

MEMORANDUM

DATE: August 24, 2021

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

August 24, 2021

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

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

Agenda Planning Commission

City of Decatur, AL

August 24, 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**

CALL MEETING TO ORDER

APPROVAL OF MINUTES- July 2021

OLD BUSINESS

CERTIFICATE

PAGE/MAP

A. 3541-21

(1303 Hwy 20)

1-4

PUBLIC HEARING

REZONING

PAGE/MAP

A. Rezoning 1373-21

(2728 Bank Rd SE)

5-10

B. Rezoning 1374-21

(Northwest of Arapaho Trail SE)

11-16

C. Rezoning 1375-21

(Northwest of Arapaho Trail SE)

17-22

PRE-ZONING

PAGE/MAP

A. Pre-zoning 1376-21

(North of Kiowa Trail SE)

23-28

PLAT REVIEWS**PAGE/MAP**

- | | |
|---|-------|
| A. Re-plat of Lot 4#, The Summit, Replat of Lots 3A & 4D Minor Plat
(312 Burleson Mountain Road) | 29-31 |
| B. Windsor Place Subdivision Phase 2 Preliminary Plat
(W of McEntire Lane & N of Wingate Way) | 32-35 |

CONSENT AGENDA

CERTIFICATES**PAGE/MAP**

- | | |
|--|-------|
| A. 3550-21
(2306 Modaus Road SW) | 36-39 |
| B. 3551-21
(4214 Ruby Pointe Drive) | 40-43 |
| C. 3552-21
(464 Covina Drive SW) | 44-47 |

FINAL PLATS**PAGE/MAP**

- | | |
|--|-------|
| A. Re-plat of a Re-plat Greystone Subdivision Addition 5 Final Plat
(2333 Aldingham Drive SW) | 48-51 |
| B. Legacy Cove Phase 1 Final Plat
(2514 Point Mallard Drive SE) | 52-55 |
| C. McGhee Square Townhomes Final Plat
(17 Walnut Street NE) | 56-59 |

SITE PLAN REVIEWS**PAGE/MAP**

A. Site Plan 618-21

60-63

(928 Sims Street)

OTHER BUSINESS**VACATIONS****PAGE/MAP**

A. 536-21

64-67

(464 Covina Drive SW)

B. 537-21

68-71

(464 Covina Drive SW)

C. 538-21

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(2805 Hempstead Ave SW)

ANNEXATION**PAGE/MAP**

A. 364-21

76-79

(W of McEntire Lane & N of Wingate Way)

OLD BUSINESS

TABLED CERTIFICATE FROM JULY 2021

FILE NAME OR NUMBER: Extra-territorial Certificate 3541-21

ACRES: 6.6

CURRENT ZONE: None

APPLICANT: Mid-South Testing Inc. for Ashley Spangler

LOCATION AND OR PROPERTY ADDRESS: 1303 Highway 20

REQUEST: Consolidate three parcels of 0.7, 3.9, and 2.0 acres to create one parcel of 6.6 acres.

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Flex Employment

ONE DECATUR STREET TYPOLOGY: Highway 20 is a Principal Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

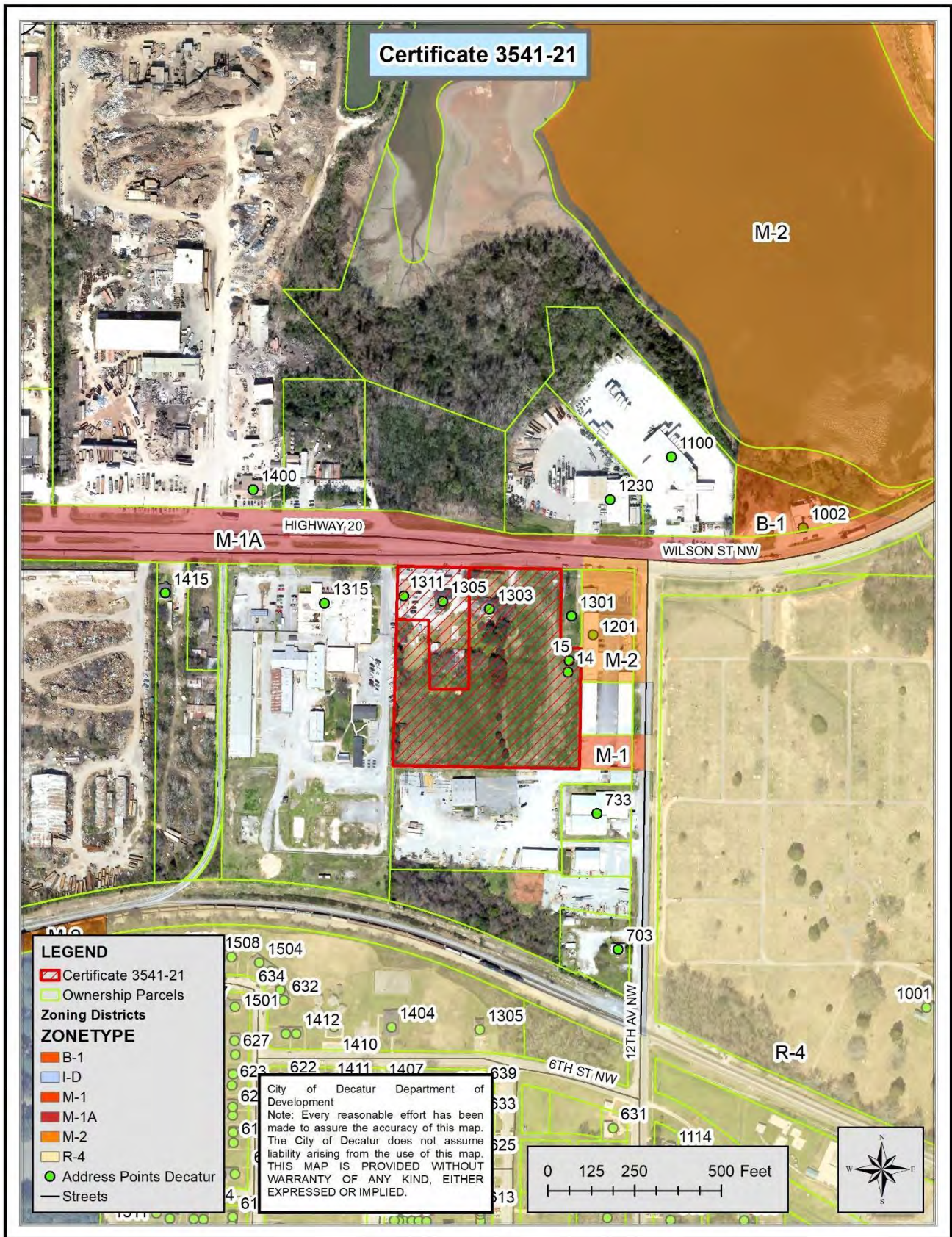
1. Recording fees
2. Updated legal description with two notary blocks. We need one for County Engineer.
The certificate needs to be in the extra-territorial format
3. Legal description on total tract. Language is a little confusing. Look at paragraphs 2 and 3 and see if it needs to be re-worded
4. Name on the certificate should be how they are deeded
5. Remove "Proposed RV Park" from the name of the plat
6. Powerline that runs east/west across property we will need a 40 ft easement, 20ft on each side from center line
7. Need a 20 ft easement, 10 ft on either side of the centerline, for lines coming off of the main line

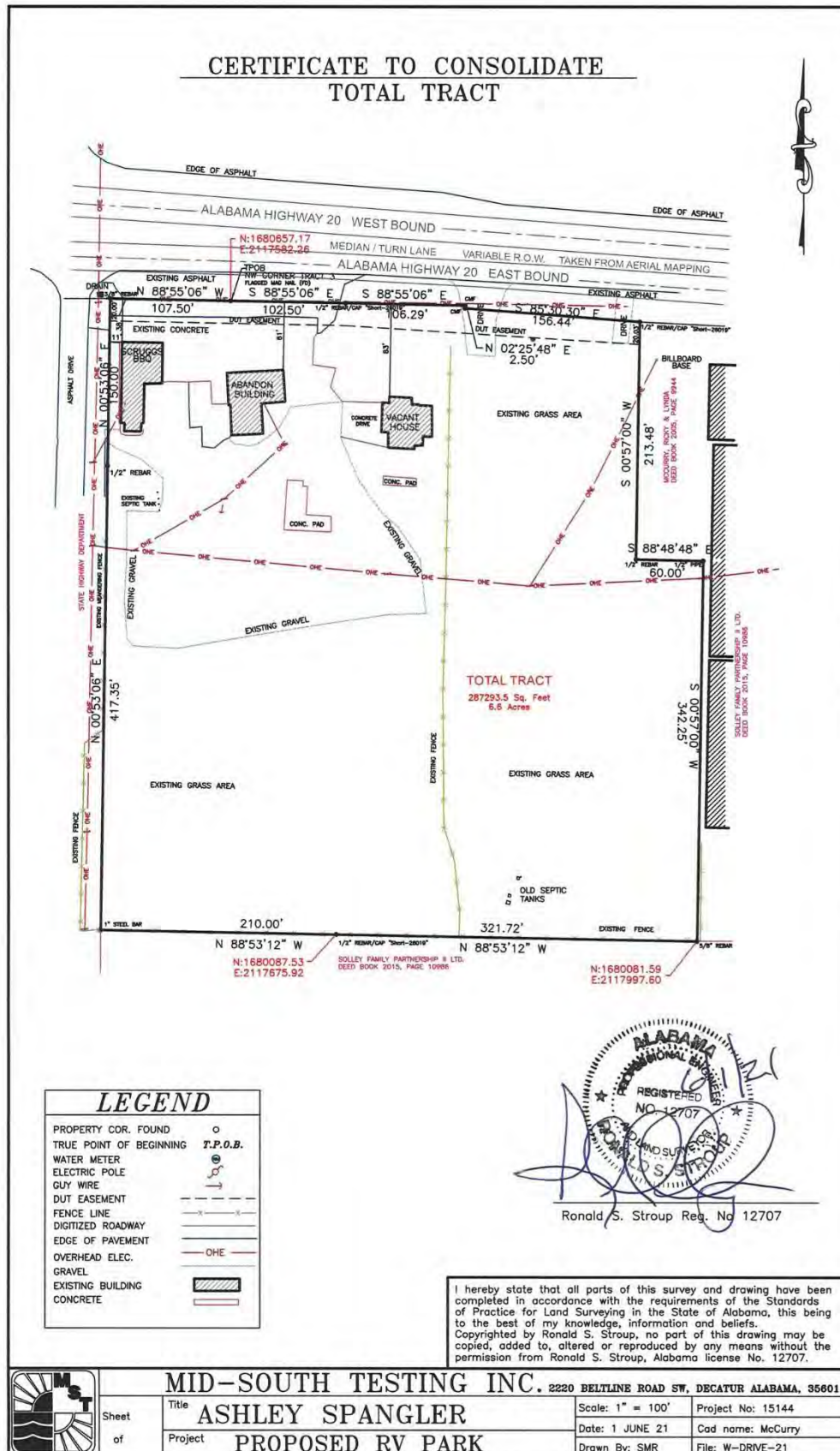
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







PUBLIC HEARING**REZONING**

FILE NAME OR NUMBER: Rezoning 1373-21

ACRES: 5.0

CURRENT ZONE: R-6

APPLICANT: Billy and Regina McDonald

LOCATION AND OR PROPERTY ADDRESS: 2728 Red Bank Rd SE

REQUEST: Rezone 5.0 acre parcel from R-6 (single-family semi-attached) to R-1E (Residential Estate District)

NEW ZONE: R-1E

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, low density

ONE DECATUR STREET TYPOLOGY: Red Bank Rd SE is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

Conditions to be met

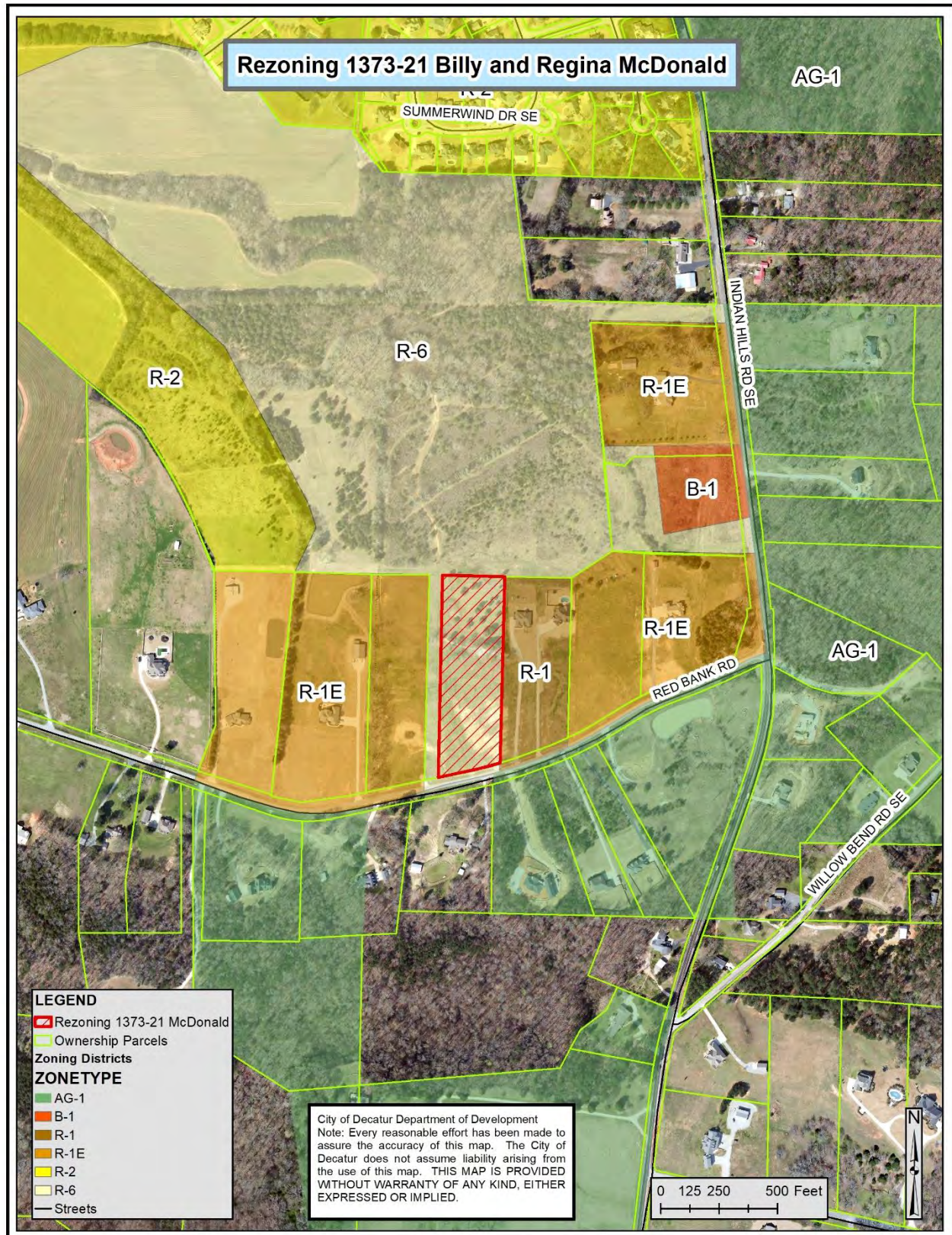
Pt. of Info:

