



**Planning Commission  
Minutes of the December 18, 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, CAPZO Absent

Cynthia McCollum, CAPZO Absent

Steve Ryder, CAPZO Present

Cameron Grounds, CAPZO Present

Lewie L. Bates, CAPZO Absent

Troy Wesson, CAPZO Present

**PLANNING STAFF PRESENT**

Amy Sturdivant, Director of Planning and Economic Development; Gary Chynoweth P.E., Director of Engineering; Gina Romine, ADEM Compliance Administrator; Ross Ivey, Assistant Planner

**REGISTERED PUBLIC ATTENDEES**

Jerome Brainerd, Brenda Brainerd, Tim Morris, Sam Bucy, Randy Henley, Gary Delton, Brad Powell, Annette Shingler, Joseph A. Carpenter, Ted Goulas, Tom Reynard, Robert Hall, Jonathan McGee, Wayne Blaxton, Joe Murphy, Billy Smith, Pete Beddow, Jeff Arrch, and Jean-Jacques Malosse

**ACCEPTANCE OF THE AGENDA**

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

**APPROVAL OF THE MINUTES**

Councilman Potter made a motion to approve the minutes for the November 20, 2014 Regular Planning Commission Meeting. Mr. Ryder seconded the motion.

**Final Vote:**

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

**PUBLIC COMMENTS**

Brenda Brainerd of 111 Madison Avenue was concerned with the date of the Planning Commission meeting being so close to Christmas time. Chairman Bianca informed her that the meetings are always the third Thursday of every month.

**OLD BUSINESS**

There was no Old Business to discuss.

**PUBLIC HEARINGS**

**Zoning Map Amendments**

Public hearing to consider the City of Madison's request to rezone property located east of Hughes Road and south of Madison Avenue (Phoenix Center Business Park) from *B2/Community Commercial, Special District 1 to B2 Community Business District*.

**Applicant/Staff Comments:**

Mrs. Sturdivant stated the property is located east of Hughes Road and south of Madison Avenue. She also stated that the subdivision consists of 14 lots on 11.52 acres. Sturdivant informed the Commission that the City Council voted to delete the *B2/S1, Community Commercial/Special District* from the Zoning Ordinance in September of 2014. The deletion of *B2/S1, Community Commercial/Special District* was part of an overall revision of all the commercial districts in the Zoning Ordinance. She also mentioned that revisions to the commercial section of the Zoning Ordinance adopted in September of 2014 have beefed up landscaping, screening and architectural guidelines to make the *B2, Community Business District* the most compatible zoning district with adjoining and nearby residential districts. The permitted use table for commercial districts was also modified and permitted uses found in the *B2, Community Business District* are the most compatible with residential areas. Planning Staff and the Technical Review Committee recommends approval of the change in zoning of the Phoenix Center from *B2/S1, Community Commercial/Special District to B2, Community Business*.

**Public Comments:**

Robert Hall, 127 Sunset Boulevard, fears the rezoning will lessen the integrity of his neighborhood immediately adjacent to the Phoenix Center. He discussed real estate appraisal would drastically reduce home value due to foul odors, loud noises, and other nuisances created by the new zoning district. Mr. Hall had a petition done in 2009 with

127 signatures of people who were against new street layouts and cul-de-sacs and the loosening of new zoning restrictions. He adamantly opposes the opening of Sunset Boulevard to Phoenix Center and objects to the rezoning. Ultimately, Mr. Hall wants the Phoenix Center to be profitable, but feels this is a marketing issue rather than a zoning issue.

Jerome Brainerd, 111 Madison Avenue, was under the understanding when he purchased his home that this would not become a B2 District. He wanted to know the difference between B2/S1 and B2 and how R1A will be protected.

Ted Goulas, 92 Arden Avenue, asked how many of the Planning Commission members were here 20 years ago when the residents fought this issue. Mr. Goulas stated that the Phoenix Center has been a “Boondogle since day 1”. He was concerned with the home resale value due to the Phoenix Center in the Mettlands.

Annette Shingler, 115 Madison Avenue, was concerned with traffic congestion and noise issues. She wanted the area to remain residential and not commercial. She strongly opposed this area becoming commercial.

Tom Reynard, 123 Sunset Boulevard, is opposed to B2 zoning district.

Brenda Brainerd, 111 Madison Avenue, discussed Mr. Fuller and his affiliation with this property. She expressed concerns regarding increased traffic, the proximity to residential zoning, and stated that children play in this area. Mrs. Brainerd sees nothing good coming from this rezoning.

Betsy Bucy, 95 Arden Avenue, asked if there was a particular person requesting this zoning change? Councilman Potter informed her that the City Planning Department was requesting the change on behalf of the City.

