Agenda Planning Commission

City of Decatur, AL August 20. 2013

Time: 3:15 PM City Council Chambers

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

1. CALL MEETING TO ORDER						
2. APPROVAL OF MINUTES July 23, 2013						
Z. APPROVAL OF	WINO 123 July 23, 2013					
3. PUBLIC HEARING						
		PAGE/MAP				
ZONINGS AND REZONINGS						
A. 1273-13	Rezoning (West side of 15 th Ave. SE North of 11 th Ave.)	1/5-7				
4. CONSENT APP	ROVALS					
CERTIFICATES						
A. 3217-13	Certificate to Subdivide (North of Old Moulton Road SW and west of Beltline Hwy 67)	1/8-10				
B. 3218-13	Certificate to Subdivide (South of Cedar St SW and east side of Beltline Rd. SW)	2/11-13				
C. 3219-13	Certificate to Consolidate (North of Jade Pointe Drive SE and east of Ruby Pointe Dr)	2/14-15				
D. 3220-13	Certificate to Consolidate (North of Cherry St NW and east of Walnut St NW)	3/16-17				
PLAT REVIEW						
A. Mitchell Crossing – Layout 3/18						
	(North of Old Moulton Rd. SW and west of Beltline Hwy 67)	(see plat)				
END CONSENT ACENDA						

A. Vestavia Hills	S (South of Vestav	ria Drive SW and	l east of Vestavia	a Circle SW)	4/19-2

Minutes Subdivision Committee August 20, 2013

PUBLIC HEARING

REZONING REQUEST 1273-13

Applicant: Mellissa Bagwell, Jason Lance, Zoning: R3 to MC

and Jasper Lance

Owner: Same Acreage: .14 Acres

Request: This is a request to rezone a .14 acre tract from R3 to MC

Location: West side of 15th Ave. SE North of 11th Ave.

Recomm: The Zoning Committee and the Planning Department recommend approval. This is in the Planned

Medical area and in conformance with the long range plan.

END PUBLIC HEARING

CONSENT AGENDA

Certificates

Certificate to Subdivide

Applicant: Kenneth Mitchell

Owner: Kenneth Mitchell

Zoning: Outside Corp Limits

Acreage: 34.44 acres

Request: Subdivide 34.44 acres into two tracts of 32.35 acres and 2.09 acres

Location: North of Old Moulton Road SW and west of Beltline Hwy 67

Conds: 1. Provide copy of deed showing Kenneth Mitchell is the owner of the property

2. Payment of recording fees

3. Show ROW for Old Moulton Rd. and McEntire Lane (40' from the centerline)

Pts. of Info:

- (1) Any relocation of utilities will be at the owner's expense.
- (2) Property must be annexed prior to the extension of the sewer.

(3) No building permit will be issued on Unit 2 until sewer is extended to said tract (4) Any further development of the 32.35 acre tract, also known as Unit 1, shall require a master development plan showing service roads and access points to the Beltline and McEntire Lane. Plan to be approved by the Planning Commission.

(5) Lot 2 will be part of the Mitchell Crossing plat

Recomm: Approval with stated conditions

3218-13 Certificate to Subdivide

Applicant: David Rubin, Rep. for Zoning: M-1A, Expressway Comm

Owner: Beltline Decatur LLC Acreage: 16.14 acres

Request: Subdivide 16.14 acres into two tracts of 15.117 acres and 1.025 acres

Location: South of Cedar St SW and east side of Beltline Rd. SW

Conds: 1. Payment of recording fees

2. Extend sewer to Unit 2

Pts. of Info:

(1) Site plan approval will be required.

(2) Unit 2 will have to meet parking requirements for project plus the additional cross access parking previously granted to the Dairy Queen.

(3) Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated condition

3219-13 Certificate to Consolidate

Applicant: Jerrada Sparks Zoning: R-2, SF Residential

Owner: Same Acreage: .58 acres

Request: Consolidate Lots 5 and 6 of Crown Pointe, Addition No. 4 into one tract of .58 acres

Location: North of Jade Pointe Drive SE and east of Ruby Pointe Drive

Conds: 1. Payment of recording fees

2. Provide deed showing ownership of property

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

Recomm: Approval with stated conditions

Certificate to Consolidate

Applicant: Lester & Nella Fletcher

Zoning: R-3, SF Residential
Acreage: Approx .44 acres

Request: Consolidate Lots 2 and Lot 3, less 7' off the south end of the Vine Street, Phase I,

Redevelopment Project, 2nd Increment into one tract of .44 acres

Location: North of Cherry St NW and east of Walnut St NW

Conds: 1. Payment of recording fees

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

Recomm: Approval with stated condition

Plat Review

Mitchell Crossing

Applicant: Kenneth Mitchell

Owner: Same

Zoning: Outside Corp Limits

Acreage: 34.44 acres

Request: Layout approval to subdivide 34.44 acres into three tracts of 29.9 acres, 2.1 acres

and 1.2 acres

Location: North of Old Moulton Rd. SW and west of Beltline Hwy 67

Conds: 1. Provide master plan for entire acreage showing service roads and access

points to the Beltline and McEntire Lane. This plan to be approved by the

Planning Commission.

