

**CITY OF MADISON, ALABAMA
PLANNING COMMISSION
MINUTES OF THE SEPTEMBER 20, 2012 REGULAR MEETING**

The meeting was called to order by Chairman Mike Potter at 5:30 p.m.

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman	
MICHAEL POTTER, C.A.P.Z.O.	PRESENT
Planning Commission Vice Chairman	
STEPHEN BROOKS	ABSENT
City Council Member	
TIM COWLES	PRESENT
CYNTHIA MCCOLLUM, C.A.P.Z.O.	PRESENT
STEVEN RYDER, C.A.P.Z.O.	PRESENT
CAMERON GROUNDS, C.A.P.Z.O.	PRESENT
DAMIAN BIANCA, C.A.P.Z.O.	PRESENT
LEWIE L. BATES, III, C.A.P.Z.O.	PRESENT
TROY WESSON, C.A.P.Z.O.	PRESENT

PLANNING STAFF PRESENT

AMY BELL, DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING; GARY CHYNOWETH, P.E., CITY ENGINEER; GINA ROMINE, PLANNER I AND RECORDING SECRETARY.

REGISTERED PUBLIC ATTENDEES

Heath Galloway, Glenn Earhart, Wanda Griggs, Frank Riddick, Gerald Clark, Stacey Whitmark, James Walker, Blair Lackey, Roberta Malcolm, Vickie Parker, Michael Parker, Cory & Kristy Stevenson, George L. Mason, Brian Harris, Tim Holcombe, Richard D. Rogers, Joy Chang, Juarine Stewart, James and Suzie Ganzberg, Robert King, Tim Morris, Cody Phillips, Howell Lee, Glenda Cooper, Patricia Hrivnak, Minnie Everard, Paulette (last name illegible), and John W. Horch.

ACCEPTANCE OF AGENDA

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

APPROVAL OF MINUTES

The first order of regular business was the approval of minutes of the August 16, 2012 Regular Meeting. There being no additions, deletions or corrections, the minutes were approved as written.

PUBLIC COMMENT

Chairman Potter opened the floor to public comment.

Glenn Earhart, 142 Medicine Bend Drive, asked about a tree removal plan for *Medical Park Station* and voiced concerns about trees being cut. Chairman Potter requested that staff address the comments during the site plan report for *Medical Park Station*.

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

OLD BUSINESS

There being no old business, Chairman Potter proceeded with public hearings.

PUBLIC HEARINGS

Zoning Amendments

1. *The City of Madison Planning Commission continued with a public hearing opened at the May 17, 2012 Planning Commission meeting, to consider an amendment to the City of Madison Zoning Ordinance to be entitled: An Ordinance of the City of Madison related to zoning, amending the Zoning Ordinance to revise the sign control regulations; providing an effective date. The requested change is to repeal and replace Article 7 Sign Control Regulations*

Staff Report: Director Bell provided an update on the proposed changes and asked that the Planning Commission not take action on this item at this time. Director Bell discussed the various types of signage in the proposed change. Director Bell stated that stakeholders met prior to tonight's meeting to discuss various aspects of the sign ordinance and that Planning Commission's input is needed.

Public Comments: No comments.

Board Comments: Chairman Potter stated that this was a continuation of a public hearing that was opened in May and invited any interested party to speak with Director Bell regarding input or serving on a sign committee. Chairman Potter also discussed the difficulty of establishing a city-wide, consistent, sign ordinance given adjacent properties that are not annexed into Madison and we have no jurisdiction there. Mrs. McCollum asked for any comments from the public regarding the proposed ordinance.

Motion: Mr. Ryder moved to *continue the public hearing to consider an amendment to the City of Madison Zoning Ordinance to be entitled: An Ordinance of the City of Madison related to zoning amending the Zoning Ordinance to revise the sign control regulations; providing an effective date.* Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

- The City of Madison Planning Commission held a public hearing to consider Joy Chang's request to rezone property located at 8461 Old Madison Pike from R-1B, Low Density Residential District to B-1, Neighborhood Commercial District.*

Applicant Request: Joy Chang requested B-1, Neighborhood Commercial zoning at 8461 Old Madison Pike.

Staff Report: Chief Planner Blizzard stated there was a correction to the agenda. The applicant is requesting B-1 zoning instead of B-2 zoning as stated on the agenda. Chief Planner Blizzard then presented the staff report stating that the subject property is located at the southwest corner of Old Madison Pike and Larry Drive, and east of the intersection of Old Madison Pike/Browns Ferry Road and Hughes Road. The subject property is not part of any recorded subdivision but adjoins *Hughes Heights* subdivision. The subject property is referenced in *Hughes Heights, Third Addition, Plat Book 5/Page 107*. According to dimensions provided on the plat, the subject property contains an area of 15,750 square feet. The property is currently a single-family detached dwelling. Staff supports the request to rezone the subject property from *Low Density Residential (R-1B)* to *Neighborhood Commercial (B-1)*.

