



**Planning Commission  
Minutes of the November 17, 2016 Regular Meeting**

The meeting was called to order by Planning Commission Vice-Chairman Wesson at 5:30 p.m.

**ATTENDEES**

**PLANNING COMMISSION MEMBERS**

**Planning Commission Vice-Chair**

Troy Wesson, CAPZO	Present
Michael Potter, CAPZO	Present
Cynthia McCollum, CAPZO	Absent
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, Senior Planner; Ross Ivey, Assistant Planner; Diane Sterling, Senior Planner; Megan Zingarelli, Assistant Attorney

**REGISTERED PUBLIC ATTENDEES**

Gary Gray, Jonathan McGee, Russ Roberts, Michael Robinson, Adam East, Brenda Buschmann, Joe Jefferson, Amy Garvin, Bebe Oetjen, Cress Garvin, Joey Ceci, Lisa Marion, Mark Bland, Father Gregory Schultz, Patricia Lancaster, Matt Blackman, Teddy Powell, Don Spencer Jr., Hong Park, Tim Cowles

**ACCEPTANCE OF THE AGENDA**

Vice Chairman Wesson asked if the Atkinson Rezoning Item could be moved to item number one on the agenda because the applicant had requested that it be tabled.

**ELECTION OF OFFICERS**

Mr. Brooks nominated Mrs. McCollum to serve as Vice Chairman of the Planning Commission for a one month term, until the election of officers at the regular meeting in January. Mr. Ryder seconded the motion.

Final Vote:

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye

Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye
<b>Motion Carried</b>	

**APPROVAL OF THE MINUTES**

Mr. Potter moved to approve the minutes of the October 20, 2016 Regular Meeting. Mr. Bates seconded the motion.

<b>Final Vote:</b>	
Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Abstain
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Abstain
<b>Motion Carried</b>	

**OLD BUSINESS**

There was no Old Business to discuss.

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARINGS**

**Zoning Map Amendments**

**Atkinson Property Rezoning Request**

Zoning Map Amendment request to rezone 58.85 acres from AG (Agriculture District) to RC2 (Residential Cluster Zone 2) an amendment to the original request of R3A (Single-Family Detached Residential District) and revised request of R2 (Medium Density Residential District).

Location: Generally southeast of Hardiman Road and west of Ashbury and Oxford Subdivision

Applicant: Phillimond S. Smith

**Applicant Comments:**

There were no comments from the applicant.

**Staff Comments:**

Mr. Blizzard asked that the Planning Commission table the request to the December 15, 2016 Planning Commission Regular Meeting.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Brooks motioned to table the Atkinson zoning map amendment request to the December 15, 2016 Planning Commission Regular Meeting. Mr. Ryder seconded the motion.

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

**Location, Character, Extent**

**Madison Utilities North East Force Main**

**Applicant:** Madison Utilities

**Applicant Comments:**

Mark Bland, Waste Water Manager for Madison Utilities presented the request and stated he would answer any questions from the Commission.

**Staff Comments:**

Mr. Blizzard informed the Commission that the project will consist of replacing the force main from the new proposed lift station located east of Nance Road to Discovery Middle School and install new force main from Discover Middle School to the western interceptor near Millsford Road. The project will include approximately 13,640 feet of number 14 ductile iron force main, 1,200 feet of number 10 ductile iron force main, roadway bores, air releases, gate valves, manholes, creek crossings, riprap, clearing, asphalt paving, grass and clean up. The estimated time of the project is anticipated to be 10 months and will require an open trench along Hughes Road and the other streets. All work will be within the existing right of way. Mr. Blizzard concluded that staff recommends approval because the project is needed due to increased flows and anticipated growth. Madison Utilities has involved both the Engineering Department and Public Works Department in the planning of this project and will coordinate these improvements with both departments during the construction.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

Mr. Potter asked which side of Hughes Road this project would affect. Mr. Bland answered the west side of Hughes Road, and they will attempt to not impact the existing walkway along Hughes Road.

Mr. Bates asked if this project will impact traffic. Mr. Bland answered the traffic impact would be minimal, if any at all.

