



**PLANNING COMMISSION
CITY OF MADISON, ALABAMA
MINUTES OF THE APRIL 21, 2011 REGULAR MEETING**

The meeting was called to order at 5:30 p.m. by Chairman Charlie Brown.

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman

CHARLIE BROWN, C.A.P.Z.O. PRESENT

Planning Commission Vice Chairman

STEPHEN BROOKS PRESENT @ 5:41

City Council Member

TIM COWLES PRESENT

CYNTHIA MCCOLLUM PRESENT

STEVEN RYDER, C.A.P.Z.O. ABSENT

CAMERON GROUNDS, C.A.P.Z.O. PRESENT

DAMIEN BIANCA PRESENT

LEWIE L. BATES, III, C.A.P.Z.O. PRESENT

MICHAEL POTTER, C.A.P.Z.O. PRESENT

PLANNING STAFF PRESENT

AMY FURFORI, DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING; JOHNNY BLIZZARD, CHIEF PLANNER AND KELLY BUTLER, CITY ATTORNEY

REGISTERED PUBLIC ATTENDEES

Keith Lenhard; Val Sapra; Douglas Herring; Rick Hall; Eddy Hammond; Denise Hammond; Don Wilkerson; Ronica Ondocsin; Kenneth Arflack; Jim Bradford; Lynn Harrelson; Patricia Andrzejewski; J. Noble Harber; Jan Arflack; Brad Lackey; Elizabeth Kim; Amy Whitehead; Robert Wood; Carol Dever; Miki Bennett; Josie Cooper; Saranne Riccio; Rick Riccio; Ed Collins; Joyce Good.

ACCEPTANCE OF AGENDA

Chairman Brown accepted the agenda and proceeded with regular business.

APPROVAL OF MINUTES

The first order of regular business was the approval of minutes from the March 17, 2011 Regular Meeting. Board members requested no changes and/or corrections. Chairman Brown stated the minutes would be approved, as submitted.

PUBLIC COMMENT

Chairman Brown opened the floor to public comment. There being no public comment, Chairman Brown closed the floor.

OLD BUSINESS

Amendment of the Mixed Use (MU) District in the Madison Zoning Ordinance: Staff requested postponement until a future meeting. Mr. Brown granted Staff's request.

PUBLIC HEARING

ZONING AMENDMENTS

1. *Madison Animal Rescue Foundation (MARF)*
Applicant: Madison ARF
Location: East of Hughes Road and north of Concord Drive
Acreage: 4.23
From: Low Density Residential (R1A)
To: Agriculture (AG)

Staff Report: Chief Planner Johnny Blizzard presented the request stating the applicant is seeking the change in zoning designation in order to operate an animal rescue kennel. The Technical Review Staff recommends a change in the zoning designation for the subject property upon satisfaction of the following contingencies:

1. The hours of business shall be from 8:00 am – 5:00 pm Monday through Friday
2. The hours of business shall be from 10:00 am – 5:00 pm on weekends
3. That the existing tree line and green space remain and be required/permanent green space.

Developers Comments: The applicant, Miki Bennett, described the proposal explaining that approximately 30 animals per month are fostered by MARF. The kennels will be inside the building and no animals will be kenneled outside. Services provided will be spay and neutering; shots and veterinarian services.

Public Comments: The following residents expressed opposition to MARF relocating to the property: Eddy Hammond, Concord Drive; Keith Lenhard, 241 Concord; Ed Collins, 303 Crownridge

Drive; Lynn Harrelson, Gatehouse Court; Noble Harber; Elizabeth Kim, 245 Concord; Robert Wood, 243 Concord and Denise Hammond, for the following reasons: Noise, smell, decreased values of/impact on adjoining properties; traffic.

Applicant responded to opposition by stating: no animals will be outside at night; cinderblock walls in the parking lot will prevent animals straying; green space and trees surrounding the lot will mitigate noise; the facility would only be open 3 or 4 days a week from 11:00 a.m. until 4:00 p.m.; living in foster homes help prevent animals from getting diseases and pine chips and cleaning with bleach prevent odors.

Board Comments: Mr. Potter asked if the land was being donated to MARF to which Keith Lenhard replied the land was theirs to use or to trade for other property. Mr. Cowles stated that MARF fulfilled a real need in the City.

