

MEMORANDUM

DATE: April 13, 2016

TO: Planning Commissioners

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

PLANNING COMMISSION MEETING

April 19, 2016

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL

April 19, 2016

Time: 3:15 PM

City Council Chambers

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

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- March 22, 2016

3. PUBLIC HEARING

PAGE/MAP

REZONING

A. 1300-16

(North of Tammy Street on both sides of Fairmont Av. SW)

1/6-11

4. CONSENT AGENDA

CERTIFICATES

A. 3308-16

Certificate to Subdivide

(North of Wilson St. NW and west of Island Way NW)

2/12-13

B. 3309-16

Certificate to Subdivide

(South of Old Moulton Rd. SW and east of Shady Grove Lane SW)

2/14-15

C. 3310-16

Certificate to Subdivide

(South of Bird Springs Rd. and west of Norris Mill Rd.)

2/16-18

C. 3311-16

Certificate to Subdivide

(North of Vaughan Bridge Road and east of Danville Rd.)

3/19-20

PLAT REVIEWs

A. Woodtrail Estates, Add. #2

(South of Chapel Hill Rd. SW and west of Danville Rd. SW)

3/21

see plat

B. Replat of Denver Place, Phase 2

(North of Tammy St SW and on the west & east side of Fairmont Ave SW)

4/22

see plat

ANNEXATIONS

A. 350-16

(North of Hwy 20 and east side of Red Hat Rd. NW)

4/23

BOND REVIEW

A. The Farm, Bridle Path

(South of Vestavia Dr. SW and east side of Spring Avenue SW)

4/24

Minutes
Zoning Committee
April 12, 2016

PUBLIC HEARING

Rezoning

1300-16

Applicant: Pugh Wright McAnally
Owner: Habitat for Humanity

Zoning: R4 ad R6
Acreage: 2.9 acres

Request: To rezone approximately 2.9 acres from R4 (multifamily) and R6 (townhouse) to R5 (patio homes)

Location: North of Tammy Street on both sides of Fairmont Av. SW

Recomm: The Committee and Department recommend approval. This rezoning is in conformance with the comprehensive plan and compatible with the adjoining properties.

Minutes
Subdivision Committee
April 12, 2016

CONSENT AGENDA

Certificates

3308-16 Certificate to Subdivide

Applicant: Pugh Wright McAnally
Owner: Decatur Hotels, LLC

Zoning: RD Redevelopment
Acreage: 2.32 acres

Request: Recognize a 2.32 acre tract of land, showing new easements, within the City of Decatur for the construction of a new hotel

Location: North of Wilson St. NW and west of Island Way NW

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

3309-16 Certificate to Subdivide

Applicant: Ricky Wilhite
Owner: Vernon Lane

Zoning: R-5, AG-1 & ID
Acreage: 19.00 acres

Request: Subdivide a 19 acre tract into two tracts of 16.67 acres and 2.33 acres

Location: South of Old Moulton Rd. SW and east of Shady Grove Lane SW

Conds: 1. Payment of recording fees
2. Amend survey to show four State Plane Coordinates based on the NAD 1983, Alabama West Zone
3. Amend survey to show the existing easements on both sides of the Auburn Drive ROW

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

Recomm: Approval with stated conditions

3310-16 Certificate to Subdivide

Applicant: Pugh Wright McAnally
Owner: John White

Zoning: Outside Corp Limits
Acreage: 9.13 acres

Request: Subdivide 9.13 acres into two tracts of 5.49 acres and 3.64 acres

Location: South of Bird Springs Rd. and west of Norris Mill Rd.

- Conds:
1. Payment of recording fees
 2. Provide a stamped and sealed survey for recording
 3. Label Bird Springs Road ROW
 4. Reconfigure lots to keep Honeysuckle Private Drive on one tract (County Engr.)
 5. Dedicate 30' easement (15' either side) for existing primary power line (Joe Wheeler)
 6. Dedicate 10' easement for existing service line (5' either side) – (Joe Wheeler)

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

Recomm: Approval with stated conditions

3311-16 Certificate to Subdivide

Applicant: Raimey Ellenberg
Owner: Robert Long

Zoning: Outside Corp Limits
Acreage: 8.64 acres

Request: Subdivide 8.64 acres into two tracts of 5.5 acres and 3.14 acres

Location: North of Vaughan Bridge Road and east of Danville Rd.

- Conds:
1. Payment of recording fees
 2. Provide a stamped and sealed survey for recording
 3. Provide signed letter from applicant requesting subdivision
 4. Provide copy of deed showing ownership of property
 5. Amend survey to show four State Plane Coordinates based on the NAD 1983, Alabama West Zone
 6. Show both property owner names on Certificate
 7. Amend legal descriptions to match survey
 8. Amend survey to show property line at the ROW – change legal description to reflect
 9. Dedicate 40' easement (20' either side of the centerline) along the south side of the property – outside of the road ROW

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

Recomm: Approval with stated conditions

Plat Reviews

Woodtrail Estates, Addition No. 2

Applicant: H.M. Nowlin/Jeff Parker
Owner: Same

Zoning: AG-1, Agricultural
Acreage: 11.11 acres

Request: Final plat approval for an 11.11 acre tract to be subdivided into nine 1+ acre lots

Location: South of Chapel Hill Rd. SW and west of Danville Rd. SW

- Conds:
1. Payment for notification of adjacent property owners - \$18.33
 2. Add a Joe Wheeler dedication block to the final plat
 3. Provide a Title Opinion by a licensed Attorney from the State of Alabama
 4. Payment of \$21.00 for plat recording fee
 5. Provide "as built" construction drawings
 6. Amend survey plat to show four State Plane Coordinates based on the NAD 1983,

Alabama West Zone

7. Revise setbacks on the plat – should be 45' setback

Pt. of Info:

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

(2) Any future development will require a master plan showing access before the next phase of the subdivision.

Recomm: Approval with the stated conditions

Replat of Denver Place, Phase 2

Applicant: Pugh Wright McAnally
Owner: Habitat for Humanity

Zoning: R-4 and R-6
Acreage: 3.54 acres

Request: Layout approval to subdivide 3.54 acres into 12 R-5, patio home lots

Location: North of Tammy Street SW and one the west and east side of Fairmont Avenue SW

Conds: 1. Completion of Rezoning Request 1300-16

Pt of Info:

All public improvements, except sidewalks, shall be completed within 2 years from recording of the final plat or 1 year from the issuance of the first Certificate of Occupancy – whichever comes first.

Recomm: Approval with stated condition.

Annexation Request

350-16

Applicant: John Eyster, Jr.
Owner: Same

Zoning: Outside Corp Limits
Acreage: 17.28 acres

Request: Annex 17.28 acres into the corporate limits of the City of Decatur

Location: North of Hwy 20 and east side of Red Hat Rd. NW

Conds: None

Recomm: Approval

Bond Review

Applicant: David Peek, Jr.
Owner: Same

Zoning: R-2 and R-5
Acreage:

