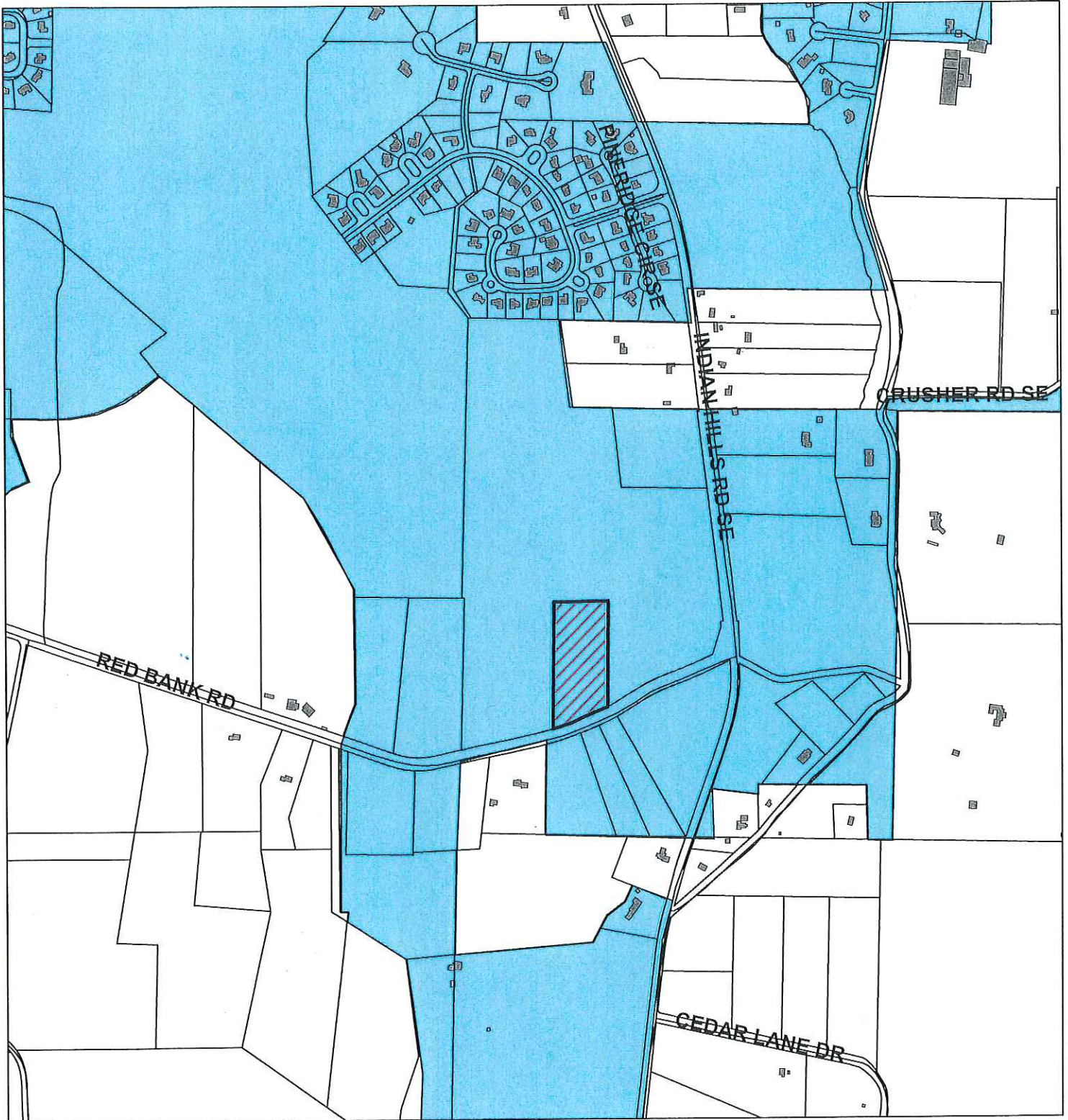
-  Parcels
-  bldg
-  corplim
-  **SUBJECT PROPERTY**

APPLICANT: MARY JANE SANFORD



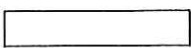



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CERTIFICATE TO SUBDIVIDE NO.3241-14



