

**City of Athens Planning Commission- Regular Meeting Agenda (DRAFT)
Tuesday, September 21, 2021**

Work Session at 5:00 p.m. and Regular Meeting at 5:45 p.m.

Location – Council Chamber at City Hall, 200 Hobbs Street West, Athens, Alabama

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

Also present: James Rich (Public Works Director), Michael Griffin (City Engineer), Gary Chynoweth (Engineer Consultant), Matthew Davidson (City Planner), Lakeisha Johnson (Planner) were also present.

CALL TO ORDER.

The Planning Commission meeting was called to order at 5:51 PM.

1.) Roll Call of Appointed Commissioners

The following Commissioners were present”

Mrs. Gina Garth (Chairwoman)

Mrs. Dana Henry (Council)

Mr. Rick Johnson (Vice Chairman)

Mr. Roderick Herron (Commissioner)

Mr. Venard Hendrix (Commissioner)

Mayor Ronnie Marks

Mr. Robert Malone (Commissioner)

Mr. Brad Mallette (Commissioner)

Chief Allen Hogan (Fire)

OLD BUSINESS - NONE

NEW BUSINESS

2.) APPROVAL OF MINUTES

- a. Meeting Minutes – August 17, 2021 – POSTPONED until next Planning Commission Meeting

NEW BUSINESS

Certificate to Subdivide or Consolidate

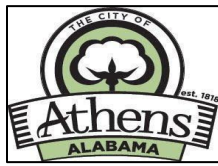
3.) **Public Hearing.** Request of TR Electrical, LLC. for approval of a **Certificate to Subdivide** +/- 6.01 acres, 2 lots located at 1631 L Gray Blvd., a subdivision of 2 lots, zoned B2 – General Business District (Note: Item 1 & 2 are related).

Resolution.

-Mrs. Garth, opened a public hearing for the request of TR Electrical, LLC. for approval of a **Certificate to Subdivide** +/- 6.01 acres, 2 lots located at 1631 L Gray Blvd., a subdivision of 2 lots, zoned B2 – General Business District (Note: Item 3 & 4 are related).

-Mr. Davidson, explained the applicants request and stated that Staff recommended approval.

- Mrs. Garth, who is in here in favor of the applicants request? any questions or additional comments or concerns from the public?



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- No Comments

-Mrs. Garth, declared the public hearing closed.

-Mrs. Garth – do I have a member of the Commission to approve the request for approval.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, consider Request of TR Electrical, LLC. for approval of a Certificate to Subdivide +/- 6.01 acres, 2 lots located at 1631 L Gray Blvd., a subdivision of 2 lots, zoned B2 – General Business District.

-Mr. Johnson made the motion to approve the applicants request.

-Mr. Malone, seconded the motion to approve the applicants request and the request was approved unanimously.

4.) **Resolution.** Request of Inline Properties, LLC. for approval of a **Certificate to Consolidate** +/- 4.10 acres located at 813 US HWY 72 W, a subdivision of 2 lots, zoned B2 – General Business District (Item 1 & 2 are related).

-Mrs. Garth, restated the resolution regarding the request of Inline Properties, LLC for approval of a Certificate to Consolidate +/- 4.10 acres located at 813 US HWY 72 W, a subdivision of 2 lots, zoned B2 – General Business District (Item 1 & 2 are related).

-Mr. Davidson, explained the applicants request and Staff recommends approval of the applicants request with no contingencies.

-Mrs. Garth, who is in here in favor of the applicants request

- No Comments from the applicant.

-Mrs. Garth – do I have a member of the Commission to approve the request for approval.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Inline Properties, LLC. for approval of a Certificate to Consolidate +/- 4.10 acres located at 813 US HWY 72 W, a subdivision of 2 lots, zoned B2 – General Business District.

-Mr. Johnson made the motion to approve the applicants request.

-Mr. Herron, seconded the motion to approve the applicants request and the request was approved unanimously.

