



**Planning Commission
Minutes of the August 25, 2016 Regular Meeting**

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

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman

Damian Bianca, CAPZO Present

Planning Commission Vice-Chair

Troy Wesson, CAPZO Present

City Council Member

Michael Potter, CAPZO Present

Tim Cowles, CAPZO Present

Cynthia McCollum, CAPZO Present

Steve Ryder, CAPZO Present

Cameron Grounds, CAPZO Present

Lewie L. Bates, CAPZO Absent

Stephen Brooks, CAPZO Present

PLANNING STAFF PRESENT

Gary Chynoweth P.E., Director of Engineering; Mary Beth Broeren, Director of Planning and Economic Development; Johnny Blizzard, AICP, Senior Planner; Ross Ivey, Assistant Planner; Kelly Butler, City Attorney; Megan Zingarelli, Assistant Attorney

REGISTERED PUBLIC ATTENDEES

Terri Johnson, Joey Ceci, Rick Campbell, Ricky Robinson, Anthony Wheeler, John Richard, Peggy Richard, Angela Williams, James C. Smith, Chris Carpenter, James W. Reynolds, Alex Bacl, Gary Gray, Brenda Buschman, John Hoover, Richard Melton, Mark Anderson, Teddy Powell, Opie Balch, Karen Denzine, Kyle Brickhouse, Paula Cashman, Don Spencer Jr., Ron Roberts, Charlie Murphy, Joe Murphy, Luke Sheldon, Bruce Crane, Bethann Grace, Bob Grace, Doris Anthony, Dannie Wilson, Jim McKee, Rodney Smith, Deborah Bond, Robert Bond, Tom Mercadante, Jun Yang, William Rice, Jeff Mullins, Mathis Sneed, Sandra Whitworth, Brent Montgomery, Gareth Bryant, Jerry Jennings, Richard Brown, Joan Morean, Patricia Lancaster, Melanie Aynn, Dianne Reynolds, Renda Campbell, Jonathan McGee, Tony Manary

ACCEPTANCE OF THE AGENDA

Chairman Bianca noted that the Sullivan Street rezoning had been pulled from the agenda.

APPROVAL OF THE MINUTES

Mrs. McCollum moved to approve the minutes of the July 21, 2016 Regular Meeting minutes. Councilman Potter seconded the motion.

Final Vote:

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

Motion Carried

OLD BUSINESS

There was no Old Business to discuss.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

Zoning Map Amendments

150 Roema Drive Annexation & Zoning Request

Zoning Map Amendment request to zone 150 Roema Drive to R-1A, Low Density Residential District upon annexation.

Location: East of Hughes Road and south of Roema Drive

Applicant: Michael A. Allen

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the request was to annex 150 Roema Drive, which is a 19,955 sq. ft. lot developed with an existing single family home, into the City of Madison. The requested zoning is R1A (Low Density Residential) upon annexation. The applicant has submitted this request so that his children can continue to attend Madison City Schools.

The review of the requested annexation reveals that it follows a familiar pattern of the annexation of individual lots in subdivisions either on the periphery of the Madison city limits or surrounded by

properties in the city limits. Such lots already utilize some city infrastructure, such as roads, utilities and parks and patronize many City of Madison businesses. The property at 150 Roema Drive is already a part of the fabric of the City of Madison and staff recommends the annexation.

The request to zone the property R-1A deviates from previous zonings in the area, which are all zoned AG. The requested R-1A is the zoning district that best fits the characteristics of the subdivision. The lot is compliant with the dimensional requirements and the dwelling is mostly in compliance. The subject property and subdivision as a whole represent the characteristics of the R-1A District more than the other residential zoning districts. It's important to evaluate the whole subdivision to avoid having individual lots in a subdivision in different zoning districts. Rainbow Subdivision meets the definition of an R-1A subdivision. Staff recommends the property be zoned R-1A upon annexation.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve the petition for annexation of 150 Roema Drive and forward to the City Council for adoption; and approve the request to zone the property R-1A upon annexation and forward to the City Council for adoption. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

513 Balch Road Annexation & Zoning Request

Zoning Map Amendment request to zone 0.35 acres to B2, Community Business District upon annexation.

