



PLANNING COMMISSION

CITY OF MADISON, ALABAMA

MINUTES OF THE AUGUST 19, 2010 REGULAR MEETING

In the absence of both Chairman Charlie Brown and Vice Chairman Stephen Brooks the meeting was called to order at 5:30 p.m. by Commission Member Cynthia McCollum.

ROLL CALL

Planning Commission Board Members

Planning Commission Chairman	
CHARLIE BROWN, C.A.P.Z.O.	ABSENT
Planning Commission Vice Chairman	
STEPHEN BROOKS	ABSENT
City Council Member	
TIM COWLES	ABSENT
CYNTHIA MCCOLLUM	PRESENT
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.	ABSENT
MICHAEL POTTER, C.A.P.Z.O.	PRESENT

PLANNING STAFF PRESENT

AMY FURFORI, DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING; JOHNNY BLIZZARD, CHIEF PLANNER; KELLY BUTLER, CITY ATTORNEY; GARY CHYNOWETH, CITY ENGINEER AND SHERRI BLAIR, ZONING ADMINISTRATOR AND RECORDING SECRETARY.

ELECTION OF CHAIR PRO TEMPORE

Motion: Mr. Potter moved to appoint Cynthia McCollum as Chair Pro Tempore. Mr. Ryder seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

MINUTES APPROVAL

July 15, 2010 Minutes of Regular Meeting: Chairperson McCollum asked board members for requested changes and/or corrections. There being no requested changes and/or corrections, Chairperson McCollum stated the minutes would be approved as submitted.

PUBLIC COMMENTS

Chairperson McCollum opened the floor to public comment. There being no public comment, Chairperson McCollum closed the floor.

Requested Revision of the City of Madison's Zoning Ordinance

1. The City of Madison's Planning Commission held a public hearing to consider Alice D. Robertson's request to rezone land located north of Yancy Road and west of Slaughter Road from R-1A, Low Density Residential to B-2 Community Commercial.

Staff Report: Johnny Blizzard presented both rezoning requests together since they were both the same. He explained the differences in B-1 and B-2 zoning and stated that the changes on Slaughter Road including population increase, would make a B-1 zoning inappropriate in a short time. He further stated that The Technical Review Committee recommended approval of both rezoning requests.

Developer Comments: Property owner Jerry Atilio stated he bought the property for investment. The high volume of traffic in the area prevented him from building a house. He does not intend to put a nightclub or another business that would not be a good fit. A request for B-2 zoning would allow more varied uses and another rezoning request would not have to be applied for in the future. B-1 is too limiting.

Property owner Alice Robertson stated she bought the house at 1752 Slaughter Road and lived there because of its access to Highway 72. She has been unsuccessful in renting to families with children because of the traffic and therefore decided to request rezoning. She chose to request B-2 so the house could be used for an office, maybe an insurance or real estate company, and the appearance of the house would not change much.

Public Comments: Residents of the following addresses: 131 Yancy Road; 151 Yancy Road; 155 Yancy Road; 154 Yancy Road; 130 Yancy Road; 313 Crownridge Drive, voiced opposition stating their concerns regarding traffic; property value decrease; high criminal activity in commercial areas; drainage problems; precedence being set by allowing businesses in residential areas; types of businesses allowed in a B-2 area.

Board Comments: Mr. Potter stated that before business could be built, a site plan would have to be submitted for review for approval. Also, City Council would have to approve a rezoning. Mrs. McCollum stated that with the appropriate guidelines are met the Planning Commission must approve a request. Emotions cannot get in the way of the Planning Commission's decision but the City Council can decide based on emotions.

Motion: Mr. Ryder moved to approve Alice D. Robertson's request to rezone land located north of Yancy Road and west of Slaughter Road from R-1A, Low Density Residential to B-2 Community Commercial. Mrs. McCollum seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Absent
Planning Commission Vice Chairman – Stephen Brooks	Absent
Planning Commission Member – Tim Cowles	Absent
Planning Commission Member – Steven Ryder	Nay
Planning Commission Member – Cynthia McCollum	Nay

Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Nay
Planning Commission Member – Lewie L. Bates III	Absent
Planning Commission Member – Michael Potter	Nay

Motion failed.

