

MEMORANDUM

DATE: March 14, 2018

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

March 20, 2018

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL

March 20, 2018

Time: 3:15 PM

City Council Chambers

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

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- February 20, 2018

3. PUBLIC HEARING

	PAGE/MAP
ZTA	
A. 240-18	1-3

3. CERTIFICATE CONSENT AGENDA

	PAGE/MAP
CERTIFICATES	
A. 3386-18 Certificate to Consolidate & Subdivide	5-7

3. CONSENT AGENDA

A. 3387-18 Certificate to Consolidate	8-11
B. 3388-18 Certificate to Consolidate	12-15
C. 3389-18 Certificate to Subdivide	16-19

SITE PLAN REVIEWS

A. 569-18	20-22 see plat
B. 570-18	23-15 see plat

PUBLIC HEARING

FILE NUMBER: ZTA 240-18

CONTROL NO. 7848

ACRES: NA

CURRENT ZONE: NA

NEW ZONE: NA

APPLICANT/ADDRESS: CITY OF DECATUR

PROPERTY OWNER/ADDRESS: NA

REQUEST: To amend Article X Requirements applicable to all Mobile Food Kiosk, Units or Sites to make provisions for Mobile Food Vending sites on private property.

CURRENT LANDUSE: NA

PROPOSED LANDUSE: NA

ONE DECATUR Future Landuse: NA

ONE DECATUR STREET TYPOLOGY: NA

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This amendment will address Prosperity objective 3 Encourage entrepreneurship and expand support for small businesses by allowing for more opportunities for food trucks and small businesses to use food when they are ancillary to the existing use.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: [Click or tap here to enter text.](#)

PREPARED BY: Karen Smith

DATE: March 8, 2018

ZONING TEXT AMENDMENT 240-18 – APPLICABILITY FOOD TRUCKS

Current	Proposed
<p>Mobile Food Vending Sites containing one or more Mobile Food Vending Units or Kiosks may be allowed during a special event on public or semi-public property or on a temporarily closed public right of way.</p> <p>(1) Mobile Food Vending Sites not in a city park shall obtain administrative approval from the City Planning Department with concurrence from the Building Department, Revenue Department, Fire Department and Police Department at the request of the property owner or the site coordinator.</p> <p>(2) Mobile Food Vending Sites contained within a City Park and not on any public right of way shall obtain administrative approval from the Parks and Recreation Department and which shall be communicated to the City Planning Department, Revenue Department, Fire Department and Police Department. The Planning Department will review the proposal for ease of access and impact on parking in the area.</p> <p>(3) Mobile Food Vending Sites in the established Public Space Usage Area as established by City Council Resolution 13-338 adopted December 3, 2013 shall be approved by the Public Space Usage Committee.</p> <p>(4) Caterers shall be exempt from these requirements.</p>	<p>Mobile Food Vending Sites containing one or more Mobile Food Vending Units or Kiosks may be allowed in the following instances. Caterers shall be exempt from these requirements.</p> <p>(1) If on public or semipublic property or on a temporarily closed public right of way during a special event as defined in Section 25-2 Definitions of this Chapter.</p> <ul style="list-style-type: none"> a. Mobile Food Vending Sites not in a city park shall obtain administrative approval from the City Planning Department with concurrence from the Building Department, Revenue Department, Fire Department and Police Department at the request of the property owner or the site coordinator. b. Mobile Food Vending Sites contained within a City Park and not on any public right of way shall obtain administrative approval from the Parks and Recreation Department and which shall be communicated to the City Planning Department, Revenue Department, Fire Department and Police Department. The Planning Department will review the proposal for ease of access and impact on parking in the area. c. Mobile Food Vending Sites in the established Public Space Usage Area as established by City Council Resolution 13-338 adopted December 3, 2013 shall be approved by the Public Space Usage Committee. <p>(2) If on private property in any zone other than residential mobile food vending sites may be</p>

Current	Proposed
	<p>allowed at the request of the business owner on the property. The intent of this section is to allow food vending sites on private property when they are clearly ancillary to the business at that location. A mobile food vending site shall not exist on private property for more than four consecutive days. The following additional conditions apply:</p> <ul style="list-style-type: none"> a. All mobile food vending sites on private property shall get administrative approval from the City Planning Department or a designated representative of the Planning Department at least 24 hours before they begin. b. The mobile vending site shall be in conformity with current use of the business and with the zoning district where the property is located. c. The mobile food vending site may be an ongoing part of the business with the same or less business hours and may be planned on a weekly, monthly, or yearly basis with approval of the City Planning Department or a designated representative of the City Planning Department.

END PUBLIC HEARING

FILE NUMBER: 3386-18

CONTROL NO. 7841

ACRES: 4.16

CURRENT ZONE: PJ

NEW ZONE: N/A

APPLICANT/ADDRESS: Midsouth Testing - Ricky Wilhite

PROPERTY OWNER/ADDRESS: Vernon Lane and L&W Properties

REQUEST: To consolidate parts of two lots of .95 acres and 3.21 acres into two lots of .91 acres and 3.25 acres located at the southwest corner of the intersection of Highway 20 and Beltline Rd.

CURRENT LANDUSE: Vacant outside and touching the city limits

PROPOSED LANDUSE: Unknown

ONE DECATUR Future Landuse: Flex employment

ONE DECATUR STREET TYPOLOGY: Work horse Highway 20 and Beltline

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: Curb cuts and access should be monitored in this area

- 1) Payment of recording fees
- 2) Verify/obtain septic tank approval for Unit 1
- 3) Consolidate Tract 1 with property to the south
- 4) Provide 40' drainage easement for existing ditch (20' each side)
- 5) Show flood zone on the survey
- 6) Format certificate as Extraterritorial
- 7) Show existing sewer easement as recorded in BK 2014 and PG 746
- 8) Show all utility easements on the survey

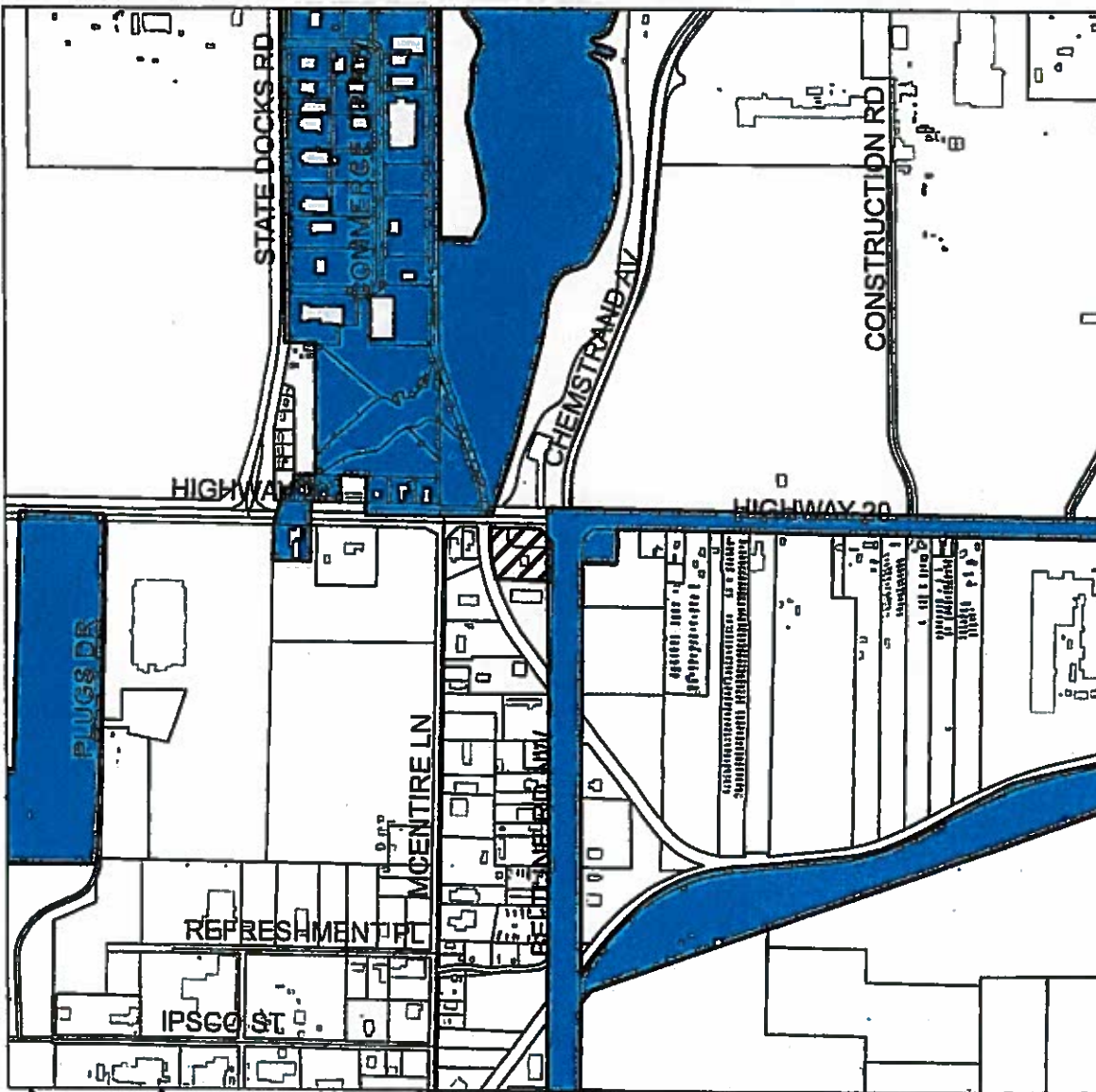
Pt. of Info: (1) Site Plan with particular emphasis on access when development occurs will be required. (2) Any relocation of utilities will be at the owner's expense. (3) Access to Highway 20 will require approval from ALDOT.

