



Planning Commission Agenda Regular Meeting November 21, 2023

Annual Agenda 5PM Work Session and 5:45 Regular Meeting

Location: Athens City Hall, Council Chambers, 200 Hobbs Street West, Athens, AL

** The Planning Commission Chair will now be available to sign documents on the 1st and 3rd Tuesday mornings of the month. Plan to have your signature-ready-documents to the Planning Office on and/or before these dates.*

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- Regular Meeting Minutes - October 17, 2023

OLD BUSINESS .

- None.

ITEMS WITHDRAWN FROM THIS MONTH'S AGENDA

- Item #4: Remrod Investments 116, LLC Annexation
- Item #7: Joel Hamm Minor Plat
- Item #12: The Links at Canebrake, Ph. 3B Lot 157 and 158 Minor Plat

NEW BUSINESS

Major Amendment to Master Development Plan (1)

1.) Resolution. Consider for recommendation to the City Council the request of **SR Land, LLC** for **Major Amendment to Master Development Plan** of **Anderson Farms**, comprised of +/- 133.5 acres and located directly west of Lindsay Lane South and directly east of I-65 (Parcel #: 44-10-08-34-0-000-001.000), zoned C-PUD (Conventional Planned Unit Development District).

- **Resolution.**

Design Modification (1)

2.) Public Hearing. Request of **Rupesh Patel, Mansa-ATH, LLC** to appeal the **Design Standards** for **Home 2 Suites by Hilton**, to allow for an increase in the percentage of EIFS permitted and to allow for EIFS to be placed within two (2) feet of the grade level, which are otherwise prohibited per Zoning Ordinance *Section 6.1.12. Nonresidential and Mixed-Use Development*, located at 15763 Braly Blvd., and zoned B-2 (General Business District).

- **Resolution.**



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Site Plan (1)

3.) Resolution. Request of **Morell Engineering** for **Site Plan** approval, in accordance with Zoning Ordinance Section 2.3.2.A(4)(b) and 2.3.2.A(4)(c), of **Trigreen Equipment**, +/- 22.65 acres located on the west side of US Highway 31 South and directly north of Rosie Road (Parcel #: 44-16-02-09-0-001-054.001), zoned M-1 (Light Industrial District) and B-2 (General Business District).

➤ **Resolution.**

Zoning (2)

4.) Public Hearing. Consider for recommendation to the City Council the request of **Remrod Investment 116, LLC** to **Annex** +/- 106.00 acres of property located approximately 800' west of the intersection at Aster Lane and New Cut Road and directly south of New Cut Road (Parcel #s 44-11-01-01-0-000-012.002 and 44-11-01-01-0-000-014.000), and zone the property R-1-3 (High Density Single Family Residential District). **WITHDRAWN BY APPLICANT NOVEMBER 15, 2023**

5.) Public Hearing. Consider for recommendation to the City Council the request of **Y.M.Y. LLC** to **Rezone** +/- 2.4 acres of property located at 17915 West Elm Street (Parcel # 44-06-07-36-0-001-002.002), from EST (Estate Residential and Agricultural District) to B-1 (Neighborhood Business District).

➤ **Resolution.**

6.) Public Hearing. Consider for recommendation to the City Council the request of **Magnus Capital Partners, LLC** to **Rezone** +/- 12.6 acres of property located approximately 400' south of Commercial Drive and directly west of Jefferson Street South (Parcel # 44-10-04-17-2-000-065.000), from B-2 (General Business District) to R-2 (Multiple-Family Residential District) and the request to recommend approval of the associated **Master Development Plan**.

➤ **Resolution.**

Minor Plats (5)

7.) Public Hearing. Request of **Joel Hamm** for **Minor Plat Approval of A Resubdivision of a Part of Lot 16-A, Block 70 of the 1914 Map of Athens, Ward Map No. 1**, a minor subdivision of +/- 1.57 acres into 4 lots, located directly southwest of Frazier Street and approximately 315' south of McClellan Street East (Parcel #: 44-10-03-05-4-005-011.000), zoned TN-2 (Traditional Neighborhood 2 District). **WITHDRAWN BY APPLICANT NOVEMBER 21, 2023**

8.) Public Hearing. Request of **Henry and Marsha White** for **Minor Plat Approval of A Replat of Lots 13-15 of Block 4 of the Map of Edgewood Addition to Athens, AL**, a minor subdivision of +/-



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0.31 acres into 2 lots, located directly north of Pryor Street West and directly east of Horton Street (Parcel #: 44-10-03-05-3-006-027.000), zoned TN-2 (Traditional Neighborhood 2 District).

