



## MEMORANDUM

DATE: May 14, 2020

TO: Planning Commissioners

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

### PLANNING COMMISSION MEETING

May 19, 2020

Pre-meeting – 2:15 p.m. (Council Chambers)

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

# Agenda Planning Commission

City of Decatur, AL

May 19, 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**

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## 1. CALL MEETING TO ORDER

## 2. APPROVAL OF MINUTES- April 21, 2020

## 3. PUBLIC HEARING

### PAGE/MAP

### PLAT REVIEW

- |   |                 |
|---|-----------------|
| A. Valley Park Subdivision (Preliminary Plat)<br>(North of Poole Valley RD and east of Central AV SW) | 1-5<br>see plat |
|---|-----------------|

## 4. CONSENT AGENDA

### CERTIFICATES

- |            |   |       |
|------------|---|-------|
| A. 3485-20 | Certificate<br>(South of Indian Hills RD SE and east of Bennich RD SE)      | 6-11  |
| B. 3486-20 | Certificate<br>(On the southwest corner of Fairground RD SW and Sims ST SW) | 12-17 |

### SITE PLAN

- |           |  |                   |
|-----------|--|-------------------|
| A. 598-20 | (North of 5 <sup>th</sup> ST SE and west of 6 <sup>th</sup> AV SE) | 18-22<br>see plat |
|-----------|--|-------------------|

## **4. OTHER BUSINESS**

### **ANNEXATION**

- |   |       |
|---|-------|
| A. 360-20   | 23-25 |
| (North of Poole Valley RD SW and east of Central AV SW) |       |

### **NOTIFY COMMISSION**

- |  |       |
|--|-------|
| A. Red Bank                                      | 26-27 |
| (South of Red Band RD and east side of Lyons RD) |       |

- |                               |       |
|-------------------------------|-------|
| B. Technical Review Committee | 28-30 |
|-------------------------------|-------|

## PUBLIC HEARING

**FILE NAME OR NUMBER:** Preliminary Plat for Valley Park Subdivision- Wilshire Dev. AL. LLC

**ACRES:** 4.63 acres

**CURRENT ZONE:** M-1 currently under pre-zoning to R-3

**APPLICANT:** Pugh Wright McAnally for Wilshire Development LLC

**LOCATION AND PROPERTY ADDRESS:** 3918 / 3914 Central Ave. SW, north of Poole Valley Rd SW

**REQUEST:** Preliminary Plan Approval for Wilshire Dev. AL. LLC - Valley Park Subdivision

**NEW ZONE:** R-3 (Single-Family Residential) **PROPOSED LAND USE:** Single-Family Residential

**ONE DECATUR FUTURE LAND USE:** Mixed Neighborhood

**ONE DECATUR STREET TYPOLOGY:** Central Ave. SW is a City Connector

### COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. Collect Plat fees \$100 + \$5 for each lot, with 20 lots = \$100 + \$100 = \$200
2. Collect fees for certified letter to adjacent property owners

### Pt. of Info:

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

### COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:



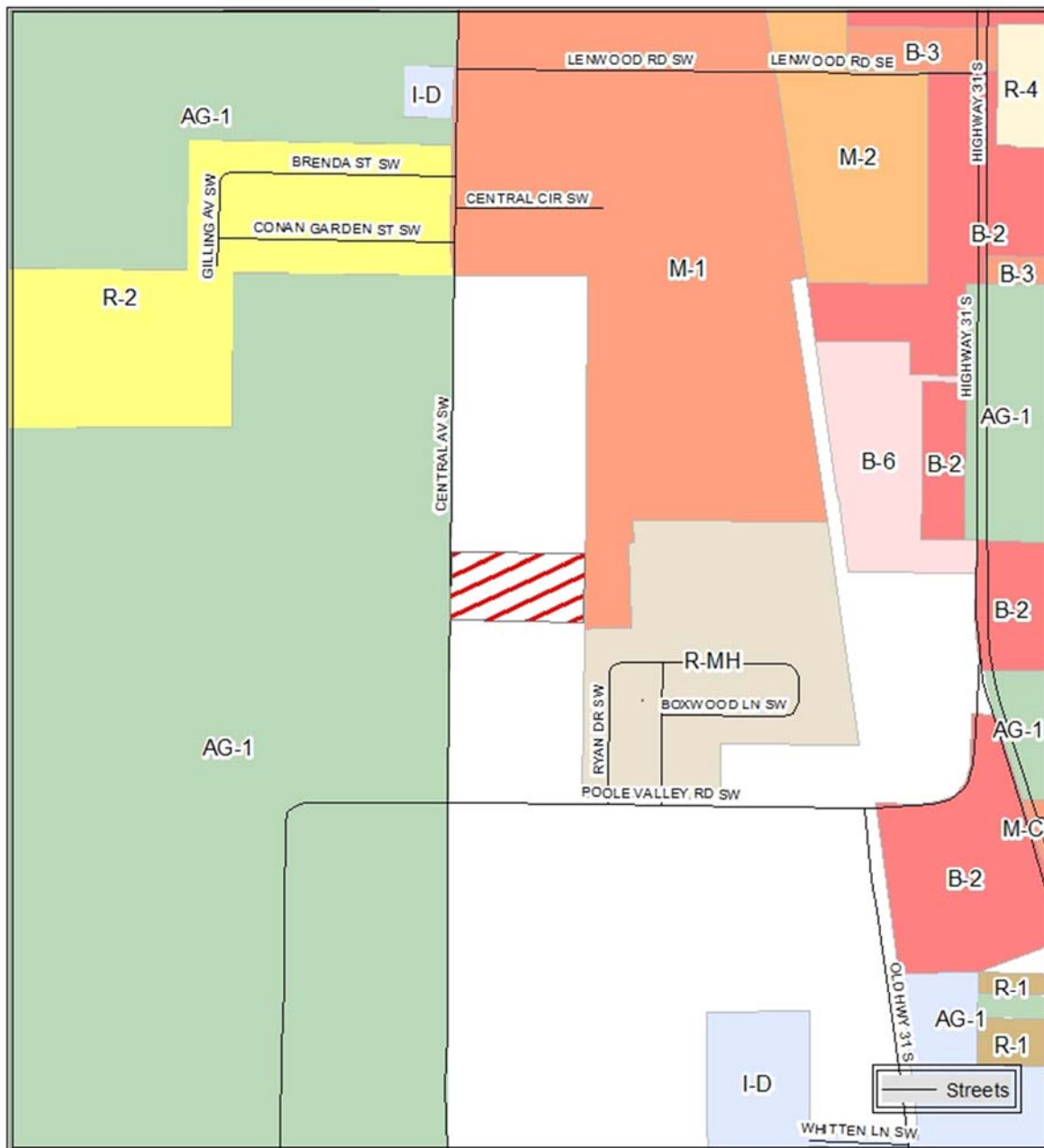
## Preliminary Plat for Wilshire Development Valley Park at 3918 Central Ave. SW



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.



