

REQUIRED COVID-19 MEETING SUMMARY
THESE ARE NOT APPROVED MEETING MINUTES
THESE ARE NOT INTENDED TO REPLACE OFFICIAL MEETING MINUTES

Athens Planning Commission

2021 February 16

Per the directive of Chairperson Gina Garth, this meeting was 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 were 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 have physically attended the meeting at the Council Chambers at City Hall at 200 W. Hobbs Street, and other members of the Planning Commission may have participated in this meeting by means of electronic communications. Additionally, the meeting was not open to physical presence by members of the general public, but the meeting was live streamed so that the public (including any applicant or other person interested in any agenda item) was able to listen, observe, and participate in the meeting without being physically present. Persons interested in doing so were able to utilize the ZOOM meeting invitation and/or meeting phone number found on the Planning Commission page of the City of Athens website, and contact mcochran@athensal.us with any additional questions for how to do so. No less than twelve (12) hours after the meeting, the City is to post a summary of the meeting on its website.

Call to Order:

The Planning Commission of the City of Athens, Alabama was called to order by Chairperson Gina Garth, at 6:10 p.m. on February 16, 2021. This meeting was held online via Zoom.

Roll Call.

Members present:

Gina Garth, Chair
Rick Johnson, Vice Chair
Venard Hendrix
Robert Malone
Dana Henry
Ronnie Marks, Mayor

Members absent:

Interim Chief James Hand
Roderick Herron

Also present:

Michael Griffin, City Engineer
Micah Cochran, GIS Coordinator
Matthew Davidson, City Planner
Lakeisha Johnson, Planner

PLANNING COMMISSION BUSINESS

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OLD BUSINESS

2A. Resolution. Request of Pepper Road Estates, LLC for Layout approval of Founders Pointe Subdivision Phase 2, a major subdivision of +/- 14 acres into 30 lots, located North of Pepper Road, directly east of Travertine Drive, zoned in an R-1-3 High Density Single Family Residential District.

Mr. Griffin advised the Request for Pepper Road Estates. Staff recommended the layout not be approved because a new layout was submitted and the layout does not meet the open space and transitional requirements.

Mr. Marbur shared with the Planning Commission his concerns regarding drainage issues near and on his property.

No one else spoke for or against the request and the public hearing was closed.

Mr. Johnson offered the following resolution and moved for its adoption:

2B. Resolution: “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to deny the request of Pepper Road Estates, LLC for Layout approval of Founders Pointe Subdivision Phase 2, a major subdivision of +/- 14 acres into 30 lots, located North of Pepper Road, directly east of Travertine Drive, zoned in an R-1-3 High Density Single Family Residential District.”

Mr. Malone seconded the motion, and the vote was unanimous of the voting members present.

NEW BUSINESS

MINOR SUBDIVISION

3A. Public Hearing. Request of Brenda Daniel for preliminary and final approval for B. Hanna D. Subdivision, a minor subdivision of 1.91 acres into 2 Lots, located at the northwest corner of Pryor Street and Beaty Street, zoned TN-2 Traditional Neighborhood 2 District.

Mr. Griffin advised the Request of Brenda Daniel preliminary and final approval for B. Hanna Subdivision are subdividing the plat have no issues with the Plat at this time but before we sign we want to make sure the final dimension match what we currently have, because there is a 2.5 foot difference however, Staff recommends preliminary and final approval.

Mrs. Garth asked who did the Plat?

Mr. Cochran addressed Mrs. Garth question.

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No one spoke for or against the request and the public hearing was closed.

Mr. Hendrix offered the following resolution and moved for its adoption:

3B. Resolution: “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, approve Request of Brenda Daniel for preliminary and final approval for B. Hanna D. Subdivision, a minor subdivision of 1.91 acres into 2 Lots, located at the northwest corner of Pryor Street and Beaty Street, zoned TN-2 Traditional Neighborhood 2 District pending the verification of the Right-of-Way (ROW) on Pryor Street.

Mr. Johnson seconded the motion, and the vote was unanimous of the voting members present.

4A Public Hearing. Request of Lynn Lane and Canebrake Club, LLC for Preliminary and Final approval of A Re-subdivision of Lot T97 of Canebrake Club Shinnecock-Baltustrol Subdivision, a minor subdivision of +/- 0.35 acres into 1 lot, located 23176 Shinnecock Hills Drive Athens, AL 35613, zoned in a C-PUD Conventional Planned Unit Development District.

Mr. Griffin advised that the property added 3.5 feet on the back of T97 the land was taken from the common area, the Staff found no issues associated with the request.

Mrs. Garth thought the request should be a subdivision and a consolidation of the property

Mr. Griffin – stated that we did this before with about 5 lots last month

Mrs. Garth – stated in the future that we need to be more specific

Mayor Marks wanted to make this item into one motion.

