



**Planning Commission
Minutes of the August 20, 2015 Regular Meeting**

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

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman

Damian Bianca, CAPZO Present

Planning Commission Vice-Chair

Stephen Brooks, CAPZO Present

City Council Member

Michael Potter, CAPZO Present

Tim Cowles, CAPZO Absent

Cynthia McCollum, CAPZO Present

Steve Ryder, CAPZO Present

Cameron Grounds, CAPZO Present

Lewie L. Bates, CAPZO Present

Troy Wesson, CAPZO Present

PLANNING STAFF PRESENT

Johnny Blizzard, AICP, Senior Planner; Kelly Butler, City Attorney; Ross Ivey, Assistant Planner; Megan Zingarelli, Consulting Attorney

REGISTERED PUBLIC ATTENDEES

Keril Rieger, Michael Toles, Barbara Nix, Charles D. Nix, Martha Gloyd, Randal Gloyd, Judy Toles, Jeffrey A. Clarke, Monte R. Pate, Denny Dalton, Damone McDuffie, Lanita Carter, Terence Cusack, Tuwana Lee, Preydon Krist, Nancy Martin, Brian Price, David Hall, Heath Galloway, Cindy White, Kamilla Holst Nelson, Steve Simmons, Harrison Song, Joe Murphy, Don Spencer Jr., Willia Caine-Allen, Joan Morean, Susan Baumann, Chris Beason, Lars Holst, Earl Thomas, Will Crawford, Grace Crawford, April Thomas, TS Ferrell, Tommy Overcash, Tim Holcomb

ACCEPTANCE OF THE AGENDA

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

COMMENTS

There were no comments from the Commission.

APPROVAL OF THE MINUTES

Mr. Bates moved to approve the minutes of the July 16, 2015 Regular Meeting minutes. Mr. Ryder seconded the motion.

Final Vote:

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

OLD BUSINESS

There was no Old Business to discuss.

PUBLIC COMMENTS

There were no comments from the public.

PUBLIC HEARINGS

Zoning Map Amendments

Public hearing held to consider Focus Investments, LLC request to rezone property located south of Browns Ferry Road and east of Millstone Subdivision from *AG, Agricultural* to *R-3A, Single-Family Detached Residential District*.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that Focus Investments, LLC, petitioner and property owner, is requesting the Stewart Property be rezoned from *AG, Agriculture* to *R3A, Single-Family Detached Residential*. The subject property consists of 42.03 acres and is located south of Browns Ferry Road and east of *Millstone Subdivision*. The Stewart Property is identified as Tract 1, of *Marvin Stewart Subdivision, Phase 1*, which was approved by the Planning Commission in June of 2015.

The subject property is currently zoned *AG, Agriculture* and utilized as a farm. The adjoining property to the north is zoned *AG, Agriculture* and is the location of *Bell Acres Subdivision, Shiloh Run Subdivision* and *Governors Estates* adjoin the east boundary and both are zoned *R2, Medium Density Residential*. A portion of the adjoining properties to the south are zoned *AG, Agriculture*. These consist of two properties with the western most property being occupied by a single-family detached dwelling. The other property is identified as Tract 2 of *Marvin Stewart Subdivision, Phase 1* and is occupied by two

single-family detached dwellings. However, the majority of the property is used as farm land. *Millstone Subdivision* adjoins the west boundary of the subject property. These properties are zoned *R3A, Single-Family Detached Residential*.

Additionally, a jurisdictional stream enters the subject property from *Shiloh Run Subdivision* and traverses southerly through a portion of the subject property near the east boundary. However, the stream is largely located on the adjoining Tract 2. The stream is overlaid with Special Flood Hazard Area A, which is an unstudied 100-year floodplain, without an established floodway or base flood elevations. Only a small portion of the floodplain is located on the subject property near the eastern boundary.

The majority of the subject property has the land use designation of *RL, Residential Low Density*, with a small portion along the south boundary having a land use designation of *RM, Residential Medium Density*.

