

MEMORANDUM

DATE: April 20, 2021

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

April 20, 2021

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

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

Agenda Planning Commission

City of Decatur, AL

April 20, 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 2021 & March 2021

3. PUBLIC HEARING

ZONINGS

PAGE/MAP

A. 1372-21	(1210 Mill Rd SE)	1-6
------------	-------------------	-----

4. CONSENT AGENDA

CERTIFICATES

A. 3531-21	Certificate (3521 Indian Hills Rd SE)	7-10
B. 3532-21	Certificate (2750 Central Ave)	11-14
C. 3533-21	Certificate (4550 Danville Rd SW)	15-18
D. 3534-21	Certificate (3418 Danville Rd SW)	19-23
E. 3535-21	Certificate (2240 Chapel Hill Rd)	24-28

FILE NAME OR NUMBER: Rezoning 1372-21

ACRES: 0.28

CURRENT ZONE: R-3

APPLICANT: Yvette Fuller

LOCATION AND OR PROPERTY ADDRESS: 1210 Mill Rd SE

REQUEST: Rezone 0.28 acre parcel from R-3 (single family residential) to B-6 (office district)

NEW ZONE: B-6

PROPOSED LAND USE: Office building

ONE DECATUR FUTURE LAND USE: Residential, low density

ONE DECATUR STREET TYPOLOGY: Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

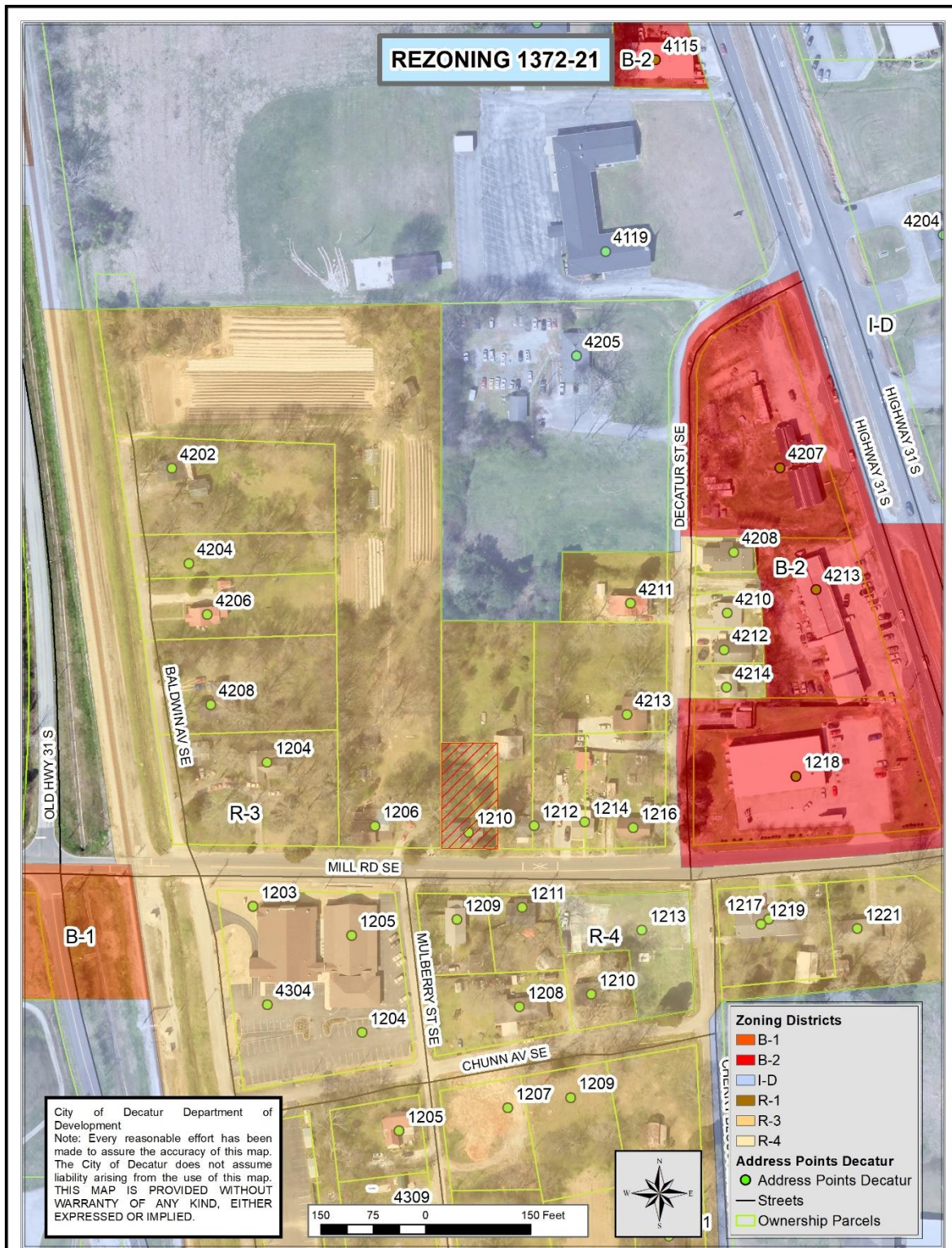
Conditions to be met

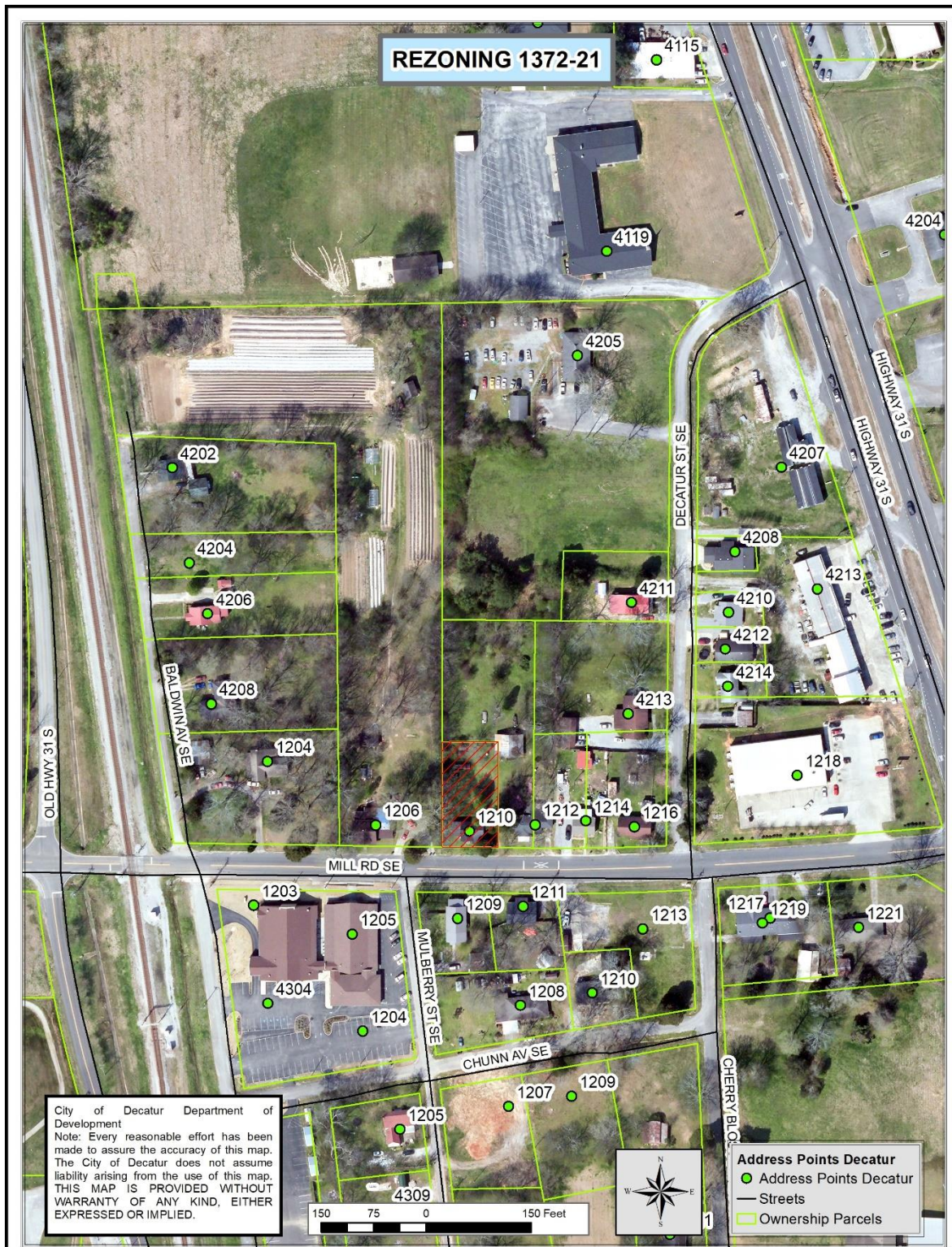
Zoning Committee did **not** recommend for approval to the Planning Commission