# **Preliminary Plat for Wilshire Development Valley Park at 3918 Central Ave. SW**

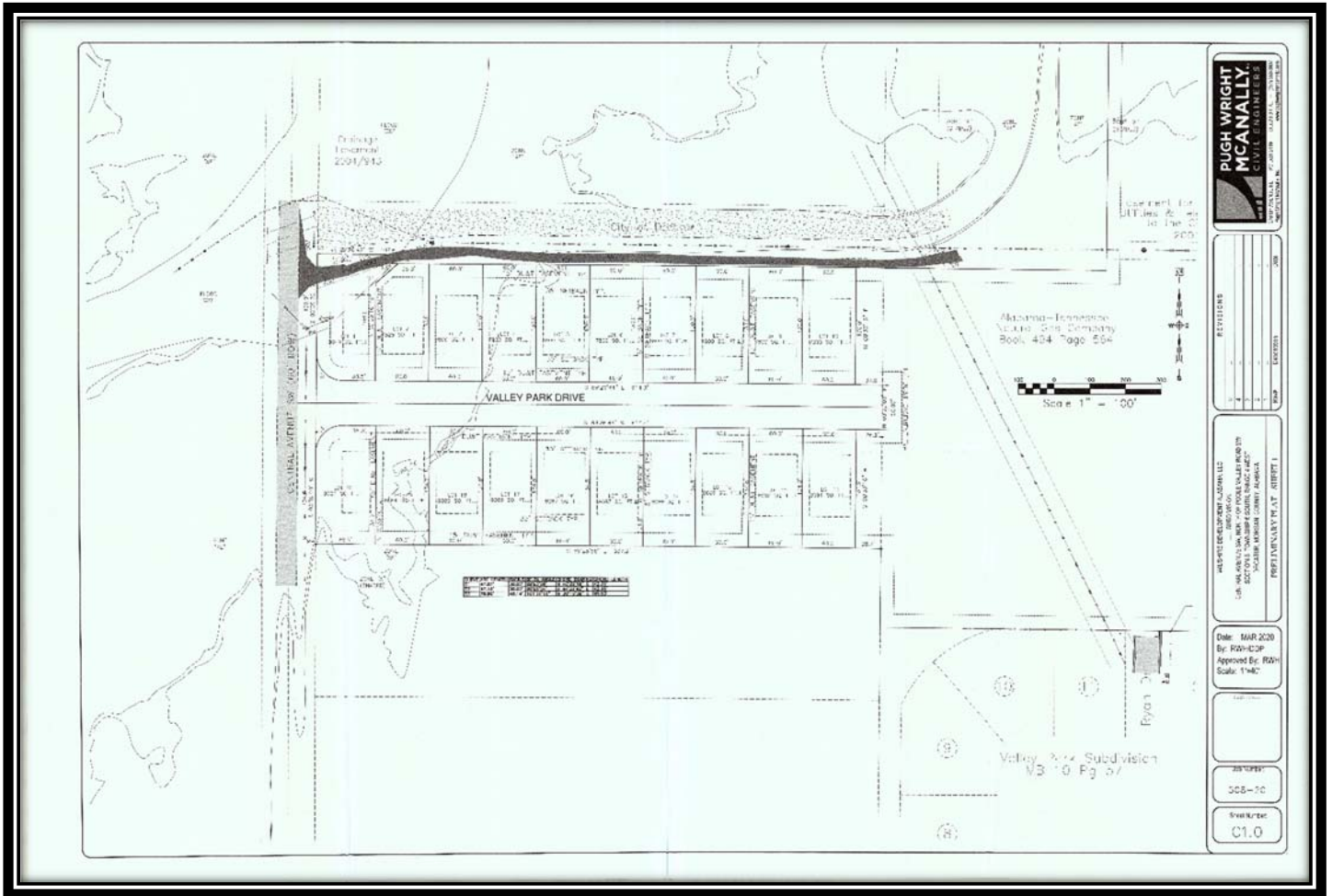


City of Decatur Department of Development  
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**END PUBLIC HEARING**

## CONSENT AGENDA

**FILE NAME OR NUMBER:** CERTIFICATE 3485-20

**ACRES:** Two tracts; 3.47 and 3.49 acres

**CURRENT ZONE:** AG - 1 Agricultural

**APPLICANT:** Pugh Wright McAnally for Thompson / Warren

**LOCATION AND OR PROPERTY ADDRESS:** 4020 Indian Hills Rd SE / 4108 Bennich Rd SE

**REQUEST:** To consolidate 4 lots into two tracts; Tract 1 - 3.47 acres and Tract 2 - 3.49 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Continue AG - 1

**ONE DECATUR FUTURE LAND USE:** Mixed Neighborhood

**ONE DECATUR STREET TYPOLOGY:** Indian Hills Rd and Bennich Rd are neighborhood collectors

### COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

#### Conditions to be met

1. Signed letter requesting subdivision
2. Fees for recording

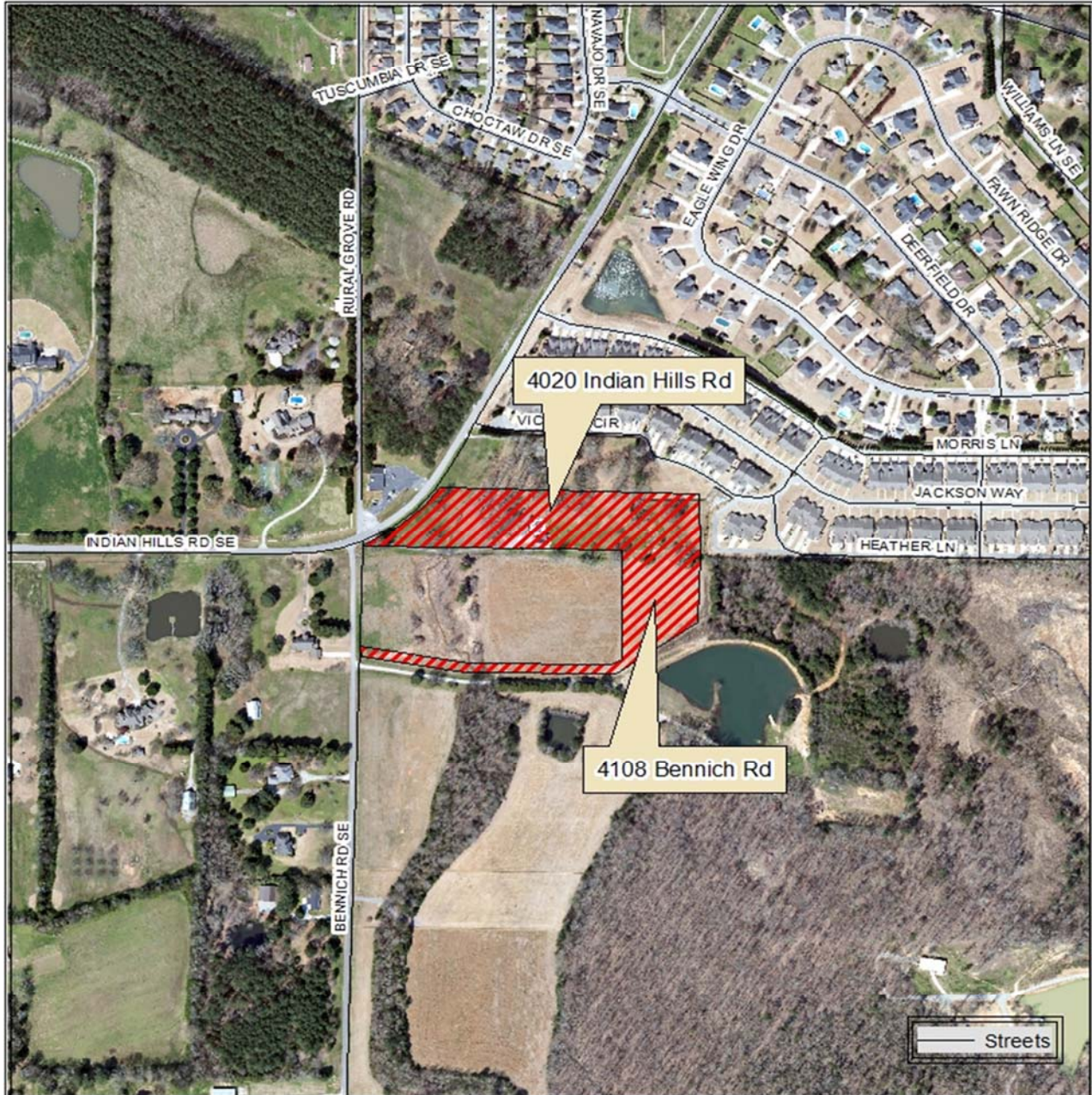
#### Pt. of Info:

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

### COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:



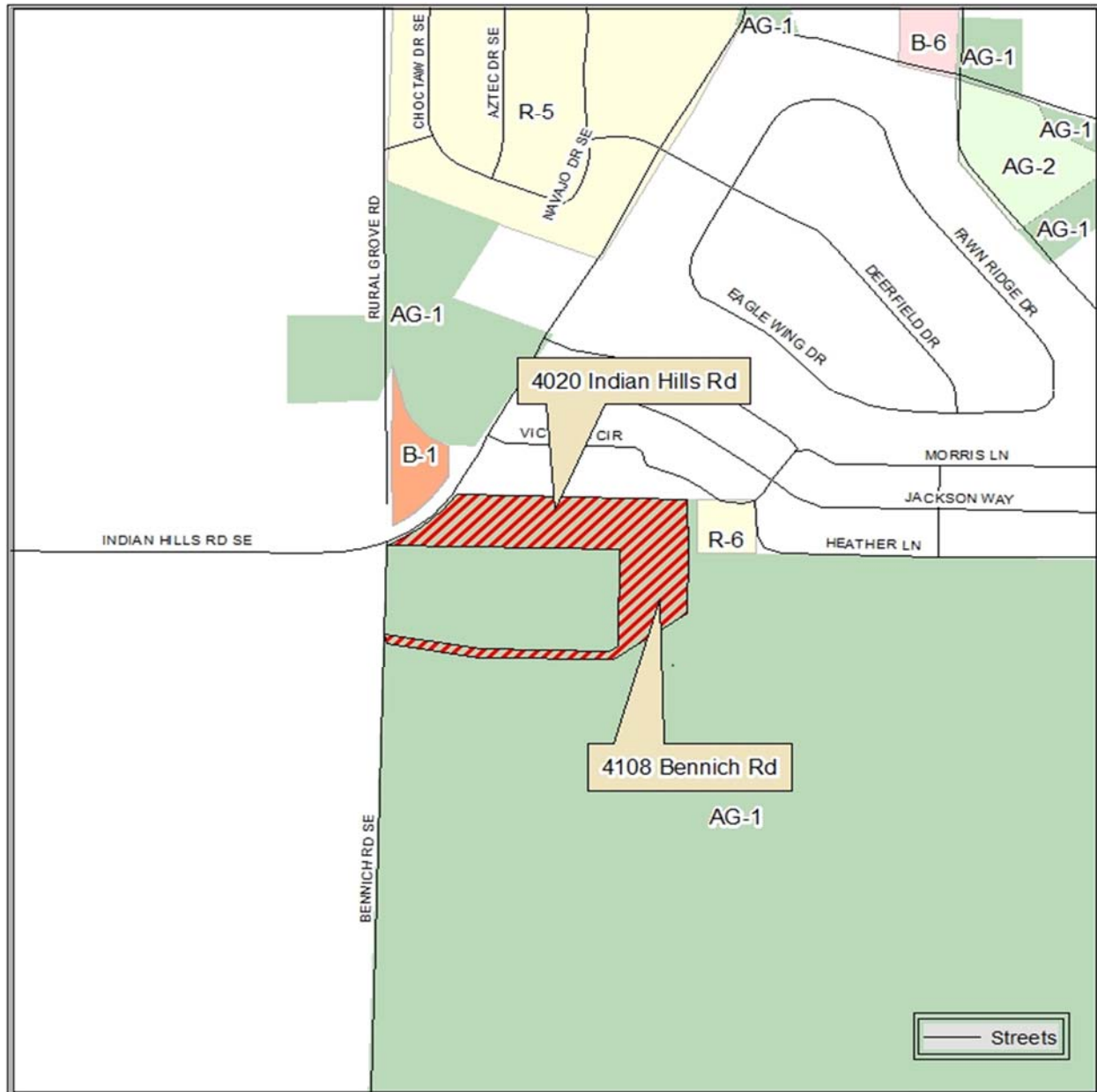
**Certificate 3485-20**  
**4020 Indian Hills Rd SE / 4108 Bennich Rd SE**



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**Certificate 3485-20**  
**4020 Indian Hills Rd SE / 4108 Bennich Rd SE**



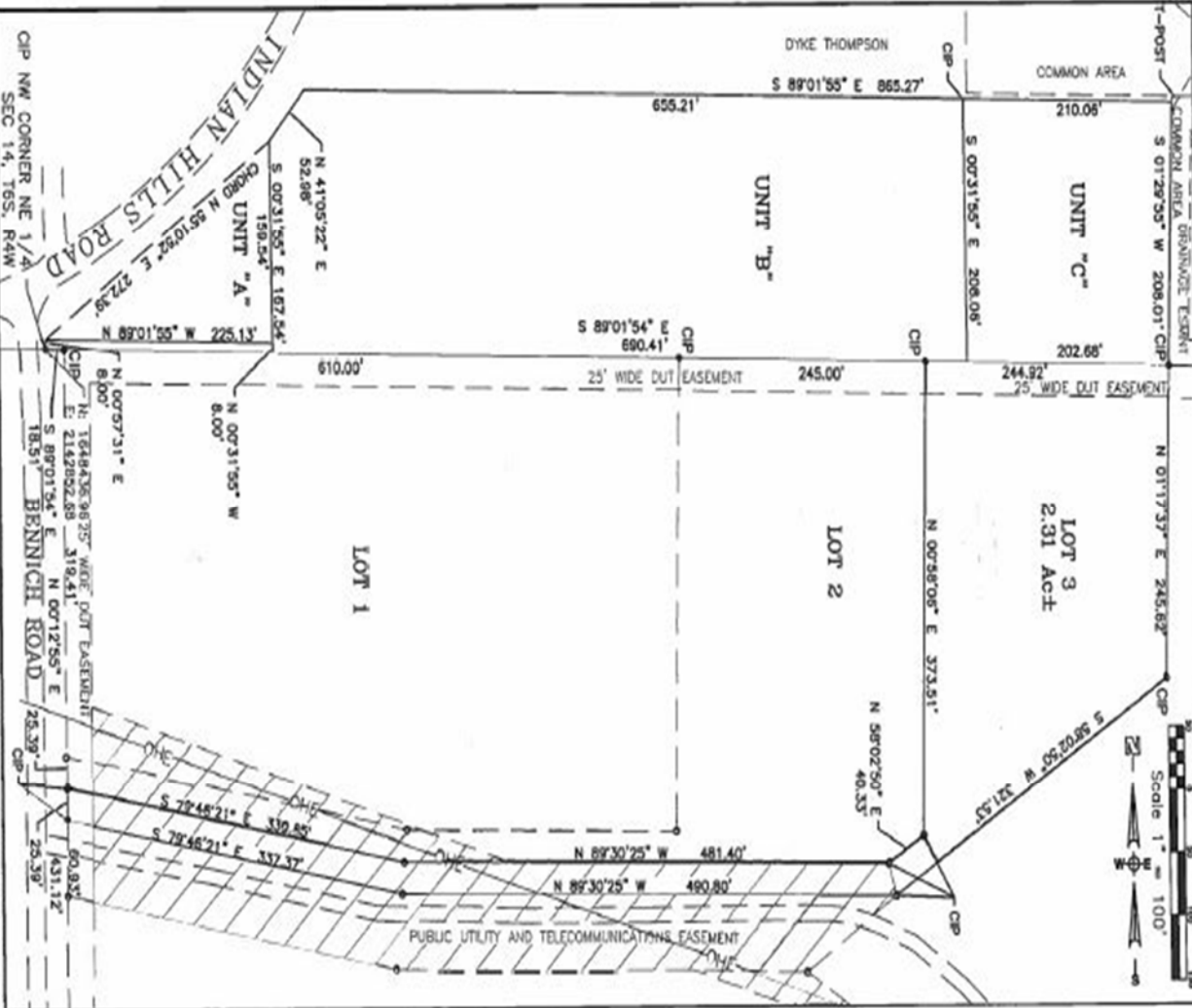
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**PUGH WRIGHT  
MCANALLY**  
CIVIL ENGINEERS

310 8TH AVENUE NE DECATUR, ALABAMA 35601 POST OFFICE BOX 2479 35602  
256.351.1837 256.350.2281



CIP NW CORNER NE 1/4  
SEC 14, T6S, R4W  
CERTIFICATE TO SUBDIVIDE AND CONSOLIDATE -- THOMPSON -- INDIAN HILLS ROAD / BENNICH RD  
DRAWING DATE: 04-28-2020 DRAWN BY: RWH APPROVED BY: RWH JOB NO. D-74-20 SCALE: 1"=100' PAGE 4 OF 4  
PUGHWRIGHTMCANALLY.COM







