

MEMORANDUM

DATE: September 15, 2015

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

September 22, 2015

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL

September 22, 2015

Time: 3:15 PM

City Council Chambers

Commissioners: **Tracy Tubbs**, *Chairman*; **Em Barran**, *Vice Chairman*; **Kent Lawrence**, *Secretary*; **Gary Borden**; **Chuck Ard**; **Frances Tate**; **Joseph Wynn**; **Nell Standridge**; **Eddie Pike**

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- August 18, 2015

3. PUBLIC HEARING

PAGE/MAP

ZONINGS AND REZONINGS

- | | |
|---|-------|
| A. Rezoning 1294-15
(West along Joe Davis Dr. and North of Minor Hill Rd.) | 1/4-9 |
|---|-------|

4. CONSENT AGENDA

CERTIFICATES

- | | | |
|------------|--|---------|
| A. 3285-15 | Certificate to Subdivide
(South of Miriam Pvt. Drive and west side of Harold Drive) | 1/10-11 |
| B. 3286-15 | Certificate to Consolidate & Subdivide
(North of NW Childers and west of Liberty Road) | 2/12-14 |

SITE PLAN REVIEW

- | | | |
|-----------|--|------------------|
| A. 531-15 | Alabama Public Health Care Authority
(North of Poole Valley Rd. SW and west side of Highway 31 South) | 2/15
see plat |
| B. 532-15 | Austin High School
(North of Modaus Rd. SW and east of Shady Grove Lane SW) | 6/16
see plat |

BOND REVIEW

- | | |
|--|------|
| A. The Farm and the Farm Add. No. 1
(South of Vestavia Drive SW and east of Spring Avenue SW) | 3/17 |
|--|------|

5. OTHER BUSINESS

ANNEXATION

- A. 348-15
(South of Gordon Terry Parkway and west of McEntire Lane)

3/18

**Minutes
Zoning Committee
September 15, 2015**

PUBLIC HEARING

ZONINGS AND REZONINGS

Rezoning 1294-15

Applicant: Agnes Grant

Zoning: AG1

Owner: Same

Acreage: .85

Request: To rezone an approximately .85 acre tract from AG1 (Agricultural) to RMH (single family manufactured housing) district

Location: West along Joe Davis Dr. and North of Minor Hill Rd.

Recomm: The Zoning Committee recommends approval. This is in conformance with the Comprehensive Plan.

END PUBLIC HEARING

**Minutes
Subdivision Committee
September 15, 2015**

CONSENT AGENDA

CERTIFICATES

3285-15 Certificate to Subdivide

Applicant: Debra Ledlow

Zoning: PJ – Outside Corp Limits

Owner: Same

Acreage: .82 acres

Request: Subdivide Lot 22 of Stone Hills Subdivision into two tracts of .48 acres and .34 acres

Location: South of Miriam Pvt. Drive and west side of Harold Drive

Conds: 1. Payment of recording fees

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

Recomm: Approval with stated condition.

3286-15 Certificate to Consolidate

Applicant: Roger & Dorothy Burcham
Owner: Same

Zoning: PJ – Outside Corp Limits
Acreage: 28.08 acres

Request: Consolidate five tracts and subdivide into two tracts of 15.48 acres and 12.6 acres

Location: North of NW Childers and west of Liberty Road

- Conds:
1. Provide and stamped and sealed survey for recording
 2. Payment of recording fees
 3. Amend survey to include State Plane coordinates, per Subdivision Regulations Section IX, Variances, amended September, 2014
 4. Dedicate 30' of ROW from the centerline of Liberty Rd. & Childers Rd.
 5. Provide dedication block for owner's signature
 6. Provide 20' easement (10' from centerline) for existing power line

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

Recomm: Approval with stated conditions.

SITE PLAN REVIEWS

531-15 Morgan Co. Health Dept.

Applicant: Alabama Department of Public Health
Owner: AL Public Health Care Authority

Zoning: B-6, Commercial Office
Acreage: 4.50 acres

Request: Site plan review for the construction of a new Morgan County Health Department

Location: North of Poole Valley Rd. SW and west side of Highway 31 South

- Conds:
1. Subject to ALDOT approval

Pt. of Info:

1. ***Any relocation of utilities will be at the owner's expense.***
2. ***Planning would like to see island dividers in back parking lot to break up parking expanse.***

Recomm: Approval with stated condition.

532-15 Austin High School

Applicant: Decatur Board of Education
Owner: Same

Zoning: ID - Institutional
Acreage:

Request: Site plan review for the construction of a new Austin High School

Location: North of Modaus Rd. SW and east of Shady Grove Lane SW

Conds: None

Pts. of Info:

- 1. Any relocation of utilities will be at the owner's expense.***
- 2. Planning Department and Subdivision Committee has concerns that improvements to the intersections and school entrances be completed in a timely manner to help facilitate the safety and flow of traffic.***

Recomm: Approval with stated conditions.

BOND REVIEW

The Farm and The Farm, Addition No. 1 (Sidewalks)

Applicant: David Peek, Jr.
Owner: Same

Zoning: R-5 & R-2
Acreage:

Request: The applicant is requesting that the bond be released for the construction of internal sidewalks, per amended Subdivision Regulations, Section VII.K.8. Applicant has built and put in the sidewalks required by the Planning Commission on the collector street, Bridle Path.

