

MEMORANDUM

DATE: February 12, 2020

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

February 18, 2020

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL

February 18, 2020

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 21, 2020

3. PUBLIC HEARING

		PAGE/MAP
ZONINGS		
A. 1344-20	(Northwest corner of Cherry and Railroad)	1-7
B. 1345-20	(South side of Sims at the end of Fairgrounds RD)	8-13
C. 1346-20	(East side of Deere Rd and north of Upper River Rd)	14-18
D. 1347-20	(East of Deere Rd and North of Upper River Rd)	19-23
PLAT REVIEW		
A. The Seville Ph. 2	(North side of Second AV east of Old Moulton RD)	24-27 see plat

4. CONSENT AGENDA

CERTIFICATES

A. 3475-20	Certificate (West side of Willow Bend South of Heather Lane)	28-32
B. 3476-20	Certificate (South side of Beltline west of Highway 31)	33-37

PLAT REVIEW

A. River Road Estates	38-41
(North side of Upper River Rd between Deere Rd and Old River Rd)	see plat

SITE PLAN

A. 595-20	42-45
(South side of Beltline on the Hobby Lobby lot)	see plat

4. OTHER BUSINESS

VACATION REQUESTS

A. 518-20	46-49
(North side of Second AV east of Old Moulton RD)	

FILE NAME OR NUMBER: Rezoning 1344-20

ACRES: .44

CURRENT ZONE: M1 light manufacturing

APPLICANT: Wayne Sisco and Herb Underwood

LOCATION AND OR PROPERTY ADDRESS: 16 Cherry ST NW Northwest corner of Cherry and Railroad

REQUEST: To rezone a .44 acre tract from M1 Light Manufacturing to B5 Central Business District

NEW ZONE: B5 Central Business District **PROPOSED LAND USE:** Residential – high density small hotel and some townhomes

ONE DECATUR FUTURE LAND USE: Urban Core Downtown

ONE DECATUR STREET TYPOLOGY: Bank St is a neighborhood connector and Cherry St is a local street.

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:
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The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The B5 Central Business District Zoning is more reflective of the Urban Core Downtown than the M1 Light Manufacturing District the property is currently zone.

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. When development of this property is started it will require a Certificate to Consolidate and a site plan review. If multiple lots are desired there will be a subdivision plat needed.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

COMPARE M1 LIGHT MANUFACTURING AND B5 CENTRAL BUSINESS DISTRICT

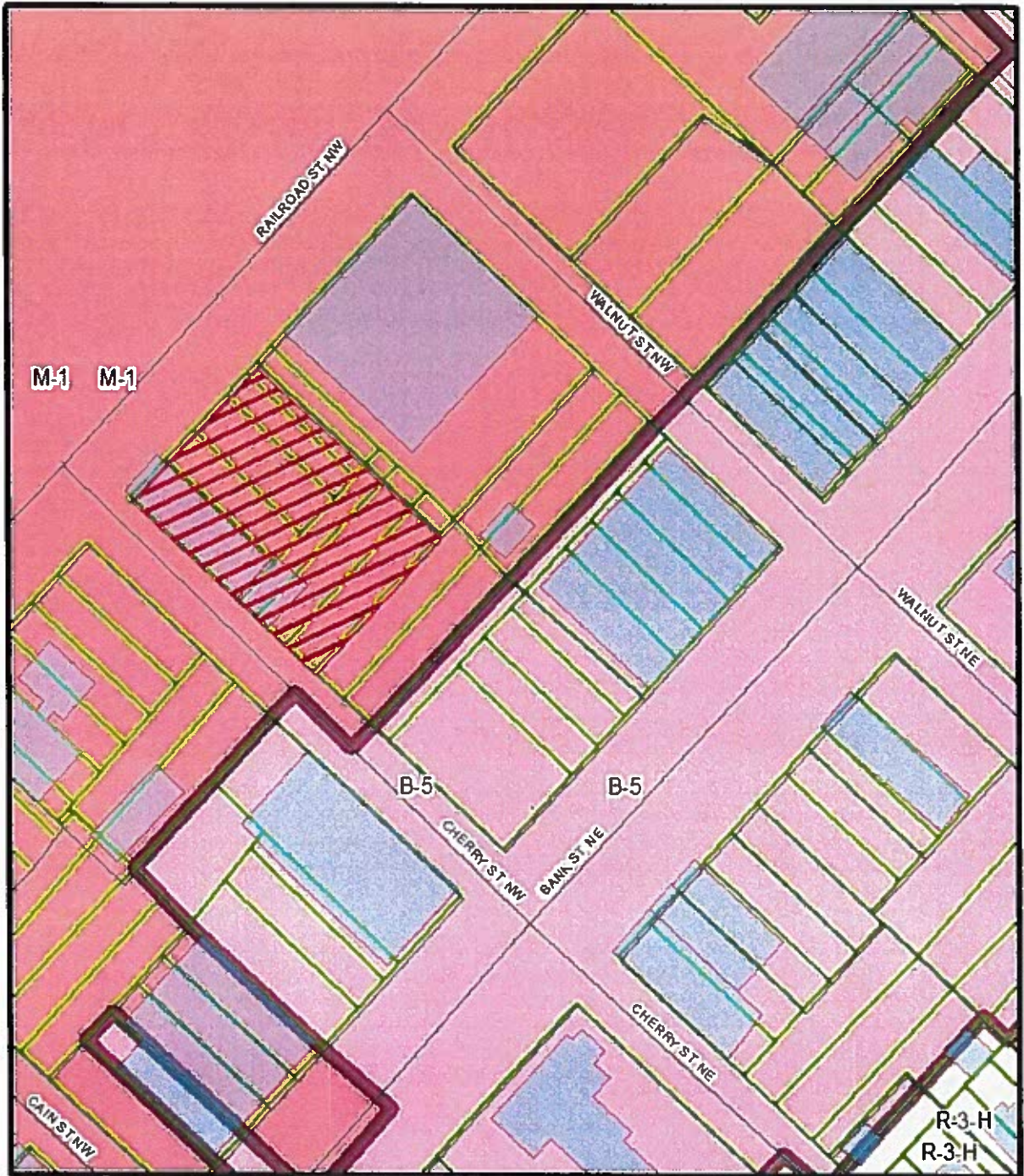
SECTION	CURRENT ZONE M1	PROPOSED ZONE B5
USES PERMITTED	<p><i>Uses permitted:</i> Off premises sale of alcoholic beverages; clubs; and on premises and off premises sale of alcoholic beverages by clubs when duly licensed as a class I club by the City of Decatur and the Alabama Alcoholic Beverage Control 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.</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 the following types: dry cleaning and laundry pickup stations; event venues, filling stations, provided however that gasoline storage above ground is prohibited; barber shops and beauty</p>

SECTION	CURRENT ZONE M1	PROPOSED ZONE B5
		shops; shoe repair; offices; hotels; motels; post offices; banks; theaters and similar services. Public buildings, including public schools and libraries; public utilities; semi-public buildings; municipal, county, state and federal buildings; gardens; playgrounds and parks.
USES PERMITTED ON APPEAL	<i>Uses permitted on appeal:</i> 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 the maximum height provision set forth therein which shall not be applicable.	<i>Uses permitted on appeal:</i> Restaurants; class 1 restaurants with the intent that possible impacts on nearby citizens who live or have businesses should be addressed during the board of zoning adjustment hearing process; 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 other than any classification of restaurant which have monthly gross receipts from the serving of meals and food that constitute at least 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 business where articles are sold at retail on the premises, for only those uses specifically permitted.
USES PROHIBITED	<i>Uses prohibited:</i> Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage	<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

SECTION	CURRENT ZONE M1	PROPOSED ZONE B5
	<p>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, 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 licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act. -</p>	<p>and/or, Dealers in Gold or Precious Items Act. Any use not permitted or permitted on appeal</p>
YARD AND LOT SIZE	<p><i>Minimum lot size:</i> 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.</p> <p><i>Minimum yard size:</i> FRONT YARD: None specified, except where existing establishments (other than residential) are set back, any new structures shall be set back not less than the average of the setbacks of the existing establishments within one hundred (100) feet each side thereof. SIDE YARDS: None specified, 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) feet wide. <i>Maximum height:</i> None.</p>	<p><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.</p> <p><i>Minimum yard size:</i> None specified <i>Maximum height:</i> None specified</p>
PARKING AND LOADING	<p><i>Off-street parking:</i> See § 25-16. <i>Off-street loading and unloading:</i> Shall provide adequate space for loading or unloading all vehicles or</p>	<p><i>Off-street parking:</i> None specified <i>Off-street loading and unloading:</i> Shall provide space for loading and unloading for structures hereafter</p>

SECTION	CURRENT ZONE M1	PROPOSED ZONE B5
	trucks incidental to the operation of the industry or use.	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.

REZONING REQUEST 1344-20 A REQUEST TO REZONE .44 ACRES FROM M1 MANUFACTURING TO B5 CENTRAL BUSINESS AT THE NORTH EAST CORNER OF CHERRY AND RAILROAD



SCAN QR CODE FOR ZONING INFORMATION:



City of Decatur Department of Development
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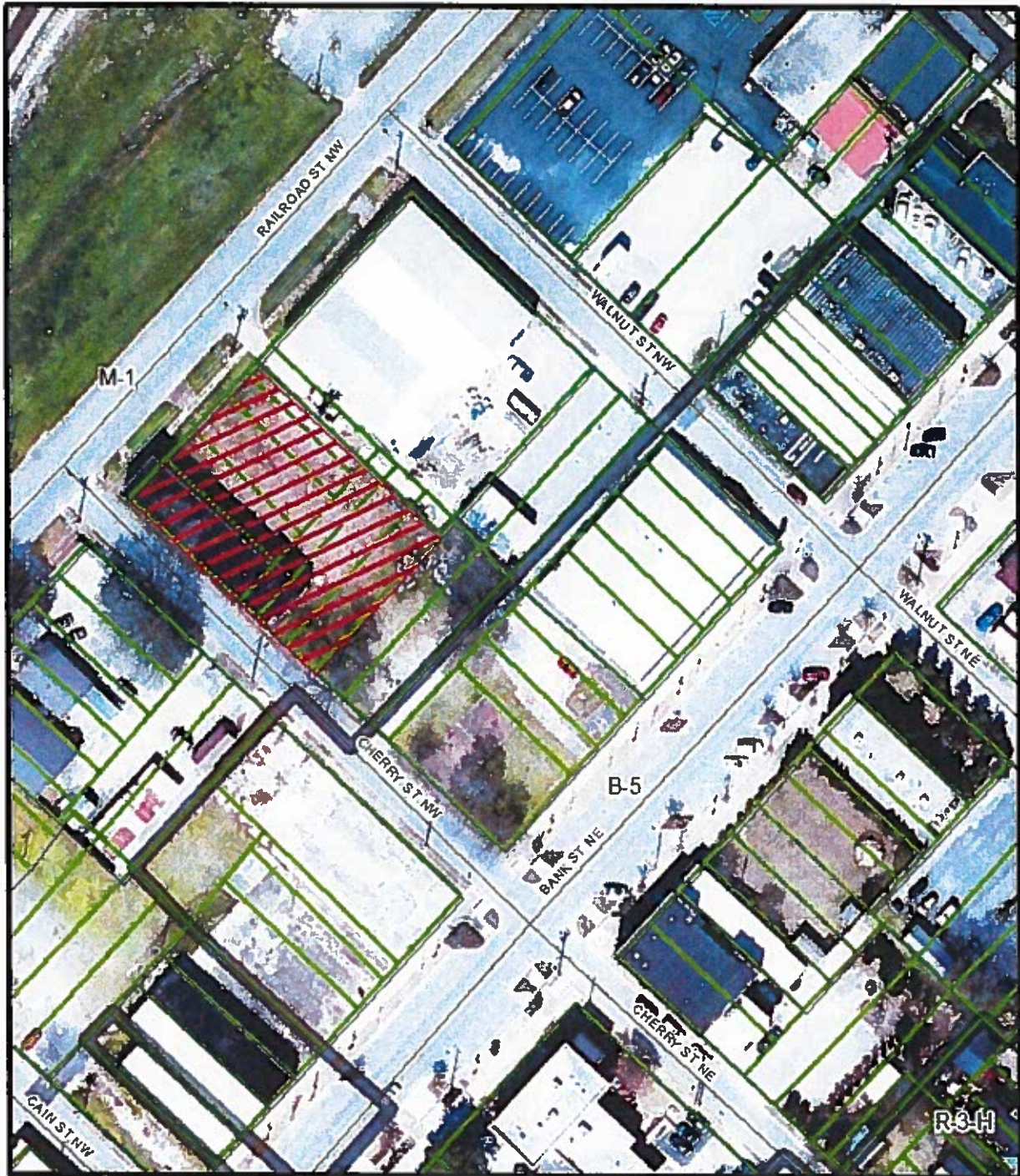
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NEW PARCEL LAYER



SUBJECT PROPERTY

REZONING REQUEST 1344-20 A REQUEST TO REZONE .44 ACRES FROM M1 MANUFACTURING TO B5 CENTRAL BUSINESS AT THE NORTH EAST CORNER OF CHERRY AND RAILROAD



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NEW PARCEL LAYER



SUBJECT PROPERTY

FILE NAME OR NUMBER: Rezoning 1345-20

ACRES: 31

CURRENT ZONE: AG 2 Agricultural

APPLICANT: Jeff Parker for Land Services, LLC

LOCATION AND OR PROPERTY ADDRESS: 2919 Fairgrounds RD SW south side of Sims at the end of Fairgrounds RD

REQUEST: To rezone a 31 acre tract from AG2 agricultural to M1A expressway commercial

NEW ZONE: M1A Expressway Commercial **PROPOSED LAND USE:** Warehouses

ONE DECATUR FUTURE LAND USE: Major Institutional Civic

ONE DECATUR STREET TYPOLOGY: Sims ST and Fairgrounds are both considered local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The future land use of Major Institutional Civic is no longer applicable for this property. The property is no longer in public ownership. The M1A expressway commercial zone would allow development of this property as is described in the Community Commercial land use section.

