

# **MEMORANDUM**

**DATE:** March 23, 2021

**TO:** Planning Commissioners

CC: Mayor Tab Bowling; Herman Marks; Tony Powell;

Tom Polk; Carl Prewitt; Planning Staff

# PLANNING COMMISSION MEETING

March 23, 2021

Pre-meeting – 2:45 p.m. (Council Chambers)

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

# Agenda **Planning Commission**

City of Decatur, AL March 23, 2021

Time: 3:30 PM City Council Chambers

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

# 1. CALL MEETING TO ORDER

# 2. APPROVAL OF MINUTES- February 16, 2021

#### 3. PUBLIC HEARING

PAGE/MAP **ZONINGS** A. 1371-21 1-6 (3105 Upper River Rd SE)

#### **PLAT REVIEWS**

A. Lee Taylor Subdivision Minor Plat

7-11 see plat

(South of Gordon Terry Pkwy, East of Cockrell Ave, North of Miller St SW, West of Pine Ave SW)

# 4. CONSENT AGENDA

# **MAJOR PLAT**

A. McGhee Square Townhomes – Layout Plat Review 12-17 (8-17 Walnut St NE, South of Vine St NE) see plat

#### **CERTIFICATES**

A. 3526-21	Certificate (1700 Woodall Rd SW)	18-21
B. 3527-21	Certificate (1939 and 1923 Red Sunset Drive SW)	22-25

C. 3528-21	Certificate (1852 Beltline Rd SW)	26-30
D. 3529-21	Certificate (3112, 3114, 3116, and 3124 Hwy 31 S)	31-35
E. 3530-21	Certificate (4214 and 4216 Ruby Pointe Dr SE)	36-40
SITE PLAN		
A. 611-21	(1852 Beltline Rd SW)	41-44 see plat
B. 612-21	(917 3 <sup>rd</sup> Ave SE)	45-48 see plat
C. 588-19 Re-ap	oproval (23366 Bibb Garrett Rd)	49-52 see plat

# 5. OTHER BUSINESS

# **VACATION REQUESTS**

A. 528-21	(2331 Hwy 20)	53-56
B. 529-21	(4214 and 4216 Ruby Pointe Dr SE)	57-61

FILE NAME OR NUMBER: Rezoning 1371-21

**ACRES**: ~28

**CURRENT ZONE**: AG-1

**APPLICANT**: Pugh Wright McAnally for Adam Davidson

LOCATION AND OR PROPERTY ADDRESS: 3105 Upper River Rd, 3411 Deere Rd.

REQUEST: Change approx. 28 acres from AG-1 agricultural zoning to R-6 single family semi-

attached residential zoning.

**NEW ZONE**: R6

PROPOSED LAND USE: Single Family Semi-attached residential

ONE DECATUR FUTURE LAND USE: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Deere Rd is a local street, Upper River Rd is a minor

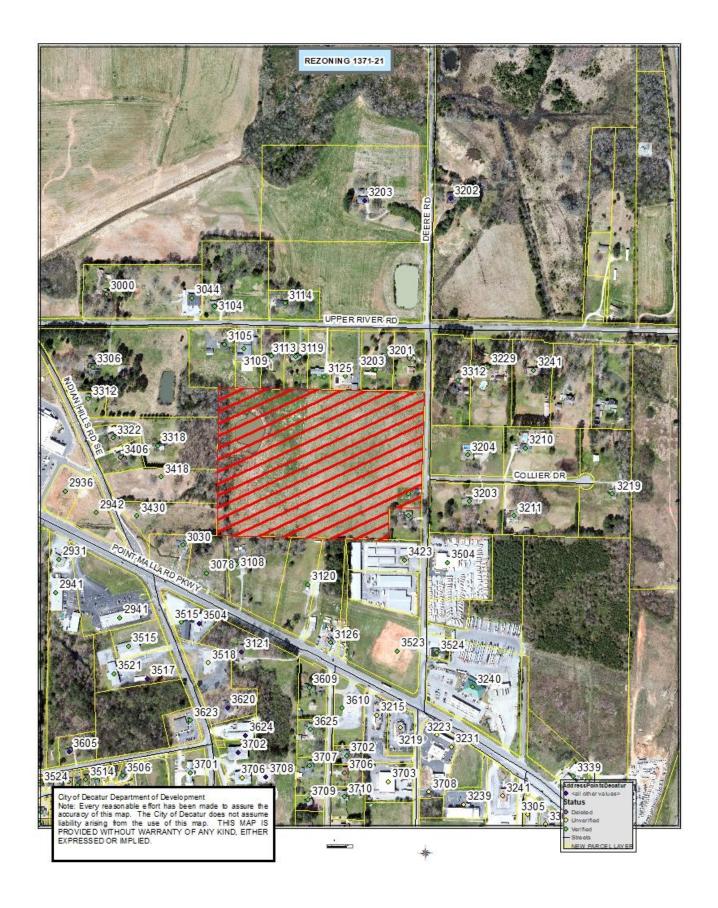
arterial

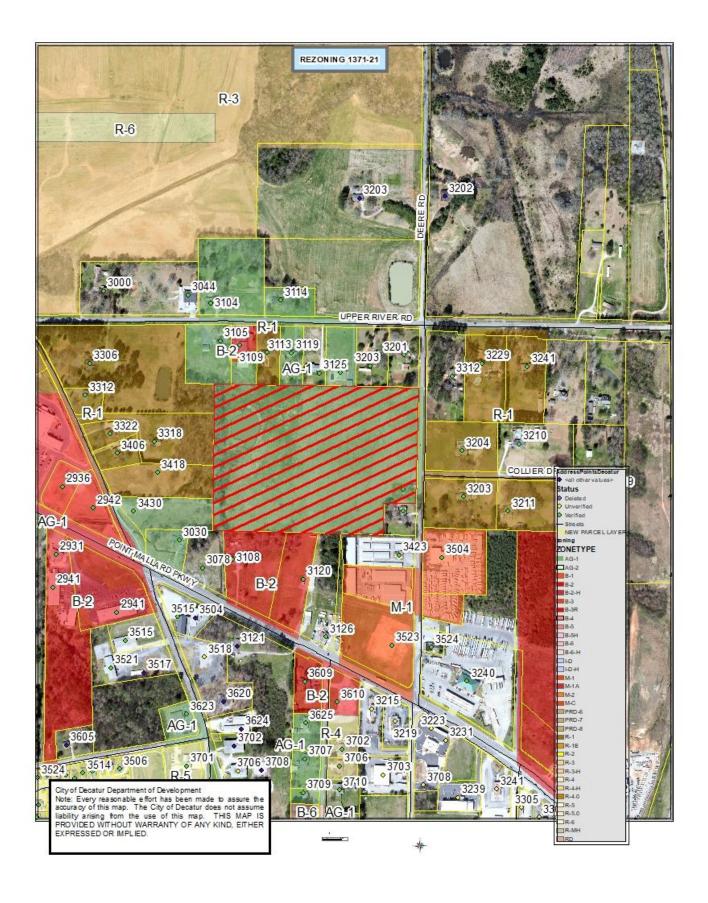
# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

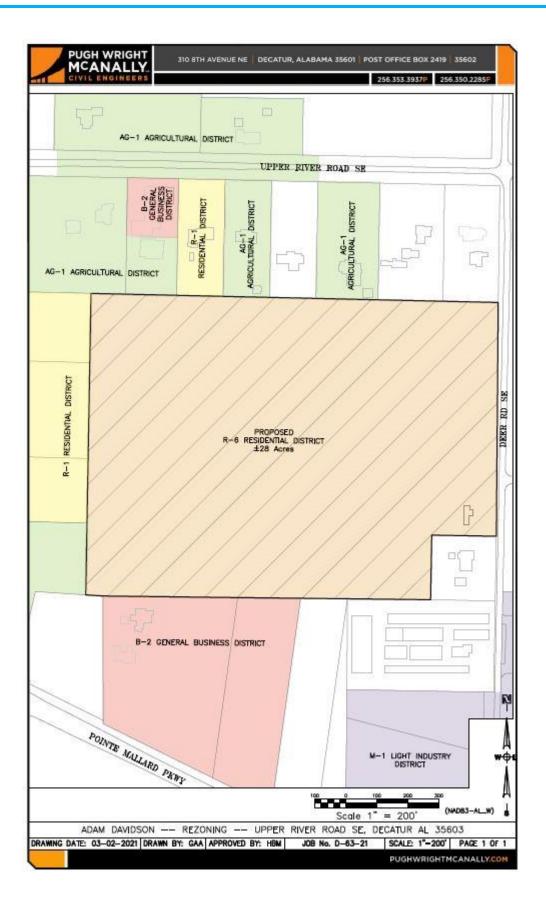
Conditions to be met

Pt. of Info:

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







# COMPARE AG1 TO R6

SECTION	AG1	R6
USES PERMITTED	Uses permitted: General farming including horticulture; dairying; apiaries; livestock and poultry raising; fish hatcheries; and other similar enterprises or uses.  Aircraft landing fields; hangars and equipment; cemeteries; golf courses, swimming pools; country clubs; recreation buildings of a public or quasi-public character, sanatoriums, convalescent and nursing homes for human care; charitable institutions; animal hospitals and kennels; private clubs, lodges, summer camps, lodging and boarding houses.  Accessory buildings and uses customarily incidental to the above uses.  Any use permitted or permitted on appeal in and R-1 residential district and subject to all district requirements of an R-1 district as specified in section 25-10.  Outdoor advertising structures, provided however, that such use shall be conditional as follows: Within sixty (60) days of the time that the zoning map is amended to cause advertising structures which have been erected in an AG-1 agricultural district to fall within a residential district such structures shall be removed.	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 twent (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 or
USES	Hear narmitted on annual: Coarte aroune	Decatur. Residential District Requirements
PERMITTED ON APPEAL	Uses permitted on appeal: Sports arenas, recreational and amusement enterprises operated on a commercial basis; clubs the chief activity of which is customarily carried on as a business; clubs; on premises and off premises sale of alcoholic beverages by clubs when duly	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

# COMPARE AG1 TO R6

SECTION	AG1	R6
	Decatur and the Alabama Alcoholic Beverage Control Board under the pursuant to the Alcoholic Beverage Licensing Code; on-premises and off-premises sale of alcoholic beverages by organizations complying with the definition of a class II club located on and embracing within its sole possessory right, one tract or parcel of land not less than twenty (20) acres in size provided such tract or parcel of land is utilized by such organization on a regular basis for recreational or athletic purposes and further provided that such organization is duly licensed as a class II club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code; tourist courts, tourist homes; motor courts and trailer courts, when these uses, in the opinion of the board of zoning adjustment will not impair an existing or potential future residential neighborhood and permitted subject to such conditions as the said board may require to preserve and protect the character of the district and otherwise promote the purpose of this	right, one 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 of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code.
USES PROHIBITED	chapter.  Uses prohibited: On premises and off premises sale of alcoholic beverages, except as herein otherwise allowed; residential, commercial and industrial uses, not specifically permitted on	Uses Prohibited:  Uses prohibited. Any use not permitted, or permitted on appeal, is prohibited.
MINIMUM LOT SIZE	appeal.  Minimum lot size: Minimum required lot area 15,000 square feet, Minimum required lot width at building line – 100 feet	Specific requirements:     a. Minimum lot size: 2,000 square feet.     b. Minimum lot size at building line: 20 feet.
MINIMUM YARD SIZE	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.	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). f. Minimum rear yard setback: 20 feet.
MAXIMUM BUILDING AREA		Maximum building area: None specified
MAXIMUM HEIGHT	Maximum height: 35 feet or 2 % stories.	g. Maximum height in stories: 21/2. h. Maximum building height: 35 feet.
SECTION	AG1	R6
OFF STREET PARKING	Off-street parking; See § 25-16	Off-street parking spaces per unit: 2.
OFF STREET LOADING AND UNLOADING	Off-street loading and unloading: Shall provide adequate space for loading and unloading on rear and/or side yard.	Off-Street Loading: Shall provide space for loading and unloading on the property site.

