

# Minutes Planning Commission January 21, 2020

**Present:** Kent Lawrence, *Chairman*; Gary Borden, *Vice Chairman*; Myrna Burroughs; Forrest Temple; Frances Tate; Eddie Pike; Joseph Wynn

**Absent:** Dan Culpepper, *Secretary*; Chuck Ard

- Chairman Lawrence called the meeting to order at 3:30 p.m. A roll call established that there was a quorum present.
- **Approval of Minutes:** Commissioner Temple made the motion to approve the amended minutes of the November 19, 2019 Planning Commission Meeting. Commissioner Borden seconded the motion. The minutes were approved.
- Karen Smith, representing the Planning Department, presented the agenda requests.
- Minutes were recorded by Nancy Whiteside.

## **After calling the meeting to order, Chairman Lawrence made the following statement:**

- The format for the meeting is as follows a representative from the Planning Commission will read each case being presented to the commission.
- If you wish to comment on an item we ask that you come to the microphone – you may adjust it should you need to- and state your name and home address including city if you are from out of town and make your comment
- The first part of the meeting is public hearings and each item will be read separately and voted on after comments and discussion –
  - Preliminary plats are the second step of the subdivision process and will have construction plans included
  - Minor plats are plat that have more than three lots and a topo provided for review
  - Planning Commission resolution this month we will be allowing the use of Experimental status for Harbor Square Minor plat and the resolution will be presented with the plat.
  - Rezoning impact the uses and lot requirements. A rezoning can either be recommended to the City Council or the commission can vote to not recommend to the City Council. If an applicant wishes to go on to the City Council without a recommendation from the Planning Commission they should notify the Planning Department via email or in writing tomorrow
  - Zoning – are where we apply a city zoning district to property that has been recently annexed and does not have a zoning district applied to it.
- The consent agenda – is a part of the agenda that the Planning Commission has the final decision on. These items are read together and voted on as a group. If you wish to comment on a consent agenda item you may do so after all the items have been read.
  - Certificates to Subdivide – allow for creation of no more than 3 lots and adjustment of lot lines
  - Site Plans – are required for developments on streets classified as collector and above
- Other business – is those items that go to the City Council for final approval that do not require a public hearing. We do this to allow our City Council member to vote during the council meeting and abstain during the Planning Commission meeting.

- Annexations-adding property to the city limits
- Vacation Requests-to give up public right-of-way or easements

## PUBLIC HEARING

**FILE NAME OR NUMBER:** 1342-20

**ACRES:** .16 ACRES  
BUSINESS)

**CURRENT ZONE:**B2 (GENERAL

**APPLICANT:** GEORGE GODWIN REPRESENTING THE EARL CHARITABLE FOUNDATION

**LOCATION AND OR PROPERTY ADDRESS:** 425 EAST MOULTON ST SOUTH SIDE BETWEEN 6<sup>TH</sup> AV AND 4<sup>TH</sup> AV

**REQUEST:** TO REZONE A .16 ACRE TRACT FROM B2 (GENERAL BUSINES) TO B5 (CENTRAL BUSINESS DISTRICT)

**NEW ZONE:** B5 (CENTRAL BUSINESS DISTRICT)

**PROPOSED LAND USE:** YOUTH MINISTRY

**ONE DECATUR FUTURE LAND USE:**URBAN CORE DOWNTOWN

**ONE DECATUR STREET TYPOLOGY:** EAST MOULTON ST IS A CITY CONNECTOR

### COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:

The Zoning Committee recommends approval to change the zoning of this property from B2 (general business) to B5 (central business district) as this is reflective of the One Decatur future land use which is Urban Core Downtown, and the property immediately to the north is also zoned B5.

#### **Pt. of information**

1. Consider parking for future development
2. Consider the rest of E. Moulton, it may end up being re-zoned to stay in conformity with One Decatur Plan

### COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

Chairman Lawrence asked if there were any questions or comments.No one came forward.