Public Comments: Patricia Hrivnak expressed concerns regarding traffic, lighting, and noise from the dumpster and stated she is against the proposed rezoning. Mrs. Ganzberg, owner of the property expressed concerns regarding the property if it was not rezoned and asked the commission to consider the request. John Horch, 816 Larry Drive, stated that he had concerns regarding traffic and other potential businesses in the future. Joy Chang stated that she has been in business for 12 years and has an upscale business and would like to keep her business in Madison.

Board Comments: Chairman Potter asked staff about the resubdivision of land. Chief Planner Blizzard described the process for the Commission. Mr. Bianca asked for clarification of B-1 and B-2 zoning and the differences between them. Mrs. McCollum asked staff about the traffic concerns. Director Bell addressed the B-1 and B-2 zoning designation differences and addressed the traffic concern.

Motion: Mr. Bianca moved to *approve Joy Chang's request to rezone property located at 8461 Old Madison Pike from R-1B, Low Density Residential District to B-1, Neighborhood Commercial District*. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Nay
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Nay

Motion carried

- The City of Madison Planning Commission held a public hearing to consider Breland Homes, LLC's request to zone two contiguous tracts of land located east of Burgreen Road and west of Belmont Place Subdivision to R-3A, Single-Family Detached Residential District*

Applicant Request: The applicant was not present at the meeting to present the request.

Board Comments: Mrs. McCollum asked if this item should be tabled until the applicant is present to present the request.

Motion: Mr. Cowles moved to *table the item to the next meeting if the applicant was not present at the conclusion of staff and public comments*. Mr. Bates seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

Staff Report: Chief Planner Blizzard stated the subject properties are currently located within unincorporated Limestone County and the applicant is requesting that the properties be annexed into the City of Madison. The subject properties are immediately west of *Browns Ferry Crossing* and

Belmont Place Subdivisions. The current use of Tract 1 is for agricultural purposes and one (1) single-family residential dwelling. Tract 2 is utilized for agricultural purposes. The property is being proposed for annexation and zoning to allow for a single-family residential development. Public utilities can be made available from the northwestern stub street of Belmont Place Drive. Any new subdivision proposal for the subject properties must provide a street connection to Belmont Place Drive in accordance with Ordinance No. 2006-359. The subject properties are not overlaid by any special flood hazard area or contain vegetation or soils with wetland characteristics, according to the City of Madison GIS Mapping System. Staff supports the request to zone the subject property *R-3A, Single-Family Detached Residential District*.

Applicant Request: Jeff Mullins presented the *R-3A, Single-Family Detached Residential District*, zoning request.

Public Comments: Richard Rogers, 137 Arborwood Drive, expressed concerns regarding traffic hazards and asked if a traffic study had been completed. Brian Turk, 120 Arborwood Drive, inquired about the possibility of a connection to the proposed development and stated he was against the proposal. Roberta Malcolm stated that she does not object to the annexation or zoning but does have concerns regarding traffic and the stub street into *Belmont Place Subdivision*. Stacy Whitmark stated her concerns regarding school overcrowding. Vicky Parker, 11194 Burgreen Road, expressed concerns regarding the traffic and privacy issues to her property that adjoins the proposed development.

Board Comments: Chairman Potter asked staff about the public concerns. City Engineer Chynoweth stated that the traffic issues are not a concern. Director Bell stated that the proposed development would generate approximately 100 lots; that the school system is involved and provided data for western growth. Mr. Cowles questioned staff about when traffic concerns will be addressed. Director Bell stated that all of those issues would be reviewed during the layout plat review. Mrs. McCollum requested that the developer look into the privacy issues Mrs. Parker expressed. Jeff Mullins addressed concerns regarding the possibility of a connection to *Brown's Ferry Crossing* and that the developer would do what he could to be a good neighbor.

Motion: Mr. Ryder moved to *approve Breland Homes, LLC's request to zone two contiguous tracts of land located east of Burgreen Road and west of Belmont Place Subdivision to R-3A, Single-Family Detached Residential District*. Mr. Wesson seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

Final Plat

4. Crown Pointe, Phase 2

Location: Northeast corner of Gillespie Road and Balch Road

Representative: 4Site Inc.

