

Minutes
Planning Commission
February 18, 2020

Present: Kent Lawrence, *Chairman*; Gary Borden, *Vice Chairman*; Dan Culpepper, *Secretary*; Myrna Burroughs; Frances Tate; Joseph Wynn

Absent: Chuck Ard; Forrest Temple; Eddie Pike

- 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 Borden made the motion to approve the amended minutes of the January 21, 2020 Planning Commission Meeting. Commissioner Tate seconded the motion. The minutes were approved.
- Karen Smith, representing the Planning Department, presented the agenda requests.
- Minutes were recorded by Kim Mooney.

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 –
 - Minor plats are plat that have more than three lots and a topo provided for review
 - 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. (Kent I am putting the next day in the statement because our turnaround time to make the next council agenda is always tight- usually due to city clerk the Wednesday after our meeting)
 - 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.
 - Prezoning – Section 11-52-85 makes provisions for municipalities to apply a zoning district to property contiguous to the City Limits with an agreement that the property will be annexed within six months of the pre zoning being completed
- 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.
 - Layout plats – give a general idea of the lot layout for a subdivision
 - Certificates to Subdivide
 - Site Plans

- 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.

PUBLIC HEARING

FILE NAME OR NUMBER: Rezoning 1344-20

ACRES: .44

CURRENT ZONE: M1 Light Manufacturing

APPLICANT: Wayne Sisco and Herb Underwood

LOCATION AND OR PROPERTY ADDRESS: 16 Cherry ST NW Northwest corner of Cherry ST and Railroad ST

REQUEST: To rezone a .44 acre tract from M1 Light Manufacturing to B5 Central Business District

NEW ZONE: B5 Central Business District **PROPOSED LAND USE:** Residential – high density small hotel and some townhomes

ONE DECATUR FUTURE LAND USE: Urban Core Downtown

ONE DECATUR STREET TYPOLOGY: Bank St is a neighborhood connector and Cherry St is a local street.

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:

The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The B5 Central Business District Zoning is more reflective of the Urban Core Downtown than the M1 Light Manufacturing District the property is currently zoned.

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. When development of this property is started it will require a certificate to Consolidate and a site plan review. If multiple lots are desired there will be a subdivision plat needed.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

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

FILE NAME OR NUMBER: Rezoning 1345-20

ACRES: 31 **CURRENT ZONE:** AG 2 Agricultural

APPLICANT: Jeff Parker for Land Services, LLC

LOCATION AND OR PROPERTY ADDRESS: 2919 Fairgrounds RD SW south side of Sims at the end of Fairgrounds RD

REQUEST: To rezone a 31 acre tract from AG2 Agricultural to M1A Expressway Commercial

NEW ZONE: M1A Expressway Commercial **PROPOSED LAND USE:** Warehouses

ONE DECATUR FUTURE LAND USE: Major Institutional Civic

ONE DECATUR STREET TYPOLOGY: Sims ST and Fairgrounds RD are both considered local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The future land use of Major Institutional Civic is no longer applicable for this property. The property is no longer in public ownership. The M1A expressway commercial zone would allow development of this property as is described in the Community Commercial land use section.

Pt. of Info:

1. Any relocation of utilities will be at the owner’s expense.
2. Warehouses of more than 15,000 square feet should have direct access to a collector street that will get Semi trucks and dual axel trucks quickly to part of the truck route.
3. An opaque landscape buffer no less than 20 feet will be required between this property and the residential property to the west, south and east.

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

Richard Henry of 3003 Stoneway DR came forward to express concern about an increase in noise and light from the site. He stated that he believes it should be considered to be zone as something other than a business district.

Terry Rossi of 3212 Sweet Briar came forward to express concern about a commitment to building a buffer. She would like some type of fencing used as a buffer.

Karen Smith of the Planning Department told her that there is a point of information about the buffer.

Jeff Parker of 2835 West Chapel Hill RD came forward to say that he plans to build a second warehouse and other similar sized warehouses on this property. He stated that the buffer that is already on south side of the property will not be disturbed. He also said that new utilities will be added to the property. In the future he will add additional warehouses.

Richard Henry asked what other uses there could be for the proposed zoning.