LOCATION MAP

Legend

	Parcels
	bldg
	corplim
	SUBJECT PROPERTY

APPLICANT: BURNINGTREE VALLEY ASSOCIATES



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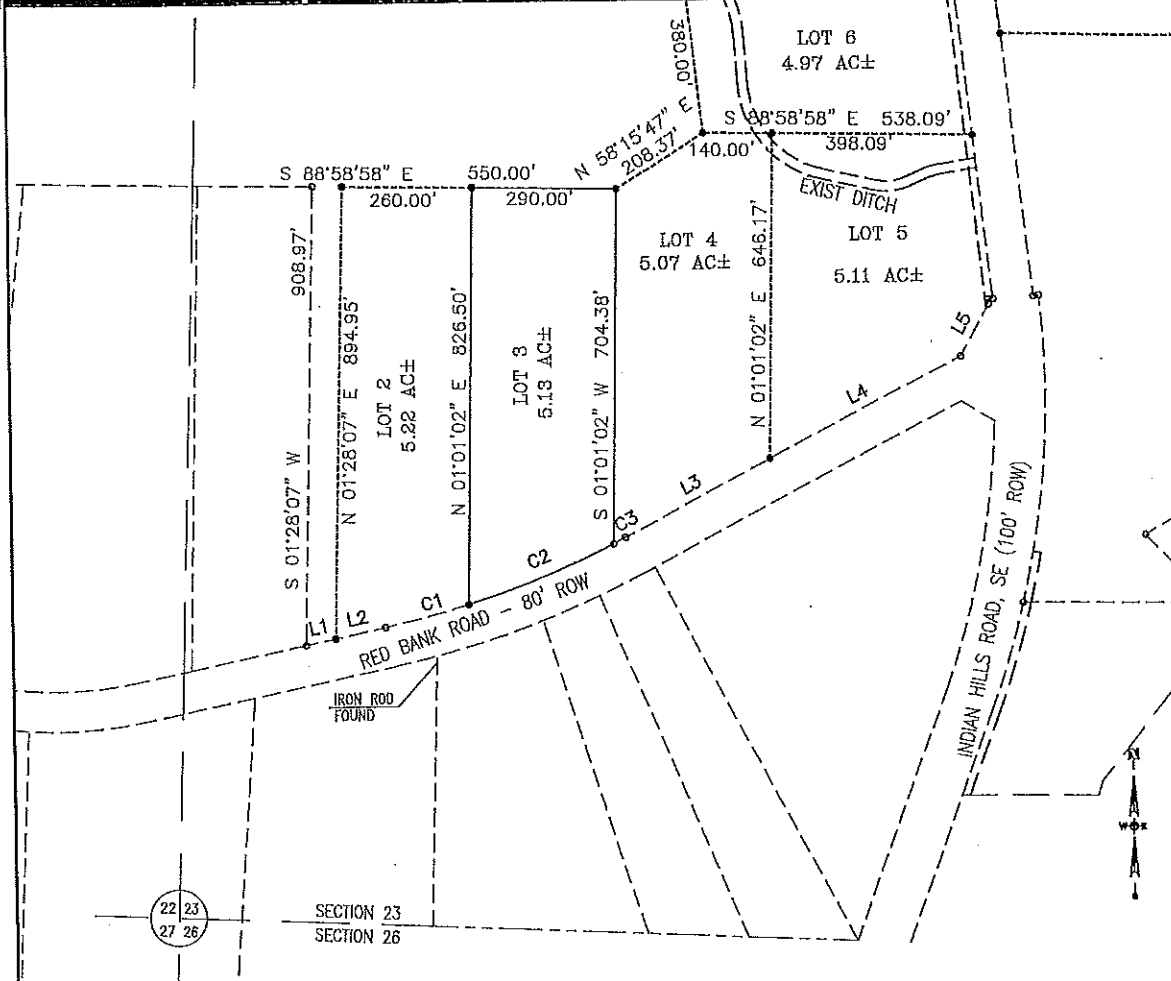
CERTIFICATE TO SUBDIVIDE NO. 3241-14



**PUGH WRIGHT
MCANALLY**
CIVIL ENGINEERS

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

256.353.3937P 256.350.2285F



LINE	BEARING	DISTANCE	CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
L1	N 78°18'45" E	61.62'	C1	173.18'	1869.87'	5°18'24"	S 75°39'40" W	173.12'
L2	N 78°18'45" E	102.62'	C2	315.04'	1869.87'	9°39'12"	S 68°10'53" W	314.66'
L3	N 62°30'53" E	331.20'	C3	27.41'	1869.87'	0°50'24"	S 62°56'05" W	27.41'
L4	N 62°30'53" E	430.84'	C4	122.31'	1869.87'	3°44'52"	S 71°08'02" W	122.29'
L5	N 28°44'45" E	116.38'	C5	192.72'	1869.87'	5°54'19"	S 66°18'27" W	192.64'