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense.
2. Warehouses of more than 15,000 square feet should have direct access to a collector street that will get Semi trucks and dual axel trucks quickly to part of the truck route.
3. An opaque landscape buffer no less than 20 feet will be required between this property and the residential property to the west, south and east.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

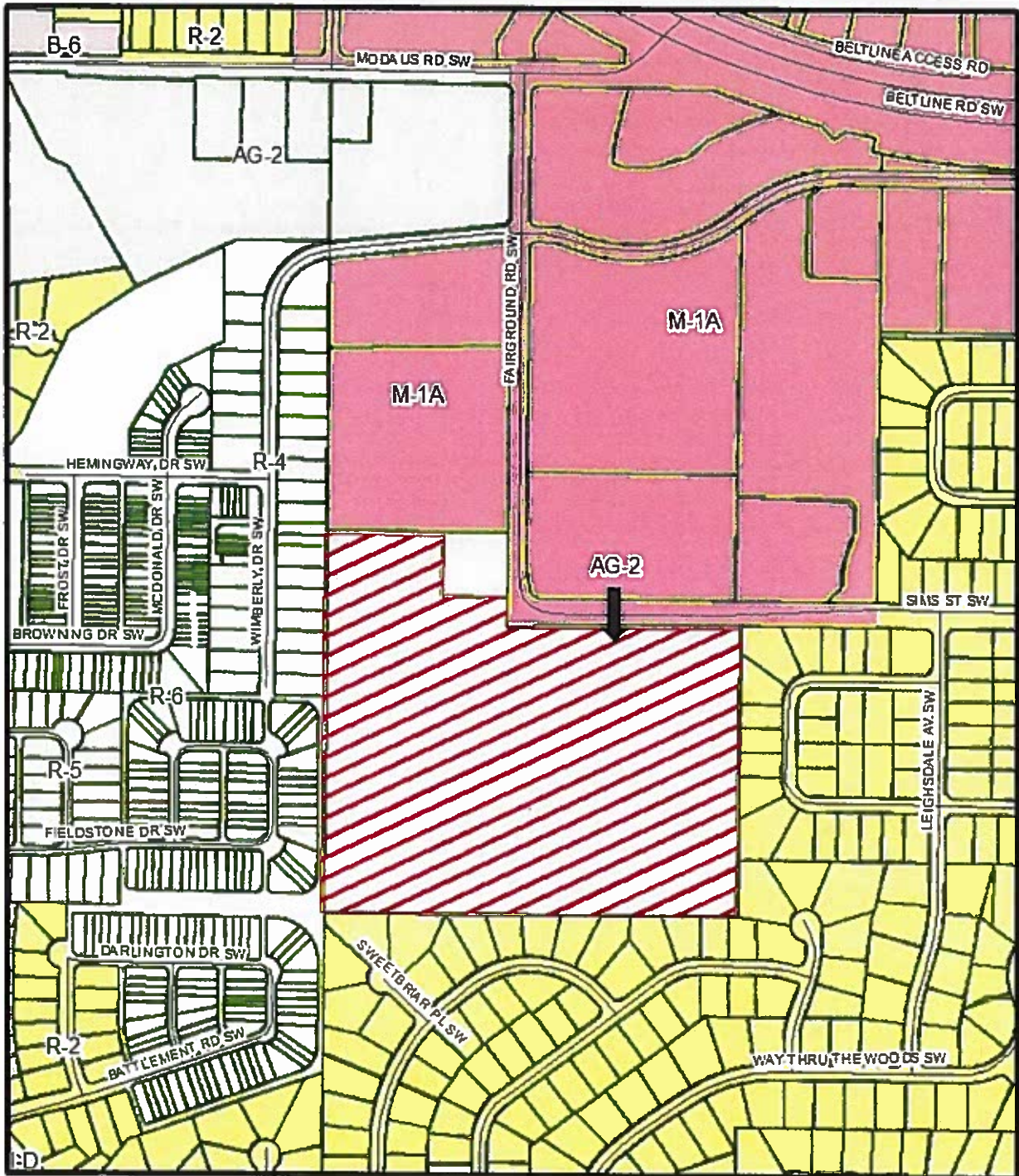
COMPARE AG 2 (AGRICULTURAL) TO M1A (EXPRESSWAY COMMERCIAL)

SECTION	CURRENT ZONE AG2	PROPOSED ZONE M1A
USES PERMITTED	<p>All uses permitted and regulated in an AG-1 agricultural district.</p> <p>Any use permitted or permitted on appeal in an R-1 Residential District and subject to all district requirements of an R-1 District as specified in <u>section 25-10</u></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 the following types: dry cleaning and laundry pickup stations; event venues, filling stations, provided however that gasoline storage above ground is prohibited; barber shops and beauty shops; shoe repair; offices; hotels;</p>

SECTION	CURRENT ZONE AG2	PROPOSED ZONE M1A
		motels; post offices; banks; theaters and similar services. Public buildings, including public schools and libraries; public utilities; semi-public buildings; municipal, county, state and federal buildings; gardens; playgrounds and parks.
USES PERMITTED ON APPEAL	Manufacturing, storage and processing of 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.	<i>Uses permitted on appeal:</i> Restaurants; class 1 restaurants with the intent that possible impacts on nearby citizens who live or have businesses should be addressed during the board of zoning adjustment hearing process; 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 other than any classification of restaurant which have monthly gross receipts from the serving of meals and food that constitute at least 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 business where articles are sold at retail on the premises, for only those uses specifically permitted.
USES PROHIBITED	Residential, commercial and industrial uses not specifically permitted or permitted on appeal.	<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

SECTION	CURRENT ZONE AG2	PROPOSED ZONE M1A
		Items Act. Any use not permitted or permitted on appeal
YARD AND LOT SIZE	<p>Minimum required lot area—15,000 square feet. Minimum required lot width at building line—100 feet. 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.</p> <p>MAXIMUM HEIGHT 35 feet or 2½ stories</p>	<p>Sixty (60) foot minimum set back from and along the Beltline Road; thirty-five (35) foot minimum set back from and along all other public street rights-of-way; thirty-five (35) foot minimum rear yard; and no side yard required excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a twenty-five (25) foot minimum yard size. Gasoline pump islands (uncovered) may be placed within the front yard or set back area along the Beltline Road provided they maintain a thirty-five (35) foot minimum set back from all public street rights-of-way. In the event of conflict between any of the provisions herein, the stricter of such provisions shall apply.</p> <p><i>Minimum yard size:</i> None specified <i>Maximum height:</i> None specified</p>
PARKING AND LOADING	<p><i>Off-street parking:</i> See § 25-16. Shall provide adequate space for loading and unloading on rear and/or side yard.</p>	<p><i>Off-street parking:</i> None specified Adequate space for loading and unloading of all vehicles or trucks incidental to the operation of the business or use shall be provided..</p>

REZONING REQUEST 1345-20 A REQUEST TO REZONE 31 ACRES FROM AG2 AGRULTURE TO M1A EXPRESSWAY COMMERCIAL SOUTH OF SIMS ST AT THE END OF FAIRGROUNDS RD



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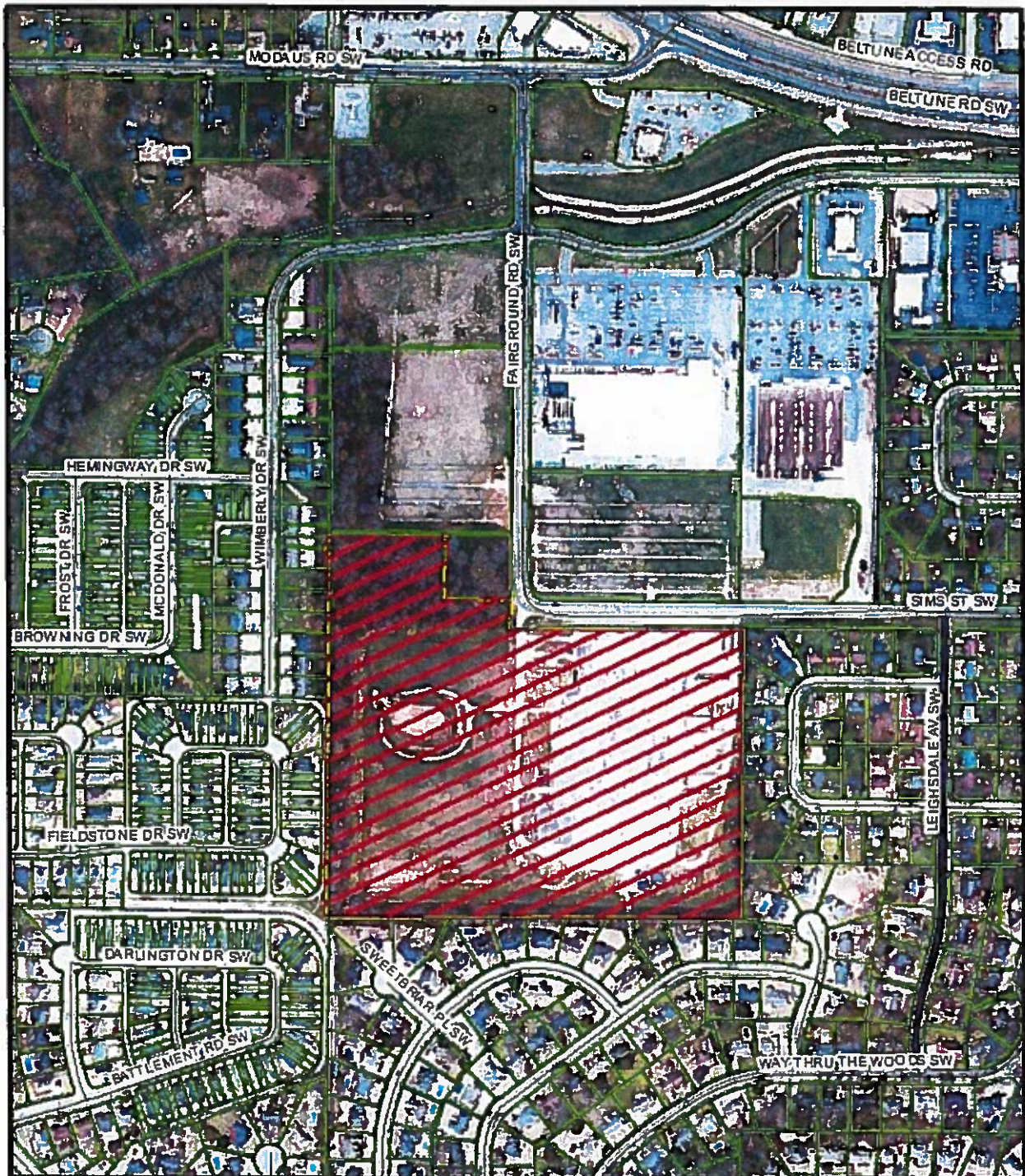
NEW PARCEL LAYER



SUBJECT PROPERTY

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REZONING REQUEST 1345-20 A REQUEST TO REZONE 31 ACRES FROM AG2 AGRULTURE TO M1A EXPRESSWAY COMMERCIAL SOUTH OF SIMS ST AT THE END OF FAIRGROUNDS RD



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NEW PARCEL LAYER



SUBJECT PROPERTY

FILE NAME OR NUMBER: Prezoning 1346-20

ACRES: 91.9 Acres
corporate limits

CURRENT ZONE: Outside the

APPLICANT: Pugh Wright McAnally representing the Morris Brothers

LOCATION AND OR PROPERTY ADDRESS: West side of Old River Rd, east side of Deere Rd and north of Upper River Rd

REQUEST: To pre-zone a 91.9 acres tract R3 Single Family Residential

NEW ZONE: R3 single family residential
residential homes

PROPOSED LAND USE: Single family

ONE DECATUR FUTURE LAND USE: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Neighborhood collector

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:
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The Zoning Committee recommends that the City Council recommend this request to the City Council for approval. The R3 Single Family Residential is a good zone for the mixed neighborhood land use.