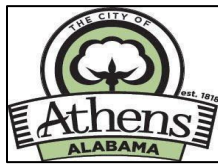
Subdivisions (Minor & Major)

5.) **Public Hearing.** Request of Lindsay Properties, LLC. for approval of a **Minor Subdivision** on +/-12 acres located at 214 Sanderfer Rd., a subdivision of 1 lot, zoned EST – Estate Residential & Agricultural District (Note Item 3 & Item 15 are related).

Resolution.

-Mrs. Garth, opened a public hearing for the request of Lindsay Properties, LLC. for approval of a *Minor Subdivision* on +/-12 acres located at 214 Sanderfer Rd., a subdivision of 1 lot, zoned EST – Estate Residential & Agricultural District (Note Item 3 & Item 15 are related).

-Mr. Davidson, explained the applicants request and stated that Staff recommended approval with no contingencies.



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-Mrs. Garth, who is in here in favor of the applicants request? Any questions or additional comments or concerns from the public?

- No Comments from the applicant or the public.

-Mrs. Garth, declared the public hearing closed and asked if a member from the Commission will move to approve the applicants request.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Lindsay Properties, LLC. for approval of a Minor Subdivision on +/-12 acres located at 214 Sanderfer Rd., a subdivision of 1 lot, zoned EST – Estate Residential & Agricultural District (Note Item 3 & Item 15 are related).

-Mayor Marks made the motion to approve the applicants request.

-Mr. Hendrix, seconded the motion to approve the applicants request and the request was approved unanimously.

6.) **Public Hearing.** Request of Coffman Land Surveying & Mapping Company for **Preliminary and Final Approval of Lindsay Lane Christian Academy**, a minor subdivision of +/-36.23 acres, into 3 tracts located at 2388 Hine ST. S., zoned EST – Estate Residential & Agricultural District.

Resolution.

-Mrs. Garth, opened a public hearing for the request of Coffman Land Surveying & Mapping Company for **Preliminary and Final Approval of Lindsay Lane Christian Academy**, a minor subdivision of +/-36.23 acres, into 3 tracts located at 2388 Hine ST. S., zoned EST – Estate Residential & Agricultural District.

-Mr. Davidson, explained the applicants request and stated that Staff recommended approval with no contingencies.

-Mrs. Garth, who is in here in favor of the applicants request? Any questions or additional comments or concerns from the public?

- No Comments from the applicant or the public.

-Mrs. Garth, declared the public hearing closed and asked if she had a member from the Commission to move to approve the applicants request.

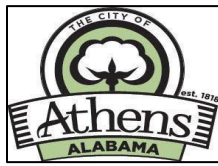
“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Coffman Land Surveying & Mapping Company for Preliminary and Final Approval of Lindsay Lane Christian Academy, a minor subdivision of +/-36.23 acres, into 3 tracts located at 2388 Hine ST. S., zoned EST – Estate Residential & Agricultural District.

-Mr. Herron, made the motion to approve the applicants request.

-Mr. Malone, seconded the motion to approve the applicants request and the request was approved unanimously.

7.) **Resolution.** Request of Breland Homes, LLC. for **Final approval of Natures Cove West. Phase 2**, a major subdivision of +/-7.82 acres into 22 lots, 1 common area situated on the West side of Lindsay Lane, ¾ mile south of HWY 72, zoned R-1-3 – High Density Single Family Residential District.

-Mrs. Garth, restated the resolution, Request of Breland Homes, LLC. for **Final approval of**



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Natures Cove West, Phase 2, a major subdivision of +/-7.82 acres into 22 lots, 1 common area situated on the West side of Lindsay Lane, ¾ mile south of HWY 72, zoned R-1-3 – High Density Single Family Residential District.

-Mr. Davidson, explained the applicants request and Staff recommends approval of the applicants request with no contingencies.

-Mrs. Garth, who is in here in favor of the applicants request? Anyone from the Commission had any questions? No comments or questions were made.

