



**Planning Commission
Minutes of the October 25, 2018 Regular Meeting**

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

ATTENDEES

PLANNING COMMISSION MEMBERS

Troy Wesson, CAPZO, Planning Commission Chair	Absent
John Seifert, CAPZO, City Council Member	Present
Cynthia McCollum, CAPZO	Present (Arrived 5:34 p.m.)
Steve Ryder, CAPZO	Present
Cameron Grounds, CAPZO	Present
Stephen Brooks, CAPZO	Present
Lewie L. Bates, CAPZO	Present
Michael Potter, CAPZO	Absent
Tim Cowles, CAPZO	Absent

PLANNING STAFF PRESENT

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

REGISTERED PUBLIC ATTENDEES

Chris Henke, Ed Porter, Jacqueline Porter, John Long, Larry Chaffin, Lydia Chaffin, John Kaczynski, John Robertson, Jasmine Felder, Kim Hammon, Brenden Hammon, Brayden Hammon, Brantly Kate Hammon, Beau Hammon, Evan Mitchell, Lisa Grady, Samar Grady, Jarcia Kosinski, Ursula Norenberg, Lee K. Hotce, Alyse Kirby-French, Michelle Jessup, Steven A. Hedden.

ACCEPTANCE OF THE AGENDA

Mr. Blizzard noted that item 4 on the agenda was for a final plat, which was reflected in the title but not in the secondary heading. The agenda was accepted as presented.

APPROVAL OF THE MINUTES

Mr. Bates moved to approve the minutes of the September 20, 2018 regular meeting. Mr. Ryder seconded the motion.

Final Vote:

Chairman, Troy Wesson	-----
Cynthia McCollum	-----
Steven Ryder	Aye

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

Motion Carried

PUBLIC COMMENTS

Chairman Brooks gave instructions to everyone in attendance on the format of the public comment segment of the meeting; specifically comments related to the proposed Oakland Spring Branch Greenway. Mr. Brooks also mentioned that the proposed greenway parking lot is not yet funded and alternative parking solutions are being explored. Mr. Brooks stated that there would be other opportunities to comment on different parking strategies once the funds are available for the parking lot.

Mr. John Robertson stated that he likes greenways but is concerned about strangers in the neighborhood, the impact increased vehicular traffic would have on neighborhood safety. He also stated that he wants reduced encroachments on subdivisions around the greenway, as well as consideration of the locations of the proposed parking lot and access points to the greenway to reduce vehicular traffic.

Mr. Chris Henke stated that the proposed greenway path is approximately 102 ft. away from his home and asked if redesigning the greenway is possible, to allow the path to be constructed farther from his home.

Mr. Patrick English stated that he and other residents of the neighboring subdivision were not informed about any future trail development at the proposed location and that the proposed greenway could not be definitively found on any City document or maps. Mr. English also stated that he is concerned about challenges to his child's safety, due to reduced privacy, from the tree removal to construct the greenway. Mr. English recommended that the City of Madison communicate information about future projects more clearly to developers who will pass it down to potential home buyers, so they can make informed decisions about where they want to live.

Mr. John Kaczynski stated that he is unhappy with the proposed parking lot and the access to it. Mr. Kaczynski stated he likes the idea of a greenway but is displeased with the removal of the trees to construct the greenway. Mr. Kaczynski also stated that he thinks it will be unfair if the neighborhood HOA is required to fund the maintenance of the greenway.

Mr. Beau Hammon stated that when he was looking to buy his home in the area he was aware of the proposed greenway construction but is confused about having a 40 space car parking lot in the proposed location. He expressed concern about activities that might occur in the parking lot. Mr. Hammon stated that all vehicle parking should be accommodated at an alternative location.

Mrs. Marie Tenney stated that she is a military wife who lives in the neighboring subdivision with her children and is concerned that the proposed greenway would increase pedestrian and vehicular traffic to the community and negatively impact the safety of her family.

