

## **MEMORANDUM**

**DATE:** June 21<sup>st</sup>, 2022

**TO:** Planning Commissioners

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

### **PLANNING COMMISSION MEETING**

**June 21<sup>st</sup>, 2022**

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

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

# Agenda Planning Commission

City of Decatur, AL

June 21<sup>st</sup>, 2022

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

## PUBLIC HEARING

### ZONING

PAGE/MAP

A. Zoning 1397-22

1-6

(370 McEntire Lane SW)

### MINOR PLATS

PAGE/MAP

A. Mitford Place Phase 3

7-10

(North of 2847 Hempstead Ave SW)

B. Hines Corner Subdivision

11-13

(331 Austinville Rd SW)

C. Bould Monty Acres Phase 2

14-17

(2436 Chapel Hill Rd SW)

### MAJOR PLATS

PAGE/MAP

A. Valley Park – Preliminary Plat

18-21

(3914 Central Ave SW)

## OTHER BUSINESS

### ANNEXATIONS

PAGE/MAP

A. Annexation 370-22

22-25

(~2900 Upper River Rd)

### BOND REVIEWS

PAGE/MAP

A. Deerfoot Estates, Addition 5

26-28

B. River Road Estates Phase 1

29-31

## PUBLIC HEARING

### ZONING

**FILE NAME OR NUMBER:** Zoning 1397-22

**ACRES:** 6.4

**CURRENT ZONE:** None

**APPLICANT:** City of Decatur

**LOCATION AND OR PROPERTY ADDRESS:** 370 McEntire Ln SW

**REQUEST:** Zone recently annexed property of approximately 6.4 acres to M-1A

**NEW ZONE:** M-1A (Expressway Commercial District)

**PROPOSED LAND USE:** Commercial-existing

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

**ONE DECATUR STREET TYPOLOGY:** McEntire Ln SW is an Urban Collector

#### COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

##### Comments from Zoning Committee

The Zoning Committee was in favor of this request

##### Conditions to be met

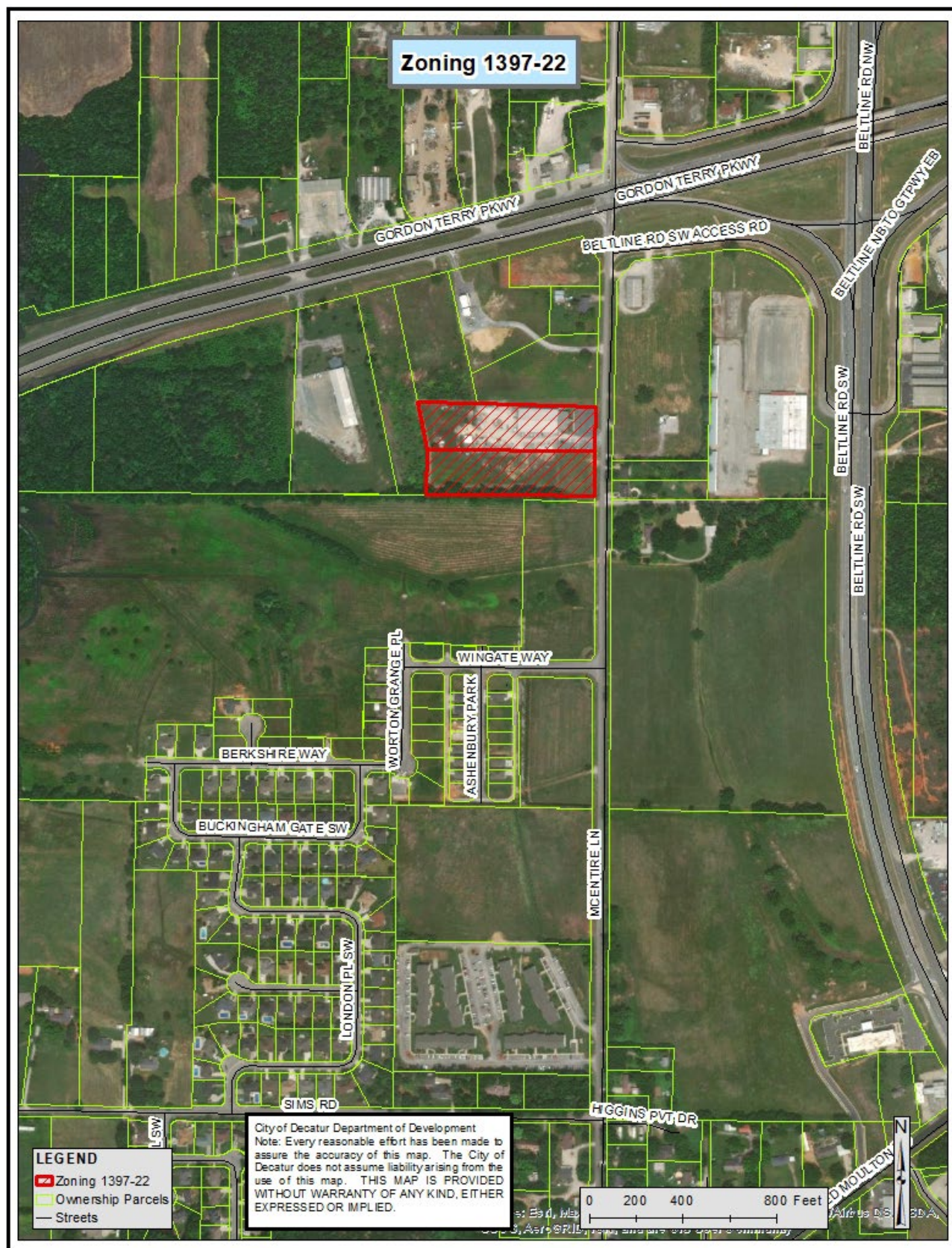
1. None

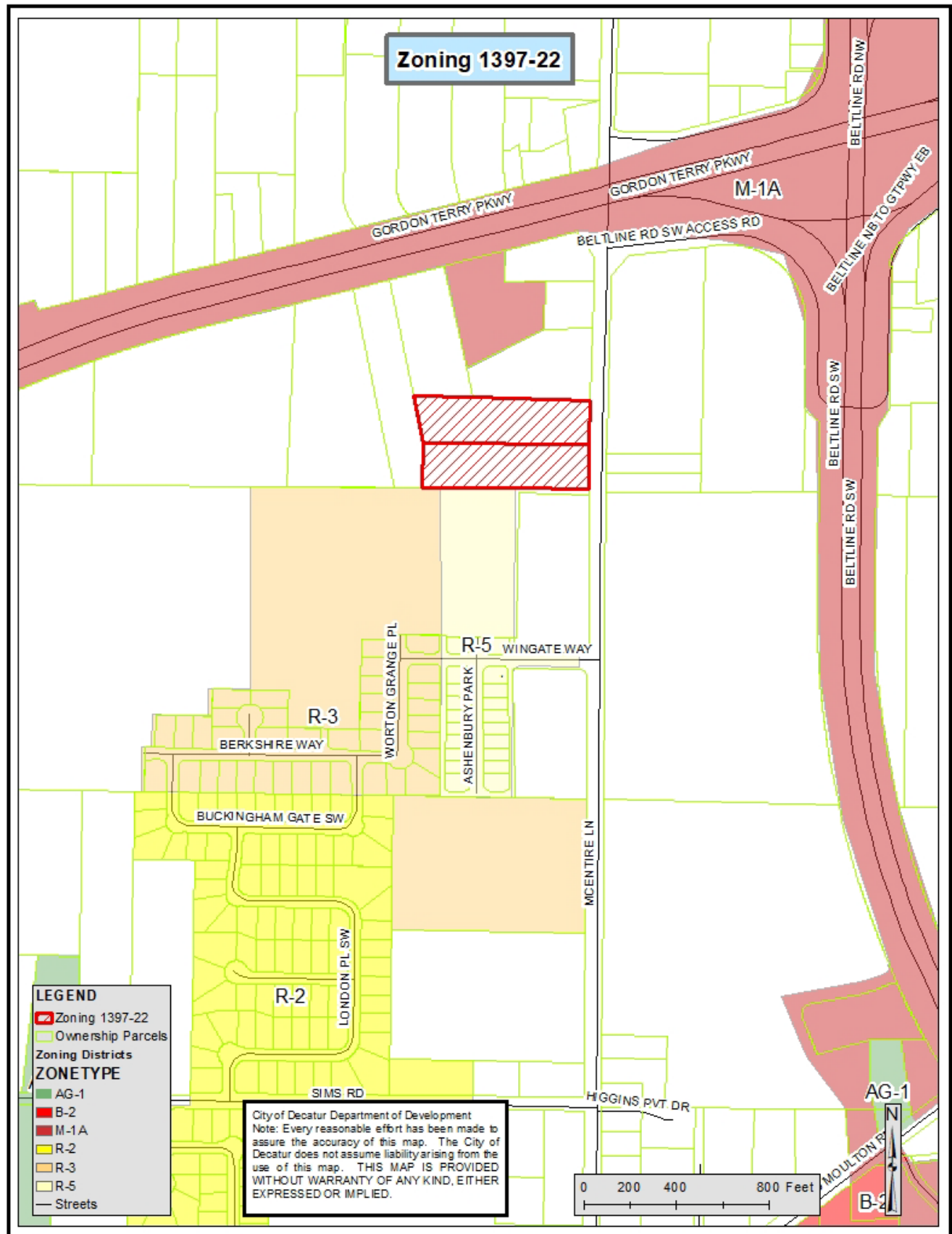
##### Pt. of Info:

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

#### COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







ZONING DISTRICT COMPARISON None to M-1A		June 14, 2022
SECTION	None	M-1A
USES PERMITTED		On premises sale and off premises sale of alcoholic beverages; public and semi-public uses, including governmental buildings, hospitals, clinics, churches, schools, academies, and clubs; 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 of service not specifically restricted or prohibited; provided that special consideration is given for the development of all uses and their relationship to the adjoining service roads providing direct access, or adjoining "expressways" or other major arterial as designated by the major thoroughfare plan which may provide direct, or indirect access via a service road. The plat and plan of the proposed use and any subsequent addition thereto shall be submitted and have the approval of the planning commission before any structures or uses are authorized in these districts and before a building permit is issued for any structure or certificate of occupancy given for any use not requiring a structure.
USES		Light industrial operations not



<b>ZONING DISTRICT COMPARISON None to M-1A</b>		<b>June 14, 2022</b>
<b>SECTION</b>	<b>None</b>	<b>M-1A</b>
PERMITTED ON APPEAL		obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor, or effluents; mobile home parks, provided such parks are laid out and utilities are made available for not less than ten trailers or mobile homes; and any use permitted in an R-4 Residential District, provided such use shall be subject to all district requirements thereof as set forth and specified in <a href="#">section 25-10</a> hereof, other than the maximum height provision set forth therein which shall not be applicable, provided however no such use permitted on appeal shall have direct access to the Beltline Road (Alabama Highway 67) unless such applicant shall present to the board of zoning adjustment a limited access plan in writing, approved by the city engineer, or other duly designated authority, which plan must meet the approval of the board, and be a condition of any grant or approval by such board.
USES PROHIBITED		Stockyard; live animals or poultry sales; coal yards; lumber mills; auto wrecking; grist or flour mills; ice plants; junk scrap paper, rag, storage or bailing; stone or monument works. Any use as determined by Building Director whose operations would be obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, vibration, noise, odor, effluence, or appearance.
MINIMUM LOT SIZE		It is the intent of the ordinance that lots of sufficient size be used for any use to provide adequate off-street parking and off-street loading space in addition to the space required for the other normal operations of the enterprise or use.
MINIMUM YARD SIZE W/ SETBACKS		Sixty (60) foot minimum set back from and along the Beltline Road; thirty-five (35) foot minimum set back from and along all other public street rights-of-way; thirty-five (35) foot minimum rear yard; and no side

<b>ZONING DISTRICT COMPARISON None to M-1A</b>		<b>June 14, 2022</b>
<b>SECTION</b>	<b>None</b>	<b>M-1A</b>
		yard required excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a twenty-five (25) foot minimum yard size. Gasoline pump islands (uncovered) may be placed within the front yard or set back area along the Beltline Road provided they maintain a thirty-five (35) foot minimum set back from all public street rights-of-way. In the event of conflict between any of the provisions herein, the stricter of such provisions shall apply.
MAXIMUM BUILDING AREA		40 per cent of lot area including specified yard space providing that required off-street parking and off-street loading and unloading areas are provided.
MAXIMUM BUILDING HEIGHT		None
OFF STREET PARKING		See <a href="#">§ 25-16</a> .
OFF-STREET LOADING AND UNLOADING		Adequate space for loading and unloading of all vehicles or trucks incidental to the operation of the business or use shall be provided.

**MINOR PLATS**

**FILE NAME OR NUMBER:** Mitford Place Phase 3

**ACRES:** 0.41

**CURRENT ZONE:** R-5.0

**APPLICANT:** Pugh Wright McAnally for Justin Roberts Homes, LLC

**LOCATION AND OR PROPERTY ADDRESS:** North of 2847 Hempstead Ave SW

**REQUEST:** Minor Plat Approval

**PROPOSED LAND USE:** Single-family Patio Homes

**ONE DECATUR FUTURE LAND USE:** Residential, Medium-High Density

**ONE DECATUR STREET TYPOLOGY:** Hempstead Ave SW is a Local Street

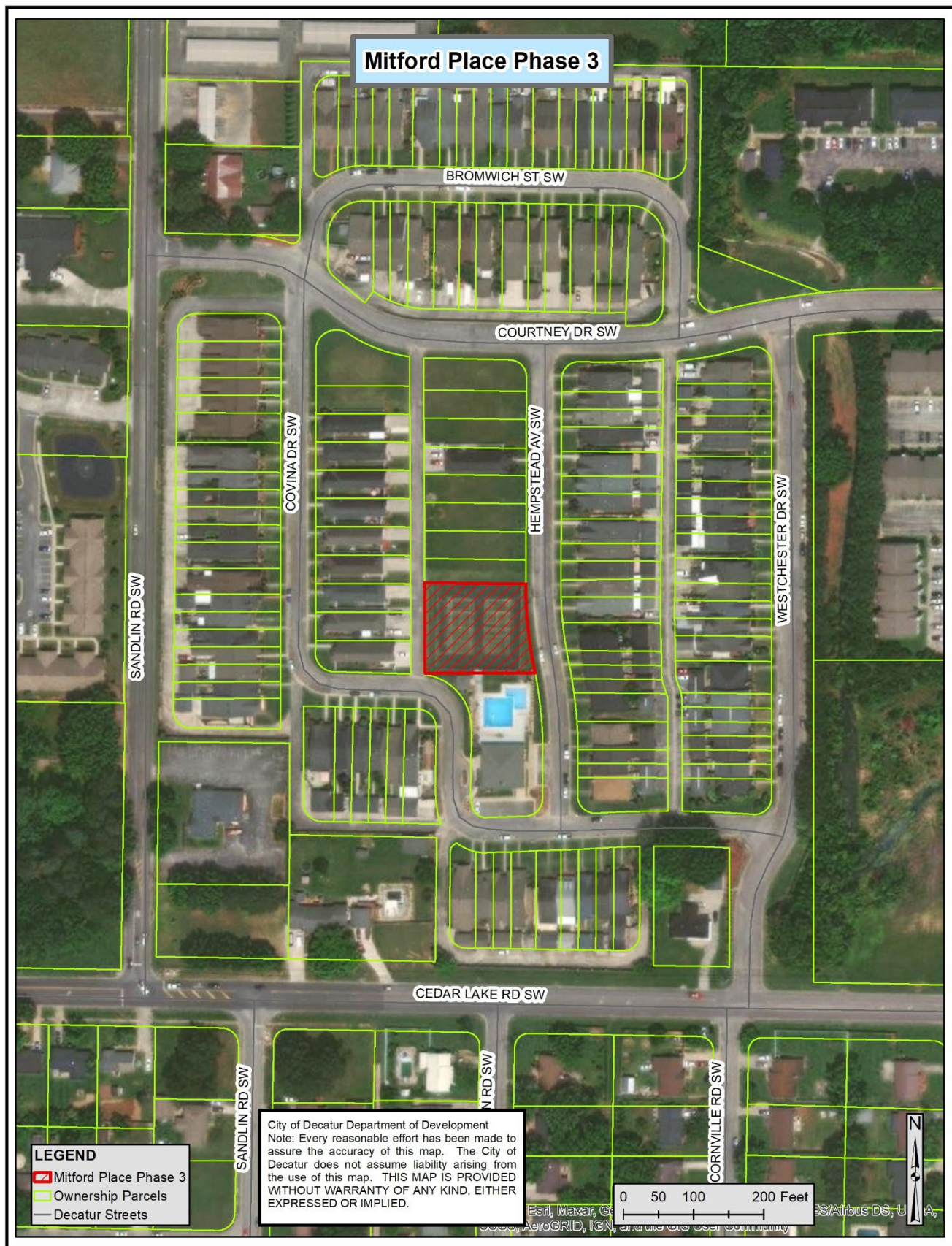
**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:****Conditions to be met:**

