



**Planning Commission
Minutes of the May 18, 2017 Regular Meeting**

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

ATTENDEES

PLANNING COMMISSION MEMBERS

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|---|---------|
| Troy Wesson, CAPZO, Planning Commission Chair | Present |
| John Seifert, CAPZO, City Council Member | Present |
| Michael Potter, CAPZO | Present |
| Cynthia McCollum, CAPZO | Present |
| Steve Ryder, CAPZO | Present |
| Cameron Grounds, CAPZO | Present |
| Lewie L. Bates, CAPZO | Present |
| Stephen Brooks, CAPZO | Present |
| Tim Cowles, CAPZO | Present |

PLANNING STAFF PRESENT

Gary Chynoweth P.E., Director of Engineering; Mary Beth Broeren, Director of Planning and Economic Development; Johnny Blizzard, Senior Planner; Becky Grimes, Prosecuting Attorney

REGISTERED PUBLIC ATTENDEES

Horace Smith, Joe Ernst, Tammy Ernst, Janet Hurley, Sharon Tehan, Steve Tehan, Dave Miller, Gregg Shaw, John Emich, Cheryl Emich, Scott D Welch, Amy Garrigan, Brian Barlow, Maureen Trainor, Michael Trainor, Margo Domitrovich, Luke Tarkersley, Mark Kather, Kevin Barnes, Nicole Poore, Vicki Mitchell, Jordan Matthews, Jennifer Matthews, Kathryn Stern, Bill Stern, Tim Rich, Brain Shirley, Heather Dochier, Sue Wagner, Rod Wagner, Laurel White, Gail Ayres, Hugh Ayres, Heath Gallaway, Don Spencer Jr., Bryon Novack, Thomas Jarviren, Erin Catoire, Jackie Whithom, Ronald G. Myers, Melisa Myers, Kathleen McKay, Jason McKay, Stacey Schlaman, Brian Freeman, Annie Freeman, Paula Turner, Jeffry d. White, Scott Rawls, Alex Robertson, Jim McKee, Lee Connor, Markeisha Layne, Gary Heard, Janice Heard, Anthony Russell, Cassandra Cruzen, Ford McCellon, Andrea Kilgore, Jason Phillips, Jeff Mullins, Gary Sparks, Mike Hurley

ACCEPTANCE OF THE AGENDA

Chair Wesson indicated that item 7 would be considered after item 4, and item 9 would be considered after item 6. The agenda was accepted with the proposed changes.

APPROVAL OF THE MINUTES

Mr. Potter moved to approve the minutes of the April 20, 2017 Regular Meeting. Mrs. McCollum seconded the motion.

Final Vote:

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|-----------------------------|---------|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Aye |
| Steven Ryder | Abstain |
| Cameron Grounds | Abstain |
| Lewie Bates | Aye |
| Stephen Brooks | Abstain |
| Tim Cowles | Abstain |

Motion Carried

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

Subdivisions

- 1. Cedar Cove, Phase IIA (PP 2017-003)**
Preliminary Plat for 16 lots on 9.02 acres
Location: South of Powell Road, East of Segers Road
Applicant/Owner: Woodland Homes

Applicant Comments:

Heath Galloway spoke on behalf of the applicant and summarized the request for 16 lots and indicated he was available for questions.

Staff Comments:

Mr. Blizzard presented the staff report. The subject property is located south of Powell Rd. and east of Segers Rd. The subdivision project started in 2015 but was delayed until permission was granted by the U.S. Army Corps of Engineers to fill a pond. Cedar Cove, Phase IIA is the last phase of the subdivision to be completed. It will include the construction of 957 linear feet of new public streets, which will extend Cedar Farms Drive and Cedar Branch Drive and complete the internal street system. The smallest lot proposed will be 16,062 square feet and the average lot size will be 18,495 square feet. The largest lot will have an area of 29,337 square feet. The property is zoned R3A. Mr. Blizzard concluded that staff recommends approval with contingencies and noted that only the Planning Department's contingencies remain.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve the preliminary plat for Cedar Cove, Phase IIA (PP2017- 003) with contingencies.