*Commissioner Pike made a motion to approve the rezoning request. Commissioner Temple seconded the motion. Upon roll call, the motion was unanimously approved.*

**FILE NAME OR NUMBER:** 1343-20

**ACRES:** 4 Acres

**CURRENT ZONE:** Recently Annexed

**APPLICANT:** City of Decatur for the Seventh Day Adventist Church

**LOCATION AND OR PROPERTY ADDRESS:** 1615 5<sup>TH</sup> AV NW south side of 5<sup>TH</sup> AV west of Monroe DR NW

**REQUEST:** To apply an ID (Institutional Zone) to a recently annexed piece of property

**NEW ZONE:** ID Institutional Zone

**PROPOSED LAND USE:** Continue to be a church

**ONE DECATUR FUTURE LAND USE:** Flex Employment Center

**ONE DECATUR STREET TYPOLOGY:** Local

**COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:**

The Zoning Committee recommends approval of this request to apply an ID (institutional) zone to the recently annexed piece of property. It will support the One Decatur future land use of Flex Employment and the ID zone is the best zone for the current Church use.

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

Chairman Lawrence asked if there were any questions or comments.No one came forward.

*Commissioner Bordon made a motion to approve the zoning request. Commissioner Tate seconded the motion. Upon roll call, the motion was unanimously approved.*

**FILE NAME OR NUMBER:** Morris Brother Subdivision a replat of lot 1

**ACRES:** 19.77 acres

**CURRENT ZONE:** R3

**APPLICANT:** Pugh Wright McAnally for Morris Development

**LOCATION AND OR PROPERTY ADDRESS:** East side of Old River Road north of Upper River Road

**REQUEST:** Preliminary approval to subdivide 19.77 acres into 56 single family residential lots

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Single family homes

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Old River road is a local street

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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1. Payment of \$280.00 plat application fee
2. Payment for notification of the 18 adjacent property owners
3. Provide street names
4. The final of this subdivision will be done in phases. Provide a rough idea of what those phases will look like.
5. Add a plat note that there will be a street stub provided to the north in the next phase to the east of this subdivision to take advantage of the terrain in that area.
6. Address the engineering punch list items and this to be verified with the City Engineers signature on the final plat.

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense.
2. There will be temporary turn around areas required in the areas where the streets dead end.
3. There will be a stub out for a sewer extension to the north.
4. Decatur Utilities (DU) will make service crossings.

**Chairman Lawrence asked if there were any questions or comments.**

**David Hughes 3015 Old River Rd-Objects to lot layout and lot sizes, wants street put in on W. side of Deere Rd. first to cut down on traffic during construction and to also provide Police/Fire access. Would like to have a time frame for construction. Do the plans for the sub-division meet the criteria for the One Decatur Plan.**

**John Jenson 3002 Old River Rd- Buffer between new development and properties already existing. Mr. Jenson would like some kind of buffer to minimize noise coming from street that will be located next to his home.**

**Commissioner Lawrence responded to the concerns stating that the new zoning ordinance has not gone into effect yet and does not have any bearing on this case.**

**Commissioner Lawrence also stated that the property developers do not have access to Deere Rd at this time.**

**Commissioner Lawrence stated this Board is working within the current guidelines that are adopted and buffers are not required by the City of Decatur therefore, the developers were not obligated to provide buffers.**

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

***Commissioner Temple made a motion to approve the plat review. Commissioner Wynn seconded the motion. Upon roll call, the motion was unanimously approved.***

**FILE NAME OR NUMBER:** Harbor Square Minor Plat an experimental subdivision

**ACRES:** 7.51 acres

**CURRENT ZONE:** R4

**APPLICANT:** Pugh Wright McAnally representing Community Action Partnership of North Alabama

**LOCATION AND OR PROPERTY ADDRESS:** 3201 Sumac Rd SW at the end of Sumac south of Blackberry DR SW

**REQUEST:** for approval of an experimental subdivision to create four lots from 6.29 acres, 1.12 acres, .07 acres and .03 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** this will continue to be multi family

**ONE DECATUR FUTURE LAND USE:** Residential medium to high density

**ONE DECATUR STREET TYPOLOGY:** Sumac is a local street

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Approval of Planning Commission Resolution 001-20 allowing an experimental subdivision and establishing ownership and maintenance of lots 2, 3 and 4
2. Plat application fee of \$115.00
3. Pay for notification of adjoining property owners
4. Provide a signed application
5. Provide a plat note that lots 2, 3, and 4 will be maintained by the owner of lot 1 in perpetuity with cross references on each lot.

