

Regular Session

September 4, 2018

The Planning and Zoning Commission of the City of Athens, Texas met in Regular Session on Tuesday, September 4, 2018, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana, Athens, Texas with the following members present, to wit:

Steve Barksdale, Chair
Armando Rincón
Brady Autry

Elizabeth Borstad, City Manager
Sheila Garrett, Development Coordinator

others present: Eric J. Abeln, Betty Foster, Donna Meredith, Danielle Vaughn, Jim Kerlin, Donna Pugh, Danny Pugh, Ashley Malone, K.J. Flores, Greg Mitchell, Brad Rummel and Monte Montgomery

with the following members absent: Kari Wilmeth 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 AUGUST 6, 2018 REGULAR SESSION.

A motion was made by Member Autry, seconded by Member Rincón to approve the August 6, 2018 minutes, as written. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR A SITE PLAN REVISIONS AT PROPERTY LOCATED AT 1006, 1010 & 1012 EAST TYLER STREET (Z-08-18-001)

Elizabeth Borstad, City Manager, reviewed the Triton Athens I site plan with the Commission and the requested revisions to the site plan. Ms. Borstad explained that Triton has requested to modify the orientation and size of several buildings; provide for cross access to the west; modify the entrance and exits to the development; adding an additional detention pond at back of property and requesting additional wall signage on businesses. Ms. Borstad stated that the city has met several times with Triton to discuss the drainage. Ms. Borstad stated there will be two detention ponds and two discharge points onto Crestway. Ms. Borstad stated the engineers have submitted a letter of No Adverse Impact to any of the adjacent property owners.

Greg Mitchell, Benmark Design Group, explained that when designing detention ponds what items are considered such as the housing and other structures in the area; the rate of water releases from the detention ponds;

Jim Kerlin, 1015 Crestway, asked who is responsible for maintenance of the area were the ponds will be located and what if they were clogged up or backing up onto Crestway or becomes stagnate. Mr. Mitchell answered stating Triton would be responsible. Mr. Kerlin also asked if the detention ponds would be on the north side of the barrier fence. Mr. Mitchell stated the ponds will be on the north side of the screening and barrier fence and the barrier fence should like the one going up behind Burger King, continuing with that same style behind Triton.

Eric J. Abeln, Heights Venture Architects, stated that a screening fence will be put up before demolition work or dirt work begins and the permanent fence will go up before any flatwork and vertical construction begins.

Mayor Montgomery thanked Triton for going up and above to make sure the permanent fence is up before construction begins.

Mayor Montgomery also stated he has met with the City Manager about this drainage issue and where the water goes; it crosses Crestway and runs beside a house. Mayor Montgomery stated he spoke with the neighbors who stated they are maxed out and when a big rain comes, the water will go through their ditch, over their driveway and into their yard. Mayor Montgomery explained to the engineers that will be a critical issue. Mr. Mitchell stated that is the reason for the extra pond to slow the rate water is released onto Crestway. Ms. Borstad stated the City required the engineers to submit an Adverse Impact Letter that states they have reviewed their development, and their design will have no adverse impact to any of the adjacent property owners regarding the drainage. That puts the responsibility on the engineers. Chair Barksdale asked what happens if there is an adverse impact to the area? Ms. Borstad stated then that would be a legal issue.

Ms. Borstad asked that Mr. Abeln step forward to discuss the request for additional signage on the buildings. Mr. Abeln stated that due to the change of assess from entry/exits on both ends of the property to a consolidated assess at the traffic light and the entrance to west is now a right turn only entry into the property, and with the traffic going west using the traffic light for entrance, the visibility of the signs becomes more important. Mr. Abeln stated that traffic going along at 30 mph with a green light will miss the signs on the front of the businesses, but with signs on the side of the buildings, there will be more visibility for businesses in Triton. Mr. Abeln stated they are proposing the signs on the side of the buildings to be only 50% of the size of the front sign. Mr. Abeln also stated that all building pads will be constructed at the same time; Phase I consist of building pads, paving, striping and landscaping.

DISCUSS/CONSIDER A REQUEST FROM TRITON ATHENS I, LLC FOR A SITE PLAN REVISIONS AT PROPERTY LOCATED AT 1006, 1010 & 1012 EAST TYLER STREET, (Z-08-18-001)

After a discussion, a motion was made by Member Autry, seconded by Member Rincón to approve all the requested revisions to the site plan except for the additional signage. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM HOME TOWN LAND MANAGEMENT I, LLC (DAIRY QUEEN) FOR A SITE PLAN REVISIONS FOR PROPERTY LOCATED AT 910 EAST TYLER STREET (Z-08-18-002)

Ms. Borstad reviewed the Dairy Queen site plans with the Commission and the requested revisions to the site plan: modifying the placements of the rear cedar fence; removing the requirement for walls/fencing should adjacent residential properties be designated for a non-residential use; tapering the eastern and western boundary fence/wall from 6 feet in height to 3feet in height at the front of the property; and modifying the eastern fence to be a hybrid masonry/cedar fence.

Ashley Malone, Dairy Queen representative, pointed out on the site plan where the requested fence tapering would begin and end on the eastern and western boundary lines. Chair Barksdale ask Ms. Malone if they had tried contacting the property owner to discuss the request, and Ms. Malone answered no they had not. Chair Barksdale stated he had heard from the property owner that he did not want the fence to be tapered. Chairs Barksdale pointed out that while the property owner was not there, his mother and sister are present.

DISCUSS/CONSIDER A REQUEST FROM HOME TOWN LAND MANAGEMENT I, LLC (DAIRY QUEEN) FOR A SITE PLAN REVISIONS FOR PROPERTY LOCATED AT 910 EAST TYLER STREET (Z-08-18-002)

After a brief discussion, a motion was made by Member Rincón, seconded by Member Autry to approve the site plan revisions except for the tapering the fence. The motion passed unanimously.

ADJOURN

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

PASSED AND APPROVED ON THIS THE 1st DAY OF OCTOBER 2018.

Steve Barksdale, Chairman

ATTEST: _____
Sheila Garrett, Development Coordinator