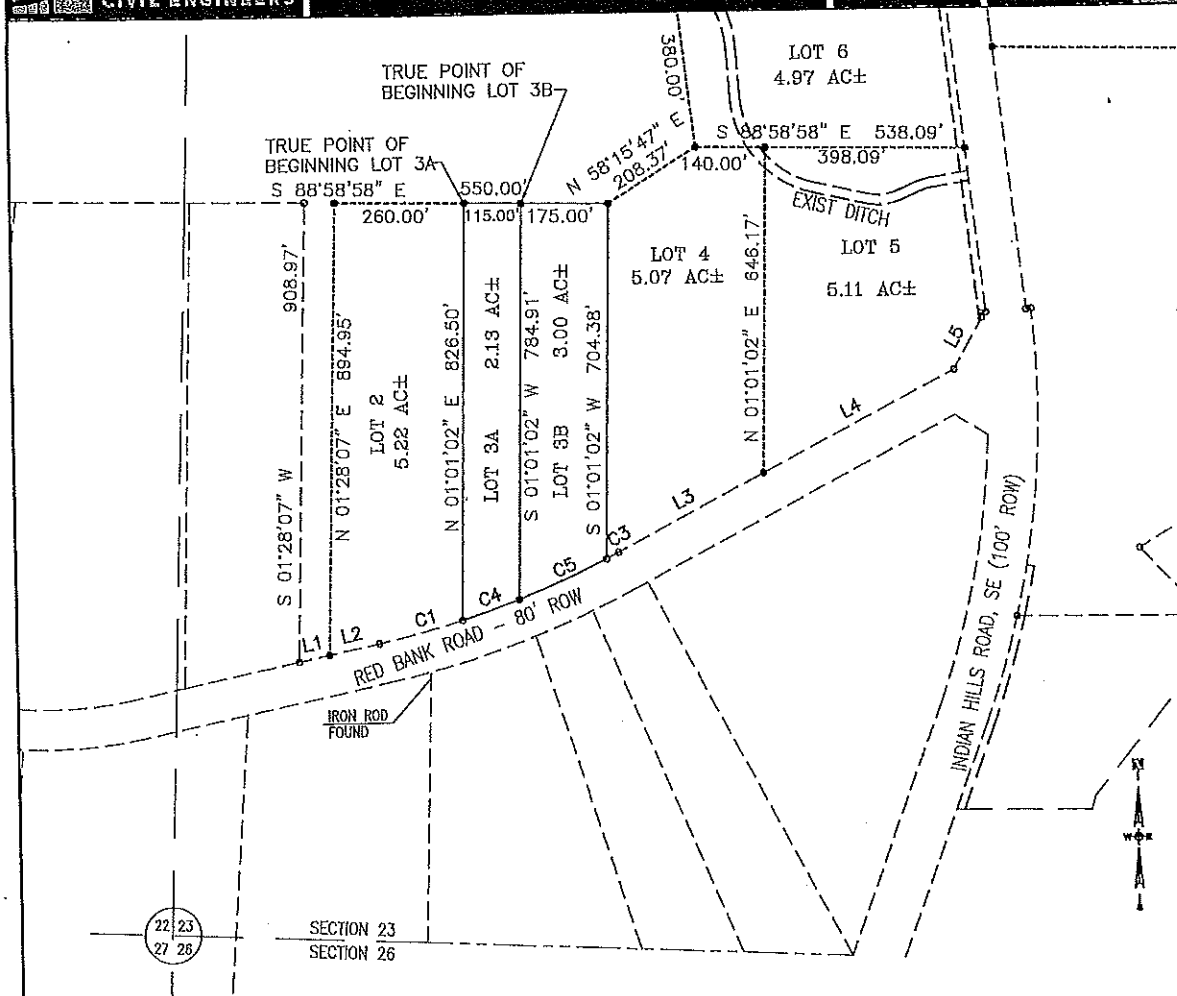
CERTIFICATE TO SUBDIVIDE NO. 3241-14

**PUGH WRIGHT
MCANALLY**
CIVIL ENGINEERS

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

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256.350.2285F

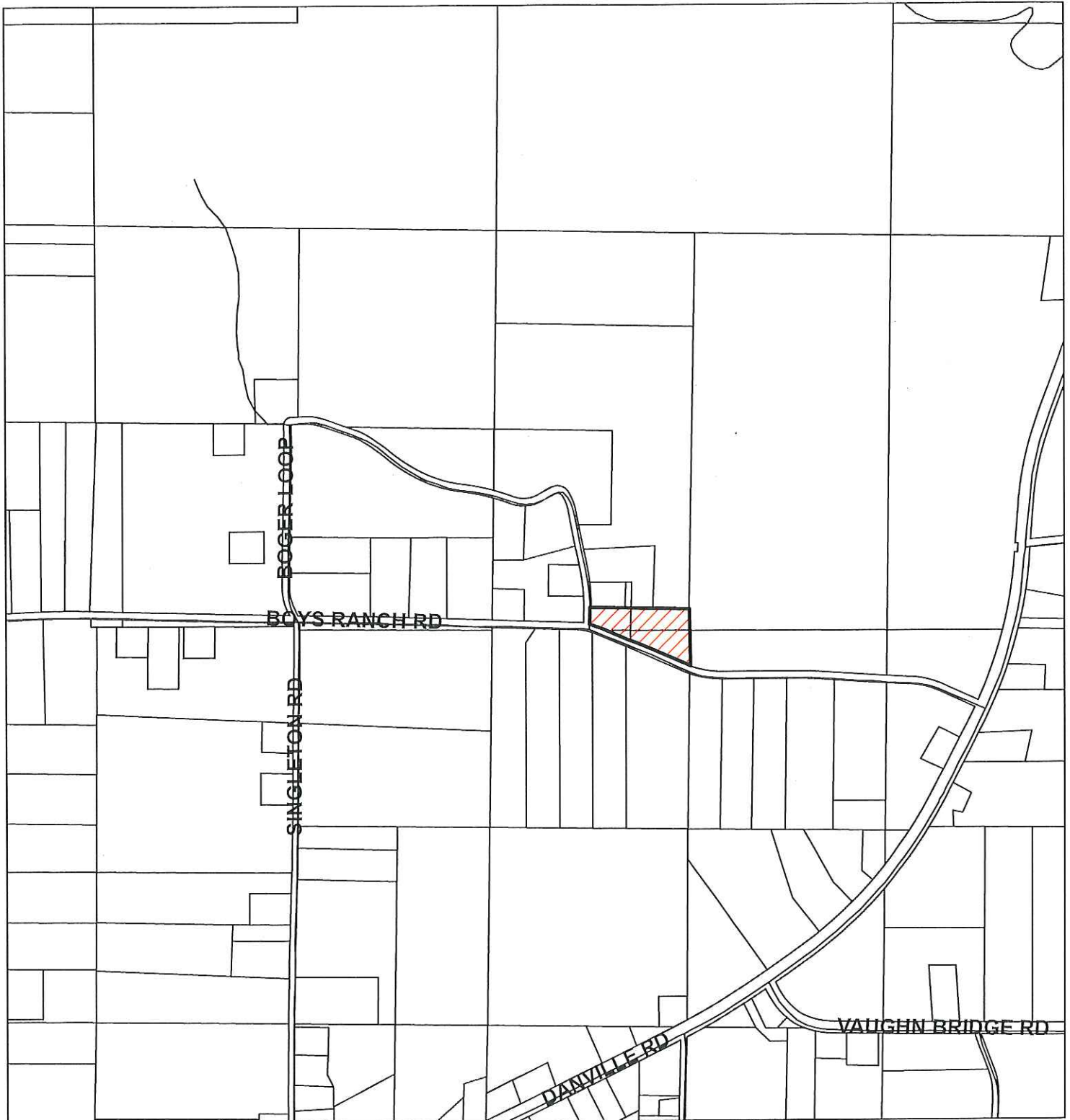


LINE	BEARING	DISTANCE	CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
L1	N 78°18'45" E	61.62'	C1	173.18'	1869.87'	5°18'24"	S 75°39'40" W	173.12'
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L3	N 62°30'53" E	331.20'	C3	27.41'	1869.87'	0°50'24"	S 62°56'05" W	27.41'
L4	N 62°30'53" E	430.84'	C4	122.31'	1869.87'	3°44'52"	S 71°08'02" W	122.29'
L5	N 28°44'45" E	116.38'	C5	192.72'	1869.87'	5°54'19"	S 66°18'27" W	192.64'

GENERAL NOTES

1. NORTH REFERENCE IS PLAT BEARING FROM BURNINGTREE VALLEY SUBDIVISION ADDITION No. 5 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: M.B. 2014 PG 8
4. PROPERTY IS LOCATED ON THE NORTH SIDE OF RED BANK ROAD 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 MAY, 2014.

CERTIFICATE TO CONSOLIDATE AND SUBDIVIDE NO.3242-14



LOCATION MAP

Legend

-  Parcels
-  bldg
-  SUBJECT PROPERTY

APPLICANT: ROBERT PAUL WILSON



DRAWING NOT TO SCALE

[illegible]

NOTES:

1. THE EXISTING LINE BETWEEN TWO PARCELS OF THE WILSON PROPERTY SHALL BE VOID UPON THE APPROVAL AND RECORDING OF THIS SUBDIVISION. EXISTING PARCELS ARE DESCRIBED AS THE FIRST TWO PARCELS AT THE TOP OF PG. 6233 IN DB 2008.