Request: Bond review for the completion and extension of collector Bridle Path

Location: South of Vestavia Dr. SW and east side of Spring Avenue SW

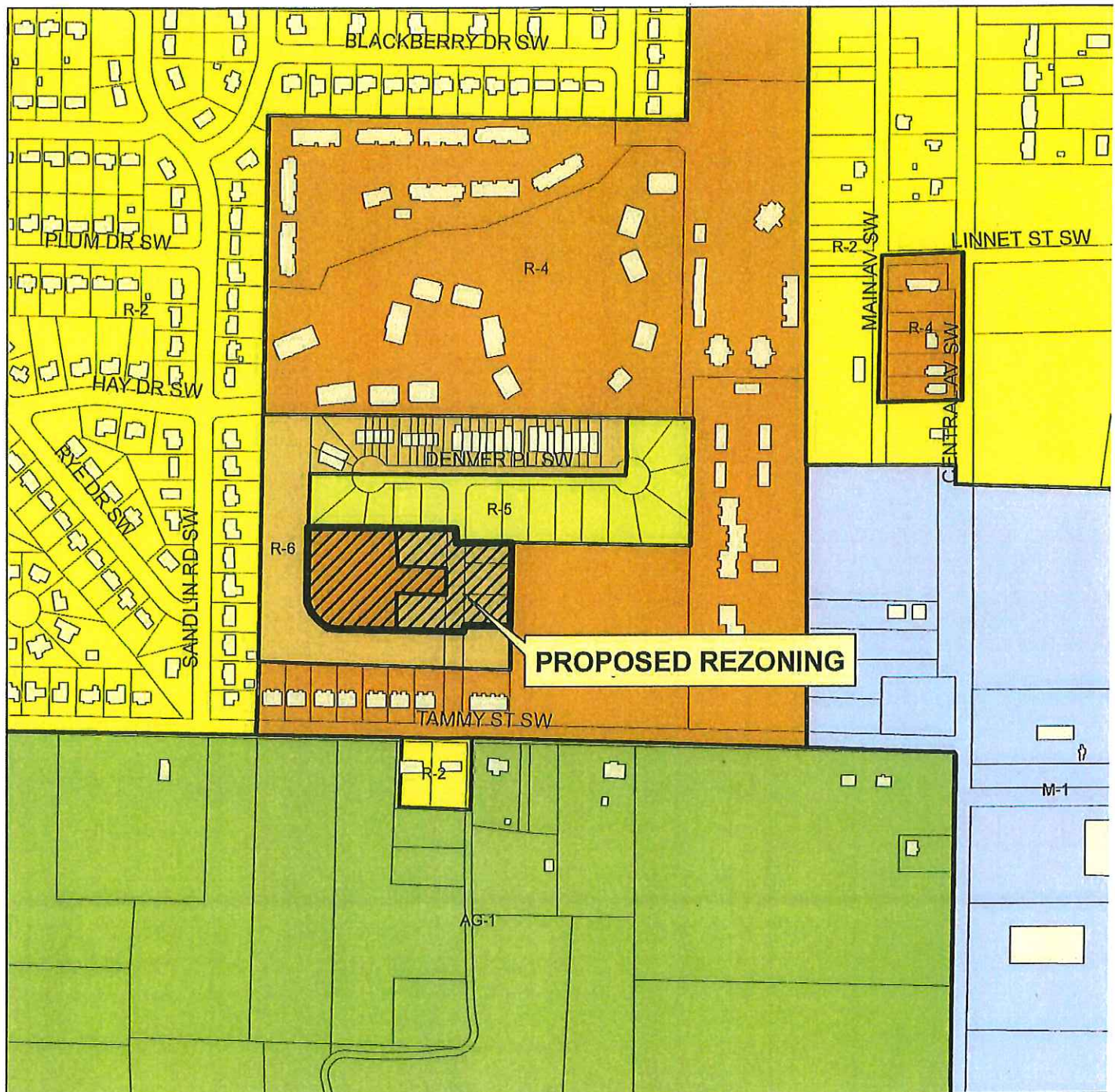
Conds: None

Recomm: The Subdivision Committee recommends that the LOC be extended until such time as build out requires the extension of the Bridle Path collector.

END CONSENT AGENDA

REZONING REQUEST NO. 1300-16

FROM R-4 AND R-6 TO R-5 2.9 ACRES



Legend

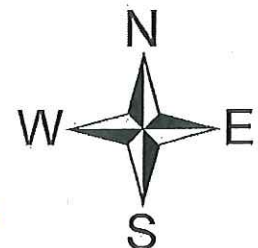
- Buildings
- Ownership

SUBJECT PROPERTY

LOCATION MAP

**APPLICANT: HABITAT FOR HUMANITY
OF MORGAN COUNTY**

PROPERTY ZONED R-4 AND R-6



DRAWING NOT TO SCALE

COMPARE R4, R6, ALL RESIDENTIAL DISTRICTS AND R5 (NEW PROPOSED ZONE)

SECTION	R4	R6	ALL RESIDENTIAL ZONES	R5 NEW ZONE
USES PERMITTED	Dwellings and apartments for any number of families.	single-family semi-attached residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, except that accessory structure side yard setback requirements shall be the same as required in section 25-10.2(2)(D) for the main structure, and the rear yard setbacks would remain at the minimum of five (5) feet for accessory structures, and further subject to the following requirements and conditions:	Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.	single-family patio home 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:
USES PERMITTED ON APPEAL	SAME AS FOR ALL RESIDENTIAL ZONES AND Clubs, not conducted for profit; rooming and boarding houses	SAME AS FOR ALL RESIDENTIAL ZONES	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	SAME AS FOR ALL RESIDENTIAL ZONES

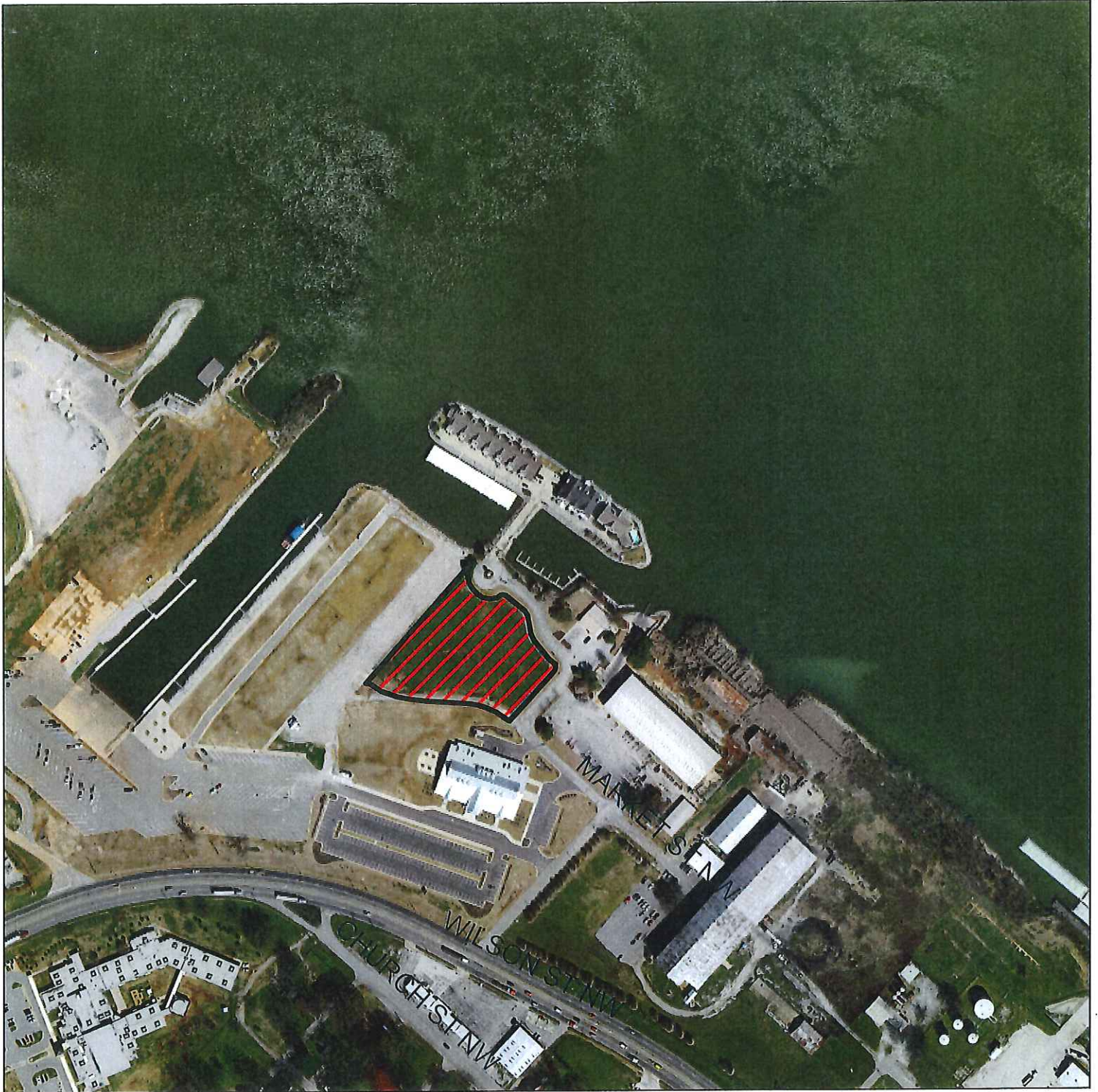
SECTION	R4	R6	ALL RESIDENTIAL ZONES	R5 NEW ZONE
			alcoholic beverage by clubs SAME AS FOR ALL RESIDENTIAL ZONES meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.	
USES PROHIBITED	SAME AS FOR ALL RESIDENTIAL ZONES	SAME AS FOR ALL RESIDENTIAL ZONES	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	SAME AS FOR ALL RESIDENTIAL ZONES

