



**Planning Commission
Minutes of the February 20, 2020 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 |
| Cynthia McCollum, CAPZO | Absent |
| Steve Ryder, CAPZO | Present |
| Cameron Grounds, CAPZO | Present |
| Stephen Brooks, CAPZO | Present |
| Terri Johnson | Present |
| Michael Potter, CAPZO | Present |
| Tim Cowles, CAPZO | Present |

PLANNING STAFF PRESENT

Johnny Blizzard, Senior Planner; Mary Beth Broeren, Director of Development Services; Sarah Sitterle, Associate Planner; Megan Zingarelli, City Attorney

REGISTERED PUBLIC ATTENDEES

Jeff Mullins; Robbie Stewart; Mark Anderson

ACCEPTANCE OF THE AGENDA

The agenda was accepted with the addition of the performance and sidewalk bonds for the Burgreen Farms Phase 4 Subdivision.

APPROVAL OF THE MINUTES

Mr. Potter moved to approve the minutes of the January 16, 2020 regular meeting. Mr. Cowles seconded the motion.

Final Vote:

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| Chairman, Troy Wesson | Aye |
| Cynthia McCollum | ---- |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |

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| Stephen Brooks | Abstain |
| Terri Johnson | Aye |
| Mike Potter | Aye |
| City Council Member Seifert | Aye |
| Tim Cowles | Aye |
| Motion Carried | |

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

- 1. Creekside Project (ANN 2019-010/ZMA 2019-013)**
Annexation of 2.06 acres and zone the property RC-2 (Residential Cluster District Number 2) upon annexation
Location: South of Powell Road, West of Segers Road
Applicant/Property Owner: Larry, Curley, Nomo, LLC

Applicant Comments

Mark Anderson, the developer representing the project, indicated that a set aside had already been dedicated and that the plan complied with the growth policy.

Staff Report

Mr. Blizzard indicated that this was a request for the annexation of 2.75 acres and to rezone the property RC-2 (Residential Cluster District Number 2) upon annexation. He added that the property had 2.06 acres of developable land, and 0.69 acres of existing right-of-way. This right-of-way includes Water Side Drive, Timber Springs Court, and Park Creek Drive, which provide Creekside, Phase 2 with access to Segers Road. He noted there was a 0.66 acre set aside and that this dedication had already occurred by deed. The zoning request will require an amendment to the West Side Master Plan Vision Map. Mr. Blizzard mentioned that in 2016, a request to annex the subject property along with a 10-acre property to the north of the subject property was brought to the Planning Commission and City Council. He stated that the Planning Commission had supported that request but that the City Council had not been in support of the annexation. Mr. Blizzard reviewed the approvals for Creekside and the existing roadway. In 2019, the applicant deeded two open space tracts to the City of Madison and included 6.33 acres that was used to satisfy the set aside requirement for Creekside, Phase 2. At the same time, 0.66 acres was deeded to the City of Madison. The applicant requested to use that 0.66 acre tract to satisfy the set aside for this request. Mr. Blizzard noted that the development plan complied with all applicable requirements in the Zoning Ordinance if rezoned to RC-2, except RC-2 requires a minimum 10 acres. Staff considered the additional eight lots a logical extension of the approved Creekside Park project given the access through the property that is required to reach the Creekside Park subdivision. He stated the annexation request is consistent with Policy 7 of the Growth Policy in that it is less than three acres. Mr. Blizzard concluded that staff recommended approval for the annexation because the proposed lots in the subject area will front streets that have already been deeded to the City for right-of-way; the lots will be served by the new public streets and should be contributing through taxes for the maintenance of those streets; and the requested acreage

amount is also below the Growth Policy three acre threshold. Staff recommended approval for the rezoning because the requested RC-2 zoning was consistent with the Creekside Park development; the applicant plans to use the 0.66 acre tract deeded to the City in 2019 to satisfy the set aside requirement; and the set aside would amount to 24% of the total land annexed and only 20% is required.

Public Comments

None.

Commission Comments

Mr. Potter asked who owned the land to the north of the property. Mr. Blizzard noted that it was the same owner as the subject property.

Mrs. Johnson noted the land classified as PNA is limited in the West Side Master Plan. There are 3,000 single-family lots in the West Side Master Plan. The plan discouraged more single family development as it is more expensive for the City. She mentioned the net-negative benefit for taxes on residential property. She noted there did not seem to be compliance with the Mixed Residential Conservation designation and thought the property may be better classified as Single Suburban Family (SSF). Mrs. Johnson mentioned there was not a conservation effort with eight lots. She noted that Creekside Phase 2 had a 9,950 square foot lot that would fit better with the SSF based on the minimum and maximum lot sizes. She thought that by approval of this request the applicant was getting rewarded for clear cutting the lot. She noted that the recent Bellawoods application had a trade off with the PNA.