1. Add plat note stating that sidewalks shall be constructed and completed before CO will be issued
2. Add plat note stating that BOZA variance was granted for the 5' side yard setbacks

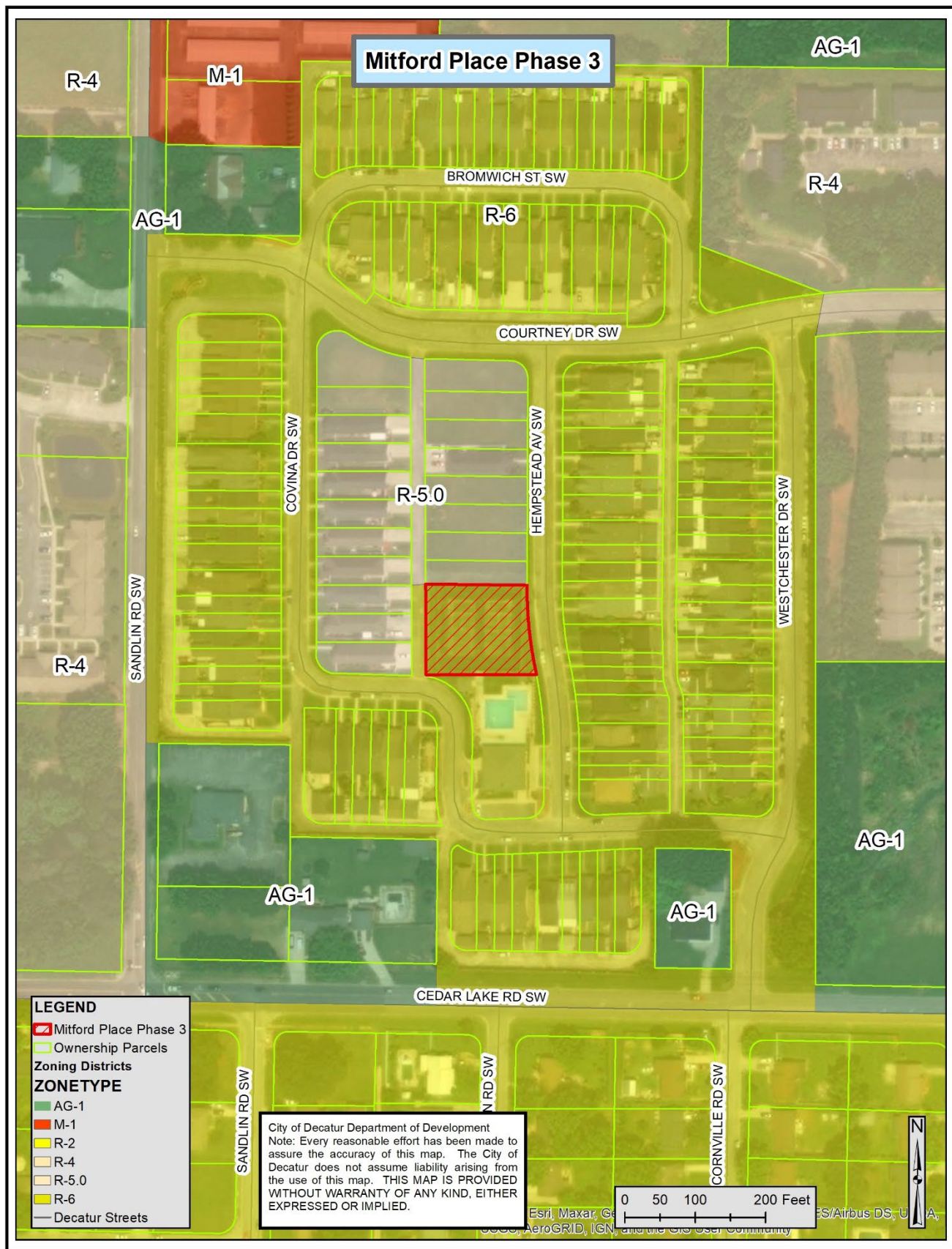
**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**











**FILE NAME OR NUMBER:** Hines Corner Subdivision

**ACRES:** 2.00

**CURRENT ZONE:** R-6 (Single Family Semi-attached Townhomes)

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

**LOCATION AND OR PROPERTY ADDRESS:** 331 Austinville Rd SW

**REQUEST:** Minor Plat Approval

**PROPOSED LAND USE:** Single Family Residential

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

**ONE DECATUR STREET TYPOLOGY:** Austinville Rd SW is a Minor Arterial

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

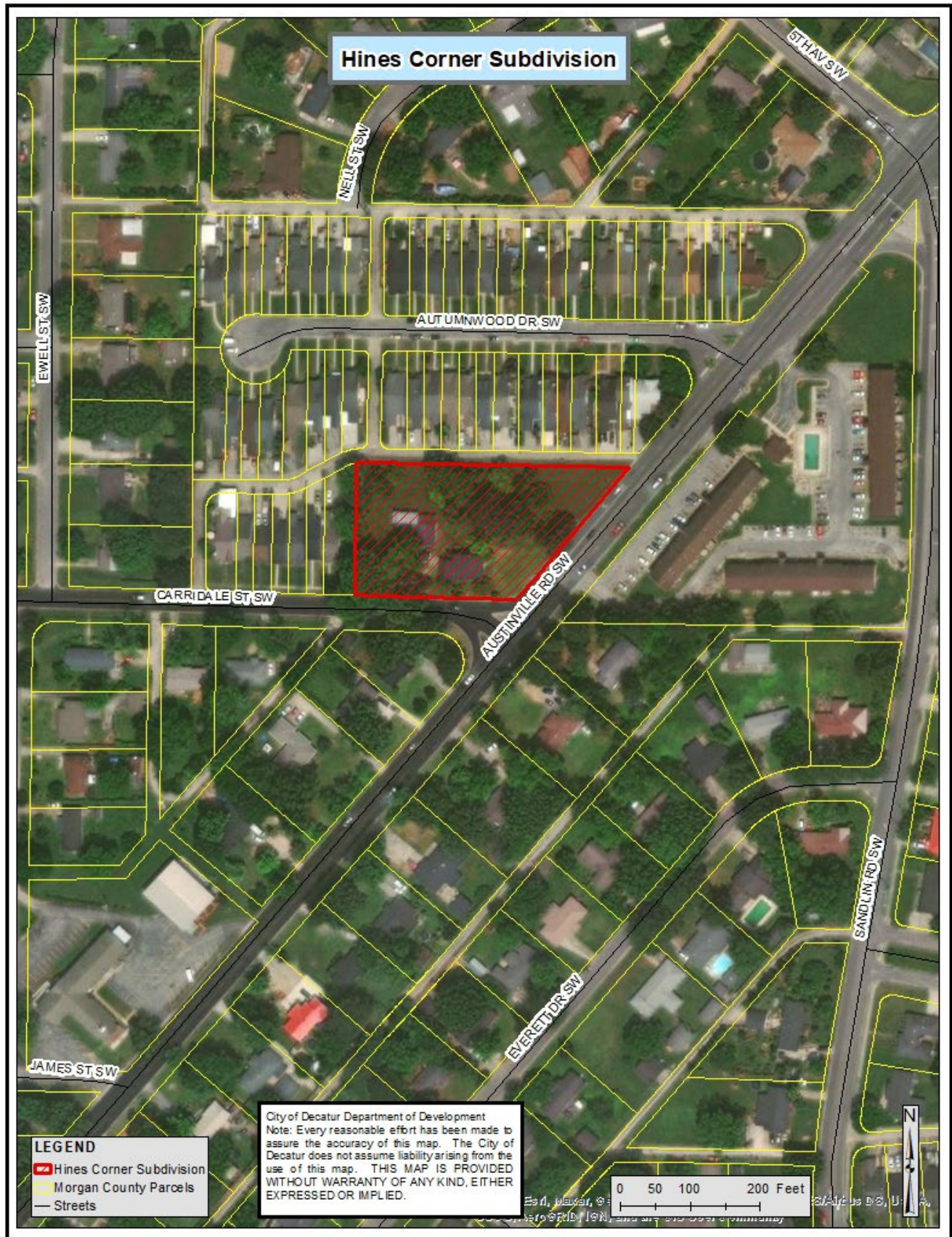
1. Need APO letter fees
2. Add plat note stating that sidewalks shall be constructed and completed before CO will be issued
3. Add 20 ft DUT easement on Carridale St SW for gas line and 10 ft DUT easement on the alley for electric service