Recommendation: Approval with stated conditions.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.

PREPARED BY: Karen Smith

DATE: March 8, 2018



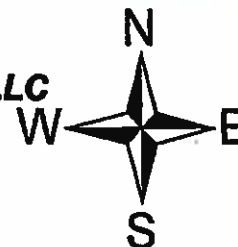
Legend

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

LOCATION MAP

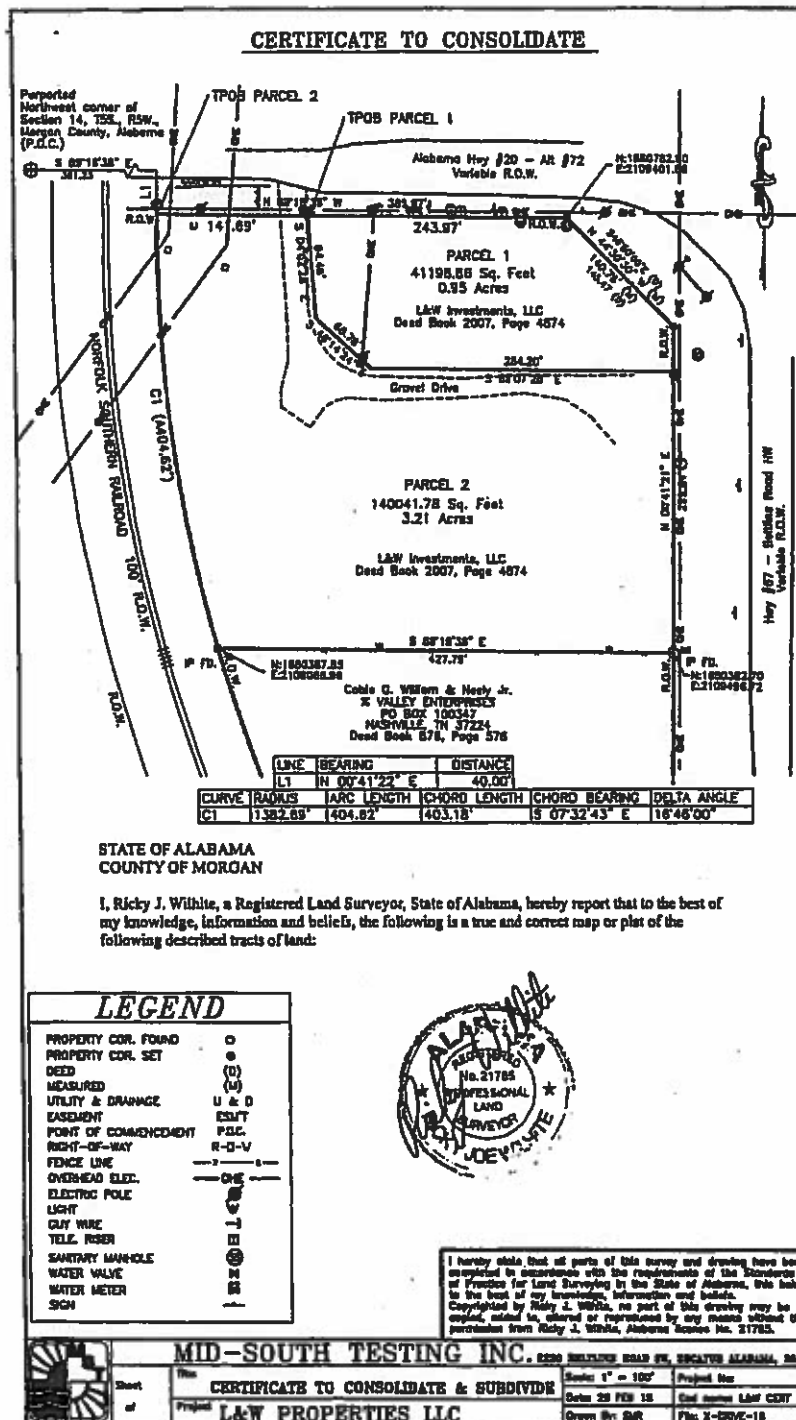
APPLICANT: L AND W INVESTMENTS, LLC

**PROPERTY
PJ ONLY**

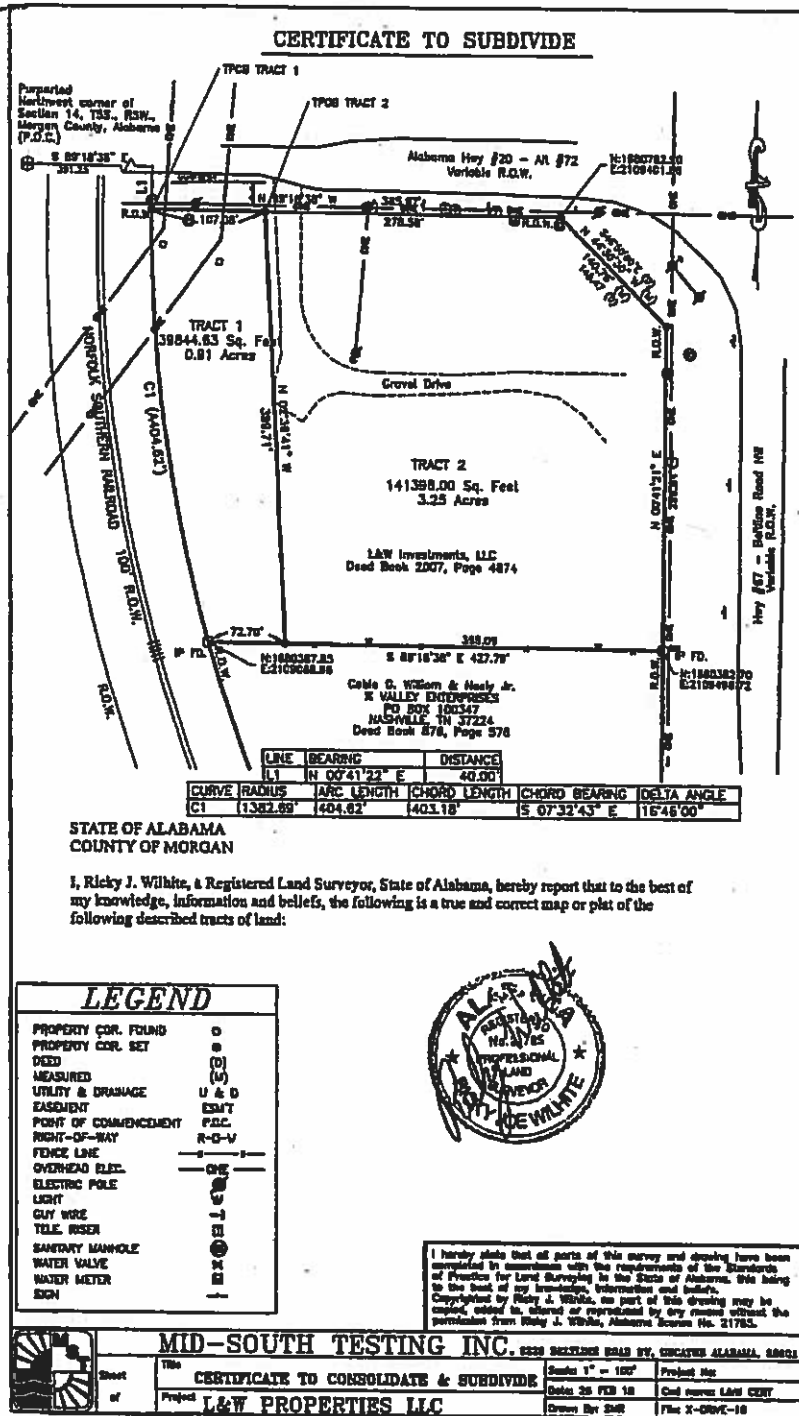


DRAWING NOT TO SCALE

CERTIFICATE TO CONSOLIDATE AND SUBDIVIDE NO. 3386-18



CERTIFICATE TO CONSOLIDATE AND SUBDIVIDE NO. 3386-18



STAFF REPORT

BEGIN CONSENT AGENDA

FILE NUMBER: 3387-18

CONTROL NO. 7842

ACRES: .50

CURRENT ZONE: B-5

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Faye Temple

REQUEST: To consolidate multiple lots on Bank St NW between Cherry St NW and Cain St NW