2. The City of Madison’s Planning Commission held a public hearing to consider Conbar Properties, LLC’s request to rezone land located at the northwest corner of Yancy Road and Slaughter Road from R-1A, Low Density Residential to B-2 Community Commercial.

Motion: Mr. Potter moved to approve Conbar Properties, LLC’s request to rezone land located at the northwest corner of Yancy Road and Slaughter Road from R-1A, Low Density Residential to B-2 Community Commercial. Mr. Ryder seconded the motion and the vote was as follows:

Final Vote:

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

Motion failed.

Certified Plats

1. Stillwater Cove, Phase 2

Location: South of Powell Road and west of Segers Road
 Representative: Garver Engineers
 Owner: Breland Homes, LLC
 Lots: 1, 2 tracts & 1 common area Acreage: 87.17

Staff Report: Johnny Blizzard explained the request stating the applicant is going to dedicate the proposed floodway to the City of Madison. It is a goal of the City of Madison and the City’s Engineering Department to take ownership of all regulatory floodways within the City. This is beneficial for storm water and flood control management. He further stated that the Technical Review Comments recommends approval.

Developer Comments: No comment

Public Comments: No comment

Board Comments: No comment

Motion: Mr. Potter moved to approve the certified plat of Stillwater Cove, Phase 2. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Absent
Planning Commission Vice Chairman – Stephen Brooks	Absent
Planning Commission Member – Tim Cowles	Absent

Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Absent
Planning Commission Member – Michael Potter	Aye

Motion carried.

Layout Plats

1. Waterford, Phase 5

Location: South and adjacent to Burgreen Road, north of Waterford, Phase 4
 Representative: Martin Surveys, Inc./Trice, P.C.
 Owner: Enfinger Steele Development
 Lots: 19 & 1 tract Acreage: 21.5

Staff Report: Johnny Blizzard presented the request as well as variance requests and staff recommendation. He stated that the following staff comments were still outstanding:

Planning Comments:

1. Need a completed Layout Plat application
2. Applicant requests a variance from Section 5-4-13 of the Madison Subdivision Regulation to increase the maximum distance of the cul-de-sac from 800 ft. to 921.23 ft. for the south cul-de-sac and 850 ft. for the northern cul-de-sac.
3. Applicant requests a variance from Section 5-5 (b) of the Madison Subdivision Regulations to increase the maximum block length from 840 ft. to 940 ft. for the southern block and 1020 for the northern block.

Engineering Comments:

1. Provide a closure tape
2. Clearly define the Pedestrian Access Easement between lots 9 and 10
3. Note on layout Plat: Left turns are required in both directions on Burgreen Road
4. Remove chevrons
5. Remove curb and gutter
6. Provide a copy of PB G, Pg 140

Developer Comments: No comment

Public Comments: No comment

Board Comments: Mr. Potter asked whether the pedestrian pathway would be installed at the time of development to which Johnny Blizzard stated they were right-of-way and would be developed with the subdivision.

Motion: Mr. Bianca moved to approve the requested variance to section 5-4-13 of the Madison Subdivision Regulation to increase the maximum distance of the cul-de-sac from 800 ft. to 921.23 ft. for the south cul-de-sac and 850 ft. for the northern cul-de-sac. Mr. Potter seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Absent
Planning Commission Vice Chairman – Stephen Brooks	Absent
Planning Commission Member – Tim Cowles	Absent
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye

Planning Commission Member – Lewie L. Bates III	Absent
Planning Commission Member – Michael Potter	Aye

Motion carried.

Motion: Mr. Ryder moved to approve the requested variance to section 5-5 (b) of the Madison Subdivision Regulations to increase the maximum block length from 840 ft. to 940 ft. for the southern block and 1020 for the northern block. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

Motion: Mr. Potter moved to approve the layout plat of Waterford, Phase 5 with the satisfaction of outstanding comments. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

2. Applewood

Location: Southwest corner of Gillespie Road and Balch Road

Representative: Johnson & Associates

Owner: Wiz Kidz, LLC

Lots: 75 Acreage: 28.59

Staff Report: Johnny Blizzard explained the history of the Applewood layout and the previous concerns that have since been rectified. He stated that the following comments have not been satisfied but the issues are minor and the Technical Review Committee recommends approval:

Planning comments

1. Provide Closure Tape
2. Delete note referencing Conservancy and replace with "Conservancy Area, no Trees to be Cut"
3. Note on Layout Plat: "Left-Turn Lanes will be required at Gillespie Road and Balch Road"

Developer Comments: Art Spencer answered questions regarding drainage, sight distance and connection to Gillespie.