The adjoining property to the north has a land use designation of *RM, Residential Medium Density*, which is not consistent with the current zoning of *AG, Agriculture* there, but may transition in the future. The adjoining properties to the east have the land use designation of *RM, Residential Medium Density*. The properties are zoned *R2, Medium Density Residential*, which is compatible with the *RM, Residential Medium Density* land use designation. The adjoining property to the south has the land use designation of *RM, Residential Medium Density* and the underlying zoning of *AG, Agriculture* which is not consistent with this land use designation, but may transition in the future. The adjoining property to the west has a land use designation of *RHS, Residential High Density – Single-Family*. The land use map was amended when the adjoining property to the west was rezoned to *R3A, Single-Family Detached Residential*. This was the policy at that time to amend the Future Land Use Map, where a rezoning was not consistent with the land use designation.

Mr. Blizzard also stated, the proposed zoning from *AG, Agriculture* to *R3A, Single-Family Detached Residential* will lead to the expansion of *Millstone Subdivision* into the subject property. Such infill development serves an important role in providing new growth in the center of Madison, rather than at its edges, allowing for more efficient service and infrastructure provision. A neighborhood built here will be more central to shopping areas within Mid-town Madison. The development of the land will allow for the improvement of drainage to and from the subject property and will also create vehicular and pedestrian connectivity between *Shiloh Run Subdivision*, *Millstone Subdivision* and the *Mill Creek Greenway*.

In conclusion, Mr. Blizzard told the Commission that Staff and the Technical Review Committee recommend approval of Focus Investments, LLC's request to rezone the Tract 1 of *Marvin Stewart Subdivision, Phase 1* from *AG, Agriculture* to *R3A, Single-Family Detached Residential*.

Public Comments:

Tim Holcomb, 215 Walden Glenn Road, asked if the applicant would be required to build a sidewalk along Browns Ferry Road. The Commission informed Mr. Holcomb that this was a rezoning and there is no requirement to build sidewalks when rezoning property.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks moved to recommend City Council to rezone property located south of Browns Ferry Road and east of Millstone Subdivision from *AG, Agricultural* to *R-3A, Single Family Detached Residential District*. Mr. Ryder 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	-----

Motion Carried

Public hearing held to consider Keril Rieger's request to rezone property located at Lot 2 of Martin Heights Subdivision, south of Carter Road and west of Slaughter Road from *R-1A, Low Density Residential District* to *B2, Community Business District*.

Applicant Comments:

Keril Rieger presented the request.

Staff Comments:

Mr. Blizzard informed the Commission that the petitioner and property owner, Ms. Keril Rieger, is requesting, Lot 2, Block 4, *Martin Heights Subdivision*, Plat Book, 2, Page 65, be rezoned from *R-1A, Low Density Residential* to *B2, Community Business*. The subject property is located south of Carter Road and west of Slaughter Road.

The subject property is identified as Lot 2, Block 4, *Martin Heights Subdivision*, Plat Book 2, Page 65, recorded in February of 1959. The subject property has an area of 39,525 square feet. The subject property is currently zoned *R1A, Low Density Residential* and is occupied by a single-family dwelling. The adjoining properties to the north and south are both zoned *R-1A, Low Density Residential* and are occupied by single-family detached dwellings. The adjoining properties to the east are within the City of Huntsville and are part of *Potter's Wheel Subdivision*. The adjoining property to the west is zoned *R-1A, Low Density Residential* and consists of a 0.90 acre lot that is vacant and also not directly accessible from a public street. This lot is identified as Lot 12, *Martin Heights Subdivision*. As shown on Figure 2, in the staff report, Robin Drive was planned to be extended south for frontage to Lot 12. However, Robin Drive was never extended south of Carter Drive. A 57.51 acre tract is located directly west of Lot 12 that is also zoned *R-1A, Low Density Residential*. A single family dwelling occupies 1.99 acre tract that is located in the middle of the 57.51 acre parcel. This property as well as the adjoining properties to the south and west of the subject property, including Lot 12, are all owned by the same individual. Many of the nearby properties within unincorporated Madison County and fronting Slaughter Road are occupied by commercial uses to the north.

