

## MEMORANDUM

DATE: February 15<sup>th</sup>, 2022

TO: Planning Commissioners

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

### PLANNING COMMISSION MEETING

February 15<sup>th</sup>, 2022

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

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

# Agenda Planning Commission

City of Decatur, AL

**February 15, 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- January 2022

## PUBLIC HEARING

### ZONING

### PAGE/MAP

- |                               |       |
|-------------------------------|-------|
| A. Rezoning 1384-22           | 1-5   |
| (~2900 Upper River Rd)        |       |
| B. Rezoning 1385-22           | 6-12  |
| (3411 Deere Rd SE)            |       |
| C. Rezoning 1386-22           | 13-17 |
| (1811 11 <sup>th</sup> St SE) |       |
| D. Rezoning 1387-22           | 18-24 |
| (809 Carridale St SW)         |       |
| E. Rezoning 1388-22           | 25-31 |
| (Joseph Dr SE)                |       |

**CONSENT AGENDA**

**CERTIFICATES**

PAGE/MAP

- A. Certificate 3568-22 32-35  
(1025 Johnston St SE)
- B. Certificate 3569-22 36-39  
(2305 Old River Rd SE)

**LAYOUT PLAT**

PAGE/MAP

- A. Glenmont Acres Layout Plat 40-43  
(Central Ave SW and Poole Valley Rd SW)

**PUBLIC HEARING (CONT.)**

**PRELIMINARY PLAT**

PAGE/MAP

- A. Glenmont Acres Preliminary Plat 44-48  
(Central Ave SW and Poole Valley Rd SW)

**OTHER BUSINESS**

**VACATIONS**

PAGE/MAP

- A. Vacation 540-22 49-52  
(Cherry St NW)

## SUBDIVISION BOND REVIEWS

PAGE/MAP

A. Old River Manor Phase 1

53-55

B. Manor Park Phase 2

56-58

**PUBLIC HEARING**

**ZONING**

**FILE NAME OR NUMBER:** Rezoning 1384-22

**ACRES:** 14.57

**CURRENT ZONE:** None

**APPLICANT:** Villareal Properties, LLC

**LOCATION AND OR PROPERTY ADDRESS:** ~2900 Upper River Rd

**REQUEST:** Pre-zone 14.57 acres to R-4

**NEW ZONE:** R-4 Multi-family Residential

**PROPOSED LAND USE:** Multifamily Residential

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

**ONE DECATUR STREET TYPOLOGY:** Upper River Rd is a Minor Arterial

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**

**Comments from Zoning Committee**

Considering what could be done there if the property were not annexed into the city, and based on the information shared by Mr. Villareal, including the proposed layout, landscaping, and building materials, the Zoning Committee was in favor of this request.

**Conditions to be met**

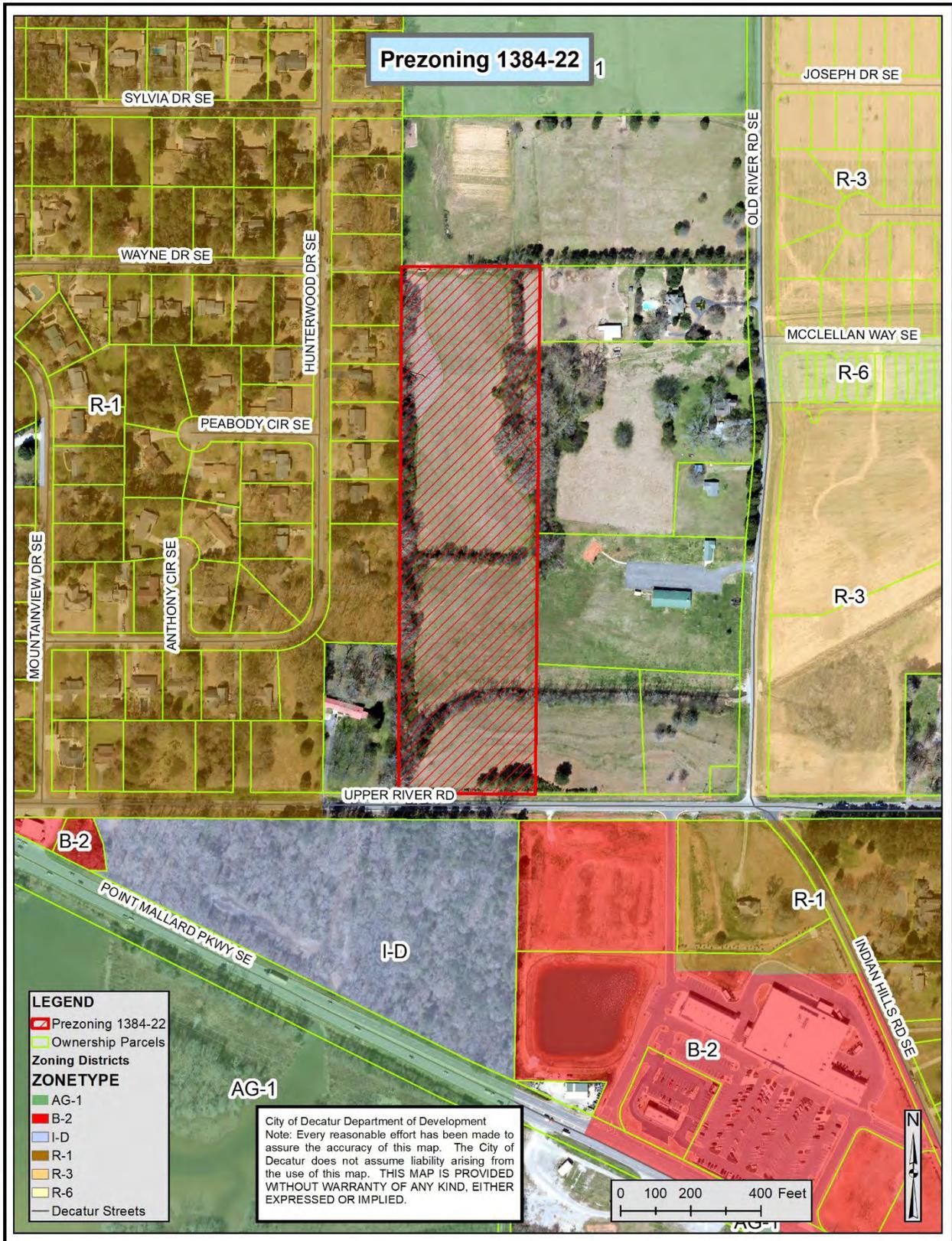
1. None

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**





ZONING DISTRICT COMPARISON None to R-4		February 8, 2022
SECTION	None	R-4
USES PERMITTED		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. There is hereby created an R-4 Multi-family Residential District for those areas so designated by this chapter and the zoning map of the city, which R-4 Districts shall allow: Dwellings and apartments for any number of families. These uses shall also be permitted on appeal: Clubs, not conducted for profit; rooming and boarding houses, and those uses common to all "R" districts as set forth in <a href="#">section 25-10</a> hereof, and further subject to the following requirements and conditions. (See also regulations common to all "R" Districts, listed in <a href="#">section 25-10</a> and <a href="#">section 25-23</a> site plan review - R-4 Districts).
USES PERMITTED ON APPEAL		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.
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

ZONING DISTRICT COMPARISON None to R-4		February 8, 2022
SECTION	None	R-4
		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		Seven thousand (7,000) square feet, and for each additional family unit add two thousand (2,000) square feet.
MAXIMUM BUILDING AREA		None specified.
MINIMUM FRONT YARD		Twenty-five (25) feet.
MINIMUM REAR YARD SETBACK		Thirty (30) feet.
MINIMUM SIDE YARD SETBACK		One side eight (8) feet and the other side six (6) feet.
MINIMUM FEET AT BUILDING LINE		Fifty (50) feet for a one- or two-family dwelling plus five (5) additional feet for each additional family unit.
MAXIMUM BUILDING HEIGHT		Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES		Two and one half (2½).
OFF STREET PARKING		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.
OFF-STREET UNLOADING		None specified.

**FILE NAME OR NUMBER:** Rezoning 1385-22

**ACRES:** 18.27 acres

**CURRENT ZONE:** R-6 Residential District (single-family semi-attached)

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

**LOCATION AND OR PROPERTY ADDRESS:** 3411 Deere Rd SE

**REQUEST:** Rezone approximately 18.27 acres from R-6 to R-5

**NEW ZONE:** R-5 Residential District (single-family patio home)

**PROPOSED LAND USE:** Single-family residential

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

**ONE DECATUR STREET TYPOLOGY:** Deere Rd is a Local Street

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**

**Comments from Zoning Committee**

The Zoning Committee was in favor of this request

**Conditions to be met**

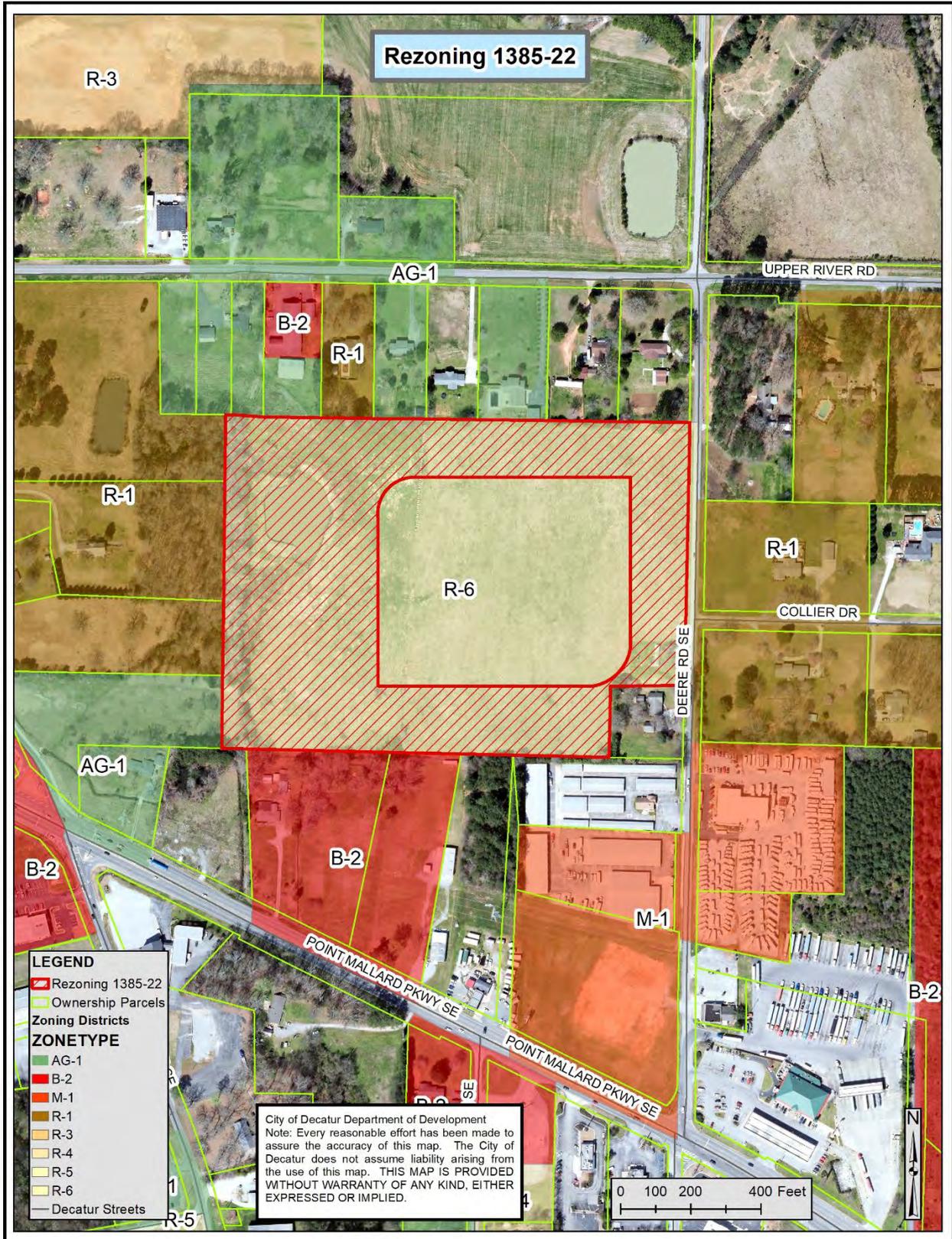
1. None

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







<b>ZONING DISTRICT COMPARISON R6 TO R-5</b>		<b>February 8, 2022</b>
<b>SECTION</b>	<b>R-6</b>	<b>R-5</b>
<b>USES PERMITTED</b>	<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-5 Residential District (single-family patio home) for those areas so designated by this chapter and the zoning map of the City of Decatur, Alabama, which R-5 Districts shall allow single-family patio home residences subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, and further subject to the following requirements and conditions:</p> <p>(1) General requirements:</p> <p>a.) Each dwelling unit shall be constructed on its own lot.</p> <p>b.) No dwelling or lot within a R-5 District shall have vehicle access to an existing major thoroughfare (e.g., "collector street" or higher classified street) as defined by the zoning ordinance or comprehensive plan, or a major thoroughfare as defined by future plans adopted by the planning commission of the city.</p> <p>c.) There shall be a minimum separation of thirteen (13) feet between structures on separate lots.</p> <p>d.) All building setback lines shall be indicated on the preliminary and final plats.</p> <p>e.) Perimeter setbacks: 1. Reserved. 2.Where R-5 lots adjoin (in any manner or configuration) a major thoroughfare (e.g. collector street or higher classification), then an additional twenty-foot setback shall be added to those setback requirements set forth hereinbelow in subsections (2)(d) through (2)(f), of this section and shall be</p>

