

MEMORANDUM

DATE: November 15, 2016

TO: Planning Commissioners

CC: Mayor Tab Bowling; Wally Terry; Herman Marks;

Tony Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

November 22, 2016

Pre-meeting – 2:15 p.m. (Annex)

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

Agenda Planning Commission

City of Decatur, AL November 22, 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 O	F MINUTES- October 18, 2016	
3. PUBLIC HEAR	RING	NA COLUMN TO THE PARTY OF THE P
REZONING		
A. 1306-16	(Southwest corner of Bank Street NW and Cherry Street NW)	1/7-10
PLAT REVIEW		
A. Waterman Business Funk Tromminary		1/11 see plat

4. CONSENT AGENDA

		PAGE/MAP
CERTIFICATES		
A. 3333-16	Certificate to Consolidate (At the southwest corner of the intersection of 9 th ST SE and 7 th AV SE)	2/12-13
B. 3334-16	Certificate to Consolidate & Subdivide (West side of South Chapel Hill Rd SE North of Mud Tavern RD.SW)	2/14-16
C. 3335-16	Certificate to Subdivide (On the North side of Danville RD SW and east of the Beltline)	3/1719
D. 3336-16	Certificate to Subdivide (South of Westmead ST SW and east of the Beltline)	3/20-22
E. 3337-16	Certificate to Subdivide (South of Neel School RD and east of Kirby Bridge RD)	4/23-25

F. 3338-16 Certificate to Consolidate (South of West Morgan RD. and Northwest of Old Moulton RD)

PLAT REVIEW

A. Watermark Business Park – Final (North of Al State Highway 20 and east side of Red Hat RD)

SITE PLAN REVIEW

A. 547-16 Daycare Facility (North of Old Moulton RD and west of Montgomery ST. SW)

5/28 see plat

5. OTHER BUSINESS

ANNEXATION REQUEST

A. 351-16 6/29

(North of Bird Springs RD SW)

Minutes Zoning Committee November 15, 2016

PUBLIC HEARING

Rezoning

1306-16

Applicant: Pugh Wright McAnally

Owner: Faye Temple

Zoning: M-1 to B-5

Acreage: .50 acres

Request:

To rezone approximately .50 acres from a M-1 (Light Industrial District) to a B-5 (Central

Business District)

Location:

Southwest corner of Bank Street NW and Cherry Street NW.

Recomm:

Approval. This is in conformance with the Long Range Plan and contiguous with nearby

zones.

Plat Review

Watermark Business Park

Applicant: Pugh Wright McAnally Owner: Hickory Creek Properties, LLC Zoning: M2, Heavy Industry

Acreage: 15.78

Request: Preliminary and final approval to subdivide 15.78 acres into three lots of 2.62 acres, 4.44 acres

and 8.72 acres

Location: North of Al State Highway 20 and east side of Red Hat RD.

Conds:

1. Provide a copy of the signed construction drawings to the Planning Department

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

Recomm:

Approval with stated conditions.

END PUBLIC HEARING

Minutes Subdivision Committee November 15, 2016

CONSENT AGENDA

Certificates

3333-16

Certificate to Consolidate

Applicant: Harry Vice

Owner: Southside Baptist Church

Zoning: RD 2

Acreage: .76

Request: To consolidate five lots in block 7 of DLI&F addition 4 into a .76 acre tract

Location: At the southwest corner of the intersection of 9th ST SE and 7th AV SE

Conds:

1. Provide copy of deed showing ownership of property

2. Provide a letter from the property owners requesting consolidation

3. Payment of recording fees

4. Provide a stamped and sealed survey for recording

5. Easement along the existing electric line five feet either side of the line

Pt. of Info:

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

2. Site plan approval will be required prior to the issuance of a building permit

3. There is a water line running through the property that will need to be addressed during the site plan review

Recomm:

Approval with stated conditions.

3334-16

Certificate to Consolidate and Subdivide

Applicant: Pugh Wright McAnally

Zoning: AG1

Owner: Greg Barnes

Acreage: 13.82

Request: To consolidate tracts of 4.23 acres and 9.59 acres into two units of 2.01 acres and 11.81

acres.

Location: West side of South Chapel Hill Rd SE North of Mud Tavern RD.SW

Conds:

1. Provide property deed showing proof of ownership

2. Payment of recording fees

3. Provide stamped and sealed survey for recording

4. Verify/obtain septic tank approval for Unit 2

5. Provide four State Planed Coordinates (NAD 83, AL West Zone) on the survey

- 6. Dedicate thirty feet of right of way from the Centerline for South Chapel Hill RD. SW
- 7. Verify 100 feet at the building line (Building Department)
- 8. Verify easement along the gas line and electric lines or dedicate.

Pt. of Info:

- 1. Any relocation of utilities will be at the owner's expense.
- 2. No furthers subdivision of Unit 1 or Unit 2

Recomm:

Approval with stated conditions.

3335-16

Certificate to Subdivide

Applicant: Pugh, Wright, McAnally

Zoning: B1 Acreage: 3.86

Owner: Westmeade Properties

Request: To subdivide a 3.86 acre tract into two tracts of .6 acres and 3.26 acres

Location: On the North side of Danville RD SW and east of the Beltline

Conds:

1. Payment of recording fees

2. Provide a stamped and sealed survey for recording

3. Provide four State Planed Coordinates (NAD 83, AL West Zone) on the survey

4. Verify sewer to unit B (extend or convert existing private sewer to a public line and dedicate easements as required by Decatur Utilities)

Pt. of Info:

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

2. Any changes to the building on B will require a grease interceptor

Recomm:

Approval with stated conditions.

3336-16

Certificate to Subdivide

Applicant: Pugh Wright McAnally

Zoning: M1A

Owner: Bulldog Properties and DMDA

Acreage: 2.75 Acres.

Request: To subdivide a 2.75 acre tract into a 2.34 acre tract and a .41 acre tract

Location: South of Westmead Street SW and east of the Beltline

Conds:

1. Payment of the recording fees

2. Provide a stamped and sealed survey for recording

3. Provide four state plane coordinates (NAD 83 AL west zone) on the survey

4. All property owners to be part of request

- 5. Amend Certificate to reflect all property owners including Decatur Morgan County Minority Development Association (DMDA)
- 6. Review easements throughout site for existing utilities grant easements as approved by Decatur Utilities.

Pt. of Info:

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

2. A site plan will be required prior to the issuance of any building permits.

Recomm:

Approval with stated conditions.

3337-16

Certificate to Subdivide

Applicant: Pugh Wright McAnally

Zoning: Outside the corporate limits

Owner: James Powers

Acreage: 74.89 acres

Request: To subdivide 74.89 acres into a tract of 73.56 acres and 1.33 acres

Location: South of Neel School RD and east of Kirby Bridge RD

Conds:

1. Provide letter from the property owner requesting subdivision

2. Provide copy of deed showing ownership of property

3. Verification of septic tank approval

4. Payment of recording fees

5. Completion of Certificate to Consolidate and Subdivide 3326-16

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

Recomm:

Approval with stated conditions.

3338-16

Certificate to Consolidate

Applicant: Ricky Wilhite

Zoning: Outside the corporate limits

Owner: Sandra Jackson David and Steve Jackson

Acreage: 3.00 acres

Request: To subdivide 3 acres into a 2.33 acres abd .67 acres.