CURRENT LANDUSE: Vacant

PROPOSED LANDUSE: Residential high density single family allowed in B-5

ONE DECATUR Future Landuse: Urban Core Downtown

ONE DECATUR STREET TYPOLOGY: Neighborhood Connector

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This is an encouraged use in the Urban Core Downtown and it furthers Quality of Place 6.1 with respect to focusing on residential development

- 1) Change the street names to reflect the correct directional
- 2) Payment of \$21.00 for recording fee

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

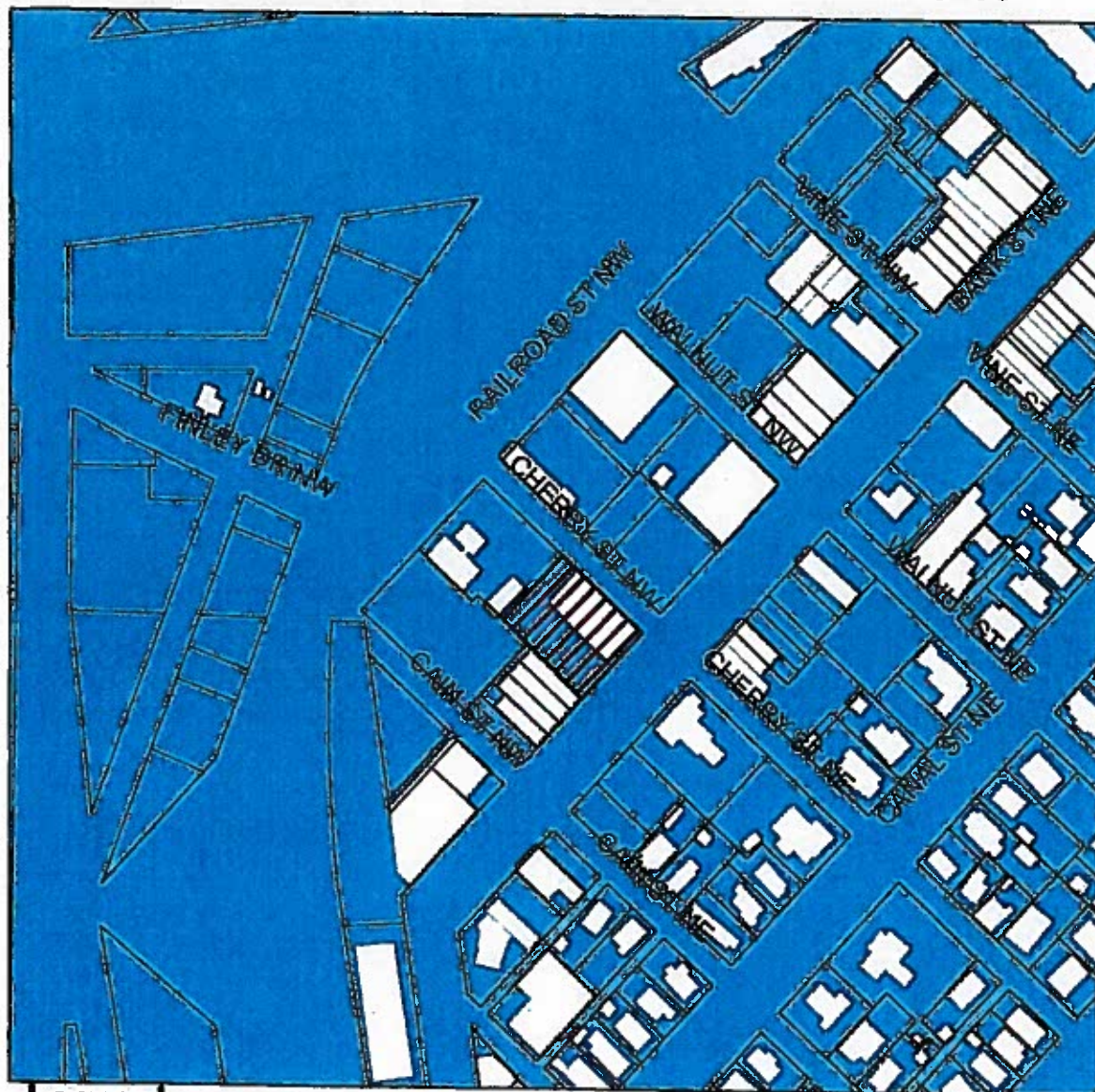
RECOMMENDATION: Approval with stated conditions.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.





