

MEMORANDUM

DATE: September 11, 2019

TO: Planning Commissioners

CC: Mayor Tab Bowling; Wally Terry; Herman Marks;

Tony Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

September 17, 2019

Pre-meeting – 2:15 p.m. (Annex)

Meeting – 3:30 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL. September 17, 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- August 20, 2019

3. PUBLIC HEARING

REZONINGS		PAGE/MAP
A. 1336-19	(East side of Old River Rd and north of Upper River Rd)	1-5 see plat & attachments
B. 1337-19	(North of Point Mallard Dr SE and west of the golf course on the TN River)	6-13
C. 1338-19	(North of Point Mallard Dr SE and west of the golf course at the end of Re	14-21 gency Dr SE)
D. 1339-19	(Southwest corner of the intersection of Highway 20 and Woodall Rd)	22-25
E. 1340-19	(North side of Hemmingway Dr SW at the end of Longfellow Dr SW)	26-32

4. CONSENT AGENDA

CERTIFICATES

A. 3461-19 Certificate 33-37 (North of Westmead Dr SW and west of Beltline Rd SW)

PLAT REVIEW

A. Black Branch Point

38-42

(Along the TN River northof Point Mallard Pkwy and west of the golf course)

see plat

ANNEXATION

A. 358-19

43-45

(South of 5TH St NW and east of Monroe Dr NW)

PUBLIC HEARING

FILE NUMBER: 1336-19

CONTROL NO. 7998

ACRES: 19.77

CURRENT ZONE: to be annexed

NEW ZONE: R3 Single Family detached residential

APPLICANT: City of Decatur and Pugh Wright McAnally for Howard Morris

PROPERTY OWNER/PROPERTY ADDRESS: East side of Old River Rd and north of

Upper River Rd

REQUEST: to pre-zone a 19.77 acre tract R3 single family residential property is being

considered for annexation

CURRENT LANDUSE: vacant

PROPOSED LANDUSE: single family residential

ONE DECATUR Future Land use: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Old River Rd is a local street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

Section 11-52-85 of the Code of Alabama (1975) authorizes the City of Decatur (City) to prezone territory proposed for annexation by the City prior to the effective date of the annexation. The Alabama Code further requires that any pre-zoned property be annexed into the City within one hundred and eighty (180) days of the initiation of annexation proceedings as provided by law. If the annexation of such pre-zoned property is not completed within such period of time, then the pre-zoning shall be null and void.

The Zoning Committee recommends; The Planning Commission recommends this pre-zoning request to the City Council. The One Decatur proposed future land use of the property is Mixed Neighborhood which includes small-lot single family residential. The lot sizes on this plat are low density size and will make a good transition for the surrounding properties.

Pt. of Info: There are still two additional steps in the platting process for the resubdivision of lot 1 of Morris Brothers Subdivision. There will be the preliminary platting process when construction drawings are submitted and another public hearing is held. The next step is for final approval of the subdivision and requires posting a bond for the public improvements.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

Sec. 25-10. - Residential district requirements.

There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. 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 (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.

- (1) General requirements.
 - a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.
 - 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.
- (2) Specific requirements.
 - a. Minimum lot area: None specified.
 - b. Maximum building area: None specified.
 - c. Minimum front yard setback:
 - 1. Public and semi-public structures: Thirty-five (35) feet.
 - d. Minimum rear yard setback:
 - Public and semi-public structures: Thirty-five (35) feet.
 - 2. Accessory structures: Five (5) feet.
 - e. Minimum side yard setbacks:
 - 1. Public and semi-public structures: Thirty-five (35) feet.
 - 2. Accessory structures: Five (5) feet.
 - f. Maximum building height: Forty-five (45) feet.
 - Maximum height in stories: Three (3).
 - h. 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, 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.

(Ord. No. 98-3434, § 5, 3-2-98; Ord. No. 05-3835, § 1, 7-11-05)

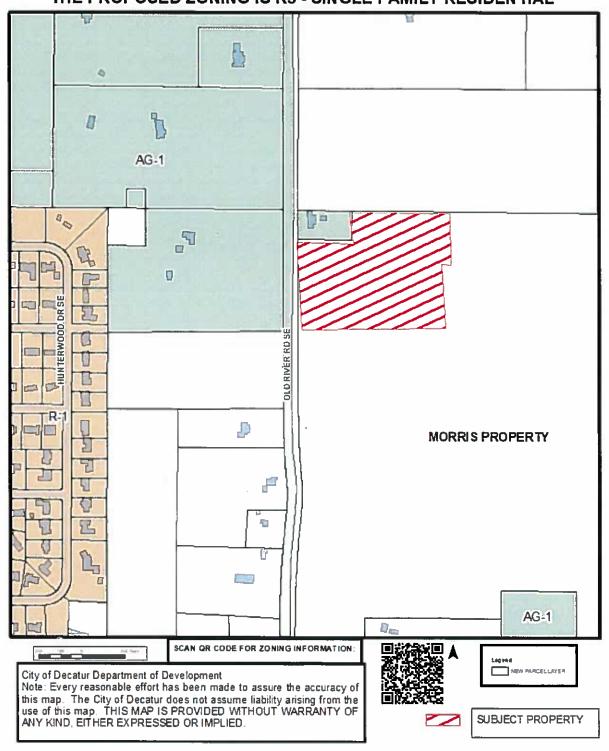
Sec. 25-10.10 - R-3 Residential District requirements.

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 all "R" Districts, listed in section 25-10).

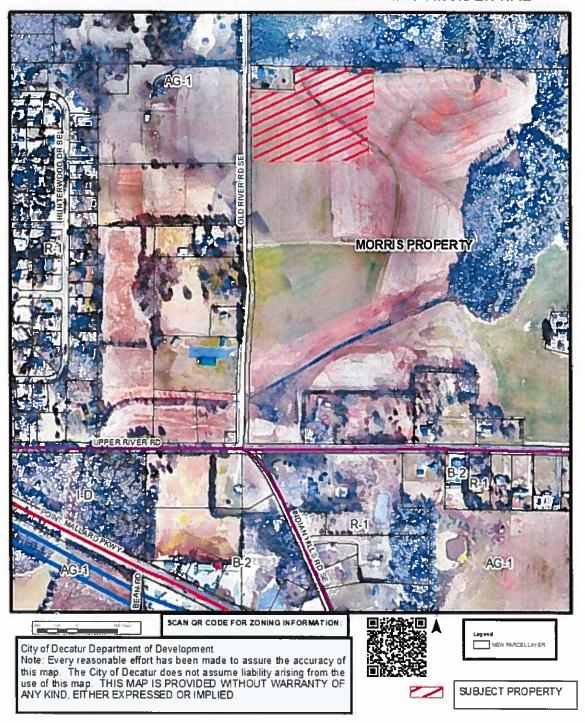
- (1) General requirements.
 - a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.
 - b. A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall 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.
- (2) Specific requirements.
 - a. Minimum lot area: Seven thousand (7,000) square feet.
 - b. Maximum building area: None specified.
 - 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.
 - g. Maximum building height: Thirty-five (35) feet.
 - h. Maximum height in stories: Two and one-half (2½).
 - i. Uses prohibited: Any use not permitted, or permitted on appeal, is prohibited.