PUBLIC HEARINGS

Zoning Text Amendments

1. Thrift Stores (ZTA 2018-004)

Zoning Text Amendment for revisions to Section 4-6A-1 and Section 4-6A-5 of the Zoning Ordinance to permit thrift stores as a conditional use

Location: City of Madison

Applicant: City of Madison

Staff Report

Mr. Johnny Blizzard stated that this request is to amend the zoning ordinance to allow thrift stores as a conditional use. Mr. Blizzard stated that the provision is to provide safeguards that would address negative aesthetics of donation drop-offs and storage on the exterior of the facility. Mr. Blizzard stated that staff suggests creating a category for thrift stores and make it a conditional use in B2 (Community Business District) and B3 (General Business District) areas. He explained that in the amended ordinance, 'Thrift Stores' would be defined and specific language would be added to Section 4-6A-5 that focuses on the procedure for accepting and storing donations. He added that the phrase "and not visible from a public right-of-way" shown in the staff report is recommended to be deleted (shown in double strikeout for these minutes).

The amendment to the Zoning Ordinance is outlined below.

Table 1 Permitted Uses in Commercial Districts & Medical Center Districts

P-Permitted By Right, NP-Not Permitted and C-Permitted Subject to Conditions

Uses	B1	B2	B3	MC	Standards
Thrift Stores	NP	C	C	NP	4-6A-5 (20)

~~**A "retail or service establishment" shall mean an establishment 75% of whose annual gross dollar volume of sales of goods or services (or of both) is not for resale and is recognized as retail sales or services in the particular industry.~~

Section 4-6A-5 Standards for Approval of Conditional Uses

20. Thrift Stores. (note: existing items numbered 20-23 would be re-numbered 21-24)

Any establishment open to the general public wherein one or more types of secondhand domestic articles are sold, such as clothing, shoes, furniture and other assorted items, the value of which is only a fraction of the original cost, for which price guides are not available and which normally have no collectible or antique value. The following conditions apply to all such thrift stores.

1. Thrift stores shall have at least one designated donation area. Donation area(s) shall be located at the rear of the store and not visible from a public right-of-way and/or located

completely inside the thrift store. Donations may only be accepted at designated donation areas.

2. Donation boxes or containers located outside the building are prohibited.
3. Adequate signage must be provided to alert the public to where donations may be dropped off.
4. Merchandise or donations left outside are strictly prohibited.
5. The outdoor display and/or sale of merchandise is prohibited.

Mr. Blizzard stated that staff recommends approval.

Public Comments

None.

Commission Comments

The Commission members discussed the first condition and recommended that wording be added to clarify that drop off be inside the building. Discussion ensued with Mr. Blizzard suggesting clarifying language to reference drop off be within the principal structure.

Mrs. McCollum inquired about donation boxes and Mr. Cameron Grounds asked staff if the Zoning Text Amendment addressed donation boxes owned by City of Madison Thrift Stores that are located outside the city limits.

Mr. Johnny Blizzard stated that the proposed amendment would not allow donation boxes and the zoning ordinance already addresses other outdoor storage allowances for each commercial district.

Motion:

Mr. Seifert motioned to approve the Zoning Text Amendment to amend Section 4-6A-1 and Section 4-6A-5 of the Zoning Ordinance (ZTA 2018-004) and forward to the City Council for adoption with the recommended changes to reference drop off within the principal structure.

Mrs. McCollum seconded the motion.

Final Vote:

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

Motion Carried

Subdivisions

2. **Bartlett Mill Subdivision (LP 2018-003)**

Layout Plan for 18 Lots on 4.74 acres

Location: North of Browns Ferry Road, East of Balch Road

Applicant/Property Owner: Farm and Land Assets, LLC

Applicant Comments

Mr. Evan Mitchell stated that he represents the applicant and is available for questions.

Staff Report

Mr. Johnny Blizzard stated that the proposed layout plan for 18 lots on 4.74 acres is consistent with all applicable regulations and is below the prescribed density of 5.8 units per acre with a minimum lot size of 7,500 square feet. Mr. Blizzard stated that the project will also allow an access point to the Mill Creek Greenway from Browns Ferry Road. Mr. Blizzard stated that staff recommends approval.

Public Comments

Mr. John Long stated that he lives at the property adjoining Lot 9 and asked if the intent is to remove the trees near his home, and what noise abatement measures will be in place during the construction of the subdivision.

Mr. Johnny Blizzard stated that all construction within the city is governed by the City of Madison's Noise Ordinance.

