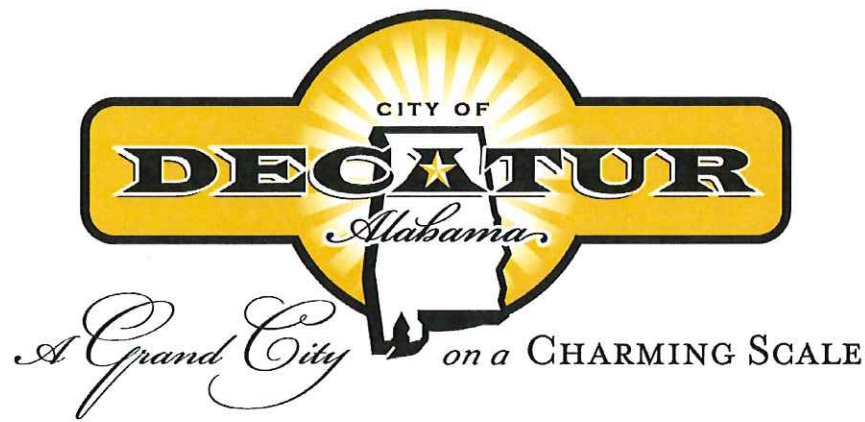




MEMORANDUM

DATE: May 14, 2014

TO: Planning Commissioners

CC: Mayor Don Kyle; Wally Terry; Herman Marks; Tony Powell; Tom Polk; Mark Petersohn; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

May 20, 2014

Pre-meeting – 2:15 p.m. (Annex)

Meeting – 3:15 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL

May 20, 2014

Time: 3:15 PM

City Council Chambers

Commissioners: **Gil Aldrich**, *Chairman*; **Tracy Tubbs**, *Vice Chairman*; **Em Barran**, *Secretary*;
Gary Borden; **Chuck Ard**; **Kent Lawrence**; **Collis Stevenson**; **Joseph Wynn**; **Nell Standridge**

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- April 22, 2014

3. PUBLIC HEARING

PAGE/MAP

REZONING REQUESTS

- | | | |
|------------|---|--------|
| A. 1279-14 | Rezoning - pulled off agenda by applicant as of 5/14/2014
(The Property is located south of Cedar St. SW and east of Beltline Rds. SW) | 1 |
| B. 1280-14 | Zoning
(The Property is located south of Mud Tavern Rd. and west of Danville Rd.) | 1/5-7 |
| C. 1281-14 | Zoning
(The Property is located north of Old Moulton Rd. SW and west of Beltline Rd. SW) | 1/8-10 |

4. CONSENT AGENDA

CERTIFICATES

- | | | |
|------------|--|---------|
| A. 3239-14 | Certificate to Subdivide
(North of Poole Valley Road SW and west of Highway 31 South) | 2/11-13 |
|------------|--|---------|

SITE PLANS

- | | | |
|-----------|---|------|
| A. 508-14 | Alabama Urology & Robotics Center
(South of 8 th Street SE and east side of 14 th Avenue SE) | 2/14 |
| B. 509-14 | Convenience Store
(South of 8 th Street SW and west of Central Parkway SW) | 3/15 |
| C. 510-14 | Whitts BBQ
(South of 5 th Street SE and east of 6 th Avenue SE) | 3/16 |

D. 511-14

People's Bank
(Northeast side of Beltline Rd. south of Cedar Street SW)

3/17

BOND REVIEW

A. Almon Place Add. 4 & 5

(South of Sorrento Place SW and west of Castle Gate Blvd. SW)

4/18-19

Minutes
Zoning Committee
May 13, 2014

PUBLIC HEARING

ZONINGS AND REZONINGS

REZONING 1279-14 – pulled off agenda by applicant as of 5/14/2014

Applicant: Beltline Decatur LLC

Zoning: From M1-A (Expressway Commercial)
to B-1 (Local Shopping)

Owner:

Acreage: 1.02

Request: This is a request to rezone an approximately 1.02 acre tract from M1-A Expressway Commercial District to B-1 Local Shopping Business District.

Location: The Property is located south of Cedar St. SW and east of Beltline Rds. SW

Recomm: This is spot zoning and not in conformance with the Long Range Plan.

ZONING 1280-14

Applicant: Dan Schutzenhofer

Zoning: Recently annexed to AG1 (Agricultural)

Owner: Same

Acreage: 2 acres

Request: This is a request to apply a zoning to a recently annexed property

Location: The Property is located south of Mud Tavern Rd. and west of Danville Rd.

Recomm: Approval. This is compatible with adjacent zonings and in conformance with the Long Range Plan.

ZONING 1281-14

Applicant: Kenneth Mitchell

Zoning: Recently annexed to M1-A
(Expressway Commercial)

Owner: Mitchell Family/Shivam Hospitality

Acreage: 15.81 acres

Request: This is a request to apply a zoning to a recently annexed property

Location: The Property is located north of Old Moulton Rd. SW and west of Beltline Rd. SW.

Recomm: Approval. This is compatible with adjacent zonings and in conformance with the Long Range Plan.

END PUBLIC HEARING

CONSENT AGENDA

Minutes Subdivision Committee May 13, 2014

Certificates

3239-14 Certificate to Subdivide

Applicant: Jeff Parker, Donald Peek, Mickey Fowler, Zoning: Outside Corp Limits
Lisa Bates
Owner: Same Acreage: 8 acres

Request: Subdivide 8 acres into two tracts of 4.5 acres and 3.5 acres

Location: North of Poole Valley Road SW and west of Highway 31 South

Conds: 1. Payment of recording fees
2. Add flood note to the survey
3. Provide BFE and FFE's on survey

*Pt. of Info: Any relocation of utilities will be at the owner's expense.
ALDOT permits will be required for any curb cuts on to Highway 31.*

Recomm: Approval with stated conditions.

Site Plan Reviews

508-14 Alabama Urology & Robotics Center

Applicant: EMR, LLC Zoning: MC- Medical Center
Owner: Same Acreage: .98 acres

Request: Site plan review for the construction of the Alabama Urology & Robotics Center

Location: South of 8th Street SE and east side of 14th Avenue SE

Conds: 1. Completion and recording of Certificate 3227-13
2. Change identification block to "Decatur" and "Range to 4 West"
3. Show proposed landscaping
4. Curb and gutter 14th Avenue the length of the property
5. Per Engineering, turn drainage to the east toward the parking lot

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated conditions

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated condition

Bond Review

Almon Place Addition No. 4

Applicant: H. M. Nowlin
Owner: Same

Zoning: R-3, SF Res
Acreage:

Request: Bond review for completion of public improvements (sidewalks) LOC Amt: \$79,000
Expires: July 26, 2014