FILE NAME OR NUMBER: Lee Taylor Subdivision Minor Plat

**ACRES**: 31.94

**CURRENT ZONE**: Planning Jurisdiction

**APPLICANT**: James E. Alexander Land Surveying

LOCATION AND OR PROPERTY ADDRESS: South of Gordon Terry Pkwy, East of Cockrell

Ave, North of Miller St SW, West of Pine Ave SW

**REQUEST**: Minor plat approval to create three lots out of what was previously platted out as

the People's street and railway co. addition to Decatur, which was never developed.

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Community Commercial, Residential Low Density

**ONE DECATUR STREET TYPOLOGY**: Gordon Terry Pkwy is a principal Arterial, Miller St SW,

Pine Ave SW, and Cockrell Ave are local streets.

### COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

This area was platted out in a series of streets, lots, and blocks in 1892 as the Peoples' Street and Railway Co. Addition to Decatur, however this area was never developed as such. The applicant has been pursuing vacations from the county for many years with the goal of being able to consolidate this area into a few large, developable tracts.

#### Conditions to be met

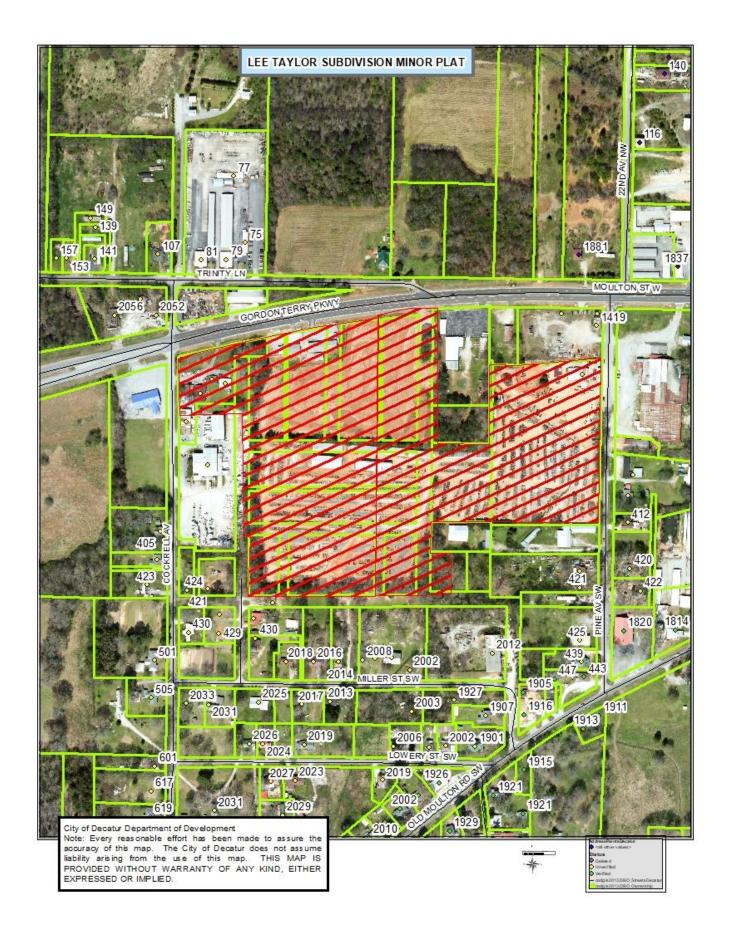
- 1. Need property description. Also, only one owner block shown, but there appear to be multiple owners.
- 2. Dates need to be 2021 not 2020.
- 3. Put a metes and bounds boundary around the area.
- 4. 40 ft easement, 20 on either side of center line on lot 3 (power line that comes from the NE corner of Gordon Terry Parkway and Cockrell Ave.)

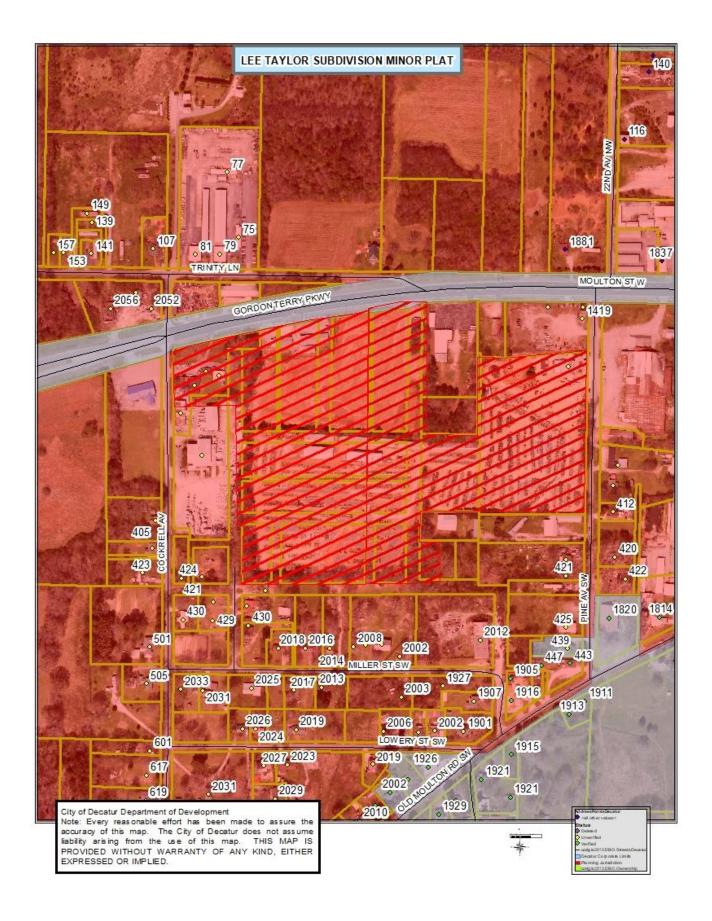
# Pt. of Info:

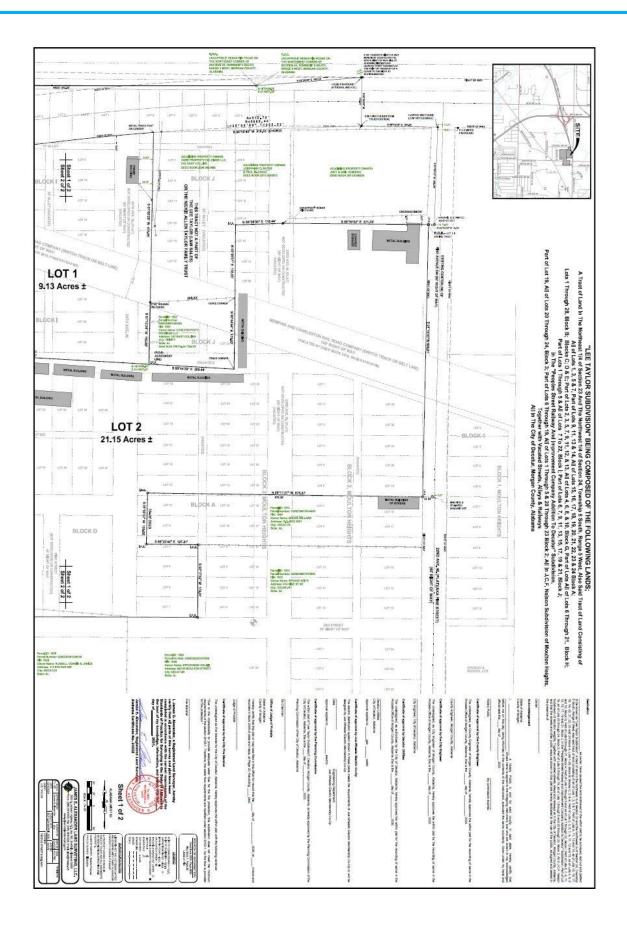
Any relocation of utilities will be at the owner's expense

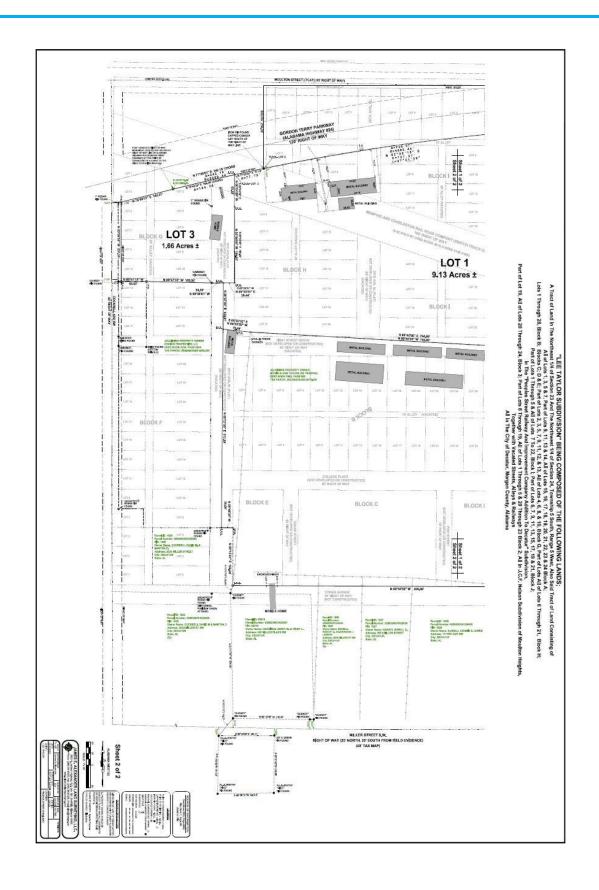
Make the buildings on plat more transparent.