Commission Comments

Mr. Brooks stated that property owners have discretion over the trees on their property and they cannot be removed without his permission.

Motion:

Mr. Bates motioned to approve Bartlett Mill Layout Plan (LP2018-003). Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

- 3. **Burgreen Village, Phase 4** (Final Plat 2018-006)
Preliminary Plat for 32 Lots on 28.8 acres.
Location: North of Powell Road, West of Burgreen Road
Applicant/Property Owner: Mungo Homes of Alabama, Inc.

Applicant Comments

None.

Staff Report

Mr. Johnny Blizzard stated that the request is for a final plat for 32 lots on 28.80 acres in the Burgreen Village Subdivision. Mr. Blizzard also stated that 104 of the 273 lots approved with the layout have received final plat approval and have been factored into the Madison City School Board's school capacity estimates. Mr. Blizzard stated that this phase will provide 1,223 linear feet of new streets. Mr. Blizzard stated that staff recommends approval.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Bates motioned to approve the final plat for Burgreen Village, Phase 4 (FP2018-006). Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

- 4. **Burgreen Farms, Phase 3** (Final Plat 2018-007)
Final Plat for 28 Lots on 22.95 acres.
Location: North of Powell Road, West of Burgreen Road
Applicant/Property Owner: Mungo Homes of Alabama, Inc.

Applicant Comments

None

Staff Report

Mr. Johnny Blizzard stated that the request is for a final plat for 28 lots on 22.95 acres in the Burgreen Farms Subdivision. Mr. Blizzard also stated that 104 of the 273 lots approved with the layout have received final plat approval and have been factored into the Madison City School Board’s school capacity estimates. Mr. Blizzard stated that this phase will provide 1,521 linear feet of new streets, and two new common areas with the smaller of the two serving as a buffer along Burgreen Road. Mr. Blizzard stated that staff recommends approval.

Commission Comments

None.

Motion:

Mrs. McCollum motioned to approve the final plat for Burgreen Farms, Phase 3 (FP2018-007). Mr. Seifert seconded the motion.

Final Vote:

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

Motion Carried

Public Hearing Closed

Location, Character & Extent

5. **Wall Triana Multi-use Path** (Location, Character & Extent 2018-006)

Location: North of Browns Ferry Road, South of Gillespie Road, West of Wall Triana Highway
Applicant/ Property Owner: City of Madison

Staff Report

Mr. Johnny Blizzard stated that the proposed project will provide a much needed off-road pathway along the west side of Wall Triana, allowing for a safer means of pedestrian and bicycle travel. Mr. Blizzard explained that the proposed multi-use path will be located entirely within City right-of-way and will provide a connection to community venues, as well as a link to the multi-use path on Hughes Road via Gillespie Road, Eastview Drive, and Browns Ferry Road. Mr. Blizzard also stated that the multi-use path is consistent with the City’s recently

updated Transportation Master Plan and the Parks & Recreation Master Plan. Mr. Blizzard stated that staff recommends approval.

Commission Comments

Mr. John Seifert asked staff if there is a cost estimate for the project. Mr. Gary Chynoweth stated that there is an estimated cost but the project has not been out for bids so the real cost is unknown at this time.

Mr. Stephen Brooks asked staff about the impact the proposed multi-use path construction will have on the start date of the proposed roundabout at Balch Road and Gillespie Road. Mr. Gary Chynoweth stated that construction of the proposed multi-use path will begin in spring 2019 and likely be completed before the start of the proposed roundabout.

Motion:

Mr. Bates motioned to approve Location, Character and Extent (LCE 2018-006) for the Wall Triana Multi-use Path. Mr. Seifert seconded the motion.

Final Vote:

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

Motion Carried

- 6. Madison Public Library Parking Expansion** (Location, Character & Extent 2018-005) for Madison Public Library Parking Expansion.
Location: 142 Plaza Boulevard (North of Plaza Boulevard, West of Hughes Road)
Applicant/ Property Owner: City of Madison

Staff Report

Mr. Johnny Blizzard stated that there will be a total of 190 new parking spaces for the new library with the additional proposed 60 parking spaces. Mr. Blizzard explained that the need for the additional spaces is most acute when all of the meeting rooms are in use and during peak events. Mr. Blizzard also explained that patrons of Lawler's BBQ will be able to use the drives on the public library site to reach Plaza Boulevard. Mr. Blizzard stated that the alternative route was a condition of the City's acquisition of the two acre site. Mr. Blizzard also stated that the detention pond will help prevent flooding during rain events for both Lawler's and the library. Mr. Blizzard stated that staff recommends approval.