<b>ZONING DISTRICT COMPARISON R6 TO R-5</b>		<b>February 8, 2022</b>
<b>SECTION</b>	<b>R-6</b>	<b>R-5</b>
		measured from the lot line.
<b>USES PERMITTED ON APPEAL</b>	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.	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.
<b>USES PROHIBITED</b>	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 <a href="#">section 25-2</a> ) 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 <a href="#">section 25-2</a> ) 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.
<b>MINIMUM LOT AREA</b>	Minimum lot size: 2,000 square feet.	Minimum lot area: Five thousand (5,000) square feet.

<b>ZONING DISTRICT COMPARISON R6 TO R-5</b>		<b>February 8, 2022</b>
<b>SECTION</b>	<b>R-6</b>	<b>R-5</b>
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: 25 feet.	Minimum front yard setback (also see perimeter setbacks) (1)e: Twenty (20) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: 20 feet.	Minimum rear yard setback (also see perimeter setbacks) (1)e: Twenty (20) 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 setbacks (also see perimeter setbacks) (1)e: Five (5) feet one side, eight (8) feet the other.
MINIMUM LOT WIDTH	Minimum lot size at building line: 20 feet.	Minimum lot width at building line: Forty (40) feet.
MAXIMUM BUILDING HEIGHT	Maximum building height: 35 feet.	Maximum building height: Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	None specified.
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 <a href="#">section 25-16</a> hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.	Off-street parking: Two (2) spaces per dwelling unit.

**FILE NAME OR NUMBER:** Rezoning 1386-22

**ACRES:** ~3.51 acres

**CURRENT ZONE:** B-1 (Local Shopping District)

**APPLICANT:** Sureshbhai Patel

**LOCATION AND OR PROPERTY ADDRESS:** 1811 11<sup>th</sup> St SE

**REQUEST:** Rezone approximately 3.51 acres from B-1 to B-2

**NEW ZONE:** B-2 (General Business)

**PROPOSED LAND USE:** Commercial

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

**ONE DECATUR STREET TYPOLOGY:** 11<sup>th</sup> St SE is an Urban Collector

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**

**Comments from Zoning Committee**

The Zoning Committee was not in favor of this request

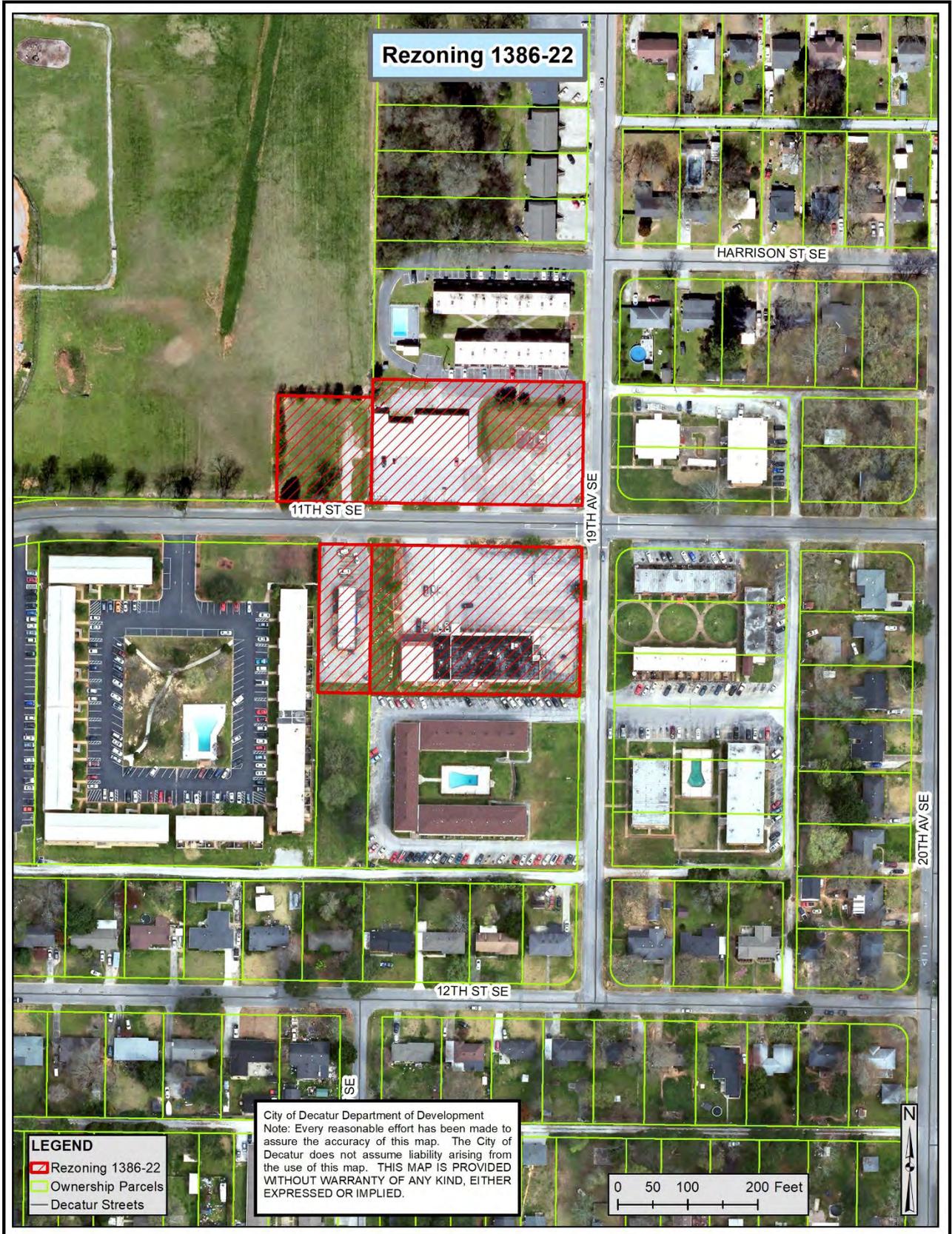
**Conditions to be met**

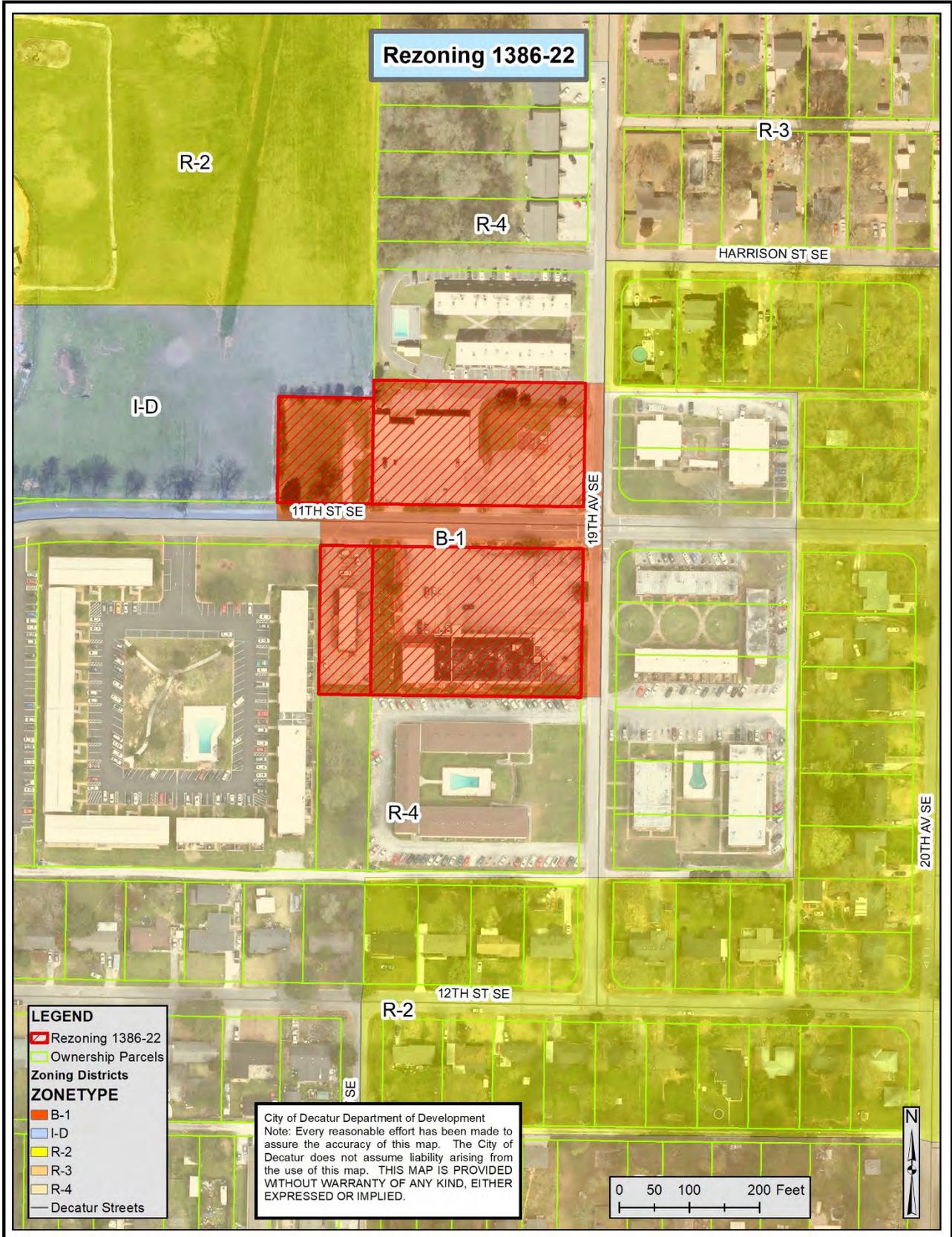
1. None

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**





<b>ZONING DISTRICT COMPARISON B-1 to B-2</b>		<b>February 8, 2021</b>
<b>SECTION</b>	<b>B-1</b>	<b>B-2</b>
USES PERMITTED	Off-premises sale of beer and table wine; neighborhood retail stores and markets, including the following types: food, general merchandise, apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops, photograph studios and photo retail sales. Neighborhood services including the following types: Dry cleaning and laundry pickup stations; customer operated laundrettes and customer operated dry cleaning establishments; filling stations, provided, however, that gasoline storage above ground in excess of five hundred (500) gallons is prohibited; barber and beauty shops; shoe repair; offices, banks; post offices; event venues; playgrounds; parks; public building (i.e., municipal, county, state or federal, including public schools and libraries); public utilities; churches and similar places of worship; dancing and music academies; nurseries, kindergartens, or day care for children; parking lots.	Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.
USES PERMITTED ON APPEAL	Restaurants; any uses permitted or permitted on appeal in an R-4, Residential District as subject to all district requirements of said district as specified in section 25-10 of this Code.	Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.
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.	Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
MINIMUM LOT AREA	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	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

<b>ZONING DISTRICT COMPARISON B-1 to B-2</b>		<b>February 8, 2021</b>
<b>SECTION</b>	<b>B-1</b>	<b>B-2</b>
	in addition to the space required for the other normal operations of the business or service.	in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	None specified	None specified.
MINIMUM FRONT YARD	25 feet	25 feet
MINIMUM REAR YARD SETBACK	20 feet	20 feet
MINIMUM SIDE YARD SETBACK	Not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.	None specified.
MINIMUM FEET AT BUILDING LINE	None specified.	None specified.
MAXIMUM BUILDING HEIGHT	None specified.	None specified.
MAXIMUM HEIGHT IN STORIES	None specified.	None specified.
OFF STREET PARKING	Off-street parking: See § 25-16.	Off-street parking: See § 25-16.
OFF-STREET UNLOADING	Shall use required rear or side yard for loading and unloading.	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.

