Planning Commission
Minutes of the January 17, 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 (arrived 5:31 p.m.)
Stephen Brooks, CAPZO	Present
Lewie L. Bates, CAPZO	Present
Michael Potter, CAPZO	Absent
Tim Cowles, CAPZO	Present

PLANNING STAFF PRESENT
Kevin Bernard, Associate Planner; Johnny Blizzard, Senior Planner; Mary Beth Broeren, Director of Planning & Economic Development; Megan Zingarelli, City Attorney.

REGISTERED PUBLIC ATTENDEES
Wes Alford, Mary Milly, Robert M. Kendall, Courtney Pollard, Mona Offenbecher
Jim Offenbecher, Lynn Klein, Alice Lessmann, John Peck, Matt Curtis, Jeff York, Nancy Graham, Lewis Graham, Thomas Scovill, Renae Bartlett, Terri Johnson, Jessica Vaughn, Monica Farrell, Patricia Kennedy, Amy Protos, Teresa Kendall, Ed Farrell, Alan Vaughn, Steven Boyer, Karen Denzine, Michael Sheehy, Bobbie Hodges, Eddie Grissett, Sharon Gissett, Butch Roberts, Al Jimmcior, Kevin Vandeberg, Heather Gjesvold, Judi Harris, Phil Harris, Michael Milly, Michael Davidson, Laura Davidson, Troy Holcomb, Luis Ferrer, Joey Ceci, Jill Williams, David Williams, Peggy Walker, Stacy Krupp, John Fellows, Brenda Buschmann, C. G. Shaffer, Suzanne Shaffer, Mike Ball, Johnathan Carlson, Adrien Carlson, Christy McGuire, Marcia Mierez, Al Garrett, Tom Ford, Tyson Parker, Elizabeth Parker, Nancy Waye, Maxwell R. Carter, Connie Cox Spears, Barry Wesson, Mary Ann Caissie, Milton C. Peterson, Gerald Clark, J. Spencer.

ELECTION OF OFFICERS
Chairperson
Mr. Brooks nominated Mr. Troy Wesson to continue as Chairperson for the 2019 calendar year. Mr. Bates seconded the motion.

Final Vote:

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

Motion Carried

Vice Chairperson

Mr. Bates nominated Mr. Stephen Brooks to continue as Vice-Chairperson for the 2019 calendar year. Mr. Seifert 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	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

ACCEPTANCE OF THE AGENDA

The agenda was accepted with three adjustments:

1. Items #7 & #8 regarding subdivision bonds were removed from the agenda.
2. Items #2 thru #6 were moved to the front and item #1 was moved to the end of the agenda.
3. Council Member John Seifert was allowed to present a Growth Policy status update to the Planning Commission.

APPROVAL OF THE MINUTES

Mrs. McCollum moved to approve the minutes of the December 20, 2018 regular meeting. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

PUBLIC COMMENTS
None.

Chairman Troy Wesson granted Council Member John Seifert the opportunity to update the Planning Commission regarding the status of the future Growth Policy to help guide the commission's decisions on future residential requests. Mr. Seifert stated that recent City Council work sessions yielded seven basic policies/guidelines, which address future growth considerations for residential development within the city. He stated that the list outlines the criteria on which the Planning Commission should evaluate annexation and residential development requests. Mr. Seifert read each policy aloud and explained the general intent that guided the Council's decision to approve the Growth Policy in November 2018 . The guidelines are as follows:

Policy 1:
The City supports development of new detached, low density, single family residential projects on property currently in the city limits and zoned for residential uses.

Policy 2:
The City supports active adult and senior independent living communities, i.e. age-restricted communities for older adults.

Policy 3:
Requests to re-zone property currently zoned for Agriculture use to R-1, R-1A, R-1B, R1-C (if established) or cluster zoning may be supported provided that protection of tree canopy/natural features and a phasing plan is incorporated into any development plan.

Policy 4:
Requests to re-zone property to RZ, R3, R3-A or R4 zoning, regardless of density, will not be supported for detached single family development unless they are for single lots that are infill to an approved project or a project consistent with Policy 2.

Policy 5:
The City supports limited development of new attached single-family or multi-family residential projects on property currently in the city limits and already zoned for such residential uses.

Policy 6:
Property zoned or recommended for commercial or industrial development should not be supported to be rezoned to residential unless other significant City objectives are achieved.