2. Property must be annexed prior to the extension of the sewer

2. Extend sewer to all tracts

3. ALDOT approval required for access cut to Beltline at service road

Pts. of Info:

(1) Any relocation of utilities will be at the owner's expense.

(2) Developer and his engineer need to meet with Planning prior to next submission.

(3) Site plan approval will be required prior to development

Recomm: Approval with stated conditions

END CONSENT AGENDA

Bond Review

Vestavia Hills

Applicant: James Hurst Zoning: R-3, SF Residential

Owner: Gobble Fite Lumber Company Acreage:

Request: Bond review for the completion of public improvements (sidewalks) in the Vestavia Hills

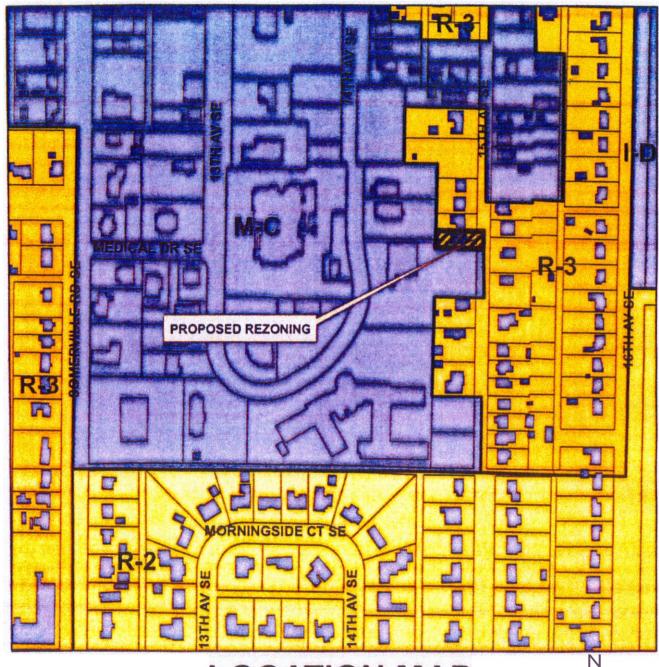
Subdivision (CD Amt: \$2,500. Expiration Date: 7/21/2013)

Location: South of Vestavia Drive SW and east of Vestavia Circle SW

Recomm: CD is due to expire, recommend that the remaining two (2) sidewalks be constructed

per Mr. Hurst's letter to the Planning Department. (see attached)

REZONING REQUEST N0.1273-13 FROM R-3 TO MC .14ACRES



Legend

bldg

---:- Ownership

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLJCANT :BAGWELL AND LANCE

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DRAWING NOTTO SCALE

SUBJECT PROPERTY

PROPERTY ZONED R-3

Note Every reasonable e!Yort has been made 1o assure the accuracy of It>ts map The C1ty of OecaM does not assume labtbty ansig from Itte use of thtS 'T'ap Th's map s prov.deo .o*thout warranty of an)' kind. I!jlher expressed or mplied