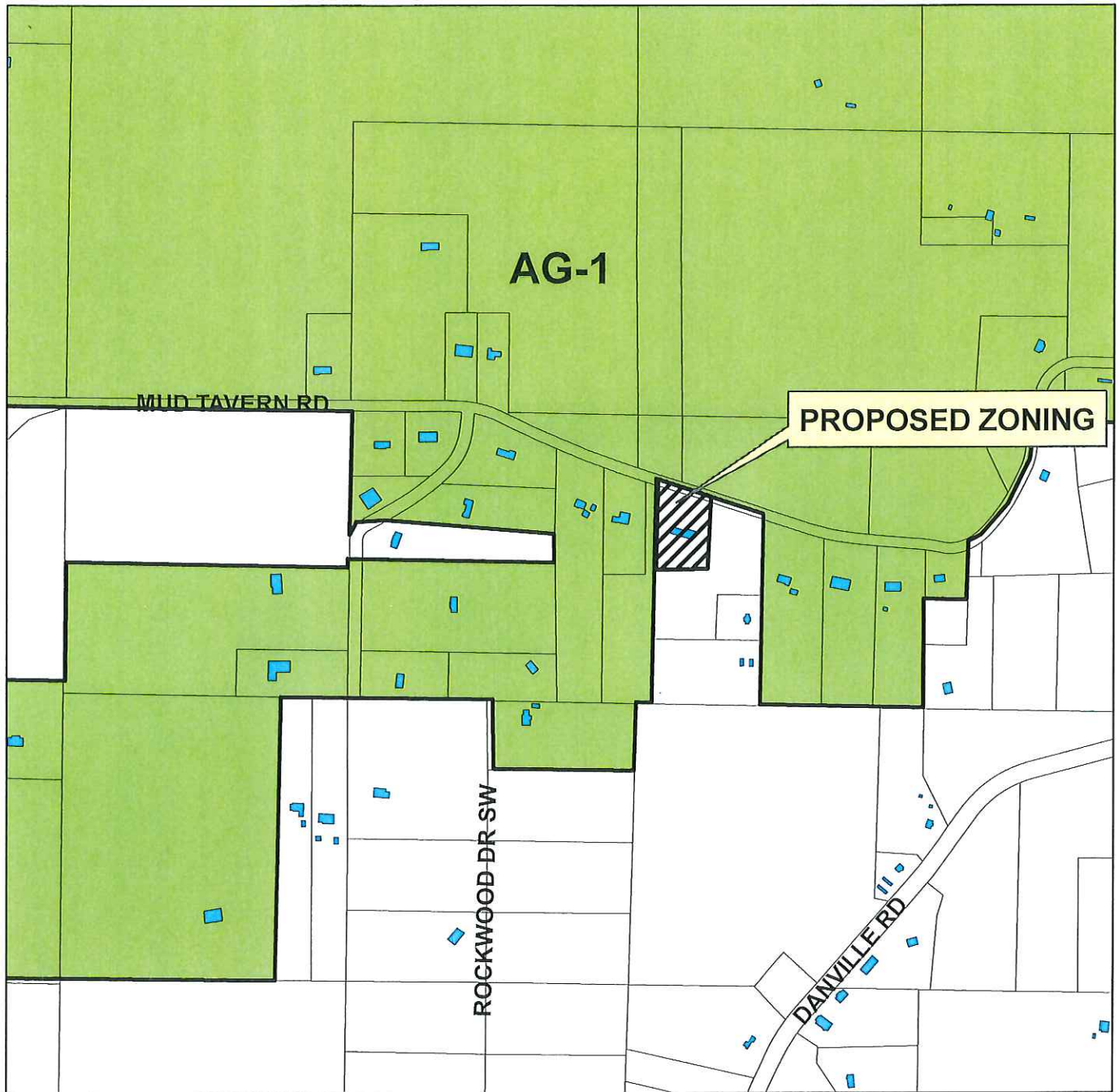
Location: South of Sorrento Place SW and west of Castle Gate Blvd. SW

Conds: None

Recomm: The Subdivision Committee recommends the extension of the Letter of Credit for one year or until such time as development build out requires completion.

END CONSENT AGENDA

ZONING REQUEST NO.1280-14 FROM NEWLY ANNEXED TO AG-1 2 ACRES



Legend

-  bldg
-  Ownership



SUBJECT PROPERTY

PROPERTY NEWLY ANNEXED

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT :DAN SCHUTZENHOFER



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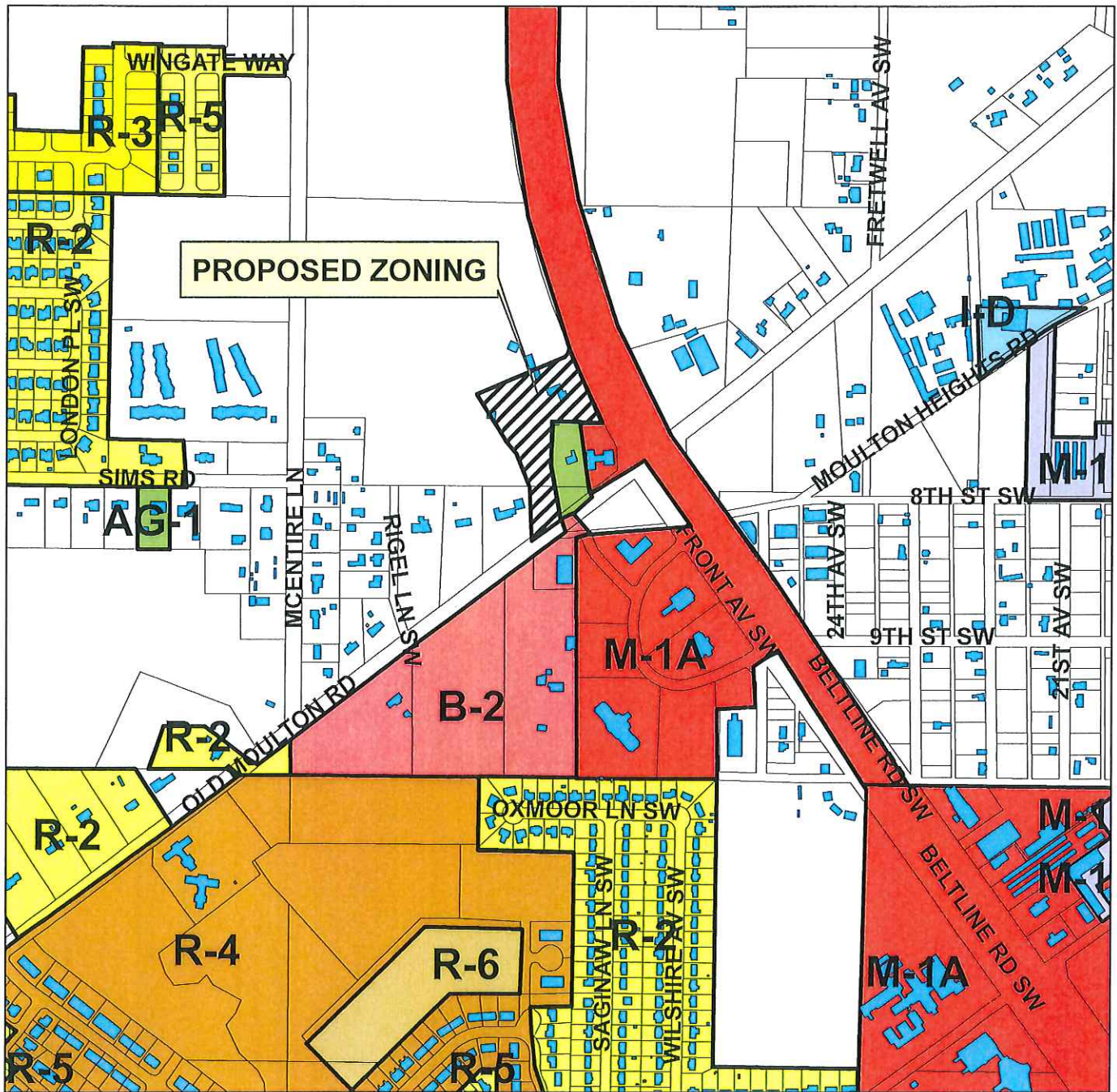
Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. This map is provided without warranty of any kind, either expressed or implied.

