



## **PLANNING COMMISSION**

### **CITY OF MADISON, ALABAMA MINUTES OF THE FEBRUARY 18, 2010 REGULAR MEETING**

Meeting was called to order at 5:30 p.m. by Chairman Charlie Brown

#### **ROLL CALL**

##### **Planning Commission Board Members**

###### **Planning Commission Chairman**

CHARLIE BROWN, C.A.P.Z.O. PRESENT

###### **Planning Commission Vice Chairman**

STEPHEN BROOKS PRESENT

###### **City Council Member**

TIM COWLES ABSENT

CYNTHIA MCCOLLUM ABSENT

STEVEN RYDER, C.A.P.Z.O. PRESENT

CAMERON GROUNDS, C.A.P.Z.O. PRESENT

DAMIEN BIANCA PRESENT

LEWIE L. BATES, III, C.A.P.Z.O. PRESENT

MICHAEL POTTER, C.A.P.Z.O. PRESENT

#### **PLANNING STAFF PRESENT**

JOHNNY BLIZZARD, AICP, CFM, CHIEF PLANNER; GARY CHYNOWETH, P.E., CITY ENGINEER; KEITH CONVILLE, ENGINEERING TECHNICIAN; DAGNAL S. ROWE, ESQUIRE, CONSULTING CITY ATTORNEY; KELLY BUTLER, CITY ATTORNEY; GINA ROMINE, CFM, C.A.P.Z.O., PLANNER I AND PLANNING COMMISSION SECRETARY AND SHERRI BLAIR, CFM, C.A.P.Z.O., ZONING ADMINISTRATOR AND RECORDING SECRETARY.

#### **REGISTERED PUBLIC ATTENDEES**

Arthur Spencer; Tim Holcombe; Britt Blankenship; Greg Saks; Daniel Cook; Joe Gehrdes, Huntsville/Madison County Builders Association; Richard Zaleskie; Chuck Williams; W C Fuller and 2 illegible signatures.

#### **MINUTES APPROVAL**

##### **January 21, 2010 Minutes of Regular Meeting**

Chairman Brown stated that the minutes were approved as submitted.

**PUBLIC COMMENTS**

Chairman Brown opened the floor to public comment. There being no public comment unrelated to agenda items, Chairman Brown closed the floor.

**LOCATION, CHARACTER AND EXTENT**

Location, Character and Extent - City of Madison Board of Education requesting approval for the new high school located on County Line Road.

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied.

**Developer Comments:** Christine Kirchberg Jones, SKT Architects, explained site; wetlands/springs; access to property; right of way at County Line Road entrance; details of buildings and parking lots.

**Public Comments:** No comments

**Board Comments:** Questions were asked and addressed by staff and developer regarding zoning of the adjacent commercial lot; parking space comparison with Bob Jones High School; sidewalks from adjacent subdivisions; green spaces; lighting and ability to increase number of parking spaces in the future, if necessary.

**Motion:** Mr. Ryder moved to approve the Location, Character and Extent of the new high school as presented. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**REQUESTED REVISION TO THE CITY OF MADISON ZONING ORDINANCE**

- 1) The City of Madison’s Planning Commission will hold a public hearing to consider Mickey and Linda Little’s request to rezone land located at 105 Corrine Drive from AG, Agricultural to R-1A, Low Density Residential

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied. Johnny Blizzard explained the request: property owner of 2.37 acres would like to give his son 1 acre on which to build a house. Rezoning the property from AG to R-1A will allow the platted subdivision to be compliant.

**Developer Comments:** No comments

**Public Comments:** No comments

**Board Comments:** No comments

**Motion:** Mr. Potter moved to approve the requested rezoning, as presented. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**CERTIFIED PLATS**

- 2) Brian Little Subdivision  
Location: northeast corner of Joe Phillips Road and Corrine Drive  
Representative: AEC Solutions, LLC  
Owner: Mickey W. Little, Linda F. Little, Rita S. Little and Brian K. Little  
Lots: 2  
Acreage: 2.37 acres, more or less

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied.

**Developer Comments:** No comments

**Public Comments:** Richard Zaleskie, Boston Harbor Drive, requested details but did not object.

**Board Comments:** No comments

**Motion:** Mr. Bates moved to approve the requested rezoning, as presented. Mr. Brooks seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

- 3) Stonecrest, Phase 2 – Lot 21, Block 1 replat  
Location: along the east boundary of Stonecrest, Phase 2  
Representative: Martin Surveys, Inc.  
Owner: Stonecrest Development & Properties, LLC  
Lots: 1  
Acreage: 0.62 acres, more or less

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied. Johnny Blizzard explained the wetland delineation by the Corp of Engineers.

**Developer Comments:** No comments

**Public Comments:** No comments

**Board Comments:** Mr. Bianca questioned drainage damaged by filling in the wetland. Gary Chynoweth stated the egress path is to the east.

**Motion:** Mr. Brooks moved to approve the Certified Plat of Stonecrest, Phase 2 – Lot 21, Block 1, Replat, as presented. Mr. Potter seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

- 4) Cambridge Commercial Lot - Tabled at the January 21, 2010 meeting  
Location: west of County Line Road, south of Crownridge Drive  
Representative: Smith Engineering Co. Inc.  
Owner: Heritage Plantation Inc.  
Lots: 3  
Acreage: 3.21 acres, more or less

**Board Comments:** Chairman Brown requested a status report from previous meeting when matter was tabled. Tim Holcombe, 215 Walden Glen Road, stated the HOA and property owner met and have entered into a contract to allow access across the lot.

