

Regular Session

January 7, 2019

The Planning and Zoning Commission of the City of Athens, Texas met in Regular Session on Monday, January 7, 2019, 5:30 p.m. in the Council Chamber of the City Hall Annex, 501 North Pinkerton Street, Athens, Texas with the following members present, to wit:

Armando Rincon
Kyle Tidmore
Kari Wilmeth

Audrey Sloan, Director of Development Services
Elizabeth Borstad, City Manager

with the following member absent: Brady Autry. Others present: Mark Carroll, David Daniels, Monte Montgomery, Aaron Smith, and interested citizens.

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

The meeting was called to order by Member Rincon.

CONSIDER APPROVING THE MINUTES OF THE DECEMBER 3, 2018 REGULAR SESSION.

A motion was made by Member Wilmeth and seconded by Member Tidmore to approve the December 3, 2018 minutes as written. The motion carried unanimously.

DISCUSS/CONSIDER A REQUEST FROM KENNETH LANE FOR APPROVAL OF THE PRELIMINARY PLAT OF A 24.82 ACRE OF THE J. B. ATWOOD SURVEY A-19 CREATING LOTS 1 THROUGH 11 OF THE HIDDEN PINES SUBDIVISION.

Sloan stated that the proposed residential subdivision is located on Cream Level Road and consists of 11 lots varying in size from roughly one to three acres. The property is zoned as Agriculture which does allow for single family residential development. The preliminary plat does comply with the City's zoning and subdivision ordinances. A motion was made to approve the preliminary plat by Member Wilmeth. The motion was seconded by Member Tidmore and passed unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM MICHAEL VICKERS FOR APPROVAL OF THE REPLAT OF TRACTS 45, 45B, 45B1 & 46A OF THE T. PARMER SURVEY A-782 CREATING LOTS 45B3, 45B4 & 45B5.

Member Rincon opened the public hearing. Sloan stated that the proposed replat is creating three new residential lots approximately 1.4 acres each in size on Mill Run Rd. The property is currently zoned Single-family – 10. Letters of notification were sent to the 17 surrounding property owners located within 200 feet. Several responses were returned. Some of the surrounding property owners have expressed concern with the effect the new residential development will have on drainage in the area. Sloan informed that drainage plans will be required as part of the permit review process. The development will be required to be designed so that it does not adversely impact drainage onto adjacent properties. The replat does comply with the City's zoning and subdivision ordinances. David Daniels, 1 Mill Run Place, spoke about his concerns with the drainage. Applicant, Michael Vickers, stated that he would comply with the City's drainage requirements. Member Rincon closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM MICHAEL VICKERS FOR APPROVAL OF THE REPLAT OF TRACTS 45, 45B, 45B1 & 46A OF THE T. PARMER SURVEY A-782 CREATING LOTS 45B3, 45B4 & 45B5.

A motion was made by Member Wilmeth and seconded by Member Tidmore to approve the request. The motion passed unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM BYRON KELLEY FOR APPROVAL OF THE REPLAT OF LOT 2 OF BLOCK LL6 AND LOTS 1, 2, PART OF 3, PART OF 6, ALL OF 7 AND 8 OF BLOCK 25 OF THE T. PARMER SURVEY A-782, CREATING LOT 8R OF BLOCK 25.

Member Rincon opened the public hearing. Sloan explained that the proposed replat is combining multiple parcels located within Block 25 into one lot. The property is currently zoned as Commercial. The property owners are re-platting the existing parcels into one lot to develop an event space and food service establishment use to be called Common Area Market. Notification letters to surrounding property owners were not required. Council recently approved to close and abandon two 15 feet wide alleys running east and west through the block. The closed alleys were transferred to the adjacent property owners by Quit Claim Deed. The plat does comply with the City's subdivision and zoning ordinances. Member Rincon closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM BYRON KELLEY FOR APPROVAL OF THE REPLAT OF LOT 2 OF BLOCK LL6 AND LOTS 1, 2, PART OF 3, PART OF 6, ALL OF 7 AND 8 OF BLOCK 25 OF THE T. PARMER SURVEY A-782, CREATING LOT 8R OF BLOCK 25.

