

MEMORANDUM

DATE: May 17, 2016

TO: Planning Commissioners

CC: Mayor Don Kyle; Wally Terry; Herman Marks; Tony

Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

May 24, 2016

Pre-meeting - 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL May 24, 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

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2. APPROVAL OF MINUTES- April 19, 2016

3. PUBLIC HEARING

PAGE/MAP

REZONING

A. 1302-16

1/5-8

(On the east side of Danville Rd. SW where Chapel Hill Rd. dead ends into it)

PLAT REVIEWS

A. Replat of Denver Place, Phase 2

1/9

(North of Tammy St. SW on the west and east side of Fairmont Avenue SW)

see plat

B. Woodtrail Estates, Add. #2

1/10

(South of Chapel Hill Rd. SW and east of South Woodtrail)

see plat

4. CONSENT AGENDA

CERTIFICATES

A. 3312-16

Certificate to Subdivide & Consolidate

2/11-14

(North of Ashmor Court, SE and west of Indian Hills Rd. SE)

SITE PLANS

A. 540-16

2/15

(South of the extension of Carridale Street and east of Beltline Rd.)

see plat

B. 541-16
(North of Cedar Lake Rd. and west side of U.S. Hwy 31 South)

C. 542-16
(South of 8th St. SE and west of Highway 31 North)

3/16
see plat

BOND REVIEW

A. Krispy Kreme
(South of Danville Rd. and east side of the Beltline)

4/18

Minutes Zoning Committee May 17, 2016

PUBLIC HEARING

Rezoning

1302-16

Applicant: Kenneth Lett

Owner: Kenneth Lett

Zoning: AG 2

Acreage: 1.15 Acres

Request:

To rezone approximately 1.15 acres from AG2 agricultural to B6 office commercial

Location:

Property is located on the east side of Danville Rd. SW where Chapel Hill Rd. dead ends into it

Recomm:

The Zoning Committee and Planning Department recommend approval. This is in conformance

with the Long Range Plan and consistent with past recommendation.

Minutes Subdivision Committee April 12, 2016

Plat Reviews

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:

Preliminary plat approval to subdivide 3.54 acres into 12 R-5 single family residential lots

Location:

North of Tammy St. SW on the west and east side of Fairmont Avenue SW

Conds:

Completion of Rezoning Request 1300-16 (Public hearing before CC scheduled for June 6,

2016 at 6:00 PM)

2. Label easement between Lots 5 & 6 as dut&e - reduce easements to 5' & 7'

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

Recomm:

Approval with stated conditions.

Woodtrail Estates, Addition No. 3

Applicant: No. AL Engineering Owner: J. Parker/H.M. Nowlin

Zoning: AG-1, Agricultural Acreage: Approx. 100.63 acres

Request:

Preliminary approval to subdivide approximately 100.63 acres into 14 tracts of varying sizes

Location:

South of Chapel Hill Rd. SW and east of South Woodtrail

Conds:

- 1. Payment of \$170.00 application fee to City of Decatur
- 2. Payment of \$96.75 for notification of adjacent property owners
- 3. No additional subdivision of these lots will be allowed until future right-of-way is constructed and approved by the City of Decatur, and this to be stated with a plat note.
- 4. Provide 10' dut&e along the south property line of Tract 14, and Tract 5

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

Recomm:

Approval with stated conditions.

CONSENT AGENDA

Certificates

3312-16 Certificate to Subdivide and Consolidate

Applicant: Pugh Wright McAnally Owner: Fortenberry and Essary

Zoning: R-1, SF Residential

Acreage: 3.25 acres

Request:

Subdivide and consolidate a .98 acre tract with a 1.18 acre tract and a 1.09 acre tract

creating two tracts of 1.67 acres and 1.58 acres

Location:

North of Ashmor Court, SE and west of Indian Hills Rd. SE

Conds:

- 1. Payment of recording fees
- 2. Provide a copy of the deed showing property ownership
- 3. Provide a stamped and sealed survey for recording
- 4. Provide signed letter from property owners requesting the subdivision and consolidation
- 5. Amend survey to show four State Plane Coordinates based on the NAD83, Alabama West Zone

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

Recomm:

Approval with stated conditions.

