



Planning Commission Agenda September 20, 2022

5PM Work Session and 5:45 Regular Meeting

Location: Athens City Hall, Council Chambers, 200 Hobbs Street West, Athens, AL

Please adhere to COVID safety guidelines and social distancing.

CALL TO ORDER @5:45PM by Chairwoman Mrs. Garth

1.) Roll Call

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|---|------------------------------------|
| Mrs. Gina Garth (Chairwoman) | Mrs. Dana Henry (Council) |
| Mr. Rick Johnson - Absent | Mr. Roderick Herron (Commissioner) |
| Mr. Venard Hendrix (Commissioner) | Mayor Ronnie Marks - (Absent) |
| Mr. Robert Malone (Commissioner) | Mr. Brad Mallett - (Commissioner) |
| City Administration Representative - Vacant | |

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

Also present:

Michael Griffin (City Engineer), James Rich (PW Director), Paige Parker (Planner),
Brandon Camp (Civil Engineer) & Jackson Miller (GIS Administrator)

2.) APPROVAL OF MINUTES

- Regular Meeting Minutes – July 19, 2022
- Regular Meeting Minutes – August 16, 2022
- **Motion: Malone**
- **2nd: Herron**
- Minutes from the July 19, 2022 meeting were approved unanimously by all the Commissioners who were present.
- Minutes from the August 16, 2022 meeting were approved unanimously by all the Commissioners who were present, contingent on revising the vote count for Item 11. Item 11 was approved by 5/7 vote by all Commissioners present. Mr. Rick Johnson and Mr. Brad Mallette voted no.

OLD BUSINESS

- Resolution on replanting plan for Swint Townhomes Phase I Riparian Buffer
 - Mr. Griffin explained the applicant's proposed resolution and stated that staff recommends acceptance based on the recommendations from the public Auburn Extension Services.
 - **Motion: Robert Malone**
 - **"Be it Resolved by the Planning Commission of the City of**



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Athens, Alabama to approve the request to accept the plan for vegetative replacement within the riparian buffer for the Swint Townhomes Phase 1 development, contingent upon planting occurring prior to the end of 2022 and an approved inspection by the City of Athens Public Works Department.”

- **2nd: Brad Mallette**
- The lone item of Old Business was approved unanimously by all Commissioners present.

2 Items withdrawn from this month's PC Agenda

- Item 10: Public Hearing. Minor Plat Approval of Frazier Street Subdivision
- Item 11: Public Hearing. Final Plat Approval of Bedingfield Subdivision

NEW BUSINESS

Deannexations (1)

3.) **Public Hearing.** Request of Betty Messer and Angie Wilson to **Deannex** +/- 3.26 acres of property out of the City, located on the south side of Moyers Road, approximately 1,550' west of US HWY 31 (parcel 44-10-08-33-0-000-007.003).

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Betty Messer and Angie Wilson to Deannex +/- 3.26 acres of property out of the City, located on the south side of Moyers Road, approximately 1,550' west of US HWY 31 (parcel 44-10-08-33-0-000-007.003).

-Mr. Griffin, explained the applicant's request and stated that staff does not recommend deannexation of this property as doing so is an impediment to southerly expansion of The City of Athens and a potential life safety issue associated with structures being located within a flood zone.

Motion: Gina Garth

“Be it Resolved by the Planning Commission of the City of Athens, Alabama to recommend the request of Betty Messer and Angie Wilson to Deannex property on Moyers RD be submitted to The City Council with staff's recommendation of deannexing.



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2nd: No second from the planning commission members.

Motion: Robert Malone

“Be it Resolved by the Planning Commission of the City of Athens, Alabama to recommend the request of Betty Messer and Angie Wilson to Deannex property on Moyers RD be submitted to The City Council with staff’s recommendation of NOT deannexing.

2nd: Brad Mallette

- Item 4 was approved unanimously by all Commissioners present.

Site Plans (1)

4.) **Resolution.** Request of Lindsay Lane Christian Academy for **Site Plan Approval of Gym/Classroom Building**, located at 705 West Sanderfer Road, zoned: INST: Institutional District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Lindsay Lane Christian Academy for Site Plan Approval of Gym/Classroom Building, located at 705 West Sanderfer Road, zoned: INST: Institutional District.