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R3 TO B6		April 13, 2021
SECTION	R3	B6
USES PERMITTED	<p>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).</p> <p>(1) General requirements.</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.</p> <p>b. A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the main building and shall be subject to the setback and side yard requirements of the district in which it is located.</p>	<p>Uses permitted: The following specified office uses, with structures to accommodate the same; real estate, professional, managerial, insurance, clerical, clinics, health clubs, health spas and related uses.</p>
USES PERMITTED ON APPEAL	<p>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</p>	<p>Uses permitted on appeal: 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; and any office use not specified as a permitted use.</p>

ZONING DISTRICT COMPARISON R3 TO B6		April 13, 2021
SECTION	R3	B6
	duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.	
USES PROHIBITED	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.	Uses prohibited: Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act and any use not permitted or permitted on appeal.
MINIMUM LOT AREA	Minimum lot area: Seven thousand (7,000) square feet.	Minimum lot size: 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.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	
MINIMUM FRONT YARD	Minimum front yard setback: Thirty (30) feet.	Twenty-five (25) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Thirty-five (35) feet.	Twenty (20) feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.	None specified, except on a lot adjoining along its side lot line which is a residential district, there shall be a side yard not less than eight (8) feet wide.
MAXIMUM BUILDING HEIGHT	Maximum building height: Thirty-five (35) feet.	None

ZONING DISTRICT COMPARISON R3 TO B6		April 13, 2021
SECTION	R3	B6
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	None
OFF STREET PARKING	(1)Residential. In all cases of new structures, provision for the Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.	Off-street parking: (See section 25-16. Off-street automobile storage.). Office and office buildings: One (1) parking space for each four hundred (400) square feet of floor area.
OFF STREET UNLOADING		Off-street loading and unloading: (See section 25-16. Off-street [re]quired rear or side yard for loading and unloading.)

FILE NAME OR NUMBER: Extra-territorial Certificate 3531-21

ACRES: 2.73

CURRENT ZONE: None

APPLICANT: J. Keith Maxwell for John Austin

LOCATION AND OR PROPERTY ADDRESS: 3521 Indian Hills Rd SE

REQUEST: Subdivide one tract of 2.73 acres into two tracts of 1.52 and 1.21 acres.

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Community Commercial

ONE DECATUR STREET TYPOLOGY: Indian Hills Rd is classified as an Urban Collector.

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

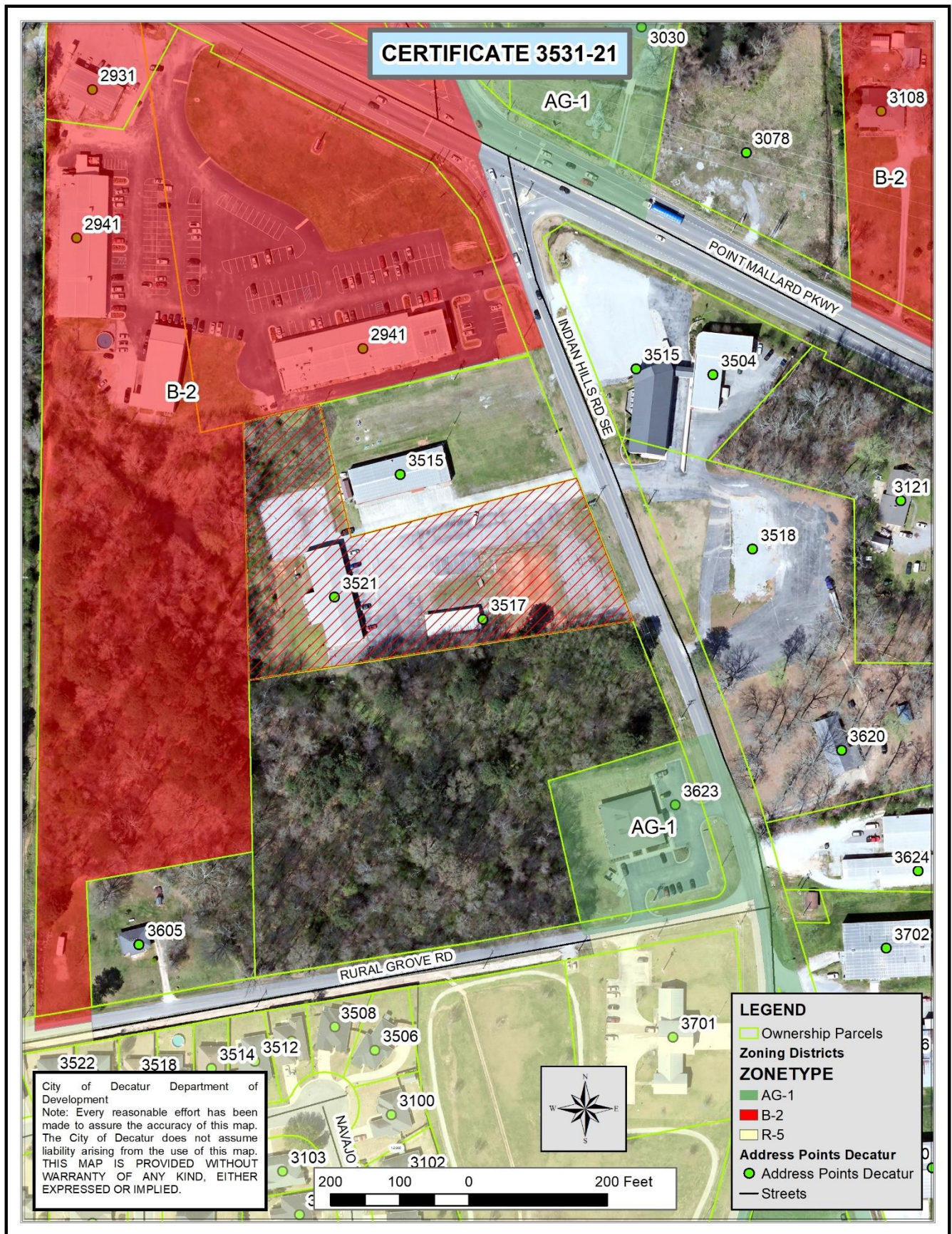
Conditions to be met

1. Recording fees.
2. Signed and sealed survey.
3. Updated legal description with two notary blocks.
4. Show ROW for the road. Indian Hills has 80 ft. of ROW.
5. Per County Engineering Approval – They will contact client directly with their comments.
6. Gas service that serves lot 2 and runs through lot 1. Need to get it put on the survey and need to get an easement of 10 ft.

