

**CITY OF MADISON, ALABAMA
PLANNING COMMISSION
MINUTES OF THE OCTOBER 18, 2012 REGULAR MEETING**

The meeting was called to order by Chairman Mike Potter 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, C.A.P.Z.O.	PRESENT
STEVEN RYDER, C.A.P.Z.O.	PRESENT
CAMERON GROUNDS, C.A.P.Z.O.	PRESENT
DAMIAN BIANCA, C.A.P.Z.O.	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; CITY ATTORNEY, KELLY BUTLER; JOHNNY BLIZZARD, A.I.C.P, CHIEF PLANNER; GARY CHYNOWETH, P.E., CITY ENGINEER; GINA ROMINE, PLANNER I AND RECORDING SECRETARY.

REGISTERED PUBLIC ATTENDEES

Allen S. Miller, George L. Mason, Elbert R. Balch, Howell Lee, Bill Ward.

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 September 20, 2012 Regular Meeting. There being no additions, deletions or corrections, the minutes were approved as written.

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

There being no old business, Chairman Potter proceeded with public hearings.

PUBLIC HEARINGS

Zoning Amendments

1. *The City of Madison Planning Commission continued with a 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 provided the Commission a draft copy of the proposed revisions and stated that staff is continuing to work with the sign regulation committee. Director Bell requested that the Commission close the public hearing without action.

Public Comments: No comments.

Board Comments: Chairman Potter invited any interested party to speak with Director Bell regarding input or serving on a sign committee.

Motion: Mr. Brooks moved to *close the public hearing 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 without action.* Mr. Wesson seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

Final Plat

2. *Stillwater Cove, Phase III*

Location: South of Powell Road, west of Segers Road, and north of Hardiman Road

Representative: Garver Engineering

Owner/Applicant: Breland Homes, LLC

Lots: 72 lots, 3 tracts and 2 common areas

Acreage: 42.78

Applicant Request: Allen Miller, representing Garver Engineering, presented the report for the final plat.

Staff Report: Chief Planner Blizzard stated the subject property and adjoining properties to the north and west are zoned *Single-Family Detached Residential (R-3A)*. A portion of the properties to the east are within unincorporated Limestone County and not zoned. The remaining properties to the east are zoned *Agriculture (AG)*. The adjoining properties to the south are within the corporate limits of the City of Huntsville.

The subject property is part of *Stillwater Cove* subdivision. A final plat for "*Stillwater Cove, Phase I*" was approved in June 2010, creating seventy-two (72) lots, one (1) tract and four (4) common areas. The approval of "*Stillwater Cove, Phase II*," reconfigured the boundaries of a common area and lot 23, but did not create any new lots of record. In November of 2011, the Planning Commission approved a preliminary plat for "*Stillwater Cove, Phase III*" creating seventy-two (72) lots, three (3) tracts and two (2) common areas. The applicant is requesting final plat approval for *Stillwater Cove, Phase III*. The proposed subdivision is consistent with the preliminary plat approved in November of 2011.

Staff (and the Technical Review Committee) recommends approval of the final plat for *Stillwater Cove, Phase III*, with the following contingencies:

1. *Certification fee: \$3,600.00*
2. *Sign fee: \$3,060.00*
3. *Provide performance bonds*
4. *Athens Utilities signature*

Engineering Department Report:

1. *MU driveway conflict needs to be resolved before recording final plat.*
2. *Correct Flood note to match the revised preliminary maps (May 09, 2012). LOMR was done and approved and is reflected by these maps.*
3. *Eastern boundary of subdivision along Segers Road has different distance than is recorded for Phase 1, please clarify.*
4. *What is the distance of 32.13' representing in the Northeast corner of this subdivision along the eastern boundary?*
5. *Subdivision has 72 lots, and until bridge is constructed to provide second entrance, permits can only be issued at the discretion of the Fire Marshal.*

Fire Department Report

1. *A second entrance into the subdivision must be established before Fire Department approval will be provided.*

Developers Comments: No comments.

