

## **MEMORANDUM**

**DATE:** April 18<sup>th</sup>, 2023

**TO:** Planning Commissioners

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

### **PLANNING COMMISSION MEETING**

**April 18, 2023**

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

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

# Agenda Planning Commission

City of Decatur, AL

April 18<sup>th</sup>, 2023

Time: 3:30 PM

City Council Chambers

Commissioners: **Kent Lawrence**, *Chairman*; **Gary Borden**, *Vice Chairman*; **Larry Wayne**, *Secretary*; **Hunter Pepper**; **Frances Tate**; **Joseph Wynn**; **Eddie Pike**; **Myrna Burroughs**; **Forrest Temple**

## CALL MEETING TO ORDER

## APPROVAL OF MINUTES – March 2023

## PUBLIC HEARING

### ZONING

### PAGE NO.

|             |                                    |     |
|-------------|------------------------------------|-----|
| A. Rezoning | 1414-23 2037 Moulton Heights Rd SW | 1-7 |
|-------------|------------------------------------|-----|

### MINOR PLAT

### PAGE NO.

|               |   |      |
|---------------|---|------|
| A. Minor Plat | Replat of Lots 1,2 & 3<br>Nucor Industrial Park | 8-11 |
|---------------|---|------|

## CONSENT AGENDA

### SITE PLAN

### PAGE NO.

|                     |  |       |
|---------------------|--|-------|
| A. Site Plan 652-23 | Pugh Wright McAnally for Bank<br>Independent | 12-15 |
|---------------------|--|-------|

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|-----------------------|
| <b>OTHER BUSINESS</b> |
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**RESOLUTION****PAGE NO.**

|                      |   |
|----------------------|---|
| A. Resolution 007-23 | Street Name Change<br>Foxwood Subdivision Add 4 |
|----------------------|---|

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**PUBLIC HEARING****Re-zoning**

**FILE NAME OR NUMBER:** Rezoning 1414-23

**ACRES:** 53

**CURRENT ZONE:** R-2 (Single-family Residential District)

**APPLICANT:** Magnus Capital Partners for Margaret Eyster

**LOCATION AND OR PROPERTY ADDRESS:** 2037 Moulton Heights Road SW

**REQUEST:** Rezone 53 acres from R-2 to R-4

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

**PROPOSED LAND USE:** Residential

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

**ONE DECATUR STREET TYPOLOGY:** Moulton Heights Road SW is a Local Street

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

Zoning Committee voted unanimously in favor of this request.