PREPARED BY: Karen Smith

DATE: March 8, 2018

CERTIFICATE TO CONSOLIDATE NO. 3387-18



Legend

-  Ownership
-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

LOCATION MAP

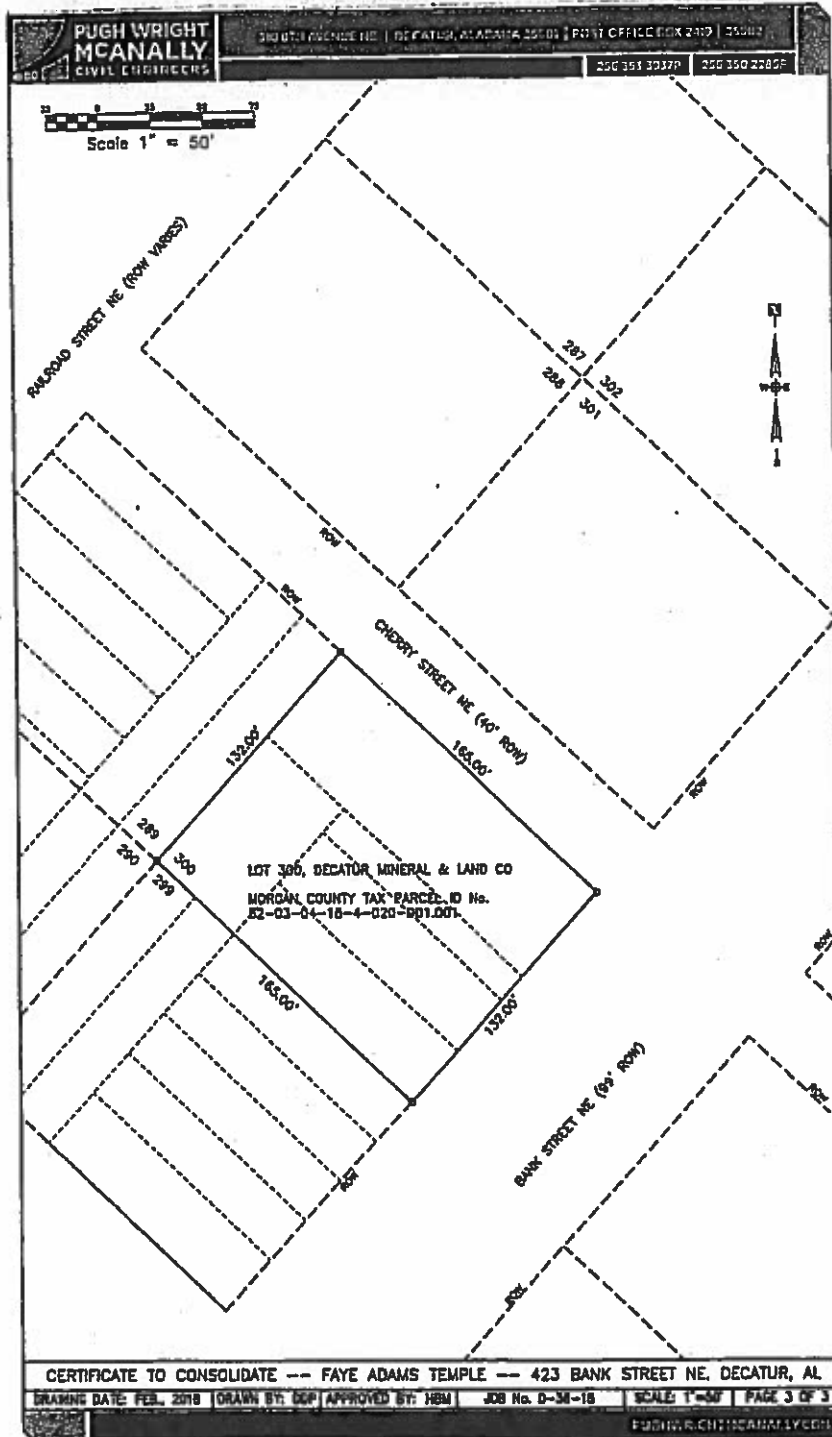
APPLICANT: FAYE ADAMS TEMPLE

PROPERTY ZONED B-5

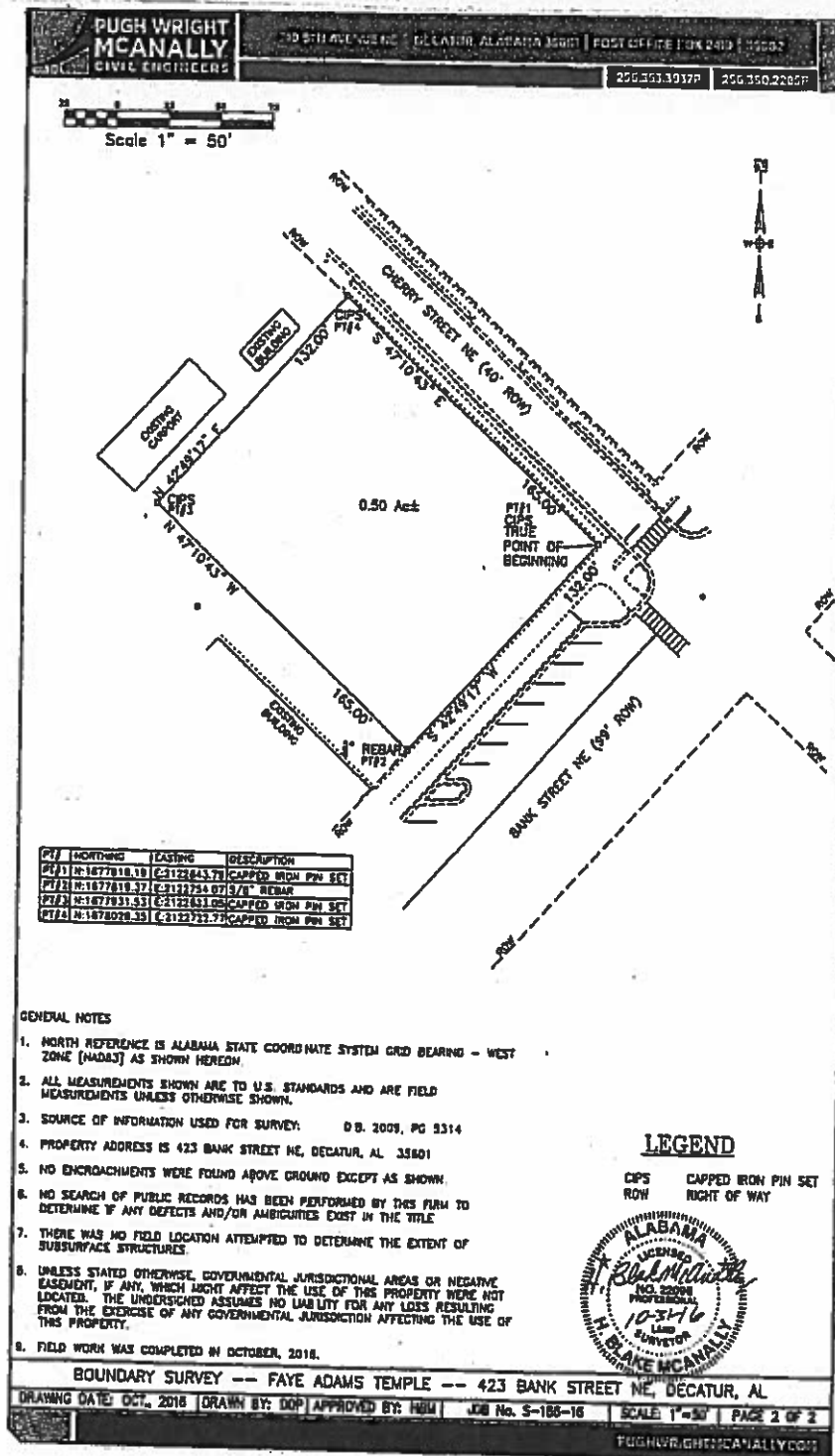


DRAWING NOT TO SCALE

CERTIFICATE TO CONSOLIDATE NO. 3387-18



CERTIFICATE TO CONSOLIDATE NO. 3387-18



STAFF REPORT

FILE NUMBER: 3388-18

CONTROL NO. 7843

ACRES: 3.59

CURRENT ZONE: AG-1

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Rachel Anne Corn

REQUEST: To consolidate a 2.08 acre tract, a 1.52 acre tract and a .18 acre tract into one unit of 3.59 acres on the west side of Day Rd south of Busbey Rd SW .

CURRENT LANDUSE: AG-1, one structure

PROPOSED LANDUSE: Single family residential – low density

ONE DECATUR Future Landuse: Suburban Neighborhood - low density

ONE DECATUR STREET TYPOLOGY: Local

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: Click or tap here to enter text.

- 1) Need signed letter from applicant/property owner requesting subdivision
- 2) Payment of recording fees
- 3) Show 60' ROW for Day Rd. (30' each side of the centerline)
- 4) Provide easements for existing power lines at the northeast and southwest corners of the consolidated parcel – to be approved by Joe Wheeler.

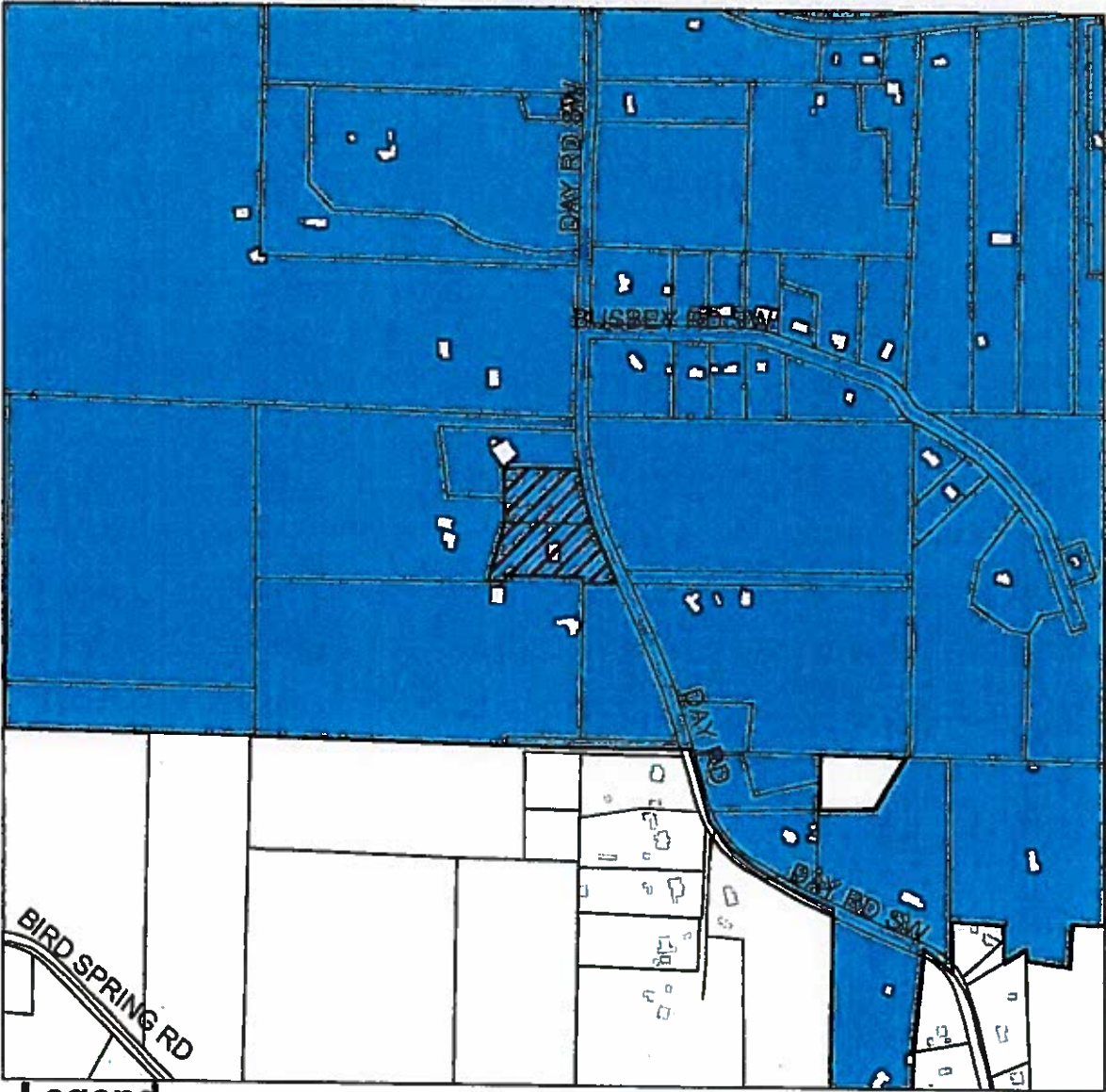
Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recommendation: Approval with stated conditions.





COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.

PREPARED BY: Karen Smith

DATE: March 8, 2018



Legend

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

LOCATION MAP

APPLICANT: RACHAEL ANNE CORN

PROPERTY ZONED AG-1



DRAWING NOT TO SCALE

**PUGH WRIGHT
MCANALLY
CIVIL ENGINEERS**

313 8TH AVENUE NE | DECATUR, ALABAMA 35603 | PHONE OFFICE 668K 2403 | 25082

206 303 8087P | 206 350 2285F

CERTIFICATE TO CONSOLIDATE -- RACHAEL ANNE CORN -- 4515 DAY ROAD

DRAWING DATE: 02-28-18 | DRAWN BY: RWH | APPROVED BY: RWH | JOB No. 0-17-18 | SCALE: 1"=100' | PAGE 3 OF 3

TRACT 3
0.18 AC±

TRACT 2
1.52 AC±

TRACT 1
2.08 AC±

DAY ROAD

Scale 1" = 100'

North Arrow

SECTION 12
SECTION 16

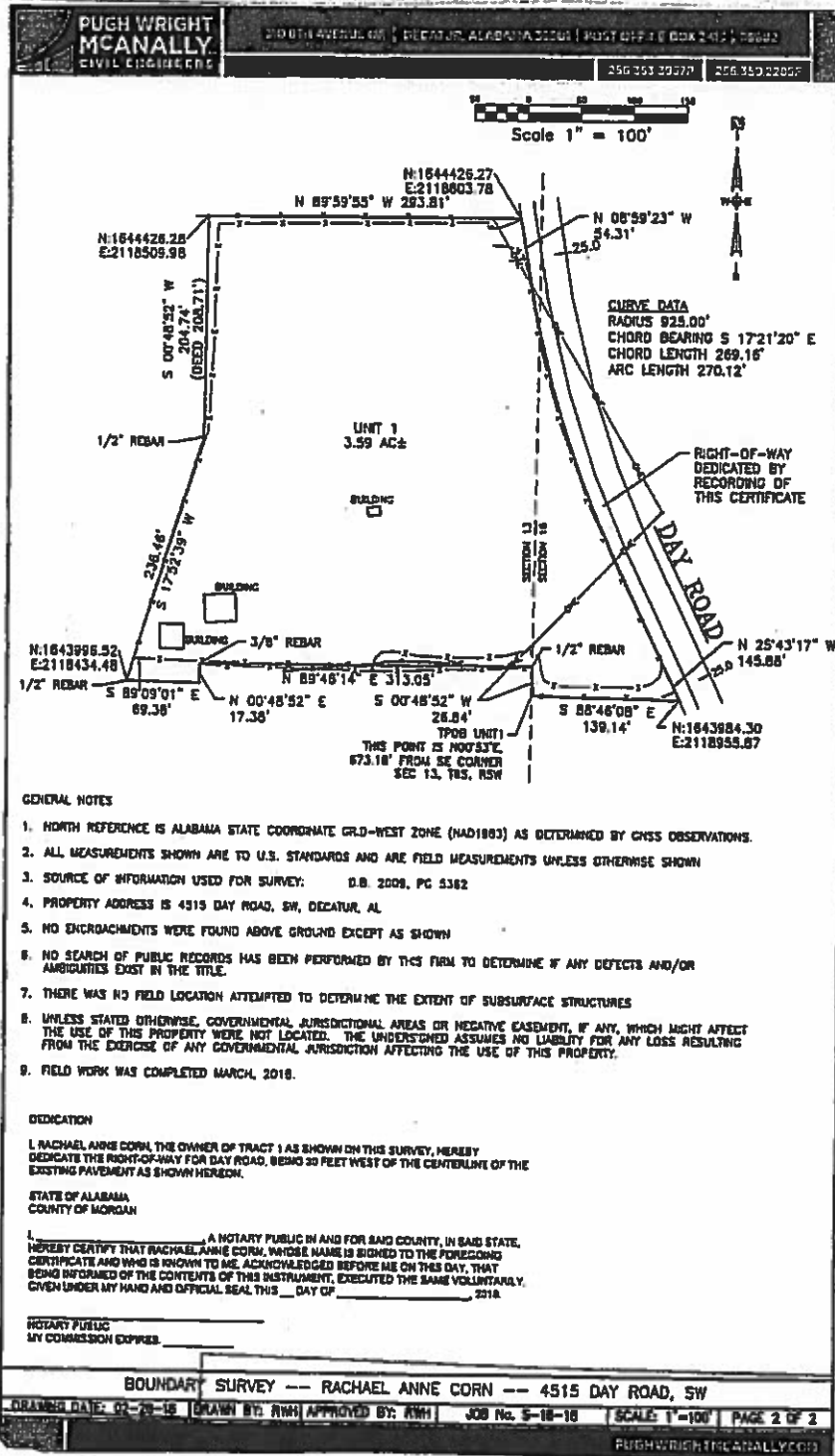
BOUNDARY BEARINGS AND DISTANCES:

- N 89°58'55" W 313.28'
- N 01°27'26" W 118.51'
- N 23°17'20" W 93.12'
- N 26°39'08" W 369.05'
- S 85°48'08" E 187.00'
- S 00°48'52" W 26.84'
- N 89°46'14" E 313.05'
- N 00°48'52" E 17.38'
- S 89°09'01" E 89.38'
- S 28°46' N 173.38'
- N 00°48'55" E 200.71'
- N 89°34'52" E 355.98'
- S 00°48'52" W 204.74' (DEED 208.71')

NOTES:

- TPOB TRACT2 THIS POINT IS N00°53'E, 809.74' FROM SE CORNER SEC 13, T6S, R5W
- TPOB TRACT1 THIS POINT IS N00°53'E, 873.16' FROM SE CORNER SEC 13, T6S, R5W
- 3/8" REBAR TPOB TRACT3
- BUILDING

CERTIFICATE TO CONSOLIDATE NO. 3388-18



STAFF REPORT

FILE NUMBER: 3389-18

CONTROL NO. 7844

ACRES: .10.66

CURRENT ZONE: M-1A

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Kmart Corporation and Decatur Ventures

REQUEST: To consolidate three tracts of .84 acres, .50 acres, and 9.32 acres into three tracts of .82 acres, 1.26 acres and 8.58 acres at the southwest corner of the intersection of Beltline and 6th Avenue.

CURRENT LANDUSE: Retail

PROPOSED LANDUSE: Retail

ONE DECATUR Future Landuse: Community Commercial

ONE DECATUR STREET TYPOLOGY: Intersection of Beltline and a Work Horse Highway 31

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This is compatible with the current zoning and the future land use recommends a mix of retail, service and other commercial developments.

- 1) Payment of recording fees
- 2) Provide copy of deed showing property ownership
- 3) Provide letter from applicant requesting subdivision and consolidation of property
- 4) No additional curb cuts on Highway 31 and Beltline Rd.
- 5) Amend legal to show correct acreage amount in legal description on Tract 3
- 6) Craft wording for restrictions of the southern 17' strip out to Highway 31
- 7) Show existing sewer easement as recorded in BK 931 PG 704
- 8) Provide easement on existing guy wire – (15' east and west and 10' north and south)
- 9) Correct legal description of sewer easement so it is the same as the "as built."