Public Comments: No comments.

Board Comments: No comments.

Motion: Mrs. McCollum moved to *approve the final plat for Stillwater Cove, Phase 3 subject to the satisfaction of the outstanding contingencies.* Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

Certified Plat

3. *Main Street*

Location: South of Main Street, north of Martin Street and east of Sullivan Street

Representative: Martin Surveys

Owner/Applicant: Sensenberger Properties LLC.

Lots: 3 lots

Acreage: 1.15

Applicant Request: Gerald Martin, representing Martin Surveys, presented the request for the certified plat.

Staff Report: Director Bell stated the subject property and the adjoining properties to the east and west are zoned *Community Commercial (B-2)*. The adjoining properties to the north are zoned *Low Density Residential (R-1B)* and the properties to the south are zoned *Medium Density Residential (R-2)* and *Community Commercial (B-2)*. In September of 2011, the Planning Commission approved a site plan submitted for Specific Development Plan Approval. The Specific Development Plan is authorized under Section 4-15 of the Zoning Ordinance and relaxes regulations of the underlying zoning district. The Specific Development Permit approved in March of 2011 presented a plan to

construct a 7,700 square foot retail center on the subject property, west of the Clay House. The plan did not include any development plans for the Clay House and only provided information for future development on the property located east of the Clay House. The applicant is requesting approval of a certified plat to divide the subject property into the three (3) lots of record and as a result City Staff is requiring the applicant to revise the Specific Development Plan, approved in March of 2011. The revision of the Specific Development Plan is necessary for three reasons:

1. Proposed lots 2 and 3 will not meet the minimum lot area, 20,000 square feet, of the underlying zoning district *Community Commercial (B-2)*.
2. The proposed development, for the portion of the subject property labeled as "future development" and the "Clay House" was not a part of the original Specific Development Plan approved in March of 2011.
3. The proposed development for that portion of the subject property labeled as "future development" is no longer an option.

When developing under the provisions in Section 4-15, "Downtown Redevelopment Incentive District", the minimum lot area of the underlying zoning districts is not required. In order for the applicant to subdivide the subject property and take advantage of the omission of a minimum lot area standard, a revision of the approved Specific Development Plan must be included ensuring future development on lots 2 and 3 conforms with Section 4-15 of the Zoning Ordinance. The original layout of that portion of the subject property labeled "future development" is not a desirable option for the applicant or City and currently a specific layout has not been designed. Therefore, staff instructed the applicant to revise the Specific Development Plan by adding notes to the approved "Specific Development Plan" that safeguard the purpose of Section 4-15. When a particular development proposal is presented in the future, a new Specific Development Plan will be required and must be approved by the Historic Preservation Commission and subsequently the Planning Commission.

Staff (and the Technical Review Committee) recommends approval of the certified plat and the revision of the Specific Development Plan for *Main Street* with the following contingencies:

1. *Note on plat: There is a 15' public utility and drainage easement along all street right-of-ways.*
2. *Provide a maximum building line (build-to line) on Lot 3 offset no more than one-half foot from the front of the Clay House.*
3. *Delete the 5 feet and 20 feet minimum building line on the rear of the project.*
4. *Provide a 75 feet rear yard setback on all 3 lots.*

Developers Comments: No comments.

Public Comments: No comments.

Board Comments: No comments.

Motion: Vice-Chairman Brooks moved to *approve the certified plat and the revision of the Specific Development Plan for Main Street subject to the satisfaction of the outstanding contingencies.* Mr. Ryder seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

Final Plat Amendment

4. 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

Applicant Request: Louis Breland, presented the report for the final plat amendment. Mr. Breland stated that he is requesting a removal of final plat note number 27 regarding Corps of Engineering approval. Mr. Breland stated that he has complied with the permit with the exception of planting approximately 400 trees as required in the permit. Mr. Breland requested the City accept a cash bond for the planting of said trees.

Staff Report: Director Bell stated that Chairman Potter had communicated with the Corps of Engineers.

Developers Comments: No comments.