Planning Department

- 1. Cover Sheet: Signatures:
 - 1) Athens Utilities
 - 2) North Alabama Gas
 - 3) Limestone County Water & Sewer
 - 4) Street System Design Certificate
 - 5) Intersection Sight Distance Certificate

Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

2. Piney Creek Phase 1 (FP 2017-005)

Final Plat for 84 lots on 50.11 acres

Location: South of Powell Road, West of Segers Road

Applicant/Owner: Smart Living, LLC

Applicant Comments:

Jeff Mullins spoke on behalf of the applicant and summarized the request, indicating that the preliminary plat had been approved approximately eight months ago and he was available for questions.

Staff Comments:

Mr. Blizzard presented the staff report. The subject property is located south of Powell Rd and west of Segers Rd. The proposed final plat will consist of the 74 lots approved with the preliminary plat

for Piney Creek, Phase 1 and 10 additional lots approved with Piney Creek, Phase 2. The 10 lots approved with Piney Creek, Phase 2 are identified as Lot 51-61 and front the west side of Starling Drive. The smallest lot will have an area of 9,000 square feet and the largest lot will be 32,361 square feet. The subdivision will have 3,873 linear feet of public streets. A trail is being constructed within the 30 foot pedestrian access easement highlighted in red in Figure 2. A 30 foot temporary ingress/egress easement will also be established on Lots 71 and 81 to provide a second emergency access until a permanent second entrance is established with Moore’s Creek Subdivision at the south end of the subdivision. The easements are shown on Figure 2 with red dashed lines. Mr. Blizzard concluded that staff recommends approval with contingencies.

Public Comments:

Mr. Joe Ernst asked if the school issue in Limestone County had been resolved, expressing concern about more residential units and the impacts to Madison City schools. Mr. Blizzard responded that zoning and preliminary plat approval give the developer vested rights.

Commission Comments:

Councilmember Seifert inquired as to whether this subdivision had already been accounted for in the schools’ projections. Mrs. Broeren replied that it was included in the approved project list and indicated that the City could not undo the preliminary plat approval.

Motion:

Mr. Brooks motioned to approve the final plat for Piney Creek, Phase 1 (FP2017-005), with contingencies

Planning Department

1. Submit title opinion
2. Sheet 2: Signatures:
 - 1) Certificate of Title
 - 2) Notary’s Acknowledgement
 - 3) Limestone County Water & Sewer
 - 4) Athens Utilities
 - 5) North Alabama Gas

Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

3. Ashbury, Phase 6 (CP 2017-004)

Certified Plat for 4 lots on 4.89 acres

Location: North of New Bristol Lane, West of County Line Road

Applicant/Owner: Colony Investment Company, LLC

Applicant Comments:

None.

Staff Comments:

Mr. Blizzard presented the staff report. A certified plat for Ashbury, Phase 6 was approved by the Planning Commission on March 23, 2017 for a three lot subdivision. The applicant has modified that plat to include an additional lot. The requested certified plat will consist of four lots on 4.89 acres with the largest lot having an area of 1.27 acres and the smallest lot an area of 1.2 acres. There will only be one access to County Line Road into the subdivision and all four lots will have access to New Bristol Lane via a shared egress/ ingress easement. The subdivision plat conforms to dimensional requirements for the B2 District and all applicable requirements in the Subdivision Regulations for certified plat approval. Mr. Blizzard concluded that staff recommends approval of the proposed project and reviewed the outstanding contingencies noted in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

Mr. Potter confirmed proposed access for the four lots. Mr. Blizzard responded, outlining the access proposal.

Motion:

Mr. Bates motioned to approve Certified Plat 2017-004 for Ashbury, Phase 6 with contingencies.

Planning Department Comments

1. The reciprocal access agreement between the four proposed lots shall be submitted to the Planning Department for review and approval prior to recordation of the agreement or plat. A copy of the recorded agreement shall be provided to the Planning Department within 30 days of recordation of the plat.
2. Signatures
 - 1) Mortgage holders
 - 2) Notary's Acknowledgement
 - 3) Athens Utilities

Councilmember Seifert seconded the motion.