Harry C. Vice, Jr., P.E., P.L.S.
Ala. Reg. No. 16747

ABBREVIATIONS:
I.P.F. = IRON PIN FOUND
I.P.S. = IRON PIN SET
(1/2" MARKED "VICE 16747")
M.N.S. = MAGNETIC NAIL SET
CMS = CONCRETE MONUMENT SET
P.O.C. = POINT OF COMMENCEMENT
T.P.O.B. = TRUE POINT OF BEGINNING
AC. = ACRE
CN. = CORNER
N = NORTH
S = SOUTH
E = EAST
W = WEST
DB = DEED BOOK
PG = PAGE
S'D = SUBDIVISION
CERT. = CERTIFICATE
CONC. = CONCRETE
GRL. = GRAVEL
OE = OVERHEAD ELECTRIC
SEWER, SEWAGE, UTILITIES AND

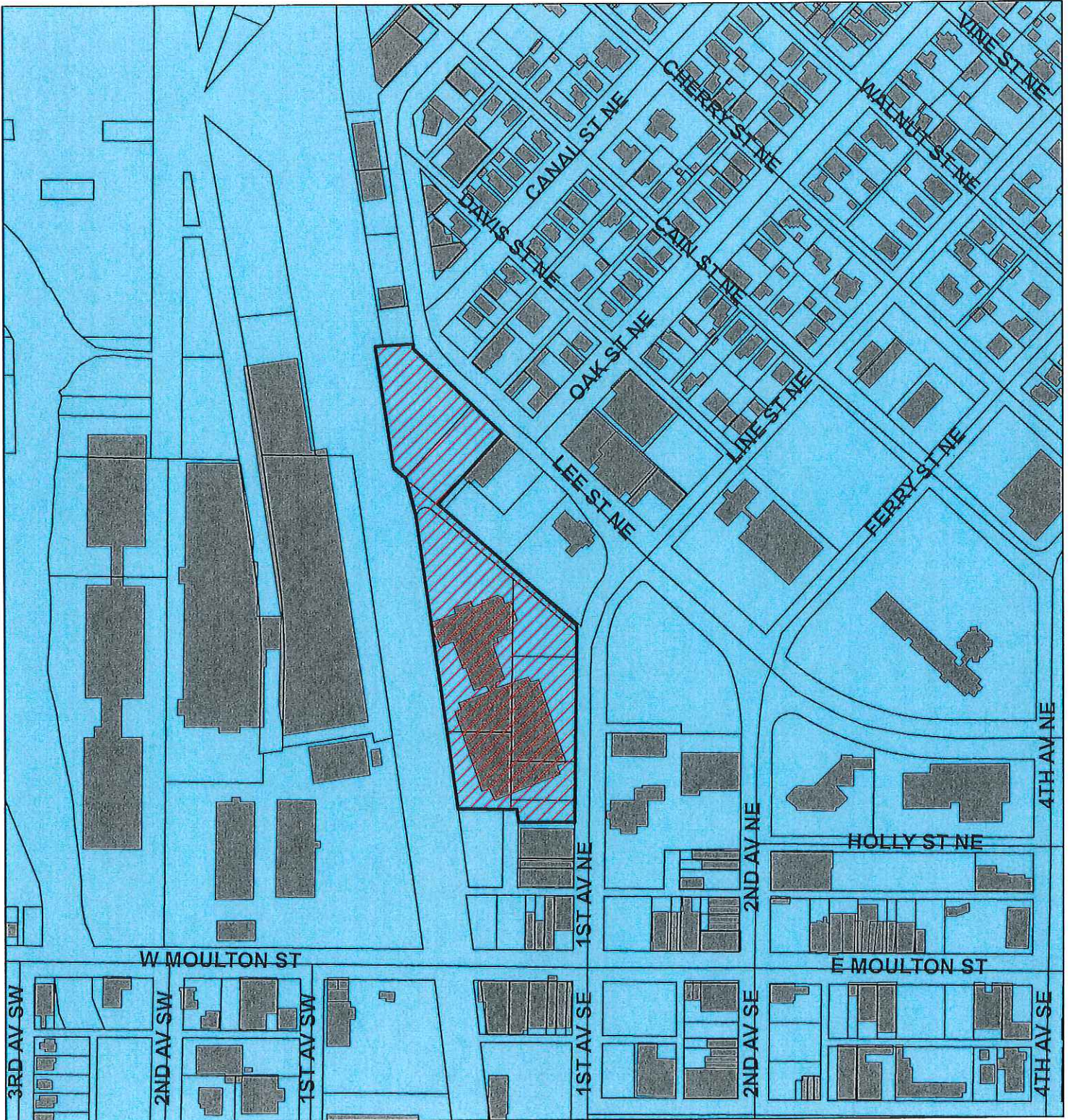
**PRELIMINARY
FOR REVIEW ONLY**

RE-SUBDIVISION OF THE
WILSON PROPERTY
BOYS RANCH ROAD
MORGAN COUNTY, ALABAMA

FIELD SVY: X-XX-14

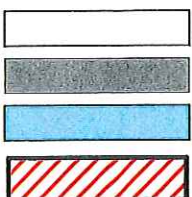
PREPARED BY:
HARRY C. VICE, JR., P.E., P.L.S.
CIVIL ENGINEER & LAND SURVEYOR
1506 MARKS DRIVE
HARTSELLE, ALABAMA 35640
PHONE: 256-612-1501
E-MAIL: hvce@bellsouth.net

