

**Minutes  
Planning Commission  
November 19, 2019**

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

**Absent:** Eddie Pike; Joseph Wynn; 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 October 22, 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 Kim Stone.

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

**Each item will be read separately and voted on after comments and discussion. 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 then make your comments. Please feel free to quietly leave after the case you are here for.**

**PUBLIC HEARING**

**FILE NAME OR NUMBER:** Black Branch Point phase 1

**ACRES:** 47.63  
M1 (light industry)

**CURRENT ZONE:**M2 (General Industry and

**APPLICANT:** Pugh Wright McAnally (PWM) for Land Development and Greystone Properties

**LOCATION AND OR PROPERTY ADDRESS:** North side of Point Mallard DR west of the Golf Course

**REQUEST:** Preliminary approval to subdivide 29.84 acres into 32 single family residential lots and one large lot for future development

**NEW ZONE:** R3 – This property is currently being considered for rezoning

**PROPOSED LAND USE:** Single family residential

**ONE DECATUR FUTURE LAND USE:** River Front Mixed Use

**ONE DECATUR STREET TYPOLOGY:** Point Mallard Dr is a City Connector

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

1. Plat fees and adjacent property owner
2. Subject to approval of Rezoning's 1337-19 and 1338-19
3. Completed and signed application
4. Abstract
5. Street furniture shown and with statement that they are to be maintained by Home Owners Association (HOA). Show all right of way widths around street furniture. This should be sufficient for a fire truck and or garbage truck to easily navigate.
6. Show the width of the intersection at Point Mallard DR
7. Show what will be planted in islands and under Tennessee Valley Authority (TVA) line.
8. This plat will be required to meet Section 25-32 (f) of the Zoning Ordinance of the City of Decatur.
9. PWM work with DU for sewer layout.
10. PWM work with the Fire Marshal on placement of hydrants.
11. Show the Bike Trail along Point Mallard Dr on the plat and how the sidewalk will connect with it.
12. PWM to work on site grading and drainage with City Engineer.

**Pt. of Info:**

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

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

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

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

**END PUBLIC HEARING**

## CONSENT AGENDA

**FILE NAME OR NUMBER:** 3463-19

**ACRES:** 1.6 **CURRENT ZONE:** R1 Single family residential

**APPLICANT:** Harry Vice for Wallace

**LOCATION AND OR PROPERTY ADDRESS:** 2701 and 2703 Country Club Rd SE

**REQUEST:** To subdivide 1.6 acres into two tracts of .6 acre and 1 acre

**NEW ZONE:** N/A **PROPOSED LAND USE:** Single family residential

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

**ONE DECATUR STREET TYPOLOGY:** Country Club is a City Connector

### COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

1. Payment of recording fees
2. Sealed survey provided for recording.
3. The proposed lot configuration will not conform to the side yard requirements of the R1 zoning district 15 feet from the property line. A variance from the Board of Zoning adjustment will be required or some adjustment of the lot line to provide the 15 foot side yard for both lots may be considered.
4. Dedicate utility easements as approved by Decatur Utilities (DU).

#### Pt. of Info:

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

**FILE NAME OR NUMBER:** 3464-19

**ACRES:** 27.74 **CURRENT ZONE:** Outside the corporate limits

**APPLICANT:** Pugh Wright McAnally for Bennich

**LOCATION AND OR PROPERTY ADDRESS:** 4202 Indian Hills Rd SE

**REQUEST:** To consolidate two tracts of 24.29 acres and 3.44 acres into one tract of 27.74 acres and re-subdivide that into three tracts of 21.76 acres, 2.81 acres and 3.14 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Residential

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

**ONE DECATUR STREET TYPOLOGY:** Indian Hills is a neighborhood connector

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

1. Recording fees
2. Sealed survey
3. Provide a copy of the Deed
4. Show field lines for unit B and that they do not encroach on unit C.
5. Dedicate a DUTE (drainage, utility, telecommunicate easement) easement for primary electrical line-15' on both sides.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Certificate 3465-19

**ACRES:** 11.98

**CURRENT ZONE:** B2 highway commercial

**APPLICANT:** Schoel Design and Engineering for Guthrie

**LOCATION AND OR PROPERTY ADDRESS:** 2931 and 2941 Point Mallard Parkway southeast corner of Point Mallard Parkway and Indian Hills Rd.

