

**PLANNING COMMISSION
CITY OF MADISON, ALABAMA
MINUTES OF THE JANUARY 19, 2012 REGULAR MEETING**

The meeting was called to order by Vice-Chairman Stephen Brooks at 5:30 p.m.

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman	
MICHAEL POTTER, C.A.P.Z.O.	PRESENT
Planning Commission Vice Chairman	
STEPHEN BROOKS	PRESENT
City Council Member	
TIM COWLES	PRESENT
CYNTHIA MCCOLLUM	PRESENT
STEVEN RYDER, C.A.P.Z.O.	PRESENT
CAMERON GROUNDS, C.A.P.Z.O.	PRESENT
DAMIEN BIANCA	PRESENT
LEWIE L. BATES, III, C.A.P.Z.O.	PRESENT
TROY WESSON, C.A.P.Z.O.	PRESENT

PLANNING STAFF PRESENT

AMY BELL, DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING; JOHNNY BLIZZARD, CHIEF PLANNER; GARY CHYNOWETH, P.E., CITY ENGINEER; KELLY BUTLER, CITY ATTORNEY; GINA ROMINE, PLANNER I AND RECORDING SECRETARY

REGISTERED PUBLIC ATTENDEES

Linnie P. McMillan, Seme (last name illegible), Ed Collins, Phillip Wilbanks, Tim Holcombe, Wm Mark Spry, James Guatney, Robert Webber, Wanda Becatti, Larry Stickles, Gary Becatti, Jim McKee, Brenda Hancock and Felton Berger.

ELECTION OF OFFICERS

Vice-Chairman Brooks opened the floor for nominations. Mr. Bianca nominated Mr. Potter as Chairman. Mr. Bates seconded the nomination. Mrs. McCollum nominated Mr. Brooks as Chairman. Mr. Cowles seconded the nomination. A vote was taken on the first nomination of Mr. Potter as Chairman.

Final Vote:

Stephen Brooks	Aye
Tim Cowles	Aye

Cynthia McCollum	Nay
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Michael Potter	Aye
Troy Wesson	Aye

Motion carried

Mr. Cowles nominated Mr. Brooks as Vice-Chairman. Mr. Bates seconded the nomination. Mr. Cowles moved to close the nominations.

Final Vote:

Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Michael Potter	Aye
Troy Wesson	Aye

Motion carried

ACCEPTANCE OF AGENDA

Chairman Potter accepted the agenda as presented and proceeded with regular business.

APPROVAL OF MINUTES

The first order of regular business was the approval of minutes of the December 15, 2011 Regular Meeting. There being no additions, corrections or deletions Mr. Bianca moved to approve the minutes as written. Mr. Cowles seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye

Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

PUBLIC COMMENT

Chairman Potter opened the floor to public comment.

There being no public comment, Chairman Potter closed the floor for public comment.

OLD BUSINESS

Chairman Potter requested the diagram regarding Zoning and Master Plans from Attorney Butler. There being no additional old business, Chairman Potter continued with public hearings.

PUBLIC HEARINGS

Re-Preliminary Plat Approval

1. *Applewood*
Location: Southwest corner of Balch Road and Gillespie Road
Representative: Goodwyn, Mills & Cawood, Inc.
Owner/Applicant: John Wisda/ Wiz Kids LLC
Lots: 76
Acreage: 28.59

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting re-approval of the same preliminary plat that was previously approved in December of 2011. Preliminary plat approval expires after one-year, if a final plat has not been approved by the Planning Commission, which is the case with the subject property. The proposed preliminary plat is not proposing any changes from the preliminary plat approved in December of 2011. The original construction plans, approved with the preliminary plat in December of 2011, will become a part of the proposed preliminary plat if approved. Staff and the Technical Review Committee recommends approval of the re-preliminary plat for Applewood Subdivision.

Outstanding Staff Comments: No comments.

Developers Comments: No comments.

Public Comments: No comments.

Board Comments: Mr. Wesson asked about the sidewalk to Windsor Park. Chief Planner Blizzard stated that sidewalks were shown in the construction plans. Chairman Potter stated that note 19 regarding the common area is wise in principal and if the developer will have a Homeowner's Association they should provide covenants for the subdivision and for the Commission to review. Attorney Butler discussed the legal issues with Homeowner's Association documents and the Commission and City's involvement.