Sec. 25-12.1.1. Agricultural district requirements.

District	Use Regulations	Space and Height Regulations
AG-1 (Agricultural district)	<i>Uses permitted:</i> General farming including horticulture; dairying; apiaries; livestock and poultry raising; fish hatcheries; and other similar enterprises or uses. 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. Accessory buildings and uses customarily incidental to the above uses. 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 <u>section 25-10</u> 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.	<i>Minimum lot size:</i> Minimum required lot area—15,000 square feet. Minimum required lot width at building line—100 feet. <i>Minimum yard size:</i> Front, 20 feet; rear, 45 feet; sides, 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>Maximum height:</i> 35 feet or 2½ stories. <i>Off-street parking:</i> See <u>§ 25-16</u> <i>Off-street loading and unloading:</i> Shall provide adequate space for loading and unloading on rear and/or side yard.
	<i>Uses permitted on appeal:</i> 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 organizations complying with the definition of a class II club located on and embracing within its sole possessory right, one 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; 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. <i>Uses prohibited:</i> On premises and off premises sale of alcoholic beverages, except as herein otherwise allowed; residential, commercial and industrial uses, not specifically permitted on appeal.	
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ZONING REQUEST NO.1281-14 FROM NEWLY ANNEXED TO M-1A 4.93



Legend

- bldg
- Ownership



SUBJECT PROPERTY

PROPERTY NEWLY ANNEXED

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT : MITCHELL AND PATEL



DRAWING NOT TO SCALE

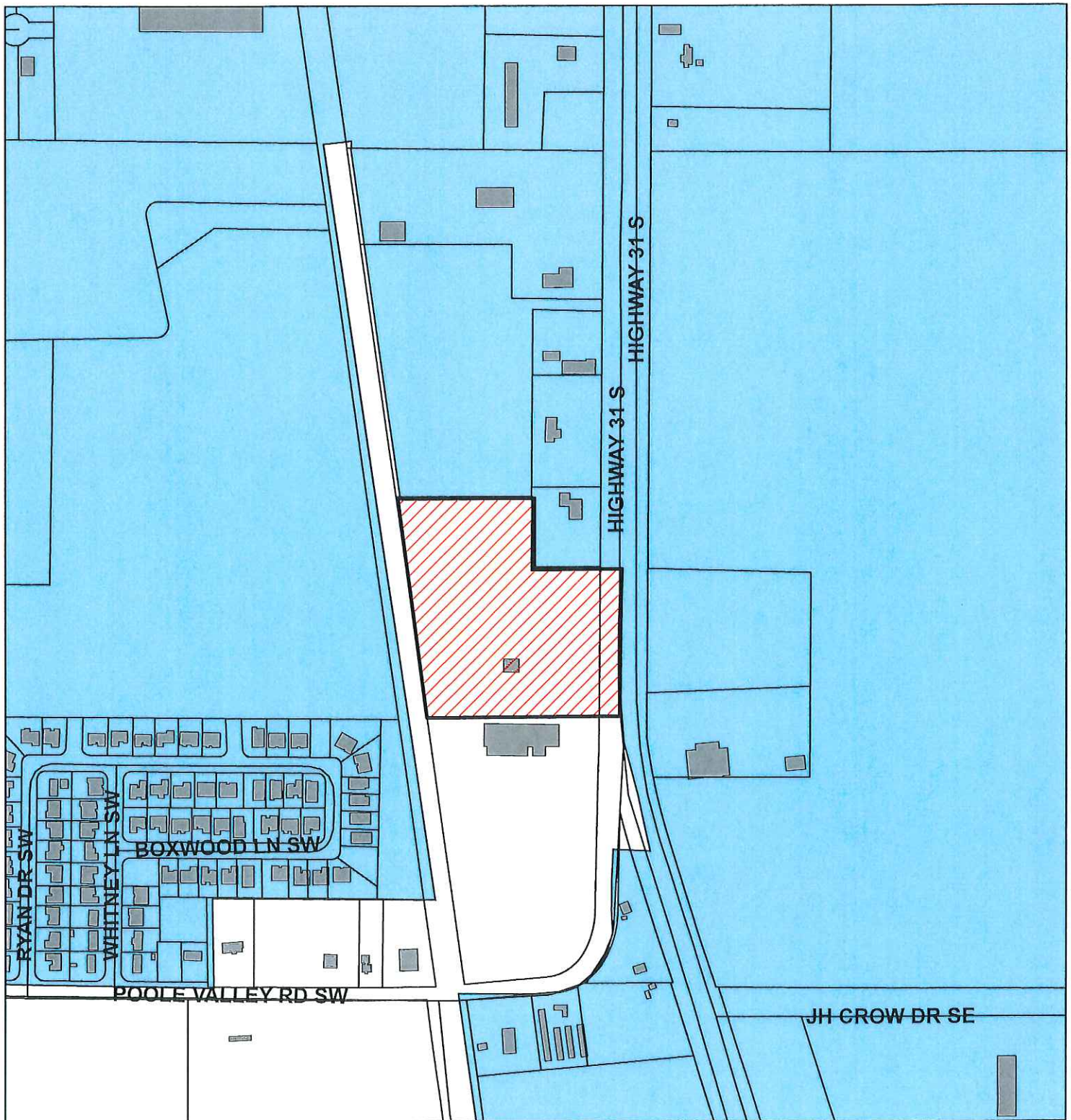
Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. This map is provided without warranty of any kind, either expressed or implied.