**FILE NAME OR NUMBER:** Rezoning 1387-22

**ACRES:** 1.52 acres

**CURRENT ZONE:** R-2 Single Family Residential

**APPLICANT:** Pugh, Wright, McAnally for Danny Hill

**LOCATION AND OR PROPERTY ADDRESS:** 809 Carridale St SW

**REQUEST:** Rezone 1.52 acres from R-2 to R-6

**NEW ZONE:** R-6 Residential District (single-family semi-attached)

**PROPOSED LAND USE:** Single-family Semi-attached Residential

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

**ONE DECATUR STREET TYPOLOGY:** Carridale St SW is a Minor Arterial

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**

**Comments from Zoning Committee**

The Zoning Committee was in favor of this request

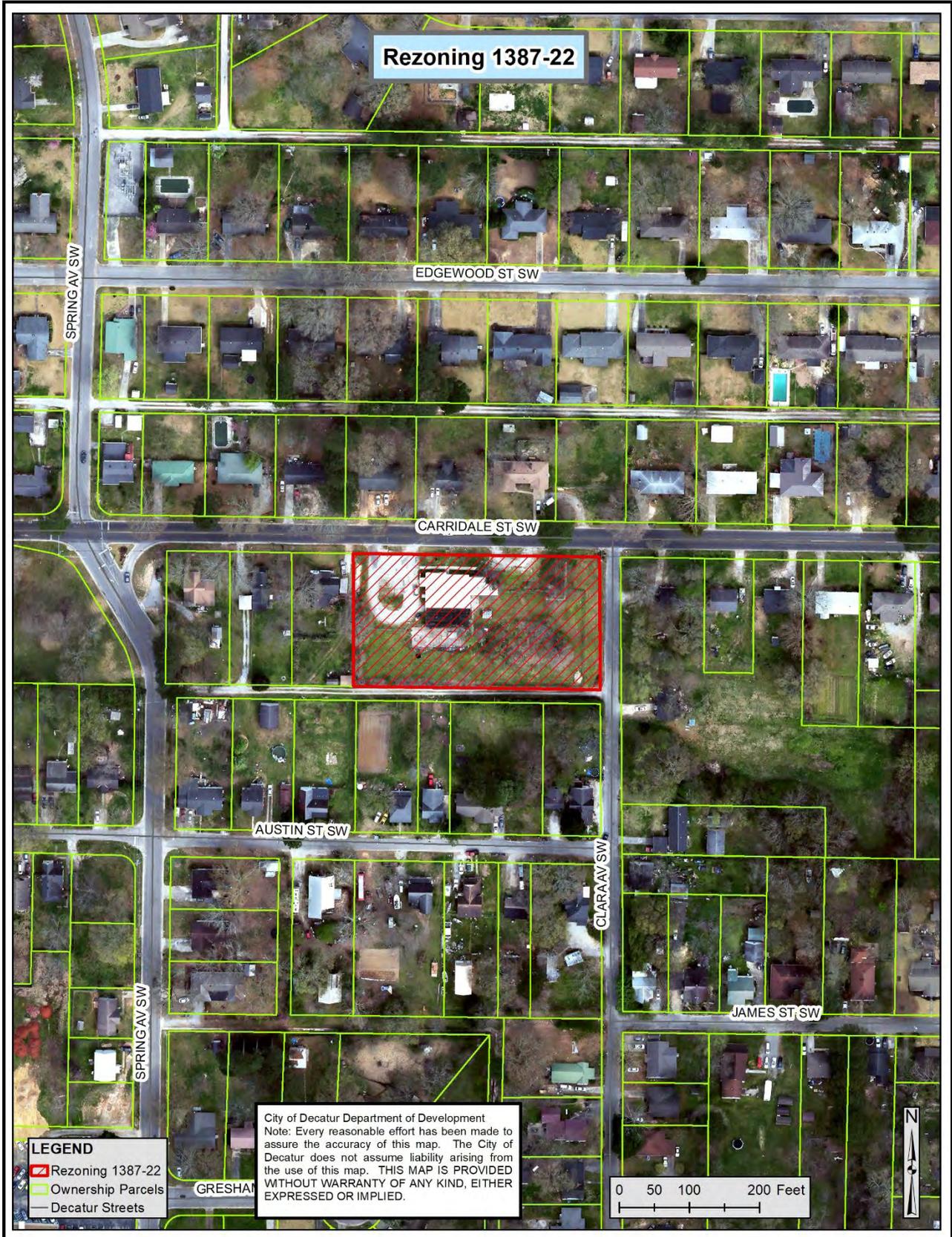
**Conditions to be met**

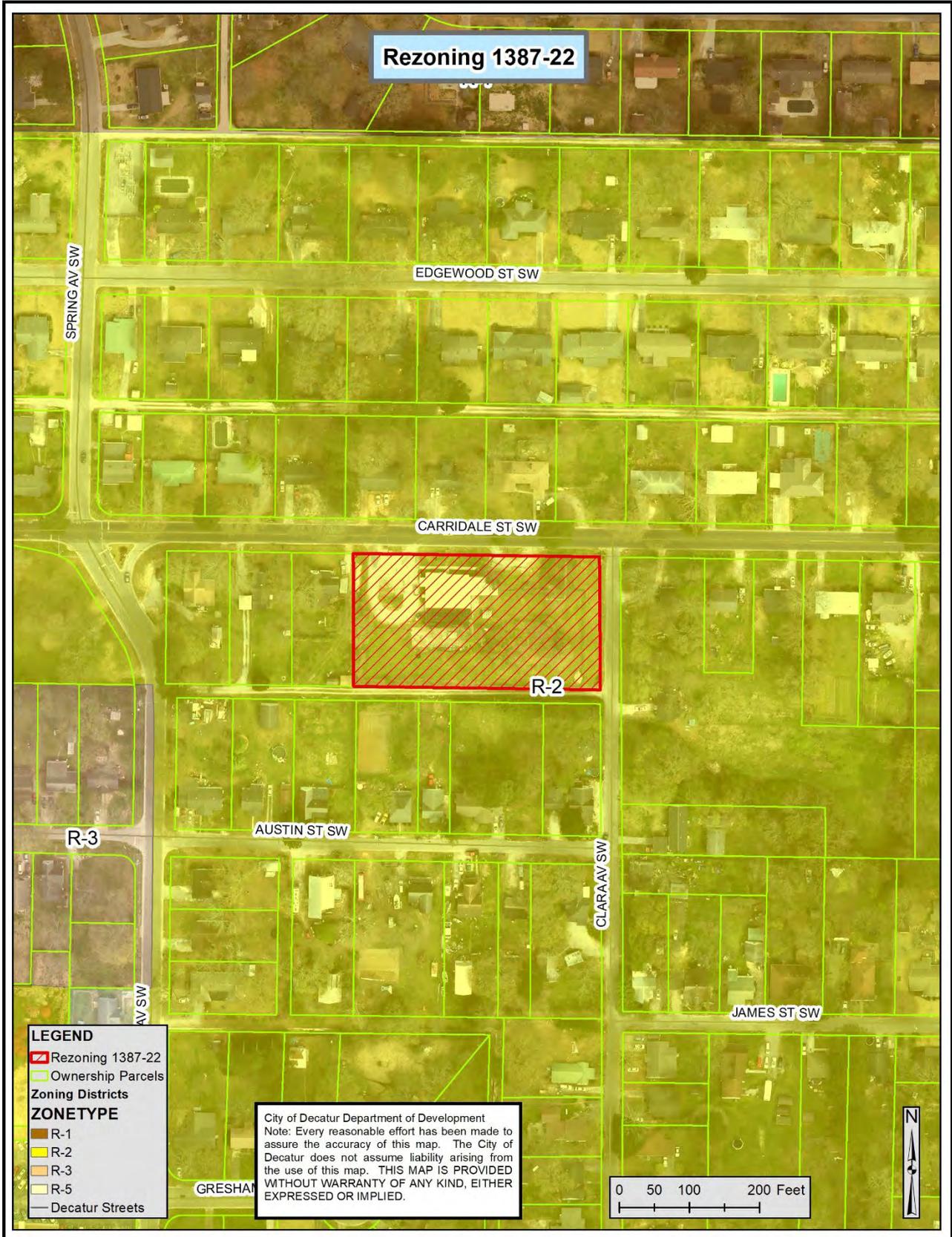
1. None

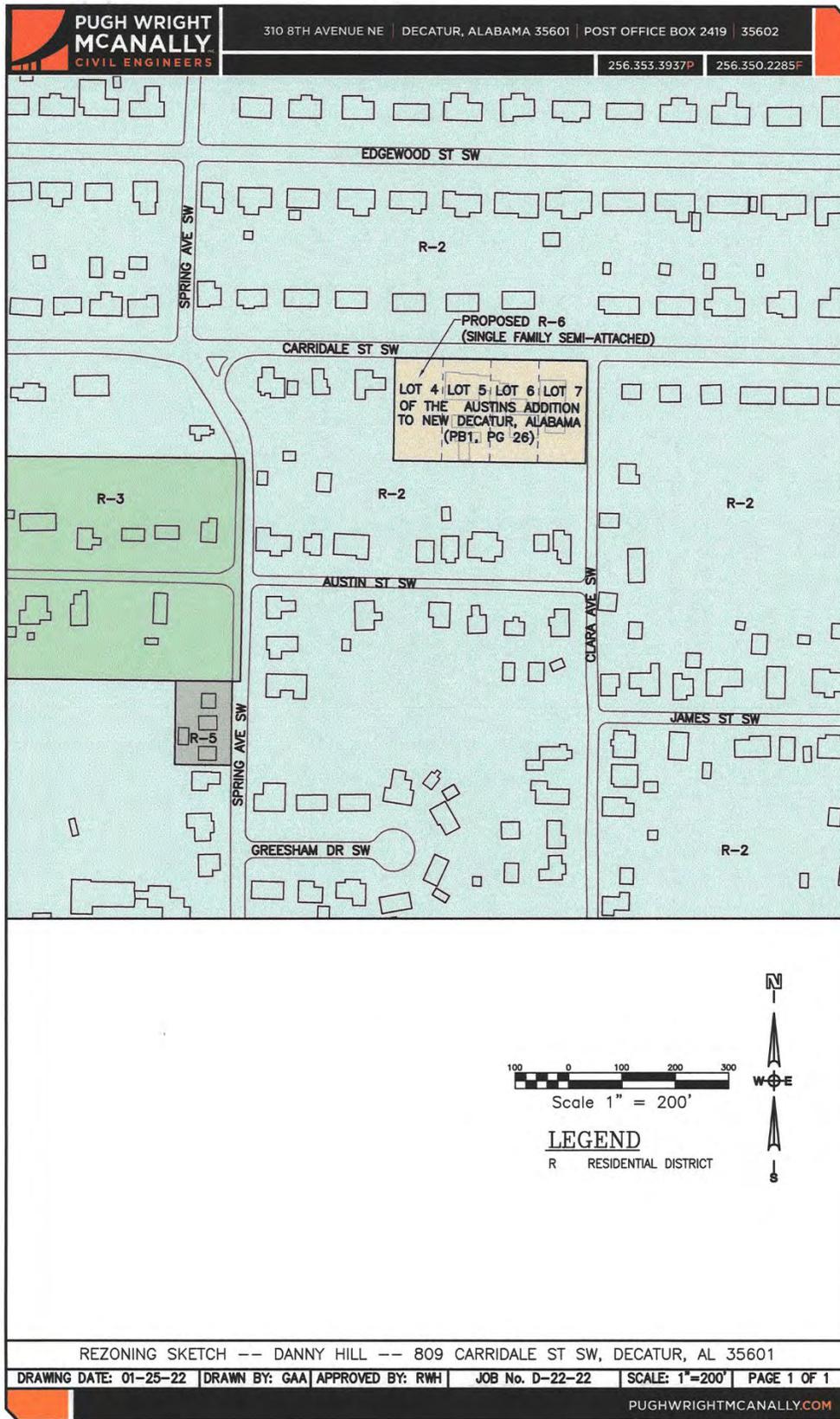
**Pt. of Info:**

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**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







<b>ZONING DISTRICT COMPARISON R-2 TO R-6</b>		<b>February 8, 2022</b>
<b>SECTION</b>	<b>R-2</b>	<b>R-6</b>
<b>USES PERMITTED</b>	<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>a. (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-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>b. (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>
<b>USES PERMITTED ON APPEAL</b>	<p>There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the</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</p>

ZONING DISTRICT COMPARISON R-2 TO R-6		February 8, 2022
SECTION	R-2	R-6
	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.	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.
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 <a href="#">section 25-2</a> ) 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 <a href="#">section 25-2</a> ) 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 size: 2,000 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: 25 feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Forty (40) feet.	Minimum rear yard setback: 20 feet.