Pt. of Info:

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

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:
 - 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).
- 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.*

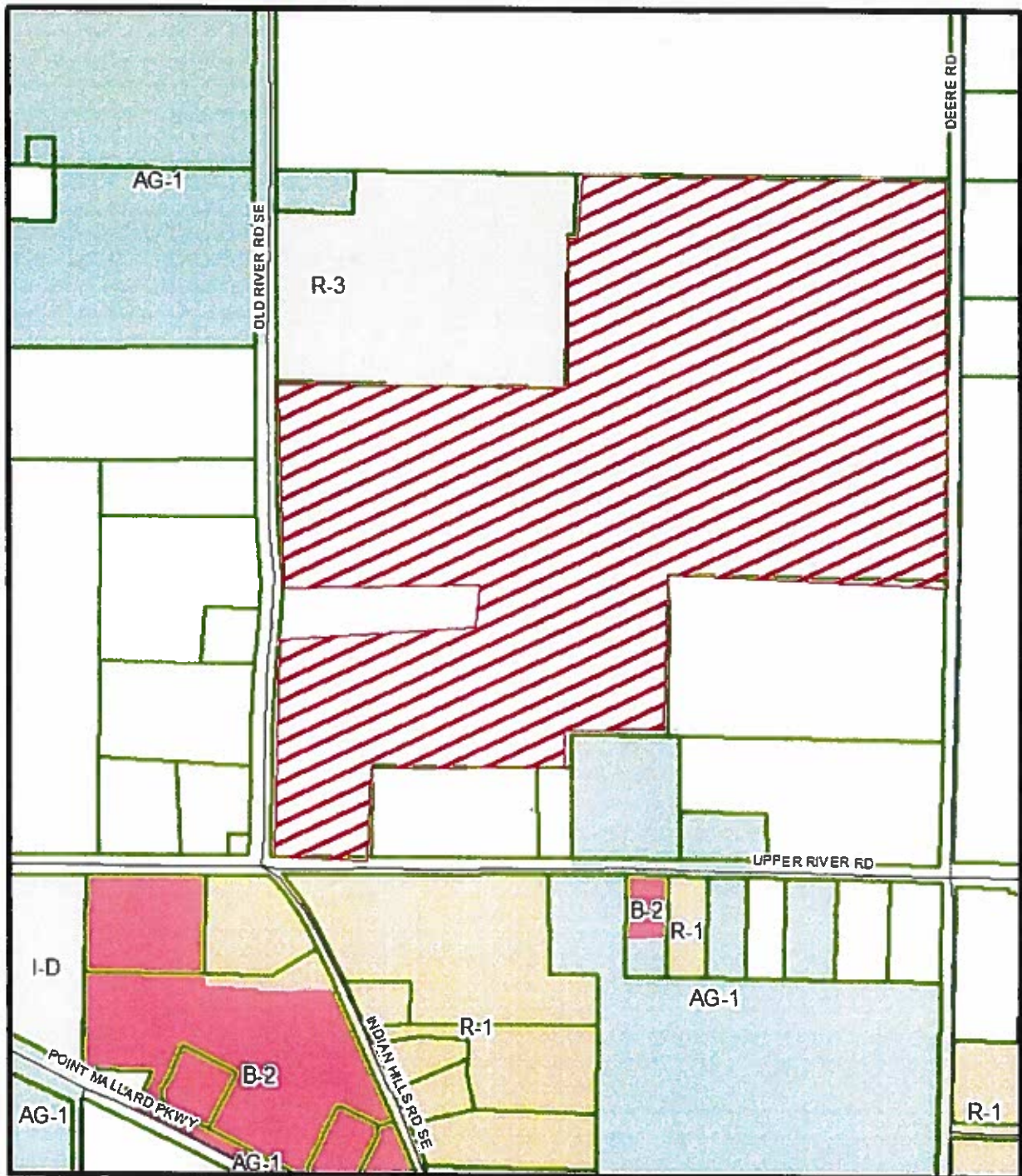
- a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.
- b. A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the 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.
- c. Minimum front yard setback: Thirty (30) feet.
- d. Minimum rear yard setback: Thirty-five (35) feet.
- e. Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.
- f. Minimum feet at building line: Fifty (50) feet.
- 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)

**PREZONING 1346-20 A REQUEST TO PREZONE 91.9 ACRES TO R3 SINGLE FAMILY RESIDENTIAL
LOCATED ON THE WEST SIDE OF OLD RIVER RD NORTH OF UPPER RIVER RD**



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 Ownership



SUBJECT PROPERTY

**PREZONING 1346-20 A REQUEST TO PREZONE 91.9 ACRES TO R3 SINGLE FAMILY RESIDENTIAL
LOCATED ON THE WEST SIDE OF OLD RIVER RD NORTH OF UPPER RIVER RD**



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SUBJECT PROPERTY

FILE NAME OR NUMBER: Prezoning 1347-20

ACRES: 5.25

CURRENT ZONE: Outside the corporate limits

APPLICANT: Pugh Wright McAnally for Morris

LOCATION AND OR PROPERTY ADDRESS: West of Old River Rd, East of Deere Rd and North of Upper River Rd

REQUEST: To pre-zone a 5.25 acres tract to R6 Single Family Townhomes

NEW ZONE: N/A
residential

PROPOSED LAND USE: Single family

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Neighborhood collector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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The Zoning Committee recommends that the City Council recommend this request to the City Council for approval. The R6 Single Family Semi-attached townhomes is a good zone for the mixed neighborhood land use.

Pt. of Info:

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

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:
 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).
- 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. 25-10.2. - R-6 Residential District.

There is hereby created an R-6 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:

(1) *General requirements:*

- (A) Single-family semi-attached dwellings shall not form long, unbroken lines of row housing. No more than eight (8) contiguous units shall be allowed.
- (B) Each single-family semi-attached dwelling unit shall be constructed on its own lot.
- (C) No unit located in an R-6 District shall be located closer than twenty (20) feet to a dedicated exterior street or exterior lot line on the perimeter of one district.
- (D) Maximum density (exclusive of public ROW) shall not exceed twelve (12) dwelling units per acre per development.
- (E) No unit within an R-6 District shall have direct access to an existing major thoroughfare as defined by the zoning ordinance or comprehensive plan; or a major thoroughfare as shall be defined by future plans adopted by the planning commission of the City of Decatur.

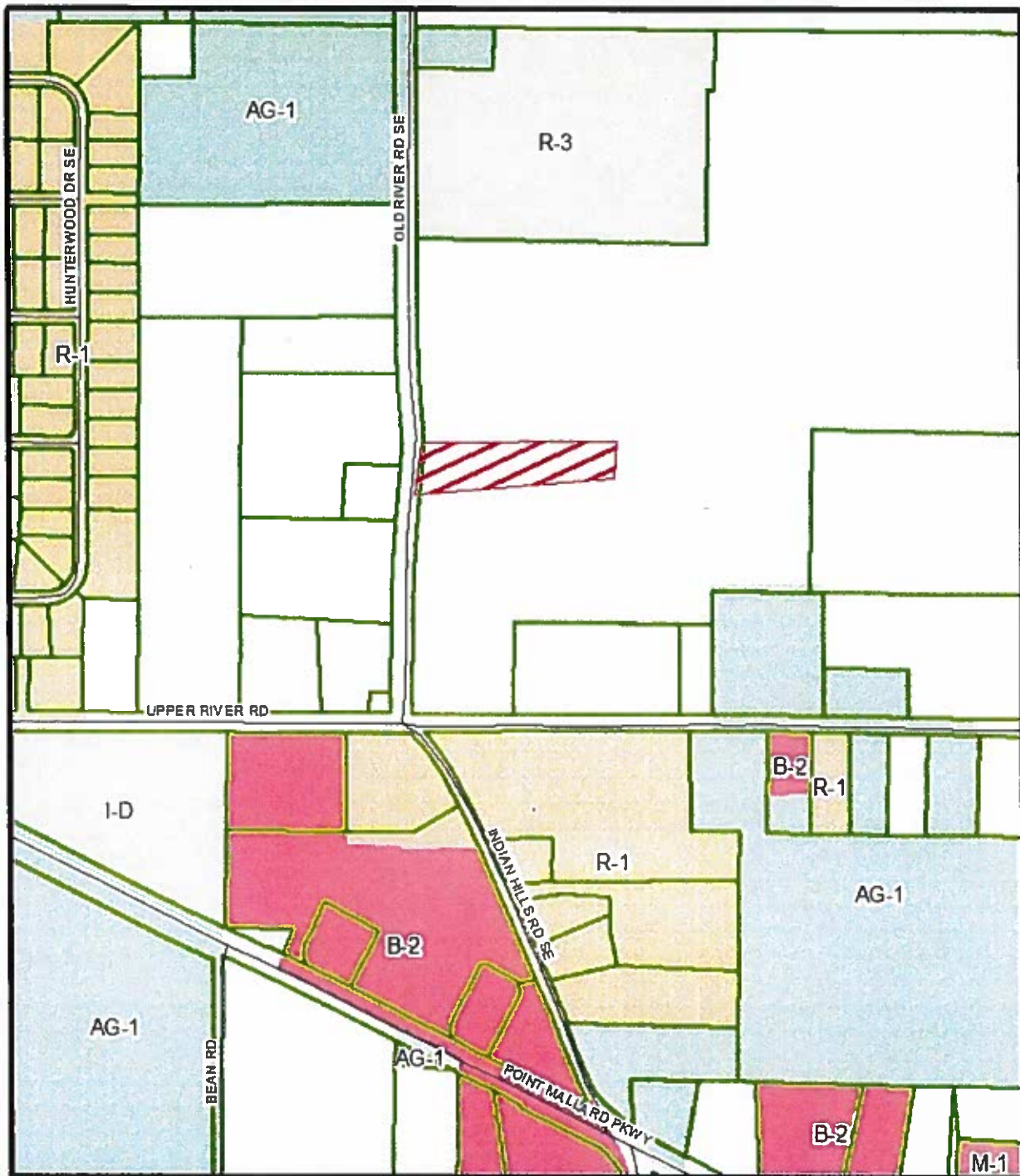
(2) *Specific requirements:*

- (A) Minimum lot size: 2,000 square feet.
- (B) Minimum lot size at building line: 20 feet.
- (C) Minimum front yard setback: 25 feet.
- (D) Minimum side yard setbacks applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).
- (E) Minimum rear yard setback: 20 feet.
- (F) Maximum height in stories: 2½.
- (G) Maximum building height: 35 feet.
- (H) Off-street parking spaces per unit: 2.

(3) *Uses prohibited.* Any use not permitted, or permitted on appeal, is prohibited.

