

**PLANNING COMMISSION
CITY OF MADISON, ALABAMA
MINUTES OF THE AUGUST 18, 2011 REGULAR MEETING**

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

ATTENDEES

PLANNING COMMISSION 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	PRESENT
STEVEN RYDER, C.A.P.Z.O.	PRESENT
CAMERON GROUNDS, C.A.P.Z.O.	PRESENT
DAMIEN BIANCA	PRESENT
LEWIE L. BATES, III, C.A.P.Z.O.	PRESENT
MICHAEL POTTER, C.A.P.Z.O.	PRESENT

PLANNING STAFF PRESENT

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

REGISTERED PUBLIC ATTENDEES

Larry Donelson; Councilmember Tim Holcombe; Leena Jacobs.

ACCEPTANCE OF AGENDA

Chairman Brown accepted the agenda and proceeded with regular business.

APPROVAL OF MINUTES

The first order of regular business was the approval of minutes of the July 21, 2011 Regular Meeting. Board members requested one correction. Chairman Brown stated the minutes would be approved, as corrected.

PUBLIC COMMENT

Chairman Brown opened the floor to public comment. Leena Jacobs, president of the Heritage

Plantation HOA, addressed the Commission voicing her concerns about the agenda not being on the City's website. Johnny Blizzard stated that planning staff experienced difficulty posting items to the website and have contacted the City's IT specialists to help rectify the situation.

There being no further public comment, Chairman Brown closed the floor.

OLD BUSINESS

Planning Director Amy Furfori addressed the Commission with an update on Common Area designations and definitions. She provided a methodology, areas and descriptions which will require developers to give more consideration to the layout of a subdivision. Commission members and staff discussed HOA v. no HOA and developers' requirements.

There being no further old business to consider, Chairman Brown proceeded with agenda items.

PUBLIC HEARING

Preliminary Plat Approval:

1. *Waterford Subdivision, Phase VI* (Tabled from July 21st Planning Commission Meeting)
Location: The subject property is east of Burgreen Road and west of Watterson Way
Representative: Jennifer Trice P.E., Trice P.C.
Owner: Heritage Plantation, Inc.
Lots: 15
Acreage: 9.16

Motion: Mr. Ryder moved to remove the Preliminary Plat of *Waterford Subdivision, Phase VI* from the table to all for discussion and consideration. Mr. Potter seconded the motion and the vote was as follows:

Final Vote:

Charlie Brown	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie L. Bates III	Aye
Michael Potter	Aye

Motion carried

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting Preliminary Plat approval for *Waterford Subdivision, Phase VI*. The proposed phase will provide fifteen additional lots. This phase will complete the northern end of Atwater Drive and is

the last phase of Waterford to be constructed. He stated further, Staff and Technical Review Committee recommend approval of the preliminary plat for *Waterford, Phase VI*, contingent on the completion of the following items:

City Engineer Gary Chynoweth explained Engineering Staff's recommendation for five foot sidewalk along the east right-of-way of Burgreen Road stating: lacking engineering plans for expected future Burgreen Road improvements a five foot sidewalk along Burgreen Road is not recommended at this time. Staff recommends a fee in lieu to be used specifically for the construction of sidewalks along the east right-of-way of Burgreen Road adjacent to *Waterford Phase VI*.

Outstanding Staff Comments:

1. Note #17 on plat needs to be revised or deleted. There are no wetlands on this site.
2. Specify the correct size of pipe #16 (12" ARCP = 11x18 or 13.5x22)
3. Do not use "USER DEFINED" time of concentration. Specify the flow path length, material, and slope within the computer program.
4. Provide the correct "normal pool elevation" of north pond.
5. Specify the benchmark elevation on Balch Road.

Developers Comments: Developer Jeff Enfinger was not present to comment.

Public Comments: Tim Holcombe, 215 Walden Glen, stated he believes sidewalks along collector roads are the way to go. Fee in lieu is a good compromise; Leena Jacob, 121 Crownridge, thanked the Commission for listening to the public's request for sidewalks and for asking for the developer to provide fee in lieu. Ms. Jacob expressed her concerns over developers advertising nonexistent connector paths.

Board Comments: Commission members discussed ROW in Limestone County; sidewalks in Phase V; liberty of Commission to not approve a Plat presented without sidewalks. Director Furfori discussed sections of the Subdivision Regulations and Zoning Ordinance which Planning Staff will propose amending to require sidewalks.

At this point in the meeting, Jennifer Trice, P.E., representing the developer, requested the Commission table the item until a future meeting as the developer forgot about the meeting and was not in attendance. Commission members chose to move forward and to not table the matter.

Motion: Mr. Potter moved to approve the Preliminary Plat of *Waterford Subdivision, Phase VI* contingent upon the satisfaction of outstanding Staff comments and to require the developer to provide fee in lieu to be used specifically for the construction of sidewalks along the east right-of-way of Burgreen Road adjacent to *Waterford Phase VI*. Mr. Ryder seconded the motion and the vote was as follows:

Final Vote:

Charlie Brown	Aye
Stephen Brooks	Nay
Tim Cowles	Nay

Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie L. Bates III	Aye
Michael Potter	Aye

Motion carried

Site Plans:

1. *Medical Office Building at Heritage Provence*
Requesting Substitution of Required Landscape Buffer for a six (6) foot opaque structure set in a five (5) foot landscaped buffer as authorized in Section 5-18-2 of the Madison Zoning Ordinance
Location: The subject property is located east of Burgreen Road and north of Huntsville Browns Ferry Road.
Representative: Jennifer Trice P.E., Trice P.C.
Owner: Heritage Plantation, Inc.
Acreage: 1.32

Staff Report: Chief Planner Johnny Blizzard presented the request stating: The applicant is requesting the Planning Commission allow the required fifty (50) foot landscape buffer, required in Section 5-18-5 of the Madison Zoning Ordinance, be replaced with a six (6) foot opaque structure set in a five (5) foot wide landscape buffer, as authorized in Section 5-18-2. The fifty foot landscape buffer is required where the subject property is adjacent to Single-Family Residential District (R-3A) zoning. A buffer is not required where the subject property is adjacent an Agricultural District (AG) or Zero Lot Line District (RZ). He further stated that Staff and Technical Review Committee recommends approval of a six (6) foot opaque structure set in a five (5) wide landscape buffer, as authorized in Section 5-18-2 of the Madison Zoning Ordinance. The administrative site plan is for the construction of a medical office building and such uses are generally open for business during weekends from 8am-5pm. Such uses do not typically generate excessive noise or other negative impacts. Also, in this particular case, the nearest residential lot located in the Single-Family Residential District (R-3A), is separated from the subject property by a twenty (20) foot ingress/egress easement that accesses a local cemetery and a ten (10) buffer strip is provided opposite the ingress/egress easement on the subject property.

Developers Comments: No Comments

Public Comments: No Comments

Board Comments: No Comments

Motion: Mr. Bates moved to approve the Site Plan for *Medical Office Building at Heritage Provence* contingent upon the satisfaction of outstanding Staff comments. Mr. Brooks seconded the motion and the vote was as follows:

Final Vote:

Charlie Brown	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Damien Bianca	Aye
Lewie L. Bates III	Aye
Michael Potter	Aye

Motion carried

NEW BUSINESS

Chairman Brown opened the floor to new business. There being no new business for discussion Chairman Brown closed the floor.

ADJOURNMENT

With no additional business to discuss Chairman Brown adjourned the meeting at 6:55 p.m.

Minutes Approved,



Charlie Brown, Chairman

ATTEST:



Sherri Blair, Recording Secretary