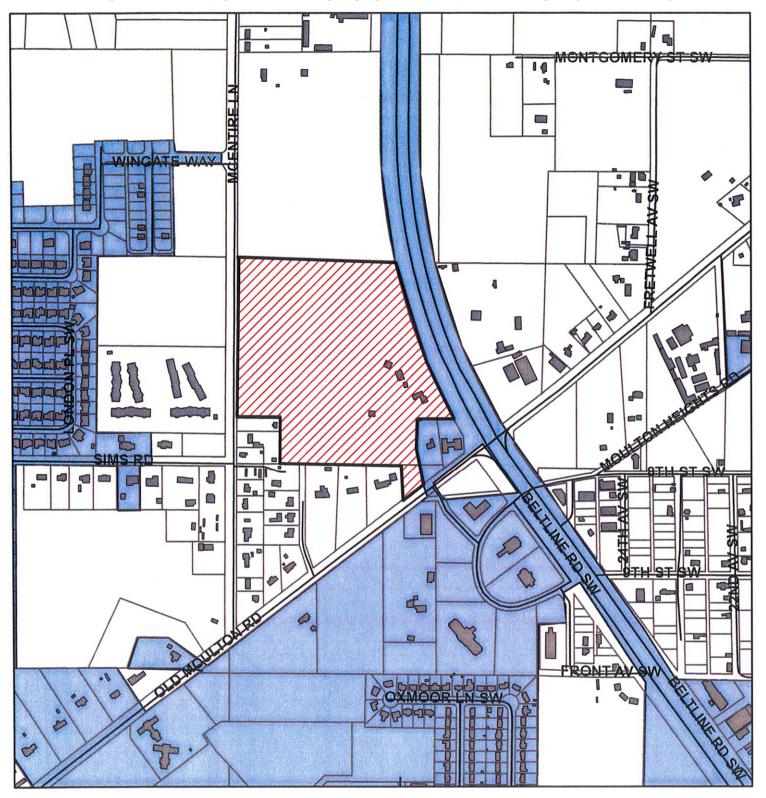
COMPARE R3 TO MC

SECTION	R3	MC
USES PERMITIED	From R3 Section There is hereby created an R-3 Residential District for those areas so designated by this chapter and the zoning map of the City, which R-3 Districts shall allow: Single family dwellings. (See also regulations common to aii "R" Districts, listed in Section 25-10) District Requirement R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.	Uses permitted: Hospitals for human care; medical and dental clinics; professional buildings primarily for use by physicians, surgeons, optometrists, dentists, and other members of the medical profession; pharmacies; places of residence for nurses and interns and for a custodian or watchman and his family.
USES PERMITIE D ON APPEAL	Residential District Requirements These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the City of Decatur and the A labama A lcoholic Beverage Control Board under and pursuant to the A lcoholic Beverage Licensing Code.	Uses permitted on appeal: Research laboratories, florists, restaurants; nursing homes; businesses concerned primarily with the sale of hospital equipment, artificial limbs and wheelchairs; similar businesses which in the opinion of the Board of Adjustment are directly related to the medical profession.
USES PROHIBITED	From R3 Section Uses prohibited: Any use not permitted, or permitted on appeal, is prohibited From Residential District Requirements Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes,	Uses prohibited: All uses not specifically permitted or permitted on appeal.

COMPARE R3 TO MC

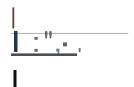
SECTION	R3	MC
	manufactured homes, house trailers, and trailer	
	coaches; trailer or manufactured home parks,	
	courts or camps, and commercial and industrial	
	uses, including parking lots and parking areas in	
	connection with any of these uses, not	
	specifically permitted	
MINIMUM	From R3 Section	Minimum lot size: Same as for B-1 Business District.
LOT SIZE	Trom No occurr	Withinfull for size. Came as for B 1 Basiness Bistriot.
LOT SEL	(2) Specific Requirements.	
	a. Minimum lot area: Seven	
	thousand (7,000) square feet.	
	b. Maximum building area: None	
N 41N 11N 41 1N 4	specified	N:
MINIMUM YARD SIZE	From R3 Section	Minimum yard size: Same as for B-1 Business district.
	c. Minimum front yard setback: Thirty (30) feet	
	d. Minimum rear yard setback: Thirty-five	
	(35) feet	
	e. Minimum side yard setbacks: One side	
	eight (8) feet and the other side six (6) feet.	
	f. Minimum feet at building line: Fifty (50)	
	feet	
MAXIMUM		
BUILDING		
AREA		
MAXIMUM	From R3 Section	Maximum height: 45 feet or 3 stories
HEIGHT	g. Maximum building height: Thirty-	
11210111	five {35) feet.	
	h. Maximum height in stories: Two	
	and one half (2 1/2).	
OFF STREET	From R3 Section	Off-street parking: See § 25-16.
PAR KING	Trom No occurr	on otroot panking. Goo 3 20 D.
TARRINO	(1) Generalrequirements.	
	a. Off-street parking and vehicle access shall	
	be provided as set forth in section 25-16 hereof.	
OFF STREET	From R3 Section	Off-street loading and unloading: Same as for B-1
LOADING	Troni No occitor	Business District.
AND	A carport, porte-cochere, porch or structure part	Dualificas District.
UNLOADING	thereto, attached to or situated within five feet	
SINLOADING	of the main structure as defined in section 25-2	
	thereof, shall be considered as a part of the main	
	building and shall be subject to the setback and	
	side yard requirements of the district in which it	
	is located.	

