



**City of Athens Planning Commission- Regular Meeting
May 19, 2020**

Work Session at 5:00 p.m. and Regular Meeting at 5:45 p.m.
Location – City Council Chambers, City Hall, 200 Hobbs St. West
& Streaming Online due to COVID-19 Protocols put in place by Proclamation of the Governor

Important Notice: Per the directive of Chairperson Gina Garth, this meeting will be conducted pursuant to Section 3 of Governor Kay Ivey’s March 18, 2020 Proclamation concerning the operation of the Open Meetings Law during the state of emergency related to COVID-19. All deliberations conducted, and actions taken, during the meeting will be limited to matters within the Planning Commission’s statutory authority that are (a) necessary to respond to COVID-19, or (b) necessary to perform essential minimum functions of the Planning Commission. As such, some members of the Planning Commission may physically attend the meeting at the above location, and other members of the Planning Commission may participate in this meeting by means of electronic communications. Additionally, **the meeting will not be open to physical presence by members of the general public, but the meeting will be livestreamed so that the public (including any applicant or other person interested in any agenda item) may listen, observe, and participate in the meeting without being physically present. Persons interested in doing so should use the ZOOM meeting invitation and/or meeting phone number found on the Planning Commission page of the City of Athens website, and contact etidwell@athensal.us with any additional questions for how to do so. No less than twelve (12) hours after the meeting, the City will post a summary of the meeting on its website at: www.athensal.us**

CALL TO ORDER.

I. **MINUTES.**

A. Meeting of April 21, 2020 for approval.

II. **APPROVAL OF AGENDA AND MANNER FOR CONDUCTING MEETING.**

A motion to (a) approve this April 21, 2020 agenda; (b) find that all items on this agenda (and all deliberations related thereto) are matters within the Planning Commission’s statutory authority that are (i) necessary to respond to COVID-19, or (ii) necessary to perform essential minimum functions of the Planning Commission; (c) to approve the conduct of this meeting pursuant to the Section 3 of Governor Kay Ivey’s March 18, 2020 Proclamation concerning the operation of the Open Meetings Law during the state of emergency related to COVID-19; and (d) to suspend, for this meeting, any by-law or other rule of the Planning Commission that would conflict with the conduct of the meeting as stated in this motion and the April 21, 2020 agenda.

OLD BUSINESS

NEW BUSINESS
SUBDIVISIONS

- III. **Public Hearing** Request of Edward Rose Millennial Development, LLC. for a Brookhill Minor Plat, creating a single tract sized +/-54.94 acres, located directly north of Brookhill Elementary School, in an R-2 Multi-Family Residential District.
- IV. **Resolution** Consider the request of Edward Rose Millennial Development, LLC. for a Brookhill Minor Plat, creating a single tract sized +/-54.94 acres, located directly north of Brookhill Elementary School, in an R-2 Multi-Family Residential District.
- V. **Public Hearing** Request of Archie and Pearlene Gilbert for “Gilbert Subdivision”, a replat of +/- 1.00 Acre from an existing parcel of land located at 108 Hickory Street East in an R-1-3 High Density Single Family Residential District.

- VI. **Resolution** Consider the request of Archie and Pearlene Gilbert for “Gilbert Subdivision”, a replat of +/- 1.00 Acre from an existing parcel of land located at 108 Hickory Street East in an R-1-3 High Density Single Family Residential District.
- VII. **Resolution** Consider the request of Billy Strain for a layout of The Meadows Subdivision, a subdivision of +/-56.00 acres into 103 lots, located on the south side of Strain Road 1,150 feet east of HWY 31, in an R-1-3 Single Family High Density Residential District.
- VIII. **Resolution** Consider the request of Newby Chapel, LLC. for a Final Plat of Newby Chapel Subdivision, a subdivision of +/-80.07 acres into 108 lots and 1 tract, located on the south side of Newby Road, 1800’ east of Cambridge Lane, in an R-1-3 Single Family High Density Residential District.
- IX. **Resolution** Consider the request of Double Head Properties, LLC. for a Final Plat of Old Stone Phase 2, a subdivision of +/-14.69 acres into 20 lots and 2 common area lots, located at the deadend of Beacon Circle, in an R-1-3 Single Family High Density Residential District.