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

Zoning Committee members present were in favor of this request.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R6 TO R-1E		August 17, 2021
SECTION	R6	R-1E
USES PERMITTED	<p>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:</p> <p>a. (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.</p>	<p>There is hereby created an R-1E Residential Estate District (large lot open space district) for those areas so designated by this chapter and the zoning map of the city, which R-1E districts shall allow single-family large lot or estate residences subject to use regulations common to all "R" zoning districts as set forth in section 25-10, and further subject to the following requirements and conditions.</p> <p>(1) Purpose. The R-1E district is intended to provide areas for single-family development in an open space setting or where topography, utility capacities and/or natural amenities limit the use of the land. Provisions are made for those uses necessary and incidental to single-family living. (2) Permitted uses. In addition to those uses permitted in section 25-10 the following uses shall be permitted: a. Church and parsonage. b. Horses shall be permitted on lots of five (5) acres or more at a rate of two for the first five (5) acres, and one (1) for each additional acre thereafter. c. Accessory buildings and uses including stables, corrals, barns, private garages, tack rooms, hay barns, a guest house with no kitchen facilities, and other buildings and uses customarily appurtenant to a permitted use.</p>

ZONING DISTRICT COMPARISON R6 TO R-1E		August 17, 2021
SECTION	R6	R-1E
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 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.</p>	<p>Uses permitted on appeal. In addition to those uses permitted on appeal in section 25-10 (shown to the left) a barn shall be permitted on appeal on tracts of five (5) acres or more where a residential structure is planned.</p>
USES PROHIBITED	<p>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.</p>	<p>In addition to uses prohibited in section 25-10 (shown to the left), <i>Uses prohibited</i>. Any use not permitted or permitted on appeal, is prohibited.</p>

ZONING DISTRICT COMPARISON R6 TO R-1E		August 17, 2021
SECTION	R6	R-1E
MINIMUM LOT AREA	Minimum lot size: 2,000 square feet.	Minimum lot area—One (1) acre, or five (5) acres if horses are to be kept.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: 25 feet.	Fifty (50) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: 20 feet.	Sixty (60) feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).	Minimum side yard setback—Twenty-five (25) feet.
MAXIMUM BUILDING HEIGHT	Maximum building height: 35 feet.	Fifty (50) feet.
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.	(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.

FILE NAME OR NUMBER: Rezoning 1374-21

ACRES: 18.05

CURRENT ZONE: R-2

APPLICANT: Pugh, Wright, McAnally for Poole Properties, LLC (Melisa P Currey)

LOCATION AND OR PROPERTY ADDRESS: Northwest of Arapaho Trail SE

REQUEST: Rezone 18.05 acre parcel from R-2 to R-3

NEW ZONE: R-3

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, low density

ONE DECATUR STREET TYPOLOGY: Arapaho Trail SE is a Local Street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Conditions to be met

1. Copy of deed

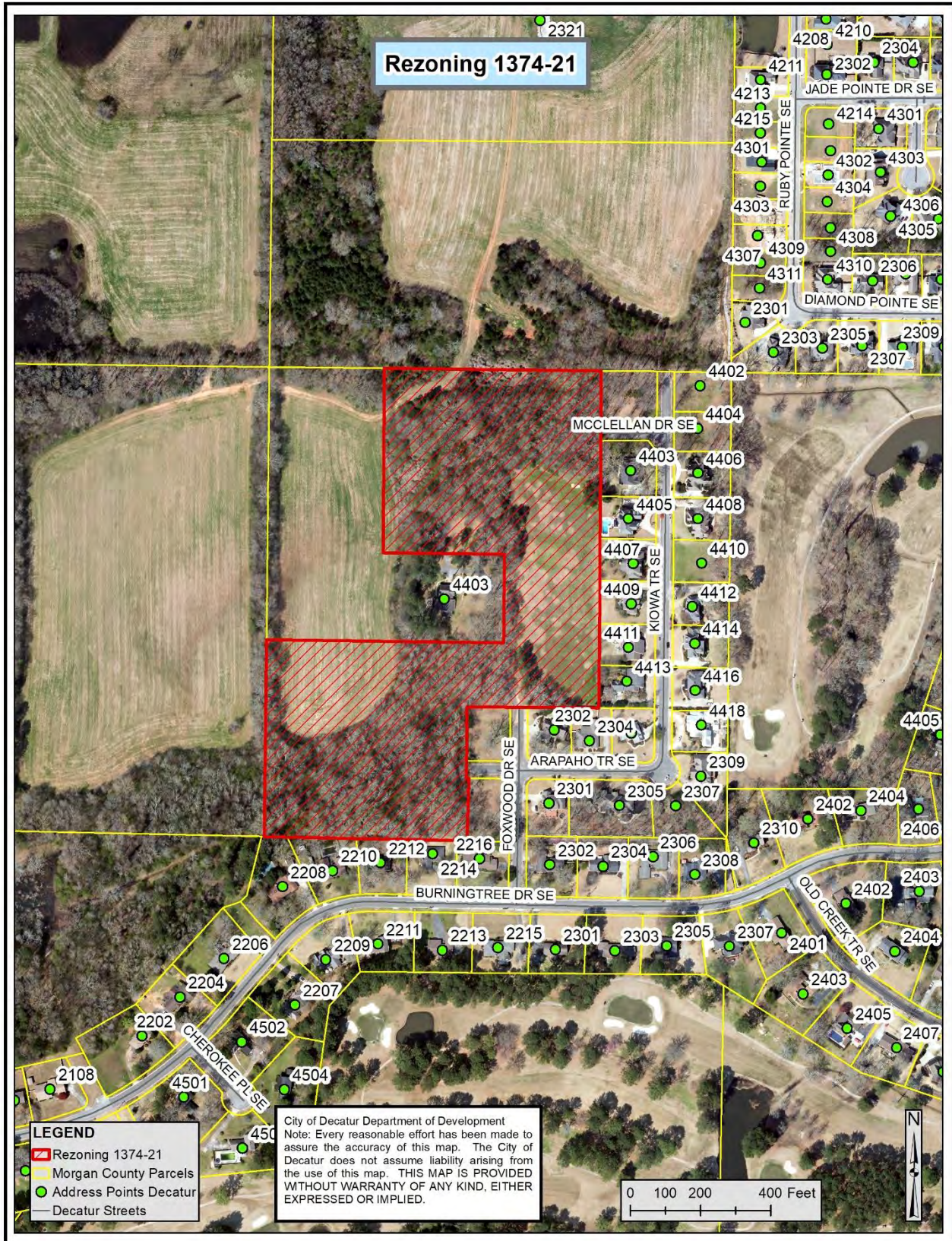
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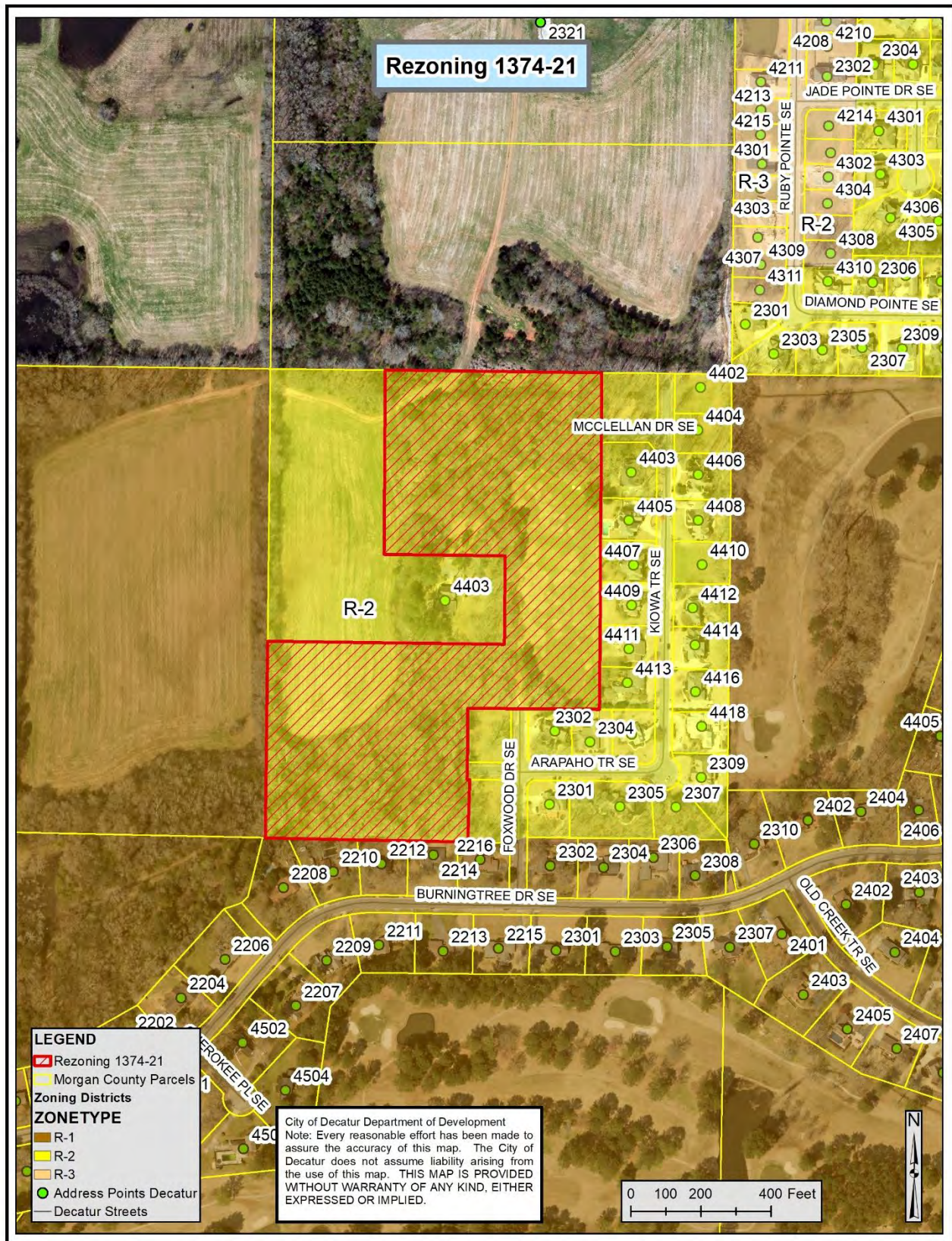
Any relocation of utilities will be at the owner's expense

Dan Culpepper recused himself from the discussion of Rezoning 1374-21, 1375-21, and Prezoning 1376-21 because he lives in the area.

The remaining Zoning Committee members were in favor of this request.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
USES PERMITTED	<p>There is hereby created an R-2 Residential District for those areas so designated by this chapter and the zoning map of the city, which R-2 Districts shall allow: Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).</p> <p>(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.</p>	<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.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.</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 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.</p>	<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 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.</p>

ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
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: 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.
MINIMUM LOT AREA	Minimum lot area: Ten thousand (10,000) square feet.	Minimum lot area: Seven thousand (7,000) square feet.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: Thirty-five (35) feet	Minimum front yard setback: Thirty (30) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Forty (40) feet.	Minimum rear yard setback: Thirty-five (35) feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: Eight (8) feet.	Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.
MINIMUM FEET AT BUILDING LINE	Minimum feet at building line: Seventy (70) feet.	Minimum feet at building line: Fifty (50) feet.
MAXIMUM BUILDING HEIGHT	Maximum building height: Thirty-five (35) feet.	Maximum building height: Thirty-five (35) feet.

ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	Maximum height in stories: Two and one-half (2½).
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.	(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.

