



**Planning Commission
Minutes of the May 19, 2016 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	
Troy Wesson, CAPZO	Present
City Council Member	
Michael Potter, CAPZO	Present
Tim Cowles, CAPZO	Present
Cynthia McCollum, CAPZO	Present
Steve Ryder, CAPZO	Present
Cameron Grounds, CAPZO	Present
Lewie L. Bates, CAPZO	Present
Stephen Brooks, CAPZO	Present

PLANNING STAFF PRESENT

Gary Chynoweth P.E., Director of Engineering; Mary Beth Broeren, Director of Planning and Economic Development; Johnny Blizzard, AICP, Senior Planner; Ross Ivey, Assistant Planner; Megan Zingarelli, Assistant Attorney

REGISTERED PUBLIC ATTENDEES

Randy Henley, Rick Campbell, Russ Roberts, Joe Murphy, David Hall, Brenda Buschmann, Rob Roberts, Kelli Finkley, Joey Ceci, William Rice, Jonathan McGee, Michelle Bendickson, Richard Keys

ACCEPTANCE OF THE AGENDA

Chairman Bianca asked on behalf of Planning staff that Greenbrier Woods, Phase 4B Final Plat be moved in front of Greenbrier Woods Phase 5 Preliminary Plat.

COMMENTS

There were no comments from the Commission.

APPROVAL OF THE MINUTES

Mrs. McCollum moved to approve the minutes of the April 21, 2016 Regular Meeting minutes. Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

OLD BUSINESS

There was no Old Business to discuss.

PUBLIC COMMENTS

Brenda Buschmann, 107 Benoir Trail, stated she would reserve her comments for the Brentwood Manor agenda item.

Michelle Bendickson, 130 Crownridge Drive, commented regarding annexations and trends in suspending annexations. She asked that due diligence be given to each case and as well in the application that she submitted for the June 16, 2016 agenda.

PUBLIC HEARINGS

Zoning Map Amendments

A public hearing to consider VanCal, LLC request to zone property located at the southwest corner of Hardiman Road and County Line Road to B2, Community Business District. This zoning request is in conjunction with a request for annexation into the City of Madison.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located at the southwest corner of Hardiman Road and County Line Road. The property is a metes and bounds parcel and not within a recorded subdivision. The applicant is requesting B2 zoning upon annexation in order to construct a commercial business. The subject property is undeveloped and there are no significant natural features on this site. The adjoining property to the north is located across Hardiman Road and zoned B2, Community Business. The property is occupied by a small retail center. The adjoining property to the east is transversely east of County Line Road and zoned B3, General Business District. This property is not

developed at present. The adjoining properties to the south and west are undeveloped and located in unincorporated Limestone County.

Traffic counts recorded in 2012 reveal there were 22,410 vehicular trips per day along County Line Road in the area south of Hardiman Road. Traffic counts collected in the same time period for Hardiman Road registered 3,809 vehicular trips per day. Since these traffic counts were logged 128 lots were approved with *Brighton Park, Phase 3* and 20 lots was approved with *Brentwood Manor Subdivision*. Using a ratio of 10 trips a day for each lot these additional lots could produce an additional 300 trips on Hardiman Road. And more residential development is anticipated for the properties fronting Hardiman Road. The increasing volume of traffic at the Hardiman Road/County Line Road intersection is a positive factor in favor of the requested *B2* zoning.

Mr. Blizzard added that the Major Street Plan recommends that County Line Road be widened to six lanes. County Line Road has sufficient right-of-way for six lanes but the current construction project underway at County Line Road will add a middle turn lane to the existing four lane with a multiuse path on both sides of the roadway. The reduction of the number of lanes was caused by ATRIP budget constraints. The Major Street Plan recommends Hardiman Road be extended to Segers Road. The recommended connection is desirable but is not anticipated in the near future. On May 9th, the City Council approved funds for a traffic signal at the intersection of County Line Road and Hardiman Road.