M1A ZONING DISTRICT

District	USE REGULATIONS	SPACE AND HEIGHT REGULATIONS	District
M-1A Expressway Commercial District	<i>Uses permitted:</i> 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; 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 arterials 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. <i>Uses permitted on appeal:</i> Light industrial operations not 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 section 25-10 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,	<i>Minimum lot size:</i> 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. <i>Minimum yard size:</i> 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 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. <i>Maximum building area:</i> 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. <i>Maximum height:</i> None. <i>Off-street parking:</i> See § 25-16 <i>Off-street loading and unloading:</i> Adequate space for loading and unloading of all vehicles or trucks incidental to the operation of the business or use shall be provided.	M-1A Expressway Commercial District

	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. <i>Uses prohibited:</i> 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.		
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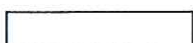
CERTIFICATE TO SUBDIVIDE NO. 3239-14



LOCATION MAP

APPLICANT: JEFF PARKER, DONALD PEEK,
MICKEY FOWLER AND LISA S. BATES

Legend

	Parcels
	bldg
	corplim
	SUBJECT PROPERTY

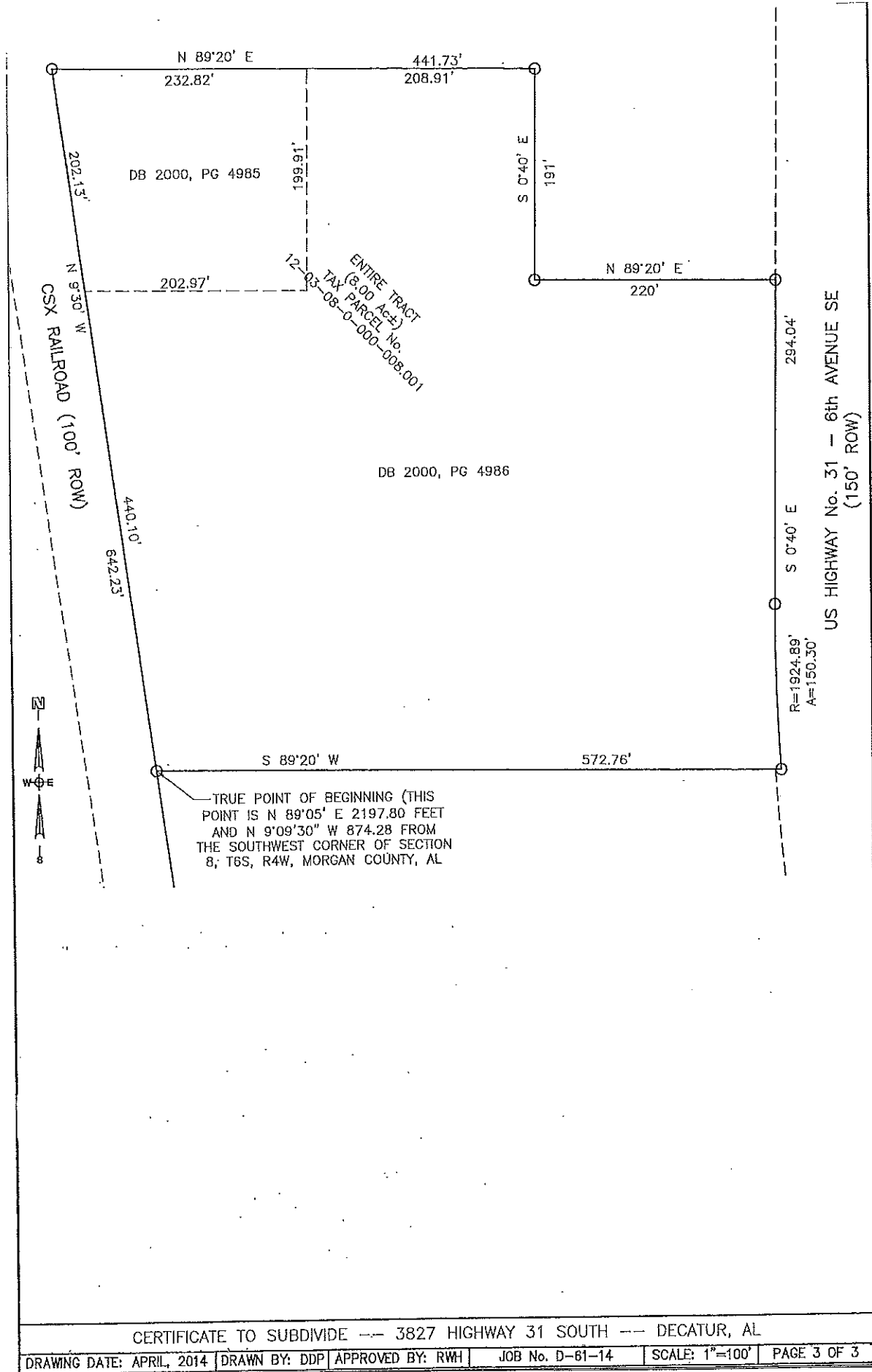


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CERTIFICATE TO SUBDIVIDE NO. 3239-14

310 8TH AVENUE NE | DECATUR, ALABAMA 35601 | POST OFFICE BOX 2419 | 35602
 256.353.3937P | 256.350.2285F

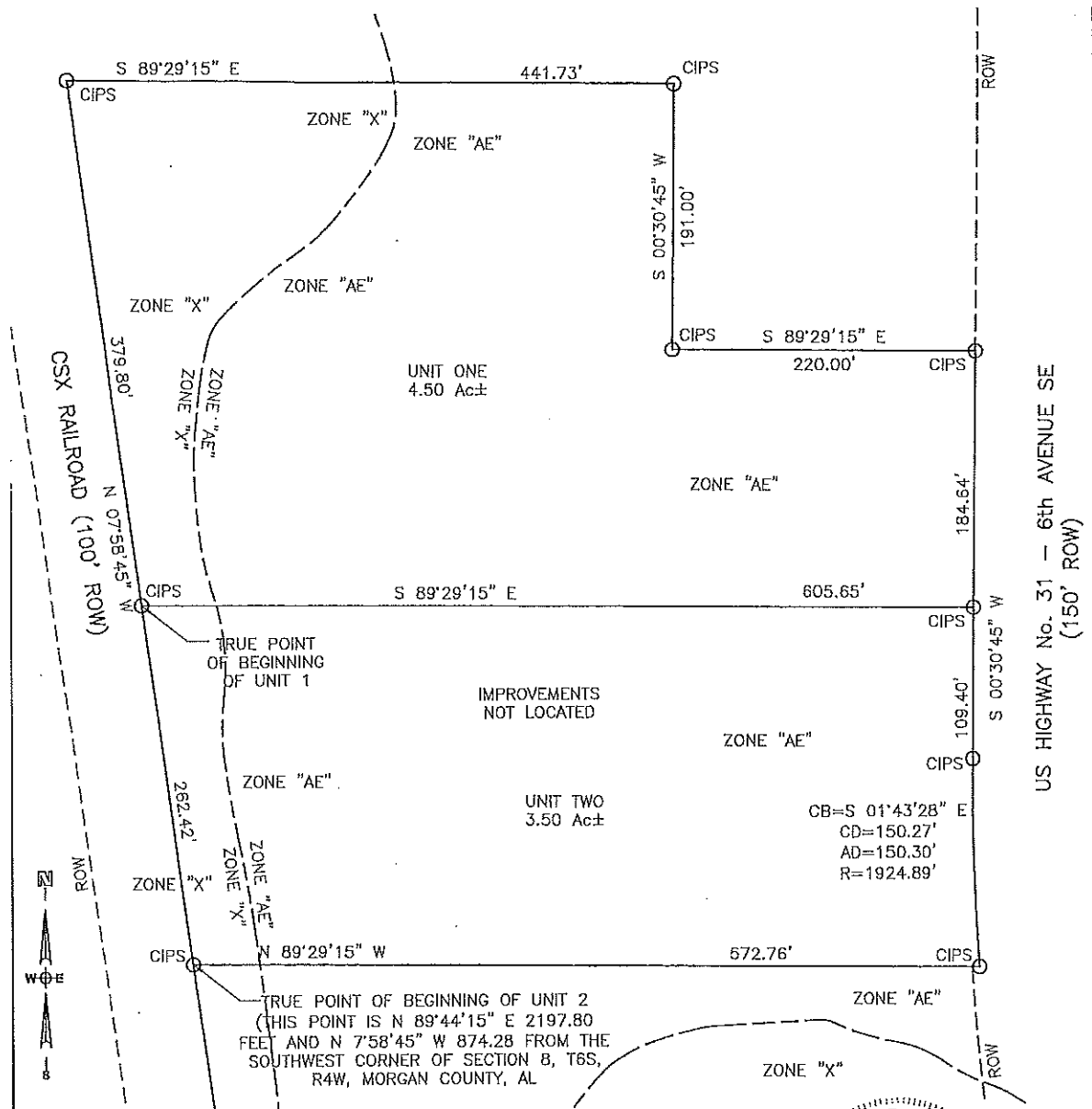
**PUGH WRIGHT
 MCANALLY**
 CIVIL ENGINEERS



