

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 13th DAY OF JUNE, 2019 AT 9:00 A.M. AT THE
MADISON COUNTY COMPLEX BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 13th day of June, 2019 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present: Larry Miller
 Walter McKay
 Bill Billingsley
 Dr. Bill Howard
 Rev. Henry Brown

Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Brown, and those present participated in pledging allegiance to our flag.

There first came on for consideration the minutes of the May 16, 2019 meeting of the Commission. Upon motion by Commissioner Howard to approve the minutes, seconded by Commissioner Brown, with all voting "aye," the motion to approve the May 16, 2019 minutes passed.

There next came on for consideration to open the public hearing for items to be considered. Upon Motion by Commissioner McKay to open the public hearing, seconded by Commissioner Howard with all voting "aye," the motion to open the public hearing passed.

There next came on for consideration of the petition of Veracity LLC to rezone C1-A to C-2 Commercial. The property is located on the southwest corner of Gluckstadt Rd. and Dees Way. Bridgforth Rutledge appeared on behalf of the petition. He explained that he lives in Madison County and is one of the partners in the business. This is a 2 ½ acre site that is currently undeveloped. The proposed site will be a car wash business. They just put a similar business up on Lake Harbor Drive in Ridgeland, MS and have another business across the Reservoir and in Daphne, Alabama. Mr. Rutledge said this was a \$3 million project and was a long term investment for them and they had no intentions of selling the business. He said this was in keeping with the County's future land use plan to be developed in C-2. He said there was a lot of C-2 around this proposed site and that the character of the area has changed making the C-2 designation proper. With regard to traffic concerns, he said that they had designed the site specifically with traffic concerns in mind. Based on the design, it would be very difficult for it to get backed up and cause any disruption in the traffic. He presented a rendering of the proposed business and noted the entrance and exit only places, along with the proposed parking which would be wider to help with spacing. Commissioner McKay commented that he did not agree that the current plan was the best way to address traffic,

which would be to place the entrance furthest away from the intersection at the south end. He said he had concerns about traffic safety because this was placing the exit out across from the existing entrance/exits from Burger King and the C-store being constructed across the street, and future traffic from businesses under construction on Dees Dr. will add more traffic at the intersection. The Petitioner explained that the County Engineer had reviewed the plan and made the current changes. Mr. McKay stated that a better location for the entrance is nearest the intersection, regardless of what the county engineer had suggested.

The Petitioner noted the letter as part of their petition that discussed that traffic would not be a concern. He also stated that another use such as a restaurant would attract more traffic and he felt like this was the best use for the property. There was a discussion about the zoning in the area and that C-2 was on some sides but there was C-1 on the other side. The Petitioner noted that they had a letter from Bear Creek in the packet and they did not object. Commissioner Billingsley stated that it was his understanding that C-1A was supposed to be a buffer between C-1 and C-2 zoning classifications. The Petitioner reiterated that the area was mostly C-2 and the county's plan/land use map supported the rezoning. Commissioner McKay read from provisions in the zoning ordinance and stated that he did not believe they had met their burden given the traffic and safety concerns.

Those in attendance in opposition were asked to speak next. Pam Minninger spoke and said that she both lives and works near this area and she was addressing the concerns on behalf of herself individually and the church where she works. She said no one had discussed the proposed petition with them even though when this petition for rezoning originally was presented in 2015 it was tabled for them to discuss their plans with those nearby. She said that everything on that side was office space and because C-1A was meant to be a buffer, this should remain to serve that purpose. She also addressed concerns about it being in a flood zone and whether they had obtained the necessary certification. Lisa Williams addressed the Commission next and stated that she was a resident of Gluckstadt and discussed the right of way owned by MDOT. She agreed that water was a concern as the issue had gotten worse because of all of the new development. She stated that Bear Creek had taken a neutral position, not one in support of the request. The petitioner responded that he was a former resident of Gluckstadt and he understood their position. He said they had sent out the notices to the surrounding areas and they had not heard anything back. He explained that they would be closed on Sundays and he felt it was the best use for the area. He also said they were in compliance with flood requirements and he would present that information. Zoning Administrator Scott Weeks stated that he had not received anything about the flood plain and he wanted to see that documentation and the petitioner agreed to provide same. Upon motion by Commissioner McKay to deny the petition for rezoning, seconded by Commissioner Howard, with Commissioners McKay, Howard, Miller and Brown voting "aye" and Commissioner Billingsley voting "nay", the motion to deny the petition passed.

There next came on for consideration the petition of Heritage RV Center for a conditional use for pre-owned vehicles sales on Davis Crossing Rd. Thomas Conner appeared on behalf of the petition. He explained that this was 13 total acres and the proposed site would use 5 acres. Tom Humphries who owns the property was also present. Commissioner Billingsley inquired how many cars would be parked and they said 50 to 100. Petitioner stated that the lighting would be inward facing and not face out to cause any issue with the neighbors or traffic at night. No one was present

in attendance with questions or concerns. Upon Motion by Commissioner Billingsley to approve the petition, seconded by commissioner Howard, with all voting "aye," the motion to approve the petition passed.

There next came on for consideration to close the public hearing. Upon Motion by Commissioner Miller to close the public hearing, seconded by Commissioner Billingsley with all voting "aye," the motion to close the public hearing passed.

Commissioner Miller left the meeting at this time due to another appointment.

There next came on for consideration the site plan amendment of Storage Max located on Church Rd. Bob Lloyd is the owner and appeared on behalf of the petition. It was explained that these were architectural changes and nothing about the footprint or size was being changed. Upon Motion by Commissioner Billingsley to approve the request, seconded by Commissioner Howard, with all voting "aye," the motion to approve the site plan amendment passed.

There next came on for consideration the site plan amendment of Rick's Pro Truck located on Autobahn Loop/Calhoun Station Pkwy. Betsy Luke with Mitchell Signs appeared on behalf of the request. She explained that it was bigger than what was originally approved but it was still within the zoning requirements on size. Upon Motion by Commissioner McKay to approve the request, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the site plan amendment passed.

There next came on for discussion the setting of the July, 2019 meeting/public hearing. The second Thursday is July 11, 2019. Upon Motion by Commissioner McKay to set the meeting for July 11, 2019, seconded by Commissioner Billingsley, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the June 13, 2019 meeting was adjourned.

7-11-19
Date

Walter McKay
(Chairman)