Location: South of West Morgan RD. and Northwest of Old Moulton RD

Conds:

1. Provide copy of deed showing ownership of property

2. Payment of recording fees

- 3. Verify/obtain septic tank approvals for both tracts
- 4. Re-format certificate for Extraterritorial Jurisdiction
- 5. Show flood zone on the survey and include county flood note6. Adjust lot line to provide ten foot fire separation between buildings
- 7. Adjust east/ west easement along the existing electric service (JWEMC) should be twenty feet instead of ten feet.

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

Recomm:

Approval with stated conditions.

Plat Review

Watermark Business Park

Applicant: Pugh Wright McAnally Owner: Hickory Creek Properties, LLC Zoning: M2, Heavy Industry

Acreage: 15.78

Request: Final approval to subdivide 15.78 acres into three lots of 2.62 acres, 4.44 acres and 8.72 acres

Location: North of Al State Highway 20 and east side of Red Hat RD.

Conds:

1. Payment of \$115.00 for plat application fee

2. Payment of \$19.44 for notification of adjacent property owners

3. Payment of \$91.00 for one (1) street sign

4. Construct or provide a bond for the construction of all public improvements or verify completion of improvements and have them accepted by the City Council.

5. Payment of \$21.00 (a check made out to the Judge of Probate) for recording the final plat

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

Recomm:

Approval with stated conditions.

Site Plan Review

547-16

Applicant: Lee Y. Greene

Owner: Karen Elliott

Zoning: B1 local business district

Acreage: .41 acres

Request: Site plan approval for a daycare facility

Location: North of Old Moulton RD and west of Montgomery ST. SW

Conds:

- 1. Move concrete obstructions out of the right of way
- 2. Power
- 3. Show required setbacks on drawing
- 4. Show accessible route to building form parking to front door
- 5. Signage will be a separate permit and review.
- 6. Driving asile dimensions
- 7. Design system required for this property

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

Recomm:

Approval with stated conditions.

END CONSENT AGENDA

OTHER BUSINESS

Annexation Requests

Annexation 351-16

Applicant: Josh & Ashley Howard and Alice Glaze

Owner: Same

Zoning: Outside the corporate limits

Acreage: 1.77 acres

Request: To annex a 1.77 acre tract into the corporate limits of Decatur

Location: North of Bird Springs RD SW

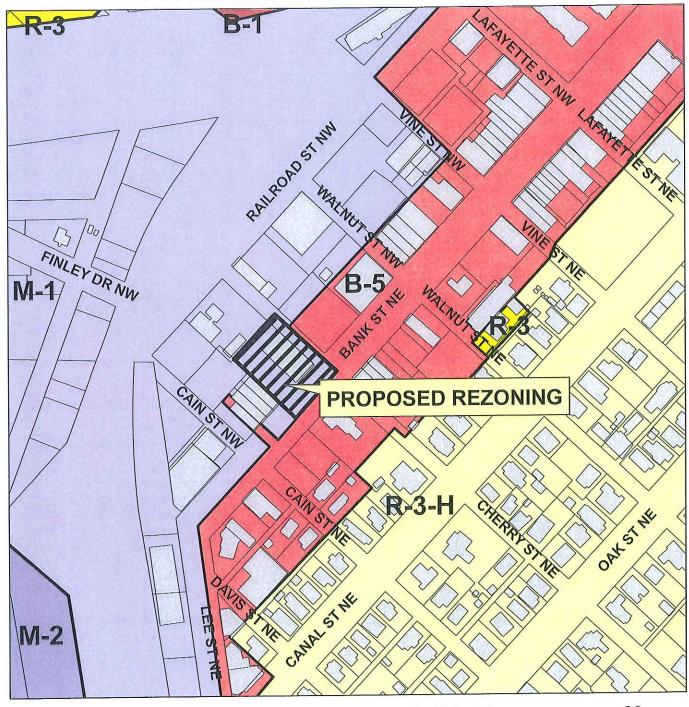
Conds: None

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

Recomm:

Approval with stated conditions.

REZONING REQUEST NO. 1306-16 FROM M-1 TO B-5 .50 ACRES



Legend

Ownership
bldg

LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT



APPLICANT: FAYE ADAMS TEMPLE

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.

