

Regular Session

June 4, 2018

The Planning and Zoning Commission of the City of Athens, Texas met in Regular Session on Monday, June 4, 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
Paul Ingram
Kari Wilmeth
J. Armando Rincón

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

others present: Monte Montgomery, Lisa Denton, Nick Boyle, Steven Freeman, II, Dr. John Morton, William McMahon, Sophie McMahon, Corey Frentress, Tommy Jennings, Mike Magee, Brenda Banks, Gene Banks, Trish McGuffey, Lynn Kitchens, Bruce Hinds, Dorothy Hinds, Wayne Weeks and Elizabeth Borstad;

with the following member absent: Brady Autry;

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 APRIL 2, 2018, REGULAR SESSION.

A motion was made by Member Ingram, seconded by Member Armando to approve the April 2, 2018 minutes. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM MORTON SMALL ANIMAL CLINIC TO REPLAT LOT 4C, R.A. CLARK SURVEY, ALL OF A CALLED 0.477 ACRE TRACT AND ALL OF A CALLED 2.681 ACRE TRACT UNTO LOT 1, MORTON SMALL ANIMAL CLINIC ADDITION AT 1404 E TYLER STREET (P-06-18-001).

Ryan Adams, Interim Managing Director of Development Services, informed the Commission that Dr. Morton is re-platting three lots into one lot in order to build a new building and tear down the old building. Mr. Adams stated that one of the lots has a utility and gas easement running through it and cannot be easily built upon, and that Dr. Morton is aware of the easements. Mr. Adams stated that the replat conforms to all requirements and staff recommends approval of the replat.

Chair Barksdale acknowledged property owner, Dr. John Morton, who addressed the Commission stating that his plan is to extend his business with the approval of the replat. Dr. Morton stated his plans are to build a new bigger facility and then tear down the older building.

DISCUSS/CONSIDER A REQUEST FROM MORTON SMALL ANIMAL CLINIC TO REPLAT LOT 4C, R.A. CLARK SURVEY, ALL OF A CALLED 0.477 ACRE TRACT AND ALL OF A CALLED 2.681 ACRE TRACT UNTO LOT 1, MORTON SMALL ANIMAL CLINIC ADDITION AT 1404 E TYLER STREET (P-06-18-001).

A motion was made by Member Wilmeth, seconded by Member Rincón to approve the replat of Lot 4C, R.A. Clark Survey, all of a called 0.477 acre tract and all of a called 2.681 acre tract into Lot 1, Morton Small Animal Clinic Addition at 1404 E Tyler Street. The motion carried unanimously.

DISCUSS/CONSIDER A REQUEST FROM AMPLER DEVELOPMENT LLC (BURGER KING) FOR PLAT APPROVAL TO CREATE LOT 1, BLOCK 1- EAST TYLER STREET MARKET SUBDIVISION AT 1004 EAST TYLER STREET (P-06-18-002).

Mr. Adams informed the Commission that Ampler Development LLC plat conforms to all requirements and staff recommends approval. A motion was made by Member Ingram, seconded by Member Wilmeth to approve the plat approval for Ampler Development LLC. The motion carried unanimously.

TRITON ATHENS, LLC FOR PRELIMINARY PLAT APPROVAL TO CREATE LOTS 1, 2, 3, 4 AND 5, BLOCK 1, TRITON ATHENS SUBDIVISION AT 1006, 1010 AND 1012 EAST TYLER STREET (P-06-18-003).

Mr. Adams presented the preliminary plat for Triton Athens, LLC to the Commission, stating this is a preliminary plat and is not required to be filed in the county records. Mr. Adams the plat conforms to all requirements and staff recommends approval. After a brief discussion, a motion was made by Member Ingram, seconded by Member Wilmeth. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM ATHENS ECONOMIC DEVELOPMENT CORPORATION FOR A ZONE CHANGE FROM AGRICULTURAL SUP TO INDUSTRIAL FOR TRACTS 35 AND 64, J.B. ATWOOD SURVEY AT 1414 FM 1616 (Z-06-18-001).

Mr. Adams stated that AEDC is requesting a zone change from Agricultural SUP to Industrial. Mr. Adams presented a picture of where the lot is located in the Industrial Park area. Mr. Adams stated concern has been expressed about having only one entry and exit to Industrial Park, informing the Commission that two more entries/exits are in future plans. Mr. Adams also stated a traffic count of FM 1616 shows around 4000 vehicles travel the road every day. The maximum capacity of vehicles traveling FM 1616 would need to be 10 to 12 thousand per day before TXDot would consider making adjustments to that road. Mr. Adams stated thirteen notices were sent out, with 3 in opposition of the zone change and 1 supporting the zone change. Mr. Adams stated the plat conforms to the Future Land Use Map and is compatible with uses to the south and west; staff has no concerns with the zone change presented. Chair Barksdale ask if anyone from the audience wanted to speak on this matter.