Owner/Applicant: Spencer Farms, LLC

Lots: 30 lots, 1 common area and 2 tracts

Acreage: 98.79

Applicant Request: Heath Galloway, representing 4-Site Inc., presented the report for the final plat.

Staff Report: Chief Planner Blizzard stated the subject property is zoned *Single-Family Residential (R-3A)*, as is much of the surrounding area. The overall area is zoned for residential uses with *Community Commercial (B-2)* zoning located at the intersection of collector streets (Balch Road and Gillespie Road). A preliminary plat was approved for Crown Pointe, Phase II in January of 2012. The preliminary plat approval divided the property into thirty (30) lots, one (1) common area and one (1) tract. The smallest lot is 14,280 square feet in area and the largest lot is 22,593.50 square feet in area. The average lot size is 19,058.82 square feet. The smallest lot size is consistent with *Medium Density Residential (R-2)* and the average lot size is consistent with *Low Density Residential (R-1A)*. The applicant is requesting final plat approval for thirty (30) lots, one (1) tract and one (1) common area. The proposed final plat is consistent with the approved preliminary plat. Staff (and the Technical Review Committee) recommends approval of the final plat for *Crown Pointe, Phase II*, with the following contingencies:

1. Provide a closure tape
2. Provide performance bonds

Developers Comments: No comments.

Public Comments: Rob King expressed concerns regarding the tree line. Heath Galloway stated that the area to the north and west were designated as common area within Tract C. Tim Morris stated that it is planned for the common area to remain wooded with walking paths and potentially an outdoor classroom for the adjoining school. Mr. Morris stated that homes are not planned for that area.

Board Comments: No comments.

Motion: Mr. Bates moved to *approve the final plat for Crown Pointe, Phase 2 subject to the satisfaction of the outstanding contingencies*. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

(PUBLIC HEARINGS CLOSED)

Site Plans

1. Medical Park Station

Location: South of Highway 72 and east of Madison Hospital

Representative: Gonzalez-Strength & Associates, Inc.

Owner/Applicant: Terra Equities

Acreage: 3.97

Applicant Request: Brian Harris, representing Gonzalez Strength and Associates, Inc., presented the report for the site plan.

Staff Report: Chief Planner Blizzard stated that a tree preservation plan is not required in the Medical Center District. Chief Planner Blizzard then stated that the subject property is located east of Balch Road, west of Wall-Triana Highway and south of US Highway 72, immediately west of the recently developed *Shoppes of Madison*. The subject property and the adjoining properties to the west, south and east are zoned Medical Center District (MC). The adjoining properties to the north are located within unincorporated Madison County and are not zoned. The property directly south of the proposed site plan is Lot 2 of the *Hospital Park Subdivision*. South of Lot 2 is the Homestead neighborhood, although the subject property *does not adjoin* that neighborhood. The adjoining properties to the east are retail and a part of the *Shoppes of Madison*. The subject property adjoins the east side of Brookridge Drive, which is being constructed as part of *Hospital Park Subdivision* and will provide access to the proposed retail center. The property adjoining the west side of Brookridge Drive and west of the subject property is *Lot 2A of Hospital Park, Phase I*, which is currently undeveloped. The Planning Commission approved a final plat for *Hospital Park, Phase II* in March of 2012 for three (3) lots on 11.06 acres. The subject property is identified as *Lot 1 of Hospital Park, Phase II*. The applicant is requesting site plan approval to construct a 32,750 square foot retail center. Staff (and the Technical Review Committee) recommends approval of the site plan for *Medical Park Station*.

Developers Comments: No comments.

Board Comments: Mr. Ryder requested information regarding the traffic pattern. Director Bell stated that the Target Development Agreement restricted connections to other developments.

Motion: Mr. Bates moved to *approve the site plan for Medical Park Station*. Mrs. McCollum seconded the motion and the vote was as follows:

Final Vote:

Chairman, Mike Potter	Aye
Tim Cowles	Aye
Cynthia McCollum	Aye
Steve Ryder	Aye
Damian Bianca	Aye
Lewie Bates	Aye
Cameron Grounds	Aye
Troy Wesson	Aye

Motion carried

NEW BUSINESS

1. *Introduction and discussion of the draft of proposed revisions to the City of Madison Zoning Ordinance pertaining to commercial zoning districts.*

Staff Comments: Chief Planner Blizzard distributed copies of the draft of proposed revisions to the City of Madison Zoning Ordinance pertaining to commercial zoning districts to Commission members and provided an overview of the proposed changes.

ADJOURNMENT

With no additional business to discuss Chairman Potter adjourned the meeting at 7:25 p.m.

Minutes Approved,



Mike Potter, Chairman

ATTEST:



Gina Romine, Planning Commission Secretary