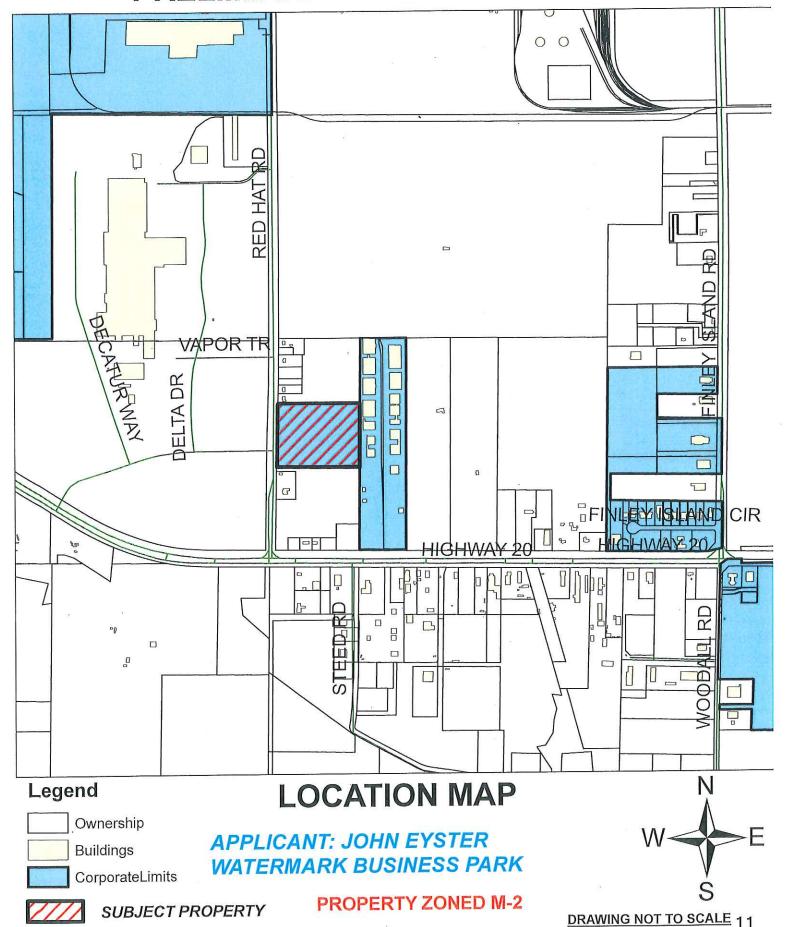
ZONING COMPARISONS

CECTION	PROPOSED B5	CURRENT M1
SECTION		Uses permitted: Off premises sale of
USES	Uses permitted: Off premises sale of	alcoholic beverages; clubs; and on
PERMITTED	alcoholic beverages; On premises sale of table wine; On premises sale of alcoholic	premises and off premises sale of
		alcoholic beverages by clubs when duly
	beverages by the Princess Theatre	licensed as a class I club by the City of
	Center for the Performing Arts and any	Decatur and the Alabama Alcoholic
	other valid responsible organization of	Beverage Control Board under and
	good reputation, if duly licensed as a	pursuant to the Alcoholic Beverage
	special retail licensee; on premises sale	Licensing Code, light industrial
	of alcoholic beverages by duly licensed	operations, not obnoxious, offensive, or
	restaurants; and on premises sale of alcoholic beverages by lounges located	detrimental to neighborhood property by
	in and constituting an integral part of a	reason of dust, smoke, vibration, noise,
		odor, effluence, or appearance (i.e. ice
	restaurant licensed by the Alabama Alcoholic Beverage Control Board to sell	cream plants and creameries; cold
	alcoholic beverages as a restaurant; and	storage plants; ice plants; bottling and
	on premises sale by a lounge located in,	central distribution plants; warehouses;
	and constituting an integral part of a	dry cleaners and laundries). Any retail or
	hotel or motel having fifty (50) or more	wholesale business or service not
	rooms for rent to the public; residential	specifically restricted or prohibited.
	dwellings (multiple family or single	
	family); provided that such dwellings	
	conform to all requirements set forth in	
	the residential zoning requirements	
	(section 25-10) other than the maximum	
	height provision, setback requirements,	
	lot size, and parking set forth therein,	
	which shall not be applicable. Retail	
	stores and markets, including the	
	following types: food, general	
	merchandise; apparel; furniture;	
	household and hardware; radio and T.V.;	
	drugs and sundries; jewelry and gifts;	
	florists; sporting goods; and similar	
	types. Services including the following	
	types: dry cleaning and laundry pickup	
	stations; event venues, filling stations,	
	provided however that gasoline storage	
,	above ground is prohibited; barber shops	
	and beauty shops; shoe repair; offices;	
***************************************	hotels; motels; post offices; banks;	
	theaters and similar services. Public	
	buildings, including public schools and	
	libraries; public utilities; semi-public	
	buildings; municipal, county, state and	
	federal buildings; gardens; playgrounds	
	and parks.	
USES	Uses permitted on appeal: Restaurants;	Uses permitted on appeal: Mobile home
PERMITTED	clubs; on premises and off premises sale	parks; brewpubs as defined by Chapter

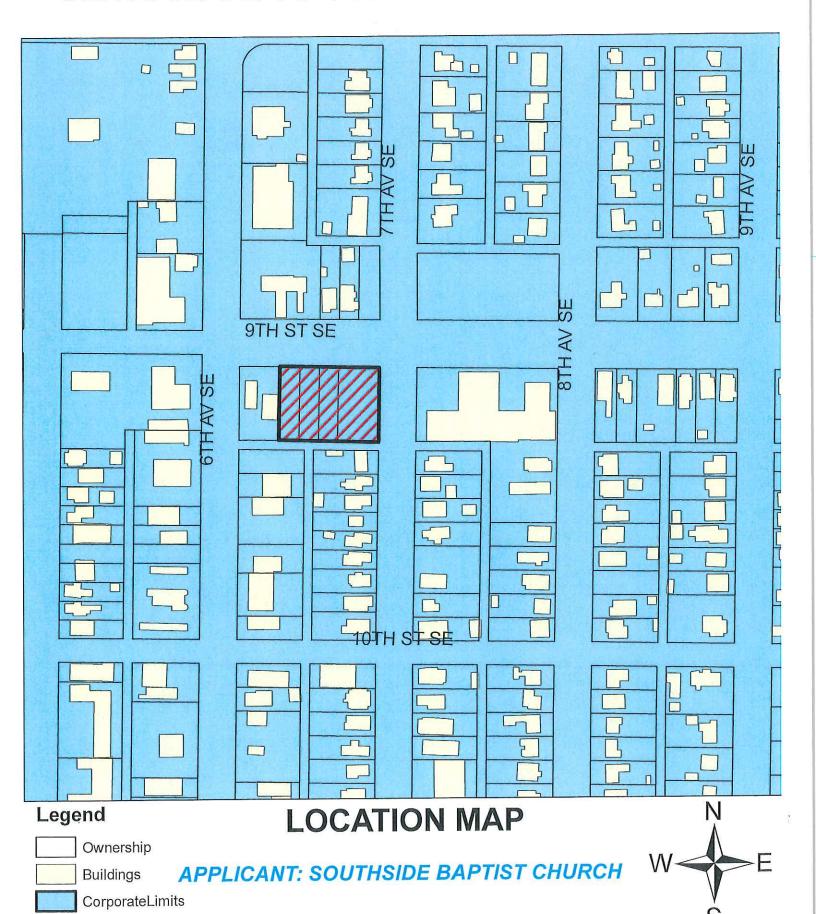
SECTION	PROPOSED B5	CURRENT M1
ON APPEAL	of alcoholic beverages by clubs when duly licensed as a Class I club by the City of Decatur and the Alabama Alcoholic Beverage Control Board under and pursuant to the Alcoholic Beverage Licensing Code; and on premises and off premises sale of beer and table wine by food establishments which have monthly gross receipts from the serving of meals and food that constitute more than sixty (60) percent of the monthly gross receipts of the business; architecturally compatible accessory structures may be permitted as a use permitted on appeal for a residential use; 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; dry cleaners and laundries; manufacturing incidental to a retail business where articles are sold at retail on the premises, for only those uses specifically permitted.	(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 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.
USES PROHIBITED	Uses prohibited: Major auto repair, except as may be a part of a new car sales, and Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act. Any use not permitted or permitted on appeal.	Uses prohibited: 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.
PARKING	Off-street parking: None specified	Off-street parking: See § 25-16.
MINIMUM LOT AREA	Minimum lot size: It is the intent of this section that lots of sufficient size be used	Minimum lot size: It is the intent of the section that lots of sufficient size be used

SECTION	PROPOSED B5	CURRENT M1
SECTION	for any business or service use to	for any industrial, service or business use
	provide adequate parking and loading	for any industrial, service or business use
	space in addition to the spaces required	space in addition to the space required for
	for the other normal operations of the	the other normal operation of the
	business or service.	enterprise.
MINIMUM BUILDING AREA		
MINIMUM FRONT YARD SETBACK	Minimum yard size: None specified	Minimum yard size: 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 thereof
MINIMUM REAR YARD SETBACK	Minimum yard size: None specified	
MINIMUM SIDE YARD SETBACKS	Minimum yard size: None specified	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 HEIGHT	Maximum height: None specified	Maximum height: None.
MAXIMUM HEIGHT IN STORIES	Maximum height: None specified	Maximum height: None.
OFF STREET LOADING AND UNLOADING	Off-street loading and unloading: Shall provide space for loading and unloading for structures hereafter erected or altered. In the case of brewpubs provisions shall be made for adequate space for loading or unloading all vehicles or trucks incidental to the operation of the brewpub on site.	Off-street loading and unloading: Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use