Location: 513 Balch Road (SE Corner of Balch Road and Gillespie Road)

Applicant: Chandrakant Choksi

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant has submitted a request to annex a 15,246 square foot parcel currently developed with a convenience store and fuel sales to the City of Madison and zone the property B2 (Community Business) upon annexation. The convenience store is currently under construction on the subject property and is nearing completion. The Madison County Building Department issued the building permit and is conducting all official inspections. Madison County has adopted the same version of the International Building Code as the City of Madison. The City of Madison Building Department and Fire Department were invited to inspect the premise several months ago and forwarded their findings to the Madison County Building Department. According to a representative of the Madison County Building Department, the project has passed all inspections and a certificate of occupancy will be issued by Madison County shortly.

Mr. Blizzard stated that upon annexation, the property would be considered a legal, non-conforming development. The subject property has an area of 15,246 square feet, which is not compliant with the minimum lot size of 20,000 square feet required in the B2 (Community Business District) per Section 4-4A of the Zoning Ordinance. The property is not compliant with required landscaping found in Section 4-7 and 5-15-5 of the Zoning Ordinance. The freestanding sign is not compliant with Section 4-7-10 of the Zoning Ordinance.

Staff supports the request to annex the property into the City of Madison because the property is part of an island of unincorporated Madison County surrounded by properties within the city limits of Madison. The convenience store is provided access from city streets and sanitary sewer and water from Madison Utilities. City of Madison Police and Fire also would respond to emergencies at this location regardless of jurisdiction.

Mr. Blizzard concluded that Staff supports the request to zone the property B2, which is the same commercial zoning as the properties at the southwest and northeast corners of Balch Road and Gillespie Road. The B2 District is the most compatible with the surrounding residential districts and allows for a gas station and convenience store. The site is currently not compliant with some of the landscaping requirements and requirements for freestanding signs, but if the property is zoned B2 it will create a mechanism for the City to require compliance with future expansions and investments to the site.

Public Comments:

There were no comments from the public.

Commission Comments:

Mr. Wesson asked about how the sign and landscaping could be brought into compliance. Mr. Blizzard explained that Section 4-6 of the zoning code is the mechanism that brings properties into compliance overtime as they alter or make any changes to the site.

Councilman Potter addressed the buffering between the property and that some of it is still in the county. Mr. Blizzard added that the property with the most intense use is responsible for adding the buffering.

Mrs. McCollum asked if the motions for annexation and zoning should be made separately. Mrs. Broeren confirmed that they should.

Motion:

Mrs. McCollum moved to approve the petition for annexation of 513 Balch Road and forward to City Council for adoption. Mr. Brooks seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Mr. Ryder moved to approve the request to zone the property at 513 Balch Road to B2 upon annexation and forward to the City Council. Councilman Potter seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Town Madison, Phase 1 Zoning Request

Zoning Map Amendment request to rezone 33.39 acres from AG, Agriculture to TND, Traditional Neighborhood Development.

Location: South of Interstate 565 and west of Zierdt Road

Applicant: Old Town Investments, LLC

Applicant Comments:

Jeff Mullins, Engineer for the project presented the request. Mr. Mullins stated that the applicant has been working with the firm DPZ who has developed some extremely successful mixed use communities also known as Traditional Neighborhood Developments. Mr. Mullins stated that Phase 1 of the project would consist of mostly mixed use residential because this portion of the property is currently adjacent

to residential communities (i.e. Mountain Brook and Edgewater). Mr. Mullins concluded that the project is aiming to hit top of the market prices for the City of Madison and that they feel they can be very successful in achieving their goal.

Staff Comments:

Mr. Blizzard informed the Commission that Pursuant to Section 4-12-3 of the Zoning Ordinance, a request for TND zoning must be accompanied by a concept plan. The concept plan provided by the applicant indicates the required "Mixed Use Area" will have an area of 31.32 acres and include 185 residential lots providing for both single-family attached and detached dwellings. The plan shows somewhat of a grid pattern with cross streets at short intervals allowing for connectivity and good vehicular circulation. The residential lots will be accessed from alleys located adjacent to the property lines. The plan shows pockets of required open space located throughout the development site that amass an area of 0.86 acres. The required "Neighborhood Center" area will have an area of 5.47 acres and contain 27 units.

