

MEMORANDUM

DATE: March 15, 2017

TO: Planning Commissioners

CC: Mayor Tab Bowling; Wally Terry; Herman Marks;
Tony Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

March 21, 2017

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda

Planning Commission

City of Decatur, AL

March 21, 2017

Time: 3:15 PM

City Council Chambers

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

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- February 21, 2017

3. PUBLIC HEARING

REZONING

PAGE/MAP

A. Rezoning 1308-17

1/4-8

(At the southeast corner of 7th St SE and of 11th AV SE)

SUBDIVISION REGULATION AMENDMENT

A. SRA 015-17 Police Jurisdiction

1/9-10

4. CONSENT AGENDA

CERTIFICATES

PAGE/MAP

A. 3352-17

Certificate to Consolidate

2/11-12

(South of Bank St. NE and west of Walnut St. NE)

SITE PLAN REVIEW

A. 553-17

Southside Baptist Church

2/13

(South of 9th Street SE and west of 7th Avenue SE)

see plat

BOND REVIEW

A. City View Estates – Sidewalks on Auburn Collector

3/14

(South of Old Moulton Rd. SW and west of Englewood Place SW)

5. OTHER BUSINESS

VACATION REQUEST

A. 3345-17

Certificate to Subdivide

3/15

(South of Bank St. NE and west of Walnut St. NE)

Minutes
Zoning Committee
March 14, 2017

PUBLIC HEARING

Rezoning

1308-17

Applicant: William Black
Owner: Joe Black

Zoning: R3
Acreage: .79

Request: To rezone approximately .79 acres located from R3 (Residential zoning district) R6 (single-family semi-attached zoning district).

Location: At the southeast corner of 7th St SE and of 11th AV SE

Recomm: The Zoning Committee and Planning Department recommend approval as this zoning is in conformance with the Comprehensive Plan and is the same as the zoning to the south and to the west.

Minutes
Subdivision Committee
January 17, 2017

Subdivision Regulation Amendment

015-17 Police Jurisdiction

Applicant: City Planning Department
Owner:

Zoning:
Acreage:

Request: Amend Section 1.B.1 - Authority and Jurisdiction, and Section III.B – Definitions of the Subdivision Regulations to reflect the reduction of the Police Jurisdiction from 3 miles to 1.5 miles, per CC Ordinance 16-4268.

Recomm: Approval.

END PUBLIC HEARING

CONSENT AGENDA

Certificates

3352-17 Certificate to Consolidate

Applicant: John Sedlak
Owner: Deloain Burgess

Zoning: B-5, Central Business District
Acreage: Approx .52 acres

Request: Consolidate Lots C, D & E of Block 311 DLI&F and Lots F& G, of Block 311 and Lots G & F of Block 326, DLI&F into one tract of approximately .52 acres

Location: South of Bank St. NE and west of Walnut St. NE

- Conds:
1. Subject to the approval of Vacation Request 495-17
 2. Provide copy of deed showing property ownership
 3. Payment of recording fees
 4. Amend survey to provide four State Plane Coordinates for tract

Pt. of Info:

1. ***Any relocation of utilities will be at the owner's expense.***
2. ***Temporary structure will be required to meet 10' (from the property line) fire separation requirement. Building inspection will be required.***

Recomm: Approval with stated conditions.

Site Plan Review

553-17 Southside Baptist Church

Applicant: Southside Baptist Church
Owner: Same

Zoning: RD-2, Redevelopment
Acreage: .75 acres

Request: Site plan approval for the construction of a multi-purpose center for Southside Baptist Church

Location: South of 9th Street SE and west of 7th Avenue SE

- Conds:
1. Provide electric easement for existing guy wires (10' in length and 5' in width).
 2. Provide 10' easement for existing water line (5' either side) for the full width of the property

Pt. of Info:

1. ***Any relocation of utilities will be at the owner's expense.***
2. ***Handicap ramps along sidewalks to be made ADA compliant.***
3. ***Connect new building fire alarm to existing building or provide wireless alarm.***

Recomm: Approval with stated conditions.

