



City of Madison, Alabama
PLANNING COMMISSION MINUTES
March 19, 2009 Regular Meeting

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

ROLL CALL

Planning Commission Board Members

<u>Planning Commission Chairman</u>	PRESENT
CHARLIE BROWN, C.A.P.Z.O	
<u>Planning Commission Vice Chairman</u>	PRESENT
STEPHEN BROOKS	
<u>City Council Member</u>	PRESENT
TIM COWLES	
CYNTHIA MCCOLLUM	PRESENT
STEVEN RYDER	PRESENT
CAMERON GROUNDS	PRESENT
DAMIEN BIANCA	PRESENT
LEWIE L. BATES, III	PRESENT
MICHAEL POTTER	PRESENT

PLANNING STAFF PRESENT

JOHNNY BLIZZARD, AICP, CFM, CHIEF PLANNER; GARY CHYNOWETH P.E., CITY ENGINEER; KEITH CONVILLE, ENGINEERING TECHNICIAN; DAGNAL S. ROWE, ESQUIRE, CONSULTING CITY ATTORNEY; GINA ROMINE, CFM, PLANNER I AND PLANNING COMMISSION SECRETARY AND SHERRI BLAIR, CFM, ZONING ADMINISTRATOR AND RECORDING SECRETARY.

REGISTERED PUBLIC ATTENDEES

Douglas V. Horacek; Wayne Blaxton; Kim Williams; Buford Sanders; Tim Holcombe; Marc Sandlin Myra Pasion; Nancy Self; Raymond Buchmann; Michael Harrington; Pam Earhart; Glenn Earhart; Nat Berry Edward Snow; Peggy Wilson; Resha Wingo; James Wright; John Cunningham; Claudia Shar; Cecelia Shar; Vyga Kulpa; William Kahle; Willie L. Thomas; Ricky Robinson; Patty Matice; Paul Duskin; Howard Benson; Alison Callahan; Linda Chandler; Jerry Bickenbach; Dana Williamson; Kelli Blake; Ronnie Daves; Joanna Farmer; Joe Murphy; Carol Glasier; John A. Jones and two illegible signatures.

MINUTES APPROVAL

February 19, 2009 Minutes of Regular Meeting

Chairman Brown states that the minutes will be approved as submitted.

PUBLIC COMMENTS

Chairman Brown states that the layout plat for Rainbow Mountain Preserve has been removed from the agenda at the request of the application. He further states that any members of the public who would like to comment on the item may use the Public Comments period to be heard. The following members of the public spoke in opposition to the development of Rainbow Mountain Preserve: Ray Buchmann; Pete _____; Mike Harrington; John Jones; Glenn Earhart; John Cunningham. Board and staff respond to runoff, blasting, water pressure, construction traffic and various concerns raised. A letter, from Ray Buchmann addressed to the Planning Commission, is given to the recording secretary for inclusion in the record.

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

Layout Plats

1) Rainbow Mountain Preserve - **Removed at the request of applicant.**

Location: north end of Scenic Drive and Kensington Drive

Representative: Goodwyn, Mills and Cawood, Inc.

Owner: MT Properties

Lots: 34

Acreage: 46.19 acres, more or less

2) West Haven

Location: east of Henderson Lane and south of Henderson Circle

Representative: Goodwyn, Mills and Cawood, Inc.

Owner: Ricky Robinson

Lots: 192

Acreage: 80.50 acres, more or less

Staff Report: The Technical Review Committee has reviewed this project and as of this date all comments have not been satisfied.

Variances requested:

1. Applicant is requesting a variance to Section 5-6 (h) of the Madison Subdivision Regulations to allow a minimum lot depth of single tier lot less than 125' for Lots 1, 11, 12 - **Staff reports this item resolved prior to meeting.**
2. Applicant is requesting a variance to Section 5-4-13 of the Madison Subdivision Regulations to exceed the maximum cul-de-sac length of 800'.
3. Applicant is requesting a variance to Section 5-5 (b) of the Madison Subdivision Regulations to exceed the maximum block length of 2,200' or 12 times the minimum lot width required in the zoning district.
4. Applicant is requesting a variance to Section 5-6 (f) of the Madison Subdivision Regulations to allow side yard lot lines that are not at right angles to the streets or radial on curves.
5. Applicant is requesting that the Planning Commission consider a request not to require a 5 ft. concrete sidewalk along Henderson Lane.

Motion: Mr. Potter moves to approve a variance to Section 5-4-13 of the Madison Subdivision Regulations to exceed the maximum cul-de-sac length of 800'. Mr. Bates seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Motion: Mr. Brooks moves to approve a variance to Section 5-5 (b) of the Madison Subdivision Regulations to exceed the maximum block length of 2,200' or 12 times the minimum lot width required in the zoning district. Mr. Potter seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Motion: Mr. Bates moves to approve a variance to Section 5-6 (f) of the Madison Subdivision Regulations to allow side yard lot lines that are not at right angles to the streets or radial on curves. Mr. Potter seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Motion: Ms. McCollum moves to approve applicant's request for a waiver of the required 5 foot concrete sidewalk along Henderson Lane, at time of development, but requiring an escrow account be set up for later use, in an amount determined by the City's Engineering Department. Mr. Bates seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Nay
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Nay

Motion carried.