Mr. Seifert inquired about how much acreage was located north of the property. Mr. Potter noted the property area was 10 acres. Mr. Seifert shared concerns about piecemeal annexation and rezoning.

Mr. Mark Anderson noted that the land had been clear cut for a dirt source for Creekside Phase 2 and that only eight lots were being proposed. Mrs. Broeren clarified that the project had suffered and benefitted by coming in between the West Side Master Plan (WSMP) and Growth Policy approvals. Mrs. Broeren continued that the land had been shown as SSF previously before the WSMP was in place. She noted that because the City had not annexed it, we lost control of the property and there has been no way to control or mitigate tree removal. She mentioned that the property owner had every right to cut the trees, and the trees may have been planted to harvest eventually. She added that staff's recommendation of approval was because it was a small area and there would still be a benefit to the City through property tax and construction materials tax revenue.

Mr. Potter noted that it was clear the applicant wanted to continue with development of the rest of the property.

Mr. Ryder asked about the likelihood of providing fire protection and City services to the development if they are not in the city, thereby creating another Skyline Acres situation. Mrs. Broeren noted that it was likely that fire protection would occur for properties adjacent to city limits as has occurred previously in other neighborhoods.

Mr. Potter asked for clarification from Mr. Blizzard about the remaining property and the City not indicating support for the piecemeal approach to annexation. Mr. Blizzard affirmed that staff's recommendation should not be considered a consent to annex large tracts of undeveloped land in piecemeal three acre segments.

Mrs. Johnson reiterated that the land was designated PNA and there was reluctance to have an appearance of rewarding an applicant for not preserving the land.

Mr. Potter mentioned that because the land was in the county, the City did not have control. Mrs. Broeren indicated that the applicant had previously come in with the full request and they were trying to recoup costs.

Motion:

Mr. Cowles motioned to approve the annexation request (ANN 2019-010) and forward to the City Council for adoption. Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

Motion:

Mr. Brooks motioned to approve the Master Plan Amendment (MP 2019-011) for adoption. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

Motion:

Mr. Brooks motioned to approve the rezoning request (ZMA 2019-013) and forward to the City Council for adoption. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

**2. Amendment of Traditional Neighborhood District Regulations (ZTA 2020-001)
 Amend Section 4-12-8 pertaining to dimensional requirements of the Zoning Ordinance
 Applicant: City of Madison**

Staff Report

Mr. Blizzard noted there were three recommended changes for the dimensional requirements within the Traditional Neighborhood Development (TND) regulations. The first was to reduce the minimum lot width for attached single family units from 18 feet to 16 feet; the second was to modify the side setback encroachment footnote 1 to include that steps are allowed to encroach within the side setback area when adjacent to an alley; and third, a change in the maximum front setback requirement by adding footnote 5 to eliminate a maximum front yard setback where a single-family attached dwelling fronts a major collector street, but in such cases prohibit off-street parking in the front yard. Mr. Blizzard concluded that staff recommended approval.

Public Comments

None.

Commission Comments

Mr. Potter asked if there would be no parking in the street. Mrs. Broeren responded that parking in the front yard would be prohibited, and no driveways would gain access to the street. Only rear access to an alley would be permitted.

Motion:

Mr. Brooks motioned to approve the text amendment for Traditional Neighborhood Development regulations (ZTA 2020-001) and forward to the City Council for adoption. Mr. Cowles seconded the motion.

Final Vote:

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|-----------------------|-----|
| Chairman, Troy Wesson | Aye |
|-----------------------|-----|

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|-----------------------------|------|
| Cynthia McCollum | ---- |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Stephen Brooks | Aye |
| Terri Johnson | Aye |
| Mike Potter | Aye |
| City Council Member Seifert | Aye |
| Tim Cowles | Aye |
| Motion Carried | |

3. Burgreen Farms, Phase 4 (FP 2019-011)

Final Plat for 25 lots on 12.11 acres

Location: North of Powell Road, West of Burgreen Road

Applicant/Property Owner: Clayton Properties Group, Inc.

Applicant Comments

None.

Staff Report

Mr. Blizzard noted that this was a request for a final plat for 25 residential lots on 12.11 Acres in the Burgreen Farms subdivision. He noted that the smallest lot was 12,823 square feet, and there will be a dedication of 1,419 linear feet of new streets that will complete Secretariat Place and Citation Drive. He mentioned there was one common area that provided a buffer between the lots and adjoining collector streets. He concluded that staff recommended approval with contingencies.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Brooks motioned to approve the Final Plat for Burgreen Farms Phase 4 (FP2019-011) with contingencies.