WATERMARK BUSINESS PARK SUBDIVISION PRELIMINARY AND FINAL PLAT



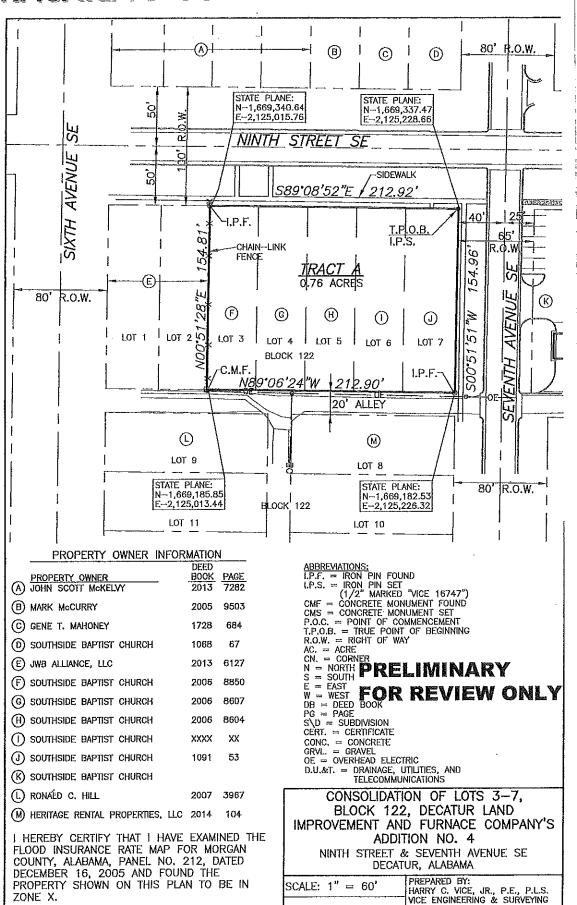
CERTIFICATE TO CONSOLIDATE NO. 3333-16



SUBJECT PROPERTY

PROPERTY ZONED RD-2

CERTIFICATE TO CONSOLIDATE NO.3333-16



PAGE NO: 1 OF 2

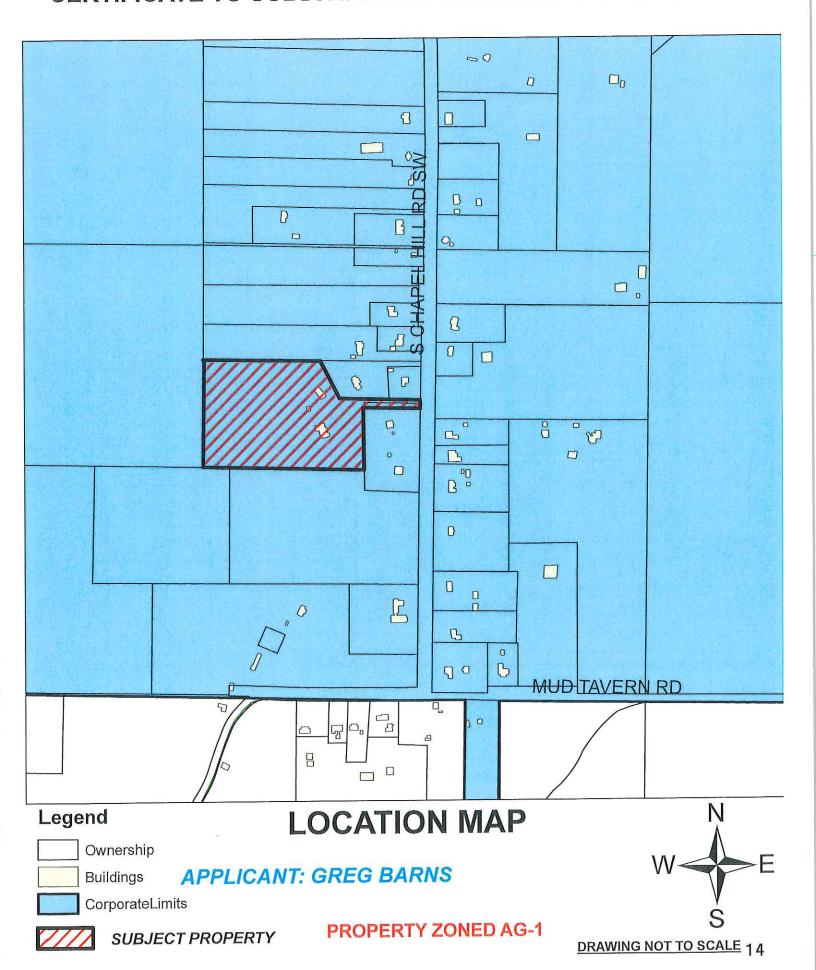
FIELD SVY: X-XX-16

Harry C. Vice, Jr., P.E., P.L.S. Ala. Reg. No. 16747 1506 MARKS DRIVE HARTSELLE, ALABAMA 35640

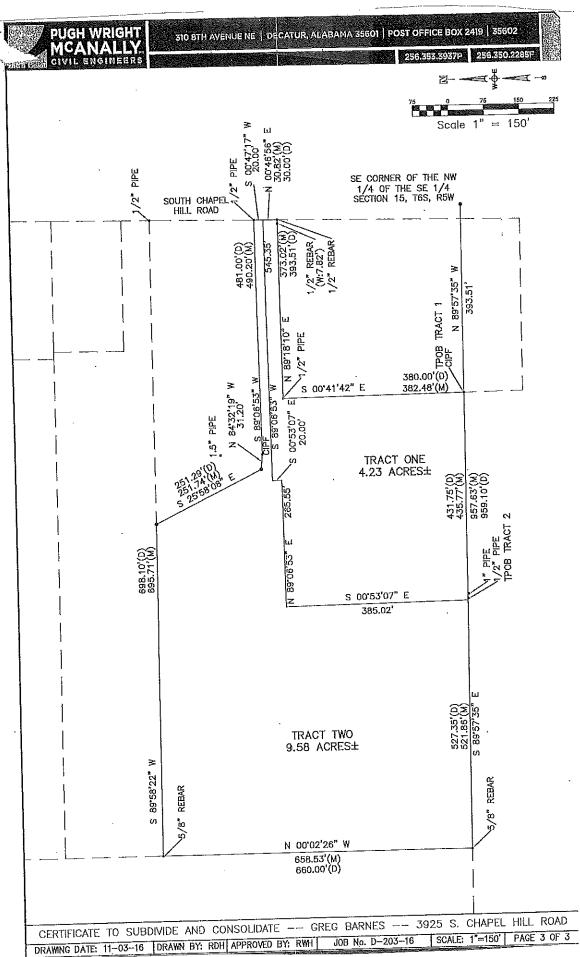
DWG. DATE:10-24-16 WEB: viceengineersurveyor.com