**REQUEST:** To subdivide an 11.98 acre tract into two tracts of .68 acres and 11.30 acres

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Commercial

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

**ONE DECATUR STREET TYPOLOGY:** Point Mallard Parkway is a workhorse

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

1. Show the DUTE easement on north side of property-refer to Book 569 p. 744.
2. Dedicate a DUTE easement for pole that serves billboard.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** 3466-19

**ACRES:** 2.4879 Acres

**CURRENT ZONE:** R2 Single family residential

**APPLICANT:** Lee Greene for Joe Orr

**LOCATION AND OR PROPERTY ADDRESS:** 778 Danville Rd SW – east side of Danville Rd SW in between Hartung St SW and Price Dr SW

**REQUEST:** To consolidate a .49 acre lot and a 1.997 acre lot into a 2.4879 acre lot

**NEW ZONE:** R2  
residential

**PROPOSED LAND USE:** Single family

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

**ONE DECATUR STREET TYPOLOGY:** Danville Rd SW is a Residential Collector

<p><b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b></p>
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1. Payment of recording fees
2. Sealed survey provided for recording.
3. Verify ROW (right of way) should be a minimum of 30 from the center line of Danville RD SW.

**Pt. of Info:**

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

**Site Plan 591-19 was removed from the consent agenda.**

**FILE NAME OR NUMBER:** Bond Review

**ACRES:** 15.80 **CURRENT ZONE:**R3 (Single family residential and R5 single family residential patio homes)

**APPLICANT:** Danny Hill

**LOCATION AND OR PROPERTY ADDRESS:** Princeton Place Subdivision on the east side of Shady Grove Lane

**REQUEST:** To review bond of \$38,400.00 for the completion of sidewalks in the subdivision

**NEW ZONE:** N/A **PROPOSED LAND USE:** Residential

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

**ONE DECATUR STREET TYPOLOGY:** Shady Grove is a City Connector

<b>COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:</b>
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Engineering recommends releasing these bonds and accepting the improvements for Public Use and Maintenance.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** Bond Review

**ACRES:** 27.39 **CURRENT ZONE:**R5 (single family patio homes and R3 single family residential

**APPLICANT:** Rich Litterall

**LOCATION AND OR PROPERTY ADDRESS:** West side of McEntire LN between Old Moulton and Gordon Terry

**REQUEST:** To review bonds of \$64,000.00 for the completion of sidewalks and \$45,009.65 for completion of public improvements

**NEW ZONE:** N/A **PROPOSED LAND USE:** Residential

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

**ONE DECATUR STREET TYPOLOGY:** McEntire is a Neighborhood Connector

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

Engineering recommends both of these bonds be continued. The sidewalks on the collectors are not complete and the street stubs still need to be continued to the ends of the lots.

**Pt. of Info:**

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

**FILE NAME OR NUMBER:** 582-18

**ACRES:** 9.77  
Commercial

**CURRENT ZONE:** M1A Expressway

**APPLICANT:** Gonzales – Strength & Associates for a Grocery store

**LOCATION AND OR PROPERTY ADDRESS:** 1413 and 1419 Glen ST SW South west corner of the intersection of Glen St. and the Beltline

**REQUEST:** To extend site plan approval granted in November 2018 for one additional year.

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Grocery store

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

**ONE DECATUR STREET TYPOLOGY:** The Beltline is a Beltline and Glen is a local street.

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

1. Provide irrigation and lighting plans for review and approval
2. Show road being built out to the south property line.
3. Show high pressure 6" gas line on the site plan.
4. Provide drainage report to ALDOT if pipe is existing (runs perpendicular to the State Highway Right of Way) if it is new, it will have to be permitted through the Alabama Department of Transportation. (see page 4 in Civil Plan)
5. Show construction of sidewalks along the access road and Glenn Street SW

**Pt. of Info:**

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



**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

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

**END CONSENT AGENDA**

**OTHER BUSINESS**

Commissioner Temple recused himself from the following item.

**FILE NAME OR NUMBER:** Site Plan 591-19

**ACRES:** .07

**CURRENT ZONE:**B5

**APPLICANT:** Pugh Wright McAnally for Temple

**LOCATION AND OR PROPERTY ADDRESS:** 320 Bank St NE

**REQUEST:** Site plan approval to construct an office building at the corner of Bank and Cain

**NEW ZONE:** N/A

**PROPOSED LAND USE:** Office building

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

**ONE DECATUR STREET TYPOLOGY:** Bank St is a neighborhood connector and Cain is a local street

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

1. The applicant is currently working with the city legal department to address the encroachments into the right of way – this will need to be completed and a copy provided for the file

2. Provide a completed application signed by the applicant

**Pt. of Info:**

1. Any relocation of utilities will be at the owner's expense
2. Public improvements should be maintained at or returned to the current standard prior to certificate of occupancy (c/o) being issued.
3. Solid waste disposal should be coordinated with one of the connected businesses or arranged for on the lot. Residential pick up will not be offered.

**COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:**

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

Commissioner Temple rejoined the meeting.

**NEW BUSINESS**

Chairman Lawrence asked for nominations for Planning Commission officers for year 2020. Commissioner Temple made a motion to keep all of the current officers. Commissioner Tate seconded the motion. All were in favor.

Chairman Lawrence asked for a motion to adjourn the meeting. Commissioner Culpepper made the motion and all were in agreement.

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Kent Lawrence, Chairman  
Decatur Planning Commissioner