

Agenda Planning Commission

City of Decatur, AL

February 19, 2019

Time: 3:30 PM

City Council Chambers

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

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- January 22, 2019

3. PUBLIC HEARING

REZONINGS		PAGE/MAP
A. 1322-19	(South Side of Sycamore St NW Turner Surles)	1-8
B. 1323-19	(Boat Harbor/Marina west of Highway 31)	9-14
C. 1324-19	(West of US Hwy 31 between Thomas Hammond Rd and Sandy Rd in Limestone County)	15-18
D. 1325-19	(Southeast corner of Jackson St. and 4 th Ave. SE)	19-25

3. CONSENT AGENDA

CERTIFICATES

A. 3434-19	Certificate to Subdivide (South of Neel School Rd and east of Kirby Bridge Rd)	26-28
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SITE PLAN

B. 584-1919	(South of Hwy 20 and west of Woodall Rd)	29-31
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PLAT REVIEW

- | | |
|--|-------|
| B. Replat of lots 24 and 25, Blk 2, Decatur Mineral & Land Co.
(North of 2 nd St. SW and west of 11 th AV SW) | 32-34 |
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4. OTHER BUSINESS

VACATION REQUESTS

- | | | |
|-----------|-------------------------------------|-------|
| A. 510-19 | Amend
(North of Park Terrace SE) | 34-36 |
|-----------|-------------------------------------|-------|

BOND REVIEW

- | | |
|---|-------|
| A. Certificate 2172-97
(South of Longview Dr. SW & east side of Danville Rd. SW) | 37-38 |
|---|-------|

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PUBLIC HEARING

FILE NUMBER: REZONING 1322-19

CONTROL NO. 7940

ACRES: 2.9

CURRENT ZONE: R3 AND B5

NEW ZONE: ID INSTITUTIONAL ZONE

APPLICANT: CITY OF DECATUR

PROPERTY OWNER/PROPERTY ADDRESS: SOUTH SIDE OF SYCAMORE ST NW TURNER SURLES

REQUEST: TO REZONE 2.9 ACRES FROM R3 SINGLE FAMILY RESIDENTIAL

CURRENT LANDUSE: RECREATION CENTER AND PARK AND PUBLIC BUILDINGS

PROPOSED LANDUSE: RECREATION CENTER AND PARK AND MUSEUM

ONE DECATUR Future Landuse: URBAN EDGE MIXED USE, PARKS AND CONSERVATION AND CORE NEIGHBORHOOD

ONE DECATUR STREET TYPOLOGY: CHURCH AND VINE ARE BOTH NEIGHBORHOOD COLLECTORS THE SYCAMORE AND RAILROAD ARE LOCAL STREETS

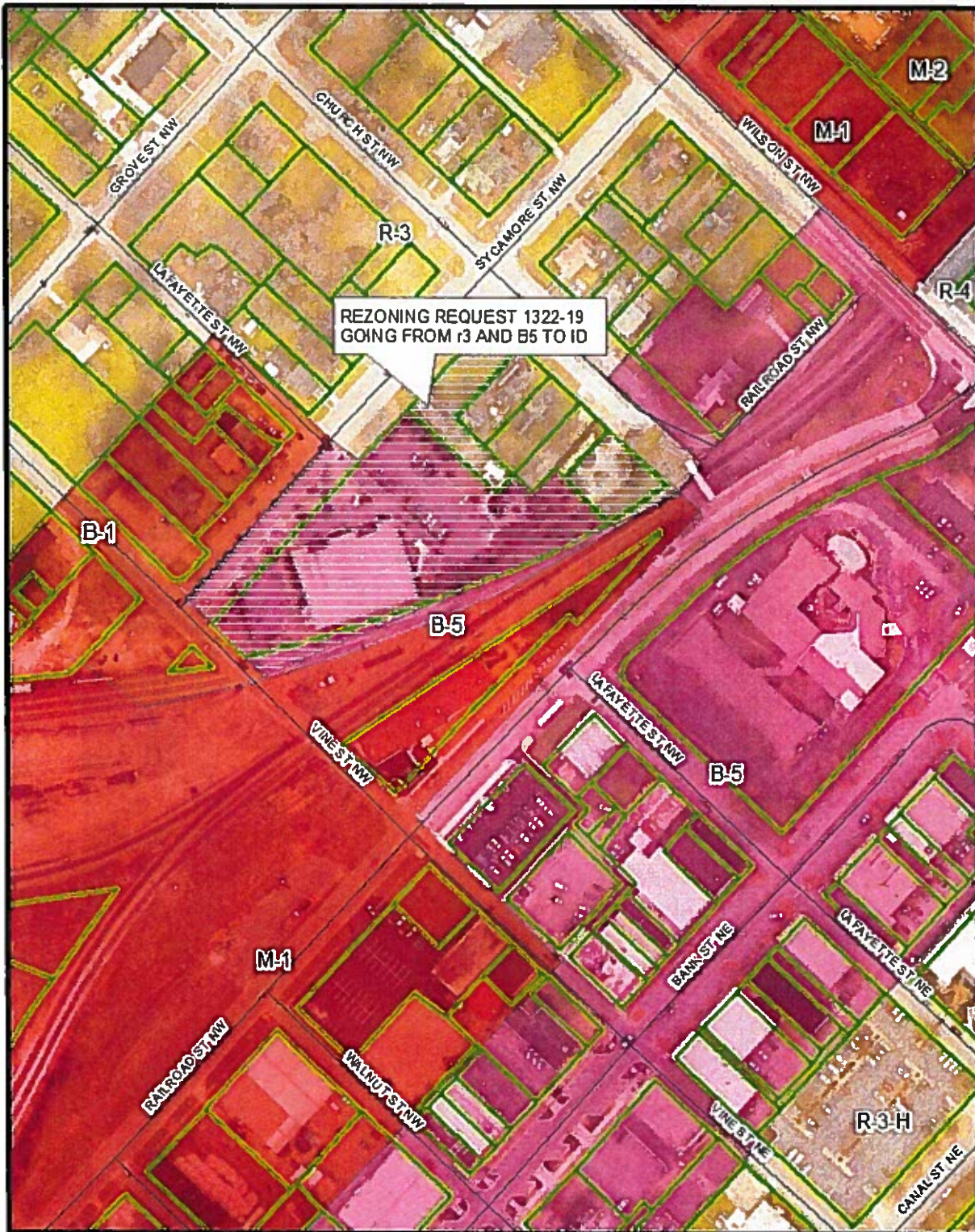
COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

Recommend approval this request is in conformance with the nearby property uses and works with the Urban Edge Mixed Use, Parks and Conservation and Core Neighborhood future landuses from the One Decatur Comprehensive Plan. We believe that this area should emphasize the Urban Edge Mixed Use which offered various opportunities for revitalization through redevelopment of underutilized land. We believe the current use as a recreation area with the proposed museum will do this.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

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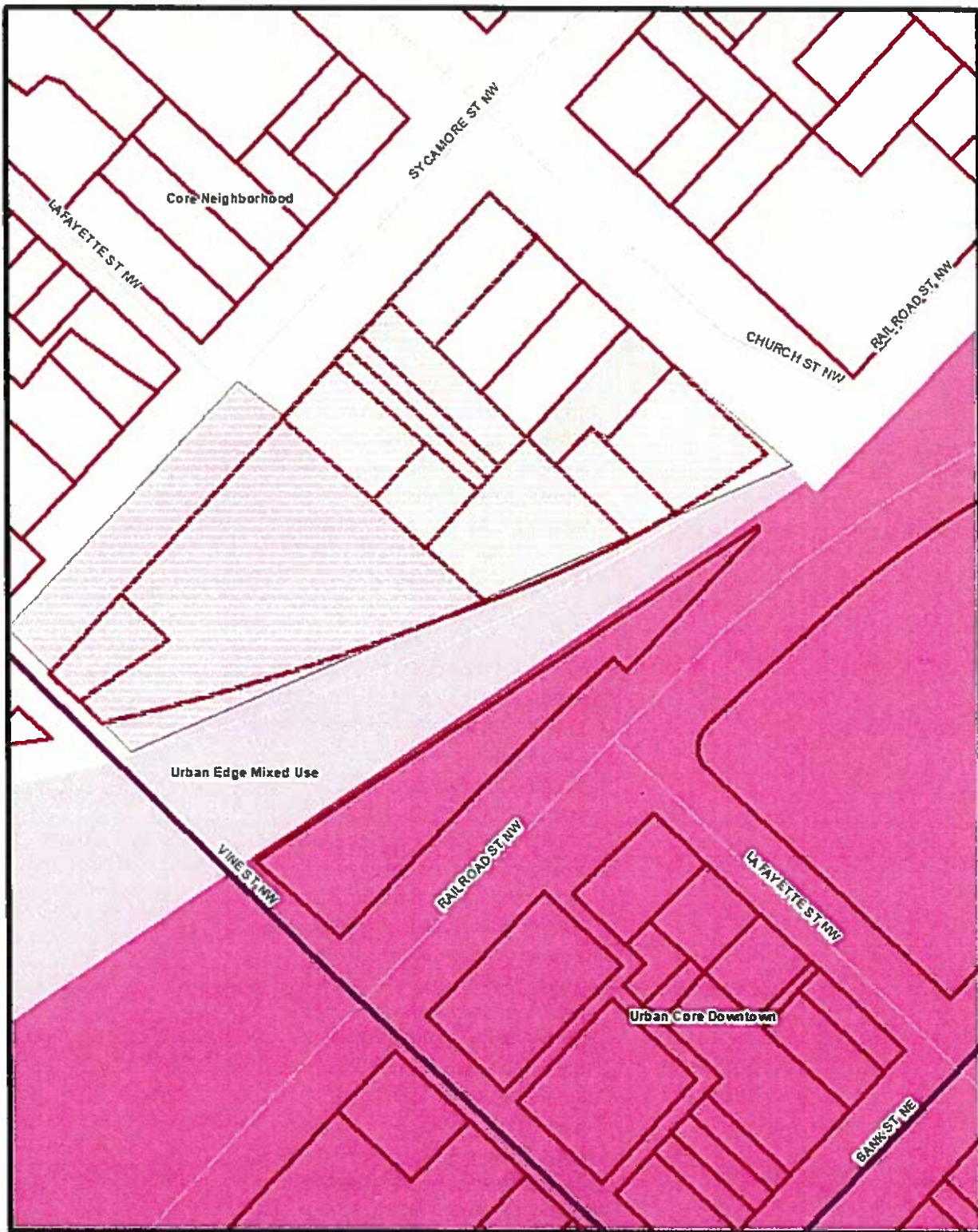


