

MEMORANDUM

DATE: April 27th, 2023

TO: Planning Commissioners

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

SPECIAL CALLED PLANNING COMMISSION MEETING

April 27, 2023

**Pre-meeting – 4:15 p.m. (Council
Chambers)**

Meeting – 4:30 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL

April 27TH, 2023

Time: 4:30 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

PUBLIC HEARING

ZONING

PAGE NO.

A. Rezoning

1416-23 60 Woodall Road

1-6

PUBLIC HEARING

Re-zoning

FILE NAME OR NUMBER: Rezoning 1416-23

ACRES: 14.88

CURRENT ZONE: AG-1 (Agricultural District)

APPLICANT: Pugh Wright McAnally for David Davis & Paula Prestwood

LOCATION AND OR PROPERTY ADDRESS: 60 Woodall Road SW

REQUEST: Rezone 14.88 +/- acres from AG-1 to M-1

NEW ZONE: M-1 (Light Industry District)

PROPOSED LAND USE: Industrial

ONE DECATUR FUTURE LAND USE: Light Industry

ONE DECATUR STREET TYPOLOGY: Woodall Road SW is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:

Comments from Zoning Committee:

Zoning Committee was not in favor of this request, recommended M-1 to be more favorable

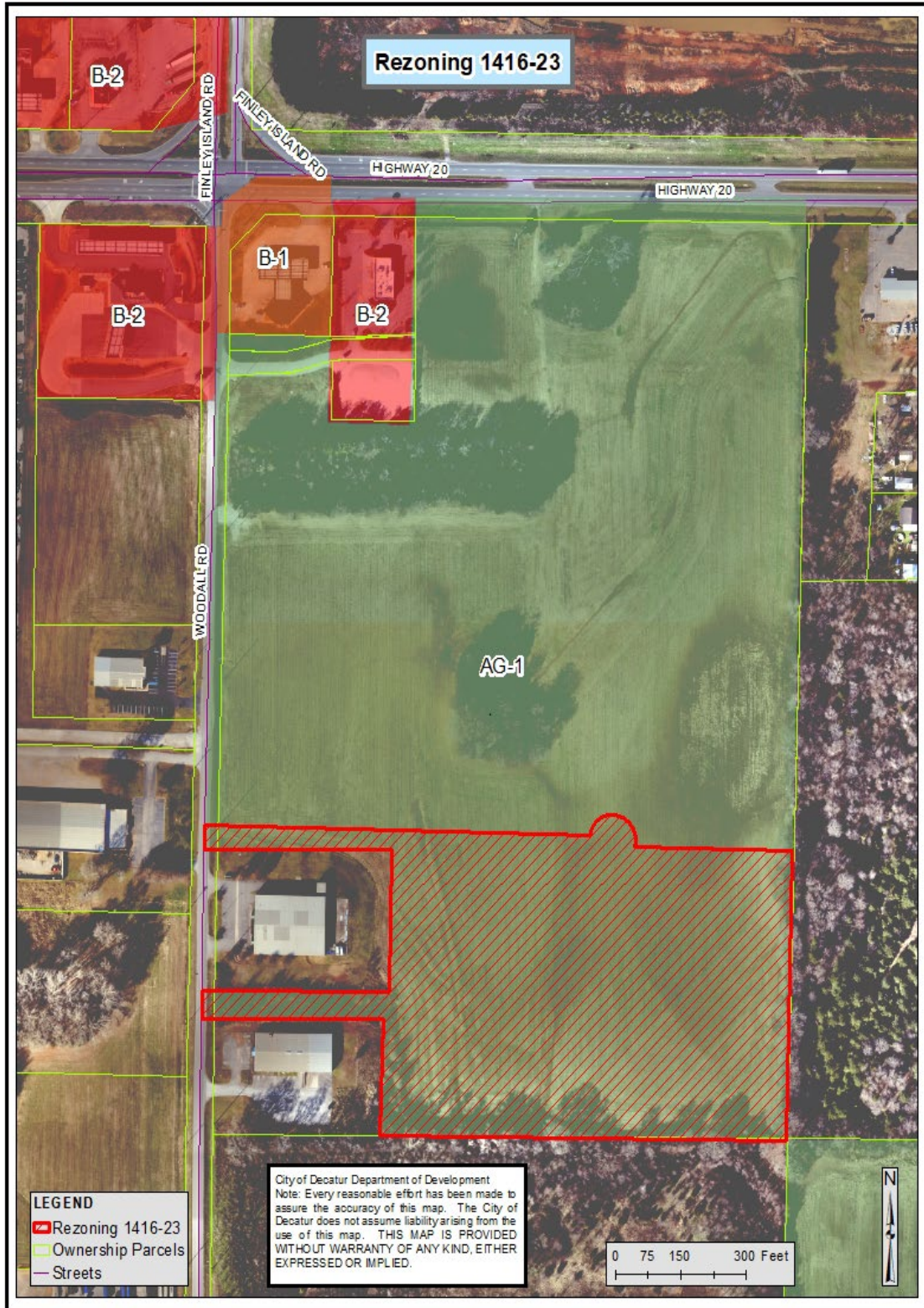
Conditions:

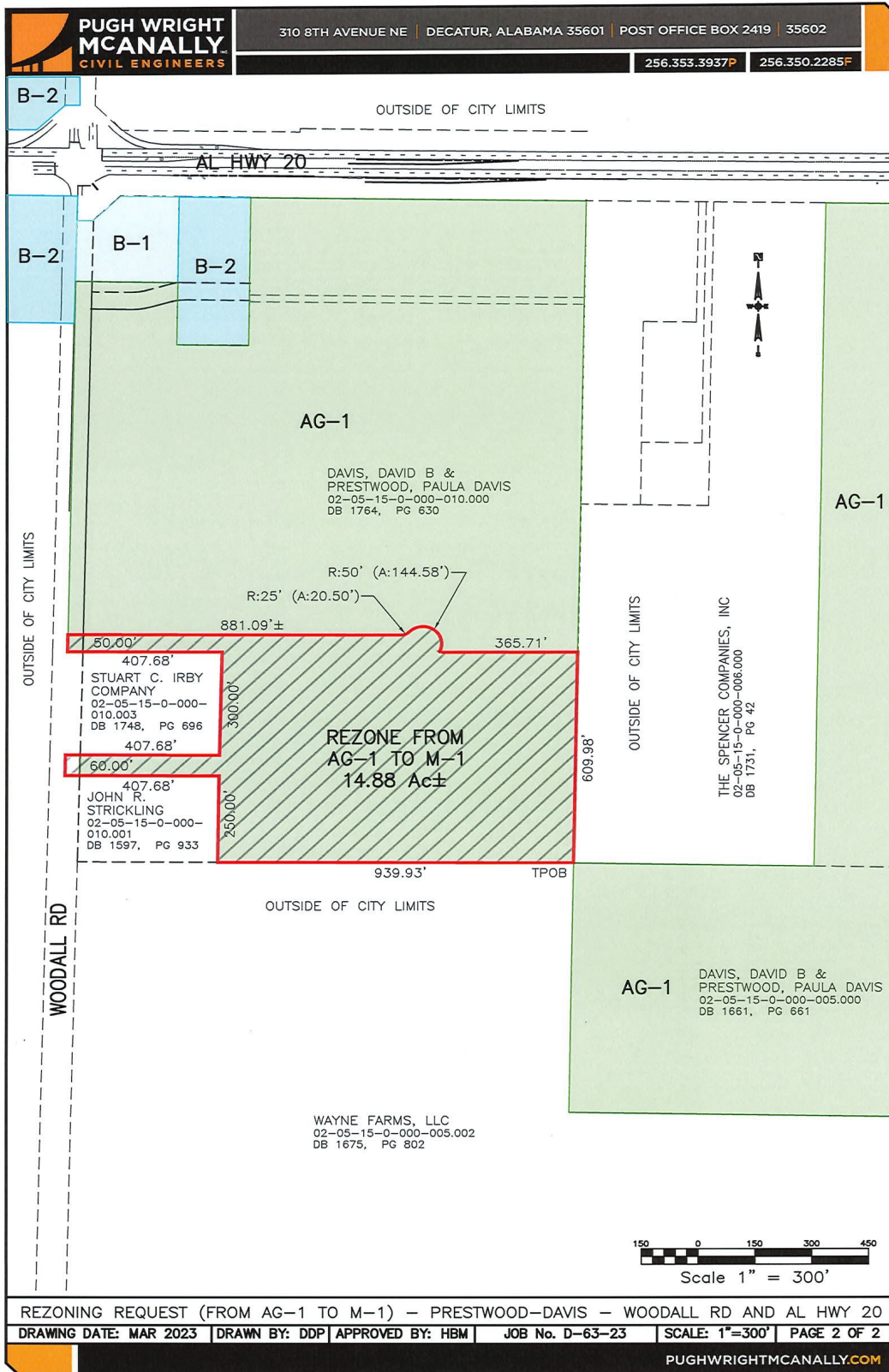
None

Pt. of Info:

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

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON AG-1 TO M-1		April 27, 2023
SECTION	AG-1	M-1
USES PERMITTED	<p>Uses permitted: General farming including horticulture; dairying; apiaries; livestock and poultry raising; fish hatcheries; and other similar enterprises or uses.</p> <p>Aircraft landing fields; hangars and equipment; cemeteries; golf courses, swimming pools; country clubs; recreation buildings of a public or quasi-public character, sanatoriums, convalescent and nursing homes for human care; charitable institutions; animal hospitals and kennels; private clubs, lodges, summer camps, lodging and boarding houses.</p> <p>Accessory buildings and uses customarily incidental to the above uses.</p> <p>Any use permitted or permitted on appeal in an R-1 residential district and subject to all district requirements of an R-1 district as specified in section 25-10.</p> <p>a. Outdoor advertising structures, provided however, that such use shall be conditional as follows: Within sixty (60) days of the time that the zoning map is amended to cause advertising structures which have been erected in an AG-1 agricultural district to fall within a residential district such structures shall be removed.</p>	<p><i>Uses permitted:</i> Off premises sale of alcoholic beverages; clubs; and on premises and off premises sale of alcoholic beverages by clubs when duly licensed as a class I club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code, light industrial operations, not obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, vibration, noise, odor, effluence, or appearance (i.e. ice cream plants and creameries; cold storage plants; ice plants; bottling and central distribution plants; warehouses; dry cleaners and laundries). Any retail or wholesale business or service not specifically restricted or prohibited.</p>
USES PERMITTED ON APPEAL	<p>Uses permitted on appeal: Sports arenas, recreational and amusement enterprises operated on a commercial basis; clubs the chief activity of which is customarily carried on as a business; clubs; on premises and off premises sale of alcoholic beverages by clubs when duly licensed as a class I club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under the pursuant to the Alcoholic Beverage Licensing Code; on-premises and off-premises sale of alcoholic beverages by</p>	<p><i>Uses permitted on appeal:</i> Mobile home parks; brewpubs as defined by Chapter 4A of Title 28 the Code of Alabama (Alabama Brewpub Act) and subject to all requirements of that Chapter, as last amended; sale of alcoholic beverages by a manufacturers licensee when duly licensed by the City of Decatur and the Alabama Alcoholic Control Board under and pursuant to the Alcoholic Beverage Licensing Code, as last amended. Any uses permitted or</p>

ZONING DISTRICT COMPARISON AG-1 TO M-1		April 27, 2023
SECTION	AG-1	M-1
	<p>organizations complying with the definition of a class II club located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size provided such tract or parcel of land is utilized by such organization on a regular basis for recreational or athletic purposes and further provided that such organization is duly licensed as a class II club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code; event venue, tourist courts, tourist homes; motor courts and trailer courts, when these uses, in the opinion of the board of zoning adjustment will not impair an existing or potential future residential neighborhood and permitted subject to such conditions as the said board may require to preserve and protect the character of the district and otherwise promote the purpose of this chapter.</p>	<p>permitted on appeal in an R-4, Residential District and subject to all district requirements of said district as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.</p>
USES PROHIBITED	<p>Uses prohibited: On premises and off-premises sale of alcoholic beverages, except as herein otherwise allowed; residential, commercial and industrial uses, not specifically permitted or permitted on appeal.</p>	<p><i>Uses prohibited:</i> Slaughterhouse; stockyard; bag cleaning; boiler and tank works; central mixing plant for cement, mortar, plaster and painting materials; curing, tanning or storage of hides; distillation of bones, coal, tar, or wood; fat rendering; forage plants; gasoline storage above ground in excess of five hundred (500) gallons; manufacture of acetylene, acid, alcohol for non-consumption, ammonia, bleaching powder, brick, pottery, terra cotta or tile, cement blocks, candles, disinfectants, dye-stuffs, fertilizers, illuminating or heating gas, including storage of same, paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations; Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act.</p>

ZONING DISTRICT COMPARISON AG-1 TO M-1		April 27, 2023
SECTION	AG-1	M-1
MINIMUM LOT AREA	Minimum lot size: 15,000 square feet.	<i>Minimum lot size:</i> It is the intent of the section that lots of sufficient size be used for any industrial, service or business use for any industrial, service or business use space in addition to the space required for the other normal operation of the enterprise.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	
MINIMUM FRONT YARD	Minimum front yard setback: 20 feet.	<i>Minimum yard size:</i> FRONT YARD: None specified, except where existing establishments (other than residential) are set back, any new structures shall be set back not less than the average of the setbacks of the existing establishments within one hundred (100) feet each side
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: 45 feet.	
MINIMUM SIDE YARD SETBACK	15 feet; except any structure used for the housing of livestock of any kind shall not be located closer than 100 feet to any property line or line of a district other than an agricultural district.	<i>Minimum yard size:</i> SIDE YARDS: None specified, excepting a lot, adjoining its side lot line another lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.
MAXIMUM BUILDING HEIGHT	Maximum height: 35 feet	<i>Maximum height:</i> None.
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	
OFF STREET PARKING	Off-street parking: See § 25-16. Off-street loading and unloading: Shall provide adequate space for loading and unloading on rear and/or side yard.	<i>Off-street parking:</i> See § 25-16 . <i>Off-street loading and unloading:</i> Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use.