Location: South of Vestavia Drive SW and east of Spring Avenue SW

Conds: None

Recomm: Approval

END CONSENT AGENDA

OTHER BUSINESS

ANNEXATION REQUEST

348-15

Applicant: Melinda Terry
Owner: Same

Zoning: PJ – Outside Corp Limits
Acreage: 3.16 acres

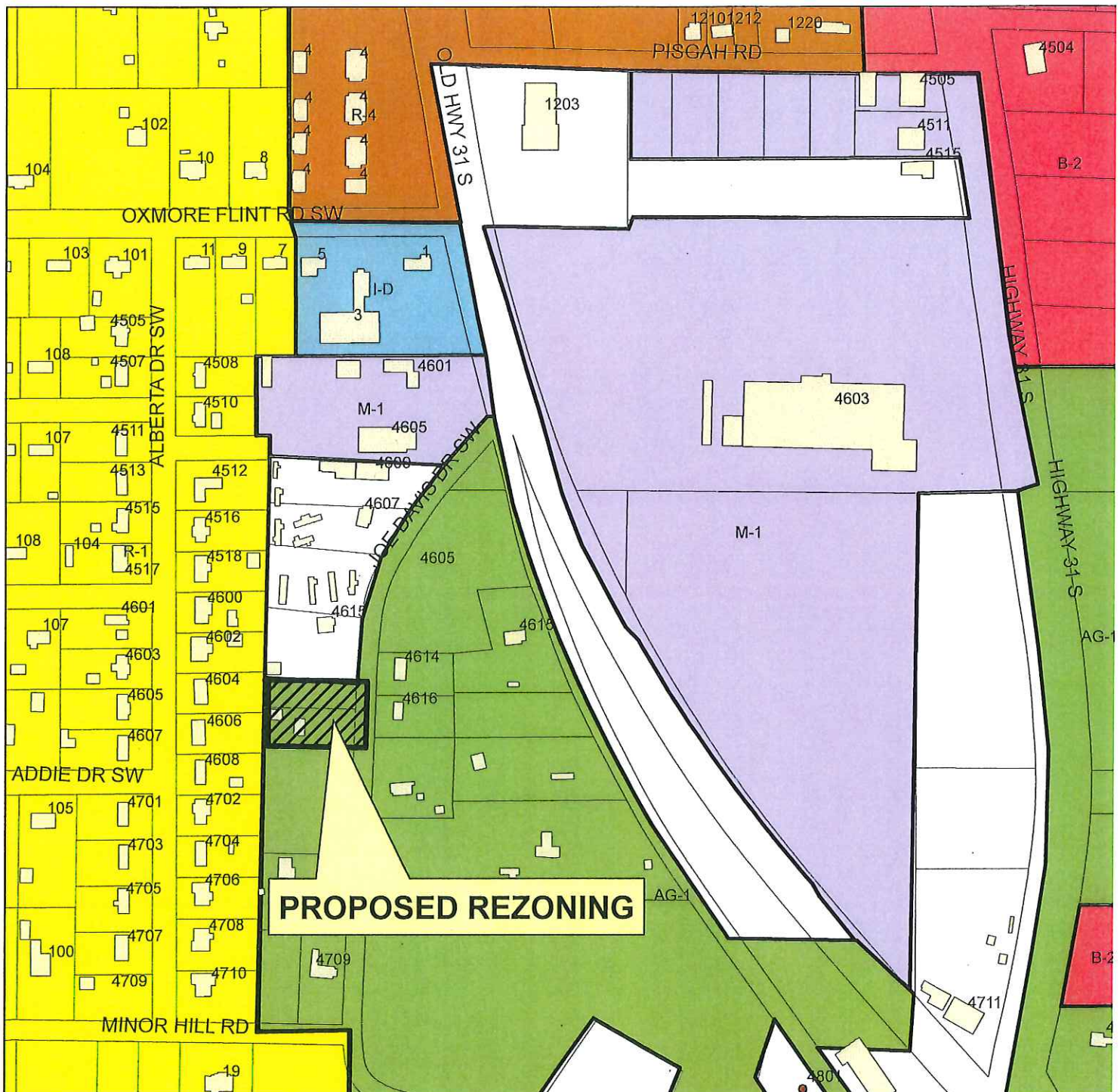
Request: Annex 3.16 acres into the corporate limits of the City of Decatur

Location: South of Gordon Terry Parkway and west of McEntire Lane

Conds: None

Recomm: Approval.

REZONING REQUEST NO. 1294-15 FROM AG-1 TO RMH .85 ACRES



LOCATION MAP

Legend

-  Buildings
-  Ownership

 **SUBJECT PROPERTY**

APPLICANT: AGNES GRANT

PROPERTY ZONED AG-1



DRAWING NOT TO SCALE

COMPARE AG1 TO RMH

SECTION	AG1	RMH
<p>USES PERMITTED</p>	<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>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>RMH ONLY</p> <p>There is hereby created an R-MH Residential District (single-family manufactured housing) for those areas so designated by this chapter and the zoning map of the city, which R-MH Districts shall allow single-family manufactured housing residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, and further subject to the following requirements and conditions:</p> <p>ALL R DISTRICTS</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>
<p>USES PERMITTED ON APPEAL</p>	<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 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</p>	<p>RMH ONLY</p> <p>ALL R DISTRICTS</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>

COMPARE AG1 TO RMH

SECTION	AG1	RMH
	<p>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>USES PROHIBITED</p>	<p>Uses prohibited: Residential, commercial and industrial uses not specifically permitted or permitted on appeal.</p>	<p>RMH ONLY Any use not permitted, or permitted on appeal, is prohibited</p> <p>ALL R DISTRICTS 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 lots and parking areas in connection with any of these uses, not specifically permitted.</p>
<p>GENERAL REQUIREMENTS</p>		<p>RMH ONLY (1)General requirements:</p> <ul style="list-style-type: none"> a. Each manufactured home shall be installed on its own lot. b. No manufactured home or lot within a R-MH District shall have vehicle access to an existing major thoroughfare (e.g. "collector street" or higher classified street) as defined by