SECTION	R4	R6	ALL RESIDENTIAL ZONES	R5 NEW ZONE
			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.	
GENERAL	<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</p>	<p>(A) Single-family semi-attached dwellings shall not form long, unbroken lines of row housing. No more than eight (8) contiguous units shall be allowed.</p> <p>(B) Each single-family semi-attached dwelling unit shall be constructed on its own lot.</p> <p>(C) No unit located in an R-6 District shall be located closer than twenty (20) feet to a dedicated exterior street or exterior lot line on the perimeter of one district.</p>	<p>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>a. Each dwelling unit shall be constructed on its own lot.</p> <p>b. No dwelling or lot within a R-5 District shall have vehicle access to an existing major thoroughfare (e.g., "collector street" or higher classified street) as defined by the zoning ordinance or comprehensive plan, or a major thoroughfare as defined by future plans adopted by the planning commission of the city.</p> <p>c. There shall be a minimum separation of</p>

SECTION	R4	R6	ALL RESIDENTIAL ZONES	R5 NEW ZONE
	the district in which it is located.	(D) Maximum density (exclusive of public ROW) shall not exceed twelve (12) dwelling units per acre per development. (E) No unit within an R-6 District shall have direct access to an existing major thoroughfare as defined by the zoning ordinance or comprehensive plan; or a major thoroughfare as shall be defined by future plans adopted by the planning commission of the City of Decatur.		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: 1. Reserved. 2. Where R-5 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 in subsections (2)(d) through (2)(f), of this section and shall be measured from the lot line.
MINIMUM LOT AREA	Seven thousand (7,000) square feet, and for each additional family unit add two thousand (2,000) square feet.	2,000 square feet	None specified.	Five thousand (5,000) square feet
MAXIMUM BUILDING AREA	None specified	20 feet	None specified.	None specified
MINIMUM LOT WIDTH AT BUILDING LINE	Fifty (50) feet for a one- or two-family dwelling plus five (5) additional feet for			Forty (40) feet

SECTION	R4	R6	ALL RESIDENTIAL ZONES	R5 NEW ZONE
	each additional family unit			
MINIMUM FRONT YARD SETBACK	Twenty-five (25) feet	25 feet.	Public and semi-public structures: Thirty-five (35) feet.	Twenty (20) feet
MINIMUM REAR YARD SETBACK	Thirty (30) feet	20 feet	1. Public and semi-public structures: Thirty-five (35) feet. 2. Accessory structures: Five (5) feet.	Twenty (20) feet
MINIMUM SIDE YARD SETBACK	One side eight (8) feet and the other side six (6) feet	Applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).	1. Public and semi-public structures: Thirty-five (35) feet. 2. Accessory structures: Five (5) feet.	(1)e: Five (5) feet one side, eight (8) feet the other.
MAXIMUM BUILDING HEIGHT	Thirty-five (35) feet	35 feet	Forty-five (45) feet.	Thirty-five (35) feet
MAXIMUM HEIGHT IN STORIES	Two and one half (2½)	2½	Three (3)	
OFF-STREET PARKING SPACES PER UNIT	2 PER UNIT	2		Two (2) spaces per dwelling unit
MAXIMUM DENSITY				Seven (7) dwelling units per gross acre

CERTIFICATE TO SUBDIVIDE NO. 3308-16



LOCATION MAP

Legend



Buildings



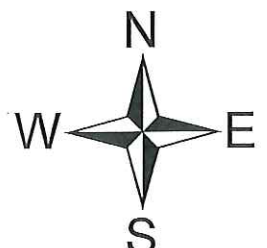
Corporate Limits



SUBJECT PROPERTY

APPLICANT: DECATUR HOTELS 1, LLC

PROPERTY ZONED RD



DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3308-16

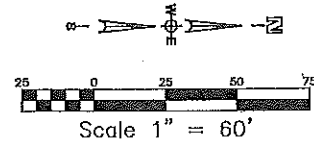


310 8TH AVENUE NE | DECATUR, ALABAMA 35601 | POST OFFICE BOX 2419 | 35602

256.353.3937P 256.350.2285F

GENERAL NOTES

1. NORTH REFERENCE IS BASE BEARING FROM DEED 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:
DB 2003, PG 5776; DB 1309, PG 730; DB 2007, PG 13632; DB 1522, PG 495
4. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
5. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
6. 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.



STATE OF ALABAMA }
MORGAN COUNTY }

I, RICHARD W HUMPHREY, A
LICENSED PROFESSIONAL SURVEYOR WITH
PUGH WRIGHT MCANALLY, INC. OF
DECATUR, ALABAMA HEREBY STATE THAT
ALL PARTS OF THIS SURVEY AND
DRAWING HAVE BEEN COMPLETED IN
ACCORDANCE WITH THE CURRENT
REQUIREMENTS OF THE STANDARDS OF
PRACTICE FOR SURVEYING IN THE STATE
OF ALABAMA TO THE BEST OF MY
KNOWLEDGE, INFORMATION, AND BELIEF,

ACCORDING TO MY SURVEY, THIS
THE 20TH DAY OF MARCH, 2016.

RICHARD W HUMPHREY/PLS
AL 602 No. 22738

SURVEYOR
RICHARD W. HUMPHREY

CITY OF DECATUR
DB 2003, PG 5776

CITY OF DECATUR
DB 2003, PG 5776

LINE	BEARING	DISTANCE
L1	S 50°07'09" E	125.10'
L2	N 66°44'24" W	116.01'
L3	N 47°21'12" W	38.81'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	67.54'	98.50'	39°17'19"	S 69°45'48" E	66.23'
C2	72.73'	101.50'	41°03'28"	S 68°52'44" E	71.19'
C3	137.84'	50.00'	157°57'13"	N 39°19'05" W	98.15'
C4	30.95'	25.00'	70°56'14"	N 82°49'35" W	29.01'
C5	38.61'	50.00'	44°14'45"	S 25°14'05" E	37.66'
C6	77.22'	100.00'	44°14'29"	N 25°13'57" W	75.31'
C7	32.20'	20.50'	89°59'44"	N 02°21'20" W	28.99'

