

**CITY OF MADISON  
PLANNING COMMISSION  
MINUTES OF THE AUGUST 21, 2014 REGULAR MEETING**

**The meeting was called to order by Planning Commission Chairman Bianca at 5:30 p.m.**

**ATTENDEES  
PLANNING COMMISSION MEMBERS**

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

**PLANNING STAFF PRESENT**

Amy Bell, Director of Planning & Economic Development; Gary Chynoweth P.E., Director of Engineering; Kelly Butler, City Attorney; Johnny Blizzard, AICP, Senior Planner; Beverly Zendt, AICP, Senior Planner; Greg Bates, Civil Engineer; Gina Romine, ADEM Compliance Administrator

**REGISTERED PUBLIC ATTENDEES**

Tim Holcombe; Wayne Blaxton; Billy Smith; Collins Pearson; Joe Murphy; Tim Morris; Barbara Biles; Lou Ann Atkinson; Thomas D. Atkinson; William D. Atkinson II; Linda Atkinson; Grey Winn; Val Davis; Gary Dalton; Randy Henley; Bebe Oetsen; Christie List; Virgil Whitton; Mike Friday; Emmitt Davis; Jon Stimpson; Dave Clift; Bickey H. Smith; Wayne Tribble; Shane Moore; Roberts; Todd Slyman; Steve Simmons; Carey Busbin; Chuck Faulkner; Gary Alton; Jeff Denton; Howell Lee; Jonathan McGee; Daisy Scott; Mary Leslie; Clara Davis

**ACCEPTANCE OF THE AGENDA**

Mr. Bianca recommended the agenda be modified by moving the layout for Burgreen Farms to first under public hearings for subdivision so it would be in sequence with the zoning request for Mungo Homes of Alabama. Both requests involve the same properties. The Planning Commission agreed and the agenda was amended.

**APPROVAL OF THE MINUTES**

Approval of the July 17, 2014 Regular Minutes

**Motion:** Mr. Ryder moved to approve the minutes as written. 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	Abstain
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Abstain
Troy Wesson	Aye
Tim Cowles	---

**PUBLIC COMMENT**

No Comments

**OLD BUSINESS**

No Old Business

**PUBLIC HEARINGS**

**Zoning Ordinance Amendment**

**Amendments to Commercial Zoning Districts**

Public Hearing to consider the City of Madison’s request to amend *Section 4-6, Neighborhood Commercial District; Section 4-7, Community Commercial District; Section 4-7A, B-2/S-1 Community Commercial Special District 1; Section 4-8, Section 4-8A, B-3, General Business District; MC (Medical Center) District Regulations; Section 4-8A-6 Permitted Uses for B1, B2, B2/S1, B3, and MC of the Madison Zoning Ordinance*

**Staff Report:** Senior Planner Beverly Zendt provided a presentation summarizing the proposed changes. Ms. Zendt explained that the basis for the proposed changes was the City of *Madison Growth Plan* which calls for enhanced corridors, commercial nodes, green setbacks and buffers and the promotion of Highway 72 as a major commercial district. Ms. Zendt explained that the proposed changes also addressed some organizational and material deficiencies in the existing zoning code, many of which would be corrected with the proposed changes. Current code identified deficiencies included the following.

- Dimensional requirements are not centralized
- Large number of Special Exceptions requiring ZBA approval
- No effective way of dealing with conditional uses
- Parking, Landscaping, Screening, Architectural Standards are located in various other chapters throughout the code
- Landscaping, screening, buffering, architectural and sign standards are inadequate for fostering place making

Ms. Zendt went on to summarize the specific changes for each district identifying *B1* as the primary town center; *B2* as the commercial district most closely associated with the residential neighborhoods; and the *B3* district as those areas along State Highway 72 and Madison Boulevard that served both the city and the regional community. Ms. Zendt provided a series of images staff utilized to provide guidance in developing new district regulations. Ms. Zendt summarized the changes in regulations as they relate to the following areas.