**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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**OWNER:** ASPEN PROPERTIES, LLC  
**ADDRESS:** 10000 N. HUNTERS LANE, SUITE 100, DECATUR, GA 30034  
**PROJECT:** MINOR PLAT  
**SECTION 30, TOWNSHIP 5 SOUTH, RANGE 4 WEST  
 DECATUR, MORGAN COUNTY, ALABAMA**

**PREPARED BY:** PUGH WRIGHT MCANALLY, INC.  
**DATE:** 06/02/2022

**REVISIONS:**

Rev#	Description	Date
5		
4		
3		
2		
1		

**DECATUR PLANNING COMMISSION AGENDA**

**DATE:** 06/02/2022  
**Drawn by:** JMS  
**Approved by:** RWH  
**Scale:** 1"=20'

**ASPIEN PROPERTIES, LLC**  
**MINOR PLAT**  
**CARRIDALE AND AUSTINVILLE ROAD**  
**SECTION 30, TOWNSHIP 5 SOUTH, RANGE 4 WEST**  
**DECATUR, MORGAN COUNTY, ALABAMA**

**HINES CORNER**

**1 OF 1**

**FILE NAME OR NUMBER:** Bould Monty Acres Phase 2

**ACRES:** 33.1

**CURRENT ZONE:** AG-2

**APPLICANT:** Pugh Wright McAnally for Chad Hoge

**LOCATION AND OR PROPERTY ADDRESS:** 2436 Chapel Hill Rd SW

**REQUEST:** Minor Plat Approval

**PROPOSED LAND USE:** Single Family Residential

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

**ONE DECATUR STREET TYPOLOGY:** Chapel Hill Rd SW is an Urban Collector

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

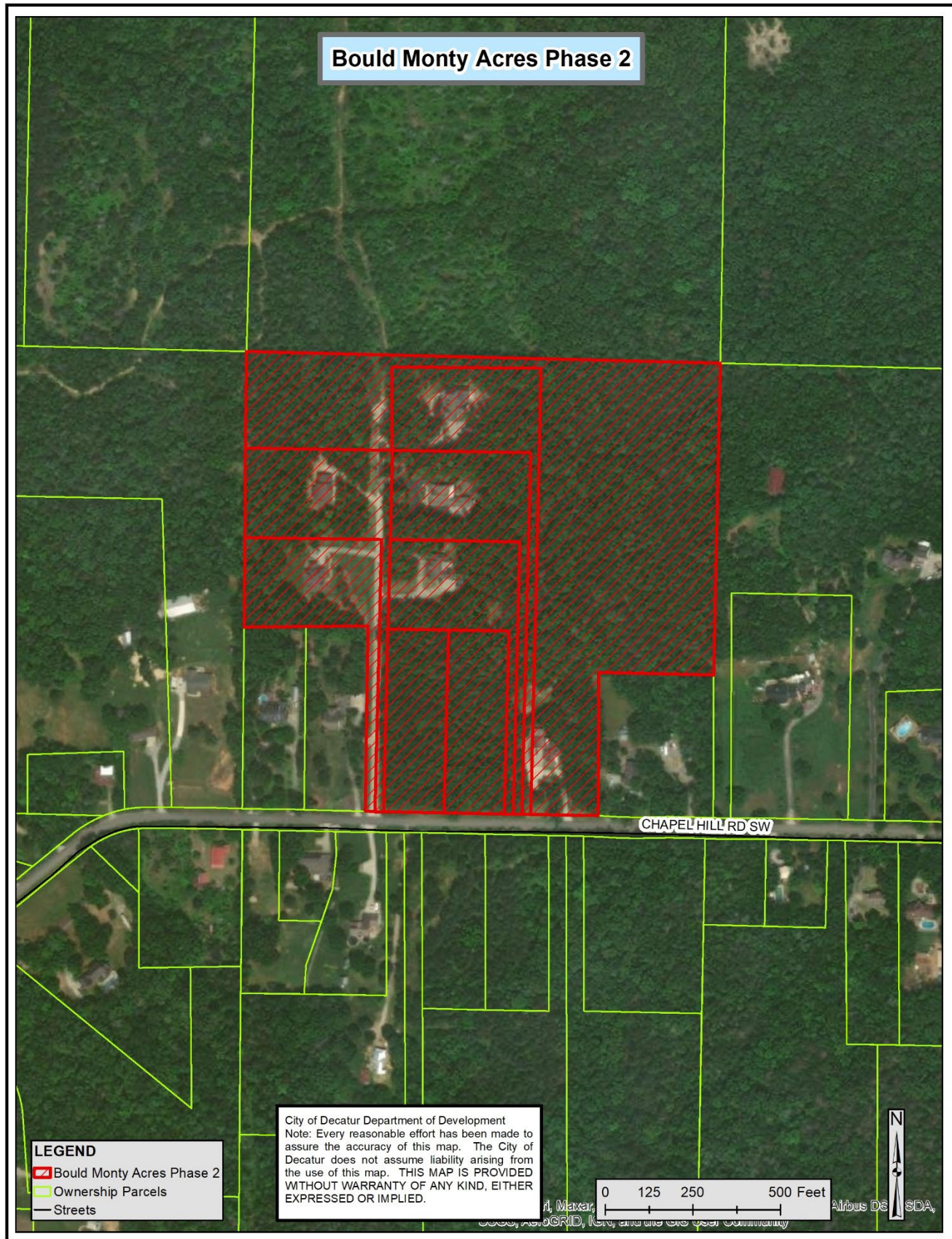
1. Plat Application Fee
2. Adjacent Property Owner Letters Fee
3. Change Plat Note 3 to "ANY ITEMS WITHIN THE BOUNDARY OF SAID RIGHT-OF-WAY OR WITHIN APPLICABLE SETBACKS FROM THE RIGHT-OF-WAY (FENCE, PAVING, PRIVATE UTILITIES, ETC.) SHALL BE SUBJECT TO REMOVAL AT PROPERTY OWNER'S EXPENSE AS DIRECTED BY CITY OF DECATUR."