-Mrs. Garth, asked if she had a member from the Commission to move to approve the applicants request.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Breland Homes, LLC. for **Final approval of Natures Cove West, Phase 2**, a major subdivision of +/-7.82 acres into 22 lots, 1 common area situated on the West side of Lindsay Lane, ¾ mile south of HWY 72, zoned R-1-3 – High Density Single Family Residential District.

-Chief Hogan, made the motion to approve the applicants request.

-Mr. Herron, seconded the motion to approve the applicants request and the request was approved unanimously.

8.) **Public Hearing**. Request of Winter Homes, LLC. for **Preliminary approval of Lucas Ferry Townhomes Phase 2**, a major subdivision of +/-12.1 acres into 18 lots, 2 common area situated on the East side of Lucas Ferry Road 1000’ north of HWY 72, zoned R-1-5 – Single Family Townhouse Attached Residential District.

Resolution.

-Mrs. Garth opened a public hearing for the request of Winter Homes, LLC. for **Preliminary approval of Lucas Ferry Townhomes Phase 2**, a major subdivision of +/-12.1 acres into 18 lots, 2 common area situated on the East side of Lucas Ferry Road 1000’ north of HWY 72, zoned R-1-5 – Single Family Townhouse Attached Residential District.

-Mr. Davidson, stated that Staff recommend approval contingent upon the City Engineer verifying that the drainage plans match the hydraulic report.

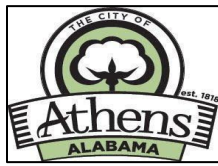
-Mrs. Garth, who is in here in favor of the applicants request? Any questions or additional comments or concerns from the public?

-No comments from the applicant or the public were made.

-Mrs. Garth, declared the public hearing closed and asked if she had a member from the Commission to move to approve the applicants request contingent upon the City Engineer verifying that the drainage plans match the hydraulic report.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Winter Homes, LLC. for **Preliminary approval of Lucas Ferry Townhomes Phase 2**, a major subdivision of +/-12.1 acres into 18 lots, 2 common area situated on the East side of Lucas Ferry Road 1000’ north of HWY 72, zoned R-1-5 – Single Family Town/house Attached Residential District.

-Mr. Malone, made the motion to approve the applicants request with the contingencies stated above.



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-Mr. Mallette, seconded the motion to approve the applicants request and the request was approved unanimously.

9.) **Resolution.** Request of Premium Properties, LLC. for **Final approval of Brookhill Landing Subdivision**, a major subdivision of +/-15.27 acres into 40 lots, a portion of Tract 3 Maund-Cannon Subdivision, Roy Long West of HWY 31, Zoned R-1-3 - High Density Single Family Residential District.

-Mrs. Garth, restated the resolution regarding the request of Premium Properties, LLC. for **Final approval of Brookhill Landing Subdivision**, a major subdivision of +/-15.27 acres into 40 lots, a portion of Tract 3 Maund-Cannon Subdivision, Roy Long West of HWY 31, Zoned R-1-3 - High Density Single Family Residential District.

-Mr. Davidson, stated that Staff recommends approval contingent upon the performance and maintenance bonds being received.

-Mrs. Garth, asked if she had a member from the Commission to move to approve the applicants request contingent upon the performance and maintenance bonds.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA, Request of Premium Properties, LLC. for **Final approval of Brookhill Landing Subdivision**, a major subdivision of +/-15.27 acres into 40 lots, a portion of Tract 3 Maund-Cannon Subdivision, Roy Long West of HWY 31, Zoned R-1-3 - High Density Single Family Residential District.

-Mr. Malone made the motion to approve the applicants request contingent upon the performance and maintenance bonds being received.

-Mayor Marks seconded the motion and to approve the applicants request and the request was approved unanimously.

10.) **Public Hearing.** Request of Maund Family Farm, LLC. for **Preliminary approval of Wauchula Farms Subdivision Addition**, a major subdivision of +/-39.95 acres into 10 lots, situated along Wauchula Private Drive off of HWY 31, zoned EST – Estate Residential Agricultural Residential Zoning District).

Resolution.

