



City of Athens Planning Commission- Regular Meeting Agenda (3rd Revision)

January 19, 2021

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

Location – Streaming Online

Important Notice: Per the directive of Chairperson Gina Garth, this meeting will be 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 will be 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 physically attend the meeting at the above location, and other members of the Planning Commission may participate in this meeting by means of electronic communications. Additionally, **the meeting will not be open to physical presence by members of the general public, but the meeting will be livestreamed so that the public (including any applicant or other person interested in any agenda item) may listen, observe, and participate in the meeting without being physically present. Persons interested in doing so should use the ZOOM meeting invitation found on the Planning Commission page of the City of Athens website, and contact mcochran@athensal.us with any additional questions for how to do so. No less than twelve (12) hours after the meeting, the City will post a summary of the meeting on its website at: www.athensal.us.**

CALL TO ORDER.

1) **MINUTES.**

- a) Meeting of November 17, 2020 and December 15, 2020 for approval.

OLD BUSINESS

NEW BUSINESS

CERTIFICATES

- 2)
- a) **Public Hearing.** Request of Larry Hargrove for a Certificate to Subdivide a 478 sq. ft. portion of Lot 2 Block 8 in Annie Wray Nelson Farm Subdivision, zoned R-1-1 Low Density Single Family Residential District.
- b) **Resolution.**
- c) **Resolution.** Request of Larry Hargrove for a Certificate to Consolidate a 478 sq. ft. portion of Lot 2 Block 8 into Lot 1 Block 8 of Annie Wray Nelson Farm Subdivision, zoned R-1-1 Low Density Single Family Residential District.

MINOR SUBDIVISION

- 3)
- a) **Public Hearing.** Request of H and B Holdings LLC for Preliminary and Final approval of Athens West 2 Subdivision, a minor subdivision to consolidate 5.6 acres of property into 1 tract, located at the southeast corner of Lucas Ferry Road and Washington Street, zoned INST Institutional District.

b) **Resolution**.

~~X) a) **Public Hearing**. Request of Billy Joe Strain for Preliminary and Final Approval of Strain North Minor Plat, minor subdivision of +/- 57.6 acres into 2 Lots, located at the northeast corner of Strain Road and US Highway 31 from EST Estate Residential and Agricultural District to R-1-3 High Density Single Family Residential District. b) **Resolution**. ITEM WITHDRAWN BY APPLICANT.~~

MAJOR SUBDIVISION

4) a) **Public Hearing**. Request of Larry, Curley, and Nomo, LLC for Preliminary approval of Cambridge Estates Subdivision, a major subdivision of +/- 19.85 acres into 64 lots, located Tracts 3 and 4 of Highway 72 Development Plat Book H, Page 428, more generally located on the south side of US Highway 72, southwest of the intersection of US Highway 72 and McCulley Mill Road, zoned in an R-1-3 High Density Single Family Residential District.

b) **Resolution**.

~~5) **Resolution**. Request of SMB Land, LLC for Layout Approval of Forrest Street Layout, a major subdivision of +/- 67 acres into 108 lots, located Forrest Street, directly west of Brookwood Drive West and South of Ridgelawn Drive, zoned in an R-1-3 High Density Single Family Residential District. ITEM WITHDRAWN BY APPLICANT.~~

6) **Resolution**. Request of Pepper Road Estates, LLC for Layout approval of Founders Pointe Subdivision Phase 2, a major subdivision of +/- 14 acres into 30 lots, located North of Pepper Road, directly east of Travertine Drive, zoned in an R-1-3 High Density Single Family Residential District.

a) Note: The development's size has been reduced since advertised. It was advertised as Founders Pointe Subdivision Phases 2 and 3 with 77 lots.