**Pt. of Info:**

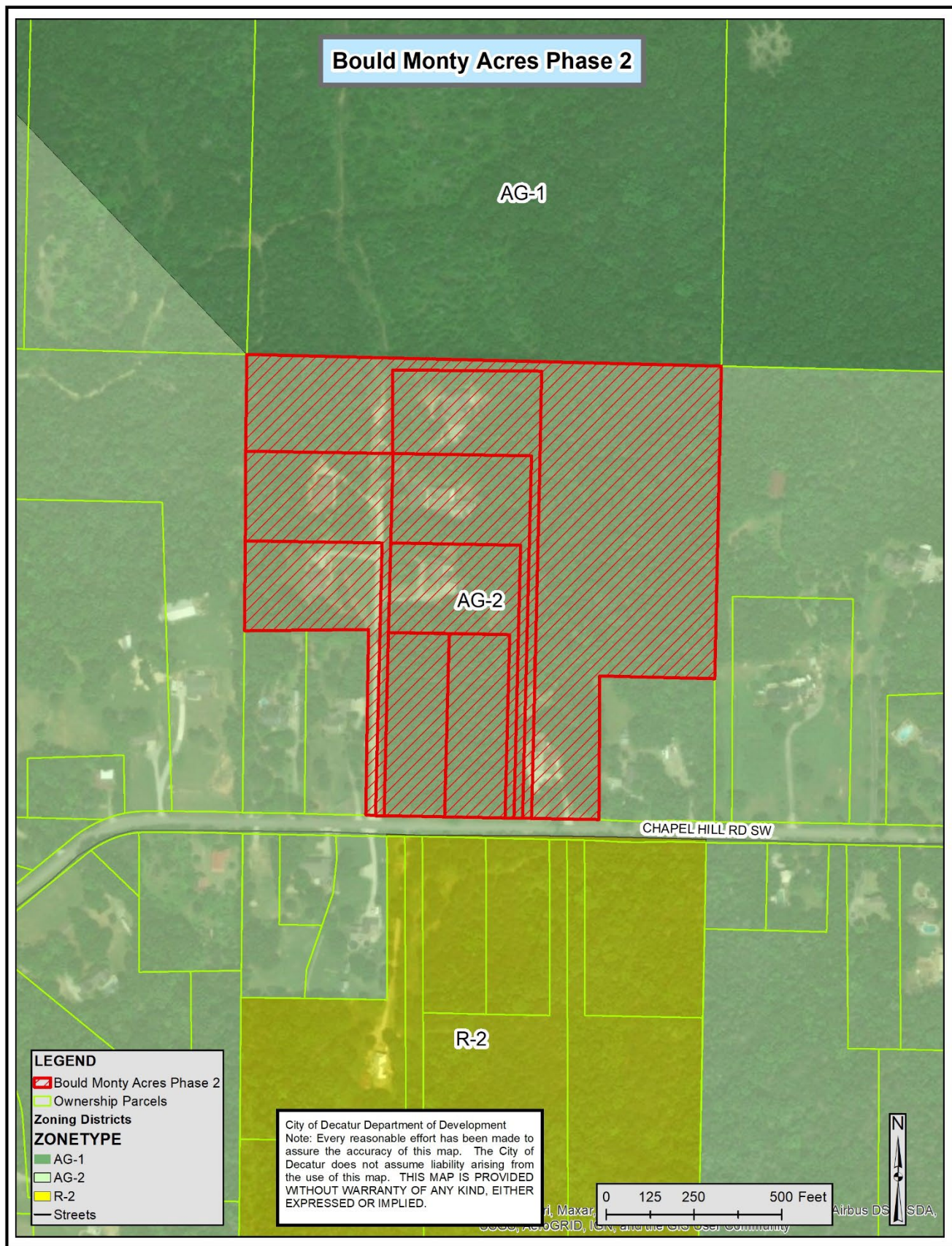
Any relocation of utilities will be at the owner's expense

<b>COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:</b>
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MC/ANO w. adjustment,  $pr/pjs$   
ALA REG. NO. 22728

RONALD WOODALL

1

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MARCUS O. TERRY

MICHELLE L. TERRY

Downloaded At: 11:53 11 September 2009

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OWNER INFORMATION FROM JOHNSON COUNTY TAX ASSESSOR ONLINE RECORDS AS OF MAY 31, 2022	
Apd Owner Name	Address
1. HENDERSON CECIL JR, JR, & DAHLE N	2442 CARROLL, HILL ROAD SW
2. HENDERSON CECIL JR, JR, & DAHLE N	2442 CARROLL, HILL ROAD SW
3. HENDERSON CECIL JR, JR, & DAHLE N	2442 CARROLL, HILL ROAD SW
4. SHARPS OTTIE & WARDEN	3004 W CARROLL, HILL RD SW
5. CHASEL VERNON D, & ZETTER U	2324 CARROLL, HILL RD SW
6. ENGEL DANNY L, & ABELLA, A	2408 CARROLL, HILL RD SW
7. CARROLL MERVIN, & CARROLL MARTIN & CROWDEN GRINNS	2112 OLD MOUNTAIN ROAD
8. BAKER DALE H, & JONES EDWARD	2421 CARROLL, HILL ROAD SW

1. BEZDOR—ANY SHOWN HEREON FOR FUTURE REDEMPTION IS RECORDED IN DEED BOOK 2004, PAGE 10087 IN THE OFFICE OF THE CLERK OF PROBATE, WASHINGTON COUNTY, ALABAMA
2. ANY BUILDING PERMITS ISSUED ON LOTS 2, 4, 5, AND 6 WILL BE SUBJECT TO THE SAME REQUIREMENTS AS STATED IN THE CITY OF SEVEN SPRINGS, ALABAMA, ORDINANCE NO. 10087, ADOPTED JANUARY 11, 2004, PAGE 10087 AND ALL OTHER APPLICABLE ZONING RECOMMENDATIONS.
3. ANY OTHER WITHIN THE SOUNDLY OF AND NORTH-OF ANY OTHER, PERSON, PARTIAL INTEREST, ETC., SHALL BE SAID TO REMAIN AT PROPERTY OWNER'S DISCRETION AS DIRECTED BY CITY OF SEVEN SPRINGS.

BOULD MONTY ACRES PHASE 2  
A RESUBDIVISION OF A RESUBDIVISION OF LOTS 1,2, AND A  
PORTION OF 5 OF BOULD MONTY ACRES  
SECTION 11, TOWNSHIP 6 SOUTH, RANGE 5 WEST  
DECATUR, MORGAN COUNTY, ALABAMA

FINAL PLAT

REVISIONS		
5	04	02
4	04	01
3	04	01
2	04	01
1	04	01
Rev#	Description	Date

**PUGH WRIGHT  
MCANALLY**  
CIVIL ENGINEERS

310 8th AVENUE NE • PO BOX 2419 • DECATUR, AL • (256) 363-3637  
Pugh Wright McAnally, Inc. [www.pughwrightmcanally.com](http://www.pughwrightmcanally.com)



**MAJOR PLATS**

**FILE NAME OR NUMBER:** Wilshire Development LLC-Valley Park Subdivision

**ACRES:** 5.30

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

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

**LOCATION AND OR PROPERTY ADDRESS:** 3914 Central Ave 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. Need legal description
2. Need plat application fees (\$200)
3. Need adjacent property owner (APO) letters fees
4. The name of the road needs to be changed due to there already being a Valley Park Drive in Decatur
5. Need a note that encroachments are prohibited in the floodway (per Building Department approval)