PHONE: 256-612-1501 E-MAIL: hvice@bellsouth.net

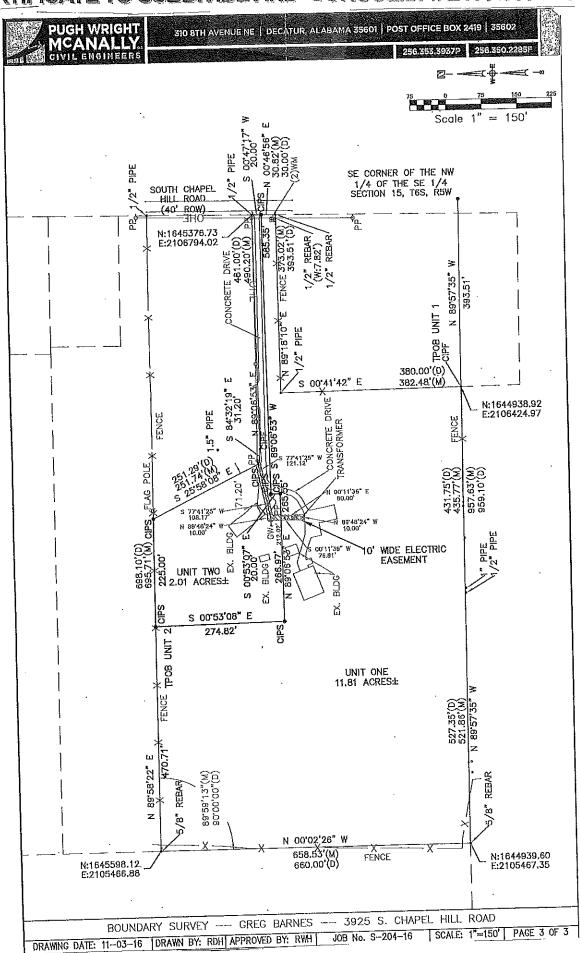
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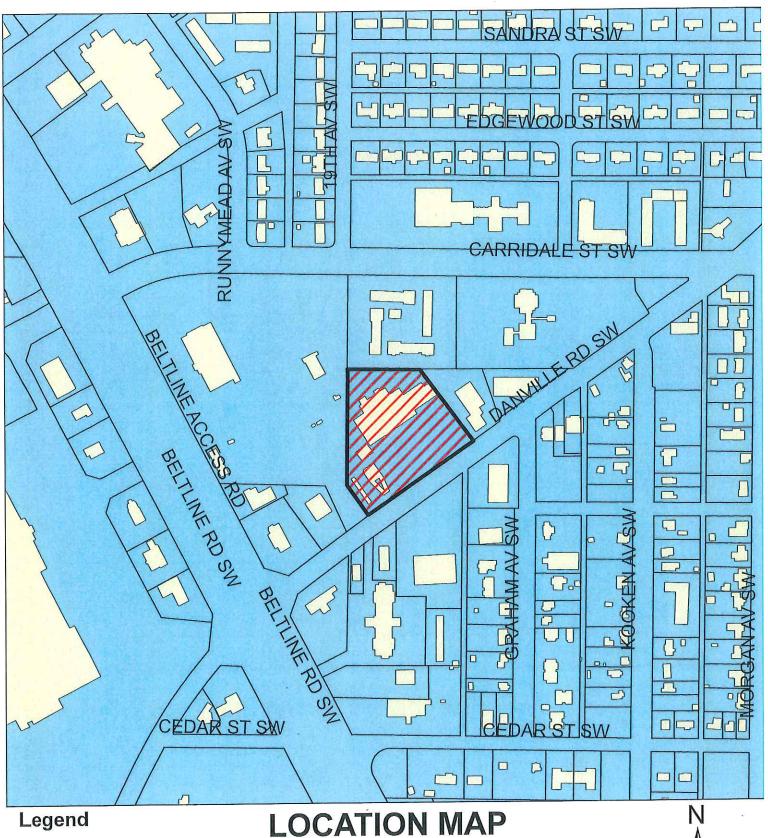
CERTIFICATE TO SUBDIVIDE AND CONSOLIDATE NO.3334-16



CERTIFICATE TO SUBDIVIDE AND CONSOLIDATE NO.3334-16



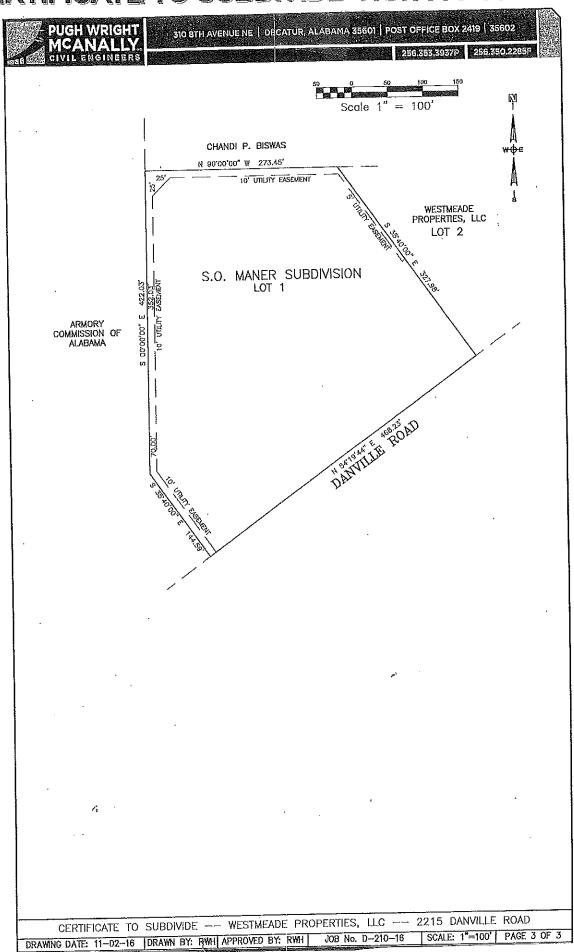
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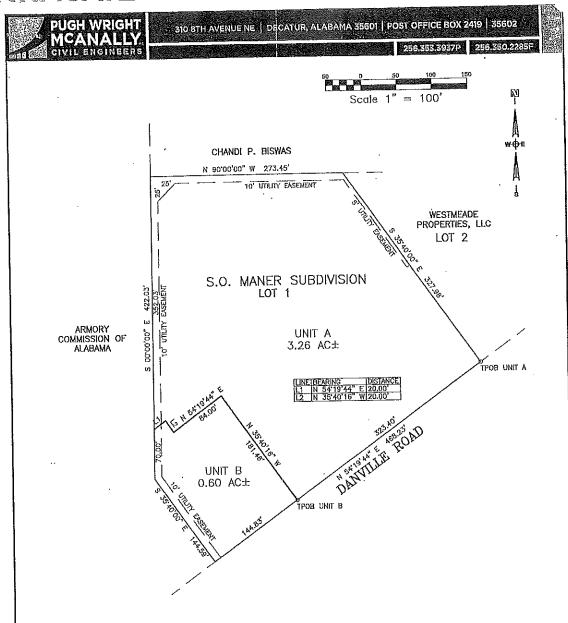