Karen Smith read zoning uses for an M1A zone.

Commissioner Culpepper made a motion to recommend the rezoning to the City Council. Commissioner Wynn seconded the motion. Upon roll call, the motion was unanimously approved.

FILE NAME OR NUMBER: Prezoning 1346-20

ACRES: 91.9 Acres
corporate limits

CURRENT ZONE: Outside the

APPLICANT: Pugh Wright McAnally representing the Morris Brothers

LOCATION AND OR PROPERTY ADDRESS: West side of Old River Rd, east side of Deere Rd and north of Upper River Rd

REQUEST: To pre-zone a 91.9 acres tract R3 Single Family Residential

NEW ZONE: R3 single family residential
residential homes

PROPOSED LAND USE: Single family

ONE DECATUR FUTURE LAND USE: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Neighborhood collector

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE COMMITTEE:

The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The R3 Single Family Residential is an appropriate zone for a mixed neighborhood.

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 rezoning to the City Council. Commissioner Culpepper seconded the motion. Upon roll call, the motion was unanimously approved.

FILE NAME OR NUMBER: Rezoning 1347-20

ACRES: 5.25

CURRENT ZONE: Outside the corporate limits

APPLICANT: Pugh Wright McAnally for Morris

LOCATION AND OR PROPERTY ADDRESS: West of Old River Rd, East of Deere Rd and North of Upper River Rd

REQUEST: To pre-zone a 5.25 acres tract to R6 Single Family Townhomes (Semi-attached)

NEW ZONE: N/A
residential

PROPOSED LAND USE: Single family

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Neighborhood collector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

The Zoning Committee recommends that the Planning Commission recommend this request to the City Council for approval. The R6 Single Family Townhomes (Semi-attached) is an appropriate zone for a mixed neighborhood.

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 rezoning to the City Council. Commissioner Culpepper seconded the motion. Upon roll call, the motion was unanimously approved.

FILE NAME OR NUMBER: River Road Estates

ACRES: 97.19 **CURRENT ZONE:** Outside corporate limits requesting pre-zoning

APPLICANT: Pugh Wright McAnally representing Morris Holdings LLC

LOCATION AND OR PROPERTY ADDRESS: Lot 2 of Morris Brothers Minor plat north side of Upper River Rd between Deere Rd and Old River Rd

REQUEST: To subdivide (Lot 2 97.19 of Morris Brothers minor plat) into 67 R3 single family lots, 39 R6 Single Family Townhomes (Semi-attached) lots, two out parcels (five acre detention pond and a 69 acres plus or minus).

NEW ZONE: Proposed to be R3 Single Family and R6 Single Family Townhomes.

PROPOSED LAND USE: Single family residential subdivision

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Upper River Rd and Old River Road are neighborhood connectors

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. Show the property to the west of Morris Brothers replat of lot 1 and north of the R3 part of this subdivision (fronting on Deere RD) as a separate out parcel
2. Identify the boundary between the Replat of lot 1 and label it
3. Label the out parcels

Pt. of Info:

1. Provide street names with the preliminary submission
2. Any relocation of utilities will be at the owner's expense
3. This property is proposed for pre-zoning to R3 and R6

At preliminary

1. Show the sewer lines on the plat and provide easements as needed.
2. Show the flood zone information on the plat
3. Flood permit

At final

1. Establish the side yard set backs on the plat

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

END PUBLIC HEARING

CONSENT AGENDA

FILE NAME OR NUMBER: 3475-20

ACRES: 3.85

CURRENT ZONE:AG 1 – Agricultural Zone

APPLICANT: Pugh Wright McAnally for Rafer and Wanda Jones

LOCATION AND OR PROPERTY ADDRESS: 3114 Willow Bend RD SE West side of Willow Bend South of Heather Lane

REQUEST: To subdivide a 3.85 acre tract into two tracts of 1.93 and 1.82 acres

NEW ZONE: N/A
residential

PROPOSED LAND USE: Low density

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Willow Bend Rd is a neighborhood connector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. Signed and sealed survey for recording
2. Fees for recording made out to the Judge of probate

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. Consider 10' wide easement down property line to get electricity to lot 3A