The Future Land Use Map reveals that the subject property and all adjoining properties have a designation of *C, Commercial*, which matches the requested *B2* zoning. The areas designated *C, Commercial* along the west side of County Line Road have been the scene of a steady flow of new commercial uses in recent years, including McDonald's and Sonic Restaurants and the retail center at the northwest corner of Hardiman Road and County Line Road. An assisted living facility has also been approved for the commercial property near James Clemens High School and another is anticipated less than a mile to the south of the subject property. Such uses along with the area's residential growth help provide a customer base that supports the growing commercial activity along County Line Road.

Mr. Blizzard informed the Commission that the subject property is part of the County Line Road Key Development Area and reinforces the recommendation brought forth in the Future Land Map that the property west of County Line Road and south of Hardiman Road become a commercial node. The Plan also proposes that design guidelines be developed for commercial uses along County Line Road in an effort to avoid clutter along the corridor. As a result, in September of 2014, new architectural, landscaping and signage standards were approved in the Zoning Ordinance for commercial uses. The KDA also proposes sidewalks along both sides of County Line Road and is being implemented with the current County Line Road construction project.

Mr. Blizzard concluded that staff recommends approval of the request to zone the subject property to *B2, Community Business* upon annexation because it is consistent with City master plans and the growth pattern in the area.

Public Comments:

There were no comments from the public.

Commission Comments:

Councilman Potter asked how long it would be until the traffic light was installed. Mr. Chynoweth answered approximately 1 year.

Motion:

Mr. Brooks motioned to recommend approval to the City Council for VanCal LLC's request to zone property located at the southwest corner of Hardiman Road and County Line Road to B2, Community Business District upon annexation into the City of Madison.

Final Vote:

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

Motion Carried

A public hearing to consider Thomas Keene's request to zone property located east of Segers Road and south of Nora Street to AG, Agriculture District. This zoning request is in conjunction with a request for annexation into the City of Madison.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located east of Segers Road and south of Nora Street. The applicant is petitioning for annexation to take advantage of the City school system and is requesting *AG* zoning because they have chickens, which are not allowed in residential zoning districts.

The subject property is occupied by a single-family detached dwelling. The north half of the property is mostly wooded and the south half is mostly made up of a lawn or pasture area. The property has an area of 3.30 acres and has a lot width of 213 feet at the front minimum building line. These dimensions meet the zoning requirements for the *AG District*, which requires a minimum lot size of 3 acres and a minimum lot width of 150 feet. The subject property has access to Segers Road via an unnamed County right-of-way.

Mr. Blizzard added that the adjoining properties to the east, west and south have similar characteristics as the subject property. The southern property is within the City of Madison and zoned *AG, Agriculture* while the east and west properties are in unincorporated Limestone County. The properties to the north are part of *Hardiman Estates Subdivision* approved by the Planning Commission in November of 1988. The lots in this subdivision average about 35,000 square feet and are zoned *AG, Agriculture*.

This annexation request is for a single lot and does not have a significant bearing on the implementation of the recommendations offered in the City's master plans. The exception being that the property is within the Western Growth Area, KDA and is compatible with the Plan's aim to preserve the low-scale rural character of the region.

Mr. Blizzard concluded that Staff recommends approval of Thomas Keene's request to zone 10466 Segers Road to AG, Agriculture upon annexation.

Public Comments:

Kelly Finkley, 1036 Rosa Lane, had concerns regarding livestock. She asked if the livestock could be limited to just chickens. The Planning Commission answered that the applicant would be allowed to have all kinds of livestock, but there were more restrictions with it being in city limits rather than it remain in the county. Ms. Finkley asked if they are allowed to shoot fire arms within city limits. Captain Stringer answered that NO, they are not allowed to shoot firearms within city limits.

Brenda Buschmann, 107 Benoir Trail, stated that she was pleased with the AG, Agriculture zoning, but that she was concerned with annexations west of County Line Road and the stress on the schools and utilities. Mr. Brooks answered that the Planning Commission was not annexing the property, but making a recommendation to the City Council for the zoning of the property.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks moved to recommend that the City Council zone property east of Segers Road and south of Nora Street to AG, Agriculture District upon annexation to the City of Madison. Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

Subdivision Plats

Burgreen Farms, Phase 2 – Preliminary Plat

Location: Northwest Corner of Powell Road and Burgreen Road

Representative: Smith Engineering Company, Inc.