ZONING DISTRICT COMPARISON R-2 TO R-6		February 8, 2022
SECTION	R-2	R-6
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: Eight (8) feet.	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 FEET AT BUILDING LINE	Minimum feet at building line: Seventy (70) feet.	Minimum lot size at building line: 20 feet.
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 <a href="#">section 25-16</a> 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 <a href="#">section 25-16</a> hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.

**FILE NAME OR NUMBER:** Rezoning 1388-22

**ACRES:** 5.22 acres

**CURRENT ZONE:** R-3 Single Family Residential

**APPLICANT:** Pugh, Wright, McAnally for Morris Development

**LOCATION AND OR PROPERTY ADDRESS:** Joseph Drive SE

**REQUEST:** Rezone 5.22 acres from R-3 to R-6

**NEW ZONE:** R-6 Residential District (single-family semi-attached)

**PROPOSED LAND USE:** Single-family Semi-attached Residential

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

**ONE DECATUR STREET TYPOLOGY:** Joseph Drive SE is a Local Street

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**

**Comments from Zoning Committee**

The Zoning Committee was in favor of this request, but they will heavily factor in the comments from the neighbors at the Planning Commission meeting, especially considering this subdivision was recently platted.

**Conditions to be met**

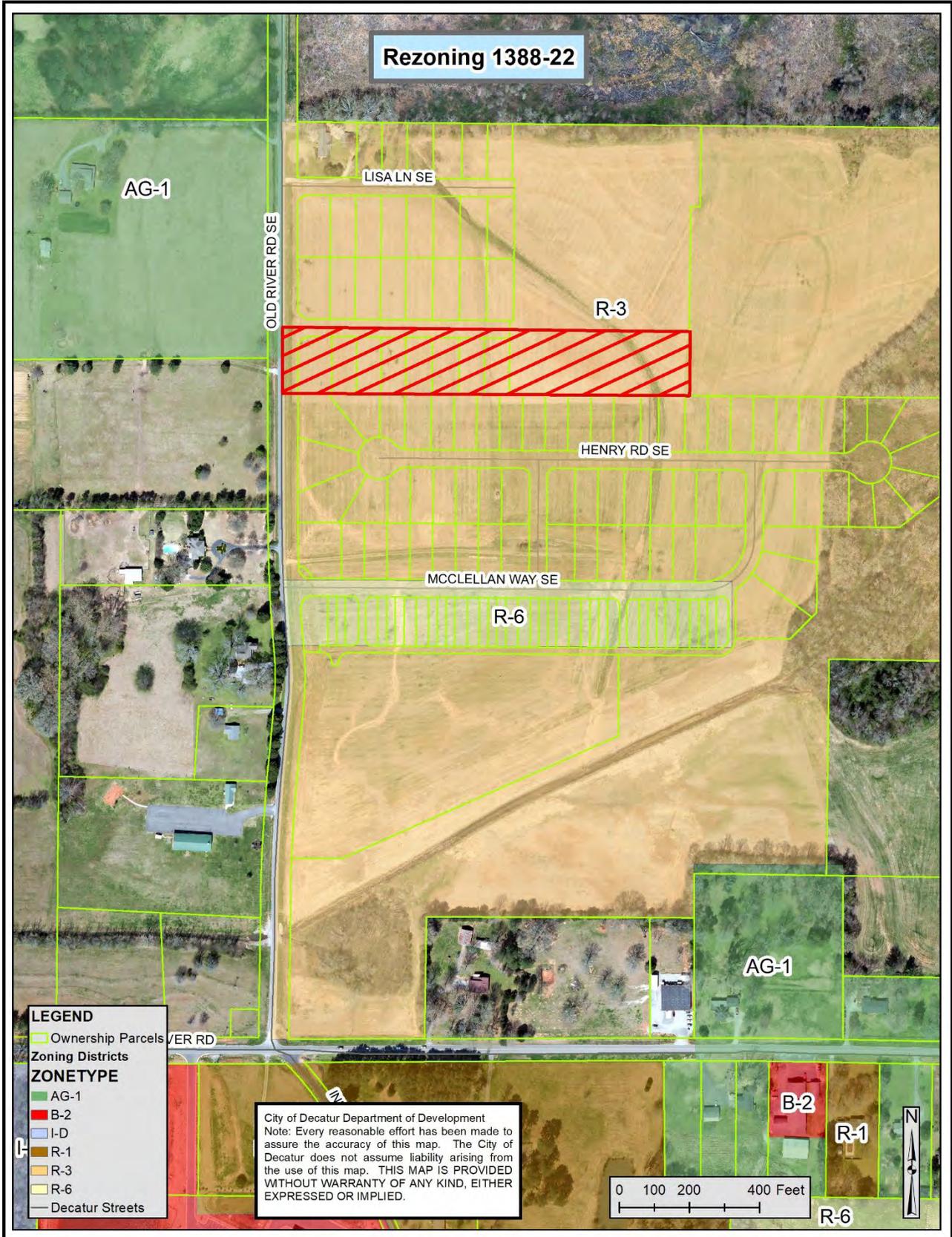
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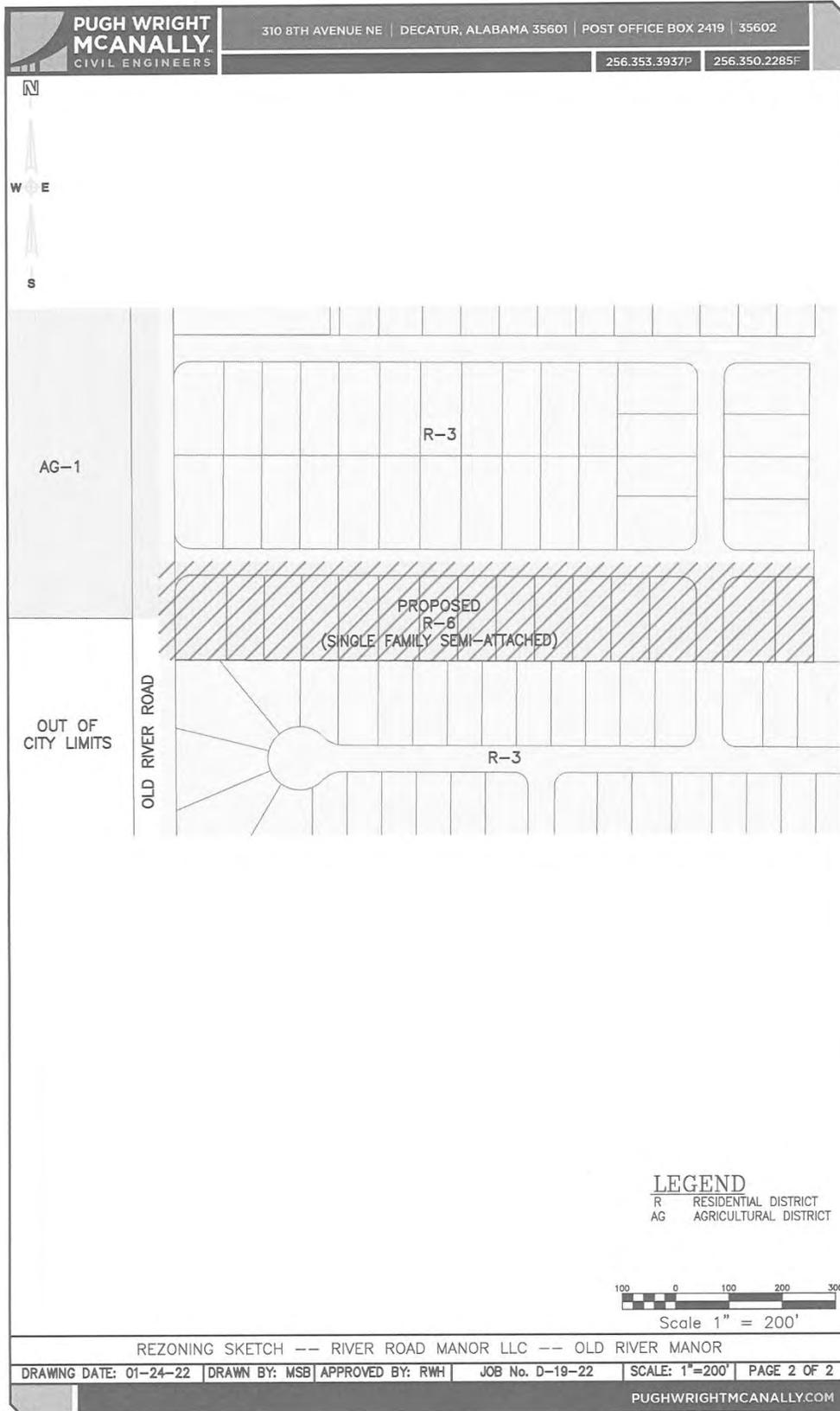
**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







<b>ZONING DISTRICT COMPARISON R-3 TO R-6</b>		<b>February 8, 2022</b>
<b>SECTION</b>	<b>R-3</b>	<b>R-6</b>
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>a. (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-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>b. (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>
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</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</p>

ZONING DISTRICT COMPARISON R-3 TO R-6		February 8, 2022
SECTION	R-3	R-6
	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.	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.
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 <a href="#">section 25-2</a> ) 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 <a href="#">section 25-2</a> ) 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.	Minimum lot size: 2,000 square feet.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: Thirty (30) feet.	Minimum front yard setback: 25 feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Thirty-five (35) feet.	Minimum rear yard setback: 20 feet.

ZONING DISTRICT COMPARISON R-3 TO R-6		February 8, 2022
SECTION	R-3	R-6
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: One side eight (8) feet and the other side six (6) feet.	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 FEET AT BUILDING LINE	Minimum feet at building line: Fifty (50) feet.	Minimum lot size at building line: 20 feet.
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 <a href="#">section 25-16</a> 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 <a href="#">section 25-16</a> hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.