**Conditions**

None

**Pt. of Info:**

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



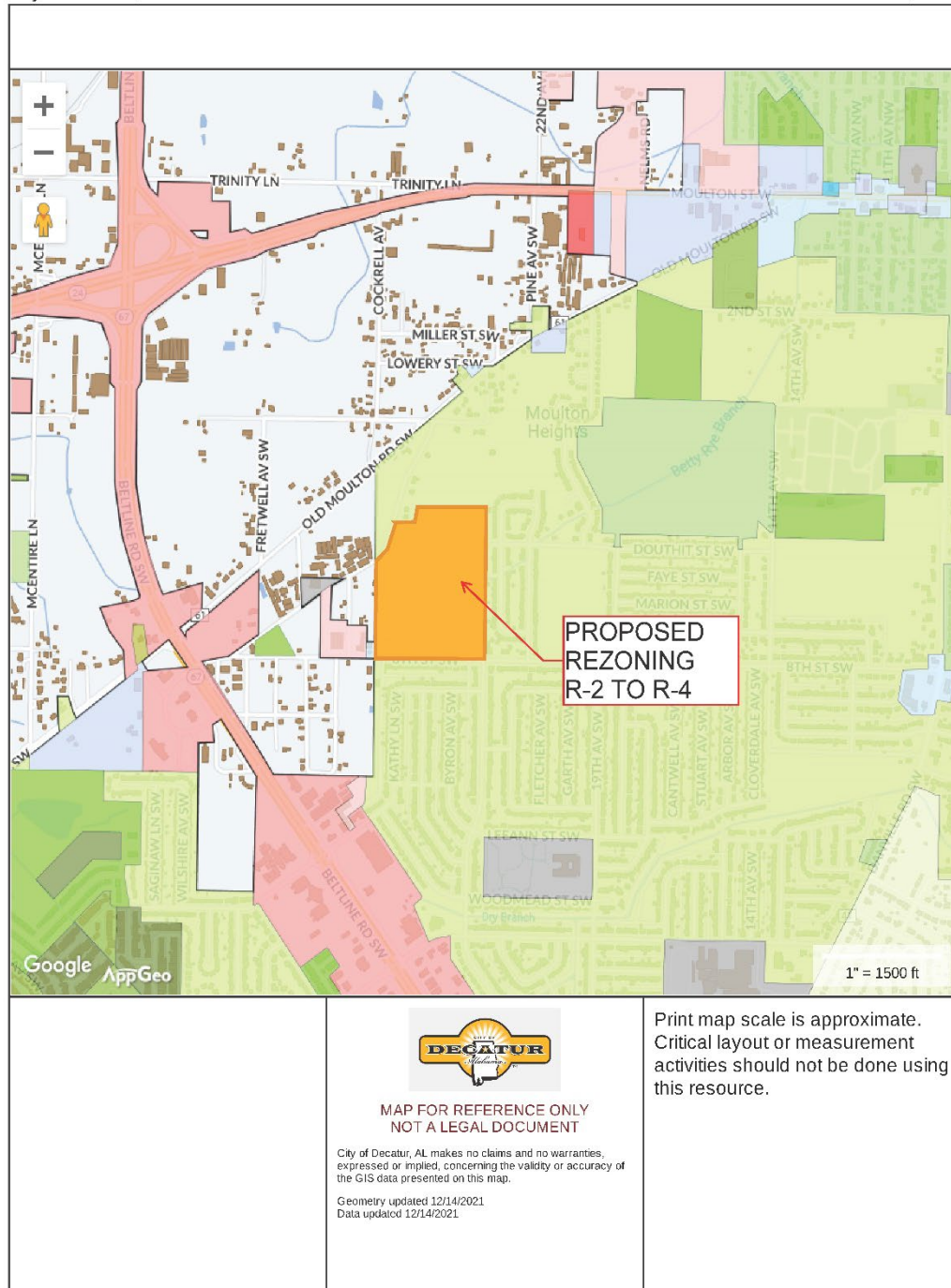






City of Decatur, AL

March 21, 2023



| <b>ZONING DISTRICT COMPARISON R-2 to R-4</b> |  | <b>April 18, 2023</b>  |
|--|--|--|
| <b>SECTION</b>                               | <b>R-2</b>   | <b>R-4</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" 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.</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 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>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> |
| <b>USES PROHIBITED</b>                       | <p>Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all</p>  | <p>Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are</p>  |



| ZONING DISTRICT COMPARISON R-2 to R-4 |  | April 18, 2023  |
|---------------------------------------|--|---|
| SECTION                               | R-2  | R-4   |
|                                       | 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. | 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.   | Seven thousand (7,000) square feet, and for each additional family unit add two thousand (2,000) square feet.   |
| MAXIMUM BUILDING AREA                 | Maximum building area: None specified.   | None specified.   |
| MINIMUM FRONT YARD                    | Minimum front yard setback: Thirty-five (35) feet  | Twenty-five (25) feet.  |
| MINIMUM REAR YARD SETBACK             | Minimum rear yard setback: Forty (40) feet.  | Thirty (30) feet.   |
| MINIMUM SIDE YARD SETBACK             | Minimum side yard setbacks: Eight (8) feet.  | 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.  | Fifty (50) feet for a one- or two-family dwelling plus five (5) additional feet for each additional family unit.  |
| MAXIMUM BUILDING HEIGHT               | Maximum building height: Thirty-five (35) feet.  | Thirty-five (35) feet.  |
| MAXIMUM HEIGHT IN STORIES             | Maximum height in stories: Two and one-half (2½).  | Two and one half (2½).  |

| ZONING DISTRICT COMPARISON R-2 to R-4 |  | April 18, 2023   |
|---------------------------------------|--|--|
| SECTION                               | R-2  | R-4  |
| 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. | a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.<br>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.  |

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| <b>Minor Plat</b> |
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**FILE NAME OR NUMBER:** Replat of Lots 1, 2, & 3 – Nucor Industrial Park

