

MEMORANDUM

DATE: August 23rd, 2022

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

August 23, 2022

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

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

Agenda Planning Commission

City of Decatur, AL

August 23, 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. Rezoning 1401-22

1-5

(2616 Arms Ave SE)

Minor Plat

6-9

A. Replat of lots 23 & 24 Chula Vista Ridge Subdivision

CONSENT AGENDA

CERTIFICATES

PAGE/MAP

A. Certificate 3576-22

10-13

(400 Market St NE)

B. Certificate 3577-22

14-17

(1309 & 1311 Plaza St SE)

C. Certificate 3578-22

18-21

(604 Beltline Rd SW)

D. Certificate 3579-22 22-25

(4421 & 4501 Danville Rd SW)

E. Certificate 3580-22 26-28

(502 & 504 Clark St SW)

Other Business

Vacation

A. Vacation 542-22 29-32

B. Resolution 010-22 Short-term Rental Steering Committee Adoption

PUBLIC HEARING**ZONING**

FILE NAME OR NUMBER: Rezoning 1401-22

ACRES: 6.69

CURRENT ZONE: R-1 (Single Family Residential)

APPLICANT: Riverstone Capital Group

LOCATION AND OR PROPERTY ADDRESS: 2616 Arms Ave SE

REQUEST: Rezone 6.69 acres from R-1 to R-4

NEW ZONE: R-4 (Multi-family Residential)

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Community Commercial

ONE DECATUR STREET TYPOLOGY: Arms Ave SE is a Local Street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**Comments from Zoning Committee**

All Zoning Committee members were in favor of this request

Conditions to be met

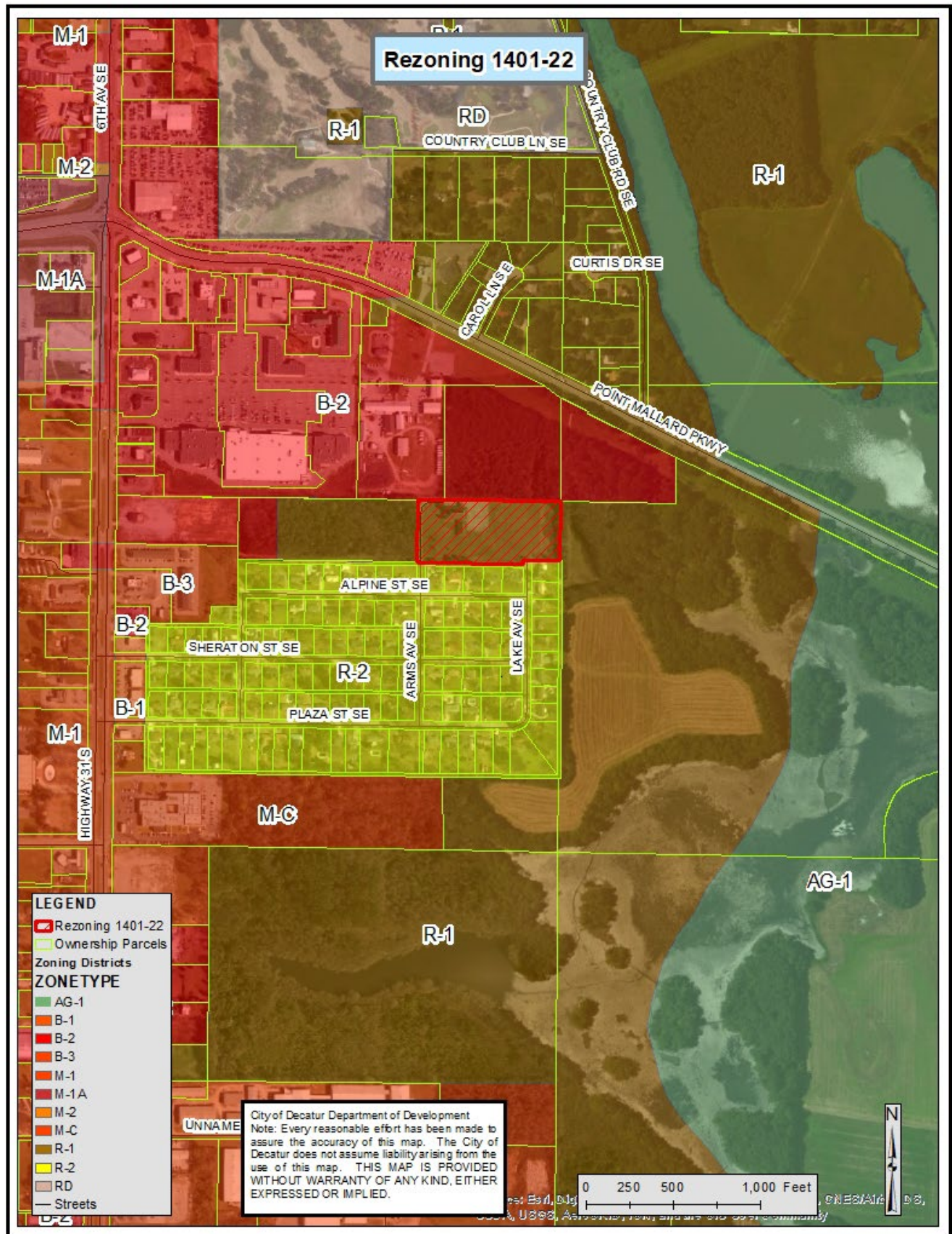
1. None

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R-1 to R-4		August 16, 2022
SECTION	R-1	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" 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.
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.	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 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	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

ZONING DISTRICT COMPARISON R-1 to R-4		August 16, 2022
SECTION	R-1	R-4
	parking lots and parking areas in connection with any of these uses, not specifically permitted.	lots and parking areas in connection with any of these uses, not specifically permitted.
MINIMUM LOT AREA	Fourteen thousand (14,000) square feet.	Seven thousand (7,000) square feet, and for each additional family unit add two thousand (2,000) square feet.
MAXIMUM BUILDING AREA	None specified.	None specified.
MINIMUM FRONT YARD	Forty (40) feet.	Twenty-five (25) feet.
MINIMUM REAR YARD SETBACK	Forty-five (45) feet.	Thirty (30) feet.
MINIMUM SIDE YARD SETBACK	Fifteen (15) feet.	One side eight (8) feet and the other side six (6) feet.
MINIMUM FEET AT BUILDING LINE	One-hundred (100) feet.	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.	Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES	Two and one half (2½).	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.	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.	None specified.