SITE PLAN NO. 513-14



LOCATION MAP

Legend



Parcels
bldg
corplm

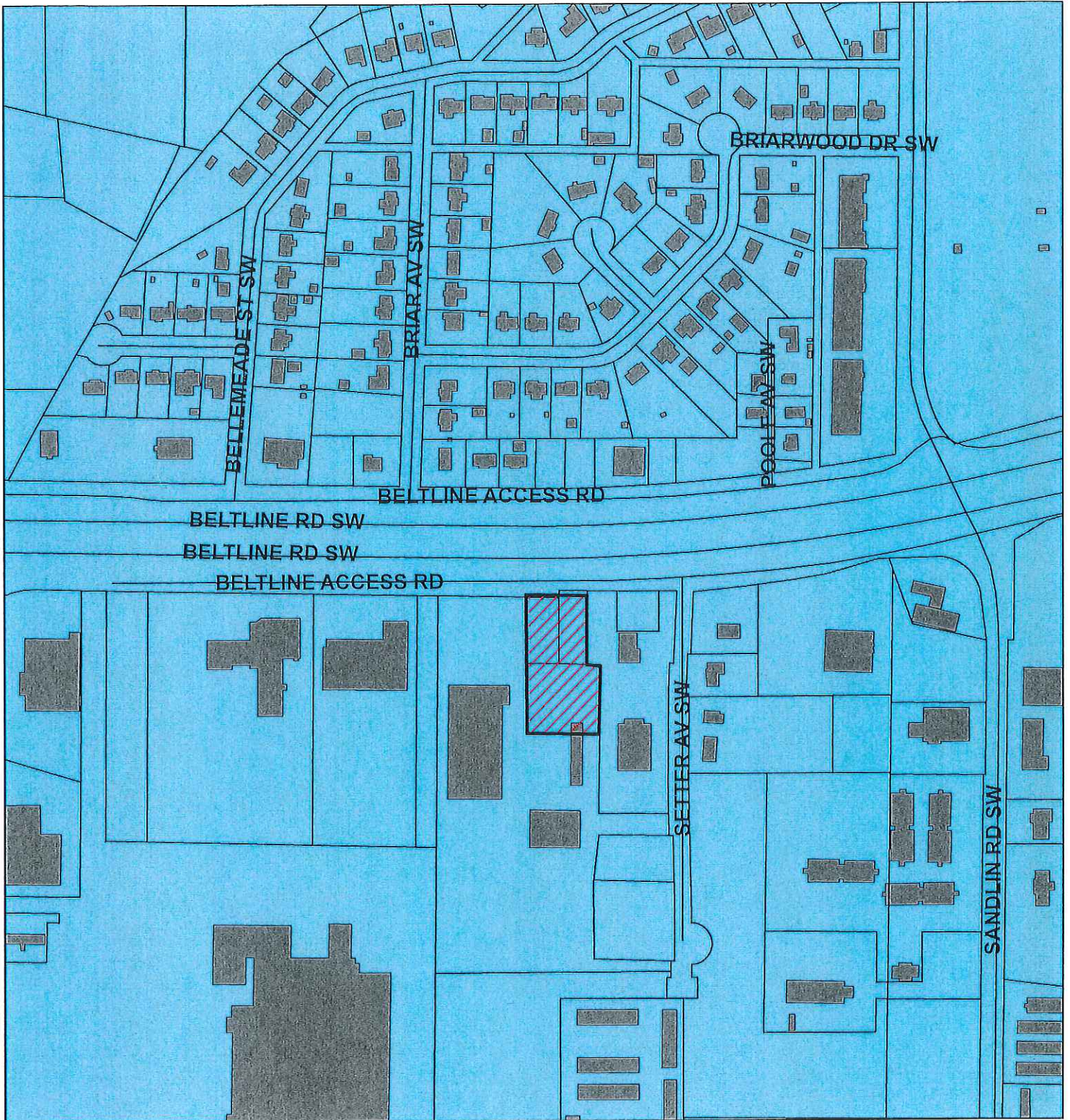
SUBJECT PROPERTY

APPLICANT: MORGAN COUNTY JAIL



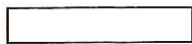



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SITE PLAN NO. 514-14



LOCATION MAP

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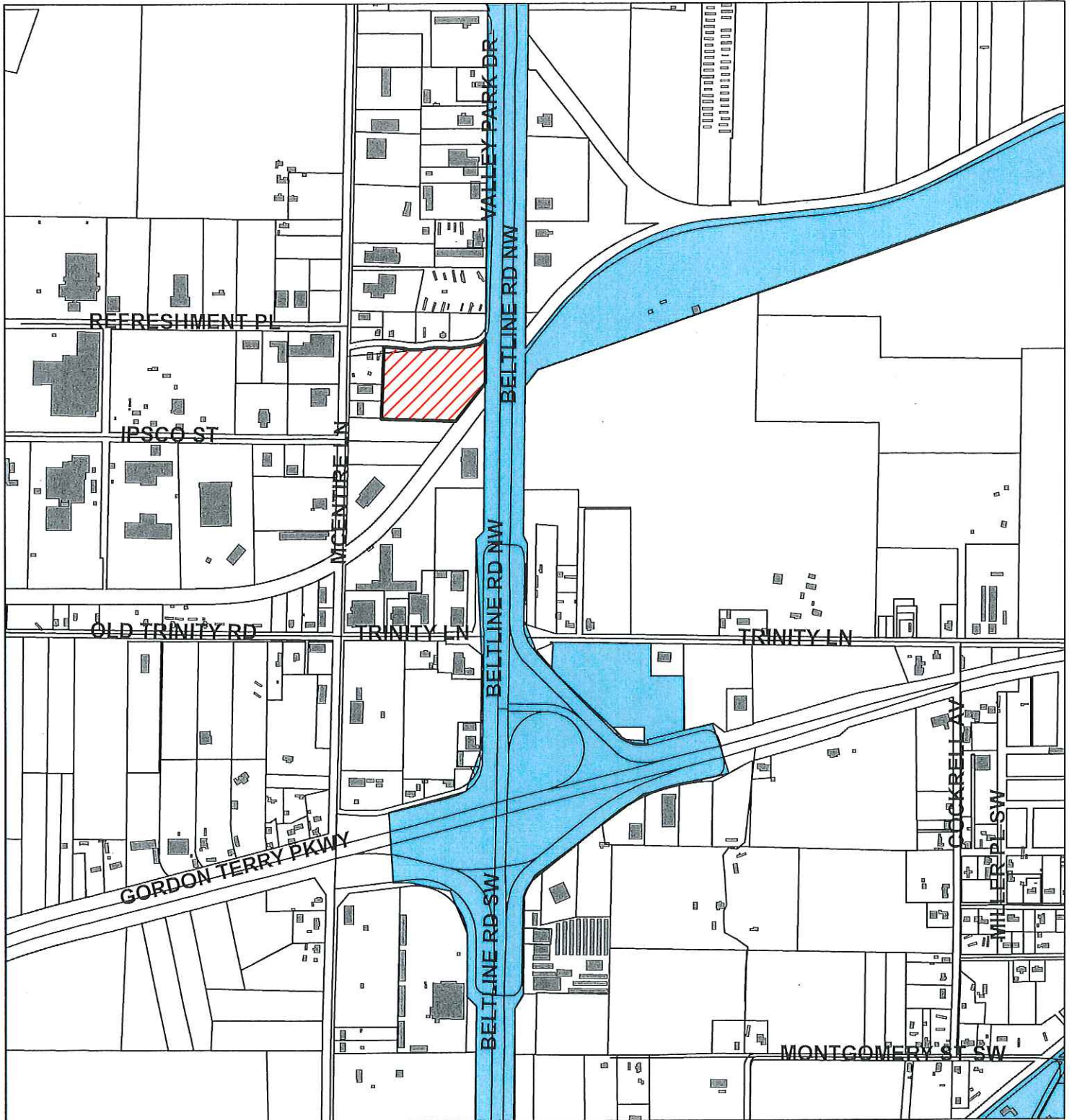
	Parcels
	bldg
	corplim
	SUBJECT PROPERTY

