

PLANNING & ZONING COMMISSION
REGULAR SESSION
JUNE 6, 2022

The Planning and Zoning Commission of the City of Athens, Texas met in Regular Session on Monday, June 6, 2022, 5:30 p.m. in the Civic Hall of the Cain Center, 915 South Palestine Street, Athens, Texas. The following members were present constituting a quorum: Jim Kerlin, Beverly Peek, Brian Schutt and Von Thomas.

Director of Development Services Audrey Sloan, Administrative Assistant Noemi Lopez, City Manager Elizabeth Borstad, Councilperson SyTanna Freeman, Councilperson Aaron Smith, Dan Pugh, David Welty, Kim Walker, Anne Perryman, Chip Perryman, and Larry Osteen were also present. Todd Shirk and Angie Odom were attending via Zoom.

The meeting was called to order by Vice Chairperson Schutt.

CONSIDER APPROVING THE MINUTES OF THE MAY 2, 2022, REGULAR SESSION.

Member Peek made a motion to approve the minutes as written. Member Thomas seconded the motion and it passed unanimously.

DECLARATION OF CONFLICT OF INTEREST.

Member Jim Kerlin declared a conflict of interest with items 9 & 10 on the agenda. No other conflicts of interest were declared.

PUBLIC COMMUNICATIONS.

None.

UPDATE FOR ITEMS ON THE MAY 2, 2022, PLANNING & ZONING AGENDA.

Director of Development Services Sloan gave a brief update.

PUBLIC HEARING CONCERNING A REQUEST FROM DAVID WELTY FOR APPROVAL OF A SITE PLAN AMENDMENT FOR RESTAURANT WITH DRIVE-THRU USE LOCATED IN THE PLANNED DEVELOPMENT – 1 ZONING DISTRICT FOR LOT 2 OF THE SCC ATHENS ADDITION, R. A. CLARK SURVEY, ABSTRACT 171; LOCATED AT 904 E TYLER ST. OWNER: SAXTON GROUP LLC

Vice Chairperson Schutt opened the public hearing. Sloan gave an overview of the request and discussed new revisions to the site plan regarding drainage, tree preservation, the dumpster location, parking, lighting, and screening. Member Kerlin presented questions regarding the lighting plan. The project architect, Angie Odom, responded. Adjacent property owner, Dan Pugh, discussed concerns with tree preservation and screening. There was a lengthy discussion between the Commission, Pugh, Odom, and project engineer, Todd Shirk. Vice Chairperson Schutt closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM DAVID WELTY FOR APPROVAL OF A SITE PLAN AMENDMENT FOR RESTAURANT WITH DRIVE-THRU USE LOCATED IN THE PLANNED DEVELOPMENT – 1 ZONING DISTRICT FOR LOT 2 OF THE SCC ATHENS ADDITION, R. A. CLARK SURVEY, ABSTRACT 171; LOCATED AT 904 E TYLER ST. OWNER: SAXTON GROUP LLC

The discussion regarding tree preservation and screening continued between the Commission and Odom. Member Peek made a motion to approve the request with the stipulation that the pecan tree in question shall be preserved. The motion was seconded by Member Kerlin and was approved with all Members voting in favor, with the exception of Member Thomas voting in opposition.

PUBLIC HEARING CONCERNING A REQUEST FOR A DEMOLITION ORDER FOR THE SUBSTANDARD STRUCTURE LOCATED AT 506 FAULK STREET, ALSO KNOWN AS LOT 7, BLOCK 48 OF ATHENS ORIGINAL TOWN, T. PARMER SURVEY, ABSTRACT 782. OWNER: THE ESTATE OF ARLETHIA PETTIGREW C/O DOROTHY J CROCKETT.

Vice Chairperson Schutt opened the public hearing. Code Enforcement Officer Campbell gave an overview of the case history and described the unsafe conditions of the structure. Vice Chairperson Schutt closed the public hearing.

DISCUSS/CONSIDER A REQUEST FOR A DEMOLITION ORDER FOR THE SUBSTANDARD STRUCTURE LOCATED AT 506 FAULK STREET, ALSO KNOWN AS LOT 7, BLOCK 48 OF ATHENS ORIGINAL TOWN, T. PARMER SURVEY, ABSTRACT 782. OWNER: THE ESTATE OF ARLETHIA PETTIGREW C/O DOROTHY J CROCKETT.

Member Peek made a motion to issue a demolition order for the structure. Member Thomas seconded the motion and it passed unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM PROPERTY OWNER KIMBERLY WALKER FOR APPROVAL OF A ZONING CHANGE FROM SINGLE-FAMILY – 5 TO COMMERCIAL FOR LOTS 4A, 5 & 6B OF BLOCK 17 OF LARGE LOTS, T. PARMER SURVEY, ABSTRACT 782; LOCATED AT 226 S PRAIRIEVILLE ST.

Vice Chairperson Schutt opened the public hearing. Sloan gave an overview of the request and discussed the possibility of rezoning the property to Single-Family – 5 with a Specific Use Permit for day care use rather than Commercial. Letters of notification were sent to the twelve surrounding property owners within 200 feet with four responses returned. Adjacent property owners, Chip Perryman and Anne Perryman, discussed concerns with rezoning the property Commercial. Kim Walker discussed development plans for the property. Vice Chairperson Schutt closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM PROPERTY OWNER KIMBERLY WALKER FOR APPROVAL OF A ZONING CHANGE FROM SINGLE-FAMILY – 5 TO COMMERCIAL FOR LOTS 4A, 5 & 6B OF BLOCK 17 OF LARGE LOTS, T. PARMER SURVEY, ABSTRACT 782; LOCATED AT 226 S PRAIRIEVILLE ST.

Sloan answered questions from the Commission regarding Specific Use Permits, Planned Developments and potential issues with the property being “split-zoned”. Vice Chairperson Schutt made a motion to approve a change to Single-Family – 5 with a Specific Use Permit for day care use. The motion was seconded by Member Kerlin and was approved unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM LARRY OSTEEN FOR APPROVAL OF A SITE PLAN AMENDMENT FOR OFFICE USE LOCATED IN THE PLANNED DEVELOPMENT – 2 ZONING DISTRICT FOR TRACT 99E, C. M. WALTERS SURVEY, ABSTRACT 800; LOCATED AT 7850 W STATE HWY 31; ALSO KNOWN AS PROPERTY ID C1042. OWNER: BRANDON ADAMS & KEVEN ADAMS

Vice Chairperson Schutt opened the public hearing. Sloan gave an overview of the request. Letters of notification were sent to the three surrounding property owners within 200 feet with no responses returned. Larry Osteen discussed the proposal and answered questions from the Commission. Chairperson Craig closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM LARRY OSTEEN FOR APPROVAL OF A SITE PLAN AMENDMENT FOR OFFICE USE LOCATED IN THE PLANNED DEVELOPMENT – 2 ZONING DISTRICT FOR TRACT 99E, C. M. WALTERS SURVEY, ABSTRACT 800; LOCATED AT 7850 W STATE HWY 31; ALSO KNOWN AS PROPERTY ID C1042. OWNER: BRANDON ADAMS & KEVEN ADAMS

Member Peek made a motion to approve the request with the stipulation that the parking and drive areas be paved. The motion was seconded by Vice Chairperson Schutt and was approved unanimously.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED ON THIS THE 1st DAY OF AUGUST 2022.

Chairman

ATTEST: _____
Noemi Lopez, Development Coordinator