Bond Review

City View Estates – Sidewalks on Auburn Collector

Applicant: Vernon Lane
Owner: Same

Zoning: R-2, SF Residential
Acreage:

Request: Bond review for the completion of sidewalks along the Auburn collector street in City View Estates, Add No. 3 (LOC # 3202 - \$28,000)

Location: South of Old Moulton Rd. SW and west of Englewood Place SW

Recomm: The Subdivision Committee recommends that the sidewalks along the Auburn collector be completed or the LOC be increased to \$30,000 to reflect rising costs of sidewalk construction.

END CONSENT AGENDA

OTHER BUSINESS

Vacation Request

495-17

Applicant: John Sedlak
Owner: Deloain Burgess & Bank Street Properties LLC

Zoning: B-5, Central Business District
Acreage:

Request: Vacate a 15' alleyway running east and west behind Deloain's Salon and another unimproved 15' alleyway running north and south on the west property line

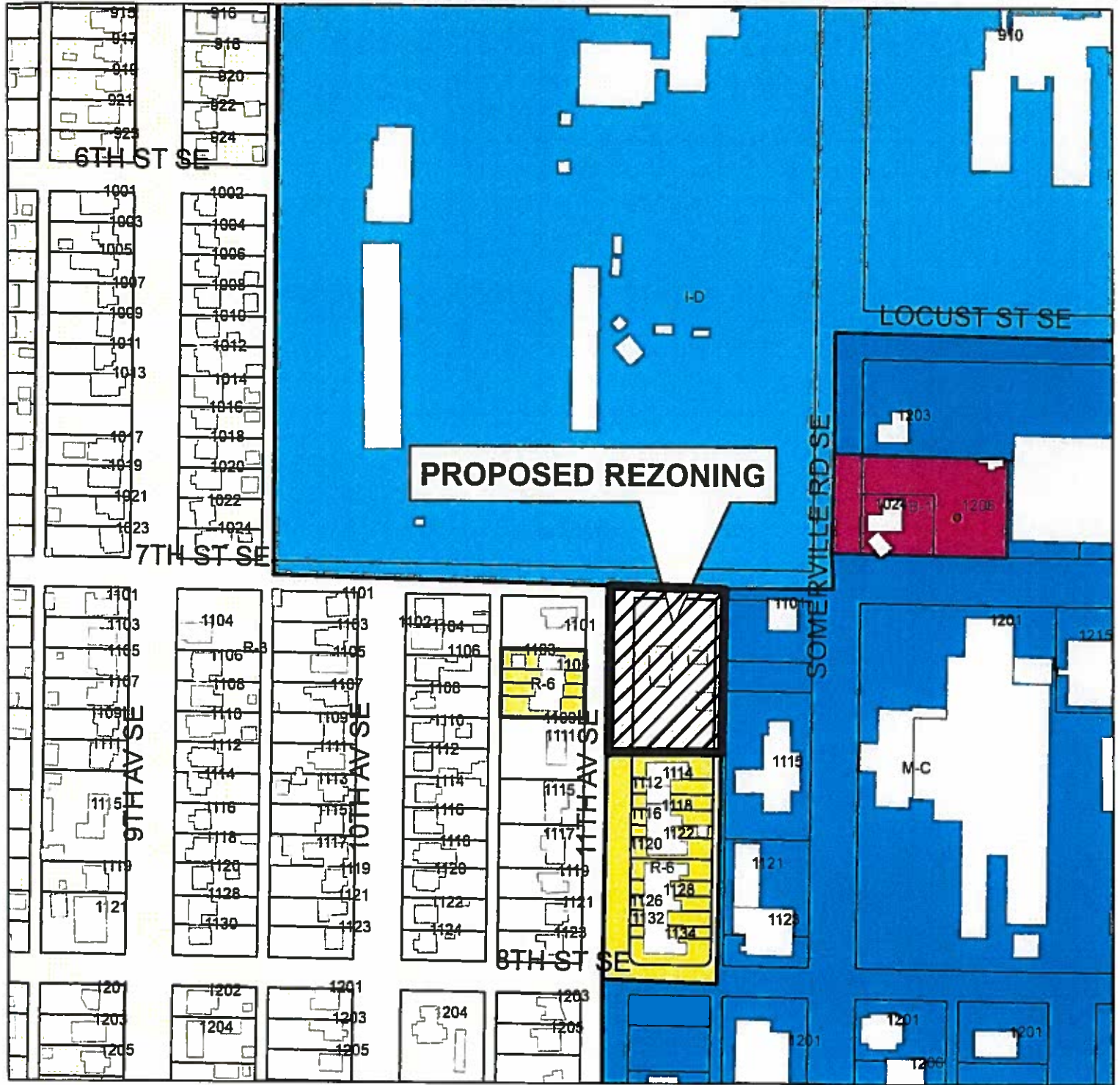
Location: South of Bank St. NE and west of Walnut St. NE

Conds: 1. Payment of recording fees

Pt. of Info: Recording fees will be collected by the City Clerk once the request has been approved by the City Council.