Motion: Mr. Brooks moved to approve MARF's request to rezone 4.23 acres located East of Hughes Road and north of Concord Drive from R-1A to AG, pending satisfaction of outstanding staff comments. Mr. Potter seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Nay
Planning Commission Vice Chairman – Stephen Brooks	Nay
Planning Commission Member – Tim Cowles	Nay
Planning Commission Member – Steven Ryder	Absent
Planning Commission Member – Cynthia McCollum	Nay
Planning Commission Member - Cameron Grounds	Nay
Planning Commission Member – Damien Bianca	Nay
Planning Commission Member – Lewie L. Bates III	Nay
Planning Commission Member – Michael Potter	Nay

Motion failed.

2. *Nitneil Partners*

Location: East of County Line Road and south of Palmer Road

Applicant: Nitneil Partners

Acreage: 17.30

From: Restricted Industrial M1

To: Mixed Use MU

Staff Report: Chief Planner Johnny Blizzard presented the request stating the Technical Review Committee recommends approval of the zoning change from Restricted Industrial M1 to Mixed use MU and the accompanying map with following conditions requested by Madison Fire Department:

1. A second entrance will be required when the development surpasses three hundred fifty

(350) units and/or the maximum building height exceeds three (3) stories.

Developers Comments: Applicant, Val Sapra, described concept to include business and multi-family residential.

Public Comments: Inquiry was made reference the Madison Utilities well which Staff stated has been closed.

Board Comments: Members and Staff discussed conceptual uses and acreage requirements; detention pond; positive change of M-1 to MU; buffering.

Motion: Mr. Brooks moved to approve Nitneil Partners' request to rezone 17.30 acres located East of County Line Road and south of Palmer Road from Restricted Industrial (M-1) to Mixed Use (MU) pending satisfaction of outstanding staff comments. Mr. Potter seconded the motion and the vote was as follows

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Absent
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

PRELIMINARY PLATS

3. *Brighton Park at Ashbury Phase 2*

Location: The subject property is south and east of Hardiman Road and west of Hardiman Place Lane

Representative: Eric Lane PE, Goodwyn, Mills and Cawood, Inc
Randy D. Campbell, PLS, Goodwyn, Mills and Cawood, Inc.

Owner: Huntsville Enterprises LLC

Lots: 38 single family lots/units

Acreage: 13.34

Staff Report: Chief Planner Johnny Blizzard presented the request stating Staff (and Technical Review Committee) recommends approval of the preliminary plat for Brighton Park at Ashbury Phase 2 contingent on the completion of the following items:

1. Application fee-\$25.00 (contact Gina Romine at 256-464-8427 or gina.romine@madisonal.gov).
2. Drainage Review fee-\$275.45 (contact Gina Romine at 256-464-8427 or gina.romine@madisonal.gov). Fee cannot be calculated until the exact acreage is determined.
3. Signature-Athens Utilities
4. Signature-Limestone County Water and Sewer Authority
5. Signature-Madison Utilities
6. Show an updated vicinity maps.
7. No building permits issued for lots 22 thru 29 until COE permit is fulfilled.
8. Update Flood Certificate.

City Engineer, Gary Chynoweth, stated that the conservancy easement is clearly delineated and dedicated in perpetuity.

Developers Comments: No comments

Public Comments: No Comments

Board Comments: No comments

Motion: Mr. Potter moved to approve the Preliminary Plat of *Brighton Park at Ashbury Phase 2*, contingent upon the satisfaction of Staff comments. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Absent
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

4. *Cambridge Subdivision Phase 3*

Location: The subject property is located east of Burgreen Road, west of Crownridge Drive and north of the new high school site

Representative: Paul Duskin, PE, Smith Engineering;
Howard J. Benson, PLS, Smith Engineering

Owner: Enfinger Steele Development Company

Lots: 35 single family lots/units

Tracts: 1
Acreage: 33.98

Staff Report: Chief Planner Johnny Blizzard presented the request stating Staff (and Technical Review Committee) recommends approval of the preliminary plat for *Cambridge Phase 3* contingent on the completion of the following items:

1. Application fee-\$25.00 (contact Gina Romine at 256-464-8427 or gina.romine@madisonal.gov).
2. Drainage Review fee-\$194.90 (contact Gina Romine at 256-464-8427 or gina.romine@madisonal.gov).
3. Closure Tape
4. Signature-Athens Utilities
5. Signature-Madison Utilities
6. Provide a pedestrian access to Park 1 and the new high school.
7. Provide a Street Name Approval Form approved by the Madison Engineering Department. (Contact Keith Conville at 256-772-5637 or keith.conville@madisonal.gov)
8. Need closure tape that matches legal and drawing.
9. Need correct legal chain. There have been more recent plat recordings of these tracts.
10. Clearly define Phase Line on ALL sheets
11. Check Lot 35 driveway site distance.
12. Add stop signs at eastern intersection of Roads A and B.
13. Continue pipes further into easements to accommodate future walking path.