**ACRES:** 73.68

**CURRENT ZONE:** M-2 (General Industry District)

**APPLICANT:** Pugh Wright McAnally for Nucor Steel Decatur, LLC

**LOCATION AND OR PROPERTY ADDRESS:** 913 Maero Street NW

**REQUEST:** Approve Minor Plat

**PROPOSED LAND USE:** Industrial

**ONE DECATUR FUTURE LAND USE:** General Industrial

**ONE DECATUR STREET TYPOLOGY:** Maero Street NW is a Local Street

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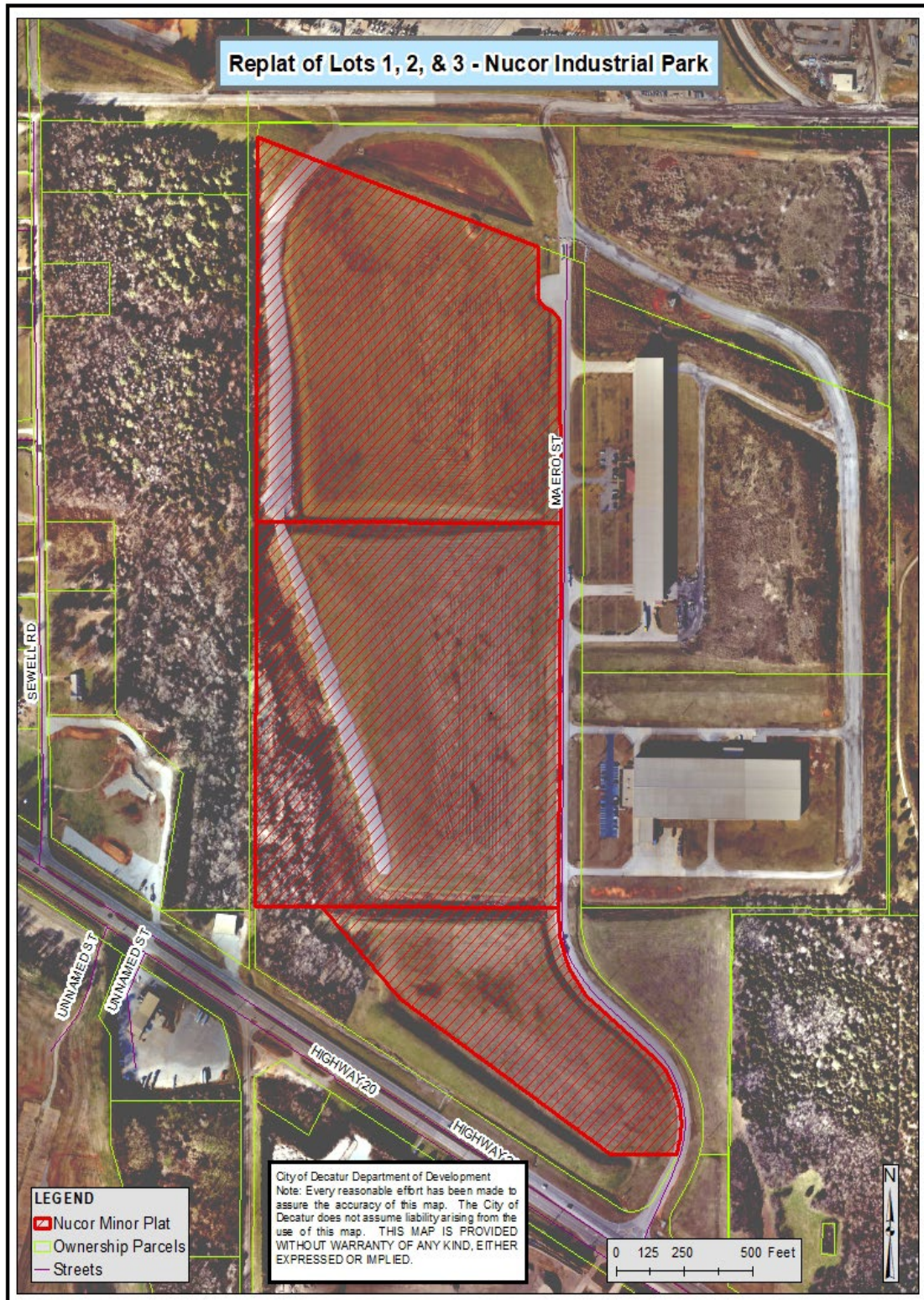
**Conditions to be met:**