-Mr. Griffin explained the applicant’s request and stated that staff recommends approval, contingent upon the consolidation of Parcel: 44-10-04-19-0-000-001.008 and Parcel: 44-10-04-19-0-000-001.007..

Motion: Vernard Hendrix

“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Lindsay Lane Christian Academy for Site Plan Approval of Gym/Classroom Building, located at 705 West Sanderfer Road, zoned: INST: Institutional District, contingent upon the consolidation of Parcel: 44-10-04-19-0-000-001.008 and Parcel: 44-10-04-19-0-000-001.007”.

2nd: Roderick Herron

- Item 4 was approved unanimously by all Commissioners present.

Certificates (1)

5.) **Resolution.** Request of Odilio F. and Nicole A. Juarez for approval of a Certificate



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to Consolidate +/- 0.52 acres located at 910 Brahma Street, a consolidation of Lot 4 (Tract "A") and Lot 5 (Tract "B") (parcels 44-10-02-09-3-001-042.000 and 44-10-02-09-3-001-041.000), zoned: TN-1 (Traditional Neighborhood 1)

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Odilio F. and Nicole A. Juarez for approval of a Certificate to Consolidate +/- 0.52 acres located at 910 Brahma Street, a consolidation of Lot 4 (Tract "A") and Lot 5 (Tract "B") (parcels 44-10-02-09-3-001-042.000 and 44-10-02-09-3-001-041.000), zoned: TN-1 (Traditional Neighborhood 1)

-Mr. Griffin, explained the applicant's request and stated that staff recommends approval.

-Mr. Tommy Mitchell of Athens Land Surveying Company at 100 W Washington ST Suite A spoke in favor of the request.

Motion: Dana Henry

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Odilio F. and Nicole A. Juarez for approval of a Certificate to Consolidate +/- 0.52 acres located at 910 Brahma Street, a consolidation of Lot 4 (Tract "A") and Lot 5 (Tract "B") (parcels 44-10-02-09-3-001-042.000 and 44-10-02-09-3-001-041.000), zoned: TN-1 (Traditional Neighborhood 1)".

2nd: Robert Malone

- Item 5 was approved unanimously by all Commissioners present.

Preliminary Plats (1)

6.) **Public Hearing.** Request of BC HSV Meadows, LLC for **Preliminary Plat Approval** of **Meadows Subdivision Phases 2**, a major subdivision of +/- 31.6 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of BC HSV Meadows, LLC for Preliminary Plat Approval of Meadows Subdivision Phases 2, a major subdivision of +/- 31.6 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.



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-Mr. Griffin, explained the applicant's request and stated that staff recommends approval.

-Mr. Billy Cannon of 2387 S Hine ST expressed concerns of potential water drainage from Meadows Subdivision Phase 2 encroaching on his property at 647 Hatfield Lake RD.

-Mr. Griffin addressed Mr. Cannon's concerns by explaining that the City of Athens' development requirements would prevent water draining onto the properties surrounding Meadows Subdivision Phase 2.

Motion: Vernard Hendrix

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of BC HSV Meadows, LLC for Preliminary Plat Approval of Meadows Subdivision Phases 2, a major subdivision of +/- 31.6 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.

2nd: Brad Mallette

- Item 6 was approved unanimously by all Commissioners present.

Layout Plans (1)

7.) **Resolution.** Request of **SR Land, LLC** for **Layout Approval of Woodland Creek**, a major subdivision of +/- 33.78 acres into 100 lots, located on the south side of W Market Street, approximately 215 feet west of Woodridge Dr, zoned: R-1-3: High Density Single Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of SR Land, LLC for Layout Approval of Woodland Creek, a major subdivision of +/- 33.78 acres into 100 lots, located on the south side of W Market Street, approximately 215 feet west of Woodridge Dr, zoned: R-1-3: High Density Single Family Residential District.

-Mr. Griffin explained the applicant's request and stated that staff recommends approval.

