



## Planning Commission Minutes February 21, 2023

5PM Work Session and 5:45 Regular Meeting

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

*Please adhere to COVID safety guidelines and social distancing.*

### CALL TO ORDER

#### ROLL CALL

Mrs. Gina Garth (Chairwoman)                      Mrs. Dana Henry (Council)  
Mr. Rick Johnson (Vice Chairman)                Mr. Roderick Herron (Commissioner)  
Mr. Venard Hendrix (Commissioner)            Mayor Ronnie Marks (Mayor)  
Mr. Robert Malone (Commissioner)             Mr. Brad Mallette (Commissioner)  
Mr. James Hand (City Administration Representative)

The Commissioners, applicants, and the public were allowed to participate in-person.

#### Also present:

Erin Tidwell (City Planner), Michael Griffin (City Engineer), Andrea Colburn (Administrative Coordinator), James Rich (Director of Public Works) & Jackson Miller (GIS Administrator)

### APPROVAL OF MINUTES

- Regular Meeting Minutes - January 17, 2023
- **Motion: Robert Malone**
- **2nd: Vernard Hendrix**
- Minutes from the January 17, 2023 meeting were approved unanimously by all the Commissioners that were present.

### OLD BUSINESS

#### Appeal to External Street Connectivity per ZO Section 6.6.5.B. (1)

**1. Public Hearing.** Appeal of Maund Family Farm, LLC for External Street Connectivity per ZO Section 6.6.5.B. regarding Wauchula Farms Subdivision Addition #2 located at 2070 US Hwy 31 S (Parcel #s: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).



## Planning Commission Minutes February 21, 2023

### ➤ **Resolution.**

- Mrs. Garth opened the public hearing to hear the appeal of Maund Family Farm, LLC for External Street Connectivity per ZO Section 6.6.5.B. regarding Wauchula Farms Subdivision Addition #2 located at 2070 US Hwy 31 S (Parcel #s: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).
- Erin Tidwell, City Planner, explained the agenda item and declared that staff recommends the appeal be denied in favor of maintaining the street stub requirement.
- Erin Tidwell, City Planner, presented a letter from Ms. Paula Gish Babcock of 320 Randy LN Fort Myers Beach, FL requesting the City of Athens not connect her property to the Maund Family, LLC property with a stub street. Ms. Tidwell further conveyed that Ms. Babcock's property adjoins the Maund Family, LLC property to the south.
- Erin Tidwell, City Planner, reiterated that staff does not recommend approval of the appeal and presented an alternative development pattern that could allow for future interconnectivity, if future development deemed a stub street necessary and/or appropriate.
- John Plunk of 112 N Clinton ST expressed concerns of interconnectivity from the Maund Family, LLC property to the property located adjacent to its southern boundary. As the adjoining property is zoned as M-1 Light Industrial, Mr. Plunk claimed that stubbing the street for future interconnectivity is a detriment to the development of his property. Mr. Plunk referenced Athens Zoning Ordinance section 6.6.5.B(1) as justification for approval of the appeal.
- Gina Garth (Chairwoman) requested Mr. John Plunk formally state his opposition to the stub street requirement that promotes interconnectivity so it would be reflected in the minutes.
- John Plunk conveyed his opposition by reiterating the three potential exceptions to the external street connectivity requirement within Athens Zoning Ordinance section 6.6.5.B(1) of negative traffic or safety impacts, reasonable opposition of owners/residents of the new development and the adjoining lands, and the likelihood of creating a cut through street.
- Rick Johnson (Vice Chairman) inquired about the impact of having a single point of egress/ingress on City and Emergency service access.
- John Plunk explained that as the adjoining property is undeveloped, a single point of egress/ingress would exist regardless of the development of a stub street. Thus, he believes no benefit is gained by providing a stub street.