(Code 1956, § 27-10.2; Ord. No. 90-2947, § 1, 11-5-90)

**PREZONING 1347-20 A REQUEST TO PREZONE 5.25 ACRES TO R6 SINGLE FAMILY TOWNHOMES
LOCATED ON THE WEST SIDE OF OLD RIVER RD NORTH OF UPPER RIVER RD**



SCAN QR CODE FOR ZONING INFORMATION:



Legend

Ownership



SUBJECT PROPERTY

City of Decatur Department of Development
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**PREZONING 1347-20 A REQUEST TO PREZONE 5.25 ACRES TO R6 SINGLE FAMILY TOWNHOMES
LOCATED ON THE WEST SIDE OF OLD RIVER RD NORTH OF UPPER RIVER RD**



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FILE NAME OR NUMBER: The Seville Ph 2 – a re-subdivision of lots 1-8

ACRES: 1.67 more or less

CURRENT ZONE: R5 single family patio homes

APPLICANT: Pugh Wright McAnally for the City of Decatur

LOCATION AND OR PROPERTY ADDRESS: North side of Second AV east of Old Moulton RD

REQUEST: Minor plat approval to adjust the lots lines between lots 1-8 this will reduce the number of lots from 8 to 5

NEW ZONE: N/A

PROPOSED LAND USE: Single family residential

ONE DECATUR FUTURE LAND USE: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Old Moulton Rd is a City Connector and 2nd ST SW is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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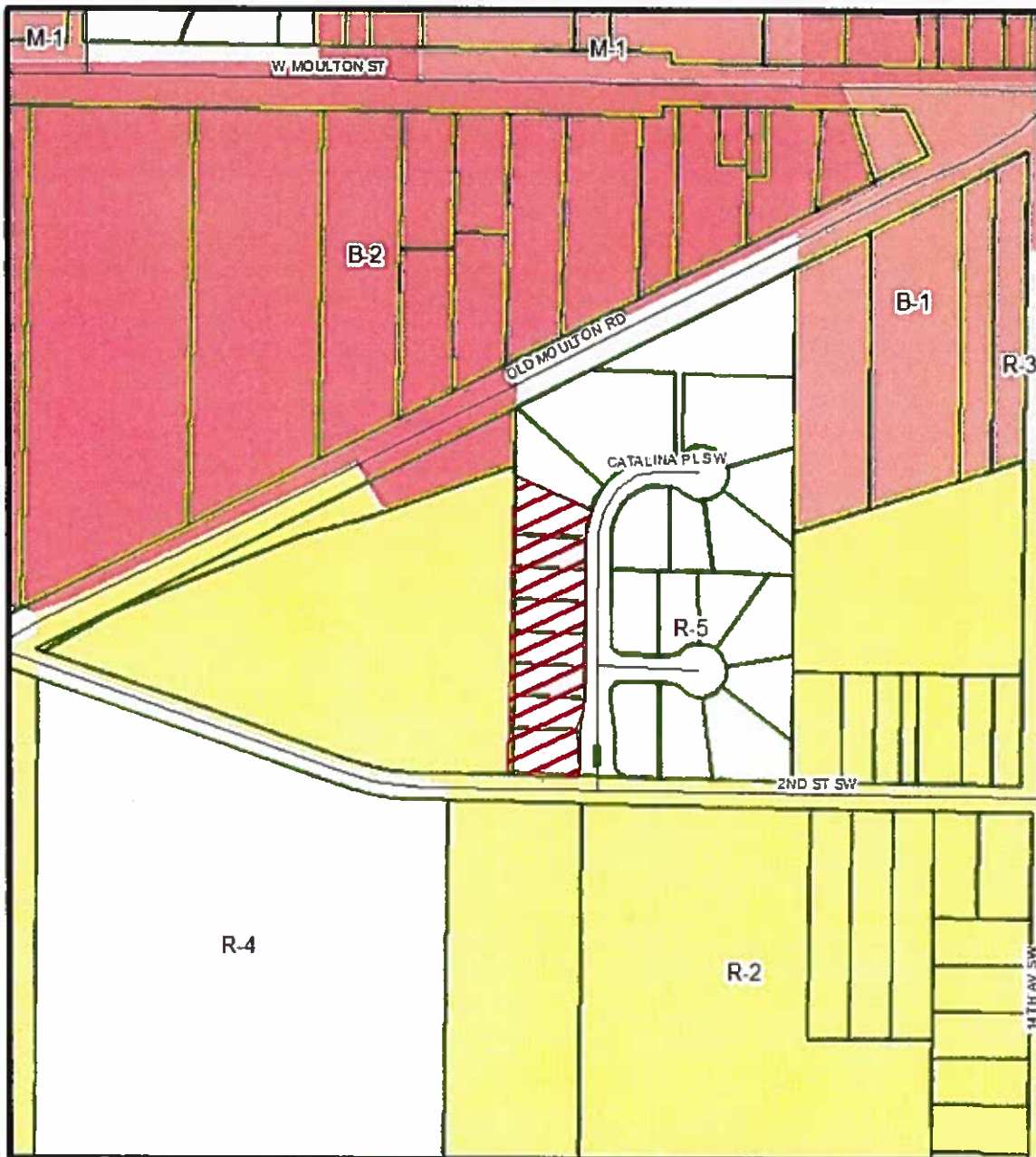
1. Recording fees
2. Carry over plat notes from the Seville
3. Show the drainage / detention area as an easement
4. Completion and recording of Vacation request 518-20
5. Show the side yard setback on the plat
6. Provide adjacent property owner information

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. When a home owners association is established they will take over maintenance of the common areas.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**THE SEVILLE PHASE 2
A RE-SUBDIVISION OF LOTS 1-8 TO CREATE 5 LOTS**



SCAN QR CODE FOR ZONING INFORMATION:



City of Decatur Department of Development
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Legend
 [Pink Box] NEW PARCEL LAYER

[Red Hatched Box] SUBJECT PROPERTY

**THE SEVILLE PHASE 2
A RE-SUBDIVISION OF LOTS 1-8 TO CREATE 5 LOTS**



SCAN QR CODE FOR ZONING INFORMATION:



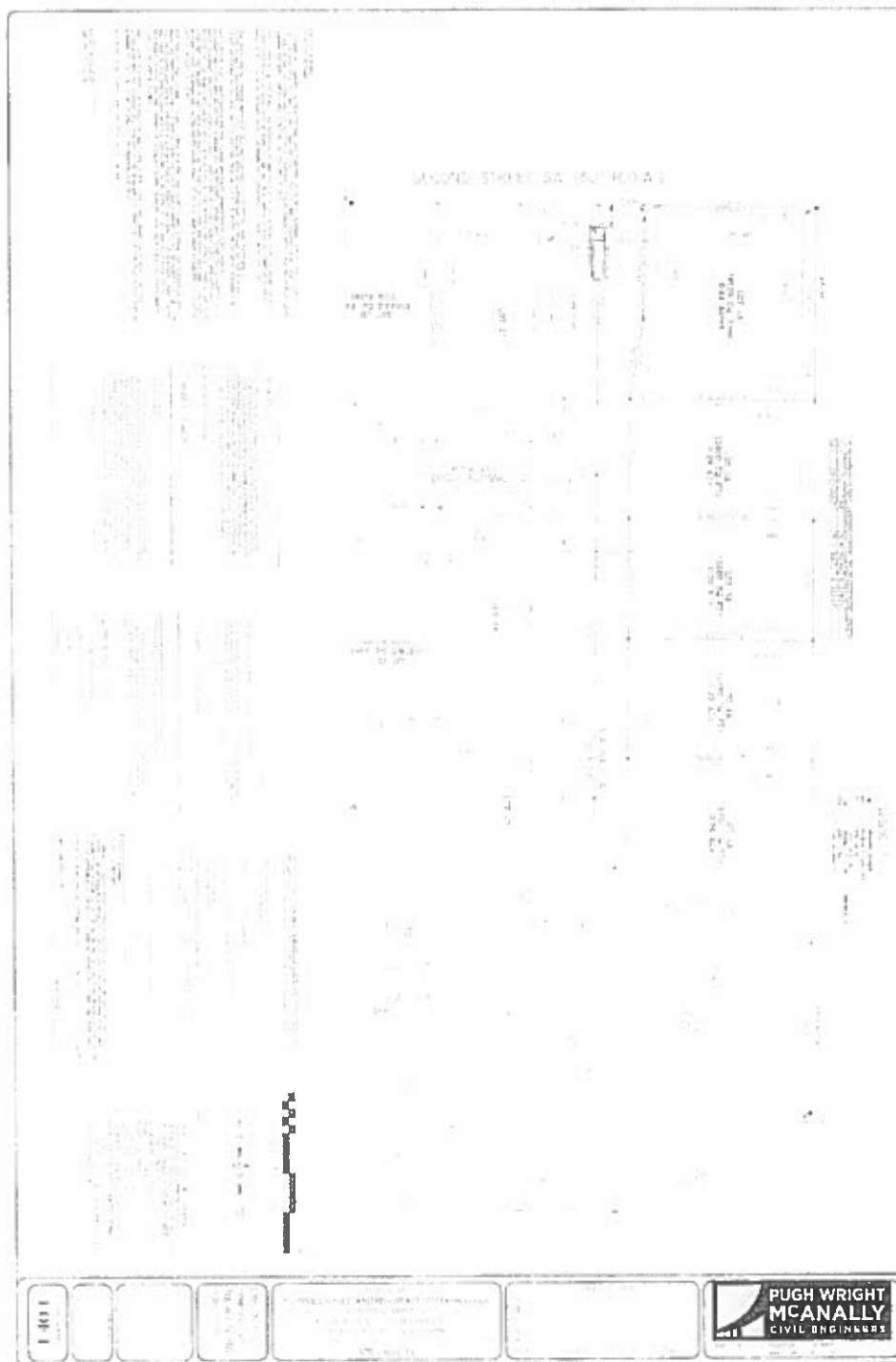
Legend

NEW PARCEL LAYER



SUBJECT PROPERTY

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END PUBLIC HEARING

CONSENT AGENDA

FILE NAME OR NUMBER: 3475-20

ACRES: 3.85

CURRENT ZONE:AG 1 – Agricultural Zone

APPLICANT: Pugh Wright McAnally for Rafer and Wanda Jones

LOCATION AND OR PROPERTY ADDRESS: 3114 Willow Bend RD SE West side of Willow Bend South of Heather Lane

REQUEST: To subdivide a 3.85 acre tract into two tracts of 1.93 and 1.82 acres

NEW ZONE: N/A

PROPOSED LAND USE: Low density residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Willow Bend Rd is a neighborhood connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

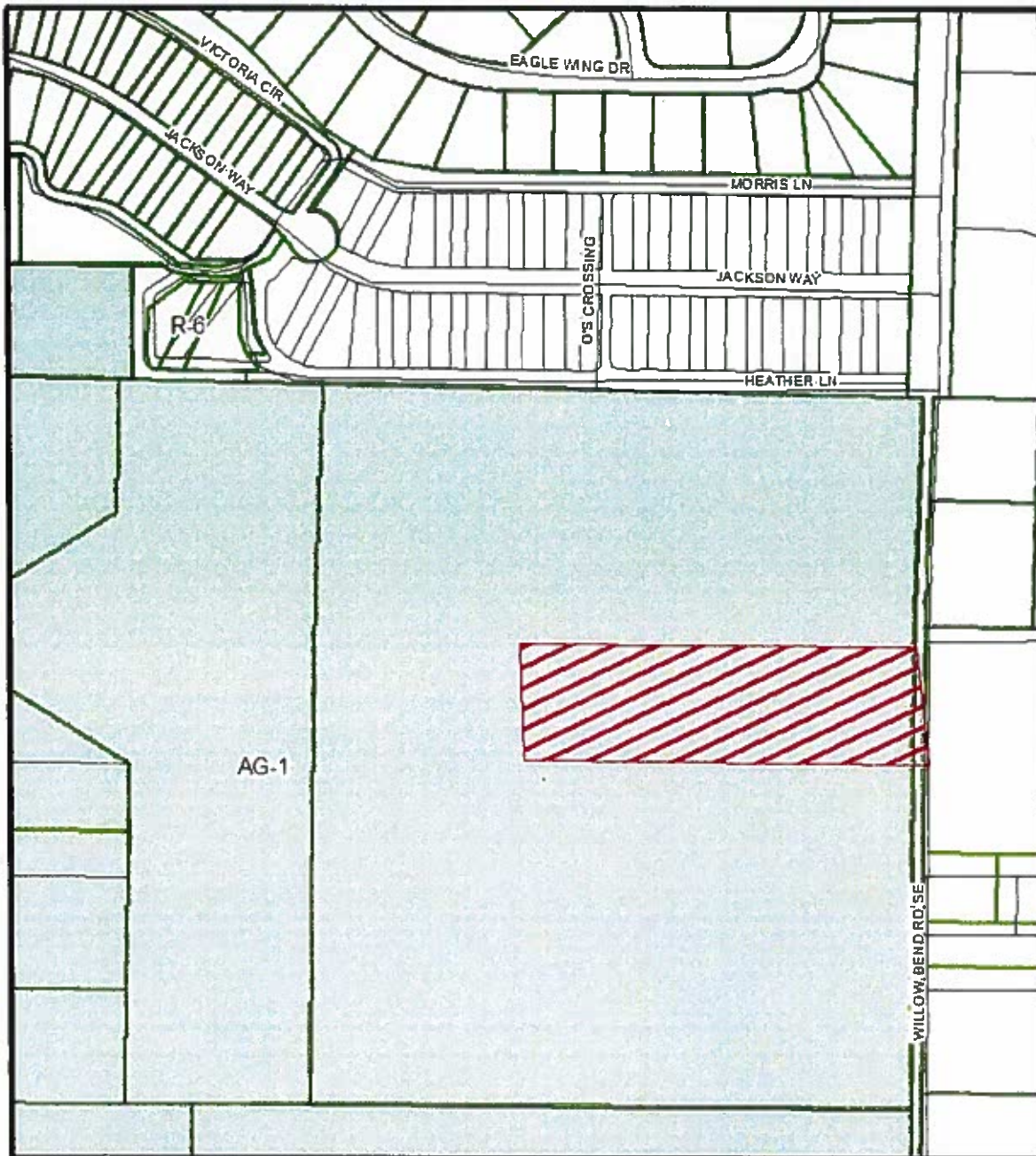
1. Signed and sealed survey for recording
2. Fees for recording made out to the Judge of probate