**FILE NAME OR NUMBER:** Certificate 3486-20

**ACRES:** Subdivide a 1.32 acre lot from a 31.00 acre lot

**CURRENT ZONE:** M1-A (Expressway Commercial District)

**APPLICANT:** Pugh Wright & McAnally for Land Services LLC

**LOCATION AND OR PROPERTY ADDRESS:** 2919 Fairgrounds Rd SW

**REQUEST:** To create a 1.32 parcel from the original 31.00 acre parcel

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Warehouse / Office

**ONE DECATUR FUTURE LAND USE:** Major Institution / Civic

**ONE DECATUR STREET TYPOLOGY:** Fairgrounds Rd and Sims Rd are local streets

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
--

1. Need copy of deed
2. Fees for recording

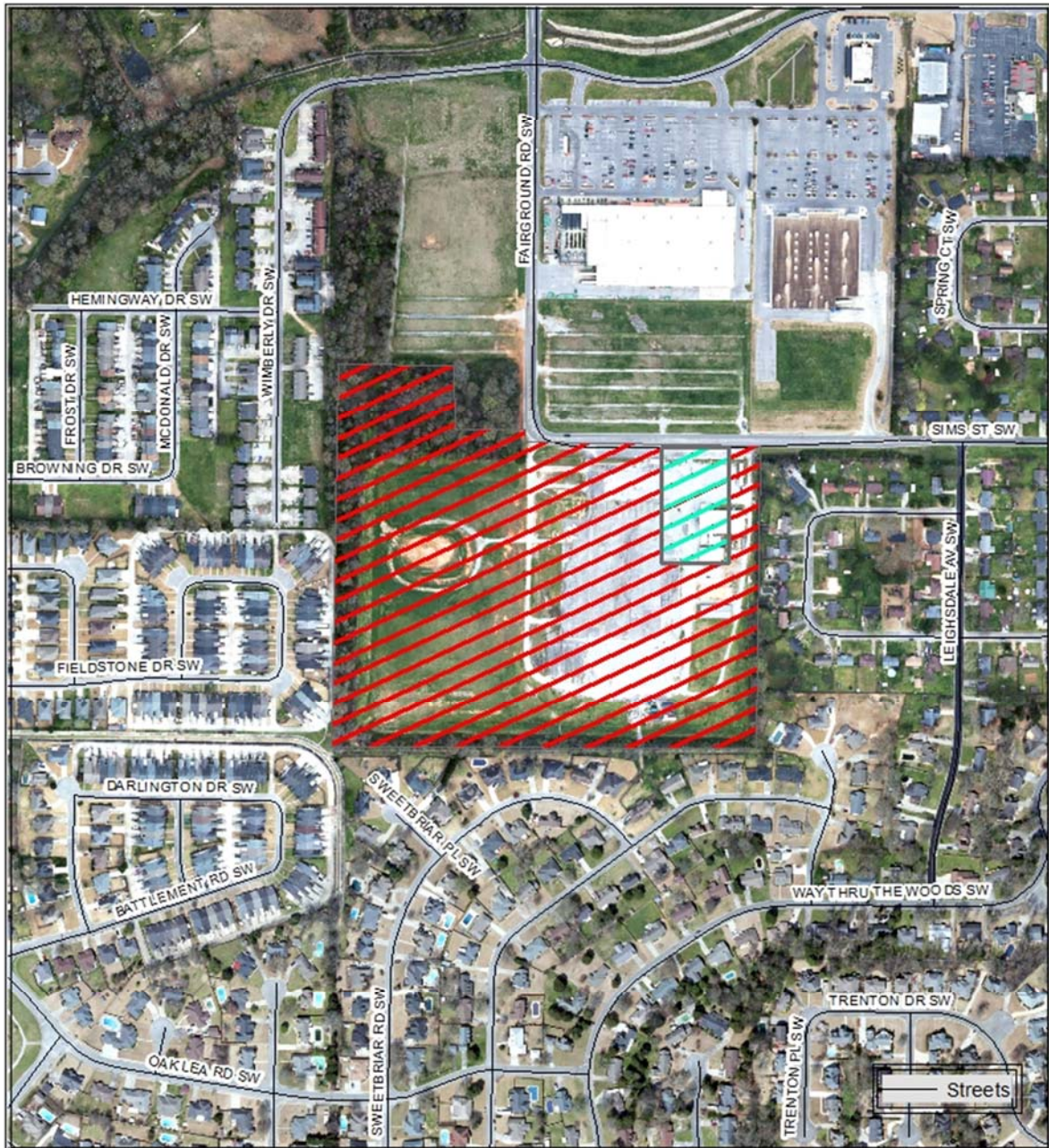
**Pt. of Info:**

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

<b>COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:</b>
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**Certificate 3486-20**  
**2919 Fairgrounds Rd SW**

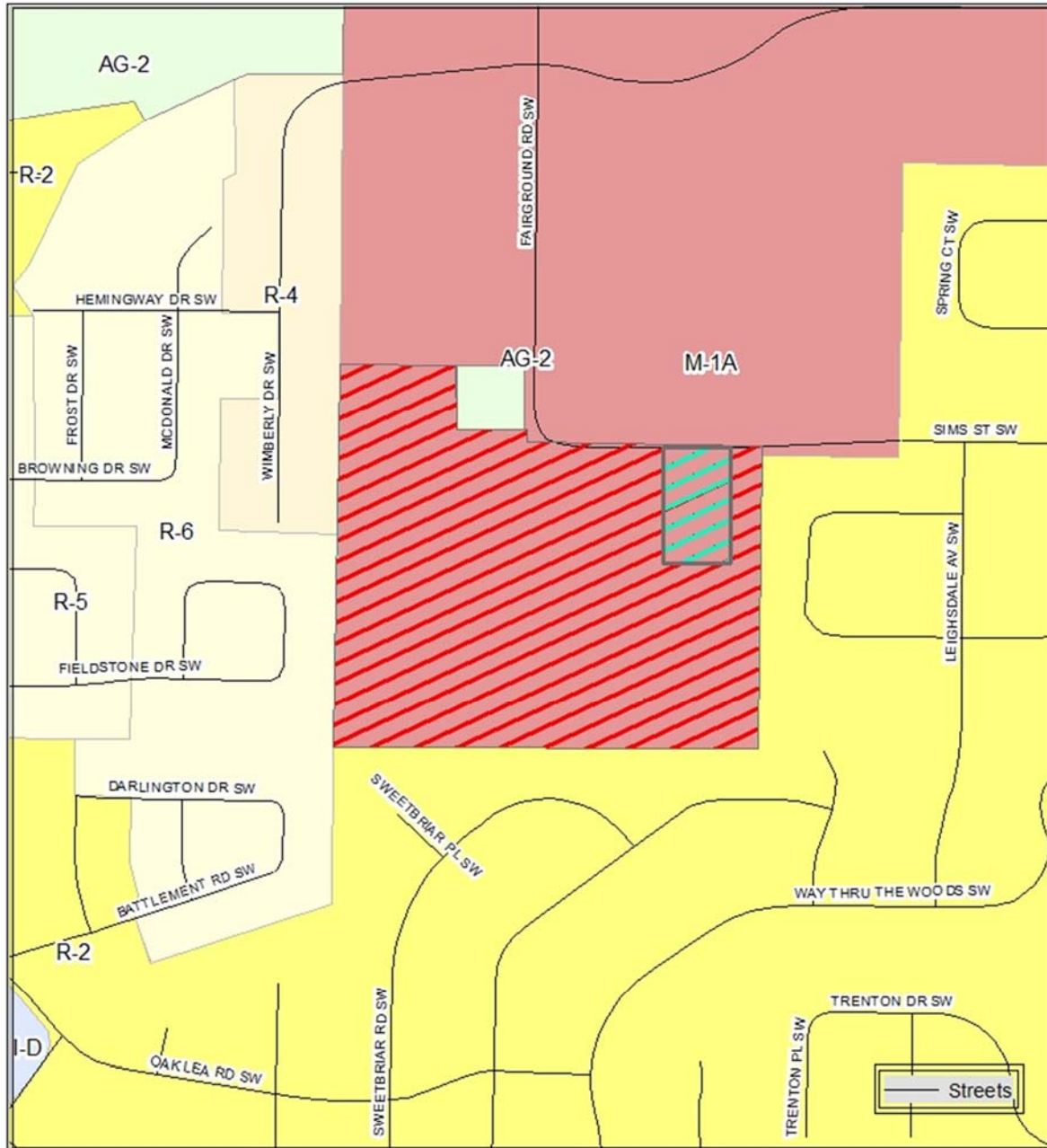


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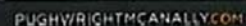
**Certificate 3486-20**  
**2919 Fairgrounds Rd SW**