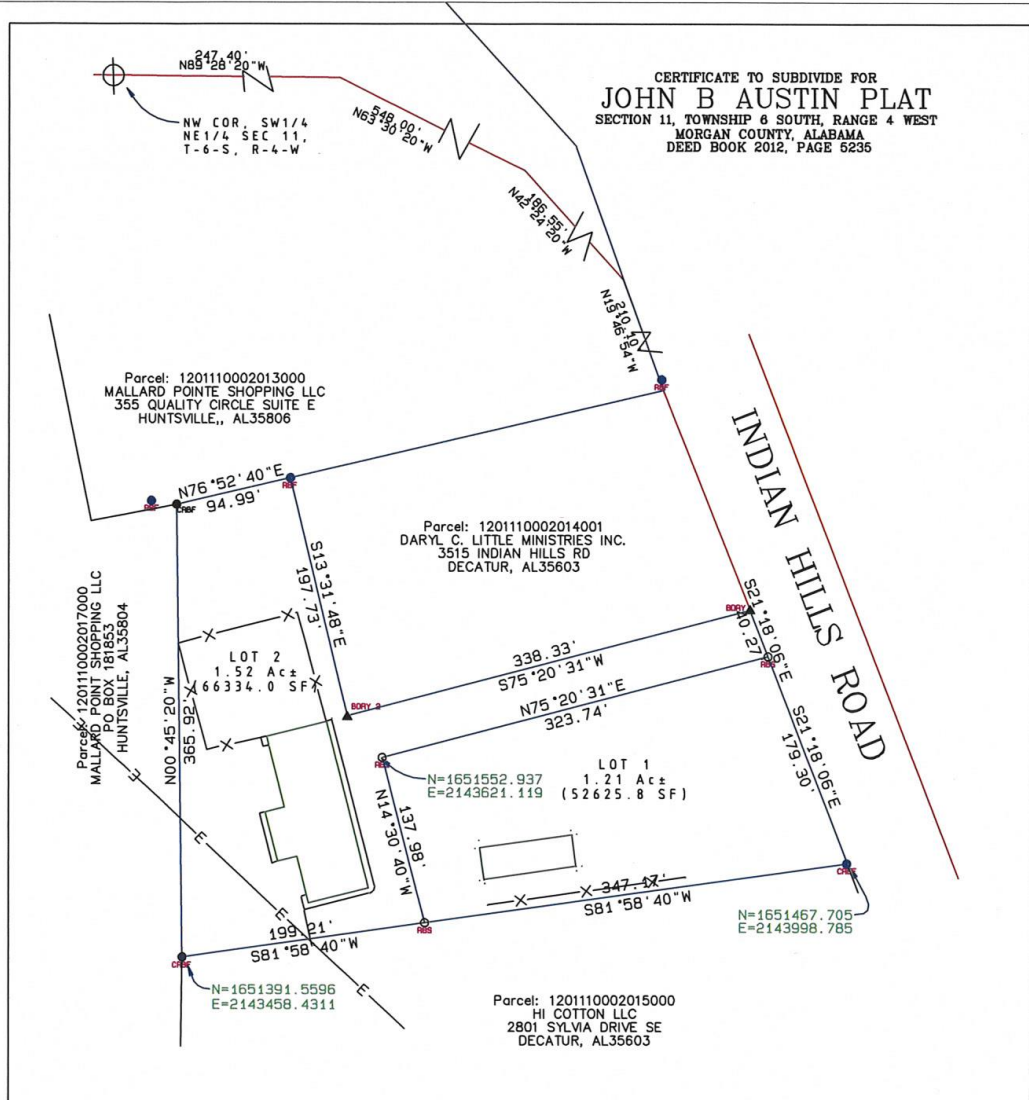
Pt. of Info:

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

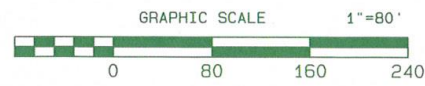
COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:



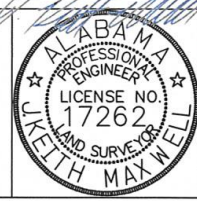
CERTIFICATE TO SUBDIVIDE FOR
JOHN B AUSTIN PLAT
 SECTION 11, TOWNSHIP 8 SOUTH, RANGE 4 WEST
 MORGAN COUNTY, ALABAMA
 DEED BOOK 2012, PAGE 5235



- NOTES:
1. Grid North as determined using GPS was used as the BASIS OF BEARINGS for this survey. Coordinates are AL West Zone.
 2. SITE ADDRESS: 3515 Indian Hills Rd Decatur, AL 35601
 3. OWNER: LAURA J & JOHN B AUSTIN 1512 APACHE LN SE DECATUR, AL 35601



- LEGEND**
- CAPPED REBAR SET
 - FOUND CORNER (Described)
 - △ CALCULATED POINT
 - ⊗ POWER POLE
 - ⊕ GUY WIRE ANCHOR
 - OVERHEAD ELECTRIC LINES
 - * BASIS OF BEARINGS
 - () DENOTES INFO FROM PLAT/DEED



PRO17 ENGINEERING, LLC HUNTSVILLE • AUBURN • TROY • OXFORD • BIRMINGHAM 244 KYSER BLVD #404, MADISON, AL 35758 Phone (334) 826-9540 (FAX 888-776-3610)		
Sheet Title: CERTIFICATE TO SUBDIVIDE JOHN B AUSTIN PLAT	J. Keith Maxwell PE&LS No. 17262 CA-0397-LS CA-1387-E	
Drawn By: JKM	Scale: 1"=80'	File Name: 2021-129 PLAT.pro
		Date: MAR 31, 2021

FILE NAME OR NUMBER: Certificate 3532-21

ACRES: 11.66

CURRENT ZONE: M-1

APPLICANT: Pugh Wright McAnally for Land Services, LLC (Manager Jeff Parker)

LOCATION AND OR PROPERTY ADDRESS: ~ 2750 Central Ave.

REQUEST: Move lot lines between two parcels of 6.66 and 5.00 acres to create two parcels of 5.95 and 5.70 acres.

PROPOSED LAND USE: N/A

ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Central Ave. is classified as a Minor Arterial.