1. Recording Fees
2. Signed, Sealed Plat
3. Copy of Deeds

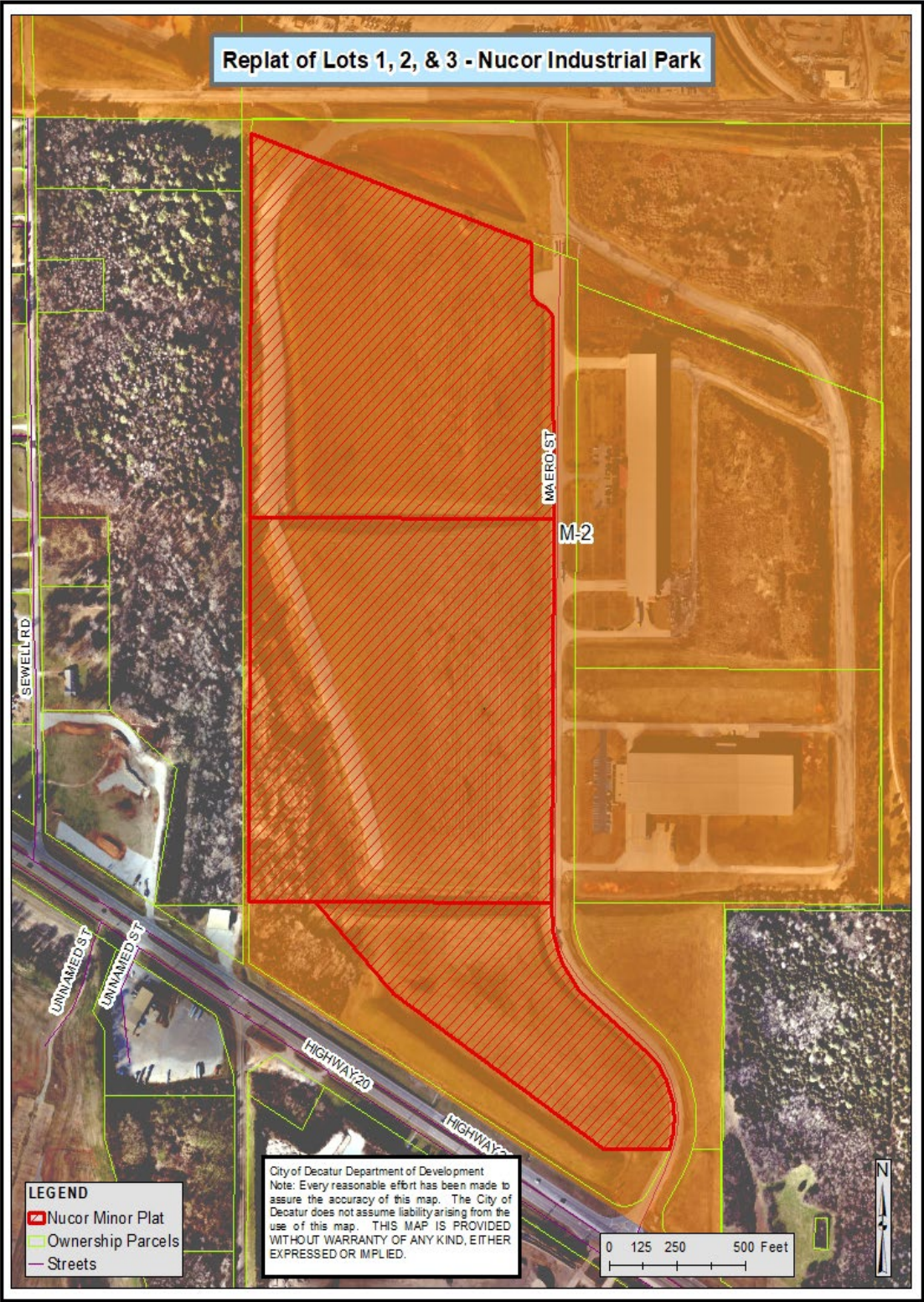
**Pt. of Info:**

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













**END PUBLIC HEARING****CONSENT AGENDA**

**FILE NAME OR NUMBER:** Site Plan 652-23

**ACRES:** 1.05

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

**APPLICANT:** Pugh Wright McAnally for Bank Independent

**LOCATION AND OR PROPERTY ADDRESS:** 1425 Beltline Road SW

**REQUEST:** Approve