Policy 7:
The City supports annexation of property proposed to include residential development if (1) the property is approximately three acres or less in size, or (2) the property is part of a strategic annexation, which is defined as an annexation that results in a meaningful increase in commercial land inventory, preserves the City's ability to annex other potential commercial land, or includes property that will be offered and suitable for public facilities such as schools, critical infrastructure, fire stations, etc.

Mr. Seifert concluded his report by stating that the intended goal of the growth policy is to work along with the Madison City School Board in managing student enrollment challenges, while simultaneously balancing the city's growth needs through practical solutions.

PUBLIC HEARINGS

1. **DYM Eastern Subdivision, (CP 2018-016) Certified Plat for 2 lots on 1.42 acres**
   Location: 145 Lime Quarry Road & 8883 Madison Boulevard (South of Madison Boulevard, East of Wall-Triana Highway)
   Applicant: J.W. Kennedy and Associates P.C.
   Owner: DYM Eastern, LLC and Family Security Credit Union

Applicant Comments
Mr. Troy Holcomb stated that he represents the applicant, is seeking plat approval, and is available to answer questions.

Staff Report
Mr. Blizzard stated that new owners of the restaurant have elected to incorporate additional property to the rear of their existing lot to increase off-street parking capacity. Mr. Blizzard stated that the certified plat meets all applicable regulations and that staff recommends approval.

Public Comments
None.

Commission Comments
None.

Motion:
Mr. Ryder motioned to approve the certified plat for DYW Eastern Subdivision, (CP2018-016) with contingencies.

Planning Department
1. Signatures:
   a. Dedication

b. Mortgage Holder
c. Notaries

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	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

2. **Whitworth Farms, Phase (Certified Plat 2018-017)**
Location: North of Arbor Trace, West of Country Line Road
Applicant: Gonzalez-Strength & Associates, Inc.
Owner: Diltina Development Corporation

Applicant Comments
Derek Meadows, with Gonzalez, Strength & Associates, stated that he is representing the applicant and seeking plat approval.

Staff Report
Mr. Blizzard stated that this is a request for a certified plat for two lots on 5.31 acres, which is zoned B-2. Mr. Blizzard stated that the approval and recording of this certified plat will allow for the legal transfer of one acre for the development of an O'Reilly's auto parts store. Mr. Blizzard explained the contingencies for the plat and stated that staff recommends approval.

Public Comments
None.

Commission Comments
None.

Motion:
Mr. Bates motioned to approve the Certified Plat for Whitworth Farms, Phase VI (CP2018-017) with contingencies.

Planning Department:

1. Submit title opinion
2. Signatures:
   1) Surveyor
   2) Dedication
   3) Mortgage Holder
   4) Notaries
   5) Certificate of Accuracy
   6) Flood Hazard Certificate
   7) Surveyor's Certificates

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	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

3. **Madison Commons at Hughes Road Subdivision (Certified Plat 2018-018)**
Location: 300 Hughes Road (North of Browns-ferry Road, West of Hughes Road.
Applicant: Gonzalez-Strength & Associates, Inc.
Owner: 300 Hughes Road, LLC

Applicant Comments
Todd Thompson with Gonzalez, Strength & Associates, stated that he is representing the applicant and seeking plat approval.

Staff Report
Mr. Blizzard stated that this is a request for a certified plat for two lots on 9.08 acres. Mr. Blizzard explained that the certified plat is to subdivide the property occupied by the Publix Super Market from the retail center currently under construction. Mr. Blizzard stated that the certified plat is in compliance with all applicable regulations and concluded that staff recommended approval.

Public Comments
None.

Commission Comments
None.

Motion:
Mr. Cowles motioned to approve the Certified Plat for Madison Commons at Hughes Road Subdivision (CP2018-018) with contingences.

Planning Department:
1. Submit title opinion
2. Signatures:
   1) Surveyor
   2) Dedication
   3) Mortgage Holder
   4) Notaries
   5) Certificate of Accuracy
   6) Flood Note
   7) Surveyor's Certificates

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	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

4. **The Heights at Town Madison (Final Plat 2018-009)**
Location: South of Madison Boulevard, West of Zierdt Road
Applicant/Owner: Old Town Investments, LLC

Applicant Comments
Jeff Mullins with Mullins LLC stated this plat is the front half of the residential area where the streets are already constructed and the developer is ready to begin construction. Mr. Mullins also stated that he is available to answer questions.

Staff Report
Mr. Blizzard stated that this is a request for a final plat for 40 lots on 74.39 acres in the Town Madison Subdivision. He stated that the entire area is zoned Traditional Neighborhood Development and will accommodate both single family attached and single-family detached dwellings; however, he explained that this final plat is primarily for single-family detached dwellings. Mr. Blizzard reviewed contingencies and stated that staff recommended approval.