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

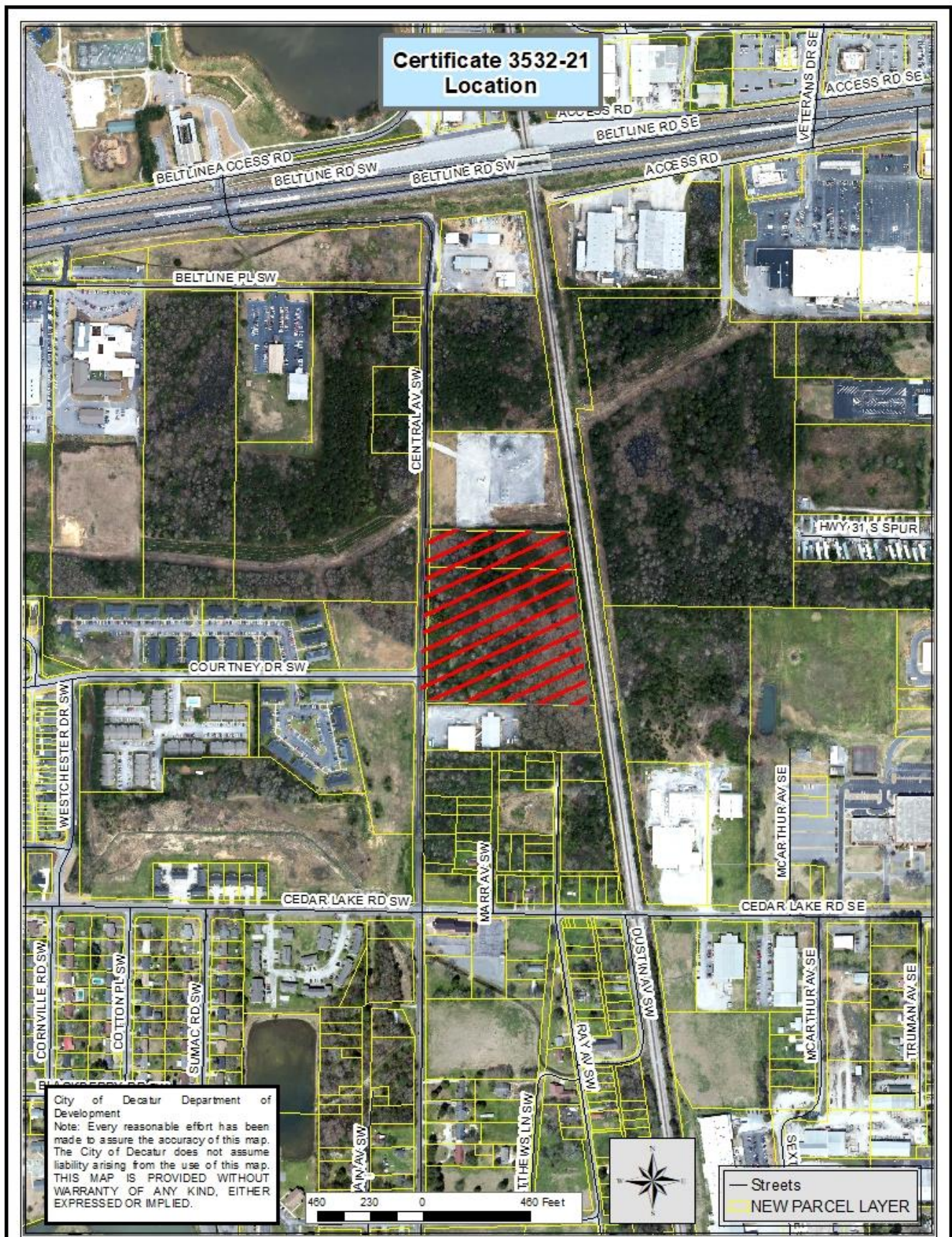
Conditions to be met

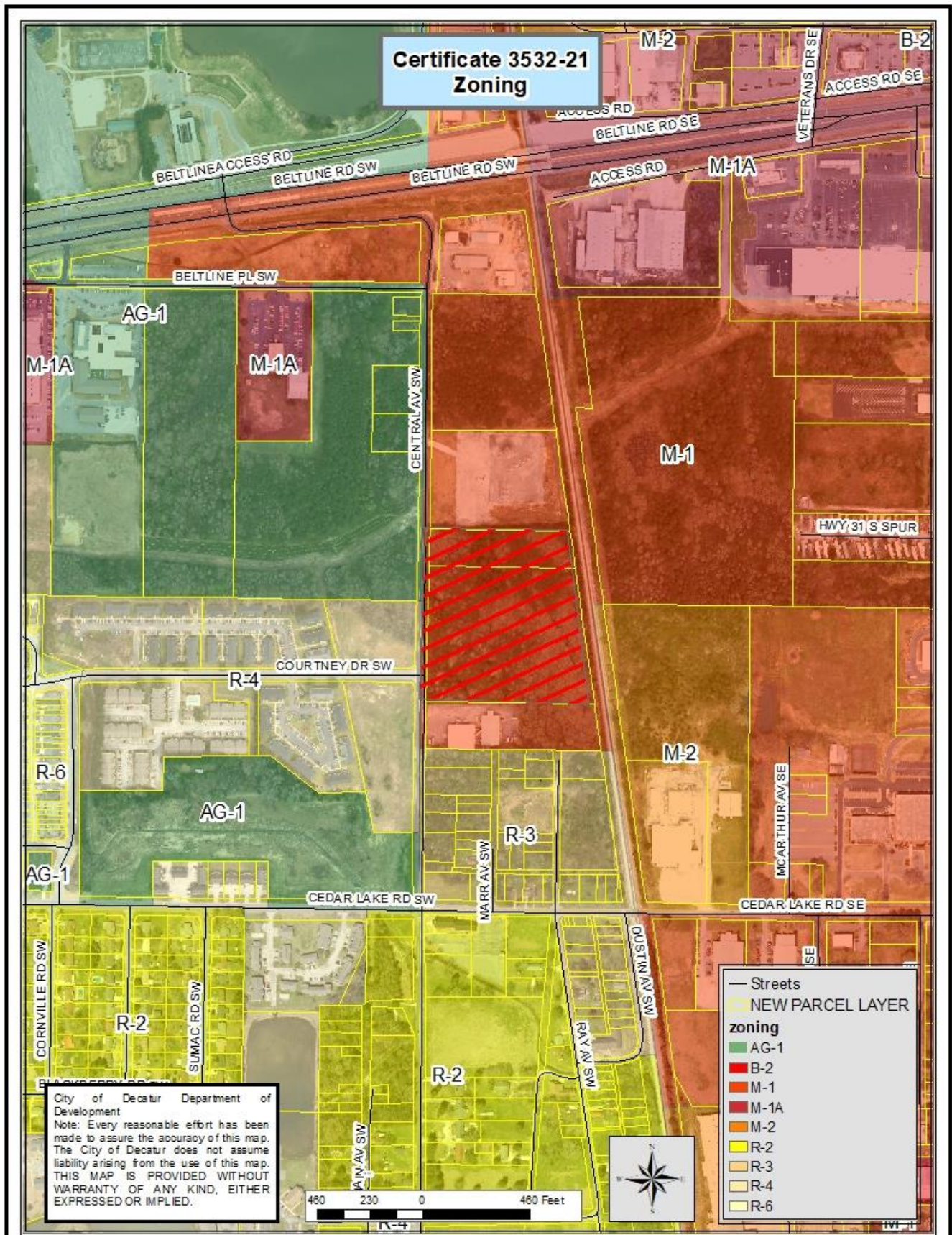
1. Recording Fees.
2. Signed, sealed survey with three state plane coordinates.
3. Signed request letter from owner.
4. Need to see ROW for road and railroad.