Motion: Mr. Ryder moved to approve the re-preliminary plat for *Applewood Subdivision*. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

Certified Plat Approval

2. *Wann Property Subdivision, Phase 1*

Location: Southwest corner of the intersection of County Line Road and Huntsville Brown's Ferry Road

Representative: Gonzalez-Strength & Associates

Owner/Applicant: William F. Wann & Gayle Wann Guy

Lots: 2

Acreage: 22.05

Staff Report: Chief Planner Johnny Blizzard presented the request and stated the applicant is requesting that Tract A of *Wann Properties* be subdivided into two lots. Lot 1 will consist of 1.92 acres and be located at the southwest corner of Huntsville-Browns Ferry Road and County Line Road. Lot 2 will occupy the remaining 20.13 acres of Tract A. Staff and the Technical Review Committee, recommends approval of the Certified Plat for Wann Property Subdivision, Phase 1 with the satisfaction of outstanding contingencies.

Outstanding Staff Comments:

1. Provide the following signatures:
 - A. Dedication
 - B. Mortgage Holder
 - C. Notaries

Developers Comments: No comments.

Public Comments: Brenda Hancock, 193 Paul Revere discussed the access for the lot. Chief Planner Blizzard explained how access would be granted.

Board Comments: No comments.

Motion: Mr. Bates moved to approve the certified plat for *Wann Property Subdivision, Phase 1*. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

3. *Atkinson Industrial Park, Phase 1*
Location: Southeast corner of Palmer Road & County Line Road
Representative: Wilbanks Land Surveying Co. Inc.
Owner/Applicant: P&G Construction Co. Inc. and Tri-Share LLC.
Lots: 3
Acreage: 5.38

Staff Report: Chief Planner Johnny Blizzard presented the request and provided background information as follows: The applicant is requesting approval of the certified plat. The proposed plat will modify two lots of record in two different recorded plats of *Atkinson Industrial Park*. The first modification is the extension of the ingress/egress easement to the southeast corner of Lot 1AA, which is a lot of record and Lot 1A, of a *Resubdivision of Lots 1 & 2 of a Resubdivision of Lot 5, Atkinson Industrial Park*. The existing ingress/egress easement overlays a private drive providing access from County Line Road. The second modification proposed is the division of "Lot 4 of *Atkinson Industrial Park, Plat Book 16, Page 37*". "*Atkinson Industrial Park, Plat Book 16, Page 37*" was the original subdivision, platted in 1986. Lot 5 has since been resubdivided and titled

"Resubdivision of Lots 1 & 2 of a resubdivision of "Lot 5, Atkinson Industrial Park ".The proposed certified plat will divide Lot 4 of Atkinson Industrial Park, Plat Book 16, Page 37, into two lots of record. The proposed lots will be Lot 4A with 2.50 acres and Lot 4B with 2.50 acres. Staff and the Technical Review Committee, recommends approval of the certified plat for Atkinson Industrial Park, Phase I with the satisfaction of outstanding contingencies.

Outstanding Staff Comments:

1. Payment of application and drainage review fee: \$76.90

Developers Comments: No comment

Public Comments: No comment

Board Comments: No comment

Motion: Mr. Bates moved to approve the certified plat for Atkinson Industrial Park, *Phase 1*. Mr. Cowles seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

4. *Springs at Madison, Phase 1*
Location: Northeast corner of Palmer Road & County Line Road
Representative: Johnson & Associates
Owner/Applicant: Continental 258 Fund LLC
Lots: 3
Acreage: 34.79

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting two lots be incorporated into Lots 4-B and 4-C. The ingress/egress easement which was part of Lots 4-B and 4-C, will be incorporated into Lot 4-A. Staff and the Technical Review

Committee, recommends approval of the Certified Plat for Springs at Madison, Phase I with the satisfaction of outstanding contingencies.

Outstanding Staff Comments:

1. Identify the location of all existing utilities, including fire hydrants. This information may be shown on a separate sheet.
2. Correct flood note to reference the new Prelim FIRM panel, and date Sept. 29, 2010.
3. Provide the following signatures:
 - A. Surveyor
 - B. Dedication
 - C. Mortgage Holder
 - D. Notaries
 - E. Flood Certificate
 - F. Certificate of Accuracy

Developers Comments: Felton Berger with Johnson & Associates addressed the Commission regarding a previous note on the plat regarding access along County Line Road.