Final Vote:

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|-----------------------------|-----|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Aye |

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|-----------------------|-----|
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |
| Motion Carried | |

Chair Wesson indicated that items 4 and 7 on the agenda would be considered together, with one staff presentation.

4. Leathertree Estates, Fourth Addition (CP 2017-005)

Certified Plat for 2 lots on 3.57 acres

Location: North of Gillespie Road, East of Wall-Triana Highway

Applicant: Jr. Food Stores, Inc.

Owner: Vasant & Anjana Patel

7. Houchens Industries – Crossroads IGA (SP 2017-010)

Site Plan for 10,301 square foot building

Location: North of Gillespie Road, East of Wall-Triana Highway

Applicant: Jr. Food Stores, Inc.

Owner: Vasant & Anjana Patel

Applicant Comments:

Heath Galloway spoke on behalf of the applicant and summarized the request for one tract and two lots. Tim Rich, Houchens Industries, stated that the development would consist of a neighborhood grocery, fuel station and drive-thru restaurant.

Staff Comments:

Mr. Blizzard presented the staff report. The property is located north of Gillespie Road and east of Wall-Triana Highway and zoned B2. The certified plat will create two new lots of record, with Lot 1 having an area of 2.0 acres and Lot 2 having an area of 1.57 acres. The purpose of the certified plat is for the sale and development of Lot 1. Staff is not aware of any development activity for proposed Lot 2. Staff recommends approval of the certified plat and there are no outstanding contingencies.

Mr. Blizzard reviewed the request for the site plan for a 10,310 square foot commercial building and fuel center on two acres. The proposed building uses include a Crossroads IGA (grocery store) and a quick serve restaurant with drive thru. Mr. Blizzard described the access points to the site, described queueing for the drive-thru and reviewed the landscape plan, lighting plan and architectural elevation. Mr. Blizzard indicated that the request includes a waiver for a six foot privacy fence and five feet of landscaping in lieu of a 30 foot buffer. Mr. Blizzard concluded by indicating staff recommends approval with contingencies in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

Mr. Potter inquired as to why the plant Foster Holly was being used for screening and whether Nellie R. Stevens Holly was considered. Brian Shirley, Landscape Architect for the project responded that Nellie R. Stevens was a good substitute.

Councilmember Seifert and Mrs. McCollum inquired about the use of shrubs and what would provide the most effective screening and confirmed the height of the plant material.

Mrs. McCollum asked about vehicle stacking for the drive-thru. Brian Shirley responded that it would be a low volume drive-thru and not likely to have more than two or three cars in queue.

Chair Wesson asked if there was reciprocal access between the lots for a future connection. Keith Galloway indicated that there is a note on the plat for this.

Motion:

Mr. Cowles motioned to approve the certified plat for Leathertree Estates Fourth Addition, (CP2017-005). Mr. Bates seconded the motion.

Final Vote:

| | |
|-----------------------------|---------|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Abstain |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |

Motion Carried

Motion:

Mr. Potter motioned to approve the waiver for a six foot high privacy fence and five feet of landscaping in lieu of a 30 foot landscape buffer. Mr. Cowles seconded the motion.

Final Vote:

| | |
|-----------------------------|---------|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Abstain |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |

Motion Carried

Motion:

Mr. Brooks motioned to approve the site plan for Houchens Industries – Crossroads IGA (SP2017-010) with contingencies and a modification to the plans for Nellie R. Stevens Holly to be planted along the east property line.

Planning Department

- 1. List the name of all materials on elevation plan

Engineering Department

- 1. ADEM Permit required for this project.
- 2. Provide additional dimensioning as shown on Engineering mark-up
- 3. Address vehicle stacking at drive thru
- 4. Corrugated Metal Pipe is not allowed. Use Reinforced Concrete Pipe (within R.O.W.). Use ADS or equivalent (within easements).
- 5. Erosion Control must consist of 3 phases – pre, during, post.

Councilmember Seifert seconded the motion.