Planning comments: **Staff states that items 1 and 2, below, were remedied prior to the meeting.**

1. Lots in RZ zoning district must be build-able.
2. Show RZ zoning lines on plat.

Engineering comments:

1. Clarify note 20 on plat.

Developer Comments: Ricky Robinson explains the need for the variances requested. Eric Lane, Goodwyn, Mills and Cawood, and City Engineer Gary Chynoweth help with explanation of need.

Public Comments: Kim Williams expresses her concerns about the absence of a turn lane on Henderson Lane. Joanne Farmer questions plan for road from Burgreen. Chairman and City Engineer address these concerns.

Board Comments: Mr. Brooks discusses concerns about sidewalk going nowhere.

Motion: Mr. Potter moves to approve the Layout Plat of West Haven Subdivision with the satisfaction of staff comments. Mr. Ryder seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

3) Brighton Park

Location: west of County Line Road and southeast of Hardiman Road

Representative: Goodwyn, Mills and Cawood, Inc.

Owner: Huntsville Enterprises

Lots: 112

Acreage: 50.09 acres, more or less

Staff Report: The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied.

Public Comments: Willie Thomas expressed his concern about a turn lane onto County Line Road and a large mound of dirt obstructing view from his back yard. City Engineer addresses both concerns.

Motion: Mr. Brooks moves to approve the Layout Plat of Brighton Park. Mr. Ryder seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Preliminary Plats

4) Brighton Park

Location: west of County Line Road and southeast of Hardiman Road

Representative: Goodwyn, Mills and Cawood, Inc.

Owner: Huntsville Enterprises

Lots: 69

Acreage: 50.09 acres, more or less

Staff Report: The Technical Review Committee has reviewed this project and as of this date all comments have not been satisfied.

Planning comments: **Staff states that all listed comments were satisfied prior to the meeting.**

1. Several lots in Hardiman Place Phase 3, PB G/PG 252 are in the City Limits. Show all City and unincorporated boundaries.

2. Signature – Madison Utilities

Developer Comments: Joe Murphy explains the advantage of tree lined streets in the subdivision.

Public Comments: Allison Callahan questions the location of the roads and Mill Road shoulder maintenance.

Motion: Mr. Potter moves to approve the Preliminary Plat of Brighton Park. Mr. Ryder seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

5) Millstone, Phase 2

Location: north of Mill Road, south of Brown’s Ferry Road, east of Mose Chapel and west of Bibb Drive

Representative: Smith Engineering Co. Inc.

Owner: Milltrace Run, LLC

Lots: 55 & 1 Tract

Acreage: 35.39 acres, more or less

Staff Report: The Technical Review Committee has reviewed this project and as of this date all comments have not been satisfied.

Variances requested:

1. Applicant is requesting a variance to reduce the right-of-way from 50 feet to 46 feet.

Motion: Mr. Ryder moves to approve the requested variance to reduce the right-of-way from 50 feet to 46 feet. The road must be 26’ face of curb to face of curb and 27’ back of curb to back of curb. Ms. McCollum seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Planning comments:

1. Application for Preliminary Plat must be signed by the property owner. **Staff states this item was satisfied prior to the meeting.**
2. Signature required from Madison Utilities.

Motion: Mr. Brooks moves to approve the Preliminary Plat for Millstone, Phase 2, with the satisfaction of staff comments. Mr. Bates seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

Certified Plats

6) Hospital Park

Location: west of Wall-Triana Highway and Highway 72 intersection and on the south side of Highway 72

Representative: Smith Engineering Co. Inc.

Owner: Street Side Partners, Inc.

Lots: 2

Acreage: 16.96 acres, more or less

Staff Report: The Technical Review Committee has reviewed this project and as of this date all comments have not been satisfied.

Planning comments:

1. Show all utilities
2. Site assessment must be updated as necessary. **Staff states that this item was satisfied prior to the meeting.**

Public Comments: Glen _____ presents his concerns regarding buffers and drainage. Bill Kahle discusses line of site, light encroachment and noise reduction. Staff explains light encroachment regulations. Chairman Brown states that Huntsville Hospital will be receptive to reasonable requests and believes will be a good neighbor.

Motion: Mr. Brooks moves to approve the Certified Plat for Hospital Park, with the satisfaction of remaining staff comment. Mr. Potter seconded.

Final Vote:

Planning Commission Chairman – Charlie Brown	Aye
Planning Commission Vice Chairman – Stephen Brooks	Aye
Planning Commission Member – Tim Cowles	Aye
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Aye
Planning Commission Member – Michael Potter	Aye

Motion carried.

I. Other Business

There being no other business for discussion Chairman Brown closes the floor.

ADJOURNMENT

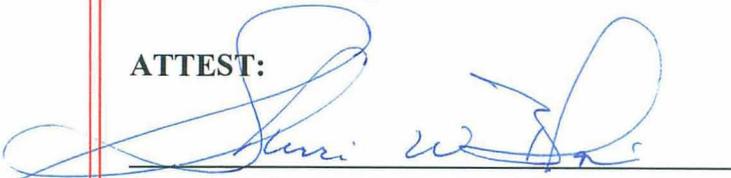
With no additional business to discuss Chairman Brown adjourned the meeting at 7:24 p.m.

Minutes Approved,



**Charlie Brown, C.A.P.Z.O., Chairman
Madison Planning Commission**

ATTEST:



Sherri Blair, CFM, Zoning Administrator