



**Planning Commission
Minutes of the June 21, 2018 Regular Meeting**

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

ATTENDEES

PLANNING COMMISSION MEMBERS

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

PLANNING STAFF PRESENT

Kevin Bernard, Associate Planner; Johnny Blizzard, Senior Planner; Mary Beth Broeren, Director of Development Services; Megan Zingarelli, City Attorney.

REGISTERED PUBLIC ATTENDEES

Troy Holcomb, Janice Heard, David Hall, Charlie Sealy, Mo Ali, Bob Jackson, Eric Powell, Justin Markland, John Hoover, T. S Ferrell, Donnie Spencer, Chris Carpenter.

ACCEPTANCE OF THE AGENDA

The agenda was accepted as presented.

APPROVAL OF THE MINUTES

Mr. Potter moved to approve the minutes of the May 17, 2018 regular meeting. Mr. Bates seconded the motion.

Final Vote:

Chairman, Troy Wesson	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Abstain
Lewie Bates	Aye

Mike Potter
 City Council Member Seifert
 Tim Cowles

Aye
 Abstain
 Aye

Motion Carried

PUBLIC COMMENTS

Mr. Donnie Spencer stated that the minutes for the May 17, 2018 Planning Commission meeting that were accepted by the Planning Commission were not accurate and contained inaccuracies. He stated that the inaccuracies pertained to comments made by Mr. Potter regarding the recommendation to slow growth rather than stopping growth in the City of Madison. Mr. Spencer stated that the Growth Committee made no specific recommendations to slow growth in its report, nor has there been any recommendation or policy by the City Council since the adoption of the Growth Report. Mr. Spencer stated that the Planning Commission is therefore still bound by the Growth Plan, Zoning Ordinance and the Subdivision Regulations. Mr. Spencer also stated that based on a United States Supreme Court case ruling, that the inaction of the Planning Commission was a violation of certain rights and that it would be used to challenge the Commission's decisions.

Ms. Janice Heard stated that she is a happily, retired senior citizen who currently has a construction project in progress on the rear adjoining property. Ms. Heard stated that it was her understanding that there would be some buffering between her property and the construction site (intersection of Gillespie and Wall Triana); however, there has been no silt-fence protection installed along her fence similar to those installed along the fences of her neighbors at the construction site. Ms. Heard stated that she was not treated kindly and accused of lying by a city personnel (unnamed) that she contacted about the protection for her fence. Ms. Heard requested help from the Planning Commission to listen to the recordings of phone conversations she had with City personnel, visit the construction site to determine if a silt fence is warranted, and implement communication training for city employees.

PUBLIC HEARINGS

1. **Intergraph North Campus, Phase 3 (CP 2018-010)**
Certified Plat for 2 commercial lots on 3.91 acres
Location: South Graphics Drive, East of Wall Triana Highway
Applicant:/Property Owner: Old Town II, LLC

Applicant Comments

Mr. John Hoover, representing the applicant, stated that he was available to answer questions pertaining to the project.

Staff Report

Mr. Johnny Blizzard stated that the certified plat is to subdivide the existing lot into two lots. He stated that a site plan for a convenience store is being processed for the lot closest to the intersection. Mr. Blizzard also stated that additional right-of-way for Graphics Drive will be

dedicated to the City of Madison with the recording of this plat. Mr. Blizzard stated that staff recommends approval and that there are no contingencies.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Potter motioned to approve Intergraph North Campus, Phase 3 (CP 2018-010). Mr. Seifert seconded the motion.

Final Vote:

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

Motion Carried

2. **Mill Creek Crossing, Phase 2 (CP 2018-009)**

Certified Plat for 2 existing residential lots on 1.16 acres

Location: 101 Mill Creek Crossing, 103 Mill Creek Crossing (South of Mill Creek Crossing, West of Wall Triana – Triana Highway).

Applicant: J.W. Kennedy & Associates, P.C.

Property Owner: David & Karen Kline and Theresa Yankey

Applicant Comments

Mr. Troy Holcomb of J.W. Kennedy & Associates requested approval for the project.