(Ord. No. 05-3835, § 4, 7-11-05)

PRE-ZONING 1336-19 19.77 ACRES LOCATED NORTH OF UPPER RIVER RD AND ON THE EAST SIDE OF OLD RIVER RD THE PROPOSED ZONING IS R3 - SINGLE FAMILY RESIDENTIAL



REZONING 1336-19 19.77 LOCATED NORTH OF UPPER RIVER RD AND ON THE EAST SIDE OF OLD RIVER RD THE PROPOSED ZONING IS R3 -SINGLE FAMILY RESIDENTIAL



FILE NUMBER: 1337-19

CONTROL NO. 7999

ACRES: 29.64

CURRENT ZONE: M1 (light industrial) and M2

(general industrial)

NEW ZONE: R3 (single family residential)

APPLICANT: Pugh, Wright McAnally for Grey Stone Properties and Land Services

PROPERTY OWNER/PROPERTY ADDRESS: North of Point Mallard Dr SE and west of the Golf

course on the Tennessee River

REQUEST: to rezone 29.64 acres from M1 and M2 to R3

CURRENT LANDUSE: vacant

PROPOSED LANDUSE: residential

ONE DECATUR FUTURE LANDUSE: Riverfront mixed use

ONE DECATUR STREET TYPOLOGY: Point Mallard Dr is a city connector

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

The Zoning Committee recommends; Zoning Committee recommends that the Planning Commission recommend this R3 rezoning request to the City Council. The One Decatur future land use for this area is Riverfront Mixed Use. This medium to high density single family residential area is a first step toward achieving the goal of redeveloping along the river to create a mixed use center along Decatur's Riverfront.

Pt. of Info:

1. There is also a plat on today's agenda for this area.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

SECTION	M1	M2	R3/ RESIDENTIAL
USES	Uses permitted: Off	Uses permitted: Off-premises	R3 R-3 Districts shall allow: Single-
PERMITTED	premises sale of alcoholic	sale of alcoholic beverages;	family dwellings (see also
	beverages; clubs; and on	clubs; and on premises and off	regulations common to all "R"
	premises and off premises	premises sale of alcoholic	Districts, listed in section 25-10).
	sale of alcoholic beverages	beverages by clubs when duly	RESIDENTIAL Accessory
	by clubs when duly licensed	licensed as a class I club by the	structures; gardens; playgrounds;
	as a class I club by the City	City of Decatur and the	parks; public buildings; including
	of Decatur and the Alabama	Alabama Alcoholic Beverage	public schools and libraries. These uses shall also be permitted on
	Alcoholic Beverage Control	Control Board and pursuant to	appeal: Customary home
	Board under and pursuant	the Alcoholic Beverage	occupations; public utilities, general
	to the Alcoholic Beverage	Licensing Code; any industrial,	hospitals for humans, except
	Licensing Code, light	service or commercial use,	primary for mental cases; semi-
	industrial operations, not	except those which in the	public buildings; golf courses;
	obnoxious, offensive, or	opinion of the Building	municipal, county, state or federal use; clubs located on and
	detrimental to	Inspector would cause noise,	embracing within its sole
	neighborhood property by	smoke, gas, vibration, fumes,	possessory right, one (1) tract or
	reason of dust, smoke,	dust or other objectionable	parcel of land not less than twenty
	vibration, noise, odor,	conditions which would affect	(20) acres in size; and on premises
	effluence, or appearance	a considerable portion of the	and off premises sale of alcoholic beverage by clubs meeting the
	(i.e. ice cream plants and	city.	acreage requirements above when
	creameries; cold storage		duly licensed as a class I or class II
	plants; ice plants; bottling		club by the city and the state
	and central distribution		alcoholic beverage control board
	plants; warehouses; dry		under and pursuant to the Alcoholic
	cleaners and laundries). Any		Beverage Licensing Code.
	retail or wholesale business		
	or service not specifically		
	restricted or prohibited.		
USES	Uses permitted on appeal:	Uses permitted on appeal: Any	R3 SEE RESIDENTIAL SECTION
PERMITTED ON	Mobile home parks;	industrial service or	RESIDENTIAL These uses shall
APPEAL	brewpubs as defined by	commercial use, and subject	also be permitted on appeal:
	Chapter 4A of Title 28 the	to such conditions and	Customary home occupations; public utilities, general hospitals for
	Code of Alabama (Alabama	safeguards as the Board of	humans, except primary for mental
	Brewpub Act) and subject	Adjustment may require to	cases; semi-public buildings; golf
	to all requirements of that	preserve and protect any	courses; municipal, county, state or
	Chapter, as last amended;	portions of the city which	federal use; clubs located on and
	sale of alcoholic beverages	otherwise could be adversely	embracing within its sole possessory right, one (1) tract or
	by a manufacturers licensee	affected.	parcel of land not less than twenty
	when duly licensed by the	Residences and apartments	(20) acres in size; and on premises
	City of Decatur and the	shall be subject to all district	and off premises sale of alcoholic
	Alabama Alcoholic Control	requirements of the R-4	beverage by clubs meeting the
	Board under and pursuant		acreage requirements above when
			duly licensed as a class I or class II

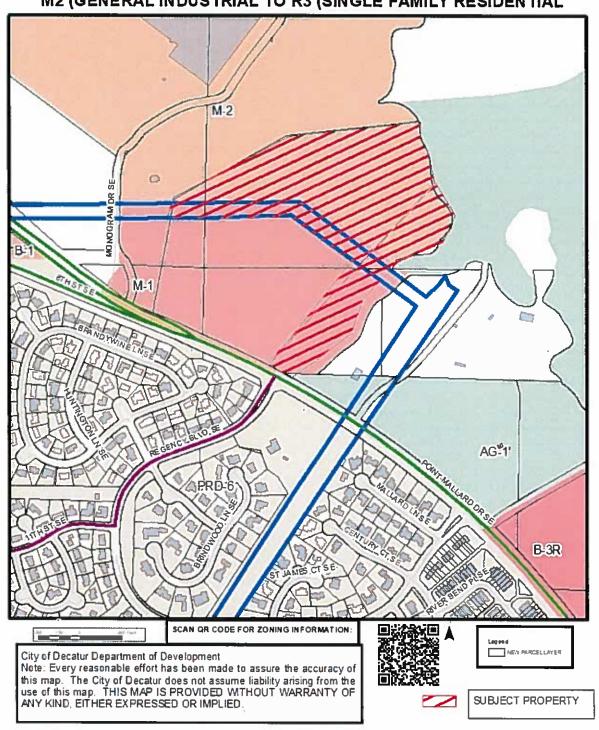
SECTION	M1	M2	R3/ RESIDENTIAL
	to the Alcoholic Beverage Licensing Code, as last amended. Any uses permitted or permitted on appeal in an R-4, Residential District and subject to all district requirements of said district as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.	Residence District as specified in section 25-10 hereof.	club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.
USES PROHIBITED	Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage of hides; distillation of bones, coal, tar, or wood; fat rendering; forage plants; gasoline storage above ground in excess of five hundred (500) gallons; manufacture of acetylene, acid, alcohol for nonconsumption, ammonia, bleaching powder, brick, pottery, terra cotta or tile, cement blocks, candles, disinfectants, dye-stuffs, fertilizers, illuminating or heating gas, including storage of same, paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations; Businesses	Uses prohibited: Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act; and any uses not permitted or permitted on appeal.	R3 Any use not permitted, or permitted on appeal, is prohibited. RESIDENTIAL 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, 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.