FILE NAME OR NUMBER: Rezoning 1375-21

ACRES: 7.9

CURRENT ZONE: R-2

APPLICANT: Pugh, Wright, McAnally for Melisa P Currey

LOCATION AND OR PROPERTY ADDRESS: Northwest of Arapaho Trail SE

REQUEST: Rezone 7.9 acre parcel from R-2 to R-3

NEW ZONE: R-3

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, low density

ONE DECATUR STREET TYPOLOGY: Arapaho Trail SE is a Local Street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Conditions to be met

1. Copy of Deed

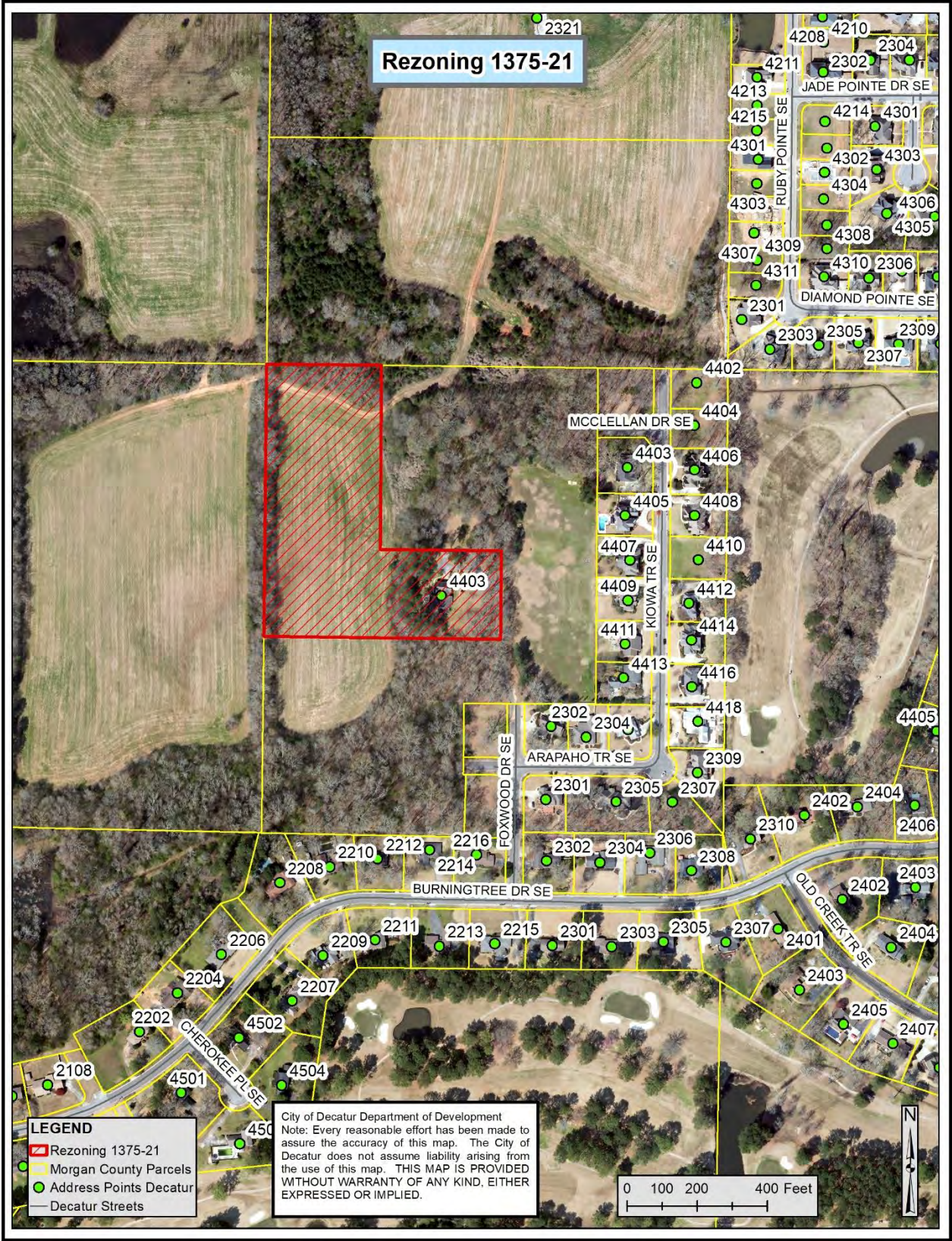
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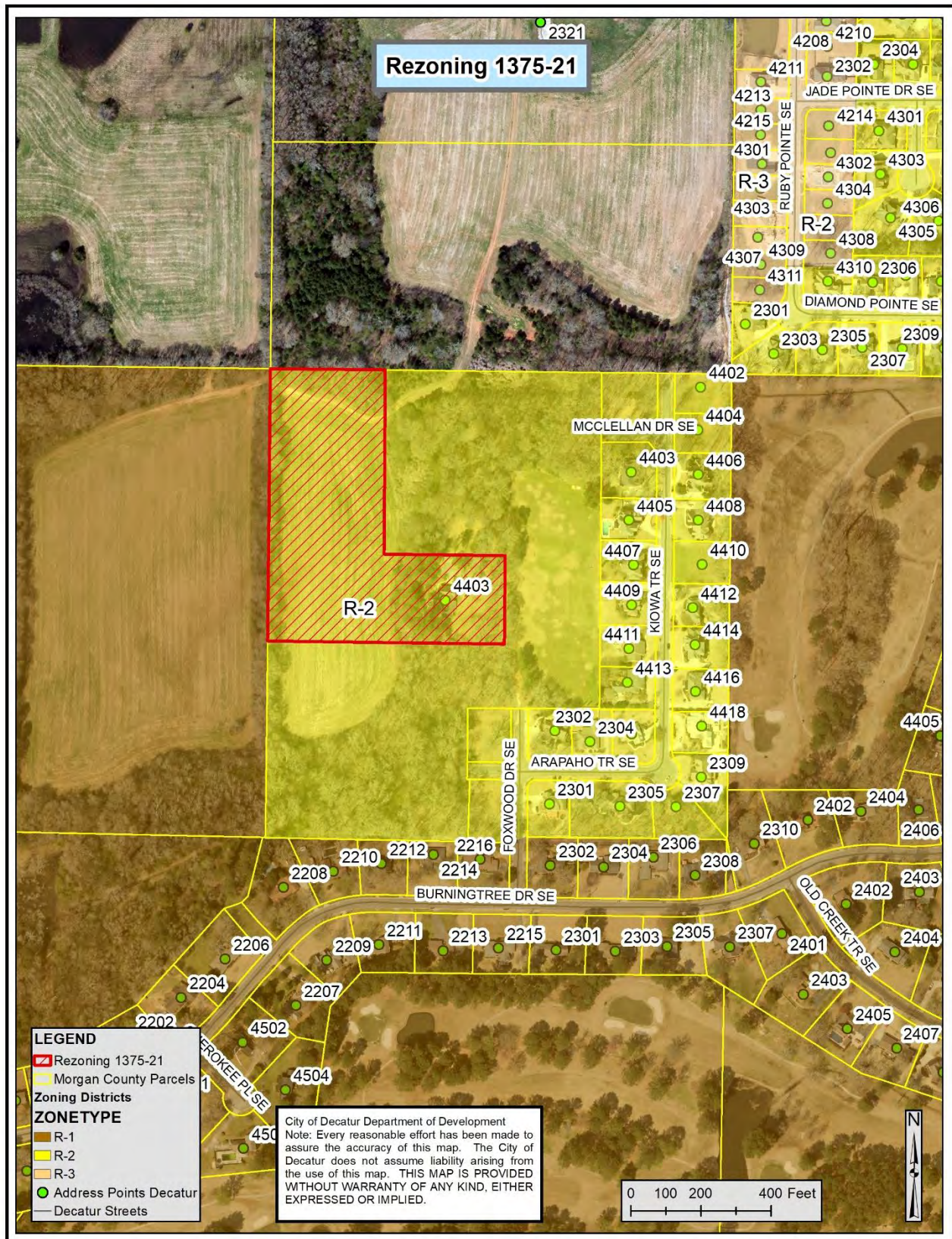
Any relocation of utilities will be at the owner's expense

Dan Culpepper recused himself from the discussion of Rezoning 1374-21, 1375-21, and Prezoning 1376-21 because he lives in the area.

The remaining Zoning Committee members were in favor of this request.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
USES PERMITTED	<p>There is hereby created an R-2 Residential District for those areas so designated by this chapter and the zoning map of the city, which R-2 Districts shall allow: Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).</p> <p>2. (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.</p>	<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>(3) (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.</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 duly licensed as a class I or class II club by the city and the state alcoholic beverage</p>	<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 duly licensed as a class I or class II</p>

ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
	control board under and pursuant to the Alcoholic Beverage Licensing Code.	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: 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.
MINIMUM LOT AREA	Minimum lot area: Ten thousand (10,000) square feet.	Minimum lot area: Seven thousand (7,000) square feet.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: Thirty-five (35) feet	Minimum front yard setback: Thirty (30) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Forty (40) feet.	Minimum rear yard setback: Thirty-five (35) feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: Eight (8) feet.	Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.
MINIMUM FEET AT	Minimum feet at building line: Seventy (70) feet.	Minimum feet at building line: Fifty (50) feet.

ZONING DISTRICT COMPARISON R2 TO R3		August 17, 2021
SECTION	R2	R3
BUILDING LINE		
MAXIMUM BUILDING HEIGHT	Maximum building height: Thirty-five (35) feet.	Maximum building height: Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	Maximum height in stories: Two and one-half (2½).
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.	(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.

PRE-ZONING

FILE NAME OR NUMBER: Pre-zoning 1376-21

ACRES: 20.1

CURRENT ZONE: None

APPLICANT: Pugh, Wright, McAnally for Melisa P Currey

LOCATION AND OR PROPERTY ADDRESS: North of Kiowa Tr SE

REQUEST: Prezone 20.1 acre parcel to R-3

NEW ZONE: R-3

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, low density

ONE DECATUR STREET TYPOLOGY: Kiowa Tr SE is a Local Street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**Conditions to be met**

1. Copy of Deed

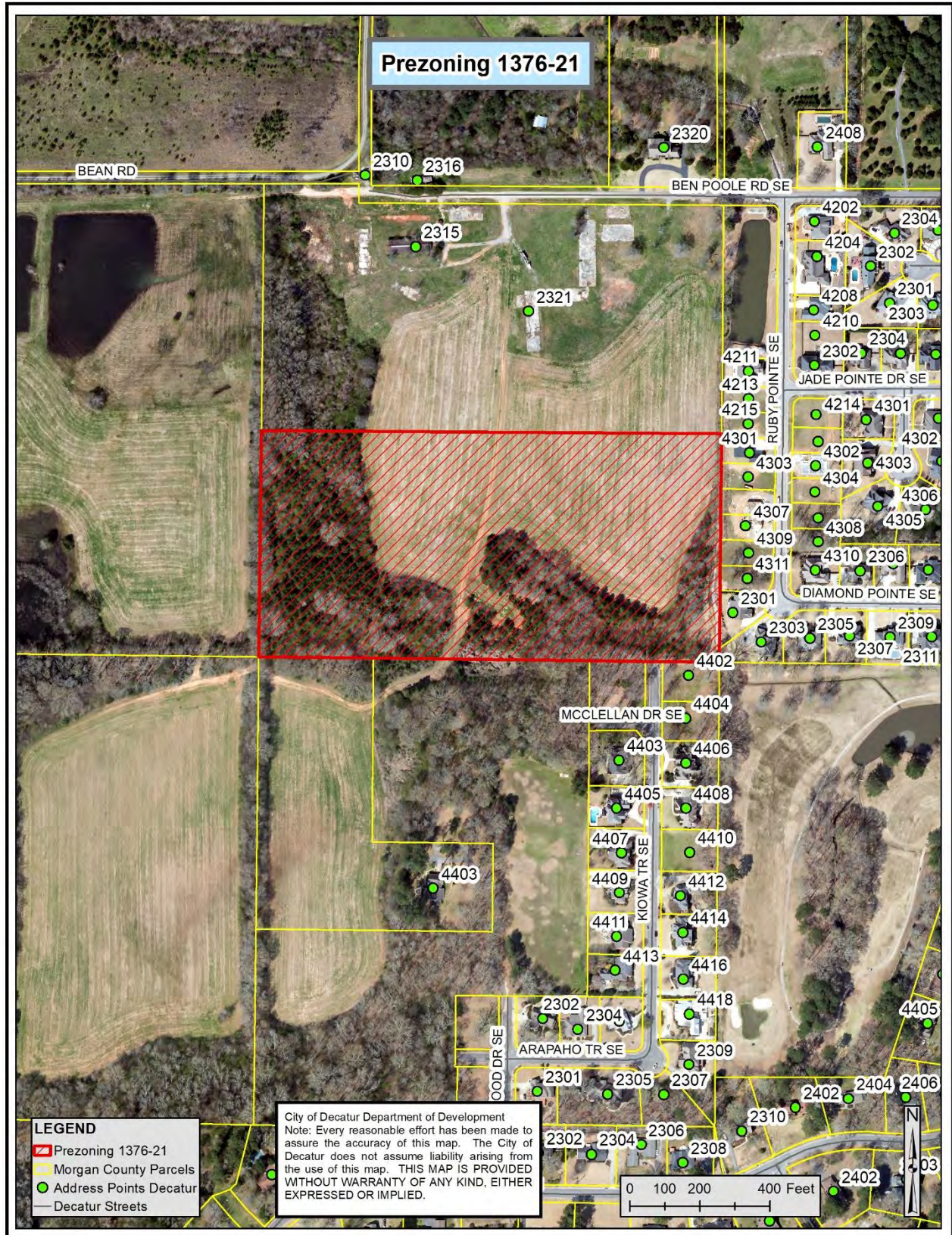
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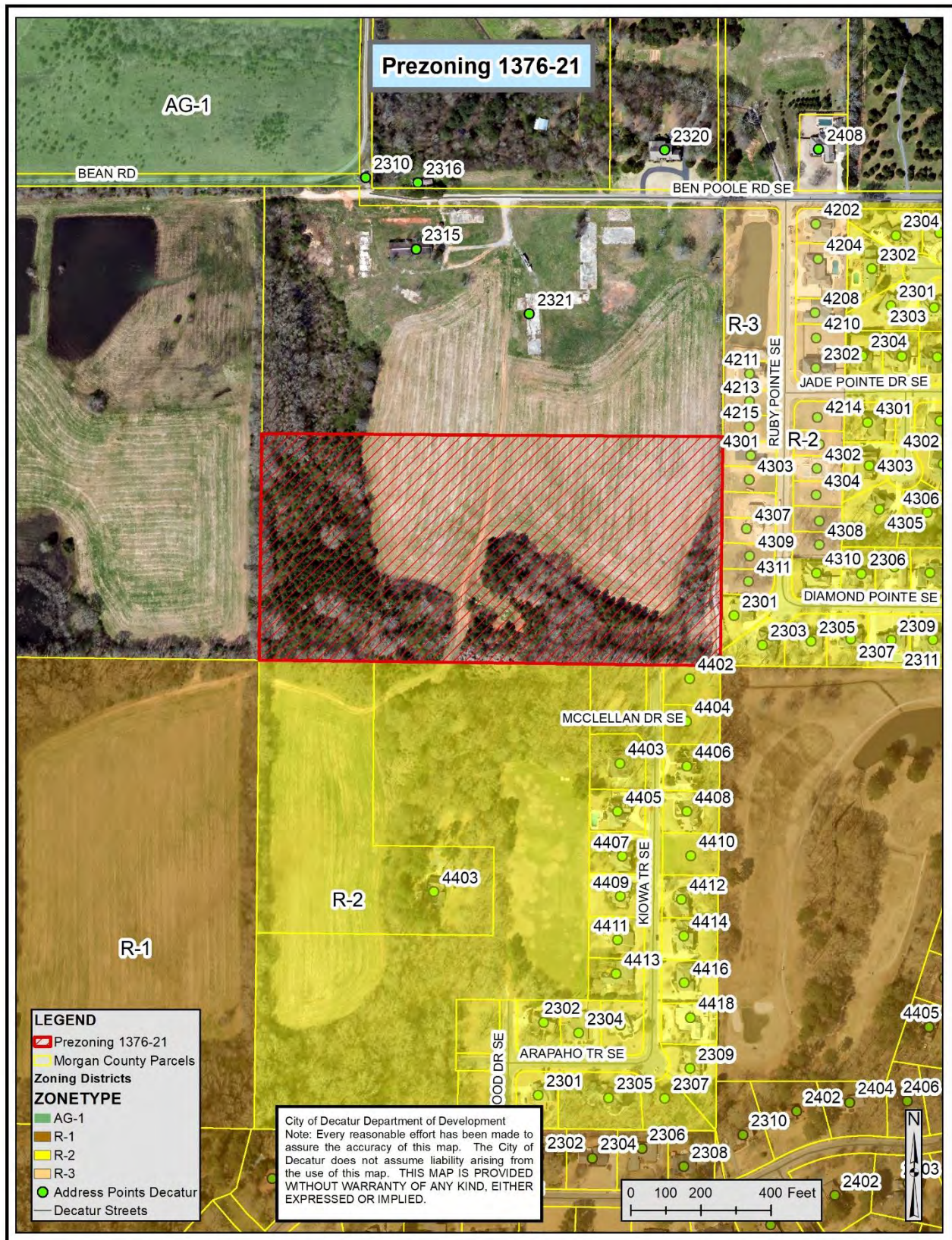
Any relocation of utilities will be at the owner's expense

Dan Culpepper recused himself from the discussion of Rezoning 1374-21, 1375-21, and Prezoning 1376-21 because he lives in the area.

