



City of Athens Planning Commission- Regular Meeting July 21, 2020

Work Session at 5:00 p.m. and Regular Meeting at 5:45 p.m.
Location – City Council Chambers, City Hall, 200 Hobbs St. West
& Streaming Online due to COVID-19 Protocols put in place by Proclamation of the Governor

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 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 will post a summary of the meeting on its website at: www.athensal.us**

CALL TO ORDER.

- 1) **MINUTES.**
 - a) Meeting of June 16, 2020 for approval.

OLD BUSINESS

NEW BUSINESS SUBDIVISIONS

- 2) **Resolution** Consider the Request of Pepper Road Estates, LLC. for a Layout of Pepper Road Subdivision, a Resubdivision of a Portion of Lot 1 of Marbut Estates, a layout for a major subdivision of +/-34 acres into 50 lots, located in an R-1-3 Single Family High Density Residential District.
- 3) **Resolution** Consider the request of Lynn Persell Home Builders for a Layout of Persell and Elmore Subdivision Phase 2, a Resubdivision of Tract “A”, a layout of a major subdivision of +/-21.6 acres into 46 lots, located directly south of 110 Cloverleaf Drive, on the western side of Cloverleaf Drive in an R-1-3 Single Family High Density Residential District.
- 4)
 - a) **Public Hearing** Consider the request of W. Graham Burgess for a Certificate to Subdivide for John W. Johnson and Febbie Shaw, a subdivision of a lot sized +/-2.34 acres into two lots sized +/-2.07 acres and +/-0.27 acres, located at the northwest corner of the intersection of Cool Springs Drive and Audubon Lane, in a B-2 General Business District.
 - b) **Resolution** Consider the request of W. Graham Burgess for a Certificate to Subdivide for John W. Johnson and Febbie Shaw, a subdivision of a lot sized +/-2.34 acres into two lots sized +/-2.07 acres and +/-0.27 acres, located at the northwest corner of the intersection of Cool Springs Drive and Audubon Lane, in a B-2 General Business District.
- 5) **Resolution** Consider the request of W. Graham Burgess for a Certificate to Consolidate for John W. Johnson and Febbie Shaw, a consolidation of a lot sized +/-0.27 acres into a single tract sized +/-1.90 acres, located at the northwest intersection of Cool Springs Drive and Audubon Lane, in a B-2 General Business District.
- 6)
 - a) **Public Hearing** Consider the request of Lucas Ferry Properties, LLC. for a Preliminary Plat of Lucas Ferry Farms, a

minor subdivision of +/-24.17 acres into 70 residential lots, 1 cemetery lot, and 3 common/ detention area lots, located on the west side of Lucas Ferry Road, approximately 1400 feet south of Brownsferry Road, in an R-1-3 Single Family High Density Residential District.

- b) **Resolution** Consider the request of Lucas Ferry Properties, LLC. for a Preliminary Plat of Lucas Ferry Farms, a minor subdivision of +/-24.17 acres into 70 residential lots, 1 cemetery lot, and 3 common/ detention area lots, located on the west side of Lucas Ferry Road, approximately 1400 feet south of Brownsferry Road, in an R-1-3 Single Family High Density Residential District.

REZONINGS

7)

- a) **Public Hearing** Consider the request of Mark Wilson request for recommendation to the City Council of the City of Athens to rezone parcels 0709324000016.000, 0709324000015.000, 0709324000031.000, and 0709324000034.000, located directly north of 18042 Jefferson St., Directly north of 108 Elm St. West, and directly north of 100 Elm Street West, from a TB, Traditional Business District to a B-2, General Business District.
- b) **Resolution** Consider the request of Mark Wilson request for recommendation to the City Council of the City of Athens to rezone parcels 0709324000016.000, 0709324000015.000, 0709324000031.000, and 0709324000034.000, located directly north of 18042 Jefferson St., Directly north of 108 Elm St. West, and directly north of 100 Elm Street West, from a TB, Traditional Business District to a B-2, General Business District.

ANNEXATIONS

8)

- a) **Public Hearing** Consider the request of Sarah J. Smith for recommendation to the City Council of the City of Athens to annex +/-0.55 Acres of property located at 17685 Quinn Road into the corporate limits of the City of Athens and zone property in R-1-1 Single Family Low Density Residential District.
- b) **Resolution** Consider the request of Sarah J. Smith for recommendation to the City Council of the City of Athens to annex +/-0.55 Acres of property located at 17685 Quinn Road into the corporate limits of the City of Athens and zone property in R-1-1 Single Family Low Density Residential District.

9)

- a) **Public Hearing** Consider the request of Anik Patel for recommendation to the City Council of the City of Athens to annex 0.25 Acres of property located at 23040 Nick Davis Road into the corporate limits of the City of Athens and zone property in the B-1 Neighborhood Business District.
- i) (advertised as 0.5 acres)
- b) **Resolution** Consider the request of Anik Patel for recommendation to the City Council of the City of Athens to annex 0.25 Acres of property located at 23040 Nick Davis Road into the corporate limits of the City of Athens and zone property in the B-1 Neighborhood Business District.

SITE PLANS

- 10) **Resolution** Consider the request of Turner, LLC. for site plan approval in accordance with Zoning Ordinance Section 2.3.2.A.4(b) and 2.3.2.A.4(c), non-residential projects requiring the placement of more than one primary building on a single lot and comprising more than 25,000 sf of gfa regardless of the number of buildings, located at 389 Sanderfer Road West, in an M-1 Light Industrial District.
- 11) ~~**WITHDRAWN. Resolution** Consider the request of Westview Church of Christ for site plan approval in accordance with Zoning Ordinance Section 2.3.2.A.4(d), appeal of administrative denial of a site development plan, located at 15855 Lucas Ferry Road, in a 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.