



# Planning Commission Agenda August 16, 2022

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**

### **1.) Roll Call**

Mrs. Gina Garth (Chairwoman)

Mrs. Dana Henry (Council)

Mr. Rick Johnson (Vice-Chair)

Mr. Roderick Herron (Commissioner) - Absent

Mr. Venard Hendrix (Commissioner)

Mayor Ronnie Marks (Mayor)

Mr. Robert Malone (Commissioner) - Absent

Mr. Brad Mallette (Commissioner)

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

Also present: Michael Griffin (City Engineer), James Rich (PW Director), & Brandon Camp (Engineer)

### **2.) APPROVAL OF MINUTES**

- Regular Meeting Minutes – July 19, 2022

### **OLD BUSINESS**

- **Resolution on replanting plan for Swint Townhomes Phase I Riparian Buffer**

### **Subdivisions (8)**

3.) **Public Hearing.** Request of MU, LLC for **Layout Approval** of Nelson Subdivision Tract 3, a major subdivision of +/- 67.5 acres into 246 lots, located on the West side of Minutemen Drive, North of Sanderfer Road, zoned: R-1-3: High Density Single Family Residential District.

### **Resolution.**

**Motion: Mayor**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama**



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**to approve the request** of MU, LLC for Layout Approval of Nelson Subdivision Tract 3, a major subdivision of +/- 67.5 acres into 246 lots, located on the West side of Minutemen Drive, North of Sanderfer Road, zoned: R-1-3: High Density Single Family Residential District.”

**2nd: Brad Mallette**

**-Items 3 was approved unanimously by all Commissioners present.**

4.) **Resolution.** Request of Canebrake Club, LLC & Winter Homes Investment Properties, LLC for **Final Plat Approval** of **Canebrake Club at Piney Creek, Lots T112-T117**, a major subdivision of +/- 2.55 acres into 6 lot, located on the East side of Piney Creek Dr, within the Canebrake Club Master Development, zoned: C-PUD: Conventional Planned Unit Development.

### **Resolution.**

Mr. William Greenwall of 2397 Piney Creek Drive asked if the houses and the lots are similar to what is across the street of Piney Creek Drive.

Cady Stewart from Morrell Engineering stated that the homes and lots would be similar to those across the streets.

Scott Marshall of 311 East Street asked if lots had compactions tests on them.

Michael Griffin, City Engineer, stated that lots are reviewed for bearing pressure at time of the footings being dug.

**Motion: Dana Henry**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of Canebrake Club, LLC & Winter Homes Investment Properties, LLC for **Final Plat Approval** of **Canebrake Club at Piney Creek, Lots T112-T117**, a major subdivision of +/- 2.55 acres into 6 lot, located on the East side of Piney Creek Dr, within the Canebrake Club Master Development, zoned: C-PUD:”

**2nd: Brad Mallette**

**-Items 4 was approved unanimously by all Commissioners present.**

5.) **Resolution.** Request of Garden Street Communities Southeast, LLC for **Final Plat Approval** of **Town Creek Trails Phase 1**, a major subdivision of +/- 28.7 acres into 91 lots, located on the West side of Minuteman Dr, North of Sanderfer Road, zoned:



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R-1-3: High Density Single Family Residential District.

**Resolution.**

Michael Griffin, City Engineer, stated that required improvements and bonds were in place and recommended approval.

**Motion: Venard Hendrix**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of Garden Street Communities Southeast, LLC for **Final Plat Approval of Town Creek Trails Phase 1**, a major subdivision of +/- 28.7 acres into 91 lots, located on the West side of Minuteman Dr, North of Sanderfer Road, zoned: R-1-3: High Density Single Family Residential District.

**2nd: Dana Henry**

**-Items 5 was approved unanimously by all Commissioners present.**

6.) **Resolution.** Request of Pepper Road Estates, LLC for **Final Plat Approval of Founders Pointe Subdivision Phases 1 and 2**, a major subdivision of +/- 34 acres into 71 lots, located at the North side of Pepper Road, appx. 3500' East of Lindsay Lane, zoned: R-1-3: High Density Single Family Residential District.

**Resolution.**

Michael Griffin, City Engineer, stated that required improvements and bonds were in place and recommended approval.