Staff Report

Mr. Johnny Blizzard stated that a portion of the property at 101 Mill Creek Crossing is separated from the rest of the lot by a large drainage ditch, approximately 30 feet in width, and the property owner of 101 Mill Creek Crossing is conveying that area to the property owners of 103 Mill Creek Crossing, who can better utilize the property. Mr. Blizzard stated that staff recommends approval.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Brooks motioned to approve a certified plat for Mill Creek Crossing, Phase IV (CP 2018-009) with contingencies.

Planning Department

- 1. Submit Title Opinion

Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

- 3. **Oxford, Phase 4 (PP 2018-008)**

Certain Plat for 2 commercial lots on 4.04 Acres.

Location: Southwest corner of Lean Cain Boulevard and County Line Road

Applicant/ Property Owner: Keats Investments Company, LLC

Applicant Comments

None.

Staff Report

Mr. Blizzard stated that the certified plat is to divide Tract 2 of Oxford, Phase 1 into two smaller tracts of 2.02 acres (Tract 2-A & Tract 2-B). Mr. Blizzard explained that an administrative site plan for a Bojangles Restaurant was approved for proposed Tract 2-A by the Technical Review Committee. Mr. Blizzard stated that staff recommends approval without contingencies.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Bates motioned to approve the certified plat for Oxford, Phase 4 (CP2018-008) without contingencies. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

4. Willow Creek, Phase 3 (CP 2018-006)

Preliminary Plat/ Construction Plans for 27 lots on 17.21 acres

Location: South of Coach Lamp Drive, East of Shiloh Creek Drive

Applicant/ Property Owner: Focus Investments, LLC

Applicant Comments

Mr. John Hoover, representing the applicant, stated that he was available to answer questions pertaining to the project.

Staff Report

Mr. Blizzard stated that this is a request for a preliminary plat for 27 residential lots and one common area lot on 17.21 acres in the Willow Creek Subdivision. Mr. Blizzard explained that this is the final phase of development for the project, with the smallest lot having an area of 14,200 square feet, and the average lot size will be 17,753 square feet. Mr. Blizzard also stated that the subdivision will include an additional 1,386.96 linear footage of new streets and will extend Coach Lamp Drive. Mr. Blizzard stated that staff recommends approval with contingencies and noted that a letter had been submitted regarding the request and had been provided to the Planning Commission.

Public Comments

Mr. Chris Carpenter stated that he was okay with the plat but would like to see the new phase of the subdivision integrated with the city's greenway system. Mr. Carpenter provided illustrative maps and explained his idea to connect Shallow Run and Willow Creek to the greenway system.

Mr. Bob Jackson asked if there was a compelling reason why Coach Lamp Drive needed to be extended as opposed to keeping the existing cul-de-sac. Mr. Jackson also asked if the City would

make curb corrections when Coach Lamp Drive is extended. Mr. Jackson requested that the trees in the Utility and Drainage Easements near the lots to be developed, remain as an aesthetic feature to the community.

Mr. Kurt Costello stated that his property will be disproportionately affected by the extension of Coach Lamp Drive and requests a back to back cul-de-sac as an alternative. Mr. Costello also stated that he was concerned about heavy equipment impacting the structural integrity of existing homes and the possibility of construction traffic. Mr. Costello stated that the Planning Commission should examine this situation with warmth to ensure a win-win solution for the builder and the existing residents.

Mr. T. J. Farrell stated that he is concerned about pedestrian safety due to diminished visibility if Coach Lamp Drive is extended.

Mr. Eric Powell stated that he was the one who wrote the letter and agreed with the previous comments by his fellow residents regarding the extension of Coach Lamp Drive. Mr. Powell stated that construction traffic access should be on Willow Creek Road, or implement strict operation guidelines to minimize the impact on residents. Mr. Powell also requested that traffic calming measures be installed to maintain pedestrian safety.

Commission Comments

Mr. Potter stated that guidelines exist for construction operation in the City's ordinance. Mr. Blizzard read portions of the City's noise ordinance pertaining to construction activity regarding times, days, and permissions.

Mr. Brooks asked if the total number of lots after the final phase of the subdivision is completed impacts the connectivity of these specific streets. Mr. Blizzard stated the City Ordinance mandates that two abutting stub-streets have to be connected.