Planning Department

1. Signatures:
 - 1) Athens Utilities
 - 2) Limestone County Water & Sewer Authority

Engineering Department

1. Provide Performance and Sidewalk LOCs

Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

4. Town Madison, Phase 5 (FP 2020-001)

Final Plat for four tracts and common area on 32.35 acres

Location: North of Madison Boulevard, West of Zierdt Road

Applicant/Property Owner: Old Town Investments, LLC

Applicant Comments

Jeff Mullins, representing the applicant, stated that the plat was to divide a few tracts off of Stadium Boulevard.

Staff Report

Mr. Blizzard noted that this was a request to Final Plat four tracts and two common areas. There are two lakes for stormwater retention on the plat. Approximately 1,003.09 linear feet of Stadium Way (formerly Stadium Boulevard) will be dedicated with the plat. The preliminary plat had been reviewed at the January Planning Commission meeting and the final plat showed an additional two tracts. He added that the construction and completion of the roadways was the goal. He concluded by recommending approval with contingencies.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Brooks motioned to approve the Final Plat for Town Madison Phase 5 (FP2020-001) with contingencies.

Planning Department

1. Signatures:

1) Surveyor

2) Dedication

3) Notary

Engineering Department

1. Record previous phases before this phase.
2. Provide as-built drawings for inspection and approval.
3. Provide corresponding spreadsheet for approval of Performance LOC and Sidewalk LOC.

Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

5. Town Madison Subdivision (LP 2020-001)

Amendment to the Layout for Town Madison Subdivision

Location: South of Town Madison Boulevard, West of St. Louis Street

Applicant/Property Owner: Old Town Investments, LLC

Applicant Comments

Jeff Mullins, representing the applicant, indicated that this was a continuation of the TND area. He stated that it allows for development down the hill with single family attached and detached dwellings.

Staff Report

Mr. Blizzard noted that this was for a request for an amendment to the layout for the Town Madison subdivision and included 100 residential lots with 27 townhome lots and 73 single-family detached lots. He mentioned there was 3,103 linear feet of street right-of-way and 2,125 linear feet of alley right-of-way. The subdivision also showed common area open space. He added that the amendment represented a reduction in the number of lots from the original TND concept plan that had 123 lots with 119 residential single-family lots and 4 mixed use lots. The commercial area originally proposed was going to be too close to the Heights at Town Madison neighborhood town center area and was not conducive to include with this portion of the development. Staff had suggested adding a non-access easement along the lots abutting Town Madison Boulevard to restrict vehicular access. Mr. Blizzard concluded that staff recommended approval with contingencies.

Public Comments

None.

Commission Comments

None.

Motion:

Mr. Brooks motioned to approve the Town Madison Subdivision Amendment to the Layout Plan (LP 2020-001).

Planning Department

1. This is an amendment to Town Madison Subdivision. Title an amendment to Town Madison Subdivision.
2. Add a non-access easement along the lots abutting Town Madison Boulevard restricting vehicular access.

Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

Public Hearings Closed

NEW BUSINESS

6. Burgreen Farms, Phase 4 Performance Bond

Applicant Comments

None.

Staff Comments

Mr. Blizzard noted the amount of the bond was \$207,895.

Planning Commission Comments

None.

Motion:

Mr. Potter motioned to approve the bond amount for the Parker Hall Performance Bond. Mr. Ryder seconded the motion.

Final Vote:

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

7. Burgreen Farms Phase 4 Sidewalk Bond

Applicant Comments

None.

Staff Comments

Mr. Blizzard noted the amount of the bond was \$207,895.

Public Comments

None.

Planning Commission Comments

None.

Motion:

Mr. Potter motioned to approve the bond amount for the Parker Hall Sidewalk Bond. Mr. Ryder seconded the motion.

Final Vote:

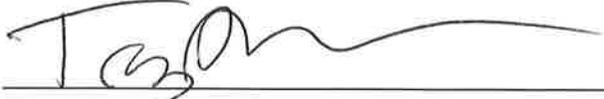
| | |
|-----------------------------|------|
| Chairman, Troy Wesson | Aye |
| Cynthia McCollum | ---- |
| Steven Ryder | Aye |
| Cameron Grounds | Aye |
| Stephen Brooks | Aye |
| Terri Johnson | Aye |
| Mike Potter | Aye |
| City Council Member Seifert | Aye |
| Tim Cowles | Aye |

Motion Carried

ADJOURNMENT

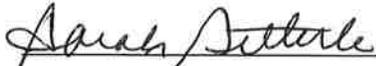
Mr. Wesson adjourned the meeting at 6:13 P.M.

Minutes Approved



Troy Wesson, Chairman

ATTEST:



Sarah Sitterle, Associate Planner and Recording Secretary