COMPARE AG1 TO RMH

SECTION	AG1	RMH
		<p>the zoning ordinance or comprehensive plan, or a major thoroughfare as defined by future plans adopted by the planning commission of the city.</p> <ul style="list-style-type: none"> c. There shall be a minimum separation of thirteen (13) feet between structures on separate lots. d. All building setback lines shall be indicated on the preliminary and final plats. e. Perimeter setbacks: <ul style="list-style-type: none"> 1. Where R-MH lots adjoin (in any manner or configuration) a major thoroughfare (e.g. collector street or higher classification), then an additional twenty-foot setback shall be added to those setback requirements set forth hereinbelow and shall be measured from the lot line. f. A manufactured home installed on site, shall have a length not to exceed four (4) times its width, with the length measured along the longest axis and the width measured at the narrowest part of the other axis, with the minimum width not less than twenty-four (24) feet. This measurement shall only include the enclosed living area and shall not include garages, carports, decks or storage areas. g. All manufactured homes shall have and be attached to a permanent masonry underpinned foundation which extends from the ground to the bottom of the exterior wall and surrounds the entire dwelling, the underpinned foundation being either brick, block, rock, painted masonry painted the same color as the building, or other material approved by the building director. h. Each manufactured home shall be blocked and anchored in compliance with applicable law, rule or regulation. i. All towing devices, wheels, axles, hitches, and license plates shall be removed. j. All manufactured homes shall have permanent steps, porches or decks

COMPARE AG1 TO RMH

SECTION	AG1	RMH
		<p>on all outside doorways, the supports for which shall be permanently anchored in the ground.</p> <p>k. All manufactured homes shall have at least a nominal 3:12 roof pitch and the roof shall have a surface of wood shake shingles, asphalt composition shingles, fiberglass shingles or metal tiles.</p> <p>l. Manufactured homes shall be installed as provided in the rules of the Alabama Manufactured Housing Commission Administrative Procedures Code.</p> <p>ALL R DISTRICTS</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.</p> <p>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>
MINIMUM LOT SIZE	Minimum lot size: Minimum required lot area 15,000 square feet, Minimum required lot width at building line – 100 feet	<p>RMH ONLY</p> <p>a. Minimum lot area: Five thousand (5,000) square feet.</p> <p>b. Maximum building area: None specified.</p> <p>c. Minimum lot width at building line: Fifty (50) feet.</p> <p>i. Maximum density: Seven (7) dwelling units per gross acre.</p> <p>ALL R DISTRICTS</p> <p>a. Minimum lot area: None specified.</p> <p>b. Maximum building area: None specified.</p>
MINIMUM YARD SIZE	Minimum yard size; 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.	<p>RMH ONLY</p> <p>Minimum front yard setback (see also perimeter setbacks): Twenty (20) feet.</p> <p>e. Minimum rear yard setback (see also perimeter setbacks): Twenty (20) feet.</p> <p>f. Minimum side yard setback (see also</p>





COMPARE AG1 TO RMH

SECTION	AG1	RMH
		<p>perimeter setbacks): Five (5) feet one side, eight (8) feet the other.</p> <p>ALL R DISTRICTS</p> <p>c. Minimum front yard setback:</p> <ol style="list-style-type: none"> Public and semi-public structures: Thirty-five (35) feet. <p>d. Minimum rear yard setback:</p> <ol style="list-style-type: none"> Public and semi-public structures: Thirty-five (35) feet. Accessory structures: Five (5) feet. <p>e. Minimum side yard setbacks:</p> <ol style="list-style-type: none"> Public and semi-public structures: Thirty-five (35) feet. Accessory structures: Five (5) feet.
MAXIMUM BUILDING AREA		<p>RMH ONLY</p> <p>None given</p> <p>ALL R DISTRICTS</p> <p>None Given</p>
MAXIMUM HEIGHT	Maximum height: 35 feet or 2 ½ stories.	<p>RMH ONLY</p> <p>g. Maximum building height: Thirty-five (35) feet.</p> <p>ALL R DISTRICTS</p>
OFF STREET PARKING	Off-street parking; See § 25-16	<p>RMH ONLY</p> <p>h. Off-street parking: Two (2) spaces per dwelling unit.</p> <p>ALL R DISTRICTS</p>
OFF STREET LOADING AND UNLOADING	Off-street loading and unloading Shall provide adequate space for loading and unloading on rear and/or side yard.	<p>RMH ONLY</p> <p>ALL R DISTRICTS</p>