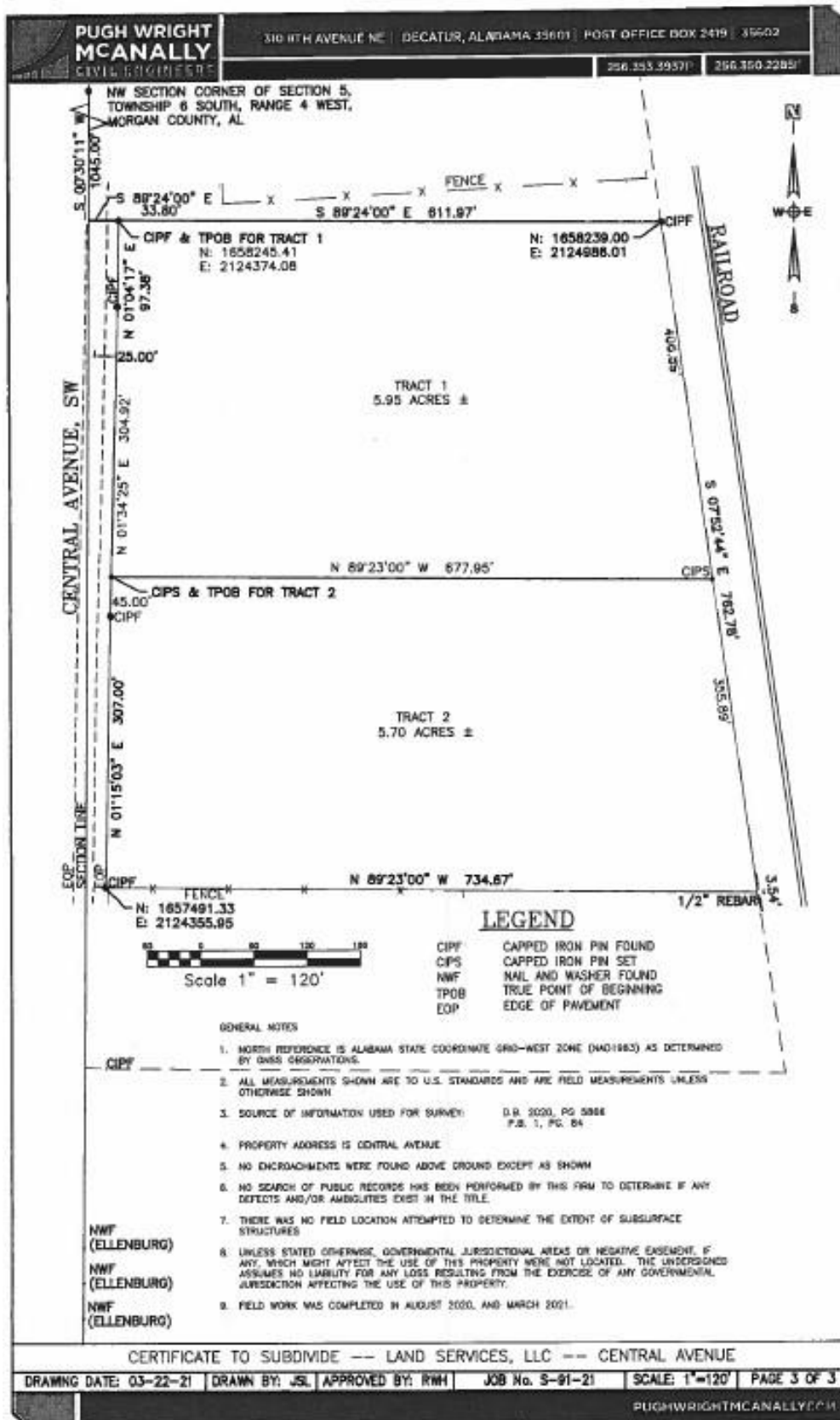
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FILE NAME OR NUMBER: Certificate 3533-21

ACRES: 18.27

CURRENT ZONE: AG-1

APPLICANT: Pugh Wright McAnally for Jimmy Brothers

LOCATION AND OR PROPERTY ADDRESS: ~4550 Danville Rd SW

REQUEST: Subdivide parcel of 18.27 acres into 3 parcels of 9.17, 5.26, and 2.72 acres

PROPOSED LAND USE: N/A

ONE DECATUR FUTURE LAND USE: Rural Edge/Agricultural

ONE DECATUR STREET TYPOLOGY: Danville Rd is classified as a Minor Arterial.

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

Conditions to be met

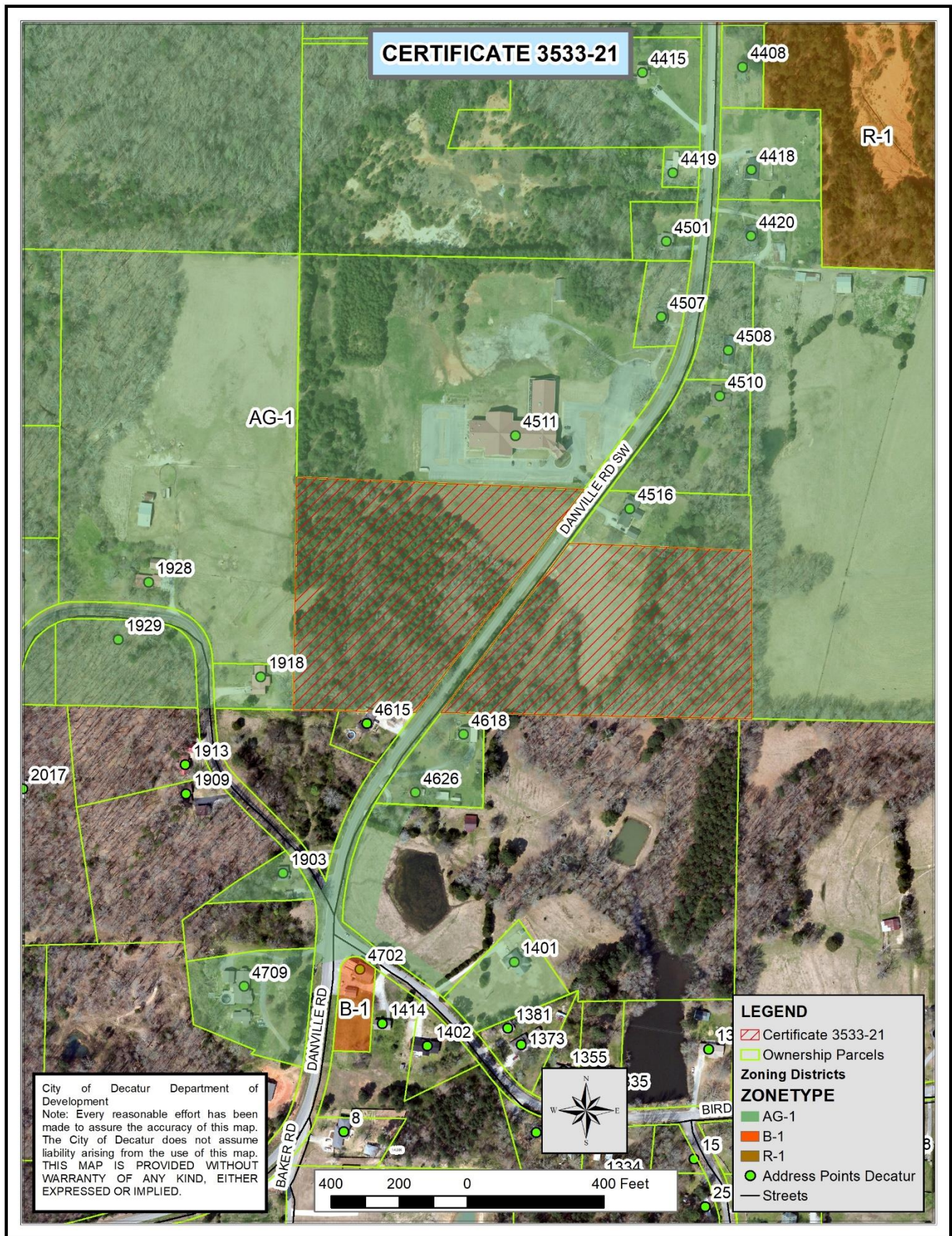
1. Recording Fees.
2. Signed, sealed survey with three state plane coordinates.
3. Signed request letter for owner.
4. Joe Wheeler has a power line that crosses unit 2 and 3. They will need a 40ft easement, 20ft on each side of that centerline.