Motion: Robert Malone

"Be it Resolved by the Planning Commission of the City of Athens, Alabama



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to approve the request of SR Land, LLC for Layout Approval of Woodland Creek, a major subdivision of +/- 33.78 acres into 100 lots, located on the south side of W Market Street, approximately 215 feet west of Woodridge Dr, zoned: R-1-3: High Density Single Family Residential District.

2nd: Roderick Herron

- Item 7 was approved unanimously by all Commissioners present.

Minor Plats (3)

8.) **Public Hearing.** Request of Halston Carter for **Minor Plat of Hobbs Street Subdivision** a minor subdivision of +/- 14.19 acres into 3 lots, located north of W Hobbs Street, approximately 580 feet west of Bullington Rd, zoned: R-1-2: Medium Density Single Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Halston Carter for Minor Plat of Hobbs Street Subdivision a minor subdivision of +/- 14.19 acres into 3 lots, located north of W Hobbs Street, approximately 580 feet west of Bullington Rd, zoned: R-1-2: Medium Density Single Family Residential District.

-Mr. Griffin, explained the applicant's request and stated that staff has no issues based on the subdivision regulations. However, the process of orderly development review is issued by the Zoning Ordinance in Section 1.4 and that responsibility relies on the planning commission to form an opinion as the lots orientation differ from typical development.

-Mr. Tommy Mitchell of Athens Land Surveying Company at 100 W Washington ST Suite A spoke in favor of the request.

-Mr. Brad Mallette (Commissioner) conveyed his support of the request as no known non-conformities to the Athens Zoning Ordinance or Subdivision Regulations were identified.

Motion: Brad Mallette

“Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Halston Carter for Minor Plat of Hobbs Street Subdivision a minor subdivision of +/- 14.19 acres into 3 lots, located north of W Hobbs Street, approximately 580 feet west of Bullington Rd, zoned: R-1-2: Medium Density Single Family Residential District.



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2nd: Robert Malone

- Item 9 was approved by a 4/6 vote by all Commissioners present. Mr. Vernard Hendrix and Mrs. Gina Garth voted no.

9.) **Public Hearing.** Request of Journey Church, Limestone County for a **Minor Plat to Re-Plat of Lots 5 and 6 of Athens-East Subdivision** a minor subdivision of +/- 2.00 acres into 1 lots, located east of Cambridge Ln, approximately 1,400 feet south of US HWY 72, zoned: INST: Institutional District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Journey Church, Limestone County for a Minor Plat to Re-Plat of Lots 5 and 6 of Athens-East Subdivision a minor subdivision of +/- 2.00 acres into 1 lots, located east of Cambridge Ln, approximately 1,400 feet south of US HWY 72, zoned: INST: Institutional District.

-Mr. Griffin explained the applicant's request and stated that staff recommends approval.

-Luke Mathias of Morell Engineering at 711 E Hobbs ST spoke in favor of the request.

Motion: Roderick Herron

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Journey Church, Limestone County for a Minor Plat to Re-Plat of Lots 5 and 6 of Athens-East Subdivision a minor subdivision of +/- 2.00 acres into 1 lots, located east of Cambridge Ln, approximately 1,400 feet south of US HWY 72, zoned: INST: Institutional District.

2nd: Dana Henry

- Item 9 was approved unanimously by all Commissioners present.

10.) **Public Hearing.** Request of Joel Hamm for a **Minor Plat to Resubdivide a Part of Lot 16-A, Block 70 of the 1914 Map of Athens, Ward Map No. 1** a minor subdivision of +/- 1.57 acres into 4 lots, located west of Frazier St, approximately 250 feet west of Elkton St, zoned: TN-2: Traditional Neighborhood 2. **WITHDRAWN BY APPLICANT on 09/15/2022**

Resolution.

Final Plats (4)



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11.) **Public Hearing.** Request of WEScorp, LLC & PRC Enterprises, LLC for **Final Plat Approval of Bedingfield Subdivision**, a major subdivision of +/- 9.60 acres into 5 lots, located on the north side of US HWY 72 E, directly across from Greenfield Dr, zoned: B-2: General Business Development. **WITHDRAWN BY APPLICANT on 09/13/2022**

Resolution.