Pt. of Info: (1) Any relocation of utilities will be at the owner's expense. (2) Site plan will be required at the time of development.

Recommendation: Approval with stated conditions.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.

PREPARED BY: Karen Smith

DATE: March 8, 2018

CERTIFICATE TO SUBDIVIDE NO. 3389-18



Legend

-  codgis2013.DBO.Morgan_Parcels
-  Buildings
-  CorporateLimits
-  **SUBJECT PROPERTY**

LOCATION MAP

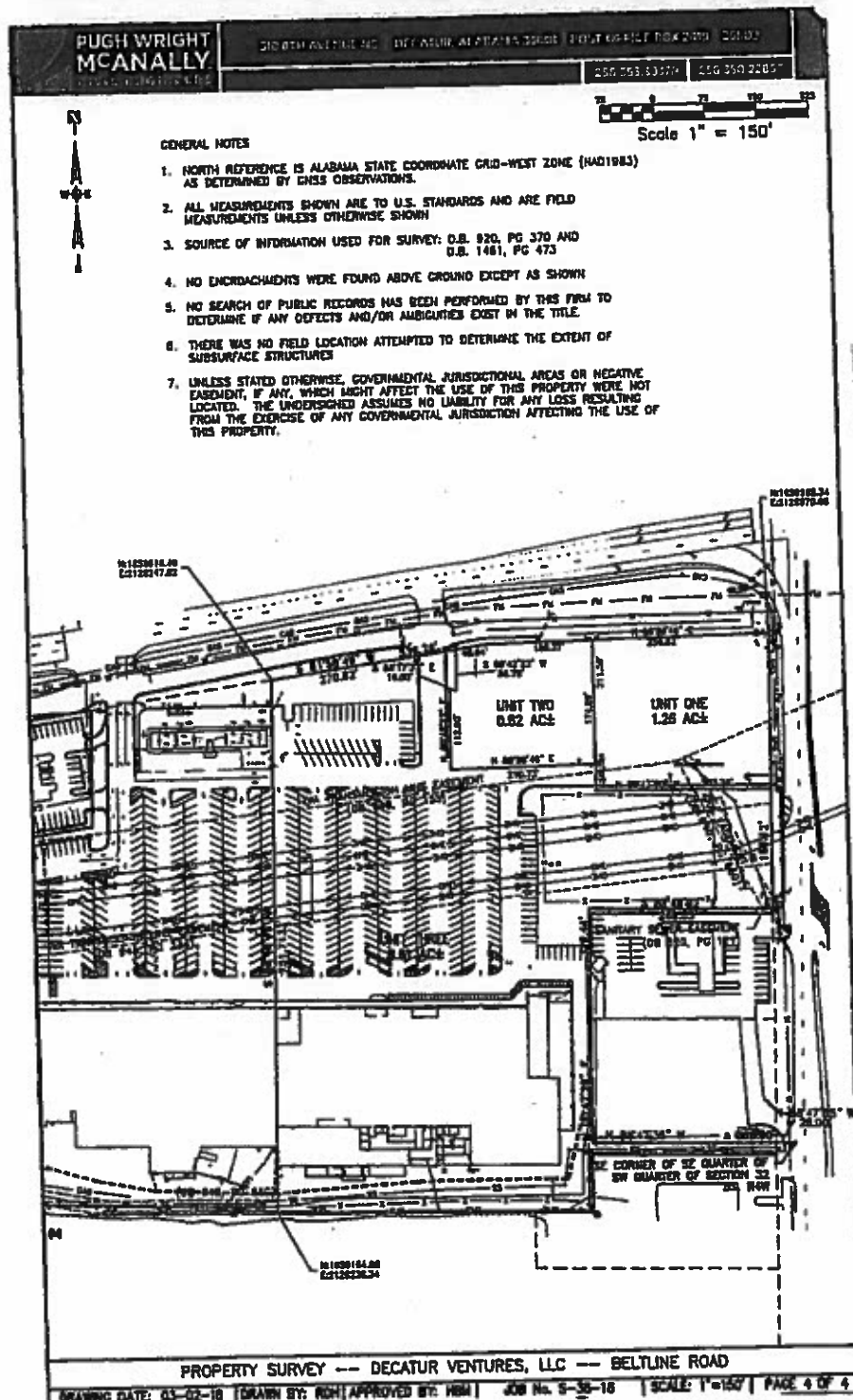
APPLICANT: PWM FOR TERRY FAMILY

PROPERTY ZONED M-1A



DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3389-18



**PUGH WRIGHT
MCANALLY**
SURVEYORS
310 5TH AVENUE, N.E. DECATUR, GA 30030
404.255.1937 404.255.2887

Scale 1" = 150'

CERTIFICATE TO SUBDIVIDE -- DECATUR VENTURES, LLC -- BELTLINE ROAD

DRAWING DATE: 03-02-18 DRAWN BY: NCH/APPROVED BY: HSN JOB NO. D-37-18 SCALE: 1"=150' PAGES: 2 OF 2

STAFF REPORT

FILE NUMBER: SP 569-18 (Bank Street Station)

CONTROL NO. 7845

ACRES: .50

CURRENT ZONE: B-5

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Steve Armistead

REQUEST: Site plan approval for Bank St. Station a high density single family development in downtown Decatur on Bank St between Cherry St NW and Cain St NW

CURRENT LANDUSE: Vacant

PROPOSED LANDUSE: Residential high density single family allowed in B-5

ONE DECATUR Future Landuse: Urban Core Downtown

ONE DECATUR STREET TYPOLOGY: Neighborhood Connector

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This is an encouraged use in the Urban Core Downtown and it furthers Quality of Place 6.1 with respect to focusing on residential development

- 1) Change the street names to reflect the correct directional
- 2) Waste disposal subject to approval of Environmental Services Department.

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

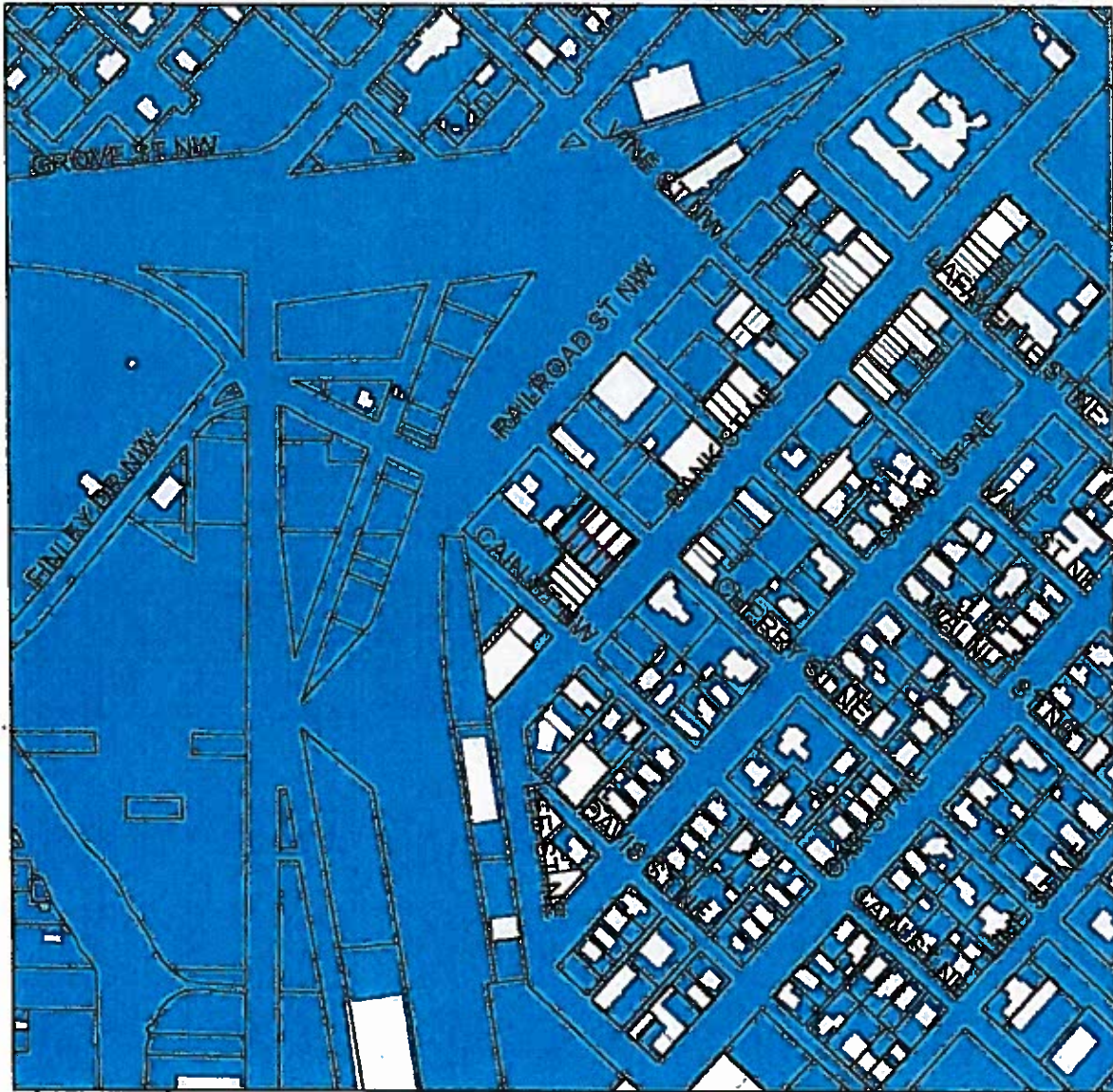
Recommendation: Approval with stated condition.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.