The remaining Zoning Committee members were in favor of this request.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON None TO R3		August 17, 2021
SECTION	None	R3
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>(4) (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.</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</p>

ZONING DISTRICT COMPARISON None TO R3		August 17, 2021
SECTION	None	R3
		and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.
USES 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.
MINIMUM LOT AREA		Minimum lot area: Seven thousand (7,000) square feet.
MAXIMUM BUILDING AREA		Maximum building area: None specified.
MINIMUM FRONT YARD		Minimum front yard setback: Thirty (30) feet.
MINIMUM REAR YARD SETBACK		Minimum rear yard setback: Thirty-five (35) feet.
MINIMUM SIDE YARD SETBACK		Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.

ZONING DISTRICT COMPARISON None TO R3		August 17, 2021
SECTION	None	R3
MINIMUM FEET AT BUILDING LINE		Minimum feet at building line: Fifty (50) feet.
MAXIMUM BUILDING HEIGHT		Maximum building height: Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES		Maximum height in stories: Two and one-half (2½).
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.

MINOR PLAT REVIEW

FILE NAME OR NUMBER: Replat of Lot 4E, The Summit, Replat of Lots 3A & 4D

ACRES: 13.4

CURRENT ZONE: None

APPLICANT: Lee Greene for Jimmy Lawley

LOCATION AND OR PROPERTY ADDRESS: 312 Burleson Mountain Rd

REQUEST: Subdivide one lot of 13.4 acres into two lots of 2.8 and 10.6 acres

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Rural Edge/Agricultural

ONE DECATUR STREET TYPOLOGY: Burleson Mountain Road is a Local Street

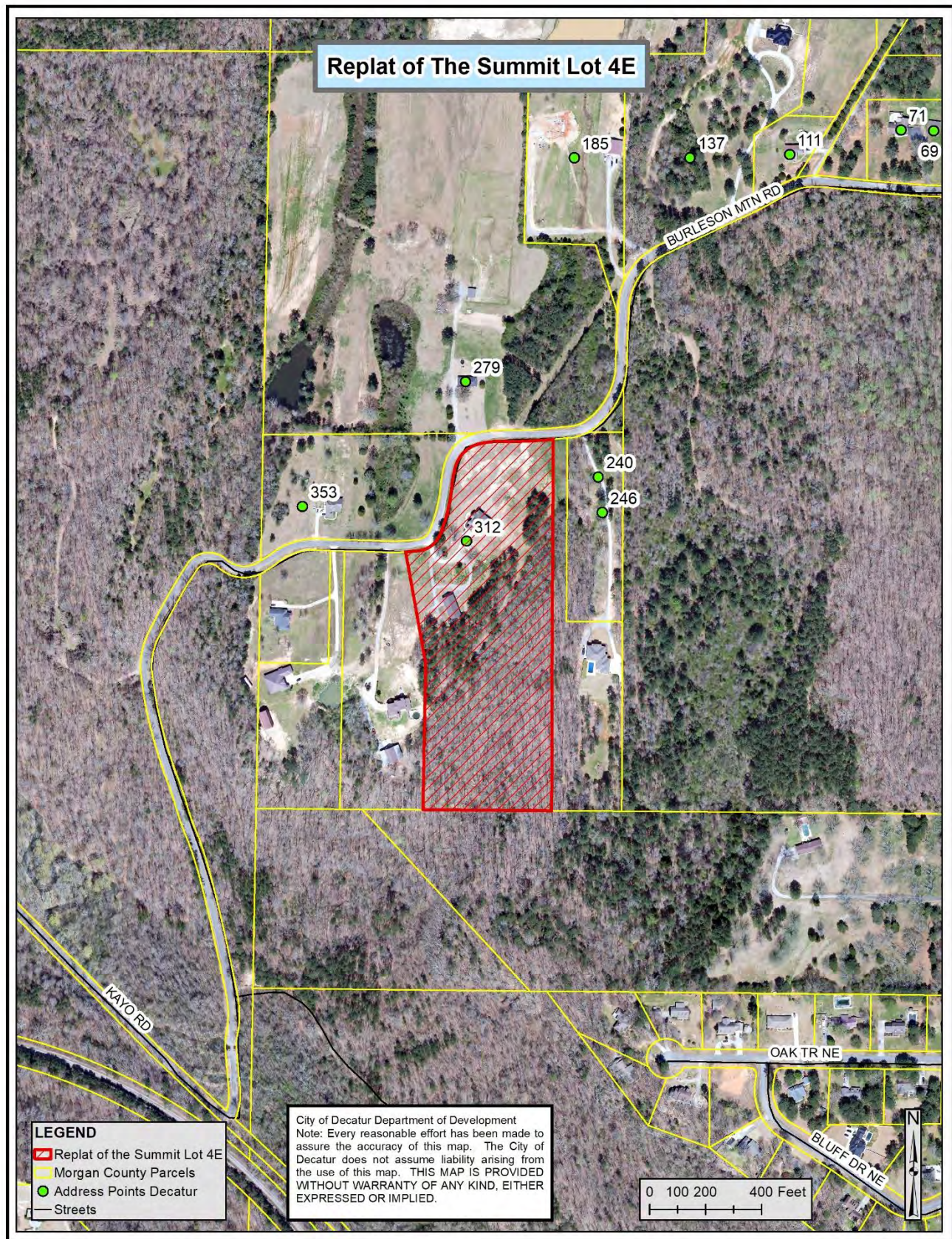
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. 30 ft DUT easement, 15 ft on either side of overhead power line
2. The two underground lines extending from the last pole should be located on survey and have a 10 ft DUT easement, 5 ft on either side
3. Add signature blocks for health department and planning commission
4. Verify book and page number are correct in Engineering and Surveyor block

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





PRELIMINARY PLAT REVIEW

FILE NAME OR NUMBER: Windsor Place Subdivision Phase 2 Preliminary Plat

ACRES: 17.13

CURRENT ZONE: None

APPLICANT: Richard Humphrey for Timberland Partners, LLC

LOCATION AND OR PROPERTY ADDRESS: West of McEntire Lane and North of Wingate Way

REQUEST: Preliminary Plat Approval for a subdivision

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: McEntire Lane is an Urban Collector and Wingate Way is a Local Street

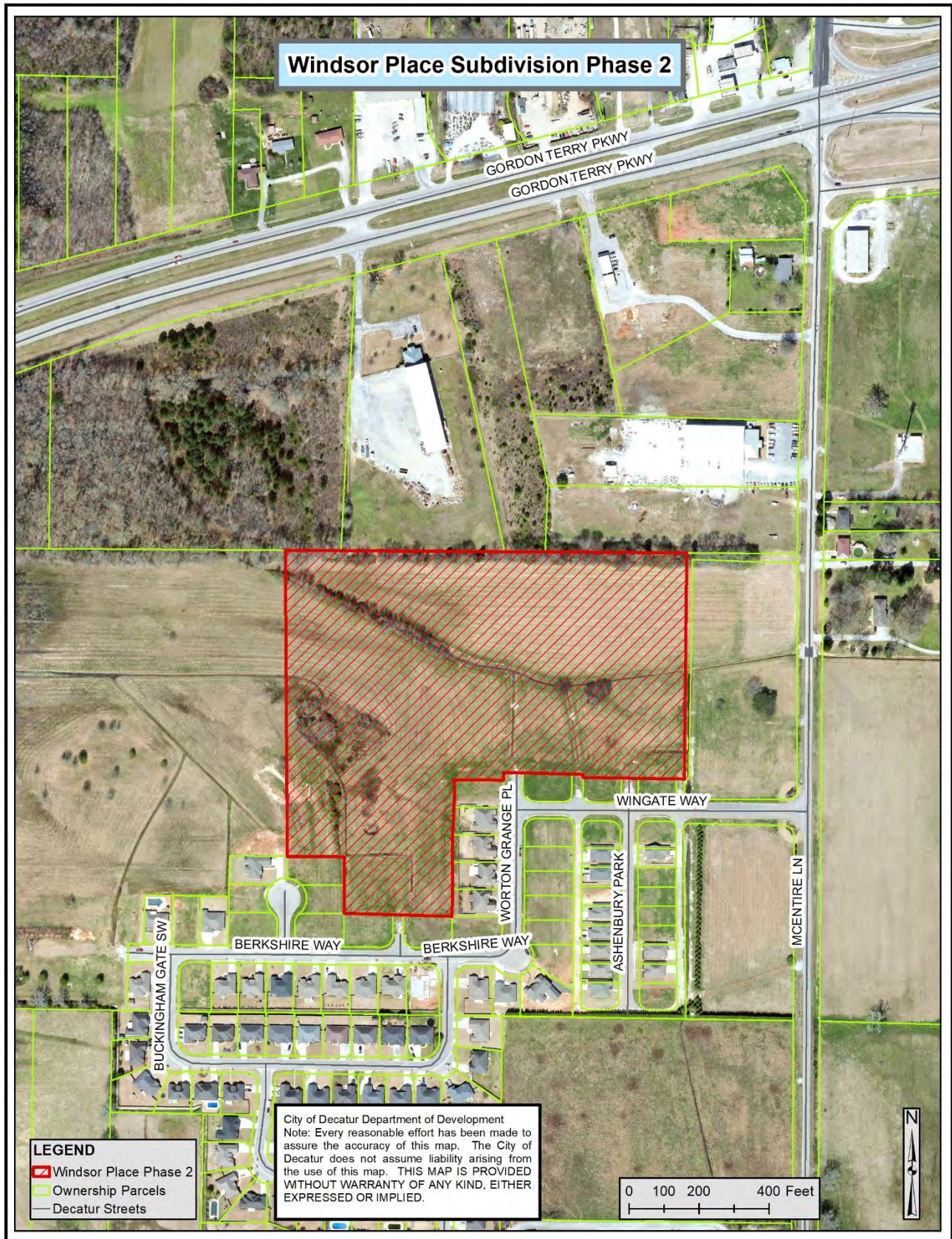
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

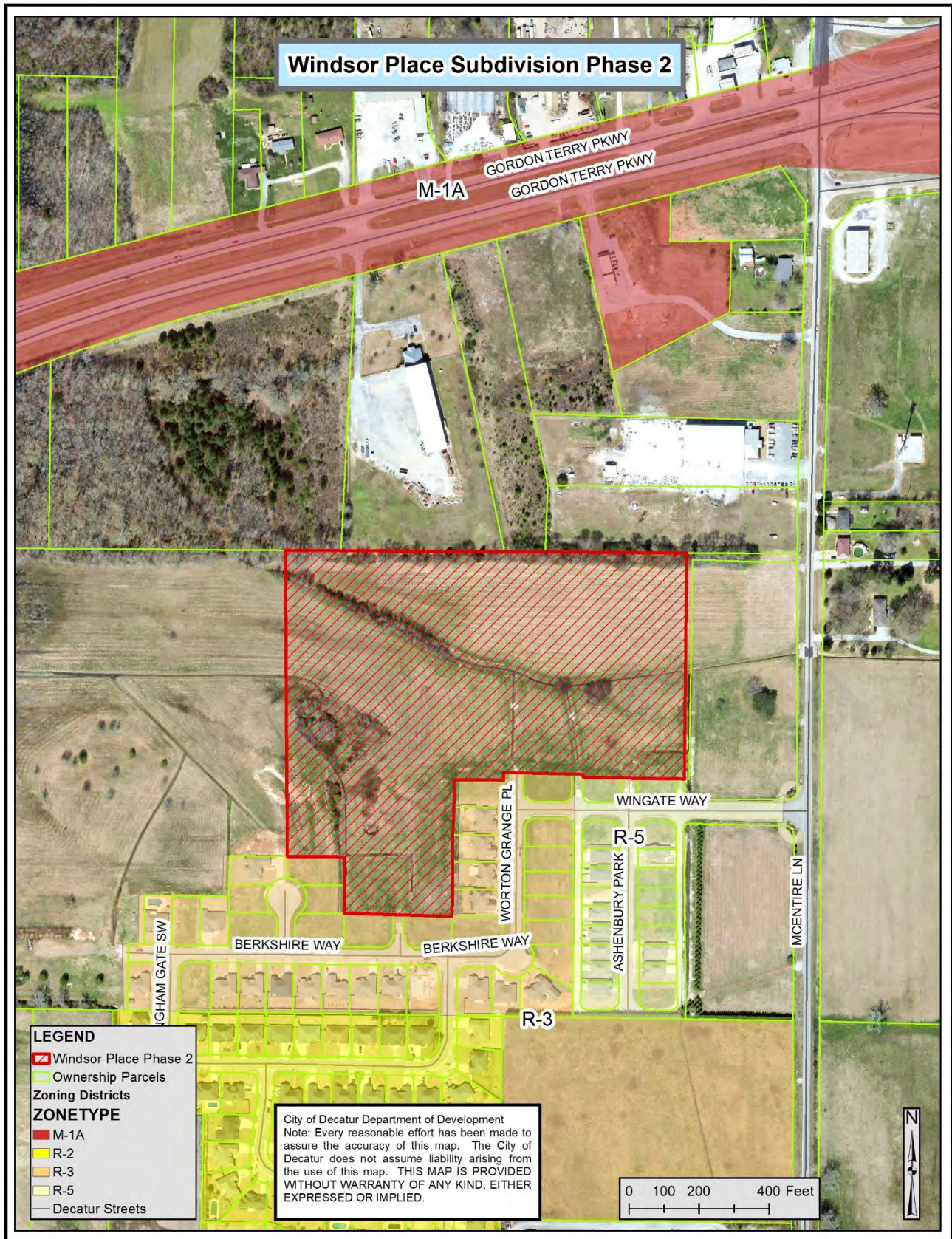
1. Recording fees
2. Plat application fees
3. Adjacent property owner letter fees
4. Per Engineering approval
5. Per DU approval
6. Extend ROW for alley on east side to the north end of the property
7. Make the easement along the ditch on the north side a no-build easement and add note to plat to indicate that