Public Comments: No comments.

Board Comments: Chairman Potter stated he had received communication from the Corps of Engineers and the issue was a Corps requirement and they would not authorize satisfaction of the permit until the trees had been planted. The Board discussed the necessity for the removal of the plat note, the problems removing the plat note could have for the City and requested Attorney Butler's opinion on the matter.

Motion: Mr. Ryder moved to *approve the final plat amendment for Brighton Park at Ashbury, Phase 2*. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Nay
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Tim Cowles	Nay
Cynthia McCollum	Nay
Steve Ryder	Nay
Damian Bianca	Nay
Cameron Grounds	Nay
Troy Wesson	Nay

Motion carried

(PUBLIC HEARINGS CLOSED)

Site Plans

1. Madison Shooting Range

Location: South of Palmer Road and east of County Line Road

Representative: Martin Surveys and Trice P.C.

Owner/Applicant: Russ Durling

Acreage: 2.50

Applicant Request: Gerald Martin, representing Martin Surveys, presented the report for the site plan.

Staff Report: Director Bell stated that the subject property and adjoining properties to the north are zoned *General Business (B-3)*. The adjoining properties to the east and south are zoned *Restricted Industrial (M-1)*. The adjoining property to the west is zoned *Community Commercial (B-2)*. Lot 4 of *Atkins Industrial Park Subdivision* was resubdivided in March of 2012, creating the two (2) lot subdivision. The applicant is requesting approval of a site plan for a 10,754 square foot retail center and shooting range.

Staff (and the Technical Review Committee) recommends approval of the site plan for *Madison Shooting range with the following contingencies:*

- 1. Application fee: \$100.00*
- 2. Indicate if the proposed building includes the retail center and gun range facility.*
- 3. Provide the accurate occupancy type for the proposed building.*
- 4. Provide an outdoor lighting plan.*
- 5. Show the location of any proposed or future ground signage on drawing and attached signage on elevation drawing.*
- 6. Show all utilities on landscape plan and landscaping at building foundation along the front facade.*
- 7. Show location of parking lot lighting.*
- 8. Indicate location of any and all signage, if applicable.*
- 9. Note on Site Plan: Contractor must obtain a sign permit prior to the installation of signage contains a misspelling.*
- 10. Correct flood note date to match note #4.*
- 11. Provide spot elevations at PC, PT, and corners.*
- 12. Correct spot elevation at flume.*

13. *Correct contour spacing at SE corner of building.*
14. *Provide detention on south side yard.*
15. *Drainage calculations need to meet pre-existing conditions.*
16. *Note on site plan: If approval from any State or Federal Regulatory Agency is required to perform work on this project, a copy of each permit required shall be delivered to the City of Madison Engineering Department prior to the commencement of work within the affected area.*
17. *Note on site plan: Contractor is required to schedule a Pre-Construction meeting with Engineering Inspector before commencement of work. Call 256-772-8025 for scheduling or go to www.madisonal.gov/index.aspx?NID=126(pre-construction requirements) for more information.*
18. *Note on site plan: "The Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas, Vol. 1 and Vol. 2", latest edition and any revision thereof, are hereby made a part of these plans.*
19. *Note on site plan: "The City of Madison Construction Specifications Manual for Public Improvements", latest edition and any revision thereof, are hereby made a part of these plans.*

Developers Comments: No comments.

Board Comments: No comments.

Motion: Vice-Chairman Brooks moved to *approve the site plan for Madison Shooting Range*. Mr. Wesson seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

NEW BUSINESS

Mrs. McCollum thanked Chairman Potter and Council Member Cowles for their service on the commission and stated that they had both done an outstanding job. The remaining commissioner's concurred with Mrs. McCollum.

The Commission also discussed the election of new officer's at the November meeting.

ADJOURNMENT

With no additional business to discuss Chairman Potter adjourned the meeting at 6:30 p.m.

Minutes Approved,



Mike Potter, Chairman

ATTEST:



Gina Romine, Planning Commission Secretary