Applicant/Owner: Mungo Homes of Alabama

Lots: 29

Acreage: 42.04

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is continuing the same format with this preliminary plat application by submitting two preliminary plats for *Burgreen Farms, Phase 2* and *Burgreen Village, Phase 2*. The construction plans for both subdivisions are interrelated and staff chose to review construction plans as one submittal.

The adjoining properties to the north include the western edge of *Parker Hall Subdivision*. The remaining property is within unincorporated Limestone County and used as farm land. The properties along the east boundary line include the southwestern edge of *Baker Farms Subdivision*, which is zoned *R3A* and south of *Bakers Farm* is a large lot with a single dwelling. The property is within unincorporated Limestone County. The remaining properties along the east boundary are zoned *R2* and make up *Waterford Subdivision*. The properties that adjoin the south boundary are within unincorporated Limestone County and consist of large lots with single-family dwellings. The properties to the west are all residential lots in *Morris Estates Subdivision*. The lots in the subdivision are partly in unincorporated Limestone County and partly in the City of Madison. Those lots within the City of Madison are zoned *R1A*. The properties identified as *Burgreen Farms, Phase 1* and *Burgreen Village, Phase 1* are also adjacent properties and zoned *R3A*.

The applicant is requesting preliminary plat approval for *Burgreen Farms, Phase 2* providing for 29 additional lots and two common areas. This phase will also extend the internal street system to provide access from Powell Road creating a second access point for both *Burgreen Farms* and *Burgreen Village*. The preliminary plat for *Burgreen Farms, Phase 2*.

Mr. Blizzard concluded that Staff has reviewed the preliminary plat and construction plans for *Burgreen Farms, Phase 2* and *Burgreen Village, Phase 2* and the plans are compliant with all applicable regulations, except those listed below. Staff recommends approval of *Burgreen Farms, Phase 2* with the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

Mr. Wesson requested that verbiage for Common Area 5 & 6 be changed from "Common Area" to "Tracts".

Motion:

Mrs. McCollum motioned to approve *Burgreen Farms, Phase 2 Preliminary Plat* subject to the following comments, as applicable:

Planning Department:

1. Signatures:
 - 1) Limestone County Water & Sewer Authority
2. Provide a non-access easement for lots abutting Powell Road (Burgreen Farms, Phase 2)

Engineering Department:

1. Remove red-lined engineering notes from cover sheet.
2. Provide closure reports in pdf format via email.
3. Need temporary turn-around (hammerhead) at end of Secretariat Place
4. Correct 42" RCP @ Secretariat Place on sheet 14
5. Correct Minimum FFE on Lot 89&95 Burgreen Farms Phase 2, Lot 69 Burgreen Village Phase 2

Fire Department:

1. Fire hydrant spacing is excessive in multiple areas

Planning Commission:

1. Common Area 5 & 6 change "Common Area" to "Tract"

Councilman Potter seconded the motion.

Final Vote:

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

Motion Carried

Burgreen Village, Phase 2 – Preliminary Plat

Location: Northwest Corner of Powell Road and Burgreen Road

Representative: Smith Engineering Company, Inc.

Applicant/Owner: Mungo Homes of Alabama

Lots: 26

Acreage: 39.19

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is continuing the same format with this preliminary plat application by submitting two preliminary plats for *Burgreen Farms, Phase 2* and *Burgreen Village, Phase 2*. The construction plans for both subdivisions are interrelated and staff chose to review construction plans as one submittal.

The adjoining properties to the north include the western edge of *Parker Hall Subdivision*. The remaining property is within unincorporated Limestone County and used as farm land. The properties along the east boundary line include the southwestern edge of *Baker Farms Subdivision*, which is zoned *R3A* and south of *Bakers Farm* is a large lot with a single dwelling. The property is within unincorporated Limestone County. The remaining properties along the east boundary are zoned *R2* and make up *Waterford Subdivision*. The properties that adjoin the south boundary are within unincorporated Limestone County and consist of large lots with single-family dwellings. The properties to the west are all residential lots in *Morris Estates Subdivision*. The lots in the subdivision are partly in unincorporated Limestone County and partly in the City of Madison. Those lots within the City of Madison are zoned *R1A*. The properties identified as *Burgreen Farms, Phase 1* and *Burgreen Village, Phase 1* are also adjacent properties and zoned *R3A*.