Final Vote:

| | |
|-----------------------------|---------|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Abstain |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |

Motion Carried

5. Heritage Provence Medical Mall (CP 2017-006)

Certified Plat for 1 lots on 2.88 acres

Location: North of Huntsville-Browns Ferry Road, East of Burgreen Road

Applicant/Owner: SWR Holdings, LLC

Applicant Comments:

Heath Galloway spoke on behalf of the applicant and summarized the request to combine two lots into one for the purpose of expanding the existing clinic and parking.

Staff Comments:

Mr. Blizzard presented the staff report. The property is located north of Huntsville-Browns Ferry Road and east of Burgreen Road and is zoned B3. The request is for a certified plat to consolidate two lots into one lot on 2.88 acres. The proposed certified plat will allow for an expansion of the West Madison Dialysis Facility as well as additional parking. The expansion of the building would cross the common side yard property line without the consolidation of the two lots into one. The

administrative site plan for the expansion of the West Madison Dialysis was submitted for review and approval by the Technical Review Committee for the May cycle. Mr. Blizzard concluded by indicating the subdivision plat is compliant with all applicable rules and regulations and staff recommends approval.

Public Comments:

Stacey Schlaman inquired about increases in traffic, congestion and lighting. Gary Chynoweth responded that the City was evaluating improvements for that intersection.

Commission Comments:

Mr. Brooks commented that the proposed improvements would not likely generate that many more trips such that it would affect the intersection. Councilmember Seifert asked if there was adequate separation between the project’s driveways on Huntsville-Browns Ferry. Gary Chynoweth responded that there was.

Motion:

Mrs. McCollum motioned to approve the certified plat for Heritage Provence Medical Mall (CP2017-006). Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

Chair Wesson indicated that items 6 and 9 on the agenda would be considered together, with one staff presentation.

6. Cedar Springs Station, Phase VII (CP 2017-007)

Certified Plat for 1 lots on 2.88 acres

Location: South of Mill Road, East of County Line Road
Applicant: Arnold Consulting Engineering Services Inc.
Owner: Charles D. Whitworth

9. Crossroads IGA (SP 2017-013)

Site Plan for 10,247 square foot building

Location: South of Mill Road and East of County Line Road
Applicant: Arnold Consulting Engineering Services Inc.
Owner: Charles D. Whitworth

Applicant Comments:

Heath Galloway spoke on behalf of the applicant and summarized the request for the certified plat. Tim Rich, Houchens Industries, stated that the development would consist of a neighborhood grocery, fuel station and drive-thru restaurant.

Staff Comments:

Mr. Blizzard presented the staff report. The applicant plans to resubdivide two tracts into three lots with the largest lot having an area of 8.19 acres and the smallest lot 2.20 acres. All the lots will have vehicular access from County Line Road and Mill Road via reciprocal access agreements between the five lots. The subject property is zone B3 and suitable for the type of development proposed. Mr. Blizzard stated that staff recommends approval of the plat and reviewed the contingencies, noting that staff was recommending deletion of a note regarding vehicular connection with the residential subdivision to the east.

Mr. Blizzard reviewed the request for the proposed site plan consisting of a 10,247 square foot building and fuel center on two acres. The proposed building uses include a grocery store and a quick serve restaurant with drive thru. Most of the proposed development will take place on Lot 2 of the certified plat for Cedar Springs Station, Phase VII. The proposed development on Lot 2 will impact Lot 1 by crossing Lot 1 linking Lot 2 to Mill Road. Mr. Blizzard reviewed the landscape plan, lighting plan and architectural elevation. Mr. Blizzard concluded by indicating staff recommends approval with contingencies in the staff report.

Public Comments:

There were 20 speakers. Cassandra Cruzen stated that she owns the veterinary hospital nearby and inquired as to any potential impacts to her location and whether there would be a deceleration lane. Mr. Potter responded indicating there will be a new traffic signal at Hardiman and County Line Rd.

Rod Wagner spoke to potential impacts to the residential subdivision to the east, addressing that the HOA has to maintain the existing easement, that the project is only proposing a vegetative screen and that he prefers an eight foot high wall. He stated that he was concerned about decreasing property values and noise from the new use.

Sharon Tehan reported that her house was robbed, and she is concerned about alcohol sales and adjacency to residential with children. She stated that she wants a non-wood wall, preferably steel, along the property line.