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense
2. This is an experimental subdivision which will create 3 lots that will not be buildable.

**Chairman Lawrence asked if there were any questions or comments.**

**Tim Thrasher- CEO of CAPNA, Community Action Partnership of North Alabama spoke on behalf of CAPNA stating the improvements to this property are being made by CAPNA and assured the Board that this property will be properly maintained.**

**Chairman Lawrence asked the City Attorney what order the voting order should be for the Harbor Square subdivision and it's related resolution. The City Attorney said the resolution should be voted on first.**

**FILE NUMBER:** Resolution 001-2020

**CONTROL NO.** N/A

**ACRES:** 7.51 acres

**CURRENT ZONE:** R4

**NEW ZONE:** N/A

**APPLICANT** Pugh Wright McAnally representing Community Action Partnership of North Alabama (CAPNA)

**PROPERTY OWNER/PROPERTY ADDRESS:** 3201 Sumac Rd SW at the end of Sumac south of Blackberry DR SW

**REQUEST:** To approve Harbor Square Minor Plat as an Experimental Subdivision Status

**CURRENT LANDUSE:** Multi family

**PROPOSED LANDUSE:** This will continue to be multi family

**ONE DECATUR Future Landuse:** Residential medium to high density

**ONE DECATUR STREET TYPOLOGY:** Sumac is a local street

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

*Commissioner Temple made a motion to approve the resolution. Commissioner Borden seconded the motion. Upon roll call, the motion was unanimously approved.*

*Commissioner Pike made a motion to approve the plat review. Commissioner Borden seconded the motion. Upon roll call, the motion was unanimously approved.*

**END PUBLIC HEARING**

**CONSENT AGENDA**

**FILE NAME OR NUMBER:** Certificate 3467-20

**ACRES:** 6.53

**CURRENT ZONE:** Planning Jurisdiction

**APPLICANT:** Lee Greene for Lindsay and Rita Trousdale

**LOCATION AND OR PROPERTY ADDRESS:** 5401 Indian Hills Rd south of Cedar Lane

**REQUEST:** To consolidate a 3.07 acre tract and a 3.46 acre tract into a 6.53 acre tract and subdivide that into two tracts of 4.8846 acres and 1.6524 acres.

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Unknown

**ONE DECATUR FUTURE LAND USE:** Rural edge agriculture

**ONE DECATUR STREET TYPOLOGY:** Indian Hills Rd is a Neighborhood Connector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Certificate 3468-20

**ACRES:** .32 acres

**CURRENT ZONE:** R3 single family residential

**APPLICANT:** Lee Greene for AMT properties

**LOCATION AND OR PROPERTY ADDRESS:** 316 7<sup>th</sup> AV SE east side of 7<sup>th</sup> AV between 9<sup>th</sup> ST and 10<sup>th</sup> ST

**REQUEST:** To subdivide a .32 acre tract into two tracts of .16 acres each

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Unknown

**ONE DECATUR FUTURE LAND USE:** Core Neighborhood

**ONE DECATUR STREET TYPOLOGY:** 7<sup>th</sup> AV SE is a local street

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. When were the lots consolidated?

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Certificate 3469-20

**ACRES:** .61

**CURRENT ZONE:** R2 single family residential and R3 single family residential

**APPLICANT:** Pugh Wright McAnally for Benji and Faith Heidecker

**LOCATION AND OR PROPERTY ADDRESS:** 4310 and 4308 Ruby Pointe Dr SE east side of Ruby Pointe DR and north of Diamond Pointe DR

**REQUEST:** To consolidate a .23 acre lot with a .38 acre lot to create a .61 acre lot

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Residential

**ONE DECATUR FUTURE LAND USE:** Residential Low Density

**ONE DECATUR STREET TYPOLOGY:** Diamond Pointe DR and Ruby Pointe DR are local streets



**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense.
2. If a structure is desired in the side yard (4308 Ruby Pointe DR SE) it will require Board of Zoning Adjustment (BOZA) approval.

