

Call to Order. The Planning Commission of the City of Athens, Alabama met in Regular session in the City Council Chambers on June 20, 2023 at 5:45 PM, after a short work session.

Roll Call. Commission Members Present: Gina Garth, Rick Johnson, Rhonda Weatherford, Rod Herron, Venard Hendrix, Brad Mallette, and James Hand. Erin Tidwell, City Planner, along with Paige Parker, Planner and Andrea Colburn, Administrative Coordinator, were also present.

Discussion. None.

Minutes. Venard Hendrix offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, that the minutes for the May 16, 2023 meeting be approved.”

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

Old Business: None

New Business:

- I. **Public Hearing.** Consider the request of MU, LLC for Preliminary Plat Approval of Minute Man Subdivision, a major subdivision of +/- 67.5 acres into 241 lots, located directly west of Minuteman Drive and directly north of Sandefer Road East (Parcel # 44-10-04-17-4-000-001.000), zoned R-1-3 (High Density Single Family Residential).

Ms. Garth opened the public hearing. Ms. Tidwell presented the applicant's request. Ms. Tidwell stated that this request meets the majority of Staff requirements, including a Type A buffer along Minuteman Drive and Sandefer Road.

Ms. Tidwell continued to say that Staff's only concern with this request is the connectivity to Sandefer Road. The approved layout shows connectivity between the development and Sandefer Road, but the preliminary plat seeking approval before the Commission does not.

Ms. Tidwell said that although this request technically meets the connectivity index requirements, Staff would recommend approval be contingent upon the Sandefer Road connection being made as shown on the approved layout and an updated traffic study being submitted.

Cady Stewart, representative of Morrell Engineering, spoke on behalf of the request. Ms. Stewart stated that as it stands today, and considering the development pattern of the last five years, Sandefer Road is an industrial access road. In the past five years, ALDOT industrial access funds have been used to improve the roadway for the plants and industries along that thoroughfare.

Ms. Stewart explained that the intention is to create a right turn lane that would come off of Sandefer Road onto Minuteman Drive, this being based on an existing traffic impact study. The proposed turn lane would benefit the development and the school traffic in the area. Ms. Stewart said that if a second connection is added onto Sandefer Road, it may relieve the need for a right turn lane, the absence of which would negatively affect traffic.

Ms. Stewart also stated that the Zoning Ordinance requires a traffic connectivity index of 1.65 or higher. This development, as shown on the preliminary plat, has a connectivity index of 1.7 with three existing connections. Morrell Engineering, on behalf of the applicant, requests that the Sandefer Road connection NOT be required.

Chief Hand asked Ms. Stewart where the proposed connections were. Ms. Stewart stated that this development would connect to the Town Creek Trails subdivision and have three connections; one close to Minuteman Drive and one close to the railroad tracks, with a main entrance on Minuteman Drive.

Ms. Garth reaffirmed the location of the connections. Ms. Stewart pointed to the connection points on the presentation.

Rick Johnson asked Ms. Stewart to repeat the primary reason for not wanting the Sandefer Road connection. Ms. Stewart responded that the primary reason is all the industrial traffic traveling down Sandefer Road. By adding additional residential traffic, the pattern of traffic flow would be disrupted.

Mr. Johnson asked if Ms. Stewart doesn't believe those same people would be traveling onto Sandefer Road from Minuteman Drive. Ms. Stewart believes that they will, however it would provide a greater benefit to focus on making improvements at Sandefer Road and Minuteman Drive instead of dividing improvements between two access points.

Venard Hendrix sought clarification as to whether this request originated with Morrell Engineering or with their client. Ms. Stewart explained that Morrell Engineering is requesting this on behalf of, and in agreement with, their client. Their client does NOT want the connectivity to Sandefer Road established.

Ms. Stewart also explained that the original layout was submitted before an updated traffic study was performed and prior to construction plans being completed.

Ms. Garth clarified that residents of the development that travel to Brookhill Elementary must turn left out of the subdivision onto Sandefer Road, crossing traffic. Ms. Stewart agreed, and stated that the traffic study indicates that the majority of traffic will be coming from Brookhill, not Sandefer Road.

Ms. Garth repeated that those traveling to Brookhill from the subdivision would have to turn left onto Sandefer Road, and asked if there would be any traffic control features put in place for those

travelers. Ms. Stewart answered that there would be a stop condition coming out of the neighborhood; Minuteman traffic will not stop. Ms. Stewart also suggested that traffic could go through the Town Creek Trails development. She stated that there's a three-way intersection at Brookhill Road and Minuteman.