In addition, the traffic count map indicates there are 14,860 trips per day on Slaughter Road near the subject property, which is significant enough to support commercial business.

The Future Land Use Map indicates that the subject property and those properties to the north and south have a land use designation of *RL, Residential Low Density*. The adjoining property to the west has a land use designation of *OS, Open Space*. The underlying zoning and particular uses of land conform to the land use designations provided on the Future Land Use Map. The adjoining properties to the east are within the City of Huntsville.

Slaughter Road serves as a major north/south collector from Madison Boulevard to U.S. Highway 72. North of Hwy 72, Slaughter Road becomes Jeff Road continuing north into developed and developing areas of Madison County. The traffic count map indicates that Slaughter Road has approximately 14,860 trips per day near the subject property, which is consistent with other collector streets such as Wall-Triana Highway and Hughes Road. A significant number of the properties fronting Slaughter Road have been developed for commercial uses or redeveloped from residential uses to commercial uses. The zoning map and future land use map do not reflect these trends because most of the commercial properties are within unincorporated Madison County or the City of Huntsville. Due to these factors, the use of the subject property for residential purposes is not the highest and best use of the land, nor is it the ideal location for a single-family dwelling fronting Slaughter Road. The current version of the Subdivision Regulations do not allow residential lots within a subdivision to front the abutting collector street, in order that new development will provide more privacy and to restrict the number of egress/ingress points to the collector. The requested zoning change will not reduce the number of driveways fronting Slaughter Road, but the development of the property for a commercial use will require an off-street parking facility that would be developed where vehicles are not backing onto the collector street. A deceleration lane may also be required with the construction of the off-street parking facility. At some point in the future if more properties convert to commercial, parking lots can be connected, and the number of access points on Slaughter Road could be reduced.

The *B2, Community Business District* is the most compatible commercial district with adjoining and nearby residential areas. Landscaping, screening, signage, outdoor lighting and building aesthetics are all controlled by the Zoning Ordinance and minimize impact, the commercial uses would have on neighboring residential areas.

Mr. Blizzard concluded that staff recommends approval of Keril Rieger's request to rezone Lot 2, Block 4, *Martin Heights Subdivision*, Plat Book, 2, Page 65, be rezoned from *R1A, Low Density Residential* to *B2, Community Business District*. It is an appropriate time to begin the transition of these single family homes to commercial, as well as invite nearby unincorporated lots into the city limits.

Public Comments:

Randy Gloyd, 101 Potters Mill, expressed that he felt the property should remain residential. He stated that the property surrounding the subject property is all residential and felt that rezoning to business would create additional traffic and lead to further problems.

Judy Toles, 173 Robin Road, stated that she felt the property should remain zoned the way it currently exists. Ms. Toles asked for further clarification on the reason for transforming residential lots to commercial.

Grace Crawford, 1532 Slaughter Road, gave the history of the property. She stated that she felt that this was “spot zoning”, which she reminded the commission was illegal. She expressed a “lack of hard data” in the staff report and felt that the evidence was misleading. She also mentioned that the current property along Slaughter Road that is zoned commercial is within the city limits of Huntsville rather than Madison.

Nancy Martin, 250 Carter Road, said that she disapproved of the rezoning and had emails from neighbors who also disapproved. Ms. Martin brought up the topic of the neighborhood covenants.

Will Crawford, 1532 Slaughter Road, read a letter from a neighbor disapproving the rezoning due to traffic concerns and a potential “domino effect” that may come from the rezoning.

Terence Cusack, 370 Rainbow Drive, also stated his opposition of the rezoning and told the commission that they should consider widening Slaughter Road.