Mr. Brooks asked why this project was coming before the Planning Commission. Mrs. Broeren answered that it is Alabama state law for public entities, including utility providers, to receive the proper approval. She added that the project is along Hughes Road, a major thoroughfare, for an extended period of time and staff felt that the Planning Commission approval was warranted.

**Motion:**

Mr. Bates moved to approve the Madison Utilities North East Force Main Project. Mr. Potter seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**Madison Utilities North East Lift Station**

**Applicant:** Madison Utilities

**Applicant Comments:**

Mark Bland, Waste Water Manager for Madison Utilities presented the requested and stated he would answer any questions from the Commission.

**Staff Comments:**

Mr. Blizzard informed the Commission that the construction of the lift station will include a wet well, piping, back up pumps, electrical building, gate valves, manholes, gravity sewer, fencing, riprap, and asphalt paving. The project includes landscaping along the northern property line with Green Giant Trees and the pervious areas of the site will also be grassed. There is an existing tree line along the southeastern property line, which adjoins the residential subdivision, that will remain intact. The estimated duration of the project is 12 months. Mr. Blizzard concluded that staff recommends approval because the project is needed due to increased flows and anticipated growth.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Bates moved to approve the Madison Utilities North East Force Main Project. Mr. Potter seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**Subdivision Plats**

**Town Madison**

Layout request for 177 lots, 5 tracts, and 6 common areas

Variance request to Section 5-4-1 and 5-4-2 of the Subdivision Regulations

Location: South of Madison Boulevard/I-565 and west of Zierdt Road

Applicant/Owner: Old Town Investments, LLC

**Applicant Comments:**

Jeff Mullins, presented the request for layout approval on behalf of Old Town Investments, LLC.

**Staff Comments:**

Mr. Blizzard informed the Commission that the project is located south of Madison Boulevard/I-565 west of Zierdt Road. The request is for layout approval for 177 lots, five tracts, and six common areas on 36 acres for the first phase of Town Madison. There is a variance request to the Subdivision Regulations to reduce the local street right-of-way from 50 feet to 44 feet and the local street paving width from 26 feet to 21 feet.

Mr. Blizzard added that the smallest lot proposed is 1,791 square feet and the largest lot is 55,021 square feet. Most of the larger lots adjoin Mountain Brook and Heritage Woods Subdivisions. He also noted that a 44 foot right-of-way with a 21 foot pavement width is proposed for local one-way streets, which will require variances from the Subdivision Regulations. The other streets are compliant with right-of-way and pavement width requirements.

Mr. Blizzard continued that the layout plan is consistent with all applicable zoning regulations and consistent with the vision of the I-565 Corridor KDA in the Growth Plan. The Growth Plan envisioned the corridor becoming a regional hub with mixed use development of different types of residential, commercial, and professional establishments. Staff recommends approval of this layout request. Staff also recommends approval of the variance requests to Sections 5-4-1 and 5-4-2 of the Subdivision Regulations

because the right-of-way width and pavement widths standards in the Subdivision Regulations anticipated a two-way street and the proposed streets with the 44 foot right-of-way and 21 foot right-of-way width will be one-way streets.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

Mr. Ryder asked if the Future Land Use Plan will be updated in the near future. Mrs. Broeren answered that the Future Land Use Map will updated as Town Madison develops.

**Motion:**

Mr. Brooks motioned to approve the variance to Section 5-4-1 and Section 5-4-2 of the Subdivision Regulations. Mr. Ryder seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

Mr. Potter motioned to approve the Town Madison layout request with the following contingencies:

**Engineering Department Comments:**

1. Need Corps of Engineers jurisdictional determination on the stream north of Mountain Brook.

Mr. Bates seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**Putman Industrial Park, 4<sup>th</sup> Addition**

Certified Plat to consolidate two lots into one

Location: 480 Production Avenue (East of County Line Road and north of Production Avenue)

Applicant/Owner: Mesa Associates, Inc.

**Applicant Comments:**

Jeff Mullins presented the Certified Plat request on behalf of the owner.