- Outdoor storage requirements

- Landscaping requirements
- Screening and wall requirements
- Architectural requirements
- Signage requirements

Ms. Zendt summarized some of the specific provisions of each district highlighting the significant changes and the proposed effect of the changes. Ms. Zendt indicated that staff paid particular attention to buffering incompatible uses and ensuring that development standards were context appropriate. Specifically, those *B2* requirements were appropriate for uses in close proximity with residential uses and that *B3* requirements were flexible enough to encourage larger scale uses without compromising the overall aesthetic appeal of those important city corridors. Ms. Zendt provided a series of images illustrating the types of developments that would be allowed and the types of development that would no longer be permitted. Ms. Zendt concluded her presentation with a discussion about nonconforming uses and investment and expansion triggers that would necessitate enhanced compliance for existing development. Ms. Zendt explained that, as existing businesses increased, expanded or renovated, different levels of compliance would be triggered depending on the level of investment and scope of improvement.

**Public Comments:**

No Comments

**Board Comments:**

Mr. Potter and Mr. Bianca complimented staff on the Zoning Ordinance revisions.

**Motion:** Mr. Ryder moved to approve the Zoning Ordinance revisions as written. Mr. Grounds seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**Zoning Map Amendments**

**Atkinson Properties**

Public hearing to consider Lou Ann Atkinson, Thomas D. Atkinson & Big Acres, LLC's request to rezone property located generally south of Hardiman Road and east of Segers Road from *AG, Agriculture District* to *R3A, Single-Family Detached Residential District*

**Staff Report:** Mr. Blizzard stated the subject properties were located generally south of Hardiman Road and east of Segers Road. It adjoins the north boundary of *Norfolk Southern Railroad* to the south. It consists of four parcels of land and is owned by the *Atkinson Family*. The developer has

submitted a concept plan showing 256 lots on 88.98 acres. Approximately 12 acres located at the south end of the properties will be used for parks and recreation. Much of this property is located in a Special Flood Hazard Area. Mr. Blizzard informed the Commission that the subdivision *Old Cobblestone of Huntsville* adjoins the east boundary of the subject property and the concept plan does show a stub to this development. Mr. Blizzard indicated there will be two stubs to the east. The reason for asking for two stubs is because there is the potential for the property to the east to generate a large number of lots. Two stubs would allow traffic to circulate more efficiently. Mr. Blizzard stated the property was located in the Western Growth Area which encourages.

- 1) Preservation of the local rural character of the area through the preservation of green space and the identification of opportunities for new parks and open spaces;
- 2) Comprehensive and better connected streets and pedestrian paths that help lesson traffic issues and allow for bike and pedestrian transportation; and
- 3) Neighborhood creation through the proactive planning for well-placed commercial and retail nodes, parks, and schools.

Mr. Blizzard stated the applicant is proposing the rezoning of the subject property from *AG, Agriculture* to *R-3A, Single Family Detached Residential*. The *R-3A, Single-Family Detached Residential* zoning designation provides for higher density (minimum lot size 7,500sf) residential housing. This zoning designation provides for single family development, consistent with the *Growth Plan* but should be accompanied by:

- 1) Commercial “nodes” that serve the local development;
- 2) A high level of street connectivity, avoiding use of cul-de-sacs and dead-end streets; and
- 3) Centrally located and well-distributed public parkland.

Mr. Blizzard stated the Traffic Count Map indicates that Hardiman Road does not have very high traffic counts in this area. He stated the land use characteristics of the property include the Special Flood Hazard Area located at the southern end of the properties. This Special Flood Hazard Area classified as an A Zone which is an unstudied area. Normally, the City of Madison requires a flood study when development occurs with an A Zone but since its location is on a portion of the property that will be utilized as park land, a flood study will not be required. Mr. Blizzard stated a jurisdiction stream also runs through the same area but the stream that runs through the middle of the larger parcel of land is not jurisdictional. Mr. Blizzard stated that most of the adjoining properties were zoned *AG, Agriculture* and utilized as farm land or rural estate lots. He indicated that *Stone Brook Subdivision* is located at the northwest corner of Hardiman Road and zoned *R-3A, Single-Family Detached Residential*. Mr. Blizzard recommended the zoning map amendment to rezone the property to *R-3A, Single-Family Detached Residential*.

**Public Comments:**

No Comments

**Board Comments:**

Mr. Potter asked if there was a stub to the north. Mr. Blizzard stated there was. Mr. Brooks asked what the lot density was for this development. He stated with previous rezoning *R-3A, Single-Family Detached Residential* was approved to allow more favorable setbacks and if the density was lower than *R-3A, Single-Family Detached Residential* standards. Ms. Amy Bell indicated that the City of Madison only recommends that with an annexation and zoning. Mr. Potter stated *R-3A* allows for a maximum density of 5.81 dwelling units per acre. Mr. Wesson stated this development would have a density of 2.8 dwelling units per acre.