**Motion: Brad Mallette**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of Pepper Road Estates, LLC for **Final Plat Approval of Founders Pointe Subdivision Phases 1 and 2**, a major subdivision of +/- 34 acres into 71 lots, located at the North side of Pepper Road, appx. 3500' East of Lindsay Lane, zoned: R-1-3: High Density Single Family Residential District.”

**2nd: Mayor**

**-Items 6 was approved unanimously by all Commissioners present.**

7.) **Resolution.** Request of Forestar (USA) Real Estate Group, Inc. for **Final Plat Approval of Links at Canebrake Phase 3B Final Plat**, a major subdivision of +/-



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20.20 acres into 32 lots, located on the West side of Muirfield Dr, zoned: C-PUD: Conventional Planned Unit Development District.

### **Resolution.**

Michael Griffin, City Engineer, stated that required improvements and bonds were in place and recommended approval.

### **Motion: Venard Hendrix**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Forestar (USA) Real Estate Group, Inc. for Final Plat Approval of Links at Canebrake Phase 3B Final Plat, a major subdivision of +/- 20.20 acres into 32 lots, located on the West side of Muirfield Dr, zoned: C-PUD: Conventional Planned Unit Development District.”**

### **2nd: Brad Mallette**

**-Items 7 was approved unanimously by all Commissioners present.**

8.) **Public Hearing.** Request of Dilitina Development for **Preliminary Plat Approval of Lakewood Subdivision Phase 2**, a major subdivision of +/- 76.7 acres into 58 lots, located on the East side US-31, North of Country Club Acres, zoned: R-1-2: Medium Density Single Family Residential District.

### **Resolution.**

Steve Laird of 305 Greenway Drive, adjoined property owner, stated, “Phase 1 development created drainage issues and caused damage to adjoining yards.”

Mrs. Garth asked Mr. Laird if he had contacted the city about the issue.

Mr. Griffin, City Engineer, stated that the erosion control needed to be re-implemented and that drainage would be redirected to the north so that the adjoining country club would see minimal impact in the future. Developer of Lakewood Subdivision Phase 1 shall be responsible for addressing maintenance issues of ditches within that phase. City engineer will follow up with adjoining property owners as part of the resolution.

Mark Wells of 401 Greenway Drive stated similar issues as previous and is concerned about mud and stormwater in the ditches within the country club development.

Mrs. Garth closed the public hearing.



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**Motion: Mayor**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request, subject to City Engineer reporting back to the Planning Commission on the draining concerns, of Dilitina Development for Preliminary Plat Approval of Lakewood Subdivision Phase 2, a major subdivision of +/- 76.7 acres into 58 lots, located on the East side US-31, North of Country Club Acres, zoned: R-1-2: Medium Density Single Family Residential District .**

**2nd: Brad Mallette**

**-Items 8 was approved unanimously by all Commissioners present.**

9.) **Resolution.** Request of James Christopher for **Minor Plat of Kelli Drive Commercial Subdivision** a minor subdivision of +/- 10.69 acres into 2 lots, located at the terminus of Kelli Dr, North of US-72, zoned: B-2: General Business District.

**Resolution.**

**Motion: Dana Henry**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of James Christopher for Minor Plat of Kelli Drive Commercial Subdivision a minor subdivision of +/- 10.69 acres into 2 lots, located at the terminus of Kelli Dr, North of US-72, zoned: B-2: General Business District.”**

**2nd: Mayor**

**-Items 9 was approved unanimously by all Commissioners present.**

10.) **Public Hearing.** Request of Morell Engineering for **Preliminary Plat Approval of Lucas Ferry Townhomes Phase 2**, a major subdivision of +/- 12.09 acres into 23 lots, located on the East side Lucas Ferry Rd, North of US-72 1000', zoned: R-1-5: Single Family Townhouse Attached Residential District.

**Resolution.**

**Motion: Dana Henry**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Morell Engineering for Preliminary Plat Approval of Lucas Ferry Townhomes Phase 2, a major subdivision of +/- 12.09 acres into 23 lots, located on the East side Lucas Ferry Rd, North of US-72 1000', zoned: R-1-5: Single Family Townhouse Attached Residential District.”**





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**2nd: Brad Mallette**

**-Items 10 was approved unanimously by all Commissioners present.**

**Conditional Use (2)**

11.) **Public Hearing.** Request of Dhanvi, Inc. for a **Conditional Use** approval at **16771 Oakdale Rd located at the Northwest corner of Nick Davis Rd and Oakdale Rd.** The applicant is requesting the approval of a gas station with a convenience store.