The applicant is requesting preliminary plat approval for *Burgreen Village, Phase 2* providing for 26 lots and one common area.

Mr. Blizzard concluded that Staff has reviewed the preliminary plat and construction plans for Burgreen Farms, Phase 2 and Burgreen Village, Phase 2 and the plans are compliant with all applicable regulations, except those listed below. Staff recommends approval of Burgreen Farms, Phase 2 with the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Councilman Potter motioned to approve Village, Phase 2 Preliminary Plat subject to the following comments, as applicable:

Planning Department

1. Signatures:
 - 1) Limestone County Water & Sewer Authority
2. Provide a non-access easement for lots abutting Powell Road (Burgreen Farms, Phase 2)

Engineering Department

1. Remove red-lined engineering notes from cover sheet.
2. Provide closure reports in pdf format via email.
3. Need temporary turn-around (hammerhead) at end of Secretariat Place
4. Correct 42" RCP @ Secretariat Place on sheet 14
5. Correct Minimum FFE on Lot 89&95 Burgreen Farms Phase 2, Lot 69 Burgreen Village Phase 2

Fire Department

1. Fire hydrant spacing is excessive in multiple areas

Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

Brentwood Manor – Preliminary Plat

Location: South of Halsey Road and west of Hardiman Road
Representative: 4-Site, Inc.
Applicant/Owner: D.R. Horton, Inc.
Lots: 29
Acreage: 11.04

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject properties are located south of Halsey Road and west of Hardiman Road. The subject properties were annexed by the City Council at their January 25, 2016 regular meeting. The City Council voted to zone the subject properties to *R3A* at the sometime. In February of 2016, the Planning Commission approved the layout for *Brentwood Manor* allowing for the development of 29 lots and three streets.

The applicant, D.R. Horton, Inc., is requesting preliminary plat approval to begin construction of the subdivision. The smallest lot has an area of 10,957 square feet and most of the lot widths at the front building line are averaging 75 feet. These dimensions are more consistent with the *R2 District*, which requires a minimum lot size of 10,500 square feet and a minimum lot width of 70 at the front building line. The minimum lot size in the *R3A District* is 7,500 square feet and a required minimum building line is 60 feet. The applicant is also dedicating 40 feet of additional right-of-way for Hardiman Road.

Mr. Blizzard added in order to provide for future interconnectivity with the adjoining property to the north, if that property were ever redeveloped, the City will require the applicant to submit documents at the time of final plat approval for an irrevocable offer for reciprocal access between the subject site and the adjoining property to the north across Common Area 1. The easement would be filed once the final plat is recorded and would be a condition of obtaining a building permit. The irrevocable reciprocal

easement will allow Common Area 1 to remain a common area and undeveloped until such time as the adjoining lot to the north is developed. At that time as the adjoining lot to the north is being developed, it will be the responsibility of the developer of that property to construct the drive across Common Area 1.

Mr. Blizzard concluded that Staff has reviewed the preliminary plat and construction plans for Brentwood Manor Subdivision and recommends approval of Brentwood Manor Subdivision given the contingencies listed in the staff report.

Public Comments:

William Rice, 115 Benoir Trail, expressed concerns with too much development happening to quickly and also expressed drainage concerns.

Brenda Buschmann, 107 Benoir Trail, expressed that she was concerned with the sharp curve located on Hardiman Road. And asked if there was any future plans to widen Hardiman Road. She stated that her subdivision is becoming a "traffic zone" with a lot of new congestion. Mr. Chynoweth answered that as of now there is only maintenance plans for Hardiman. He also addressed drainage and flooding at that location.