Recomm: Approval with stated condition.

REZONING REQUEST NO. 1308-17 FROM R-3 TO R-6 .79 ACRES



LOCATION MAP

Legend

- Buildings
- Corporate Limits
- SUBJECT PROPERTY

APPLICANT: JOE BLACK

PROPERTY ZONED R-3



DRAWING NOT TO SCALE

**ZONING DISTRICT COMPARISON R6 TO R3 INCLUDING
ALL RESIDENTIAL ZONES**

March 10, 2017

SECTION	ALL RESIDENTIAL DISTRICTS	R6	R3
USES PERMITTED	Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.	R-6 Districts shall allow single-family semi-attached residences, subject to use regulations common to all "R" Districts as set forth in <u>section 25-10</u> hereof, except that accessory structure side yard setback requirements shall be the same as required in <u>section 25-10.2(2)(D)</u> for the main structure, and the rear yard setbacks would remain at the minimum of five (5) feet for accessory structures, and further subject to the following requirements and conditions:	R-3 Districts shall allow: Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).
USES 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 (1) 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		

**ZONING DISTRICT COMPARISON R6 TO R3 INCLUDING
ALL RESIDENTIAL ZONES**

March 10, 2017

SECTION	ALL RESIDENTIAL DISTRICTS	R6	R3
	and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.		
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 <u>section 25-2</u>) 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, 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.	Any use not permitted, or permitted on appeal, is prohibited.	Any use not permitted, or permitted on appeal, is prohibited.
GENERAL REQUIREMENTS	(1) <i>General requirements.</i> a. Off-street parking and	(1) <i>General requirements:</i> (A) Single-family semi-	(1) <i>General requirements.</i> a. Off-street parking and

ZONING DISTRICT COMPARISON R6 TO R3 INCLUDING ALL RESIDENTIAL ZONES

March 10, 2017

SECTION	ALL RESIDENTIAL DISTRICTS	R6	R3
	<p>vehicle access shall be provided as set forth in <u>section 25-16</u> hereof.</p> <p>b.A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in <u>section 25-2</u> 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.</p>	<p>attached dwellings shall not form long, unbroken lines of row housing. No more than eight (8) contiguous units shall be allowed.</p> <p>(B)Each single-family semi-attached dwelling unit shall be constructed on its own lot.</p> <p>(C)No unit located in an R-6 District shall be located closer than twenty (20) feet to a dedicated exterior street or exterior lot line on the perimeter of one district.</p> <p>(D)Maximum density (exclusive of public ROW) shall not exceed twelve (12) dwelling units per acre per development.</p> <p>(E)No unit within an R-6 District shall have direct access to an existing major thoroughfare as defined by the zoning ordinance or comprehensive plan; or a major thoroughfare as shall be defined by future plans adopted by the planning commission of the City of Decatur.</p>	<p>vehicle access shall be provided as set forth in <u>section 25-16</u> hereof.</p> <p>b.A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in <u>section 25-2</u> 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.</p>
MINIMUM LOT AREA	None specified.	Minimum lot size: 2,000 square feet.	Seven thousand (7,000) square feet.

ZONING DISTRICT COMPARISON R6 TO R3 INCLUDING ALL RESIDENTIAL ZONES

March 10, 2017

SECTION	ALL RESIDENTIAL DISTRICTS	R6	R3
MINIMUM BUILDING AREA	None specified.		None specified.
MINIMUM LOT WIDTH		20 feet.	Minimum feet at building line: Fifty (50) feet.
MINIMUM FRONT YARD	Public and semi-public structures: Thirty-five (35) feet	25 feet.	Thirty (30) feet.
MINIMUM REAR YARD SETBACK	1.Public and semi-public structures: Thirty-five (35) feet. 2.Accessory structures: Five (5) feet.	25 feet.	Thirty-five (35) feet.
MINIMUM SIDE YARD SETBACK	1.Public and semi-public structures: Thirty-five (35) feet. 2.Accessory structures: Five (5) feet.	applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).	One side eight (8) feet and the other side six (6) feet.
MAXIMUM BUILDING HEIGHT	Forty-five (45) feet.	35 feet	Thirty-five (35) feet
MAXIMUM HEIGHT IN STORIES	Three (3).	2½.	Two and one-half (2½).