**Staff Comments:**

Mr. Blizzard informed the Commission that the location of the subject property is at 480 Production Avenue, east of County Line Road and north of Production Avenue. The certified plat request is to consolidate the two lots into one lot on 4.91 acres. The purpose of the consolidation is to allow Mesa Associates to expand their facility. Mesa Associates, Inc. is a multi-discipline engineering service provider with 470 employees in 12 offices nationwide. They currently have a 26,400 square foot building at the Madison facility. Mr. Blizzard concluded that the proposed consolidation of the two lots meets all applicable regulations and will allow the expansion of the existing facility. Staff recommends approval with the contingencies noted in the staff report.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

Mr. Wesson stated that the M1 zoning district prohibits parking in the front yard closer to 50' to the street and asked if this project would increase a nonconformity. Mr. Blizzard answered as long as the nonconformity is not increased, the future expansion would be allowed.

**Motion:**

Mr. Brooks motioned to approve the Certified Plat for Putman Industrial Park, 4<sup>th</sup> Addition with the following contingencies:

**Planning Department**

- 1. Signatures:
  - 1) Dedication
  - 2) Notary's Acknowledgment
  - 3) Mortgage Holder, if applicable

Mr. Ryder seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**Shelton Hill, Phase 1**

Final Plat for with lots

Location: East of Shelton Road and north of Old Madison Pike

Applicant/Owner: Colonnade Communities, LLC

**Applicant Comments:**

There were no comments from the applicant.

**Staff Comments:**

Mr. Blizzard informed the Commission that the location of the project is east of Shelton Road and north of Old Madison Pike. The requested final plat will resubdivide Lot 2 of Shelton Hill Subdivision into seven residential lots with the smallest lot having an area of 20,766 square feet. The average lot size is 26,016 square feet or 1.67 dwelling units per acre. The average lot size does not include Lot 8, which is pending City Council approval for B2 zoning. Mr. Blizzard discussed the contingencies and then concluded that the subject was reviewed by the Technical Review Committee and the committee recommends approval 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. Ryder motioned to approve the final plat for Shelton Hill, Phase 1 given the following contingencies.

**Engineering Department Comments:**

1. The missing easements required on Lot 2 of the certified plat for Shelton Hill. The easements are missing on the recorded plat and the property must be re-platted to include the easements or the easements deeded to the City of Madison before this subdivision is approved.
2. Submit performance bond
3. Resub of lot 1 instead of 3
4. Fix lot numbering

Mr. Bates seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**The Village at Oakland Springs, Phase 1**

Final Plat for 100 lots and one common area and a Vacation of Plat

Location: South of Huntsville-Browns Ferry Road and east of Bowers Road

Applicant/Owner: Placemakers Oakland Springs, LLC and The Paulus Law Firm, P.C.

**Applicant Comments:**

Russ Roberts of Goodwyn, Mills, and Cawood presented the request.

**Staff Comments:**

Mr. Blizzard informed the Commission that the subject property is south of Huntsville-Browns Ferry Road and east of Bowers Road. The final plat request is for 100 lots, one tract, and one common area on 157.10 acres and includes a vacation of a final plat for Estes Estates. The title research performed by the applicant discovered that much of the subject property is part of a previous subdivision recorded in 2007. Mr. Blizzard added the final plat for The Village at Oakland Springs, Phase 1 meets all applicable regulations and staff recommends approval.

The applicant does not have to vacate the subdivision plat for Estes Estates because the recording of The Villages of Oakland Springs will effectively do away with all existing property lines on the plat. The only easements recorded on Estes Estates are along Huntsville-Browns Ferry Road and along Oakland Springs. The proposed final plat for The Village at Oakland Springs is showing additional right-of-way along Huntsville- Browns Ferry Road and the easement along Oakland Springs. Therefore, no vacation of easement is required. There are no streets within Estes Estates. Upon learning it would not be necessary to vacate Estes Estates, the applicant chose to proceed with the vacation request anyway to clear the reference of Estes Estates on future property titles. There are no issues with the applicant proceeding in this manner. The vacation of the final plat for Estes Estates meets the requirements provided in Section 8-9 of the Subdivision Regulations and staff recommends approval.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

Mr. Potter stated that he is eager to see development and construction begin in this project.