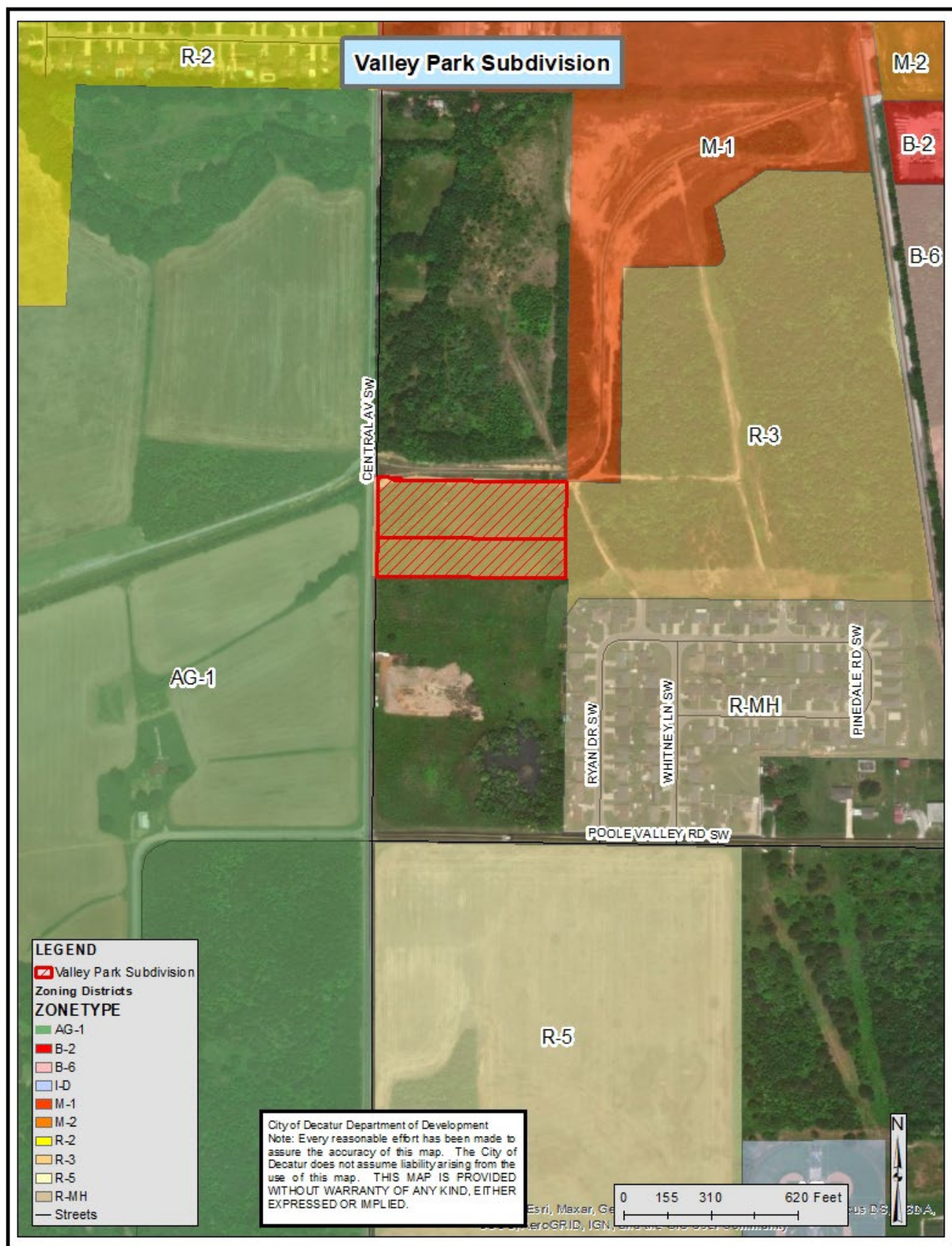
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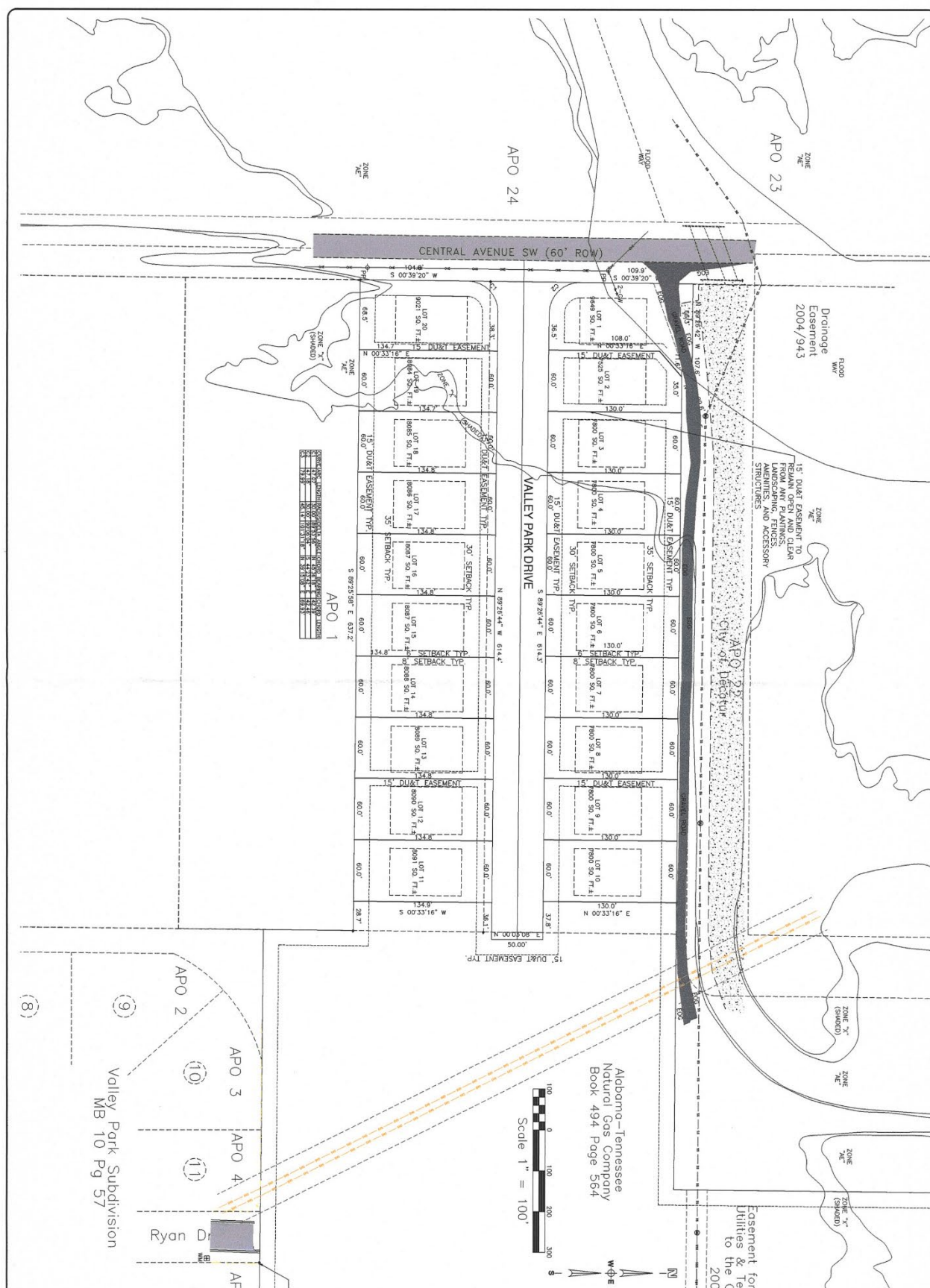
Any relocation of utilities will be at the owner's expense