**FILE NAME OR NUMBER:** Certificate 3470-20

**ACRES:** 1.86

**CURRENT ZONE:** AG1 agricultural

**APPLICANT:** Pugh Wright McAnally for Robert Latter

**LOCATION AND OR PROPERTY ADDRESS:** 2040 Chapel Hill RD SW north side of Chapel Hill RD west of Danville RD SW

**REQUEST:** To consolidate a .77 acre tract and a 1.09 acre tract into one tract of 1.86 acres.

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Unknown

**ONE DECATUR FUTURE LAND USE:** Rural Agricultural

**ONE DECATUR STREET TYPOLOGY:** Chapel Hill is a neighborhood connector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. Verify and show the Right of Way (ROW) for Chapel Hill RD SW.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Certificate 3471-20

**ACRES:** 12.5369 acres

**CURRENT ZONE:** AG 1 agricultural

**APPLICANT:** Pugh Wright McAnally for Alan Nunnelee

**LOCATION AND OR PROPERTY ADDRESS:** 2502 Old River RD SE north of Lower River RD SE

**REQUEST:** To subdivide a 12.5369 acre tract into two tracts of 5.98 and 6.27 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Unknown

**ONE DECATUR FUTURE LAND USE:** Residential low density

**ONE DECATUR STREET TYPOLOGY:** Old River Road is a local street

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. Show 30 feet of ROW for Old River RD from the center line
4. Provide a 5 foot multipurpose (DUTE) easement from the edge of the right of way to the transformer.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Certificate 3472-20

**ACRES:** 2.28 acres  
District

**CURRENT ZONE:** B5 Central Business

**APPLICANT:** Pugh Wright McAnally for Decatur City Schools and Jeff Parker

**LOCATION AND OR PROPERTY ADDRESS:** 400 Grant ST SE North side of Grant ST and East of 4<sup>th</sup> AV SE

**REQUEST:** To subdivide a 2.26 acre tract into two units of 1.21 acres and 1.05 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Office mixed use

**ONE DECATUR FUTURE LAND USE:** Urban Core downtown

**ONE DECATUR STREET TYPOLOGY:** 4<sup>th</sup> AV is a neighborhood connector and Grant St is a local street.

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. Include the parking language “Any reduction in the total number of parking spaces 139 spaces will require Planning Commission approval”. We will need to adjust this language to reflect the total number of spaces on Unit one (1.21 acres) and Unit 2 (1.05 acres).
4. Maintenance of the “no build” easement will be the responsibility of the owners of Unit 1 and this should be stated in the body of the certificate.
5. Provide a DUTE easement around the electrical transformer and service line.
6. Show the alley rights of way

**Pt. of Info:**

1. Any relocation of utilities will be at the owner’s expense
2. The “no build area” is part of a vacated city alley Vacation Request no 211-91.

**FILE NAME OR NUMBER:** Certificate 3473-20

**ACRES:** 26.49 Acres

**CURRENT ZONE:**B6 office commercial

**APPLICANT:** Phil Waldrep Ministries Association

**LOCATION AND OR PROPERTY ADDRESS:** 2916 Danville RD SW east side of Danville RD north of Stone River DR

**REQUEST:** To consolidate a 26.49 acre tract and a 7.88 acre tract into one tract of 34.37 acres

**NEW ZONE:** N/A  
evangelical business

**PROPOSED LAND USE:** Office for an

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Danville Rd is a city connector

<p><b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b></p>
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1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. Show flood information on the survey

**Pt. of Info:**

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

2. There will be a flood development permit required when a building permit is requested.

**FILE NAME OR NUMBER:** Certificate 3474-20

**ACRES:** 14.24 acres

**CURRENT ZONE:**AG 1 Agricultural

**APPLICANT:** Pugh Wright McAnally representing Sims Properties

**LOCATION AND OR PROPERTY ADDRESS:** 2828 Danville RD SW east side of Danville Rd south of the Hemingway DR right of way

**REQUEST:** To consolidate a 1.14 acre tract with a 13.10 acre tract to create a 14.24 acre tract

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Golf driving range

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Danville RD is a city connector and Hemingway is an unimproved right of way.