**Motion:** Mr. Bates moved to recommend the City Council change the Official Zoning Map from *AG, Agricultural* to *R-3A, Single-Family Detached Residential*. Mr. Brooks seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**Estate of Margaret A. Coefer**

Public hearing to consider Barbara Biles', Executor of the Estate of Margaret A. Coefer, request to zone property identified as West ½ of Lot 13 & 14, Block 1, according to the map of survey of *Skyline Acres*, as recorded in the Office of the Judge of Probate of Madison County, Alabama, in Plat Book 1, Page 394 to *R1B, Low Density Residential District*

**Staff Report:** Mr. Blizzard stated the properties are located south of Stella Drive and west of Skyline Drive. The properties consist of a lot and half of another lot. Mr. Blizzard explained that at some time in the past, Lot 13 was divided between the owners of Lot 12 & Lot 14. These half lots are utilized as extra yard space for the adjoining lots. Mr. Blizzard stated the Future Land Use Map offers no land use designation for *Skyline Acres*. However, *Skyline Acres* was developed at low densities with an average lot size of 15,000 square feet. Mr. Blizzard stated that about half the lots in *Skyline Acres* have been annexed into the City of Madison over the years. The majority are zoned *AG, Agriculture*. Several of the lots recently annexed have been zoned *R-1B, Low Density Residential*. Mr. Blizzard informed the Commission that the residents in *Skyline Acres* already utilize some City services such as street, parks, and water, so the impact should be negligible. The purpose of zoning lots such as the subject property is to provide the most appropriate land use designation. Mr. Blizzard informed the Planning Commission that staff recommended the zoning designation of *R-1B, Low Density Residential*.

**Public Comments:**

No comments

**Board Comments:**

Mr. Potter asked if the applicant plans to consolidate the half lot into Lot 14. He indicated with the new ADEM Ordinance there will be a charge for each. Mr. Blizzard answered that he cannot make them re-plot the properties. The Madison County Tax Assessors Office shows them as lots of record. Each half lot is identified as a separate lot. Mr. Blizzard stated that he would inform the property owner of the impact the new ADEM Ordinance will have on the two properties.

**Motion:** Mr. Brooks moved to recommend to the City Council that the property described as *the west ½ of Lot 13 and Lot 14 of Skyline Acres* be zoned *R-1B, Low Density Residential District*. Mr. Bates seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**Kimball Property**

Public hearing to consider Ralph C. & Carol W. Kimball's request to rezone property located at 10304 Segers Road from *AG, Agriculture District* to *R3A, Single-Family Residential District*

**Staff Report:** Mr. Blizzard stated the subject property is located east of *Stillwater Cove Subdivision* and occupied by one-single family residence and two lakes. Mr. Blizzard indicated that staff did not receive a concept plan with the rezoning application but received a layout plan with the September submittals. The layout revealed that 50 lots are planned with the new subdivision. The lots were approximately 100 feet in width and 150 feet in depth. It is the same density as the lots shown in *Skyline Acres*, in which *R-1B, Low Density Residential* was recommended. The land use designation is *R, Residential* with no density threshold. Mr. Blizzard stated that staff would be working with the Director of Recreation to determine if any of the subject property is suitable for park land or if a fee lieu will be required with this development. The traffic count map indicates a low number of trips per day with 869 traffic per day along Powell Road and 538 trips per day along Segers Road. Most of the adjoining properties are zoned *AG, Agriculture* and are utilized as rural estates lots with a single-family detached dwelling. The adjoining property to the east is *Stillwater Cove Subdivision*, which is zoned *R-3A, Single-Family Detached Residential*. Mr. Blizzard stated that staff recommends approval of Ralph C. and Carol W. Kimball's request to rezone the subject properties from *AG, Agriculture* to *R3A, Single-Family Detached Residential*, noting the following condition identified in the planning report to be considered with the rezoning request: *In the (re)zoning of tracts to be developed at a low density residential (2-2.9 du/acre) but zoned R3A (5.8 du/acre), it is typical that a concept plan is provided to indicate the proposed density. Since none was provided for this property, the Planning Commission may alternately wish to recommend R1A or R1B zoning which allow for densities of 2.42 du/acre and 2.9 du/acre respectively.* Mr. Blizzard stated this recommendation was formalized before the layout was submitted on Tuesday, August 19. Mr. Blizzard recommended the rezoning without the stated condition, since the layout resolved any concerns about density.