Consent Agenda
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**FILE NAME OR NUMBER:** Certificate 3568-22

**ACRES:** 0.48

**CURRENT ZONE:** R-3 Single Family Residential

**APPLICANT:** XRAM Inc. for Sheila Cloud

**LOCATION AND OR PROPERTY ADDRESS:** 1025 Johnston St SE

**REQUEST:** Subdivide one parcel of 0.48 acres into two parcels of 0.24 acres each

**PROPOSED LAND USE:** Residential

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

**ONE DECATUR STREET TYPOLOGY:** Johnston St SE is a local street

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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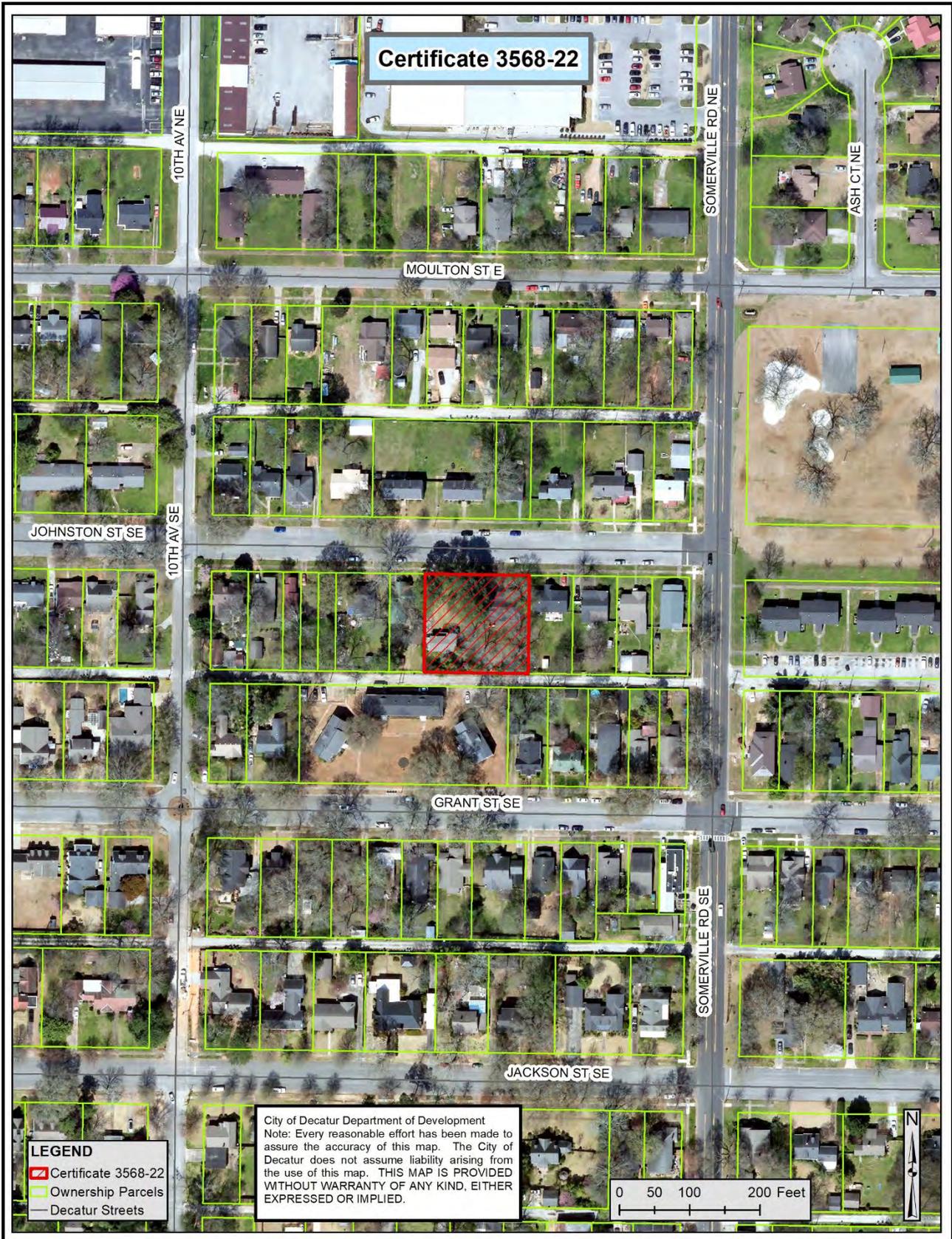
**Conditions to be met:**

1. Signed owner letter
2. Deed

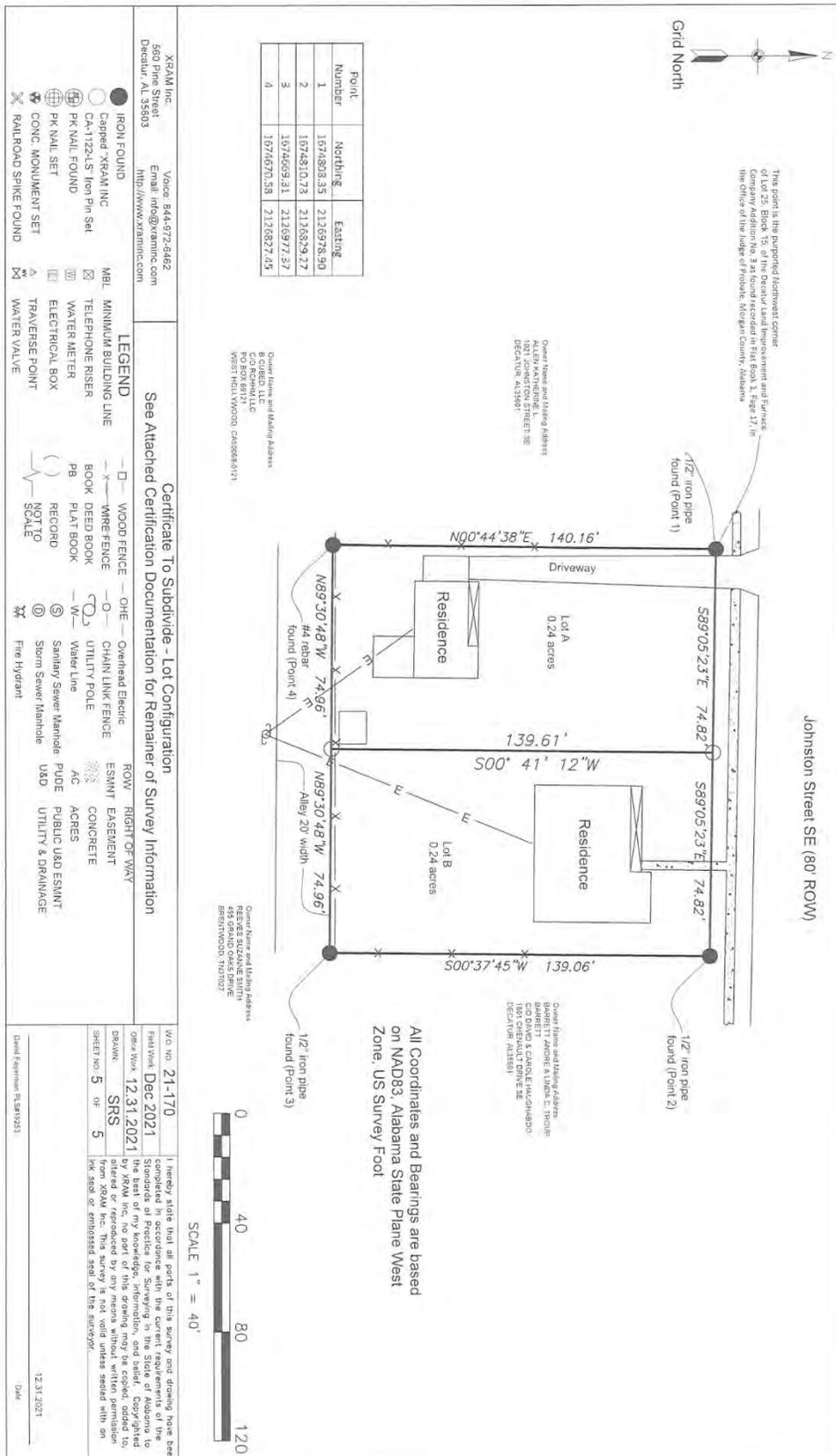
**Pt. of Info:**

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

<b>COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:</b>
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**FILE NAME OR NUMBER:** Certificate 3569-22

**ACRES:** 4.83

**CURRENT ZONE:** R-1 Single Family Residential

**APPLICANT:** XRAM Inc. for Fred O. Field

**LOCATION AND OR PROPERTY ADDRESS:** 2305 Old River Rd SE

**REQUEST:** Subdivide one parcel of 4.83 acres into two parcels of 2.04 and 2.79 acres

**PROPOSED LAND USE:** Residential

**ONE DECATUR FUTURE LAND USE:** Residential, low density

**ONE DECATUR STREET TYPOLOGY:** Old River Rd SE is a Local Street

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

**Conditions to be met:**

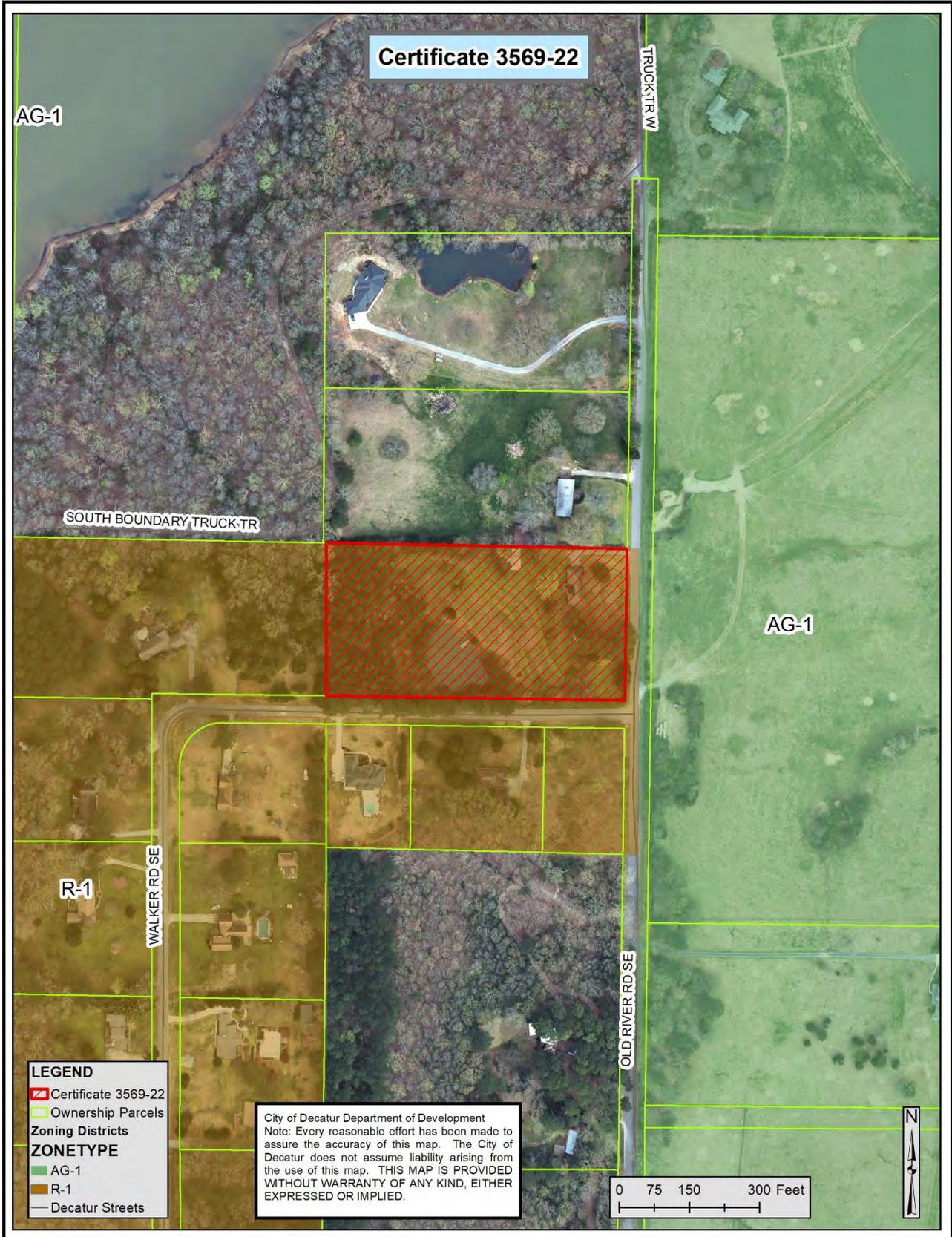
1. Signed, sealed survey with 3 state plane coordinates
2. Joe Wheeler will need a 15ft DUT easement along Walker Rd
3. Joe Wheeler will need a 15ft DUT easement on the north side of lot A for the existing power line