Mr. Blizzard highlighted several items from the Growth Plan and how this plan could help achieve several of the items indicated from that plan including:

1. A new interchange will be key to development within this KDA, as well as traffic flow throughout south Madison.
2. Mixed-Use redevelopment can serve Gate 7 traffic, as well as those within the KDA.
3. Potential for new, regional retail center, assuming improvements to local infrastructure.
4. Bike/Ped improvements should be coordinated with Zierdt Road expansion.
5. Use a greenway trail system to connect to the quarry and provide buffers between residential and commercial uses.
6. The quarry should be reconfigured as a park, compatible with municipal water needs.
7. Internal area redevelops as an office campus, centered on new or redeveloped Intergraph facility.
8. Existing range may be unsuitable to redevelopment as anything other than residential.
9. As retail sites age, transitioning retail sites into office, institutional and (high end) housing.
10. Create a main boulevard connecting east to west through the site.

Mr. Blizzard concluded that Staff recommends approval of the rezoning application from AG to TND because it is consistent with the City of Madison's long range planning efforts and the Zoning Ordinance.

Public Comments:

Richard Brown, 100 Hursthaven Court expressed concerns with drainage and runoff. Mr. Brown also expressed concerns that the new houses would add stress to the overcrowding schools. He stated that the bond approved for Town Madison assumed retail development. He concluded that he felt the plan was incomplete and no action should be made at this time.

Joey Ceci, 1351 Stonehurst Drive, addressed this development and its impact on the schools indicating that there is less impact on schools with this type of project. He discussed the retail component of the project and stated its potential economic impact and revenues had increased from what was originally proposed.

James Reynolds, 128 Heritage Lane, had concerns regarding the total acreage of the project. Mr. Blizzard answered that the first legal description contained a survey error and typo, and the correct acreage was 33.39.

Kyle Brickhouse, 104 Hursthaven Court, expressed concerns with Mixed Use Residential and the current TND regulations and inquired about a neighborhood edge component. Jeff Mullins answered that DPZ has current issues with the existing TND regulations and is working to create new regulations. He also added that they felt residential should be located near existing residential. Mr. Brickhouse stated that he thought the city should wait for the master plan.

Jerry Jennings, 224 West Lake Circle, spoke in support of the rezoning and feels confident that staff will address any drainage issues that exist.

Chairman Bianca asked Gary Chynoweth to address the drainage issues. Mr. Chynoweth answered that the run off has been a longstanding issue and they have been working to address it by extending box culverts. He explained that the proposed rezoning area drains into a separate drainage basin (sinkhole on Edgewater Drive).

Garreth Bryant, 107 Regent Court, expressed concerns with the existing tree line and request that they save as many trees as possible and wait for the master plan.

Jay Carlson, 312 Bayhill Way, also asked if the existing tree line could be maintained to create a buffer and stated he was not against the project.

Susan Pearson, expressed concerns with alleys that are proposed in the development. Jeff Mullins answered that there would be no perimeter alleys located adjacent to the existing residential development, there would only be internal alleys.

Commission Comments:

Councilman Potter addressed Master Planning and provided input on how projects develop in phases. He stated that he has no fear that the commercial component of this project would be successful and that this project is Madison's future.

Mrs. McCollum asked if residential would be allowed above certain commercial locations. Mr. Mullins answered that staff is working to address the issue with the revision of the TND regulations.

Mr. Ryder asked how soon the layout for Phase 1 would follow the zoning. Mr. Mullins answered that they hope to submit the preliminary plat within 60-90 days.

Mr. Brooks asked if there was any way to ensure that residential be located next to the existing residential. Mr. Blizzard answered that the concept plan is a required part of the zoning.

Motion:

Mr. Brooks motioned to approve the request to rezone the property TND, Traditional Neighborhood Development and forward to the City Council for adoption. Mr. Ryder seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Chestnut Properties Rezoning Request

Zoning Map Amendment request to rezone 0.93 acres from B1, Neighborhood Business to B3, General Business District.

Location: 155 Chestnut Drive (East of Wall-Triana Highway and north of Chestnut Drive)

Applicant: John Buis

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the project would rezone Lot 3, Block 1 and Lot 4, Block 1, *Chestnut Acres Subdivision*, from B1 (Neighborhood Business District) to B3 (General Business District). Combined, the lots total 40,600 sq. ft. The applicant originally submitted an application to obtain a business license for 155 Chestnut Drive (Lot 3, Block 1, *Chestnut Acres Subdivision*). The proposed business consists of indoor retail sales of merchandise, which is permitted in the B1 District. However, the applicant also plans to sell outdoor accessory buildings. He indicated that he would display the different type accessory buildings on the adjoining vacant lot, (Lot 4, Block 1, *Chestnut Acres Subdivision*). Because the display of merchandise outdoors is only permitted in the B3 District, the applicant is requesting to change the zoning.