FILE NAME OR NUMBER: Replat of lots 23 & 24 Chula Vista Ridge Subdivision

ACRES: 1.18

CURRENT ZONE: R-2 (Single Family Residential)

APPLICANT: Lee Greene for Melissa Robinson

LOCATION AND OR PROPERTY ADDRESS: 3514 Chula Vista Ridge Dr SW

REQUEST: Minor plat approval

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential, Low

ONE DECATUR STREET TYPOLOGY: Chula Vista Ridge Dr SW is a Local Street

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

1. Need topo map

Pt. of Info:

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







CONSENT AGENDA

FILE NAME OR NUMBER: Certificate 3576-22

ACRES: 2.08

CURRENT ZONE: B-5 (Central Business District)

APPLICANT: Pugh Wright and McAnally for Sexton's Inc

LOCATION AND OR PROPERTY ADDRESS: 400 Market St NE

REQUEST: Consolidate two parcels of 1.90 and .18 acres into one parcel of 2.08 acres

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Riverfront mixed use

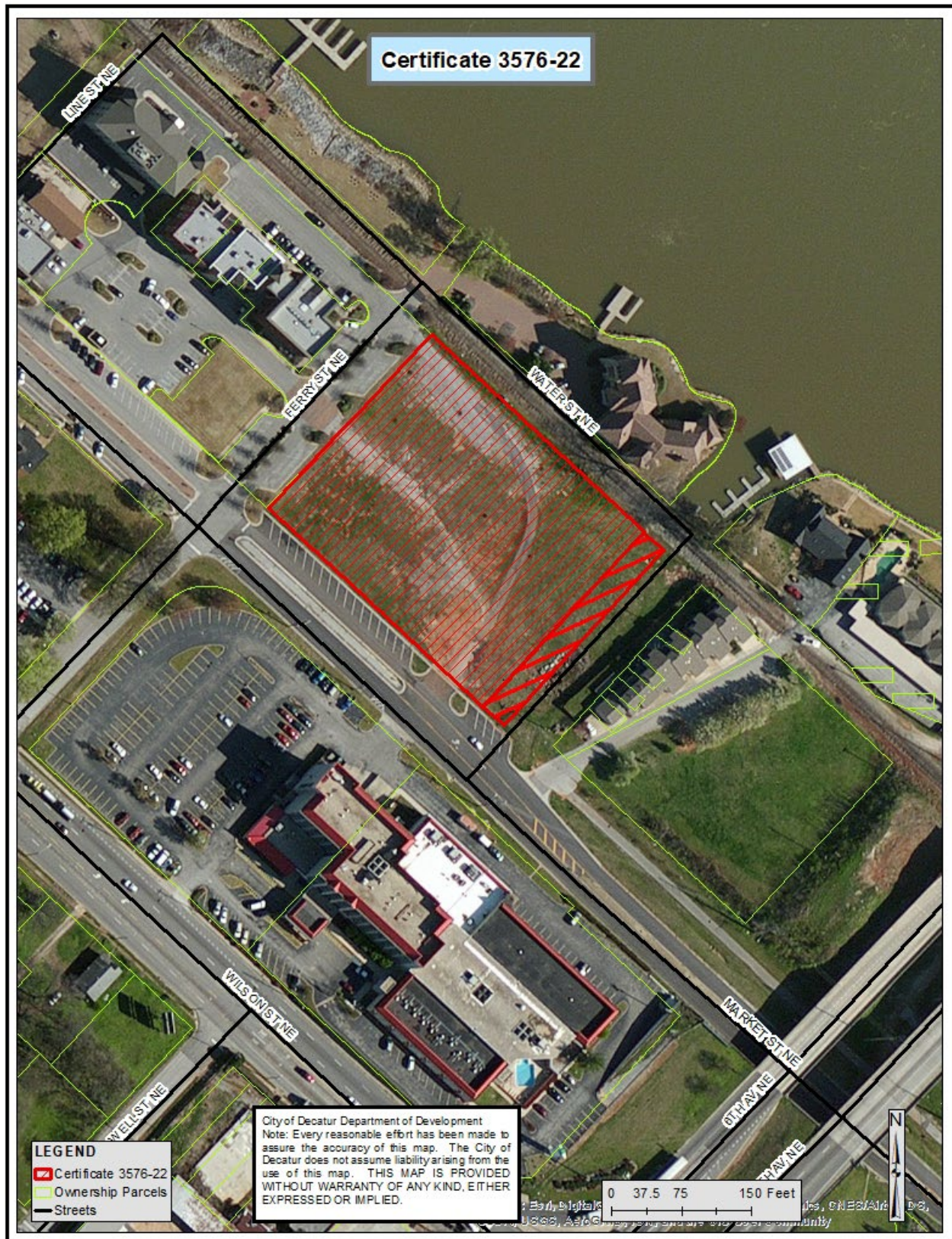
ONE DECATUR STREET TYPOLOGY: Market St NE is a Local Street

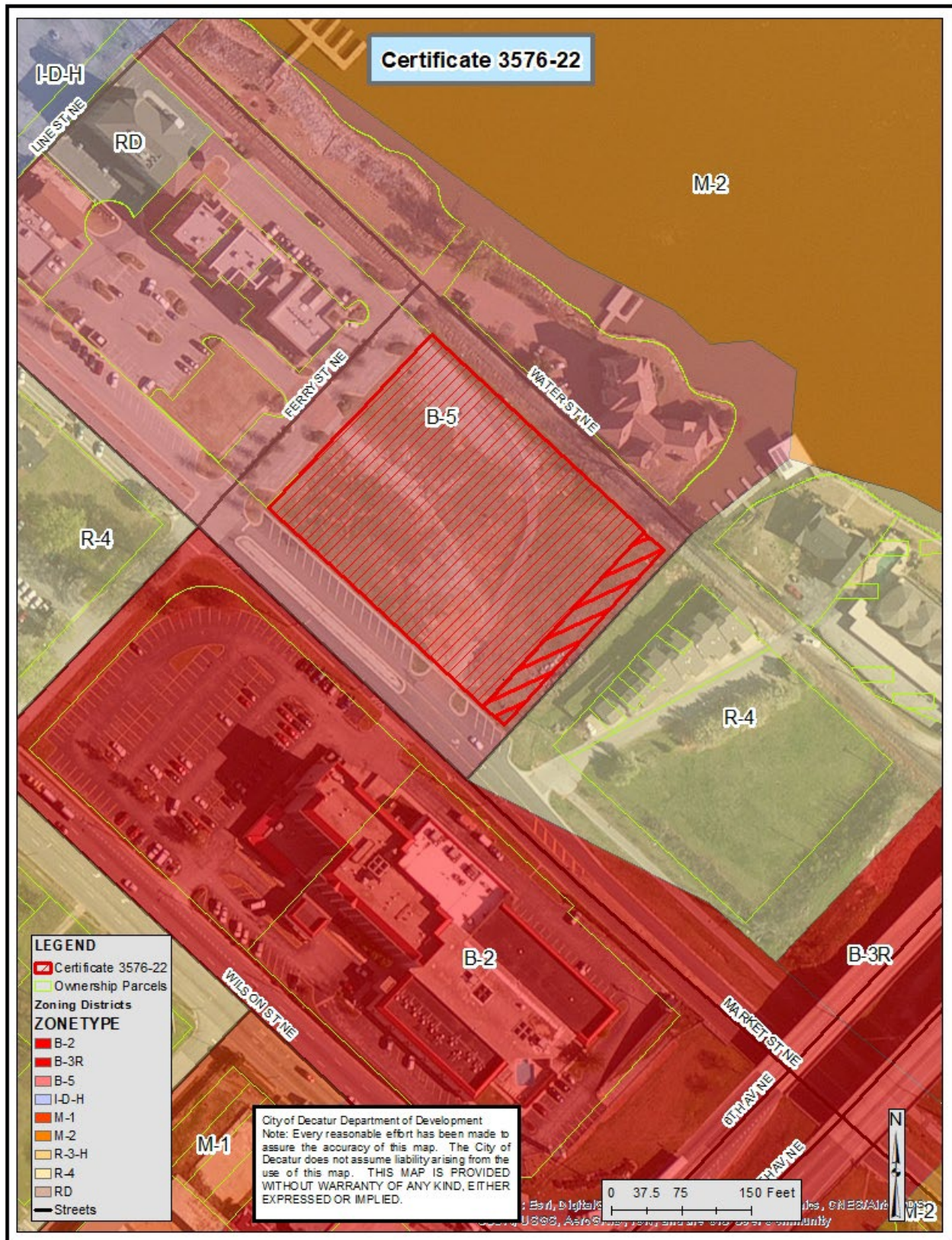
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

