



**City of Athens Planning Commission- Regular Meeting  
June 16, 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

Notice: 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.

**CALL TO ORDER.**

1) **MINUTES.**

- a) Meeting of May 19, 2020 for approval.

**OLD BUSINESS**

**NEW BUSINESS**

**SUBDIVISIONS**

2)

- a) **Public Hearing** Request of Charles Christensen for a Certificate to Subdivide for Charles Christensen, a subdivision of +/-0.13 acres off of a lot sized +/-0.37 acres, located at 1000 Levert Avenue, in a TN-2, Traditional Neighborhood 2 District.
- b) **Resolution** Consider the request of Charles Christensen for a Certificate to Subdivide for Charles Christensen, a subdivision of +/-0.13 acres off of a lot sized +/-0.37 acres, located at 1000 Levert Avenue, in a TN-2, Traditional Neighborhood 2 District.

- 3) **Resolution** Consider the request of Charlie Giovino for a Certificate to Consolidate for Charlie Giovino, a consolidation of two lots sized +/-0.13 acres and +/-0.37 acres to create a lot sized +/-0.5 acres, located at 1000 Levert Avenue, in a TN-2, Traditional Neighborhood 2 District.

4)

- a) **Public Hearing** Consider the request of John Furline for a Final Plat of a Resubdivision of Lot 1, Tract 1 and Lot 2, Tract 2 of John Furline Subdivision, a subdivision of a lot sized +/-16.2 acres into two lots sized +/-13.17 acres and +/3.03 acres, located on the east side of Lindsay Lane South, immediately north of Indian Trace Road in an R-1-1 Single Family Residential District.
- b) **Resolution** Consider the request of John Furline for a Final Plat of a Resubdivision of Lot 1, Tract 1 and Lot 2, Tract 2 of John Furline Subdivision, a subdivision of a lot sized +/-16.2 acres into two lots sized +/-13.17 acres and +/3.03 acres, located on the east side of Lindsay Lane South, immediately north of Indian Trace Road in an R-1-1 Single Family Residential District.

5)

- a) **Public Hearing** Consider the request of Linton Road LLC. for a Preliminary Plat for Henderson Estates, a major subdivision of +/-14.22 acres into 33 lots, located directly east of 22345 Nick Davis Road, in a C-PUD, Conventional Planned Unit Development District.
- b) **Resolution** Consider the request of Linton Road LLC. for a Preliminary Plat for Henderson Estates, a major

subdivision of +/-14.22 acres into 33 lots, located directly east of 22345 Nick Davis Road, in a C-PUD, Conventional Planned Unit Development District.

6)

- a) **Public Hearing** Consider the request of Maund Family Farm, LLC. and Cannon Family LLC. for a Final Plat of Maund-Cannon Subdivision, a minor subdivision of +/-107.06 acres into 3 tracts, located on the south side of Roy Long Road approximately 1,000 feet west of HWY 31 South in an R-1-3 Single Family High Density Residential District.
  - b) **Resolution** Consider the request of Maund Family Farm, LLC. and Cannon Family LLC. for a Final Plat of Maund-Cannon Subdivision, a minor subdivision of +/-107.06 acres into 3 tracts, located on the south side of Roy Long Road approximately 1,000 feet west of HWY 31 South in an R-1-3 Single Family High Density Residential District.
- 7) **Resolution** Consider the request of Maund Family Farm, LLC. and Cannon Family LLC. for a Layout of Maund-Cannon Subdivision, a layout for a major subdivision of three tracts of property totaling +/-107.06 acres into a total of 303 lots, located on the south side of Roy Long Road approximately 1,000 feet west of HWY 31 South in an R-1-3 Single Family High Density Residential District.