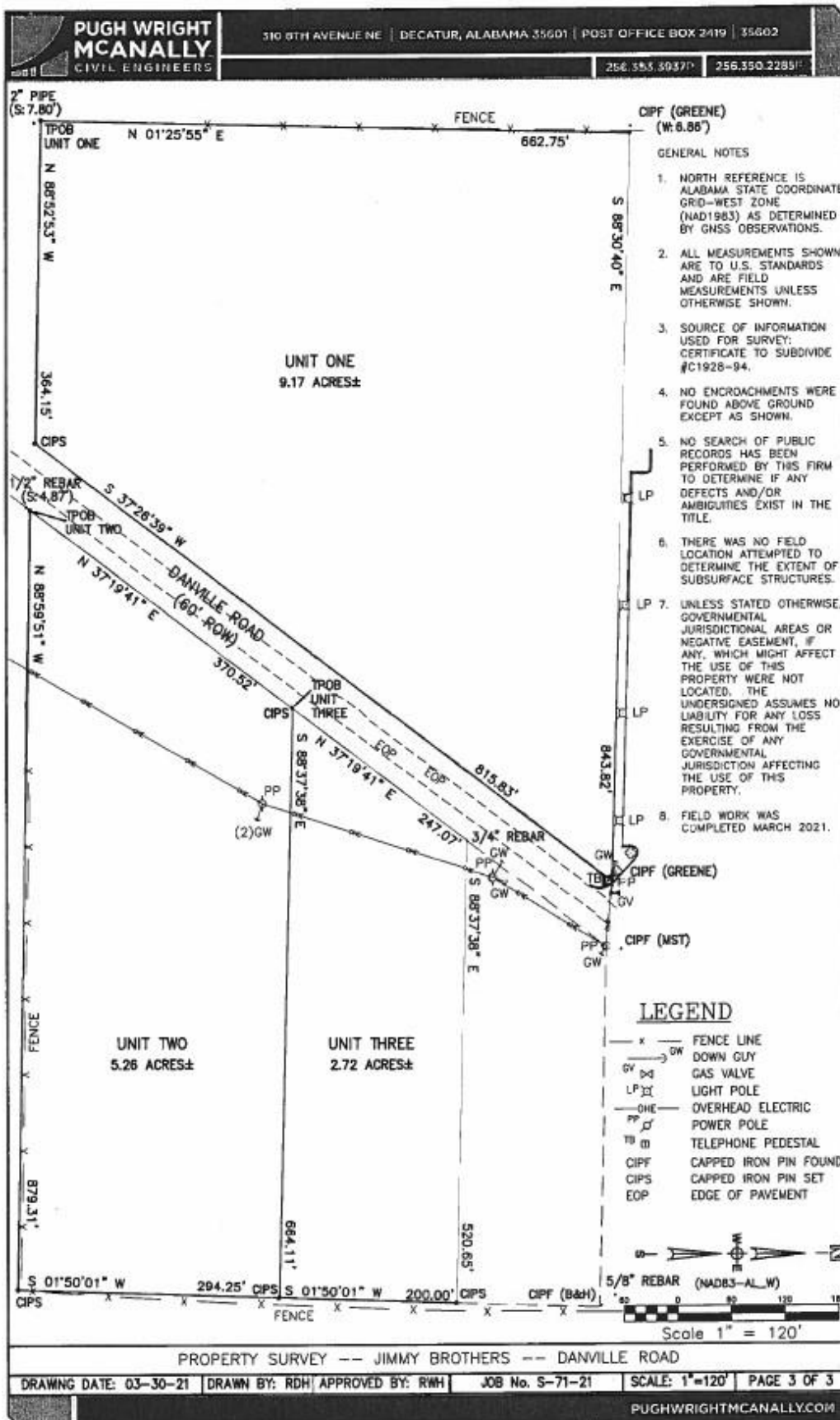
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FILE NAME OR NUMBER: Certificate 3534-21

ACRES: 7.54

CURRENT ZONE: AG-1

APPLICANT: Pugh Wright McAnally for William & Hannah Clark

LOCATION AND OR PROPERTY ADDRESS: 3418 Danville Rd SW

REQUEST: Consolidate two parcels of 4.96 and 2.79 acres into one parcel of 7.54 acres.

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential Low Density and Rural Edge/Agricultural

ONE DECATUR STREET TYPOLOGY: Danville Rd is classified as a Minor Arterial.