Several factors in the makeup of the properties along Chestnut Drive have convinced staff to support the requested zoning map change from B1 to B3. The active residential component of properties on Chestnut Drive has been reduced to one lot. The remaining residential lots are currently either vacant lots or occupied by uses other than a dwelling. One such lot is occupied by a church. The absence of an active residential community on Chestnut Drive eliminates one of the concerns with more intense commercial zoning. Another factor is that the B1 District was revised in 2014 transforming it from one to be compatible adjacent to residential neighborhoods to one designed for the downtown area. In addition, five properties adjoining the west and south boundaries of the subject properties were recently rezoned from B1 to B3.

Public Comments:

There were no comments from the public.

Commission Comments:

Councilman Potter commented that he supports this rezoning and likes seeing more B3 zoning near Highway 72.

Mr. Brooks asked if any of the residential property owners/tenants had contacted staff and staff indicated that they had not.

Motion:

Mr. Brooks motioned to approve the request to rezone Chestnut Properties from B1 to B3 and forward to the City Council for adoption. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

Country Hearth Rezoning Request

Zoning Map Amendment request to rezone 5.32 acres from M1, Restricted Industrial District to B3, General Business District.

Location: 8716 Madison Boulevard (North of Madison Blvd. and east of Celtic Drive)

Applicant: Jun Yang

Applicant Comments:

Jun Yang presented the request and stated that the market studies that he has completed show that there is a market shortage and high demand for independent senior living.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is currently occupied by a hotel, and the applicant plans to convert the facility into apartments for senior citizens. These facilities commonly go by the name "independent living" and also offer a few extra amenities such as meals, housekeeping and group activities. The applicant requested the R4 zoning expecting that it was the best fit for their proposed project. However, the applicant is not opposed to the recommended B3 zoning, which would also accommodate their project.

Mr. Blizzard stated that the analysis for this request focuses on two considerations. The first is whether the independent senior facility is more related to a traditional apartment project or to an assisted living

facility. The other consideration is on its face which zoning district best fits with the surrounding uses on Madison Boulevard.

The term “independent senior living” is common in the field of housing for senior citizens and represents a type of senior housing that bridges the gap between living in a traditional single-family dwelling and a more traditional assisted living facility. This independent living facility is designed more for seniors in reasonably good health that can do most things for themselves but benefit from not having the responsibility of maintaining a household. The request for the zoning change to R4 was because early on staff thought this facility might be more comparable to an apartment complex for senior citizens. However, through an analysis of such facilities and the services they provide to make life of the residents easier and more comfortable, staff thinks the facility is more comparable to assisted living than traditional apartments. Therefore, based on the expected project staff thinks the B3 zoning is more appropriate than R4.

The second factor to consider is which zoning district is the best fit for the subject property and surrounding area overall. Much of the area is already zoned B3 with a few pockets of M1 left over from another era when City of Madison decision makers assumed Madison Boulevard would become a warehouse district because of the close proximity of the airport. Over the years, the M1 zoning has been replaced with B3 zoning, as Madison Boulevard has evolved into a commercial corridor. One of the desirable attributes that the B3 District has that neither the R4 nor M1 District have is tougher landscaping, signage and other aesthetic regulations. Another benefit to the B3 zoning for this property is that the senior living facility would be permitted as a category of assisted living facility and would be the only type of residential living arrangement allowed. The R4 District permits all forms of residential dwellings, including single-family dwellings, as well as apartments.

Mr. Blizzard concluded that based on this analysis, staff recommends the subject property be rezoned to B3 with the understanding the hotel will be converted to independent senior living and permitted under the classification of assisted living.

Public Comments:

There were no comments from the public.

Commission Comments:

Councilman Potter asked if the concept was to remodel or demolish the existing building. Mr. Yang answered the plan was to maintain the existing shell, but to do an extensive interior remodel.

Motion:

Mr. Cowles moved to approve the modified rezoning request for 8716 Madison Boulevard from M1 to B3 and forward to the City Council for adoption. Councilman Potter seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye

Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Atkinson Property Rezoning Request

Zoning Map Amendment request to rezone 58.85 acres from AG, Agriculture to R-3A, Single-Family Detached Residential District.