**Commission Comments:**

Vice Chairman Brooks asked, what would happen if we don't change the zoning in this area. Sturdivant informed him that the property needs appropriate zoning and that the property needs to have a zoning district, or else we need to create an appropriate district for the property, since the B2/S1 has been removed from the ordinance. Councilman Potter asked if there could be any uses restricted in the B2S1. Sturdivant informed him that there could not be any restrictions since a zoning district imposes citywide regulations. Vice Chairman Brooks requested clarifications on the uses permitted in the B2 District.

**Motion:**

Mr. Grounds moved to recommend City Council to rezone the property of the Phoenix Center from *B2/Community Commercial, Special District 1 to B2 Community Business District*. Vice-Chairman Brooks seconded the motion.

**Final Vote:**

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

**Motion Carried**

**Subdivision Plats**

***Greenbrier Hills Subdivision – Layout Plan Amendment***

Location: Generally south & east of Hardiman Road

Representative: 4-Site, Inc.

Applicant/Owner: Madison Land Resources

Lots: 249

Acreage: 89.07

**Applicants Request:**

Tim Morris with 4-Site, Inc. presented the request.

**Staff Comments:**

Mrs. Sturdivant informed the Planning Commission that the subject properties are located at generally east and south of Hardiman Road. She told the Commission the subject properties are zoned *R3A, Single Family Detached Residential*. Ms. Sturdivant discussed the amendments that were shown on the image bubbled in red including: The radius of the entry drive from Hardiman Road has been changed; The cul-de-sac has been flipped to terminate to the east; The lot and common area configuration has been modified; A common area has been provided along the entire length of the west boundary of the subdivision (This common area is to provide an unobstructed path to sanitary sewer and gas lines); and the number of lots has increased from 241 to 249. Planning Staff and the Technical Review Committee recommends approval of the layout amendment for Greenbrier Hills Subdivision.

**Public Comments:**

There were no comments from the Public.

**Commission Comments:**

Mr. Wesson voiced concerns about the common area easement. Mr. Morris addressed concerns and stated that there was a sewer line in the easement, so a homeowner cannot build inside of the easement. Mr. Ryder asked who will maintain this area. Joe Murphy answered, that that Home Owners Association will maintain the area.

**Motion:**

Mr. Ryder moved to approve the layout amendments for Greenbrier Hills Subdivision. City Councilman Potter seconded the motion.

**Final Vote:**

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

**Motion Carried**

**Greenbrier Hills Subdivision, Phase 1 – Preliminary Plat**

Location: Generally south & east of Hardiman Road  
Representative: 4-Site, Inc.  
Applicant/Owner: Madison Land Resources  
Lot: 50 & 1 Tract  
Acreage: 89.07

**Applicants Request:**

Tim Morris, 4-site Inc., presented the request.

**Staff Comments:**

Planning Staff and the Technical Review Committee recommends approval of the layout amendment for Greenbrier Hills Subdivision, Phase 1 per the contingencies noted in the Staff Report

**Public Comments:**

There were no comments from the Public.

**Commission Comments:**

There were no comments from the Planning Commission.

**Motion:**

Vice-Chairman Brooks moved to approve with the following contingencies:

1. Provide street name to Madison Engineering Department. The names must be depicted on the preliminary plat and either shown on construction plans or a key for each street name.
2. Provide copies of approved layout
3. Signatures:
  - Athens Utilities
  - Limestone Water & Sewer
4. "The Traffic Islands as shown on the construction plans are hereby designated as landscaping easements that are within City of Madison Right Of Way. Any costs associated with the improvements, maintenance, and repair of said traffic island landscape easements shall be the responsibility of the owner/developer or Homeowners Association (if applicable). The City of Madison hereby retains the right to vacate the easements and remove any improvements within the easements."
5. Finish dimension of left turn lane improvements.
6. Sheet 4: Provide MPH
7. Re-check HGL's
8. Clear text on storm "B" profile

City Councilman Potter seconded the motion.

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----

Troy Wesson  
Tim Cowles  
Motion Carried

Aye  
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***Cedar Cove Subdivision – Preliminary Plat***

Location: East of Segers Road & south of Powell Road

Representative: 4-Site, Inc.

Applicant/Owner: Woodland Homes of Huntsville

Lots: 50

Acreage: 24.23

**Applicants Request:**

Tim Morris, 4-site Inc., presented the request.

**Staff Comments:**

Mrs. Sturdivant informed the Planning Commission that the subject property is located east of Segers Road and south of Powell Road. The subject property is zoned *R3A Single-Family Detached Residential*. She noted that the smallest lot in the subdivision is Lot 46 being 15,276 square feet and the largest lot is Lot 33, being 25,079 square feet. Planning Staff and the Technical Review Committee recommends approval of the preliminary plat for Cedar Cove Subdivision per the contingencies noted in the Staff Report.