8)

- a) **Public Hearing** Request of Double Head Properties, LLC. for a Preliminary 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.
  - b) **Resolution** Consider the request of Double Head Properties, LLC. for a Preliminary 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.
- 9) **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.
- 10)
- a) **Public Hearing** Request of Double Head Properties, LLC. for a Preliminary Plat of Old Stone Phase 3, a subdivision of +/-7.28 acres into 27 lots and 2 common area lots, located at the deadend of Beacon Circle, in an R-1-3 Single Family High Density Residential District.
  - b) **Resolution** Consider the request of Double Head Properties, LLC. for a Preliminary Plat of Old Stone Phase 3, a subdivision of +/-7.28 acres into 27 lots and 2 common area lots, located at the deadend of Beacon Circle, in an R-1-3 Single Family High Density Residential District.
- 11) **Resolution** Consider the request of Elite Properties and Development for approval of a Final Plat for a Re-Plat of Lot 44, Sycamore Square Phase 1 Subdivision, a replat of a single lot to allow for a sign easement, located on Lot 44 within phase one of Sycamore Square Subdivision, in an R-1-3 Single Family High Density Residential District.

## **MASTER DEVELOPMENT PLAN**

- 12) **Resolution** Consider the request of Randall Putman for approval of a Master Development Plan for Randall Putman for a property located directly east of 1030 Washington Street West, in a TN-2 Traditional Neighborhood 2 District as it relates to requirements in Zoning Ord. para. 6.1.6.A.

## **APPEAL OF DESIGN STANDARDS**

- 13) **Resolution** Consider the request of Elite Properties and Development for approval of an appeal of Design Standards, to replace the required Type "A" buffer due to reverse frontage with a custom landscape plan that includes a 6 foot tall wood privacy fence, evergreens every 4 feet, and Foster's Hollies and Grancy Grey Beards. This site is located on the northern side of Newby Road, 1500 feet west of Mooresville Road, directly north of 24686 Newby Road in a R-1-3 High Density Single Family Residential District.

## REZONINGS

14)

- a) **Public Hearing** Consider the request of the City of Athens to rezone +/- 7.844 acres on the east side of Hine Street South, south of Sanderfer Road from M-1 Light Industrial District to INST Institutional District for new site for Jimmy Gill Park.
- b) **Resolution** Consider the request of the City of Athens to rezone +/- 7.844 acres on the east side of Hine Street South, south of Sanderfer Road from M-1 Light Industrial District to INST Institutional District for new site for Jimmy Gill Park.

## LOCATION, CHARACTER, & EXTENT

- 15) **Resolution** Request of the City of Athens for approval of the location, character, and extent for Jimmy Gill Park Pavillion design, located directly north of 2345 Hine Street South, in an M-1 Light Industrial District.

## ZONING ORDINANCE CHANGES

- 16) **Public Hearing** Consider the request of the Engineering Services and Community Development Department for various proposed amendments to the Zoning Ordinance of the City of Athens.

The following is a summary of the nature and scope of the proposed changes to the Zoning Ordinance (hereafter referred to as "SUMMARY OF ZONING ORDINANCE CHANGES"). The proposed changes would:

- amend § 3.9.1.C and § 9.2 to modify the measurement method within shopping centers between businesses with alcohol (beer/wine) and church, schools, and daycares, and amend the definition of child development facility;
- amend § 6.5.6 and Table 6-2 to modify minimum off-street parking requirements for gas stations to count stacking spaces, and modify the minimum off-street parking spaces requirements for a gas station;
- amend Table 5-5 to modify and clarify by replacing term "Minimum Lot Width at Front Building Line" with "Minimum Lot Width" and add notes about zero-lot line option for B-2 district, how minimum lot width applies to a cul-de-sac, and major arterial roads;
- amend § 6.5.3.c(1)(a) to modify by removing stone as a permitted material for off-street parking and loading areas;
- amend § 4.21 and § 4.22, to modify by reducing the minimum ground story height and upper story height in the Traditional Districts for duplex, triplex, and quadplex buildings;
- amend § 6.6.14.F to offer flexibility with respect to sidewalk requirements in certain situations (including provisions whereby the Zoning Official can allow an exception to the sidewalk construction requirements if there is little/no likelihood that the new sidewalk would be joined to others in the future, such that applicant can instead contribute a portion of the anticipated cost that would have been expended on the new sidewalk into a sidewalk fund, to be used for funding other sidewalk projects in the city);
- amend § 6.5.5.F to exempt certain areas of downtown from minimum parking requirements when conditions are met;
- amend § 6.1.15.A to modify Appeal of Design Standards process by narrowing the scope of the portions of the Zoning Ordinance that it applies to;
- amend various sections of the Zoning Ordinance to correct grammatical errors, spelling errors, and internal document references;
- amend § 6.1.11.D to modify the façade standards for attached residential structures to apply those standards to building walls;
- amend § 9.2 to modify the definition of façade to include cases of a private throughfare;
- amend § 6.1.11.B(2) to modify by increasing the maximum length of attached residential buildings;
- amend § 3.9.1.P to modify by addition to have minimum distances from streams and waterbodies for water pollution hazards, and to amend § 3.9.1.H(2)(h), § 6.1.4.B(4), Table 5-4 to modify to point to the new Paragraph regarding water pollution hazards;
- amend § 6.4.5 to modify by addition requirements for riparian buffers, a stream or water body with trees, that are to be protected for the purpose of cleaning stormwater run-off and providing a wildlife habitat;
- amend § 4.8 to modify table to allow home occupations and major home occupations by Special Exception in residential dwellings within the DWTN, TI, and TB district, which is consistent with all other district;
- amend § 6.2.6.G and § 6.2.6.H to modify how 50 percent of a Type A landscaping buffer should be constructed, and allow for a Type B landscaping buffer to substitute for a Type A landscaping buffer;
- amend § 6.3.4.A(1) to modify the permitted materials for fences to allow wood composite fencing;
- amend § 6.3.5.A(3) to modify dumpster requirement for developments under 20,000 square feet of gross floor

- area to be able to use a wood composite dumpster enclosure;
- amend § 6.7.4.H to modify exterior lighting color to not exceed 3000 Kelvins, except for sports field lighting, and amend § 6.7.10 to modify by addition circumstances that minimum illumination requirements do not apply and allow lighting levels to be reduced or entirely extinguished;
- amend § 6.1.12.A(2)(c) and § 6.1.12.I(2) to modify maximum depth of a parking lot rules do not apply to M-1 and M-2 zones and properties front major arterial roadways and remove redundant Item regarding maximum depth of a parking lot depth;
- amend § 6.6.9.A(7) to modify by removal of requirements for tree planting islands in cul-de-sacs;
- amend § 3.8.2 to modify requirements for food truck courts to permit them by conditional rezoning process, and amend § 3.9.1.N to modify food truck court requirement by removing requirements for a shared commissary within a permanent structure;
- amend Table 6-2 to add off-street parking requirements for restaurants with outdoor seating;
- amend § 6.1.9.B to modify by addition residential development adjoining a freeway must provide a barrier between the development and the freeway to reduce visual and acoustic effects;
- amend § 9.2 to modify by addition definitions for long-term bicycle parking and short-term bicycle parking, and amend § 6.5.10 to modify the location and design of required bicycle parking spaces and allow for bicycle share stations to count for minimum number of required bicycle parking spaces;
- amend § 6.10 to modify by addition minimum requirements for open space and the types of open space and the manner in which those open spaces are to be designed, and amend § 5.7.5.A(2) to modify existing open space requirements to reference new Subsection on open space;
- amend § 2.5.2.C to modify by addition a requirement that the master plan drawing must indicate zoning district matching an existing zoning designation with the Zoning Ordinance, amend § 4.24 incorrect reference, and amend § 5.14 to modify the rules for a C-PUD to fit a mixture of uses and/or densities and provide for relief through a development incentive program;

17) **Resolution** Consider the request of the Engineering Services and Community Development Department for various proposed amendments to the Zoning Ordinance of the City of Athens. As detailed above in as SUMMARY OF ZONING ORDINANCE CHANGES.

# 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.