



City of Athens Planning Commission- Regular Meeting Agenda (Revised)

October 20, 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**

CALL TO ORDER.

- 1) **MINUTES.**
 - a) Meeting of September 15, 2020 for approval.

OLD BUSINESS None

NEW BUSINESS

CONSENT AGENDA

Certificates

- 2) Consider the request of Jasper Smith for a Certificate to Consolidate combining Lots 167 and 168 of Houston Place Subdivision Add. No 5 into one tract of +/-1.20 acres, located on the east side of Capitol Hill Drive with the addresses 19944 and 19970 Capitol Hill Drive, zoned in an R-1-1 Low Density Single Family Residential District.
- 3)
 - a) Consider the request of DSLD Homes (Gulf Coast) LLC for a Certificate to Subdivide +/- 171 square feet from Lot 35 of Park Place Addition #1, located at 907 Box Street, zoned in an TN-2 Traditional Neighborhood 2 District. [Pub. Hearing Item 8(a)]
 - b) Consider the request of Theresa Speakman for a Certificate to Consolidate, +/- 171 square feet with Lot 36, located at 907 Box Street, zoned in an TN-2 Traditional Neighborhood 2 District.
- 4)
 - a) Consider the request of Stan Hogan for a Certificate to Subdivide +/- 0.91 acres, located at 18755 Moyers Road, zoned in an EST Estate Residential and Agricultural District. [Pub. Hearing Item 8(b)]
 - b) Consider the request of Stan Hogan for a Certificate to Consolidate to form a tract with +/- 9.06 acres, located at 18699 Moyers Road, zoned in an EST Estate Residential and Agricultural District.

Minor Subdivisions

- 5) Consider the request of Valleywide Properties, LLC for a Preliminary & Final Plat of Resurvey of Resubdivision of Lot 2, French Hills Addition 5, a minor subdivision consisting of +/- 2.54 acres consisting of 2 lots, located north of 1289 US highway 72 East, zoned in a B-2 General Business District. [Pub. Hearing Item 8(c)]
- 6) Consider the request of Canebrake Club LLC for a Preliminary & Final Plat of a Resubdivision of Lots T99, T100, T101, T102, T103, T104, and T105 of Canebrake Club Shinnecock-Baltustrol Subdivision, a minor subdivision of +/- 2.75 acres into 6 lots, located on the south side of Shinnecock Hills Drive, in a C-PUD Conventional Planned Unit Development District. [Pub. Hearing Item 8(d)]

Rezoning

- 7) Consider the request of Listerhill Credit Union for recommendation to the City Council of the City of Athens to rezone +/- 1.513 Acres of property at 22223 US Highway 72 located on the northwest corner of US Highway 72 and Bab Daly Road from the R-1-1 Low Density Single Family Residential District & B-2 General Business District to the B-2 General Business District. V [Pub. Hearing Item 8(e)]

CONSENT PUBLIC HEARINGS

- 8)
 - a) **Public Hearing** Consider the request of DSLD Homes (Gulf Coast) LLC for a Certificate to Subdivide +/- 171 square feet from Lot 35 of Park Place Addition #1, located at 907 Box Street, zoned in an TN-2 Traditional Neighborhood 2 District. [Item 3(a)]
 - b) **Public Hearing** Consider the request of Stan Hogan for a Certificate to Subdivide +/- 0.91 acres, located at 18755 Moyers Road, zoned in an EST Estate Residential and Agricultural District. [Item 4(a)]
 - c) **Public Hearing** Consider the request of Valleywide Properties, LLC for a Preliminary & Final Plat of Resurvey of Resubdivision of Lot 2, French Hills Addition 5, a minor subdivision consisting of +/- 2.54 acres consisting of 2 lots, located north of 1289 US highway 72 East, zoned in a B-2 General Business District. [Item 5]
 - d) **Public Hearing** Consider the request of Canebrake Club LLC for a Preliminary & Final Plat of a Resubdivision of Lots T99, T100, T101, T102, T103, T104, and T105 of Canebrake Club Shinnecock-Baltustrol Subdivision, a minor subdivision of +/- 2.75 acres into 6 lots, located on the south side of Shinnecock Hills Drive, in a C-PUD Conventional Planned Unit Development District. [Item 6]
 - e) **Public Hearing** Consider the request of Listerhill Credit Union for recommendation to the City Council of the City of Athens to rezone +/-1.513 Acres of property at 22223 US Highway 72 located on the northwest corner of US Highway 72 and Bab Daly Road from the R-1-1 Low Density Single Family Residential District & B-2 General Business District to the B-2 General Business District. [Item 7]
- 9) **Resolution** Consent agenda.