28' WIDE PUBLIC INGRESS
EGRESS EASEMENT
DB 2016, PG 1193

UNIT ONE
2.32 AC±

PUBLIC UTILITY, DRAINAGE, AND
TELECOMMUNICATIONS EASEMENT
DB 2016, PG 1190

N:1682023
E:2121271

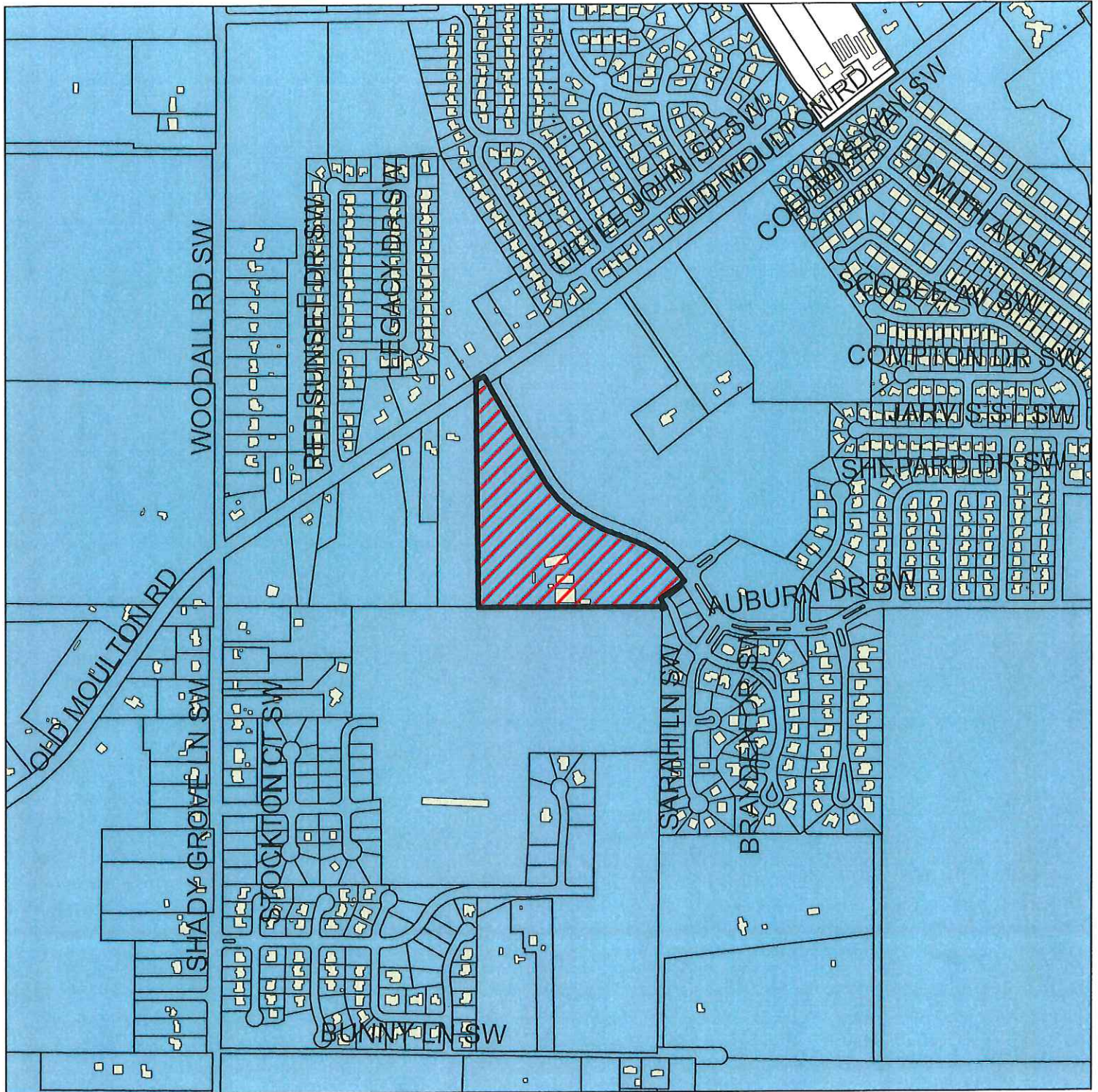
N:1682023
E:2121165

N:1682164
E:2121393





CERTIFICATE TO CONSOLIDATE --- DECATUR HOTELS I, LLC

DRAWING DATE: 03-30-16 DRAWN BY: RWH APPROVED BY: RWH JOB No. S-72-16 SCALE: 1"=60' PAGE - OF -

CERTIFICATE TO SUBDIVIDE NO. 3309-16



Legend

-  Ownership
 Buildings
 CorporateLimits
 ***SUBJECT***

LOCATION MAP

APPLICANT: VERNON LANE

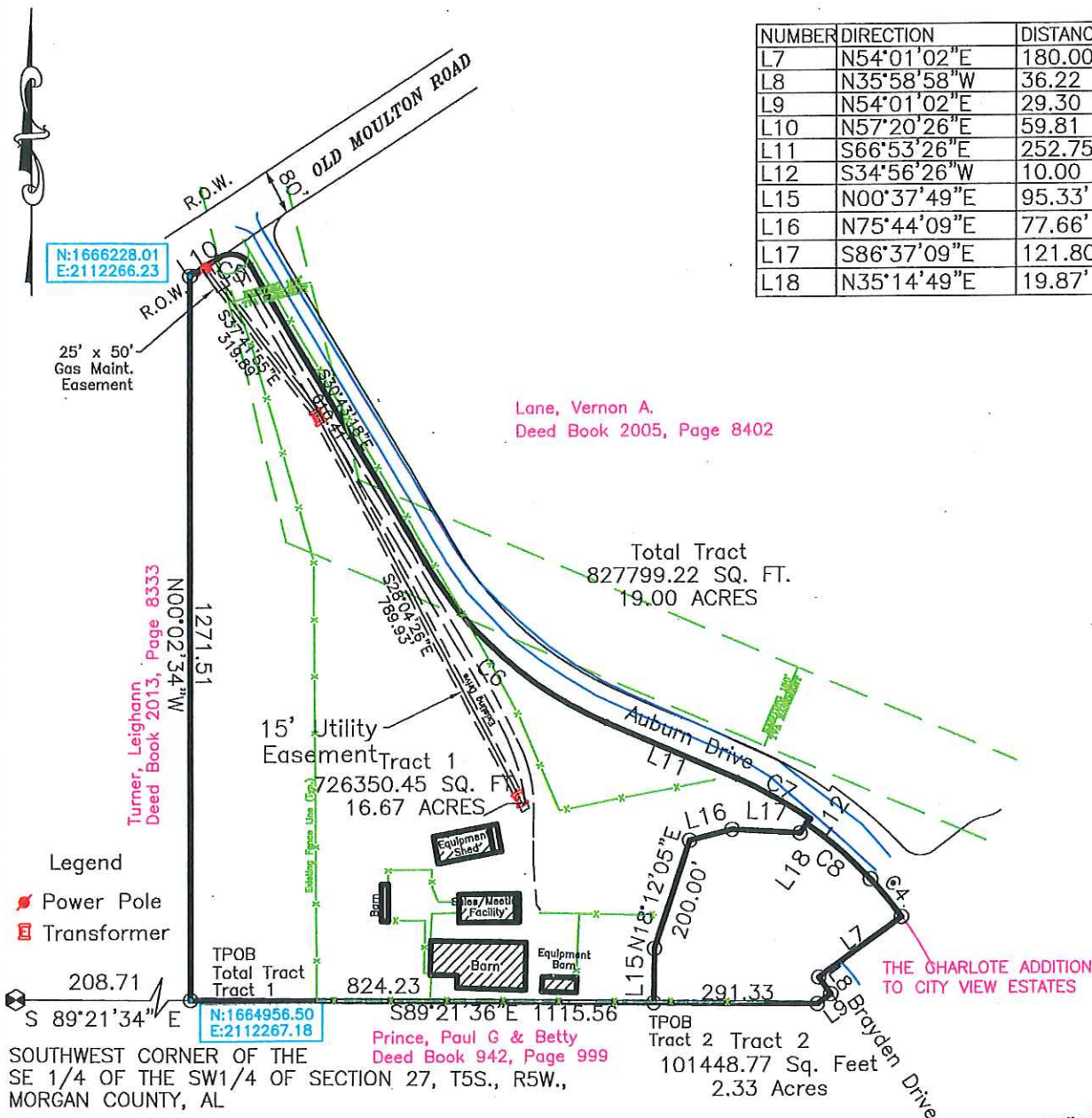
PROPERTY ZONED R-5, AG-1 AND I-D



DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3309-16

NUMBER	DIRECTION	DISTANCE
L7	N54°01'02"E	180.00
L8	N35°58'58"W	36.22
L9	N54°01'02"E	29.30
L10	N57°20'26"E	59.81
L11	S66°53'26"E	252.75
L12	S34°56'26"W	10.00
L15	N00°37'49"E	95.33'
L16	N75°44'09"E	77.66'
L17	S86°37'09"E	121.80'
L18	N35°14'49"E	19.87'