➤ **Resolution.**

9.) Public Hearing. Request of Laurie Lindsay-Brown for Minor Plat Approval of A Replat of Tract 2 of Lindsay Subdivision, a minor subdivision of +/- 6.997 acres into 2 lots, located directly east of Lindsay Lane South and approximately 450' south of Pepper Road (Parcel #: 44-10-06-14-2-000-002.001), zoned R-1-1 (Low Density Single Family Residential District).

➤ **Resolution.**

10.) Public Hearing. Request of D.R. Horton, Inc. - Birmingham for Minor Plat Approval of Bainbridge Subdivision Replat Lots 1, 2, 6, and 7, a minor subdivision of +/- 0.42 acres into 4 lots, located west of Interstate-65, south of Scuttle Street, and east of Athens Limestone Blvd., (Parcel #: 44-10-02-10-3-000-014.000), zoned R-1-5 (Single Family Townhouse Attached Residential District).

➤ **Resolution.**

11.) Public Hearing. Request of Tennessee Valley Investments LLC & Trigreen Equipment LLC for Minor Plat Approval of Lot 1A of a Resubdivision of Lots 1A and 1B of a Resubdivision of Lot 1 of Trigreen Equipment Subdivision, and Lot 2C of a Resubdivision of Lot 2 of Trigreen Equipment Subdivision, creating 1 lot comprised of +/- 3.04 acres, located at 1766 Trigreen Drive and 1776 Trigreen Drive, (Parcel #: 44-07-08-34-3-000-001.024 and 44-07-08-34-3-000-001.015), zoned B-2 (General Business District).

➤ **Resolution.**

12.) Public Hearing. Request of D.R. Horton, Inc. - Birmingham for Minor Plat Approval of A Replat of Lot 157 and Lot 158 of The Links at Canebrake, Phase 3B, a minor subdivision of +/- 0.93 acres into 2 lots, located at the terminus of Winged Foot Lane and approximately 300' west of Muirfield Drive (Parcel #: 44-10-06-23-0-000-003.024), zoned C-PUD (Conventional Planned Unit Development District). **WITHDRAWN BY APPLICANT NOVEMBER 17, 2023**

Preliminary Plat (1)

13.) Public Hearing. Request of Valor Communities, LLC for Preliminary Plat Approval of Liberty Subdivision, Phase 2, a major subdivision of +/- 26.58 acres into 89 lots, located directly east of Cambridge Lane, and approximately 1,600' north of Newby Road, (Parcel #: 44-09-09-30-0-000-003.000), zoned R-1-3 (High Density Single Family Residential District).

➤ **Resolution.**



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Final Plats (2)

14.) Resolution. Request of Henderson Development Group, LLC for Final Plat Approval of King Estates, a major subdivision of +/- 114.2 acres into 21 lots, located directly south of Pepper Road and approximately 2,550 feet east of Line Road (Parcel #s: 44-10-06-13-0-000-001.007 and 44-10-06-13-0-000-001.001), zoned R-1-1 (Low Density Single Family Residential District).

➤ **Resolution.**

Zoning Ordinance Amendment (1)

15.) Public Hearing. Consider for recommendation to the City Council the request of the Planning & Zoning Department for the 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 Section 2.5.1.(A) of the Zoning Ordinance to modify requested amendments to the Zoning Map be submitted to the Department at least twenty-six (26) days prior to the Planning Commission meeting at which the amendment is being considered; AND to modify Planning & Zoning may accept an application in less than twenty-six (26) days prior to such meeting upon a determination, in its discretion;
- ➔ amend Section 2.5.3.(A) of the Zoning Ordinance to modify applications for Conditional Uses shall be filed with the Zoning Official by the property owner or authorized agent at least twenty-six (26) days prior to the date on which the application is scheduled to be heard by the Commission

➤ **Resolution.**



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CITY OF ATHENS PLANNING COMMISSION

Public Hearing Procedures

- 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.
 - The 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/Chairwoman 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/Chairwoman. 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/Chairwoman believes that the Commission has received sufficient citizen input to decide 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/chairwoman is not limited and/or constrained by this procedure and, under certain circumstances, may deem it necessary to deviate from this guideline.