

**PLANNING COMMISSION  
CITY OF MADISON, ALABAMA  
MINUTES OF THE JUNE 21, 2012 REGULAR MEETING**

**The meeting was called to order by Vice-Chairman Stephen Brooks at 5:35 p.m.**

**ATTENDEES**

**PLANNING COMMISSION MEMBERS**

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

**PLANNING STAFF PRESENT**

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

**REGISTERED PUBLIC ATTENDEES**

Clifton Miller, Gerald Clark, Don Palmer, George Jones, Joe Murphy, Tim Morris and two illegible names.

**ACCEPTANCE OF AGENDA**

Vice-Chairman Brooks 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 May 17, 2012 Regular Meeting. Ms. Romine stated the minutes were not yet completed and apologized for the delay.

**PUBLIC COMMENT**

Vice-Chairman Brooks opened the floor to public comment.

There being no public comment, Vice-Chairman Brooks closed the floor for public comment.

**OLD BUSINESS**

There being no old business Vice-Chairman Brooks preceded to the public hearings.

**PUBLIC HEARINGS**

**Requested Revision of the City of Madison’s Zoning Ordinance (Map)**

- 1. The City of Madison Planning Commission held a public hearing to consider DAL LLC c/o First Commercial Bank’s request to rezone property located in the Shiloh Run Subdivision, south of Brown’s Ferry Road and east of Balch Road from R-1B, Low Density Residential District to R-2, Medium Density Residential District.*

**Staff Report:** Chief Planner Blizzard provided the staff report and stated that staff recommends approval of the requested rezoning.

**Public Comments:** Judy Stewart McMurray reminded the City about correcting the drainage on Brown’s Ferry Road. City Engineer Chynoweth stated it is still on the list to complete.

**Board Comments:** No comments.

**Motion:** Mr. Ryder moved to approve *DAL LLC c/o First Commercial Bank’s request to rezone property located in the Shiloh Run Subdivision, south of Brown’s Ferry Road and east of Balch Road from R-1B, Low Density Residential District to R-2, Medium Density Residential District.* Mr. Bianca seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

2. *The City of Madison Planning Commission continued the public hearing opened at the May 17, 2012 Planning Commission meeting to consider an amendment to the City of Madison Zoning Ordinance to be entitled: An Ordinance of the City of Madison related to zoning; amending the Zoning Ordinance to revise the sign control regulations; providing an effective date. The requested change is to repeal and replace Article 7 Sign Control Regulations.*

**Staff Report:** Director Bell requested that the public hearing be continued to allow staff meetings and meetings with the focus group to occur to work out several issues.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Cowles moved to *continue the public hearing opened at the May 17, 2012 Planning Commission meeting to consider an amendment to the City of Madison Zoning Ordinance to be entitled: An Ordinance of the City of Madison related to zoning; amending the Zoning Ordinance to revise the sign control regulations; providing an effective date. The requested change is to repeal and replace Article 7 Sign Control Regulations.* Mrs. McCollum seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**Layout Plat & Preliminary Plat Approval**

3. *Brighton Park at Ashbury, Phase 3*  
*Location: South and east of Hardiman Road and north of Brighton Park Subdivision*  
*Representative: Martin Survey/Trice PC*  
*Owner/Applicant: Breland Homes, LLC*  
*Lots: 44*  
*Acreage: 18.08*

**Staff Report:** Director Bell stated that the layout and preliminary was tabled at the May Planning Commission meeting and must be removed from the table. The applicant has also requested to withdraw the request for layout and preliminary plat approval.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** The Board requested to vote once on the removal of the layout and preliminary plats from being tabled at the May meeting.

**Motion:** Mrs. McCollum moved to remove the layout and preliminary plat for *Brighton Park at Ashbury, Phase 3 from the table*. Mr. Cowles seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**Layout Plat Amendment**

**4. Millstone**

Location: East of Balch Road and south of Brown's Ferry Road

Representative: Smith Engineering Co. Inc.