Public Comments
None.

Commission Comments
Mr. John Seifert asked staff if these residential lots were included in the Growth Impact Study. Mrs. Mary Beth Broeren stated that they were part of the count.

Motion:
Mr. Cowles motioned to approve the final plat for The Heights at Town Madison (FP 2018-009) with contingencies.

Planning Department:
1. Add the following note: All streets including Town Madison Boulevard must be accepted into the City's maintenance program before any certificates of occupancies can be issued.
2. Signatures:
   1) Dedication
   2) Mortgage Holder

Engineering Department
1. Submit the LOC spreadsheet with quantities based on the as-built drawings.
2. As-built drawings do not show any grading elevations as shown on the construction drawings.

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	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

Motion Carried

5. **West Side Master Plan Amendment** (MP 2018-001) to rezone 105.9 acres from I (Industry) and PNA (Parks and Natural Area) to MR (Mixed Residential). The request is a continuance from the March 22, 2018 Planning Commission meeting and has been subsequently revised.
Location: South of Norfolk Southern Railroad, West of Kyser Boulevard
Applicant/Owner: Louis Breland

Applicant Comments

Mr. Ceci stated that he represents the Breland Companies. He stated that this project has been in the works for a while and that he is confident that the current plan will achieve the strategic objectives of the city and will not negatively impact the Madison City School system because it follows many of the growth and development guidelines previously outlined by Councilmember Seifert. Mr. Ceci presented the following arguments in support of the proposed project:

1. Every phase/ aspect of the proposed residential project will be designed, managed and built, from beginning to end, by the Breland Homes company.
2. Mr. Louis Breland has been and continues to be a benefactor to the City of Madison and the Madison City School System.
3. The property has remained unutilized for its zoned use (M1-Industrial) because it is bordered by residential (R-2 & R-4) zones.
4. The development would be close to downtown Madison, has close proximity to the Bradford Creek Greenway and is adjacent to Palmer Park.
5. The project complements the existing housing surrounding the proposed project area.

Mr. Ceci stated that the challenge with this property is deciding what the best common benefit is to Madison City, the school system and the residents nearby the property. Mr. Ceci also stated that the noise zone of the airport, as well as underground gas and utility lines and a rail line were considered to shape the residential proposal. He also identified Georgia, Tennessee and Maryland as some of the states they researched to evaluate for emerging housing types that would work in Madison City. Mr. Ceci stated that the residential development proposed seeks to achieve three significant goals, which are to minimize the number of students that will be added to the school system, improve Kyser Boulevard to create a major arterial and create connectivity between the residential areas with downtown Madison and the City's greenway system. Mr. Ceci stated that his proposed project models some characteristics of recently approved residential projects (Sealy Project and Enfinger Project) that includes, but is not limited to, quality design and build, local ownership, management restrictions, cluster zoning for density and strategic value. He also stated that he supports forming a development agreement that is mutually beneficial to all parties and which would maintain accountability. Mr. Ceci explained that the proposed residential product will be a Master-planned Luxury Townhouse Community that is designed to attract millennials and active seniors. Mr. Ceci stated that this housing type would generate less school age children and provide a needed residential option for residents who desire to downsize their accommodations.

Mr. Ceci outlined the Development Plan deliverables to include:

1. Kyser Boulevard will be extended through the project as an arterial road to improve the flow of traffic,
2. 25 percent open and green space provided,

3. Resort style pool and amenities,
4. Strict Home Owners Association(HOA) guidelines,
5. Two-car garages for each unit,
6. No home occupancy until year 2020,
7. Greenway connections from downtown to Palmer Park and Bradford Creek greenway,
8. Construction of a landscape berm along the rail-line to reduce noise,
9. Slow phased development with 50 certificates of occupancy per year,
10. High price point for homes,
11. Securing Right-of-way (ROW) for future Westchester Road connection, and
12. Mixture of two and three bedroom options.

Mr. Ceci stated that the City of Madison has a great school system that attract parents with children; however, the City should seek to attract people, who may not have school age children, to the other benefits that the city has to offer. Mr. Ceci showed interior and exterior photos of a similar project to demonstrate the product quality to be expected. Mr. Ceci also presented data that indicates that townhomes generate less school age children than single-family detached homes.