Owner dedication and surveyor dedication block don't match what we normally see.









FILE NAME OR NUMBER: McGhee Square Townhomes – Layout Plat Review

**ACRES**: .61

**CURRENT ZONE**: B5

APPLICANT: Pugh Wright McAnally for Armistead Arnold Pollard Real Estate

LOCATION AND OR PROPERTY ADDRESS: 8-17 Walnut St NE, South of Vine St NE

**REQUEST**: Preliminary Plat Approval

**NEW ZONE**: B5

PROPOSED LAND USE: Residential Townhomes

ONE DECATUR FUTURE LAND USE: Urban Core Downtown/Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Walnut and Vine St NE are local streets

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

# Conditions to be met

- 1. Meet all conditions of Layout phase
- 2. Provide preliminary plat application fees and adjacent property owner notification fees
- 3. Proposed dumpster enclosure is shown on Morgan County property as well as City of Decatur Alley Right of Way in the site plan. This needs to be addressed.

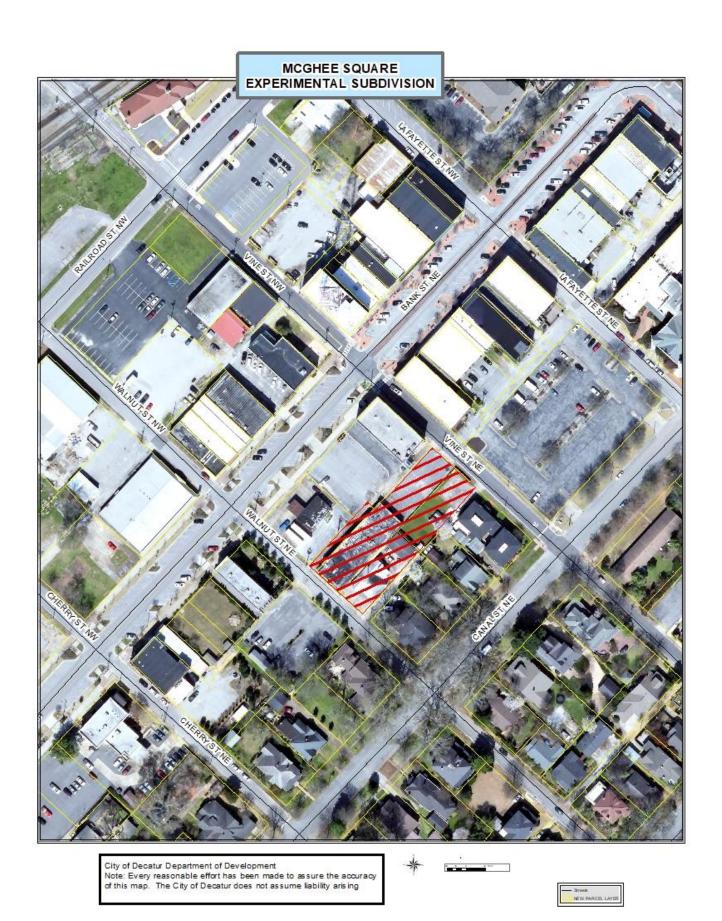
#### Pt. of Info:

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

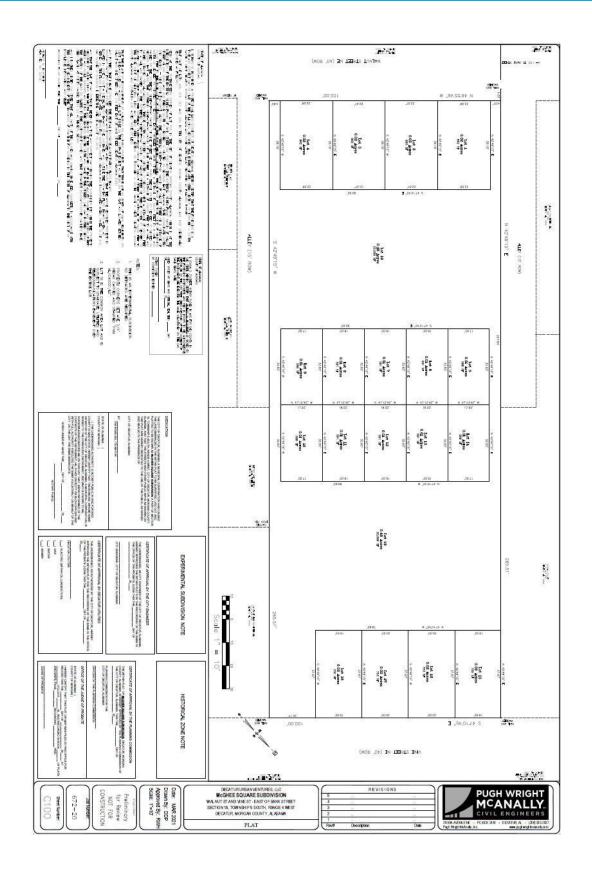
Be aware that a B5 zoning does not require parking. However, the parking lot dimensions are smaller than what is recommended.

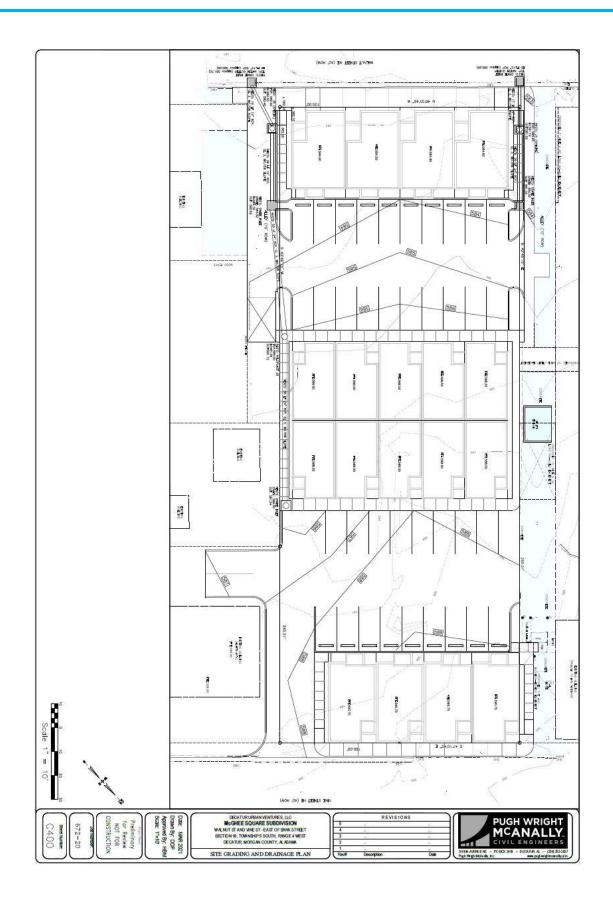
Small piece of the property that has been rezoned already. Owner took building plans to HPC. Architectural plans that have been approved. Any change would need to be revisited by the committee.

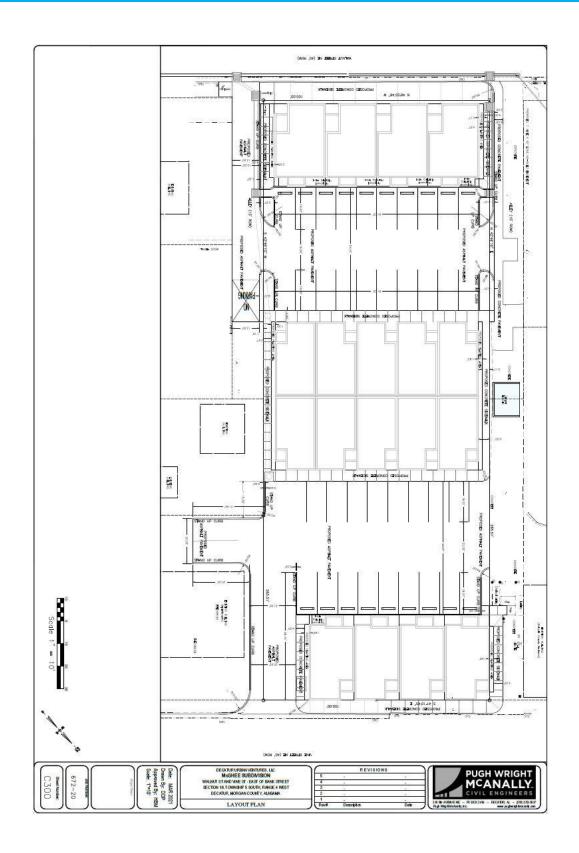
Need to relocate some power poles. Dumpster pad may need to be moved, because will be right on top of sewer main.











FILE NAME OR NUMBER: Certificate 3526-21

**ACRES**: 16.57

**CURRENT ZONE**: AG-1

**APPLICANT**: Blaine Morell for Marlon Waters

LOCATION AND OR PROPERTY ADDRESS: 1700 Woodall Rd SW

**REQUEST**: Subdivide one tract of 16.57 acres into three tracts of 14.21, 1.32, and 1.04 acres.

The smaller two will be consolidated with other properties in C. 3527-21.