Location: Generally southeast of Hardiman Road and east of Ashbury & Oxford Subdivision

Applicant: Philemon S. Smith on behalf of John Paul Atkinson

Applicant Comments:

Ron Roberts, 1011 Westmoreland Avenue, presented the request asking for R-3A zoning over the entire parcel. Mr. Roberts stated that the current zoning request is reasonable in density and that the school problem is temporary and this decision should not be hinged on this issue. He mentioned that the West Side Master Plan has not yet been adopted and is a draft document at this time. The FAA noise contours may or may not occur and there are no wetlands on the property. Mr. Roberts feels that the R-1 zoning proposed by staff makes the property unfeasible for development, and that commercial development in this location is unrealistic. Mr. Roberts concluded that staff's proposal is considered a land taking and that he is not requesting this zoning to achieve the maximum density, but only for lot coverage and setbacks.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting rezoning 58.85 acres of a 73 acre parcel from AG to R3A for the purpose of constructing a single family subdivision. The applicant submitted a concept plan for the subject property to subdivide the property into 167 residential lots and one common area.

He added that the draft West Side Master Plan has not been adopted, but the draft plan is near completion and this section of the report is to provide the Planning Commission with an understanding of how the new Westside Master Plan will be incorporated into Planning Commission reports. Since the Plan is not adopted it does not have any legal bearing on the request. However, it does represent some of the newest and best data available and Planning Commission does have the right to use the facts presented in making a decision on the requested rezoning.

The draft West Side Master Plan provides the designation of Rural & Transitional Areas for the subject property and neither the proposed R3A zoning nor the concept plan are compatible with this designation. The current zoning districts that would be compliant with this "Place Type" are R1 (Low Density Residential) and the current zoning of AG (Agriculture). The R1 District requires a minimum lot size of 45,000 square feet and does allow agricultural uses for crops, residential gardens and landscaping but prohibits commercial poultry, animal farms and dog kennels. The AG District requires a minimum lot size of three acres and allows for the full range of agricultural uses. Currently, the West Side Master Plan and Vision Map are only a draft and nothing in the Plan has been adopted, but it does provide the best long range information available to date for undeveloped properties in Limestone County. However, the

Planning Commission is under no obligation to consider the recommendations provided in the draft West Side Master Plan in its deliberation of this request.

Another element of staff's review of the rezoning request was the concept plan submitted with the rezoning that proposes 167 lots with an average lot size of approximately 12,000 square feet (Attachment No. 1). Based on recent testimony and discussions at the Planning Commission and City Council meetings, staff does not think that the proposed concept plan is consistent with development goals for the area in light of comments regarding roads and schools in particular. Planning Department staff met with the applicant in an attempt to find a zoning district or combination of zoning districts that will allow the applicant a reasonable number of lots but at a much lower density than the 167 lots shown on the concept plan. Staff recommended a combination of RC1 (Residential Cluster Zone 1), which would allow 8,400 square foot lots to be clustered into specific areas of the subject property with a required 20 percent of the total property set aside for open space. There are two possible wetlands on the subject property, with one being located in the northeast area and one located in the southeast area. Staff recommended to the applicant that these areas be set aside with a greenway/multi-use path running along the eastern property line, as recommended in the West Side Master Plan. The combination of these areas would amount to the required acreage for the 20 percent set aside.

In response to staff feedback, the applicant submitted a new concept plan on August 15th that reduced the number of lots from 167 to 156. An area for a path is set aside on the east side of the property as requested, but the basic layout is the same and the total lot count is still significant. Staff recommends that Planning Commission consider such a scenario as staff discussed with the applicant and deny the requested R3A zoning for the subject property.

Public Comments:

Brenda Buschman, 107 Lenoir Trail, told the Planning Commission that they had the responsibility to control zoning and should do what is best for the entire city and not individual property owners. Mrs. Buschman also addressed the schools and the overcrowding issue that currently exists.

Terry Johnson, 110 Melina Drive, President of the School Board, asked the Planning Commission to wait until the issue with Limestone County has been resolved before they act on this rezoning matter in hopes that there will be a resolution. She indicated the School Board was beginning mediation on September 8th.

Bill Rice, 115 Lenoir Trail, expressed concerns with school overcrowding and feels there is no current demand for this housing product as there are a lot of undeveloped lots similar to what is proposed.