Site Plan Review

540-16

Applicant: Hull Property Group Owner: Hull Property Group

Zoning: B-4, Regional Shopping

Acreage:

Request:

Site plan review for the construction of a dental office

Location:

South of the extension of Carridale Street and east of Beltline Rd.

Conds:

- 1. Location of east access to be approved by the City Engineer.
- 2. Provide landscaping, lighting and photometrics plans to Planning Dept.
- 3. Remove reference to Carridale Street from site plan (not a City street)

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

Recomm:

Approval with stated conditions.

541-16

Applicant: Littlejohn Engineering Owner: Gladish Properties LLC Zoning: M-1, Light Industry

Acreage: 2.85 acres

Request:

Site plan review for the construction of a dialysis center

Location:

North of Cedar Lake Rd. and west side of U.S. Hwy 31 South

Conds:

ALDOT approval required

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

Recomm:

Approval with stated condition.

542-16

Applicant: Gonzalez-Strength & Assoc.

Zoning: RD - Redevelopment

Owner: Walmart Real Estate Business Trust

Acreage:

Request:

Site plan review for an addition of a fuel station at the Walmart Neighborhood Store

Location:

South of 8th St. SE and west of Highway 31 North

Conds:

1. Landscaping island to remain – or commensurate amount placed in a different location. Remove note from site plan

2. Subdivide tract for fuel station

3. Dedicate 5' easement along 6th Avenue for light conduit

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

Recomm:

Approval with stated conditions.

Bond Review

Krispy Kreme

Applicant: Krispy Kreme Owner: Same

Zoning: M-1A, Commercial Expressway

Acreage:

Request:

Release bond for sewer extension

Location:

South of Danville Rd. and east side of the Beltline

Conds:

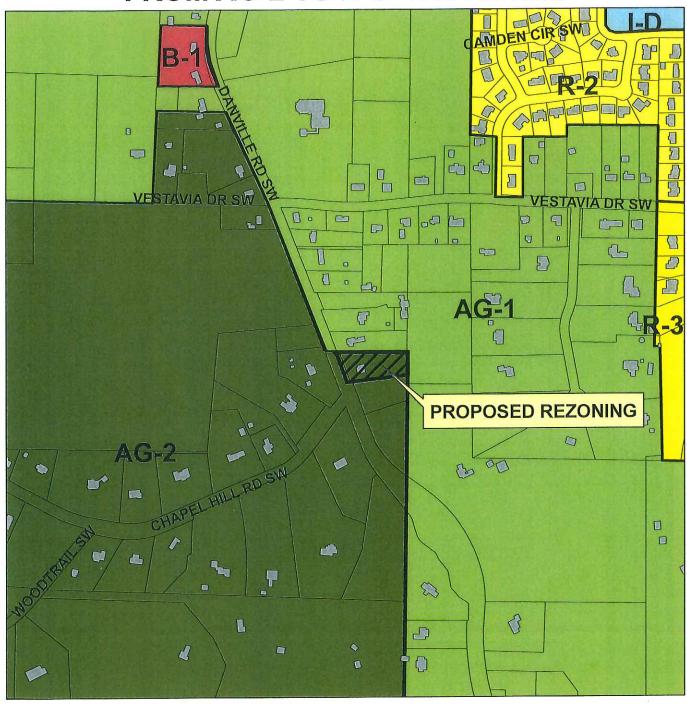
None

Recomm:

Release bond. Sewer extension has been completed.

END CONSENT AGENDA

REZONING REQUEST NO. 1302-16 FROM AG-2 TO B-6 1.15 ACRES



Legend



Ownership

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT



APPLICANT: KENNETH LETT

DRAWING NOT TO SCALE



SUBJECT PROPERTY

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.