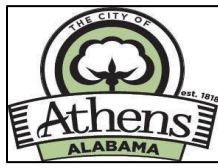
-Mrs. Garth, opened a public hearing of the request of Maund Family Farm, LLC. for **Preliminary approval of Wauchula Farms Subdivision Addition**, a major subdivision of +/-39.95 acres into 10 lots, situated along Wauchula Private Drive off of HWY 31, zoned EST – Estate Residential Agricultural Residential Zoning District).

-Mr. Davidson, stated that Staff recommends approval with no contingencies however the ALDOT (Alabama Department of Transportation) permit is needed. Also, that each property will be on septic tanks, the roads will be private however they will be built to City Standards.

-Mrs. Garth, who is here in favor of the applicants request? Any questions or additional comments or concerns from the Public.

-Mr. Taz Morell (Morell Engineering), stated that he was here for the request and if there were any questions or concerns he would address them.

-No additional comments were made from the public.



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-Mrs. Garth, asked if she had a member from the Commission to move to approve the applicants request with no contingencies however the ALDOT permit is required.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA Request of Maund Family Farm, LLC. for **Preliminary approval of Wauchula Farms Subdivision Addition**, a major subdivision of +/-39.95 acres into 10 lots, situated along Wauchula Private Drive off of HWY 31, zoned EST – Estate Residential Agricultural Residential Zoning District).

-Mr. Hendrix, moved to approve the applicants request based on providing the ALDOT permit.

-Mrs. Henry, seconded to motion to approve the applicants request and the request was approved unanimously.

11.) **Public Hearing**. Request of Ozark Properties for **Preliminary approval of Laurenwood**, a major subdivision of +/- 123 acres into 123 lots, 3 common areas situated between West Elm Street and West Market Street and lying approximately 1700 feet east of Lucas Ferry Road, zoned R-1-1 Low Density Single Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing of the request of Ozark Properties for **Preliminary approval of Laurenwood**, a major subdivision of +/- 123 acres into 123 lots, 3 common areas situated between West Elm Street and West Market Street and lying approximately 1700 feet east of Lucas Ferry Road, zoned R-1-1 Low Density Single Family Residential District.

-Mr. Davidson, stated that Staff recommends approval contingent upon the Lot Table being corrected on the preliminary plat to reflect the correct Lot numbers.

-Mrs. Garth, who is here in favor of the applicants request.

-Mr. Corey Brown (Mullins Engineering), was here for the request and stated if there were any questions or concerns he was there to address them.

-Mrs. Garth, asked was there anyone from the public who would like to speak.

-Mr. Kevin Mayes (1722 W Market Street) Resident, requested the item be postponed until the October 19, 2021 Planning Commission meeting because of a typo depicted on the notices that was sent out to the adjoining property owners and requested a revised notice be resent.

The Preliminary approval of Laurenwood was tabled and the request will be heard at the October 19, 2021 Planning Commission Meeting.

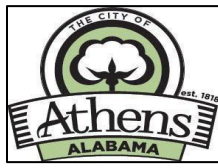
12.) **Public Hearing**. Request of SR Land, LLC. for Preliminary approval of Anderson Farm formerly known as Lindsay Lane C-PUD Conventional Planned Unit Development District (Phase 1), a major subdivision of +/-43 acres into 100 lots, 5 common areas situated on Lindsay Lane.

Resolution.

-Mrs. Garth, opened a public hearing of the request of SR Land, LLC. for Preliminary approval of Anderson Farm formerly known as Lindsay Lane C-PUD Conventional Planned Unit Development District (Phase 1), a major subdivision of +/-43 acres into 100 lots, 5 common areas situated on Lindsay Lane.

-Mr. Davidson, stated that Staff recommends approval with no contingencies.

-Mrs. Garth, asked who is here in favor of the applicants request? Any questions or additional



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comments or concerns from the Public.