Ross Thomas, 1540 Slaughter Road, discussed his traffic concerns and mentioned the number of accidents along Slaughter Road. He stated that there is at least one accident ever six weeks.

Tommy Overcash, 110 Sonoma Drive, mentioned that in the past, similar zoning cases have been disapproved. He stated that he felt the existing trends that are mentioned in the staff report, are in fact, opposite of what is mentioned. Mr. Overcash also felt that there are no long range plans for this area. He concluded that he didn’t feel that the staff report supported the rezoning.

Tim Holcomb, 215 Walden Glenn Road, brought up the topic of covenants, and felt that legal issues may arise from the rezoning of the property.

Commission Comments:

Councilman Potter asked if there would be any repercussions from the neighborhood covenants if the property was rezoned. Attorney Butler answered, that the covenants would not bind what the Planning Commission does, and that the rezoning of the property would not cause a violation.

Councilman Potter also stated that the widening of Slaughter Road is up to the discretion of the MPO. He also expressed that the addition of a fabric shop would not create much additional traffic.

Councilman Potter, concluded that regardless of the decision of the rezoning, that the neighbors please be civil towards one another.

Motion:

Mr. Brooks moved to recommend City Council to rezone property located at Lot 2 of Martin Heights Subdivision, south of Carter Road and west of Slaughter Road from *R-1A, Low Density Residential District* to *B2, Community Business District*. Mrs. McCollum seconded the motion.

Final Vote:

Chairman, Damian Bianca	Nay
Vice-Chairman, Stephen Brooks	Nay
City Council Member Mike Potter	Nay
Cynthia McCollum	Nay
Steven Ryder	Nay

Cameron Grounds	Nay
Lewie Bates	Nay
Troy Wesson	Nay
Tim Cowles	----

Motion Did Not Carry

Public hearing to consider Elisabeth Coan's request to zone Lot 8 of Skyline Acres Subdivision, located at 210 Nancy Road to R-1B, Low Density Residential District. This zoning is in conjunction with a request to be annexed into the City of Madison.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owner, Ms. Elizabeth A. Coan, has petitioned for the annexation of 210 Nancy Road into the City of Madison. Upon annexation, the subject property must be assigned to the most compactable zoning district. Staff has recommended the subject property be zoned *R-1B, Low Density Residential*.

The subject property is located in *Skyline Acres Subdivision*, which is east of Slaughter Road and north of Old Madison Pike. The subject property is located east of Nancy Road and north of Stella Drive.

The subject property is part of *Skyline Acres Subdivision, 2nd Addition*, Plat Book 2, Page 103. The subdivision plat was recorded in the County Office of Probate in February of 1959. The subject property is identified as Lot 8, Block 5 and has an area of 19,000 square feet. Currently, 114 of the 200 lots within *Skyline Acres Subdivision* have annexed into the City of Madison. These annexations have occurred individually overtime and not as a collective effort of the neighborhood. The majority of the properties already within the City of Madison were automatically zoned *AG, Agriculture*, upon annexation. These lots are highlighted in green on Figure 3. Currently, three lots have annexed into the City of Madison and been zoned *R-1B, Low Density Residential*.

Mr. Blizzard added that all of the adjoining properties are residential lots within *Skyline Acre Subdivision*. Only the adjoining lot to the west is located within the City of Madison and is zoned *AG, Agriculture*. All the adjoining lots are occupied by a single-family detached dwelling, except the adjoining lot to the east, which is vacant. The annexation and zoning of the subject property to *R-1B, Low Density Residential* will not cause a greater impact on street, storm water systems or recreational facilities than already exists since the property is already developed with a single family home. The lots in *Skyline Acres Subdivision* are not serviced by sanitary sewer and each utilizes a private septic system. The annexation and zoning will impact the school system by potentially adding new students.

