



**Planning Commission  
Minutes of the November 20, 2014 Regular Meeting**

*The meeting was called to order by Planning Commission Chairman Bianca at 5:30 p.m.*

**ATTENDEES**

**PLANNING COMMISSION MEMBERS**

**Planning Commission Chairman**

Damian Bianca, CAPZO Present

**Planning Commission Vice-Chair**

Stephen Brooks Present

**City Council Member**

Michael Potter, CAPZO Present

Tim Cowles Present

Cynthia McCollum, CAPZO Present

Steve Ryder, CAPZO Present

Cameron Grounds, CAPZO Present

Lewie L. Bates, CAPZO Present

Troy Wesson, CAPZO Present

**PLANNING STAFF PRESENT**

Amy Sturdivant, Director of Planning and Economic Development; Gary Chynoweth P.E., Director of Engineering; Kelly Butler, City Attorney; Johnny Blizzard, AICP, Senior Planner

**REGISTERED PUBLIC ATTENDEES**

Lars Hozst, Margaret Atkinson, Amy Garvin, John Paul Atkinson, Johnnie & Glenda Neill, Johnny Atkinson, Sonny Atkinson, Thomas Atkinson, Christine List, Kermille Nelson, Jason Morris, Peter Scott, Joe Murphy, Jerry Cargile, Jonathan McGee

**ACCEPTANCE OF THE AGENDA**

Chairman Bianca informed the Commission that the applicant has requested the certified plat for *Nature's Trail Subdivision* and the preliminary plat for *Nature's Trail Subdivision, Phase 1* be removed from the agenda.

**APPROVAL OF THE MINUTES**

Mr. Bates made a motion to approve the minutes for the October 20, 2014 Regular Planning Commission Meeting. Mrs. McCollum seconded the motion.

**Final Vote:**  
Chairman, Damian Bianca Aye  
Vice-Chairman, Stephen Brooks Aye  
City Council Member Mike Potter Aye  
Cynthia McCollum Aye  
Steven Ryder Aye  
Cameron Grounds Aye  
Lewie Bates Aye  
Troy Wesson Aye  
Tim Cowles Aye  
**Motion Carried**

#### PUBLIC COMMENTS

There were no public comments.

#### OLD BUSINESS

There was no Old Business to discuss.

#### PUBLIC HEARINGS

##### Zoning Map Amendments

Public hearing to consider Matthew & Julie Trumm's request to zone property located south of Forrest Drive and west of Carol Drive to *R-1A, Low Density Residential District*, 120 Forrest Drive.

##### Applicant Request:

The applicant was not present for the meeting.

##### Staff Comments:

Mr. Blizzard stated the applicant has petitioned the City of Madison for annexation into the City, as a result the property must be provided a zoning designation. Mr. Blizzard informed the Commission that *R1A, Low Density Residential* was to most appropriate zoning district for the subject property. The subject property is in conformity with the Future Land Use Map and the annexation of 120 Forrest Drive does not conflict with other adopted master plans. Mr. Blizzard stated the annexation and zoning of the subject property will not significantly impact City services.

##### Public Comments:

There were no public comments on this matter.

##### Commission Comments:

There were no commission comments on this matter.

##### Motion:

Mr. Bates moved to recommend City Council zone 120 Forrest Drive. Mr. Brooks seconded the motion.

**Final Vote:**  
Chairman, Damian Bianca Aye  
Vice-Chairman, Stephen Brooks Aye  
City Council Member Mike Potter Aye

Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

### **Subdivision Plats**

#### ***Nature's Trail Subdivision – Certified Plat***

Mr. Bianca asked if the item would need to be removed from the table and Mrs. Butler said that it would need to be removed from the table.

#### **Motion:**

Mr. Brooks moved to remove the certified plat for *Nature's Trail Subdivision* from the table and Mr. Bates seconded the motion.

<b>Final Vote:</b>	
Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

Once the certified plat was removed from the table, it was removed from the agenda and is no longer under consideration.

#### ***Nature's Trail Subdivision – Preliminary Plat***

Location: North of Powell Road and east of Bowers Road

Representative: Mullins, LLC  
Applicant: Smart Living, LLC  
Owner: Smart Living LLC; James Powell Cole; Freddie Gene Cole; Danny B. Cole and Cathy Cole Baugher  
Lots: 48  
Acreage: 61.42

**Applicant's Request:**

The applicant requested this item be removed from the agenda and it was not considered by the Commission.