Mr. Brooks asked about the number of school age children generated by town-homes compared to single-family detached homes. Mr. Ceci stated that a mixture of two and three bedroom townhomes generated five to fourteen children per fifty units versus thirty children from single-family homes. Mr. Ceci concluded that the proposed project seeks to attract future residents who are interested more in the City of Madison for quality of life benefits than its school system.

Mr. Wes Alford spoke on behalf of the applicant and stated that he is the president of Breland Homes and also a resident of the City of Madison, with a child still attending Madison City schools and one who has graduated. Mr. Alford stated that he agrees with Councilmember Seifert's comments about smart growth and that cities that are not growing are dying. Mr. Alford stated that he is supportive of the school board and is committed to accomplishing all the goals outlined by Mr. Ceci.

Mr. Wesson asked Mr. Ceci if there would be comments from the Huntsville Airport representative. Mr. Ceci stated there is a representative present. Mr. Ceci also stated that after meeting with the Federal Aviation Administration (FAA), noise mitigation through construction materials were identified to minimize the effect the airport's noise zone challenge.

Mr. Matt Curtis spoke on behalf of the applicant and stated that he is a resident, father of three young children and a local business owner. Mr. Curtis stated that the demographic usually found in the townhome type units are empty-nesters and millennials and not family based. Mr. Curtis stated that based on his experience selling townhomes in the North Alabama region, the proposed housing project at fifty units per year will add less than 5 children to the school system. He also stated that fifty townhomes would generate $75,000 in additional tax revenue, $5 million dollars from revenue from building materials and other local sales tax revenue.

Finally, Mr. Curtis stated that the proposed project would be good for the sector of grandparents who want to move nearer to and support their grandchildren.

Staff Report

Mr. Blizzard read the names of individuals who sent written communication to the Planning Commission including letters from the applicant and Sealy Real Estate Company. Communications were also received from: Ms. Laura Collins, Ms. Stephanie Walker (PTA President Discover Middle School), Mrs. Renee Bartlett (President, Madison School Board), Nancy Washington Vaughn, Ms. Misty Merchant and from Grand Reserve Madison.

Mr. Blizzard stated that this is a request for a zoning map amendment to rezone 105.9 acres from M1 (Restricted Industrial) and M2 (General Industrial) to R3 (High Density Residential). Mr. Blizzard stated that this request is a modification of the original, made during the February 15, 2018 Planning Commission Meeting. He explained that the applicant requested to rezone both parcels from M1 (Restricted Industrial) and M2 (General Industrial) to R4 (Multi-Family Residential). Mr. Blizzard stated that the request was subsequently withdrawn and continued to the March 22, 2018 Planning Commission Meeting at the request of the applicant. Mr. Blizzard stated that at the March 22, 2018 Planning Commission Meeting, the Commission voted to continue a modified request to rezone 86.26 acres from M1 and M2 to RC-2 (Residential Cluster District -2) and rezone 18.82 acres from M2 to R4 indefinitely at the request of the applicant. Mr. Blizzard stated that staff has opposed any change in the zoning of the subject property in the recent past since 2015 primarily due to the lack of industrially-zoned land in the city. He also stated that in 2018, concerns about school capacity were also raised as well as land use compatibility and consistency with the Transportation Plan. Staff is recommending approval of the current request based on factors discussed below.

1. Supply of Industrial Land - The re-establishment of an additional inventory of 463 acres of industrial land on County Line Road previously zoned Mixed Use that has reverted to its original Industrial designated zoning after one year of not achieving single ownership.
2. Land Use Compatibility - The current request for R3 zoning for the construction of townhomes is compatible with the neighboring single family and apartment units to the east, north and south of the property. The proposed units would be sound proofed pursuant to FAA recommendations.
3. Transportation Plan Consistency – The Developer has agreed in principle to construct and fund an arterial type road (rather than a typical subdivision road) through the property with no homes or driveways fronting the road while creating an extension of Kyser Boulevard that will be constructed in a manner to link it to the Westchester Boulevard and Royal Drive intersection. Additionally, the City has no east/west route between the railroad and Madison Boulevard, from Sullivan to County Line Road therefore the improvement proposed by the applicant would assist the City in completing a segment of the future transportation network.

Mr. Blizzard explained that based on the fire code, a maximum of 30 lots can be developed before a second entrance is constructed, plus Kyser Boulevard has to connect to Westchester Road before work on other lots commences. Mr. Brooks and Mr. Seifert asked staff for

clarification regarding the number of lots allowed by the subdivision regulations. Mrs. Mary Beth Broeren confirmed that 30 lots is the maximum allowed; however, she stated that permission to exceed 30 lots will depend on a safety evaluation of site accessibility.