SECTION	M1	M2	R3/ RESIDENT	TIAL
	Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act.			
LOT SIZE DND SETBACKS AND BUILDING HEIGHT	, ,	Minimum lot size: Same as for M-1 Industrial District. Minimum yard size: None specified. Maximum height: None. Off-street parking: See § 25-16. Off-street loading and unloading: Same as for M-1 Industrial District.	R3 a. b. c. d. e. f. RESIDENTIAL Specific requires a. b. c.	Minimum lot area: Seven thousand (7,000) square feet. Maximum building area: None specified. Minimum front yard setback: Thirty (30) feet. Minimum rear yard setback: Thirty-five (35) feet. Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet. Minimum feet at building line: Fifty (50) feet. Maximum building height: Thirty-five (35) feet. Maximum height in stories: Two and one-half (2½). rements. Minimum lot area: None specified. Maximum building area: None specified. Minimum front yard setback: 1. Public and semi-
				public structures: Thirty-five (35) feet.

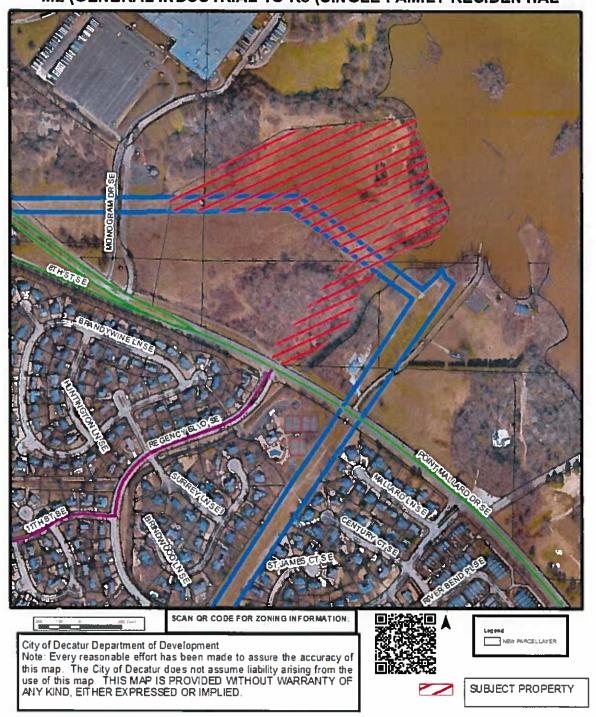
SECTION	M1	M2	R3/ RESIDENTIAL
			d. Minimum rear yard setback:
			1. Public and semi- public structures: Thirty-five (35) feet.
			2. Accessory structures: Five (5) feet.
			e. Minimum side yard setbacks:
			1. Public and semi- public structures: Thirty-five (35) feet.
			2. Accessory structures: Five (5) feet.
			f. Maximum building height: Forty-five (45) feet.
		-	g. Maximum height in stories: Three (3).
OFF STREET PARKING LOADING AND	Off-street parking: See § 25- 16. Off-street loading and	Off-street parking: See § 25- 16. Off-street loading and	R3 SAME AS RESIDENTIAL
UNLOADING	unloading: Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or	unloading: Same as for M-1 Industrial District.	RESIDENTIAL a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.
	use.		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

SECTION	M1	M2	R3/ RESIDENTIAL
200			to the setback and side yard requirements of the district in which it is located.

RE-ZONING 1337-19 29.64 ACRES LOCATED ON THE TN RIVER NORTH OF POINT MALLARD DR SE AND WEST OF THE GOLF COURSE GOING FROM M1 (LIGHT INDUSTRIAL) AND M2 (GENERAL INDUSTRIAL TO R3 (SINGLE FAMILY RESIDENTIAL



RE-ZONING 1337-19 29.64 ACRES LOCATED ON THE TN RIVER NORTH OF POINT MALLARD DR SE AND WEST OF THE GOLF COURSE GOING FROM M1 (LIGHT INDUSTRIAL) AND M2 (GENERAL INDUSTRIAL TO R3 (SINGLE FAMILY RESIDENTIAL



FILE NUMBER: 1338-19

CONTROL NO. 8000

ACRES: 11.46

CURRENT ZONE: M1 (light industrial)

NEW ZONE: R5 (single family patio homes)

APPLICANT: Pugh, Wright McAnally for Grey Stone Properties and Land Services

PROPERTY OWNER/PROPERTY ADDRESS: North of Point Mallard DR SE and west of the Golf

course at the end of Regency Dr. SE

REQUEST: to rezone 11.46 acres from M1 to R5

CURRENT LANDUSE: vacant

PROPOSED LANDUSE: residential

ONE DECATUR FUTURE LANDUSE: Riverfront mixed use

ONE DECATUR STREET TYPOLOGY: Point Mallard Dr is a city connector

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

The Zoning Committee recommends; that the Planning Commission recommend this R5 zoning request to the City Council. The One Decatur future land use for this area is Riverfront Mixed Use. This medium to high density single family residential area is a first step toward achieving the goal of redeveloping along the river to create a mixed use center along Decatur's Riverfront.

Pt. of Info:

1. There is also a plat on today's agenda for this area.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

SECTION	M1	R5/ RESIDENTIAL
USES PERMITTED	Uses permitted: Off premises sale of alcoholic beverages; clubs; and 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, light industrial operations, not obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, vibration, noise, odor, effluence, or appearance (i.e. ice cream plants and creameries; cold storage plants; ice plants; bottling and central distribution plants; warehouses; dry cleaners and laundries). Any retail or wholesale business or service not specifically restricted or prohibited.	R5 R-5 Districts shall allow single-family patio home residences subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, and further subject to the following requirements and conditions: RESIDENTIAL Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. 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 (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.
USES PERMITTED ON APPEAL	Uses permitted on appeal: Mobile home parks; 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; sale of alcoholic beverages by a manufacturers licensee when duly licensed by the City of Decatur and the Alabama Alcoholic Control Board under and pursuant to the Alcoholic Beverage Licensing Code, as last amended. Any uses permitted or permitted on appeal in an R-4, Residential District and subject to all district requirements of said district as specified in section 25-10, hereof, other than	R5 SEE ALL RESIDENTIAL DISTRICTS RESIDENTIAL 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 (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.