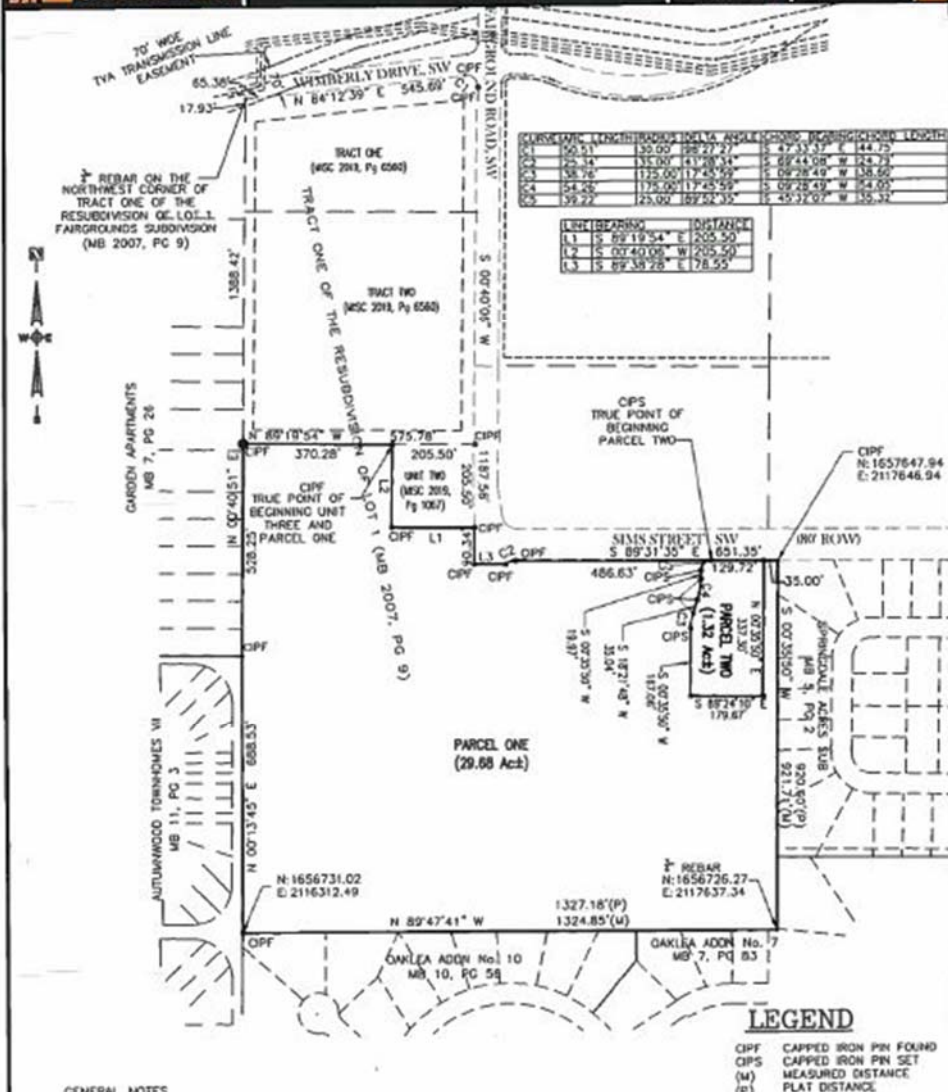


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**FILE NAME OR NUMBER:** Commercial Site Plan 598-20

**ACRES:** .32 acre

**CURRENT ZONE:** B-1 (Business District)

**APPLICANT:** Pugh Wright McAnally for Bobby Reeves

**LOCATION AND OR PROPERTY ADDRESS:** 815 / 817 6<sup>th</sup> Ave SE

**REQUEST:** To approve layout for Commercial Site Plan

**NEW ZONE:** N / A

**PROPOSED LAND USE:** Office Space

**ONE DECATUR FUTURE LAND USE:** Urban Edge Mixed Use

**ONE DECATUR STREET TYPOLOGY:** 6<sup>th</sup> Ave is a major arterial

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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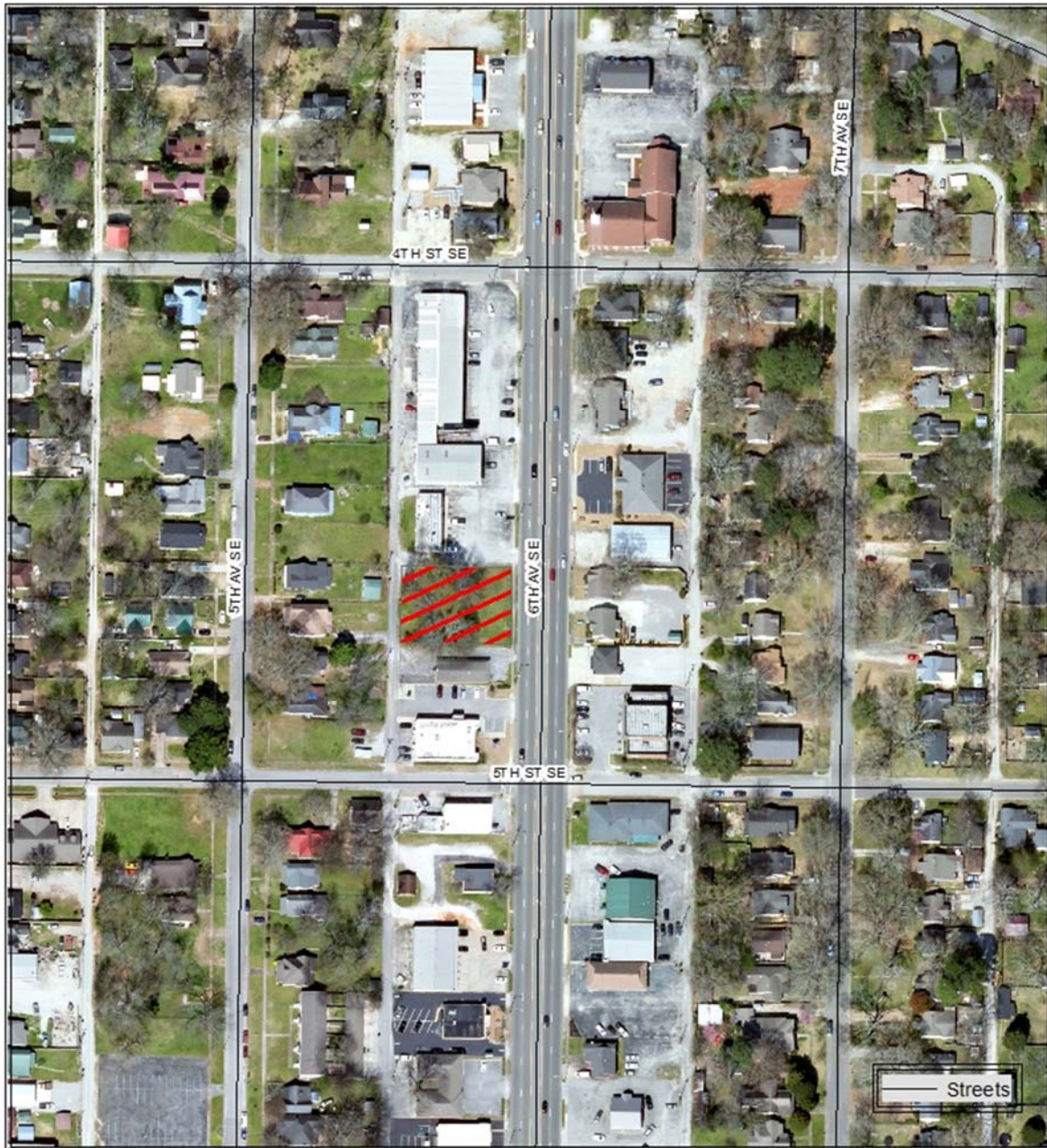
1. Need copy of deed
2. Approval from ALDOT – State Hwy. Approval Permit?