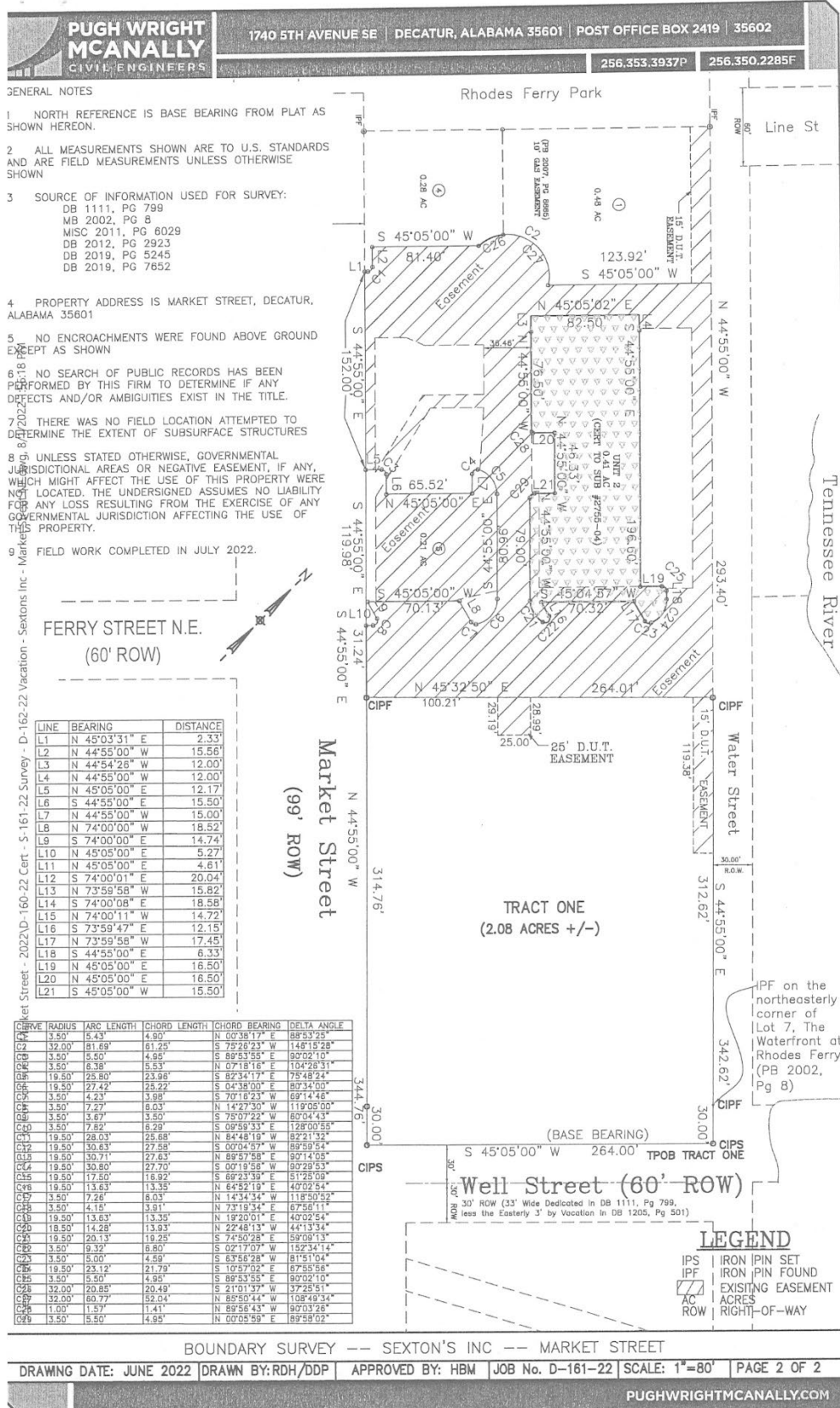
1. Need recording fees
2. Record only after approval and recording of Vacation 542-22

Pt. of Info:

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







FILE NAME OR NUMBER: Certificate 3577-22

ACRES: 0.94

CURRENT ZONE: R-2 (Single Family Residential)