Maureen Trainor handed out a picture of the tree line between the subject property and the residential subdivision to the east. She stated she was concerned about safety and would like a wall. She inquired about access off of Mill Road, going west, and stated that she did not want a pedestrian access connection between the project and the residential area.

Sharon Tehan addressed the Commission again, adding that she does not want a pedestrian passageway.

Heather Dozhier asked about the location of the detention pond and where the water would go. Mr. Brooks and Mr. Potter responded indicating that no additional water would go into the stream.

Margo Domitrovich expressed concern about the existing retention pond behind her house and the standing water there.

Scott Welch stated he owns property across the street and that they have had flooding at Arbor Crossings. He wants to make sure there is enough capacity for storm water.

Jordan Matthews asked if there would be a right turn lane off of County Line onto Mill Road. Mr. Potter responded that existing right turn lanes were removed by the State when the County Line improvements were completed. Gary Chynoweth stated they were removed if they were not warranted by analysis.

Mike Hurley inquired about access onto Mill Road going west and stated there should only be a right turn allowed.

Joe Ernst stated he was concerned about safety and traffic.

Mike Shoal reviewed the stub street components and stated he doesn't want a pedestrian connection and wants a wall. He inquired about the easement on Lots 1 and 2. Mr. Potter responded that it was a utility easement. Mr. Shoal concluded by stating he was concerned about security and property values.

Laurel White stated she doesn't want a gas station or drive-thru. She expressed that she thinks the north entrance will be used as a cut through and was concerned about the proposed Leland cypress. She stated she wants a wall and no pedestrian access.

Amy Garrigan expressed concern about how long water will stay in the detention pond, children's safety and noise.

Brian Freeman stated that he did not want the pedestrian access connection and inquired about the hours of operation for the gas station, stating that he wants to maintain a quality community.

Hugh Ayres said he has lived in the area for 15 years and does not want to see anything developed. He stated he was opposed to pedestrian access, wants a wall and expressed concern about maintenance of the creek.

Erin Catoire asked if the operation would include a liquor store.

Kevin Barnes inquired about the existing trees along the property line, the hours of operation, access to/from Mill Road and expressed concerns about ground pollution from the gas station and potential settling due to the stream.

Luke Tarkersley inquired about the stormwater detention and potential water pollution.

Kevin Barnes addressed the Commission again, also expressing concern about the potential for gas and oil pollution.

Gary Sparks stated that he would not patronize the new store.

Jennifer Matthews stated she was concerned about the need for another gas station given that there is one further south on County Line Rd. Mr. Potter responded that that is a question for the developer.

Commission Comments:

Chairman Wesson reviewed the issues that were raised during Public Comments and asked staff to address the items pertinent to them.

Gary Chynoweth responded to the traffic concerns. He stated that the City has asked the developer to modify the access onto Mill Road and that there are no plans to widen Mill Road. He indicated that a right turn lane from County Line onto Mill Road is not warranted but could be added in the future and that he doesn't think there will be a cut-through issue. He stated that a large part of the congestion issue on Mill Road is that Mill and Arbor Trace do not line up well and there is backup during school hours. He indicated that the new signal at Hardiman will be coordinated with hours to facilitate traffic flow.

Mr. Chynoweth then responded to the water and water pollution issues. He indicated that the gas tanks are permitted through the State's Department of Environmental Management and that there will be monitoring wells. The operator is required to report any spills. Any water from the site will go through the detention pond. The existing ditch is a major drainage ditch and capacity issues are being addressed. He stated the project will not contribute to standing water on any other property. Regarding the proposed detention pond, he indicated it will be dry 99 percent of the time and that it will take one to two days to dry after a 10 year storm.

Councilmember Seifert inquired about bird houses to bring in the birds that eat mosquitos. Gary Chynoweth acknowledged the program but responded that the whole subdivision is in a wetland area, where mosquitos are abundant.

Chair Wesson asked staff about the proposed landscaping. Johnny Blizzard reviewed the proposed plan for Lot 2.

Mr. Potter asked about who owned the existing trees. Mr. Blizzard indicated it was the HOA.