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**









**OTHER BUSINESS**

**FILE NAME OR NUMBER:** Annexation 370-22

**ACRES:** 14.57

**CURRENT ZONE:** R-4 (Multi-family Residential)

**APPLICANT:** Andy Villarreal

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

**REQUEST:** Annexation Approval

**PROPOSED LAND USE:** Multi-family Residential

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

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

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

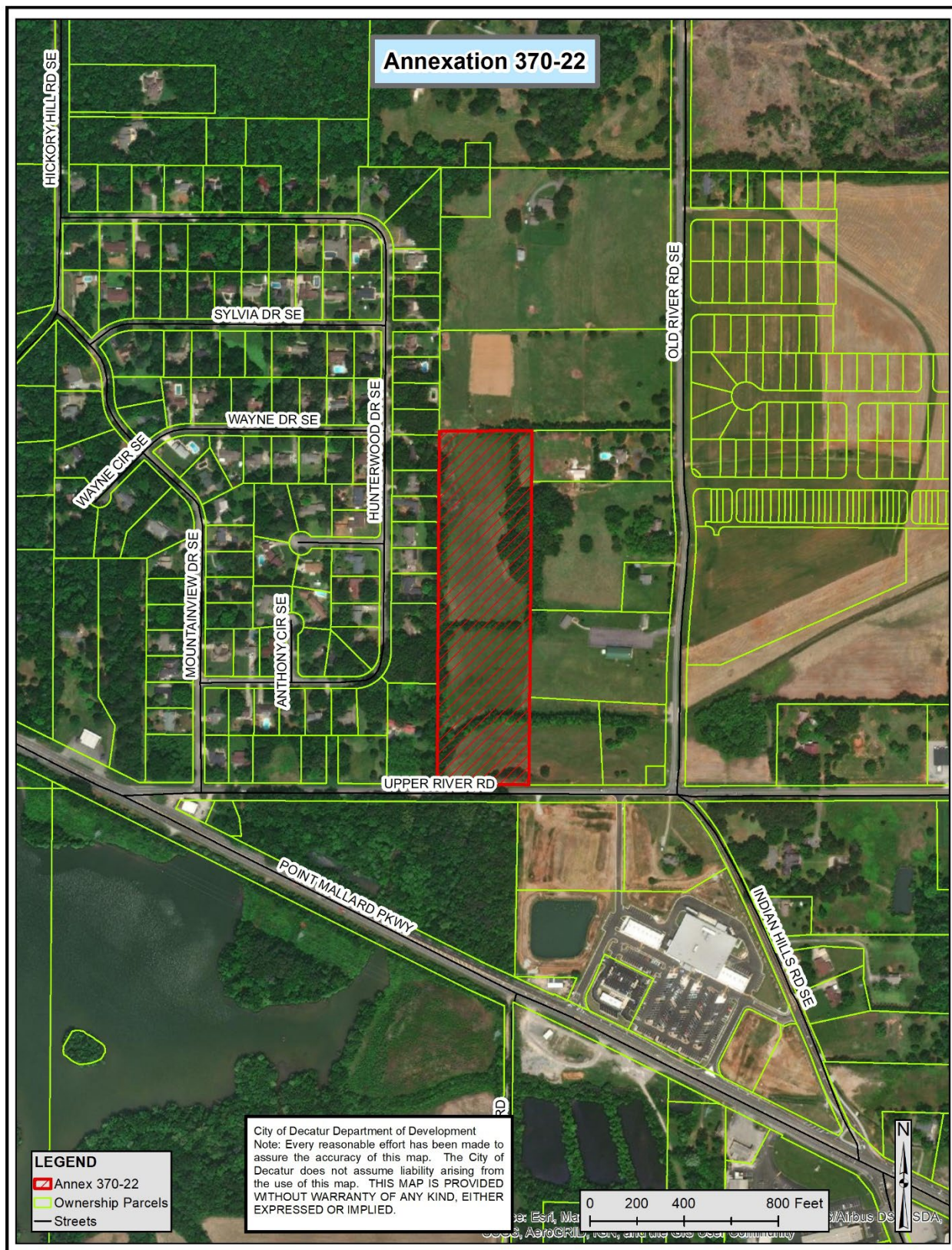
1. None

**Pt. of Info:**

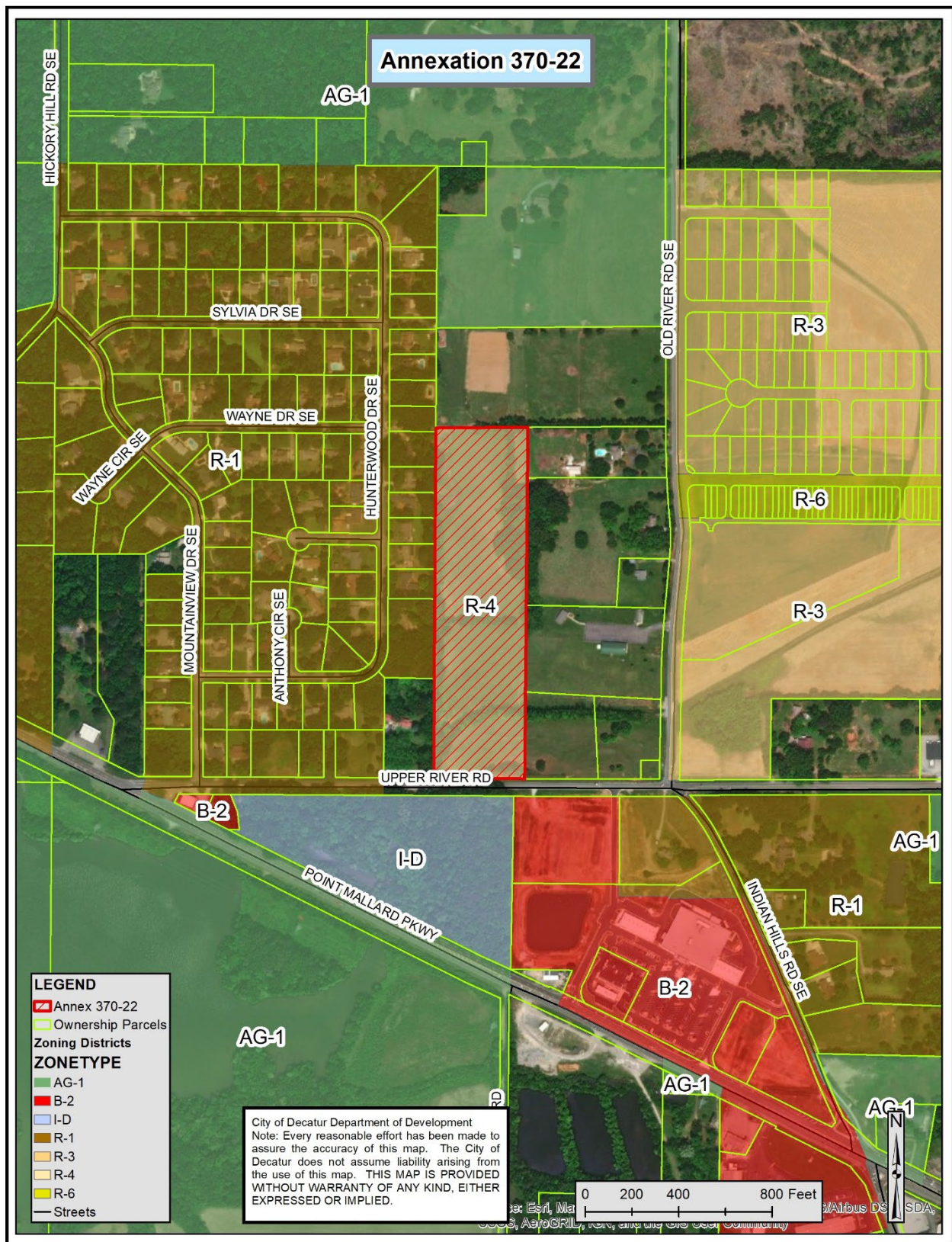
Any relocation of utilities will be at the owner's expense