**Subdivision Regulation Amendment
Reduction of Police Jurisdiction
SRA 015-17**

BE IT RESOLVED by the Planning Commission of the City of Decatur, Alabama that ***Section I.B.1 Authority and Jurisdiction*** and ***Section III.B Definitions*** of the Subdivision Regulations is hereby amended to reflect the reduction of the Police Jurisdiction from three (3) miles to one and one-half (1.5) miles, per City Council Ordinance No. 16-4268.

SECTION 1

B. Jurisdiction

1. From and after the date of adoption these regulations shall govern all subdivision of land located within the corporate limits of the City of Decatur, as now and hereafter established and all land located within one and one-half miles of the corporate limits of the City of Decatur, Alabama, as now and hereafter established, except as otherwise excluded by operation of law. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission such data, information, drawings, plans, specifications, and other details and matters hereinafter required including but not limited to, a plat of subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof, shall be filed or recorded in the Office of the Probate Judge, and no subdivider shall proceed with improvements or obtain building permits for structures or sale of lots until such subdivision plat, or a Certificate to Subdivide shall have been approved by the Planning Commission and such approval entered in writing on the plat by an Officer of the Planning Commission.

SECTION III

B. Definitions – Terms Defined

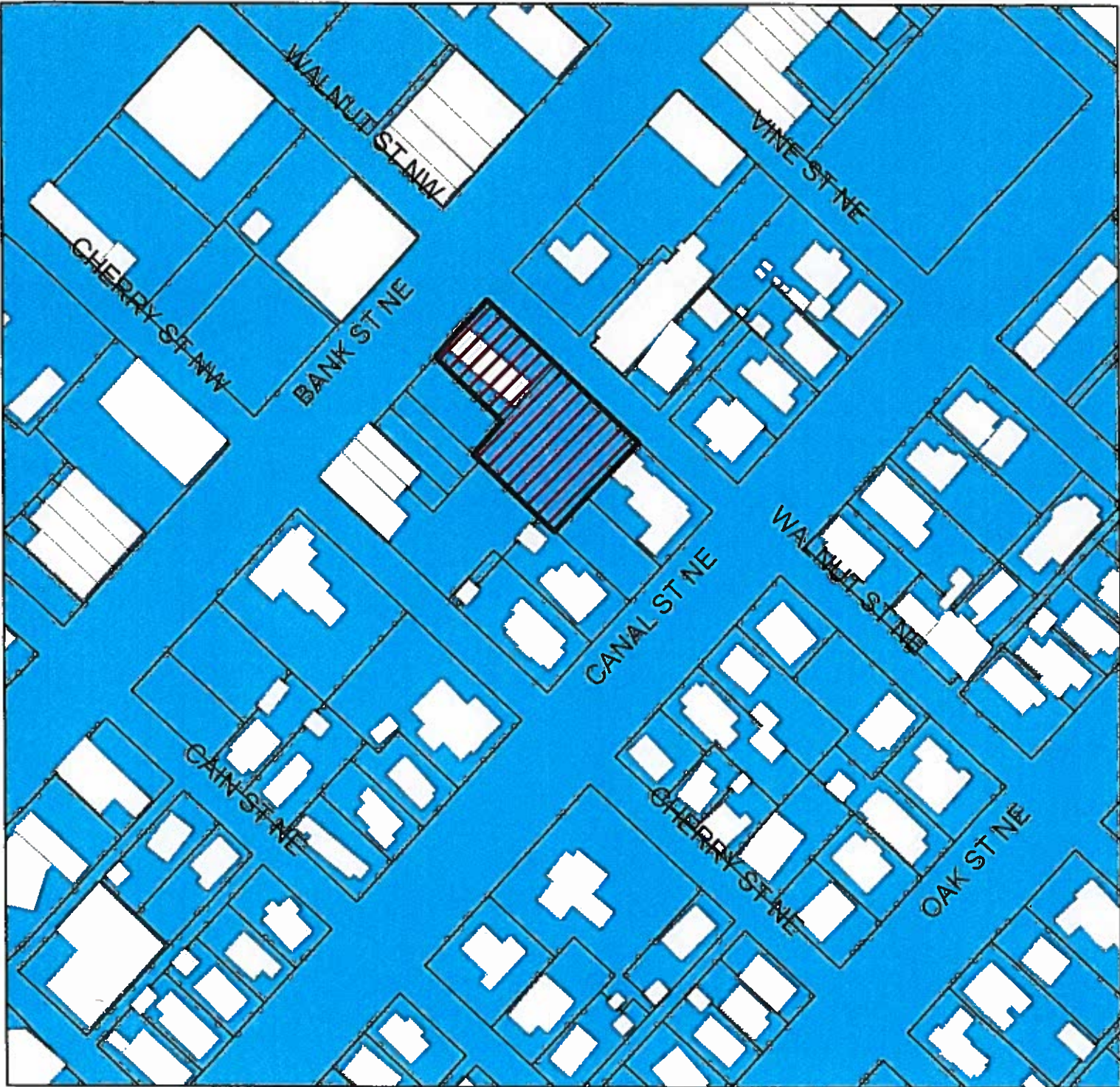
Police Jurisdiction. The territorial jurisdiction over the subdivision of land including all land located in the corporate limits, and all land lying within one and one-half (1.5) miles of the corporate limits of the city and not located in any other municipality or its territorial jurisdiction.