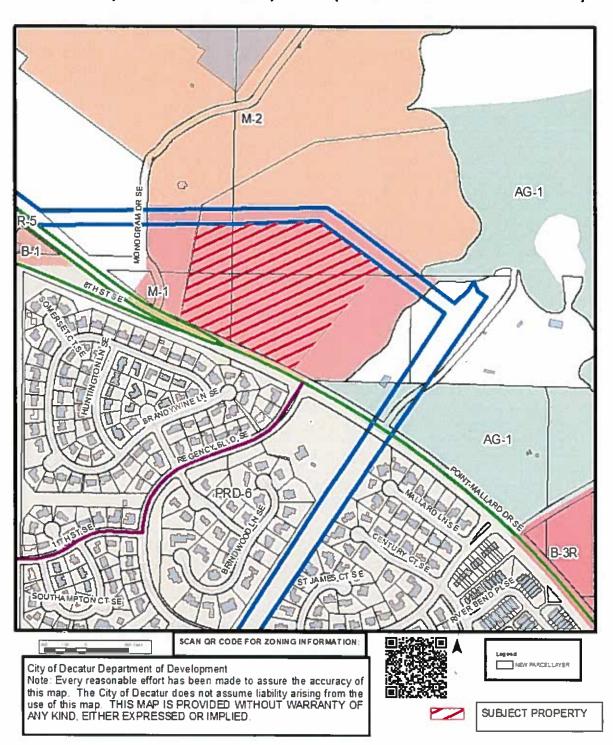
SECTION	M1	R5/ RESIDENTIAL
	the maximum height provision set forth therein which shall not be applicable.	
USES PROHIBITED	Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage of hides; distillation of bones, coal, tar, or wood; fat rendering; forage plants; gasoline storage above ground in excess of five hundred (500) gallons; manufacture of acetylene, acid, alcohol for non-consumption, ammonia, bleaching powder, brick, pottery, terra cotta or tile, cement blocks, candles, disinfectants, dyestuffs, fertilizers, illuminating or heating gas, including storage of same, paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations; Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act.	R5 Any use not permitted, or permitted on appeal, is prohibited. RESIDENTIAL 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, 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.
LOT SIZE DND SETBACKS AND BUILDING HEIGHT	Minimum lot size: It is the intent of the section that lots of sufficient size be used for any industrial, service or business use for any industrial, service or business use space in addition to the space required for the other normal operation of the enterprise. Minimum yard size: FRONT YARD: None specified, except where existing establishments (other than residential) are set back, any new	R5 (1) General requirements: a. Each dwelling unit shall be constructed on its own lot. b. No dwelling or lot within a R-5 District shall have vehicle access to an existing major thoroughfare (e.g., "collector street" or higher classified street) as defined by the zoning ordinance or comprehensive plan, or a major thoroughfare as defined by future plans

SECTION	M1	R5/ RESIDENTIAL
	structures shall be set back not less than the average of the setbacks of	adopted by the planning commission of the city.
	the existing establishments within one hundred (100) feet each side thereof. SIDE YARDS: None specified,	c. There shall be a minimum separation of thirteen (13) feet between structures on separate lots.
	excepting a lot, adjoining its side lot line another lot which is in a residential district, there shall be a side yard not less than eight (8)	d. All building setback lines shall be indicated on the preliminary and final plats. e. Perimeter setbacks:
	feet wide. Maximum height: None.	 Reserved. Where R-5 lots adjoin (in any manner or configuration) a major thoroughfare (e.g. collector street or higher classification), then an additional twenty-foot setback shall be added to those setback requirements set forth hereinbelow in subsections (2)(d) through (2)(f), of this section and shall be measured from the lot line. Specific requirements:
		a. Minimum lot area: Five thousand (5,000) square feet.
		b. Maximum building area None specified.
		c. Minimum lot width a building line: Forty (40) fee
		d. Minimum front yard setbac (also see perimete setbacks) (1)e: Twenty (20 feet.
		e. Minimum rear yard setbac (also see perimete setbacks) (1)e: Twenty (20 feet.
		f. Minimum side yard setback (also see perimete setbacks) (1)e: Five (5) fee

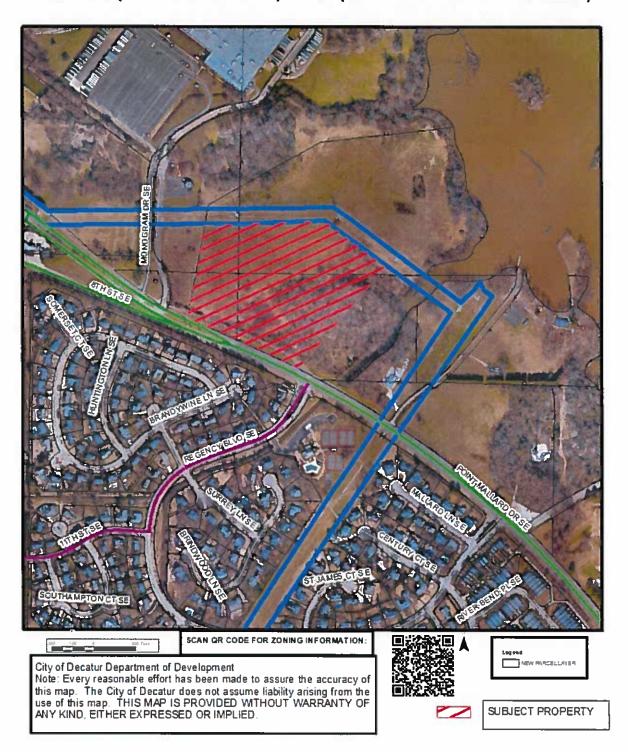
SECTION	M1	R5/ RESIDENTIAL
		one side, eight (8) feet the other.
		g. Maximum building height: Thirty-five (35) feet.
		RESIDENTIAL
		Specific requirements.
		a. Minimum lot area: None specified.
		b. Maximum building area: None specified.
		c. Minimum front yard setback:
		Public and semi-public structures: Thirty-five (35) feet.
		d. Minimum rear yard setback:
		Public and semi-public structures: Thirty-five (35) feet.
	141	2. Accessory structures: Five (5) feet.
		e. Minimum side yard setbacks:
		Public and semi-public structures: Thirty-five (35) feet.
ec F		2. Accessory structures: Five (5) feet.
		f. Maximum building height: Forty-five (45) feet.
		g. Maximum height in stories: Three (3).
		Maximum density: Seven (7) dwelling units per gross acre.
OFF STREET	Off-street parking: See § 25-16.	R5
PARKING	Off-street loading and unloading:	

SECTION	M1	R5/ RESIDENTIAL
LOADING AND UNLOADING	Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use.	h. Off-street parking: Two (2) spaces per dwelling unit. RESIDENTIAL
		a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.
		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.