CERTIFICATE TO SUBDIVIDE NO. 3239-14

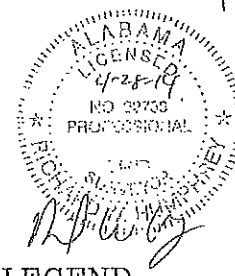
310 5TH AVENUE SE, DECATUR, ALABAMA 35607
 POST OFFICE BOX 2416 35607
 256.353.3937P 256.350.2285F

**PUGH WRIGHT
 MCANALLY
 CIVIL ENGINEERS**



GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE SYSTEM GRID BEARING - WEST ZONE [NAD83] AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN.
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2000, PG 4985 AND D.B. 2000, PG 4986
4. PROPERTY ADDRESS IS 3827 HIGHWAY 31 SOUTH, DECATUR, AL 35603.
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN.
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES.
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED IN APRIL, 2014.

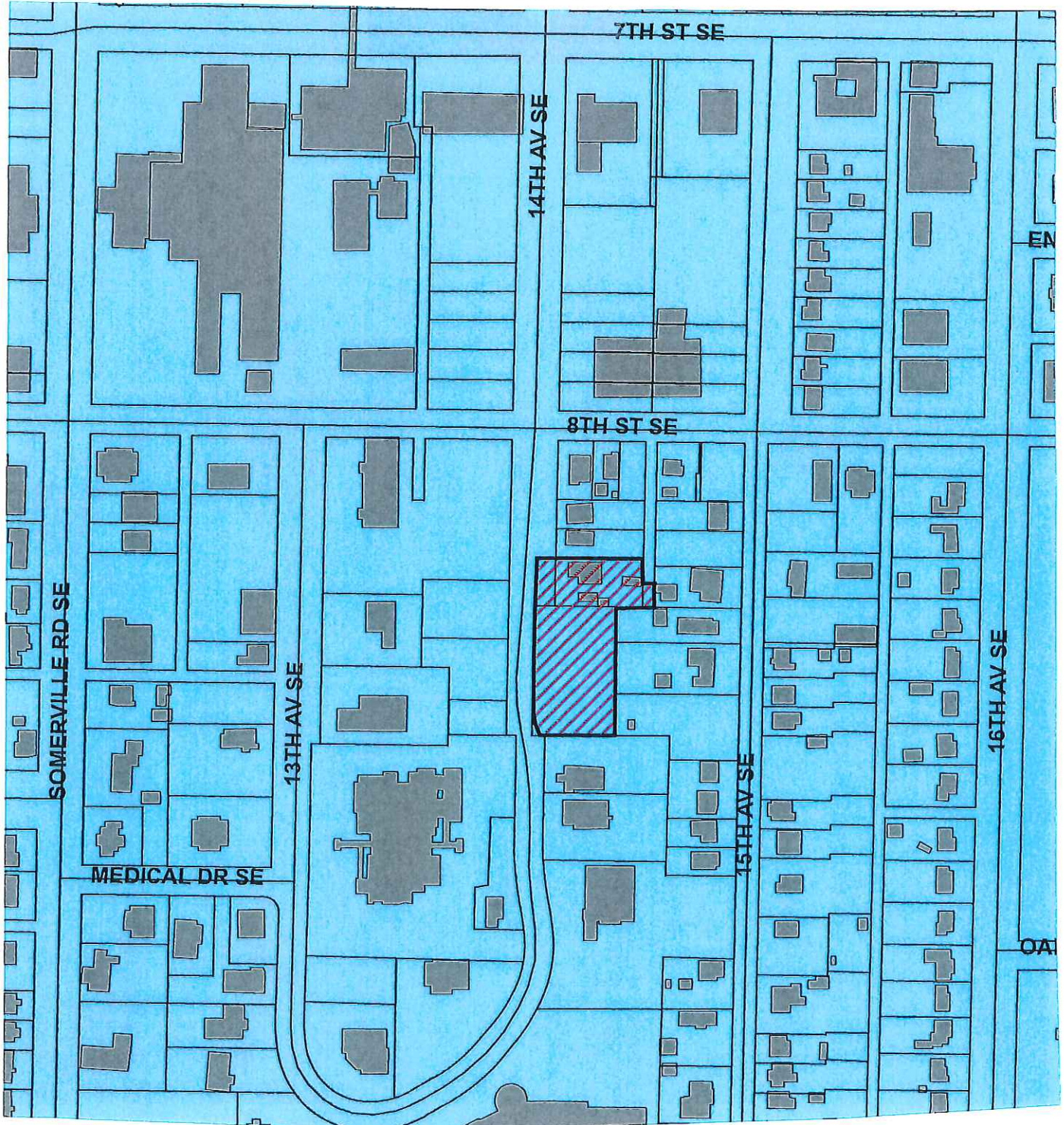


LEGEND

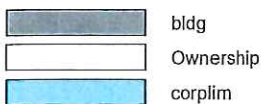
CIPS	CAPPED IRON PIN - SET
ROW	RIGHT-OF-WAY
CB=	CHORD BEARING
CD=	CHORD DISTANCE
AD=	ARC DISTANCE
R=	RADIUS