ADOPTED this the 21st day of March, 2017.

Tracy Tubbs, Chairman
City of Decatur, Alabama
Planning Commission

Section	Current	Proposed
1.B.1 Authority & Jurisdiction	<p>From and after the date of adoption these regulations shall govern all subdivision of land located within the corporate limits of the City of Decatur, as now and hereafter established and all land located within three miles (3) of the corporate limits of the City of Decatur, Alabama, as now and hereafter established, except as otherwise excluded by operation of law. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission such data, information, drawings, plans, specifications, and other details and matters hereinafter required including but not limited to, a plat of subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof, shall be filed or recorded in the Office of the Probate Judge, and no subdivider shall proceed with improvements or obtain building permits for structures or sale of lots until such subdivision plat, or a Certificate to Subdivide, shall have been approved by the Planning Commission and such approval entered in writing on the plat by an officer of the Planning Commission.</p>	<p>From and after the date of adoption these regulations shall govern all subdivision of land located within the corporate limits of the City of Decatur, as now and hereafter established and all land located within one and one-half miles (1.5) of the corporate limits of the City of Decatur, Alabama, as now and hereafter established, except as otherwise excluded by operation of law. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission such data, information, drawings, plans, specifications, and other details and matters hereinafter required including but not limited to, a plat of subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof, shall be filed or recorded in the Office of the Probate Judge, and no subdivider shall proceed with improvements or obtain building permits for structures or sale of lots until such subdivision plat, or a Certificate to Subdivide shall have been approved by the Planning Commission and such approval entered in writing on the plat by an Officer of the Planning Commission.</p>
111.B Definitions – Terms Defined	<p>Police Jurisdiction. The territorial jurisdiction over the subdivision of land including all land located in the corporate limits, and all land lying within three (3) miles of the corporate limits of the city and not located in any other municipality or its territorial jurisdiction.</p>	<p>Police Jurisdiction. The territorial jurisdiction over the subdivision of land including all land located in the corporate limits, and all land lying within one and one-half (1.5) miles of the corporate limits of the city and not located in any other municipality or its territorial jurisdiction.</p>