RE-ZONING 1338-19 11.46 ACRES LOCATED NORTH OF POINT MALLARD DR SE AND WEST OF THE GOLF COURSE GOING FROM M1 (LIGHT INDUSTRIAL) TO R5 (SINGLE FAMILY PATIO HOME)



RE-ZONING 1338-19 11.46 ACRES LOCATED NORTH OF POINT MALLARD DR SE AND WEST OF THE GOLF COURSE GOING FROM M1 (LIGHT INDUSTRIAL) TO R5 (SINGLE FAMILY PATIO HOME)



FILE NUMBER: 1339-19

CONTROL NO. 8003

ACRES: 3.12

CURRENT ZONE: newly annexed

NEW ZONE: B2 General Business

APPLICANT: City of Decatur for Jonathan Wocher for Speedway

PROPERTY OWNER/PROPERTY ADDRESS: Southwest corner of the intersection of Highway 20

and Woodall Rd

REQUEST: to apply a B2 zoning district to a 3.12 piece of newly annexed property

CURRENT LANDUSE: vacant and one unoccupied residential structure

PROPOSED LANDUSE: Speedway service station

ONE DECATUR FUTURE LANDUSE: Flex employment

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

connector

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

The Zoning Committee recommends; The Zoning Committee recommends that the Planning Commission recommend this B2 zoning request to the City Council. The One Decatur future land use of flex employment includes commercial uses in the primary uses to support the modern low impact industrial uses planned in our flex employment areas.

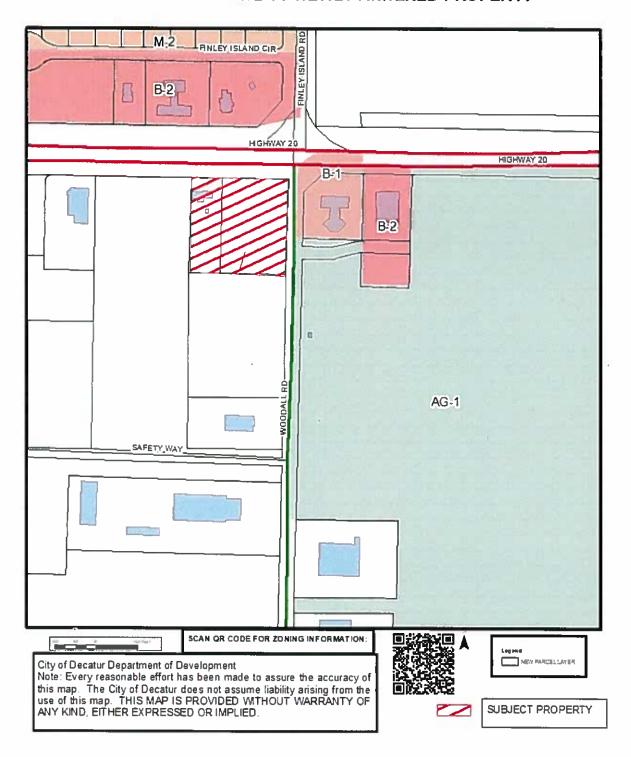
Pt. of Info:

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

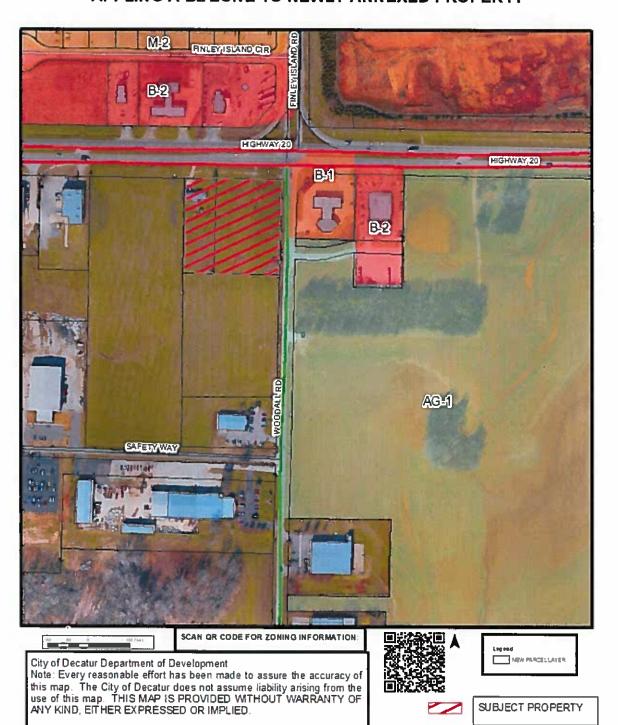
District	USE REGULATIONS	SPACE AND HEIGHT REGULATIONS	District
B-2 (General Business)	Uses permitted: Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where 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. Uses permitted on appeal: 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. Uses prohibited: Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol stora 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. ge	Minimum lot size: Same as for B-1 Business District. Minimum yard size: Same as for B- 1, Local Shopping District. Off-street parking: See § 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.	B-2 (General Business)

(Code 1956, § 27-11; Ord. No. 85-2426, §§ 3—9, 2-4-85; Ord. No. 85-2491, § 1, 9-9-85; Ord. No. 05-3830, § 1, 7-11-05; Ord. No. 08-3943, § 1, 4-7-08; Ord. No. 11-4083, § 1, 12-6-11; Ord. No. 12-4123, §§ 1, 2, 9-4-12; Ord. No. 13-4159, §§ 1, 2, 9-3-13; Ord. No. 14-4173, §§ 1—6, 4-7-14; Ord. No. 14-4181, §§ 2—5, 5-12-14)

ZONING 1339-19 3.12 ACRES LOCATED ATTHE SOUTHWEST CORNER OF THE INTERSECTION OF HIGHWAY 20 AND WOODALL RD APPLING A B2 ZONE TO NEWLY ANNEXED PROPERTY



ZONING 1339-19 3.12 ACRES LOCATED ATTHE SOUTHWEST CORNER OF THE INTERSECTION OF HIGHWAY 20 AND WOODALL RD APPLING A B2 ZONE TO NEWLY ANNEXED PROPERTY



FILE NUMBER: 1340-19

CONTROL NO. 8004

ACRES: 5.8

CURRENT ZONE: R6 (Single family attached)

NEW ZONE: AG2 (Agricultural)

APPLICANT: Zeke Heselden

PROPERTY OWNER/PROPERTY ADDRESS: North side of Hemingway Dr SW at the end of

Longfellow Dr SW

REQUEST: To rezone a 5.8 acre tract from R6 to AG 2

CURRENT LANDUSE: vacant

PROPOSED LANDUSE: possible tree farm and family recreational area

ONE DECATUR FUTURE LANDUSE: Residential medium to high density

ONE DECATUR STREET TYPOLOGY: Hemingway Dr and Longfellow Dr are both local streets

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

The Zoning Committee recommends; The Zoning Committee does not recommend that the Planning Commission recommend this AG2 rezoning request to the City Council. The One Decatur Future land use of residential medium to high density does include agricultural uses as is proposed in the AG2 zone.

1. Provide a copy of the deed to the property. This request cannot go on to the council without a copy of the deed to the property.