PROPOSED LAND USE: Residential

**ONE DECATUR FUTURE LAND USE:** Residential Low Density

ONE DECATUR STREET TYPOLOGY: Woodall Rd SW is a minor arterial

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

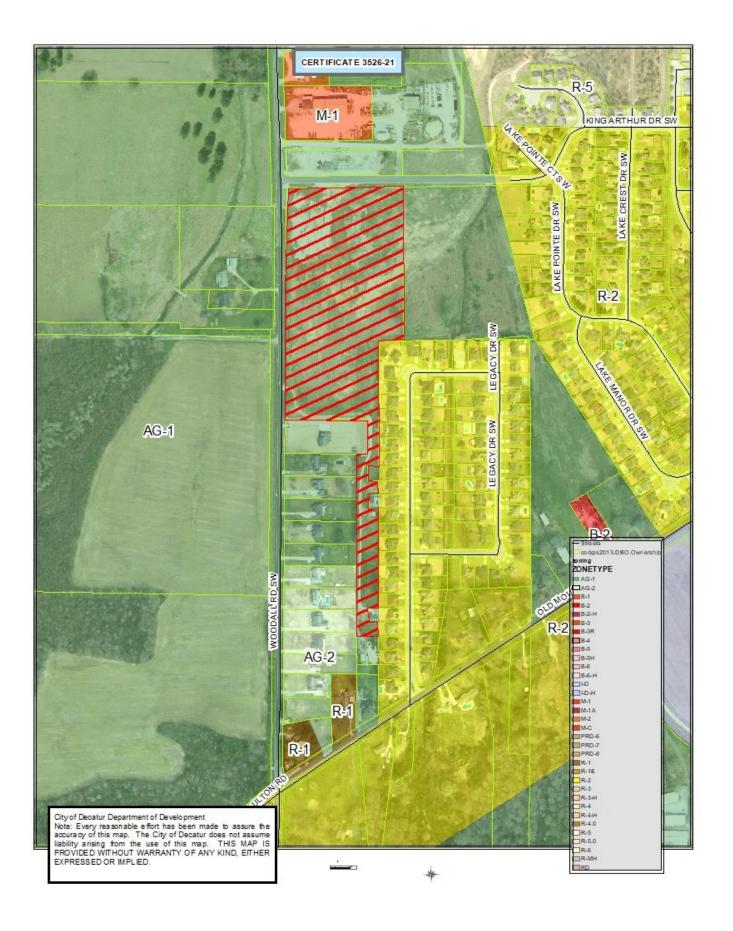
#### Conditions to be met

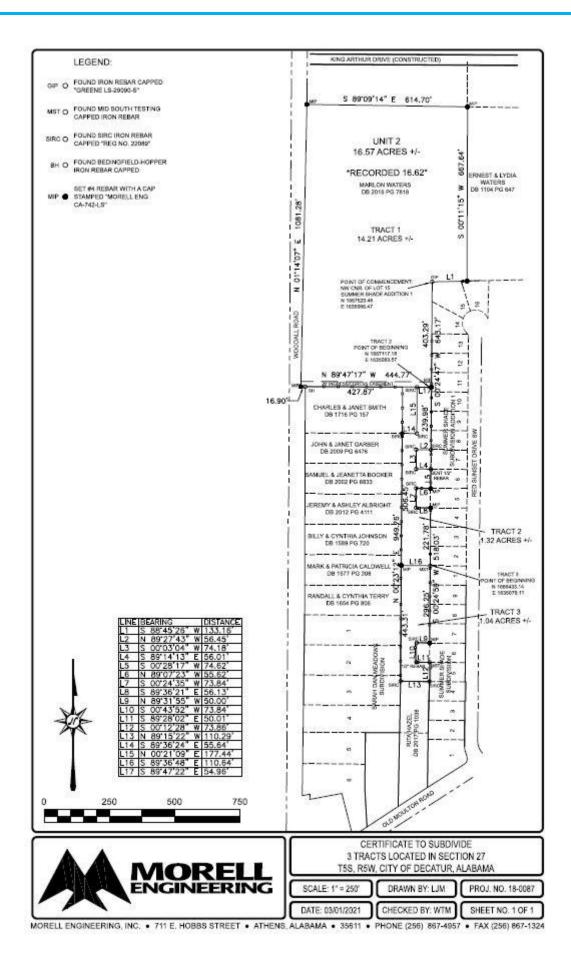
- 1. Recording fees and signed, sealed survey with three state plane coordinates
- 2. Copy of deed
- 3. Approval of certificate 3527-21. This will prevent the creation of landlocked lots.
- 4. Need to see right of way for all roads.

#### Pt. of Info:

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







FILE NAME OR NUMBER: Certificate 3527-21

**ACRES**: 3.01

**CURRENT ZONE**: AG-1 and R2

**APPLICANT**: Blaine Morell for Marlon Waters

LOCATION AND OR PROPERTY ADDRESS: 1939 and 1923 Red Sunset Drive SW

**REQUEST**: Consolidate the two smaller tracts created in Certificate 3526-21 with two residential lots in Summer Shade subdivision, creating two lots of 1.65 and 1.36 acres.

PROPOSED LAND USE: Residential

**ONE DECATUR FUTURE LAND USE:** Residential Low Density

ONE DECATUR STREET TYPOLOGY: Red Sunset Drive SW is a local street

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

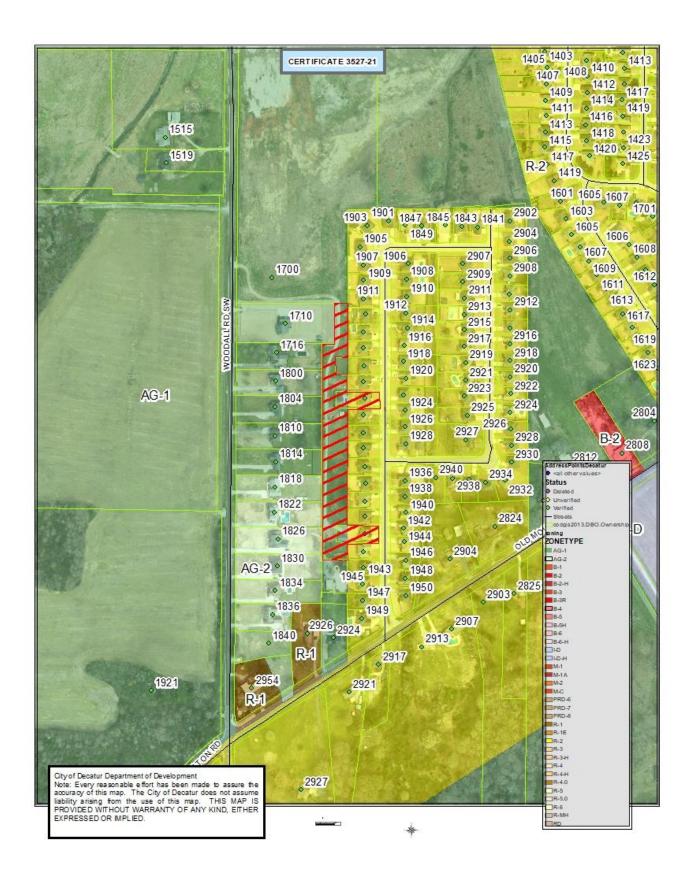
#### Conditions to be met

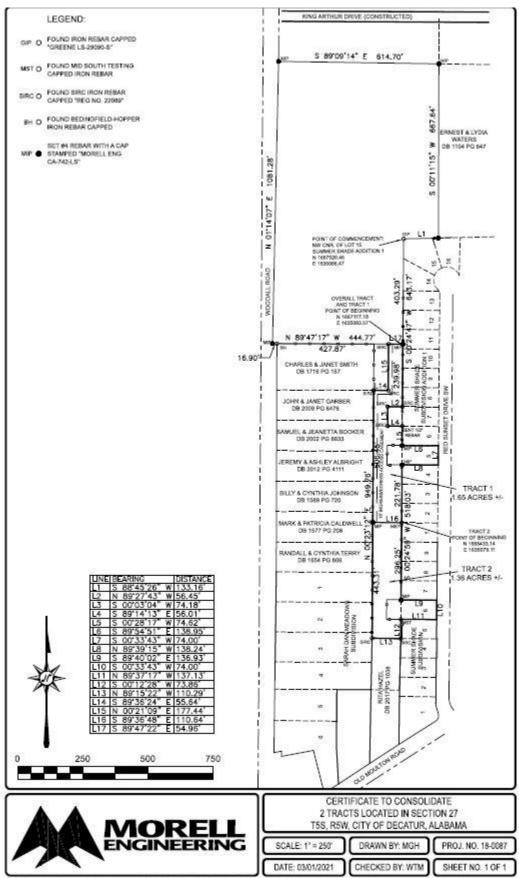
- 1. Recording Fees and signed, sealed survey with three state plane coordinates
- 2. Copy of deeds and signed request letter for all owners
- 3. Approval of Certificate 3526-21.
- 4. Need to see right of way for all roads.

#### Pt. of Info:

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







MORELL ENGINEERING, INC. • 711 E. HOBBS STREET • ATHENS, ALABAMA • 35611 • PHONE (256) 867-4957 • FAX (256) 867-1324

FILE NAME OR NUMBER: Certificate 3528-21

**ACRES**: 2.067

**CURRENT ZONE: M-1A** 

APPLICANT: Pugh Wright McAnally for Family Security Credit Union

LOCATION AND OR PROPERTY ADDRESS: 1852 Beltline Rd SW

REQUEST: Consolidate two parcels of 1.059 and 1.015 acres into one parcel of 2.067 acres

PROPOSED LAND USE: Credit Union

ONE DECATUR FUTURE LAND USE: Major institutional/Civic

ONE DECATUR STREET TYPOLOGY: Beltline Rd SW is a principal arterial, Carridale St SW is

a minor arterial

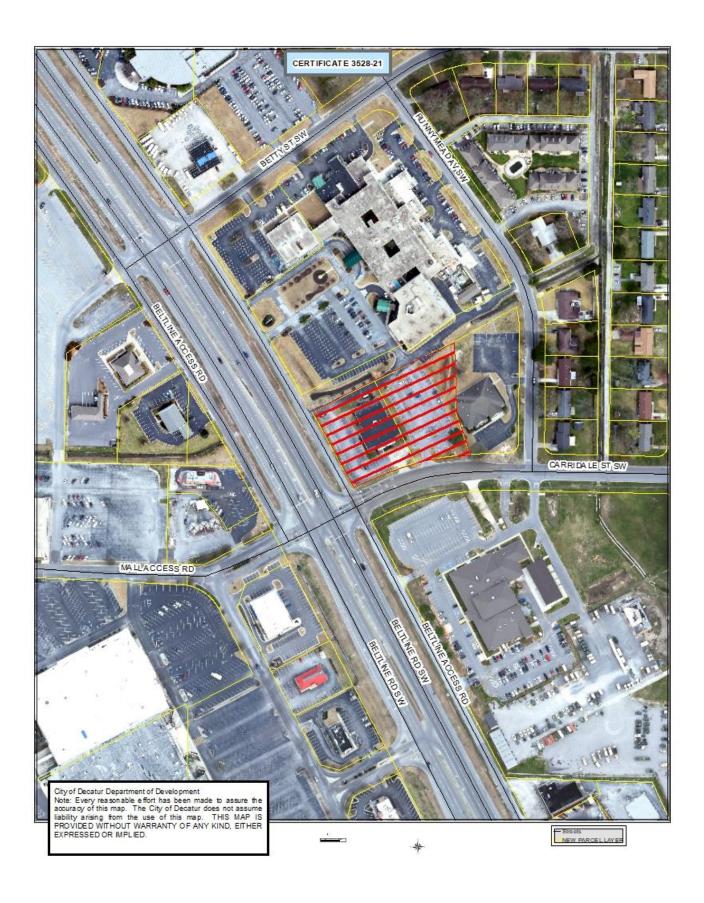
# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