Commission Comments

Mr. Stephen Brooks asked staff if there are development plans for the remainder of the lot. Mrs. Mary Beth Broeren stated that the undeveloped portion of the lot would be used for future library programs and or additional parking.

Mr. John Seifert asked staff if the proposed parking would also accommodate Lawler’s BBQ customer parking. Mrs. Marybeth Broeren stated that there is currently no reciprocal parking agreement between the Lawlers BBQ and the City of Madison.

Motion:

Mr. Ryder motioned to approve Location, Character and Extent (LCE 2018-005) for the Madison Public Library Parking Expansion. Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

- 7. **Oakland Springs Branch Greenway** (Location, Character & Extent 2018-004) for Madison Public Library Parking Expansion.

Location: South of Powell Road, West of Segers Road

Applicant/ Property Owner: City of Madison

Staff Report

Mr. Johnny Blizzard explained that the subject property is designated as a flood hazard area and its utilization as a greenway will help preserve the property from more intense development while simultaneously providing a recreation and travel path for pedestrians and cyclists. Mr. Blizzard stated that the 42 acre project, which includes a 10 feet wide asphalt path that is 4700 feet long, represents the first City-sponsored recreational amenity for the western part of the city where significant growth has taken place and is expected to continue. Mr. Blizzard also stated that the proposed greenway system at that location will realize an important goal emphasized in The West Side Master Plan, Growth Plan, Parks and Recreation Master Plan and the Transportation Master Plan. Mr. Blizzard stated that staff recommends approval.

Mr. Gary Chynoweth responded to questions and concerns expressed by residents during the Public Comments segment of the meeting. Mr. Chynoweth, with the aid of maps, summarized that:

1. The road crossing in Moore's Creek is related to the floodplain management strategy agreed to by the Federal Emergency Management Agency (FEMA).
2. The subdivision was developed based on prior floodplain boundaries, which are determined by FEMA. However, recent FEMA 2014 flood analysis has placed some homes back into the flood plain.
3. The relocation of development fill and tree removal by Public Works is being performed for flood control by improving floodwater flow through the flood plain.
4. An environmental assessment of the stream was performed and concluded that there are no endangered species present.
5. Conservation easements for visual buffer are being set to replant trees, or will be confined to city property only.
6. The Home Owner's Association maintains its properties while the City of Madison maintains its property.
7. The proposed greenway location is dependent on the flood study.
8. The City of Madison is actively looking for an alternative location for the proposed parking lot. Another public meeting would be scheduled when funding for the parking becomes available.

Commission Comments

The commission members discussed the probability of the greenway users legally parking on the city streets of the subdivision without the availability of a designated parking lot.

Mr. Stephen Brooks stated that greenway plans may vary throughout the city due to various circumstances, but the intent is to establish connectivity for a greenway system.

Motion:

Mrs. McCollum motioned to approve Location, Character and Extent (LCE 2018-004) for the Oakland Spring Branch Greenway. Mr. Brooks seconded the motion.

Amended Motion:

Mr. Seifert motioned to amend the previous motion, to approve Location, Character and Extent (LCE 2018-004) for the Oakland Spring Branch Greenway design without the parking lot. Mr. Brooks seconded the motion.

Final Vote:

Chairman, Troy Wesson	-----
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	Aye
Mike Potter	-----

Motion Carried

New Business

1. Madison Industrial Area Plan - Update

Mrs. Mary Beth Broeren reported on the City's Industrial Area Plan, stating that a link to the Plan would be sent to the Planning Commission.

2. City of Madison Work Session - Update

Mr. John Seifert reported on the City Council's growth management guidelines/ policies.

ADJOURNMENT

Mr. Brooks adjourned the meeting at 7:02 p.m.

Minutes Approved



Stephen Brooks, Acting Chairman

ATTEST:



Johnny Blizzard, Senior Planner and Recording Secretary