ZONING COMPARISONS

SECTION	CURRENT AG2	PROPOSED B6
USES	FROM AG2	Uses permitted: The following specified
PERMITTED	Uses permitted: All uses permitted and regulated in an AG-1 agricultural district. 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.	office uses, with structures to accommodate the same; real estate, professional, managerial, insurance, clerical, clinics, health clubs, health spas and related uses.
	FROM AG1	
	Uses permitted: 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 quasipublic 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 section 25-10. 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.	
USES PERMITTED ON APPEAL	FROM AG2 Uses permitted on appeal: Manufacturing, storage and processing of natural resources indigenous to Decatur, roadside stands, provided no part of the structure of good display encroaches upon a public right-of-way or dedicated	Uses permitted on appeal: Any uses permitted or 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

CURRENT AG2 street, livestock sales, event venues, antique or craft shop and any use permitted on appeal in an AG-1 Agricultural District and subject to the same requirements and conditions set forth for the uses permitted on appeal in AG-1 Agricultural District, when these uses, in the opinion of the board of zoning adjustment will not impair an existing or potential future neighborhood and permitted subject to such conditions as the board may require to preserve and protect the character of district and otherwise promote the purpose of this chapter.

FROM AG1

SECTION

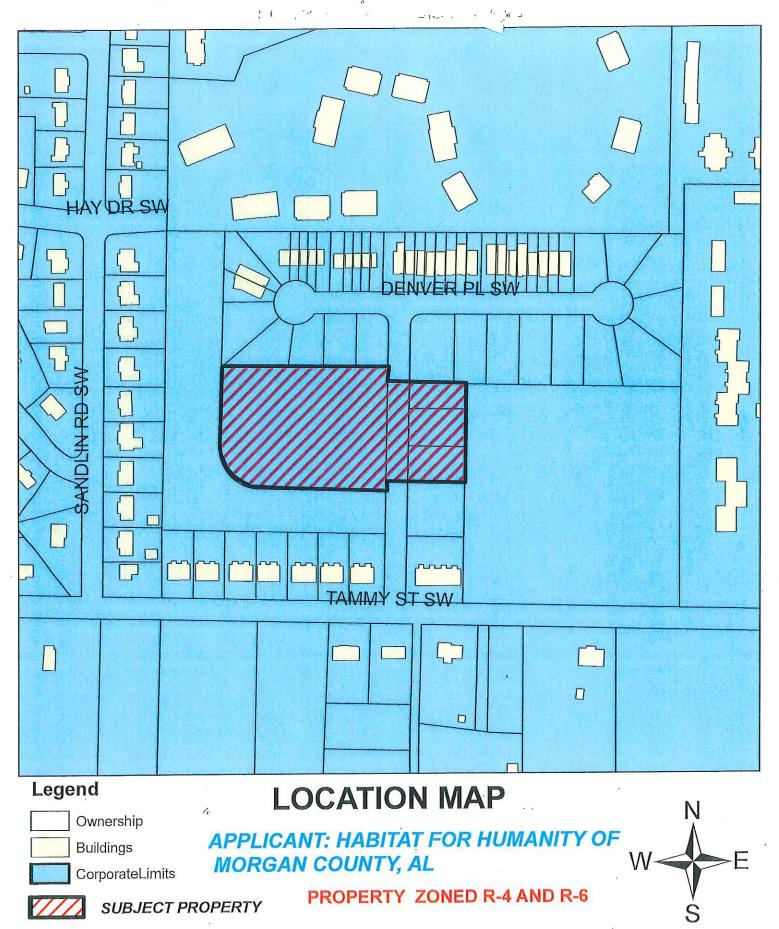
Uses permitted on appeal: Sports arenas, recreational and amusement enterprises operated on a commercial basis; clubs the chief activity of which is customarily carried on as a business; clubs; on premises and off premises sale of alcoholic beverages by clubs when duly licensed as a class I club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under the pursuant to the Alcoholic Beverage Licensing Code; on-premises and offpremises 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 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