Commercial Site Plan

**PROPOSED LAND USE:** Commercial - Bank

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

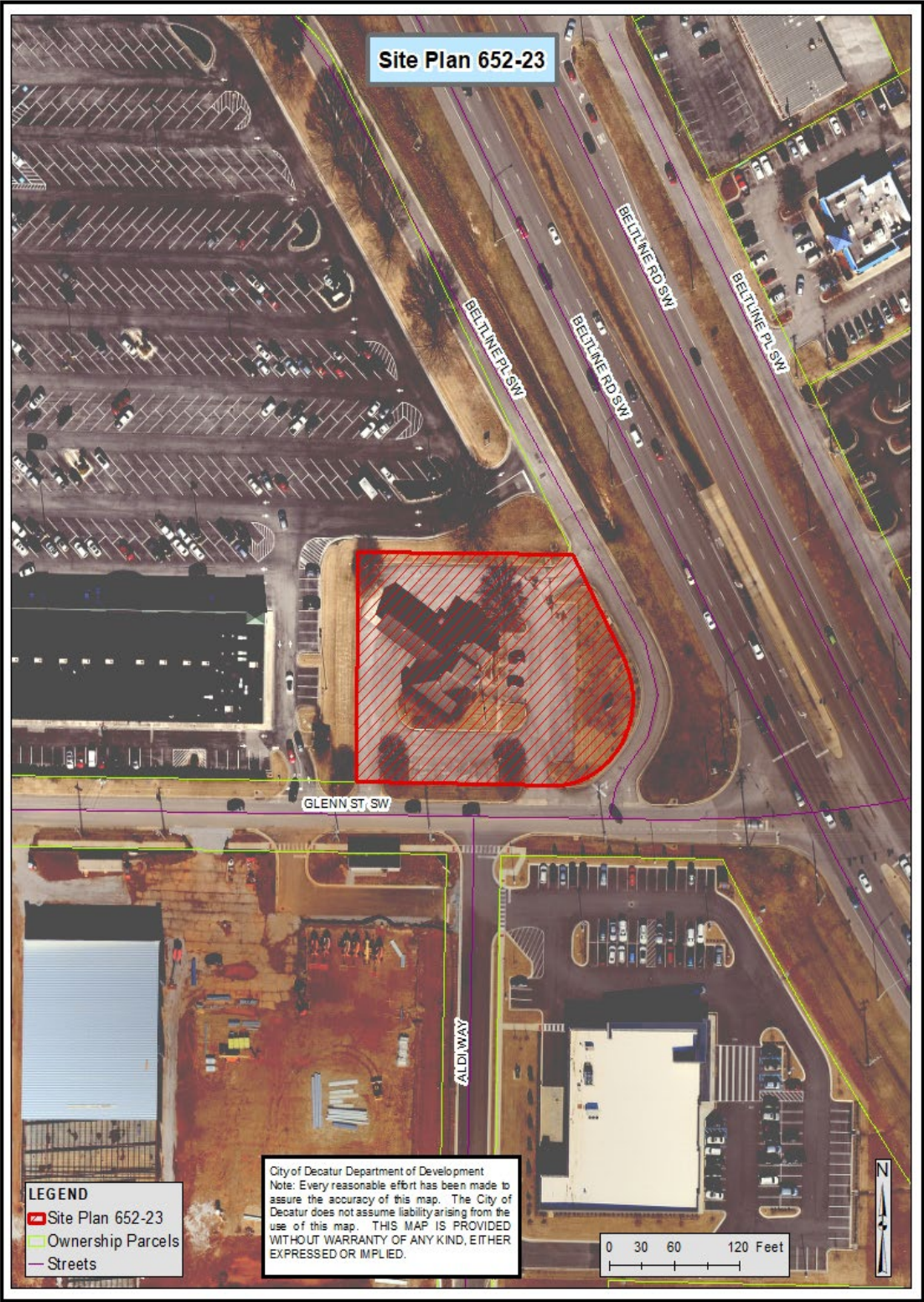
**ONE DECATUR STREET TYPOLOGY:** Beltline Road SW is a Principal Arterial

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

1. Dumpster Enclosure Detail Needed
2. Wrong Parking Calculation Used, More Parking Spaces Needed (1/250 Sq. Ft.)
3. ALDOT Affidavit Needed
4. Landscaping & Lighting Plan needed