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COMPARE R3 AND B5 TO ID

SECTION	R3	B5	ID
USES PERMITTED	<p>RESIDENTIAL DISTRICT Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.</p> <p>R3 Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).</p>	<p><i>Uses permitted:</i> Off premises sale of alcoholic beverages; On premises sale of table wine; On premises sale of alcoholic beverages by the Princess Theatre Center for the Performing Arts and any other valid responsible organization of good reputation, if duly licensed as a special retail licensee; on premises sale of alcoholic beverages by duly licensed restaurants; and on premises sale of alcoholic beverages by lounges located in and constituting an integral part of a restaurant licensed by the Alabama Alcoholic Beverage Control Board to sell alcoholic beverages as a restaurant; and on premises sale by a lounge located in, and constituting an integral part of a hotel or motel having fifty (50) or more rooms for rent to the public; residential dwellings (multiple family or single family); provided that such dwellings conform to all requirements set forth in the residential zoning requirements (section 25-10) other than the maximum height provision, setback requirements, lot size, and parking set forth therein, which shall not be applicable. Retail stores and markets, including the following types: food, general merchandise; apparel; furniture; household and hardware; radio and T.V.; drugs and sundries; jewelry and gifts; florists; sporting goods; and similar types. Services including</p>	<p><i>Uses permitted:</i> Public and private schools, colleges and academies; auditoriums, coliseums, gymnasiums, cafeterias, fraternity and sorority houses, stadiums, athletic fields in connection with public or private schools, colleges and academies; religious, fraternal and charitable institutions; orphanages; gardens; playgrounds; parks; public buildings and book shops. Accessory structures and uses customarily incidental to the above permitted uses.</p>

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SECTION	R3	B5	ID
		the following types: dry cleaning and laundry pickup stations; event venues, filling stations,	
USES PERMITTED ON APPEAL	<p>RESIDENTIAL DISTRICT 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 and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.</p> <p>R3 SEE ALL R DISTRICTS</p>	<p>Restaurants; 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 and pursuant to the Alcoholic Beverage Licensing Code; and on premises and off premises sale of beer and table wine by food establishments which have monthly gross receipts from the serving of meals and food that constitute more than sixty (60) percent of the monthly gross receipts of the business; architecturally compatible accessory structures may be permitted as a use permitted on appeal for a residential use; brewpubs as defined by Chapter 4A of Title 28 the Code of Alabama (Alabama Brewpub Act) and subject to all requirements of that Chapter, as last amended; dry cleaners and laundries; manufacturing incidental to a retail articles are sold at retail on the premises, for only those uses specifically permitted.</p>	<p><i>Uses permitted on appeal:</i> Churches, rooming and boardinghouses; restaurants; gift shops; newsstands; residential uses permitted in an R-4 residential district and subject to all district requirements of an R-4 district as specified in section 25-10 customarily home occupations.</p>
USES PROHIBITED	<p>RESIDENTIAL DISTRICT 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,</p>	<p><i>Uses prohibited:</i> Major auto repair, except as may be a part of a new car sales, and Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act. Any use not permitted or permitted on appeal.</p>	<p><i>Uses prohibited:</i> On premises and off premises sale of alcoholic beverages; and any use not expressly permitted or permitted on appeal.</p>

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SECTION	R3	B5	ID
	<p>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, 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.</p> <p>R3 Any use not permitted, or permitted on appeal, is prohibited.</p>		
<p>GENERAL REQUIREMENT PARKING ET</p>	<p>RESIDENTIAL DISTRICT</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 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 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.</p> <p>R3</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 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</p>	<p><i>Off-street parking:</i> None specified</p> <p><i>Off-street loading and unloading:</i> Shall provide space for loading and unloading for structures hereafter erected or altered. In the case of brewpubs provisions shall be made for adequate space for loading or unloading all vehicles or trucks incidental to the operation of the brewpub on site.</p>	<p><i>Off-street parking:</i> See § 25-16.</p> <p><i>Off-street loading and unloading:</i> Shall use required rear or side yard for loading and unloading.</p>

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SECTION	R3	B5	ID
	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.		
MINIMUM LOT AREA	RESIDENTIAL DISTRICT None specified R3 Seven thousand (7,000) square feet	<i>Minimum lot size:</i> It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the spaces required for the other normal operations of the business or service.	<i>Minimum lot size:</i> It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	RESIDENTIAL DISTRICT None specified R3 None specified.	NONE GIVEN	
FRONT YARD	RESIDENTIAL DISTRICT Public and semi-public structures: Thirty-five (35) feet. R3 Thirty (30) feet	<i>Minimum yard size:</i> None specified	<i>Minimum yard size:</i> Front, 25 feet;
REAR YARD	RESIDENTIAL DISTRICT 1. Public and semi-public structures: Thirty-five (35) feet. 2. Accessory structures: Five (5) feet. R3 Thirty-five (35) feet.	<i>Minimum yard size:</i> None specified	rear, 20 feet;
MINIMUM SIDE YARD	RESIDENTIAL DISTRICT 1. Public and semi-public structures: Thirty-five (35) feet. 2. Accessory structures: Five (5) feet. R3 One side eight (8) feet and the other side six (6) feet.	<i>Minimum yard size:</i> None specified	side, 15 feet; except on a lot adjoining along its side line a lot which is in a residential district, there shall be a side yard not less than 25 feet wide.

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SECTION	R3	B5	ID
MAXIMUM BUILDING HIEGHT	RESIDENTIAL DISTRICT Forty-five (45) feet. R3 Thirty-five (35) feet	<i>Maximum height:</i> None specified	<i>Maximum height:</i> 45 feet or
MAXIMUM HEIGHT IN STORIES	RESIDENTIAL DISTRICT Three (3). R3 Two and one-half (2½).	<i>Maximum height:</i> None specified	3 stories.