**Public Comments:**

Brad Powell, 10002 Long Meadow Road, addressed the Commission and was worried if the new road for the subdivision would go through his property and if there would be fencing being installed. Mr. Morris answered him by saying, there would not be a road going through his property and he could not address the fencing issue, it would be up to the developer.

**Motion:**

Mr. Ryder moved to approve subject to the following staff comments:

1. All pertinent sheets: Show 5' concrete sidewalk along Segers Road
2. All pertinent sheets: Show all required sidewalks and handicapped ramps
3. Sheet 2, Surveyor's Notes: Note the area of all street right-of-ways
4. Sheet 2: Provide deed book/page or document number of current property owner
5. Sheet 2: Show the Point of Beginning
6. Sheet 2: Describe all lines of the PUDE at the southeast corner of Lot 30
7. Sheet 12: Provide handicapped ramps on Lots 2, 38, 41
8. Sheet 12: Show and label 5' concrete sidewalk along Segers Road
9. Signatures:
  - \*Phone
  - \*Athens Utilities
  - \*Limestone County Sewer & Water
  - \*Site Intersection Certificate
10. Driveway access is restricted on lots 1 and 50. Lot 1 is restricted to the east property line. Lot 50 is restricted to the south property line.
11. Provide square footage to ROW to be dedicated to city.

12. Minimum FFE of each lot is required on the plat
13. Clarify 20' easements at lots 11/12 and 14/15
14. Show outlet protection on all discharge points.
15. Clarify outlet orifice elevation on pond A
16. Offsite grading and drainage agreement required.
17. Extend pipe with box and pipe extension on lot 36
18. Ditches AW, AE, and B are max velocity for grass lining. Pipe will be required for maintenance issues.
19. Raise outlet from bottom of detention pond.
20. Correct Segers Road mph in sight distance table
21. Provide ditch geometry and hydraulics for each section.
22. Correct line weight on street x-sections
23. Provide Segers Road entrance modifications detail (dimension)

Mr. Grounds seconded the motion.

**Final Vote:**

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

***Burgreen Farms Subdivision, Phase 1 – Preliminary Plat***

Location: North of Powell Road & west of Burgreen Road

Applicant/Owner: Mungo Homes of Alabama

Lots: 50 & 1 Tract

Acreage: 103.42

**Applicants Request:**

Billy Smith, Smith Engineering, presented the request.

**Staff Comments:**

Mrs. Sturdivant informed the Commission that the subject property is located north of Powell Road and west of Burgreen Road. She also told them that the subject property is zoned *R3A, Single-Family Detached Residential*. Planning Staff and the Technical Review Committee recommends approval of the preliminary plat for Burgreen Farms Subdivision, Phase 1 with the contingencies noted in the Staff Report.

**Public Comments:**

Joseph Carpenter, 305 Atwater Drive, had concerns regarding Burgreen Road (street conditions, utilities, and infrastructure). He stated that he welcomes growth, but has concerns with lack of infrastructure.

**Commission Comments:**

Councilman Potter addressed infrastructure concerns in Limestone County.

**Motion:**

Councilman Potter moved to approve Phase 1 –Preliminary Plat of Burgreen Farms. Mr. Ryder seconded the motion.

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

***Carriage Hill Subdivision, Phase III – Certified Plat***

Location: North of Edgewater Drive & west of Zierdt Road  
Representative: Coffman & Beddow Land Surveyor, LLC  
Applicant/Owner: Charlie C. Starling, Aida El-Kholi Starling & Carmelita Palmer  
Lots: 2  
Acreage: 0.83

**Applicant Request:**

Pete Beddow, Coffman & Beddow Land Surveyor LLC, presented the request.

**Staff Comments:**

Mrs. Sturdivant informed the commission that the subject property is located north of Edgewater Drive and west of Zierdt Road. She also stated that the subject properties and adjoining properties are zoned *R3, High Density Residential*. Planning Staff and the Technical Review Committee recommends approval of the certified plat for Carriage Hill Subdivision, Phase III upon the contingencies stated in the staff report.

**Commission Comments:**

There Commission did not have any comments.

**Motion:**

Councilman Potter moved the motion for approval. Vice-Chairman Brooks seconded the motion.

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

**NEW BUSINESS**

There was no new business.

**ADJOURNMENT**

With no new business to discuss, Chairman Bianca adjourned the meeting at 6:38 p.m.

Minutes Approved



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Damien Bianca, Chairman

ATTEST:



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Ross Ivey, Assistant Planner and Recording Secretary