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C4	710.00	85.65	85.60	N39°26'20"W	06°54'44"
C5	40.00	64.18	57.52	S76°41'26"E	91°56'16"
C6	690.00	435.58	428.38	N48°48'22"W	36°10'08"
C7	720.00	148.61	148.34	S60°58'40"E	11°49'33"
C8	710.00	150.22	149.94	S49°00'13"E	12°07'22"

I hereby certify that I have consulted the FIRM (Flood Insurance Rate Map) prepared by the U.S. Department of Housing and Urban Development in cooperation with the Federal Administration, Community Panel N. 01103C0058 E, dated December 16, 2005 and found the above described property is located in a Floodway Zone "X". This determination has not been verified with field data, but from map overlays only.

I hereby state that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice for Land Surveying in the State of Alabama, this being to the best of my knowledge, information and beliefs. Copyrighted by Ricky J. Wilhite, no part of this drawing may be copied, added to, altered or reproduced by any means without the written permission of Ricky J. Wilhite.

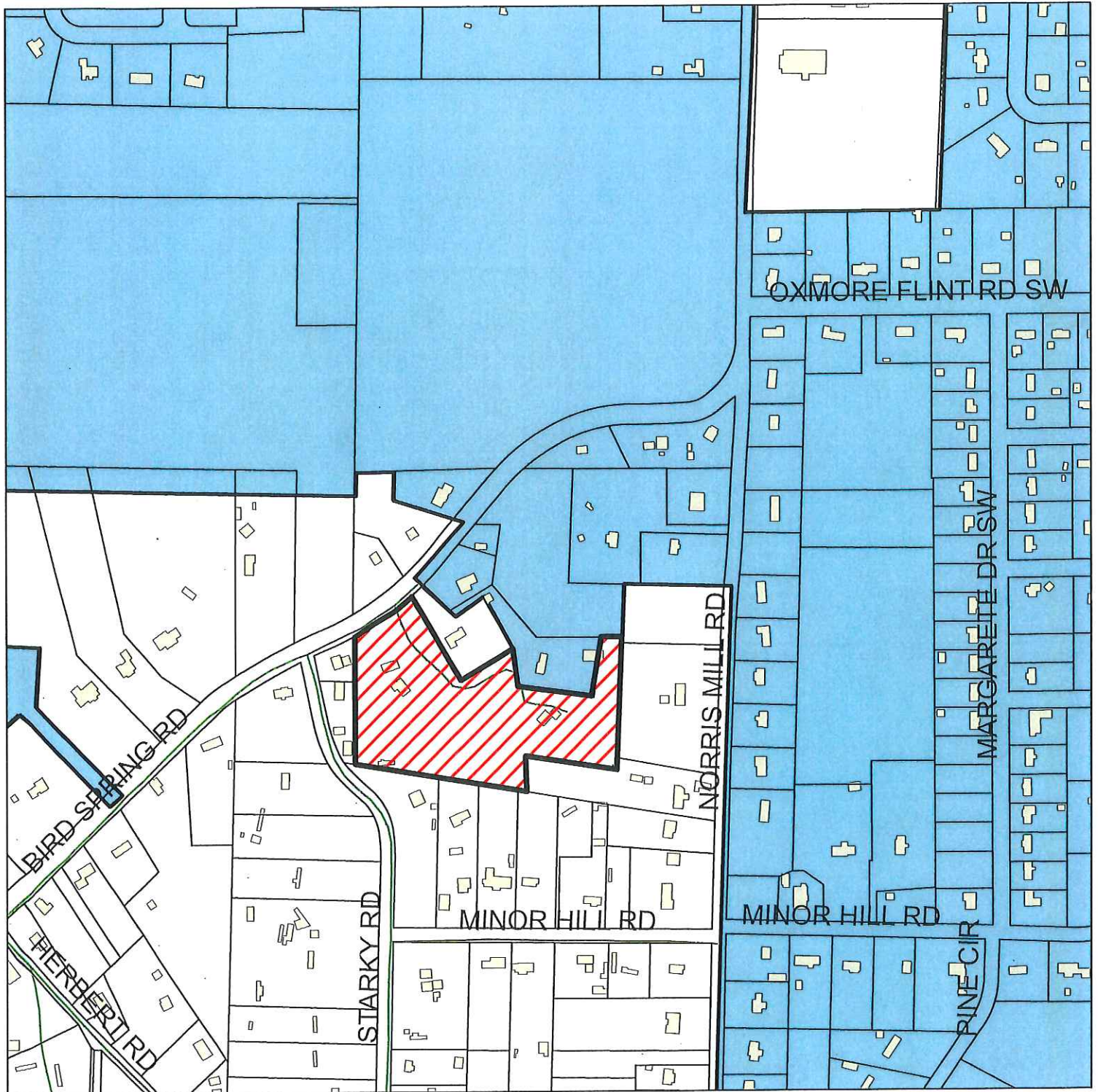


Ricky J. Wilhite, PLS
592 County Road 1286
Vinemont, AL 35179





PH: (256) 727-5944

TITLE			
Vernon Lane Certificate to Subdivide			
OWN RJW	SCALE 1"=300'	DATE 3-27-16	REV.
CHKD	SHEET		