**Resolution.**

Brad Mallette questioned if there were any additional conditional use requirements for the development.

Michael Griffin, City Engineer, answered that the site plan review would be administrative and they would have to conform to all requirements of the proposed retail development.

Mr. A Patel, petitioner of development, of 16805 GEORGIE EDITH LN stated that there would be only four fueling pumps and that it would meet all requirements of the city.

Candy William of 23056 Nick Davis Road stated that she was concerned about the traffic in the area.

Mr. Griffin addressed the traffic concerns stating that city circulation standards will be followed.

**Motion: Mayor**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of Dhanvi, Inc. for a Conditional Use approval at 16771 Oakdale Rd located at the Northwest corner of Nick Davis Rd and Oakdale Rd. The applicant is requesting the approval of a gas station with a convenience store.

**2nd: Venard Hendrix**

**-Items 11 was approved BY 5/7 VOTE by all Commissioners present. Mr. Rick Johnson and Mr. Brad Mallette voted no.**



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12.) **Public Hearing.** Request of Dipikaben S Patel for a **Conditional Use** approval at **23021 Nick Davis Rd located at the Northeast corner of Nick Davis Rd and Oakdale Rd**. The applicant is requesting the approval of a gas station with a convenience store.

**Resolution.**

Ms. Patel at 23010 Nick Davis Road, as the petitioner, stated that there will be a deli and convenience store and this would have six fueling pumps and that the site plan had been submitted.

**Motion: Mayor**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request**

**2nd: Gina Garth**

**-Items 12 was approved BY 5/7 VOTE by all Commissioners present. Mr. Rick Johnson and Mr. Brad Mallete voted no.**

**Certificates (2)**

13.) **Resolution.** Request of William David Johnson Testamentary Trust for approval of a **Certificate to Subdivide** +/- 0.37 acres located at Lot 37 Holland Place Addition No. 2, a subdivision of a portion of 1 lot, zoned: R-1-1 (Low Density Single Family Residential District).

**Resolution.**

**Motion: Rick Johnson**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of William David Johnson Testamentary Trust for approval of a Certificate to Subdivide +/- 0.37 acres located at Lot 37 Holland Place Addition No. 2, a subdivision of a portion of 1 lot, zoned: R-1-1 (Low Density Single Family Residential District).

**2nd: Dana Henry**

**-Items 13 was approved unanimously by all Commissioners present.**

14.) **Resolution.** Request of Laurie C. Cannon for approval of a **Certificate to**



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**Consolidate** +/- 0.37 acres located North of 221 Briarwood Circle, a consolidation of a portion of 1 lot into the following parcel (44-10-02-03-3-000-007.002), zoned: R-1-1 (Low Density Single Family Residential District).

**Resolution.**

**Motion: Rick Johnson**

**“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request** of Laurie C. Cannon for approval of a **Certificate to Consolidate** +/- 0.37 acres located North of 221 Briarwood Circle, a consolidation of a portion of 1 lot into the following parcel (44-10-02-03-3-000-007.002), zoned: R-1-1 (Low Density Single Family Residential District).

**2nd: Dana Henry**

**-Items 14 was approved unanimously by all Commissioners present.**

**Notices (2)**

15.) Review and adoption of the **SPECIFICATIONS FOR TRAFFIC CONTROL SIGNS, STREET MARKER BLADES, SIGN POSTS, MOUNTING BRACKETS, AND INSTALLATION**

Mr. Griffin spoke to item 15 to the standardization of our traffic control devices.

16.) Update of multiple applications to reflect the latest ordinance updates, and includes policy change of certified letters being mailed by the applicant with a signed affidavit for public hearings at planning commission, to be fully implemented by October 1, 2022.

Mr. Griffin spoke to item 16 to the developer responsible for sending out certified letters as of October 1, 2022.

Mrs. Gina Garth (Chairwoman)

Secretary Michael Griffin