No one spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution with the stipulations made and moved for its adoption:

4B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Lynn Lane and Canebrake Club, LLC for Preliminary and Final approval of A Re-subdivision of Lot T97 of Canebrake Club Shinnecock-Baltustrol Subdivision, a minor subdivision of +/- 0.35 acres into 1 lot, located 23176 Shinnecock Hills Drive Athens, AL 35613, zoned in a C-PUD Conventional Planned Unit Development District.

Mr. Johnson seconded the motion, and the vote was unanimous of the voting members present.

REZONING

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5A Public Hearing. Recommendation to the City Council for a request of Pepper Road Estates, LLC, to rezone +/- 31 acres, located north of Pepper Road and immediately east of Cantera Place Subdivision, property is a portion of Lot of the Re-Plat of Marbut Estates from EST to R-1-3.

Mrs. Garth clarified the designation of the Lot
Ms. Cady Stewart stated that this is a portion of Lot I

Mr. Griffin advised that is North of Founders Point of Phase 1 this is the proposed future plan of phase 3. Staff recommends that this be zoned to R-1-3 and the Staff has no issues associated with the request.

Mrs. Garth, this is an estate lot that we are rezoning, is the City looking at how many R-1-3 developments the City has right now?
Mr. Griffin stated that we would look more in detail with that when we start the Comprehensive Plan and the Kick-Off meeting will be at the end of this month.

Mrs. Henry moved for its adoption:
5B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Recommendation to the City Council for a request of Pepper Road Estates, LLC, to rezone +/- 31 acres, located north of Pepper Road and immediately east of Cantera Place Subdivision, property is a portion of Lot of the Re-Plat of Marbut Estates from EST to R-1-3.

Mayor Marks seconded the motion, and the vote was unanimous of the voting members present.

MAJOR SUBDIVISION

6A Public Hearing. Request of Maund Family Farm LLC for preliminary approval of Covington Cove, a major subdivision of +/- 21.1 acres into 65 lots, located on the south side of Quinn Road, directly south of West Gate subdivision, directly west of Whispering Pines Subdivision, zoned in a(n) R-1-3 High Density Single Family Residential District.

Mr. Griffin advised that Whispering Pines is currently on hold, two issues need to be addressed and that the traffic study and drainage ditch.

Mrs. Garth, if we approve it will be contingent on the two items (drainage and traffic study)

Mr. Malone offered the following resolution with the contingencies specified (Drainage ditch issue and traffic study) made and moved for its adoption:

Mr. Hendrix seconded the motion, and the vote was unanimous of the voting members present.

Quinn RD is North of Founders Point of Phase 1 this is the proposed future plan of phase 3. Staff recommends the zoning request (R-1-3) and has no issues associated with the request.

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6B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Maund Family Farm LLC for preliminary approval of Covington Cove, a major subdivision of +/- 21.1 acres into 65 lots, located on the south side of Quinn Road, directly south of West Gate subdivision, directly west of Whispering Pines Subdivision, zoned in a(n) R-1-3 High Density Single Family Residential District.

7A Public Hearing. Request of SMB Land LLC for Layout approval of Forrest Street Layout, a major subdivision of +/- 67 acres into 116 lots, located Forrest Street, directly west of Brookwood Drive West and South of Ridgelawn Drive, zoned in a(n) R-1-3 High Density Single Family Residential District.

Mrs. Garth inquired about the existing property owners.

Mr. Griffin advised that a traffic study was done however; there are some interconnectivity issues specifically the roadway running north to South, which will need to meet the City’s requirements. Staff found no additional issues associated with the request.

No one else spoke for or against the request and the public hearing was closed.

Mrs. Henry offered the following resolution and moved for its adoption:

7B Resolution “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of SMB Land LLC for Layout approval of Forrest Street Layout, a major subdivision of +/- 67 acres into 116 lots, located Forrest Street, directly west of Brookwood Drive West and South of Ridgelawn Drive, zoned in a(n) R-1-3 High Density Single Family Residential District.

Mr. Malone seconded the motion, and the vote was unanimous of the voting members present.

8A Public Hearing. Request of Morell Engineering for preliminary approval of Town Creek Trails, a minor subdivision of +/- 38.7 acres into 91 lots, located on a large open field to the west of Brookhill Drive and the curve to Minuteman Drive, zoned in a(n) R-1(3) High Density Single Family Residential.

Mr. Griffin stated that this is a major subdivision, this is south of US 72, at this time this is informational and there are three phases, they will start on phase 1 which is the entrance. They have to conduct a traffic study which has not been submitted to staff yet for review, so at this time we have to make it contingent until the traffic study is complete.