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FILE NUMBER: 1323-19

CONTROL NO. 7941

ACRES: 7 ACRES MORE OF LESS

CURRENT ZONE: B2

NEW ZONE: B3R

APPLICANT: CITY OF DECATUR FOR RIVERWALK MARINA

PROPERTY OWNER/PROPERTY ADDRESS: CITY OF DECATUR WEST SIDE OF HIGHWAY 31 DECATUR BOAT HARBOR

REQUEST: TO REZONE FROM B2 TO B3R

CURRENT LANDUSE: BOAT HARBOR AND RESTAURANT

PROPOSED LANDUSE: BOAT HARBOR AND RESTAURANT

ONE DECATUR Future Landuse: SHOULD BE WATERFRONT MIXED USE BUT IS SHOWING AS PART OF THE RIVER

ONE DECATUR STREET TYPOLOGY: HIGHWAY 31 IS A WORK HORSE AND PART OF THE STATE HIGHWAY SYSTEM

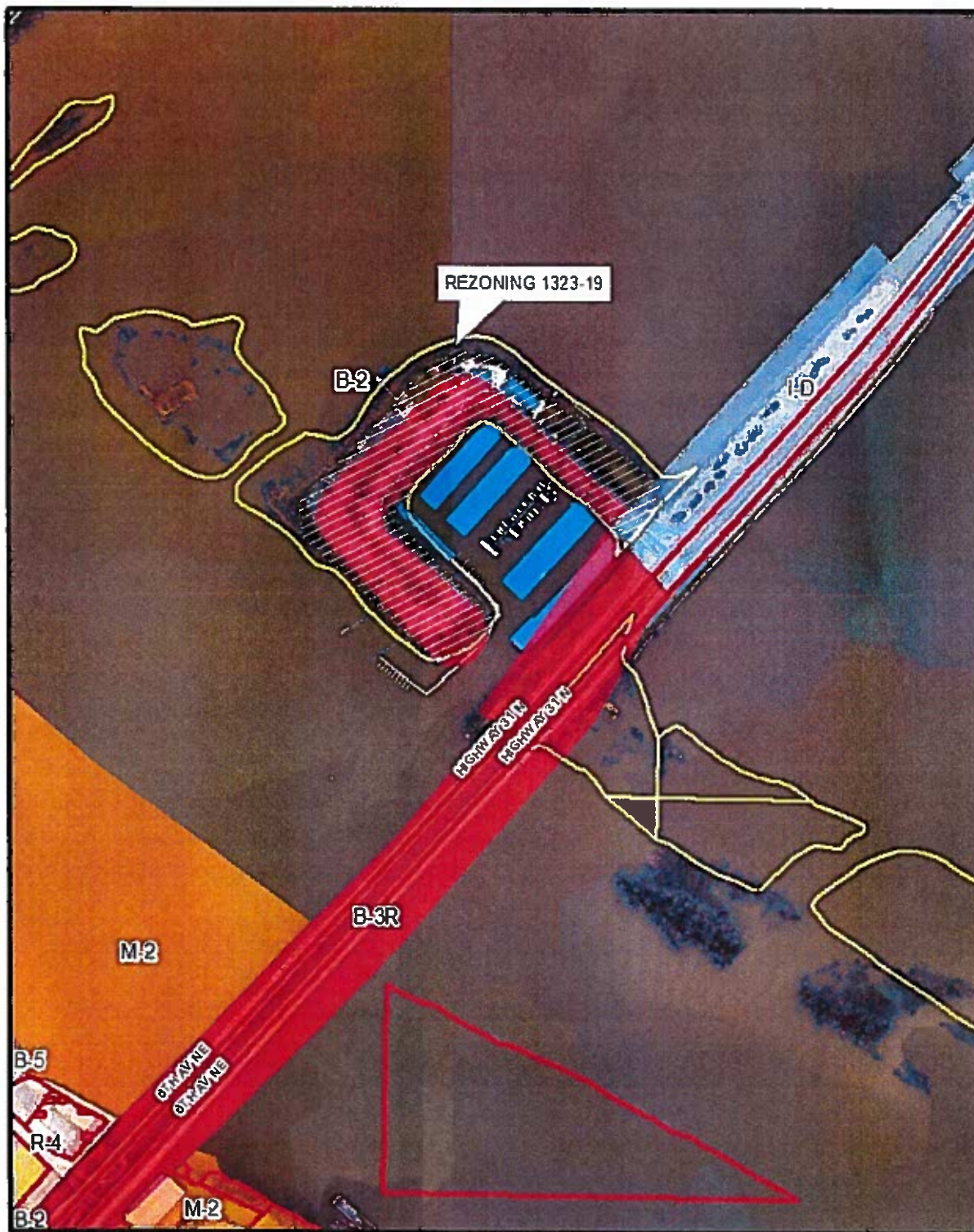
COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Recommend approval with the following conditions this zoning district was designed for river front uses but adopted after the zoning of B2 was applied to the boat harbor. This zoning is more reflective of the River Front Mixed Use that is found in the One Decatur Comprehensive Plan. The Riverfront mixed use should offer highly attractive areas for living, working, tourism, recreation, and entertainment. It should provide greater community access to the river through parks, multi-use trails, inviting public space and amenities for water-based recreation.

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

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COMPARE B2 AND B3R

CODE SECTION	B2	B3R
USES PERMITTED	<p><i>Uses permitted:</i> Clubs; on premises and off premises sale of alcoholic beverages; 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 1,500-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 (1) 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 or service not specifically restricted or prohibited; and places of amusement and assembly.</p>	<p>Clubs; on premises and off premises sale of alcoholic beverages; hotels, motels, restaurants, educational, cultural, or recreational uses, any retail business or service dependent on tourist trade or supportive of tourist activity; and any use permitted in a B-6, Office District and subject to all district requirements of said district as specified in section 25-11 hereof.</p>
USES PERMITTED ON APPEAL	<p><i>Uses permitted on appeal:</i> Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.</p>	<p>Residential uses limited to R-4 multifamily; R-5 single-family patio homes; and R-6 single-family semi-attached townhomes; and private or public parking garages or facilities.</p>

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CODE SECTION	B2	B3R
USES PROHIBITED	<i>Uses prohibited:</i> Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice plants; junk, scrap paper, rag, storage or bailing, stone or monument works.	Any use not permitted or permitted on appeal
MINIMUM LOT SIZE	B2 Same as for B-1 Business District. B1 It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.	It is the intent of this section that lots of sufficient size be used for any allowed use to provide adequate parking and loading space in addition to the space required for other normal operations of the enterprises.
MINIMUM YARD SIZE	B2 Same as for B-1, Local Shopping District. B1 Front 25 feet; rear 20 feet; side, not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.	Front, thirty-five (35) feet; rear, thirty-five (35) feet; side, not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than fifteen (15) feet wide.
OFF STREET PARKING	See § 25-16	See section 25-16.
OFF STREET LOADING AND UNLOADING	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.	<i>Off-street loading and unloading:</i> Shall use required rear or side yard for loading and unloading.
SITE PLAN	SEE ARTICLE 7 OF CHAPTER 25	<i>Site plan review:</i> A site plan shall be submitted to the planning commission for its review prior to a permit for development being granted in any B-3R zone or prior to any use permitted on appeal being granted by the board of zoning adjustment. The site plan shall include as a minimum, automobile ingress and egress to the property, parking, building location setback, landscaping, orientation and accessibility of development to riverfront and surrounding uses, and accessibility to the riverfront by pedestrian walkway and orientation of development to any public riverfront

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CODE SECTION	B2	B3R
		promenade as may be developed or extended in the future.

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FILE NUMBER: 1324-19

CONTROL NO. 7942

ACRES: 55.9

CURRENT ZONE: UNZONED

NEW ZONE: ID INSTITUTIONAL ZONE

APPLICANT: CITY OF DECATUR FOR STATE OF AL

PROPERTY OWNER/PROPERTY ADDRESS: STAT OF AL THROUGH DEPARTMENT OF COMMERCE

REQUEST: TO APPLY AN ID ZONING TO SOME RECENTLY ANNEXED PROPERTY

CURRENT LANDUSE: PART OF THE STATE COLLEGE SYSTEM AND HOUSES THE STATE ROBOTICS TECHNOLOGY PARK, ADVANCED TECHNOLOGY AND RESERCH AND DEVELOPMENT

PROPOSED LANDUSE: SAME

ONE DECATUR Future Landuse: UNSHOWN BUT WE BELIEVE IT SHOULD BE MAJOR INSTITUTION/CIVIC

ONE DECATUR STREET TYPOLOGY: HIGHWAY 31 IS A WORKHORSE STREET

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

Recommend approval this is an extension of the ID zone that is applied to the Calhoun Community College Campus across the street and major institution civic use described in the One Decatur Comprehensive Plan Future Landuse. This future landuse is for land and buildings occupied by municipal and other governmental agencies for the exercise of their functions including semi-public uses such as colleges.

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

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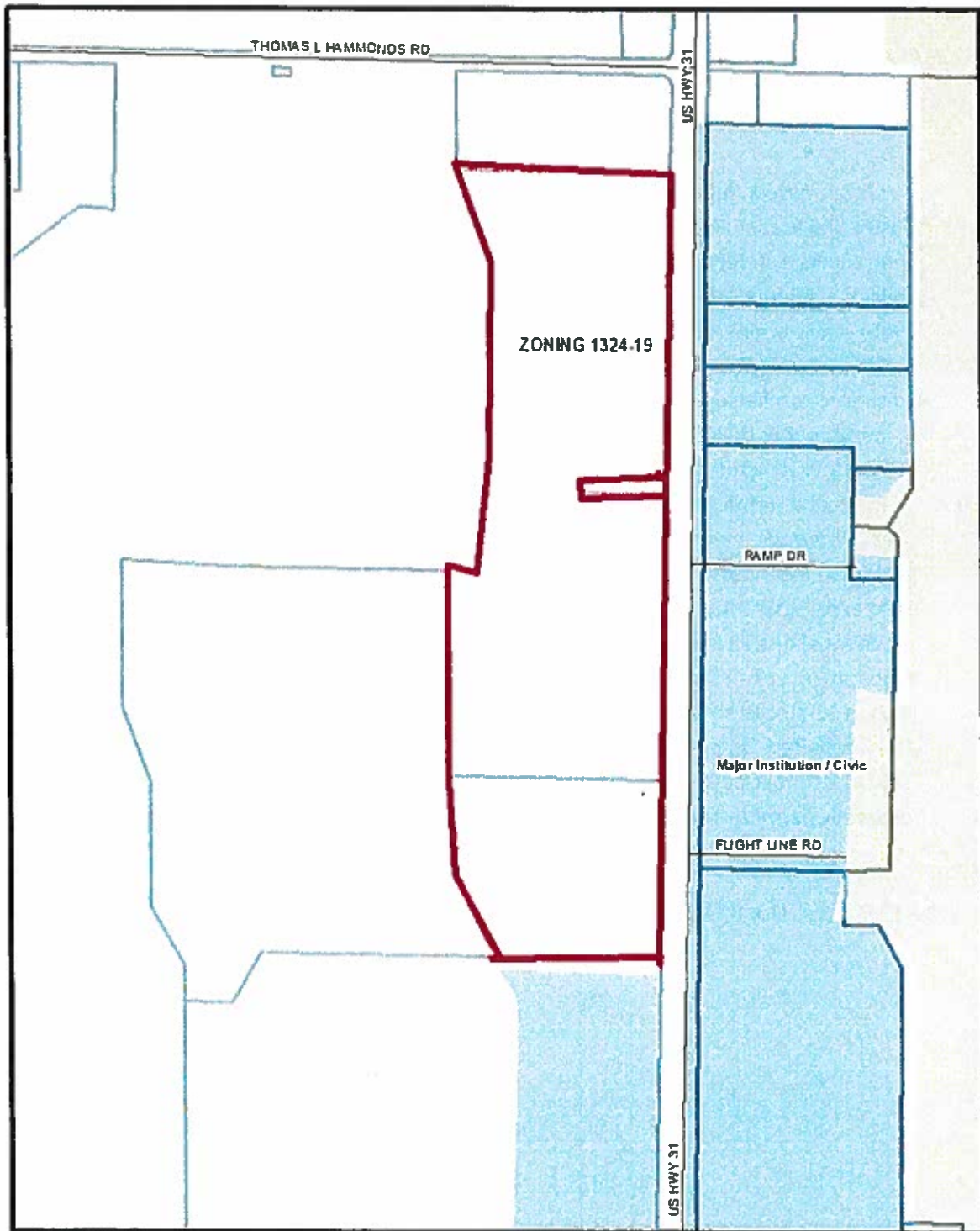
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Sec. 25-12.2. - Institutional district requirements.