Owner/Applicant: Milltrace Run LLC

Lots: 200

Acreage: 78.02

**Staff Report:** Chief Planner Blizzard stated that the applicant is requesting that the approved *Millstone* layout plat be amended to allow the deletion of the two (2) cul-de-sacs at the termination of Mill Walk Court and Heritage Mill Drive. The two street rights-of-way will become (1) one street right-of-way and named Mill Walk Court. The total lot count of 200 will not change as a result of this amendment. Staff (and the Technical Review Committee) recommends approval of the amendment to the layout plat for *Millstone Subdivision*, with the following contingences:

1. Bubble and describe requested change.
2. The street name change must be approved by Madison City Council.

**Developers Comments:** No comments.

**Public Comments:** Judy Stewart, 549 Mill Road, questioned the number of lots and whether or not they will change. Chief Planner Blizzard stated that the amount of lots originally approved does not increase. Stan Pope, 543 Mill Road, asked if the house sizes would change. Chief Planner stated

the lot size and lot coverage requirements for the zoning district and stated that would be a question for the developer.

**Board Comments:** Mr. Wesson asked if there were any homes currently constructed. Chief Planner Blizzard stated that one house has been constructed however; no one has purchased the home. Attorney Butler stated that the request to eliminate the cul-de-sacs is better for emergency access.

**Motion:** Mr. Cowles moved to approve the layout amendment for *Millstone Subdivision* subject to the satisfaction of the outstanding contingencies. Mr. Wesson seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**Preliminary Plat Approval**

5. *Millstone Phase 3, Part 2*

Location: East of Balch Road and south of Brown's Ferry Road

Representative: Smith Engineering Co. Inc.

Owner/Applicant: Milltrace Run LLC

Lots: 16

Acreage: 5.34

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting preliminary plat approval of an additional 16 lots and construction plans. Staff (and the Technical Review Committee) recommends approval of the preliminary plat for *Millstone Subdivision Phase 3, Part 2* with the following contingences:

1. Payment of the application fee and drainage review fee, \$76.70.
2. Provide finished floor elevations for all lots.
3. Title signature blocks

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Bianca moved to approve the request for preliminary plat approval for *Millstone Phase 3, Part 2* subject to the satisfaction of the outstanding contingencies. Mr. Ryder seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

6. *Millstone Phase 4*

Location: East of Balch Road and south of Brown's Ferry Road

Representative: Smith Engineering Co. Inc.

Owner/Applicant: Milltrace Run LLC

Lots: 17

Acreage: 19.49

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting preliminary plat approval for an additional 35 lots and construction plans. Staff (and the Technical Review Committee) recommends approval of the preliminary plat for *Millstone Subdivision, Phase 4*, with the following contingences:

1. Payment of the application fee and drainage review fee, \$147.45
2. Provide a deed book and page or document number for all adjoining land owners.
3. Show the 20 ft PUDE across Tract 1 and between lots 62 & 63 and lots 59 & 60 on the preliminary plat.
4. Provide the distance of the closest existing fire hydrant to the proposed hydrants.

**Engineering Department Report**

1. Correct misspelling in note 21
2. Remove note 7
3. Sheet 3 – correct misspelling in the contractor's note.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mrs. McCollum moved to approve the request for preliminary plat approval for *Millstone Phase 4* subject to the satisfaction of the outstanding contingencies. Mr. Grounds seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**Final Plat Approval**

7. *Brighton Park at Ashbury, Phase 2*

Location: East of Hardiman Road and south of Benoir Trail

Representative: Mullins, LLC

Owner/Applicant: Huntsville Enterprises

Lots: 38

Acreage: 13.34

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting final plat approval for the 38 lots that received preliminary plat approval in July of 2011. Staff (and the Technical Review Committee) recommends approval of the final plat for *Brighton Park at Ashbury, Phase 2*, with the following contingencies:

1. Provide performance bonds.
2. Provide a certificate of accuracy.
3. Provide a Mortgage Holders Certificate
4. Provide the following signatures:
  - A. Mortgage Holder
  - B. Notaries.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Ryder moved to approve the final plat for *Brighton Park at Ashbury, Phase 2* subject to the satisfaction of the outstanding contingencies. Mr. Wesson seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**8. Greenbrier Woods, Phase 2**

Location: South of Powell Road and Green Creek Road intersection

Representative: 4-Site, Inc.

Owner/Applicant: Walden Land Co.

