



**CITY OF MADISON, ALABAMA
PLANNING COMMISSION
MINUTES OF THE DECEMBER 16, 2010 REGULAR MEETING**

The meeting was called to order at 5:30 p.m. by Commission Chairman Charlie Brown.

ROLL CALL

Planning Commission Board Members

Planning Commission Chairman	
CHARLIE BROWN, C.A.P.Z.O.	PRESENT
Planning Commission Vice Chairman	
STEPHEN BROOKS	PRESENT
City Council Member	
TIM COWLES	PRESENT
CYNTHIA MCCOLLUM	ABSENT
STEVEN RYDER, C.A.P.Z.O.	PRESENT
DAMIEN BIANCA	ABSENT
LEWIE L. BATES, III, C.A.P.Z.O.	PRESENT
CAMERON GROUNDS, C.A.P.Z.O.	PRESENT
MICHAEL POTTER, C.A.P.Z.O.	PRESENT @ 5:39

PLANNING STAFF PRESENT

AMY BELL-FURFORI, DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING; JOHNNY BLIZZARD, CHIEF PLANNER; KELLY BUTLER, CITY ATTORNEY; GARY CHYNOWETH, CITY ENGINEER; KEITH CONVILLE, GIS COORDINATOR; SHERRI BLAIR, ZONING ADMINISTRATOR AND RECORDING SECRETARY

REGISTERED PUBLIC ATTENDEES

Linnie P. McMillan; David McCarley; Tim Holcombe; Nathan Tamberlin; George Nelson; Sue Nelson; Candace Townley; Art Townley; Ed Collins; David A. Diehl; Troy Wesson; Judy Stewart McMurry

MINUTES APPROVAL

Chairman Brown requested suggested changes and/or corrections to the minutes of the November 18, 2010 Regular Meeting. He further stated he requested the recording secretary make one change prior to the meeting, which was made. With no further suggested changes and/or corrections, Chairman Brown stated that the minutes would be approved as corrected.

CONSENT AGENDA

No items.

OLD BUSINESS

No items.

PUBLIC COMMENT

Chairman Brown opened the floor to public comment pertaining to items not on the Agenda. There being no public comment, Chairman Brown closed the floor.

PUBLIC HEARINGS

Preliminary Plats

1. The City of Madison's Planning Commission held a public hearing to consider Dr. John Wisda's request for Preliminary Plat approval of 28.59 acres consisting of 76 lots, 2 tracts and 3 common areas located at the southwest corner of Balch Road and Gillespie Road namely: *Walden Woods Subdivision*.

Staff Report: Johnny Blizzard presented the request stating that the applicant was requesting approval of a Preliminary Plat and construction plans to construct 75 residential lots, 1 commercial lot, a conservancy area and 2 common areas. The Preliminary Plat which was consistent with the approved Layout Plat design reflected a name change from *Applewood Subdivision* to *Walden Woods Subdivision*. Staff and Technical Review Committee recommended approval of the Preliminary Plat for *Walden Woods Subdivision* contingent on compliance with the following items:

1. The applicant's wish to change the subdivision name from *Applewood Subdivision* to *Walden Woods* met resistance in the surrounding neighborhoods. Section 5-2-3 of the Madison Subdivision Regulations provides the following concerning subdivision names:
"...duplicate or names that too closely approximate the name of any other subdivision in the City of Madison will not be allowed. The Planning Commission has final authority to designate the name of a subdivision at the time of preliminary plat approval."
2. All subdivision identification signs must be located outside a utility and drainage easement.
3. The dimensions of the common areas and/or sign easements shown on the construction plans must match those shown on the approved Preliminary Plat.
4. Erosion Control is required at toe of slope of conservancy area.
5. Conservancy/Detention Area must be overlain with a public utility and drainage easement in order to be accepted public storm drainage.
6. Provide and post four (4) way stop sign at Idared Drive/Fireside Drive intersection.
7. Provide and post two (2) 25 MPH signs at the entrances of the subdivision.
8. Provide signature-North Alabama Gas Certificate.
9. Provide signature-Madison Utilities Certificate.
10. Provide signature-Certificate of Accuracy.
11. Provide signature-Engineer's Seal.
12. Provide signature-Site Intersection Table.

Developer Comments: No comment.

Public Comments:

1. David Diehl, 413 Thoreau Spring Road, expressed concerns about potential confusion caused by the name *Walden Woods* and requested the Commission disapprove the name. He stated further that "Walden" is the brand of the Walden HOA. He requested further review of the drainage plan; the 10 foot common area at the property line could damage trees on adjoining property.
2. Troy Wesson, 526 Thoreau Spring Court, expressed concerns about the sidewalk along Gillespie and Balch, the 26' U&D easement at Emerson and under whose authority the maintenance of the common area will fall.
3. Tim Holcombe, 215 Walden Glen Road, stated the covenants of the Walden HOA prohibit use of "Walden" without prior written consent. He also expressed concerns about sidewalks.
4. Ed Collins, 303 Crownridge Drive, echoed concerns of the use of "Walden" in the subdivision name. He further stated the City should consider the future maintenance of common areas in order to protect property owners.