## Planning Commission Minutes February 21, 2023

- Gina Garth (Chairwoman) questioned if the proposed roadway dimensions adhere to Athens' development standards.
- Cadie Stewart of Morell Engineering confirmed the proposed roadway is designed to City standards.
- Brad Mallette (Commissioner) inquired if an easement could be located where the stub street would typically be developed and only utilize it if the adjoining property were to be rezoned and developed as residential instead of industrial.
- John Plunk responded by conveying that is not an acceptable solution.
- Brad Mallette (Commissioner) questioned if the proposed Maund Family Farm, LLC development meets the required buffering standards for adjacent industrial property.
- Erin Tidwell (City Planner) explained that appropriate buffering between industrial property and residential property would be accomplished by and the responsibility of the developer of the industrial property. It is outside the scope of responsibility for the current agenda item.
- John Plunk reiterated that his appeal aligns with the three potential exceptions to providing a stub street set forth in Athens Zoning Ordinance section 6.6.5.B(1) and that he believes the appeal should be approved.
- Scott Marshall of 212 East St Athens, AL 35611 referenced the lack of stub streets promoting interconnectivity between The Links at Canebrake and Canebrake as precedent for supporting the appeal. Mr. Marshall further proclaimed that approval, contingent on the stub street only being utilized if the adjacent property to the south is developed as residential, should be granted.
- James Rich (Director of Public Works) explained the City of Athens does not accept unfinished Rights of Way to avoid the city absorbing the cost of roadway construction.
- Mayor Ronnie Marks requested the Planning Commission Members focus on the three potential exceptions set forth in section 6.6.5.B(1) to determine if the appeal should be granted.
- Gina Garth (Chairwoman) affirmed the Planning Commission should continue assessing the relevance of the three potential exceptions set forth in section 6.6.5.B(1) to determine if the appeal should be granted.
- Rick Johnson (Vice Chairman) reintroduced the comments of Brad Mallette (Commissioner) that proposed only requiring the stub street, if residential development resulted on the adjoining southern property.
- James Rich (Director of Public Works) claimed that staff is unlikely to support the proposition of only requiring the stub street, only if residential development resulted on the adjoining southern property as interconnectivity promotes traffic flow efficiency.
- John Plunk conveyed his concerns of the stub street being a detriment to the



## Planning Commission Minutes February 21, 2023

attractiveness of his development to potential buyers as he is legally obligated to disclose the potential interconnectivity to industrial development(s).

- James Rich (Director of Public Works) explained the long term economic and public safety benefits of interconnectivity.
- John Plunk rebutted Mr. Rich's comments by re-referencing Athens Zoning Ordinance section 6.6.5.B(1). Mr. Plunk claimed the appeal aligns well with the three potential exceptions to the stub street requirement, thus the appeal should be granted.
- Garth Garth (Chairwoman) asked if any other comments existed. As no other comments were presented, Ms. Garth closed the public hearing and urged Planning Commission members to reassess if they believed any of the three potential exceptions set forth in section 6.6.5.b(1) were applicable.
- Gina Garth (Chairwoman) asked if any member of the Planning Commission moved to approve the appeal for agenda item #1.
- No such motion was immediately made.
- Gina Garth (Chairwoman) asked if any member of the Planning Commission moved to deny the appeal for agenda item #1.
- No such motion was immediately made.
- Brad Mallette (Commissioner) moved to approve the appeal as the City has no way of predicting the future development of the adjoining southern property. Mr. Mallette claimed we must assume industrial development will occur as the property to the south is zoned as such. Thus, approving the appeal would protect the development from negative effects of interconnectivity between residential and industrial properties.
- **Motion: Brad Mallette**
- **"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the appeal of Maund Family Farm, LLC for External Street Connectivity per ZO Section 6.6.5.B. regarding Wauchula Farms Subdivision Addition #2 located at 2070 US Hwy 31 S (Parcel #s: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).**
- **2nd: Mayor Ronnie Marks**
- Vernard Hendrix (Commissioner) asked for clarity concerning if the motion pertains only to the appeal or if any portion of the alternative development pattern that was proposed by Staff was included.
- Erin Tidwell (City Planner) explained that the proposed alternative development pattern was not included in the motion, only the appeal. Ms. Tidwell expounded by explaining



## Planning Commission Minutes February 21, 2023

approval would allow the development to forgo the stub street and interconnectivity would not be accomplished.

- Gina Garth (Chairwoman) called for the vote.
- Item 1 was approved by six yes votes, two no votes, and one abstention. Rod Herron (Commissioner) and Rick Johnson (Vice Chairman) voted no. Gina Garth (Chairwoman) abstained.