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







CONSENT AGENDA ITEMS**CERTIFICATES**

FILE NAME OR NUMBER: Certificate 3550-21

ACRES: 22.9

CURRENT ZONE: R-5 and AG-1

APPLICANT: White, Lynn, Collins, & Associates, Inc. for John Strickling

LOCATION AND OR PROPERTY ADDRESS: 2306 Modaus Rd SW

REQUEST: Consolidate two parcels of 7.48 and 15.42 acres into one parcel of 22.90 acres

PROPOSED LAND USE: Institution/Civic

ONE DECATUR FUTURE LAND USE: Major Institution/Civic and Residential, low density

ONE DECATUR STREET TYPOLOGY: Modaus Rd is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. Recording fees
2. Approval of Replat of Greystone Subdivision Addition V
3. Extend 50 ft utility easement next to substation. Extend east to next property line

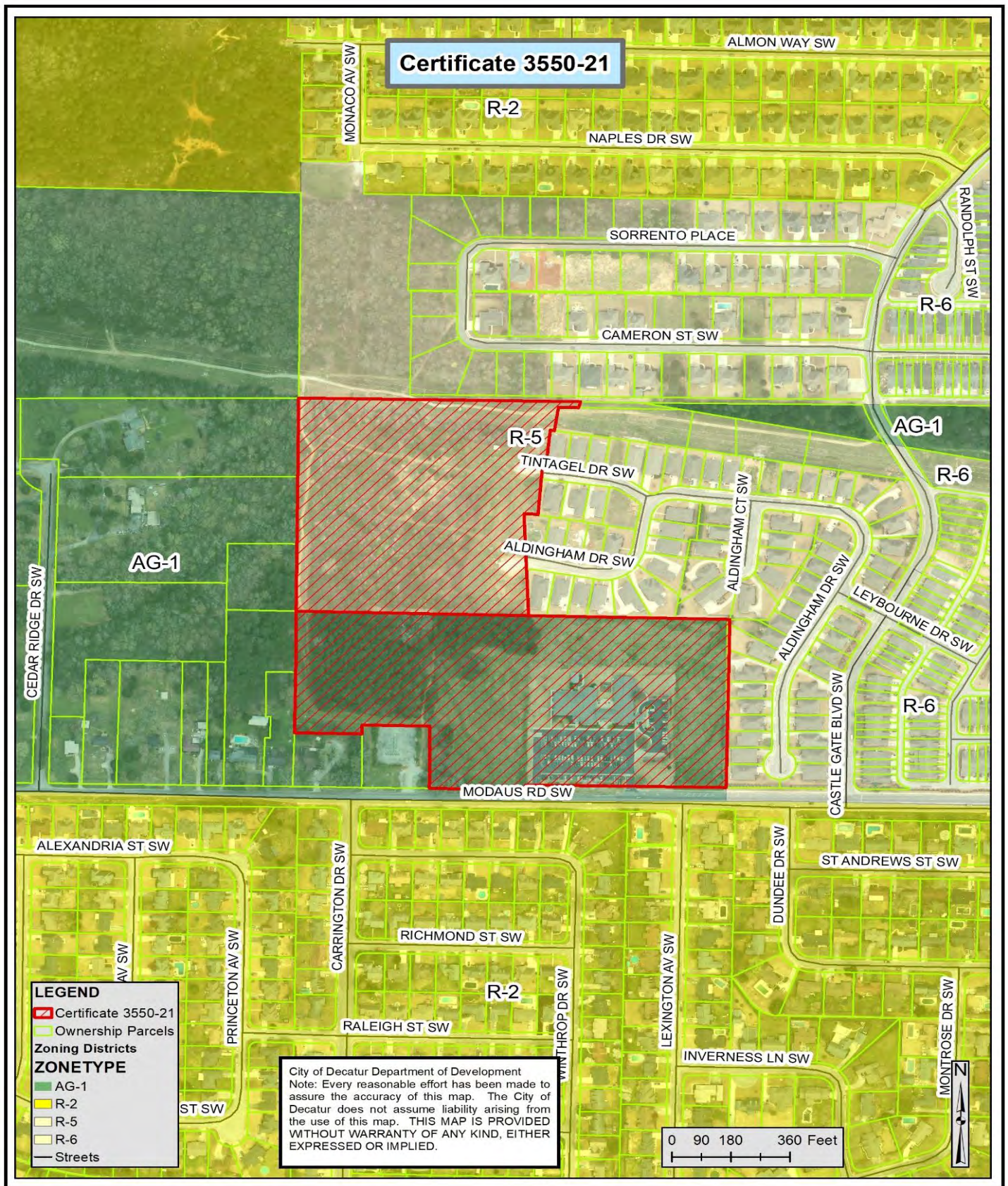
Pt. of Info:

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

Replat of Greystone Subdivision Addition V will need to be recorded prior to this certificate

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FILE NAME OR NUMBER: Certificate 3551-21

ACRES: 0.49

CURRENT ZONE: R-3

APPLICANT: Pugh, Wright, McAnally for Baylee Wallace

LOCATION AND OR PROPERTY ADDRESS: 4214 Ruby Pointe Dr SE

REQUEST: Subdivide one parcel of 0.49 acres into two parcels of 0.26 and 0.23 acres

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Residential Low Density

ONE DECATUR STREET TYPOLOGY: Ruby Pointe Dr is a Local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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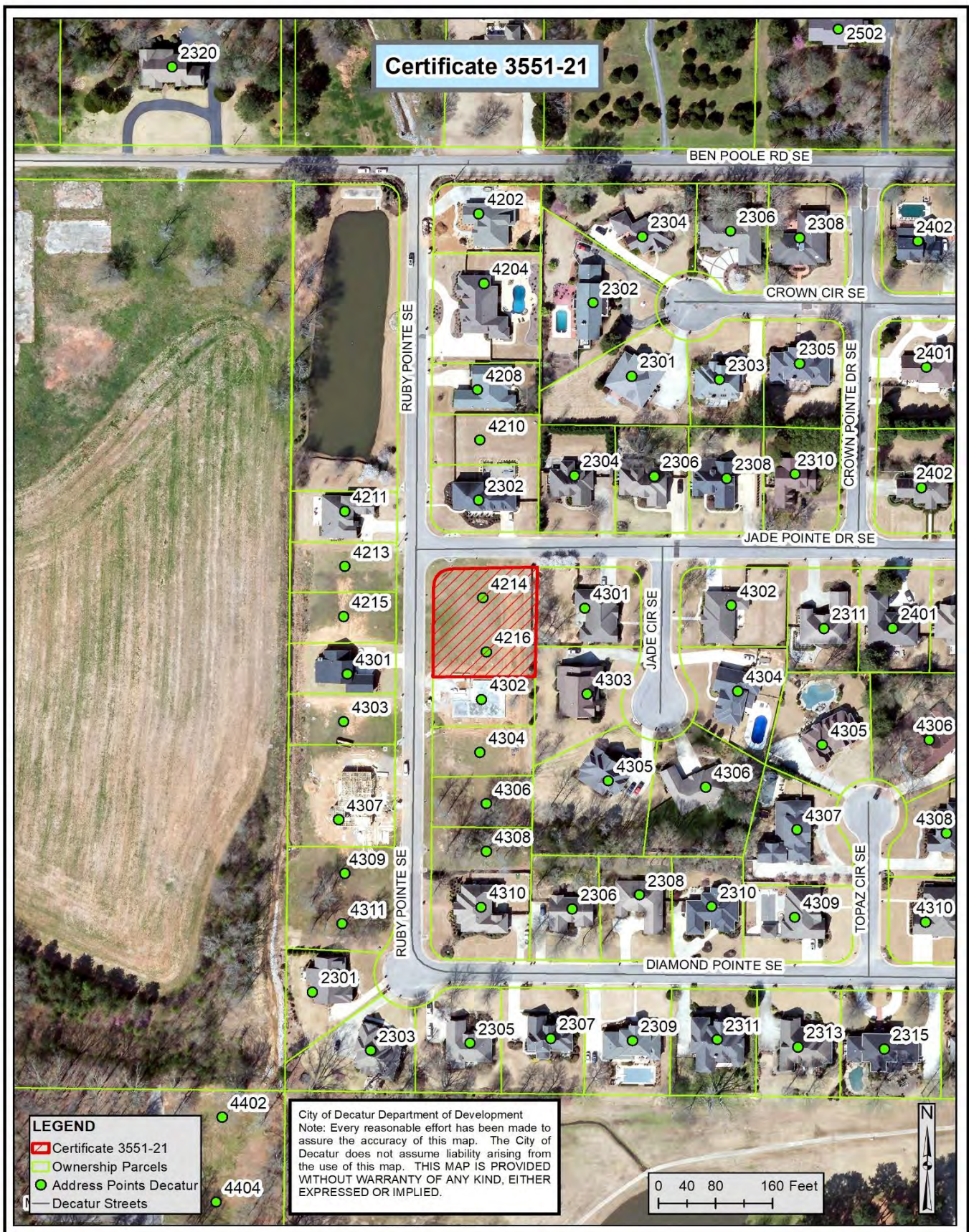
Conditions to be met:

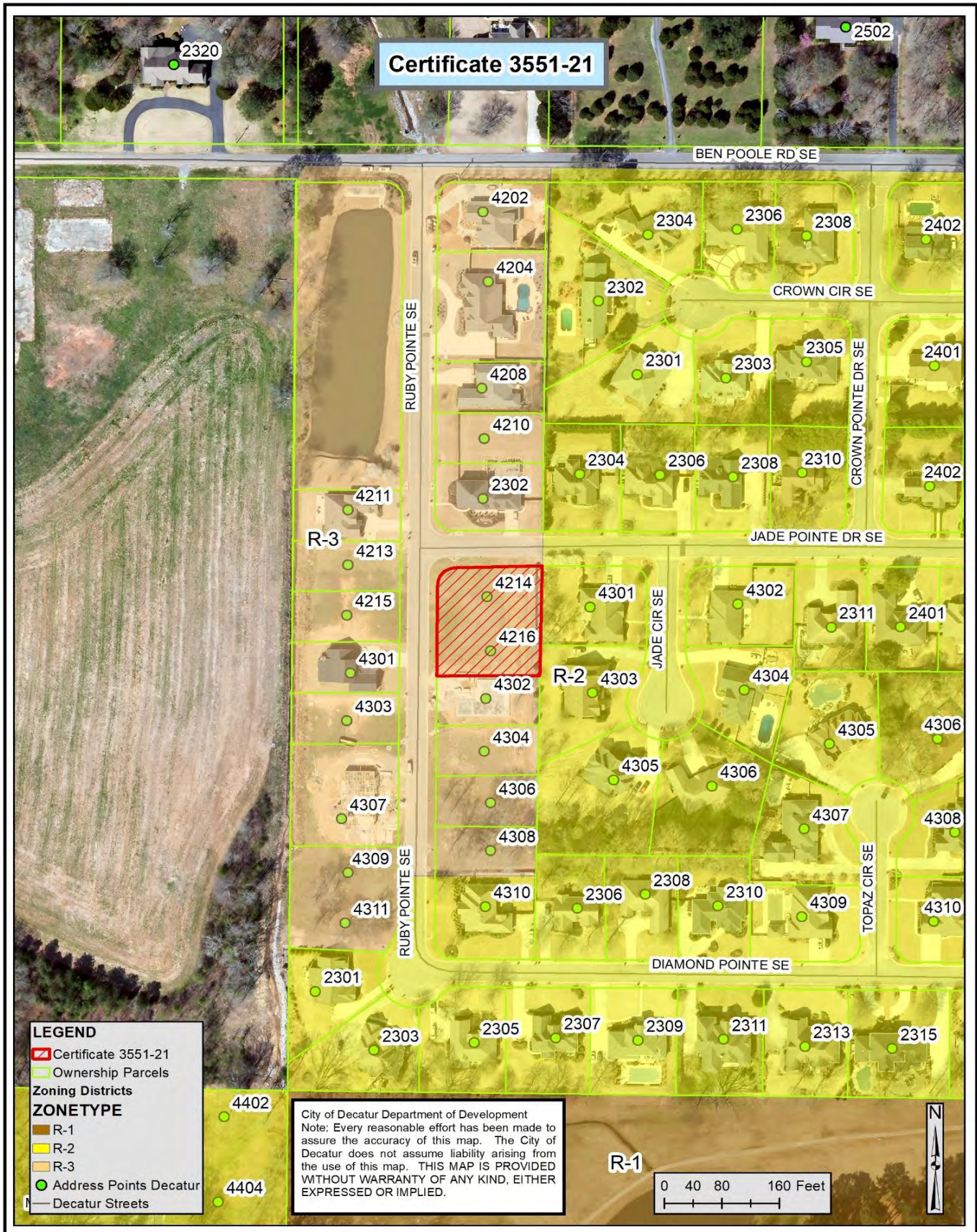
1. Recording fees
2. Signed owner letter
3. 10 ft DUT easement, vacated when the two lots were consolidated (Vac 529-21 and Cert 3530-21) will need to be added back and shown on the certificate plat

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 3552-21

ACRES: 0.31

CURRENT ZONE: R-5.0

APPLICANT: Pugh, Wright, McAnally for Justin Roberts

LOCATION AND OR PROPERTY ADDRESS: 464 Covina Dr SW

REQUEST: Subdivide one parcel of 0.31 acres into two parcels of 0.18 and 0.13 acres