Mr. Wesson asked about the plans for transitioning from cul-de-sac to a regular street. Mr. Chynoweth stated that the temporary cul-de-sac will be removed and curb and gutter will be installed and one front yard would be restored when Coach Lamp Drive is extended. Mr. Chynoweth also stated that the City has a street calming policy but only address issues as they become a problem. Mr. Chynoweth stated that monitoring and enforcement are steps before traffic calming measures are considered for implementation,

Mr. Brooks asked if sidewalks, curbs and front yards will be addressed when the cul-de-sac is removed. Mr. Chynoweth stated that the area would be adjusted by the contractor to look like a regular straight street when the work is completed. Mr. Chynoweth also stated that he is unaware of which trees would be removed, but the developer might be inclined not to unnecessarily remove trees due to the cost of removal. Mr. Chynoweth explained that the connectivity of the communities to the Mill creek greenway system as suggested by Mr. Carpenter would have to be further examined and discussed due to drainage issues in the floodway.

Mr. Blizzard stated that there was time for consideration for an easement to be requested on the final plat, because this project is still in the preliminary plat phase.

Mr. Potter stated that the Planning Commission cannot regulate a developer concerning children playing in the street; that is a Madison City Police issue.

Motion:

Mr. Brooks motioned to approve the preliminary plat/construction plans for Willow Creek, Phase 3 (PP2018-006) with contingencies.

Engineering Department

1. Provide pre and post information for 1.14" rainfall event.

Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

5. Sealy Subdivision (PP 2018-007)/ Variance to Section 5-4-1 of the Subdivision Regulations)

Preliminary Plat/ Construction Plans for 2 lots on 7.01 acres

Location: East side Sullivan Street at the terminus of Kyser Boulevard

Applicant: Sealy Management Company, Inc.

Property Owner: SS Madison, LLC

Applicant Comments

Mr. David Hall, representing the applicant, stated that he was available to answer questions pertaining to the project.

Staff Report

Mr. Blizzard stated that this preliminary plat request is to consolidate eight lots into two lots to establish developable parcels for a mixed use project. Mr. Blizzard also stated that although the preliminary plat and site plan are considered as two separate items, the actual construction of the subdivision and site plan improvements will be as one integrated construction project. Mr. Blizzard explained that the request includes the extension of Shorter Street 690

feet southwest, which will terminate at the Sullivan Street and Kyser Boulevard intersection. He stated that the applicant is proposing the width of the right-of-way for Shorter Street be 49 feet instead of 50 feet, which requires a variance to the Subdivision Regulations. Mr. Blizzard also explained that the project includes installation of a traffic signal at the intersection of Kyser and the Shorter Street extension, and the project will also accommodate construction of sidewalk along the Sullivan Street frontage and the Shorter Street extension. Mr. Blizzard stated that the substation located in the southwest area of the subject properties will be removed when a replacement facility is constructed and that the area of the existing substation will largely be used for right-of-way for the Shorter Street extension. Mr. Blizzard stated that staff recommends approval with contingencies.

Public Comments

Mr. Jeff North stated that it is a beautiful project but asked if it would be a Shorter Street or Kyser Street extension. Mr. North also asked why the sidewalk along Sullivan street was not included as part of the project.

Mr. Donnie Spencer stated that he was proud of this project in downtown Madison after decades of neglect and blight. Mr. Spencer stated that this new project will have an approximately \$25 million dollar impact on the local community, and he plans to provide evidence from research on the economic benefits of residential construction on local economies.

Commission Comments

Mr. Wesson asked about the correct name of the proposed street and sidewalk considerations along Sullivan Street. Mrs. Broeren stated that there are deliberations on the final naming of the street due to existing addresses and other factors for consideration. Mrs. Broeren also stated that the plans show the sidewalk along Sullivan but note that it will be done by others, which will be the City in association with the planned widening of Sullivan Street in the near future.

Mr. Wesson asked if the 174 new multi-family units were accounted for in the School Growth Plan, and Mr. Brooks asked if this type of development added fewer kids to the school system. Mrs. Broeren stated that the new units were accounted for in the study and that this type of development generally added fewer kids to the school system based on the combination of units offered.