CERTIFICATE TO SUBDIVIDE NO. 3310-16



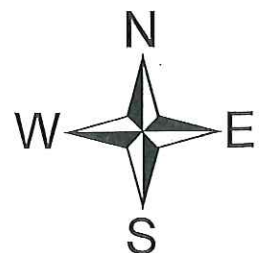
Legend

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

LOCATION MAP

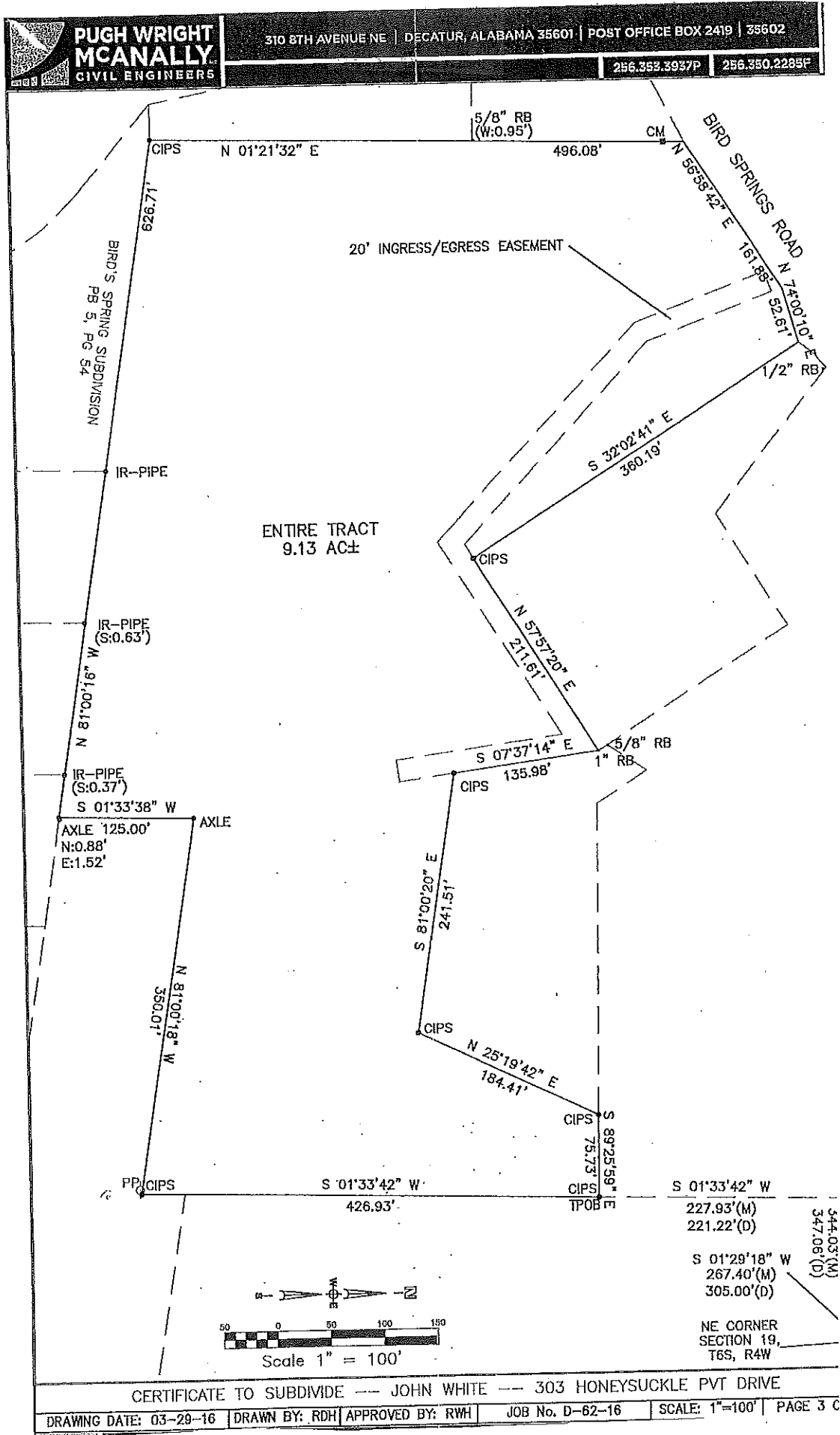
APPLICANT: JOHN T. WHITE

PROPERTY PJ ONLY



DRAWING NOT TO SCALE

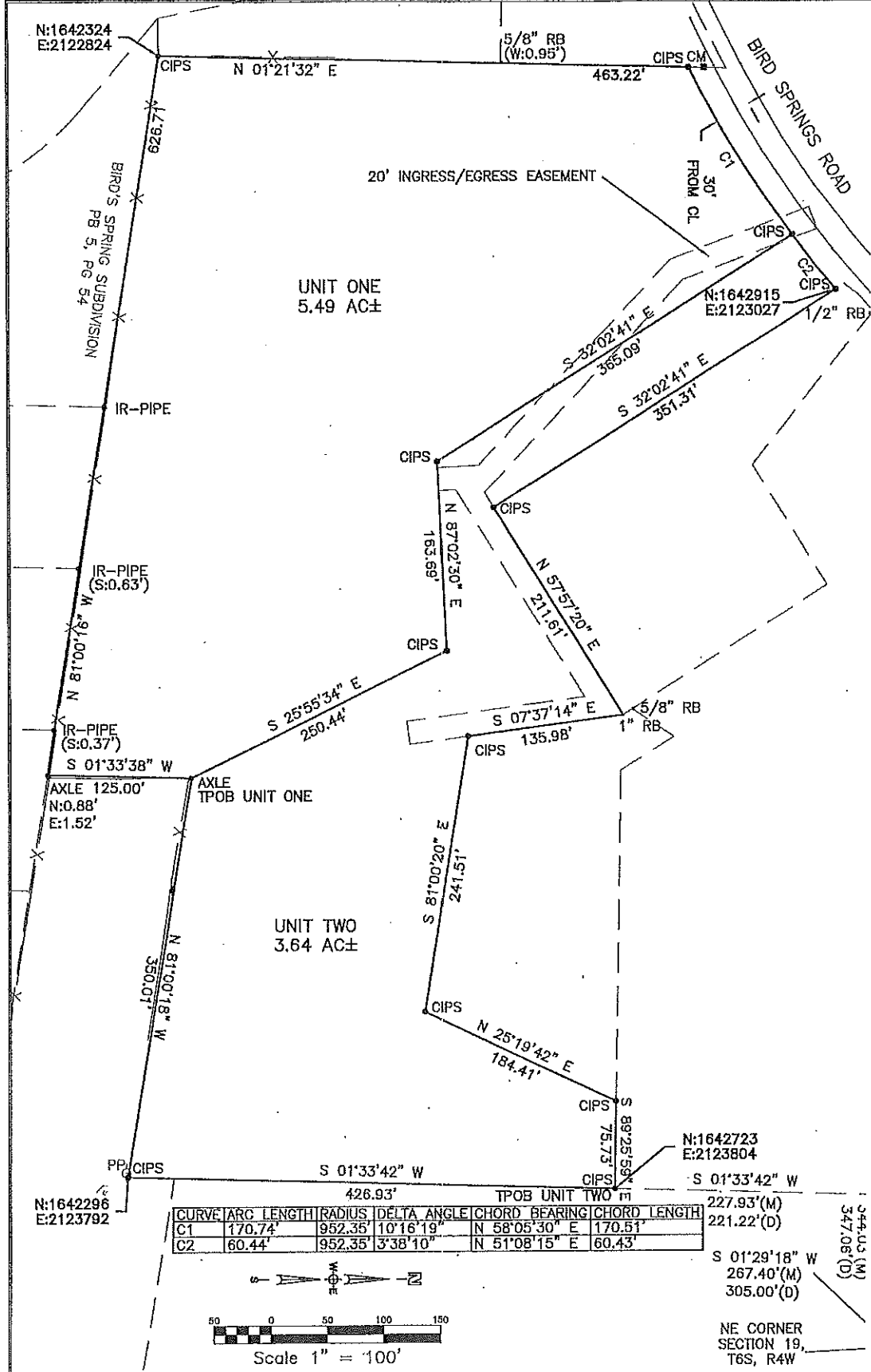
CERTIFICATE TO SUBDIVIDE NO. 3310-16



CERTIFICATE TO SUBDIVIDE NO. 3310-16

**PUGH WRIGHT
MCANALLY**
CIVIL ENGINEERS

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






CERTIFICATE TO SUBDIVIDE NO. 3311-16



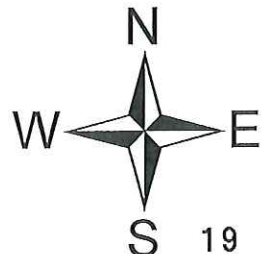