**Public Comments:**

No Comments

**Board Comments:**

Mr. Potter asked if a stream was running through the property. Mr. Greg Bates indicated that a jurisdiction stream runs south this property but none was found on this property.

**Motion:** Mr. Potter moved to recommend the City Council change the Official Zoning Map from AG, Agriculture District to R-3A, Single-Family Detached Residential. Mr. Brooks seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**Mungo Homes of Alabama Properties**

Public hearing to consider Mungo Homes of Alabama Inc.'s request to zone property located west of Burgreen Road north of Powell Road to R3A, Single-Family Detached Residential District

**Applicant Comments:**

Collins Pearson of Mungo Homes stated the development would provide for a subdivision with different type houses products and a mixture of densities. The subdivision will include both lower and higher density lots. Mr. Pearson stated that he is fine with the density thresholds recommended by staff. He indicated that they wanted R-3A, Single-Family Detached Residential because he did not know what the future holds. People may not want the same size lots as they do now. Mr. Pearson stated he and the Planning Department have been going back and forth over the park requirement. He passed out a park plan designed by Smith Engineering showing the value of the proposed park dedication. It provides open space, a parking lot, walking trails and gazebos. Mr. Pearson asked it be accepted as part of their park designation. It is a detention area and they are calculating the amount of runoff into the detention area. He indicated they should have an answer next week. He stated it is not going to be an area full of water all the time.

**Staff Report:** Amy Bell stated she wished to separate the applicant's request for rezoning and annexation and discuss the zoning first. She stated the subject property is located north of Powell Road and west of Burgreen Road. The 59 acre subject property has not yet annexed and is immediately south of the 50 acres recently annexed by the City Council. They are proposing single-family detached dwellings on 273 lots. The property is in the Western Growth Area that establishes goals including:

- 1) Preservation of the local rural character of the area through the preservation of green space and the identification of opportunities for new parks and open spaces;
- 2) Comprehensive and better connected streets and pedestrian paths that help lesson traffic issues and allow for bike and pedestrian transportation; and
- 3) Neighborhood creation through the proactive planning for well-placed commercial and retail nodes, parks, and schools.

The Future Land Use Map shows R, Residential and the Parks & Recreation Master Plan shows a park generally in this area. The Traffic Count Map shows there is quite a bit of traffic in the area and as land develops it will continue to increase. The land has vegetation on it and a jurisdictional

stream running through it. The Official Zoning Map indicates the properties that adjoin the subject property and within the City of Madison are zoned *R-2, Medium Density Residential, R-3A, Single-Family Detached Residential*. Ms. Bell stated that *Morris Estates* adjoining the west side of the subject property had a number of lots zoned *R-1A, Low Density Residential* but only one of those lots was adjacent the portion under consideration at this meeting. Ms. Bell stated that staff's recommendation was multiple and informed the Commission of the recommendation made on zoning and to include anything they would like to see with their approval of the annexation, including the following:

- 1) The gross density of the neighborhood should not exceed 2.6 du/acre;
- 2) A park land donation should only be made at the north boundary of the overall *Burgreen Farms* proposed layout so that it can be added on to for a neighborhood park of not less than five acres OR a monetary donation of \$50,000 per required acre should be made to purchase neighborhood or community park land in the vicinity; and
- 3) Adjacent roadways – Powell and Burgreen Roads – should be improved to a three-lane cross section as called for in the proposed *2035 Major Street Plan*.

**Public Comments:**

Gary Alton, 11298 Cardinal Drive, stated that he would like the tree line preserved between *Morris Estates* and the subject property and a park in the northern part of the development. Jeff Denton, 11444 Cardinal Drive stated the density seemed high compared to *Morris Estates*. He asked the number of residents per acre and whether the development would enhance or detract the community. He also stated that he would like for the tree line to be preserved. He asked what the average house size would be. Mr. Collins Pearson stated between 2,200-5,000 square feet. Val Davis, 136 Mainsail Drive asked if anyone is considering the impact on the lakes in *Heritage Plantation*. Greg Bates, Madison Engineering Department stated the direction of water flow was in the opposite direction and would have no impact on the lakes.