District	USE REGULATIONS	SPACE AND HEIGHT REGULATIONS	District
I-D (Institutional district)	<p><i>Uses permitted:</i> Public and private schools, colleges and academies; auditoriums, coliseums, gymnasiums, cafeterias, fraternity and sorority houses, stadiums, athletic fields in connection with public or private schools, colleges and academies; religious, fraternal and charitable institutions; orphanages; gardens; playgrounds; parks; public buildings and book shops.</p> <p>Accessory structures and uses customarily incidental to the above permitted uses.</p> <p><i>Uses permitted on appeal:</i> Churches, rooming and boardinghouses; restaurants; gift shops; newsstands; residential uses permitted in an R-4 residential district and subject to all district requirements of an R-4 district as specified in section 25-10 customarily home occupations.</p> <p><i>Uses prohibited:</i> On premises and off premises sale of alcoholic beverages; and any use not expressly permitted or permitted on appeal.</p>	<p><i>Minimum lot size:</i> It is the intent of this section that lots of sufficient size be used for any business of service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.</p> <p><i>Minimum yard size:</i> Front, 25 feet; rear, 20 feet; side, 15 feet; except on a lot adjoining along its side line a lot which is in a residential district, there shall be a side yard not less than 25 feet wide.</p> <p><i>Maximum height:</i> 45 feet or 3 stories.</p> <p><i>Off-street parking:</i> See § 25-16.</p> <p><i>Off-street loading and unloading:</i> Shall use required rear or side yard for loading and unloading.</p>	I-D (Institutional district)

(Code 1956, § 27-12.2; Ord. No. 85-2426, § 19, 2-4-85)

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FILE NUMBER: 1325-19

CONTROL NO. 7944

ACRES: .16

CURRENT ZONE: B2H

NEW ZONE: R3H

APPLICANT: MICHAEL VINSON AND JOHN LYONS REPRESENTING SHIRLEY JOHNSON

PROPERTY OWNER/PROPERTY ADDRESS: 401 JACKSON ST EAST OF FOURTH AV SE AND SOUTH OF JACKSON ST SE

REQUEST: TO REZONE .16 ACRES FROM B2H TO R3H

CURRENT LANDUSE: VACANT

PROPOSED LANDUSE: SINGLE FAMILY RESIDENTIAL

ONE DECATUR Future Landuse: CORE NEIGHBORHOOD

ONE DECATUR STREET TYPOLOGY: FOURTH AV IS A NEIGHBORHOOD CONNECTOR AND JACKSON IS A LOCAL STREET BOTH HAVE SIDEWALKS

COMMENTS AND RECOMMENDATIONS FROM SUBDIVISION COMMITTEE:

Recommend approval this is an extension of the R3 zone to the east. The Future Landuse in the One Decatur Comprehensive Plan shows this property as Core Neighborhood which lists Single family residential as one of its primary uses. The proposed use for this property as a new Single Family residence. The Core neighborhood should maintain the existing neighborhood Character, and allow residential infill that is compatible in scale to the neighboring homes.

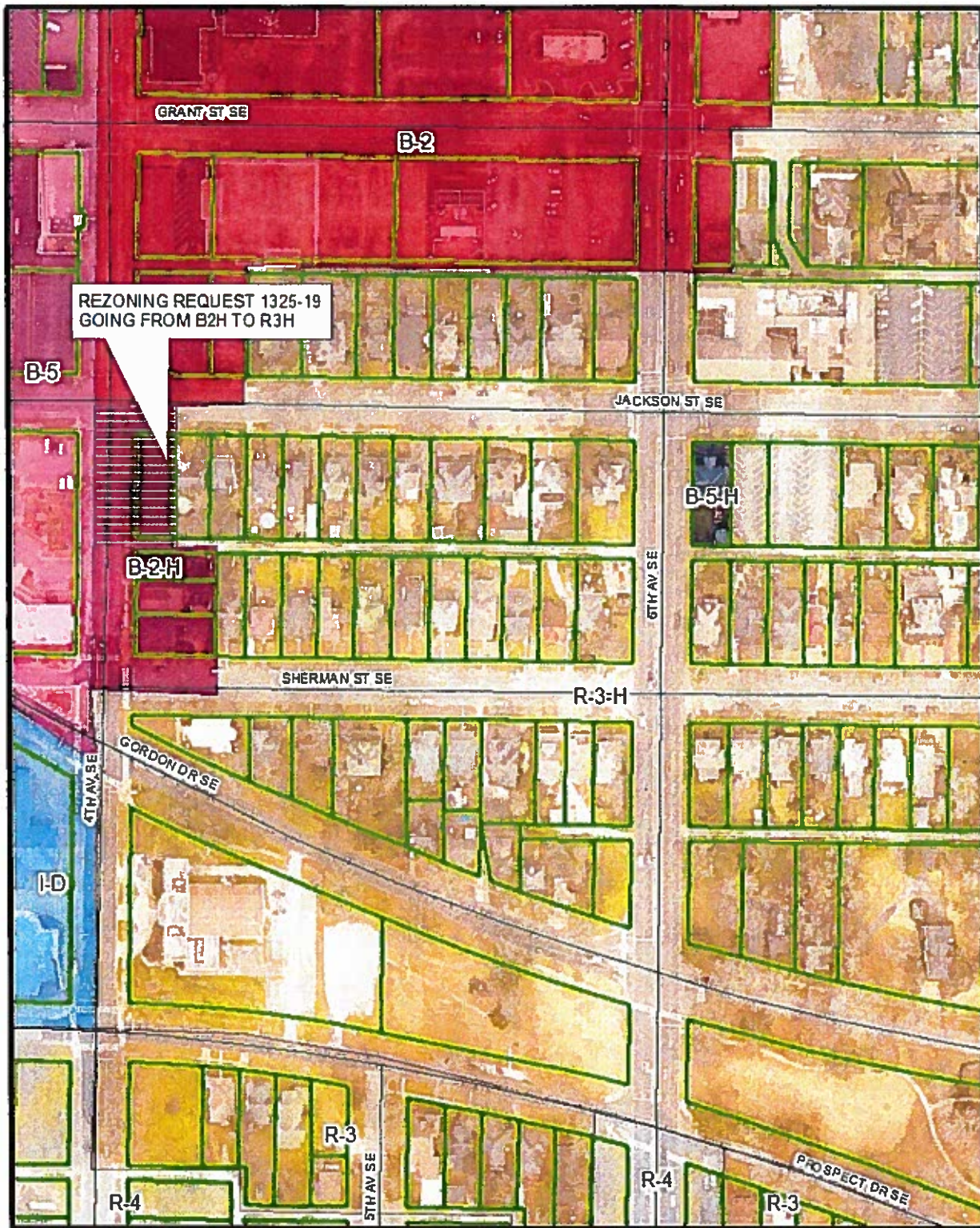
Pt. of Info: Any relocation of utilities will be at the owner's expense.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