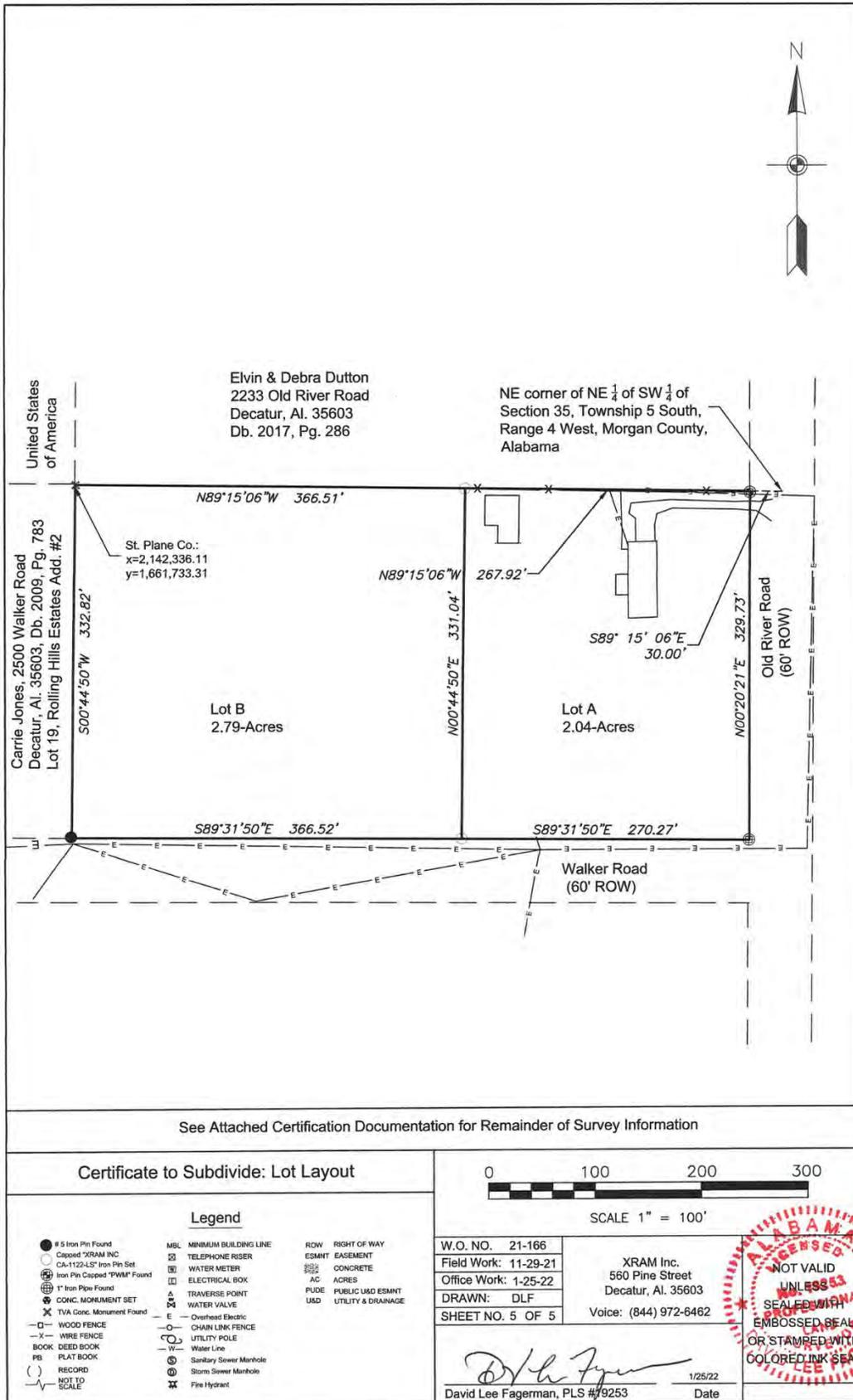
**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







**FILE NAME OR NUMBER:** Glenmont Acres Subdivision – Layout Plat

**ACRES:** 58.3

**CURRENT ZONE:** R-5 Residential District (single-family patio home)

**APPLICANT:** Pugh, Wright, McAnally for Greystone Properties of Decatur, LLC and Land Services, LLC

**LOCATION AND OR PROPERTY ADDRESS:** Central Ave SW and Poole Valley Rd SW

**REQUEST:** Layout Plat Approval

**PROPOSED LAND USE:** Single Family Residential

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

**ONE DECATUR STREET TYPOLOGY:** Central Ave SW is a Minor Arterial

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

**Conditions to be met:**

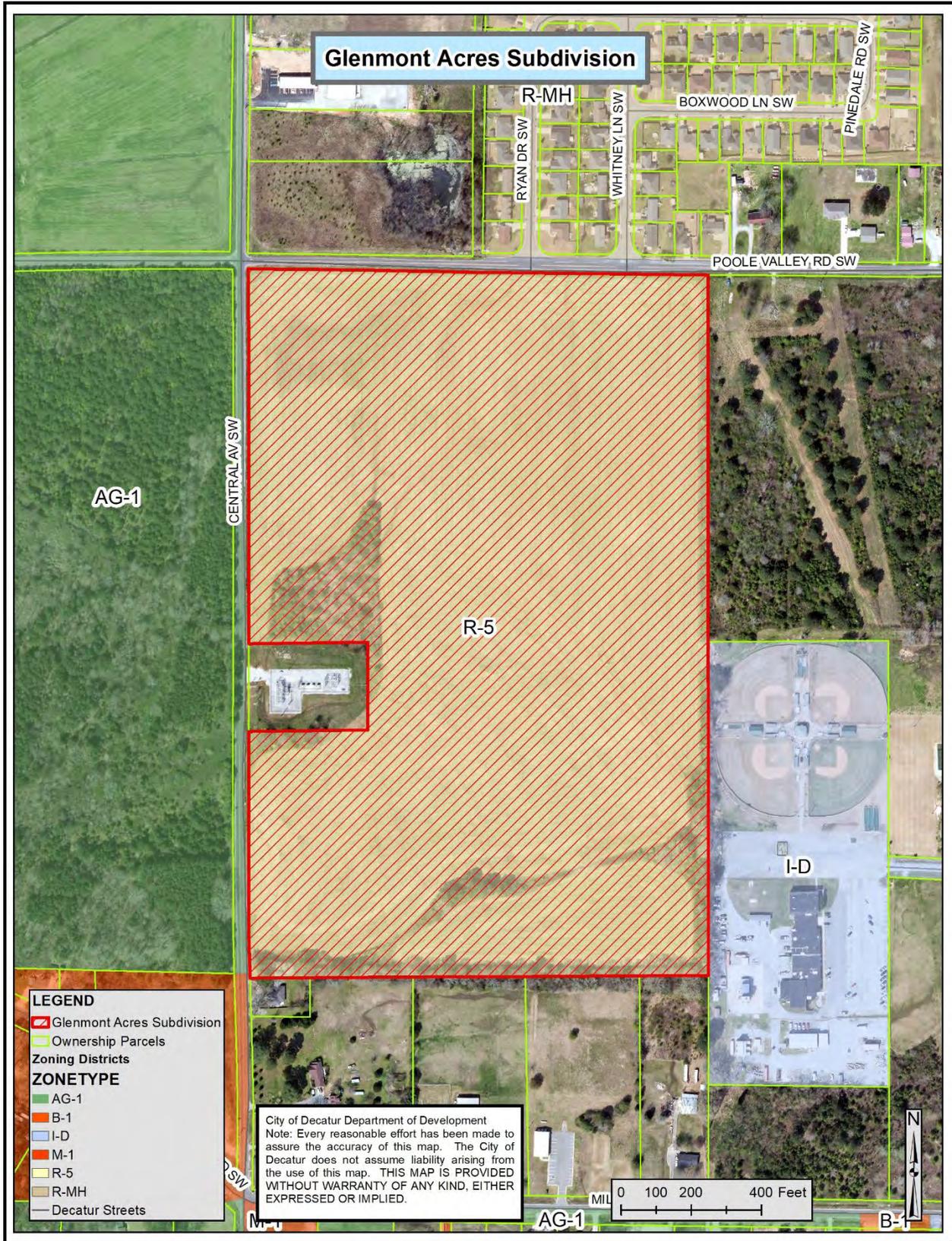
1. None

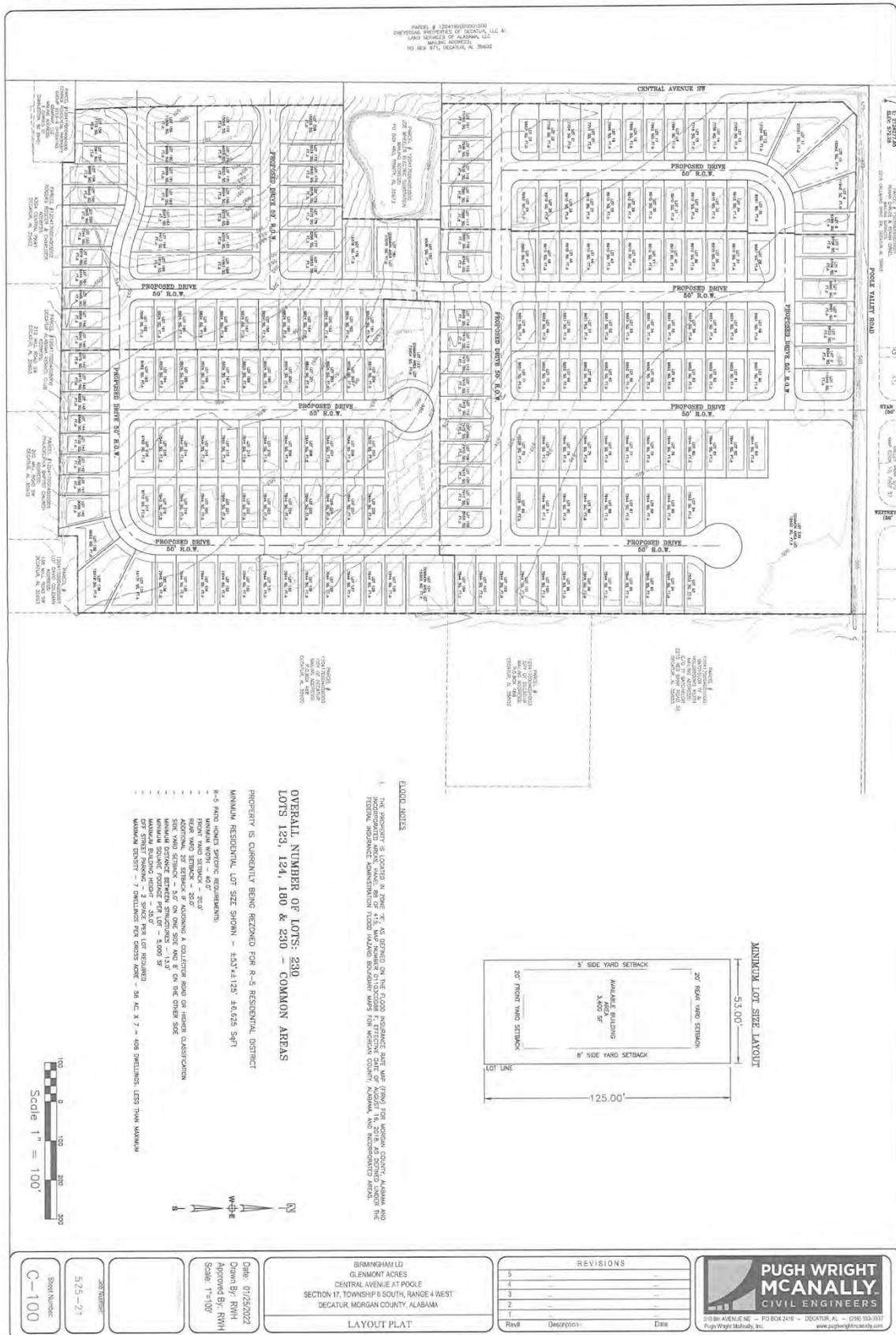
**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







Public Hearing (Cont.)