Mr. Seifert also asked Mr. Ceci if connecting Kyser Boulevard to Westchester Road is part of the development plan. Mr. Ceci stated that developing the complete road connection would be a joint effort between the developer and the City of Madison as part of a development agreement. Mrs. Broeren further explained that the developer has the option within the fire code to sprinkle the units as opposed to a second entrance, if they wanted to exceed the 30 lot maximum. She also stated that the City is willing to negotiate options with the developer to achieve the mutually beneficial road connectivity.

Mr. Blizzard then continued listing rationale for staff supporting the proposed project requests:

4. Greenway Connectivity - The southerly extension of Bradford Creek Greenway is needed for two reasons. The most critical is for drainage purposes. With the extension of the greenway under the tracks, the City would be able to improve drainage flow, which would benefit the overall drainage system upstream and provide needed capacity for stormwater. The second reason is to support recreational goals, including the Parks & Recreation Master Plan, by expanding recreational opportunities.
5. School Capacity - The applicant has revised the project and is proposing a townhome product that would likely have fewer occupants with children than standard single family homes based on conversations staff had with HOA representatives of similar type homes in the Madison area. The applicant has also indicated a commitment to a phasing plan, with no units being occupied until 2020. The City's Growth Policy discussions have promoted the phasing plan concept as a way to address some of the School District's concerns.

Mr. Blizzard stated that the plan also shows a Kyser Boulevard extension that will allow it to intersect with the Royal Drive/Westchester Boulevard intersection in the future.

Chair Wesson then invited representatives of the airport and school district to make their remarks.

Mr. Al Jimmerson stated that he has been general counsel for the Huntsville International Airport for over 30 years. Mr. Jimmerson stated that Mr. Butch Roberts – Deputy Director of the Airport and Mr. Kevin Vandenberg- Deputy Director of operations accompanied him in support of his remarks. Mr. Jimmerson stated that despite the fact that some of the previous concerns with the site have been addressed, he is still convinced that the project remains incompatible with the Federal Aviation Administration (FAA) regulations regarding residential uses in a noise impact area, due to the property's 65 to 70 Day-Night Average Sound Level (DNL) rating . He also stated that the Huntsville Airport is growing and that the increased activities will eventually expand the noise impact area. Mr. Jimmerson stated that he is worried that approval of this rezoning would set a precedent for future developments requests in other noise impact zones.

Mrs. Renae Bartlett stated that she is the president of the Madison City School Board. Mrs. Bartlett requested that the Planning Commission deny the applicant's request to amend the

Westside Master Plan. Mrs. Bartlett stated the proposed development is contrary to the City's Growth Policy #6 and that whatever benefits are achieved by the city are outweighed by the impact to the Madison School System. Mrs. Bartlett also noted that previous staff reports recommended denial of the rezoning request due to burden on the school system and that projections for student population growth have been revised to account for unprecedented enrollment. Mrs. Bartlett stated that 3,000 of the 11,000 students in the school system reside in high-density housing and that a new elementary and a middle school is required by Fall of year 2021. Mrs. Bartlett stated that staff now supports the current rezoning request but does not address the impact on the school system, and their report speculates on the typical occupants of the proposed townhomes. Mrs. Bartlett stated that she supports attempts to attract millennials to the city, which will help increase tax revenues to build schools; however, the idea of the proposed location for the proposed home type is unrealistic.

Mr. Robby Parker stated that Mr. Alford and Breland Homes have been very good partners with and supportive of the Madison City School System. Mr. Parker stated that his loyalty is to the students within the school system. Mr. Parker also stated that the schools are at physical capacity and that high density developments are very impactful to the school system. Mr. Parker requested that the Planning Commission consider the school system's data above all other presented.

Public Comments

Mr. Michael Sheehy stated that growth is desirable if it's managed. He also stated that the growth policy is a guide and not a pass. Mr. Sheehy stated that mathematically the school system will be overwhelmed based on the number of lots already approved plus those requesting approval for development. Mr. Sheehy stated that the low projection of school aged children that would be added by the proposed development is not credible. Mr. Sheehy stated that phasing the development is important; however, it should be accompanied by thresholds as another measure to ensure adequate resource allocation. Additionally, all new rezoning for residential developments must be within the growth policy framework, credible, and supportable.

Mr. David Williams stated that he is a former marine, has two school age children and moved to the City of Madison to access the school system. Mr. Williams stated that the current 'A' rating of the school system may eventually slip due to the increasing number of enrolled students. Mr. Williams also stated that there should be better controls for the growth goals milestones within the growth policy for each phase of the development.