Mr. Brooks asked how long the property had been zoned B3. Mr. Blizzard stated since at least 2003.

Chair Wesson asked if the Commission could require a fence and staff responded, yes.

Mr. Brooks asked if any of the houses have a fence now, and it was stated that two properties have fences.

Mrs. McCollum asked the applicant if he was amenable to a fence. Tim Rich stated that they could add security cameras behind the store to address safety concerns. With regards to a fence, he said that they could install an eight foot high solid vinyl fence but not a masonry fence. He did inquire about the feasibility of installing a fence over the existing creek. Gary Chynoweth indicated the project requires an Army Corps permit and they would have to review the fence in the area of the creek. Mrs. Broeren indicated that they could potentially leave a gap where the stream is but have wire, or some other material above the stream connecting both sides of the fence to deter passage.

Chair Wesson addressed the stub street and pedestrian access, concluding that there seemed be consensus on this item. He then asked the applicant to address the operation questions. Mr. Rich responded that the store will likely be open from 6 a.m. to 11 p.m.; however, some are open from 5 a.m. to midnight. He stated the fuel pumps are open 24 hours; however, it is a pay at the pump system. He stated that noise impacts from the drive-thru should be minimal because it is located at the west end of the property and there is a touch screen ordering system at the menu board. He stated that they would not be selling liquor if it requires a separate entrance, which was confirmed by Mr. Grounds.

Mr. Potter addressed concerns about a decrease in property values, reporting that he had a study done in the area around Publix on County Line Rd. The results indicate there is not a negative impact.

Mr. Brooks commented that the property has been zoned B3 for a long time and commercial development should be expected all along County Line Road.

Mrs. McCollum expressed her appreciation to the public for their civil remarks and stated she thinks the developer has listened to their concerns.

Motion:

Mr. Potter motioned to approve the certified plat (CP2017- 007) with contingencies and the deletion of Note 14 in its entirety.

Planning Department

1. Easement running east-west through Lots 1 and 2 will need to be vacated
2. Submit title opinion
3. List all materials used in exterior finish of the building on elevation plan
4. Delete Note 14

Engineering Department

1. Provide Closure Report

2. Provide PUDE for storm drainage from County Line thru to Cedar Springs Station.

Mr. Bates seconded the motion.

Final Vote:

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| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Aye |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |

Motion Carried

Motion:

Mr. Brooks motioned to approve the site plan for the Crossroads IGA (SP 2017-013) with contingencies and a modification to add an eight foot high solid, white vinyl fence along the east property line of the lot with the proposed commercial building.

Planning Department

1. The elevation plan is under review
2. Easement running east west through Lots 1 and 2 will need to be vacated

Engineering Department

1. Provide USCOE stream disturbance permit.
2. Clarify name of Project.
3. Provide dimensions for Mill Road left turn lane.
4. Provide details of Mill Road left turn lane.
5. Recess and angle dumpster pads/enclosures to remove from drive aisle.
6. Label street names on all sheets.
7. Multi-Use Path Pedestrian stop signs are required at driveways. ADA compliant mats and pedestrian stop signs are required at intersections.
8. Provide the drainage report (pdf) that meets the City's MS4 requirements. I question the Pre and Post numbers on Page 2 of report. Report also references Plaza Blvd.

Mr. Ryder seconded the motion.

There was an inquiry as to whether the homeowners could meet with the developer and work out an arrangement for a masonry wall. There was general discussion that the HOA may want to pay the difference between a vinyl fence and a masonry wall. The developer indicated he was willing to talk with them about this.

Final Vote:

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

Mrs. Broeren clarified the Zoning Ordinance requires landscaping with a fence but does not require landscaping with a masonry wall.

(PUBLIC HEARING CLOSED)

8. Somerset Plaza (SP 2017-011)

Site Plan for two buildings totaling 16,553 square feet

Location: North of Continental Boulevard and East of County Line Road

Applicant: Johnson & Associates

Owner: Massoun & Semeramis Nasseri

Applicant Comments:

Scott Rawls, of Johnson & Associates, and Alex Robertson, representing the applicant stated they were available for questions.

