

Regular Session

July 2, 2018

The Planning and Zoning Commission of the City of Athens, Texas met in Regular Session on Monday, July 2, 2018, 5:30 p.m. in the Development Services Center, 622 S. Prairieville Street, Athens, Texas with the following members present, to wit:

Steve Barksdale, Chair
Kari Wilmeth
Brady Autry

Ryan Adam, Interim Managing Director Development Services
Sheila Garrett, Development Coordinator

others present: Sandy & Rich Boister, May & Dave Farnham, Owen Campbell, Lonnie Hodge, Jack & Carol Baily, Angela Hill, Jim Kerlin, Tom & Sandy Shepherd, Diana Duff, Drew Douglas, John & Karen McQueary, Chris Curran, Jordan Schaefer, BJ Moore and Elizabeth Borstad;

with the following members absent: J. Armando and Paul Ingram;

constituting a quorum at which time the following proceedings were enacted, to wit:

The meeting was called to order by Chair Barksdale.

CONSIDER APPROVING THE MINUTES OF THE JUNE 4, 2018, REGULAR SESSION.

A motion was made by Member Wilmeth, seconded by Member Autry to approve the June 4, 2018 minutes. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM SMITH LIVING TRUST, N. KATE SMITH, TRUSTEE TO REPLAT PART OF LOT 20 & PART OF LOT 21, BLOCK 2 – BEL AIR ADDITION UNIT 4 TO CREATE LOT 20A, BLOCK 2, BEL AIR ADDITION UNIT 4; AND A REQUEST FROM WILLIAM AND MAY FARNHAM TO REPLAT LOT 22 AND PART OF LOT 21, BLOCK 2 - BEL AIR ADDITION UNIT 4 CREATING LOT 22A, BLOCK 2- BEL AIR ADDITION UNIT 4 (P-07-18-001).

Ryan Adams, Interim Director of Development, informed the Commission the proposed replat is located in a Single Family 10 (SF-10) zone. Mr. Adams stated the three lots are adjacent to each other and the applicants are requesting to divide the middle lot between two lots on either side. Mr. Adams also stated the middle lot is vacant, so no structures will be affected and the enlarged lots will still meet the Single Family 10 (SF-10) zone requirements. Mr. Adams stated the plat meets the City's ordinance requirements and staff recommends approval.

DISCUSS/CONSIDER A REQUEST FROM SMITH LIVING TRUST, N. KATE SMITH, TRUSTEE TO REPLAT PART OF LOT 20 & PART OF LOT 21, BLOCK 2 – BEL AIR ADDITION UNIT 4 TO CREATE LOT 20A, BLOCK 2, BEL AIR ADDITION UNIT 4; AND A REQUEST FROM WILLIAM AND MAY FARNHAM TO REPLAT LOT 22 AND PART OF LOT 21, BLOCK 2- BEL AIR ADDITION UNIT 4 CREATING LOT 22A, BLOCK 2- BEL AIR ADDITION UNIT 4 (P-07-18-001).

After a brief discussion, a motion was made by Member Autry, seconded by Member Wilmeth to approve the replat request. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM 1992 IRREVOCABLE TRUST, DANTE & SANDI PERANO TRUSTEES AND FIRST HYBRID INC., TO REPLAT LOTS 15, 16 & 17, COUNTRY CLUB PLACE TO LOTS 15-R, 16-R & 17-R, COUNTRY CLUB PLACE, PHASE I ADDITION (P-07-18-002).

