



**Planning Commission  
Minutes of the October 16, 2014 Regular Meeting**

*The meeting was called to order by Planning Commission Chairman Bianca at 5:32 p.m.*

**ATTENDEES  
PLANNING COMMISSION MEMBERS**

<b>Planning Commission Chairman</b>	
DAMIAN BIANCA, CAPZO	PRESENT
<b>Planning Commission Vice Chairman</b>	
STEPHEN BROOKS	PRESENT
<b>City Council Member</b>	
MICHAEL POTTER, CAPZO	PRESENT
TIM COWLES	PRESENT
CYNTHIA MCCOLLUM, CAPZO	PRESENT
STEVE RYDER, CAPZO	ABSENT
CAMERSON GROUNDS	PRESENT
LEWIE L. BATES, CAPZO	PRESENT
TROY WESSON, CAPZO	PRESENT

**PLANNING STAFF PRESENT**

Amy Sturdivant, Director of Planning and Economic Development; Johnny Blizzard, AICP, Senior Planning; Beverly Zendt, AICP, Senior Planner; Gary Chynoweth P.E., Director of Engineering; Kelly Butler, City Attorney

**REGISTERED PUBLIC ATTENDEES**

David Michal; Tim Morris; Joe Murphy; David Hall; Howell Lee; Mark Rover; Diane Rover; Bobby DeNeefe; Don Spencer Jr. Pete Beddow; Jeff Mullins; John Hoover; Collin Person; and Jonathan McGee

**ACCEPTANCE OF THE AGENDA**

Chairman Bianca asked and the Commission accepted the agenda as presented and proceeded with regular business.

**APPROVAL OF THE MINUTES**

Approval of the September 18, 2014 Minutes.

Mr. Cowles stated that the minutes indicated that he voted *NAY* on the request to change the name of *Cedar Acres Subdivision* to *Cambridge West Subdivision*. He informed the Planning Commission that he voted *AYE*.

Motion: Mrs. McCollum moved to approve the minutes with the correction of Mr. Cowles vote from *NAY* to *AYE* on the subdivision name change from Cedar Acres Subdivision to Cambridge West Subdivision. Mr. Bates seconded the motion and the vote was as follows:

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

#### **PUBLIC COMMENT**

Howell Lee – Huntsville Madison County Home Builders Association: Mr. Lee addressed the Planning Commission about the amendments to the Subdivision Regulations concerning parkland dedication. He suggested that a meeting be set up with the legal counsel to determine if such dedications are constitutional.

Don Spencer Jr. - 11369 Morris Drive: Mr. Spencer expressed concern that the amendments to the Subdivision Regulations concerning park land dedication will have a financial impact on developers and home builders. He also stated that the City of Madison had only a limited amount of land to be developed and that residents can use open space at the nearby wild life refuge.

Joe Murphy – 1824 Santa Vista Drive: Mr. Murphy stated that the City of Madison only had a limited amount of land to develop and not enough for parkland. He also mentioned that any parks built by Madison in Limestone County would serve Huntsville residents.

#### **OLD BUSINESS**

No Old Business

## SUBDIVISION REGULATION AMENDMENTS – DISCUSSION ITEM

Senior Planner Beverly Zendt provided a brief overview of a proposed parkland dedication requirements. Ms. Zendt indicated that the requirements follow best practices and what is legally permissible under state law and federal case law. Ms. Zendt indicated that staff was working with both the City's legal staff and the legal staff from the Alabama League of Municipalities to develop a solid, defensible set of regulations that are fair and balanced and meet the community's needs.

Ms. Zendt summarized the basic provisions of the regulations to include compliance and conformity with the adopted *Parks and Recreation Master Plan*. Ms. Zendt explained that the new regulations would allow for the following options:

1. Dedication of land for neighborhood park use or payment of a fee in lieu thereof;
2. Dedication of land for community parks or payment of a fee in lieu thereof;
3. Payment of a park improvement fee for neighborhood parks or construction of the neighborhood park improvements to which such fee relates;
4. Payment of a park improvement fee for community parks or construction of the community parks improvements to which such fee relates.