PROPOSED B6

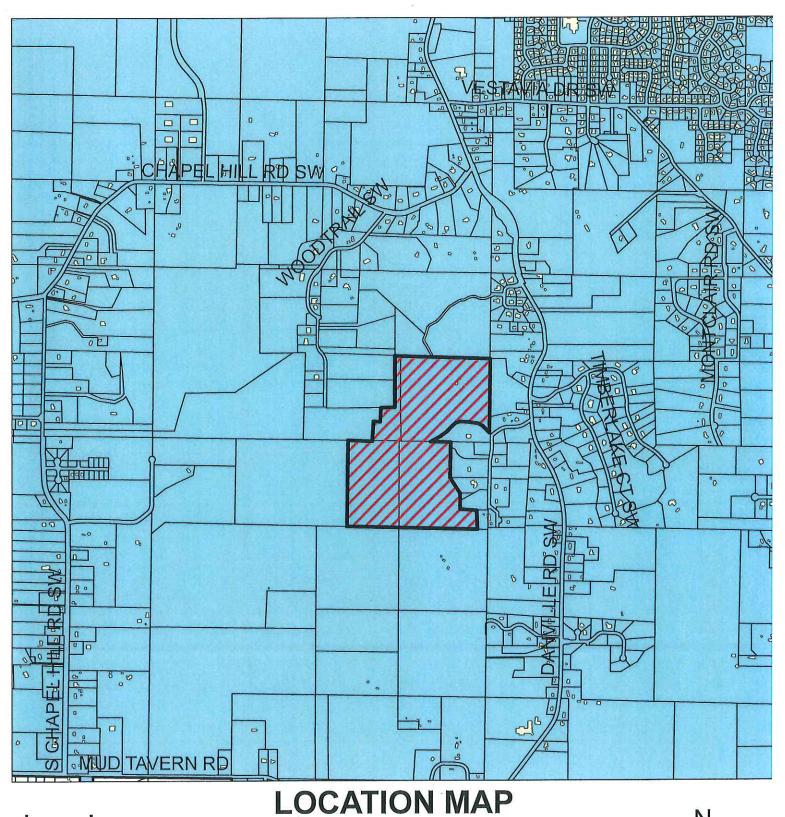
forth therein which shall not be applicable; and any office use not specified as a permitted use.

SECTION	CURRENT AG2	PROPOSED B6
	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.	
USES PROHIBITED	Uses prohibited: Residential, commercial and industrial uses not specifically permitted or permitted on appeal.	Uses prohibited: Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act and any use not permitted or permitted on appeal.
PARKING	Off-street parking: See § 25-16.	Off-street parking: (See section 25-16. Off-street automobile storage.)
MINIMUM LOT AREA	Minimum required lot area—15,000 square feet. Minimum required lot width at building line—100 feet.	Minimum lot size: It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the spaces required for the other normal operations of the business or service.
MINIMUM BUILDING AREA	NONE GIVEN	NONE GIVEN
MINIMUM FRONT YARD SETBACK	Minimum yard size: Front, 20 feet;	Minimum yard size: Front 25 feet;
MINIMUM REAR YARD SETBACK	Rear 45 feet; sides	rear 20 feet;
MINIMUM SIDE YARD SETBACKS	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.	side, not specified, except on a lot adjoining along its side lot line which is in a residential district, there shall be a side yard not less than eight (8) feet wide.
MAXIMUM HEIGHT	Maximum height: 35 feet or	Maximum height: None.
MAXIMUM HEIGHT IN STORIES	2½ stories	NONE GIVEN
OFF STREET LOADING AND	FROM AG2 Off-street loading and unloading: Same as for an AG-1 agricultural district.	Off-street loading and unloading: (See section 25-16. Off-street [re]quired rear or side yard for loading and unloading.)
UNLOADING	FROM AG1 Off-street loading and unloading: Shall provide adequate space for loading and unloading on rear and/or side yard.	