APPLICANT: NORTH CENTRAL ALABAMA
PROPERTIES, LLC







DRAWING NOT TO SCALE

SITE PLAN NO. 515-14



LOCATION MAP

Legend

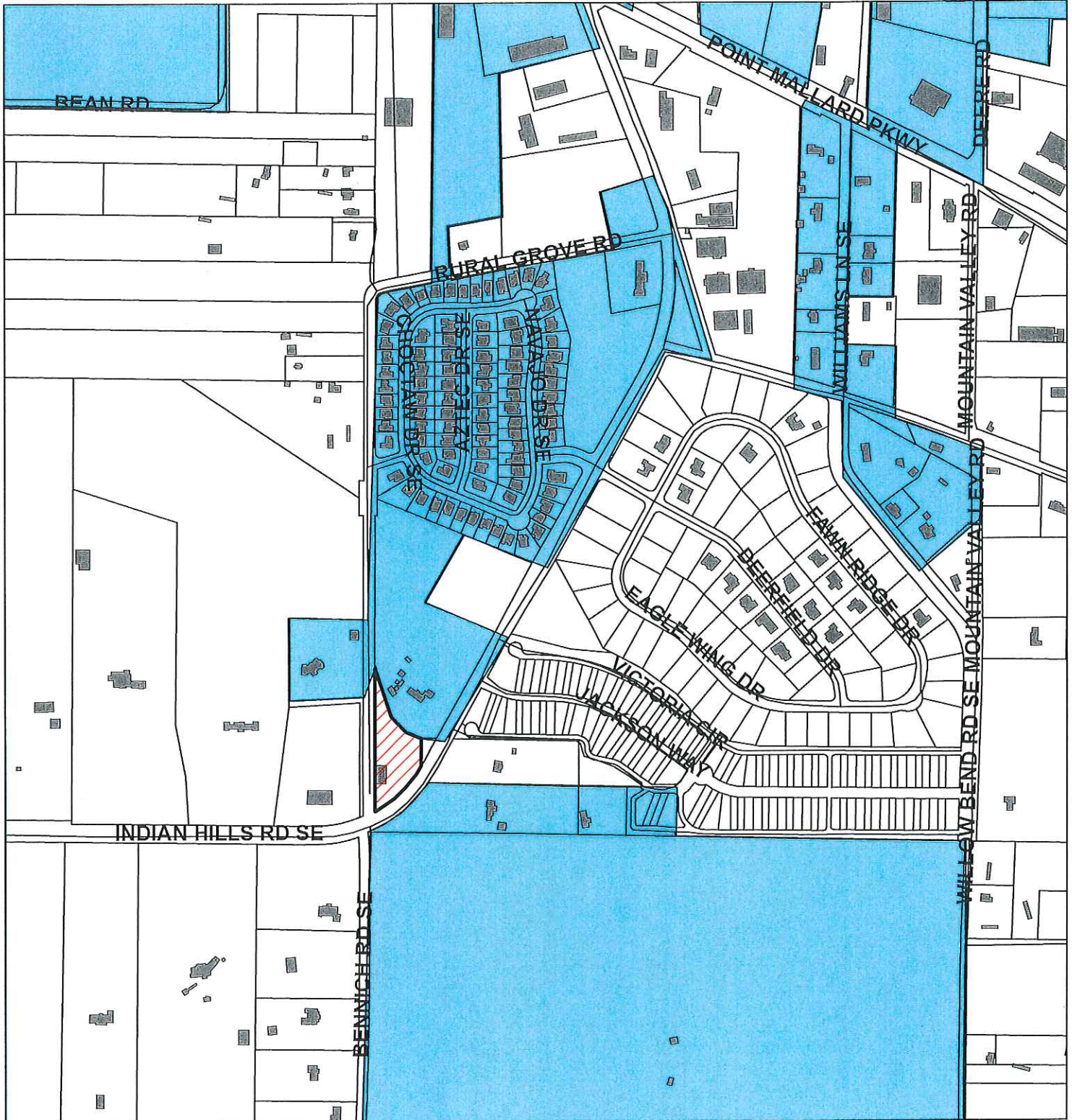
	Parcels
	bldg
	corplim
	SUBJECT PROPERTY