**Board Comments:**

The Planning Commission discussed the proposed density allowed in *R-3A, Single-Family Detached Residential* and the density the developer was proposing. Mr. Brooks asked if the concept plan usually submitted with zoning map amendments was binding. Ms. Bell stated that neither the Planning Commission nor the City Council can condition a zoning with a certain number of lots. However, the City Council can condition an annexation. She stated the applicant has submitted a layout showing the subdivision will be developed at lower densities. However, the additional condition of a 2.6 dwelling units per acre will ensure the subdivision will be developed at a low density, even if the layout were to change. Ms. Bell cautioned the Commission that the recommendation should be that the City Council considers it with the annexation and not the zoning request. Mr. Brooks asked if the comment to improve Burgreen Road and Powell Road was something new. Ms. Bell stated that the City is experiencing a large amount of growth and infrastructure is not keeping pace. There have been no specific requirements, except turn lanes recommended by the Engineering Department. Ms. Bell requested the Planning Commission also consider this comment as a recommendation for City Council concerning the annexation. Mr. Potter stated the City's budget for 2015 was about 3 million more than projected revenues.

**Motion:**

Mr. Brooks moved to recommend the City Council zone the subject property to *R-3A, Single-Family Detached Residential* and consider three-lane improvements to Powell Road and Burgreen Road along with the annexation of the subject property and the number of lots to be developed, not exceed 2.6 dwelling units per acre. Mr. Wesson seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**Subdivision Plats**

***Burgreen Farms Subdivision***

Location: The northwest corner of Powell Road and Burgreen Road

Representative: Smith Engineering Company

Owner/Application: Mungo Homes of Alabama Inc.

Lots: 273

Acreage: 108

**Applicant Request:**

Mr. Collins Pearson stated that when he met with Amy Bell and the Recreation Director, he stated that the area proposed for dedication is large enough for a flag football field. He stated there will be a parking lot and the requirements are being met. He stated he understands the City's goal and desire for larger spaces for parks. He said there is a 20-acre tract to the north that could have a maximum of 60 homes. Combining the subject property will require 2.2 acres of parkland. The tract to the north will require half an acre of parkland. The proposed park site on the subject property is 2.3 acres. He stated the area proposed for park dedication on the layout is a good solution. He also stated he is not in favor of the fee in lieu. Mr. Stephen Brooks asked Mr. Pearson if he planned to pave the parking area and Mr. Pearson answered that they were not planning to pave it. He stated they are not required to do the improvements. Mr. Brooks asked if this was going to be a land donation and not a common area. Mr. Pearson stated that was correct. Mr. Pearson informed the Commission that the City has required the dedication of 10 feet to increase the right-of-way of Burgreen Road and Powell Road. He asked the Commission if this would obligate him to do the improvements to those roads. He stated they do not have the money for that kind of project. Mr. Pearson stated he is fine with the density levels but does want *the R-3A, Single Family Detached Residential* zoning, in case he needed a few extra lots.

**Public Comments:**

Councilman Tim Holcombe addressed the Planning Commission concerning common areas. His concern is that the city does not have a definition of *common area*. In some cases, developers hold the deed for the common area even when the subdivision has been built-out. In another case, the developer gave the common area to a third party and not the homeowner's association. If the Planning Commission approves plats with words on them, they should know the meaning of those words. How will the common area be deeded to the HOA and maintained?