Joey Ceci, 1351 Stonehurst Drive, stated there is a demand for high end homes in Madison at higher price points.

Melanie Flynn, 133 Mill Ridge Drive, echoed concerns about the school overcrowding and asked that this item be postponed until that issue is resolved.

Commission Comments:

Councilman Potter addressed the Limestone County tax issue and other funding issues across the city.

Mr. Brooks mentioned that this is not an annexation, but rather a rezoning because the property was already within the city limits. He stated that the property is surrounded by R-3A development and feels that this is a reasonable request. He concluded that the school system growth has been an issue for a very long time and is nothing new.

Kelly Butler mentioned that the Planning Commission should make their decision based on what they feel is best for the entire city and not based on the individual property owner's rights. Ms. Butler also stated that property owners have no rights to rezoning.

Mary Beth Broeren, stated that staff is not opposed to the Planning Commission to tabling the item.

Councilman Potter stated that he feels less dense environment is what is best for Madison.

Motion:

Councilman Potter moved to postpone the rezoning request for the Atkinson Property until the October Planning Commission meeting. Mr. Grounds seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Nay
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Nay
Tim Cowles	Nay
Motion Carried	

Willow Creek Rezoning Request

Zoning Map Amendment request to rezone 4.82 acres from AG, Agriculture to R-3A, Single-Family Detached Residential District

Location: West of Shiloh Creek Drive and south of Coach Lamp Drive

Applicant: Focus Investments, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting the 4.82 acre property be rezoned to R3A because it will be consolidated into Willow Creek Subdivision, which adjoins the western and northern boundaries of the subject property. Willow Creek Subdivision is zoned R3A.

The majority of new subdivisions constructed in the western part of the City are zoned R3A because the District offers greater lot coverage, and the setbacks are not as restrictive as in the other residential zoning districts. The vast majority of these subdivisions were constructed at densities more consistent with R2 (Medium Density Residential) and R1B (Low Density Residential).

Mr. Blizzard concluded that based on the criteria of this request, staff recommends the R-3A rezoning.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve the request to rezone Tract 2 of Marvin Stewart Subdivision from AG, Agriculture to R3A, Single-Family Detached Residential District and forward to the City Council for adoption. Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

Subdivision Plats

Putman Industrial Park (Tabled from June Meeting)

Certified Plat to resubdivide 13.55 acre parcel into two lots

Location: South of Production Avenue and west of Jetplex Lane (fronting Production Court)

Applicant/Owner: Jetplex Associates, LLC

Applicant Comments:

Bruce Crane, representing Johnson and Associates, presented the request.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting approval to resubdivide the 13.55 acre parcel into two lots. Staff recommends approval of the certified plat *for Putman Industrial Park, Second Addition, Phase III* because the resubdivision is compliant with the provisions found in the Subdivision Regulations and the underlying zoning of M1.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Councilman Potter motioned to un-table Putman Industrial Park, Certified Plat. Mr. Brooks seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Councilman Potter moved to approve Putman Industrial, Certified Plat subject to the following comments:

Planning Department Comments

1. Signatures:
 - 1) Surveyor's Certificate of Land Platted
 - 2) Dedication
 - 3) Mortgage Holder
 - 4) Notary's Acknowledgment
 - 5) Flood Certificate
 - 6) Certificate of Accuracy

Mr. Grounds seconded the motion.

Final Vote:	
Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye

Tim Cowles

Aye

Motion Carried

Hilltop Ridge, Phase 2

Reapprove Preliminary Plat for 32 residential lots

Location: West of Burgreen Road and south of West Haven Subdivision

Applicant/Owner: Steve Simmons Community Developers, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the request is to re-approve a preliminary plat for 32 lots on 12.94 acres. A preliminary plat was approved in August of 2015 for all of *Hilltop Ridge Subdivision*, which included 63 lots on 26.14 acres. The one year expiration date has expired for the preliminary plat and the applicant is requesting the plat be reapproved. The only difference between this submittal and the preliminary plat originally approved is that area of *Hilltop Ridge, Phase 2* is omitted. That portion of the subdivision received final plat approval in August of 2015.