Rod Herron pointed out that in order to reach US Highway 31, traffic would have to go through Sandefer Road, which would cause congestion in that area. Ms. Stewart answered that this development is farther from US Highway 31, located near the Tech School.

Chief Hand asked which plat (the layout or the preliminary) is up for discussion. Ms. Tidwell answered that the preliminary plat is the one seeking approval. Ms. Stewart repeated the request and Staff's recommendation.

Mr. Johnson asked about the eight foot buffer behind the lots. Ms. Stewart answered that it is a Type-A buffer.

James Rich asked if Staff could make additional comments related to the access.

Michael Griffin, City Engineer, stated that it's not unheard of to look at roadway improvements in other areas. He said that Sandefer Road has been widened for industrial traffic in the past. Mr. Griffin also stated that DRT comments were made based on the previous layout that was submitted by the developer, and that's what Staff would like to see. However, Staff may look at other resolutions if the Commission would make their decision contingent.

Mr. Griffin believes that for the industrial traffic traveling west to east, a left turn lane on Sandefer Road onto Minuteman Drive would be more beneficial. The railroad tracks to the west also present a factor that is outside of anyone's control.

Mr. Griffin stated that if the City were to give up the stub to Sandefer Road, it would like to see the benefit of a left turn lane. If the Commission will make their decision contingent at this time, Staff can review traffic study numbers anew and a resolution could be reached between the City and the project's engineers and representatives that would best serve everyone.

Mr. Rich stated that to make improvements at the intersection of Sandefer and Minuteman would be an overall benefit to this project and to other nearby developments. He said that any development with 100 or more lots is supposed to make improvements related to any thoroughfare that it touches. This development has 260 lots, which is why Staff felt the need for additional improvements.

Mr. Rich also stated that examples of such improvements can be seen at Canebrake, The Links at Canebrake, and the Ledges. Those developments have left turn movements that go into the neighborhoods. Pertaining to this request, those improvements would be moved down to the existing intersection of Minuteman and Sandefer Road. That would benefit the development as well as public transportation in the area. Mr. Rich believes this might be a resolution that Staff

would support. Lucas Ferry would be a road similar to what Sandefer Road is, and can be viewed as a typical.

Mr. Griffin reiterated that he believes an alternate resolution can be reached.

Ms. Tidwell stated that Staff would change its recommendation to approval contingent upon identifying needed road improvements as well as an updated traffic study.

Ms. Garth believes that the developer should be required to do more than identify needed improvements; they should also be required to perform the improvements.

Mr. Johnson commented that it would have been better if we'd identified the road improvements prior to the meeting and came into the meeting with a clear plan.

Mr. Rich stated that looking at the next 25 years, the proposed solution might be a better one. Mr. Johnson agreed, but believed merely identifying road improvements that the developer may or may not agree with sounded squishy.

Mr. Griffin stated that if road improvements are identified, and the developer does not follow through with them, the City would hold the developer to the original layout, which includes connection to Sandefer Road.

Ms. Garth asked if this issue was not addressed during the developmental review team meeting. Mr. Griffin replied that it was a comment made during DRT, but developers sometimes prefer to wait until they are before the Commission to address such items.

Mr. Johnson answered that he understood, but it puts the Commission in a position where they approve something they don't have all the information for.

Mr. Mallette stated that he believes connectivity to Sandefer Road, as shown on the original layout, is what's needed.

Ms. Garth stated she's concerned because the proposal in front of them is that in lieu of the second access point, the developer would be asked to make improvements to the other intersection.

Mr. Griffin stated that the traffic study doesn't recommend improvement for the left turning movement at Sandefer Road and Minuteman Drive. It only recommends a deceleration lane, which wouldn't provide a great benefit to the City. A left turn lane would provide greater benefit.

Ms. Garth asked which contingency the Commission is supposed to consider, the connectivity onto Sandefer Road, or the improvements to the existing intersection.

Mr. Griffin suggested a contingency that would allow the developer to be held to the original layout if an alternate could not be agreed upon.

Mr. Mallette made a motion to approve the preliminary plat contingent upon adding a connection at Sandefer Road or some other resolution approved by the City Engineer or Public Works director.