Mr. Brooks stated that the commercial square footage is smaller than previously expressed. Mrs. Broeren stated that the Development Agreement with the City requires 10,000 square feet. The project includes outdoor plazas that are part of the leased commercial space, such as outdoor dining, thus the project meets the requirements of the Development Agreement.

Motion 1:

Mr. Brooks motioned to approve the variance to Section 5-4-1 of the Subdivision Regulations to allow for a 49 foot right-of-way. Mr. Bates seconded the motion.

Final Vote:

Chairman, Troy Wesson	Aye
Cynthia McCollum	Aye

Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	Aye
Mike Potter	-----
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

Motion 2:

Mr. Bates motioned to approve the preliminary plat/construction plans (PP2018-007) with contingencies.

Planning Department

1. Variance to Section 5-4-1 of the Subdivision Regulations must be granted.

Engineering Department

1. Provide minimum finish elevation for each lot.

Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

Special Development Permit

6. **Sealy Mixed Use Project – Site Development Permit (SDP 2018-001)**
Site Plan for mixed use development with 174 multi-family residential units and 8,935 square feet of enclosed commercial space and associated infrastructure on 7.01 acres.
Location: East side of Sullivan Street at the terminus of Kyser Boulevard
Applicant: Sealy Management Company, Inc.
Property Owner: SS Madison, LLC

Staff Report

Mr. Blizzard stated that this property is in the Downtown Redevelopment Incentive Overlay District. The City Council entered into a Development Agreement with SS Madison, LLC in 2017 for the purpose of facilitating the development of the subject property with a mixed use project. Mr. Blizzard explained that the major components of the project will include:

Two four-story multi-family buildings with an overall height of 53 feet. The north building will have 134 residential units and contain the leasing office and amenity spaces such as an interior courtyard with a pool, workout room and lounge area. The south building will have 40 residential units.

There will be 8,935 square feet of enclosed commercial space located on the south side of the project, flanking the residential building. The commercial buildings will be one-story in height. Both commercial areas will have adjacent plaza areas allowing for outdoor commercial areas totaling approximately 1,100.

As part of the preliminary plat for this site, the project will extend Shorter Street from Short Street to Sullivan Street. Sidewalk and street lighting will be provided along the Shorter Street extension. The project includes two un-gated off-street parking facilities, which will have access off of Shorter Street and Short Street, as well as on-street parking. There are 353 parking spaces in the off-street parking facilities and 32 on-street parking spaces, for an overall total of 385 spaces.

Mr. Blizzard stated that staff recommends approval and reviewed the contingencies.

Commission Comments

Contained in item 5 discussion.

Motion:

Mr. Brooks motioned to approve the Site Development Permit (SDP 2018-001) for the Sealy Mixed Use Project with contingencies.

Planning Department

1. Submit a colored rendering of each elevation. The rendering must reflect the color, percentage and type materials used. However, the actual elevation plan will be reviewed and approved with the architectural plans.
2. Add a density schedule showing the number of dwelling units per net acre and unit type and number of each unit type
3. Label the additional 1,065 square feet of commercial area in the plazas. Enclosed commercial space may be substituted.
4. Label the number of trees and shrubs in each grouping on the drawing
5. Landscaping counts do not match the provided landscaping noted
6. Identify how refuse storage, ground mounted service equipment within 100 from residential areas and public right-of-ways will be screened. Screening must be in accordance with Section 4-6B-5 of the Zoning Ordinance.

Engineering Department

1. Provide authorization/approval from TVA for any development, landscaping, lighting, etc. within TVA easement.
2. Provide traffic signal drawing to coordinate intersection improvements with Kyser Blvd.

Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

New Business

Mr. Wesson stated that he would contact Councilmember Clark regarding the concerns expressed related to construction fencing near the IGA project.

ADJOURNMENT

Mr. Wesson adjourned the meeting at 6:40 p.m.

Minutes Approved



Troy Wesson, Chairman

ATTEST:



Johnny Blizzard, Senior Planner and Recording Secretary