CERTIFICATE TO SUBDIVIDE NO. 3217-13









bldg

corplim

APPLICANT: KENNETH MITCHELL

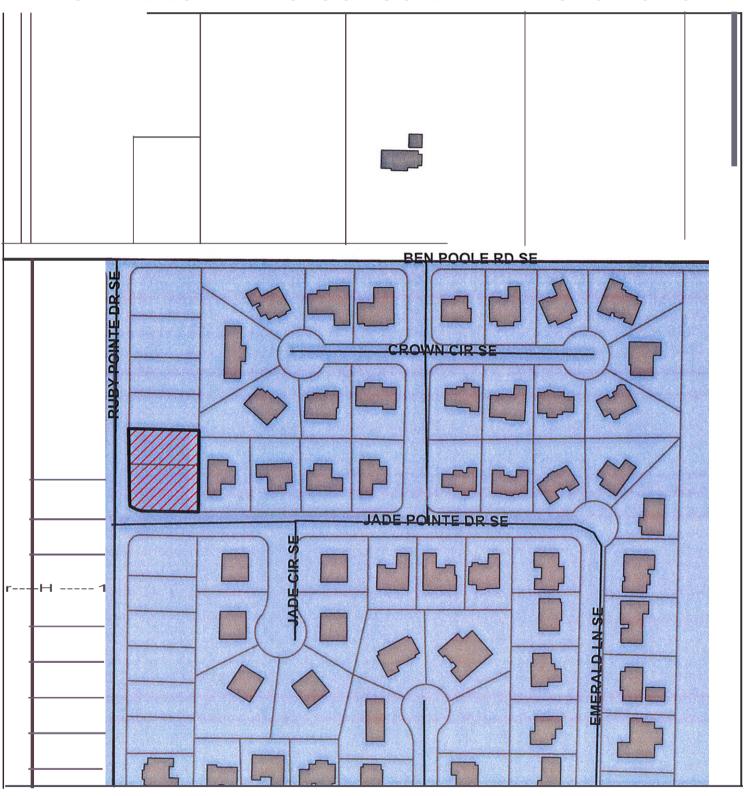
LOCATION MAP

DRAWING NOT TO SCALE

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W7/4 SUBJECT PROPERTY

CERTIFICATE TO CONSOLIDATE NO. 3219-13



Legend

LOCATION MAP

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APPLICANT: JERRADA 0. SPARKS

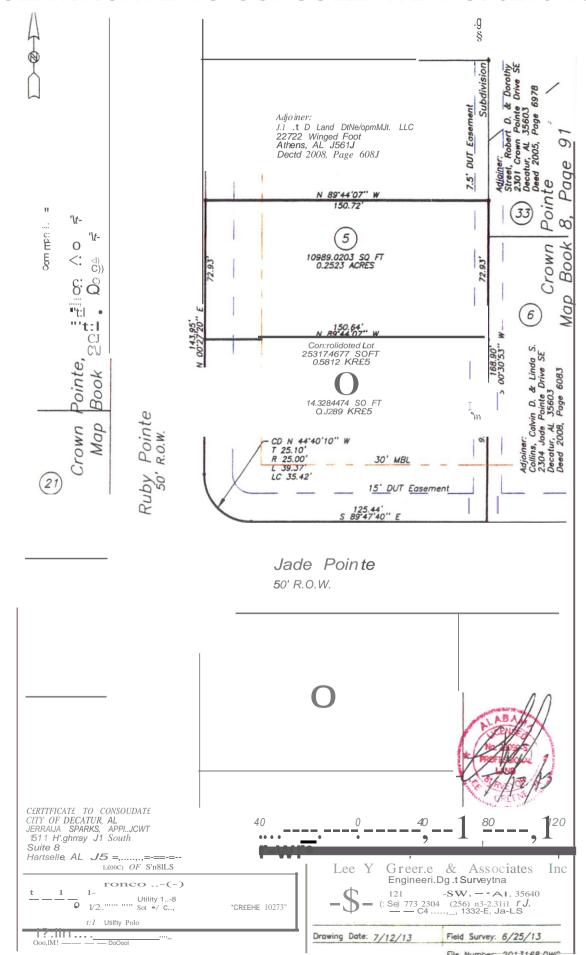
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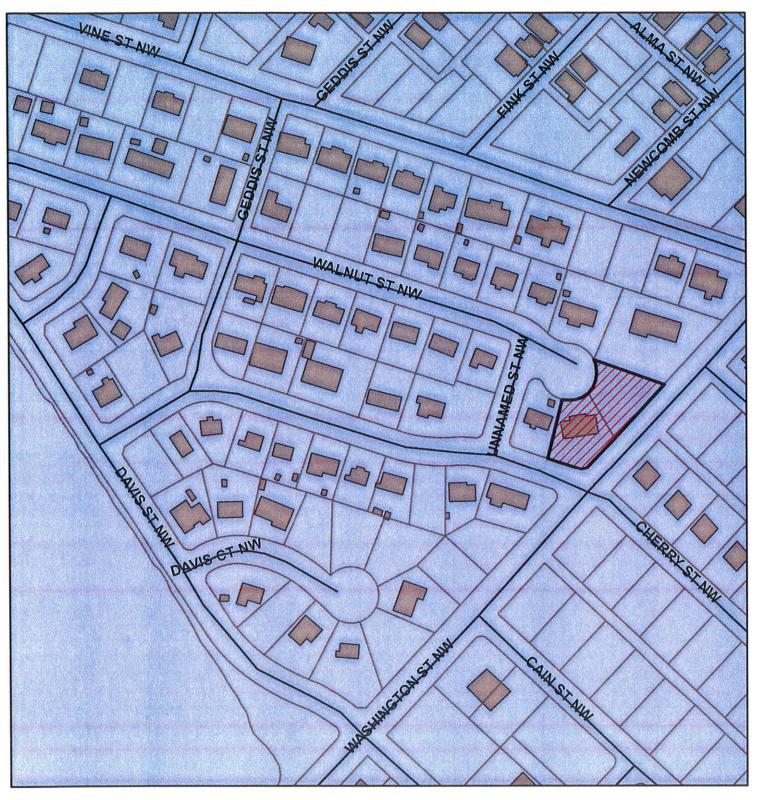
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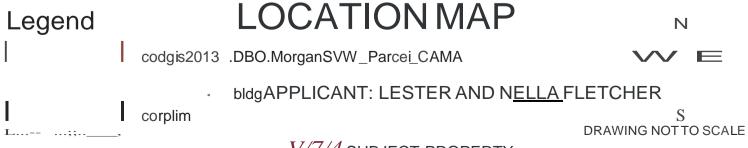
V/7/4 Subject property