Mr. Louis Graham stated he lives near the proposed development and is a Madison business owner. Mr. Louis stated that the future residents of the proposed development will eventually be impacted by the noise from numerous aircraft practice maneuvers that occur daily. Mr. Graham stated that the Planning Commission should heed staff recommendations from 15th February, 2018 that recommends denial of the request, due to the impact on the school system, the misalignment of fiscal and long-term interest, as well as noise impacts from neighboring industrial uses and airport noise. Mr. Graham stated that the property should be used for industrial purposes and greenspace.

Ms. Brenda Buschmann stated that she is a long-time resident of Madison and owned a real estate company that worked for the Madison City School Board to locate Rainbow Elementary and broker the James Clemens High School property. Ms. Buschmann stated that new homes will impact the city schools, but the proposed townhomes in the $200,000 to $400,000 price range will be attractive to individuals, millennials and seniors more so than families with school age children. Ms. Bushmann also stated that another objective to consider is the sustainability of businesses via strategic residential and commercial development by protecting both the school system and local businesses. Ms. Buschmann stated that she is confident in staff's recommendation for approval.

Mr. John Fellows stated that he appreciates the work produced by staff, the Planning Commission and Breland Homes. Mr. Fellows stated that the proposed development is not conducive to residential living, and as a grandparent, he would not choose to live in an area within the airport's noise zone. Mr. Fellows also stated that he appreciates Huntsville Airport's contribution to the conversation. Mr. Fellows stated he does not support the rezoning and agrees with the position of the Madison City School Board.

Mrs. Terry Johnson stated that the proposed property for rezoning was not considered in the projections produced by the Growth Committee. Mrs. Johnson stated that school enrollment exceed the Committee's projections and that the data are now obsolete. Mrs. Johnson stated that there is no guarantee who will occupy the proposed townhomes and that the data from different geographic regions, presented by Breland representatives, is irrelevant to Madison. Mrs. Johnson stated that apartments generate 0.78 students per apartment compared to 0.57 students per single family home, which is higher than any of the high performing school systems in the State. Mrs. Johnson stated that she supports the recommendations from the 2018 February and March staff reports to deny the rezoning request for the same reasons listed in the reports.

Ms. C. G Shaffer stated that she is originally from New Hampshire but now lives in Madison in Limestone County. Ms. Shaffer stated that southern New Hampshire experienced similar rapid growth in the student population and eventually implemented a developer impact fee strategy to address infrastructure and other related needs. Ms. Shaffer stated that Madison should use a similar approach to support schools long-term, because there is no guarantee what type of family would occupy the townhomes.

Mrs. Mary Milly stated that she is a stay-at-home, has school age children and would have opted to purchase a townhouse similar to what is proposed if it was in a nice area. Mrs. Milly stated that she does not support the rezoning due to the air traffic noise impact and that the proposed soundproofing would likely lose its effectiveness over time.

Mr. Alvie Garratt stated that the school board's concerns should not be disregarded, and we should be careful to not undermanage the development of Madison City. Mr. Garratt also stated that he is concerned about the possible decline of the school system if City leaders do not seek to balance how best they serve the city and our children.

Mr. Robert Kendall stated he lives in the community that abuts the property proposed for rezoning. Mr. Kendall stated that he enjoys living in his community except for the traffic congestion from school busses and cut-through traffic from nearby communities. Mr. Kendall stated that he is pleased about the proposed traffic signal at Kyser Boulevard and Sullivan Street but is simultaneously concerned about who pays its cost. Additionally, Mr. Kendall stated that the infrastructure plan for the proposed community lacks hard deadlines and that he disapproves of the proposed rezoning request.

Mrs. Amy Protos stated that they chose to move her school age children from Syracuse, NY to Madison because of the excellent school system. Mrs. Protos stated that as a teacher at James Clemens High School she is a witness to the rapid student growth in the school system and is concerned about pressure the proposed development would further inflict. Mrs. Protos urged the Planning Commission to vote to deny the rezoning request.

Mrs. Sharron Grissett stated that her biggest concern is the terrible condition of Kyser Boulevard and the increased traffic that would result from connecting Kyser to Westchester Road.

Mrs. Monica Farrell stated that the rear of her property abuts the proposed townhome development. Mrs. Farrell stated that she is concerned about the length of time of project construction and all the construction disturbances that come with development projects. Mrs. Farrell stated that she prefers to have the property remain the same as it is presently.