APPLICANT: Pugh Wright McAnally for RL and Betty Duling

LOCATION AND OR PROPERTY ADDRESS: 1309 & 1311 Plaza St SE

REQUEST: Subdivide one parcel of 0.94 acres into two lots of 0.47 acres each

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Residential, low

ONE DECATUR STREET TYPOLOGY: Plaza St SE is a Local Street

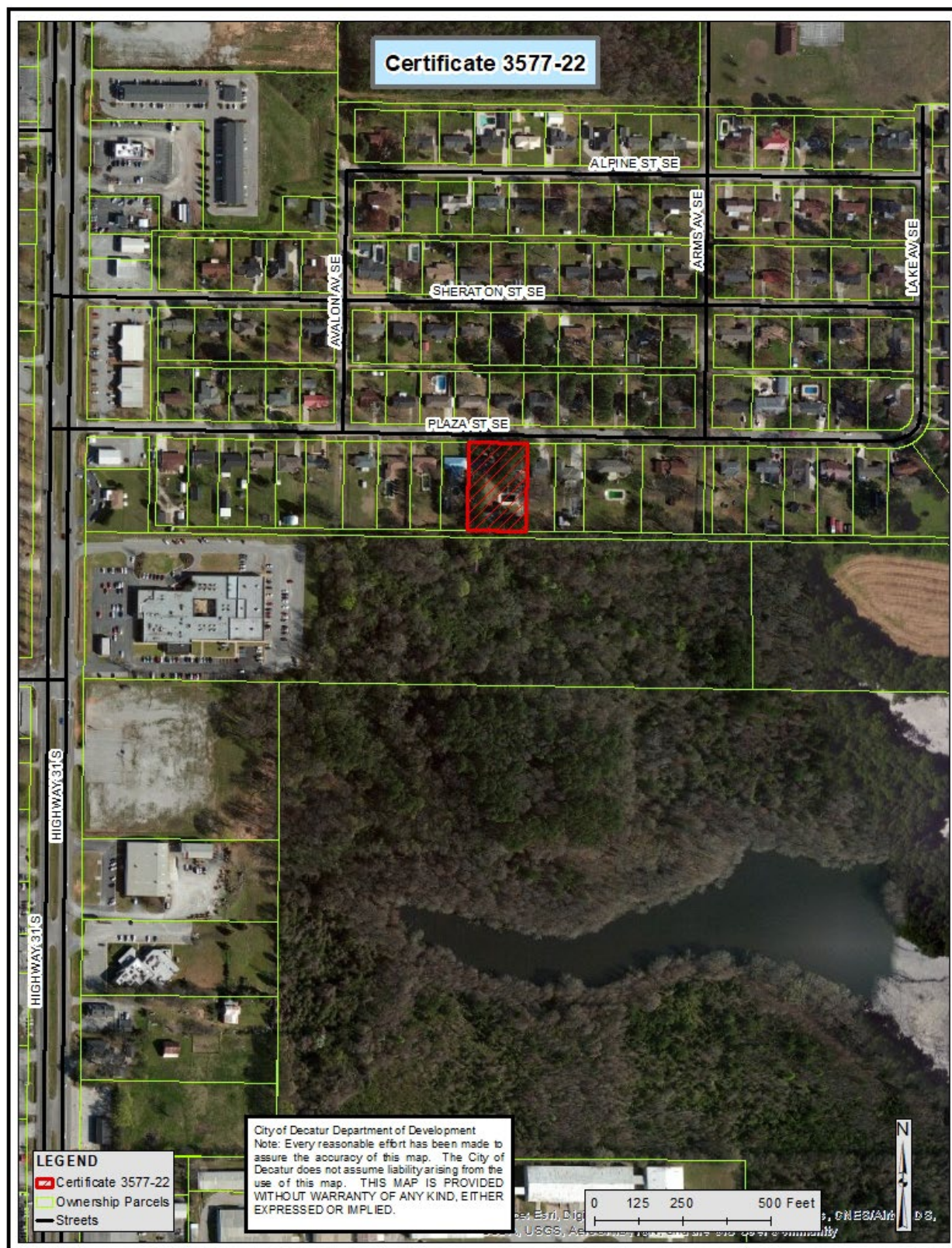
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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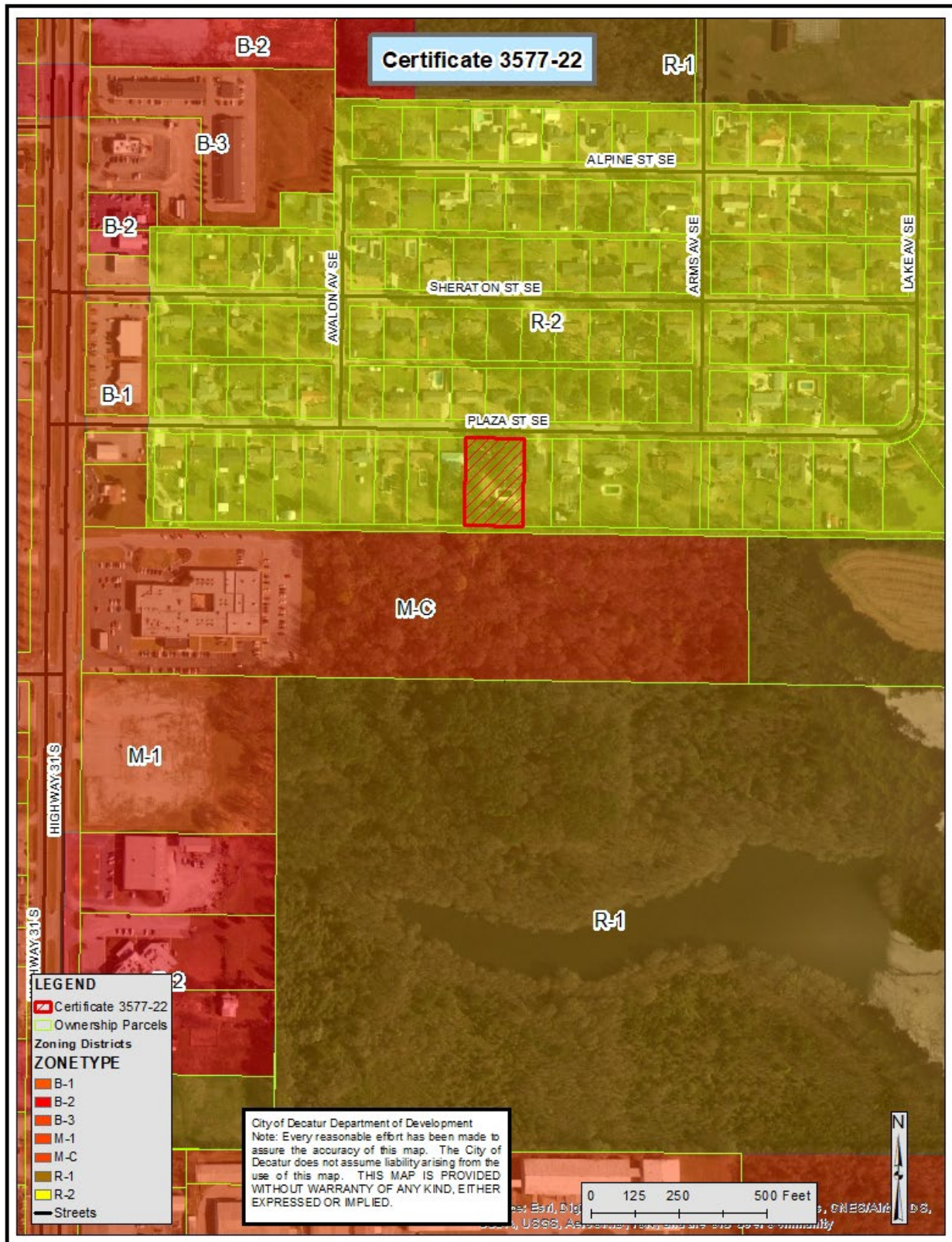
Conditions to be met:

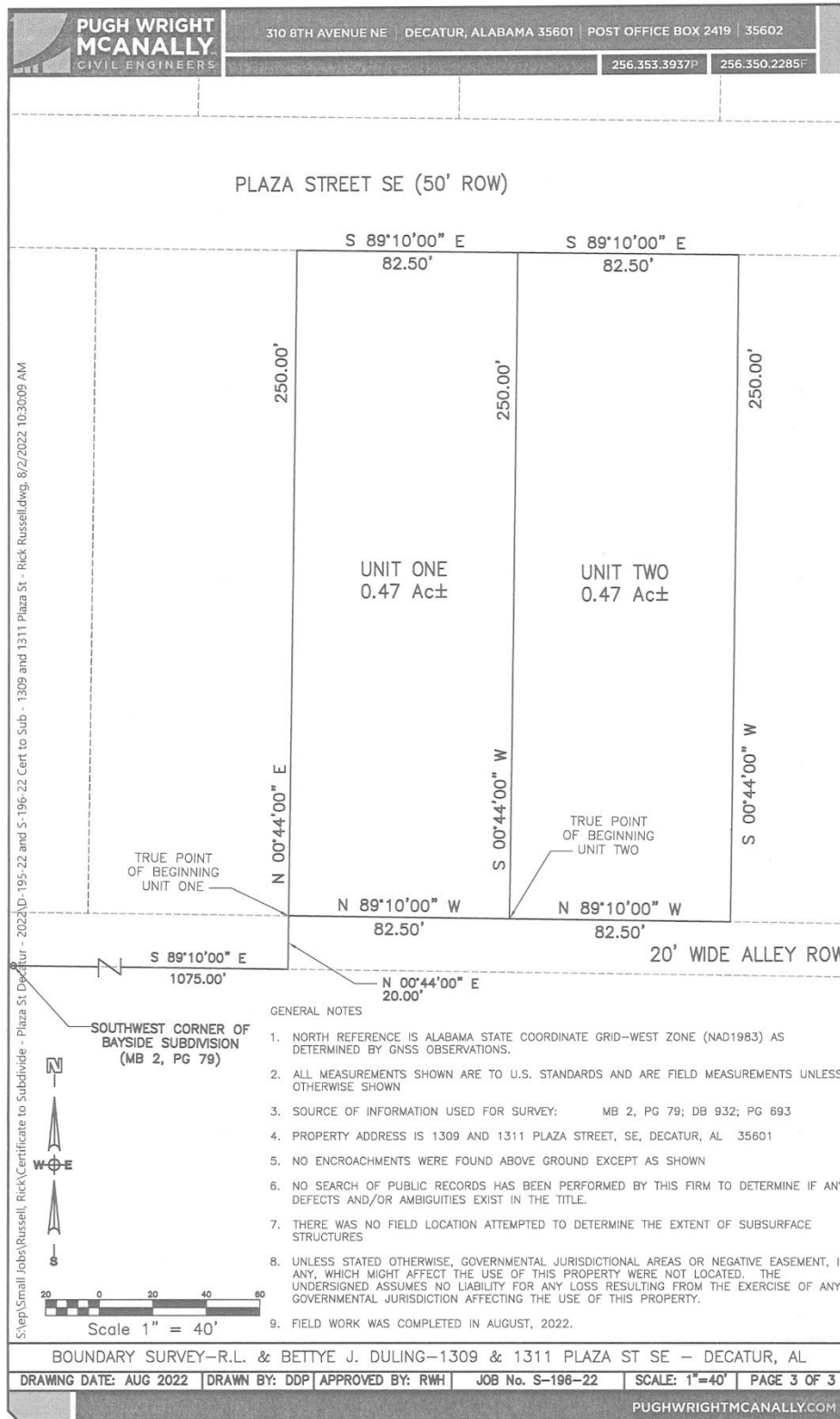
1. Need recording fees
2. Need 5' easement equal on the centerline of utility pole on southern property line

Pt. of Info:

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







FILE NAME OR NUMBER: Certificate 3578-22

ACRES: 2.29

CURRENT ZONE: R-2 (Single Family Residential)