Pt. of Info:

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

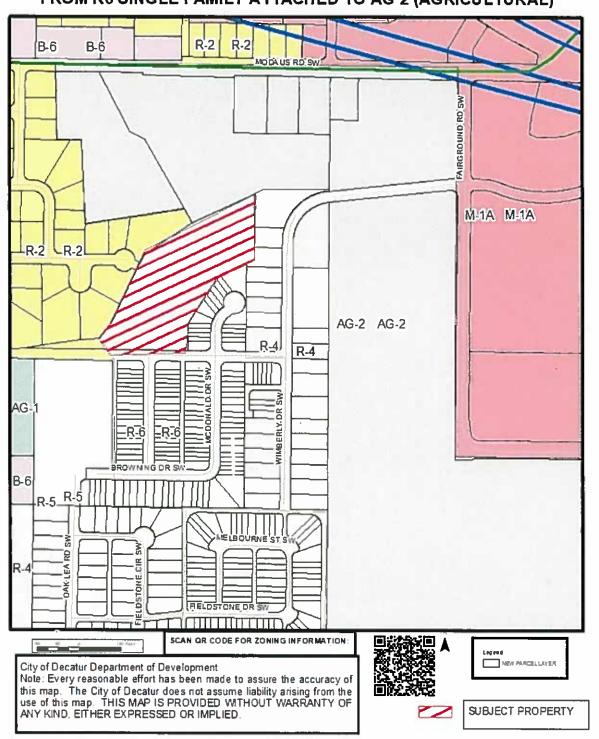
SECTION	R6 SINGLE SEMI FAMILY ATTACHED	AG2 AGRICULTURAL
USES PERMITTED	R6 Residential District (single-family semi-attached) for those areas so designated by this chapter and the zoning map of the City of Decatur, Alabama, which R-6 Districts shall allow single-family semi-attached residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, except that accessory structure side yard setback requirements shall be the same as required in section 25-10.2(2)(D) 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:	Uses permitted: All uses permitted and regulated in an AG-1 agricultural district. Any use permitted or permitted on appear in an R-1 Residential District and subject to all district requirements of an R-1 District as specified in section 25-10.
	RESIDENTIAL Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. 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 (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.	
USES PERMITTED ON APPEAL	R6 SEE ALL RESIDENTIAL DISTRICTS	Uses permitted on appeal: Manufacturing, storage and processing o

SECTION	R6 SINGLE SEMI FAMILY ATTACHED	AG2 AGRICULTURAL
USES PROHIBITED	RESIDENTIAL 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 (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. R6 Any use not permitted, or permitted on appeal, is 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, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks,	natural resources indigenous to Decatur, roadside stands, provided no part of the structure of good display encroaches upon a public right-of-way or dedicated street, livestock sales, event venues, antique or craft shop and any use permitted on appeal in an AG-1 Agricultural District and subject to the same requirements and conditions set forth for the uses permitted on appeal in AG-1 Agricultural District, when these uses, in the opinion of the board of zoning adjustment will not impair an existing or potential future neighborhood and permitted subject to such conditions as the board may require to preserve and protect the character of district and otherwise promote the purpose of this chapter. *Uses prohibited:* Residential, commercial and industrial uses not specifically permitted or permitted on appeal.*

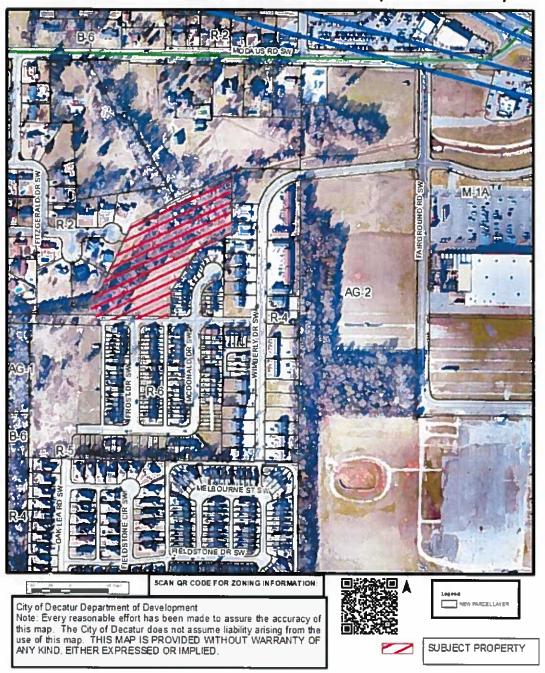
SECTION	R6 SINGLE SEMI FAMILY ATTACHED	AG2 AGRICULTURAL
	courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.	
LOT SIZE DND SETBACKS AND BUILDING HEIGHT	RESIDENTIAL Specific requirements.	Minimum lot size: Minimum required lot area—15,000 square feet. Minimum required lot width at building line—100 feet.
	a. Minimum lot area: None specified. b. Maximum building area: None specified. c. Minimum front yard setback: 1. Public and semipublic structures: Thirty-five (35) feet. d. Minimum rear yard setback: 1. Public and semipublic structures: Thirty-five (35) feet. 2. Accessory structures: Five (5) feet. e. Minimum side yard setbacks: 1. Public and semipublic structures: Five (5) feet. 2. Accessory structures: Thirty-five (35) feet. 2. Accessory structures: Thirty-five (35) feet.	Minimum yard size: Front, 20 feet; rear, 45 feet; sides, 15 feet; except any structure used for the housing of livestock of any kind shall not be located closer than 100 feet to any property line or line of a district other than an agricultural district. Maximum height: 35 feet or 2½ stories

SECTION	R6 SINGLE SEMI FAMILY ATTACHED	AG2 AGRICULTURAL
	f. Maximum building height: Forty-five (45) feet. g. Maximum height in stories: Three (3). i. Maximum density: Seven (7) dwelling	
OFF STREET	units per gross acre.	Off-street parking: See § 25-16
PARKING LOADING AND UNLOADING	h. Off-street parking: Two (2) spaces per dwelling unit.	, ,
	RESIDENTIAL	
	a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.	
	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.	

REZONING 1340-19 5.8 ACRES LOCATED ON THE NORTH SIDE OF HEMINGWAY DR AT THE END OF LONGFELLOW DR SW FROM R6 SINGLE FAMILY ATTACHED TO AG 2 (AGRICULTURAL)



REZONING 1340-19 5.8 ACRES LOCATED ON THE NORTH SIDE OF HEMINGWAY DR AT THE END OF LONGFELLOW DR SW FROM R6 SINGLE FAMILY ATTACHED TO AG 2 (AGRICULTURAL)



END PUBLIC HEARING

CONSENT AGENDA

FILE NUMBER: 3461-19

CONTROL NO. 8001

ACRES: 3.21 ACRES

CURRENT ZONE: M1A (Expressway commercial)

NEW ZONE: NA

APPLICANT: Pugh Wright McAnally for Shelton Funeral Home

PROPERTY OWNER/PROPERTY ADDRESS: Shelton Brown Funeral Home 2105 Beltline RD

REQUEST: To adjust lot lines between two lots of 1.55 acres and 1.66 acres to create two lots of 2.42 acres

and .8 acres

CURRENT LANDUSE: Funeral home

PROPOSED LANDUSE: Funeral home

ONE DECATUR Future Landuse: Community commercial

ONE DECATUR STREET TYPOLOGY: Beltline is a Beltline and Westmead is a neighborhood connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Recommend approval with the following conditions:

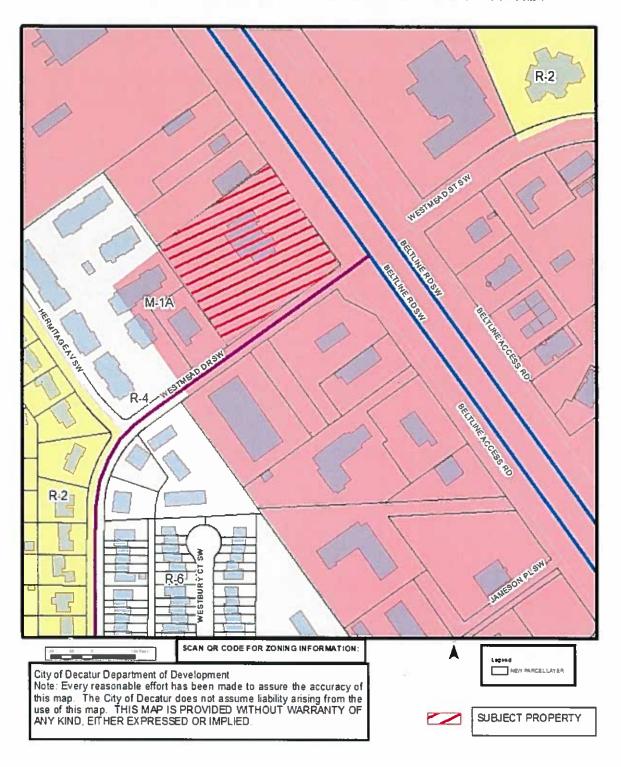
- 1. Provide a sealed survey for recording
- 2. Recording fees
- 3. DU 5' easement (2.5 each side of line) next to sidewalk, going to the security light pole.

Pt. of Info:

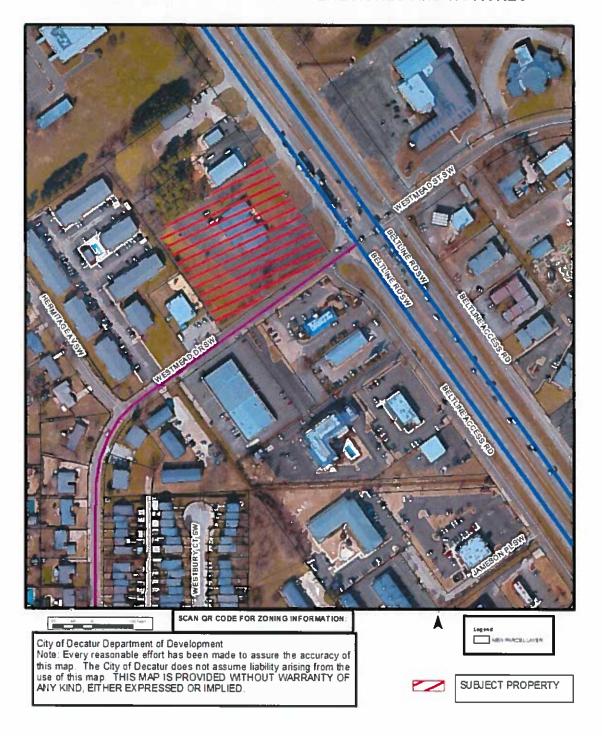
1. Any relocation of utilities will be at the owner's expense.

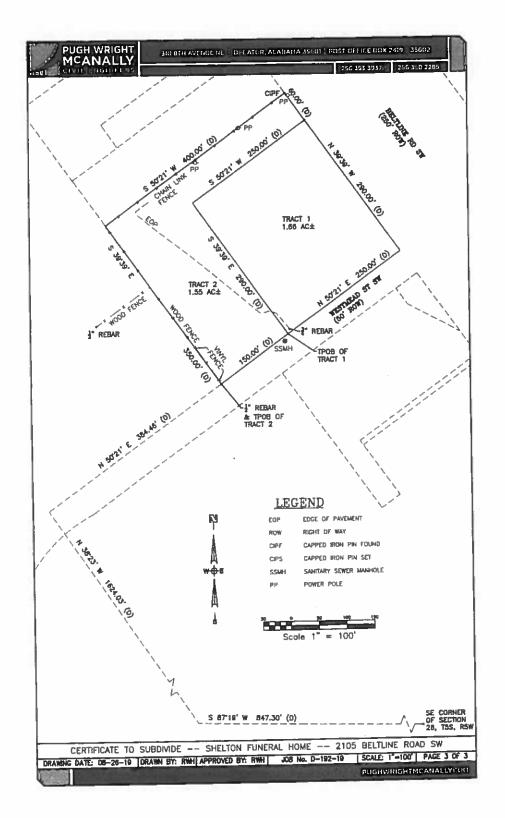
COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

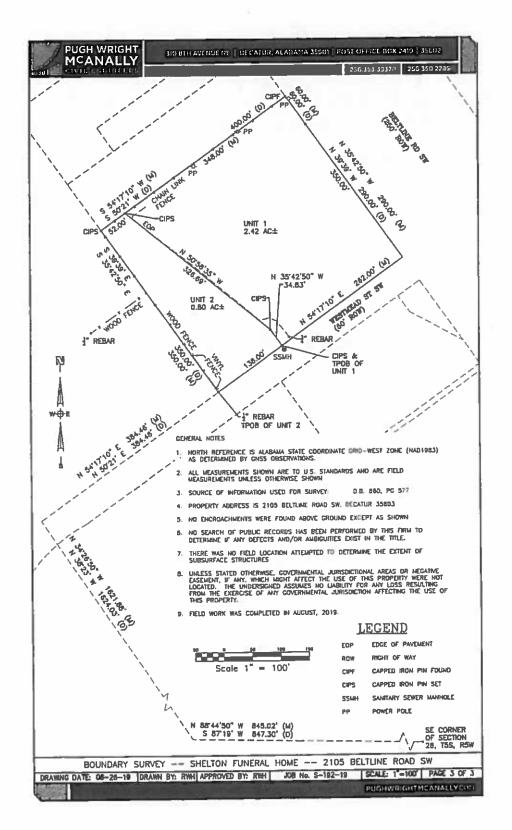
CERTIFICATE TO ADJUST LOT LINES 3.21 ACRES INTO TWO LOTS OF 2.42 ACRES AND .80 ACRES



CERTIFICATE TO ADJUST LOT LINES 3.21 ACRES INTO TWO LOTS OF 2.42 ACRES AND .80 ACRES







FILE NUMBER: BLACK BRANCH POINT CONTROL NO. 8002

ACRES: 41.10 CURRENT ZONE: M1 LIGHT INDUSTRIAL AND M2 GENERAL INDUSTRIAL

NEW ZONE: REZOINGS 1337 29.64 ACRES TO R3 (SINGLE FAMILY RESIDENTIAL) AND 1338 11.46 ACRES TO R5

(SINGLE FAMILY PATIO HOME)

APPLICANT: Pugh Wright McAnally representing Greystone Properties, LLC and Land Services, LLC