PROPERTY ZONED B-1

CERTIFICATE TO SUBDIVIDE NO.3335-16



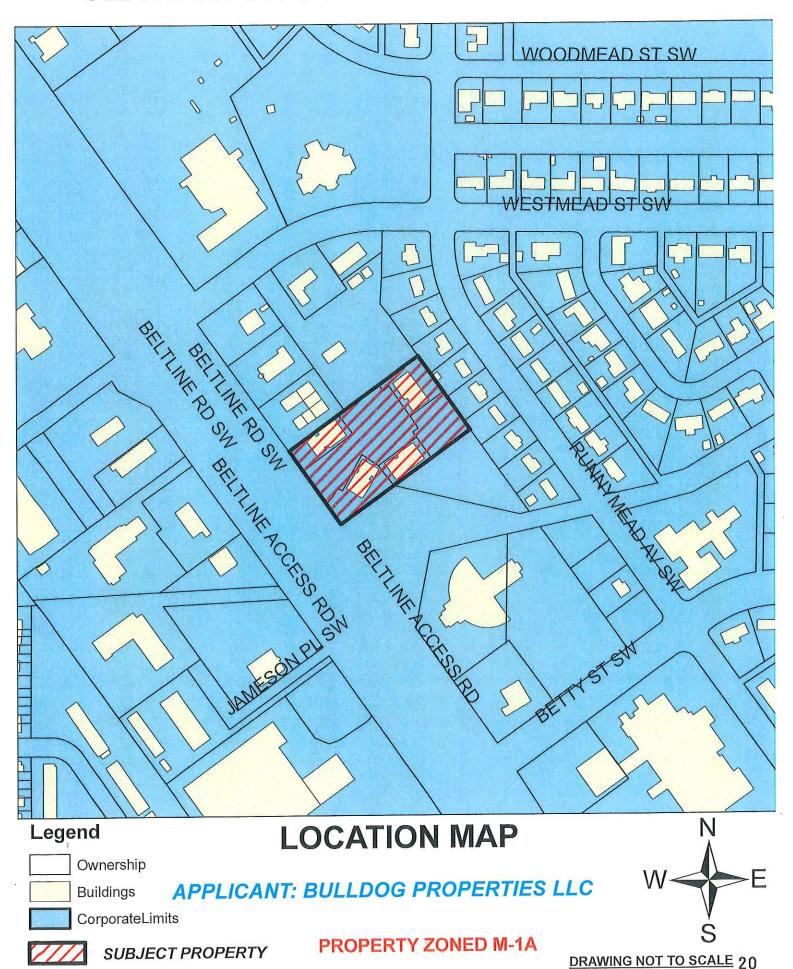
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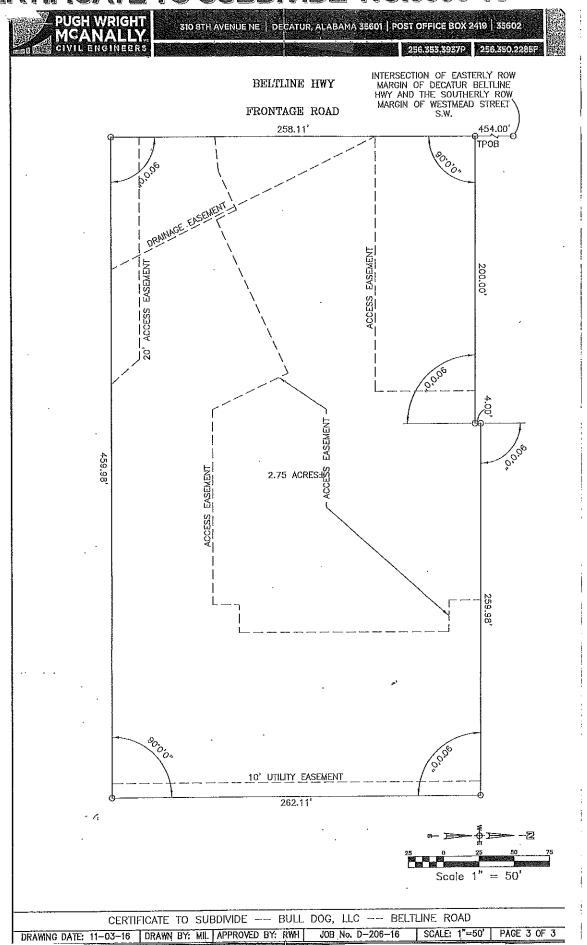
GENERAL NOTES

- 1. NORTH REFERENCE IS PLAT BEARING AS SHOWN HEREON.
- 2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS JUNLESS OTHERWISE SHOWN
- 3. SOURCE OF INFORMATION USED FOR SURVEY: PLAT BOOK 4, PAGE 40
- 4. PROPERTY ADDRESS IS 2215 DANVILLE ROAD SW, DECATUR, AL
- 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 REPORTED.
- 9. FIELD WORK WAS COMPLETED _____