Ms. Zendt summarized the key provisions of the updated regulations to include the following:

1. Formula for calculating dedication
2. Suitability (acceptability) requirements of land offered for dedication
3. Standards for determining fee-in-lieu of land dedication
4. Proposed park improvement fee options
5. Management of Common areas

## PUBLIC HEARINGS

### Subdivision Plats

#### ***Ashbury Subdivision, Phase 5***

Location: North of Pembridge Lane and west of Bakersfield Road

Representative: Mullins, LLC

Owner/Applicant: KB Development

Lots: 24

Acreage: 6.40

#### **Applicant Request:**

Jeff Mullins requested final plat approval for Ashbury Subdivision, Phase 5

#### **Staff Comments**

Mr. Blizzard presented the following facts to the Planning Commission. Ashbury Subdivision, Phase 5 is located north of Pembridge Lane and west of Bakersfield Road. The property is located in the

R3A, Single-Family Detached Residential District. Ashbury Subdivision, Phase 5 will have 24 lots and will be the last phase of Ashbury Subdivision.

**Public Comments:** No public Comments

**Board Comments:** No Comments

**Motion:** Mr. Brooks moved to approve the final plat for Ashbury Subdivision, Phase 5 with the contingencies listed below.

- 1. Signatures:
  - a. Athens Utilities
  - b. North Alabama Gas
  - c. Dedication
  - d. Acknowledgement
- 2. Bonds

Mr. Bates seconded the motion.

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

***Carriage Hill Subdivision, Phase 2***

Location: West of Zierdt Road and north of Edgewater Drive  
 Representative: Coffman and Beddow Land Surveyors, LLC  
 Owner/Applicant: Michael and Sandra Ring  
 Lots: 1  
 Acreage: 0.534

**Applicant Request:**

Pete Beddow requested certified plat approval for Carriage Hill Subdivision, Phase 2

**Staff Comments**

Mr. Blizzard presented the following facts to the Planning Commission. Carriage Hill Subdivision Phase is located east of Carriage Hill Drive, west of Zierdt Road and north of Edgewater Drive. The property is located in the R3, High Density Residential District. The purpose of the subdivision is to consolidate lots 8 & 9 of Carriage Hill Subdivision into one lot.

**Public Comments:** No Public Comments

**Board Comments:** No Comments

**Motion:** Mr. Bates moved to approve the certified plat for Carriage Hill Subdivision, Phase 2 with the contingencies listed below.

- 1. All existing utilities must be shown
- 2. Provide closure tape that matches legal and drawing

Mr. Cowles seconded the motion.

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

***Nature's Trail Subdivision***

Location: North of Powell Road and east of Bowers Road  
Representative: Mullins, LLC  
Owner/Applicant: Smart Living, LLC  
Lots: 2  
Acreage: 87.62

**Applicant Request:**

Jeff Mullins requested the certified plat for Natures Trail Subdivision be tabled until the November, Planning Commission meeting.

**Staff Comments:** No Comments

**Public Comments:** No Public Comments

**Board Comments:** No Comments

**Motion:** Mrs. McCollum moved to table the certified plat for Nature's Trail Subdivision until the November 20, 2014 Regularly Scheduled Planning Commission Meeting. Mr. Bates seconded the motion.

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

**PUBLIC HEARINGS CLOSED**

**Site Plans**

***Saint Matthews Episcopal Church Mission Building***

Location: North of Eastview Drive and west of Hughes Road

Representative: 4 – Site, Inc.

Owner/Applicant: The Episcopal Church in the Diocese of Alabama

**Applicant Request:**

David Hall requested approval of the site plan for Saint Matthews Episcopal Church Mission Building.

**Staff Comments**

Mr. Blizzard presented the following facts to the Planning Commission. Saint Matthews Church is located north of Eastview Drive and west of Hughes Road. The property is located in the R1A, Low Density Residential District. The site plan will authorize a 12,730 square foot addition to the existing 11,590 square foot facility.

**Public Comments:** No Public Comments

**Board Comments:** No Comments

**Motion:** Mr. Bates moved to approve the site plan for Saint Matthews Episcopal Church Mission Building. Mr. Potter seconded the motion.

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

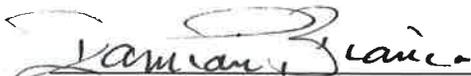
**NEW BUSINESS**

There was no new business

**ADJOURNMENT**

With no new business to discuss Chairman Bianca adjourned the meeting at 6:17 p.m.

Minutes Approved

  
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Damian Bianca, Chairman

**ATTEST:**

  
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