BOUNDARY SURVEY --- 3827 HIGHWAY 31 SOUTH --- DECATUR, AL

SITE PLAN REVIEW NO. 508-14



Legend



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT: ALABAMA UROLOGY AND ROBOTICS CENTER,
EMR, LLC



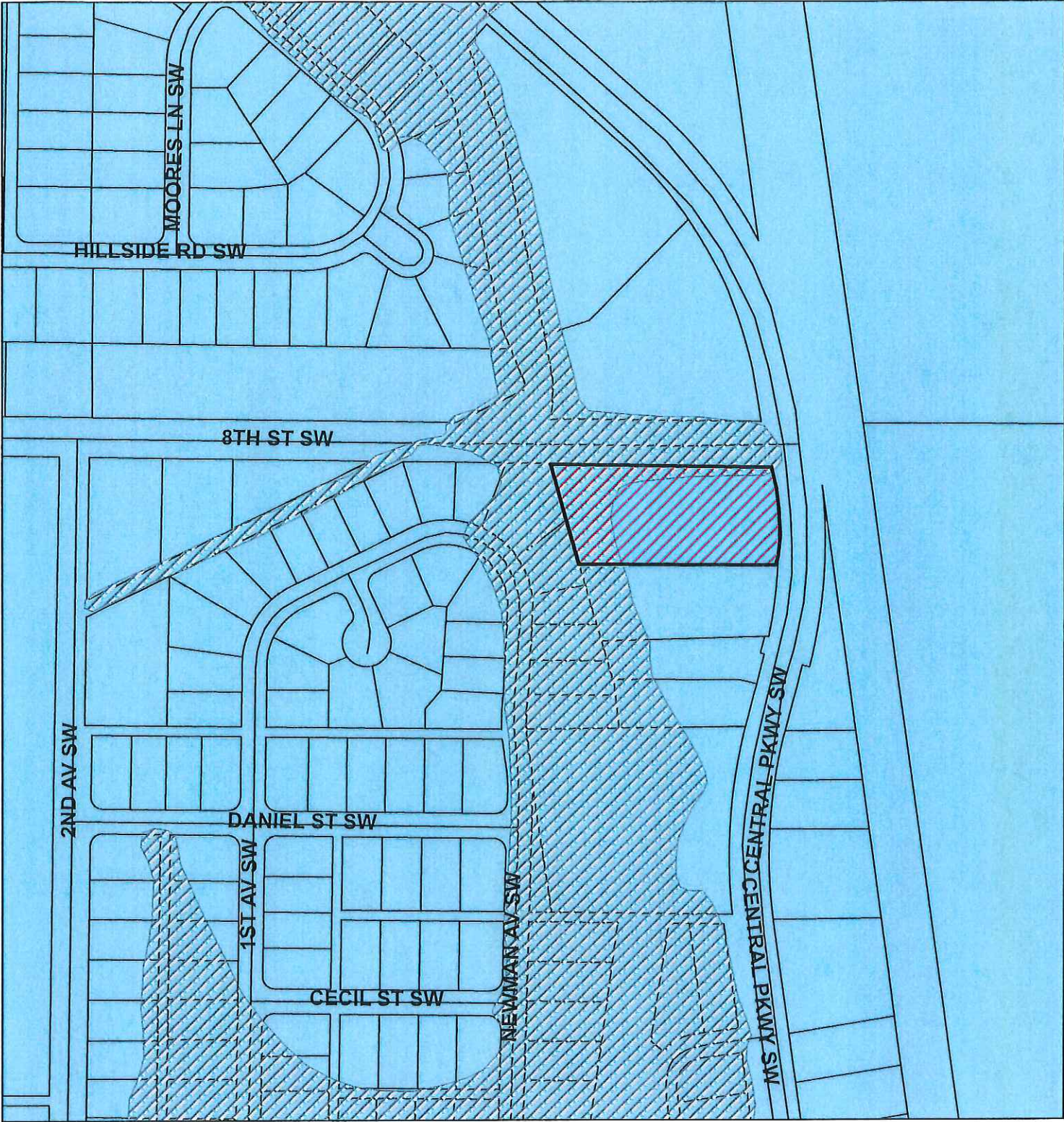
DRAWING NOT TO SCALE

 SUBJECT PROPERTY

ZONED MC

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SITE PLAN NO. 509-14



LOCATION MAP

Legend

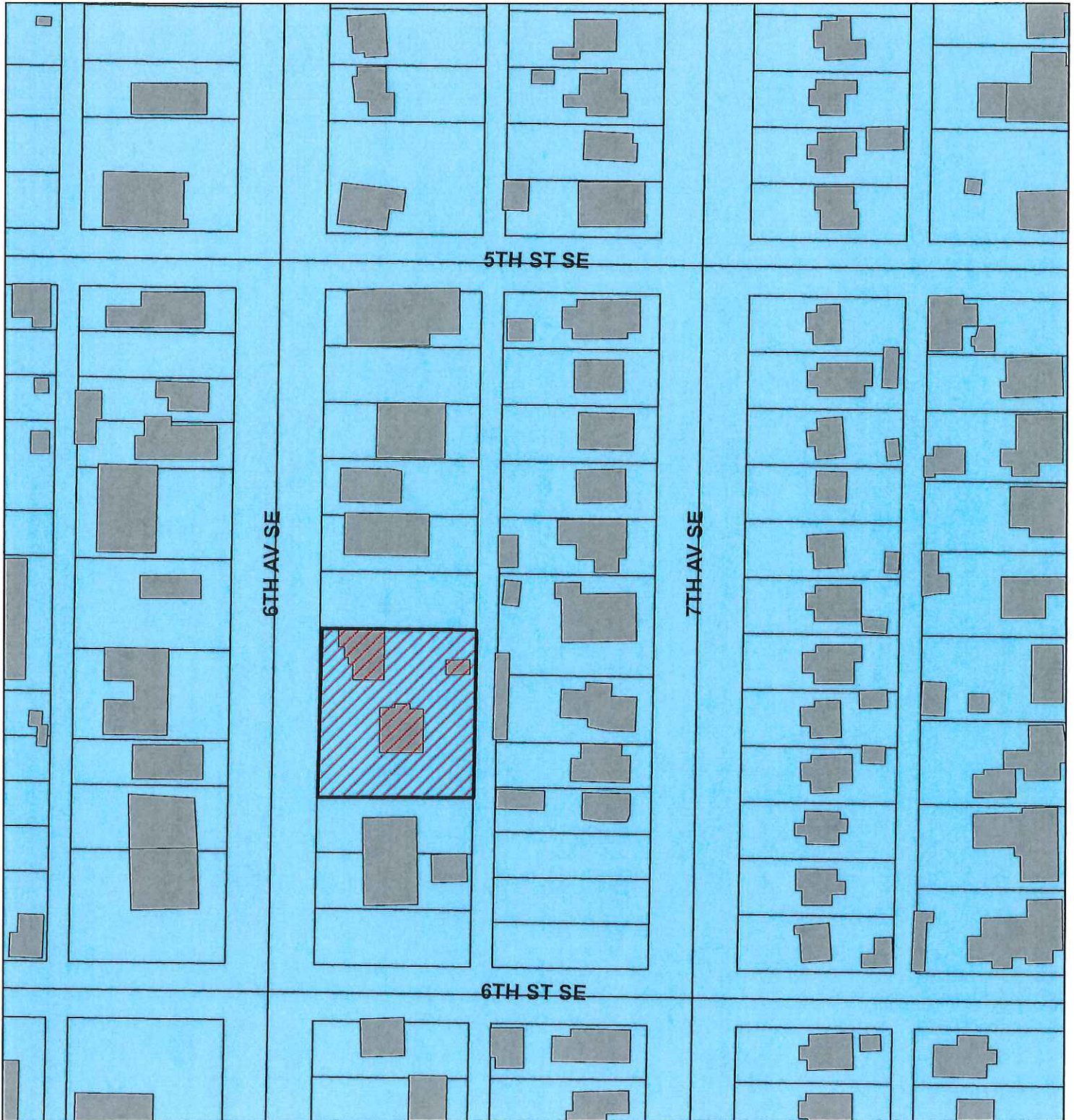
-  floodplain_100yr_2005
-  Ownership
-  corplim
-  **SUBJECT PROPERTY**