CERTIFICATE TO SUBDIVIDE NO. 3285-15



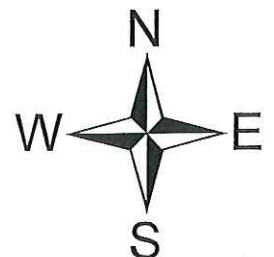
Legend

-  Buildings
-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

LOCATION MAP

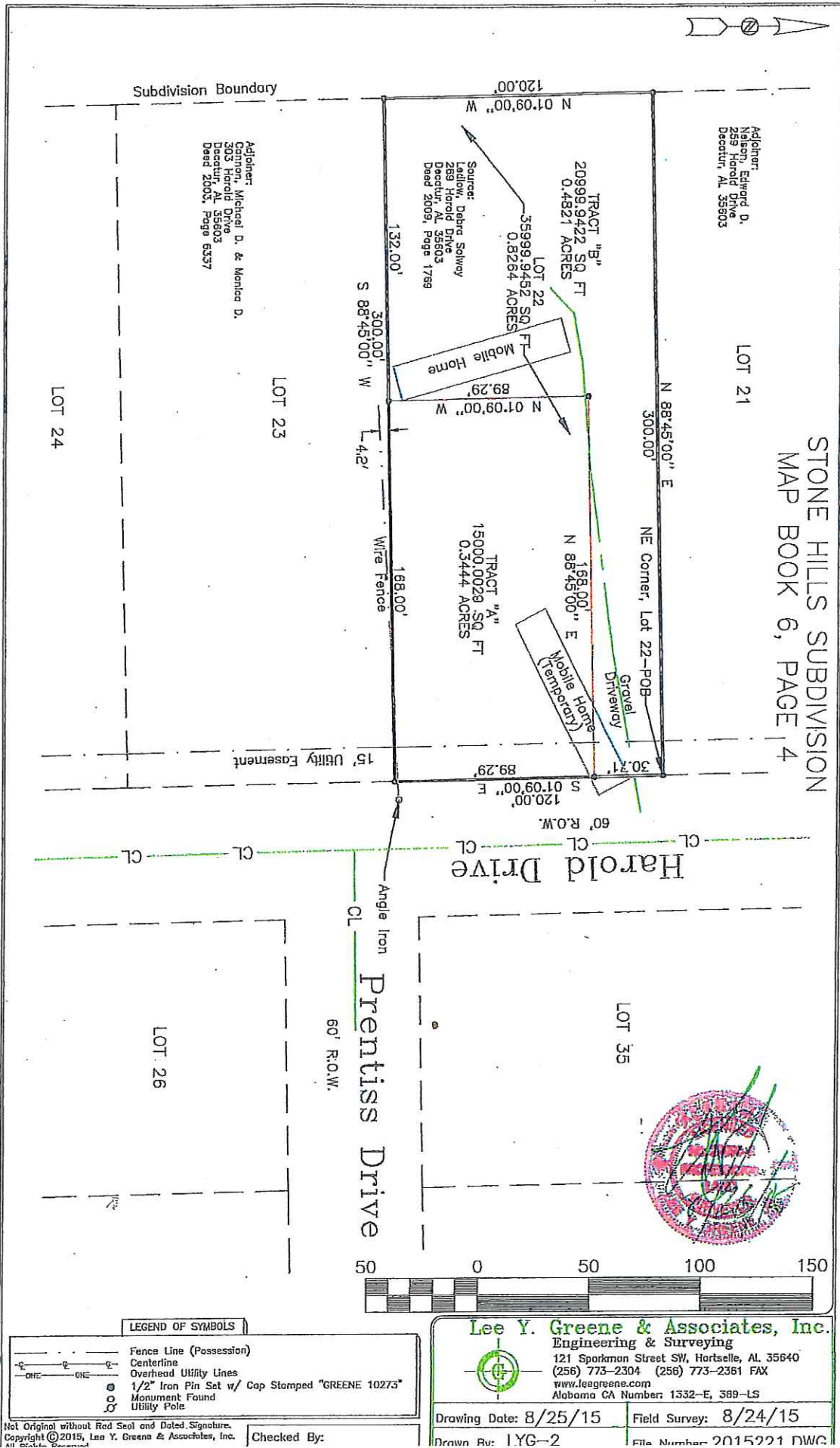
APPLICANT: DEBRA LEDLOW

PROPERTY PJ ONLY

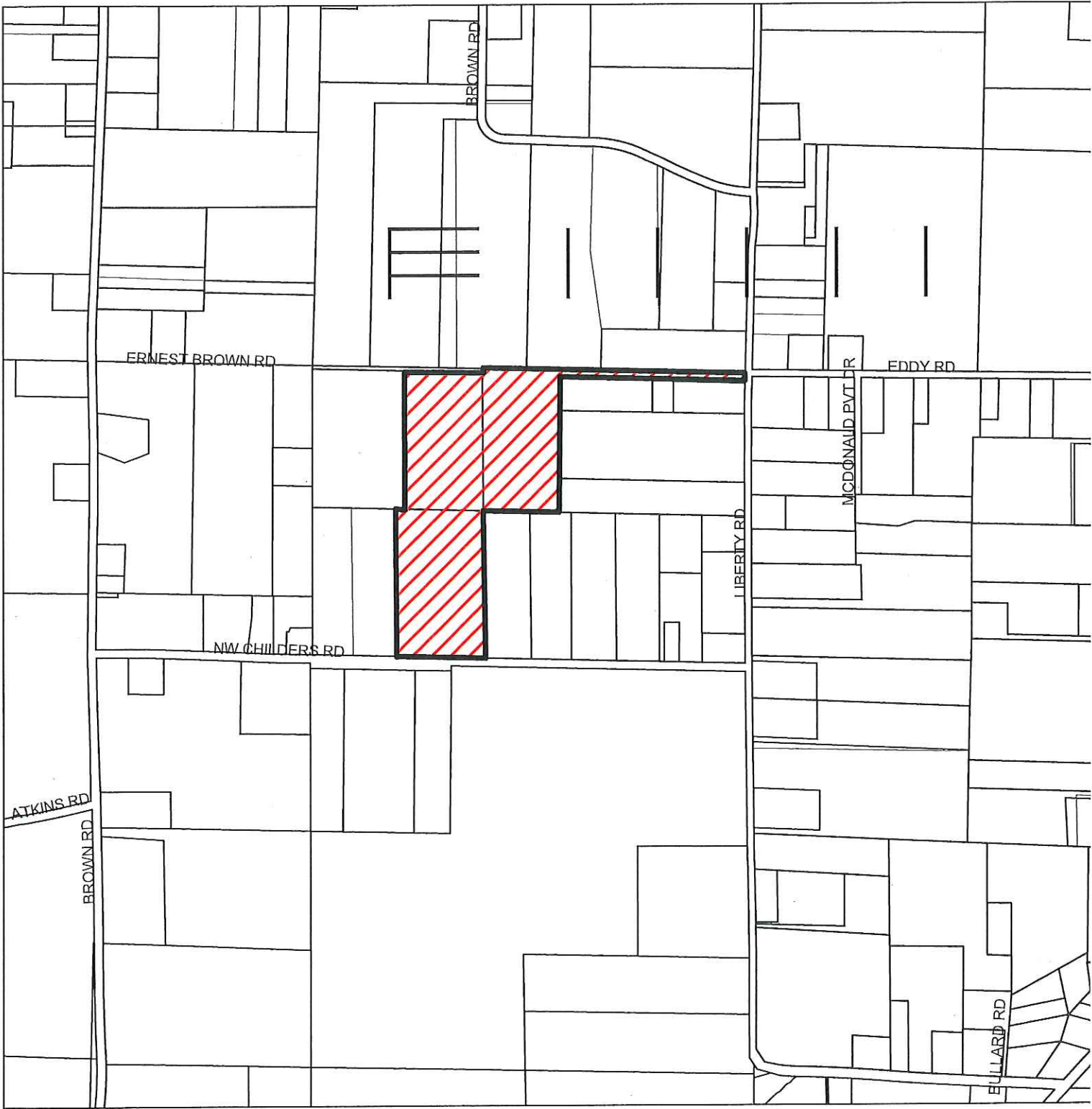