CERTIFICATE TO CONSOLIDATE NO. 3219-13



CERTIFICATE TO CONSOLIDATE NO. 3220-13





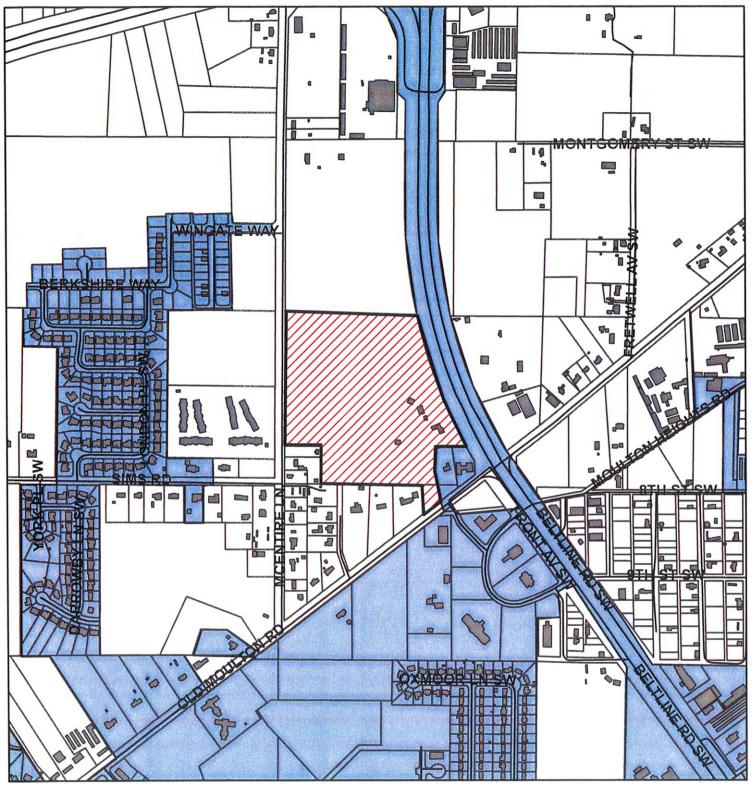
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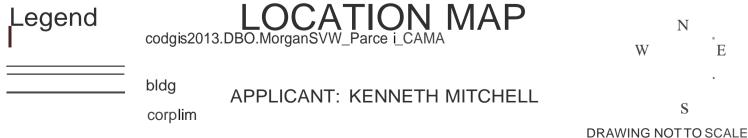
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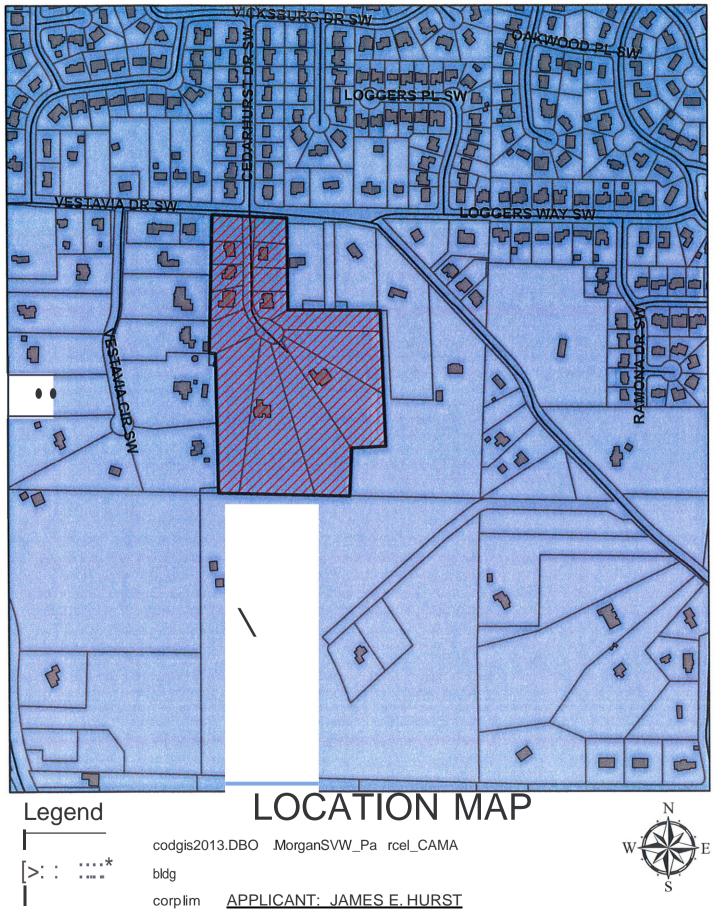
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MITCHELL CROSSING SUBDIVISION