Mr. Thomas Scovill stated that he agrees with the school board and is against the proposed development. Mr. Scovill stated that he also opposes tax increases to accommodate future growth. Mr. Scovill stated that City administrators in the 1990s are responsible for the current imbalance of commercial and residential properties. Mr. Scovill stated that he believes that past and present City of Huntsville administrations are partly to blame for Madison City's predicament as well. He also stated that we should not engage in "social engineering" and resents being referred to in the tax ratio and burden discussion. Mr. Scovill stated that numerous annexations and poor planning has led to places like the Town of Triana contributing to the school overcrowding issue.

Mrs. Theresa Kennedy-Kendall stated that there are mixed messages regarding the connectivity of the proposed project to the downtown because Kyser Boulevard lacks adequate sidewalks, and the intended residents of the proposed development may not be interested in the downtown activities. Mrs. Kennedy-Kendall also stated that Kyser Boulevard is riddled with potholes and is concerned about the plans to accommodate more residents on an already poorly maintained road.

Mr. Gerald Clark stated that the highest and best use for the property is industrial because of its proximity to the airport, the interstate and access to power and gas. Mr. Clark stated that industrial zoned property is key to bolstering an elite work force to complement future Toyota-Mazda plant. Mr. Clark also stated that the Growth Plan and Growth Policy must be unified to sustain the health of the school system and the housing market.

Mr. Seth Farrell asked if there would be a buffer between the existing property owners and the proposed development. Mr. Farrell also stated that the quality of life of the residents in the communities neighboring the proposed development should also be a part of the Planning Commission's consideration in addition to the school overcrowding issue.

Mrs. Connie Spears stated that she is a Madison City school board member and that approximately three years ago the state of Alabama mandated that modular classrooms can only be used in conjunction with tornado shelters. Therefore, modular classrooms should not be considered as a solution to mitigate the student enrollment challenges because the money to build the shelters can be used to build classrooms.

Commission Comments

Mr. Troy Wesson asked staff to address the questions regarding encroachment of residential uses on industrial areas and what buffering might exist between the proposed development and bordering communities.

Mrs. Mary Beth Broeren stated that the proposed development is in the conceptual stage and there are currently no details regarding tree retention or removal. She noted that on a different project, the applicant did accommodate the request to preserve mature trees along the edge of the development. Mrs. Broeren also stated that it is a fact that residential uses do impact industrial areas and that the proposed residential project may have similar effects; however, there are other mitigating reasons why it should be considered a viable project.

Mr. Wesson asked staff to confirm that the suggested 50 units per year cap will result in seven and a half years of construction. Mrs. Broeren stated that the math is correct, but she cautioned that the final home designs have not been completed and that the max number of 366 units my decrease somewhat. Additionally, she stated that townhouse developments are usually constructed at a much faster rate than single-family detached homes.

Mr. Wesson asked staff about the likelihood of implementing impact fee collection as a strategy to balance residential development and increased student enrollment. Mrs. Broeren explained that impact fee collection is not a part of the current growth policy; however, research has been presented to the City Council regarding other jurisdictions in Alabama that have implemented impact fee collection for municipal services. Mrs. Broeren also stated that the collection of impact fees is a bigger issue that should be addressed by Madison City Council.

Mr. Seifert stated that impact fees and other options are scheduled for discussion at a future City Council work session.

Mr. Wesson asked staff to elaborate on the proposed traffic signal at Kyser Boulevard. Mrs. Broeren stated that the City has embarked on several infrastructure projects in conjunction with the Sealy Project. She stated that the new traffic signal at Kyser Boulevard will be a city improvement project in conjunction with the widening of Sullivan Street from Kyser Boulevard to Madison Boulevard to help improve traffic flow. She added that bids will be solicited for a traffic signal at West Dublin Drive and another at Royal Drive; however, these are subject to available funding.

Mr. Wesson asked staff to clarify if the proposed residential development is in alignment with the City's objectives as described in number 6 of the growth policy. Mrs. Broeren responded that the objectives were described in the staff report. She also stated that there are pros and cons to every project; therefore, the interpretation of the City's policy may vary based on subjective evaluations of the Planning Commission or the City Council. Furthermore, she explained that the housing density level of the proposed development is comparable to similar styled units within the City of Madison. Mrs. Broeren noted that staff contacted the HOAs of two townhome communities in Madison, who verified that the number of households with children was less than five per development. Additionally, Mrs. Broeren explained that that use of the term "likely" in staff's reports is an indication of what may happen based on professional experience and careful research and is not intended to mislead from, nor overpromise, the outcome of the project.