**Board Comments:**

Mr. Potter stated the City is growing faster than it can support. The approvals combined will produce about a 1,000 new lots in Limestone County and all the roads, such as Burgreen, Browns Ferry and Segers are rural road that are becoming collectors. Mr. Bianca asked for the staff recommendation to be put on the screen. Mr. Ryder asked staff to describe what Recreation Director Kory Alfred looks for in park space. Ms. Bell stated that the analysis provided in the *Parks & Recreation Master Plan* indicated that the City has a number of mini parks and neighborhood parks and two community parks Dublin Park and Palmer Park. The recommendation of the *Plan* is the City needs one large community park with 50 to 60 acres and number of neighborhood parks of not less than 5 acres. The challenge presented to the City is to determine whether to require a fee in lieu to purchase parkland or have park donations, that will add up to that minimum. Ms. Bell indicated the number of acres proposed by the applicant can be deceiving because the geometry of the parcel does not lend itself to the development of park improvements. The property is generally not much wider than a residential lot. She indicated that was not what the Recreation Director is seeking. Mr. Brooks asked if they denied the plan and it goes back to the drawing board, would he only be required to provide 2.2 acres of parkland. Ms. Bell stated that was correct. She recommended the Commission table the request allowing the developer to come back with a modified plan. Mr. Brooks summarized that they are weighing 2.2 better acres against the proposed park location, which has less suitable characteristics. Ms. Bell stated the 2.2 acre donation at the north end of the subject property could be developed into a much larger park with future developments. Mr. Steve Ryder stated the goal is to create a community park and not a smaller mini park. Mr. Bianca stated that the Commission is asking for a reconfiguration to allow for the 2.2 acres donation. Ms. Bell told the Commission they could require the layout be reconfigured to show a park donation in an area where it could be expanded with future developments or provide a fee in lieu and not change the layout. She stated either is okay with staff. Mr. Potter informed the residents of *Morris Estates* that there are no buffer requirements between this development and their subdivision. Mr. Ryder stated he would like for the Director of Recreation to see the proposed park layout submitted to the Commission earlier. Mr. Ryder recommended they table the layout. Mr. Pearson addressed the Commission and asked for the option to continue or they would be willing to pay the fee in lieu and move forward. Ms. Bell informed the Commission that the property would not be annexed until September 22, which will be after the September 18 Planning Commission meeting. Commission chose to table the request since it will not be approved before the September meeting anyway.

**Motion:**

Mr. Ryder moved to table the layout for *Burgreen Farms Subdivision* until the September 18, 2014 meeting. Mr. Bates seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Nay
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

### ***The Villages of Oakland Springs***

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

Representative: Goodwyn, Mills & Cawood

Owner/Applicant: Ron Roberts, David Slyman & Todd Slyman

Lots: 349

Acreage: 157.12

#### **Applicant Request:**

Todd Slyman addressed the Planning Commission and stated he submitted a new layout configuration, different from the one the Planning Commission received with their packets. Mr. Slyman stated a couple of issues came up with their layout. One issue was connectivity and the new plan would move the bridge north to the center of the project. The current plan showed the bridge further south to be utilized as an east west connector. He felt it would create a speed way that does not calm traffic. He informed the Commission a round-a-bout near the center of the project has been added which will be used to calm traffic. He stated there are two connections to the east providing connectively from east to west. Mr. Slyman informed the Commission that he was aware that the City Council would aid the project by providing box culverts but no other financial assistance. He stated he is prepared to accept that decision. He identified a geological feature to the northwest of the subject property that hinders development of their adjoining commercial tract. He requested that the City study the geological feature. He said it would be beneficial to the development of Tract 1.

**Staff Report:** Before the staff presentation, Mr. Bianca stated that they had just received a submittal different than what they had previously reviewed. He asked staff their thoughts concerning a new plan submitted at this time. Mr. Bianca stated that unless staff felt good about the plan submitted at the meeting, he recommends it be tabled until next month. This will provide staff and the Commission time to review the new plan. Mr. Blizzard stated that staff has met with the development team several time over the past couple of months and the plan they received with their packets is the result of those discussions. The staff report submitted to the Planning Commission was based on the analysis of the plan provided in their packets. He also stated that staff tries to provide the Commission with the staff report generally a week before the meeting, so they have time to digest the information. Mr. Bianca stated he was not comfortable moving forward. Mr. Blizzard agreed and stated they had a month to work on the previous plan and only one day with the one submitted at the Planning Commission meeting. If they choose to go with the plan submitted at the Planning Commission meeting, staff will need another month to review it. Mr. Slyman stated the plan submitted at the meeting put the bridge back in its original location, with the addition of the round-a-bout. It takes care of the connectively issue and the grade issue with the bridge location. Mr. Blizzard stated the new plan did not provide some of stub streets shown on the previous plan. Mr. Bianca asked what staff's recommendation is concerning the new plan. Mr. Blizzard stated that staff has not had time to review it and recommend it be tabled. Mr. Ron Roberts, who is also an applicant, asked the Commission for a ruling on the plan provided in the packet. He stated they are asking for the bridge to be located in the center of the project but this is consistent with the one that was shown on the plan the Commission received in their packet.