- Mr. David Hall (Schoel Engineering), stated that he was here for the request and if there were any questions or concerns he would address them
- Mr. Andy Grose, Resident (2181 Lindsay Lane South) shared his concerns about the drainage issues, traffic and safety on Lindsay Lane and wanted to know what is in place to address the issues of traffic and drainage.
- Mr. Rich, provided background on the City Council’s approval of widening plans from Indian Trace RD to Huntsville Brownsferry Rd, discussed the phasing plan and the time line which will begin in late Spring of 2022. He also discussed the 500 ft North, level of services, anticipate a 3-lane quality road, expansion on the Southern entrance etc.
- Mrs. Garth, asked if she had a member from the Commission to move the applicants request.
- Mr. Herron, made the motion to approve the applicants request with no contingencies.
- Mr. Malone, seconded the motion to approve the applicants request and the request was approved unanimously.

13.) **Public Hearing.** Request of North Alabama Communities, LLC. for **Preliminary approval of Watercress Subdivision (Phase 1)**, a major subdivision of +/- 25.453 acres into 50 Lots² located off Lucas Ferry Rd. Zoned: R-1-2— Medium Density Single Family Residential District. **WITHDRAWN BY STAFF ON 09/21/2021**

Resolution.

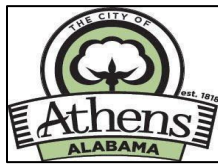
14.) Request of Mark & Gerald Gamble for **Preliminary approval of the Summerfields at the Gamble House C-PUD Conventional Planned Unit Development District**, a major subdivision of +/- 80.4 acres into 171 lots located on Huntsville Brownsferry Road. Zoned: EST— Estate Residential Agricultural Residential Zoning District), (contingent upon approval of the rezone by the City Council). **WITHDRAWN BY APPLICANT ON 09/07/2021**

Rezones

15.) **Public Hearing.** Consider for recommendation to the City Council the request of Dhanvi 1, Inc. to **rezone** +/-3.217 acres located at 16771 Oakdale RD. from R-1-1 (Low Density Single Family Residential) to B-1 (Neighborhood Business District).

Resolution

- Mrs. Garth, opened a public hearing to consider for recommendation to the City Council the request of Dhanvi 1, Inc. to **rezone** +/-3.217 acres located at 16771 Oakdale RD. from R-1-1 (Low Density Single Family Residential) to B-1 (Neighborhood Business District).
- Mr. Davidson, stated the request of the subject property is located at an intersection where all other properties are currently zoned B-1: Neighborhood Business District. Staff supports the rezone because the surrounding neighborhoods would benefit for this type of development.
- Mrs. Garth, asked who is here in favor of the applicants request? Any questions or additional comments or concerns from the public.



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- Mr. Patel, was present the applicant requesting the rezone.
- Mrs. Garth, asked if the applicant planned to live the house that is currently on the property.
- Mr. Patel, stated that the house will not be left on the property.
- Mrs. Garth, asked if she had a member from the Commission to move to approve the applicants request for rezoning.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA Consider for recommendation to the City Council the request of Dhanvi 1, Inc. to **rezone** +/-3.217 acres located at 16771 Oakdale RD. from R-1-1 (Low Density Single Family Residential) to B-1 (Neighborhood Business District).”

- Chief Hogan, made the motion to approve the applicants request with no contingencies.
- Mayor Marks, seconded the motion to approve the rezone request and the request was approved unanimously.

16.) **Public Hearing.** Consider for recommendation to the City Council the request of Gordon A. Swint & Linda K. Swint et al. to **rezone** +/-29.8 acres located on the (North, West), Interstate 65 (East), B-2 (South) from R-1-3 (High Density Single Family Residential) to R-1-5 (Single Family Town House Attached Residential district).