PROPOSED LAND USE: Single Family Patio Homes

ONE DECATUR FUTURE LAND USE: Residential Medium-High Density

ONE DECATUR STREET TYPOLOGY: Covina Dr SW is a Local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Recording fees
2. Signed owner letter
3. Signed, sealed survey with 3 state plane coordinates
4. If Vacations 536-21 and 537-21 are not approved, certificate will need to be amended

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FINAL PLATS

FILE NAME OR NUMBER: Re-Plat of a Re-Plat Greystone Subdivision Addition V

ACRES: 12.42

CURRENT ZONE: R-5

APPLICANT: White, Lynn, Collins, & Associates, Inc. for Greystone Properties of Decatur, LLC

LOCATION AND OR PROPERTY ADDRESS: 2333 Aldingham Dr SW

REQUEST: Subdivide Lot 7 from Greystone Subdivision Addition 5 into two lots of 7.48 and 0.64 acres

PROPOSED LAND USE: Institution/Civic

ONE DECATUR FUTURE LAND USE: Major Institution/Civic and Residential, low density

ONE DECATUR STREET TYPOLOGY: Aldingham Dr is a Local Street

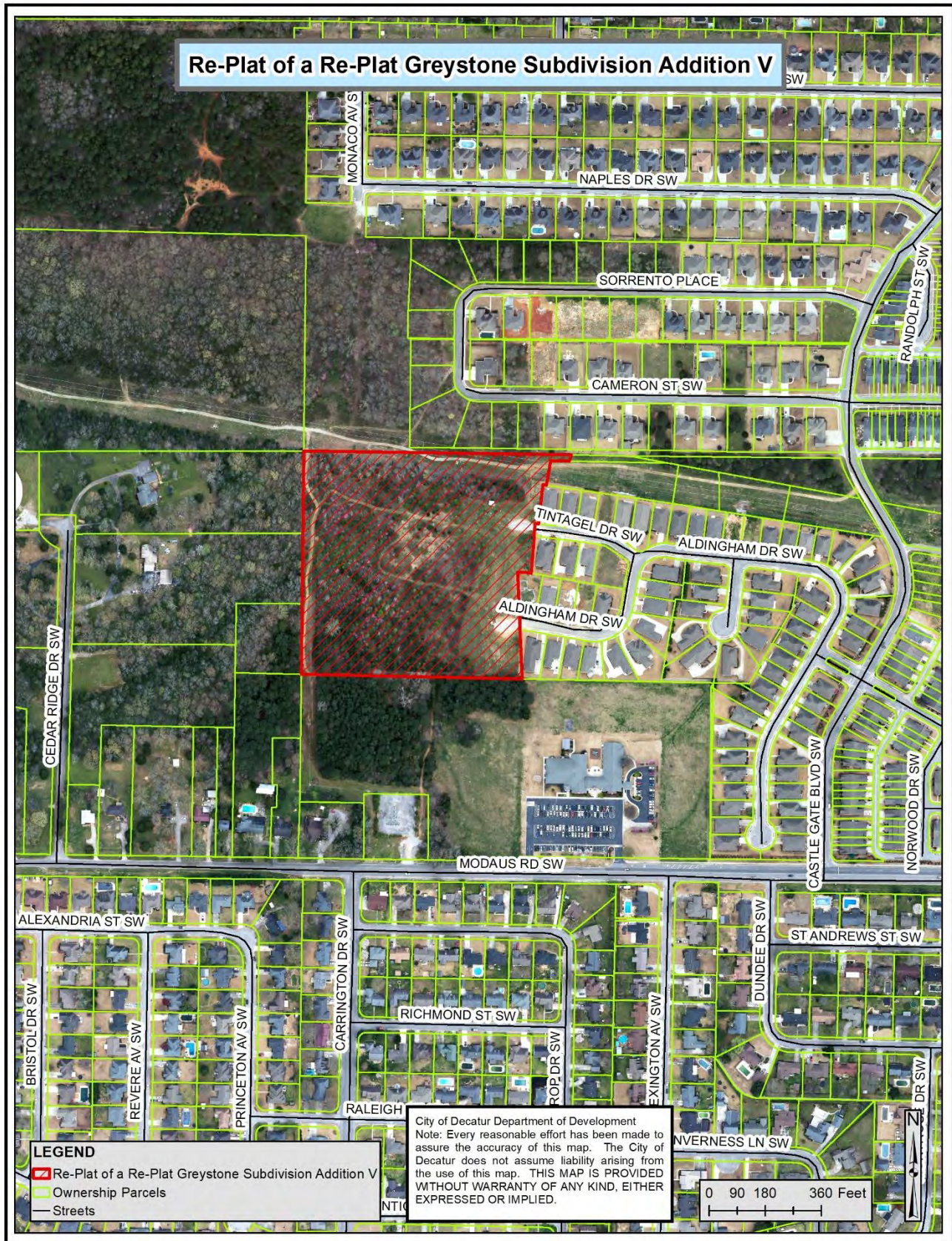
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

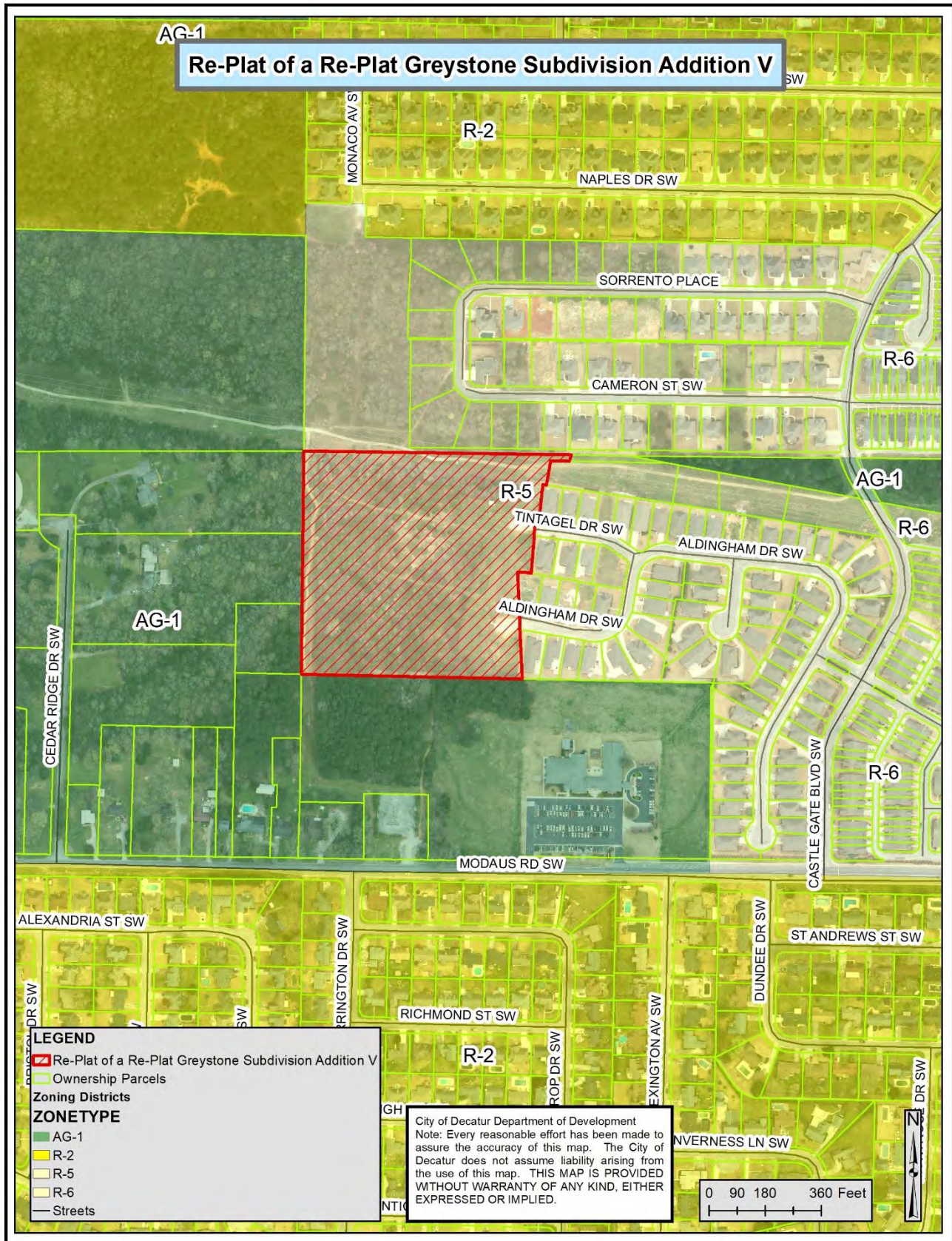
1. Recording fees
2. Conditional on the approval of Certificate 3550-21

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





[illegible]

FILE NAME OR NUMBER: Legacy Cove Phase 1-Final Plat

ACRES: 41.10

CURRENT ZONE: R-5

APPLICANT: Pugh, Wright and McAnally for Land Services, LLC

LOCATION AND OR PROPERTY ADDRESS: 2514 Point Mallard Dr. SE

REQUEST: Approval of Final Plat

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Riverfront Mixed Use

ONE DECATUR STREET TYPOLOGY: Point Mallard Dr is a City Connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Recording fees
2. Per Engineering approval

Pt. of Info:

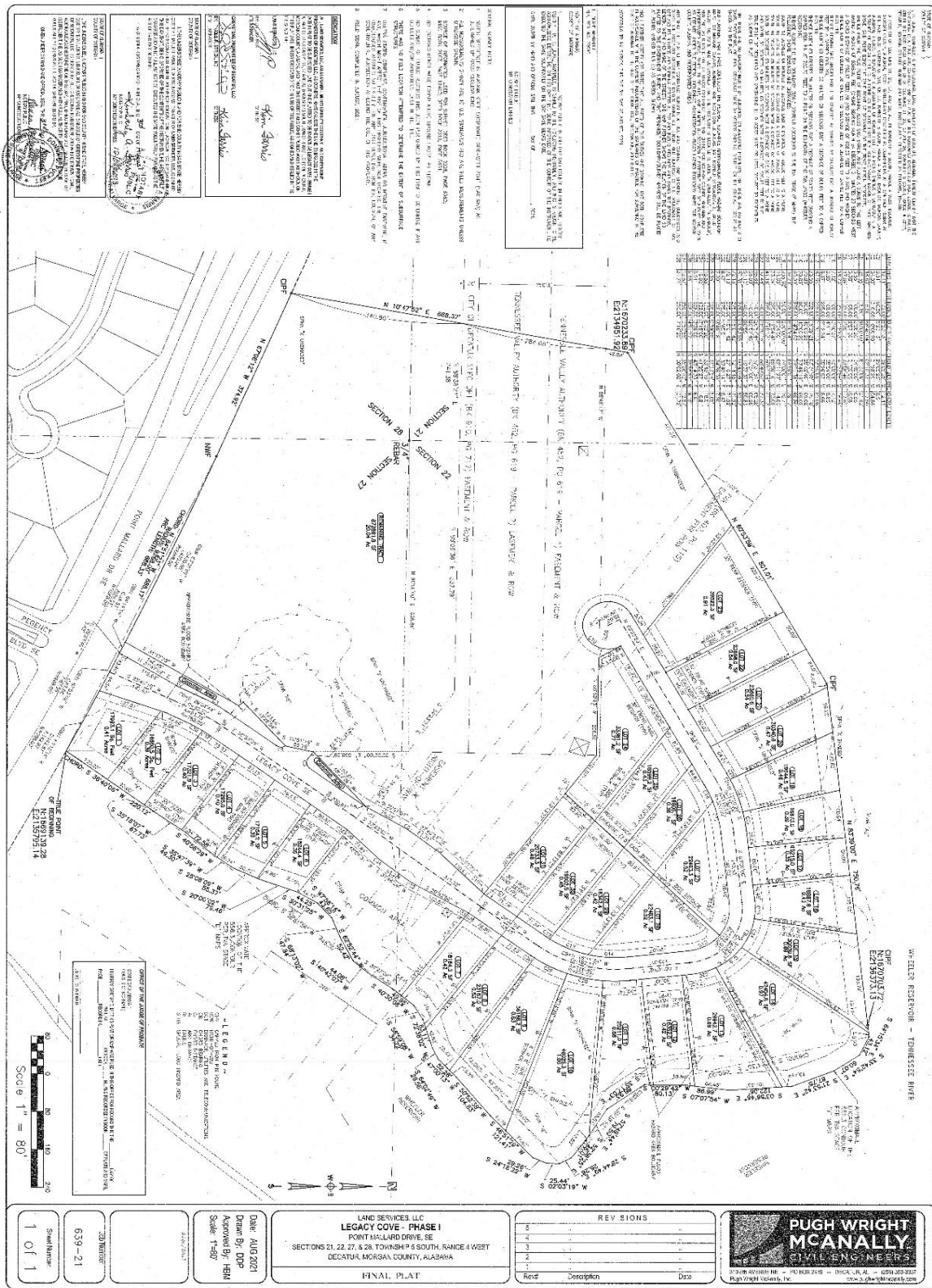
Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





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FILE NAME OR NUMBER: McGhee Square Subdivision Final Plat