Lots: 29 and 1 Tract

Acreage: 50.03

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting final plat approval for *Greenbrier Woods, Phase 2*. The final plat is identical to the preliminary plat re-approved at last month's meeting. Staff (and the Technical Review Committee) recommends approval of the final plat for *Greenbrier Woods, Phase 2*, with the following contingencies:

1. Payment of certification fee , \$1,450.00.
2. Payment of sign fee, \$595.00.
3. Provide performance bonds.
4. Provide the following signature.
  - A. Athens Utilities
5. Plat note 12 will be determined by Engineering Change Order request.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Ryder moved to approve the final plat for *Greenbrier Woods, Phase 2* subject to the satisfaction of the outstanding contingencies. Mr. Bianca seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye

Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**Certified Plat Approval**

**9. Lyles Subdivision**

Location: Northwest corner of Mill Road and Landers Road

Representative: 4Site Inc.

Owner/Applicant: MDL Properties

Lots: 3

Acreage: 0.71

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting approval to subdivide the two properties into three lots of record. Staff (and the Technical Review Committee) recommends approval of the certified plat for *Lyle Subdivision* contingent upon Council action for the requested rezoning to R-3A.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Cowles moved to approve the certified plat for *Lyles Subdivision* subject to the approval of the rezoning by the City Council. Mr. Bianca seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**10. Parkwood Landing, Phase 2**

Location: North of Old Madison Pike and east of Miller Blvd.

Representative: Goodwyn, Mills and Cawood, Inc.

Owner/Applicant: Allen Investment Properties, LLC  
Lots: 2  
Acreage: 1.38

**Staff Report:** Chief Planner Blizzard stated the applicant is requesting to subdivide Lot 2A of Parkwood Landing Subdivision Plat Book 25/ Page 22 into two (2) tracts. The proposed Tract A will contain 34,344 square feet and Tract B will contain 25,761 square feet. Staff (and the Technical Review Committee) recommends approval of the final plat for Parkwood Landing, Phase 2, with the following contingencies:

1. Show all improvements on Tract B
2. Provide a certificate of accuracy
3. Indicate the mortgage holder, if any.

**Engineering Department Report**

1. Show all existing conditions, utilities, structures, etc. on separate sheet.

**Developers Comments:** No comments.

**Public Comments:** No comments.

**Board Comments:** No comments.

**Motion:** Mr. Cowles moved to approve the certified plat for *Parkwood Landing, Phase 2* subject to satisfaction of the outstanding contingencies. Mr. Ryder seconded the motion and the vote was as follows:

**Final Vote:**

Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**(PUBLIC HEARINGS CLOSED)**

**NEW BUSINESS**

1. *Discussion of public hearing process*

**Staff Comments:** Director Bell discussed the proposed changes in the public hearing process in regards to applicant's presenting cases prior to staff providing their report to the Commission. Mr. Cowles stated that a short list of expectations needs to be created to provide the applicant and/or their representative as well as a time limit. Vice-Chairman Brooks asked if this could be a requirement. Director Bell stated it would be a request at this time but could be a consideration to make a requirement when changes to the regulations were made. Attorney Butler stated that she was supportive of developers and/or their representatives presenting cases to the Commission. Director Bell stated that she would discuss with the applicant's the need for them to present their case before the Commission.

**Motion:** Mr. Ryder moved to approve the Commission's request that the applicant should present their case or request prior to the staff report being given. Mr. Bianca seconded the motion and the vote was as follows:

**Final Vote:**

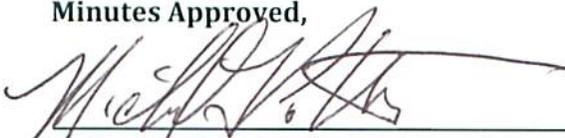
Vice-Chairman Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Cameron Grounds	Aye
Damian Bianca	Aye
Troy Wesson	Aye

**Motion carried**

**ADJOURNMENT**

With no additional business to discuss Vice-Chairman Brooks adjourned the meeting at 6:20 p.m.

**Minutes Approved,**

  
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**Mike Potter, Chairman**

**ATTEST:**

  
\_\_\_\_\_  
**Gina Romine, Planning Commission Secretary**