



**City of Athens Planning Commission- Regular Meeting Agenda (Revised)  
August 18, 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 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](http://www.athensal.us)**

**CALL TO ORDER.**

- 1) **MINUTES.**
  - a) Meeting of July 21, 2020 for approval.

**OLD BUSINESS**

**NEW BUSINESS**  
**SUBDIVISIONS**

- 2)
  - a) **Public Hearing** Consider the request of William B. Harbin, Katherine A. Harbin, Jarod Lane Tanksley, and Emily Joy Tanksley, for a Preliminary & Final Plat of a Resubdivision of Lots 1 and 2 of Harbin Subdivision approval of a minor subdivision of +/-0.64 acres into 2 lots, located at 207 Jefferson Street North in an HN Historic Neighborhood District.
  - b) **Resolution** Consider the request of William B. Harbin, Katherine A. Harbin, Jarod Lane Tanksley, and Emily Joy Tanksley, for a Preliminary & Final Plat of a Resubdivision of Lots 1 and 2 of Harbin Subdivision approval of a minor subdivision of +/-0.64 acres into 2 lots, located at 207 Jefferson Street North in an HN Historic Neighborhood District.
- 3)
  - a) **Public Hearing** Consider the request of Newby Chapel, LLC. for a Preliminary Plat of Newby Chapel Subdivision Phase 2 a major subdivision of +/-6.70 acres into 27 lots, located south of Mahalo Circle, west of Wakea Drive in an R-1-3 Single Family High Density Residential District.
  - b) **Resolution** Consider the request of Newby Chapel, LLC. for a Preliminary Plat of Newby Chapel Subdivision Phase 2 a major subdivision of +/-6.70 acres into 27 lots, located south of Mahalo Circle, west of Wakea Drive in an R-1-3 Single Family High Density Residential District.
- 4) **Resolution** Consider the request of North Alabama Communities, LLC for a Layout Plat of Watercress Subdivision a major subdivision of +/-105.85 acres into 171 lots, located on the west side of Lucas Ferry Road, north of Watercress Drive in an R-1-3 Single Family High Density Residential District.

5)

- a) **Public Hearing** Consider the request of North Alabama Communities, LLC for a Preliminary Plat of Watercress Subdivision Phase 1 a major subdivision of +/-25.453 acres into 50 lots, located on the west side of Lucas Ferry Road, north of Watercress Drive in an R-1-2 Single Family Medium Density Residential District.
- b) **Resolution** Consider the request of North Alabama Communities, LLC for a Preliminary Plat of Watercress Subdivision Phase 1 a major subdivision of +/-25.453 acres into 50 lots, located on the west side of Lucas Ferry Road, north of Watercress Drive in an R-1-2 Single Family Medium Density Residential District.

## **REZONINGS**

6)

- a) **Public Hearing** Consider the request of Coulter & Rachel Broadway for recommendation to the City Council of the City of Athens to rezone +/-0.985 Acres of property located at 14302 Cambridge Lane from the B-2 General Business District to the R-1-1 Single Family Low Density Residential District.
- b) **Resolution** Consider the request of Coulter & Rachel Broadway for recommendation to the City Council of the City of Athens to rezone +/-0.985 Acres of property located at 14302 Cambridge Lane from the B-2 General Business District to the R-1-1 Single Family Low Density Residential District.

7)

- a) **Public Hearing** Consider the request of Andrew & Taylor Uselton for recommendation to the City Council of the City of Athens to rezone +/-0.985 Acres of property located at 14286 Cambridge Lane from the EST Estate Residential and Agricultural to the R-1-1 Single Family Low Density Residential District.
- b) **Resolution** Consider the request of Andrew & Taylor Uselton for recommendation to the City Council of the City of Athens to rezone +/-0.985 Acres of property located at 14286 Cambridge Lane from the EST Estate Residential and Agricultural to the R-1-1 Single Family Low Density Residential District.

## **ZONING ORDINANCE AMENDMENTS**

- 8) **Public Hearing** Consider the request of the Engineering Services and Community Development Department for various proposed amendments to the Zoning Ordinance of the City of Athens.