CERTIFICATE TO CONSOLIDATE NO. 3352-17



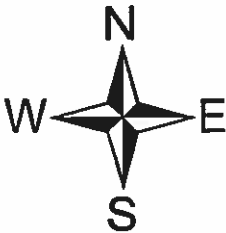
LOCATION MAP

Legend

- Buildings
- Corporate Limits
- SUBJECT PROPERTY

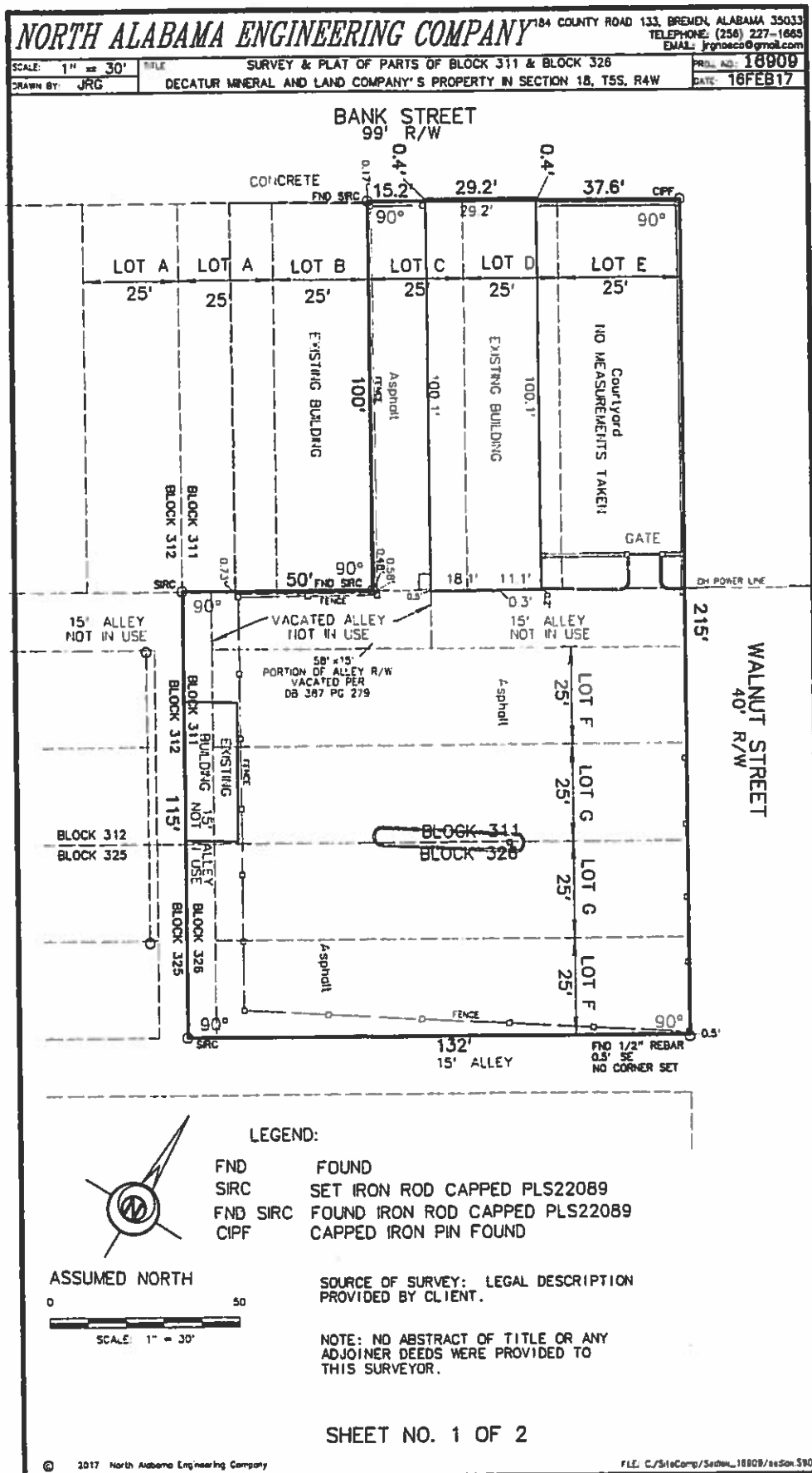
APPLICANT:DELOAIN BURGESS

PROPERTY ZONED B-5



DRAWING NOT TO SCALE

CERTIFICATE TO CONSOLIDATE NO. 3352-17






SITE PLAN NO. 553-17



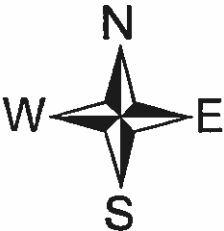
LOCATION MAP

Legend

-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

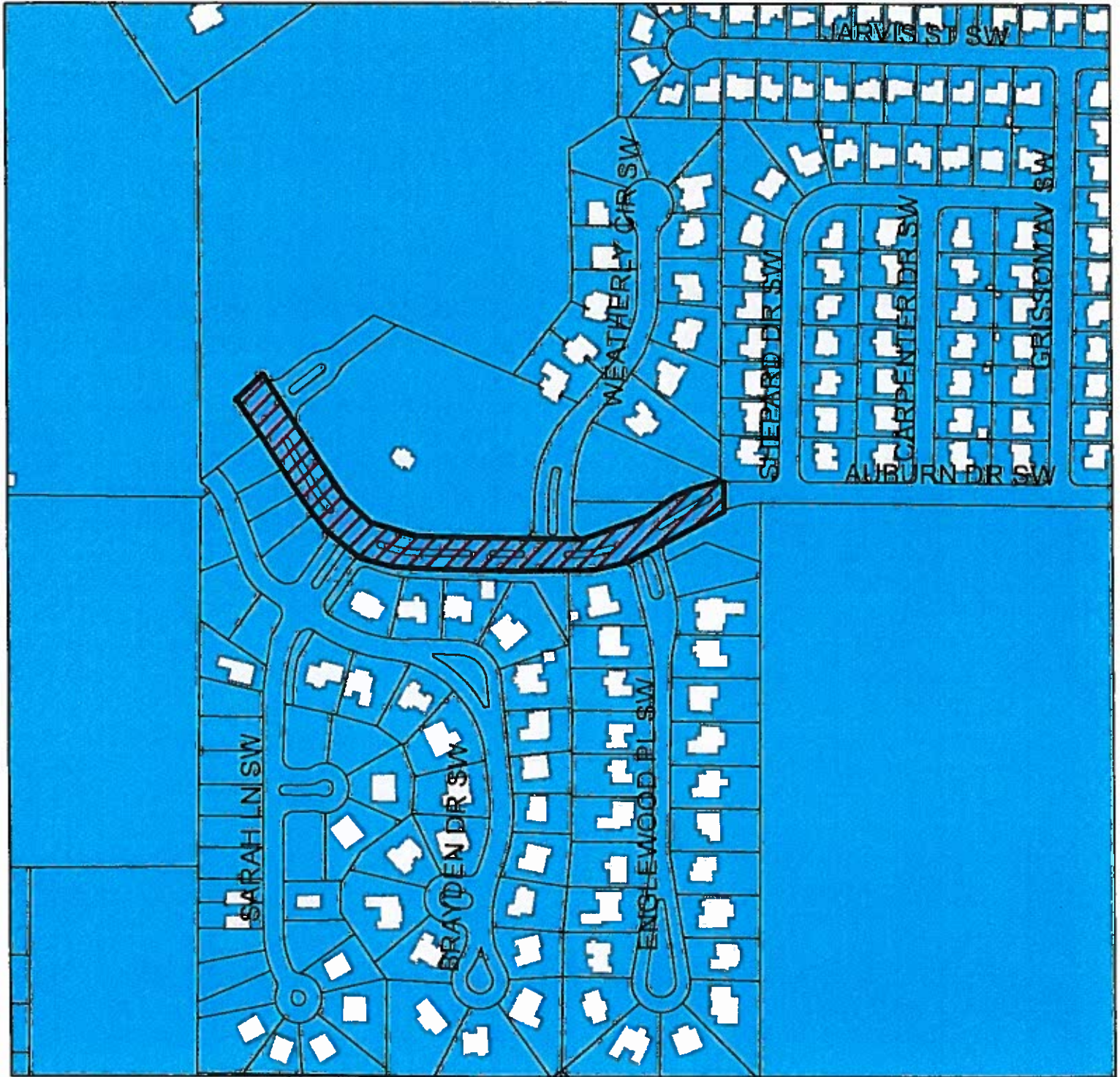
APPLICANT: SOUTHSIDE BAPTIST CHURCH

PROPERTY ZONED RD-2






DRAWING NOT TO SCALE

BOND REVIEW AUBURN DRIVE SIDEWALKS



LOCATION MAP

Legend

-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

APPLICANT: VERNON LANE

PROPERTY ZONED R-2






DRAWING NOT TO SCALE

VACATION REQUEST NO. 495-17



LOCATION MAP

Legend

-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

**APPLICANT: DELOAIN BURGESS AND
BANK STREET PROPERTIES, LLC**

PROPERTY ZONED B-5



DRAWING NOT TO SCALE