**Pt. of Info:**

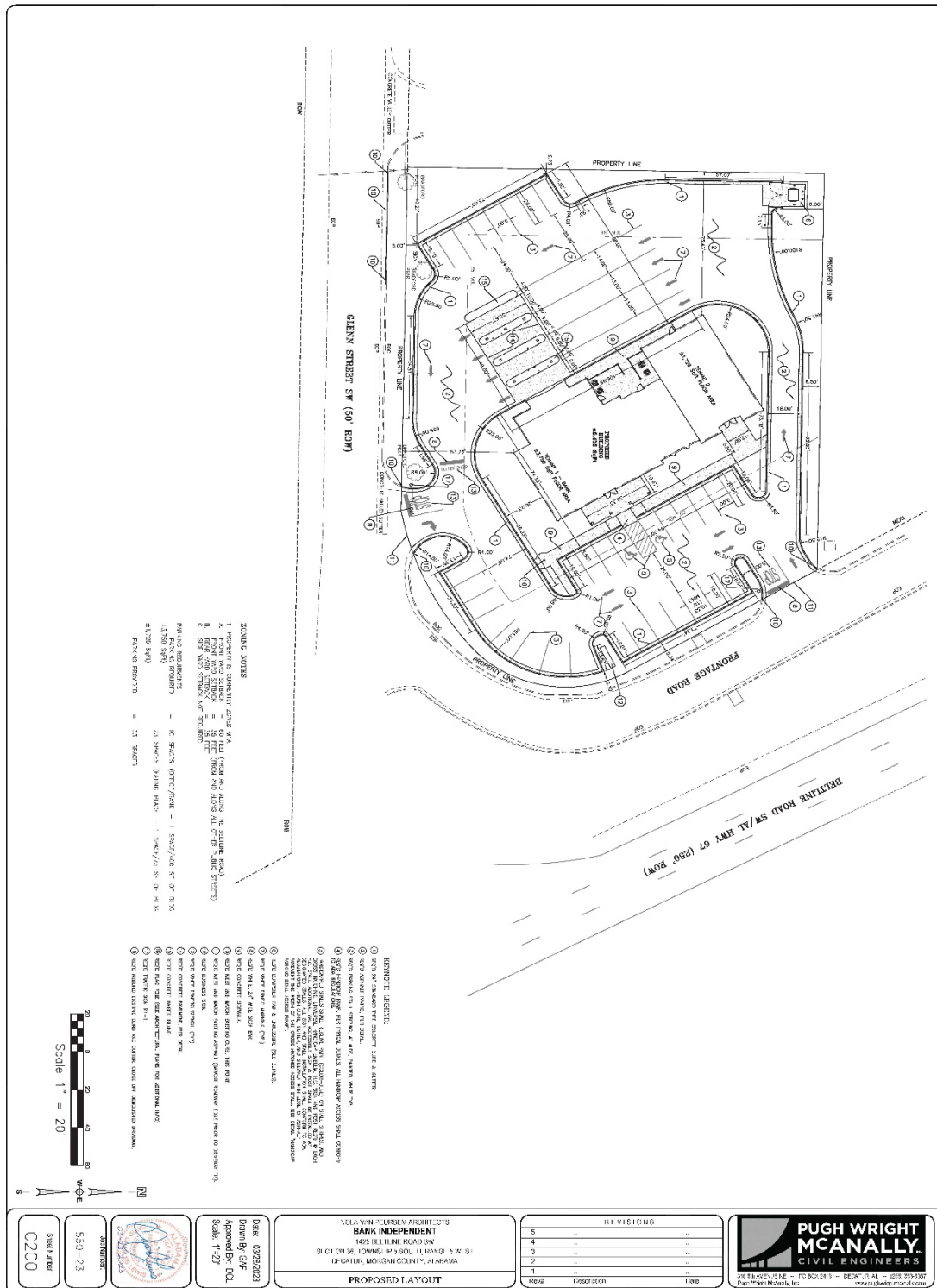
Any relocation of utilities will be at the owner's expense











**END CONSENT AGENDA****OTHER BUSINESS**

**FILE NAME OR NUMBER:** Resolution 007-23 Name Change Approval

**LOCATION AND OR PROPERTY ADDRESS:** Foxwood Subdivision Addition 4

**REQUEST:** Recommend approval of name change of McClellan Drive SE to Emma Drive SE to the City Council.