APPLICANT: KEITH CARNEY

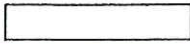


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15

SITE PLAN NO. 510-14



Legend

- | | |
|--|-------------------------|
|  | bldg |
|  | Ownership |
|  | corplim |
|  | SUBJECT PROPERTY |

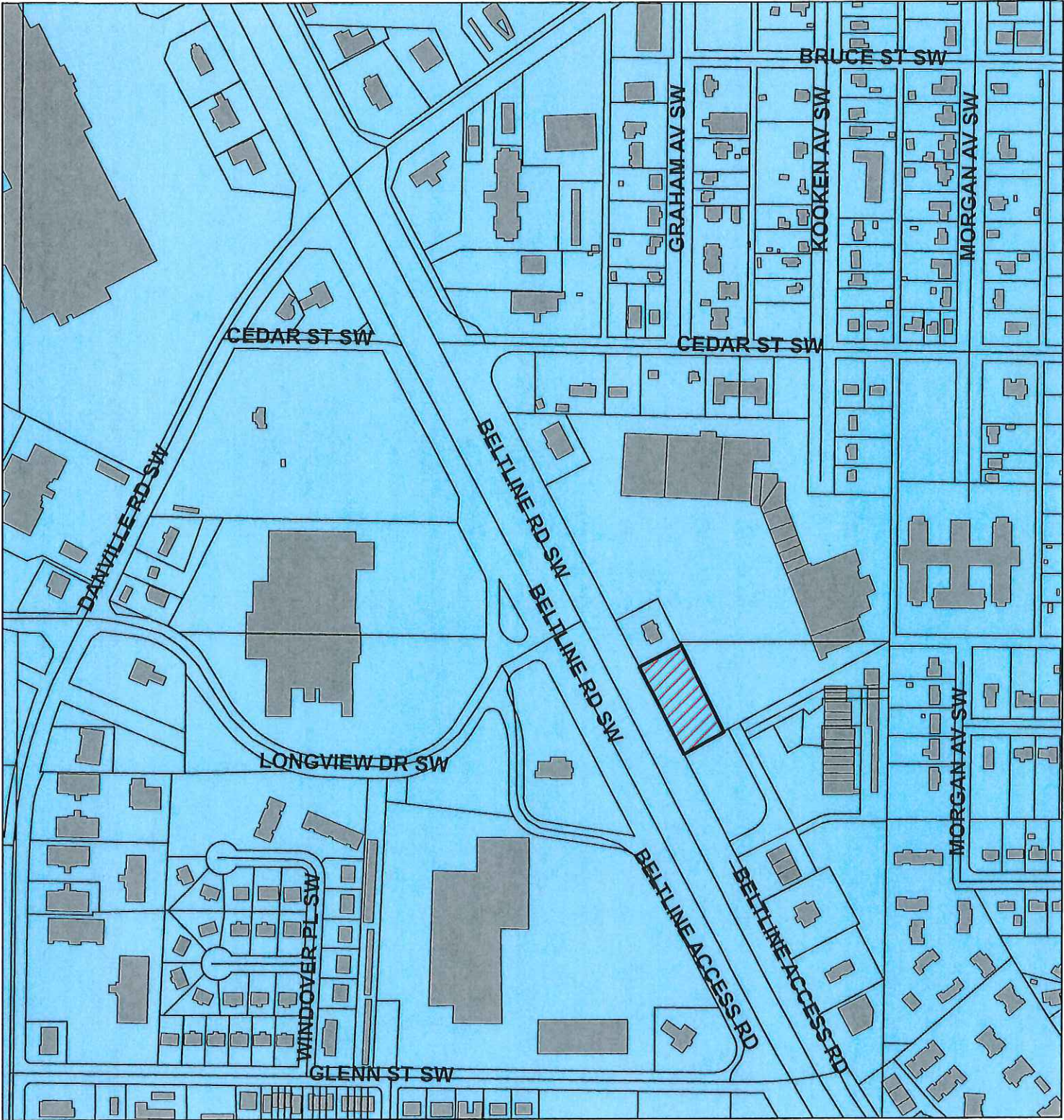
LOCATION MAP

APPLICANT: MARK WHITT

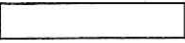


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16

SITE PLAN NO. 511-14



Legend

-  Parcels
-  bldg
-  corplim
-  SUBJECT PROPERTY

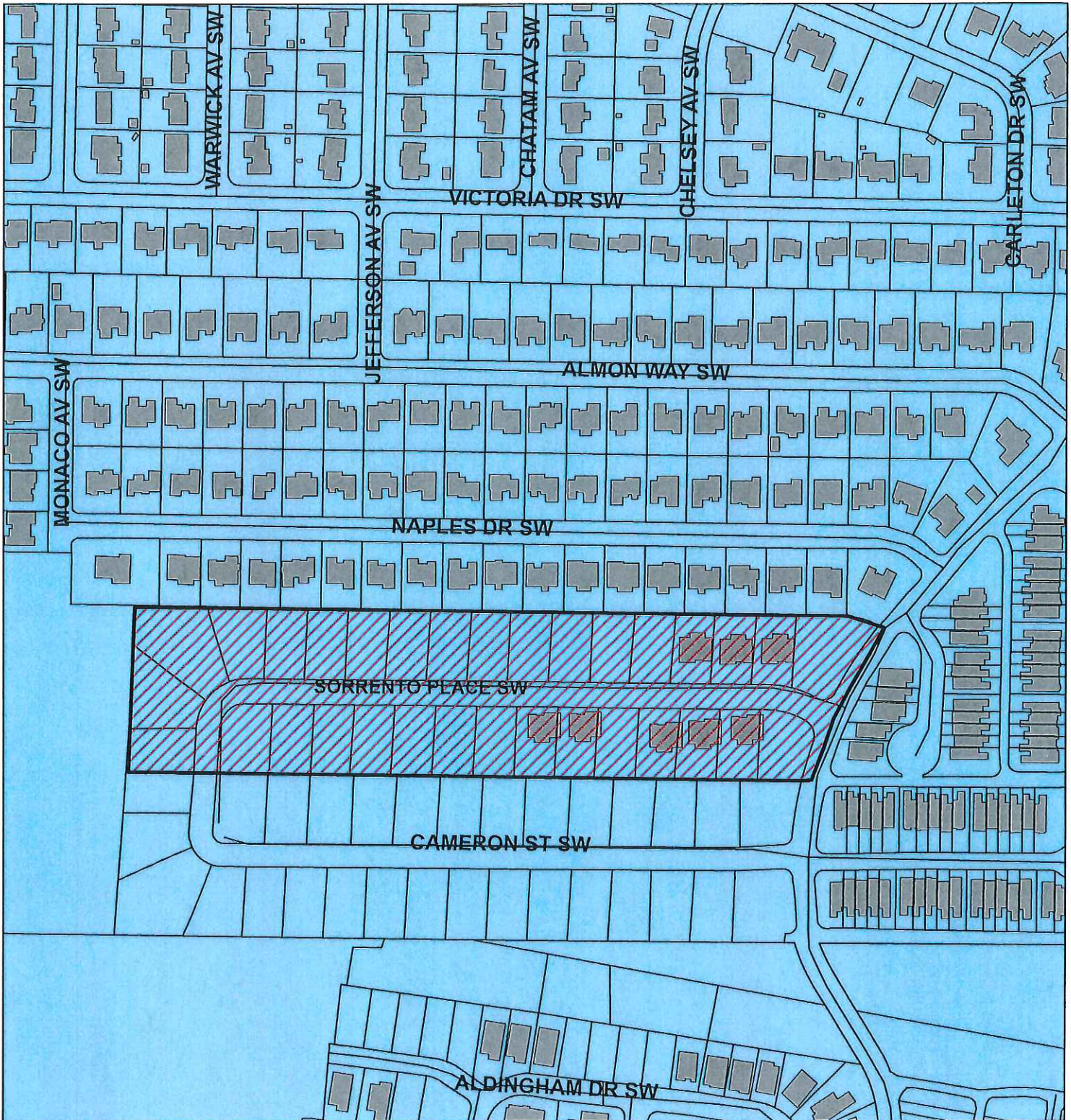
LOCATION MAP

APPLICANT: CAMBRIDGE PROPERTIES, LLC