Board Comments: Board members and staff discussed problems associated with the City performing maintenance of common lands when/if a HOA dissolves; who the City bills for services; mortgage companies' agreement to disband HOA; use of "Walden" in the name of the subdivision; Corp of Engineers review of the wetland areas for mitigation prior to Final Plat review; the City's Tree Preservation Ordinance providing protection of the drip line at subdivision property line; a note to be added to the Final Plat requiring sidewalks be shown on the construction plans and finished before acceptance into the City's maintenance; Commission's decision allowing the Planning Director to approve the subdivision name, when submitted.

Motion: Mr. Ryder moved to approve Dr. John Wisda's request for Preliminary Plat approval of 28.59 acres consisting of 76 lots, 2 tracts and 3 common areas located at the southwest corner of Balch and Gillespie Roads namely: *Walden Woods Subdivision*, contingent on the satisfaction of outstanding Staff comments and conditional upon renaming the subdivision without using the word "Walden" or anything similar, with Planning Commission delegating approval of the name change to the Planning Director. Mr. Cowles seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman - Charlie Brown	Aye
Planning Commission Vice Chairman - Stephen Brooks	Nay
Planning Commission Member - Tim Cowles	Aye
Planning Commission Member - Cynthia McCollum	Absent
Planning Commission Member - Steven Ryder	Aye
Planning Commission Member - Damien Bianca	Absent
Planning Commission Member - Lewie L. Bates III	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member - Michael Potter	Aye

Motion Carried.

Final Plats

2. The City of Madison's Planning Commission held a public hearing to consider Leigh Pegues, DAL, LLC's request for Final Plat approval of 20.59 acres consisting of 34 lots and 1 common area located south of Browns Ferry and Silo Hill Road namely: *Shiloh Run Subdivision*.

Staff Report: Johnny Blizzard presented the request and stated the applicant requested Final Plat approval of the subdivision. The name will change from *Shiloh Creek* to *Shiloh Run*. The final plat is consistent with the approved layout and preliminary Plats. Staff and Technical Review Committee recommend approval of the final plat for *Shiloh Run Subdivision*, contingent on the completion of the following items:

1. Provide payment of certification fee: \$1,700.00.
2. Provide payment for sign fee: \$ 510.00.
3. Performance bonds must be posted before this plat can be recorded. The applicant has thirty (30) days from the date of Planning Commission approval to post the performance bond.
4. Please ensure that subdivision identification signage is not within a public utility & drainage easement.
5. Show location of permanent markers. Provide one at the northeast corner of Lot 20 and the southeast corner of Lot 34.
6. Increase the Finished Floor Elevation (FFE) to one (1) foot above the Base Flood Elevation (BFE) of 673 ft. for lots 29, 30, & 31.
7. Provide signature-Huntsville Utilities Certificate.
8. Provide signature-North Alabama Gas Certificate.
9. Provide signature-Madison Utilities Certificate.

Developer Comments: No comment.

Public Comments: Judy Stewart McMurry voiced concerns about drainage. Johnny Blizzard explained base flood elevation and finished floor elevation.

Board Comments: Mr. Brown questioned location of Big Leaf Road as mentioned in the General Notes. Johnny Blizzard stated the note will be revised.

Motion: Mr. Brooks moved to approve Leigh Pegues, DAL, LLC's request for Final Plat approval of 20.59 acres consisting of 34 lots and 1 common area located south of Browns Ferry and Silo Hill Road namely: *Shiloh Run Subdivision*, contingent on the satisfaction of outstanding Staff comments. Mr. Cowles seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Cynthia McCollum	Absent
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Damien Bianca	Absent
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Michael Potter	Aye

Motion Carried.

NEW BUSINESS

Chairman Brown opened the floor to New Business:

1. North Alabama Gas Company requested approval of Location, Character & Extent for the installation of an extension of a 6" gas main along the south side of Huntsville Browns Ferry Road from Bowers Road extending west approximately 4,300 ft. The purpose is to extend the gas service area.

Staff Report: Johnny Blizzard stated that before a utility can perform major work approval must be received.

Developer Comments: David McCarley, representing North Alabama Gas District, stated that they are attempting to get to the area first with gas service.

2. **Motion:** Mr. Ryder moved to approve North Alabama Gas Company's Location, Character & Extent for the installation of an extension of a 6" gas main along the south side of Huntsville Browns Ferry Road from Bowers Road extending west approximately 4,300 ft. The purpose is to extend the gas service area, as presented. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Cynthia McCollum	Absent
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Damien Bianca	Absent
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Michael Potter	Aye

Motion Carried.

2. Discussion of Zoning Ordinance Amendment Regarding Master Planned Developments.

Staff Report: Johnny Blizzard presented an amendment to the Zoning Ordinance pertaining to Master Planned Developments (Campus Plans). The proposed revision will provide flexibility on large projects. Rules and regulations will be specific to the property/development but will still have to meet the minimum requirements of the Code. Consideration of the amendment will be a part of the January Agenda.

ADJOURNMENT

With no Other Business, Chairman Brown adjourned the meeting at 6:46 p.m.

Minutes Approved,



Charlie Brown, Chairman
Madison Planning Commission

ATTEST:



Sherri Blair, Recording Secretary