REPLAT OF DENVER PLACE PHASE 2



WOODTRAIL ESTATES ADD. NO. 3 SUBDIVISION PLAT



Legend



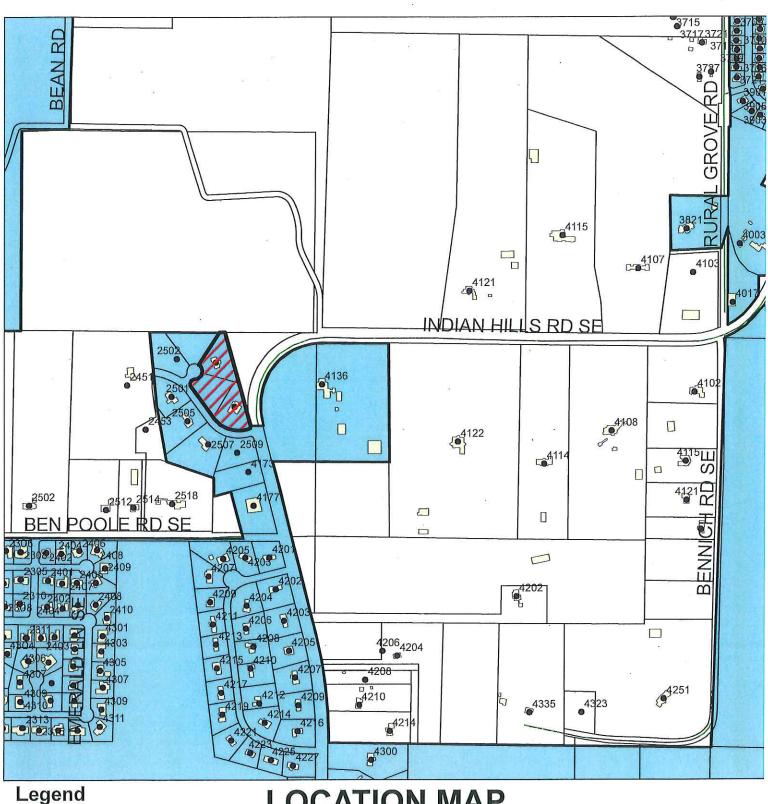
APPLICANT: NOWLIN AND PARKER

PROPERTY ZONED AG-1

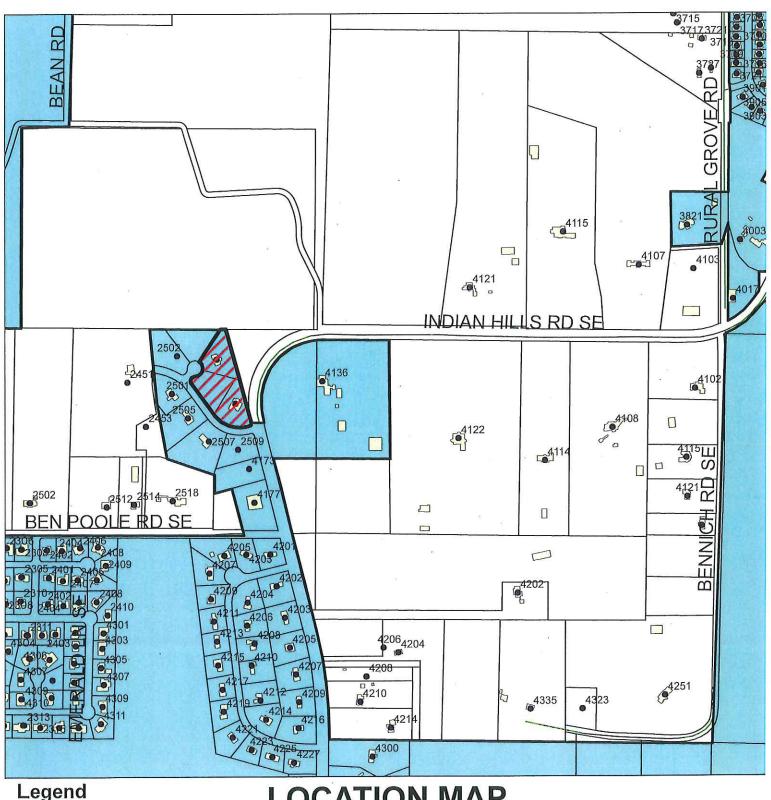


SUBJECT PROPERTY