PREPARED BY: Karen Smith

DATE: March 8, 2018

SITE PLAN NO. 569-18



Legend

-  Ownership
-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

LOCATION MAP

APPLICANT: STEVE ARMISTEAD

PROPERTY ZONED B-5



DRAWING NOT TO SCALE



STAFF REPORT

FILE NUMBER: SP 570-18 (K-mart & Decatur Ventures)

CONTROL NO. 7846

ACRES: ASKING

CURRENT ZONE: M1A

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Decatur Ventures

REQUEST: To build a structure for a future retail development at the southwest corner of Beltline and 6th Avenue

CURRENT LANDUSE: Vacant

PROPOSED LANDUSE: Commercial

ONE DECATUR Future Landuse: Community Commercial

ONE DECATUR STREET TYPOLOGY: intersection of Beltline and Workhorse

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This is a planned use for the Community Commercial areas

- 1) Provide parking and landscaping plans
- 2) Building footprints and setbacks to be shown

Pt. of Info: Any relocation of utilities will be at the owner's expense. (2) Additional development Site plan will be required prior to any construction.

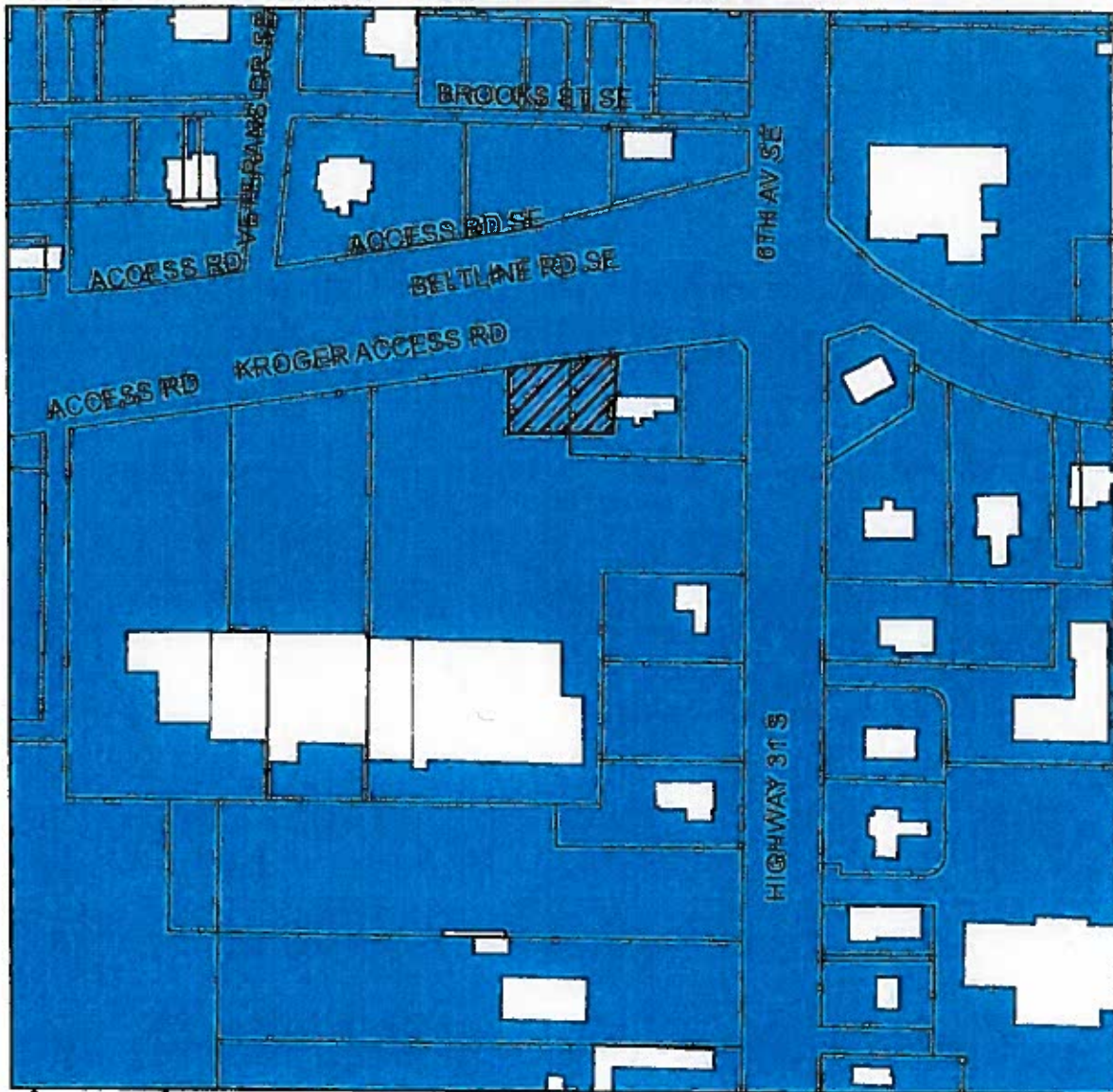
Recommendation: Approval with stated conditions.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.

PREPARED BY: Karen Smith

DATE: March 8, 2018

SITE PLAN NO. 570-18



Legend

codgls2013.DBO.Morgan_Parcels

Buildings

Corporate Limits

SUBJECT PROPERTY

LOCATION MAP

APPLICANT: PWM FOR TERRY FAMILY

PROPERTY ZONED M-1A



DRAWING NOT TO SCALE

PUGH WRIGHT
 ARCHITECTS
 1000 17th St. N.W.
 Atlanta, Georgia 30333
 Phone: 404.525.1100
 Fax: 404.525.1101
 Email: info@pughwright.com

NO.	DATE	DESCRIPTION
1	10/1/00	Initial Design
2	10/1/00	Final Design
3	10/1/00	Final Design
4	10/1/00	Final Design
5	10/1/00	Final Design
6	10/1/00	Final Design
7	10/1/00	Final Design
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9	10/1/00	Final Design
10	10/1/00	Final Design