Rezoning

- X. **Public Hearing** Request of John D. Furline & Teresa Dawn Furline for recommendation to Athens City Council to rezone +/- 13.00 acres of property on the east side of Lindsay Lane South immediately north of Indian Trace Subdivision from the R-1-1 Single Family Residential District to a C-PUD, Conventional Planned Unit Development District.
- XI. **Resolution** Consider the request of John D. Furline & Teresa Dawn Furline for recommendation to Athens City Council to rezone +/- 13.00 acres of property on the east side of Lindsay Lane South immediately north of Indian Trace Subdivision from the R-1-1 Single Family Residential District to a C-PUD, Conventional Planned Unit Development District.
- XII. **Public Hearing** Request of Joe D. Brooks and Donna B. Brooks for recommendation to Athens City Council to rezone +/- 107.464 acres of property, located directly south of the intersection of Leatherwood Drive and Quinn Road and directly north of Sutton Drive, from an EST, Estate Residential and Agricultural District to an R-1-3 Single Family High Density Residential District.
- XIII. **Resolution** Consider the request of Joe D. Brooks and Donna B. Brooks for recommendation to Athens City Council to rezone +/- 107.464 acres of property, located directly south of the intersection of Leatherwood Drive and Quinn Road and directly north of Sutton Drive, from an EST, Estate Residential and Agricultural District to an R-1-3 Single Family High Density Residential District.
- XIV. **Public Hearing** Request of Pepper Road Estates, LLC. for recommendation to Athens City Council to rezone +/- 34 acres of property, located +/- 2,000 feet west of the intersection of Pepper Road and Oakdale Road, from an EST, Estate Residential and Agricultural District to an R-1-3 Single Family High Density Residential District.
- XV. **Resolution** Consider the request of Pepper Road Estates, LLC. for recommendation to Athens City Council to rezone +/- 34 acres of property, located +/- 2,000 feet west of the intersection of Pepper Road and Oakdale Road, from an EST, Estate Residential and Agricultural District to an R-1-3 Single Family High Density Residential District.
- XVI. **Public Hearing** Request of Lynn Persell Homebuilders, LLC. for recommendation to Athens City Council to rezone +/- 21.59 acres of property, located directly south of 110 Cloverleaf Drive, on the western side of Cloverleaf Drive, from an R-1-5 Single Family Attached Residential District and B-2 General Business District to an R-1-3 Single Family High Density Residential District.
- XVII. **Resolution** Consider the request of Lynn Persell Homebuilders, LLC. for recommendation to Athens City Council to rezone +/- 21.59 acres of property, located directly south of 110 Cloverleaf Drive, on the western side of Cloverleaf Drive, from an R-1-5 Single Family Attached Residential District and B-2 General Business District to an R-1-3 Single Family High Density Residential District.

Location, Character, & Extent

- XVIII. **Resolution** Request of the City of Athens for approval of location, character, and extent for TAP Project NO. TAPAA-TA17(911), Sidewalks Along Pryor Street and US Highway 31, located along Pryor Street and US HWY 31 corridors, in an TB Traditional Business District, B-2 General Business District, and INST, Institutional District.
- XIX. **Resolution** Request of City of Athens for approval of location, character, and extent for ALDOT Project IAR-042-000-011, Widening Sanderfer Road from Hine Street to West of Jefferson Street, located in an M-1 Light Industrial District, R-1-1 Single Family Low Intensity Residential District, R-1-3 Single Family High Intensity District, and a B-1 Neighborhood Business District.
- XX. **Resolution** Request of City of Athens for approval of location, character, and extent for Construction Plans for Gateway Boulevard, located in ROW between Greenfield Drive and Lindsay Lane in a B-2 General Business District.

CITY OF ATHENS PLANNING COMMISSION

Public Hearing Procedure

- During the course of a Planning Commission Meeting whenever an application that requires a public hearing (zoning, re-zoning, conditional use, certain subdivisions of property, etc. . . .) appears on the Commission's agenda, the Chair will declare the same and introduce the application to the Commission and citizens who are in attendance.
- The Chair will proceed through each scheduled public hearing as follows:
 - Staff will provide an explanation of the case and a recommendation.
 - Applicant will be given an opportunity to address the commission and should limit their comments to **less than ten (10) minutes**.
 - When a public hearing is slated, the Chair will open the hearing for public input.
 - Members of the public, having been recognized, **will be allowed three (3) minutes** each to address the Commission (unless the Chairman specifies otherwise).
NOTE: Large groups may wish to, but are not required to, appoint a spokesperson for the group, in which case the Chair may grant the spokesperson additional time to speak..
 - Generally, those desiring to speak "for" the request will be allowed to speak first, followed by those desiring to speak "against" the request.
 - Persons wishing to speak should raise their hand to be recognized by the Chairman. Once recognized, please stand and state your name and address.
 - Comments should be concise and limited to issues related to the request.
 - When the Chairman believes that the Commission has received sufficient citizen input to make a determination on the application, the public hearing will be closed and the applicant and/or the Staff will be given an opportunity to address any issues brought out during public comment.
 - Chairman will then allow Commission members to make comments or ask questions of anyone present to clarify issues or provide additional information.
 - The Chairman will call for a motion and a second on the motion. Commission members may speak to the motion, any amendments, or points of parliamentary procedure.
 - If a motion is forthcoming, a voice vote will be taken. If the decision is not unanimous, then the Chairman will direct a roll call vote.
 - If a motion is NOT forthcoming, the request will be considered "Denied" for lack of a motion.

PLEASE NOTE: The above-procedure is provided to serve as a guideline for the conduct of public hearings. The chairman is not limited and/or constrained by this procedure and, under certain circumstances, may deem it necessary to deviate from this guideline.