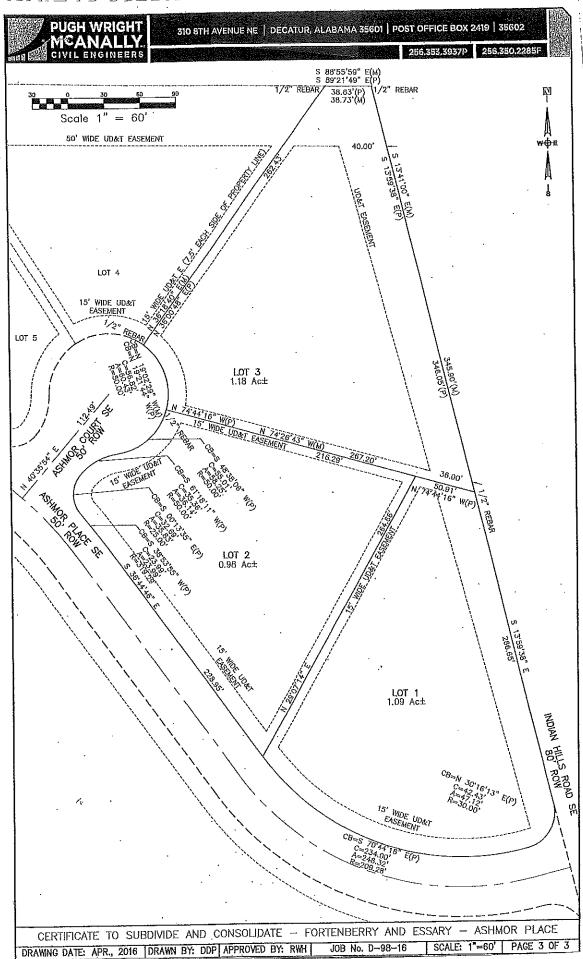


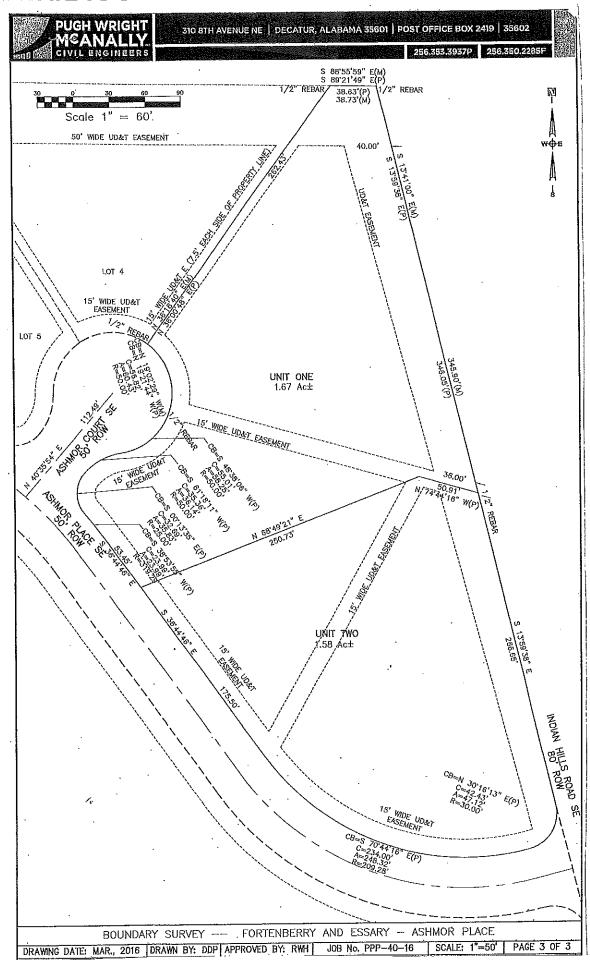
Legend LOCATION MAP Ownership Buildings APPLICANT: FORTENBERRY AND ESSARY CorporateLimits PROPERTY ZONED R-1 SUBJECT PROPERTY DRAWING NOT TO SCALE