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



CERTIFICATE TO SUBDIVIDE . 3285-15



CERTIFICATE TO CONSOLIDATE AND SUBDIVIDE NO. 3286-15



Legend

-  Buildings
-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

LOCATION MAP

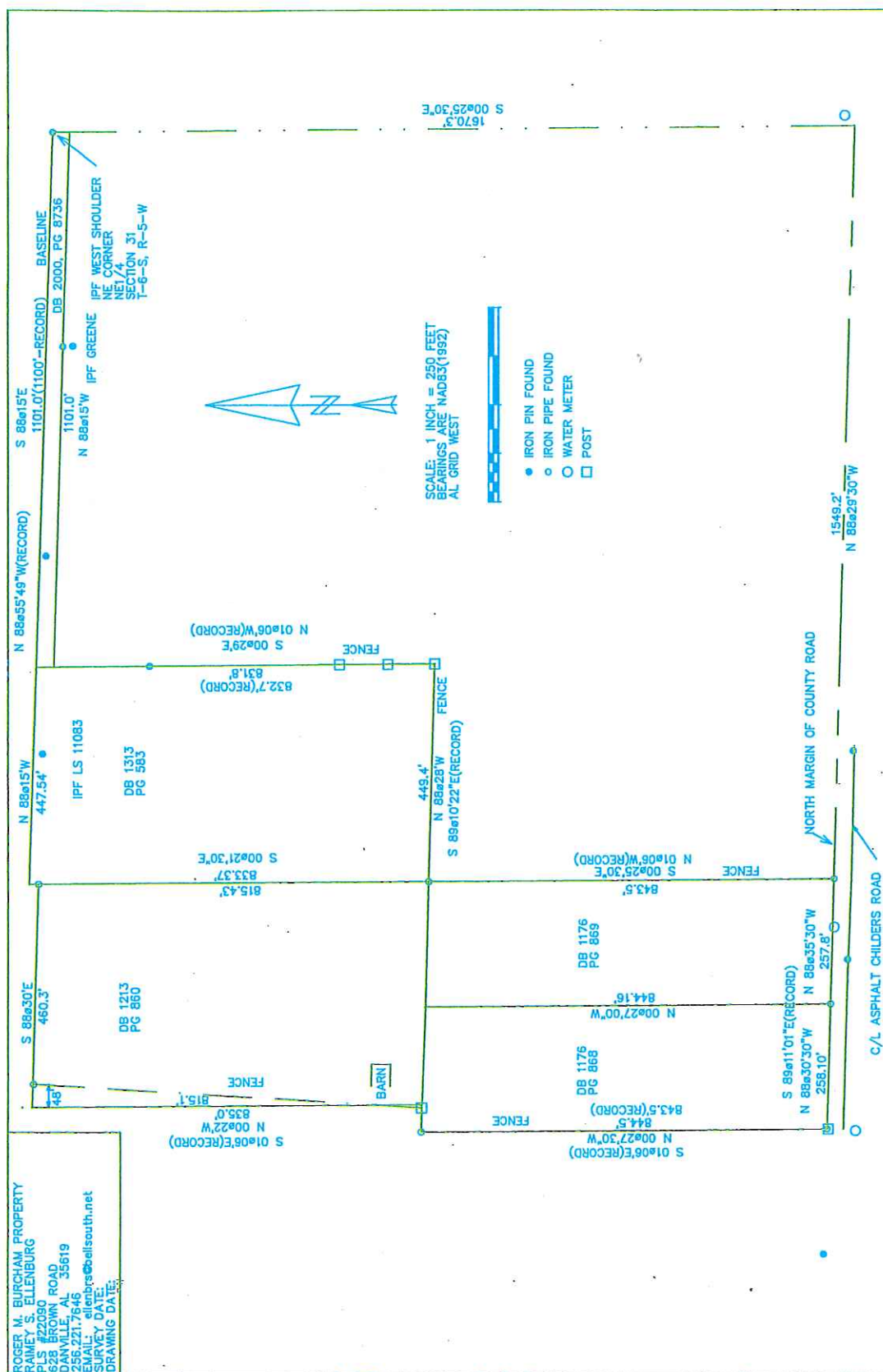
APPLICANT: ROGER AND DOROTHY BURCHAM

PROPERTY PJ ONLY