Richard Keys, expressed concerns with traffic congestion and stated he feels the need for a traffic signal at that location.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Cowles motioned to approve Brentwood Manor Preliminary Plat with the following contingencies:

Planning Department

1. Signatures:
 - 1) Athens Utilities
 - 2) North Alabama Gas
 - 3) Phone
 - 4) Cable
2. Label 25 ft. buffer strip at the rear of all lots abutting Hardiman Road with the following note shown on the plat near the lots. "This strip is reserved for screening. The placement of structures hereon is prohibited."
3. Label non-access easement for lots abutting Hardiman Road

Engineering Department

1. Submit street names to Engineering Department for approval.
2. Install full 3 lane from Basden Ave. south to new entrance.
3. Provide signage plan.
4. Show 5' sidewalk along Hardiman Rd. to be installed during construction of project

- 5. Must provide notarized documentation for offsite grading.
- 6. Drainage swales are to be centered on property lines. If not then provide additional easement and show on grading plan.
- 7. Call out type of pipe end treatment and slope if necessary.
- 8. Specify type and extent of waterproofing of storm pipes and boxes to a minimum of the normal pool elevation.

Fire Department Comments:

- 1. Must add turnarounds at the end of streets B & C – Make turn around minimum of 60x20
- 2. Need letter from Limestone County Water confirming available fire flow
- 3. Relocate hydrant on street C to mirror street B

Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

Greenbrier Woods, Phase IV-B – Final Plat

Location: West of Green Creek Road and south of Autumn Ashe Lane

Representative: 4-Site, Inc.

Applicant/Owner: Walden Land Company

Lots: 23

Acreage: 20.03

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that *Greenbrier Woods Subdivision* is located south of Powell Road and west of Burgreen Road. The subject property is located west of Green Creek Road and south of Autumn Ashe Lane. The original layout plan for *Greenbrier Woods Subdivision* was approved in February of 2009 and endorsed the development of 165 residential lots. The preliminary plat for *Greenbrier Woods, Phase IV* was approved in August of 2014 authorizing the construction of 37 lots and related infrastructure. In May of 2015, the applicant submitted a final plat for 14 of the 37 lots approved with the preliminary plat. The plat was titled *Greenbrier Woods, Phase IV-A*, and was approved by the

Planning Commission at their May 21, 2015 meeting. The one year time limit for the *Greenbrier Woods, Phase IV* Preliminary Plat expired in August of 2015 and the Planning Commission reapproved the preliminary plat for the remaining lots in August of 2015.

The applicant is requesting approval of a final plat for *Greenbrier Woods, Phase IV-B*. The final plat will consist of 23 lots and 1 common area, and will make up the remaining properties originally approved with the *Greenbrier Woods, Phase IV* preliminary plat.

Mr. Blizzard concluded that Staff has reviewed the final plat for Greenbrier Woods, Phase IV-B and recommends approval of Greenbrier Woods, Phase IV-B given the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder moved to approve Greenbrier Woods, Phase IV-B, Final Plat given the following contingencies:

Planning Department Comments

1. Submit Sign fee
2. Submit performance bonds
3. Signatures:
 - 1) Dedication
 - 2) Notary's Acknowledgment
 - 3) Athens Utilities
 - 4) North Alabama Gas
 - 5) Limestone County Water & Sewer Authority

Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

Greenbrier Woods, Phase V – Preliminary Plat

Location: West of Green Creek Road and south of Autumn Ashe Lane

Representative: 4-Site, Inc.

Applicant/Owner: Walden Land Company

Lots: 30

Acreage: 11.26

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that *Greenbrier Woods Subdivision* is located south of Powell Road and west of Burgreen Road. The subject property is located west of Green Creek Road and south of Autumn Ashe Lane. This preliminary plat application for *Greenbrier Woods, Phase V* is the last phase of *Greenbrier Woods* to be constructed. The subject property is the same property identified as Tract A on *Greenbrier Woods, Phase IV-B*, which was submitted for consideration for final plat approval at the May Planning Commission Meeting, as well. The applicant is requesting approval of a preliminary plat for *Greenbrier Woods, Phase V*. The final plat will consist of 23 lots.