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. Consider 10' wide easement down property line to get electricity to lot 3A

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**CERTIFICATE 3475-2020 TO SUBDIVIDE A 3.85 ACRE TRACT
WEST OF WILLOWBEND RD 3114 WILLOW BEND RD**



SCAN QR CODE FOR ZONING INFORMATION:



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Legend

NEW PARCEL LAYER



SUBJECT PROPERTY

**CERTIFICATE 3475-2020 TO SUBDIVIDE A 3.85 ACRE TRACT
WEST OF WILLOWBEND RD 3114 WILLOW BEND RD**



SCAN QR CODE FOR ZONING INFORMATION



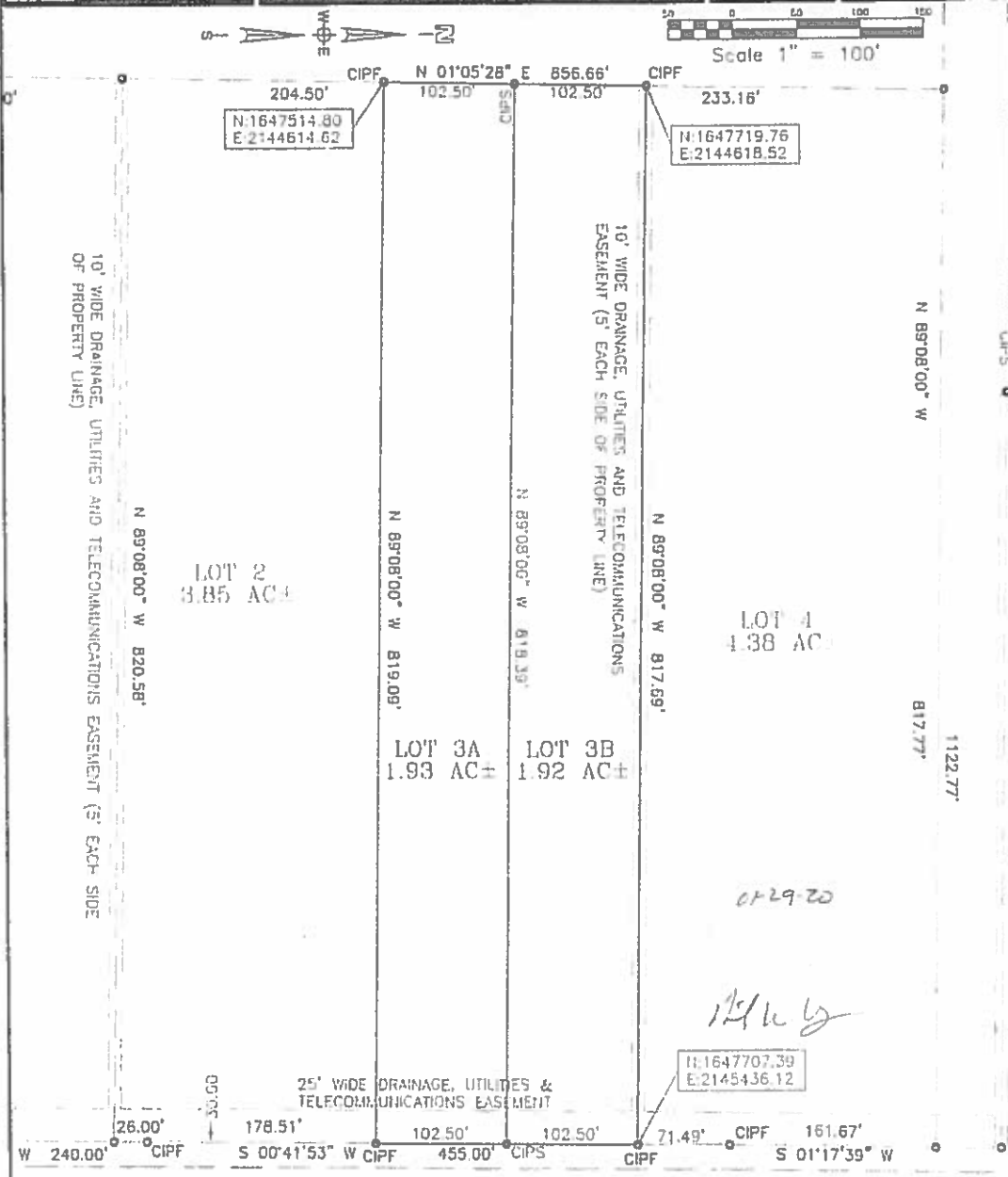
Legend

NEW PARCEL LAYER



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WILLOW BEND ROAD

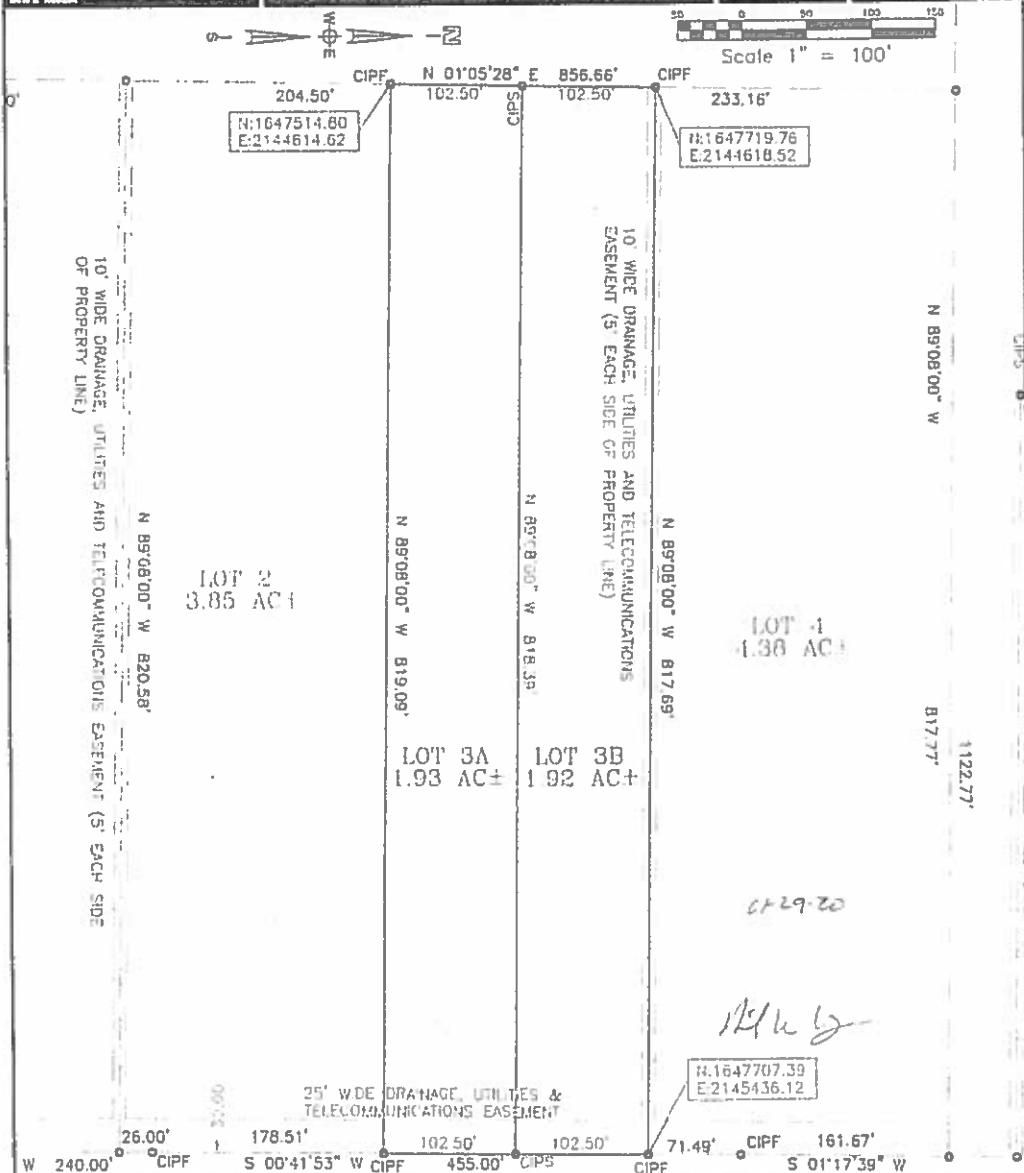
GENERAL NOTES

1. NORTH REFERENCE IS BASE BEARING FROM PLAT AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN.
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2019 PG 98CB, MAP BOOK 2019, PAGE 6
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN.
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES.
7. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
8. FIELD WORK WAS COMPLETED FEBRUARY, 2020.

CERTIFICATE TO SUBDIVIDE -- RAFER AND WANDA JONES -- WILLOW BEND ROAD

DRAWING DATE: 01-20-20 | DRAWN BY: RWH | APPROVED BY: RWH | JOB No. D-05-20 | SCALE: 1"=100' | PAGE 2 OF 2

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GENERAL NOTES

1. NORTH REFERENCE IS BASE BEARING FROM PLAT AS SHOWN HEREON
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY: D.G. 2019, PG. 9500, MAP BOOK 2019, PAGE 6
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE
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8. FIELD WORK WAS COMPLETED FEBRUARY, 2020

CERTIFICATE TO SUBDIVIDE --- RAFAEL AND WANDA JONES --- WILLOW BEND ROAD

DRAWING DATE: 01-20-20 | DRAWN BY: RWJ | APPROVED BY: RWJ | JOB No. D-05-20 | SCALE: 1"=100' | PAGE 2 OF 2

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FILE NAME OR NUMBER: 3476-20

ACRES: 8.58 acres

CURRENT ZONE: M1A Expressway Commercial

APPLICANT: Pugh Wright McAnally Decatur Ventures

LOCATION AND OR PROPERTY ADDRESS: South side of Beltline west of Highway 31

REQUEST: To subdivide 8.58 acres into two units of 7.67 acres and .91 acres

NEW ZONE: N/A

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Regional Mixed Use

ONE DECATUR STREET TYPOLOGY: Beltline is a Beltline and Highway 31 is a workhorse