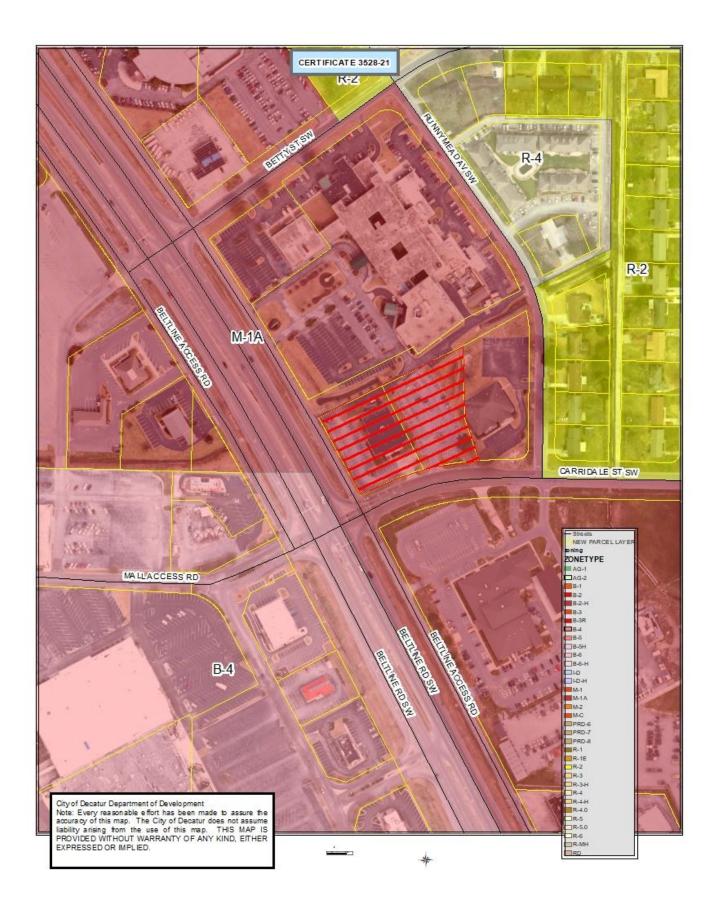
#### Conditions to be met

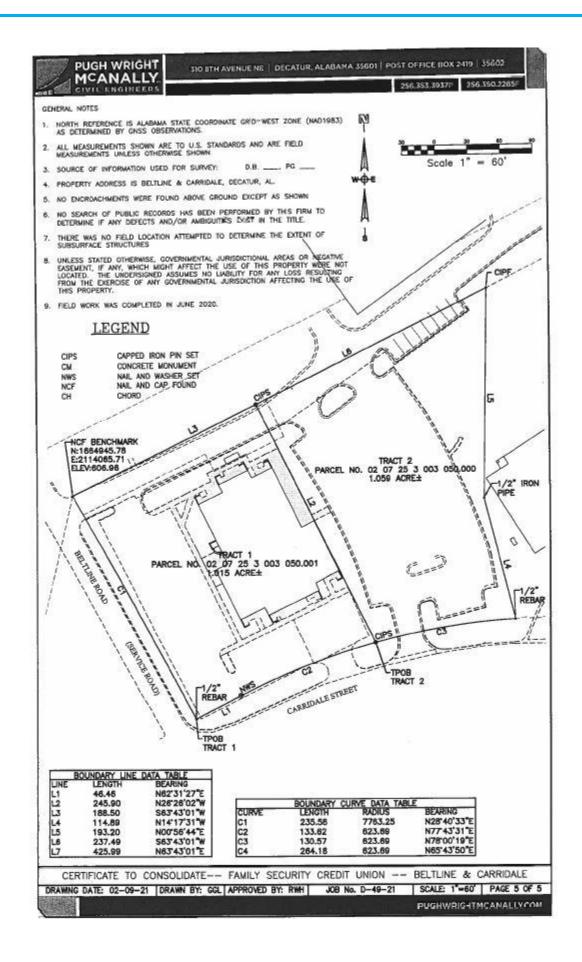
- 1. Recording fees
- 2. Signed, sealed survey with three state plane coordinates prior to recording
- 3. Need to see right of way for all roads.
- 4. 15 ft. easement on the beltline side property line. Electric and water main.

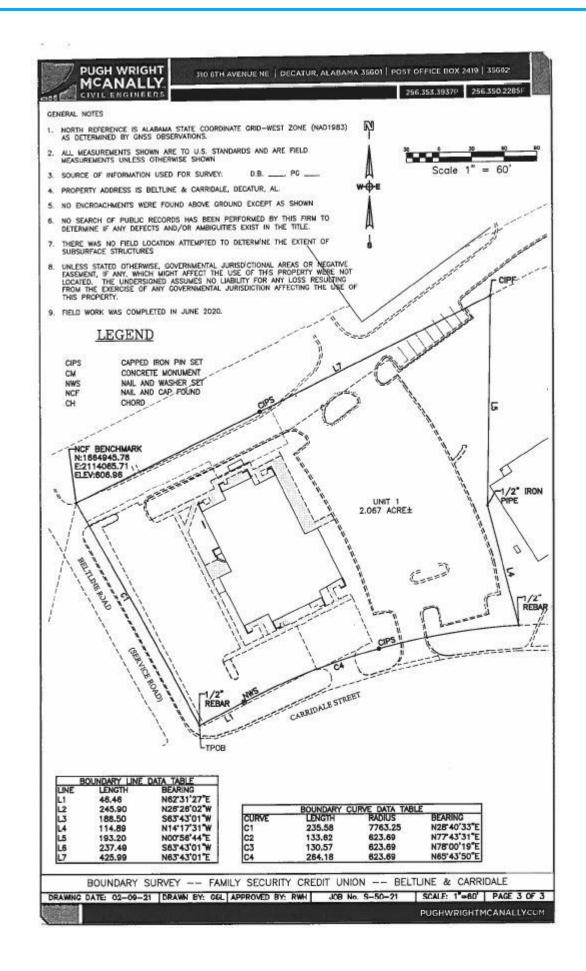
#### Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense
- 2. Completion of this Certificate is a condition for the approval of Site Plan 611-21.









FILE NAME OR NUMBER: Certificate 3529-21

**ACRES**: 5.74

**CURRENT ZONE**: B2, B1, R1

**APPLICANT**: Pugh Wright McAnally for JA Parker Properties and Layton Realty

LOCATION AND OR PROPERTY ADDRESS: 3112, 3114, 3116, and 3124 Hwy 31 S

**REQUEST**: Adjust lot lines between three lots of 1.39, 3.86, and .5 acres to create two lots of 3.04 and 2.70 acres

PROPOSED LAND USE:

**ONE DECATUR FUTURE LAND USE**: Rural Edge/Agriculture/Flex Employment Center

**ONE DECATUR STREET TYPOLOGY**: Hwy 31 South is a principal arterial

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

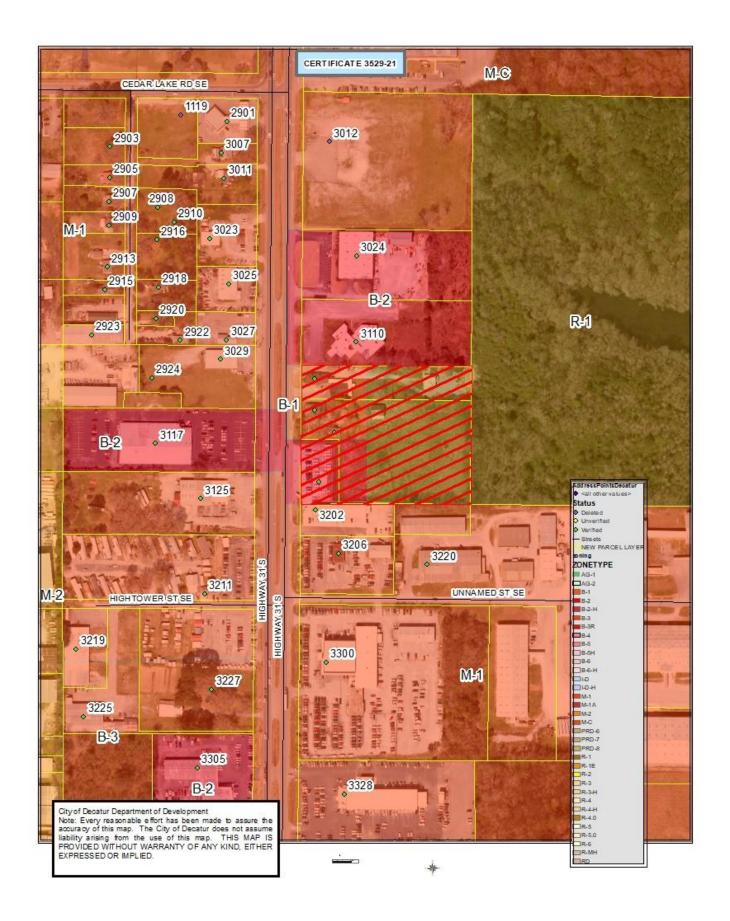
# **Conditions to be met**

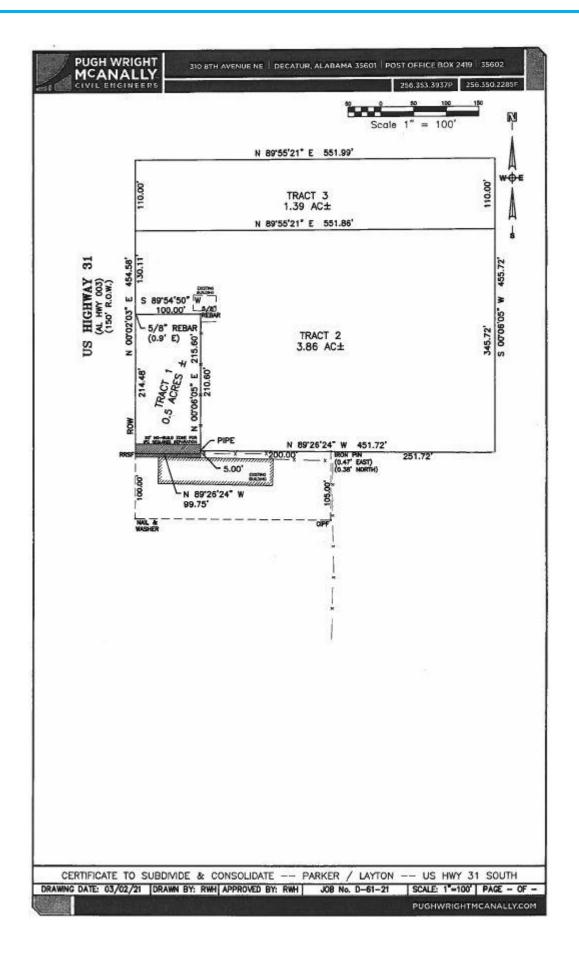
- 1. Signed property owner letter
- 2. Signed, sealed survey with three state plane coordinates prior to recording
- 3. Recording fees