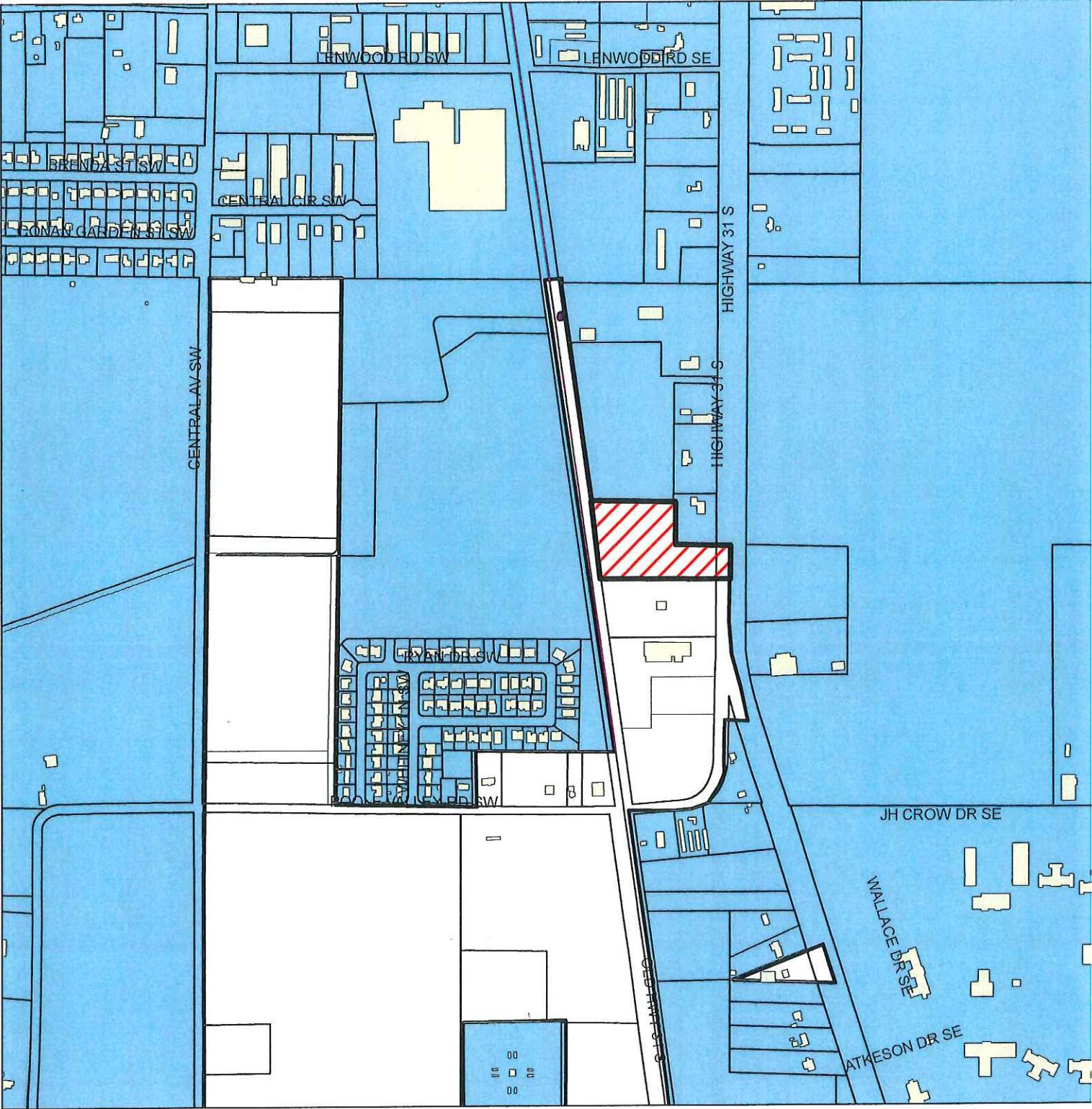
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CERTIFICATE TO CONSOLIDATE AND SUBDIVIDE . 3286-15






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SITE PLAN NO. 531-15



Legend

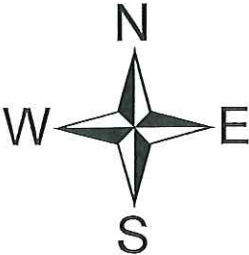
-  Buildings
-  Ownership
-  Corporate Limits