Mr. Blizzard concluded that staff recommends approval of the request to zone 210 Nancy Road to *R-1B, Low Density Residential* upon annexation.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Bates moved to recommend City Council to zone Lot 8 of Skyline Acres Subdivision, located at 210 Nancy Road to R-1B, Low Density Residential District in conjunction with a request to be annexed into the City of Madison. Mr. Brooks 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----

Motion Carried

Public hearing to consider Michael and Patricia Broadhurst's request to zone Lot 37 of Morris Estates Subdivision, located at 11166 Dove Drive to R-1A Low Density Residential District. This zoning is in conjunction with a request to be annexed into the City of Madison.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owners, Michael & Patricia Broadhurst have petitioned for annexation of Lot 37, *Morris Estates* into the City of Madison. The subject property is located in *Morris Estates Subdivision*, which is west of Burgreen Road and north of Powell Road. The subject property is located east of Dove Drive and north of Rail Drive.

The subject property is part of *Morris Estates Addition 1*, recorded in July of 1986. The subject property is identified as Lot 37 of *Morris Estates, Addition 1* and has an area of approximately 28,498 square feet. Upon annexation, the subject property must be assigned to the most compactable zoning district. Staff has recommended the subject property be zoned *R-1A, Low Density Residential*.

In making the recommendation of annexation and zoning, staff has reviewed the District's compatibility, with the dimensional layout of *Morris Estates Subdivision*, as a whole. Staff has also analyzed the impact and benefits of this zoning request to the City, surrounding property owners and the owner/applicant, based on criteria found in this report.

All the adjoining properties are residential lots within *Morris Estates Subdivision* and each is occupied by a single-family detached dwelling. The adjoining lots to the north, south and portion of the east boundary of the subject property are zoned *R-1A, Low Density Residential District*. The remaining lots are within unincorporated Limestone County and not zoned. *Morris Estates Subdivision* is made up of 95

residential lots, of which the majority are occupied by single-family detached dwellings. 51 lots have been annexed into the City of Madison over the past several years and zoned *R-1A, Low Density Residential*.

The annexation and zoning of the subject property to *R-1A, Low Density Residential* will not cause a greater impact on street, storm water or recreational facilities than already exists since it is already developed as a single family home. The lots in *Morris Estates* are not serviced by sanitary sewer and each utilizes a private septic system. The annexation and zoning will impact the school system by potentially adding new students.

In conclusion, Mr. Blizzard stated staff recommends approval of the request to zone Lot 37, *Morris Estates, Addition 1* to *R-1A, Low Density Residential* upon annexation.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Bates moved to recommend City Council to zone Lot 37 of Morris Estates Subdivision, located at 11166 Dove Drive to R-1A, Low Density Residential District. This zoning is in conjunction with a request to be annexed into the City of Madison. Mr. Brooks 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----

Motion Carried

Subdivision Plats

Burgreen Farms – Layout Amendment

Location: West of Burgreen Road and north of Powell Road

Representative: Smith Engineering Company

Applicant/Owner: Mungo Homes, Inc.

Lots: 273

Acreage: 103.42

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owner is Mungo Homes, Inc., and the design firm is Smith Engineering Company. The subject property is located west of Burgreen Road and north of Powell Road. The subject property is located in the *R3A, Single-Family Detached Residential District*.

The subject property adjoins a small portion of the Hall Property located at the western edge of the subject property. This property is being developed as *Parker Hall Subdivision*, which will accommodate 32 lots when completed. A layout for *Parker Hall Subdivision* was approved at the July 16, 2015 Planning Commission meeting with the following contingency: The proposed street system within *Parker Hall Subdivision* must connect to the stub street located at the northwest corner of *Burgreen Place Subdivision*.

The developers for *Parker Hall Subdivision* have worked with the applicant to remove the stub street in order to satisfy the contingences addressed above. The result is the submission of this amended layout plat.

The applicant is requesting that the planned stub street located at the northwest corner of the subject property be removed from the layout plat.