Mr. Blizzard concluded that Staff has reviewed the final plat for Greenbrier Woods, Phase IV-B and recommends approval of Greenbrier Woods, Phase V given the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Bates motioned to approve Greenbrier Woods, Phase V, Final Plat given the following contingencies:

Planning Department

1. Signatures:
 - 1) AT&T
 - 2) Knology
 - 3) Athens Utilities
 - 4) North Alabama Gas
 - 5) Limestone County Water & Sewer Authority

Mr. Cowles seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye

Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Stillwater Cove, Phase 4 – Certified Plat

Location: North of Chestnut Heath Court and west of Elmberry Lane

Representative: Mullins, LLC

Applicant/Owner: D.R. Horton, Inc.

Lots: 2

Acreage: 0.91

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject properties are located north of Chestnut Heath Court and west of Elmberry Lane. The properties are part of Stillwater Cove, Phase 3. This proposed subdivision was approved by the Planning Commission at their July 17, 2014 meeting; however, the applicant did not follow through and record the subdivision plat.

The applicant is requesting certified plat approval for Stillwater Cove, Phase 4. When Lot 68 was being developed, the driveway was partially poured on Lot 67. The common side yard property line will be moved one foot into Lot 67 to correct the error.

Mr. Blizzard concluded that Staff has reviewed the certified plat for Stillwater Cove, Phase 4 and both lots are compliant with the minimum lot size and other dimensional requirements. Staff recommends approval of Stillwater Cove, Phase 4 with the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve Stillwater Cove, Phase 4 Certified Plat with the following contingencies:

Planning Department

1. Title opinion

- 2. Signatures:
 - 1) Dedication
 - 2) Mortgage Holder
 - 3) Notary's Acknowledgement

Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

West Haven, Phase 3A – Final Plat

Location: West of Henderson Lane and south of U.S. Highway 72

Representative: Goodwyn, Mills, & Cawood Inc.

Applicant/Owner: North Alabama Bank

Lots: 27

Acreage: 41.94

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located west of Henderson Lane and south of U.S. Highway 72. The original layout plan for West Haven Subdivision is outlined in yellow and red in Figure 1. It was approved by the Planning Commission in March of 2009 allowing for 192 lots on 80.50 acres. The preliminary plat for the entire subdivision was approved in May of 2009. During this period of time, the United States entered one of the worst recessions in history causing many development projects, including West Haven Subdivision, to grind to a halt. Eventually, the northern portion of the original subdivision was sold to Breland Homes, who completed the construction of West Haven, Phase 1 and received final plat approval for 45 lots in November of 2013. The rest of the subdivision was eventually repossessed by the lender North Alabama Bank, who chose to develop the southern portion of the subdivision themselves. In March of 2013, they submitted a preliminary plat for 58 lots and one tract. Zero lot line style lots were part of the original preliminary plat for Tract A but the developer chose not to include them with this preliminary. In April of 2014, Planning Commission approved a final plat for West Haven, Phase 3, for 31 of the 45 lots approved with the West Haven, Phase 3 preliminary plat. The applicant is requesting final plat approval for 27 lots and 1 tract.

Mr. Blizzard Concluded that Staff has reviewed the final plat for West Haven, Phase 3A and recommends approval given the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder motioned to approve West Haven, Phase 3A Final Plat given the following contingencies:

Planning Department

1. Submit an electronic copy, in PDF format of the final plat sheets (Map Sheet).
2. Submit sign fee
3. Submit performance bonds
4. Submit title opinion
5. Signatures:
 - 1) Dedication
 - 2) Notary's Acknowledgement
 - 3) Athens Utilities
 - 4) North Alabama Gas
 - 5) Certificate of Accuracy

Mr. Wesson seconded the motion.

Final Vote:

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

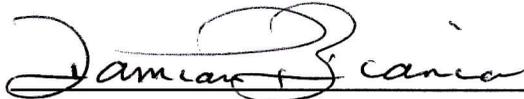
Motion Carried

(PUBLIC HEARING CLOSED)

ADJOURNMENT

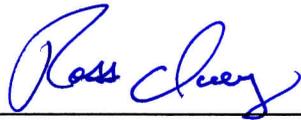
Chairman Bianca adjourned the meeting at 6:20 p.m.

Minutes Approved



Damian Bianca, Chairman

ATTEST:



Ross Ivey, Assistant Planner and Recording Secretary