 **SUBJECT PROPERTY**

LOCATION MAP

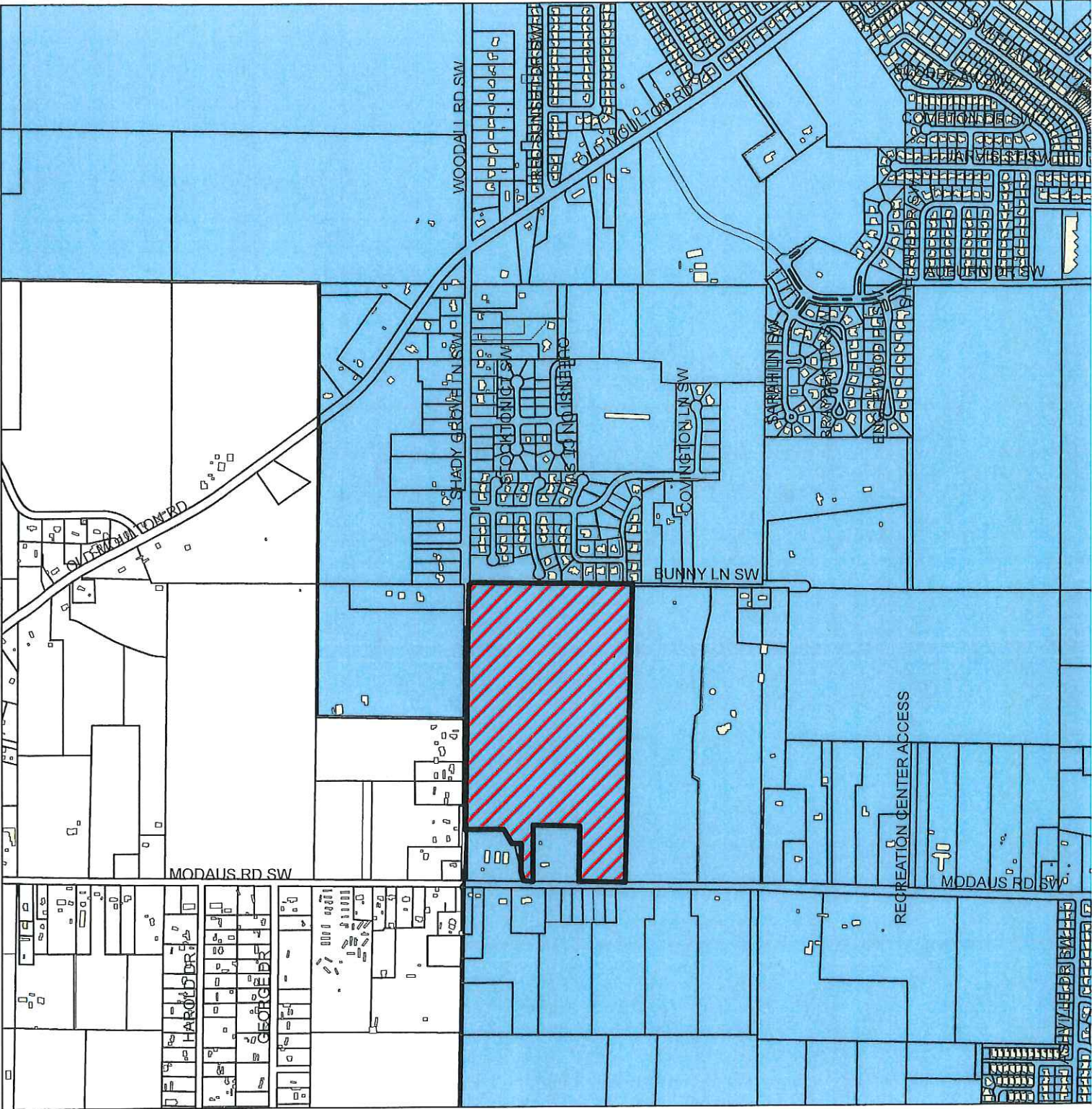
**APPLICANT: ALABAMA PUBLIC
HEALTH CARE AUTHORITY**

PROPERTY ZONED B-6







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SITE PLAN NO. 532-15



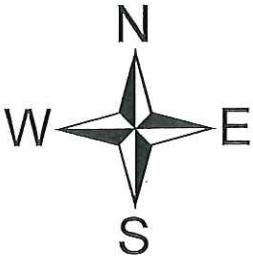
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-  Buildings
-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