**Motion:** Mr. Ryder moved to remove the Certified Plat of Cambridge Commercial Lot from the table. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**Motion:** Mr. Potter moved to approve the Certified Plat of Cambridge Commercial Lot. Mr. Bianca seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**PRELIMINARY PLATS**

- 5) Brighton Park at Ashbury  
Location: east and south of Hardiman Road  
Representative: Goodwyn, Mills and Cawood  
Owner: Huntsville Enterprises  
Lots: 58  
Acreage: 50.09 acres, more or less

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied

**Developer Comments:** No comments

**Public Comments:** No comments

**Board Comments:** Mr. Potter questioned note 27 and HOA access. Johnny Blizzard stated that the note would be removed and allow HOA access. Mr. Ryder asked if the submittal was exactly the same. Johnny Blizzard stated that 2 lots were removed at the request of the Corp of Engineers.

**Motion:** Mr. Potter moved to approve the Preliminary Plat of Brighton Park at Ashbury as presented. Mr. Ryder seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

6) Stillwater Cove Subdivision, Phase 1

Location: west side of Segers Road approximately ½ mile south of Powell Road

Representative: Garver Engineers

Owner: Breland Homes, LLC

Lots: 72

Acreage: 121.41 acres, more or less

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied

**Developer Comments:** No comments

**Public Comments:** Chuck Williams, 9864 Segers Road, requested a copy of the plat.

**Board Comments:** No comments

**Motion:** Mr. Brooks moved to approve the Preliminary Plat of Stillwater Cove, Phase 1, as presented. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

7) Applewood - Tabled at the January 21, 2010 meeting

Location: southwest corner of the intersection of Balch Road and Gillespie Road

Representative: Johnson and Associates

Owner: Wiz Kidz, LLC

Lots: 85 and 2 common lands

Acreage: 28.59 acres, more or less

**Motion:** Mr. Potter moved to remove Applewood from the table for discussion. Mr. Brooks seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**Staff Report:** Johnny Blizzard stated that the subdivision was tabled because Police Chief Muncey believed it to be unsafe. Kelly Butler said the city's only involvement was on the condemnation only. She said she had no firsthand knowledge of the conversations that took place between the developer and Walden. Gary Chynoweth pointed out that Gillespie will have 10,000 cars and he feels it will be safe.

**Developer Comments:** Art Spencer (Johnson & Associates) appeared on behalf of the property owner. He stated the new layout would increase public safety. The alternatives given by the city would require substantial construction on Gillespie Road to include a larger left turn lane. He asked that Planning Commission vote either up or down on the submitted plat.

**Public Comments:** Tim Holcombe stated that the Emerson Road extension was required at the time of Gillespie extension. Traffic on Emerson has increased and believes 2 entrances close together, on a 45 mph road is unsafe. W C Fuller stated the last change in the subdivision regulations included saving the "emergency" wording.

**Board Comments:** Board members discuss construction costs; number of proposed lots; fire and safety issues. Chairman Brown summarized: Police Chief claimed the plat had a dangerous intersection. Planning Commission can turn down the plat for that reason alone. Planning Commission doesn't have a position on crossing over other private property. Another entrance on Gillespie will cost the developer more money. Only option Planning Commission has is to turn it down because of safety issue. Mr. Brooks said that he would have liked to have been a part of the meeting with the HOA and that denying the developer stinks. Mr. Ryder stated he was sympathetic to the property owner.

**Motion:** Mr. Bianca moved to disapprove the Preliminary Plat of Applewood subdivision as presented based on safety considerations. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Nay    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Nay    |

**Motion carried.**

**FINAL PLATS**

- 8) Madison Industrial Park, Phase 2  
Location: north of Madison Blvd., east of Hughes Road, west of Shelton Road and east of Research Blvd.  
Representative: 4-Site, Inc.  
Owner: Madison West Inc.  
Lots: 1  
Acreage: 5.02 acres, more or less

**Staff Report:** The Technical Review Committee has reviewed this project and as of this date all comments have been satisfied

**Developer Comments:** No comments

**Public Comments:** No comments

**Board Comments:** Chairman Brown questioned location of the entrance. Gary Chynoweth stated it will be 50-100 feet west of the eastern property line.

**Motion:** Mr. Brooks moved to approve the Final Plat of Madison Industrial Park, Phase 2 as presented. Mr. Bates seconded.

**Final Vote:**

|  |        |
|--|--------|
| Planning Commission Chairman – Charlie Brown       | Aye    |
| Planning Commission Vice Chairman – Stephen Brooks | Aye    |
| Planning Commission Member – Tim Cowles            | Absent |
| Planning Commission Member – Steven Ryder          | Aye    |
| Planning Commission Member – Cynthia McCollum      | Absent |
| Planning Commission Member - Cameron Grounds       | Aye    |
| Planning Commission Member – Damien Bianca         | Aye    |
| Planning Commission Member – Lewie L. Bates III    | Aye    |
| Planning Commission Member – Michael Potter        | Aye    |

**Motion carried.**

**OTHER BUSINESS**

Chairman Brown reminded all in attendance that the March meeting would be held March 25 instead of March 17. There being no other business for discussion Chairman Brown closed the floor.

**ADJOURNMENT**

With no additional business to discuss Chairman Brown adjourned the meeting at 6:41 p.m.

**Minutes Approved,**



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**Charlie Brown, C.A.P.Z.O., Chairman  
Madison Planning Commission**

**ATTEST:**



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**Sherri Blair, CFM, C.A.P.Z.O., Zoning Administrator  
Recording Secretary**