**Pt. of Info:**

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

<b>COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:</b>
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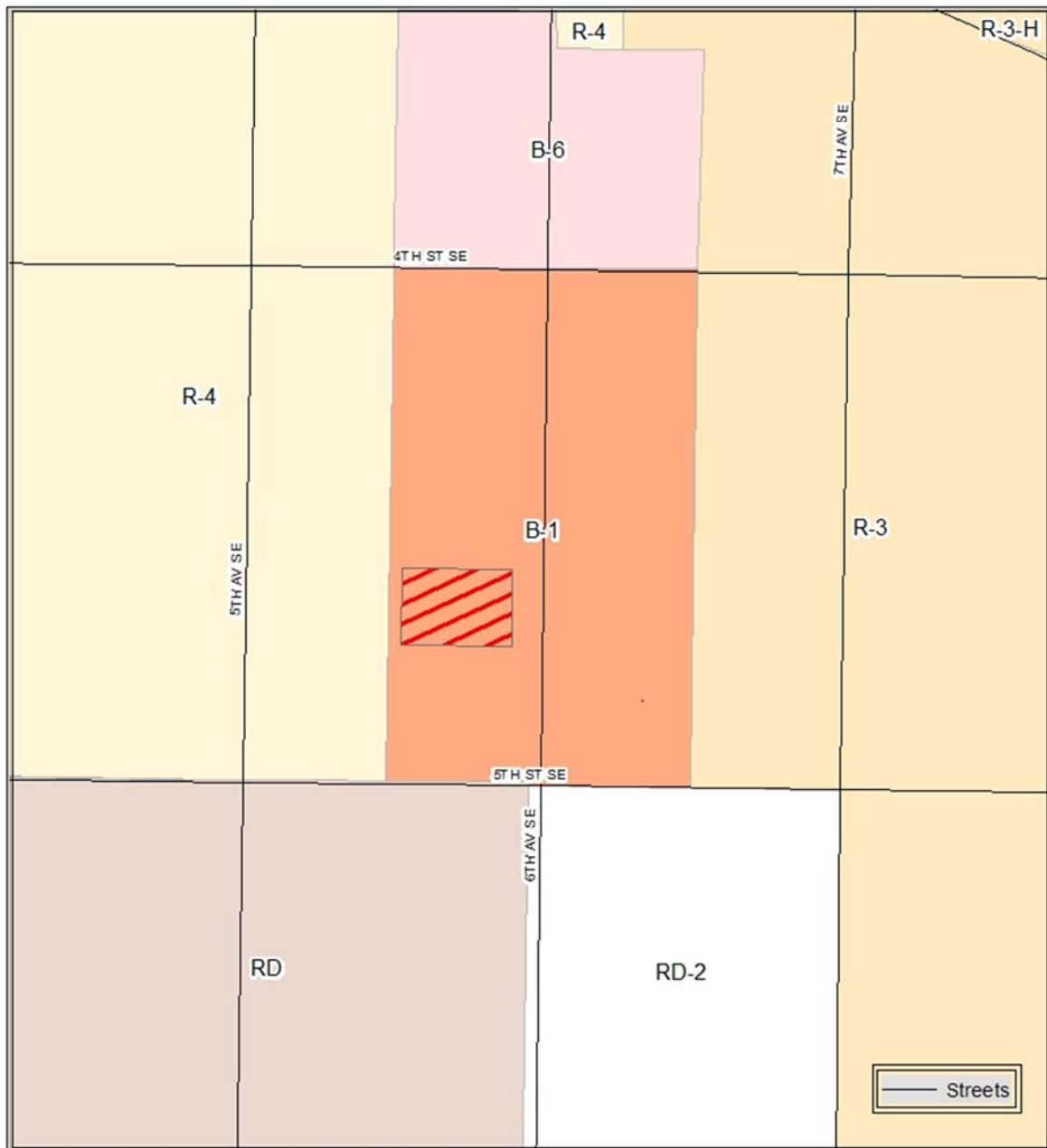
# Commercial Site Plan 598-20 817 6th Ave. SE



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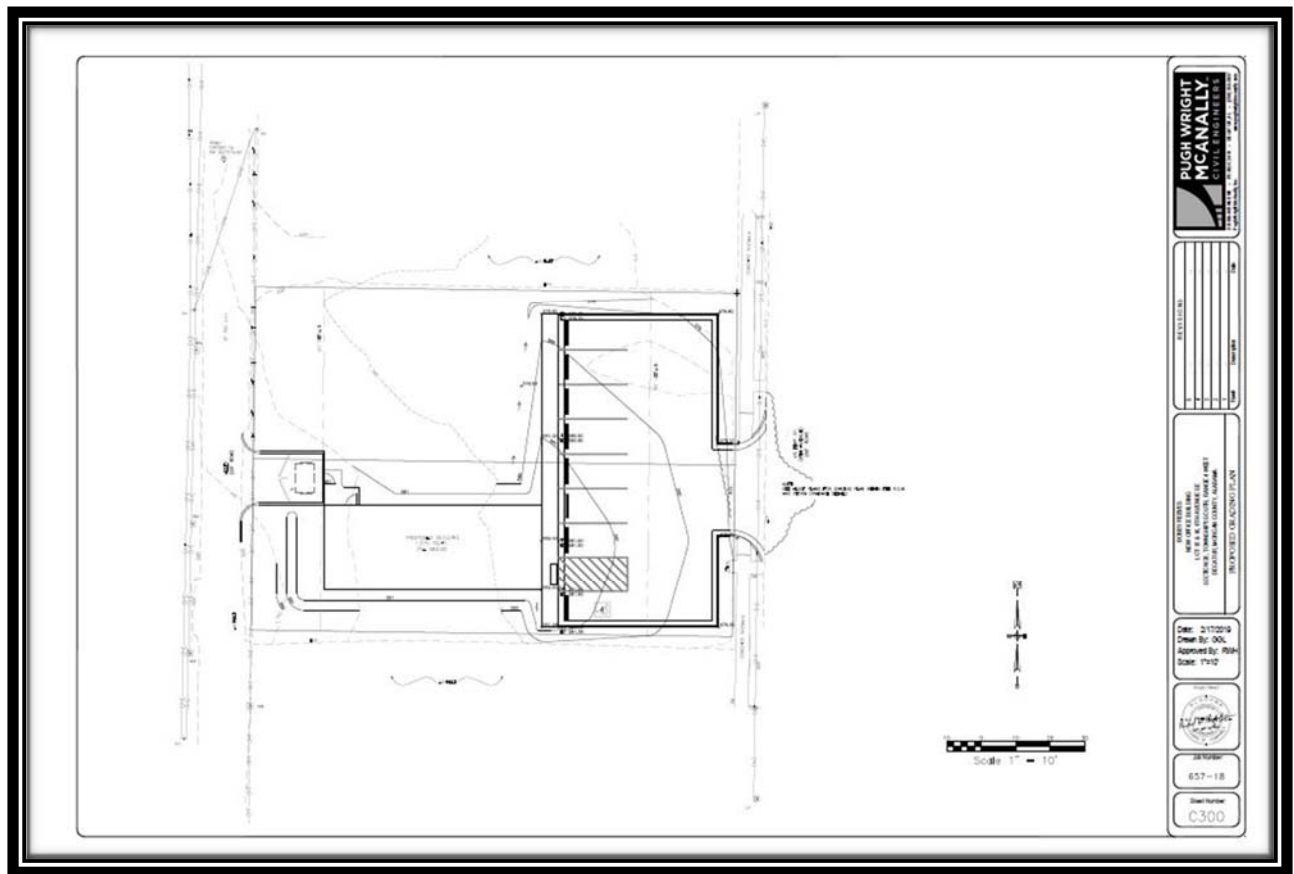
**Commercial Site Plan 598-20**  
**817 6th Ave. SE**