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
--

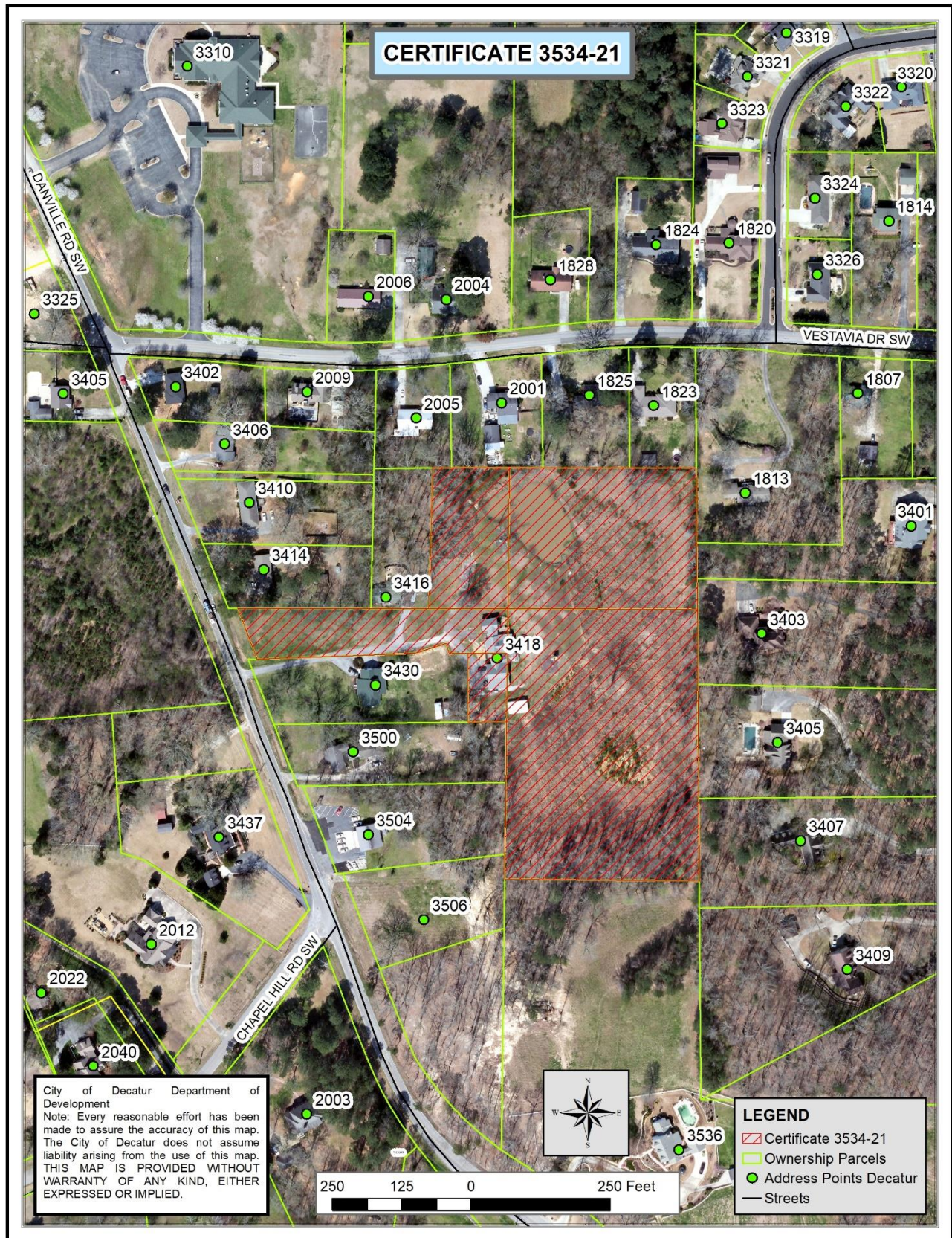
Conditions to be met

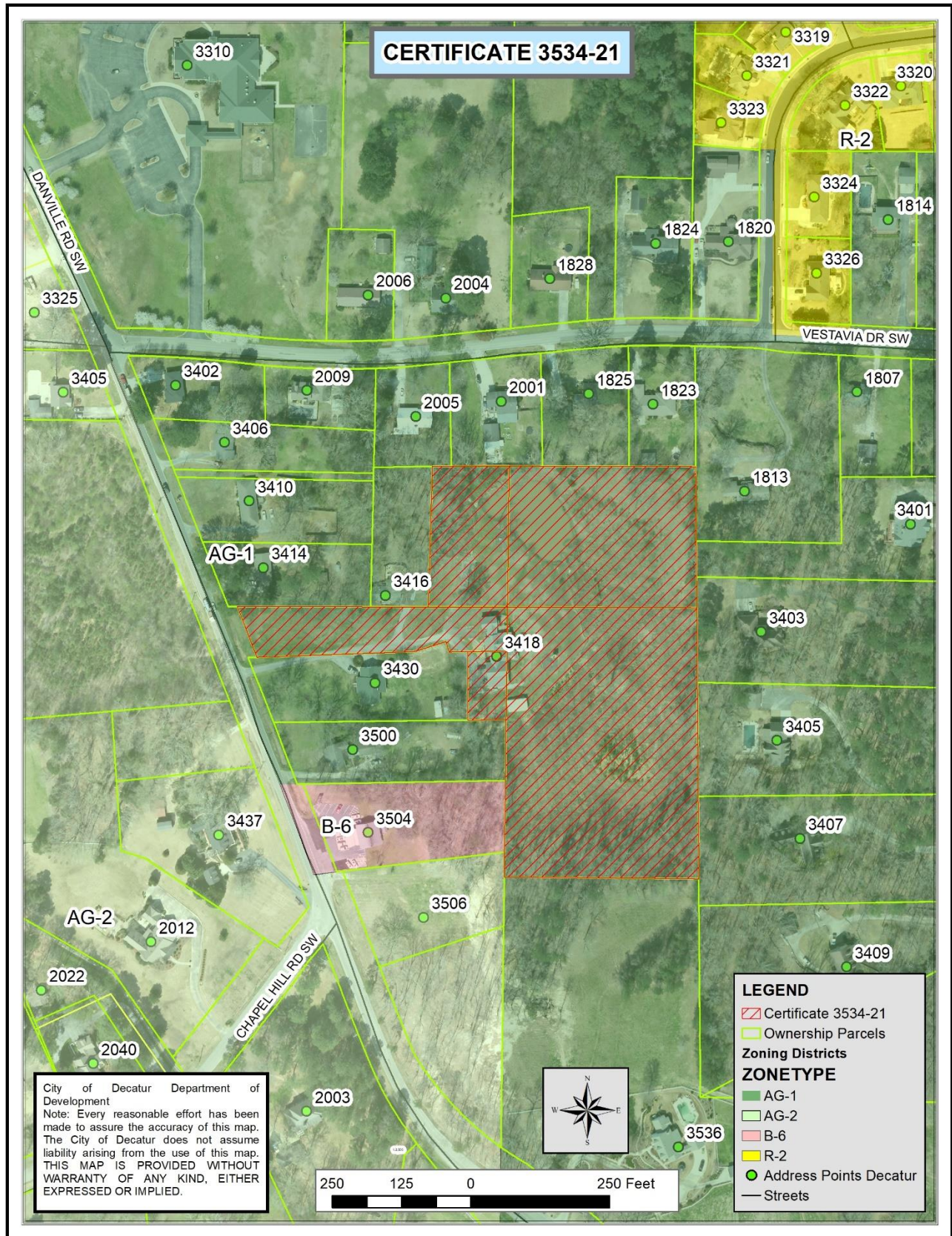
1. Signed property owner letter.
2. Signed, sealed survey with three state plane coordinates.
3. Recording fees.
4. Show ROW for roads.
5. There is a gas service line serves all three houses 3418, 3416, 3430. Need to get the gas service shown and need to get an easement of 10 ft.