The following is a summary of the nature and scope of the proposed changes to the Zoning Ordinance (hereafter referred to as "SUMMARY OF ZONING ORDINANCE AMENDMENTS"). The proposed changes would:

- amend § 3.9.1.C and § 9.2 to modify the measurement method within shopping centers between businesses with alcohol (beer/wine) and church, schools, and daycares, and amend the definition of child development facility;
- amend § 6.5.6 and Table 6-2 to modify minimum off-street parking requirements for gas stations to count stacking spaces, and modify the minimum off-street parking spaces requirements for a gas station;
- amend Table 5-5 to modify and clarify by replacing term "Minimum Lot Width at Front Building Line" with "Minimum Lot Width" and add notes about zero-lot line option for B-2 district, how minimum lot width applies to a cul-de-sac, and major arterial roads;
- amend § 6.5.3.c(1)(a) to modify by removing stone as a permitted material for off-street parking and loading areas;
- amend § 4.21 and § 4.22, to modify by reducing the minimum ground story height and upper story height in the Traditional Districts for duplex, triplex, and quadplex buildings;
- amend § 6.6.14.F to offer flexibility with respect to sidewalk requirements in certain situations (including provisions whereby the Zoning Official can allow an exception to the sidewalk construction requirements if there is little/no likelihood that the new sidewalk would be joined to others in the future, such that applicant can instead contribute a portion of the anticipated cost that would have been expended on the new sidewalk into a sidewalk fund, to be used for funding other sidewalk projects in the city);
- amend § 6.5.5.F to exempt certain areas of downtown from minimum parking requirements when conditions are met;
- amend § 6.1.15.A to modify Appeal of Design Standards process by narrowing the scope of the portions of the Zoning Ordinance that it applies to;
- amend various sections of the Zoning Ordinance to correct grammatical errors, spelling errors, and internal document references;
- amend § 6.1.11.D to modify the façade standards for attached residential structures to apply those standards to building walls;

- amend § 9.2 to modify the definition of façade to include cases of a private throughfare;
- amend § 6.1.11.B(2) to modify by increasing the maximum length of attached residential buildings;
- amend § 3.9.1.P to modify by addition to have minimum distances from streams and waterbodies for water pollution hazards, and to amend § 3.9.1.H(2)(h), § 6.1.4.B(4), Table 5-4 to modify to point to the new Paragraph regarding water pollution hazards;
- amend § 6.4.5 to modify by addition requirements for riparian buffers, a stream or water body with trees, that are to be protected for the purpose of cleaning stormwater run-off and providing a wildlife habitat;
- amend § 4.8 to modify table to allow home occupations and major home occupations by Special Exception in residential dwellings within the DWTN, TI, and TB district, which is consistent with all other district;
- amend § 6.2.6.G and § 6.2.6.H to modify how 50 percent of a Type A landscaping buffer should be constructed, and allow for a Type B landscaping buffer to substitute for a Type A landscaping buffer;
- amend § 6.3.4.A(1) to modify the permitted materials for fences to allow wood composite fencing;
- amend § 6.3.5.A(3) to modify dumpster requirement for developments under 20,000 square feet of gross floor area to be able to use a wood composite dumpster enclosure;
- amend § 6.7.4.H to modify exterior lighting color to not exceed 3000 Kelvins, except for sports field lighting, and amend § 6.7.10 to modify by addition circumstances that minimum illumination requirements do not apply and allow lighting levels to be reduced or entirely extinguished;
- amend § 6.1.12.A(2)(c) and § 6.1.12.I(2) to modify maximum depth of a parking lot rules do not apply to M-1 and M-2 zones and properties front major arterial roadways and remove redundant Item regarding maximum depth of a parking lot depth;
- amend § 6.6.9.A(7) to modify by removal of requirements for tree planting islands in cul-de-sacs;
- amend § 3.8.2 to modify requirements for food truck courts to permit them by conditional rezoning process, and amend § 3.9.1.N to modify food truck court requirement by removing requirements for a shared commissary within a permanent structure;
- amend Table 6-2 to add off-street parking requirements for restaurants with outdoor seating;
- amend § 6.1.9.B to modify by addition residential development adjoining a freeway must provide a barrier between the development and the freeway to reduce visual and acoustic effects;
- amend § 9.2 to modify by addition definitions for long-term bicycle parking and short-term bicycle parking, and amend § 6.5.10 to modify the location and design of required bicycle parking spaces and allow for bicycle share stations to count for minimum number of required bicycle parking spaces;
- amend § 6.10 to modify by addition minimum requirements for open space and the types of open space and the manner in which those open spaces are to be designed, and amend § 5.7.5.A(2) to modify existing open space requirements to reference new Subsection on open space;
- amend § 2.5.2.C to modify by addition a requirement that the master plan drawing must indicate zoning district matching an existing zoning designation with the Zoning Ordinance, amend § 4.24 incorrect reference, and amend § 5.14 to modify the rules for a C-PUD to fit a mixture of uses and/or densities and provide for relief through a development incentive program;

9) **Resolution** Consider the request of the Engineering Services and Community Development Department for various proposed amendments to the Zoning Ordinance of the City of Athens. As detailed above in as SUMMARY OF ZONING ORDINANCE AMENDMENTS.

# 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.