Mr. Blizzard concluded that the preliminary plat for *Hilltop Ridge, Phase 2* meets all technical requirements found in the zoning and subdivision regulations and staff recommends approval.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mrs. McCollum motioned to approve Hilltop Ridge, Phase 2 (re)Preliminary Plat. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

The Village at Oakland Springs

Reapprove Preliminary Plat for 101 lots and 1 tract

Location: East of Bowers Road and south of Huntsville-Browns Ferry Road

Applicant/Owner: Place Makers North America, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the request is to re-approve a preliminary plat for 101 lots and one tract on 157.11 acres. The applicant requests re-approval of a preliminary plat for 101 lots and one tract on 157.11 acres. The same preliminary plat was approved by the Planning Commission in June of 2015. That preliminary plat approval has exceeded the one year time limit until a final plat is approved. There are no changes to the plat and staff recommends approval.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder motioned to approve The Village at Oakland Springs, (re)Preliminary Plat. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

Madison Dental Center

Certified Plat to resubdivide the 3.84 acre site into two lots

Location: 8331 Madison Boulevard (East of Hughes Road and south of Madison Boulevard)

Applicant/Owner: Boulevard Properties, LLC

Applicant Comments:

Bruce Crane presented the request on behalf of Johnson and Associates.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting to resubdivide the 3.84 acre site into two lots. The property is mostly developed with a 21,662 square foot office complex and off-street parking. However, there are 1.28 acres that remain undeveloped along the west property line. The purpose of the certified plat is to subdivide that portion of the property into a separate lot (Lot 3-A). The new lot will not have direct access to Madison Boulevard and an ingress/egress easement will be provided through Lot 3-B for access. Mr. Blizzard concluded that staff recommends approval with the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mrs. McCollum motioned to approve Madison Dental Center Certified Plat with the following contingencies:

Planning Department Comments

1. Note that Lot 3-A will not have direct access to Madison Boulevard.
2. Take existing and proposed utilities off the certified plat and put on a separate sheet not for recording.

Mr. Ryder seconded the motion.

Final Vote:

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

Motion Carried

Shelton Hill

Preliminary Plat for 8 residential lots and two tracts
 Location: East of Shelton Road and north of Old Madison Pike
 Applicant/Owner: JWE Properties, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the requested preliminary plat is to subdivide 15.66 acres into eight residential lots and two tracts. The variance would eliminate the requirement to submit a layout plan. The applicant requests approval of a preliminary plat to subdivide 15.66 acres into eight residential lots and two tracts. The residential lots have an average square footage of 25,497 square feet per lot. The smallest lot will have an area of 20,766 square feet.

Staff recommended the applicant request a variance to Section 4-4 of the Subdivision Regulations to not require a layout approval for this project. An expansion of the subdivision beyond the eight residential lots and likely future commercial tract is not anticipated. Therefore, the layout of lots that would be depicted on the sketch plat would be identical to those shown on the preliminary plat and would not serve any purpose. The other important element of the layout is the requirement of a site assessment. The Engineering Department will not require the site assessment as long as geotechnical reports are submitted and approved that substantiate no unconsolidated fill be found on the lots that could affect the installation of the sanitary sewer and building foundations.

The property was used as a landfill for several years, and staff is requiring a geotechnical report on whether the soils have consolidated enough to allow for the placement of buildings and whether the sanitary sewer can be installed at the proposed location. Concerning the building pads, the method of making the soil suitable for a building will be determined by the Building Department.

Mr. Blizzard concluded that the preliminary plat and construction plans meet all technical standards provided in the Zoning Ordinance and Subdivision Regulations, except for the possibility of unsuitable fill material caused from the property being used as a landfill. The reason staff still recommends approval of the preliminary plat and construction plans is because the geotechnical report is forthcoming, and if unconsolidated fill is found there are engineering solutions to stabilize the soil conditions.

Public Comments:

Brent Montgomery, 1200 Nolan Boulevard, expressed concerns with fill that was dumped into the existing site and also asked about the size of the proposed homes. Mr. Blizzard directed Mr. Montgomery to the engineer who was present to answer specific questions regarding the homes.

Commission Comments:

There were no comments from the Commission.

Motion:

Councilman Potter motioned to approve the procedural variance to Section 4-4 of the Subdivision Regulations to not require a Layout. Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

Mrs. McCollum motioned to approve Shelton Hill Preliminary Plat with the following contingencies:

Planning Department Comments

1. Provide a geotechnical report that verifies if there is any unconsolidated fill in the proposed location of building pads. If unconsolidated fill is discovered, the Building Department will determine the method of solution.
2. Note 4: A 15 ft. PUDE is required along the front of each lot
3. A pedestrian access easement will be required where required sidewalk leaves the right-of-way and comes onto the adjacent lots.
4. The proposed 5 ft. concrete sidewalk along Shelton Road
5. Entire boundary of property must be shown on the preliminary plat.