A motion was made by Member Wilmeth and seconded by Member Tidmore to approve the request. The motion passed unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM FRANCISCO SALAZAR FOR APPROVAL OF A ZONING CHANGE FROM SINGLE-FAMILY RESIDENTIAL – 5 (SF-5) TO COMMERCIAL (C) FOR LOT 9B OF BLOCK 92 OF THE T. PARMER SURVEY A-782.

Member Rincon opened the public hearing. Sloan stated that the zoning change from Single-Family Residential – 5 to Commercial is being requested by the owner to develop the property for commercial use. The property is located near the northeast corner of W Tyler St and Maple St. The applicant also owns the two neighboring lots to the west (Lots 8B & 9A). These two lots are currently zoned Commercial. The owner is proposing to construct a new building consisting of a shop and three retail spaces. A zoning change to Commercial is required for Lot 9B to pursue the proposed use. In addition, the lots will be required to be re-platted into one lot. The owner intends to re-plat provided the zoning change is approved. The Future Land Use Plan designates the area as Retail. This designation is compatible with the proposed use. Member Rincon closed the public hearing.

DISCUSS/CONSIDER A REQUEST FROM FRANCISCO SALAZAR FOR APPROVAL OF A ZONING CHANGE FROM SINGLE-FAMILY RESIDENTIAL – 5 (SF-5) TO COMMERCIAL (C) FOR LOT 9B OF BLOCK 92 OF THE T. PARMER SURVEY A-782.

A motion was made by Member Tidmore and seconded by Member Wilmeth to approve the request. The motion passed unanimously.

PUBLIC HEARING CONCERNING A PROPOSED AMENDMENT TO SECTION 35.1 OF THE ZONING CODE TO REMOVE THE MAXIMUM SQUARE FOOTAGE REQUIREMENT OF ONE HALF OF THE AREA OF THE MAIN STRUCTURE FOR ACCESSORY BUILDINGS LOCATED IN AGRICULTURE (A) AND SINGLE-FAMILY – 15 RESIDENTIAL (SF-15) ZONING DISTRICTS.

Member Rincon opened the public hearing. Sloan stated that the proposed amendment would remove the maximum square footage requirement of one half the area of the main structure for accessory buildings located the Agriculture and Single-Family – 15 zoning districts. The requirement would

remain in place for all other single-family and multi-family zoning districts. Mark Carroll, 5498 Bayshore Dr, asked for clarification on which properties the proposed amendment would impact. Sloan stated that the amendment would only apply to properties that are zoned Single-Family – 15 and Agriculture. Mayor, Monte Montgomery, spoke in favor of the proposed amendment stating that it would be beneficial to owners of large acreage properties. City Manager, Elizabeth Borstad, also spoke in favor of the proposed amendment. Member Rincon closed the public hearing.

DISCUSS/CONSIDER A PROPOSED AMENDMENT TO SECTION 35.1 OF THE ZONING CODE TO REMOVE THE MAXIMUM SQUARE FOOTAGE REQUIREMENT OF ONE HALF OF THE AREA OF THE MAIN STRUCTURE FOR ACCESSORY BUILDINGS LOCATED IN AGRICULTURE (A) AND SINGLE-FAMILY – 15 RESIDENTIAL (SF-15) ZONING DISTRICTS.

A motion was made by Member Wilmeth and seconded by Member Tidmore to approve the request. The motion passed unanimously.

DEVELOPMENT ACTIVITIES REPORT

Audrey Sloan updated the Commission on current projects.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED ON THIS THE 7th DAY OF JANUARY 2019.

Chairman

ATTEST: _____
Sheila Garrett, Development Coordinator