7) **Resolution**. Request of Winter Home Investment Properties LLC for Final approval of Lucas Ferry Townhomes Plat, a major subdivision of +/- 18.7 acres into 84 lots, located on the east side of Lucas Ferry Road, directly west of Athens Intermediate School, north of US Highway 72, and south of Washington Street, zoned in an R-1-5 Single Family Townhouse Attached Residential District.

8) **Resolution**. Request of Doublehead Properties LLC for Final approval of Old Stone Phase 3, a major subdivision of +/- 7.28 acres into 27 lots, located on Beacon Circle, west of Mooresville Road, zoned in an R-1-3 High Density Single Family Residential District.

Tally of small lots in subdivisions on this agenda by approval: Layout = 185 30, Preliminary = 64, Final = 111

DESIGN APPEAL

9) **Resolution**. Request of Growl LLC to appeal the design requirements of building material requirements for walls that do not face a street for an existing building at 1432 Freeman Avenue, in process to be rezoned to a B-2 General Business District.

REZONING

10) a) **Public Hearing**. Consider recommending to the City council the request of Henry Neal Wakeham to rezone +/- 2.4 acres of property at 22973 US Highway 72, located on the north side of US Highway 72, west Sweetland Road, parcel number 44-10-06-14-0-000-083.004, from R-1-1 Low Density Single Family

Residential District to B-2 General Business District.

b) **Resolution.**

DEVELOPMENTS

11)

a) **Public Hearing.** Request of James C. Lewis Irrevocable Trust for Preliminary and Final Approval of Midtown Center Subdivision, a minor subdivision of 10.2 acres into 4 tracts, located on the west side of US Highway 31 and the south side of Pryor Street at 104 US Highway 31 North, zoned in a B-2 General Business District.

b) **Resolution.**

12) **Resolution.** The request of MidTown Centre, LLC to approve a site plan for Midtown Centre at 104 US HWY 31 N for a cumulative total of 59,587 sq ft of floor area for a commercial building zoned B-2 General Business District.

CITY OF ATHENS PLANNING COMMISSION

Public Hearing Procedure

- During the course of a Planning Commission Meeting whenever an application that requires a public hearing (zoning, re-zoning, conditional use, certain subdivisions of property, etc. . . .) appears on the Commission's agenda, the Chair will declare the same and introduce the application to the Commission and citizens who are in attendance.
- The Chair will proceed through each scheduled public hearing as follows:
 - Staff will provide an explanation of the case and a recommendation.
 - Applicant will be given an opportunity to address the commission and should limit their comments to **less than ten (10) minutes**.
 - When a public hearing is slated, the Chair will open the hearing for public input.
 - Members of the public, having been recognized, **will be allowed three (3) minutes** each to address the Commission (unless the Chairman specifies otherwise).
NOTE: Large groups may wish to, but are not required to, appoint a spokesperson for the group, in which case the Chair may grant the spokesperson additional time to speak.
 - Generally, those desiring to speak "for" the request will be allowed to speak first, followed by those desiring to speak "against" the request.
 - Persons wishing to speak should raise their hand to be recognized by the Chairman. Once recognized, please stand and state your name and address.
 - Comments should be concise and limited to issues related to the request.
 - When the Chairman believes that the Commission has received sufficient citizen input to make a determination on the application, the public hearing will be closed and the applicant and/or the Staff will be given an opportunity to address any issues brought out during public comment.
 - Chairman will then allow Commission members to make comments or ask questions of anyone present to clarify issues or provide additional information.
 - The Chairman will call for a motion and a second on the motion. Commission members may speak to the motion, any amendments, or points of parliamentary procedure.
 - If a motion is forthcoming, a voice vote will be taken. If the decision is not unanimous, then the Chairman will direct a roll call vote.
 - If a motion is NOT forthcoming, the request will be considered "Denied" for lack of a motion.

PLEASE NOTE: The above-procedure is provided to serve as a guideline for the conduct of public hearings. The chairman is not limited and/or constrained by this procedure and, under certain circumstances, may deem it necessary to deviate from this guideline.