LOCATION MAP

Legend

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

APPLICANT: ROBERT MAURICE LONG

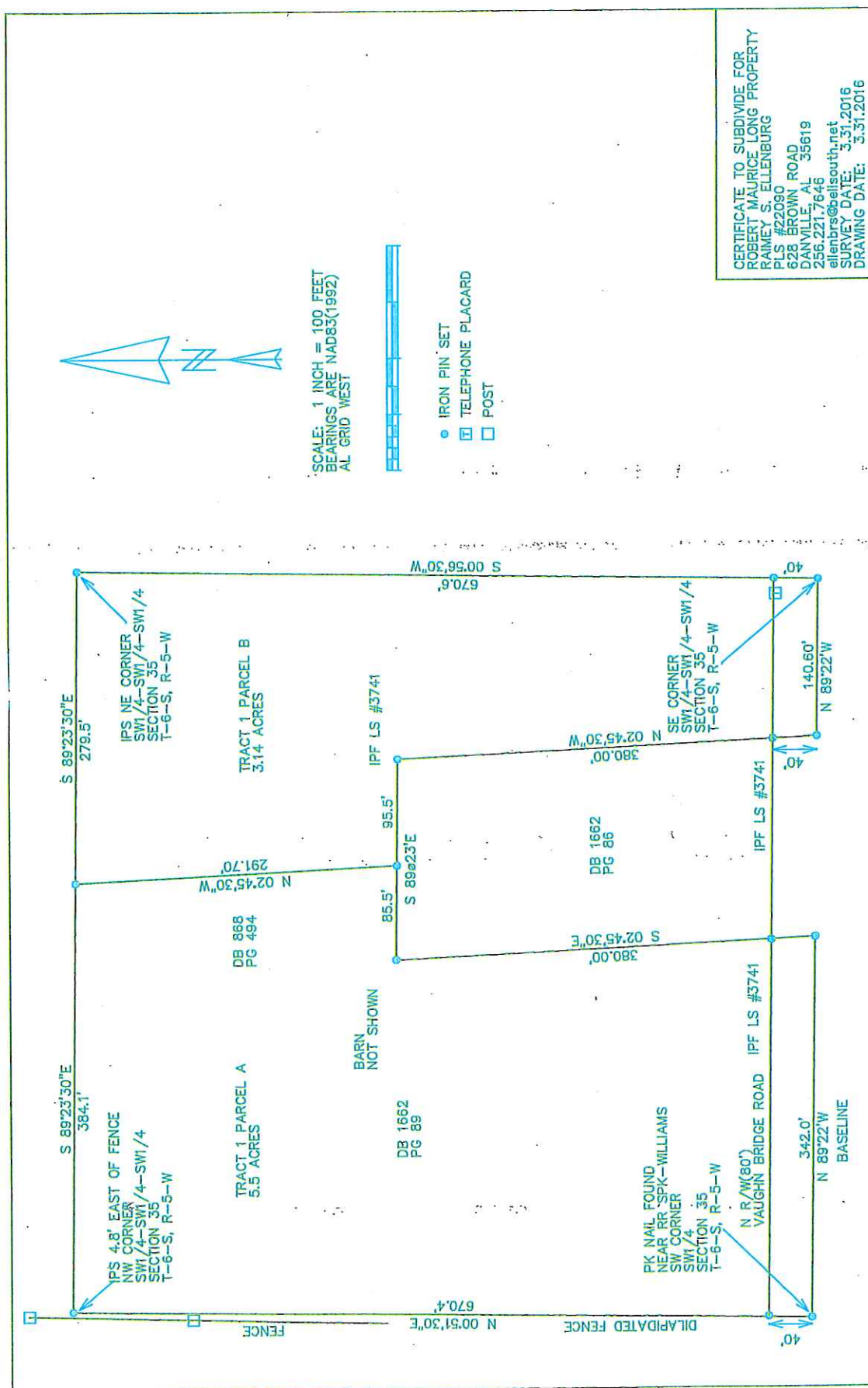
PROPERTY PJ ONLY



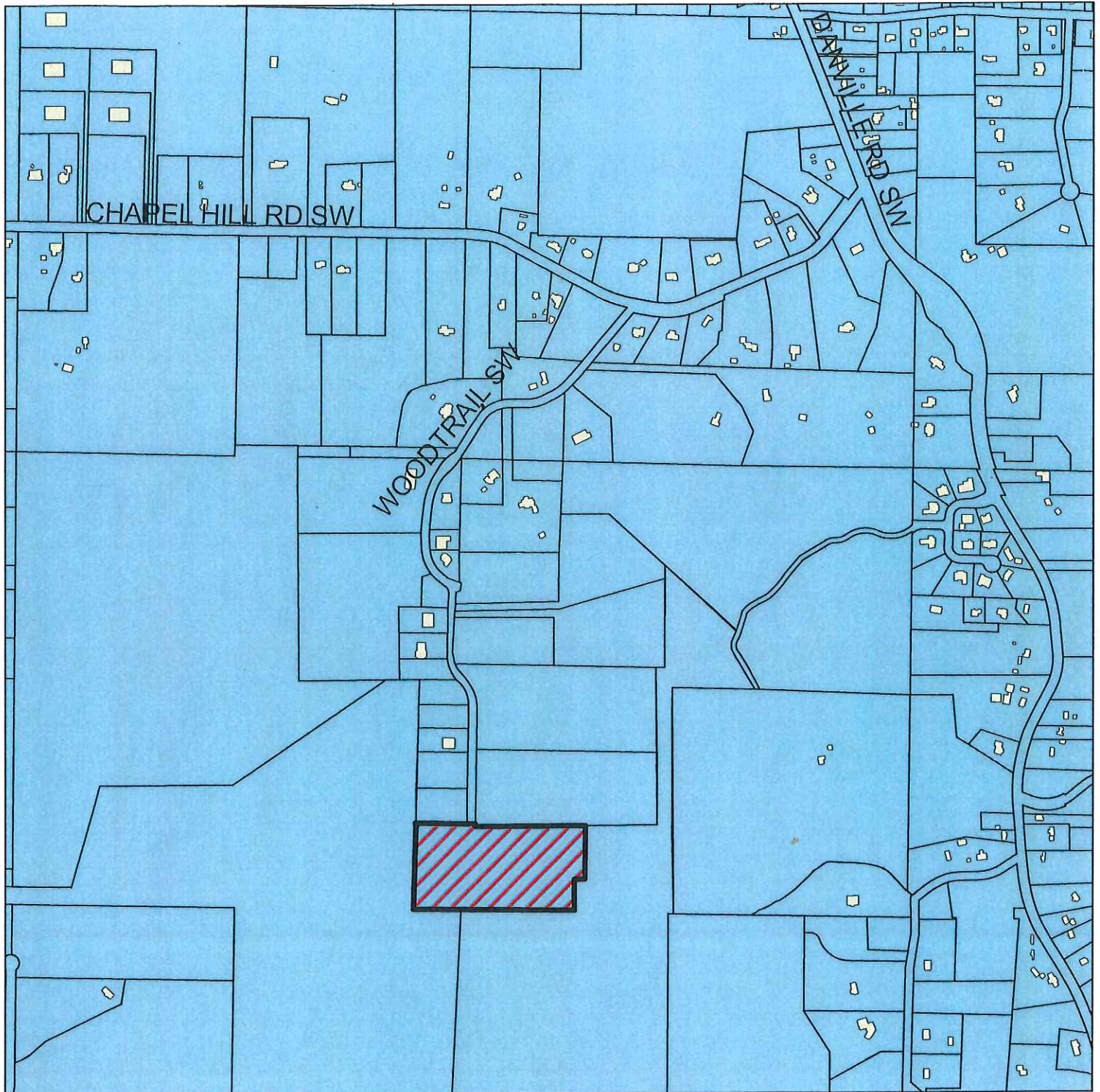
19

DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3311-16



WOODTRAIL ESTATES ADD. NO.2 FINAL PLAT



Legend

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

LOCATION MAP

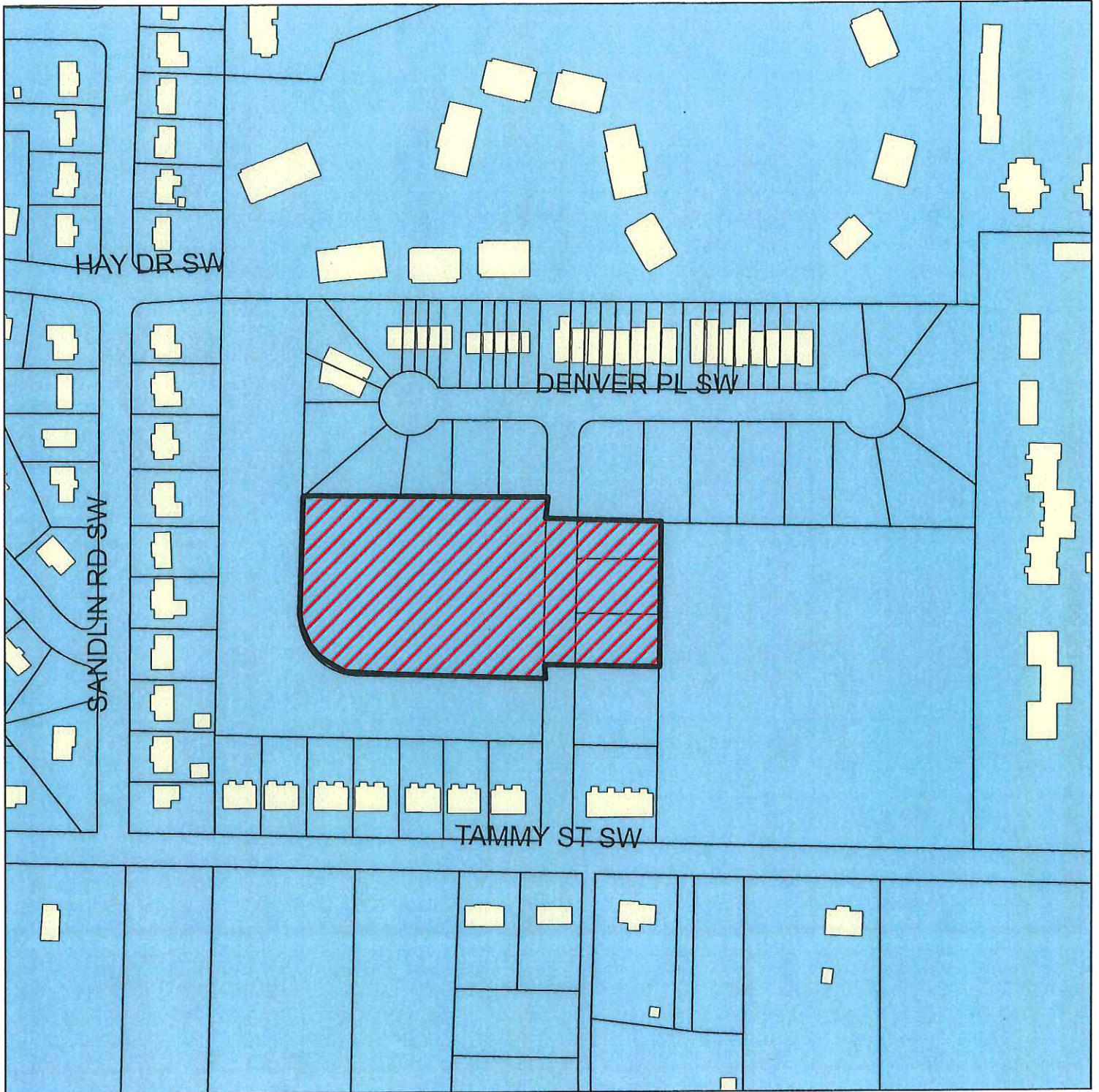
APPLICANT: PARKER AND NOWLIN

PROPERTY ZONED AG-1







DRAWING NOT TO SCALE

REPLAT OF DENVER PLACE PHASE 2 LAYOUT APPROVAL