Public Comments: Gary Bicotti questioned the location of the Balch access and elevation of the subdivision for drainage concerns. Chris Sturgis stated that traffic backs up at the Gillespie/Balch intersection when taking his son to school and voiced concerns about drainage.

Board Comments: Mr. Ryder and others stated they liked the layout.

Motion: Mr. Ryder moved to approve the layout plat of Applewood with the satisfaction of outstanding comments. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

Preliminary Plats

1. Waterford, Phase 5

Location: South and adjacent to Burgreen Road, north of Waterford, Phase 4

Representative: Martin Surveys, Inc./Trice P.C.

Owner: Enfinger Steele Development

Lots: 19 & 1 tract Acreage: 21.5

Staff Report: Johnny Blizzard presented staff report and stated the unresolved issues are administrative and minor engineering changes that will not affect the subdivision design. The Technical Review Committee recommends approval upon satisfaction of the following unresolved issues:

Planning comments

1. Approved Layout Plat
2. Application Fee-\$25.00
3. Drainage Review Fee-107.50

Engineering comments

1. A valid ADEM Permit is required to commence land disturbance.
2. Require DWSI in sag curve STA 4+73.
3. Clearly define pedestrian access easement between lots 9 and 10.

Developer Comments: No comment

Public Comments: No comment

Board Comments: No comment

Motion: Mr. Potter moved to approve the preliminary plat of Waterford, Phase 5 with the satisfaction of outstanding staff comments. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

Planning Commission Chairman – Charlie Brown	Absent
Planning Commission Vice Chairman – Stephen Brooks	Absent

Planning Commission

Minutes of the August 19, 2010 Regular Meeting

Page 6 of 11

Planning Commission Member – Tim Cowles	Absent
Planning Commission Member – Steven Ryder	Aye
Planning Commission Member – Cynthia McCollum	Aye
Planning Commission Member - Cameron Grounds	Aye
Planning Commission Member – Damien Bianca	Aye
Planning Commission Member – Lewie L. Bates III	Absent
Planning Commission Member – Michael Potter	Aye

Motion carried.

2. Gillespie Place, Phase 1

Location: Northeast corner of Gillespie Road & Balch Road

Representative: 4-Site, Inc.

Owner: DBS Properties, LLC

Lots: 44 Acreage: 150.82

Staff Report: Johnny Blizzard presented the request and staff report. He stated the preliminary plat submitted was well done with only a few minor issues to resolve. The Technical Review Committee recommends approval contingent on the satisfaction of the following unresolved comments:

Planning comments

1. All sidewalks not constructed in the right-of-way must be overlaid with a 5' pedestrian access easement.
2. Show type of material used to construct pedestrian path.
3. Show detail for foot-bridge.

Engineering comments

1. Street name changes must be approved by Engineering Department.

Developer Comments: No comment

Public Comments: Chris Sturgis asked for an explanation of what lay above and Johnny Blizzard explained the plat to him. Wanda Bicotti questioned the location of the entrance.

Board Comments: No comment

Motion: Mr. Ryder moved to approve the preliminary plat of Gillespie Place, Phase 1 pending the satisfaction of outstanding comments. Mr. Potter seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

Final Plats

1. Millstone, Phase 2

Location: Corner of Brown’s Ferry Road and Balch Road
Representative: Smith Engineering Co., Inc.
Owner: Mill Road Developers, LLC
Lots: 56
Acreage: 35.39

Staff Report: Johnny Blizzard explained the request and the staff report stating that the developer still needs to provide performance bonds with the City of Madison. The final plat is in order except for posting performance bonds. The applicant has 30-days from the date of approval to post their bonds. The Technical Review Committee recommends approval.