ACRES: 0.61

CURRENT ZONE: B-5

APPLICANT: Pugh, Wright and McAnally for Decatur Urban Ventures, LLC

LOCATION AND OR PROPERTY ADDRESS: 17 Walnut St NE

REQUEST: Approval of Final Plat

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Urban Core/Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Walnut St is a Local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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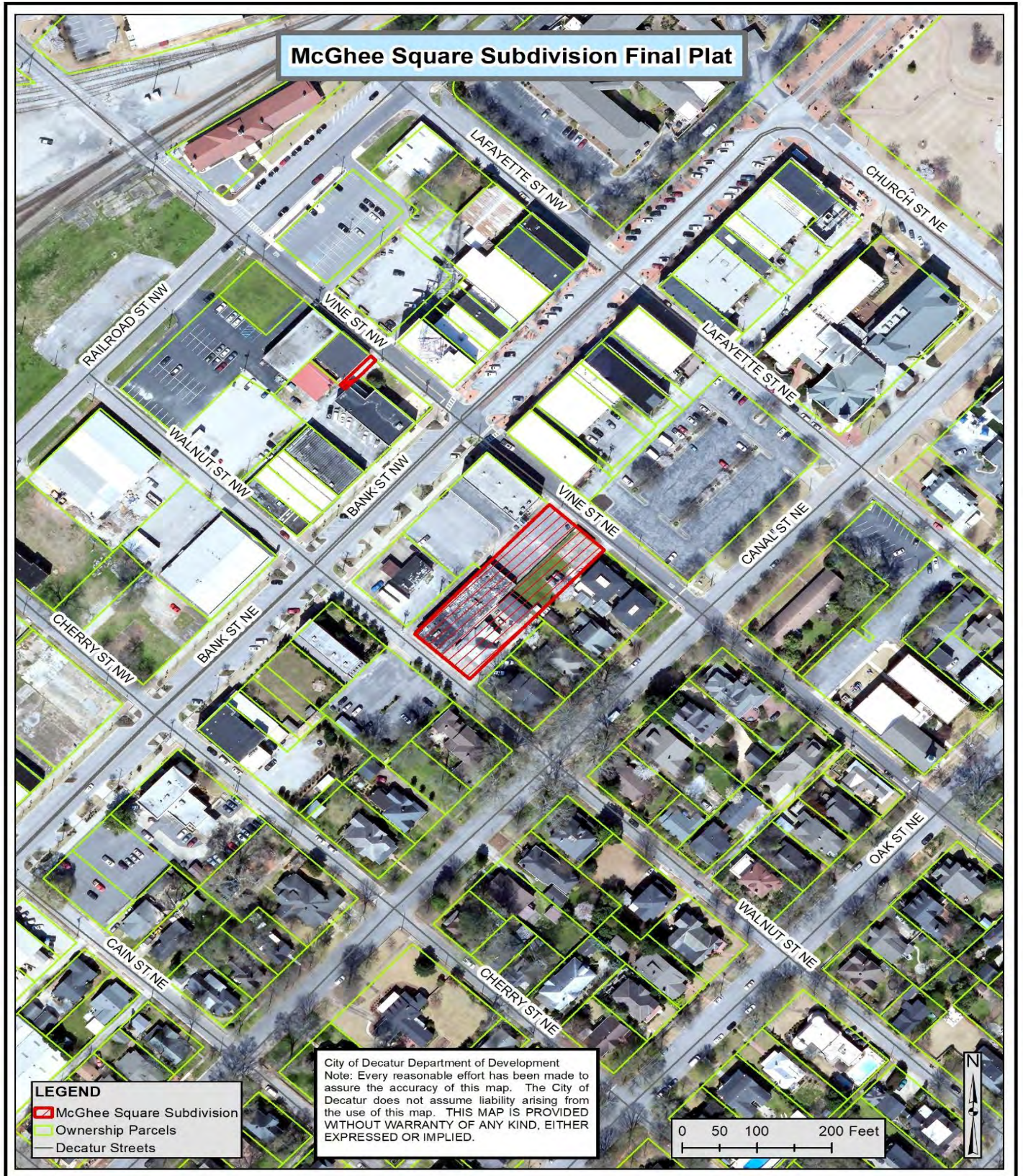
Conditions to be met:

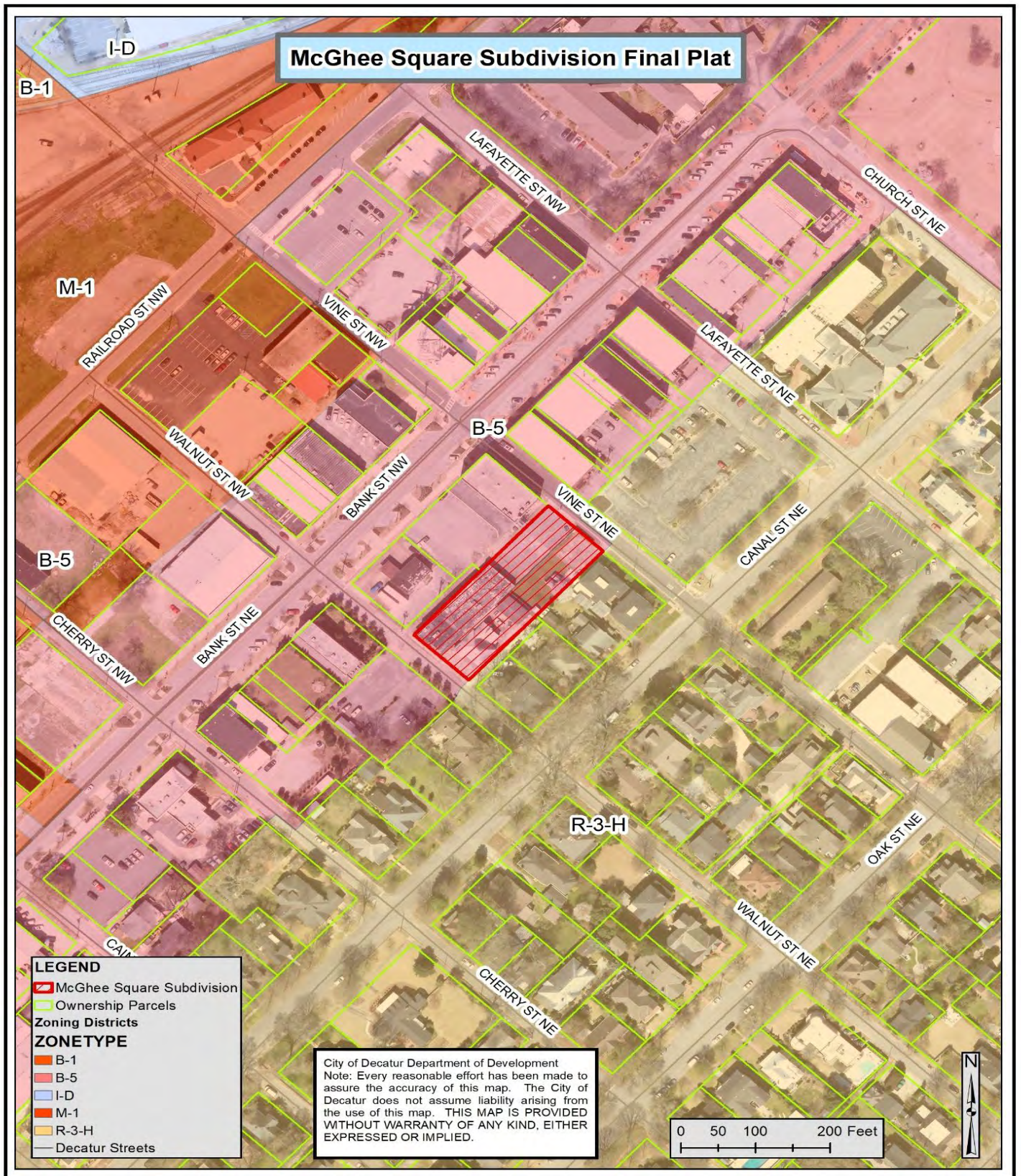
1. Recording fees

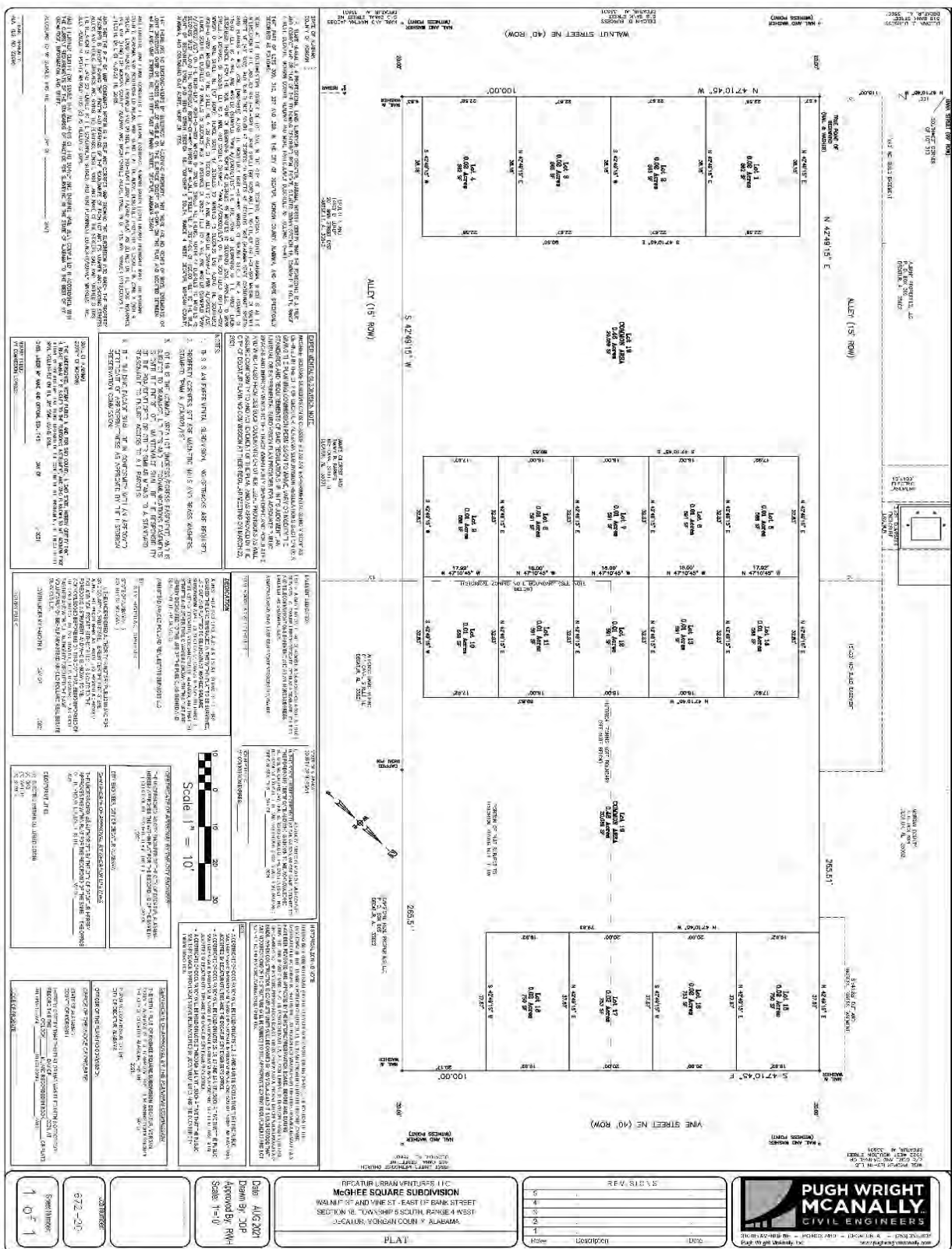
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







SITE PLANS

FILE NAME OR NUMBER: Site Plan 618-21

ACRES: 8.84

CURRENT ZONE: M-1A

APPLICANT: Pugh, Wright, McAnally for Francisco Hernandez

LOCATION AND OR PROPERTY ADDRESS: 928 Sims St

REQUEST: Site Plan approval for a new fitness center

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Community Commercial

ONE DECATUR STREET TYPOLOGY: Sims Street is an Urban Collector

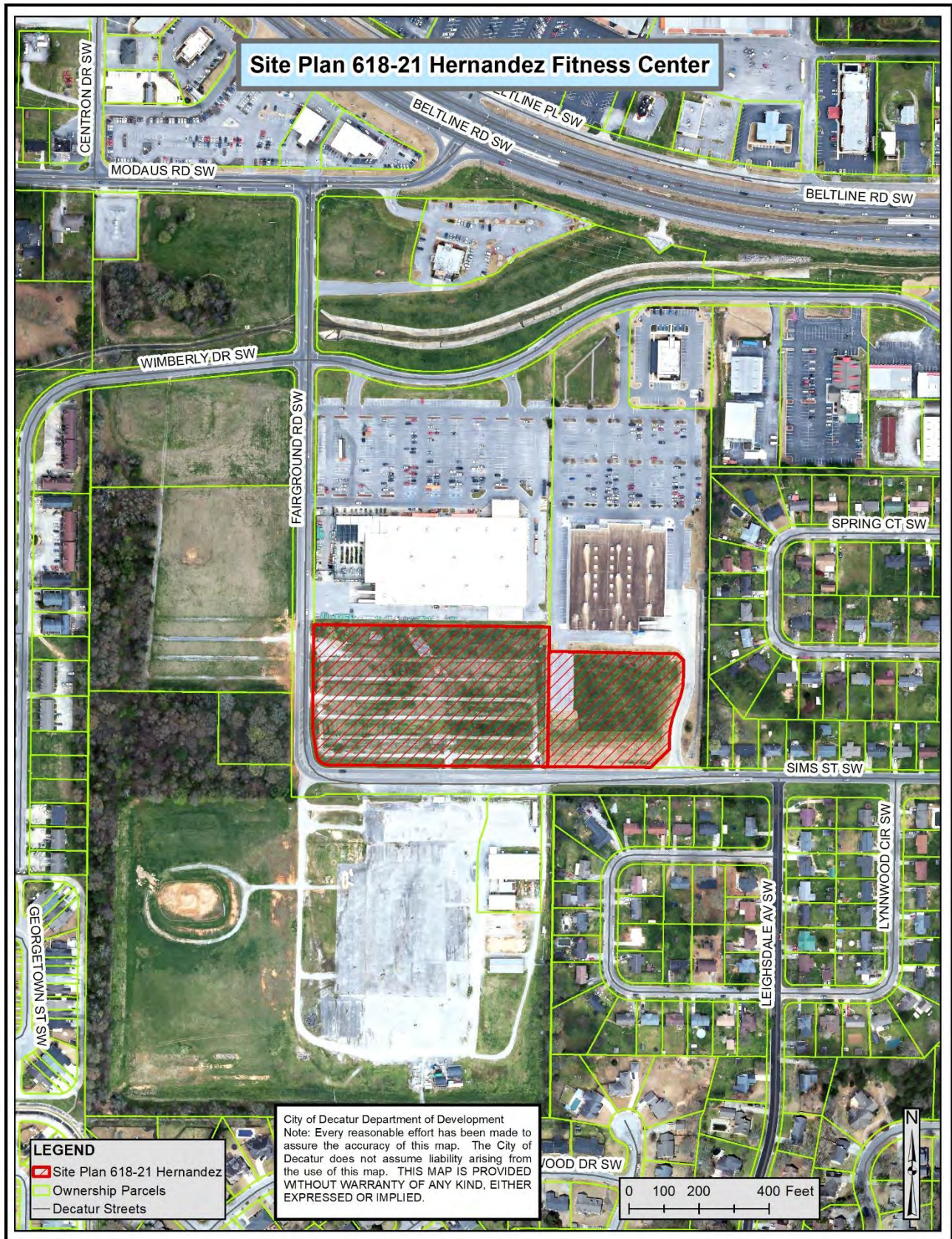
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