Mrs. Garth – have they started moving dirt?

No one else spoke for or against the request and the public hearing was closed.

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Mr. Hendrix offered the following resolution and moved for its adoption with the contingency of the traffic study:

8B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Morell Engineering for preliminary approval of Town Creek Trails, a minor subdivision of +/- 38.7 acres into 91 lots, located on a large open field to the west of Brookhill Drive and the curve to Minuteman Drive, zoned in a(n) R-1(3) High Density Single Family Residential.

Mayor Marks seconded the motion, and the vote was unanimous of the voting members present.

DEVELOPMENTS

9A Public Hearing. Request of Limestone County Alabama for Preliminary and Final approval of L & S Subdivision, a minor subdivision of +/- 6.6 acres into 4 tracts, located 1301 North Jefferson Street Athens, AL 35613, zoned in a TN-3 Traditional Neighborhood 3 District.

Mr. Griffin – advised that there are four lots, NE side of Jefferson St and 9th Avenue up to where Houston ties in this creates 4 tracts an additional residential tract, a connection with Houston streets an another area that may potential be given to the City at a later date and Tract 2 which the County will maintain at this time. Staff has reviewed the preliminary and final plat there are no issues.

Mrs. Garth asked if there are detailed plans of the development?

Mr. Griffin advised that the County has communicated with the City and they have been forthcoming regarding their plans and aesthetics however, they don't have to come back before the PC for anything unless there are significant changes.

No one else spoke for or against the request and the public hearing was closed.

Mrs. Henry offered the following resolution and moved for its adoption:

9B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Limestone County Alabama for Preliminary and Final approval of L & S Subdivision, a minor subdivision of +/- 6.6 acres into 4 tracts, located 1301 North Jefferson Street Athens, AL 35613, zoned in a TN-3 Traditional Neighborhood 3 District.

Mr. Malone seconded the motion, and the vote was unanimous of the voting members present.

10A Resolution. The request of Limestone County for Location Character and Extent approval for the Limestone County Engineering Department building for engineering facilities and shops at the northwest corner of Jefferson Street and Ninth Avenue.

Mr. Griffin stated that this is the proposed office building and their facility will be gated and controlled by Limestone County. The Staff has no issues at this time.

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Mr. Johnson asked what are we being asked to do here
Mr. Griffin they are notifying us on what they are doing and you have the ability to express your views however the City is very limited in what can be asked from the County.
Mr. Johnson would like to request some type of buffer.
Mr. Griffin will submit the request regarding the buffer in the resolution.
No one else spoke for or against the request and the public hearing was closed.

Mr. Johnson offered the following resolution and moved for its adoption:

10B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Limestone County Alabama for Preliminary and Final approval of L & S Subdivision, a minor subdivision of +/- 6.6 acres into 4 tracts, located 1301 North Jefferson Street Athens, AL 35613, zoned in a TN-3 Traditional Neighborhood 3 District.

Mr. Malone seconded the motion, and the vote was unanimous of the voting members present.

11A Public Hearing. Request of Davidson Homes, LLC final approval of the Plat of Strain Property North, a minor subdivision of +/- 57.6 acres into 2 lots, located at the Northeast Corner of Strain Road and US Highway 31, zoned in a(n) EST (Estate Residential and Agricultural Districts) - A portion of this property is currently being rezoned to R-1-3 (High Density Single Family Residential).

Mrs. Garth asked if this property has already been rezoned

Mr. Griffin advised that the property was rezoned at the last City Council Meeting, the subdivision is split into two lots, this portion is zoned as R-1-3 Staff has no issues with the minor subdivision at this time.

No one else spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution and moved for its adoption:

11B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Davidson Homes, LLC final approval of the Plat of Strain Property North, a minor subdivision of +/- 57.6 acres into 2 lots, located at the Northeast Corner of Strain Road and US Highway 31, zoned in a(n) EST (Estate Residential and Agricultural Districts) - A portion of this property is currently being rezoned to R-1-3 (High Density Single Family Residential).

Mrs. Henry seconded the motion, and the vote was unanimous of the voting members present.

12A Public Hearing. Request of Davidson Homes, LLC for Layout approval of Strain Property North Layout, a minor subdivision of +/- 31 acres into 96 lots, located at the Northeast Corner of Strain Road and US Highway 31, zoned in a(n) EST, Estate and Agricultural District, - Currently being rezoned to R-1-3.

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Mr. Griffin advised that this is 96 lots, this is a layout, majority of the comments were addressed except the transitional requirement, and Staff recommend this not be approved at this time.

Mrs. Burson (property owner) – family owns 52 acres to the East not far from the 17 lots and they wanted to ensure they are not hindering the current lots.