Ms. Garth recommended that the motion be a little more specific. Ms. Garth, Mr. Herron, and Mr. Mallette agreed to make it specific to the intersection.

Ms. Garth closed the public hearing.

Resolution. Brad Mallette offered the following resolution and moved its adoption:

BE IT RESOLVED that the Planning Commission for the City of Athens, Alabama, at its regular meeting on June 20, 2023, that the board does hereby grant the applicant's request for preliminary plat approval contingent upon an updated traffic study and connectivity to Sandefer Road or an agreement between the City and the developer regarding the intersection of Minuteman Drive and Sandefer Road.

Rod Herron seconded the motion, and the motion passed with a vote of six affirmative, and one negative (Mr. Johnson).

- II. Public Hearing.** Consider the request of Mick, LLC & Agri-Tractor, Inc. for Minor Plat Approval of Greenway Parks Addition Number 1, a minor subdivision of +/- 4.3 acres into 2 lots, located directly east of US Highway 31 South and approximately 1,000' north of Forrest Street East (Parcel #: 44-10-02-09-1-001-017.000 and 44-10-02-09-1-001-018.000), zoned B-2 (General Business District).

Ms. Garth opened the public hearing. Ms. Tidwell presented the applicant's request, and stated that this request meets Staff requirements. Because this request doesn't create any new nonconformities, Staff sees no issue with this request.

Ms. Garth closed the public hearing.

Resolution. Rick Johnson offered the following resolution and moved its adoption:

BE IT RESOLVED that the Planning Commission for the City of Athens, Alabama, at its regular meeting on June 20, 2023, that the board does hereby grant the applicant's request for minor plat approval of Greenway Parks, Addition Number One.

Chief James Hand seconded the motion, and the motion passed unanimously of the voting members present.

III. **Resolution.** Consider the request of Wade Gilchrist, Premium Properties, LLC for Final Plat Approval of Brookhill Landing, Phase 2B, a major subdivision of +/- 19.7 acres into 59 lots, located west of US Highway 31 South, and approximately 800' south of Roy Long Road East, (Parcel #: 44-10-08-28-0-000-008.000), zoned R-1-3 (High Density Single Family Residential District).

Ms. Tidwell presented the applicant's request, and stated that the request meets all of Staff's requirements. Therefore, Staff sees no issue with this request, but would ask that approval be contingent upon receipt of performance bonds and traffic impact fee.

Resolution. Rod Herron offered the following resolution and moved its adoption:

BE IT RESOLVED that the Planning Commission for the City of Athens, Alabama, at its regular meeting on June 20, 2023, that the board does hereby grant the applicant's request for final plat approval of Brookhill Landing, Phase 2B, contingent upon the receipt of performance bonds and traffic impact fee.

Rick Johnson seconded the motion, and the motion passed unanimously of the voting members present.

IV. **Resolution.** Consider the request of Valor Communities, LLC for Final Plat Approval of Liberty Subdivision, Phase 1, a major subdivision of +/- 233.9 acres into 112 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).

Ms. Tidwell presented the applicant's request, stating that it meets the City's requirements for an R-1-3 development. Ms. Tidwell pointed to a large, open common area where residential improvements will be located.

Mr. Johnson mentioned to Mr. Griffin about drainage and land challenges, and asked if the common areas are for drainage and retention ponds.

Mr. Griffin answered that a site plan for the common area in the middle has been awaiting approval, and will serve as an amenity center for the entire development. Mr. Griffin said there are temporary drainage easements coming from the main roads and stretching around the subdivision along with temporary ponds to contain drainage on site. They are not the permanent ponds.

Mr. Griffin further explained that a detention facility agreement is in place, however it is the responsibility of the developer to contain the drainage and sediment on site. Other developments drain into the street, where this is contained wholly within the site with no other outlet.

Resolution. Chief James Hand offered the following resolution and moved its adoption:

BE IT RESOLVED that the Planning Commission for the City of Athens, Alabama, at its regular meeting on June 20, 2023, that the board does hereby grant the applicant's request for final plat approval of Liberty Subdivision, Phase One.

Brad Mallette seconded the motion, and the motion passed unanimously of the voting members present.

Adjournment. There being no further business to come before the Commission, Chairwoman Garth duly and properly adjourned the meeting at 6:17p.m.


Chairman

Attest: 
Secretary

