
Date: Aug. 29, 2016
Subject: Town Madison re-zoning questions

Email exchange on 8/29/16 between Edgewater (Heritage Woods) resident Gareth Bryant, and Madison City Planner, Mr. Johnny Blizzard (responses in blue italic).

1. The Board did approve this request and will forward the approval recommendation on to the City Council for consideration of a formal vote, right?

Right. The Planning Commission recommended the subject property be rezoned to TND. However, authority to rezone property rests with the City Council.

2. The plan considered by the Board tonight was the "Concept Plan", right? Is this the plan the Council will consider?

A final concept plan is required as part of an application to rezone property to TND. The City Council will consider the final concept plan with the rezoning.

3. I hear of "Concept Plans" and Final Plans. How many types of plans are there in considering a development request and what is the sequence and timing of these plans?

As stated above, a final concept plan is required as part of a rezoning request to TND. At the meeting concept plans were mentioned with other rezoning requests but such plans are not required for a rezoning request for a district other than TND. Many times the applicant will submit one voluntarily to give the Commission and Council a better understanding of the project. Other maps mentioned include layout approval, preliminary plat approval and final plat approval. The layout plan is similar to the final concept plan and provides the general location of lots and streets. The preliminary plat provides a more detailed description of the lots, streets, setbacks and easements. The preliminary plat is accompanied by construction plans that provide detailed engineering plans for the construction of streets, utilities, as well as, grading and drainage. The final plat is similar to the preliminary plat but will provide exact locations of all lots, streets, easements.. Upon approval, the final plat is recorded in the County Office of Probate and will serve as the property record for each individual lot in the subdivision.

- a. How many are likely for this particular development request?

Layout, Preliminary & Final Plat. There will also be another rezoning request when the entire master plan for the whole of Town Madison is submitted.

4. When will the Council likely consider this plan?

A date has not been determined but will be in the near future. When those dates are established, I will send them to you. The item will come before the City Council twice. The first time it appears on a Council Agenda. It will be in the form of a resolution for the City Council to set a public hearing. After the Council has set the public hearing, the rezoning request is advertised in the newspaper in accordance with Law. The second time it appears on the Council Agenda, it will be for the public hearing and Council action.

a. What happens if the Council votes to approve?

The property will be rezoned to the TND District and have all vested rights allowed in that district.

b. If the Council does not vote to approve?

The property will remain in the AG District

5. Can the public view a copy of "Concept Plan" considered by the Board and how?

The plan is linked to the Planning Commission Agenda shown on the City's website at www.madisonal.gov. I've attached it to this email, as well.

6. If I understood the Board discussion, the Board considered stipulating, in the approval recommendation to the Council, that the fringe lots in the development would be restricted to single family detached, and that the heavily wooded portion at the southern boundary of the area being requested to be rezoned (the large wooded area filled with mature trees immediately north of Heritage Lane in the Edgewater Community) would be "protected". Right? And it was said that the reason that this stipulation was not made in the actual approval recommendation was because that these two stipulations, regarding the fringe lots being single family detached and the trees being protected, already existed in the "Concept Plan" itself being forwarded on to the Council. Right?

The final concept plan presented to the Planning Commission did not include a "Neighborhood Edge", which only allows for single-family detached dwellings. However, the lots shown on that final concept plan adjoining the residential subdivisions are planned for single-family detached dwelling and the applicant agreed to modify the final concept plan to designate those lots "Neighborhood Edge" before it goes to Council.

It's my understanding that the applicant plans to save as many trees as possible adjoining the existing residential subdivisions. It was not part of the motion because the rezoning requests must be approved or denied based on its merit and not on the condition the applicant provide something extra. The applicant can voluntarily provide an easement or other type restriction that would protect the trees from removal. Normally such easements would be established at the time of preliminary plat approval.

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