Mrs. McCollum asked staff if there are plans to improve the terrible condition of Westchester Road. Mrs. Broeren stated that she has had discussions with the City Engineer, Gary Chynoweth, and they both agree that the road has to be completely repaired and not simply resurfaced. Mrs. Broeren stated that the estimated cost is at least $750,000 but the repair would be a good economic development investment for the City to increase the number of new industrial businesses.

Mr. Steve Ryder stated that parents will do whatever they can to enroll their kids in the Madison school system whether or not the proposed development is approved. He also stated that eight or nine years ago the City considered acquiring the proposed development site for recreational purposes but decided against it due to cost. He stated that he appreciates the investment Mr. Breland has made across the city and on this development project; however, he believes that the presence of the rail line, airport noise and numerous underground utilities is not conducive to accommodating a residential development that could sustain high quality. Mr. Joey Ceci reiterated that Mr. Breland's 35 years of extensive property development experience and market research demonstrates that the challenges identified can be lessened by the vision for the development.

Mr. Cowles asked Mr. Ceci if he considered developing an age-restricted community. Mr. Ceci stated that the Fair Housing Act requires that 20 percent of a project's units not be age-restricted. He also stated that he is willing to work with neighbors to minimize the impacts to their quality of life and with City officials to compose a development agreement.

Mr. Wesson reminded those in attendance that the decision of the Planning Commission on this issue will be sent to the City Council as a recommendation to help guide their final decision.

Mr. Stephen Brooks stated that the current M1 and M2 zoning of the proposed site allows for manufacturing similar to the Concrete Plant against which some residents have logged complaints. He also stated that arguments and data presented both for and against the proposed development are skewed based on preference. Mr. Brooks stated that social engineering is not bad and that municipal services often help preserve balance in the community. He emphasized that there must be affordable accommodations for the millennials that the developers are trying to attract to Madison and asked what guarantees are in place to

ensure that the development would progress as described. Mr. Wes Alford stated they would agree to language in a development agreement that would only allow up to 100 units to be built and then have the development stop if demographics don't match what they expect will occur with the project. Mr. Ceci stated that the proximity of the proposed development to various amenities, extensive research, and market demand will ensure the project's success.

Mr. Brooks asked staff if the price point of the proposed housing product on each lot is consistent with the cost of development. Mrs. Broeren stated that quality of the site plan and the terms of the development agreement can assist in ensuring quality standards and amenities are maintained but there are few guarantees in the housing market.

Mr. Brooks stated that he agrees with finding the "best use" for the property; however, the Dublin Property has been unused for a long time under its current zoning.

Mr. Wesson read Resolution 2019-PC-001 aloud to be included in the West Side Master Plan Amendment.

Before the Planning Commission took the vote Mrs. Broeren and Mr. Brooks explained that whether the Planning Commission recommends approval or denial of the motions presented, the request will still be presented to the City Council but not before a development agreement is finalized to accompany the recommendation. Ms. Megan Zingarelli also informed Mr. Wesson that under Alabama state law the first motion requires six votes to pass while the second motion only requires a simple majority.

Motion:
Mr. Cowles motioned to approve Dublin Properties West Side Master Plan Amendment (MP2018-001) to change the WSMP Vision Map from 'I' (industry) and 'PNA' (Parks and Natural Area) to 'MR' (Mixed Residential) with Resolution 2019PC-001 and forward to city council for adoption. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Failed

6. **Zoning Map Amendment** (ZMA 2018-001) to rezone 105.9 acres from M1 (Restricted Industrial) and M2 (General Industrial) to R3 (High Density Residential District). The request is a continuance from the March 22, 2018 Planning Commission meeting and has been subsequently revised.
Location: South of Norfolk Southern Railroad, West of Kyser Boulevard
Applicant/Owner: Louis Breland

Applicant Comments
Refer to comments in item #5.

Staff Report
Refer to comments in item #5.

Public Comments
Refer to comments in item #5.

Commission Comments
Refer to comments in item #5.

Motion:
Mr. Cowles motioned to approve the Dublin Properties Zoning Map Amendment (ZMA 2018-001) and forward to the City Council for adoption. Mrs. McCollum seconded the motion.

Final Vote:

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

Motion Failed

(Public Hearing Closed)

New Business

None.

ADJOURNMENT

Mr. Wesson adjourned the meeting at 8:37 P.M.

Minutes Approved

Troy Wesson, Chairman

ATTEST:

Kevin Bernard, Associate Planner and Recording Secretary