### Preliminary Plat (1)

**2. Public Hearing.** Request of Maund Family Farm, LLC for Preliminary Plat Approval of Wauchula Farms Subdivision Addition #2, a major subdivision of +/- 7.30 acres into 9 lots, located at 2070 US Hwy 31 S (Parcel #s: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).

- **Resolution.**
- Erin Tidwell, City Planner, explained the agenda item and stated that the proposed development meets the requirements of the Athens Zoning Ordinance, except for external street connectivity.
- Micahel Griffin, City Engineer, expressed his opinion that a single roundabout in the center of the development would more effectively allow access for city services of sanitation and emergency response, as opposed to the proposed double cul-de-sac design.
- Erin Tidwell, City Planner, stated that staff finds no issue with Agenda Item #2 as Agenda Item #1 resolved the connectivity issue.
- Gina Garth (Chairwoman) asked for procedural confirmation concerning how to proceed, if the Planning Commission were to approve Agenda Item #2 and then it be immediately redesigned to incorporate a single roundabout instead of the double cul-de-sac design being proposed.
- Michael Griffin, City Engineer, explained that as long as no additional lots were being created, no additional action by the Planning Commission would be required.
- Gina Garth, Chairwoman, opened the public hearing to hear the request of Maund Family Farm, LLC for Preliminary Plat Approval of Wauchula Farms Subdivision Addition #2, a major subdivision of +/- 7.30 acres into 9 lots, located at 2070 US Hwy 31 S (Parcel #s: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).



## Planning Commission Minutes February 21, 2023

- **Motion: Rod Herron**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Maund Family Farm, LLC for Preliminary Plat Approval of Wauchula Farms Subdivision Addition #2, a major subdivision of +/- 7.30 acres into 9 lots, located at 2070 US Hwy 31 S (Parcel #: 10-05-21-0-002-029.000 and 10-05-21-0-002-025.000), zoned: R-1-1 (Low Density Single Family Residential Zoning District) and EST (Estate Residential and Agricultural District).**
- **2nd: Robert Malone**
- Item 2 was approved unanimously by all Commissioners present.

### ITEMS WITHDRAWN FROM THIS MONTH’S AGENDA

- Agenda Item 6: ~~**Public Hearing.** Request of Sherry Sampson for Minor Plat Approval of A Resubdivision of Part of Lot 9 of Block 73, a minor subdivision of +/- 0.42 acres into 3 lots, located on the southwestern corner of the intersection of Pryor Street and Thomas Street North (Parcel #: 10-02-043-000-113-000), zoned: HN (Historic Neighborhood).~~
- Agenda Item 10: ~~**Resolution.** Consider for recommendation to the City Council the request of George L. Braly, Celia B. Williamson, and Carol B. Carter the Zoning Approval of property located near Huntsville Brownsferry Road and Interstate-65, to be zoned EST (Estate Residential and Agriculture District).~~

### NEW BUSINESS

#### Location, Character, and Extent (1)

**3. Resolution.** Request of the City of Athens for Approval of Location, Character, and Extent for project LR-CM-CP-21-012, Vine Street Neighborhood Improvements, public improvements funded by CDBG Funding.

- **Resolution.**
- Erin Tidwell, City Planner, stated that staff recommends approval and requested that Micahel Griffin, City Engineer, further explain the agenda item.
- Michael Griffin, City Engineer, explained the project concerns roadway paving, sidewalk development, and drainage improvement along sections of Vine ST, Brownsferry ST, Westview AVE, Harry ST, Westmoreland ST, and Bailey ST. Mr. Griffin conveyed that approval of Agenda Item #3 allows staff to move forward with the project.