APPLICANT: AARON GUTHRIE



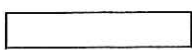



DRAWING NOT TO SCALE

ANNEXATION REQUEST NO. 342-14



LOCATION MAP

Legend

	Parcels
	bldg
	corplm
	SUBJECT PROPERTY

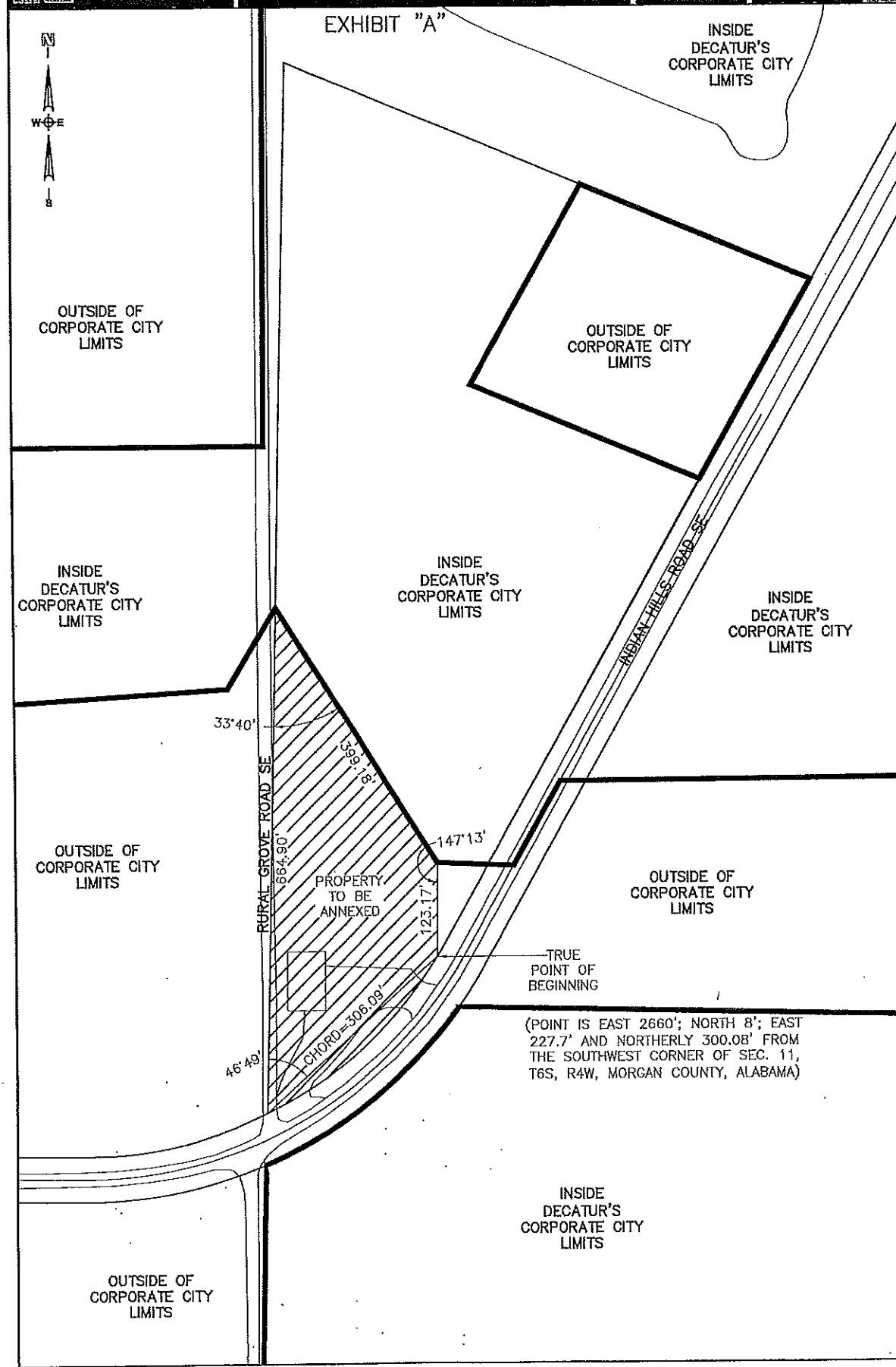
APPLICANT: STRATTON ORR



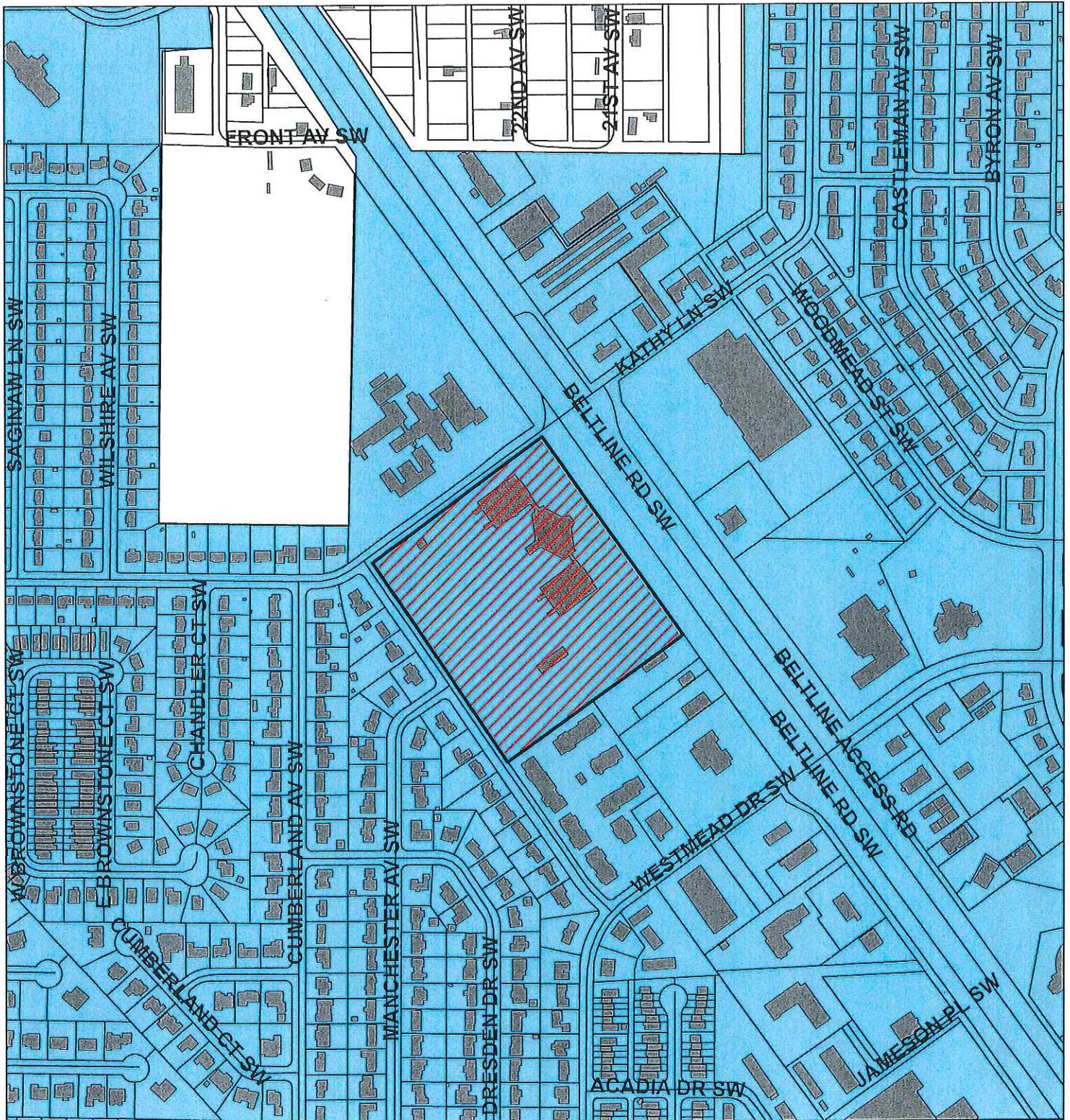
DRAWING NOT TO SCALE

**PUGH WRIGHT
MCANALLY**
CIVIL ENGINEERS

256.353.3937P	256.350.2285F
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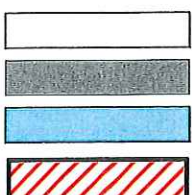