APPLICANT: Pugh Wright McAnally for Faith Baptist Church

LOCATION AND OR PROPERTY ADDRESS: 604 Beltline Rd SW

REQUEST: Consolidate three parcels into one parcel of 2.29 acres

PROPOSED LAND USE: Church

ONE DECATUR FUTURE LAND USE: Community Commercial

ONE DECATUR STREET TYPOLOGY: Beltline Rd SW is a Principal Arterial

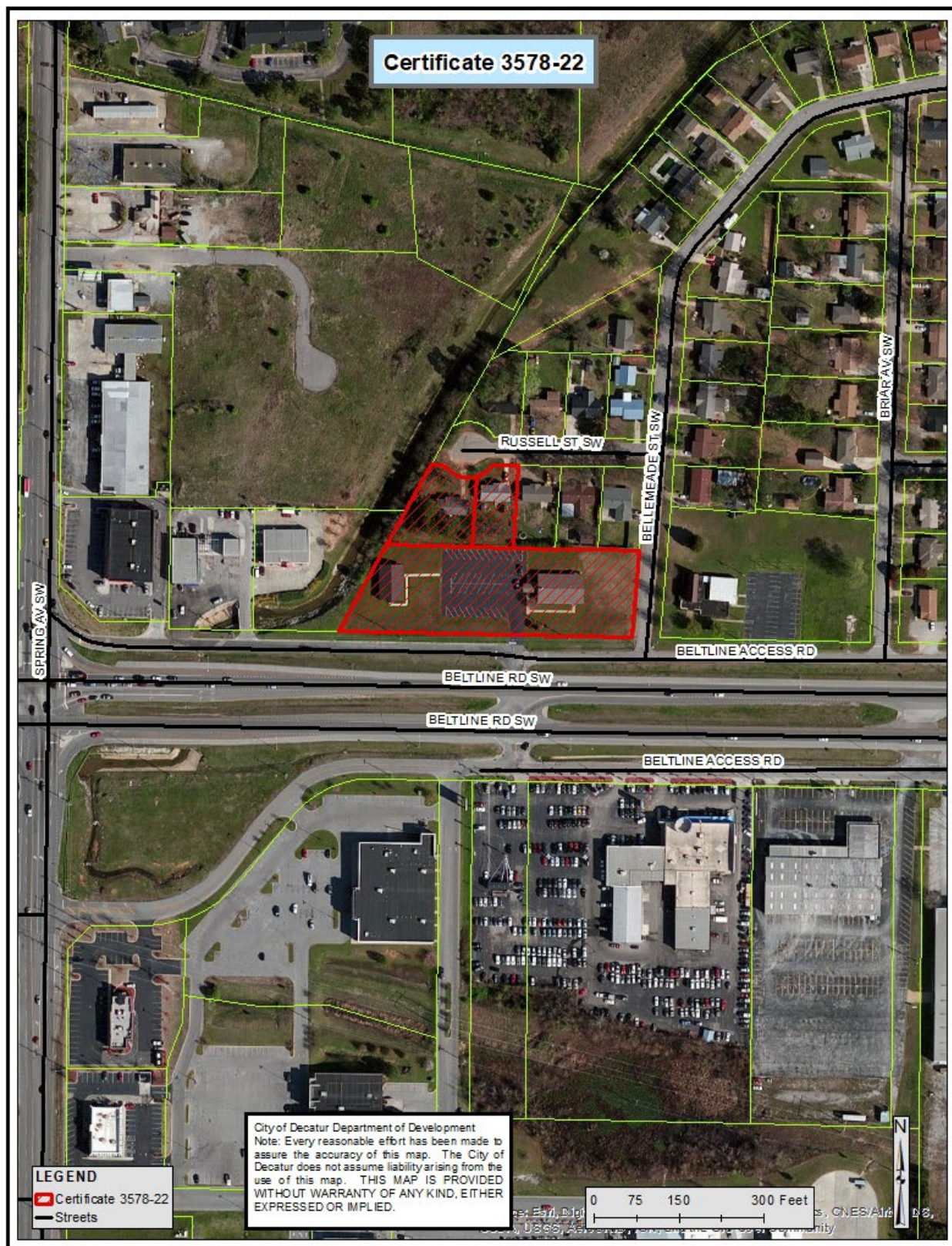
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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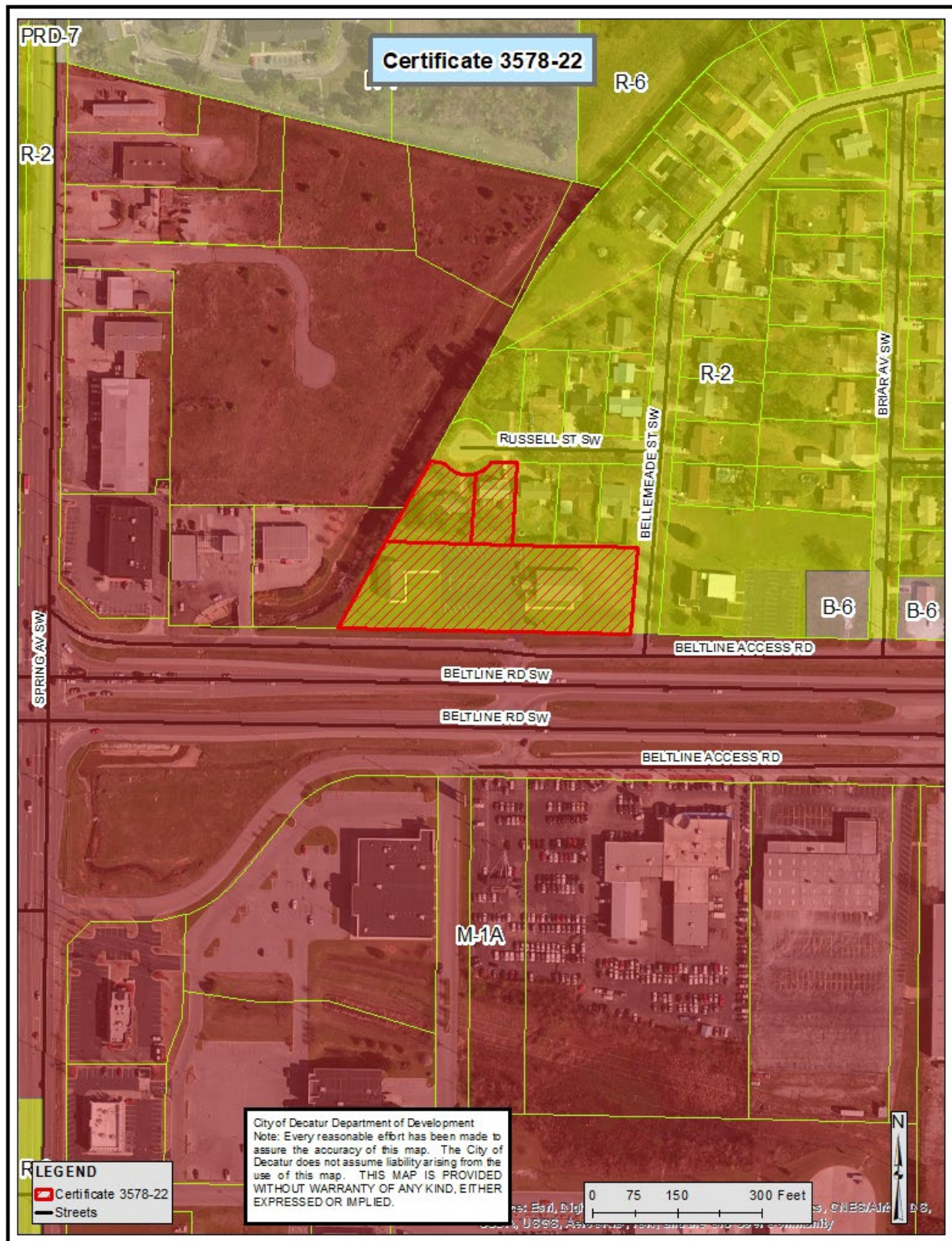
Conditions to be met:

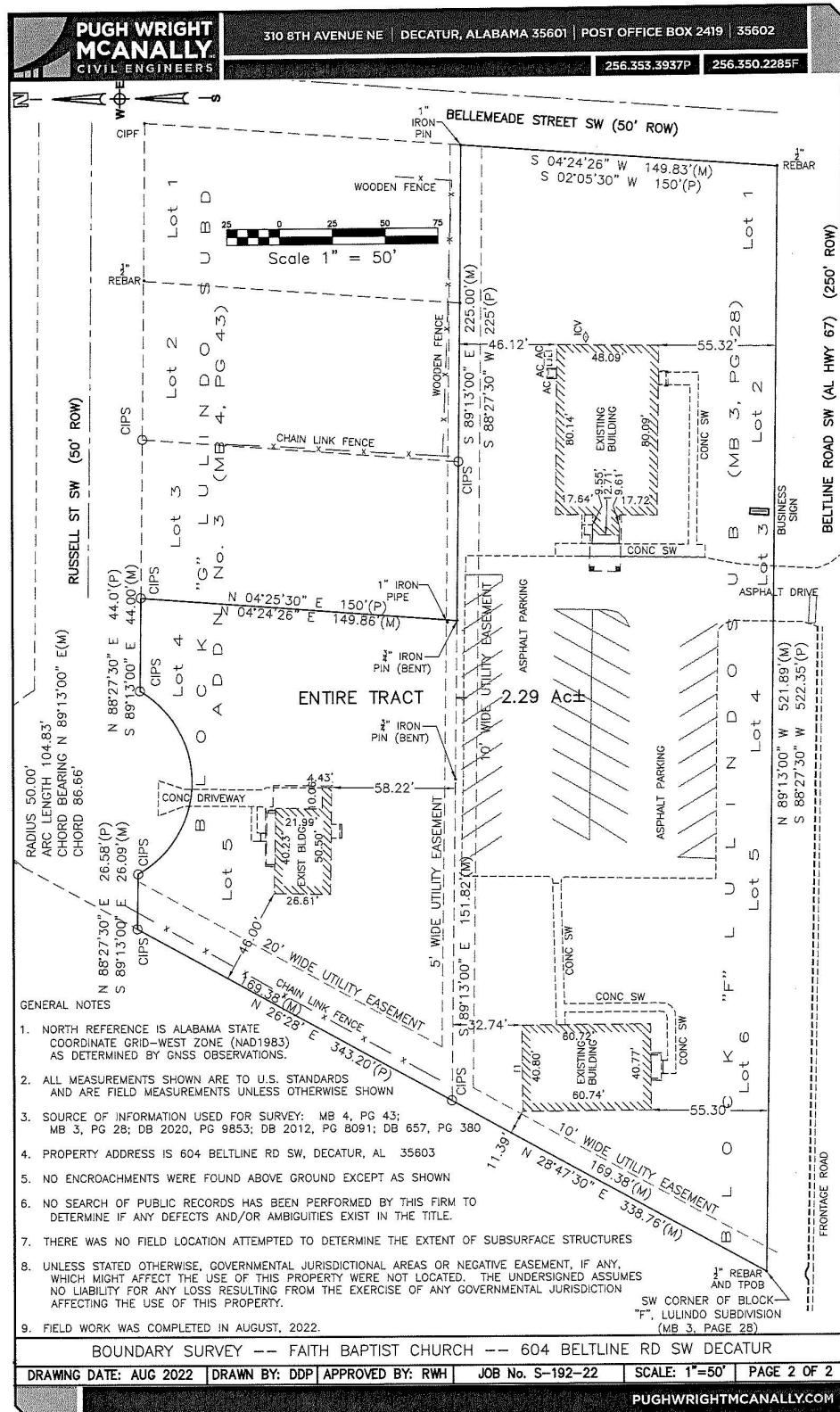
1. Need recording fees
2. Need signed owner letter
3. Need signed, sealed survey and legal description