Engineering Department Comments

1. (PENDING) Provide the following note: Minimum Finished Floor Elevations (MFFE) shall be established for all lots. The MFFE shall meet current Building Code and Engineering Department requirements for storm water drainage. Any lot located within a Special Flood Hazard Area shall meet the City of Madison Flood Ordinance requirements for structures.
2. (PENDING) Provide the following note: All driveway locations shall be approved by the City of Madison Engineering Department. All corner lots shall have the driveway placed along the lot line opposite the intersection.
3. Provide Stormwater report that meets the City's MS4 requirements for 1.14" rainfall event, detention, etc.

Madison Utilities (for information only)

1. Provide a geotechnical report that verifies if there is any unconsolidated fill in the proposed location of the sanitary sewer.

Mr. Ryder seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye

Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Crown Pointe, Phase VII

Final Plat for 48 residential lots, 1 tract, and 1 common area
Location: North of Gillespie Road and east of Balch Road
Applicant/Owner: Jeff Benton Development Inc.

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting final plat approval for 48 lots, one common area and one tract with a combined acreage of 77.56. The only difference in the final plat and the approved preliminary plat is that Common Area 4 is being included with this phase. Common Area 4 was originally platted with *Crown Pointe, Phase I*. Mr. Blizzard concluded that staff recommends approval given the contingencies noted in the staff report.

Public Comments:

Rodney Smith, 201 Graythorn Drive, expressed concerns with water pressure.

Bob Grice, 119 Torrington Drive, addressed water pressure and stated it is steadily dropping.

Dorris Anthony, 151 Brass Oak Drive echoed concerns with water pressure and also had concerns with run off and questions if the existing tree line would remain.

Commission Comments:

There were no comments from the Commission, but Mr. Chynoweth addressed the concerns with the run off and stated that Madison Utilities is part of the review process and signs off on the plans so they should be aware of the water pressure issue.

Motion:

Mrs. McCollum motioned to approve Crown Pointe, Phase VII Final Plat with the following contingencies:

Engineering Department Comments:

1. Submit all LOC paperwork required for approval.

- 2. (PENDING) Change note #23: Minimum Finished Floor Elevations (MFFE) shall be established for all lots. The MFFE shall meet current Building Code and Engineering Department requirements for storm water drainage. Any lot located within a Special Flood Hazard Area shall meet the City of Madison Flood Ordinance requirements for structures.
- 3. (PENDING) Change note # 25: All driveway locations shall be approved by the City of Madison Engineering Department. All corner lots shall have the driveway placed along the lot line opposite the intersection.

Mr. Brooks seconded the motion.

Final Vote:

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

Motion Carried

Greenbrier Hills, Phase 2

Final Plat to modify Plat Note 30, which relates to the location of driveways on corner lots in residential zoning districts.

Location: Generally east of Hardiman Road and north of the Norfolk Southern Railroad

Applicant/Owner: Madison Land Resources, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the applicant is requesting that Plat Note 30 be revised to read:

- Definition of intersection in residential subdivisions as applies to this plat note: is the distance between the two pc points along the curb.
- No driveways may exit directly into an intersection.
- Builders may be required to provide site distance data as requested by engineering.
- Side entry driveways are permissible when the above conditions are met.

Mr. Blizzard concluded that staff recommends approval.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mrs. Brooks motioned to approve Greenbrier Hills, Phase 2 Final Plat. Mr. Cowles seconded the motion.

Final Vote:

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

Motion Carried

(PUBLIC HEARING CLOSED)

New Business

Planning Commission Schedule

There was a reminder that the September Planning Commission would be held on Tuesday, September 13, 2016.

ADJOURNMENT

Chairman Bianca adjourned the meeting at 8:00 p.m.

Minutes Approved

A handwritten signature in black ink that reads "Damian Bianca". The signature is written in a cursive style with a large initial "D".

Damian Bianca, Chairman

ATTEST:

A handwritten signature in blue ink that reads "Ross Ivey". The signature is written in a cursive style with a large initial "R".

Ross Ivey, Assistant Planner and Recording Secretary