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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1. Provide stamped and sealed survey for recording
2. Provide recording fees with a check made out to the Judge of Probate
3. Show flood information on the survey.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Site Plan 592-20

**ACRES:** 2.37 acres

**CURRENT ZONE:** M1A

**APPLICANT:** Buckle Design for Discount Tire

**LOCATION AND OR PROPERTY ADDRESS:** 1403 Beltline RD SW south west of the Beltline west side of Centron DR SW

**REQUEST:** Site plan approval to build a 5,192 square foot Discount Tire store

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Retail

**ONE DECATUR FUTURE LAND USE:** Community Commercial

**ONE DECATUR STREET TYPOLOGY:** Beltline is a Beltline

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Need applicants signatures on application
2. Provide detail on the water main for DU.
3. Show the sewer stub out
4. DU to approve the species type for the trees under the power line.
5. Show the light poles on the drawing
6. Indicate the water flow direction on the south property line.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Site Plan 593-20

**ACRES:** 14.24 acres

**CURRENT ZONE:**AG1

**APPLICANT:** Pugh Wright McAnally for Mark Sims Under Par Golf

**LOCATION AND OR PROPERTY ADDRESS:** East side of Danville Rd. SW south of Modaus Rd across from Austin Middle School 2828 Danville Rd SW

**REQUEST:** For site plan approval to have a driving range and the ancillary building needed to support a driving range. The building will be 2,120 square feet.

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Golf driving range

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Danville Rd is a city connector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Need signed application
2. Provide copy of the deed to the property

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense
2. Debris in the drainage area will be the responsibility of the property owner.

**FILE NAME OR NUMBER:** Site Plan 594-20

**ACRES:** 8 acres

**CURRENT ZONE:** B6

**APPLICANT:** Pugh Wright McAnally for Phil Waldrep Ministries administrative business offices

**LOCATION AND OR PROPERTY ADDRESS:** West side of Danville Rd. SW north of Stone River DR

**REQUEST:** The administrative offices for Phil Waldrep Ministries business. The first building on the site will be 18,050 square feet.

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Administrative offices for an evangelical business

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Danville Rd is a city connector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide a signed site plan applications

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense
2. Site plan review will be needed for the two future buildings- to consider impact on the adjacent properties, drainage, parking, landscaping, circulation et.  
Administrative approval should be possible unless there are significant changes.
  - a. Building directly behind the proposed office building on these plans will be a logistics building and provide storage space for equipment.
  - b. Building to the north of the proposed office on these plans is planned to be another office building.

**Chairman Lawrence asked if there were any questions or comments. No one came forward.**

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

*Commissioner Pike made a motion to approve the consent agenda. Commissioner Tate seconded the motion. Upon roll call, the motion was unanimously approved.*

**END CONSENT AGENDA**

**OTHER BUSINESS**

**FILE NAME OR NUMBER:** Annexation 359-20

**ACRES:** 4.42 acres

**CURRENT ZONE:**N/A

**APPLICANT:** Yogi and Kenny Patel

**LOCATION AND OR PROPERTY ADDRESS:** North side of Old Moulton RD SW where Brookline ends 2614 Old Moulton Rd SW

**REQUEST:** To annex 4.42 acres into the city limits of Decatur

**NEW ZONE:** N/A  
convenience store

**PROPOSED LAND USE:** Continue to be a

**ONE DECATUR FUTURE LAND USE:** Mixed neighborhood

**ONE DECATUR STREET TYPOLOGY:** Old Moulton is a city connector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

*Commissioner Borden made a motion to recommend the annexation request to the City Council. Commissioner Temple seconded the motion. Upon roll call, the motion was unanimously approved.*