#### **Public Comments:**

Tim Holcombe re-stated a need for a clear definition of *common area*. He further stated that the city should know what the area labeled *park and common area* on the layout is.

**Board Comments:**

Mr. Potter stated he understands Staff's reasoning for the road at the south side but it separates a row of lots from the rest of the subdivision and TND District. He feels it will create a minor collector running by their front door. He preferred the road not be a straight street but instead should allow traffic to meander through the subdivision. He stated the alternative plan submitted at the meeting still provided east/west connectively but was not a straightaway. Ms. Bell stated that two cul-de-sacs shown in the middle area of the layout, but a bridge crossing also dotted in, is an option. Mr. Brooks asked the city is implementing the dotting line and not the bridge crossing to the south. Mr. Brooks asked if the bridge was removed from the southern access, whether stub streets or cul-de-sacs will be installed. Ms. Bell answered that they would become cul-de-sac streets. Mr. Potter stated if the bridge was moved to the north it would allow for a more narrow bridge crossing and the only addition would be the round-a-bout. Ms. Bell stated the plan submitted at the meeting did show other changes and she recommended the bridge crossing to the north with the plan they received in their packet. Mr. Wesson stated the phrase "Bridge to be funded by City Council" be deleted from the layout. Mr. Wesson asks what the park donation is. Ms. Bell answered a portion of floodplain with a 10 ft., asphalt path to be constructed through it. Mr. Wesson asked if the areas labeled *parks and common area* will be dedicated to the City and Ms. Bell answered that it will be a private recreation space. Ms. Bell asked that the Commission look at the contingencies. She stated that it was important that contingency number 1 be included and number 5 that house pads are out of utility and drainage easement. She stated that number 3 had been resolved at the meeting. She stated that number 2 would come at a later date. Mr. Brooks stated that comment number 4 was vague "Improvements to Huntsville-Browns Ferry Road will be required." Ms. Bell stated that any improvements would come with their development. She recommended that Planning Commission approve the plan with contingencies number 1 & 5.

1. The city will need 120 feet of right-of-way for the improvement of Huntsville-Browns Ferry Road and is requesting the applicant provide an additional 20 feet along the southern boundary of Huntsville-Browns Ferry Road.
2. Provide documentation that ensures the layout design can be in compliance with Section 4-12-9. *All garages must be oriented to the side or rear yard. For single family detached housing, garages may be oriented to the front yard but must be recessed from the wall plane of the building façade no less than twenty (20) feet.* Staff proposes adhering to this standard at this time.
3. If City funding is used for the construction of the proposed bridge, it must serve multiple neighborhoods internal to Huntsville Browns Ferry Road (N); Burgreen (E); Powell (S); and Bowers (W). It would be best to have a collector street with no homes fronting on it near the south of the subject property. The bridge could be located at the northern point of crossing shown on the plan, however, it does not connect directly with properties to the east or west, though it would still provide connectivity. The Planning Commission should include a specific recommendation to City Council on this item for their consideration and approval or denial of funding for a bridge, prior to the Preliminary Plans being brought to Planning Commission for approval.
4. Improvements to Huntsville-Browns Ferry Road will be required.
5. Ensure house pads are out of utility and drainage easements.

**Motion:** Mr. Brooks recommended approval of the layout for *Villages of Oakland Springs* with the contingencies listed below:

1. The city will need 120 feet of right-of-way for the improvement of Huntsville-Browns Ferry Road and is requesting the applicant provide an additional 20 feet along the southern boundary of Huntsville-Browns Ferry Road.

2. Ensure house pads are out of utility and drainage easements.
3. The bridge be shown at the northern option.
4. Language referencing who pays for the construction of the bridge be removed from the layout.

Mr. Ryder seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

***Greenbrier Woods Subdivision, Phase 4***

Location: South of Powell and west of Burgreen Road

Representative: 4-Site, Inc.

Owner/Applicant: Walden Land Company

Lots 37 and 1 Tract

Acreage: 25.29

**Applicant Request:**

Mr. Tim Morris representing 4-Site, Inc., 7500 Memorial Parkway, Huntsville, Alabama, addressed the Commission. He stated the first three phases are built and the third phase was just accepted into maintenance. He stated the development is about 25 acres and 37 lots.