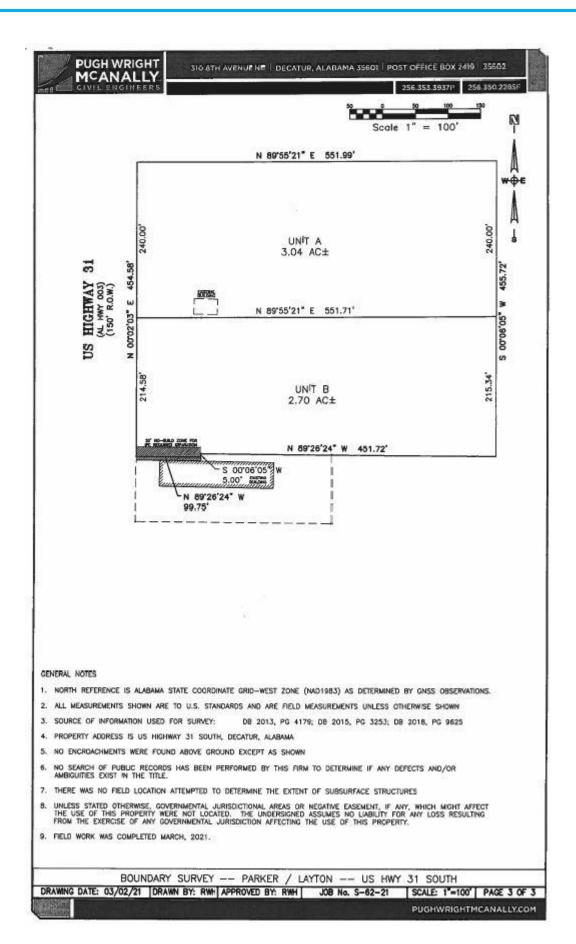
#### Pt. of Info:

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









FILE NAME OR NUMBER: Certificate 3530-21

**ACRES**: 0.49

**CURRENT ZONE**: R3

APPLICANT: Pugh Wright McAnally for Scott and Beth Belcher

LOCATION AND OR PROPERTY ADDRESS: 4214 and 4216 Ruby Pointe Dr SE

REQUEST: Consolidate two lots of .26 and .23 acres into one lot of .49 acres

PROPOSED LAND USE: Residential

**ONE DECATUR FUTURE LAND USE:** Residential Low Density

ONE DECATUR STREET TYPOLOGY: Ruby Point Dr SE and Jade Pointe Dr SE are local

streets

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

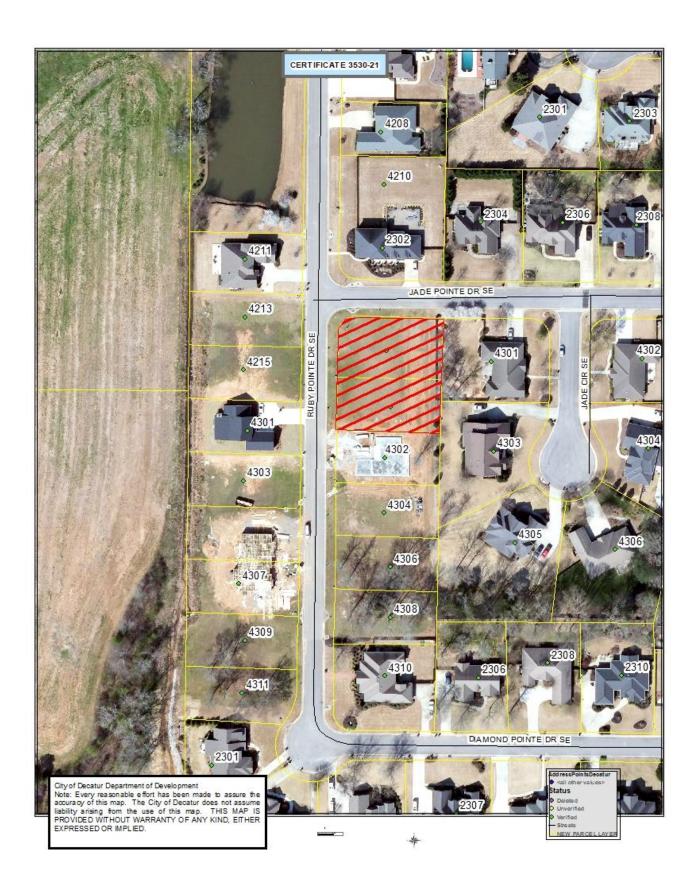
#### Conditions to be met

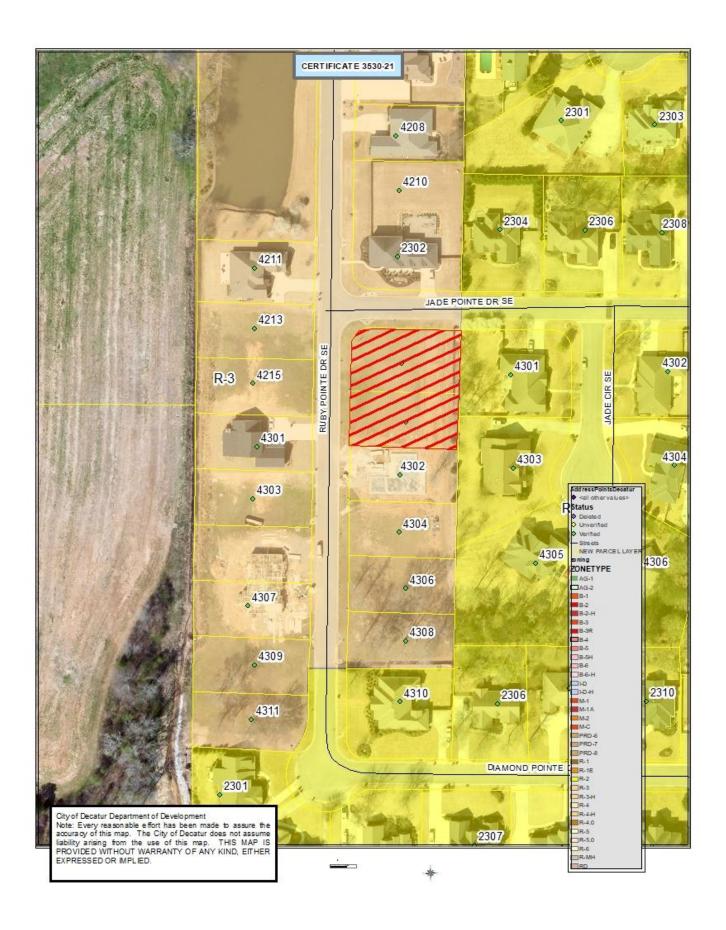
- 1. Signed property owner request letter
- 2. Signed, sealed survey with three state plane coordinates
- 3. Recording fees

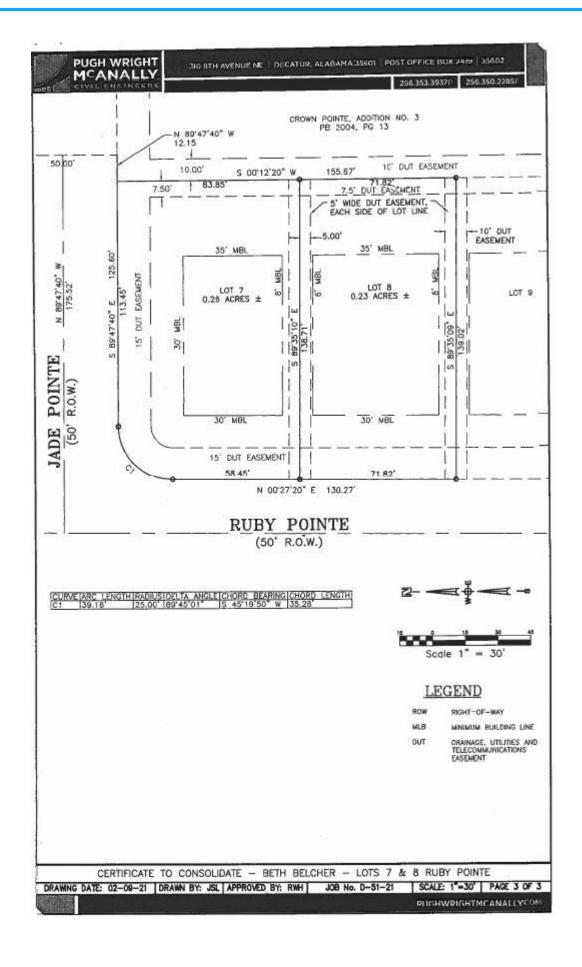
#### Pt. of Info:

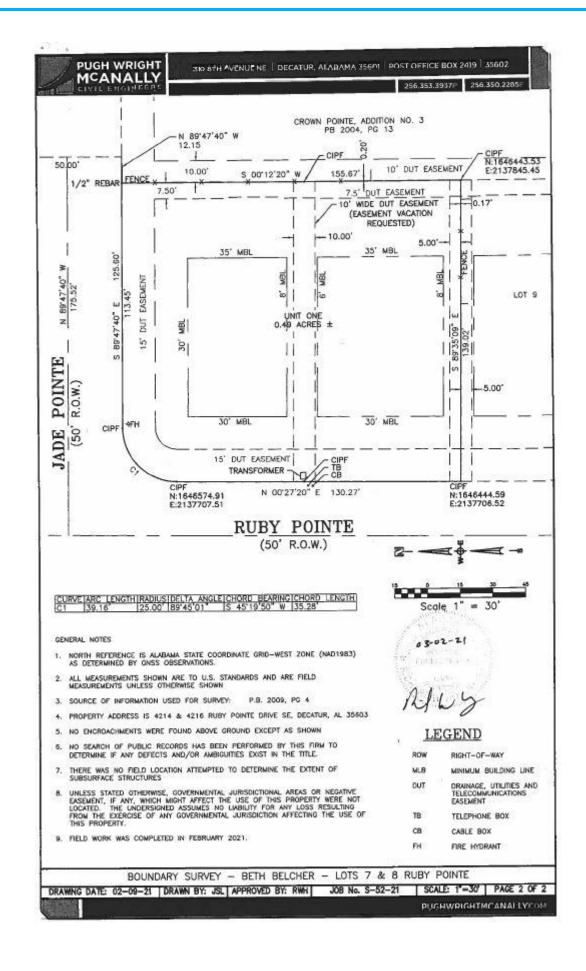
Any relocation of utilities will be at the owner's expense

Current location of transformer will need to be moved at owners expense.