Developer Comments: No comment

Public Comments: No comment

Board Comments: No comment

Motion: Mr. Ryder moved to approve the final plat of Millstone, Phase 2 with the satisfaction of outstanding comments. Mr. Potter seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

Site Plans - Proposed Major Developments

2. Asbury Thrift Store

Location: Portal Lane
Representative: Frank A. Dagley & Associates, Inc.
Owner: Asbury United Methodist Church
Acreage: 2.12

Staff Report: Johnny Blizzard explained the site plan and further stated that the applicant has resolved all of the issues except filling in the floodway. A portion of the proposed parking lot is located in the floodway, which is allowed as long as no fill is added and the elevation does not increase. The current grading plan still shows a small increase in the elevation where the parking lot is be constructed. The applicant, as well as the Engineering Department, is confident the one remaining issue will be resolved. Therefore, the Technical Review Committee recommends approval.

Developer Comments: Ron Fitzgerald with Commodore Steel stated that the staff comment has been resolved.

Public Comments: No comment

Board Comments: No comment

Motion: Mr. Potter moved to approve the site plan for Asbury Thrift Store pending confirmation that the outstanding staff comment has been resolved. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

3. Cornerstone Word of Life Church

Location: 3783 Sullivan Street
Representative: Landmark Engineering
Owner: Cornerstone Word of Life Church
Acreage: 16.67

Staff Report: Johnny Blizzard presented the site plan and further stated that the following issues remain unresolved after our Post-Technical Review Committee meeting with the applicant held on August 11, 2010.

General Information

1. Provide a Fire Flow Form

Site Plan:

1. Delete the 50 Minimum Building Line adjacent to PUDE
2. Provide a Curve Table

Elevation Plan

1. Provide an elevation drawing consistent with Section 5-23 of the Zoning Ordinance.
2. All attached signage should be shown on the elevation drawing. Provide a detail of materials used and how signage will be attached to building that will demonstrate it is compliant with the 2003 International Building Code.

Outdoor Lighting Plan

1. Provide an outdoor lighting plan, including a photometric drawing of the site; location of all external lighting on the site; a diagram as to how each type of lighting fixture will be shielded and product specs or “cut sheets” for all outdoor lights.

Fire Department Review:

1. Entrance lane at entrance must be 26’.
2. Relocate proposed fire hydrant at Sullivan Street closer to FDC.
3. Relocate proposed fire hydrant at the end of the drive to flush valve assembly.
4. Delete flush valve assembly at end of drive.

Engineering Review:

1. Provide a Sight Distance Table.

The applicant still has a number of issues to resolve. Fortunately, none of the issue will require any major redesign of the site plan, nor will the issues require much staff time to review. The overall design is excellent and the Technical Review Committee recommends approval.

Developer Comments: No comment

Public Comments: No comment

Board Comments: Messer's Potter and Bianca commented that the outdoor lighting should be inspected at night.

Motion: Mr. Potter moved to approve the site plan of Cornerstone Word of Life Church pending satisfaction of all outstanding staff comments. Mr. Ryder seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

OTHER BUSINESS

Chairperson McCollum opened the floor to other business.

1. Request for a six (6) month extension on the recording of the re-preliminary plat of West Haven, Phase 1.

Motion: Mr. Potter moved to approve the request for a six (6) month extension on the recording of the re-preliminary plat of West Haven, Phase 1. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

2. Request for a six (6) month extension on the recording of the final plat of Brighton Park at Ashbury, Phase 1.

Motion: Mr. Potter moved to approve the request for a six (6) month extension on the recording of the final plat of Brighton Park at Ashbury, Phase 1. Mr. Grounds seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

3. Request for a six (6) month extension on the recording of the final plat of Three Maples, Phase 1 f/k/a Shiloh Creek, Phase 1.

Motion: Mr. Potter moved to approve the request for a six (6) month extension on the recording of the final plat of Three Maples, Phase 1 f/k/a Shiloh Creek, Phase 1. Mr. Bianca seconded the motion and the vote was as follows:

Final Vote:

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

Motion carried.

ADJOURNMENT

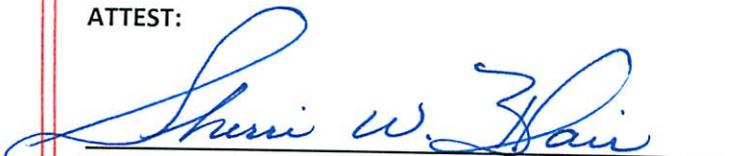
With no additional business to discuss Chairperson McCollum adjourned the meeting at 7:44 p.m.

Minutes Approved,



Cynthia McCollum, Chair Pro Tempore,
Madison Planning Commission

ATTEST:



Sherri Blair, Recording Secretary