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

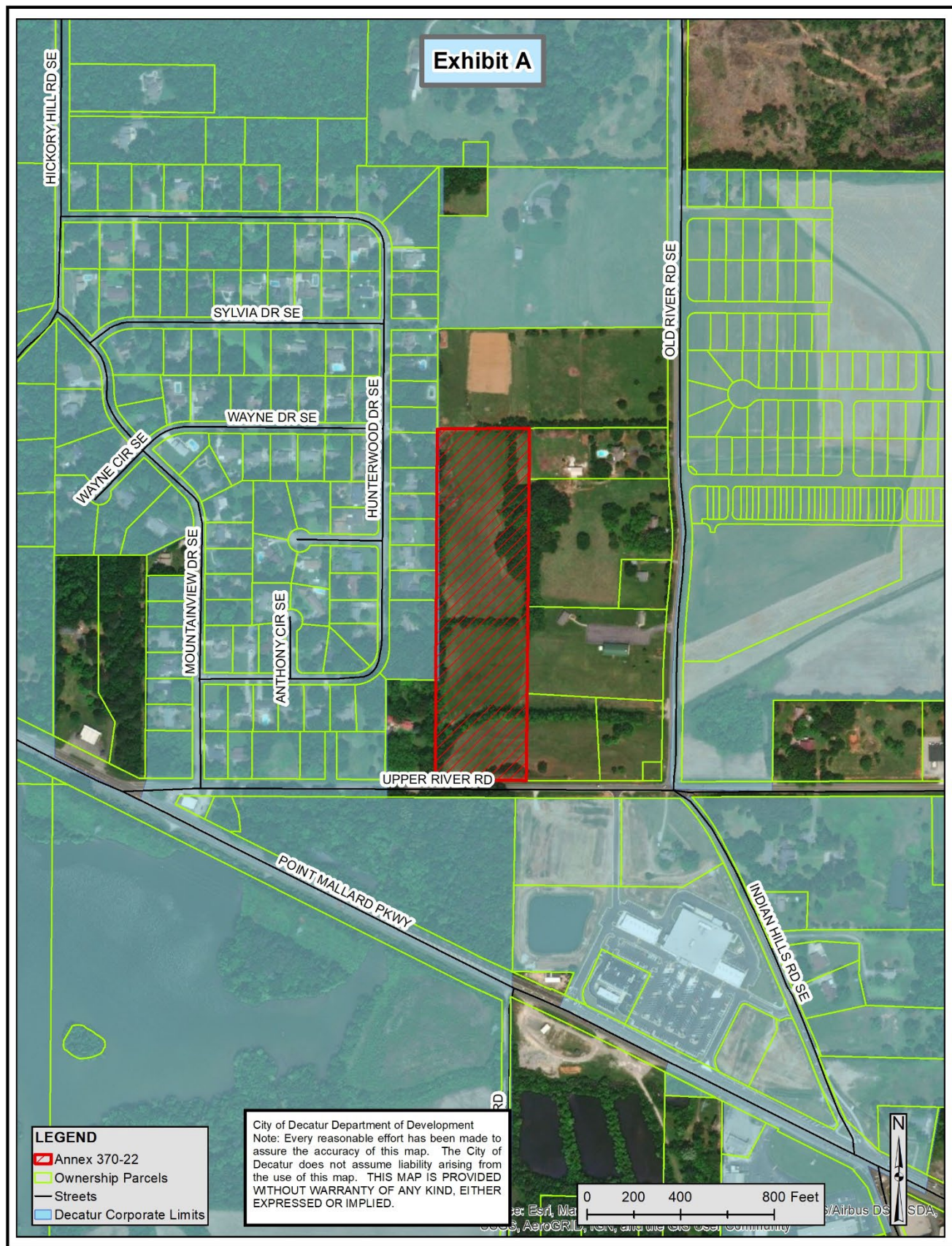














**BOND REVIEWS**

**FILE NAME OR NUMBER:** Deerfoot Estates, Addition 5 Bond Review

**ACRES:** Approx. 7.64

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

**APPLICANT:** IRA Innovations, LLC

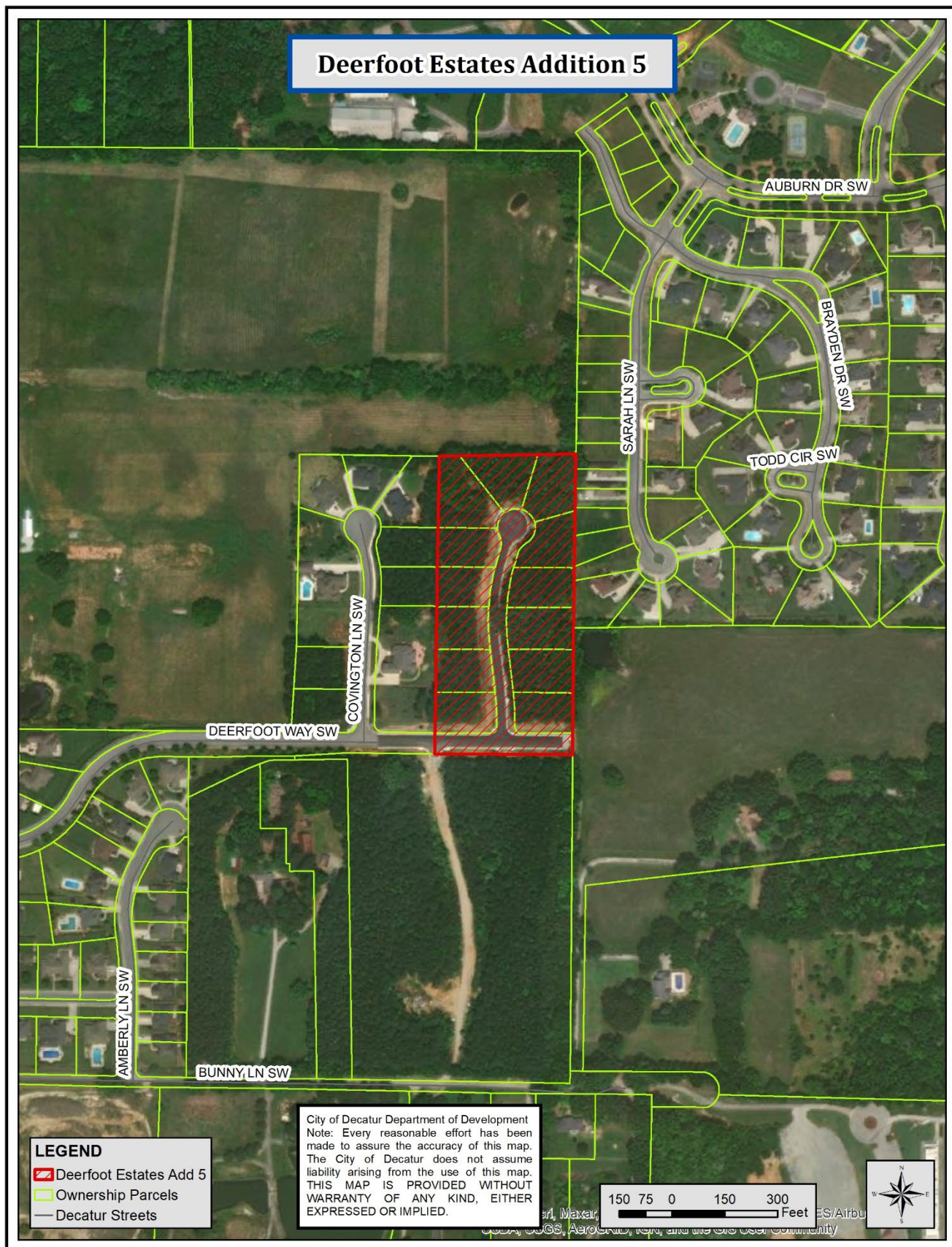
**LOCATION AND OR PROPERTY ADDRESS:** N of Deerfoot Way, SW and E of Covington Lane, SW

**REQUEST:** For Planning Commission to authorize moving forward with calling Performance Bond in the amount of \$113,737.00 due to incomplete improvements.

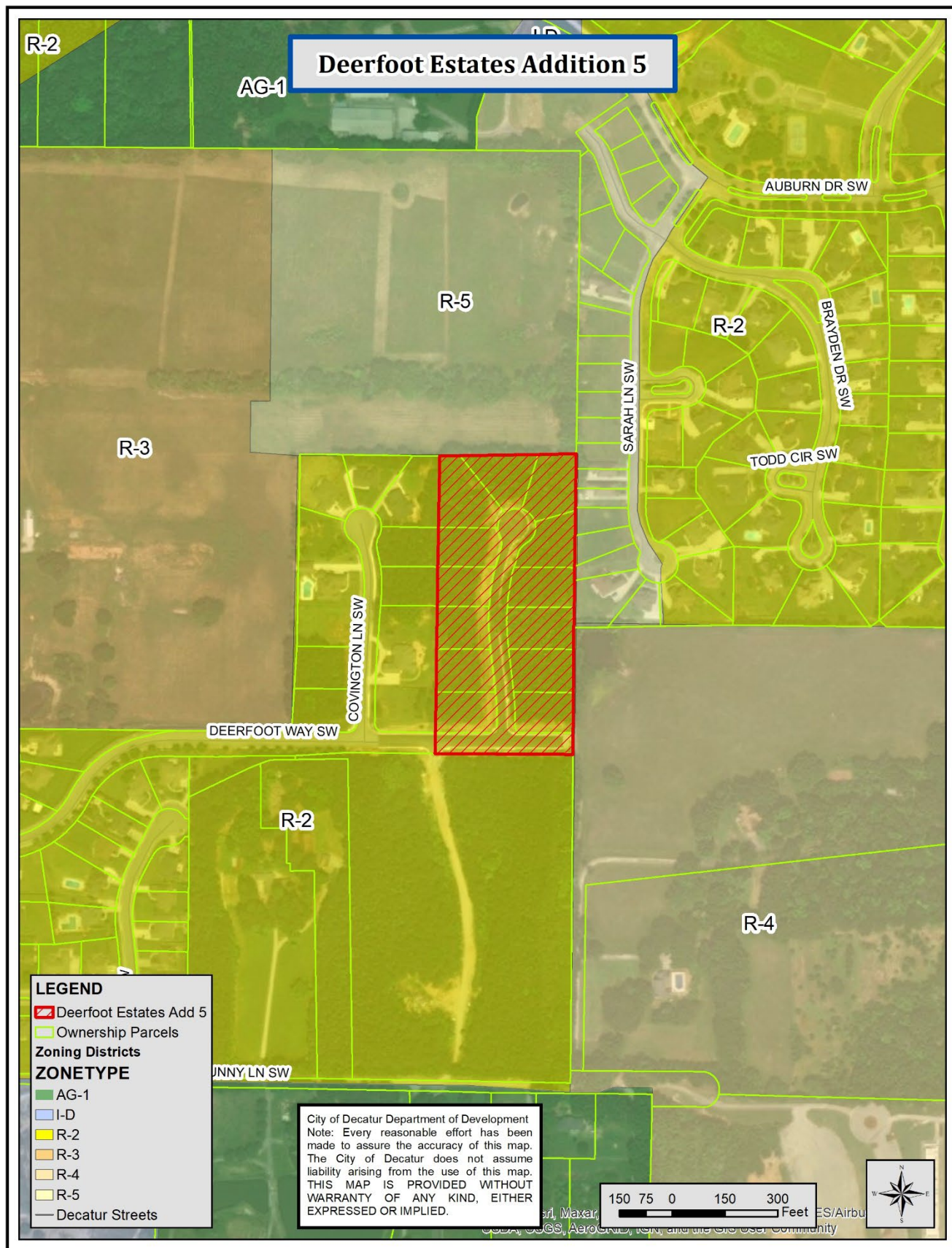
**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:****Conditions to be met:**

1. None

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**







**FILE NAME OR NUMBER:** River Road Estates Phase 1 Bond Review

**ACRES:** Approx. 12.26

**CURRENT ZONE:** R-3 (Single Family Residential) and R-6 (Single Family Townhomes)

**APPLICANT:** Morris Holdings, LLC

**LOCATION AND OR PROPERTY ADDRESS:** East of Old River Rd

**REQUEST:** For Planning Commission to authorize moving forward with releasing the LOC for the public improvements which have been completed.

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

1. None

<b>COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:</b>
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