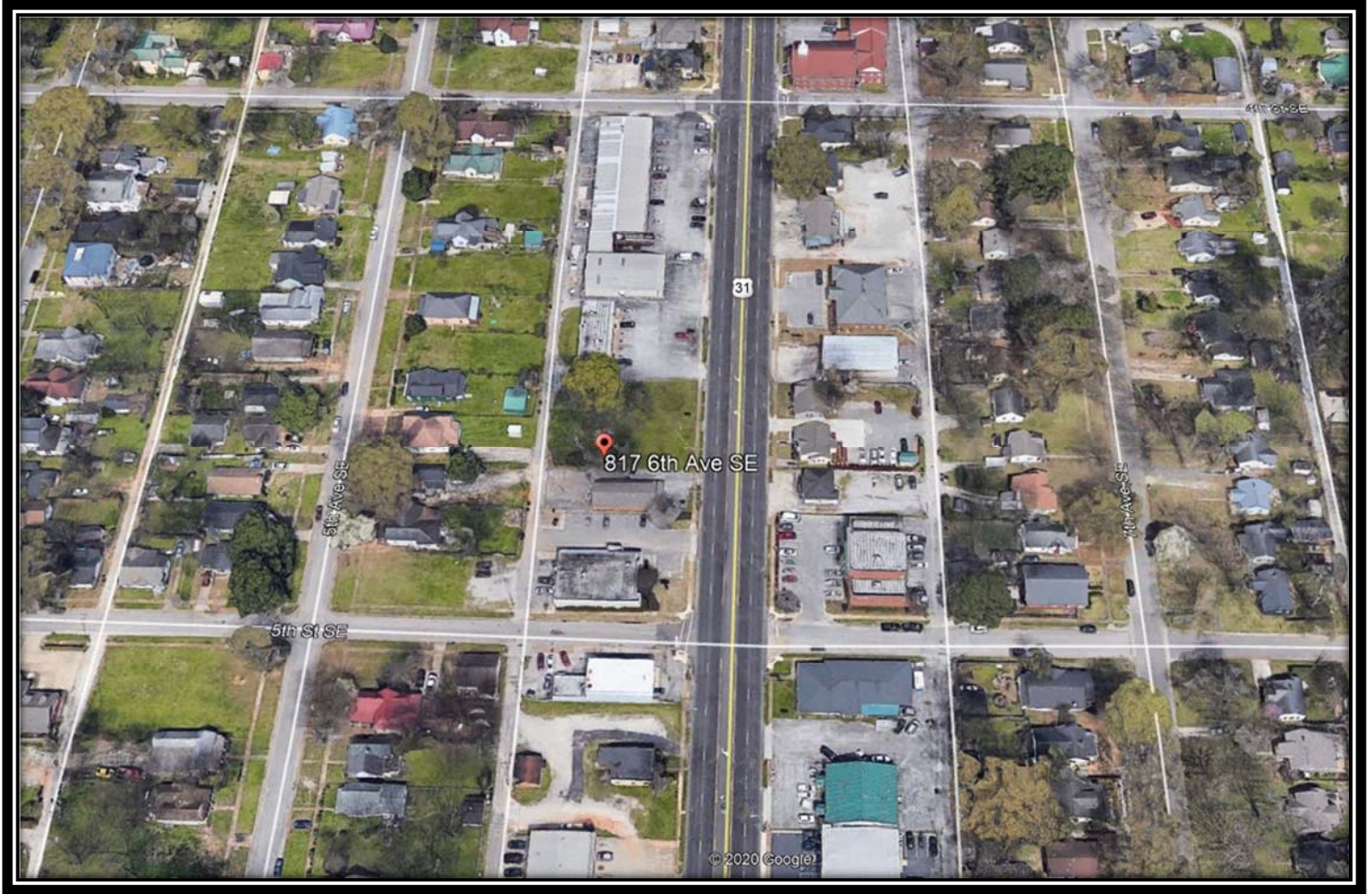
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**END CONSENT AGENDA**

## OTHER BUSINESS

**FILE NAME OR NUMBER:** Annexation 360-20

**ACRES:** 4.63

**CURRENT ZONE:** Outside of corporate limits

**APPLICANT:** Pugh Wright McAnally for Wilshire Development

**LOCATION AND OR PROPERTY ADDRESS:** East of Central Ave. SW and North of Poole Valley Rd SW

**REQUEST:** To annex 4.63 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Residential

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Central Ave. SW is a city connector

### COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. Copy of deed

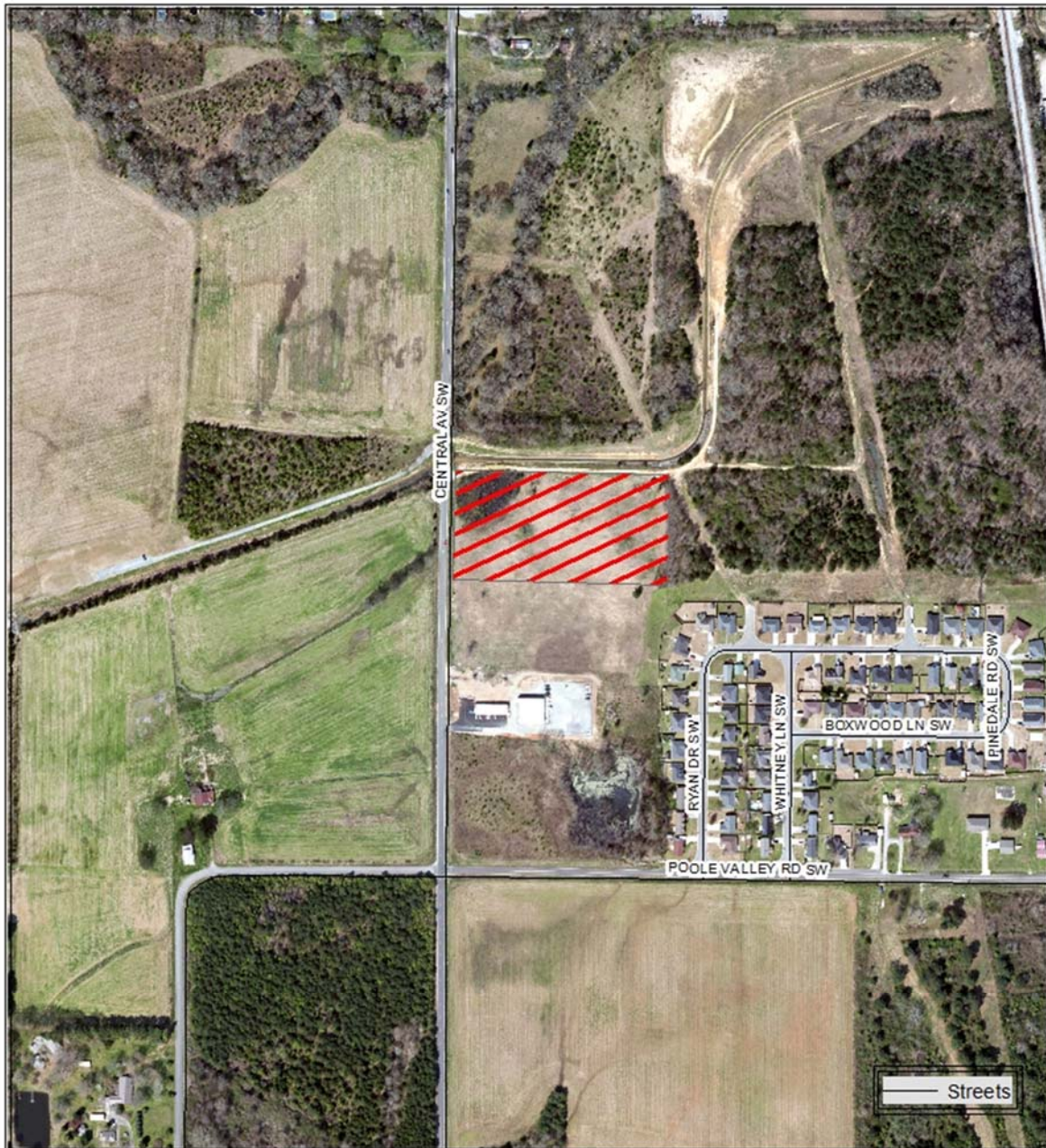
#### **Pt. of Info:**

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

### COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:



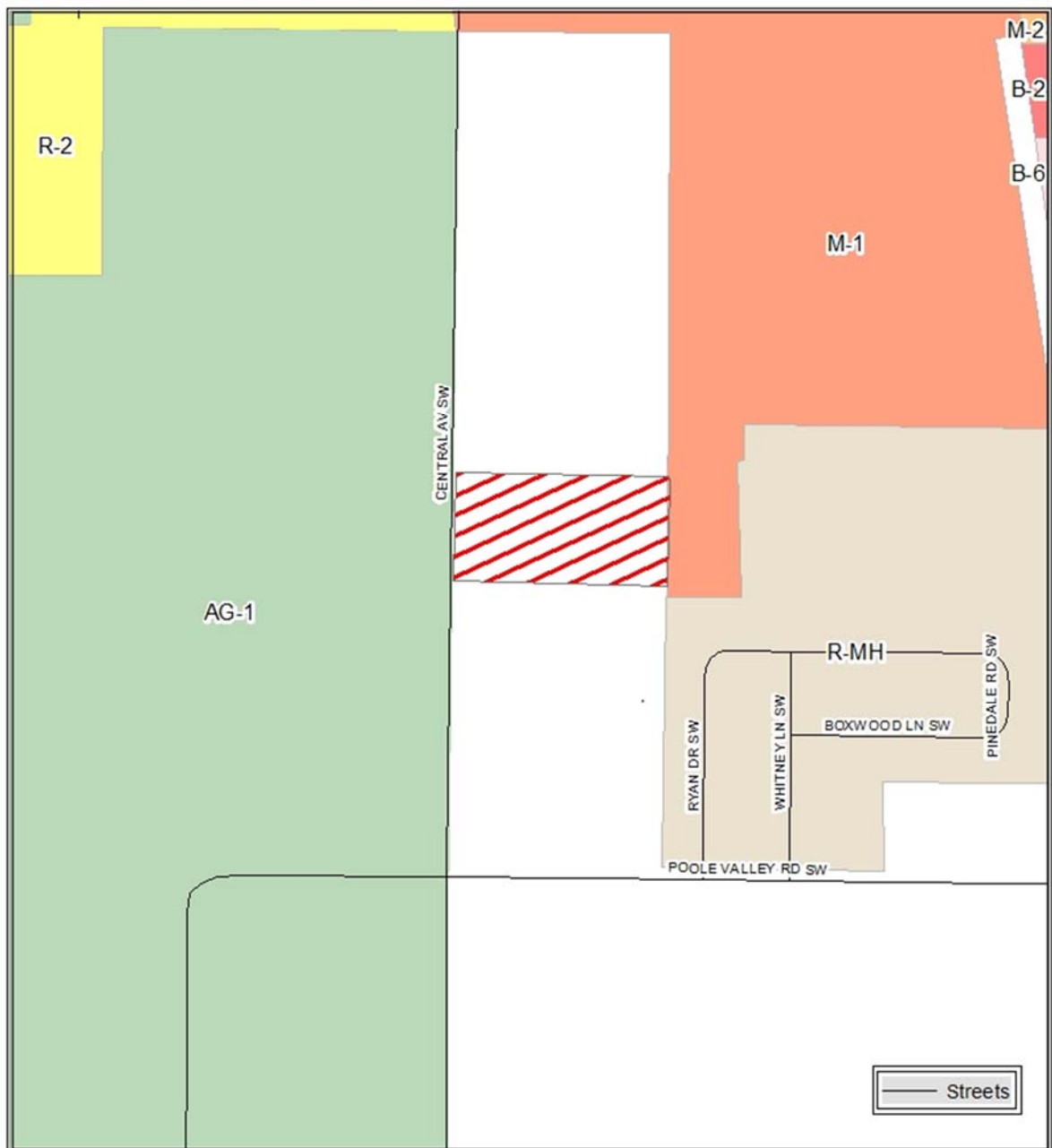
**Annexation 360-20  
3918 Central Ave SW**



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**Annexation 360-20  
3918 Central Ave SW**



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## **RED BANK FARMS SUBDIVISION, LOT 4 GROUND PENETRATING RADAR REPORT; COMMISSION APPROVAL FOR CONVEYANCE**

**APPLICANT / OWNER:** Jeff Parker

**PROPERTY ADDRESS:** Lyons Road

**BACKGROUND:** Red Bank Farms subdivision plat was recorded with a plat note\* indicating that Lot 4 of the subdivision contained unmarked gravesites and that it is not to be developed or sold unless inspected. The past property owner sectioned off the area believed to contain gravesites after an analysis driven by information collected from consultations with relevant professionals and local historians.

\*Plat note reads: "Lot 4 shall not be developed nor conveyed until the proposed building area (in the case of proposed development) and the area 100 feet north of and 100 feet east of the cemetery maintenance easement shown hereon is inspected for the existence of potential burial site; inspection shall include the use of ground penetrating radar or other equivalent method approved by the City of Decatur Planning Commission. The results of the inspection shall be provided to the City of Decatur Planning Commission for approval prior to development of conveyance."

**REQUEST:** Approval of conveyance of Lot 4 is required of the Planning Commission. Mr. Parker is satisfying his duty to inform the Planning Commission that the requisite Ground Penetrating Radar (GPR) report has been generated and the consultant "did not find any anomalies to be present that had the potential to be a gravesite outside of the family cemetery that is contained within a fenced in area on the property." (Southern Radar Imaging Report pg. 2)



## Southern Radar Imaging

Radar Services & Inclusion Locating

1207-D East Forrest Street, #216

Athens, AL 35613

Office (256) 412-3287

### Reason for Assistance

Representatives from our firm were present as requested by Richard Humphrey of Pugh Wright McAnally to evaluate Lot 4 at Red Bank Farms in Decatur, AL. The purpose of the evaluation was to assist in locating any underground anomalies that could be potential unmarked gravesites. To assist in locating underground anomalies our representatives employed a ground penetrating RADAR system manufactured by Geophysical survey systems.

### GPR Method

Ground Penetrating Radar is an accepted electromagnetic evaluation technique designed for non-destructively locating subsurface targets prior to digging, trenching, conducting site assessments or mapping.

GPR works by sending a tiny pulse of energy into a material and recording the strength and the time required for the return of any reflected signal. A series of pulses over a single area make up what is called a scan. Reflections are produced whenever the energy pulse enters into a material with different electrical conduction properties (dielectric permittivity) from the material it left. The strength, or amplitude, of the reflection is determined by the contrast in the dielectric constants of the two materials. This means that a pulse which moves from dry sand (diel of 5) to wet sand (diel of 30) will produce a very strong, brilliantly visible reflection, while one moving from dry sand (5) to limestone (7) will produce a very weak reflections. Materials with a high dielectric are very conductive.

While some of the GPR energy pulse is reflected back to the antenna, energy also keeps traveling through the material until it either dissipates (attenuates) or the GPR control unit has closed its time window. The rate of signal attenuation varies widely and is dependent on the dielectric properties of the material through which the pulse is passing.

### Data Collection

The control unit that was used for data collection was a SIR System – 3000 and the antenna used was a 400 MHz. The GPR evaluation was performed on May 13<sup>th</sup>, 2020. The system emitted an electromagnetic pulse into the underground surfaces evaluated and recorded the location as it scanned, once the velocity of the electromagnetic pulse was recorded to an object and back it was then combined with the distance recorded by the survey wheel. Both the velocity and distance data were sent to the main processing computer where the data was processed and a visual real time interpretation of the data was performed.

## **TECHNICAL REVIEW COMMITTEE (TRC)**

Planning Department Staff to facilitate discussion, solicit comments, and seek instruction for future Technical Review Committee procedures.

# Zoning Ordinance Rewrite

Decatur, Alabama

## MODULE 1

Article 25-1: General Provisions

Article 25-2: Administration

Article 25-5: Development Standards

Article 25-7: Enforcement

Section 25-8.3: Definitions

Appendix A: Submission Requirements  
for Specific Applications

Prepared by:

**CLARION** planning  
**NEXT**



**Public Review Draft – January 2020**



**Sec. 25-2.2.5. Technical Review Committee<sup>18</sup>**

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The Technical Review Committee is hereby established as a subcommittee of the Planning Commission, in accordance with the bylaws of the Planning Commission.

**(a) Powers and Duties**

The Technical Review Committee shall have the following powers and duties under this Ordinance:

- (1) To review and make a recommendation on the following:
  - (i) Minor Changes to a Planned Development District (Sec. 25-2.4.3(c)(8)(iii));
  - (ii) Major Site Plans (Sec. 25-2.4.5); and
  - (iii) Minor Site Plans (Sec. 25-2.4.5).

**(b) Membership**

The Technical Review Committee shall be composed of a member of the Planning Commission designated by the Planning Commission and representatives of City departments and other individuals representing departments and agencies with expertise or review responsibilities pertaining to the applications identified in subsection (a) above, including but not limited to representatives from the following departments and agencies:

- (1) The Decatur Planning Department, the Decatur Building Department, the Decatur Community Development Department, the Decatur City Street and Environmental Services Department, Geographic Information Services, and the Decatur Police Department (Traffic Division);
- (2) The City Engineer, the City Attorney, the City Parks and Recreation Director, and the Fire Marshall;
- (3) The County Engineer;
- (4) The Decatur City Schools;
- (5) The Alabama Department of Transportation and the Metropolitan Planning Agency;
- (6) The appropriate utility and service providers (e.g., water, sewer, gas, electricity, and telephone); and
- (7) The US Postal Service.

**(c) Meetings and Coordination**

The Director shall schedule all meetings of the Technical Review Committee, coordinate the committee's activities, preside over committee meetings, prepare committee recommendations, and serve as liaison to the departments, individuals, and agencies involved.

**Sec. 25-2.2.6. Zoning Committee<sup>19</sup>**

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The Zoning Committee is hereby established as a subcommittee of the Planning Commission, in accordance with the bylaws of the Planning Commission.

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<sup>18</sup> This section codifies the composition and powers and duties of the Technical Review Committee.

<sup>19</sup> The section codifies the powers and duties and composition of the Zoning Committee.