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

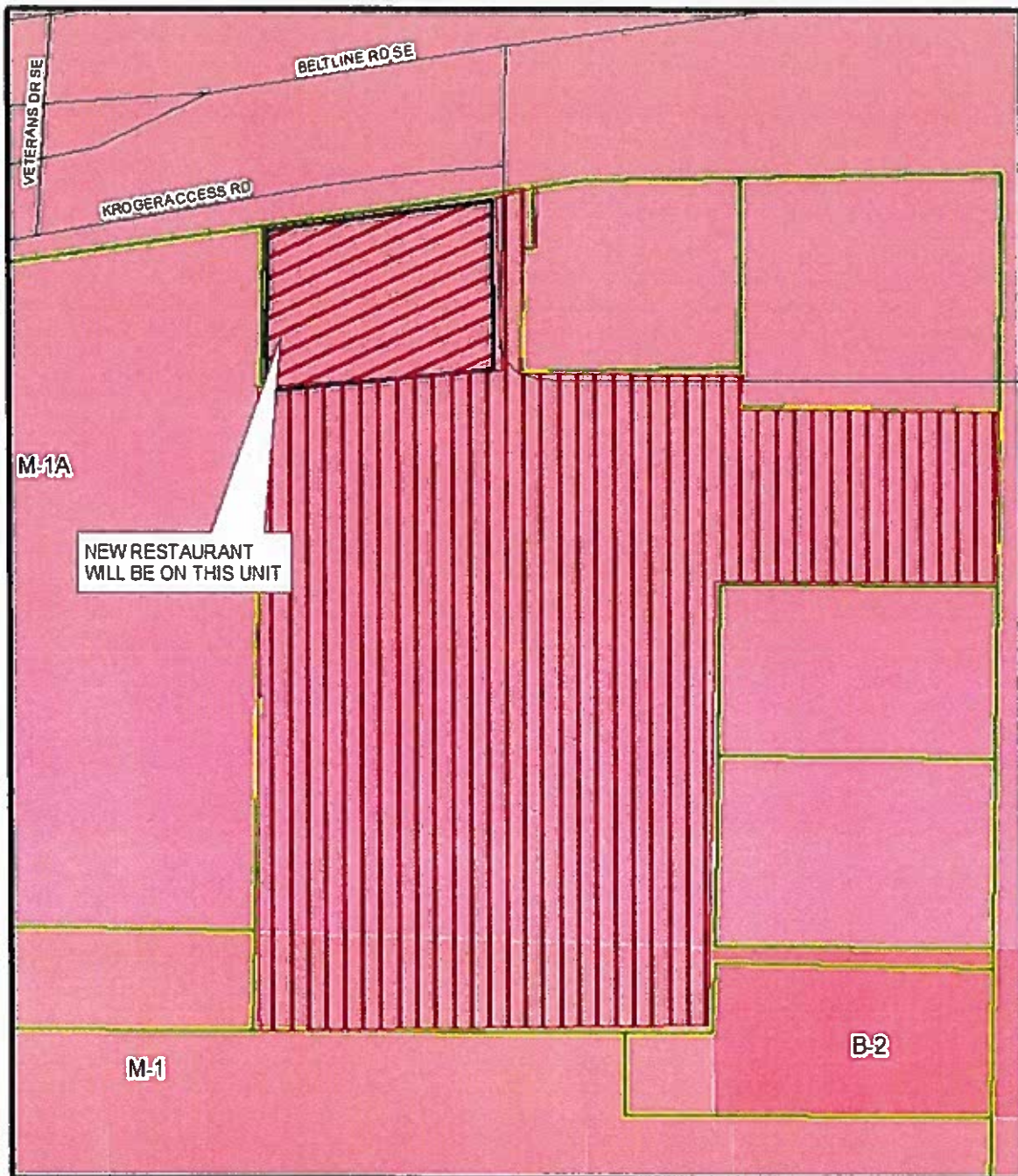
1. Signed and sealed survey for recording
2. Fees for recording made out to the Judge of probate
3. Provide a letter requesting the subdivision
4. Provide a copy of the deed
5. Correct tract and unit designations.
6. Continue and extend 20' DUTE easement from Discount Tires
7. Extend sewer to unit six – or the smaller lot

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**CERTIFICATE 3476-20 TO SUBDIVIDE A 8.58 ACRE TRACT INTO 2 TRACTS
SOUTH OF THE BELTLINE AND WEST OF HIGHWAY 31**



SCAN QR CODE FOR ZONING INFORMATION

City of Decatur Department of Development
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Legend
 Ownership



SUBJECT PROPERTY

**CERTIFICATE 3476-20 TO SUBDIVIDE A 8.58 ACRE TRACT INTO 2 TRACTS
SOUTH OF THE BELTLINE AND WEST OF HIGHWAY 31**



SCAN QR CODE FOR ZONING INFORMATION:



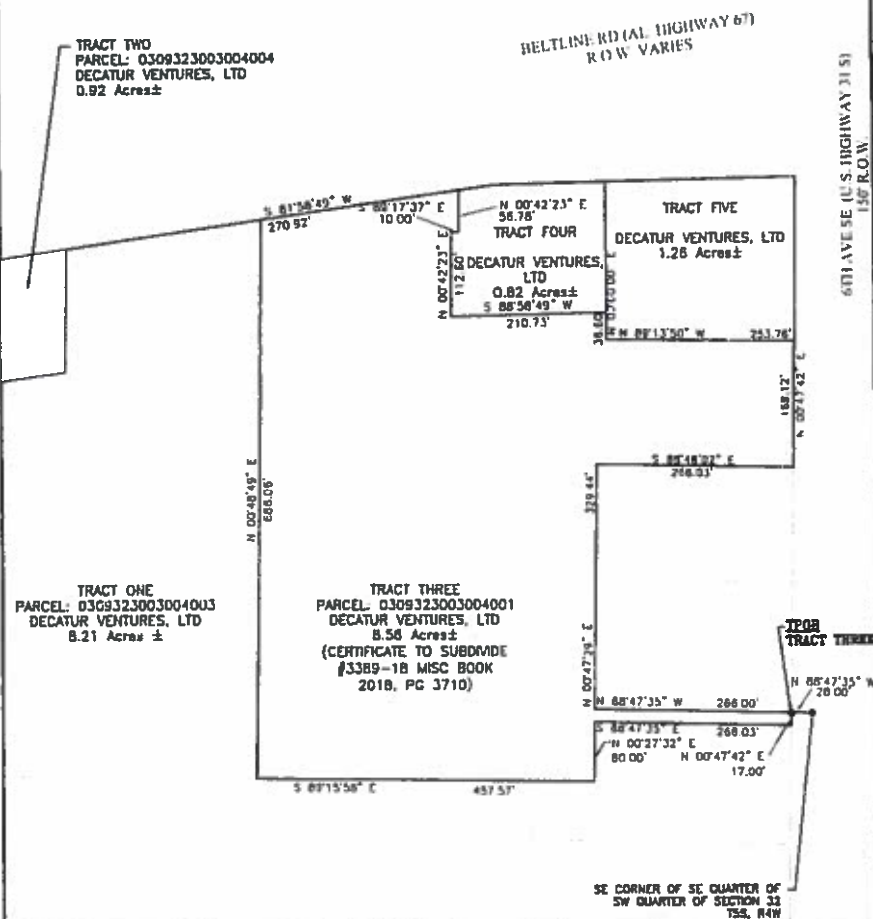
SUBJECT PROPERTY

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GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID - WEST ZONE (NAD1983) AS DETERMINED BY GROSS OBSERVATIONS
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY MISC BOOK 2018, PG 3710
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
7. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY



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

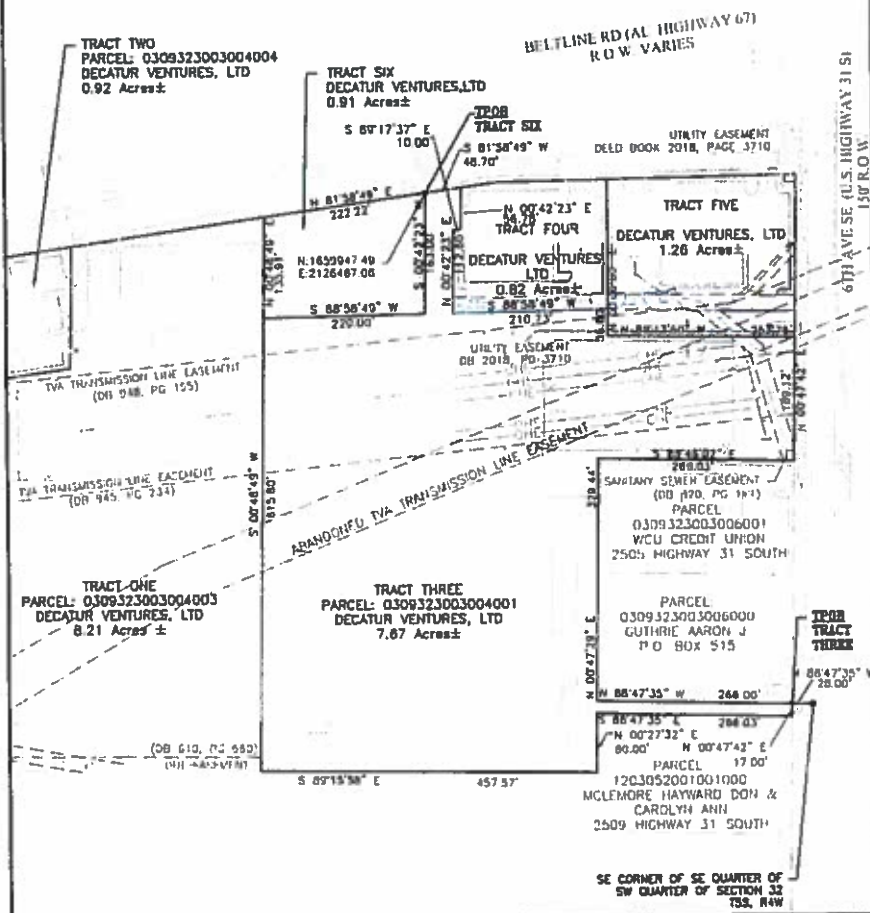
DRAWING DATE: 02-06-20 | DRAWN BY: GAA | APPROVED BY: RWH | JOB No. D-18-20 | SCALE: 1"=150' | PAGE 3 OF 3

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GENERAL NOTES

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2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN.
3. SOURCE OF INFORMATION USED FOR SURVEY: MISC BOOK 2018, PG 3710.
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PROPERTY SURVEY -- DECATUR VENTURES, LTD -- BELTLINE ROAD

DRAWING DATE: 02-08-20 | DRAWN BY: GAA | APPROVED BY: RMH | JOB No. S-17-20 | SCALE: 1"=150' | PAGE 3 OF 3

PUGHWRIGHTMCANALLY.COM

FILE NAME OR NUMBER: River Road Estates

ACRES: 97.19 **CURRENT ZONE:** Outside corporate limits requesting pre-zoning

APPLICANT: Pugh Wright McAnally representing Morris Holdings LLC

LOCATION AND OR PROPERTY ADDRESS: Lot 2 of Morris Brothers Minor plat north side of Upper River Rd between Deere Rd and Old River Rd

REQUEST: To subdivide (Lot 2 97.19 of Morris Brothers minor plat) into 67 R3 single family lots, 39 R6 single family semi attached lots and two out parcels a five acre detention pond and a 69 acres (plus or minus).

NEW ZONE: Proposed to be R3 Single Family and R6 Single Family

PROPOSED LAND USE: Single family residential subdivision

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Upper River Rd and Old River Road are neighborhood connectors

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

1. Show the property to the west of Morris Brothers replat of lot 1 and north of the R3 part of this subdivision (fronting on Deere RD) as a separate out parcel
2. Identify the boundary between the Replat of lot 1 and label it
3. Label the out parcels

Pt. of Info:

1. Provide street names with the preliminary submission
2. Any relocation of utilities will be at the owner's expense
3. This property is proposed for pre-zoning to R3 and R6