PROPERTY OWNER/PROPERTY ADDRESS: Property is located along the Tennessee River north of Point

Mallard Parkway and west of the Point Mallard Golf Course

REQUEST: For layout approval to subdivide 41.10 acres into 42, R5 patio home lots and 32, R3 single family

lots

CURRENT LANDUSE: Vacant

PROPOSED LANDUSE: Single family medium density residential

ONE DECATUR Future Landuse: River front mixed use

ONE DECATUR STREET TYPOLOGY: Point Mallard Dr is a city connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Recommend approval with the following conditions:

- 1. Provide information as required by Subsection 25-32 (b) (4) of the Zoning Ordinance until flood zone issues are addressed and approved by FEMA (federal emergency management administration)
- 2. Approval of rezonings 1337-19 and 1338-19 by the City Council

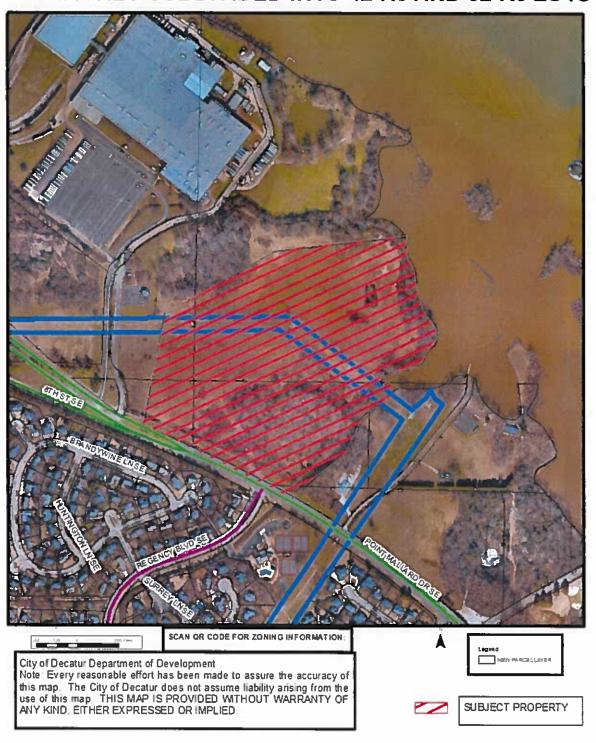
Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense.
- 2. Make provisions to provide 60 feet of right of way at the entrance to the first street and construct wider improvements in that area. (Minimum of 36' lane for ingress/egress on Point Mallard Dr, 20' on either side of traffic furniture within suburb.)
- 3. Provide 20 feet travel way around all street furniture
- 4. Likely to do a LOMR F (Letter of Map Revision FEMA certificate). (BFE (Base Flood Elevation for this area is 560')
- 5. Sidewalks are to be done as established in the subdivision regulations

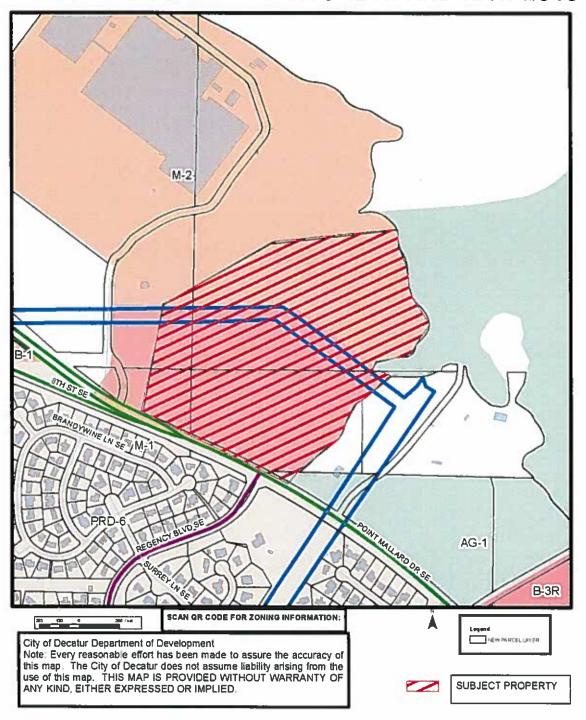
6.	Build sidewalks at the time of construction of streets in areas with no lot frontage and along common
	areas.

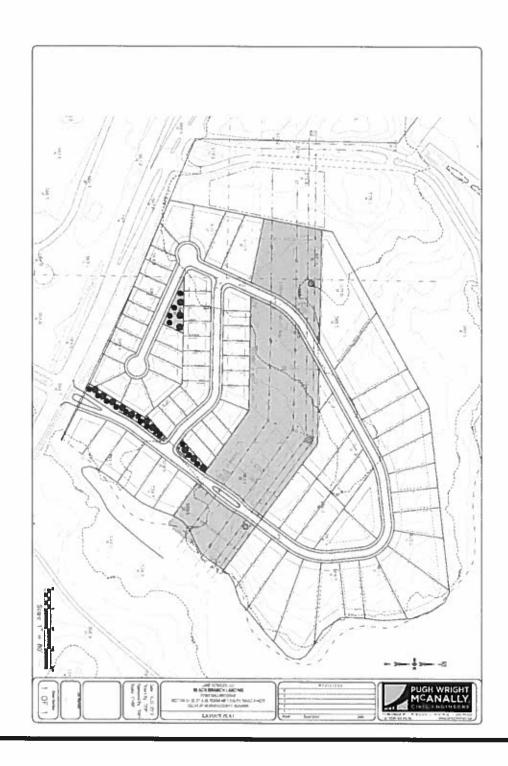
COMMENTS AND RECOMMENDATIONS FROM	A PLANNING COMMISSION:

BLACK BRANCH POINT 41.10 ACRES SUBDIVIDED INTO 42 R5 AND 32 R3 LOTS



BLACK BRANCH POINT 41.10 ACRES SUBDIVIDED INTO 42 R5 AND 32 R3 LOTS





END CONSENT AGENDA

OTHER BUSINESS

FILE NUMBER: ANNEXATION 358-19

CONTROL NO. 8004

ACRES: Approximately 4 acres

CURRENT ZONE: Outside the corporate limits

NEW ZONE: NA

APPLICANT: Charles Smith representing the Seventh Day Adventist Church

PROPERTY OWNER/PROPERTY ADDRESS: South Central Conference Association of Seventh Day Adventists

REQUEST: To annex approximately four acres so that they can tie on to sewer

CURRENT LANDUSE: Vacant and a church on the smaller half acre lot

PROPOSED LANDUSE: Church

ONE DECATUR Future Landuse: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Local

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Recommend approval with the following conditions:

Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense.
- 2. Will probably need a sewage pump (DU).
- 3. In order to touch sewer lots will need to be consolidated.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

ANNEXATION 358-19 APPROXIMATELY 4 ACRES SOUTH OF 5T ST NW AND WEST OF 16TH AV NW



City of Decatur Department of Development

Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED.

ANNEXATION 358-19 APPROXIMATELY 4 ACRES SOUTH OF 5T ST NW AND WEST OF 16TH AV NW