Public Comments: No comments.

Board Comments: Chairman Potter questioned the access easement that is platted. Mr. Cowles stated to avoid any issues with private drives all streets should be made public in the future.

Motion: Mr. Bates moved to approve the certified plat for *Springs at Madison, Phase 1* contingent upon the satisfaction of outstanding staff comments. Mrs. McCollum seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

1. *Hughes Road Commercial Park, Phase 2*
Location: west side of Hughes Road, north of Madison Boulevard and south of Will Halsey Way
Representative: GW Jones & Sons Consulting Engineers, Inc.
Owner/Applicant: MSC Properties LLC.

Lots: 2
Acreage: 4.01

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting approval of a certified plat to divide Lot 2, into the two lots of record. The proposed plat was submitted in conjunction with a site plan for a medical office building at 20 Hughes Road. A proposed thirty-five (35) foot ingress/egress easement will be dedicated with the recording of the proposed certified plat. A private drive will be constructed within the easement that will provide access from Hughes Road to the Madison Surgery Center as well as accommodate emergency vehicles. Staff and the Technical Review Committee, recommends approval of the Certified Plat for Hughes Road Commercial Park, Phase 2 with the satisfaction of outstanding contingencies.

Outstanding Staff Comments:

2. Provide a digital submittal in either an AutoCad or MicroStation format.
3. Provide the following signatures:
 - A. Surveyor
 - B. Dedication
 - C. Mortgage Holder
 - D. Notary
 - E. Flood Certificate
 - F. Certificate of Accuracy

Developers Comments: No comment

Public Comments: No comment

Board Comments: No comment

Motion: Mrs. McCollum moved to approve the certified plat for *Hughes Road Commercial Park, Phase 2*. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

Site Plans

1. *Medical Office Building – 20 Hughes Road*
Location: 20 Hughes Road
Representative: GW Jones & Sons Consulting Engineers, Inc.
Owner/Applicant: MSC Properties LLC.
Lots: 2
Acreage: 4.01

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting approval of a new site plan in conjunction with a certified plat submittal for *Hughes Commercial Park, Phase 2*, dividing the subject property into two lots of record. The new layout will provide for a private drive providing access from Hughes Road into the parking facility for *The Madison Surgery Center*. A thirty-five (35) foot ingress/egress easement will be dedicated with the recording of the certified plat for *Hughes Road Commercial Park, Phase I*, and will overlay the private drive. The private drive will be located evenly along the adjoining side yard property lines with seventeen and one-half (17.50) feet on each lot. The proposed building will consist of two stories and occupy an area of 28,568 square feet. Staff and the Technical Review Committee, recommends approval of the Site Plan for the Medical Office Building – 20 Hughes Road.

Outstanding Staff Comments: No comment

Developers Comments: No comment

Board Comments: No comment

Motion: Mr. Cowles moved to approve the site plan for *Medical Office Building – 20 Hughes Road*. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Michael Potter	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Motion carried

NEW BUSINESS

Planning Director Amy Bell provided an outline regarding the proposed changes to the Commission. Director Bell explained the basic changes anticipated to the Subdivision Regulations and the intent to reorganize the documents and create additional sections to make the document more understandable and clear. Director Bell stated that she would ask the Commission to discuss the various sections as they are changed at each meeting and after the document is complete hold one public hearing on the Subdivision Regulations at which a vote will be taken. Director Bell also discussed the new proposed Zoning Ordinance outline. Director Bell stated that staff is researching the idea of adding additional zoning districts, and also consolidation sections and codes in order to limit the reference to numerous documents. Director Bell also pointed out that currently there are no regulations for PUD Zoning.

Board Comments: Mr. Bianca asked about definitions and the definition of common area specifically. Chairman Potter appointed Mr. Wesson to serve as a liaison between staff and the commission on the Zoning Ordinance changes and Mr. Ryder as a liaison on the Subdivision Regulations as these changes move forward.

City Attorney Kelly Butler provided the requested hierarchal chart to the Commission and provided an explanation of each document and how it relates to the overall concept.

ADJOURNMENT

With no additional business to discuss Chairman Potter adjourned the meeting at 6:45 p.m.

Minutes Approved,



Mike Potter, Chairman

ATTEST:



Gina Romine, Planning Commission Secretary