FILE NAME OR NUMBER: Site Plan 611-21

**ACRES**: 2.13

**CURRENT ZONE: M-1A** 

**APPLICANT**: Pugh Wright McAnally for Family Security Credit Union

LOCATION AND OR PROPERTY ADDRESS: NE corner of Beltline Rd SW and Carridale St

SW, 1852 Beltline Rd SW

**REQUEST**: Site Plan approval for a new branch office

PROPOSED LAND USE: Credit Union office

ONE DECATUR FUTURE LAND USE: Major Institution/Civic

ONE DECATUR STREET TYPOLOGY: Carridale St SW is a minor arterial, Beltline Rd SW is a

principal arterial

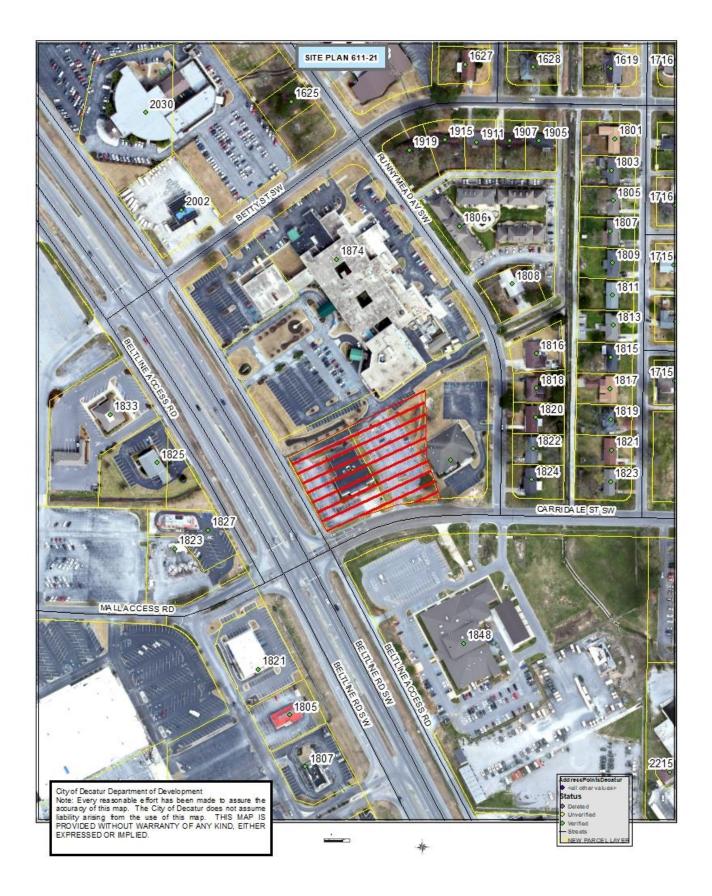
# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

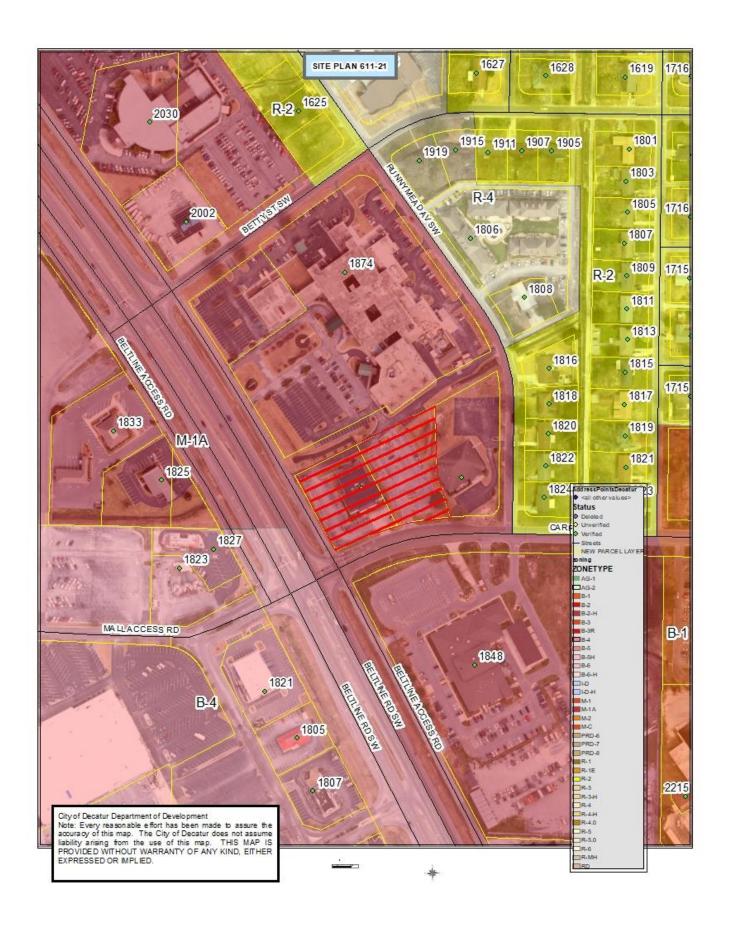
#### Conditions to be met

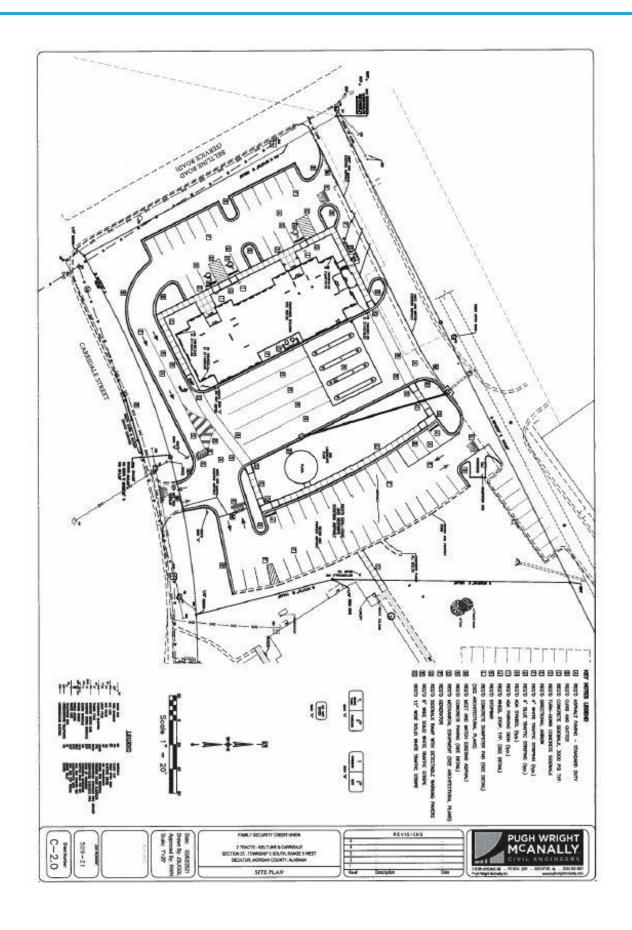
- 1. Need copy of deed
- 2. Completion of certificate to consolidate 3528-21
- 3. Address should reflect 1852 Beltline Rd SW
- 5. Complete list per Engineering approval
- C2.0:
  - Show ROW for all roads on drawing
- <u>C3.0:</u>
  - Bottom left of page has a stray point
- <u>C5.0:</u>
  - Inlet protection needed for concrete flume
- <u>C6.0</u>:
  - Need construction entrance detail because don't want the asphalt used as the entrance material. It won't knock the dirt off of the trucks before they enter the roadway. The locations of the construction entrances shown are fine.

#### Pt. of Info:

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







FILE NAME OR NUMBER: Redevelopment Permit Site Plan 612-21

**ACRES**: .16 acres

**CURRENT ZONE**: RD

**APPLICANT**: Pugh Wright McAnally for The Body Shop

LOCATION AND OR PROPERTY ADDRESS: 917 3rd Ave SE

**REQUEST**: RD Site Plan Review

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Urban Edge Mixed Use

**ONE DECATUR STREET TYPOLOGY**: 3<sup>rd</sup> Ave SE is a local street

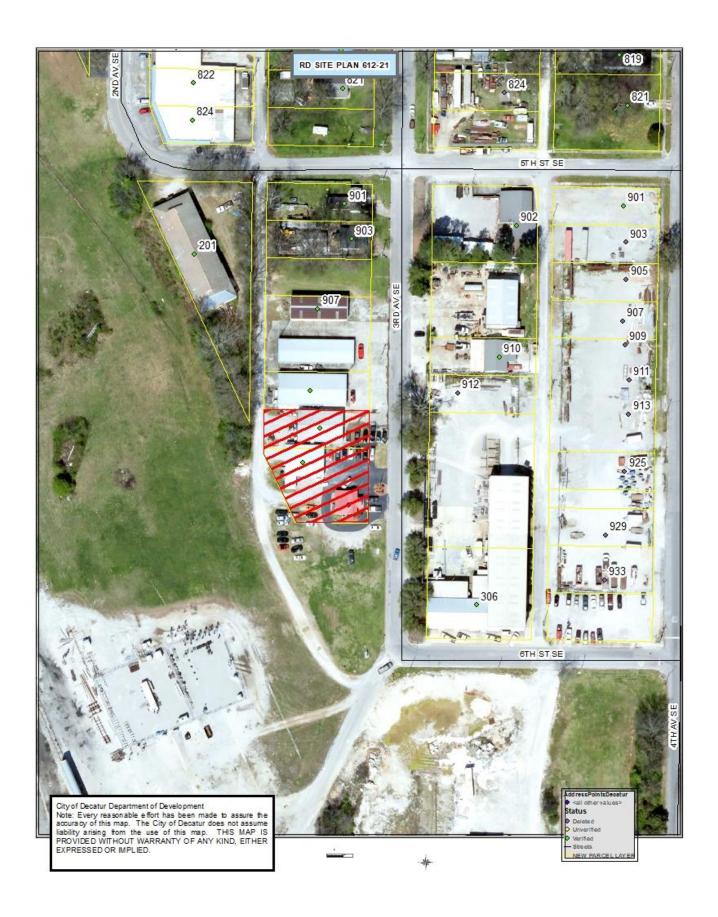
# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