## Planning Commission Minutes February 21, 2023

- Mayor Ronnie Marks provided historical context concerning the project by conveying that staff has been attempting to obtain funding for this project and approval of this agenda item allows the project to move forward.
- Gina Garth, Chairwoman, sought clarity on the extent of sidewalk development included within the scope of the project.
- Michael Griffin, City Engineer, reiterated that improvements would be made along sections of Vine ST, Brownsferry ST, Westview AVE, Harry ST, Westmoreland ST, and Bailey ST.
- Brad Mallette (Commissioner) spoke in favor of the project and requested information concerning the location(s) of existing sidewalk infrastructure.
- Michael Griffin, City Engineer, explained existing sidewalk location information could be made available for review and that this project aids in connecting existing sidewalk infrastructure.
- Gina Garth, Chairwoman, opened the public hearing to hear the request of the City of Athens for Approval of Location, Character, and Extent for project LR-CM-CP-21-012, Vine Street Neighborhood Improvements, public improvements funded by CDBG Funding.
- **Motion: Vernard Hendrix**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of the City of Athens for Approval of Location, Character, and Extent for project LR-CM-CP-21-012, Vine Street Neighborhood Improvements, public improvements funded by CDBG Funding.**
- **2nd: Robert Malone**
- Item 3 was approved unanimously by all Commissioners present.

### **Minor Plats (5)**

**4. Public Hearing.** Request of James Christopher for Minor Plat Approval of Kelli Drive Commercial Subdivision, a minor subdivision of +/- 10.7 acres into 2 lots, located at the terminus of Kelli Drive, North of U.S. HWY 72, and +/- 1,400 ft west of Lindsay Lane South (Parcel #: 44-10-05-15-1-000-0001.000), zoned: B-2: General Business District.

- **Resolution.**
- Erin Tidwell, City Planner, explained the applicant’s request and stated that staff recommends approval.
- Gina Garth, Chairwoman, opened the public hearing to hear the request of James Christopher for Minor Plat Approval of Kelli Drive Commercial Subdivision, a minor subdivision of +/- 10.7 acres into 2 lots, located at the terminus of Kelli Drive, North of U.S. HWY 72, and +/- 1,400 ft west of Lindsay Lane South (Parcel #:



## Planning Commission Minutes February 21, 2023

44-10-05-15-1-000-0001.000), zoned: B-2: General Business District.

- **Motion: Mayor Ronnie Marks**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of James Christopher for Minor Plat Approval of Kelli Drive Commercial Subdivision, a minor subdivision of +/- 10.7 acres into 2 lots, located at the terminus of Kelli Drive, North of U.S. HWY 72, and +/- 1,400 ft west of Lindsay Lane South (Parcel #: 44-10-05-15-1-000-0001.000), zoned: B-2: General Business District.**
- **2nd: Rod Herron**
- Item 4 was approved unanimously by all Commissioners present.

**5. Public Hearing.** Request of Dream Key Real Estate, LLC for Minor Plat Approval of Warten House, a minor subdivision of +/- 0.71 acres into 2 lots, located directly southwest of the intersection at Hobbs St and Jefferson Street (parcel #: 10-03-081-003-001-000), zoned: DWNT (Downtown District).

- **Resolution.**
- Erin Tidwell, City Planner, explained the applicant’s request and stated that staff recommends approval.
- Gina Garth, Chairwoman, opened the public hearing to hear the request of Dream Key Real Estate, LLC for Minor Plat Approval of Warten House, a minor subdivision of +/- 0.71 acres into 2 lots, located directly southwest of the intersection at Hobbs St and Jefferson Street (parcel #: 10-03-081-003-001-000), zoned: DWNT (Downtown District).
- **Motion: Robert Malone**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Dream Key Real Estate, LLC for Minor Plat Approval of Warten House, a minor subdivision of +/- 0.71 acres into 2 lots, located directly southwest of the intersection at Hobbs St and Jefferson Street (parcel #: 10-03-081-003-001-000), zoned: DWNT (Downtown District).**
- **2nd: Brad Mallette**
- Item 5 was approved unanimously by all Commissioners present.

**6. Public Hearing.** Request of Sherry Sampson for Minor Plat Approval of A Resubdivision of Part of Lot 9 of Block 73, a minor subdivision of +/- 0.42 acres into 3 lots, located on the southwestern corner of the intersection of Pryor Street and Thomas Street North (Parcel #: 10-02-043-000-113-000), zoned: HN (Historic Neighborhood).