Brenda Banks, owner of a textile refinishing company at 1106, 1108 and 1110 Commercial, stated she has major concerns with the traffic. Mrs. Banks stated they have 18 wheelers that come in and out every day and have troubles getting them in and out and the drivers have said getting out on FM 1616 is dangerous.

Steve LeBeau, owner of business at 1109 and 1111 Commercial, expressed concerns of increased traffic and stating the lot was too big to be zone Industrial without other exits. Mr. LeBeau stated his truck drivers complain how dangerous it is to cross Loop and FM 1616.

Glen Kitchens owns business in Industrial Park, stated he's not against the change in zoning but traffic is unbearable. Mr. Kitchens stated when Future Matrix lets out from work, it can be a thirty minute wait. Mr. Kitchen stated something needs about the ingress and egress.

Lisa Denton, Executive Director of AEDC, wanted expressed what the intent was for this property when it was purchased, saying one of the main reasons of purchasing this property was to help with drainage by building a retention pond that should keep Industrial Park from flooding. Ms. Denton also stated that two roads are in the plans to be built, one was through a grant but has been put on hold; and she is waiting to

receive drainage plans from an engineer soon. Ms. Denton stated that AEDC has expressed concerns of the Loop and FM 1616 to TXDot also.

DISCUSS/CONSIDER A REQUEST FROM ATHENS ECONOMIC DEVELOPMENT CORPORATION FOR A ZONE CHANGE FROM AGRICULTURAL SUP TO INDUSTRIAL FOR TRACTS 35 AND 64, J.B. ATWOOD SURVEY AT 1414 FM 1616 (Z-06-18-001).

After a brief discussion, a motion was made by Member Rincón, seconded by Member Wilmeth to approve the request for a zone change from Agricultural SUP to Industrial. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM MICHAEL MAGEE FOR SITE PLAN APPROVAL FOR A PROPERTY ZONED AGRICULTURAL PD-2 FOR TRACT 1, BC WALTERS SURVEY AT 800 LOOP 7 (Z-06-18-002).

Mr. Adams stated that this property is in the Planned Development Overlay (PD-2), therefore an approval for a site plan to build a 40X40 pole barn has to be approved. Mr. Adams stated that this is a very large lot so we only required to rezone a one acre site where the barn is to be built. Staff recommends approval of the request.

DISCUSS/CONSIDER A REQUEST FROM MICHAEL MAGEE FOR SITE PLAN APPROVAL FOR A PROPERTY ZONED AGRICULTURAL PD-2 FOR TRACT 1, BC WALTERS SURVEY AT 800 LOOP 7 (Z-06-18-002).

A motion was made by Member Ingram, seconded by Member Wilmeth to approve the site plan request. The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM BRINNAN PIERCE AND BRUCE HINDS FOR A ZONE CHANGE FROM OFFICE TO SINGLE FAMILY-5 (SF-5) FOR LOTS 14 AND 15, BLOCK 26A, PARK HIGHLANDS SUBDIVISION AT 609 AND 611 RICHARDSON (Z-06-18-003).

Mr. Adams presented the zoning map showing the area of the requested zone change, explaining when the houses were constructed, a residence was an acceptable use in the Office zone, but when the new Zoning Ordinance was adopted in 2001, that was no longer an allowable use. Mr. Adams explained that in order to get financing in order to sell the properties, the zoning has to be updated.

DISCUSS/CONSIDER A REQUEST FROM BRINNAN PIERCE AND BRUCE HINDS FOR A ZONE CHANGE FROM OFFICE TO SINGLE FAMILY-5 (SF-5) FOR LOTS 14 AND 15, BLOCK 26A, PARK HIGHLANDS SUBDIVISION AT 609 AND 611 RICHARDSON (Z-06-18-003).

A motion was made by Member Wilmeth, seconded by Member Rincón to approve the zone change request. 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

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ADJOURN

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

PASSED AND APPROVED ON THIS THE 2nd DAY OF JULY, 2018.

Steve Barksdale, Chairman

ATTEST: _____
Sheila Garrett, Development Coordinator