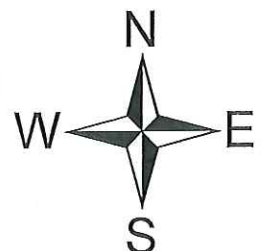
Legend

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

LOCATION MAP

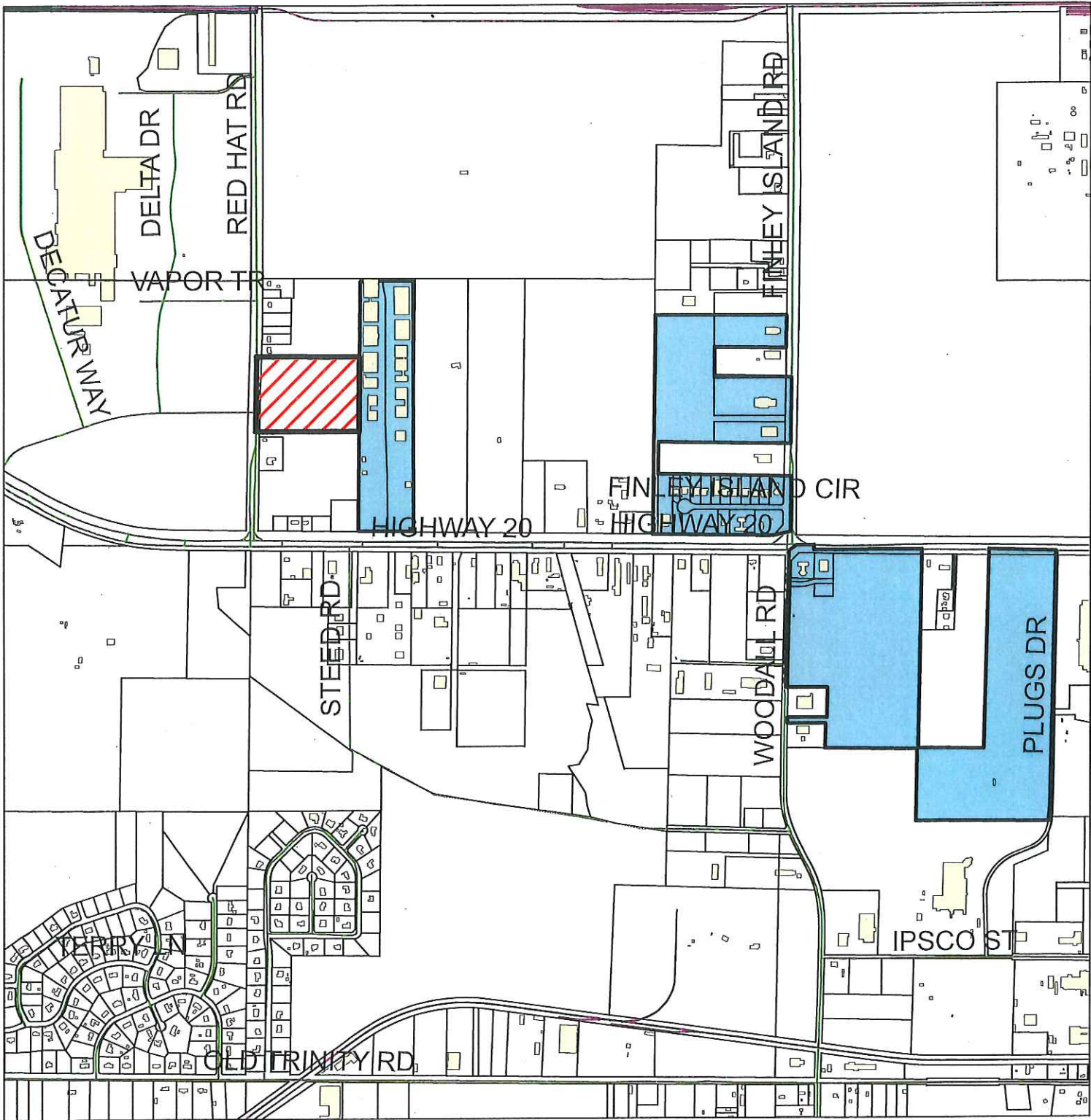
**APPLICANT: HABITAT FOR HUMANITY OF
MORGAN COUNTY, AL**

PROPERTY ZONED R-4 AND R-6



DRAWING NOT TO SCALE

ANNEXATION REQUEST NO. 350-16 17.28 ACRES



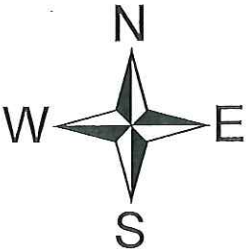
Legend

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

LOCATION MAP

APPLICANT: JOHN C. EYSTER, JR.

PROPERTY PJ



DRAWING NOT TO SCALE

THE FARM SUBDIVISION BOND REVIEW