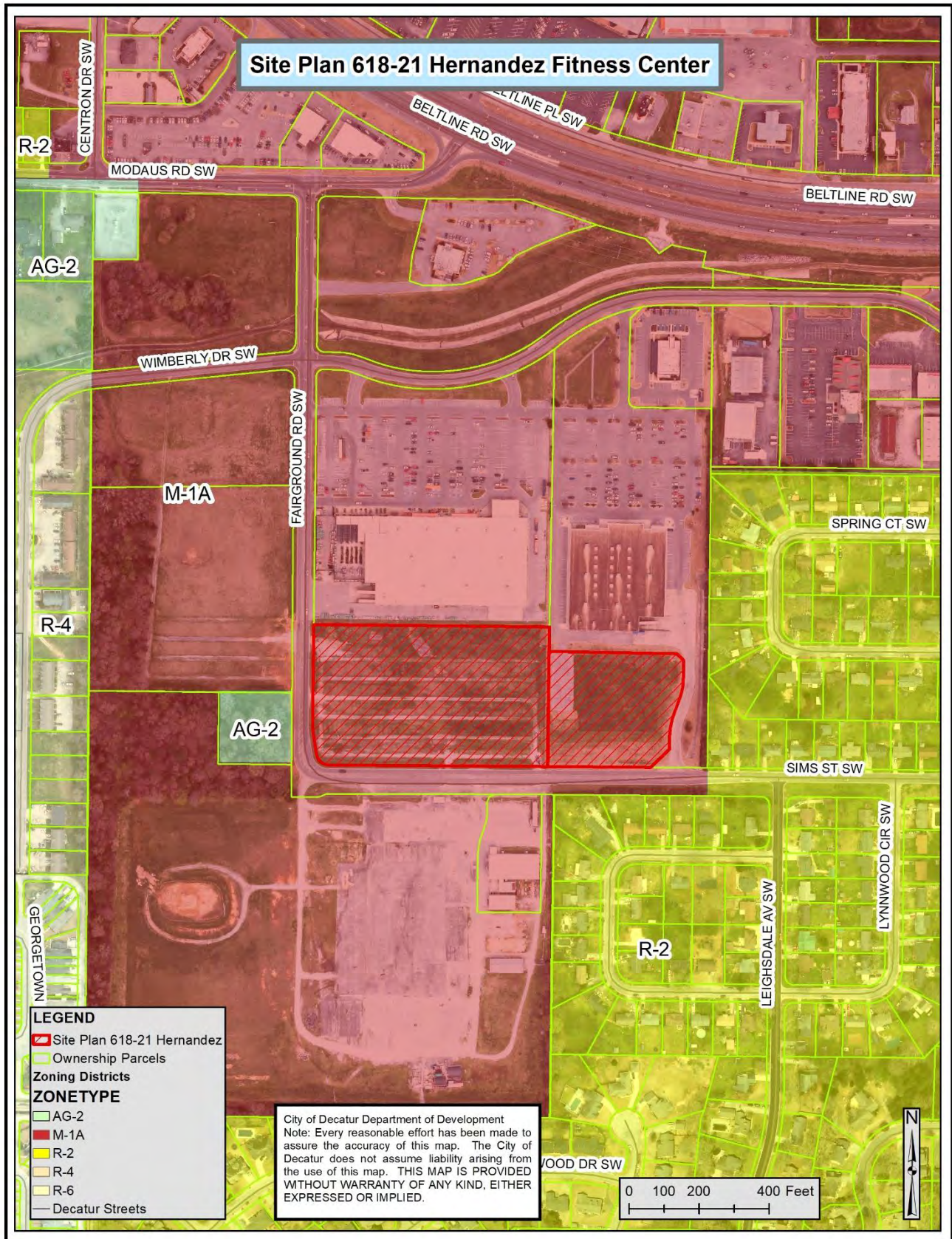
1. Photometric plan is needed for this site plan
2. Continue sidewalk along Sims Street and Fairgrounds Rd and include internal sidewalks
3. The Drive connecting to Sims Street should align with the entrance drive across the street
4. Dumpster Pad detail need to be shown
5. Show 20 ft. drainage easement on north property boundary for existing storm water system
6. Per Engineering approval
7. Gas line needs to be relocated
8. Will need a 10 ft easement along the north boundary line for electric line
9. Add 20 ft easement for sewer north from Sims St to first manhole
10. DU will need to see sewer extension design drawings
11. Grease interceptor will be required

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







OTHER BUSINESS**VACATIONS**

FILE NAME OR NUMBER: Vacation 536-21

ACRES: 0.1

CURRENT ZONE: R-5.0

APPLICANT: Pugh, Wright and McAnally for Justin Roberts

LOCATION AND OR PROPERTY ADDRESS: 464 Covina Dr SW

REQUEST: Vacate a portion of a 15' DUT easement

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, Medium/High

ONE DECATUR STREET TYPOLOGY: Covina St SW is a Local St

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. Signed vacation package

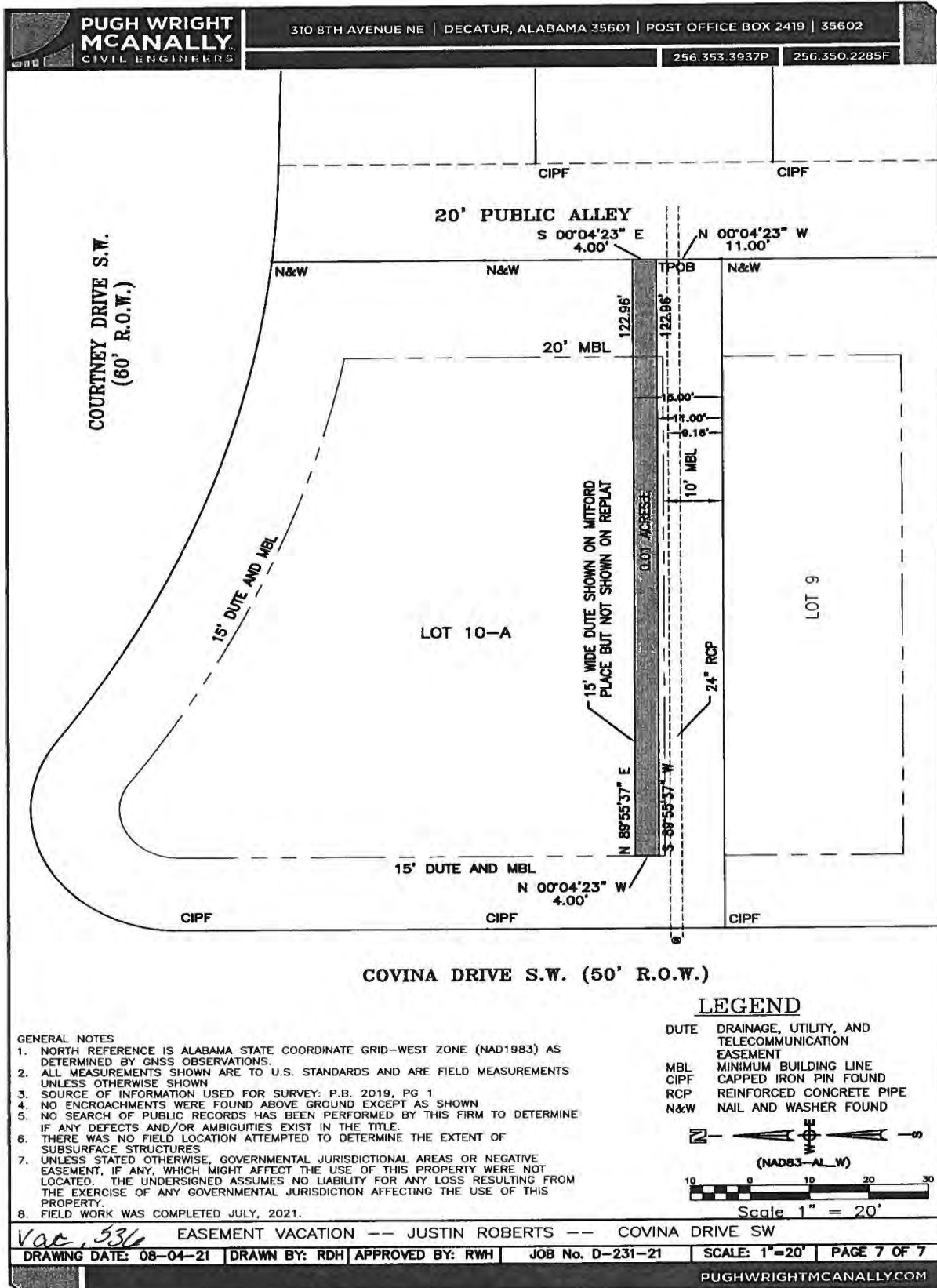
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FILE NAME OR NUMBER: Vacation 537-21

ACRES: 0.1

CURRENT ZONE: R-5.0

APPLICANT: Pugh, Wright and McAnally for Justin Roberts

LOCATION AND OR PROPERTY ADDRESS: 464 Covina Dr SW

REQUEST: Vacate a portion of a 15' DUT easement

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, Medium/High

ONE DECATUR STREET TYPOLOGY: Covina St SW is a Local St

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Signed vacation package

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







FILE NAME OR NUMBER: Vacation 538-21

ACRES: 0.1

CURRENT ZONE: R-5.0

APPLICANT: Pugh, Wright and McAnally for Justin Roberts

LOCATION AND OR PROPERTY ADDRESS: 2805 Hempstead Ave SW

REQUEST: Vacate a portion of a 15' DUT easement

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, Medium/High

ONE DECATUR STREET TYPOLOGY: Hempstead Ave SW is a Local St

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Signed vacation package

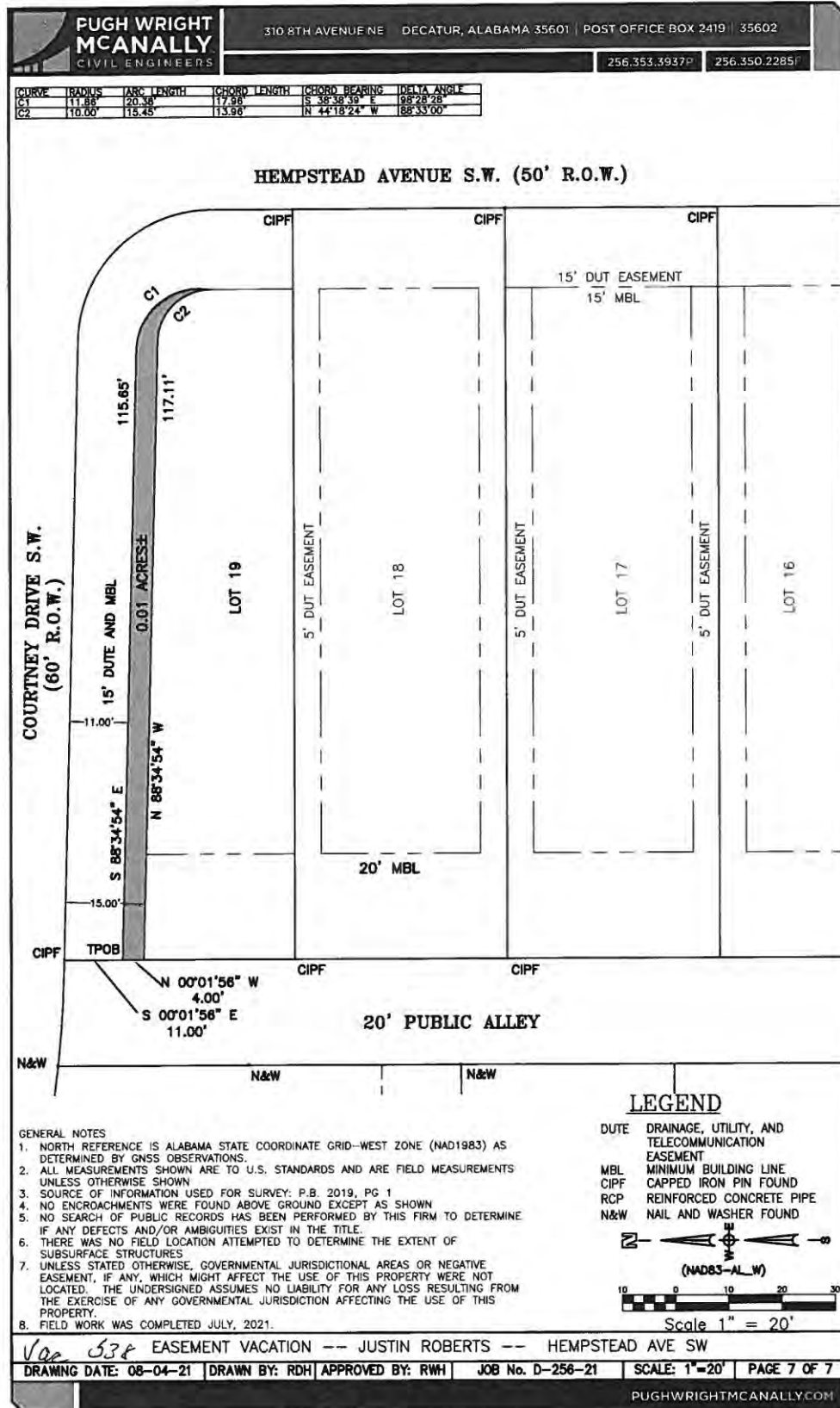
Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







ANNEXATION

FILE NAME OR NUMBER: Annexation 364-21 Windsor Place Phase 2

ACRES: 17.13

CURRENT ZONE: None

APPLICANT: Timberland Partners, LLC

LOCATION AND OR PROPERTY ADDRESS: West of McEntire Lane North of Wingate Way

REQUEST: Annexation of 17.13 acres for Windsor Place Subdivision Phase 2

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: McEntire Lane is an Urban Collector and Wingate Way is a Local Street

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