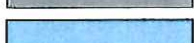


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17

ALMON PLACE ADD. NO. 4 SUBDIVISION BOND REVIEW



Legend

	Parcels
	bldg
	corplim
	SUBJECT PROPERTY

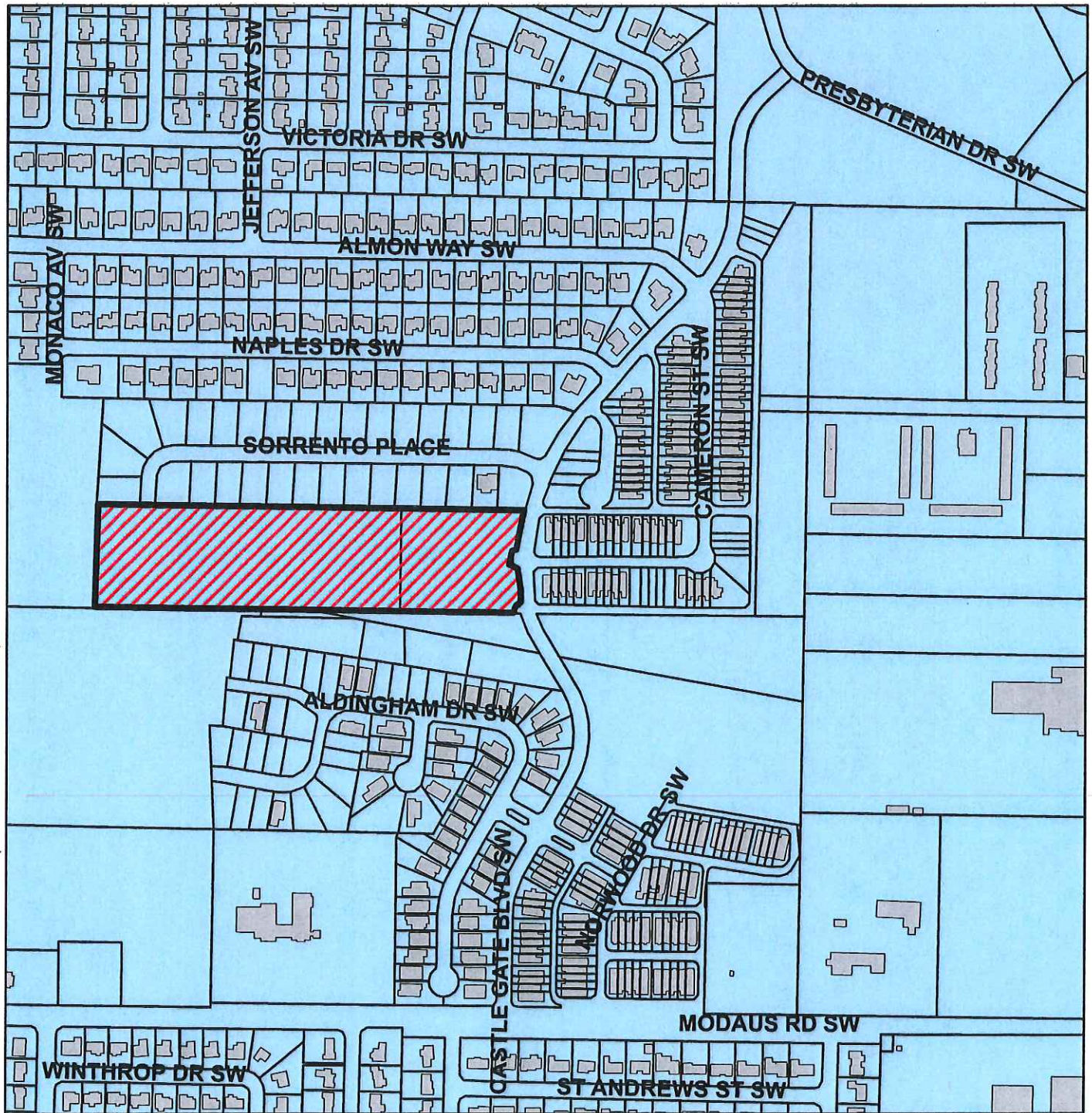
LOCATION MAP

APPLICANT: BROWN, ALMON AND NOWLIN
DEV. CO. LLC



DRAWING NOT TO SCAL

ALMON PLACE ADD. NO. 5 SUBDIVISION



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

Legend



 **SUBJECT PROPERTY**

ZONED R-5

APPLICANT: BROWN, ALMON AND NOWLIN DEV. CO. LLC



DRAWING NOT TO SCALE

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