**FILE NAME OR NUMBER:** Glenmont Acres Phase 1 – Preliminary Plat

**ACRES:** 58.3

**CURRENT ZONE:** R-5 Residential District (single-family patio home)

**APPLICANT:** Pugh, Wright, McAnally for Greystone Properties of Decatur, LLC and Land Services, LLC

**LOCATION AND OR PROPERTY ADDRESS:** Central Ave SW and Poole Valley Rd SW

**REQUEST:** Preliminary Plat Approval

**PROPOSED LAND USE:** Single Family Residential

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

**ONE DECATUR STREET TYPOLOGY:** Central Ave SW is a Minor Arterial

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

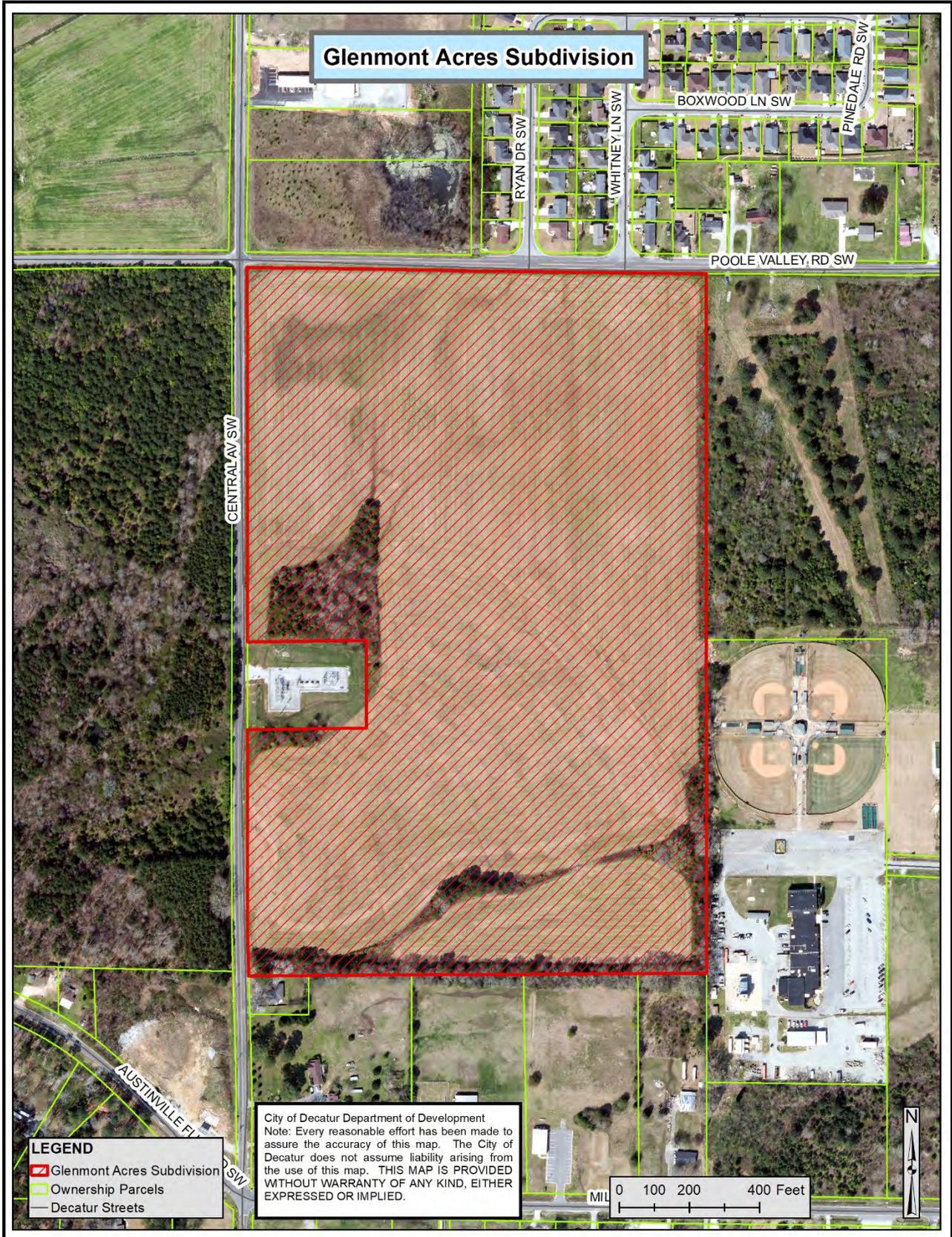
**Conditions to be met:**

1. Add street names to plat
2. Signed, sealed construction drawings approved by DU and Engineering
3. Handicap ramp detail
4. Per Engineering Approval
5. Per DU Approval

**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 540-22

**ACRES:** 0.15

**CURRENT ZONE:** B-5 (Central Business District) and M-1 (Light Industry)

**APPLICANT:** Pugh, Wright, McAnally for Decatur Urban Ventures

**LOCATION AND OR PROPERTY ADDRESS:** Cherry St NW north of Bank St

**REQUEST:** Vacate 0.15 acres of ROW on Cherry St NW

**PROPOSED LAND USE:** Unknown

**ONE DECATUR FUTURE LAND USE:** Urban Core Downtown

**ONE DECATUR STREET TYPOLOGY:** Cherry St NW is a local street

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

**Conditions to be met:**

1. Signed vacation package
2. DU will need an easement for utilities, width to be determined per field work
3. There will need to be some allowance for turn-arounds on the other side
4. If approved, additional right of way may be required for a turn-around

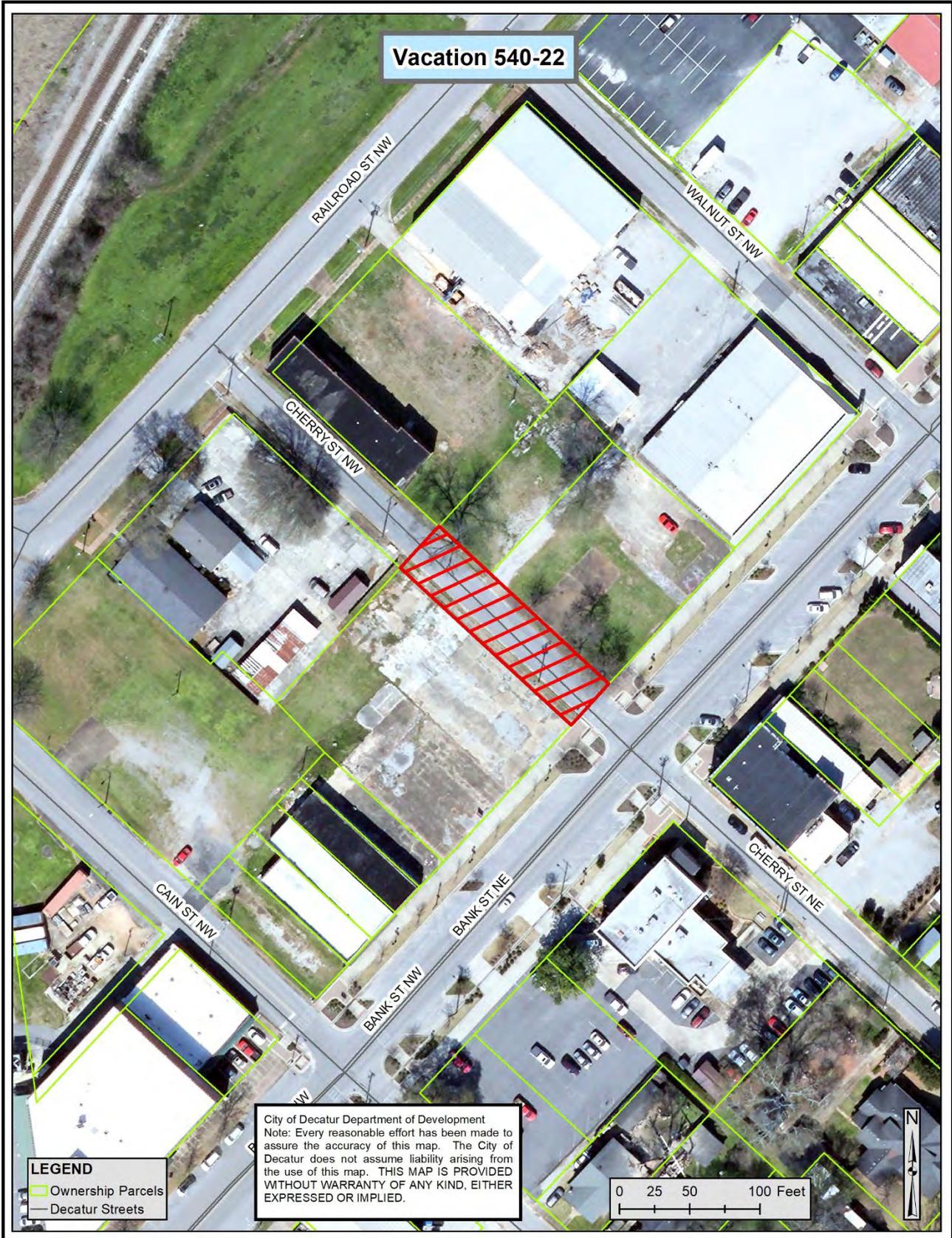
**Pt. of Info:**

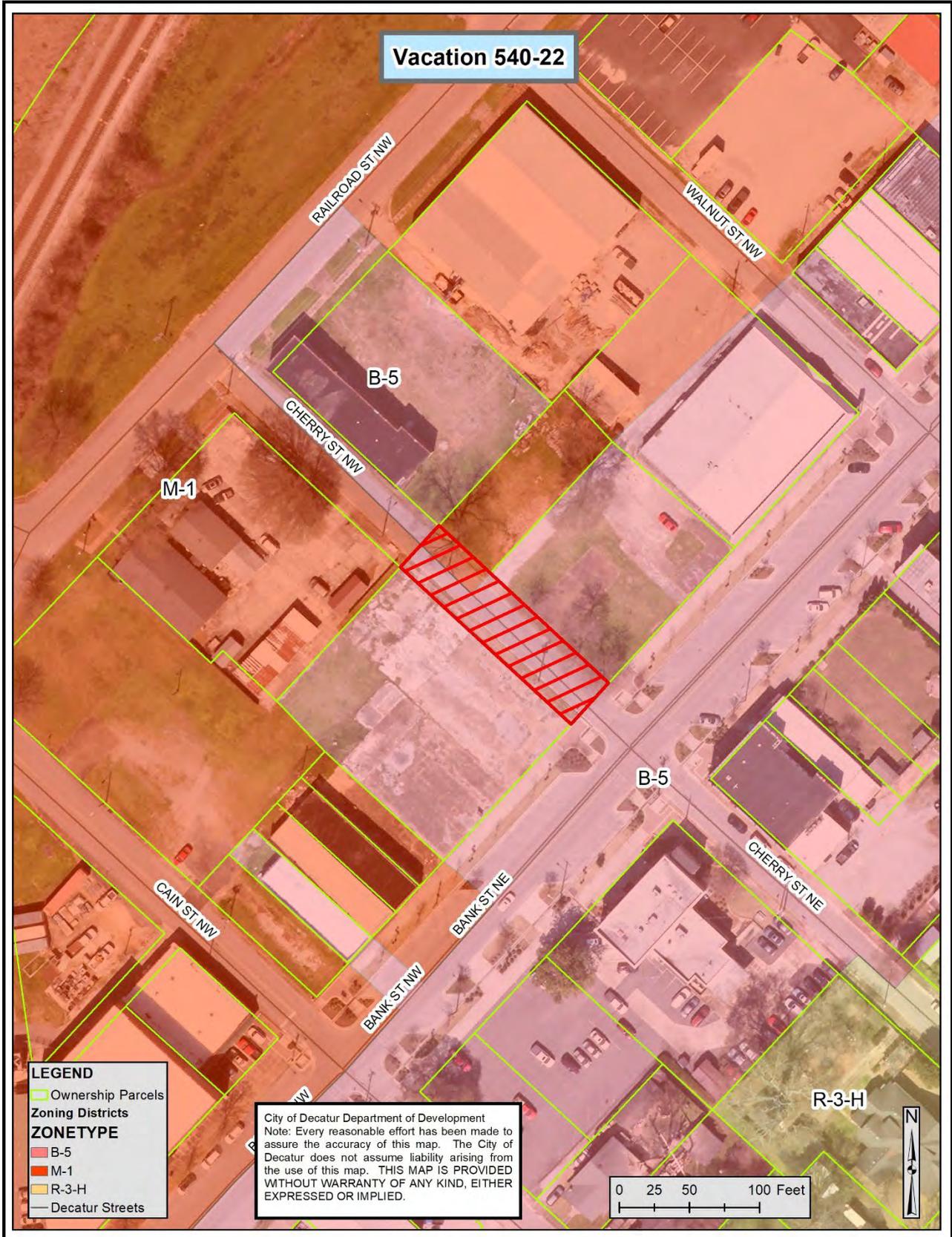
Any relocation of utilities will be at the owner's expense