REGULAR AGENDA

MAJOR SUBDIVISIONS

- 10)
 - a) **Public Hearing** Consider the request of Randall Putman for a Preliminary Plat of Putman Acres, a major subdivision of +/- 1.7 acres into 8 lots, located at 1026 Washington Street West on the north side of the road, zoned in a TN-2 Traditional Neighborhood 2 District.
 - b) **Resolution** Consider the request of Randall Putman for a Preliminary Plat of Putman Acres, a major subdivision of +/- 1.7 acres into 8 lots, located at 1026 Washington Street West on the north side of the road, zoned in a TN-2 Traditional Neighborhood 2 District.
- 11)
 - a) **Public Hearing** Consider the request of North Alabama Communities, LLC for a Preliminary Plat of Natures Cove West Subdivision, a major subdivision of +/-74.93 acres into 211 lots, located on the west side of Lindsay Lane, north of Steeple Chase in an R-1-3 Single Family High Density Residential District.
 - b) **Resolution** Consider the request of North Alabama Communities, LLC for a Preliminary Plat of Natures Cove West

Subdivision, a major subdivision of +/-74.93 acres into 211 lots, located on the west side of Lindsay Lane, north of Steeple Chase in an R-1-3 Single Family High Density Residential District.

12)

- a) **Public Hearing** Consider the request of Newby Chapel LLC for a Preliminary Plat of Newby Chapel Subdivision Phase 3 a major subdivision of +/- 19.88 acres into 76 lots, located on the south side of Newby Road, about 1/4 mile east of Cambridge Lane in an R-1-3 Low Density Single Family Residential District.
- b) **Resolution** Consider the request of Newby Chapel LLC for a Preliminary Plat of Newby Chapel Subdivision Phase 3 a major subdivision of +/- 19.88 acres into 76 lots, located on the south side of Newby Road, about 1/4 mile east of Cambridge Lane in an R-1-3 Low Density Single Family Residential District.

13)

- a) **Public Hearing** Consider the request of Forestar for the The Links Phase 3 Subdivision, a major subdivision of +/- 39.44 acres into 86 lots, for Preliminary Plat approval located on the East side of Lindsay Lane, across from its intersection with Strain Road, in a C-PUD Conventional Planned Use Development District.
- b) **Resolution** Consider the request of Forestar for the The Links Phase 3 Subdivision, a major subdivision of +/-39.44 acres into 86 lots, for Preliminary Plat approval located on the East side of Lindsay Lane, across from its intersection with Strain Road, in a C-PUD Conventional Planned Use Development District.

14)

- a) **Public Hearing** Consider the request of Breland Homes for Preliminary Plat approval of Browns Crossing West Phase 2, a major subdivision of +/- 35.93 acres into 108 lots, located on the north side of US Highway 72 and immediately west of Browns Crossing Subdivision, in an R-1-3 High Density Single Family Residential District.
- b) **Resolution** Consider the request of Breland Homes for Preliminary Plat approval of Browns Crossing West Phase 2, a major subdivision of +/- 35.93 acres into 108 lots, located on the north side of US Highway 72 and immediately west of Browns Crossing Subdivision, in an R-1-3 High Density Single Family Residential District.

SITE PLAN

15)

- a) **Resolution** Consider the request to Appeal of the Design Standards (§§ 6.1.15) for Guardian Self-Storage at 1500 US Highway 72 West for building material requirements which prohibit metal on vertical surfaces in most districts (Zoning Ord. para. 6.1.12.F). Guardian Self-Storage will comply with building material requirements along the facades with US Highway 72 and Brownsferry Street. Guardian Self-Storage's appeal is to allow corrugated metal on all other building walls.
- b) **Resolution** Consider the request to approve the Site Plan for Guardian Self-Storage of Athens at 1500 US Highway 72 West, at the northwest corner of US Highway 72 and Brownsferry Street, for the use of a self-storage facility, within the 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.