The applicant is also requesting the lot configuration of those south and east of the removed stub street be altered to prevent the loss of any lots. The lots to the east of the removed stub street will be increased from nine lots to eleven lots and the average lot width reduced from approximately sixty-five feet to sixty-one feet. The lots located south of the removed stub street will be decreased from nineteen lots to seventeen lots. The average lot width will be increased from approximately sixty feet to sixty-two feet. This layout amendment results in no net loss or gain of lots.

The applicant is also requesting that a common area be provided along the jurisdictional stream located at the rear of those lots labeled 1-10 and 11-17. The common area was approved with the preliminary plat for *Burgreen Farms Subdivision, Phase 1*. The jurisdictional stream can better be protected as a common area and utility & drainage easement, than distributed among the residential lots. The amendment will make the layout consistent with the approved preliminary plat.

Staff, and the Technical Review Committee recommend approval of the amendment to the *Burgreen Farms Subdivision* layout.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder moved to approve Burgreen Farms Layout Amendment. 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----
Motion Carried	

Stone Brook – Final Plat

Location: North and west of Hardiman Road and east of Segers Road

Representative: Mullins, LLC

Applicant/Owner: Smart Living, LLC

Lots: 113

Acreage: 38.49

Applicant Comments:

Jeff Mullins, Mullins, LLC presented the request.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located north and west of Hardiman Road and east of Segers Road. The applicant and property owner is *Smart Living, LLC* and the design firm is *Mullins, LLC*.

The applicant is requesting final plat approval to develop the subdivision into 124 lots, and four (4) common areas. The smallest lot is 8,100 square feet.

Staff and the Technical Review Committee recommend approval of the final plat for *Stone Brook Subdivision* with the contingencies noted in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

Councilman Potter asked a question about a street named Poprock Drive. Mr. Mullins answered him that the street name has been changed and it no longer exists.

Motion:

Mr. Bates moved to approve Stone Brook Final Plat with the following contingencies:

Planning Department Comments:

1. Submit a title opinion
2. Delete Note 18 shown on Sheet 2 of the final plat, which states the following: "Common areas may be dedicated to the City of Madison at a future date."
3. Signatures:

- 1) Dedication
- 2) Notary's Acknowledgment
- 3) Athens Utilities
- 4) North Alabama Gas

Engineering Department Comments:

1. Submit performance bonds
2. Submit sidewalk bonds
3. Submit sign fee of \$7,800.00

Mr. Ryder 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	-----

Motion Carried

Hilltop Ridge – Final Plat

Location: West of Burgreen Road and south of U.S. Highway 72

Representative: Busbin Engineering, Inc.

Applicant/Owner: Community Developers, LLC

Lots: 29

Acreage: 26.14

Applicant Comments:

Steve Simmons presented the request.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owner is Community Developers, LLC and the design firm is Busbin Engineering, Inc. The subject property is located west of Burgreen Road and south of U.S. Highway 72.

The subject property is zoned *R3A, Single-Family Detached Residential*. The adjoining properties to the north are located in *the R3A, Single-Family Detached Residential District* and are lots within *West Haven Subdivision*. The majority of the adjoining properties to the east are within *Heritage Provence Subdivision* and zoned *R3A, Single-Family Detached Residential*. Two lots adjoining the northern most part of the eastern boundary are within unincorporated Limestone County and not zoned. These properties are occupied by single-family detached dwellings. The adjoining property to the south is within unincorporated Limestone County and not zoned.

The site can be characterized as a rural estate lot with a single-family detached dwelling. The adjoining property to the west is within unincorporated Limestone County and not zoned. The property is utilized for agricultural purposes.

The applicant is requesting final plat approval of *Hilltop Ridge Subdivision, Phase 1*, for 29 lots, and three (3) common areas. The smallest lot is Lot 33 with an area of 13,311 square feet.