Mr. Adams informed the Commission that the purpose of the proposed replat is to adjust the boundary lines on the three lots. Mr. Adams stated that the replat does not affect the current zoning of the apartments, which are zoned Multi-Family-2 (MF-2) - duplexes. Mr. Adams stated that right now, the apartments are legal non-conforming use in its own zone designation. Mr. Adams stated the rest of the Country Club Circle subdivision is Single-Family-15 (SF-15). Mr. Adams also stated that if the property owner wanted to change the zoning of the property, the zoning request would come to the Planning and Zoning Commission and the City Council, and the property owners within two-hundred feet would be notified of the request. Mr. Adams stated the lot to the northwest and the lot to the south that are being shrunk will still conform to their current zoning; meaning they can be sold and development as Single-Family-15 (SF-15) residences. Mr. Adams added that the plat does conform to the requirements of the City's ordinance. Mr. Adams stated with the fifteen notices sent out about the proposed replat, eleven in opposition and zero for the replat were returned; this triggers a super majority vote required under State law. Mr. Adams explained that means two of three of the present board members must agree to approve the plat. Mr. Adams ask the Commission if they had any questions, with Member Autry asking what concerns did the opposition have with the replat. Chair Barksdale clarified that is item is for a plat change and not a zone change. Chair Barksdale opened up the public hearing.

Richard and Sandy Boister, Owen Campbell, John McQueary, Jack Bailey, Kim and Lonnie Hodges and Tom Sheppard all spoke against the replat, stating they do not want more apartments built.

DISCUSS/CONSIDER A REQUEST FROM 1992 IRREVOCABLE TRUST, DANTE & SANDI PERANO TRUSTEES AND FIRST HYBRID INC., TO REPLAT LOTS 15, 16 & 17, COUNTRY CLUB PLACE TO LOTS 15-R, 16-R & 17-R, COUNTRY CLUB PLACE, PHASE I ADDITION (P-07-18-002).

Chair Barksdale made a motion, seconded by Member Autry to oppose the replat. The motion carried.

PUBLIC HEARING CONCERNING A REQUEST AMPLER DEVELOPMENT, LLC (BURGER KING) FOR A SITE PLAN AMENDMENT AT 1004 E TYLER STREET, LOT 1, AND BLOCK 1 – EAST TYLER STREET MARKET SUBDIVISION (Z-7-18-001).

Mr. Adams explained the Ampler Development original site plan was approved January 22, 2017 with an 8 foot masonry fence along the south and west boundary lines and a 100 feet of greenspace to help with preservation of the trees. Mr. Adams stated the site plan also includes cross-connection with the adjacent properties. Mr. Adams informed the Commission that Ampler is requesting additional amenities to the site plan that cannot be approved on an administrative level; the primary request is to modify the requirement for a masonry fence along the western property line. Mr. Adams stated the neighboring property owner (1002 East Tyler) has consented to the extension of a masonry wall to the limits of that property's backyard, after which a cedar fence will continue toward Tyler Street. Mr. Adams stated Ampler is also requesting to relocate 4 parking spaces further to the rear of the property in order to facilitate a traffic cross connection with the Triton development to the east. Mr. Adams explained the relocation of the parking spaces reduces the depth of the greenspace at the rear of the property from just over 100 feet to 90 feet. Mr. Adams also informed the Commission that at staff's request, Ampler has added a comment to their site plan that in the event the property at 1002 East Tyler is sold and developed as non-residential, they will provide traffic cross access to the property. Mr. Adams stated that staff recommends approval of the request.

DISCUSS/CONSIDER A REQUEST FROM AMPLER DEVELOPMENT, LLC (BURGER KING) FOR A SITE PLAN AMENDMENT AT 1004 E TYLER STREET, LOT 1, AND BLOCK 1 – EAST TYLER STREET MARKET SUBDIVISION (Z-7-18-001).

After a brief discussion a motion was made by Member Autry, seconded by Member Wilmeth to approve the request for the site plan amendment at 1004 East Tyler Street. The motion carried unanimously.

MANAGING DIRECTOR'S REPORT ON DEVELOPMENT ACTIVITY.

Mr. Adams presented the managing director's report.

1. Building permit values
2. Code Enforcement activities
3. Building Inspector activities
4. Substandard Structures
5. Bureau Veritas

ADJOURN

Chair Barksdale called for a motion to adjourn. A motion was made by Member Wilmeth, seconded by Member Autry. The motion carried unanimously.

PASSED AND APPROVED ON THIS THE 6th DAY OF AUGUST, 2018.

Steve Barksdale, Chairman

ATTEST: _____
Sheila Garrett, Development Coordinator