FILE NAME OR NUMBER: 3476-20

ACRES: 8.58 acres
Commercial

CURRENT ZONE: M1A Expressway

APPLICANT: Pugh Wright McAnally Decatur Ventures

LOCATION AND OR PROPERTY ADDRESS: South side of Beltline west of Highway 31

REQUEST: To subdivide 8.58 acres into two units of 7.67 acres and .91 acres

NEW ZONE: N/A

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Regional Mixed Use

ONE DECATUR STREET TYPOLOGY: Beltline is a Beltline and Highway 31 is a workhorse

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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1. Signed and sealed survey for recording
2. Fees for recording made out to the Judge of probate
3. Provide a letter requesting the subdivision
4. Provide a copy of the deed
5. Continue and extend 20' DUTE easement from Discount Tires
6. Extend sewer to unit six – or the smaller lot

Pt. of Info:

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

FILE NAME OR NUMBER: The Seville Ph 2 – a re-subdivision of lots 1-8

ACRES: 1.67 more or less
Homes

CURRENT ZONE: R5 Single Family Patio

APPLICANT: Pugh Wright McAnally for the City of Decatur

LOCATION AND OR PROPERTY ADDRESS: North side of Second AV east of Old Moulton RD

REQUEST: Minor plat approval to adjust the lots lines between lots 1-8 this will reduce the number of lots from 8 to 5

NEW ZONE: N/A
residential

PROPOSED LAND USE: Single family

ONE DECATUR FUTURE LAND USE: Mixed neighborhood

ONE DECATUR STREET TYPOLOGY: Old Moulton Rd is a City Connector and 2nd ST SW is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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1. Recording fees
2. Carry over plat notes from the Seville
3. Show the drainage / detention area as an easement
4. Completion and recording of Vacation request 518-20
5. Show the side yard setback on the plat

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. When a home owners association is established they will take over maintenance of the common areas.

FILE NAME OR NUMBER: SITE PLAN 595-20

ACRES: 8.41 MORE OR LESS **CURRENT ZONE:** M1A EXPRESSWAY
COMMERCIAL

APPLICANT: Pugh Wright McAnally for Decatur Ventures

LOCATION AND OR PROPERTY ADDRESS: 1107 D Beltline Rd SW south side of Beltline on the Hobby Lobby lot

REQUEST: For site plan approval for a new 2,186 square foot fast food restaurant

NEW ZONE: N/A

PROPOSED LAND USE: New Restaurant

ONE DECATUR FUTURE LAND USE: Regional Mixed use

ONE DECATUR STREET TYPOLOGY: Beltline is a Beltline and Highway 31 is workhorse

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. ALDOT permits need to be completed
2. Provide a lighting and photo metric plan
3. Approval of the landscape plans
4. Completion of Certificate 3476-20

Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. The parking in this shopping center was provided under a different set of parking requirements. It exceeds our current requirements.

Commissioner Borden made a motion to approve the consent agenda. Commissioner Culpepper seconded the motion. Upon roll call, the motion was unanimously approved.

END CONSENT AGENDA

OTHER BUSINESS

FILE NAME OR NUMBER: Vacation Request 518-20

ACRES: 1.67 acres more or less **CURRENT ZONE:**R5 Single Family Patio Homes

APPLICANT: Pugh Wright McAnally for the City of Decatur

LOCATION AND OR PROPERTY ADDRESS: North side of Second AV east of Old Moulton RD

REQUEST: To vacate the easements between lots 1-8 – these will be replaced with new easements on the replat

NEW ZONE: N/A
Residential

PROPOSED LAND USE: Single Family

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Old Moulton Rd is a City connector and 2nd ST SW is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Pt. of Info:

1. Any relocation of utilities will be at the owner's expense
2. The Seville phase 2 cannot be recorded until this vacation is recorded

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

NEW BUSINESS

Chairman Lawrence asked for motion to keep the PC Bylaws as they are. Commissioner Culpepper made a motion to keep the current by-laws. Commissioner Wynn seconded the motion. All were in agreement.

Chairman Lawrence asked for a motion to adjourn the meeting. Commissioner Borden made the motion and Commissioner Culpepper seconded it. All were in favor.