Mr. Blizzard concluded that staff, and the Technical Review Committee recommend approval of the final plat for *Hilltop Subdivision, Phase 1*, with the contingencies noted in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder moved to approve Stone Brook Final Plat with the following contingencies:

Planning Department Contingencies:

1. Add the following note: All lots shall be graded so that storm water run of will be directed to drainage ways in a dedicated easement.
2. Signatures:
 - 1) Dedication
 - 2) Notary's Acknowledgment
 - 3) Athens Utilities
 - 4) North Alabama Gas
 - 5) Limestone County Water & Sewer Authority

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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----

Motion Carried

Northside Place, 2nd Addition – Certified Plat

Location: East of Hughes Road and north of Roema Drive

Representative: Stanley Land Surveying, Inc.

Applicant/Owner: Amiras, Inc.
Lots: 2
Acreage: 2.97

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owner is Amiras, Inc., and the design firm is Stanley Land Surveying, Inc. The subject property is located east of Hughes Road and north of Roema Drive. The Planning Commission approved a certified plat for *Northside Place* in May of 2015.

The applicant is requesting approval of a certified plat to resubdivision Lot 2 of *Northside Place* into two lots. Lot 1 is the smallest lot with an area of 1.12 acres. The applicant is proposing an egress/ingress easement from Hughes Road to the proposed storage facility to be located on Lot 1 of *Northside Place*.

Mr. Blizzard concluded that staff, and the Technical Review Committee, recommend approval of the certified plat for *Northside Place, Phase 2*, with the contingencies noted in the staff report.

Public Comments:

Damone McDuffie, 138 Wallace Circle, had concerns with drainage and access off Roema Drive. Chairman Bianca ensured Mr. McDuffie that the Engineering Department would look into the drainage concerns that he had. Mr. Brooks also added that Mr. McDuffie's property did not back up to the lot that was being divided in tonight's meeting.

Cindy White, 130 Wallace Circle, reiterated flooding and drainage concerns.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks moved to approve *Northside Place, 2nd Addition* with the following contingencies:

Engineering Department Contingencies:

1. Submit closure report

Mrs. McCollum 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye

Tim Cowles
Motion Carried

Parker Hall – Certified Plat

Location: East of Morris Drive and north of Powell Road
Representative: 4-Site, Inc.
Applicant/Owner: Foxfield Development, LLC
Tracts: 2
Acreage: 23.59

Applicant Comments:

David Hall, 4-Site, Inc. presented the request.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant and property owner is Foxfield Development, LLC and the design firm is 4-Site, Inc. The subject property is located east of Morris Drive and north of Powell Road. The subject property is zoned *R-3A, Single-Family Detached Residential*.

The applicant is requesting approval of a certified plat to subdivide the 23.59 acre parcel into two (2) tracts. The smallest parcel will have an area of 1.82 acres and is currently occupied by a residential dwelling.

Mr. Blizzard concluded that staff, and the Technical Review Committee recommend approval of the *Parker Hall Certified Plat*, with the contingencies noted in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder moved to approve Parker Hall Certified Plat with the following contingencies:

Planning Department Contingencies:

1. Signatures:
 - 1) Athens Utilities
 - 2) North Alabama Gas

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	Aye
Cameron Grounds	Aye

Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----
Motion Carried	

Parker Hall – Preliminary Plat

Location: East of Morris Drive and north of Powell Road

Representative: 4-Site, Inc.

Applicant/Owner: Foxfield Development, LLC

Lots: 33

Acreage: 23.59

Applicant Comments:

Don Spencer presented the request and also requested a waiver of the sidewalk requirement of the collector street.

Staff Comments:

Mr. Blizzard informed the Commission the applicant and property owner is Foxfield Development, LLC and the design firm is 4-Site, Inc. The subject property is located east of Morris Drive and north of Powell Road.

The applicant is requesting approval of a preliminary plat and construction plans to develop the 21.77 acre parcel into thirty-three lots, two common areas and related streets and infrastructure. The smallest lot contains 17,494 square feet.