***Greenbrier Hills Subdivision – Layout Plat***

Location: Generally south and East of Hardiman Road  
Representative: 4-Site, Inc.  
Applicant/Owner: Madison Land Resources  
Lots: 241  
Acreage: 94.99

**Applicant's Request**

Jerry Cargile, P.E., of 4Site, Inc. requested layout approval for *Greenbrier Hills Subdivision*.

Mr. Joseph Murphy, Madison Land Resources informed the Planning Commission that he has resolved an issue with the adjoining property owner to the east. The issue was that Norfolk Southern Railroad which adjoins the southern border of the both properties has closed the at-grade crossing from the adjoining property to their property on the south side of the railroad. An at-grade crossing remains from the south boundary of the subject property. Mr. Murphy stated that he would provide a twenty-five foot ingress/egress easement along to allow the adjoining property owner the ability to move farm equipment to their pastures south of the Norfolk Southern Railroad.

**Staff Comments:**

Mr. Blizzard informed the Planning Commission the subject property was located generally south and east of Hardiman Road. He stated the property was rezoned from *AG, Agriculture* to *R3A, Single-Family Detached Residential* in August of 2014. Mr. Blizzard said the property was known as the *Atkinson Property* when rezoned.

Mr. Blizzard presented the layout and informed the Commission the developer was planning to develop the property into 273 lots. He stated that two street stubs would be provided to the adjoining property to the east and one street stub to the west. He said the western stub will connect to *Cobblestone Subdivision*, which is located in the City of Huntsville.

**Public Comments:**

Sonny Atkinson, 29115 Old Highway 20, Madison Alabama 35756 informed the Commission his family farmed the adjoining properties to the east and south of the Norfolk Southern Railroad. He told the Commission his family was satisfied with the twenty-five ingress/egress easement Mr. Joseph Murphy, Madison Land Resources was providing to allow access to the at-grade crossing.

**Commission Comments:**

There were no comments by the Planning Commission.

**Motion:**

Mr. Brooks moved to approve the layout for *Greenbrier Hills Subdivision* with the following contingencies:

1. Sheet C2: Common Area F is labeled as common area and city park donation. Please clarify

Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

**Stone Brook Subdivision - Layout Plat Amendment**

Location: North and west of Hardiman Road

Representative: Mullins, LLC

Applicant/Owner: Smart Living, LLC

Lots: 113 Lots

Acreage: 38.49

**Applicant's Request**

Mr. Jeff Mullins P.E., Mullins LLC requested an amendment to the approved layout of *Stone Brook Subdivision*.

**Staff Comments:**

Mr. Blizzard informed the Planning Commission that the subject property was located north and west of Hardiman Road. He told the Commission the subject property was zoned *R3A, Single-Family Detached Residential*. He stated the Planning Commission had approved the layout for *Stone Brook Subdivision* in June of 2014.

Mr. Blizzard informed the Commission that the requested amendment was to increase the lot width from sixty feet to eighty feet for those lots in the southern portion of the subdivision. He told the Commission this would reduce the number of lots from 124 to 113 lots.

**Public Comments:**

Jason Morris, 28998 Hardiman Road, asked the Commission about road access. He was concerned if Hardiman Road is widened his property might be taken for the additional right-of-way. The City Engineer, Gary Chynoweth P.E., informed him additional right-of-way will be obtained from the applicant as part with the *Stone Brook Subdivision* and felt any improvements could be accommodated within the right-of-way without acquiring any additional right-of-way from him.

**Commission Comments**

There were no comments by the Planning Commission.

**Motion:**

Mr. Bates moved to approve the layout amendment for Stone Brook Subdivision. Mr. McCollum seconded the motion

<b>Final Vote:</b>	
Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

**Stone Brook Subdivision – Preliminary Plat**

Location: North and west of Hardiman Road  
Representative: Mullins, LLC  
Applicant/Owner: Smart Living, LLC  
Lots: 113 Lots  
Acreage: 38.49

**Applicant's Request:**

Mr. Jeff Mullins P.E., Mullins LLC requested an amendment to the preliminary plat of *Stone Brook Subdivision*.

**Staff Comments:**

Mr. Blizzard informed the Planning Commission that a preliminary plat from *Stone Brook Subdivision* was approved by the Commission on July of 2014. The preliminary plat under consideration was modified to accommodate the larger lots approved with the layout amendment. Mr. Gary Chynoweth P.E., informed the Planning Commission on a contingency from the Engineering Department concerning the required sidewalk along Hardiman Road. The previous preliminary plat provided for a ten foot asphalt multi-use path. However, the path would be directly over a gas main and North Alabama Gas Company was requesting the path not be located on the gas main. A five foot sidewalk would accommodate the concerns of North Alabama Gas Company and is complicate with the subdivision regulations.