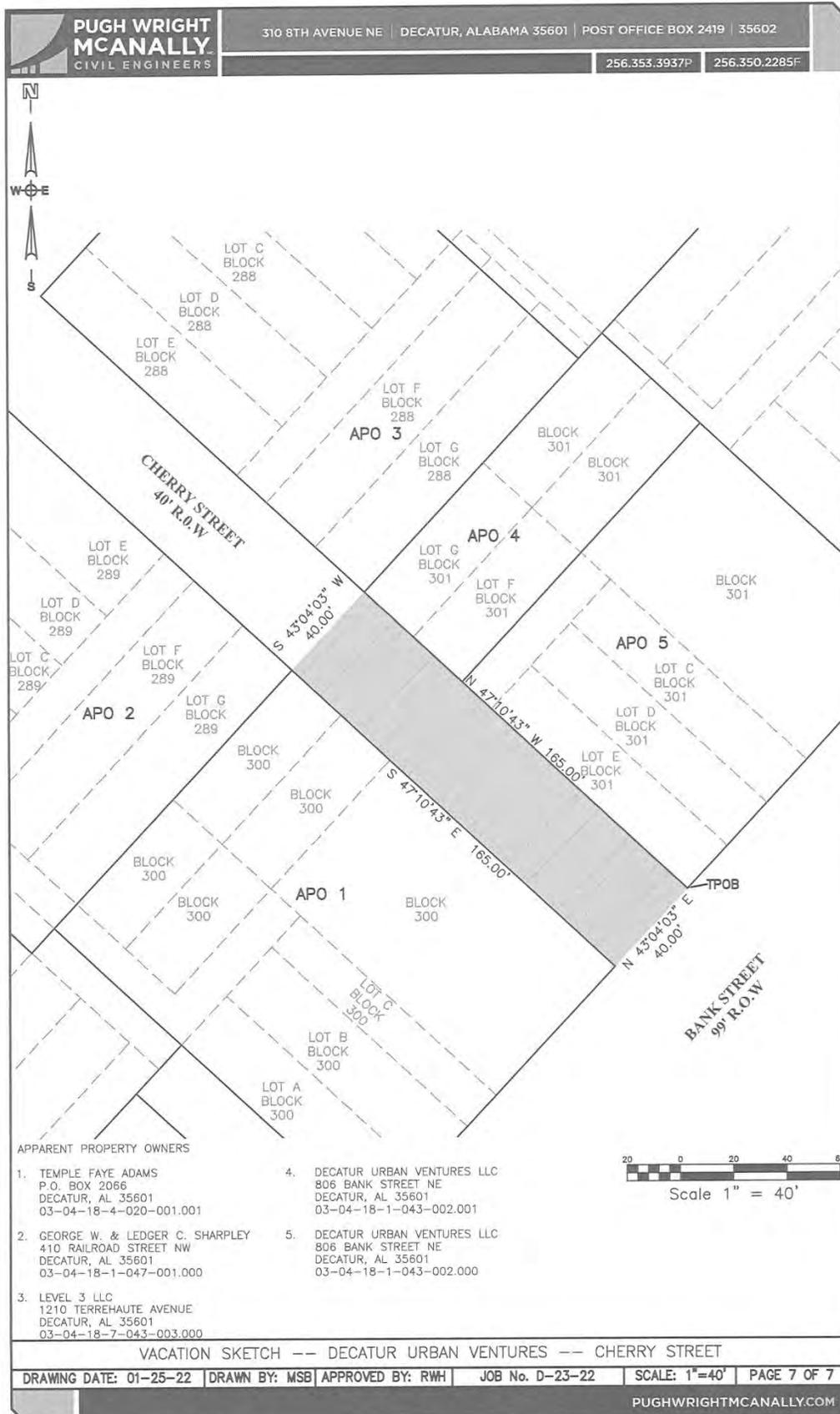
The recording of the vacation will be held until a plat is submitted dedicating the new ROW for the turn-around

Construction of the turn-around will be a condition of site plan approval

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







**SUBDIVISION BOND REVIEWS**

**FILE NAME OR NUMBER:** Old River Manor Phase 1 – Bond Review

**ACRES:** 19.75

**CURRENT ZONE:** R-3

**APPLICANT:** River Road Manor, LLC

**LOCATION AND OR PROPERTY ADDRESS:** 3001 Lisa Ln SE

**REQUEST:** Reduce the bond amount to reflect the remaining work to be completed

**PROPOSED LAND USE:** Single Family Residential

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

**ONE DECATUR STREET TYPOLOGY:** Lisa Lane SE is a Local Street

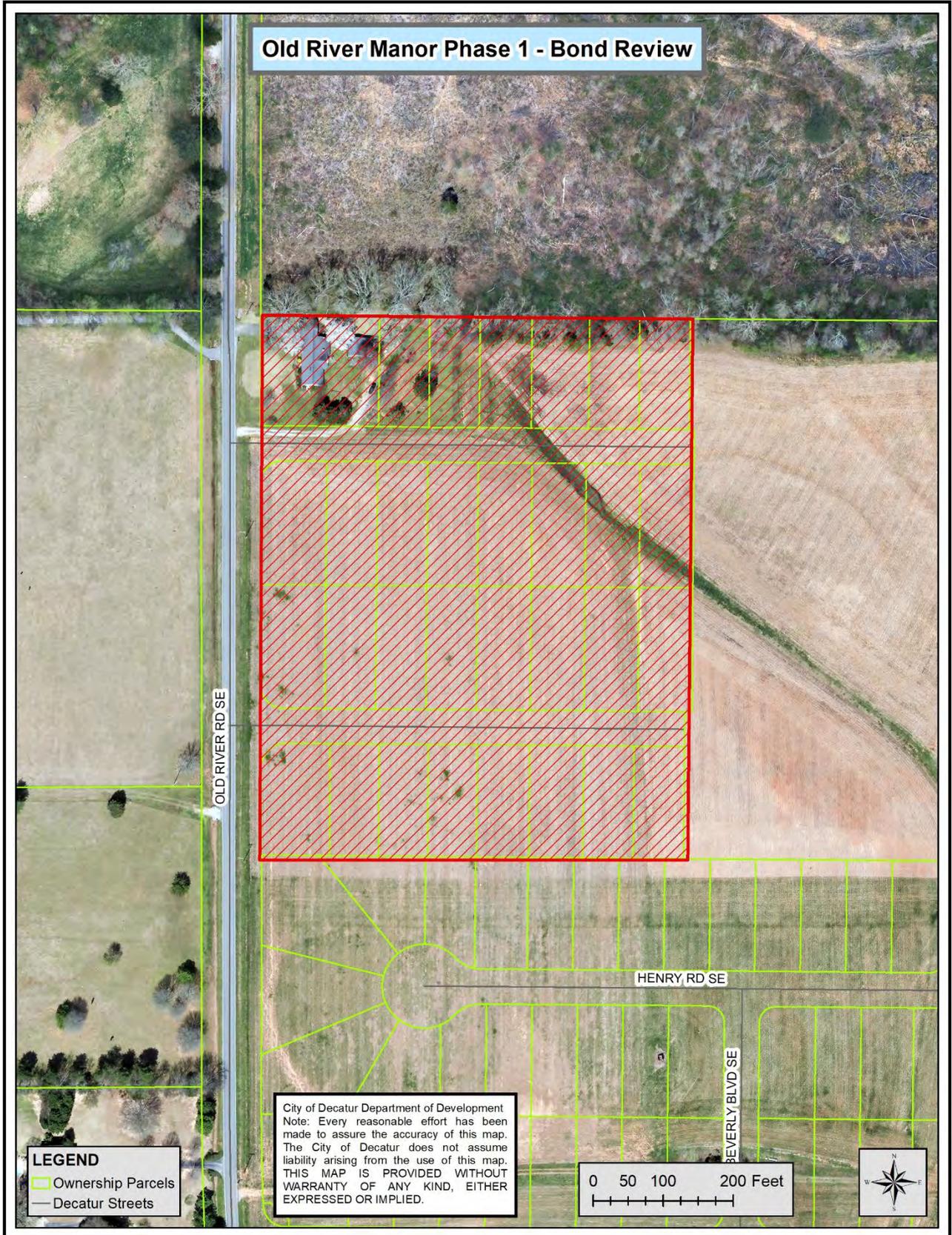
**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:****Conditions to be met:**

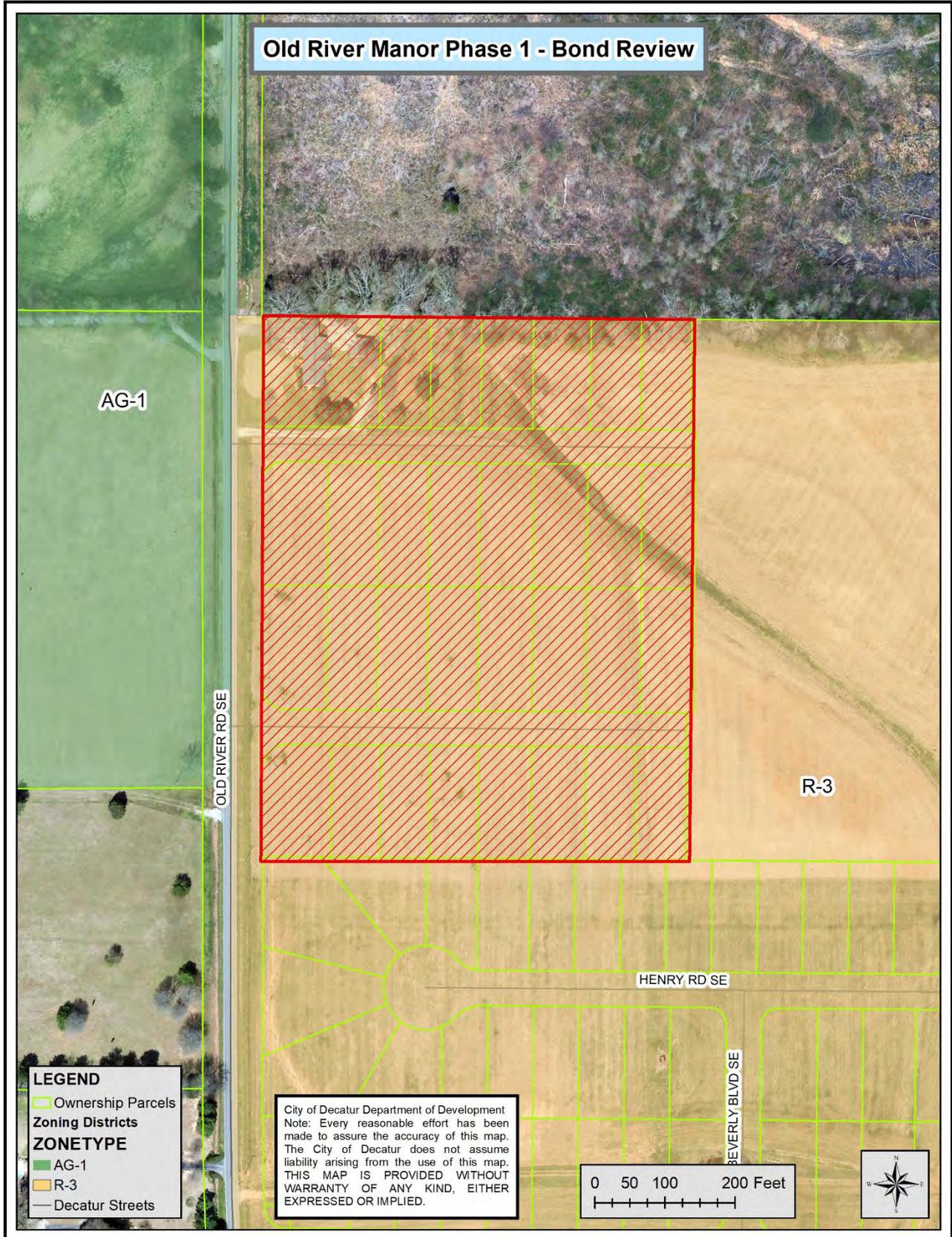
1. Verification from DU, Joe Wheeler, and Engineering on the amount needed for completion of improvements.

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**





**FILE NAME OR NUMBER:** Manor Park Phase 2 – Bond Review

**ACRES:** ~5.0

**CURRENT ZONE:** R-3

**APPLICANT:** Susan Trivitt – Manor Park

**LOCATION AND OR PROPERTY ADDRESS:** 2715 Apsley Way SW

**REQUEST:** Release of the bond for public improvements

**PROPOSED LAND USE:** Single Family Residential

**ONE DECATUR FUTURE LAND USE:** Rural Edge/Agricultural

**ONE DECATUR STREET TYPOLOGY:** Apsley Way SW is a Local Street

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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**Conditions to be met:**

1. Verification from DU, Joe Wheeler, and Engineering that all improvements have been completed.

**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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