Mr. Blizzard concluded that staff, and the Technical Review Committee recommend approval of the *Parker Hall* Preliminary Plat and Construction Plans, given the contingencies noted in the staff report.

Public Comments:

Gary Dalton, 11128 Cardinal Drive, stated he felt that Morris Road is not conducive to a lot of traffic. Councilman Potter answered that a new Western Growth Master Plan is beginning to get underway and that the entire area will be studied and those issues will be addressed at that time.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Bates moved to approve Parker Hall Preliminary Plat with the following contingencies:

Planning Department Contingencies:

1. Signatures:
 - 1) Phone
 - 2) Cable
 - 3) Athens Utilities
 - 4) North Alabama Gas
 - 5) Limestone County Water & Sewer

Engineering Department Contingencies:

1. Increase pipe size to keep hydraulic grade line below grade
2. Permits submitted from other agencies must be signed.

Mrs. McCollum 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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	----

Motion Carried

Cedar Cove Phase 2 – Preliminary Plat

Location: South of Powell Road and east of Segers Road

Representative: 4-Site, Inc.

Applicant/Owner: Diltina Development

Lots: 14

Acreage: 15.24

Applicant Comments:

David Hall, 4-Site, Inc. presented the request.

Staff Comments:

Mr. Blizzard informed the Commission the applicant and property owner is Diltina Development and the design firm is 4-Site, Inc. The subject property is located south of Powell Road and east of Segers Road.

The applicant is requesting approval of a preliminary plat and construction plans for *Cedar Cove Subdivision, Phase 2*, which will authorize the development of 14 lots and 1 Tract. The development of this phase should not be effected by the decision of the U.S. Army Corps of Engineers decision concerning the filling of the pond. However, staff advises that no other phases be approved until the decision is made.

Mr. Blizzard concluded that staff, and the Technical Review Committee recommend approval of the Preliminary Plat for *Cedar Cove Subdivision, Phase 2*, with the contingencies noted in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Mr. Brooks moved to approve Cedar Cove Phase 2 Preliminary Plat given the following contingencies:

Planning Department Contingencies:

1. Note 5 on Sheet 10 references "Green Creek Drive" which is not in these subdivision.
2. Signatures:
 - 1) Phone
 - 2) Cable
 - 3) Athens Utilities
 - 4) Limestone County Water & Sewer Authority
 - 5) North Alabama Gas Authority

Engineering Department Contingencies:

1. The hydraulic grade line shown on Sheet 8 is not acceptable. The pipe size must be increased to keep the hydraulic grade line below grade.
2. Correct the street section detail shown on Sheet 17.

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	Aye
Cameron Grounds	Aye
Lewie Bates	Aye
Troy Wesson	Aye
Tim Cowles	-----

Motion Carried

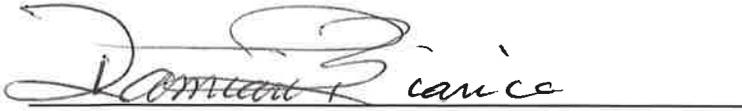
NEW BUSINESS

Mr. Blizzard informed the Planning Commission about the upcoming Western Growth Master Plan. He also let the Commission know about the new policy adopted by the Technical Review Committee that all contingencies must be addressed within 45 days of the Planning Commission meeting.

ADJOURNMENT

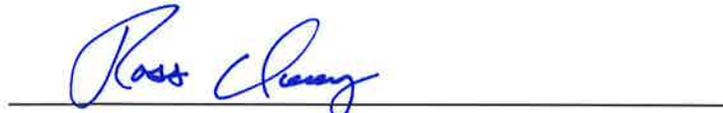
Chairman Bianca adjourned the meeting at 6:56 p.m.

Minutes Approved

A handwritten signature in black ink, appearing to read "Damian Bianca", written over a horizontal line.

Damian Bianca, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Ross Ivey", written over a horizontal line.

Ross Ivey, Assistant Planner and Recording Secretary