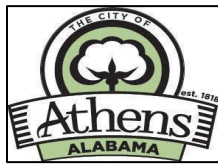
Resolution

- Mrs. Garth, opened a public hearing to consider for recommendation to the City Council the request of Gordon A. Swint & Linda K. Swint et al. to **rezone** +/-29.8 acres located on the (North, West), Interstate 65 (East), B-2 (South) from R-1-3 (High Density Single Family Residential) to R-1-5 (Single Family Town House Attached Residential district).
- Mr. Davidson, stated that Staff recommends the approval of the request based on the subject property being able to serve as a transitional property from the more intense B-2 – General Business District properties along US HWY 72 and R-1-3 High Density Single Family Residential Development.
- Mrs. Garth, asked who is here in favor of the applicants request? Any questions or additional comments or concerns from the Public?
- Mr. Johnson, confirmed that Forrest Park will connect to Limestone Drive,
- Mrs. Garth, asked when will that be?
- Mr. Rich, no expected planned for connectivity in the future.
- Mr. Johnson, how does this align with our current Land Use Plan?
- Mr. Davidson, stated that this aligns with our current 2013 Land Use Plan.
- Mrs. Garth, asked if there were any additional comments from the public?
- No additional comments were made.

-Mrs. Garth, asked if she had a Commissioner to move to approve the applicants request.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA Consider for recommendation to the City Council the request of Gordon A. Swint & Linda K. Swint et al. to **rezone** +/-29.8 acres located on the (North, West), Interstate 65 (East), B-2 (South) from R-1-3 (High Density Single Family Residential) to R-1-5 (Single Family Town House Attached Residential district).

- Mr. Malone, made the motion to approve the applicants request.
- Mayor Marks, seconded the motion to approve the applicants request and the request was approved



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unanimously.

17.) **Public Hearing.** Consider for recommendation to the City Council the request of Lindsay Properties I LLC. to **rezone** +/-12 acres located at 214 Sanderfer RD. from R-1-3 (High Density Single Family Residential) to R-2 (Multiple Family Residential District) Note: This is related to the Lindsay Properties Minor Subdivision (#Item 5).

Resolution.

-Mrs. Garth opened a public hearing for the request of Lindsay Properties I LLC. to **rezone** +/-12 acres located at 214 Sanderfer RD. from R-1-3 (High Density Single Family Residential) to R-2 (Multiple Family Residential District) Note: This is related to the Lindsay Properties Minor Subdivision (#Item 5).

-Mr. Davidson, explained the applicants request and restated that this request is related to Item 5 and staff recommends approval with no contingencies.

-Mrs. Garth, asked about the service trucks and how they will enter and exit.

-Mr. Davidson, stated that the service trucks will be able to enter and exit the property.

-Mrs. Garth, asked who is in here in favor of the applicants request? Any questions, comments or concerns.

-No comments were made.

-Mrs. Garth, asked if she had a member from the Commission to move to approve the applicants request.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA Consider for recommendation to the City Council the request of Lindsay Properties I LLC. to **rezone** +/-12 acres located at 214 Sanderfer RD. from R-1-3 (High Density Single Family Residential) to R-2 (Multiple Family Residential District) Note: This is related to the Lindsay Properties Minor Subdivision (#Item 5)”.

-Mr. Hendrix, made the motion to approve the applicants request with no contingencies.

-Mr. Herron, seconded the motion and the request was approved unanimously.

Annexations

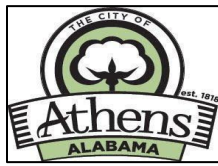
18.) **Public Hearing.** Consider for recommendation to the City Council the request of KAAT, LLC. to **annex** +/- 17 acres of property located at 17746 New Cut Road, and zone property into an R-1-3 (High Density Single Family Residential) District. **WITHDRAWN BY APPLICANT ON 09/21/2021**

Resolution.

19.) Public Hearing. Consider for recommendation to the City Council the request of Kenneth J. Jr. and Shana C. Winter to **annex** +/- 4.6 acres of property located at 16487 Oakdale Road, and zone property into an EST (Estate Residential and Agricultural District).

Resolution.