LOCATION MAP

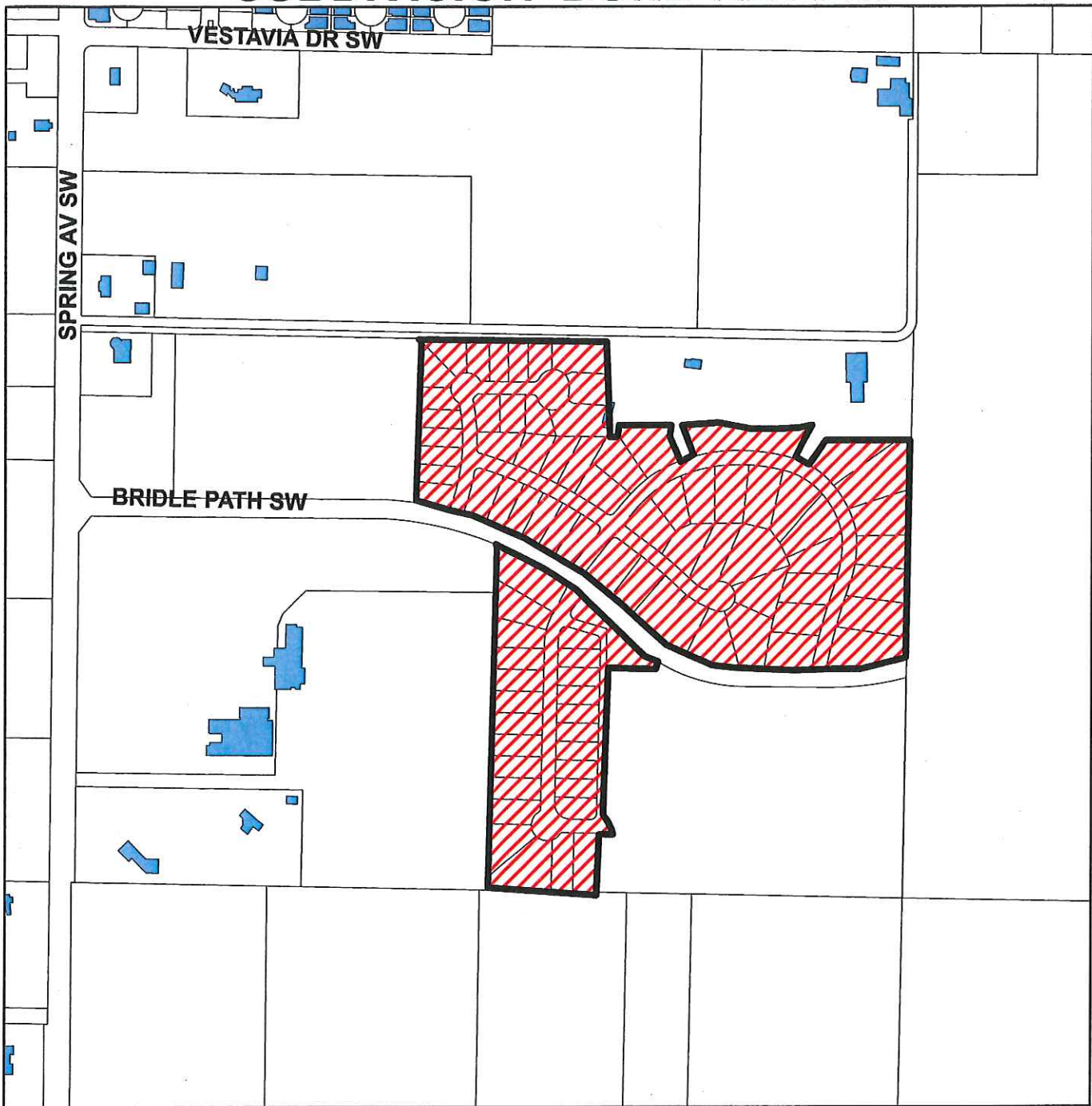
**APPLICANT: DECATUR CITY
BD. OF EDUCATION**

PROPERTY ZONED I-D



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THE FARM AND THE FARM ADD. NO. 1 SUBDIVISION BOND REVIEW



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT



Legend



bldg



SUBJECT PROPERTY

APPLICANT : DAVID PEEK

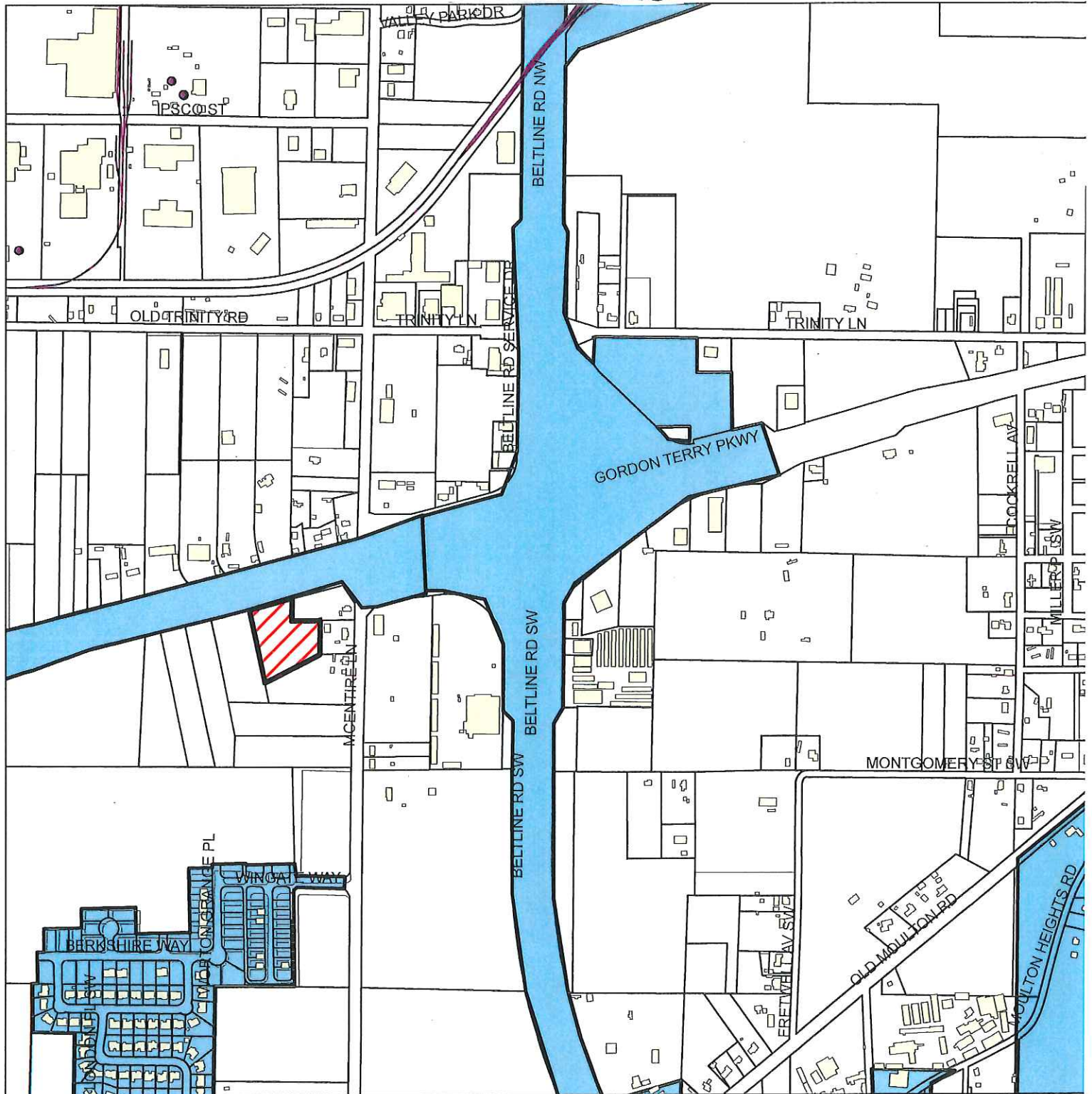
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Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. This map is provided without warranty of any kind, either expressed or implied.





PROPERTY ZONED R-5 AND R-2

ANNEXATION REQUEST NO. 348-15

3.16 ACRES



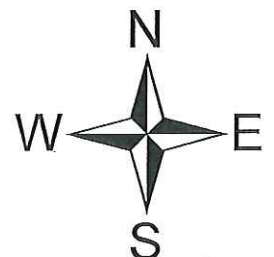
Legend

-  Buildings
-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

LOCATION MAP

APPLICANT: MELINDA TERRY

PROPERTY PJ ONLY



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