At preliminary

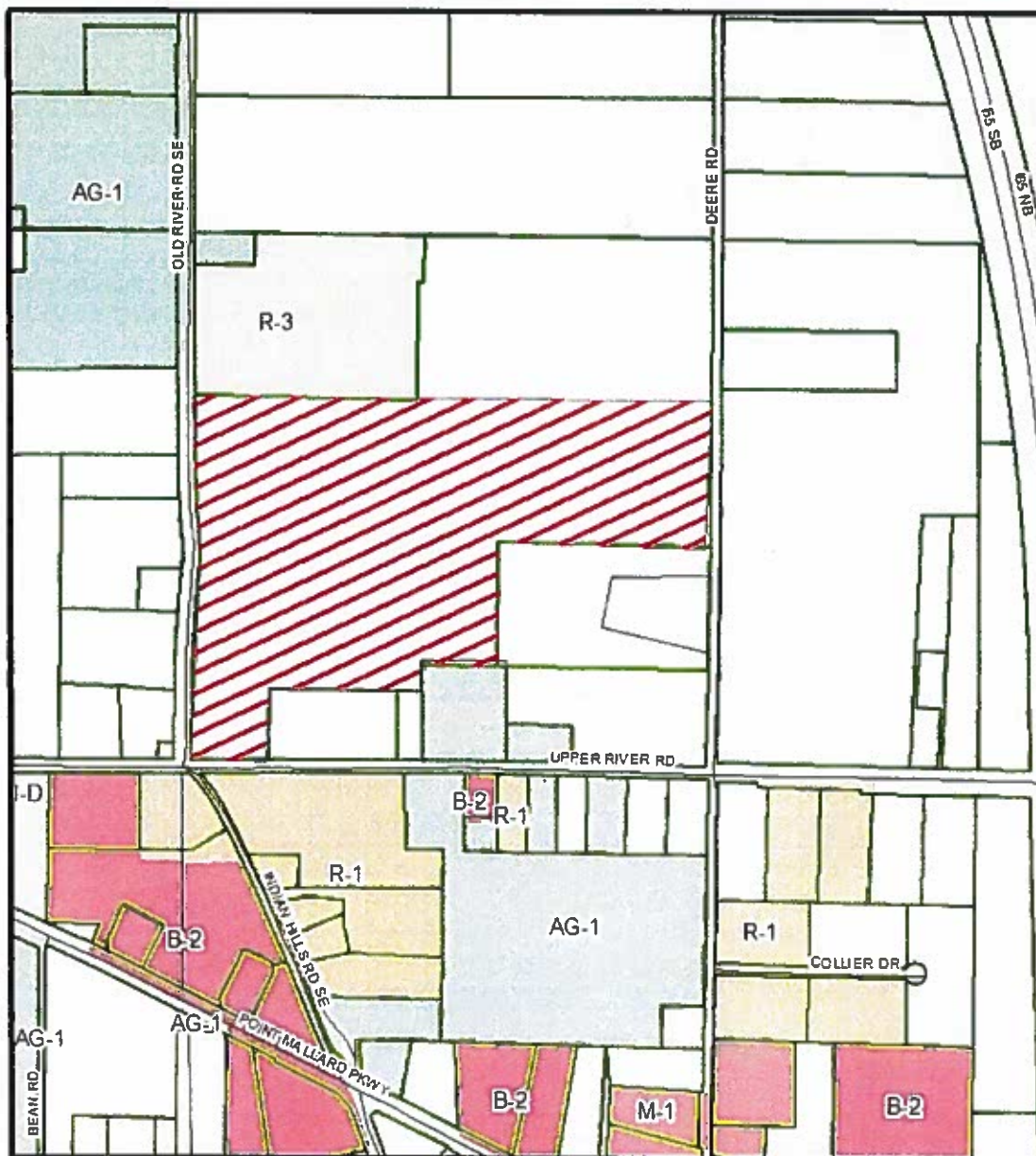
1. Show the sewer lines on the plat and provide easements as needed.
2. Show the flood zone information on the plat
3. Flood permit

At final

1. Establish the side yard set backs on the plat

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**RIVER ROAD ESTATES TO SUBDIVIDE LOT 2 OF MORRIS BROTHER MINOR PLAT
97 ACRES INTO OUT PARCELS AND SINGLE FAMILY RESIDENTIAL LOTS**



SCAN QR CODE FOR ZONING INFORMATION



City of Decatur Department of Development

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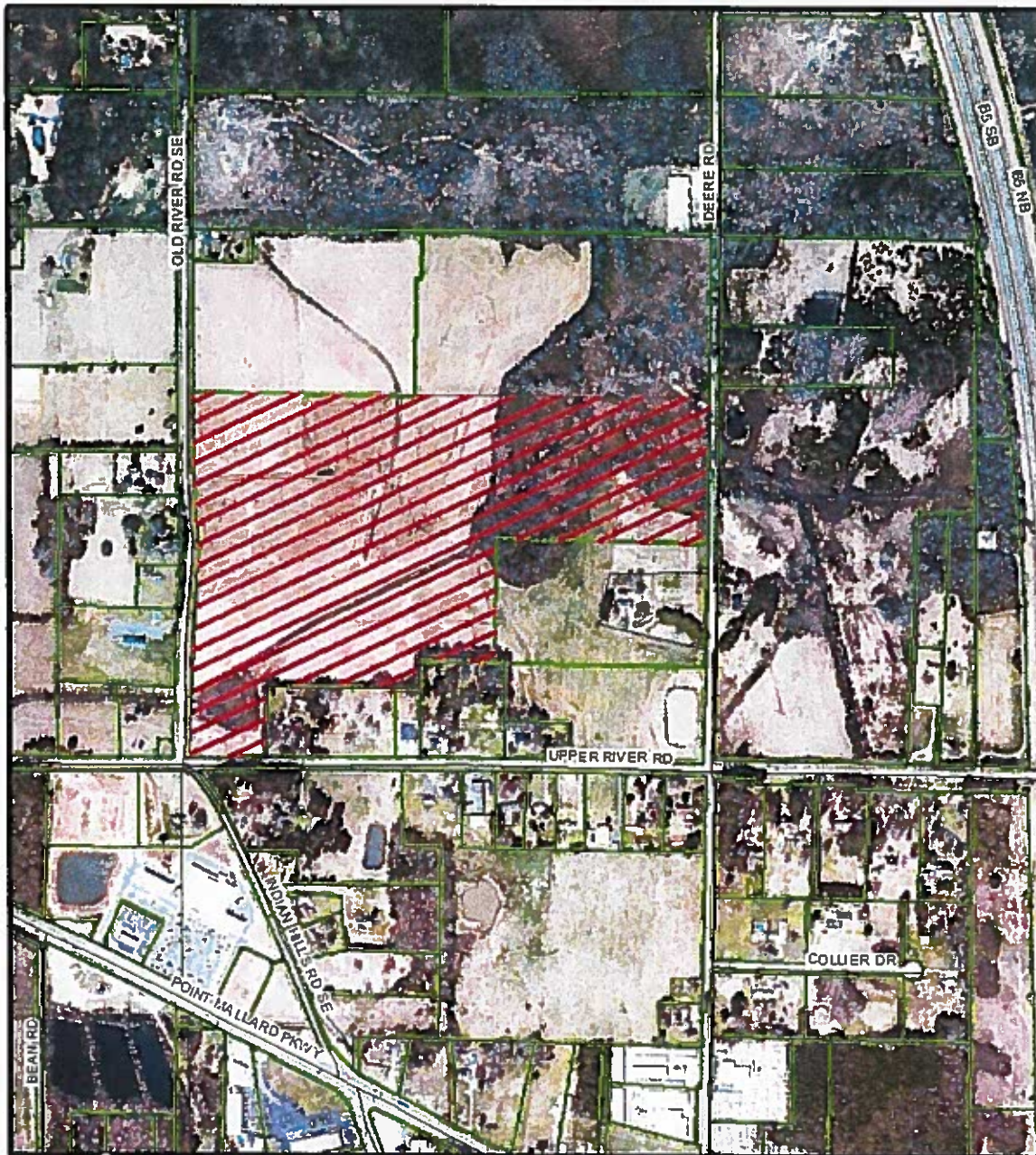
Legend

NEW PARCEL LAYER



SUBJECT PROPERTY

**RIVER ROAD ESTATES TO SUBDIVIDE LOT 2 OF MORRIS BROTHER MINOR PLAT
97 ACRES INTO OUT PARCESL AND SINGLE FAMILY RESIDENTIAL LOTS**



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Legend

NEW PARCEL LAYER



SUBJECT PROPERTY

FILE NAME OR NUMBER: SITE PLAN 595-20

ACRES: 8.41 MORE OR LESS **CURRENT ZONE:** M1A EXPRESSWAY COMMERCIAL

APPLICANT: Pugh Wright McAnally for Decatur Ventures

LOCATION AND OR PROPERTY ADDRESS: 1107 D Beltline Rd SW south side of Beltline on the Hobby Lobby lot

REQUEST: For site plan approval for a new 2,186 square foot fast food restaurant

NEW ZONE: N/A

PROPOSED LAND USE: New Restaurant

ONE DECATUR FUTURE LAND USE: Regional Mixed use

ONE DECATUR STREET TYPOLOGY: Beltline is a Beltline and Highway 31 is workhorse

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

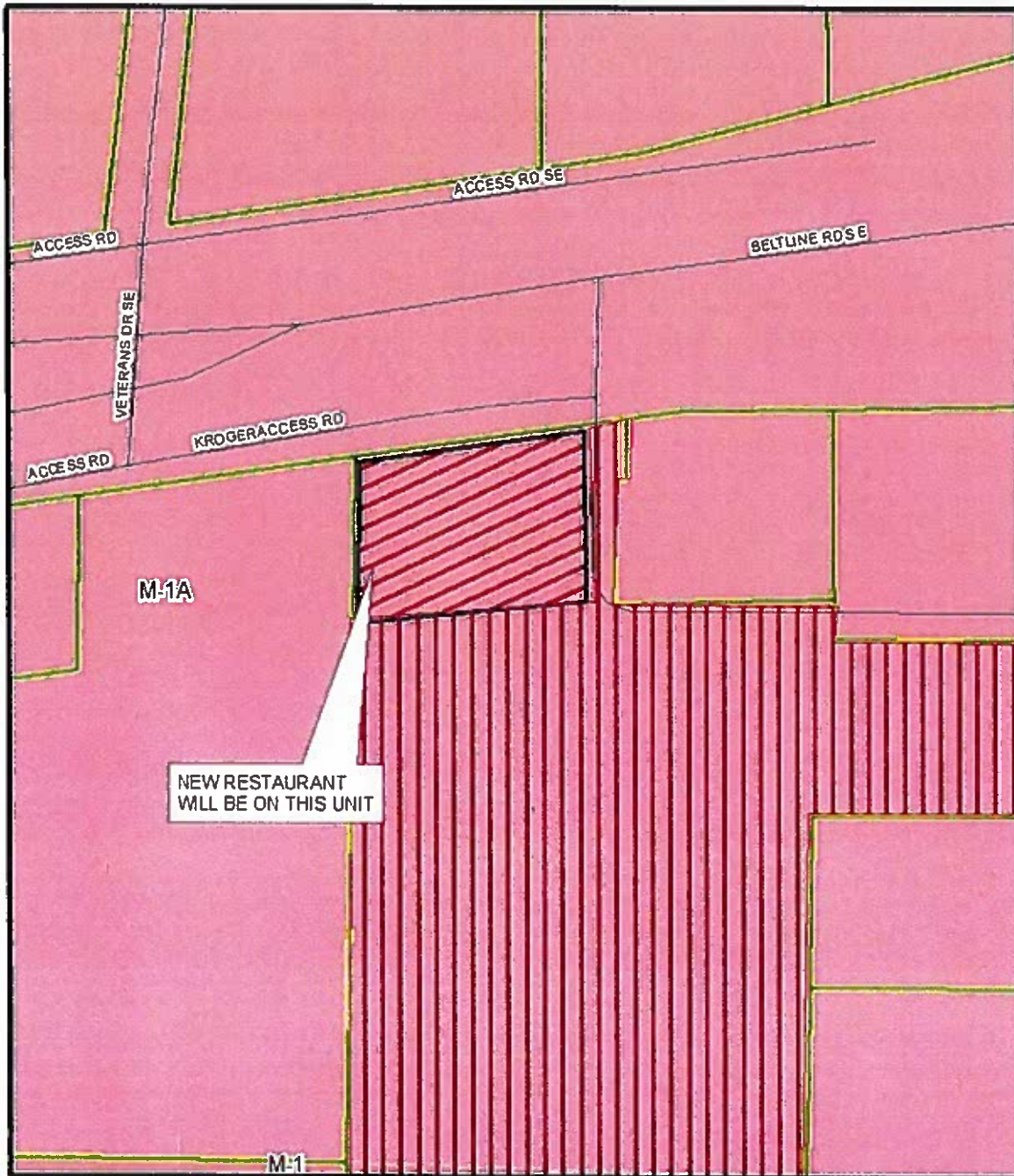
1. ALDOT permits need to be completed
2. Provide a lighting and photo metric plan
3. Approval of the landscape plans
4. Completion of Certificate 3476-20

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. The parking in this shopping center was provided under a different set of parking requirements. It exceeds our current requirements.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**SITE PLAN 595-20 FOR A NEW 2,186 SQUARE FOOT RESTAURANT
1109 BELTLINE RD SW**