Pt. of Info:

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







FILE NAME OR NUMBER: Certificate 3579-22

ACRES: 12.635

CURRENT ZONE: AG-1 (Agricultural)

APPLICANT: Lee Greene for Linda Millsap

LOCATION AND OR PROPERTY ADDRESS: 4421 & 4501 Danville Rd SW

REQUEST: Subdivide one parcel of 12.635 acres into two parcels of 12.048 and 0.587 acres

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Rural Edge/Agricultural

ONE DECATUR STREET TYPOLOGY: Danville Rd SW is a Minor Arterial

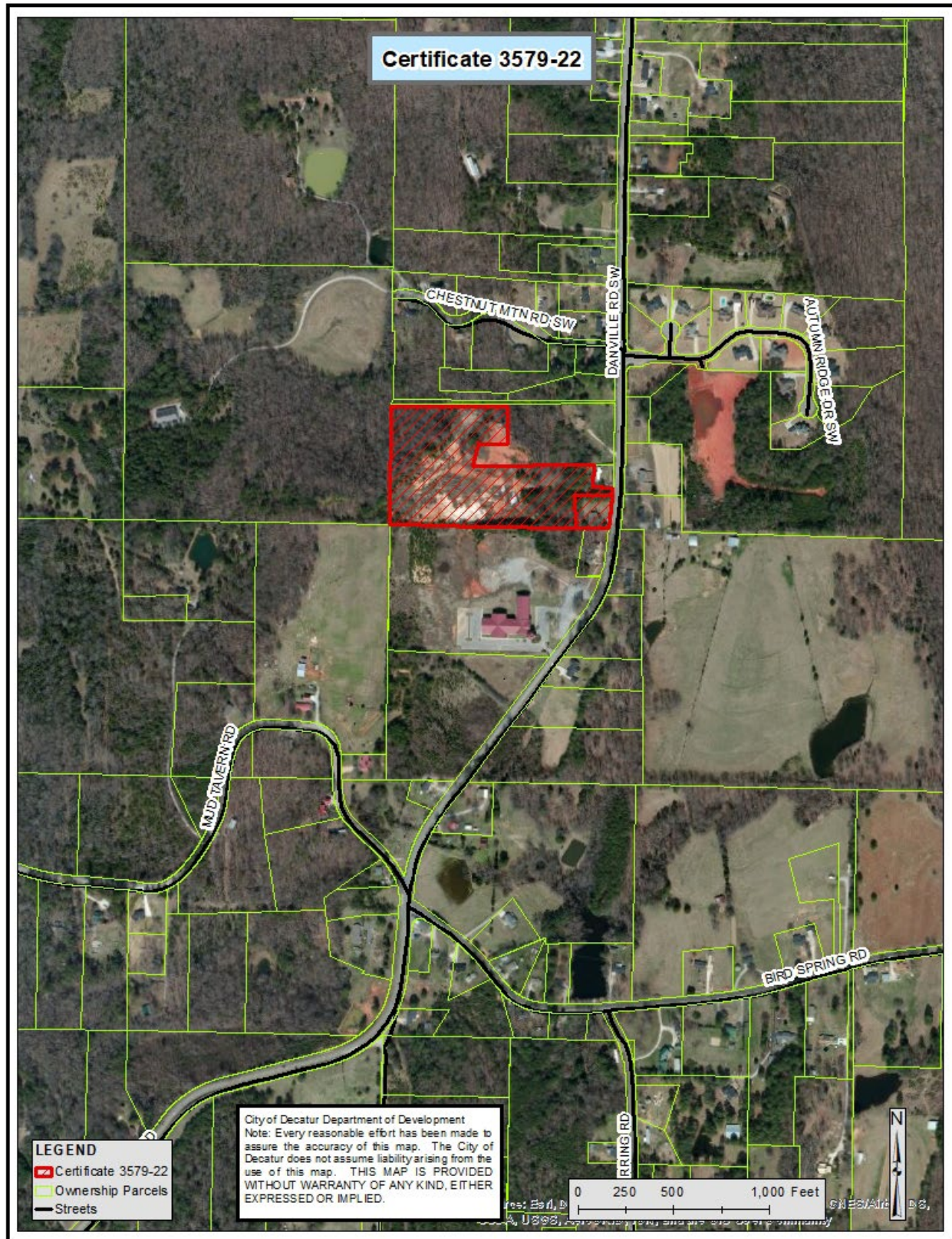
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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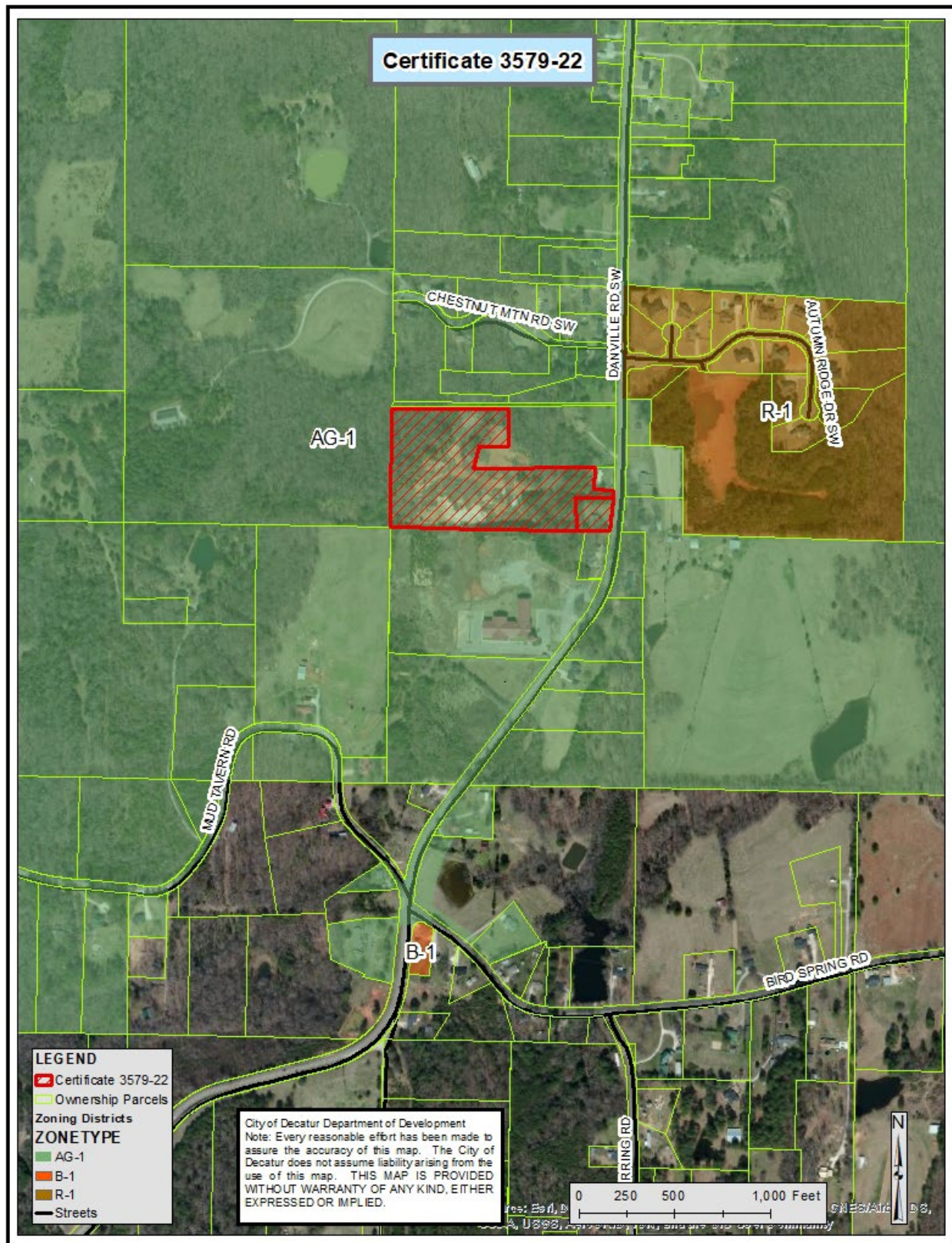
Conditions to be met:

1. None

Pt. of Info:

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







FILE NAME OR NUMBER: Certificate 3580-22

ACRES: 4.69

CURRENT ZONE: R-2 (Single Family Residential)

APPLICANT: Xram Inc for Roger Glaze

LOCATION AND OR PROPERTY ADDRESS: 502 & 504 Clark St SW

REQUEST: Subdivide one parcel of 4.69 acres into two parcels of 0.72 and 3.97 acres

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Clark St SW is a Local Street

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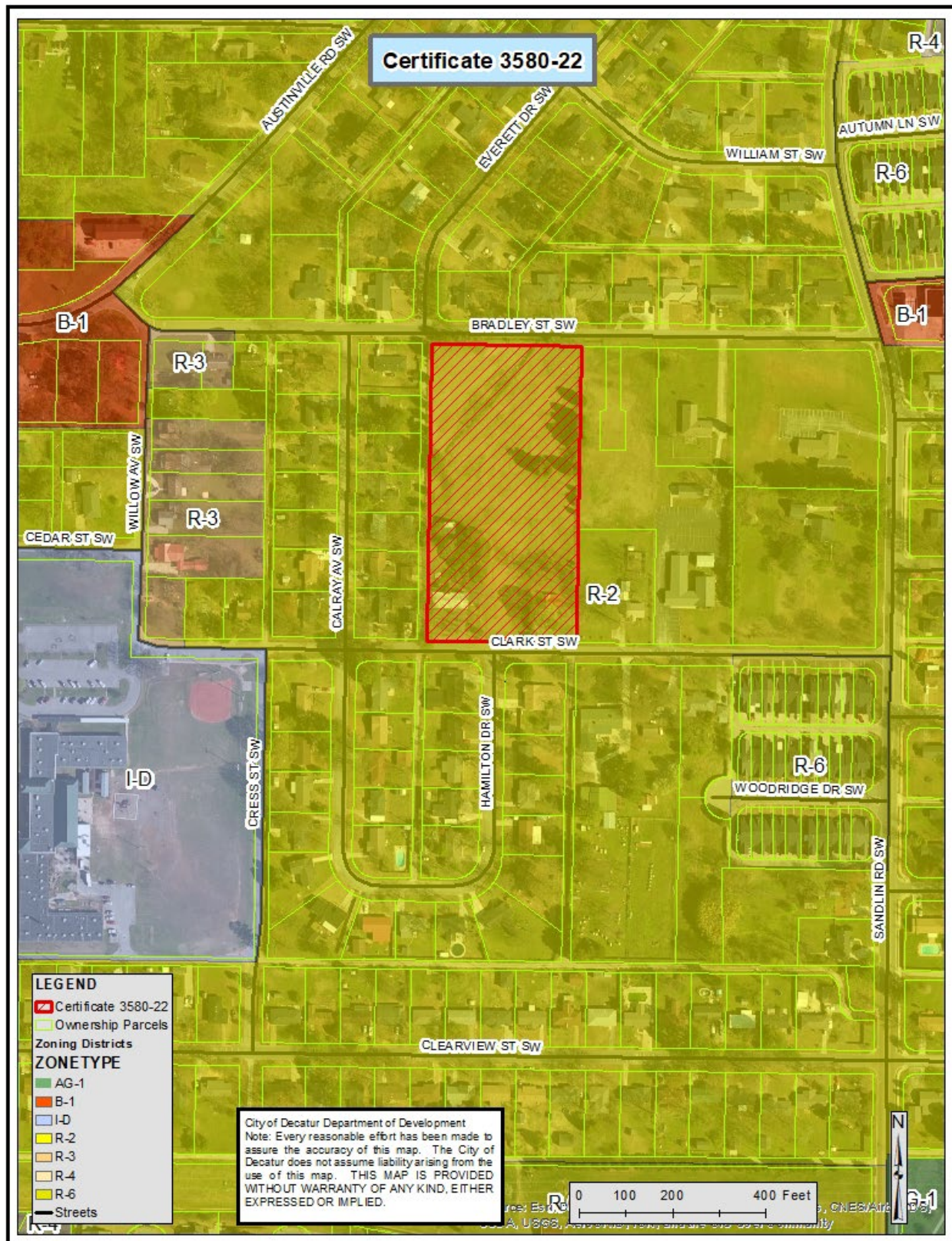
Conditions to be met:

1. Need recording fees
2. Need dimension callout for east side yard setback

Pt. of Info:

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





FILE NAME OR NUMBER: Vacation 542-22

ACRES: 0.18

CURRENT ZONE: B-5 (General Business)

APPLICANT: Pugh Wright and McAnally for Sexton's Inc

LOCATION AND OR PROPERTY ADDRESS: 511 Wells St NE

REQUEST: Vacate a portion of Well St NE ROW

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Riverfront mixed use

ONE DECATUR STREET TYPOLOGY: Well St NE is a Local Street

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

1. Easement dedication on map and legal description need to match

Pt. of Info:

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