- **Resolution.**





## Planning Commission Minutes February 21, 2023

- Item withdrawn by petitioner's agent (surveyor) 2/21/2023, prior to the work session. More information is needed in reference to an alleyway of a certain size mentioned in the deed, but absent in part from the submitted plot.
- Despite this item being withdrawn by her agent, Ms. Sampson was present at the meeting. Ms. Sampson stated that her agent did not make her aware of the withdrawal, and she objected to it.
- Ms. Sampson voiced her objection at having to provide all required documents by a certain deadline when the City can withdraw her item at the last minute.
- Erin Tidwell, City Planner, stated that this was a known issue, and cited an email sent to the petitioner's agent on February 9th requesting documentation pertaining to the alleyway.
- Michael Griffin, City Engineer, reiterated that this was a known issue and was a part of the DRT comments (ref. DRT agenda 02-08-2023). He also stated that this is potentially a private alleyway, owned by other subdivision members and that altering it without verifying that fact could result in a lawsuit against Ms. Sampson by those joint-owners in the alleyway.
- Ms. Tidwell asked Ms. Sampson if the item was withdrawn in error. Ms. Sampson stated that it was.
- James Rich, Director of Public Works, stated that since the item was announced as withdrawn during the work session, many of the public that had attended the meeting for that item had already left.
- Ms. Sampson doesn't believe this alleyway, regardless of its size, should affect the subdivision of her property.
- Gina Garth recommended that this item be withdrawn until the next meeting.
- Brad Mallette believes other alleyways in the city should be looked at as well to ensure they've not been eaten up by the city's growth.

**7. Public Hearing.** Request of **Chris Wood** for **Minor Plat Approval** of **Nella Farms**, a minor subdivision of +/- 6.32 acres into 2 lots, located directly southeast of the intersection at Brownsferry Road and Nella Drive (Parcel #: 10-04-182-002-001-000), zoned: R-1-1 (Low Density Single Family Residential).



## Planning Commission Minutes February 21, 2023

- **Resolution.**
- Erin Tidwell, City Planner, explained the applicant's request and stated that staff recommends approval.
- Gina Garth, Chairwoman, opened the public hearing to hear the request of Chris Wood for Minor Plat Approval of Nella Farms, a minor subdivision of +/- 6.32 acres into 2 lots, located directly southeast of the intersection at Brownsferry Road and Nella Drive (Parcel #: 10-04-182-002-001-000), zoned: R-1-1 (Low Density Single Family Residential).
- **Motion: Dana Henry**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Chris Wood for Minor Plat Approval of Nella Farms, a minor subdivision of +/- 6.32 acres into 2 lots, located directly southeast of the intersection at Brownsferry Road and Nella Drive (Parcel #: 10-04-182-002-001-000), zoned: R-1-1 (Low Density Single Family Residential).**
- **2nd: James Hand**
- Item 7 was approved by 8 yes votes and 1 abstention. Rick Johnson abstained.

### Site Plan (1)

**8. Resolution.** Request of **William Lawrence from WICLA Terra Equities, LLC** for **Site Plan Approval** of +/- 16.7 acres located directly northwest of U.S. HWY 72 and Brownsferry Road (Parcel #: 44-10-03-07-4-007-031.001), zoned B-2 (General Business District).

- **Resolution.**
- Erin Tidwell, City Planner, explained the applicant's request and stated that staff recommends approval, contingent on receiving an acceptable photometric plan and building elevation plans specific to this development.
- Gina Garth, Chairwoman, asked if the developer would consider a larger, alternative Type C buffer to that being proposed.
- Cadie Stewart of Morell Engineering stated that she would consult her client and report back.
- Brad Mallette, Commissioner, inquired about the height and building materials used in the stem wall.
- Cadie Stewart of Morell Engineering explained the building materials in generality and agreed to provide more detailed specifications, upon request.
- Brad Mallette, Commissioner, inquired if site work could continue without the issuance of an ADEM permit.
- Cadie Stewart of Morell Engineering and James Rich, Director of Public Works, affirmed



## Planning Commission Minutes February 21, 2023

that site work could continue without an ADEM permit.