BELTLINE CHURCH OF CHRIST BOND REVIEW



LOCATION MAP

Legend



Parcels

bldg

corplm

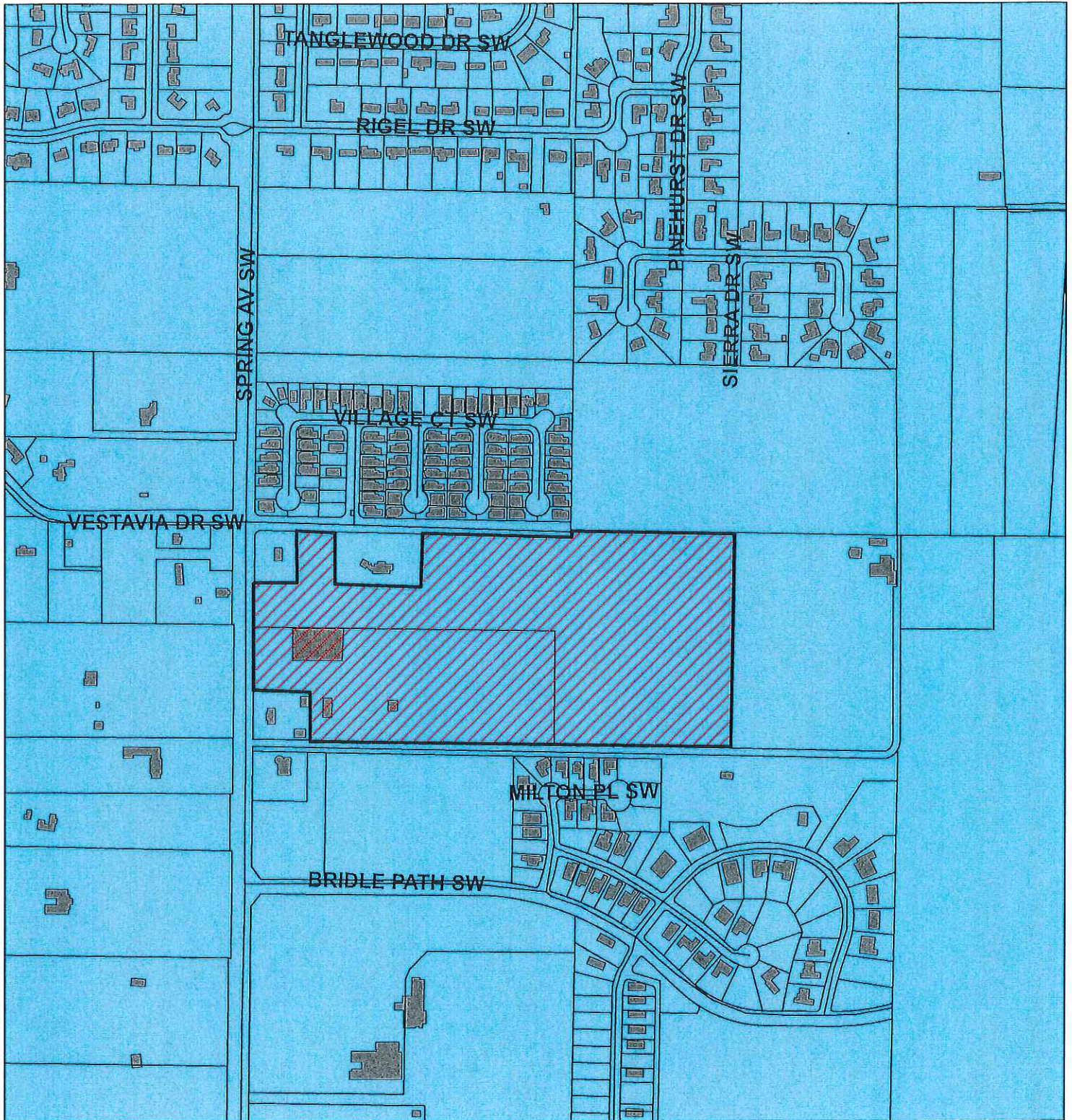
SUBJECT PROPERTY

APPLICANT: BELTLINE C.O.C.



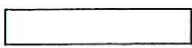



DRAWING NOT TO SCALE

SITE PLAN NO. 512-14



LOCATION MAP

Legend

-  Parcels
-  bldg
-  corplim
-  SUBJECT PROPERTY

APPLICANT: DECATUR HERITAGE CHRISTIAN
ACADEMY



DRAWING NOT TO SCALE
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