Developers Comments: Sandra Steele stated she is aware of the outstanding Staff comments and will comply.

Public Comments: The following members of the public expressed concerns about common area/lake accessibility; wetlands; HOA authority; types of homes and price point; access to Burgreen Road; number of proposed pools and sizes and number of parking spaces required at clubhouse; number of lots: Lona Jacobs, 121 Crownridge Drive; Jim Bradford, Crownridge Drive; Becky Weisner; Ed Collins, 303 Crownridge Drive; Jules Griffin, 105 Cabbot; Allyson Callahan; Vickie Weisna; Pat Glenn; Phil Collins, Crownridge Drive.

Board Comments: Board members and staff discussed the items of public concern.

Motion: Mr. Brooks moved to approve the Preliminary Plat of *Cambridge Subdivision, Phase 3*, contingent upon the satisfaction of outstanding Staff comments. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye

Planning Commission Member – Steven Ryder	Absent
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

SITE PLANS:

1. *Crestwood Medical Office Building*

Location: South of Madison Boulevard, east of Intercom Way and north of Interstate 565

Representative: Gerald Martin PLS, Martin Surveys, Inc.

Jennifer Trice PE, Trice PC

Owner: George Moore; William Johnston Jr.

Acreage: 6.06

Staff Report: Chief Planner Johnny Blizzard presented the request Staff (and Technical Review Committee) recommends approval of the site plan for *Crestwood Medical Office Building* contingent on the completion of the following items:

1. Provide an elevation drawing of all sides of the proposed building.
2. Note “no trees to be cut” or number of trees to be removed. Contractor reminded that a tree removal permit must be received prior to the removal of existing trees.
3. Provide zoning designations of adjacent properties.
4. Remove curb for dumpster pad.
5. There are not enough dimensions given to review plan.
6. Provide fire truck access.
7. Show required traffic signal modifications.
8. Correct labeling of contours.
9. Provide name/address of landscape architect/designer on landscaping plan.
10. Show location of additional parking lot lighting, if applicable.
11. Show location of hose bib(s) or provide irrigation system detail.
12. The Landscape Plan requires the following revisions to be approved by staff:
 - a. Revise rows of continuous linear plantings to more attractive massing and groupings of plant materials in beds.
 - b. The plan must include both evergreen and deciduous plant material providing both color and seasonal variety and interest in perimeter and interior beds. Examples of deciduous trees are: River Birch, American Autumn Ash, Red Maple, Forest Pansy, Dogwood, White Red Buds, Serviceberry, Fringe Tree and Red Bud.
 - c. A revised plan removing the exclusive use of Parsons Juniper in favor of a variety of shrubs. Flowering evergreen shrubs to consider are: Royal Burgundy Barberry, Fetter-bush, Abelia 'Edward Goucher Pink', Rhododendron 'P.J.M.'.

- d. Plant material on plan should be shown at approximate mature size.
- e. Landscape plan is encouraged to incorporate City of Madison rose (The Knock out Rose: Rosa 'Radrazz') into beds along the entrance and in any other beds where appropriate such as where visible from I-565.
- f. Contractor encouraged considering the use of solar powered lighting for landscaped areas and pedestrian walkways, where appropriate.
- g. As the City continues the process of developing the *Growth Plan* which includes many recommendations for improving the appearance of the “front door” to Madison along I-565 and Madison Boulevard, the Planning staff recommends new site development meet higher standards in this gateway.

The applicant will be submitting a plat for consideration at the May Planning Commission meeting. Staff (and Technical Review Committee) will recommend the applicant provide a stub to the east and east providing a signalized intersection for those attempting to enter and exit Intercom Drive and any new future development located to the east. Staff recommends the current site plan reflect these changes.

Staff recommends the applicant consider roundabout be constructed instead of cul-de-sac, or at least an island in the cul-de-sac accommodation necessary turning radius for fire and delivery trucks.

Developers Comments: No comments.

Public Comments: No comments.

Board Comments: No comments.

Motion: Mr. Bianca moved to approve the site plan of *Crestwood Medical Office Building*, contingent upon the satisfaction of outstanding staff comments. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Absent
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

OTHER BUSINESS

Chairman Brown opened the floor to other business. There being no other business for discussion
Chairman Brown closed the floor.

ADJOURNMENT

With no additional business to discuss Chairman Brown adjourned the meeting.

Minutes Approved,

 for

Charlie Brown, Chairman

ATTEST:



Sherri Blair, Recording Secretary