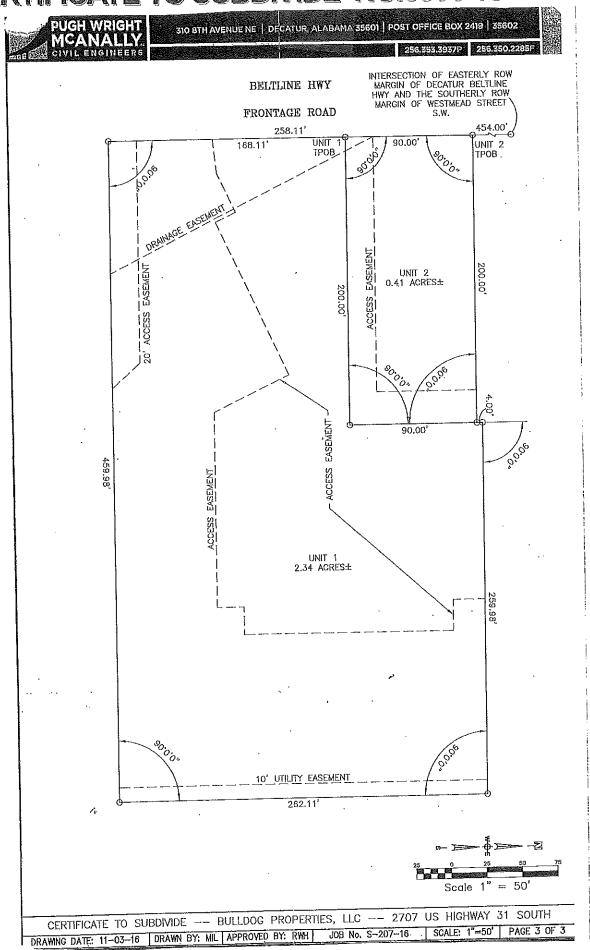
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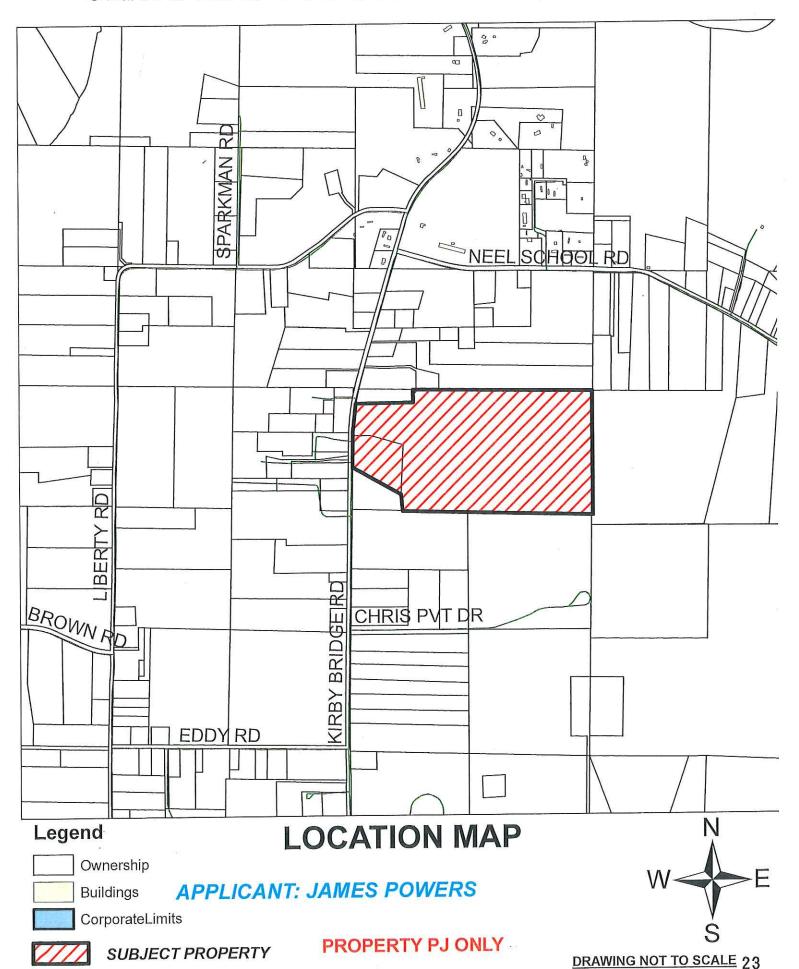
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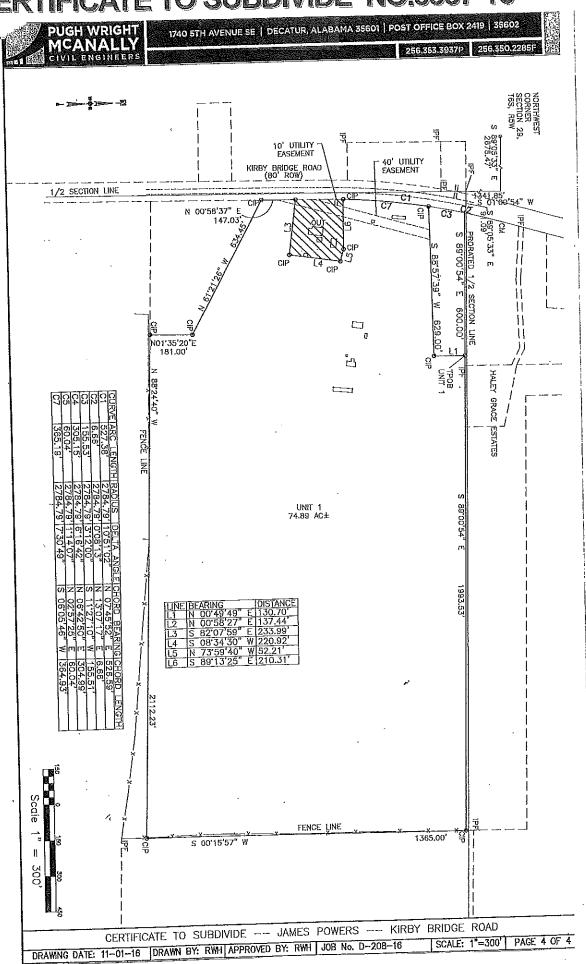
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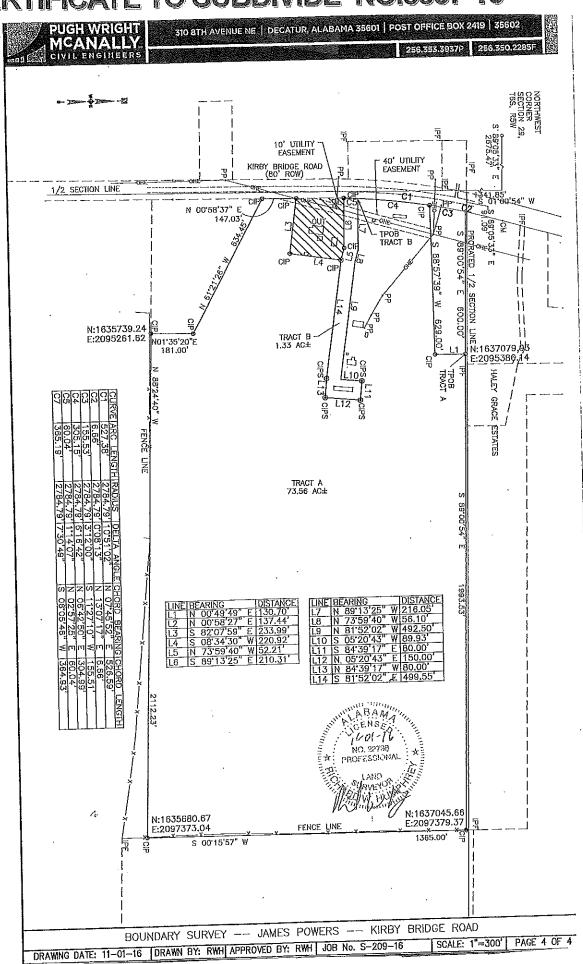
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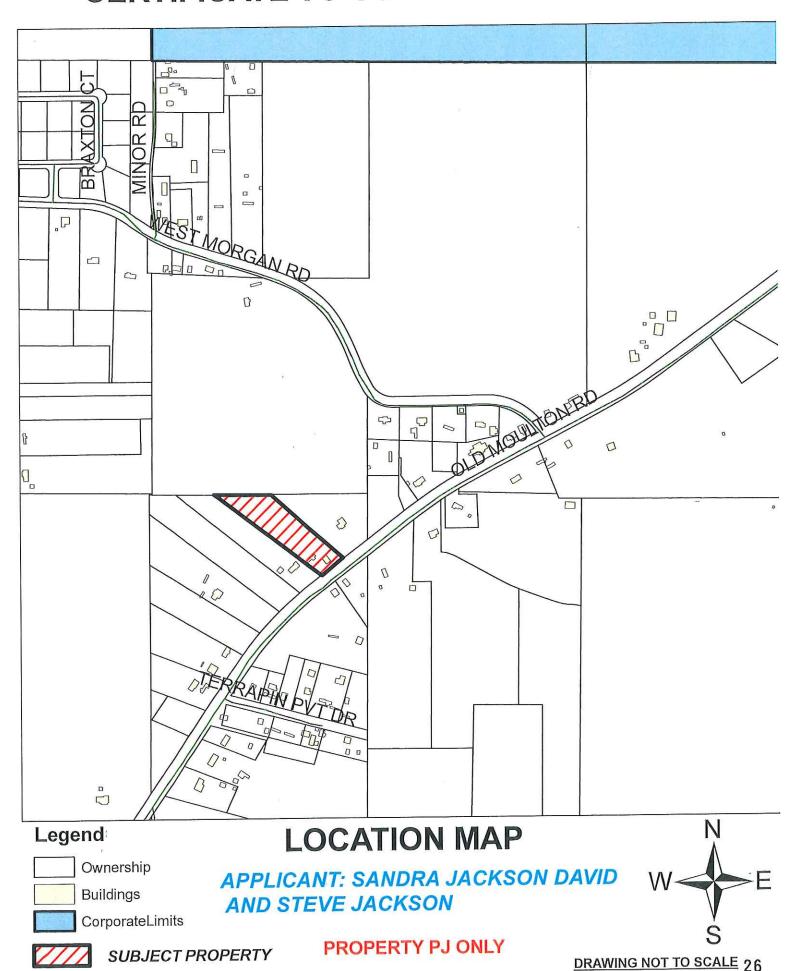