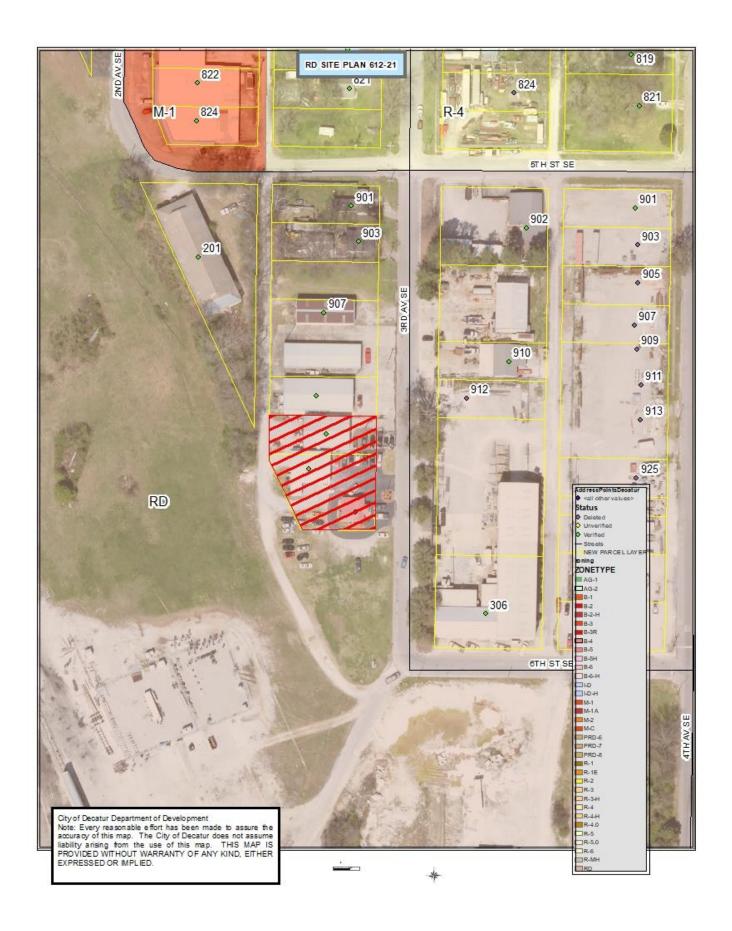
## Conditions to be met

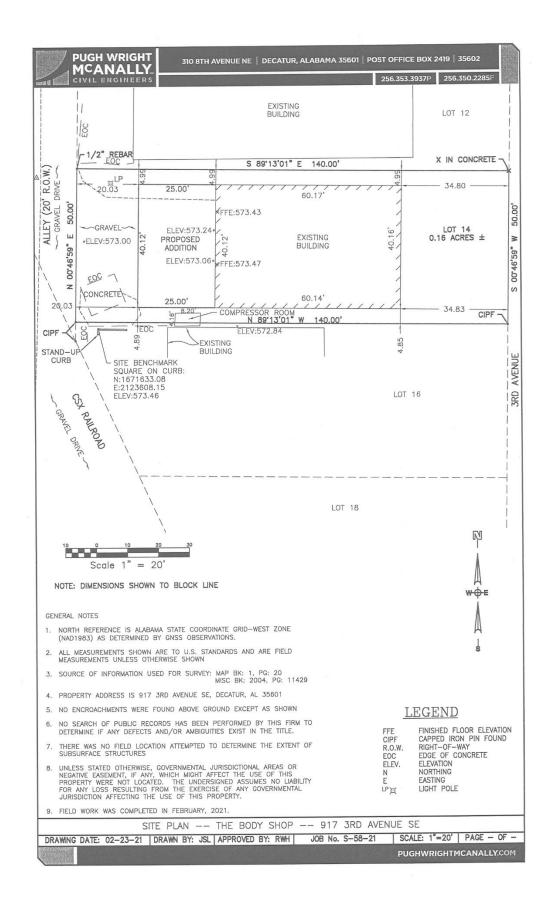
- 1. Address for lot 14 block 48 is 915 3<sup>rd</sup> Ave SE, correct address where necessary
- 2. Show right-of-way on 3<sup>rd</sup> Ave

## Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense
- 2. The Body Shop is currently on two parcels.







FILE NAME OR NUMBER: Site Plan 588-19

**ACRES**: 25

**CURRENT ZONE**: M1

**APPLICANT**: Pugh Wright McAnally for Graham and Company

LOCATION AND OR PROPERTY ADDRESS: 23366 Bibb Garrett Rd

**REQUEST**: Re-approval of a site plan conditionally approved in August 2019, with minor

changes to parking layout.

PROPOSED LAND USE: Warehouse/distribution

ONE DECATUR FUTURE LAND USE: Flex employment center

ONE DECATUR STREET TYPOLOGY: Bibb Garrett Rd is a local connector

## COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

This was conditionally approved in August of 2019, but conditions were never met. After a year of not having conditions met, approvals become inactive, and require an update and re-approval from the Planning Commission. This is largely the same plan, with updated parking.

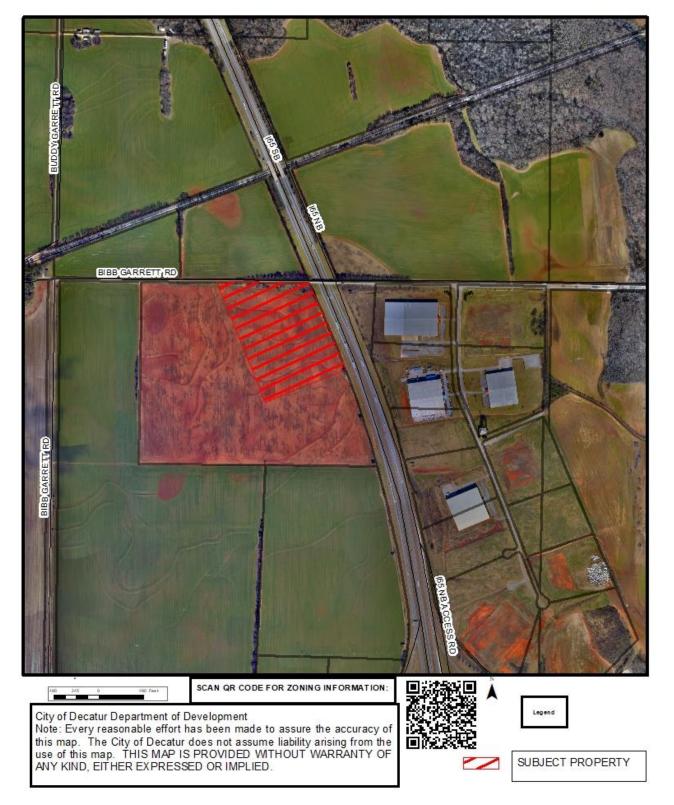
## Conditions to be met

- 1. Original condition: Show the dimension between the driveway and I65 to the east. Darrell Skipper has amended the traffic study to reflect the needs of the new smaller development and recommends that the access point be approximately 850 feet from I65.
- 2. Original condition: Provide elevations that show the architectural and building finishes agreed upon during rezoning process
- 3. Complete list per Engineering approval
  - a. Show radii at driveway entrance.
  - b. Conditions to be met #1 in packet is not shown on drawing.

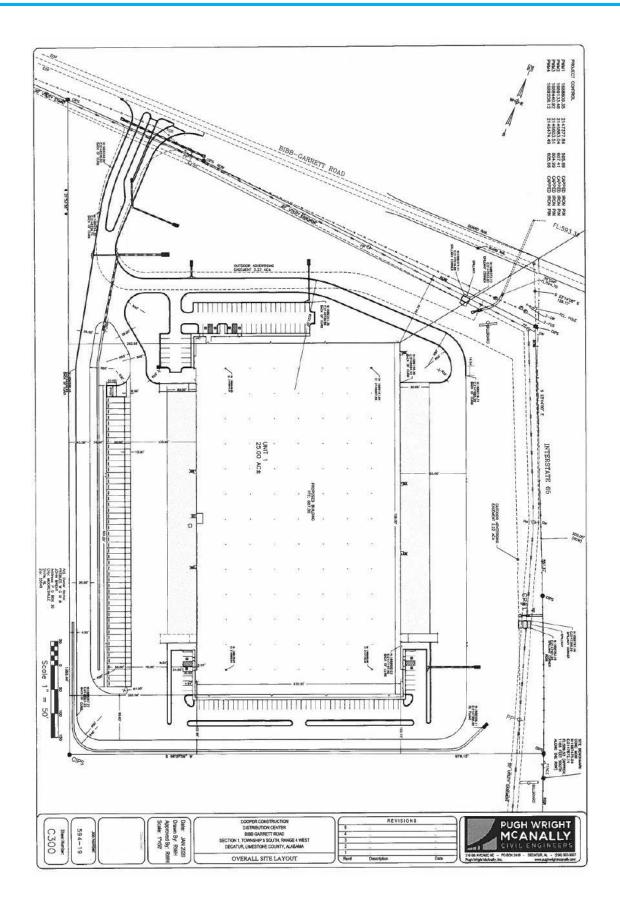
#### Pt. of Info:

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

# SITE PLAN 588-19 AERIAL







FILE NAME OR NUMBER: Vacation 528-21

**ACRES**: 0.0289

**CURRENT ZONE: M-1A** 

**APPLICANT**: Bert Boykin for Racetrac Petroleum

LOCATION AND OR PROPERTY ADDRESS: 2331 Hwy 20

**REQUEST**: Vacate a DUT easement on the Racetrac property

PROPOSED LAND USE: Gas station

**ONE DECATUR FUTURE LAND USE**: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Hwy 20 and Beltline Rd NW are Principal Arterials

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

#### Conditions to be met

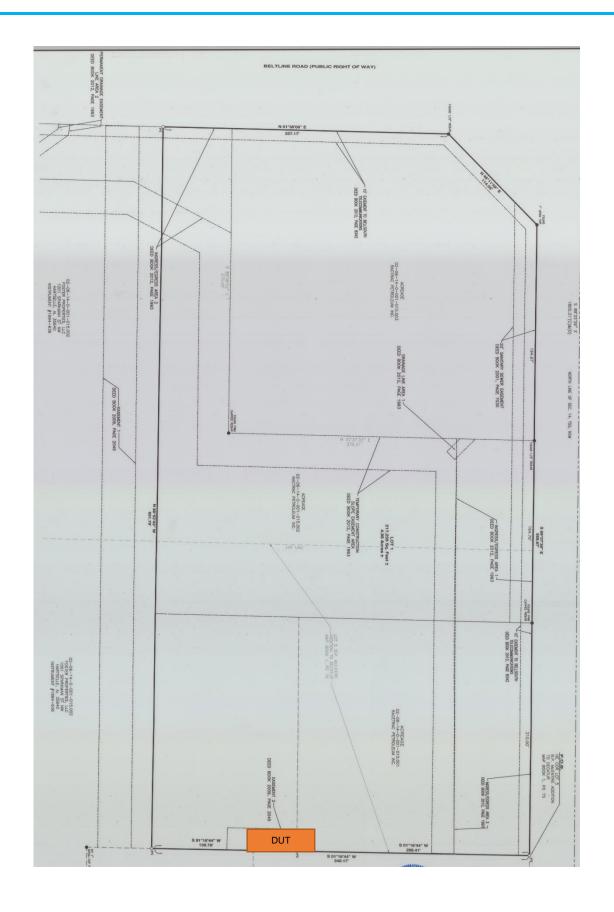
1. Signed and completed vacation package

### Pt. of Info:

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







FILE NAME OR NUMBER: Vacation 529-21

**ACRES**: 0.03

**CURRENT ZONE**: R3

APPLICANT: Pugh Wright McAnally for Scott and Beth Belcher

LOCATION AND OR PROPERTY ADDRESS: 4214 and 4216 Ruby Pointe Rd SE

REQUEST: Vacate a 15' DUT easement between lots 7 and 8 of Crown Pointe Addition 4, to

be consolidated in C. 3520-21

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential Low Density

ONE DECATUR STREET TYPOLOGY: Ruby Pointe Rd SE is a local street

# COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

#### Conditions to be met

1. Need signed Declaration of vacation

## Pt. of Info:

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