12.) **Public Hearing.** Request of Cambridge Ventures I, LLC for **Final Plat Approval of Cambridge Place Townhomes**, a minor subdivision of +/- 31.7 acres into 2 lots, located on the north side of Indian Trace Road, approximately 1,340 feet east of Lindsey Ln S, zoned: R-2: Multiple-Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Cambridge Ventures I, LLC for Final Plat Approval of Cambridge Place Townhomes, a minor subdivision of +/- 31.7 acres into 2 lots, located on the north side of Indian Trace Road, approximately 1,340 feet east of Lindsey Ln S, zoned: R-2: Multiple-Family Residential District.

-Mr. Griffin explained the applicant's request and stated that staff recommends approval.

Motion: Vernard Hendrix

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Cambridge Ventures I, LLC for Final Plat Approval of Cambridge Place Townhomes, a minor subdivision of +/- 31.7 acres into 2 lots, located on the north side of Indian Trace Road, approximately 1,340 feet east of Lindsey Ln S, zoned: R-2: Multiple-Family Residential District.

2nd: Robert Malone

- Item 12 was approved unanimously by all Commissioners present.

13.) **Public Hearing.** Request of BC HSV Meadows, LLC for **Final Plat Approval of Meadows Subdivision Phase 1**, a major subdivision of +/- 58.9 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of BC HSV Meadows, LLC for Final Plat Approval of Meadows Subdivision Phase 1, a major subdivision of +/- 58.9



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acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.

-Mr. Griffin explained the applicant's request and stated that staff recommends approval, contingent on reception of the performance bond.

Motion: Roderick Herron

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of BC HSV Meadows, LLC for Final Plat Approval of Meadows Subdivision Phase 1, a major subdivision of +/- 58.9 acres into 68 lots, located at the south side of Strain Rd, approximately 2,034 feet east of US Hwy 31, zoned: R-1-3: High Density Single Family Residential District.

2nd: Brad Mallette

- Item 13 was approved unanimously by all Commissioners present.

14.) **Public Hearing.** Request of Concord Land Development for **Final Plat Approval of Boardwalk Phase 2**, a major subdivision of +/- 25.75 acres into 81 lots, located at the eastern terminus of Five Oaks Ave, zoned: TN-2: Traditional Neighborhood 2.

Resolution.

-Mrs. Garth, opened a public hearing to hear the request of Concord Land Development for Final Plat Approval of Boardwalk Phase 2, a major subdivision of +/- 25.75 acres into 81 lots, located at the eastern terminus of Five Oaks Ave, zoned: TN-2: Traditional Neighborhood 2.

-Mr. Griffin explained the applicant's request and stated that staff recommends approval.

Motion: Brad Mallette

"Be it Resolved by the Planning Commission of the City of Athens, Alabama to approve the request of Concord Land Development for Final Plat Approval of Boardwalk Phase 2, a major subdivision of +/- 25.75 acres into 81 lots, located at the eastern terminus of Five Oaks Ave, zoned: TN-2: Traditional Neighborhood 2.

2nd: Dana Henry

- Item 14 was approved unanimously by all Commissioners present.

Notices (2)



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15.) Review and adoption of the **SPECIFICATIONS FOR TRAFFIC CONTROL SIGNS, STREET MARKER BLADES, SIGN POSTS, MOUNTING BRACKETS, AND INSTALLATION**

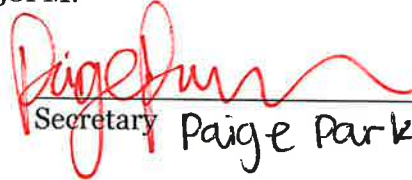
- Mr. Griffin explained the notice of forthcoming updates to the specifications and will be on October's agenda.
- The Commissioners showed support for Item 15, however, no action was taken.

16.) Update of multiple applications to reflect the latest ordinance updates, and includes policy change of certified letters being mailed by the applicant with a signed affidavit for public hearings at planning commission, to be fully implemented by October 1, 2022.

- Mr. Griffin explained the forthcoming updates.
- The Commissioners showed support for Item 16, however, no action was taken.

The Planning Commission Meeting adjourned at 6:38PM.


Mrs. Gina Garth (Chairwoman)


Secretary Paige Parker