**Staff Report:** Mr. Blizzard stated the property is zoned *R-3A, Single-Family Detached Residential*. He stated there is one additional phase after this one. They are developing 34 lots and the average lot size will be 13,281 square feet. Mr. Blizzard recommended approval with the contingencies listed.

**Public Comments:**

No Comments

**Board Comments:**

No Comments

**Motion:** Mr. Brooks moved to approve the preliminary plat for *Greenbrier Woods, Phase IV* with the contingencies listed.

- a) Signatures:
- b) Phone
- c) Cable
- d) Athens Utilities
- e) North Alabama Gas
- f) Limestone County Water and Sewer Authority

Mr. Bates seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Denied**

***Hilltop Ridge Subdivision***

Location: South of Henderson Circle and west of Burgreen Road

Representative: Busbin Engineering Company

Owner/Applicant: Community Developers, LLC

Lots 61

Acreage: 29.85

**Applicant Request:**

Mr. Steve Simmons, owner and manager of Community Developer, Inc. addressed the Planning Commission. We have submitted a subdivision to be west of Burgreen Road and south of Henderson Circle. It will have 63 lots.

**Staff Report:** Mr. Blizzard stated the property is south of *West Haven Subdivision*. The zoning was approved in March 2014 and the layout was approved June. It is zoned *R-3A* and the preliminary plat is identical to the layout plat. They have proposed 63 lots with an average lot size of 15,252 square feet. Mr. Blizzard recommended approval with the contingencies listed.

**Public Comments:**

No comments

**Board Comments:**

Mr. Wesson asked the plan for entrance signs. Mr. Steve Simmons indicated they have designated a common area for signage.

**Motion:** Mr. Bates moved to approve the preliminary plat for *Hilltop Ridge Subdivision* with the contingencies listed.

1. The flood certificate references the wrong Federal Insurance Rate Map (FIRM) information.
2. Signatures of:
  - a. Athens Utilities
  - b. Limestone County Sewer & Water Authority
  - c. North Alabama Gas
  - d. Surveyor
  - e. Engineer

Mr. Brooks seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	

**Motion Carried**

***Greenbrier Hills Subdivision***

Location: Generally south of Hardiman Road and Segers Road

Representative: 4-Site, Inc.

Owner/Applicant: Big Acres LLC, Christian List, Laura L. Atkinson, Thomas D. Atkinson, Lou Ann Atkinson

Lots: 5

Acreage: 94.99

**Applicant Request:**

Tim Morris, representing 4-Site, Inc. presented the certified plat and stated it will facilitate the development of the Atkinson Property, discuss earlier, and allow for the dedication of additional right-of-way.

**Staff Report:** Mr. Blizzard stated the property was currently zoned *AG, Agriculture*. The Planning Commission voted earlier in the meeting to recommend the property be rezoned to *R-3A, Single-Family Detached Residential*. The property will be divided into 5 tracts to provide a method to sale the individual tracts. The developer will also dedicate right-of-way for Hardiman Road with the recording to the plat.

**Public Comments:**

No Comments

**Board Comments:**

Mr. Potter asked about the recreation area to the south. Ms. Bell stated that it is something that will be evaluated with the layout plat.

**Motion:** Mr. Brooks moved to approve the certified plat for *Greenbrier Hills Subdivision* with the contingencies listed.

1. Signatures
  - a. Dedication
  - b. Acknowledgements
  - c. Limestone County Water & Sewer Authority
  - d. Limestone County Health Department
  - e. Athens Utilities
  - f. North Alabama Gas

Mr. Bates seconded the motion and the vote was as follows:

**Final Vote:**

Chairman, Damian Bianca	Aye
Vice-Chairman, Stephen Brooks	Aye
City Council Member, Mike Potter	Aye
Cynthia McCollum	---
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	---

**Motion Carried**

**NEW BUSINESS**

Chairman Bianca asked staff to look into dates for the Planning Commission to have a training session in October. The Commission discussed options for an all-day training rather than several days in the afternoon.

Mr. Bianca stated that he sees the growth plan being implemented with the Zoning Ordinance and Subdivision Regulations.

**ADJOURNMENT**

With no additional business to discuss Chairman Bianca adjourned the meeting

**Minutes Approved,**

  
\_\_\_\_\_  
Damian Bianca, Chairman

**ATTEST:**

  
\_\_\_\_\_