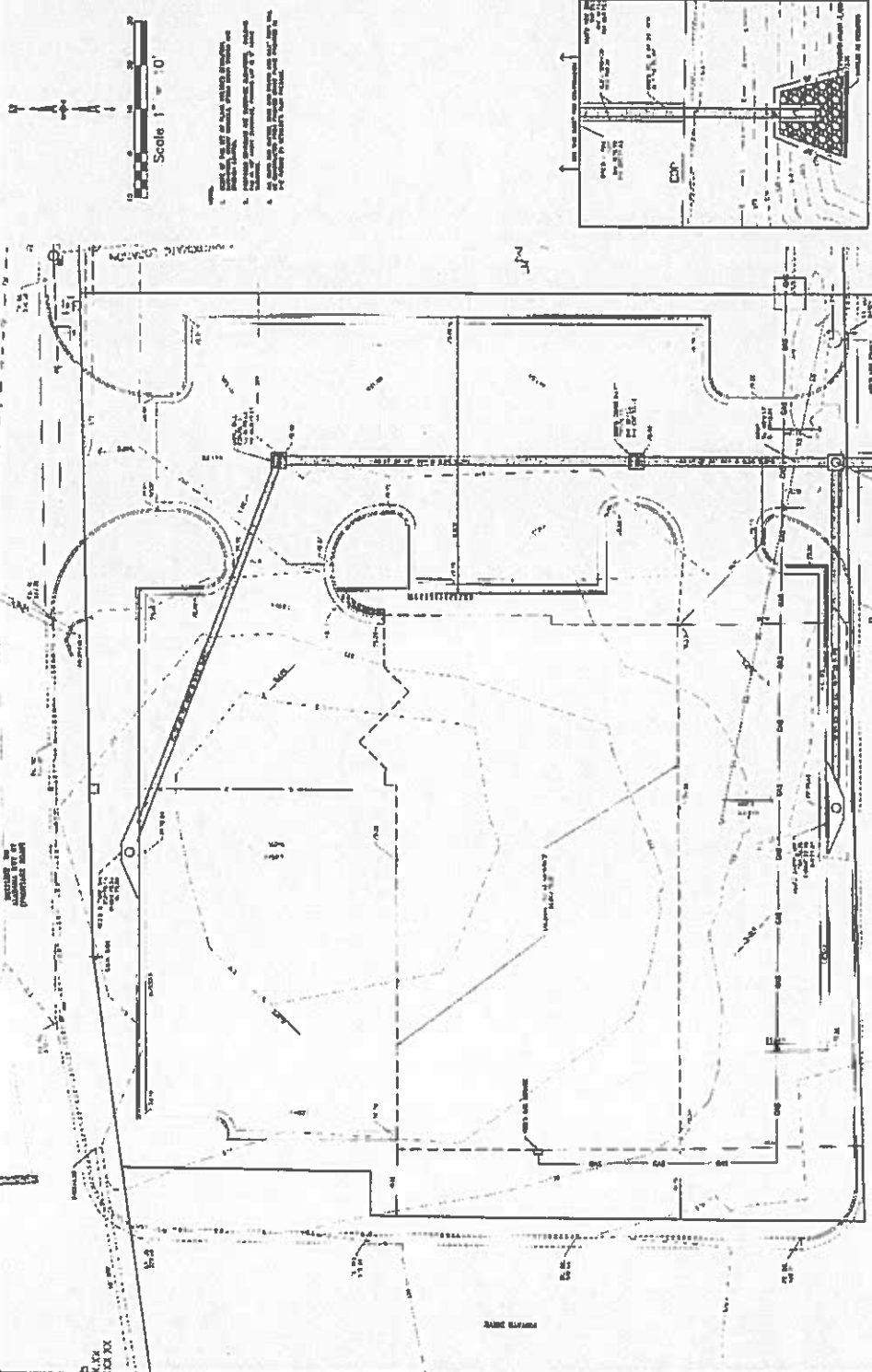
REVISIONS

NO. DATE DESCRIPTION

DATE: 03/27/2016
DESIGNER: J.W.
APPROVED BY: J.W.
SCALE: 1" = 10'

DRAFT
 FOR REVIEW ONLY

524-15
C300



STAFF REPORT

FILE NUMBER: SP 571-18 (Kmart/Retail)

CONTROL NO. 7847

ACRES: .50

CURRENT ZONE: M1A

NEW ZONE: N/A

APPLICANT/ADDRESS: Pugh Wright McAnally

PROPERTY OWNER/ADDRESS: Decatur Ventures

REQUEST: Construct a retail to unit strip center at the south west corner of the intersection of Beltline and 6th Avenue

CURRENT LANDUSE: Vacant retail building will be demolished

PROPOSED LANDUSE: Commercial

ONE DECATUR Future Landuse: Community commercial

ONE DECATUR STREET TYPOLOGY: Intersection of Beltline and Workhorse

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE: This is a planned use for the community commercial areas

- 1) Provide landscaping, irrigation and lighting plans
- 2) Show internal circulation for both tracts

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

(2) All easements to be reviewed and approved by Decatur Utilities

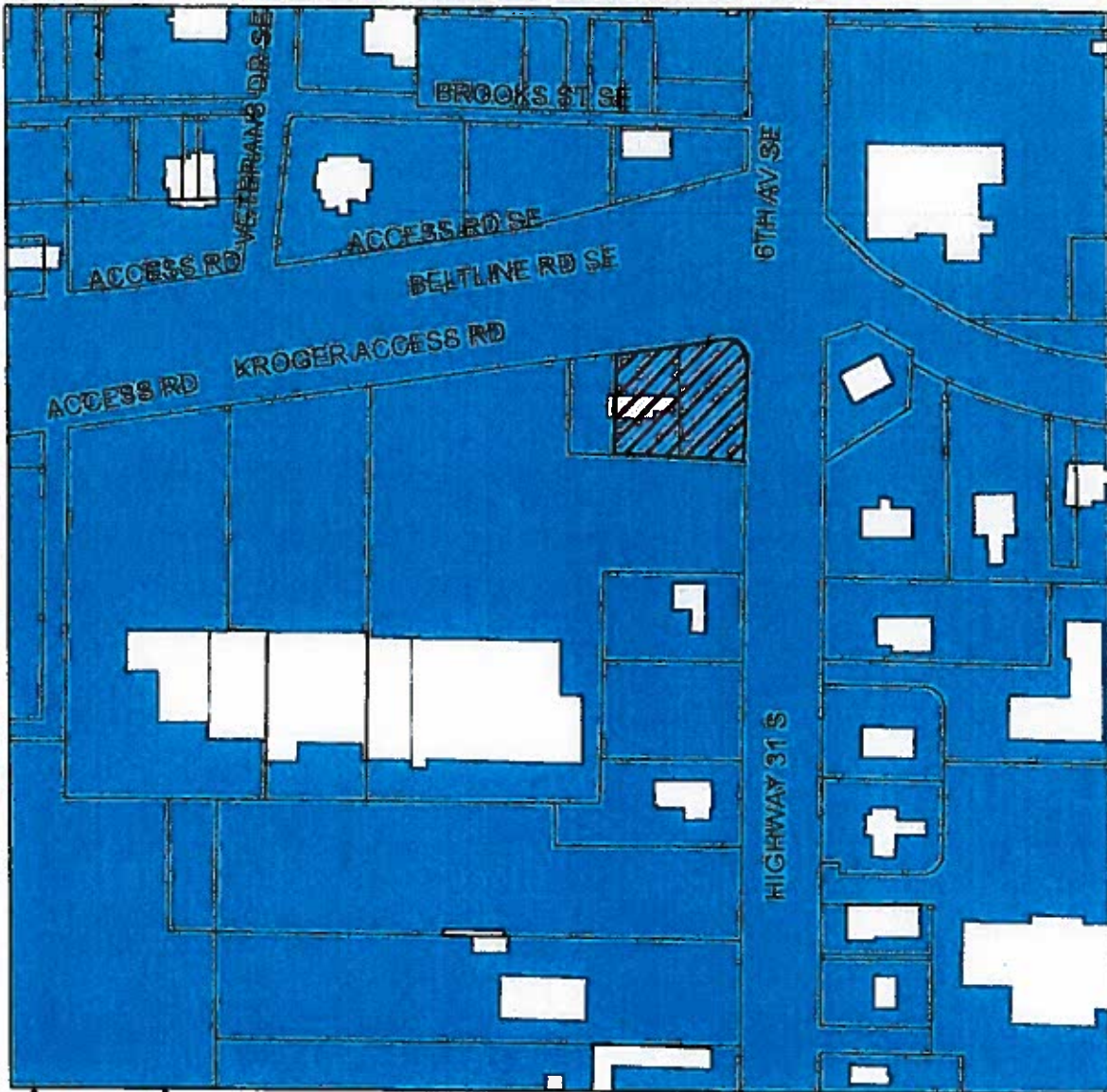
(3) Any access points, future or existing, must be permitted and approved by ALDOT.

Recommendation: Approval with stated conditions.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION: Click or tap here to enter text.

PREPARED BY: Karen Smith

SITE PLAN NO. 571-18



Legend

 codgis2013.DBO.Morgan_Parcels

 Buildings

 CorporateLimits

 SUBJECT PROPERTY

LOCATION MAP

APPLICANT: PWM FOR TERRY FAMILY

PROPERTY ZONED M-1A



DRAWING NOT TO SCALE

925-18
C200



- and also 12/28/72 ②
and 12/29/72 ③
and 12/30/72 ④
and 12/31/72 ⑤
and 1/1/73 ⑥
and 1/2/73 ⑦
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EX-107

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12	13	GROUP FOR PROJECT	ST / GR	2	
NAME OF GROUP	NAME OF GROUP	NAME OF GROUP	NAME / ID NO.	NAME / ID NO.	
ADDRESS / TELEPHONE / FAX NO.					
SIGNATURE OF STUDENT					