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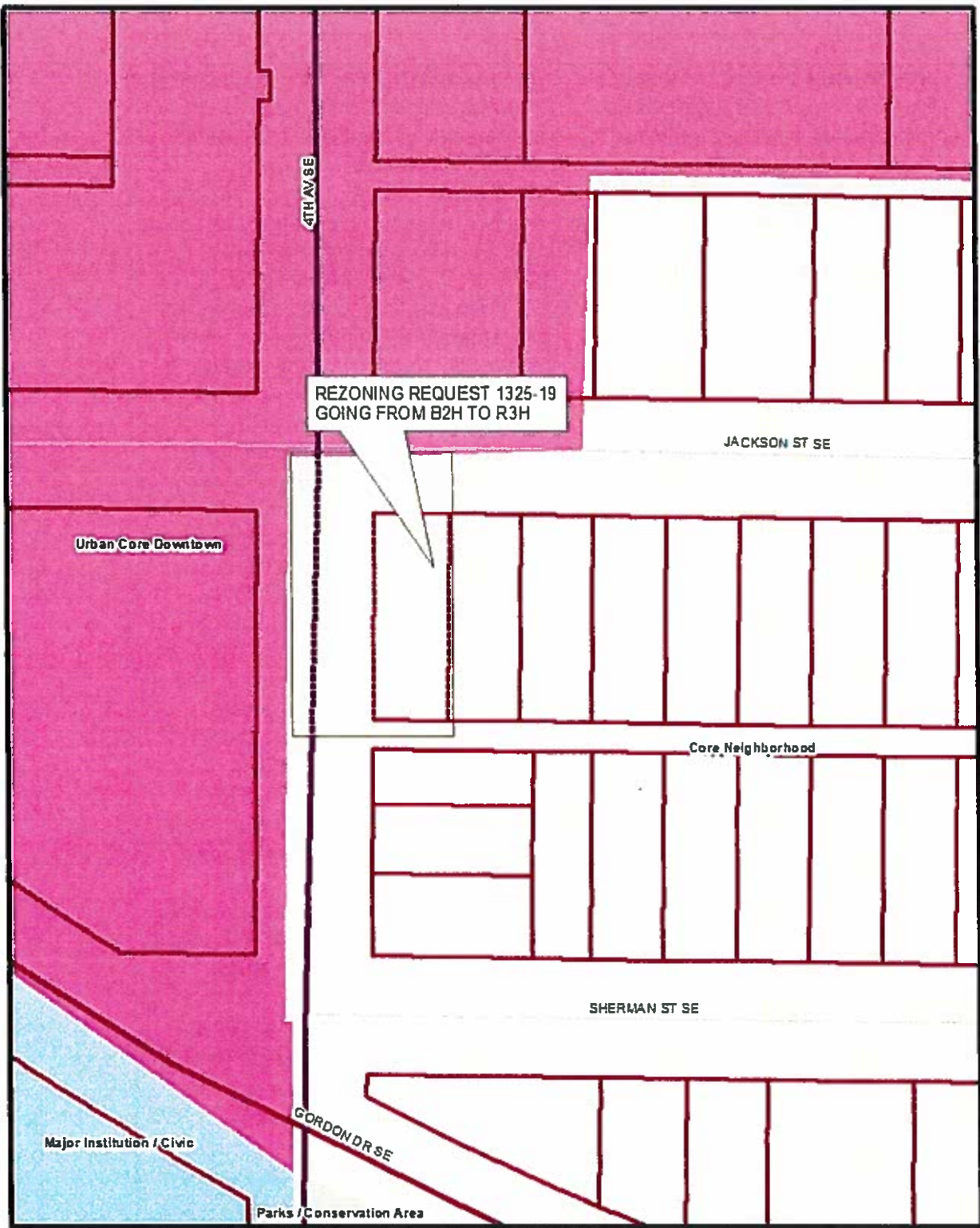


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SECTION	R3	B2
USES PERMITTED	<p>RESIDENTIAL DISTRICT Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.</p> <p>R3 Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).</p>	<p><i>Uses permitted:</i> Clubs; on premises and off premises sale of alcoholic beverages; 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 1,500-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 (1) 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 or service not specifically restricted or prohibited; and places of amusement and assembly.</p>
USES PERMITTED ON APPEAL	<p>RESIDENTIAL DISTRICT 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 and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.</p> <p>R3 SEE ALL R DISTRICTS</p>	<p><i>Uses permitted on appeal:</i> Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs.</p> <p>Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.</p>
USES PROHIBITED	RESIDENTIAL DISTRICT Except as expressly permitted, or permitted	<i>Uses prohibited:</i> Stockyard; live animal or poultry sales; coal yards; lumber yards or

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SECTION	R3	B2
	<p>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, 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.</p> <p>R3 Any use not permitted, or permitted on appeal, is prohibited.</p>	<p>mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice plants; junk, scrap paper, rag, storage or bailing, stone or monument works.</p>
<p>GENERAL REQUIREMENT PARKING ET</p>	<p>RESIDENTIAL DISTRICT</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 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 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.</p> <p>R3</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 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 section 25-2 thereof, shall be considered as a part of the main building and shall be subject to</p>	<p>OFF STREET PARKING</p> <p>See § 25-16</p> <p>OFF STREET LOADING AND UNLOADING</p> <p>Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.</p>

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SECTION	R3	B2
	the setback and side yard requirements of the district in which it is located.	
MINIMUM LOT AREA	<p>RESIDENTIAL DISTRICT None specified</p> <p>R3 Seven thousand (7,000) square feet</p>	<p>B2 Same as for B-1 Business District.</p> <p>B1 It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.</p>
MAXIMUM BUILDING AREA	<p>RESIDENTIAL DISTRICT None specified</p> <p>R3 None specified.</p>	NONE GIVEN
FRONT YARD	<p>RESIDENTIAL DISTRICT Public and semi-public structures: Thirty-five (35) feet.</p> <p>R3 Thirty (30) feet</p>	<p>B2 Same as for B-1, Local Shopping District.</p> <p>B1 Front 25 feet;</p>
REAR YARD	<p>RESIDENTIAL DISTRICT</p> <ol style="list-style-type: none"> Public and semi-public structures: Thirty-five (35) feet. Accessory structures: Five (5) feet. <p>R3 Thirty-five (35) feet.</p>	<p>B2 Same as for B-1, Local Shopping District.</p> <p>B1 Rear 20 feet;</p>
MINIMUM SIDE YARD	<p>RESIDENTIAL DISTRICT</p> <ol style="list-style-type: none"> Public and semi-public structures: Thirty-five (35) feet. Accessory structures: Five (5) feet. <p>R3 One side eight (8) feet and the other side six (6) feet.</p>	<p>B2 Same as for B-1, Local Shopping District.</p> <p>B1 Side, not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.</p>
MAXIMUM BUILDING HEIGHT	<p>RESIDENTIAL DISTRICT Forty-five (45) feet.</p> <p>R3 Thirty-five (35) feet</p>	NONE GIVEN
MAXIMUM HEIGHT IN STORIES	<p>RESIDENTIAL DISTRICT Three (3).</p> <p>R3 Two and one-half (2½).</p>	NONE GIVEN

**Planning Commission
February 19, 2019**

SECTION	R3	B2
SITE PLAN	REVIEW BY THE HISTORIC PRESERVATION COMMISSION IS REQUIRED	SITE PLAN REVIEW AND REVIEW BY THE HISTORIC PRESERVATION COMMISSION WILL BE REQUIRED

END PUBLIC HEARING

CONSENT AGENDA

FILE NUMBER: **CERTIFICATE TO SUBDIVIDE 3434-19**

CONTROL NO. 7936

ACRES: APPROXIMATELY 6 ACRES

CURRENT ZONE: OUTSIDE THE CITY LIMITS

NEW ZONE: NA

APPLICANT: Jake Sparks representing himself and Palma Mendoza

PROPERTY OWNER/PROPERTY ADDRESS: Jake Sparks and Palma Mendoza south of Neel School RD east of Kirby Bridge RD

REQUEST: To adjust the lot lines on an approximately six acre tract and create two tracts of 1.4 acres and 4.6 acres

CURRENT LANDUSE: Low density residential

PROPOSED LANDUSE: Low density residential

ONE DECATUR Future Landuse: Rural Edge Agriculture

ONE DECATUR STREET TYPOLOGY: Collector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Recommend approval with the following conditions:

1. Provide a three state plane coordinates on the Signed survey
2. Payment of the recording fees
3. Verify county water

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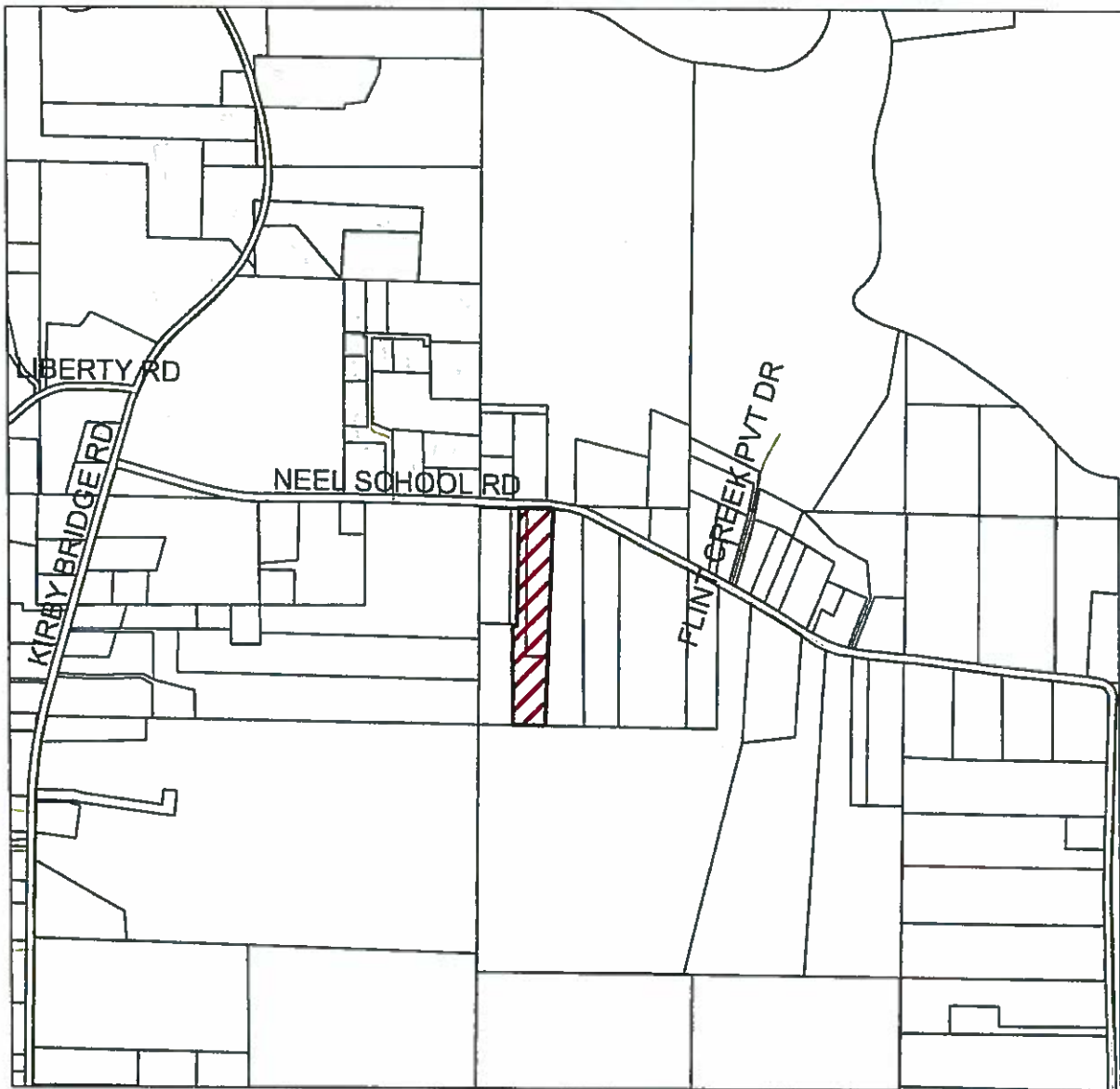
**Planning Commission
February 19, 2019**