**FILE NAME OR NUMBER:** Vacation 516-20

**ACRES:** .09 acres

**CURRENT ZONE:**B2 General business

**APPLICANT:** Pugh Wright McAnally for Dynamic Fitness

**LOCATION AND OR PROPERTY ADDRESS:** Southeast corner of the intersection of Gordon Terry Parkway and Woodall RD

**REQUEST:** To vacate .09 acres of a Sanitary Sewer Easement

**NEW ZONE:** N/A

**PROPOSED LAND USE:** No change at this time

**ONE DECATUR FUTURE LAND USE:** Residential low density

**ONE DECATUR STREET TYPOLOGY:** Gordon Terry is a Work Horse

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

**Change easement to ROW**

*Commissioner Temple made a motion to recommend the vacation request to the City Council. Commissioner Pike seconded the motion. Upon roll call, the motion was unanimously approved.*

**FILE NAME OR NUMBER:** Vacation 517-20

**ACRES:** .092 acres

**CURRENT ZONE:** M2

**APPLICANT:** Pugh Wright McAnally for Alabama Farmer's Cooperative

**LOCATION AND OR PROPERTY ADDRESS:** 800 Market St NE north side of Market St east of Highway 31

**REQUEST:** To vacate .092 acres if the right of way for Market St and Railroad

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Unchanged

**ONE DECATUR FUTURE LAND USE:** Riverfront mixed use



**ONE DECATUR STREET TYPOLOGY:** Market St is classified as a local street but experiences large amounts of semi-truck traffic

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Provide a copy of the Patillo map that shows the rights of way
2. Is some of this railroad right of way?

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense
2. Provide a copy of the Patillo map that shows the street ROW
3. Some of this ROW may belong to the railroad.

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

*Commissioner Borden made a motion to recommend the vacation request to the City Council. Commissioner Tate seconded the motion. Upon roll call, the motion was unanimously approved.*

**OLD BUSINESS**

Request to amend the conditions of Southland Plaza minor plat to include a new condition and remove a point of information.

Add this as condition 9 and remove POI 4

“The City of Decatur, Alabama by approval of this Plat does not accept for maintenance or improvement that right of way conveyed to Morgan County by Deed recorded in Book 515 at Page 8 in the Office of Judge of Probate of Morgan County, Alabama. However, it is understood and agreed the area of that right of way conveyed by such Deed is to remain open for pedestrian and vehicular access and for utilities usage.”

**FILE NAME OR NUMBER:** Southland Shopping Center plat no 1

**ACRES:** 14.93

**CURRENT ZONE:**B2 (General Business)

**APPLICANT:** Gonzalez Strength engineering for Shopping Center Owner)

**LOCATION AND OR PROPERTY ADDRESS:** 2009 and 2019 Sixth AV SE west side of Sixth AV south of McGlathery LN SE

**REQUEST:** Minor Plat approval to subdivide 14.93 acres into two tract of 12.41 acres and 2.52 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Commercial

**ONE DECATUR FUTURE LAND USE:** Community Commercial

**ONE DECATUR STREET TYPOLOGY:** Sixth AV is a workhorse and McGlathery is a local street

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**

1. Need owners signature on the application
2. Fees
3. Show cross access on the plat
4. DU-10' easement along 6<sup>th</sup> AV.
5. Make corrections to legal description so that survey and legal match.
6. Remove Neely St from plat and show as a drainage and utilities right of way. – show the existing drainage improvement on the south side of the property as a drainage right of way for the length of the improvement located on the property.
7. Show all DUTE and cross access easements on the plat
8. Delineate the Special Flood Hazard Areas on map

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense.
2. Dumpsters to be provided according to designs available from engineering and or public works.
3. Changes to access to highway 31 and McGlathery will need further discussion. Improvements will be discussed during the site plan process any changes to the Highway 31 access will require ALDOT (Alabama Department of Transportation) approval.
4. If Neely Street is left on the plat it will need to be improved to City standards.

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

*Commissioner Pike made a motion to approve the amended conditions. Commissioner Tate seconded the motion. Upon roll call, the motion was unanimously approved.*