SCAN QR CODE FOR ZONING INFORMATION

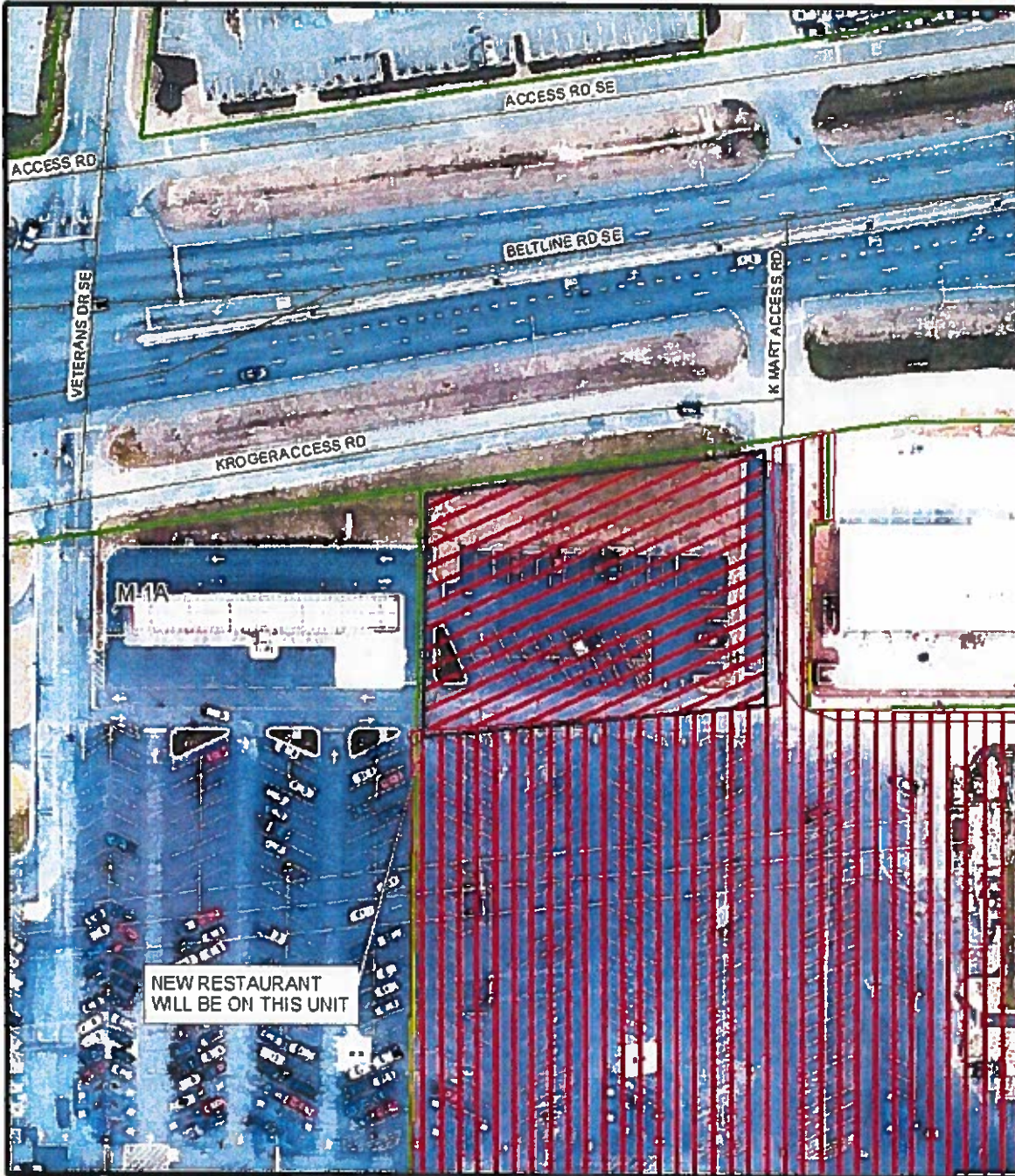


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SUBJECT PROPERTY

**SITE PLAN 595-20 FOR A NEW 2,186 SQUARE FOOT RESTAURANT
1109 BELTLINE RD SW**



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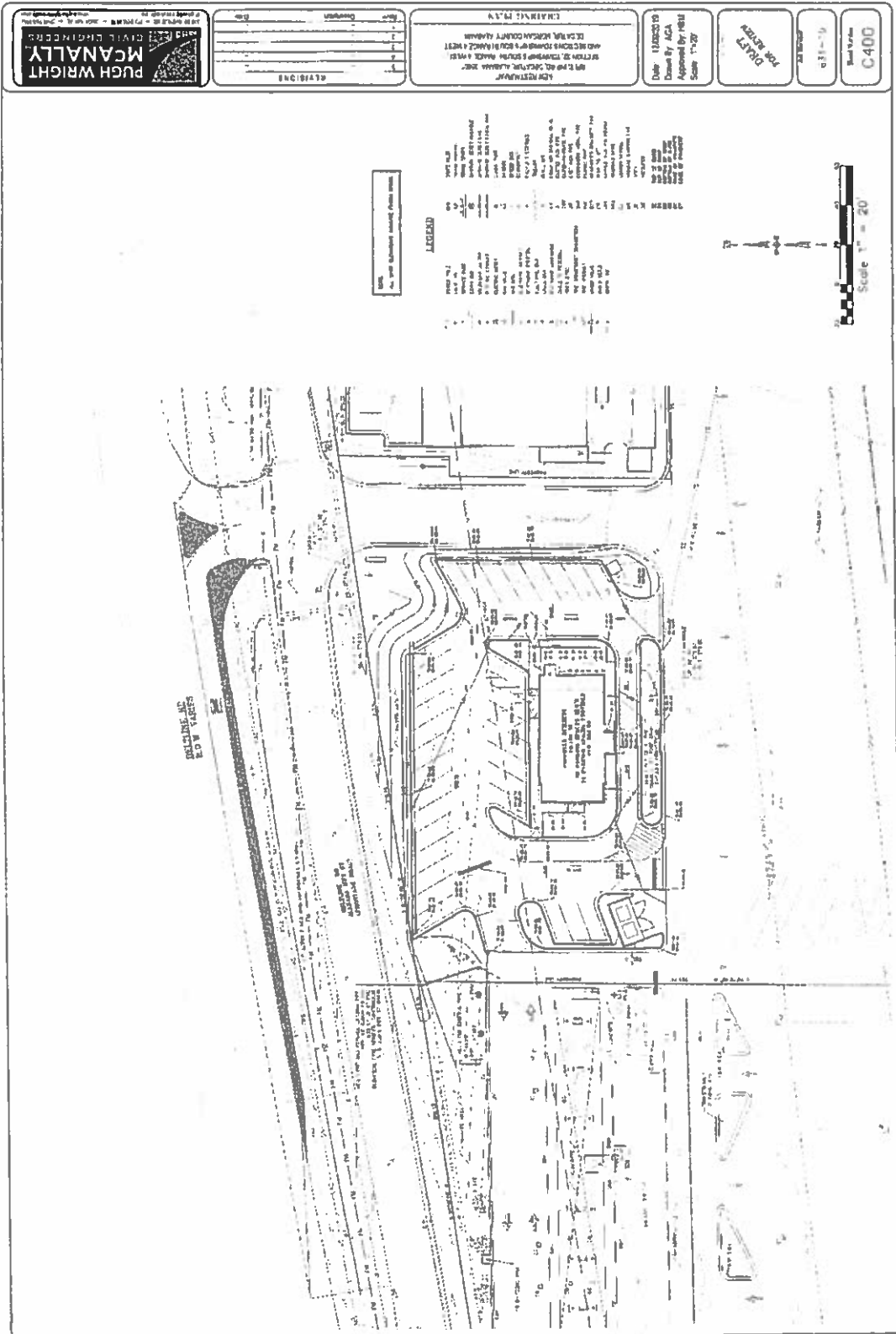


Legend
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SUBJECT PROPERTY



PUGH WRIGHT
CIVIL ENGINEERS

Sheet	1 of 1
Date	10/1/2010
Project	10000 sq. ft. Building
Location	10000 sq. ft. Building
Scale	1" = 20'

ADMINISTRATIVE
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building
10000 sq. ft. Building

Date: 10/1/2010
Drawn by: AGA
Approved by: PWB
Scale: 1" = 20'

10000 sq. ft. Building

Sheet 1 of 1
Scale 1" = 20'

END CONSENT AGENDA

OTHER BUSINESS

FILE NAME OR NUMBER: Vacation Request 518-20

ACRES: 1.67 acres more or less **CURRENT ZONE:**R5 Single Family Patio Homes

APPLICANT: Pugh Wright McAnally for the City of Decatur

LOCATION AND OR PROPERTY ADDRESS: North side of Second AV east of Old Moulton RD

REQUEST: To vacate the easements between lots 1-8 – these will be replaced with new easements on the replat

NEW ZONE: N/A **PROPOSED LAND USE:** Single Family Residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Old Moulton Rd is a City connector and 2nd ST SW is a local street

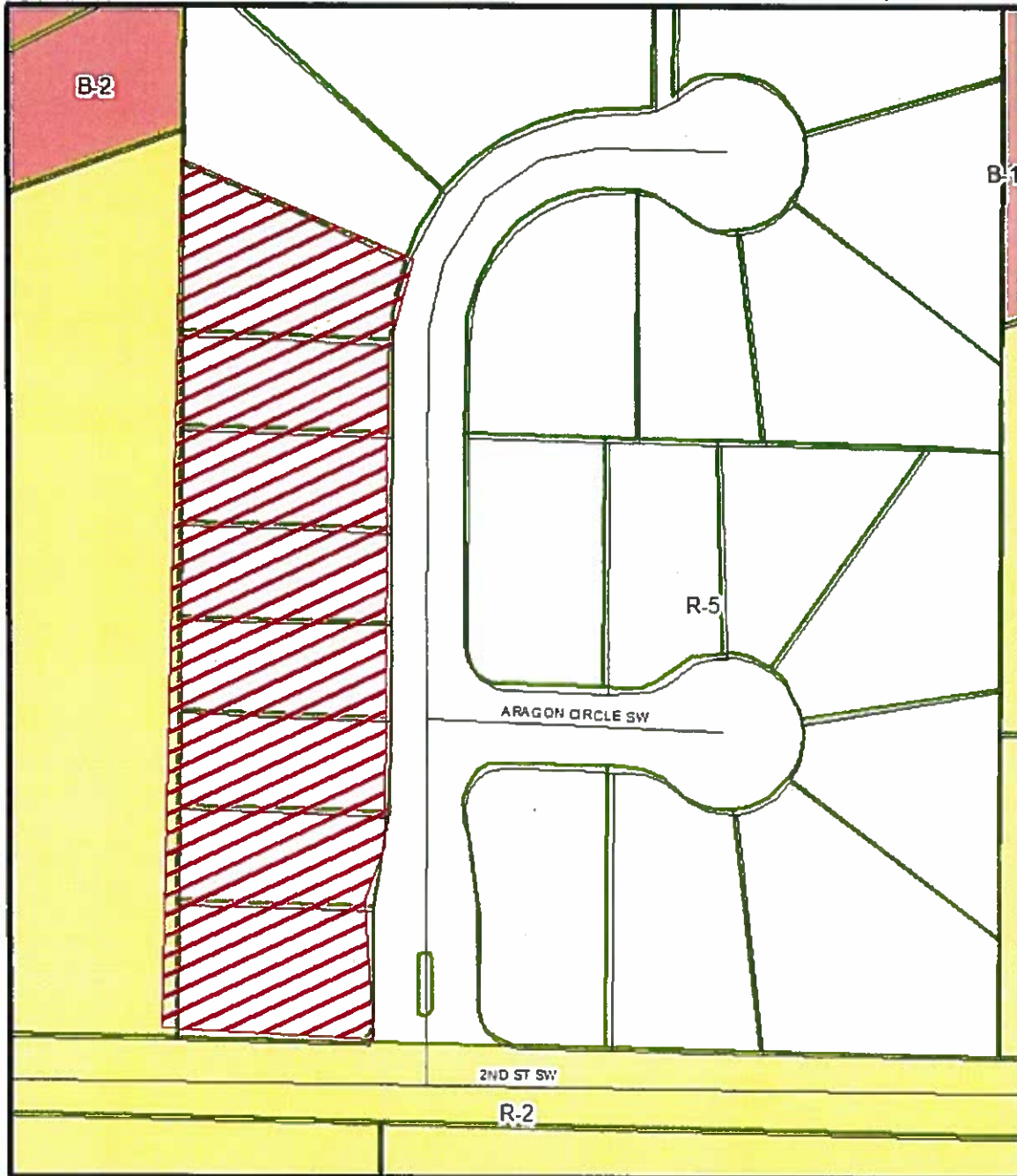
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. The Seville phase 2 cannot be recorded until this vacation is recorded

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

**VACATION 518-2020
TO VACATE THE EASEMENTS BETWEEN LOTS 1-8 OF THE SEVILLE**



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Legend
 [] NEW PARCEL LAYER



SUBJECT PROPERTY

**VACATION 518-2020
TO VACTE THE EASEMENTS BETWEEN LOTS 1-8 OF THE SEVILLE**



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Legend

NEW PARCEL LAYER



SUBJECT PROPERTY