4. Provide an easement along the existing electric wire subject to approval of Joe Wheeler Electric (JWEMC) - 20 feet ten feet either side of the existing service line.
5. Provide a dedication block for the right of way and easement

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

CERTIFICATE TO SUBDIVIDE NO. 3434-19



LOCATION MAP

Legend

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

**APPLICANT: PALMA MIGUEL A. MENDOZA AND
JACOB SPARKS**

PROPERTY PJ ONLY

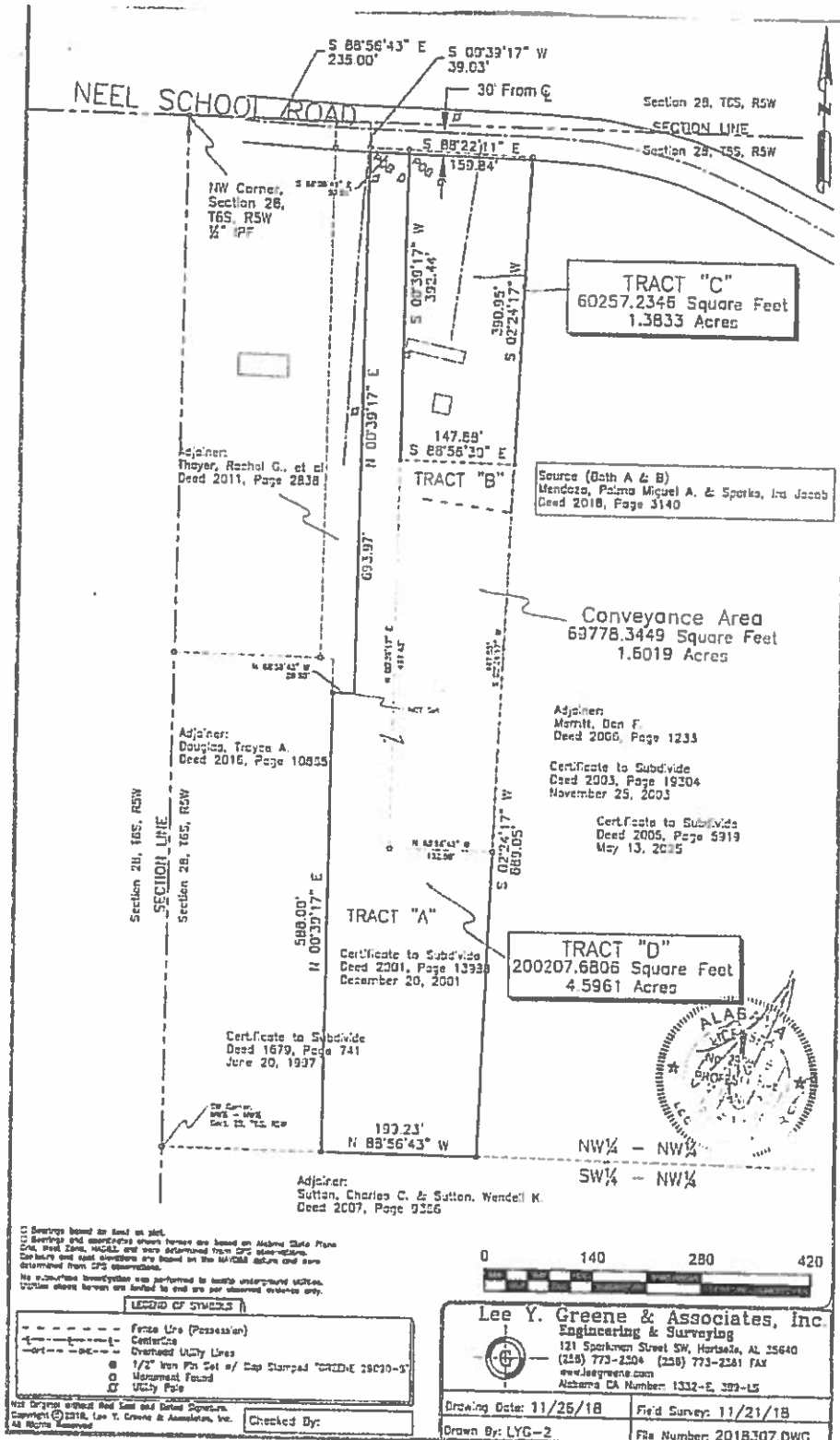


DRAWING NOT TO SCALE

Planning Commission

February 19, 2019

CERTIFICATE TO SUBDIVIDE NO.3434-19



**Planning Commission
February 19, 2019**

FILE NUMBER: Site Plan 584-19

CONTROL NO. 7938

ACRES: 3.2

CURRENT ZONE: outside city

NEW ZONE: NA

APPLICANT: Adam Campbell and Jonathan Woche representing Speedway

PROPERTY OWNER/PROPERTY ADDRESS: Aaron Guthrie and High-focused improvements property at the intersection of Highway 20 and Woodall RD

REQUEST: Approval for a Speedway Convenience Store

CURRENT LANDUSE: Vacant and residential

PROPOSED LANDUSE: Commercial

ONE DECATUR Future Landuse: None shown

ONE DECATUR STREET TYPOLOGY: Highway 20 is a workhorse and Woodall is a city connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Recommend approval with the following conditions:

1. Consolidate the lots.
2. Provide a copy of the deed and/or owner's permission.
3. Review and approve landscape plan.
4. Resolve questions about Highway 20 right of way at the intersection and show correctly on the drawing subject to approval of City/County Engineers – right of way needs to be verified.
5. Approved Alabama Department of Transportation (ALDOT) permits including the variance.
6. Provide the specification on the pond and drainage plans.
7. Show dimensions of parking spaces on the drawings.
8. Locate all gas lines and show on drawings -Decatur Utilities (DU) and Wheeler Basin. (gas regulation stations labeled).
9. Locate all utilities and show where they cross the sewer main.
 - a. Locate and show Fiber on drawings.
 - b. Dedicate a 20 foot easement for the sewer main.