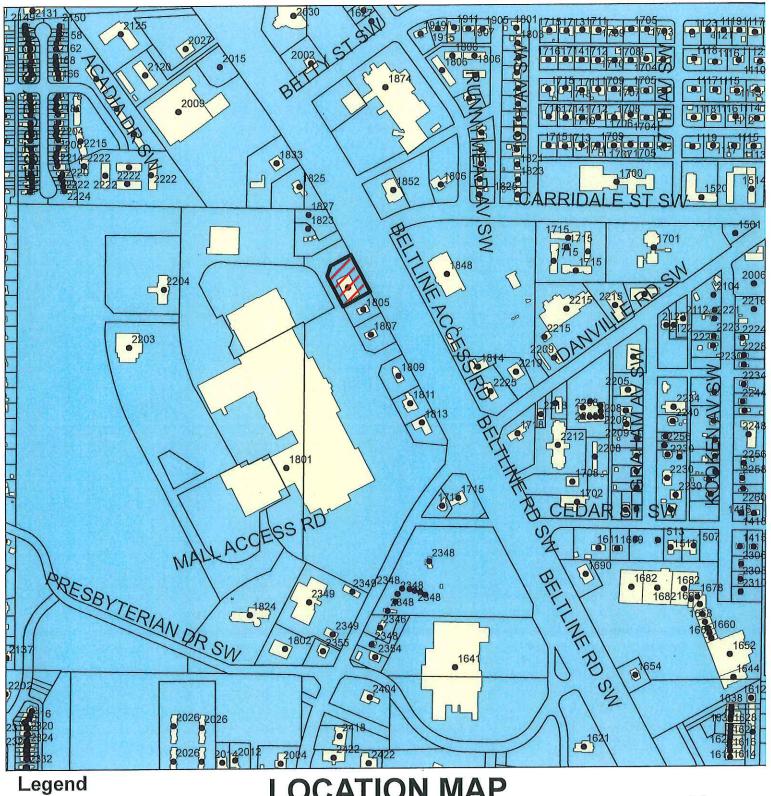
Legend LOCATION MAP Ownership Buildings APPLICANT: FORTENBERRY AND ESSARY CorporateLimits PROPERTY ZONED R-1 SUBJECT PROPERTY S 12

DRAWING NOT TO SCALE





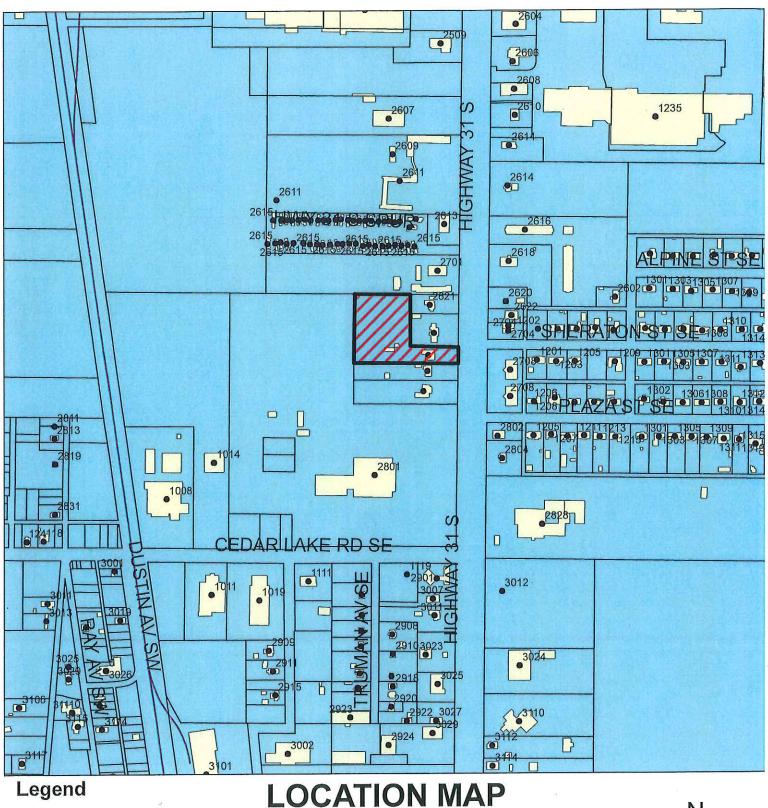
SITE PLAN 540-16



Legend Ownership Buildings APPLICANT: HULL PROPERTY GROUP CorporateLimits PROPERTY ZONED B-4 SUBJECT PROPERTY



