

**COVID-19 Protocol: Required Meeting Summary**  
**THESE ARE NOT MEETING MINUTES**

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 livestreamed 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 etidwell@athensal.us with any additional questions for how to do so. No less than twelve (12) hours after the meeting, the City is required to post a summary of the meeting on its website. **This document will serve as the required summary. This document has not been reviewed by the Commission prior to publication and is not intended to take the place of approved meeting minutes.**

**Call to Order:**

The Planning Commission of the City of Athens, Alabama was called to order by Chairperson Gina Garth, at 6:05 p.m. on May 19, 2020. This meeting was held online via Zoom

**Roll Call.**

**Members present:**

Gina Garth, Chairman  
Rick Johnson, Vice Chairman  
Venard Hendrix  
Roderick Herron  
Mayor Ronnie Marks  
Robert Malone

**Members absent:**

Jerold Blaxton  
Chief Bryan Thornton

**Also present:**

Erin Tidwell, Planner & Planning Commission Secretary  
Michael Griffin, City Engineer  
Micah Cochran, GIS Coordinator  
James Rich, Director of Public Works

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**APPROVAL OF MINUTES:**

**I. Resolution:** Minutes from April 21, 2020 were approved.

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

**II. Resolution** Mr. Malone offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to approve a motion to (a) approve this May 19, 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 May 19, 2020 agenda.

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

**OLD BUSINESS**

**NEW BUSINESS**

**II. 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.

Mr. Griffin explained the request.

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

**III. Resolution** Mr. Herron offered the following resolution and moved its adoption:

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“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to approve 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.

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

- IV. 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

Mr. Griffin explained the request.

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

- V. Resolution** Mr. Malone offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to approve 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.”

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

- VI. Resolution** Mayor Marks offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to approve 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

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Residential District contingent upon staff receiving the performance bond, passing final inspection, and LCWSA providing certification for the development.”

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

- VII. 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.

Mr. Griffin stated that staff would recommend approval contingent upon receipt of a performance bond and passing final inspections. The developer stated that the LCWSA would provide certification at the next board meeting.

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

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to approve 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 contingent upon staff receiving the performance bond, passing final inspection, and LCWSA providing certification for the development.”

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

- VIII. 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.

Mr. Taz Morell, 711 E. Hobbs Street, withdrew this request during the meeting.

- IX. 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

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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.

Mr. Griffin explained the request.

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

- X. Resolution** Mr. Malone offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to recommend for approval to the Athens City Council the request of John D. Furline & Teresa Dawn Furline 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.”

Mr. Hendrix seconded the motion and the vote passed with Mr. Johnson voting against the request.

- XI. 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.

Mr. Griffin explained the request.

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

- XII. Resolution** Mayor Marks offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to recommend for approval to the Athens City Council the request of Joe D. Brooks and Donna B. Brooks 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.”

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Mr. Malone seconded the motion and the vote passed with Mr. Johnson voting against the request.

- XIII. 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.

Mr. Griffin explained the request.

Ms. Tidwell clarified why this would not be considered spot zoning.

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

- XIV. Resolution** Mr. Herron offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to recommend for approval to the Athens City Council request of Pepper Road Estates, LLC 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.”

Mr. Malone seconded the motion and the vote passed with Mr. Johnson voting against the request.

- XV. 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.

Mr. Griffin explained the request.

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

- XVI. Resolution** Mr. Herron offered the following resolution and moved its adoption:

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“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to recommend for approval to the Athens City Council the request of Lynn Persell Homebuilders, LLC 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.”

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

**XVII. Resolution** Mr. Hendrix offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, to recommend for approve the following requests:

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.

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.

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.”

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

**XVIII. Adjourn** There being no further business, the meeting was adjourned.