-Mrs. Garth opened a public hearing for the request to Consider for recommendation to the City Council the request of Kenneth J. Jr. and Shana C. Winter to **annex** +/- 4.6 acres of property located



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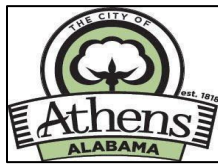
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- at 16487 Oakdale Road, and zone property into an EST (Estate Residential and Agricultural District).
- Mr. Davidson, explained the applicants request and that Staff did not consider the annexation and zoning request feasible based on the current conditions in that area.
 - Mrs. Garth, asked who was in here in favor of the applicants request?
 - Mr. Kenny Winter, Resident of Limestone County at 16487 Oakdale RD stated that he is requesting to annex a portion of his property into the City because of potential financial gain. He shared that his wife is a Teacher in the City of Athens school system therefore there no need to annex his entire property because his children are able to attend City Schools because his wife is employed with the Athens School System.
 - Mr. Jeff Rich, (Covemont Dr., Huntsville AL) son of an adjoining property owner shared his concerns regarding the annexation request and provided an in-depth assessment of the potential impact of the annexation. Also, he discussed the buffering requirement will be an issue and discussed the TVA line, city taxes etc.
 - Staff, shared their thoughts and stated that the surrounding communities were rezoned to R-1- 3-High Density Singly Family Residential District and this current request does not meet the current standards surrounding the property.
 - Mrs. Garth, asked the applicant why is he only requesting to annex a small portion of his property into the City and why not annex the entire property.
 - Mr. Winter, stated that he should be able annex a portion of his property into the City and request it to be zoned Est- Estate Residential and Agricultural District because it is suitable and financially feasible for him.
 - The Planning Commissioners had a discussion regarding the request.
 - Mr. Winter, restated his request and shared with the Commissioners that he should be able to do what he wants to.
 - Mrs. Garth, asked if there were any additional comments, questions or concerns.
 - Mrs. Garth, asked is she had a member from the Commission to move to approve the applicants request to recommend approval of annexation and zoning to the City Council.

“BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF ATHENS, ALABAMA did NOT recommend to the City Council the request of Kenneth J. Jr. and Shana C. Winter to annex +/- 4.6 acres of property located at 16487 Oakdale Road, and zone property into an EST (Estate Residential and Agricultural District).

- Mr. Malone, made the motion to approve the applicants request.
- Chief Hogan, seconded the motion to approve the request. However, the request was not approved for recommendation based on Staff sharing their concerns in reference to the specific zoning request EST – Estate Residential and Agricultural Zoning District was not appropriate and only a portion of the applicant’s property was being annexed instead of the entire property.
- Mrs. Garth, restated if she had a member from the Commission to move to not approve the applicants request based on Staff recommendations, hearing from the applicant and discussion from the Planning Commission Members.
- Motion: Mr. Malone made the motion to not recommend the annexation and the zoning request to the City Council.



**City of Athens Planning Commission- Regular Meeting Agenda (DRAFT)
Tuesday, September 21, 2021**

Work Session at 5:00 p.m. and Regular Meeting at 5:45 p.m.

Location – Council Chamber at City Hall, 200 Hobbs Street West, Athens, Alabama

Seconded: Chief Hogan, again seconded the motion to not recommend the annexation and zoning to the City Council.

-Seven Commissioners were in support of not recommending the annexation and zoning request to the City Council:

- Mrs. Garth
- Mr. Hendrix
- Mrs. Henry
- Mr. Malone
- Mr. Herron
- Mayor Marks
- Chief Hogan

-Two Commissioners were in support of recommending approving the annexation and zoning request to the City Council:

-Mr. Mallette, was in support of the request and stated that he didn't see any issues with the request.

-Mr. Johnson, stated that the applicant should be able to do what he wants with his property.

-The annexation and the rezoning request failed; 2 Commissioners were in support of the applicants request and the remaining seven Commissioners were not in support of recommending the applicants request to the City Council.

The Planning Commission meeting adjourned at 7:15PM by Chairwoman, Mrs. Garth.

APPROVED & SIGNED

Chairwoman (Mrs. Gina Garth)

ATTEST: APPROVED & SIGNED

Secretary (Mrs. Lakeisha Johnson)