SITE PLAN 541-16



Legend

Ownership

Buildings

APPLICANT: GLADISH PROPERTIES, LLC

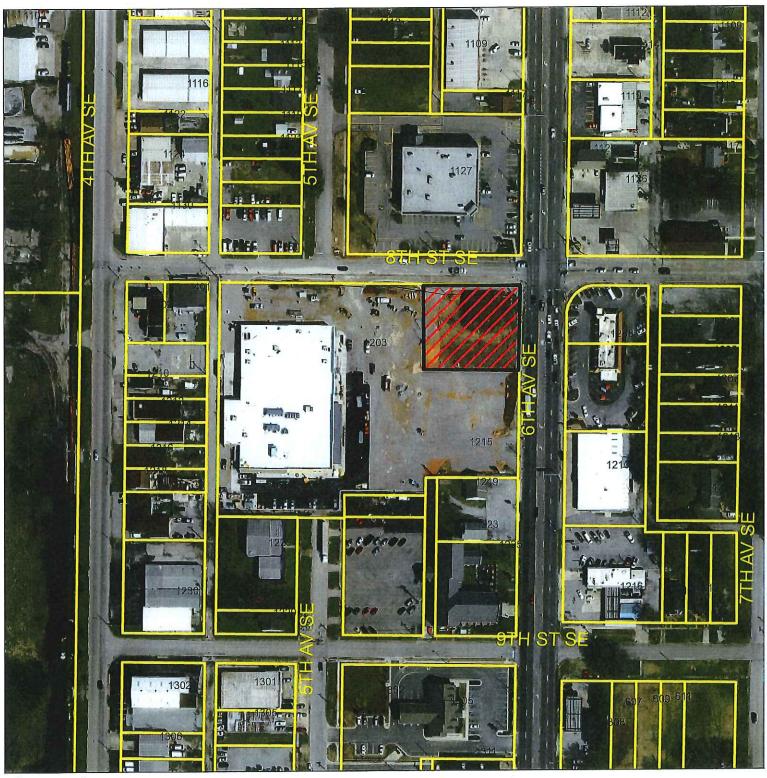
CorporateLimits

SUBJECT PROPERTY

PROPERTY ZONED M-1



SITE PLAN 542-16



Legend

LOCATION MAP

Ownership
Buildings

APPLICANT: WALMART REAL ESTATE
BUSINESS TRUST

CorporateLimits

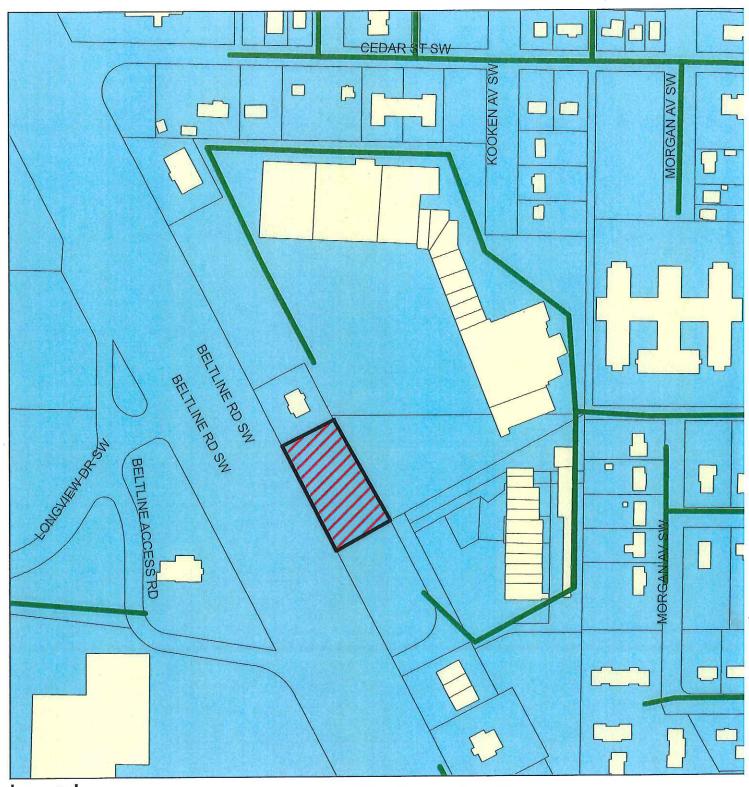
PROPERTY ZONED RD



SUBJECT PROPERTY



BOND REVIEW



Legend

Buildings

Ownership

CorporateLimits

LOCATION MAP

APPLICANT: DEEP RIVER ACQUISITION, LLC

PROPERTY ZONED M-1A



18 DRAWING NOT TO SCALE



SUBJECT PROPERTY

sewer