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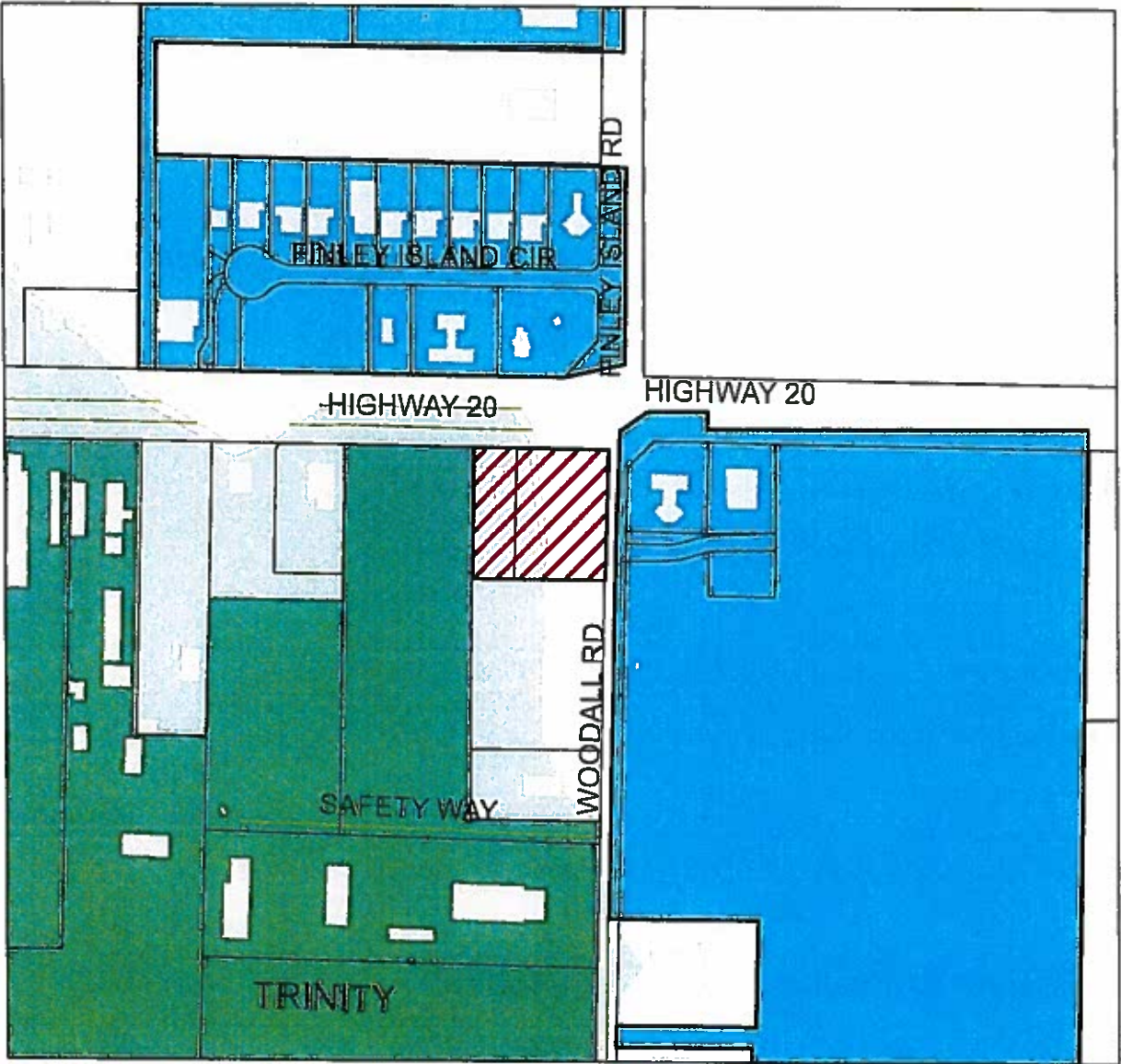
**Planning Commission
February 19, 2019**

Pt. of Info:

1. The applicant plans to annex this property into the city. It will take multiple annexations because it is the Decatur Planning Jurisdiction (PJ) and the Trinity PJ.
2. There are questions about the location of a traffic signal pole that need to be resolved – police department, City Engineer and ALDOT
3. A grease interceptor approved by DU will be required.
4. The Health Department will need to approve the plans for the grocery store and food preparation.
5. Any relocation of utilities will be at the owner's expense.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION

SITE PLAN NO. 584-19



Legend

- Ownership
- Buildings
- Corporate Limits

codgis2013.DBO.Planning.Juris



SUBJECT PROPERTY

LOCATION MAP

APPLICANT: ADAM CAMPBELL SPEEDWAY LLC

PROPERTY PJ ONLY



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**Planning Commission
February 19, 2019**

FILE NUMBER: Replat of lots 24 and 25 et

CONTROL NO. 7937

ACRES: .32

CURRENT ZONE: R2

NEW ZONE: NA

APPLICANT: Lee Green representing Coronado Ventures and William K. Gothard

PROPERTY OWNER/PROPERTY ADDRESS: 421 & 423 11th AV SW/North of 2nd St SW and west of 11th AV SW

REQUEST: To correct the lot numbers

CURRENT LANDUSE: Residential

PROPOSED LANDUSE: Residential

ONE DECATUR Future Landuse: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Both are local streets

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

Recommend approval with the following conditions:

1. 3 state plane coordinates
2. Pay \$110.00 plat fee
3. Payment of recording fees (check to Judge of probate for \$15.00)

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

REPLAT OF LOTS 24 AND 25, BLOCK 2, DECATUR MINERAL AND LAND COMPANY'S SUBDIVISION OF DECATUR



LOCATION MAP

Legend

-  Ownership
-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

**APPLICANT: CORONADO VENTURES LLC AND
WILLIAM K. GOTHARD**

PROPERTY ZONED R-3



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Planning Commission
February 19, 2019

END CONSENT AGENDA

OTHER BUSINESS

FILE NUMBER: VAC 510-18

CONTROL NO. 7911

ACRES: .02

CURRENT ZONE: R5 Patio Homes

NEW ZONE: NA

APPLICANT: Lee Greene and Associates for Ricky McCurry Homebuilders, Inc

PROPERTY OWNER/PROPERTY ADDRESS: North of Park Terrace SE

REQUEST: To adjust the length of the vacation request to be that was approved in October

CURRENT LANDUSE: Residential medium density

PROPOSED LANDUSE: Same

ONE DECATUR Future Landuse: Residential medium high density

ONE DECATUR STREET TYPOLOGY: Local

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Recommend approval with the following conditions:

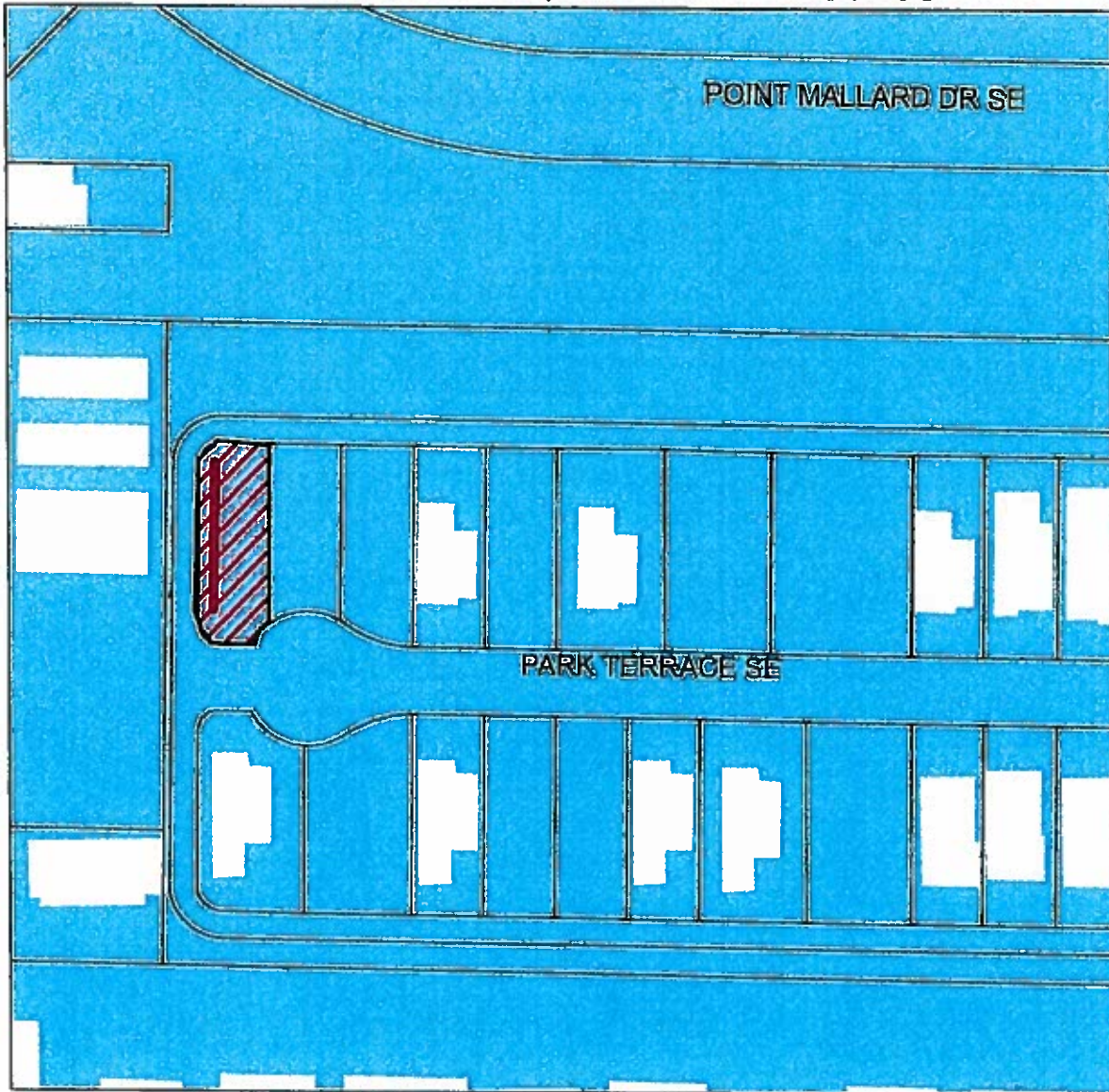
1. Correct the survey to show the amount of easement being vacated – 68 feet
2. The applicant will be notified of the recording fees when the City Council had reviewed and approved this request. They will be due at that time.