**Public Comments:**

No Public Comments

**Commission Comments:**

No Comments

**Motion:**

Mr. Bates moved to approve the preliminary plat for *Stone Brook Subdivision*.

1. Stone Brook layout amendment must be approved
2. Signatures:
  - a. Engineer's seal

- b. Phone
  - c. Athens Utilities
  - d. North Alabama Gas
  - e. Limestone County
3. Resolve Hardiman Road sidewalk issues

Mr. McCollum seconded the motion.

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

**Heritage Assisted Living Facility Addition (Site Plan Amendment)**

Location: North of Watterson Way and west of County Line Road

Representative: Mullins, LLC

Applicant/Owner: Dr. Rao Chimata

**Applicant's Request:**

Mr. Jeff Mullins P.E., Mullins LLC requested approval of an amendment to the approved site plan for *Heritage Assisted Living Facility*

**Staff Comments:**

Mr. Blizzard informed the Planning Commission that the subject property was located west of County Line Road and north of Watterson Way. He stated that the property was zoned *B2, Community Commercial* and a site plan for *Heritage Assisted Living Facility* was approved by the Planning Commission in November of 2014. The amendment consists of the addition of a wing on the south side of the building. The new wing will add an additional of 6,650 square feet to the 35,150 square foot facility.

**Public Comments**

No Comments

**Commission Comments**

Mr. Potter asked when plans are approved with contingencies, if procedures were in place to track them and ensure that contingencies were resolved before plans officially approved.

Mr. Blizzard said that contingencies are tracked. They begin as technical review comments and are tracked through the process until each contingency is resolved. One copy of the revised plans is delivered to each department or agency with the comments attached. Once they review the revised plans, those comments are marked off.

Mr. Potter asked if there was a time limit in which the applicant must resolve all contingencies.

Mr. Blizzard stated that final plats must be recorded in thirty days from the date of Planning Commission approval. However, other subdivisions and site plans do not have a specific time limit.

Mr. Potter suggested that the subdivision regulations be amended to include a time limit.

**Motion:**

Mr. Brooks moved to approve the amendment to the site plan for Heritage Assisted Living Facility with the following contingencies:

1. Table 4-6-1 of the Zoning Ordinance provides for the required amount of compliance to the newly adopted regulations for commercial districts. The addition does not appear to increase the gross floor area by 10%. Please provide documentation whether the cost of the addition will equal 10% of the assessed value of existing improvement. If the addition does exceed 10%, use the Table provided below to determine which regulations will apply.

	Parking	Screening and Wall Standards	Architectural Design	Landscape	Signs	Lighting
<b>New construction</b>	✓	✓	✓	✓	✓	✓
<b>Increase in gross floor area of 50% or more or modifications with a cost equal to or greater than 50% of the assessed value of improvements per the current tax roll</b>	✓	✓	✓	✓	✓	✓
<b>Increase in gross floor area of 25%-49% or modifications with a cost equal to 25%-49% of the assessed value of improvements per the current tax roll</b>	✓	✓		✓	✓	✓
<b>Increase in gross floor area of 10%-24% or modifications with a cost equal to 10%-24% of the assessed value of improvements per the current tax roll</b>		✓		✓		

2. Cover Sheet: Delete "& Building" from Planning Director's Certificate
3. Cover Sheet: Index To Sheets references a Tree Plat on Sheet C1.1; Photometric Plan on ES-1; Detail Sheets C6.1 – C6.5 and Architectural Supplements as labeled. This sheet was not included with site plan. The tree plat and photometric may not be necessary with this submittal. If not, revised Index of Sheets. An elevation of the addition will be required.
4. Sheet C1.0: Site Note 2 has not been updated from the original site plan for Heritage Assisted Living Facility
5. Sheet C1.1: Provide dimensions of building footprint
6. Sheet C1.0: Provide both measured and recorded bearings & distances
7. Sheet C1.0: Provide adjoining property owner information for Lot 3 Heritage Plantation 7<sup>th</sup>
8. Sheet C1.1: Site 6 provide open space calculations
9. Sheet C1.1: Clarify or delete Site Note 12

10. Correct certificate on cover sheet.
11. Provide life safety plan to address blocked egress on south end of phase 1. Temporary sidewalk will be required.

Mr. Bates seconded the motion

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

**NEW BUSINESS**

There was no new business.

**ADJOURNMENT**

With no new business to discuss Chairman Bianca adjourned the meeting at 6:07 p.m.

Minutes Approved

  
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Damien Bianca, Chairman

**ATTEST:**

  
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