**Motion:**

Mr. Brooks motioned to approve the vacation of Final Plat for Estes Estates. Mr. Potter seconded the motion.

Final Vote:

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye

Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye
<b>Motion Carried</b>	

Mr. Brooks motioned to approve The Village of Oakland Springs, Phase 1 Final Plat. Mr. Ryder seconded the motion.

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

**Cedar Cove, Phase 1A**

Certified Plat for four lots and 1 tract

Location: South of Cedar Farms Drive and east of Blue Cedar Circle

Applicant/Owner: Diltina Development Corporation

**Applicant Comments:**

Michael Robinson, 4-Site Inc., presented the request.

**Staff Comments:**

Mr. Blizzard informed the Commission that this is a request for certified plat approval for four lots and one tract on 10.82 acres in Cedar Cove Subdivision. The certified plat is being requested to correct surveying errors found on the recorded plat for Cedar Cove, Phase 1A. The errors include a discrepancy between the placement of property pins in the field and what was depicted on the original plat. The depth of Lots 36, 35, 34, and width of lot 22 is approximately six feet shorter in the field than depicted on the original plat. Mr. Blizzard concluded the surveyors, title companies, and attorneys depend on the information provided on recorded subdivision plats and the correction to the surveying errors will prevent the perpetuation of future errors in individual property deeds. Therefore, staff recommends approval.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Bates motioned to approve Cedar Cove, Phase 1A certified plat. Mr. Brooks seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye

**Motion Carried**

**St. Michaels Subdivision**

Certified Plat for two lots

Location: West of Shelton Road/Zierdt Road and north of Madison Boulevard

Applicant: Ralph Glandon Stubblefield Jr.

**Applicant Comments:**

Adam East, presented the request on behalf of 4-Site Inc.

**Staff Comments:**

Mr. Blizzard informed the Commission that the property is located west of Shelton Road/Zierdt Road and north of Madison Boulevard. The requested certified plat will create two lots with Lot 1 having an area of 2.84 acres and fronting Madison Boulevard. Lot 2 will be located mostly to the rear of Lot 1, along the north boundary, except for a 60 foot wide strip running down the east side of Lot 2 to provide access to Madison Boulevard. An ingress/egress easement will overlay the 60 foot strip from Madison Boulevard northward 250 feet. This will be the only access to Madison Boulevard for both lots. The purpose of the certified plat is to prepare Lot 2 for sale.

Mr. Blizzard continued that the Technical Review Committee required the applicant to add a note on the certified plat restricting development on both lots until they are serviced with water and sanitary sewer. The requested note was added to the certified plat on November 9, 2016.

Mr. Blizzard concluded that the purpose of the proposed certified plat is to convey Lot 2 to Saint Michaels Orthodox Church, which is currently located in Huntsville. There is no immediate plan for development of either lot. Staff does also anticipate one or both of the properties will submit an application for rezoning in the future. The proposed subdivision meets all applicable regulations and staff recommends approval.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Bates motioned to approve St. Michaels Subdivision given the following contingencies:

**Engineering Department Comments:**

1. Label adjoining property encroachments of driveway and landscaping

Mr. Ryder seconded the motion.

**Final Vote:**

Vice-Chairman, Troy Wesson	Aye
Mike Potter	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Stephen Brooks	Aye
<b>Motion Carried</b>	

(PUBLIC HEARING CLOSED)

**New Business**

Mrs. Broeren reminded the Commission that CAPZO training has been approved in the 2017 budget and that staff will work to schedule a time that best accommodates the Commission’s schedule, it will most likely be sometime in February.

**ADJOURNMENT**

Mr. Wesson adjourned the meeting at 6:07 p.m.

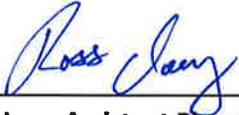
**Minutes Approved**



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**Troy Wesson, Vice Chairman**

**ATTEST:**



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**Ross Ivey, Assistant Planner and Recording Secretary**