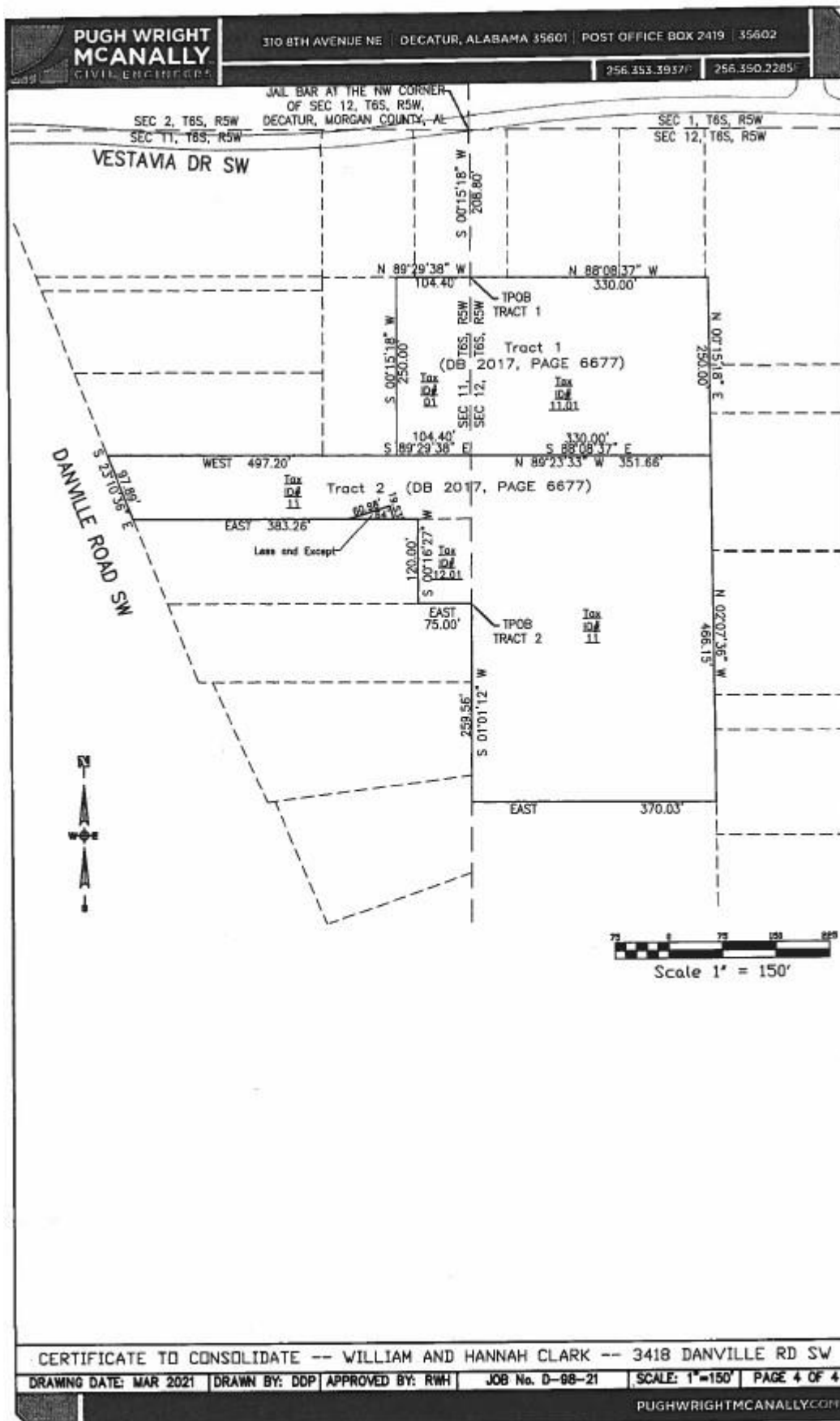
Pt. of Info:

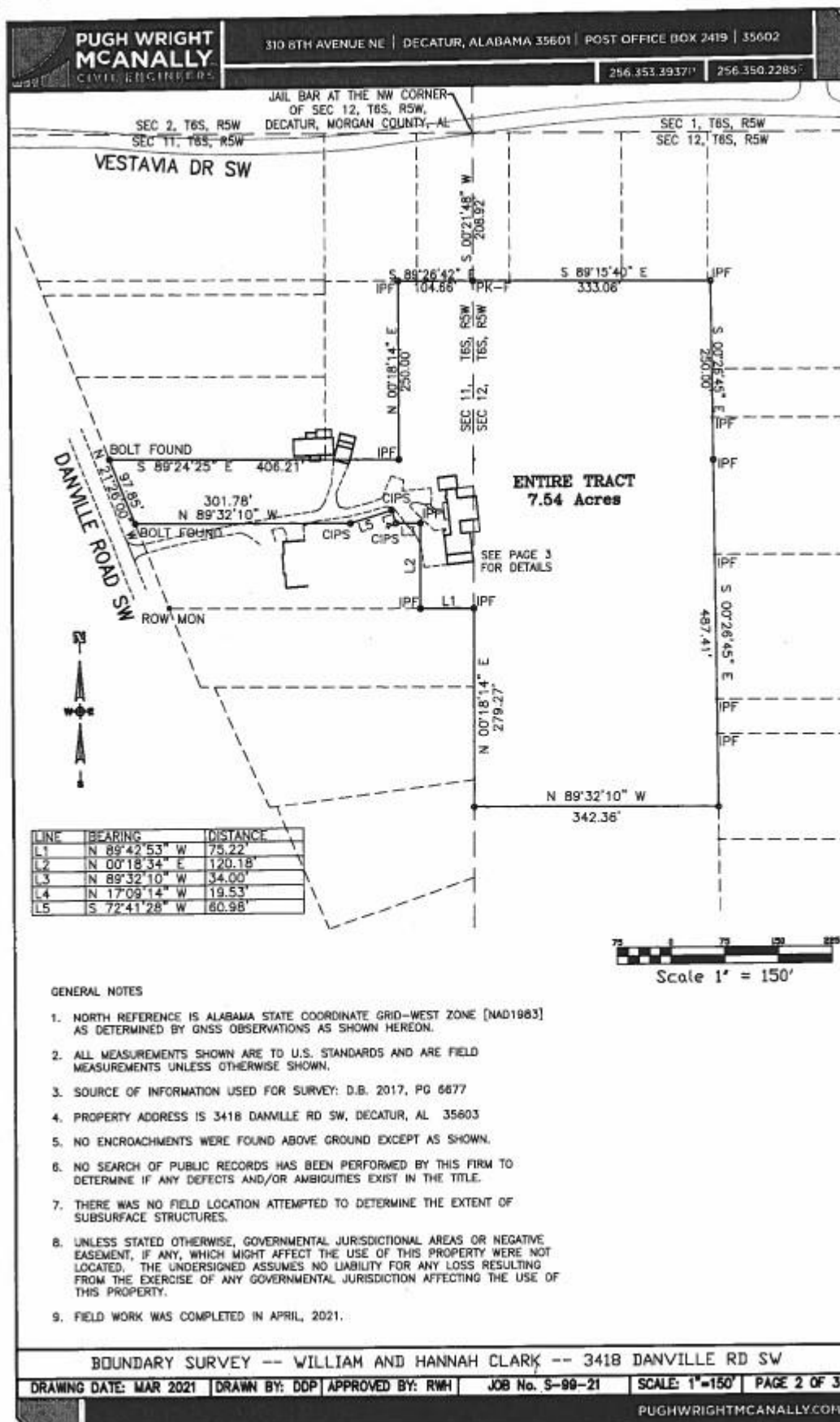
Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:









FILE NAME OR NUMBER: Certificate 3535-21

ACRES: 11.13

CURRENT ZONE: AG-2

APPLICANT: Wilhite Surveying, LLC for Ignacio Hernandez

LOCATION AND OR PROPERTY ADDRESS: 2240 Chapel Hill Rd

REQUEST: Change lot lines between two parcels of 5.13 and 6.0 acres to create two parcels of 9.12 and 2.0 acres.

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential Low Density

ONE DECATUR STREET TYPOLOGY: Chapel Hill Rd is classified as an Urban Collector.

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