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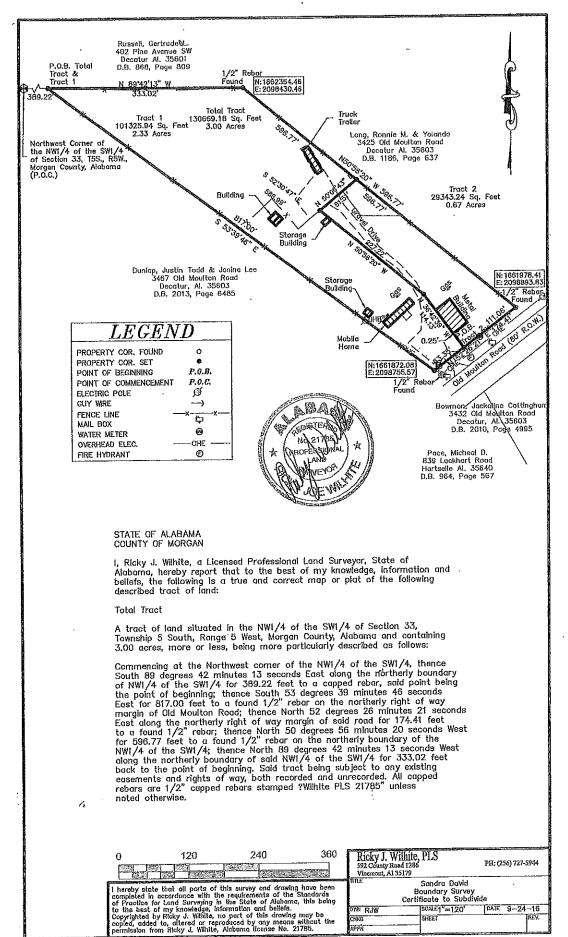
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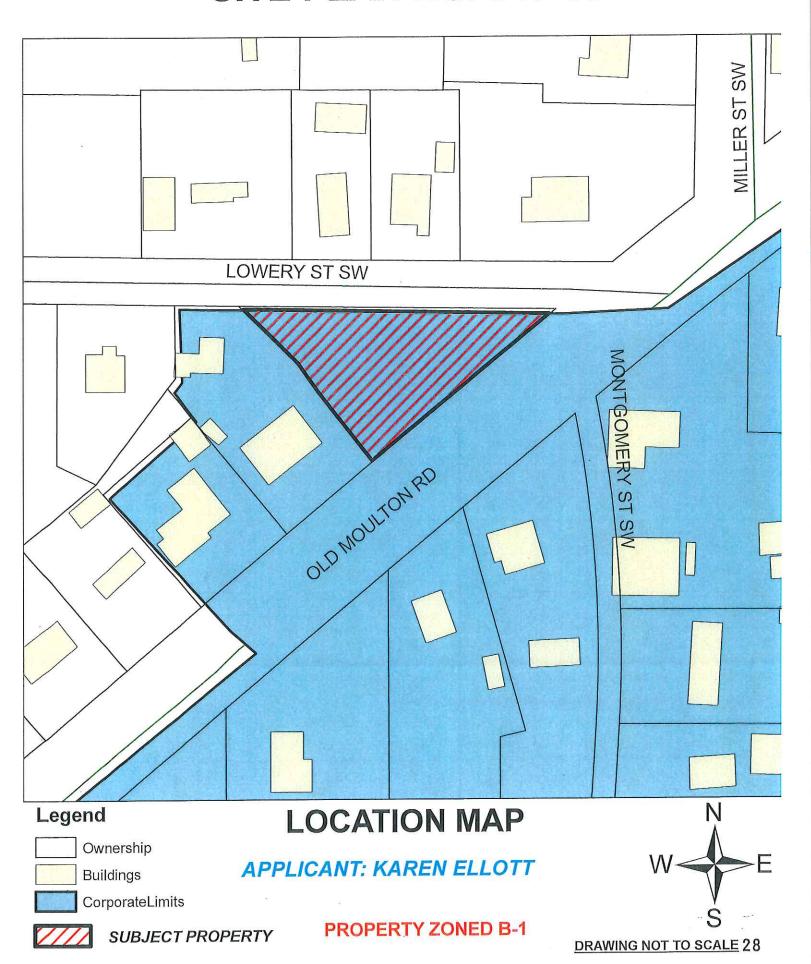
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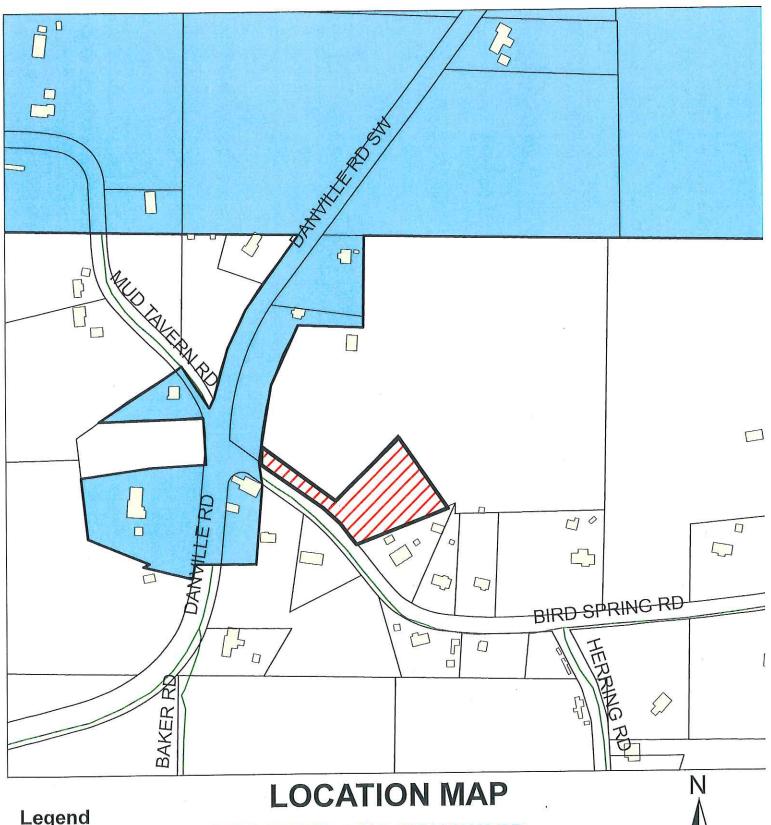
CERTIFICATE TO SUBDIVIDE NO.3338-16



SITE PLAN NO. 547-16



ANNEXATION REQUEST NO. 351-16 1.77 ACRES MORE OR LESS



Legend



APPLICANT: ASHLEY HOWARD AND ALICE GLAZE





SUBJECT PROPERTY

DRAWING NOT TO SCALE 29