VESTAVIA HILLS SUBDIVISION PLAT { SIDEWALK) BOND

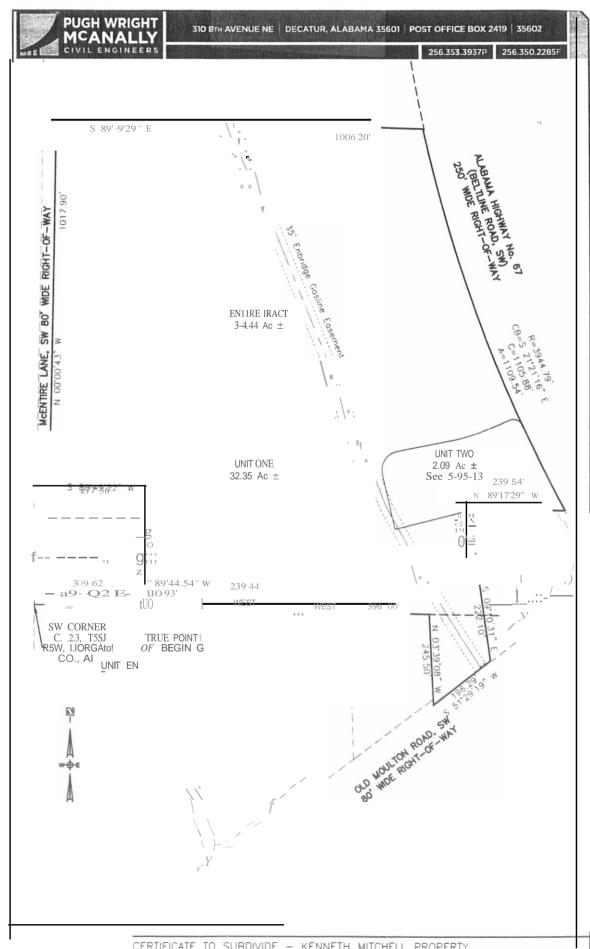


SUBJECT PROPERTY

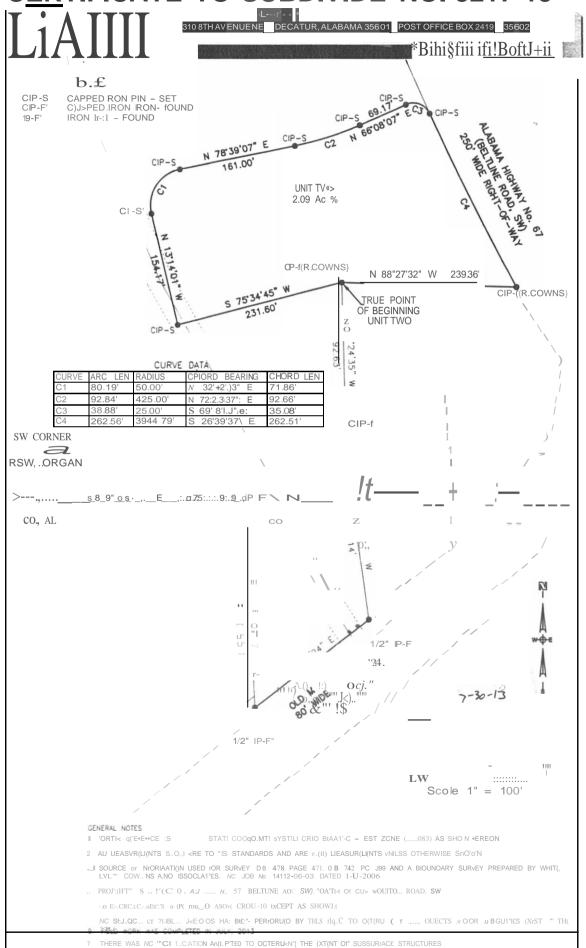
≒.. ZONED R-3

DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3217-13



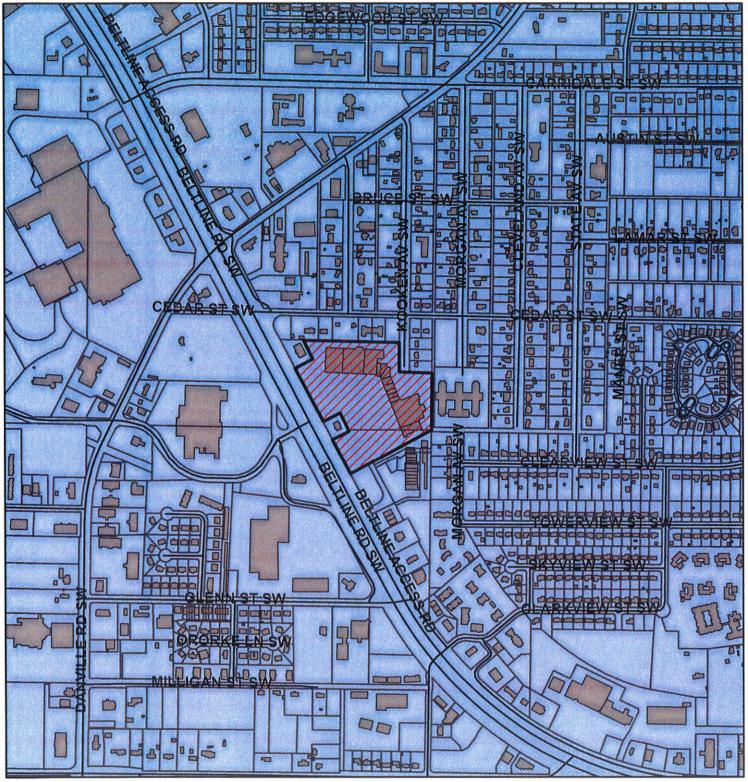
CERTIFICATE TO SUBDIVIDE NO. 3217-13



CERTIFICATED TO SUBDIVIDE NO. 3217-13

BOUNDARY SURVEY - UNIT TWO - KENNETH MITCHELL PROPERTY

CERTIFICATE TO SUBDIVIDE NO. 3218-13



Legend

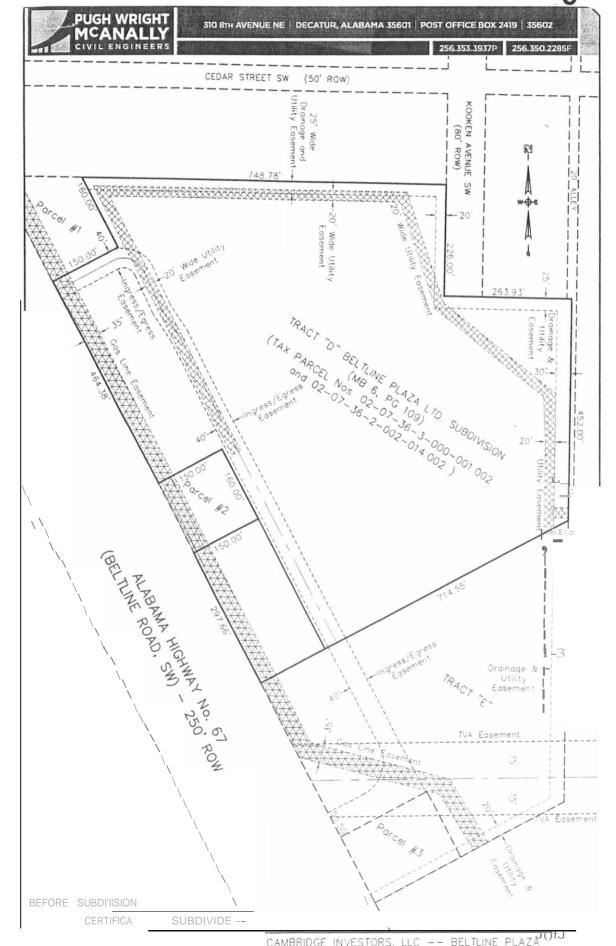
LOCATION MAP

codgis2013.DBO.MorganSVW_Parcei_CAMA
bldg
corplim

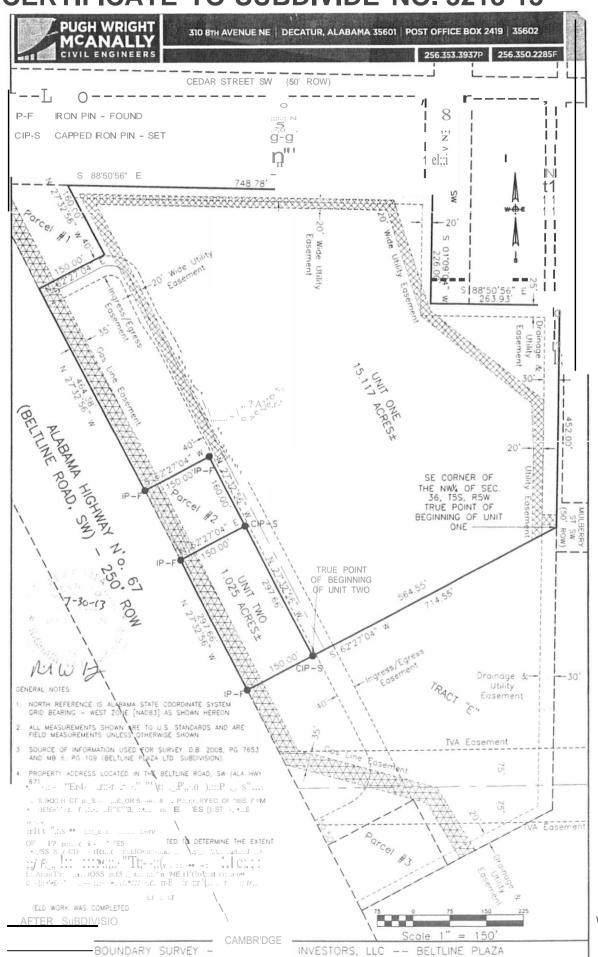
APPLICANT: BELTLINE DECATUR,LLC

V/7/4 SUBJECT PROPERTY

CERTIFICATE TO SUBDIVIDE NO. 3218-1



CERTIFICATE TO SUBDIVIDE NO. 3218-13





Vestaria Heles Sidevalhs

Decatur (256) 353-5713 Huntsville (256) 539-7446 Fax (256) 340-7212

July 22, 2011

City of Decatur Planning Department Attn: Ms. Hannah Pearson

Attached Receipt for Certificate of Deposit Number 2148263 issued by Bank Re:

Independent, Principal Amount \$2,500.00

Dear I-Iatmah:

Please see the attached receipt for a Certificate of Deposit (CD) in the amount of \$2,500.00, which is hereby placed in escrow with you to ensure that the sidewalks will be completed within 24 months in Vestavia Hills Subdivision. If the sidewalks have not been completed within 24 months from the date of this CD, you may consider this letter our commitment to you to cash this CD and use the proceeds to complete the sidewalks in Vestavia Hills Subdivision.

It is understood, of course, that at such time as the sidewalks have been installed and accepted by the City of Decatur, that you will return this CD to us.

Thank you for your cooperation in working with us on this matter.

Sincerely, Gobble-Fite Lumber Co., Inc.

20 II July

The undersigned, on behalf of the City of Decatur, Alabama, has reviewed the matters set forth above and is agreeable to the terms and conditions thereof.

STATE OF ALABAMA COUNTY OF MORGAN

I, the undersigned, a Notary Public in and for said County, in said State, hereby certifY that James E. Hurst, whose name as President of Gobble-File Lumber Co., Inc., a corporation, is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the agreement, he executed the same voluntarily for and as the act of said corporation.

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m ''}A$ hrl Given under my hand and official seal this the a')..!JY day of July, 2011.

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My commission expires: 1-!J'

STATE OF ALABAMA COUNTY OF MORGAN

I, the undersigned, a Notary Public in and for said County, in said State, hereby certifY that Don Stanford, whose name as Mayor of the City of Decatur, Alabama, is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the agreement, he executed the same voluntarily as Mayor of the City of Decatur, Alabama.

Given under my hand and official seal this the 22"d day of July, 2011.

Notary Public

My commission expires: Lf - (/-- / '&-