Staff Comments:

Mr. Blizzard presented the staff report. The property is located north of Continental Blvd. and east of County Line Rd. and zoned B3. The proposed buildings will have an overall area of 16,553 square feet with the eastern most building having an area of 6,659 square feet and western building having an area of 9,894 square feet. The anticipated uses of the buildings include retail shops and three restaurants. The off-street parking facility will accommodate 105 parking spaces. Mr. Blizzard reviewed the elevation and landscape plan and stated the applicant has requested a waiver of 22 feet. Mr. Blizzard concluded by reviewing the outstanding contingencies and indicating staff recommends approval.

Commission Comments:

Mr. Brooks questioned the number of contingencies and asked if they were significant to which Mr. Blizzard replied, no. Mr. Brooks asked about the elevation for the second building, and staff responded that it was comparable with that of the first building.

Councilmember Seifert asked about the plant material on the east side of the property and Mr. Brooks asked if the building will align with the existing Subway to the north. Scott Rawls, representing the applicant responded to the inquiries.

Motion:

Mr. Potter motioned to approve the waiver for a 22.5 landscape buffer and privacy fence in lieu of a 30 foot landscape buffer. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

Motion:

Mr. Potter motioned to approve the site plan for Somerset Plaza (SP2017-011) with contingencies.

Planning Department

1. Submit an elevation plan for all sides of the buildings consistent with Section 4-8A-7 of the Zoning Ordinance

Engineering Department

1. Provide proof of payment to ADEM.
2. Provide the drainage report (pdf) that meets the City's MS4 requirements. Do not see requirements for 1.14" rainfall event.
3. Report says that all events are not exceeding pre-developed conditions. Post 2-yr east drainage is greater than Pre.
4. Provide dimensions for driveways to Continental Drive and County Line Road
5. Provide accessible route from H/C parking stalls
6. Multi-Use Path Pedestrian stop signs are required at driveways. ADA compliant mats and pedestrian stop signs are required at intersection of roadways.
7. Detention pond is draining to a pipe system that is not in a PUDE

Mr. Bates seconded the motion.

Final Vote:

| | |
|-----------------------------|---------|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Abstain |

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|-----------------|-----|
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |

Motion Carried

10. GYANDEV (SP 2017-014)

Site Plan for 10,069 square foot building

Location: 500 Sun Temple Drive (South of Sun Temple Drive, East of Helios Drive)

Applicant: Moon Construction Services, Inc.

Owner: Dr. Sanjay & Kamal Malhotra

Applicant Comments:

Jason Phillips, representing the applicant, stated he was available for questions.

Staff Comments:

Mr. Blizzard presented the staff report. This is a request for a site plan for a 10,069 square foot building in the Phoenix Center. The property is zoned B2/S1. The proposed building will be used as professional office space. The applicant plans to provide off-street parking with 34 parking spaces, with access from Sun Temple Drive. There will be no access from Sunset Boulevard. Mr. Blizzard reviewed the landscape plan, which includes 26 Nellie R Stevens holly plants and reported that he had let the nearby residents know of the building improvements and landscaping buffer. He noted that the applicant will address a gap in the landscaping. Mr. Blizzard reviewed the lighting and building elevations. Mr. Blizzard concluded by indicating staff recommends approval with contingencies.

Commission Comments:

There were no comments from the Commission.

Motion:

Mike Potter motioned to approve the site plan for GYANDEV (SP2017-014) with contingencies.

Planning Department

1. Show the location of any freestanding signage planned
2. Fill in gap in landscaping along Subset Ridge

Lewie Bates seconded the motion.

Final Vote:

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|-----------------------------|-----|
| Chairman, Troy Wesson | Aye |
| City Council Member Seifert | Aye |
| Mike Potter | Aye |
| Cynthia McCollum | Aye |

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|-----------------------|-----|
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Lewie Bates | Aye |
| Stephen Brooks | Aye |
| Tim Cowles | Aye |
| Motion Carried | |

New Business

None.

ADJOURNMENT

Mr. Wesson adjourned the meeting at 7:39 p.m.

Minutes Approved



Troy Wesson, Chairman

ATTEST:



Johnny Blizzard, Senior Planner and Recording Secretary