- Rick Johnson asked if appropriate public notification and advertising had occurred.
- Erin Tidwell, City Planner, confirmed that appropriate public notification and advertising had occurred.
- **Motion: Robert Malone**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of William Lawrence from WICLA Terra Equities, LLC for Site Plan Approval of +/- 16.7 acres located directly northwest of U.S. HWY 72 and Brownsferry Road (Parcel #: 44-10-03-07-4-007-031.001), zoned B-2 (General Business District), contingent on receiving an acceptable photometric plan and building elevation plans specific to this development.**
- **2nd: Mayor Ronnie Marks**
- Item 8 was approved unanimously by all Commissioners present.

### **Final Plat (1)**

**9. Resolution.** Request of **BC HSV Meadows, LLC** for **Final Plat Approval** of **Meadows Subdivision Phase 1**, a major subdivision of +/- 58.9 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31 (Parcel #s: 10-05-21-0-001-012.000 and 10-05-22-0-000-008.000) , zoned: R-1-3: (High Density Single Family Residential District).

- **Resolution.**
- Erin Tidwell, City Planner, explained the applicant’s request and stated that staff recommends approval, contingent on receiving the appropriate bonds. Bonding should incorporate the costs of constructing a sewer pump station.
- Ms. Tidwell explained that this item has come before the Planning Commission previously and was approved. The item is being reconsidered because it was not signed and filed after receiving initial Planning Commission approval.
- Micahel Griffin, City Engineer, explained that a comprehensive plan exists to provide sewer services to the development and that the comprehensive plan dictates the responsibility of construction falls on The City of Athens, not the developer. As such, no contingency is necessary.
- Gina Garth, Chairwoman, explained she is not inclined to approve the agenda item if sewer accessibility is not available.
- Taz Morell of Morell Engineering explained that the developer has no control over sewer connectivity as the responsibility is that of the City of Athens, due to the existing sewer agreement. Thus, he believes the item should be approved.
- James Rich, Director of Public Works, explained that a bond is not required in this case



## Planning Commission Minutes February 21, 2023

because the sewer construction is the City of Athens' responsibility, as is explained within the comprehensive sewer agreement. He continued to explain that the City cannot bond itself. It can only adhere to the legal obligation to construct sewer connectivity.

- Gina Garth, Chairwoman, questioned why the agenda item was coming before the Planning Commission if the City has yet to provide sewer service and where sewage would go, if approval were granted.
- James Rich, Director of Public Works, conveyed that all requirements have been met by the developer and the item was ready to be voted on. He further explained that Athens Utilities' Water Department would be responsible for trucking out the sewage until connectivity was accomplished.
- Gina Garth, Chairwoman, asked for an example of a development that successfully trucked out sewage prior to being connected to the sewer system.
- Taz Morell of Morell Engineering provided Buc-ee's as an example.
- **Motion: Rod Herron**
- **“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of BC HSV Meadows, LLC for Final Plat Approval of Meadows Subdivision Phase 1, a major subdivision of +/- 58.9 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31 (Parcel #s: 10-05-21-0-001-012.000 and 10-05-22-0-000-008.000) , zoned: R-1-3: (High Density Single Family Residential District).**
- **2nd: Robert Malone**
- Item 9 was approved by 7 yes votes and 2 no votes. Rick Johnson and Gina Garth voted no.

### Zoning (1)

~~**10. Resolution.** Consider for recommendation to the City Council the request of George L. Braly, Celia B. Williamson, and Carol B. Carter the Zoning Approval of property located near Huntsville Brownsferry Road and Interstate-65, to be zoned EST (Estate Residential and Agriculture District).~~

- **Resolution.**
- Item withdrawn by applicant 2/21/2023, prior to the Planning Commission meeting.

### Notice (1)

**11.** 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.



**Planning Commission Minutes  
February 21, 2023**

\*\*\*Letter from James Garrett, Jr. (ref: comments on the bed and breakfast situation in Athens) introduced by Erin Tidwell (City Planner) at this time. The letter was included in each commissioner's packet. Gina Garth stated that this would be reviewed by members and taken under advisement. Mr. Garrett was not present at the meeting.

**THE PLANNING COMMISSION MEETING ADJOURNED AT 7:24 PM.**

Mrs. Gina Garth (Chairwoman)

Erin Tidwell (City Planner)