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

February 13, 2019

VACATION REQUEST NO.510-18



LOCATION MAP

Legend

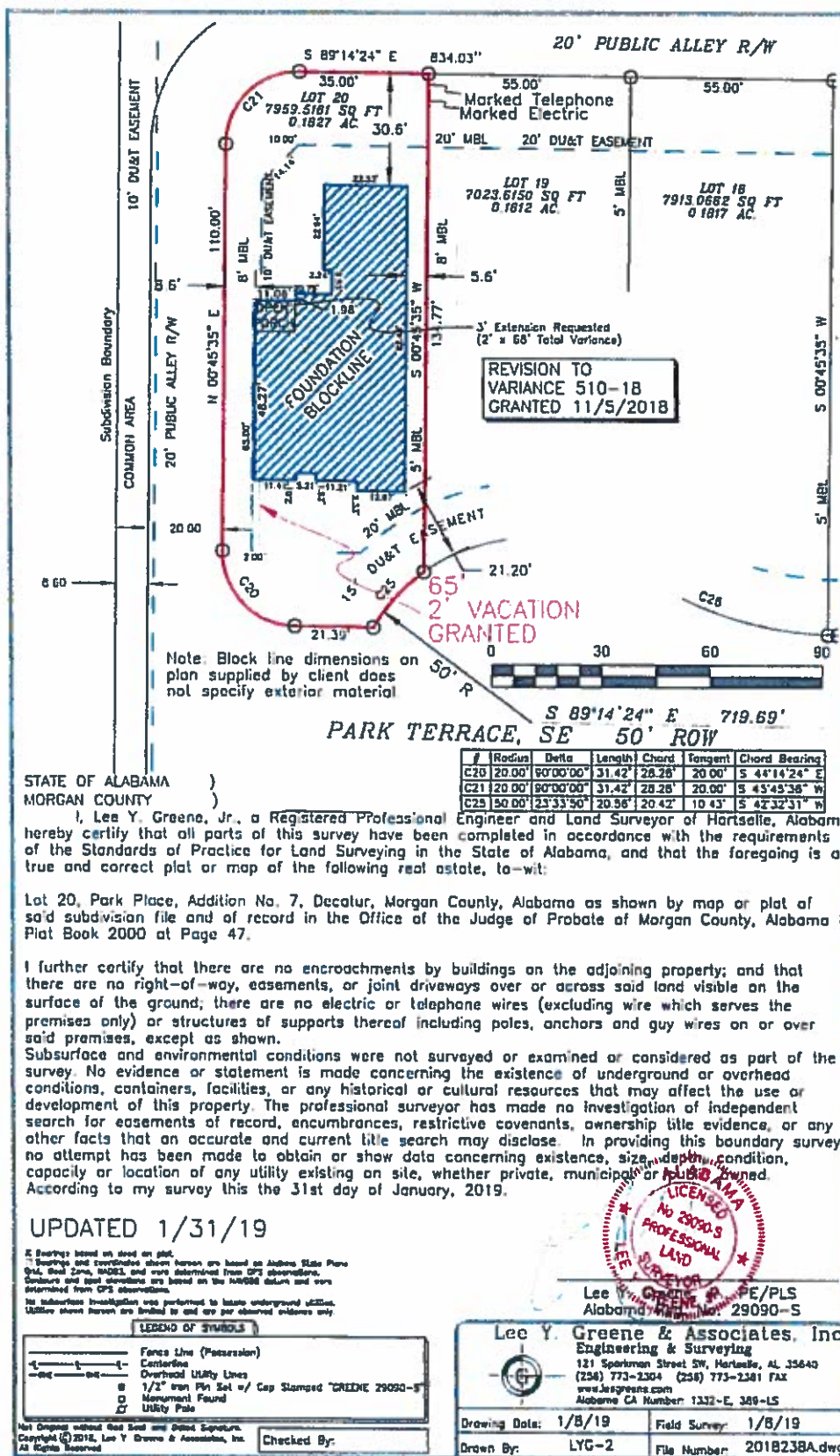
-  Ownership
-  Buildings
-  Corporate Limits
-  **SUBJECT PROPERTY**

**APPLICANT: RICKY McCURRY
HOMEBUILDERS, INC**

PROPERTY ZONED R-5



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Planning Commission

February 19, 2019

FILE NUMBER: Certificate 2172-97

CONTROL NO. 5165

ACRES: 3.02

CURRENT ZONE: B2

NEW ZONE: NA

APPLICANT: Steven Koslow

PROPERTY OWNER/PROPERTY ADDRESS: 2404 and 2408 Danville RD SE/South of Longview Dr. SW and east side of Danville Rd. SW

REQUEST: To review the bond for sewer extension in the amount of \$30,000.00 renewed March 24, 2018. In December 2018 the Planning Commission approved the transfer of this bond requirement to Jubilee House of Prayer. The Letter of credit would be for one year with a yearly renewal. They were told at that time that the commission would not allow any more than three renewals for a total of three years at which time the church would be responsible for extending sewer as approved by DU to the property. The Planning Department does not at this time have a new letter of credit.

CURRENT LANDUSE: Commercial

PROPOSED LANDUSE: Commercial

ONE DECATUR Future Landuse: Commercial

ONE DECATUR STREET TYPOLOGY: City Connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Recommend approval with the following conditions:

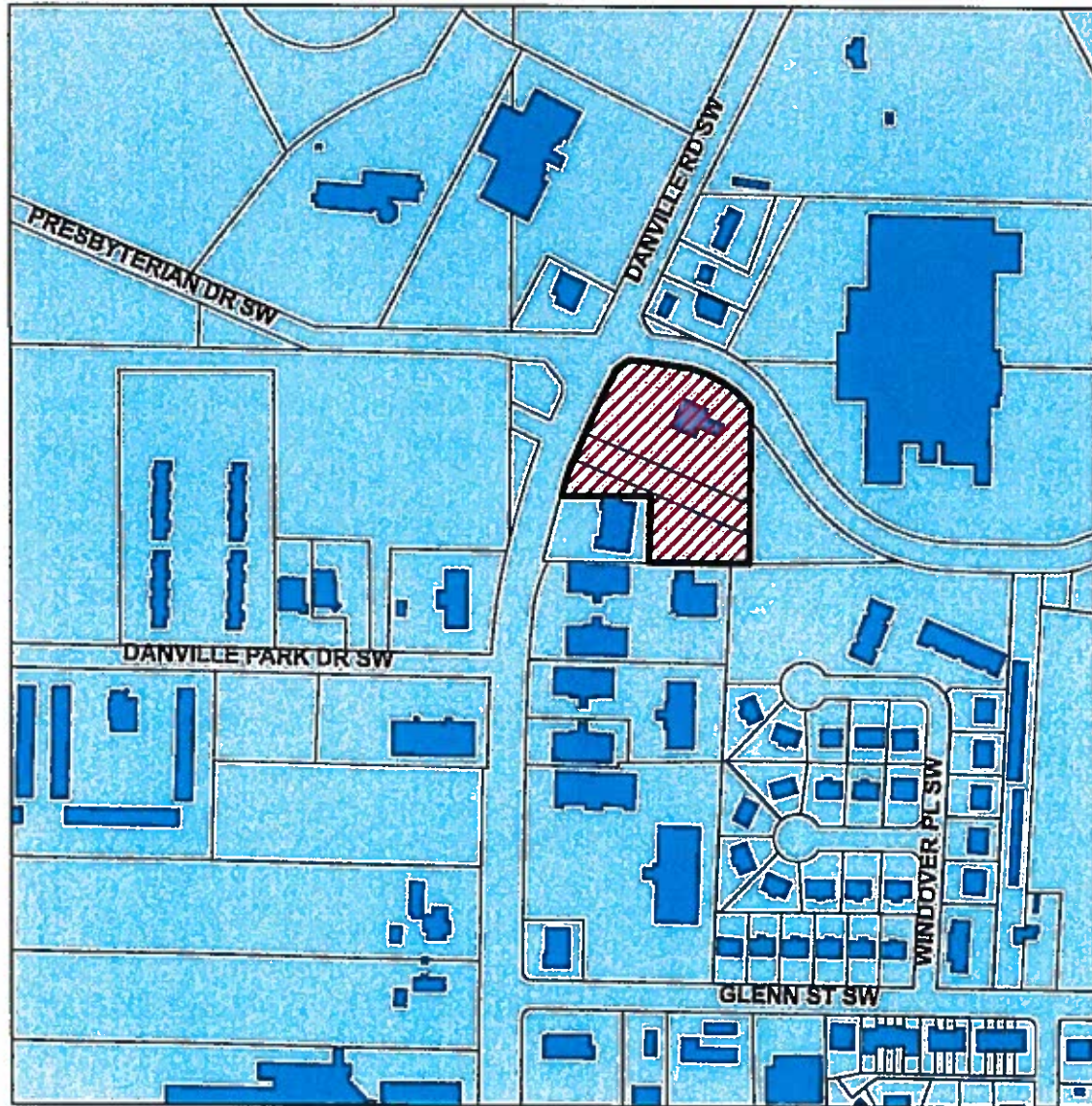
1. Requesting a new bond with the same maximum of three extensions from Mr Koslow or calling the existing bond and extending the sewer to the property.

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

February 13, 2019

BOND REVIEW
CERTIFICATE 2172-97



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

Legend

-  bldg
-  Ownership
-  corplim
-  SUBJECT PROPERTY

ZONED B-2

APPLICANT: STEPHEN KOSLOW



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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.