Mr. Griffin we have a transitional requirement and there is a requirement of a step-down where you will see reduction or density in development.
No one else spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution not be approved at this time:

12B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Davidson Homes, LLC final approval of the Plat of Strain Property North, a minor subdivision of +/- 57.6 acres into 2 lots, located at the Northeast Corner of Strain Road and US Highway 31, zoned in a(n) EST (Estate Residential and Agricultural Districts) - A portion of this property is currently being rezoned to R-1-3 (High Density Single Family Residential).

Mrs. Henry seconded the motion, and the vote was unanimous of the voting members present.

13A) Public Hearing. Request of Davidson Home, LLC for Preliminary and Final approval of Strain Property South Commercial Tract 1, a minor subdivision of +/- 7.3 acres into 1 tract, located South of Strain Road at the corner of the intersection of Strain Road and US HWY 31, zoned in a(n) B-2 General Business District.

Mr. Griffin advised the B2 is on the SE corner and is being subdivided, this does not necessarily give them access rights, this requires ALDOT approval.

Mrs. Garth – they are not citing where the property is located or where it is coming from, the language needs to be revamped and I request that this type of application not be accepted because there is little clarification.

Mr. Taz Morell explained why the Tracts were split up.

Mrs. Garth shared with Staff that the language needs to be more concise.

No one else spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution and moved for its adoption:

13B Resolution. “BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Davidson Home, LLC for Preliminary and Final approval of Strain Property South Commercial Tract 1, a minor subdivision of +/- 7.3 acres into

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1 tract, located South of Strain Road at the corner of the intersection of Strain Road and US HWY 31, zoned in a(n) B-2 General Business District.

Mayor Marks seconded the motion, and the vote was unanimous of the voting members present.

14A Public Hearing. Request of Davidson Homes, LLC for Preliminary and Final approval of Strain Property South Residential Tract 1, a minor subdivision of +/- 58.8 acres into 1 tract, located 1100' East of the intersection of Strain Road and US HWY 31, zoned in a(n) R-1-3 High Density Single Family Residential District.

Mr. Griffin advised that this is Phase I, there will be temporary access easements etc.

No one else spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution and moved for its adoption

14B Resolution. "BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Davidson Homes, LLC for Preliminary and Final approval of Strain Property South Residential Tract 1, a minor subdivision of +/- 58.8 acres into 1 tract, located 1100' East of the intersection of Strain Road and US HWY 31, zoned in a(n) R-1-3 High Density Single Family Residential District.

Mayor Marks seconded the motion, and the vote was unanimous of the voting members present.

15A Public Hearing. Request of Davidson Homes, LLC for preliminary approval of Meadows Subdivision, Phase 1, a minor subdivision of +/- 58.8 acres into 69 lots, located 1100' East of the intersection of Strain Road and US HWY 31, zoned in a R-1-3 High Density Single Family Residential District.

Mr. Griffin – Based on the item just approved we ask that a traffic study be included, staff have not additional comments at this time.

No one spoke for or against the request and the public hearing was closed.

Mr. Malone offered the following resolution with the contingency of the traffic study that will need to be completed.

Mr. Malone asked who request the Traffic Study?

Mr. Griffin – the Developer will request the traffic study.

Mr. Malone offered the following resolution and moved for its adoption be approved based on the contingency of a traffic study:

15B) Resolution. "BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Davidson Homes, LLC for preliminary approval of Meadows Subdivision, Phase 1, a minor subdivision of +/- 58.8 acres into 69 lots, located 1100'

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East of the intersection of Strain Road and US HWY 31, zoned in a R-1-3 High Density Single Family Residential District.

Mayor Marks seconded the motion, and the vote was unanimous of the voting members present.

Tally of small lots in subdivisions on this agenda by approval: Layout = 242, Preliminary = 230, Final = 0

AMENDMENTS TO ZONING ORDINANCE

16A Public Hearing. (i) Amend § 6.8.19.B to allow Accessory Detached signs of a certain dimensions to be located within 1,300 feet around interchanges with Interstate 65; and (ii) amend § 6.1.10.B a section that requires an increase in lot size when denser single-family residential development is proposed to less dense single-family residential development to change the means of determining that lot size increase.

Discussion regarding amendment changes, resolution came from the City Council. The recommendation was to vote on each item separately.

No one else spoke for or against the request and the public hearing was closed.

Item 6.8.19.B a motion to approve the amended ordinance was made by Mayor Marks and seconded by Mr. Hendrix and the vote was unanimous of the voting members present.

Item 6.1.10B a motion to approve the amended ordinance with stipulations made by Mayor Marks and seconded by Mr. Malone and the vote was unanimous of the voting members present.

Adjourn There being no further business, the meeting adjourned at 7:58PM.

Chairperson

ATTEST: Secretary