



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

August 23, 2022

TIME: 3:00 PM

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.

II. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting August 23, 2022 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chairman Lewis Cherry, Mayor Gary Fuller, Councilman George Allen, Mrs. Leigh Whatley, Ms. Lucinda Cannon, Mr. Michael Hilyer, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Ira Silberman and Dr. Arturo Menefee.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Claire Barber, Planning and Zoning Technician
Mr. Scott Parker, City Engineer
Mr. Guy Gunter, City Attorney

CALL TO ORDER: Chairman Lewis Cherry called the meeting to order at 3:00 p.m.

Approval of Planning Commission Minutes July 26, 2022

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Mayor Gary Fuller
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated there are no updates on previous cases. However, items 4, 5, 8, and 10 are requested to be tabled and item 11 has been withdrawn, so they are not likely to be discussed today.

IV. NEW BUSINESS

A. PLAT (Preliminary Only) - Public Hearing

1. Fenwick SD, 111 lots, accessed at 3001 Columbus Parkway, Foresite Group, authorized representative for Opelika Development Ventures, LLC, Preliminary Approval

Mr. Mosley reported the purpose for the subdivision is to build single family homes on 106 lots. A similar preliminary plat was presented by different applicant and approved on September 22, 2020. The applicant Opelika Development Ventures is requesting preliminary approval for a 111-lot subdivision accessed from Columbus Parkway. (The 111 lots includes 2 detention pond lots, 2 lot adjacent to Highway 280, and Lot 111 a public drainage easement lot.) Lots 25 is 48,450 sf & Lot 35 is 45,837 sf are shown on the plat are labeled "Open Space/Detention Lot" and Amenity/Detention Lot".

The subdivision is in an R-3 zoning district. In the R-3 zone the minimum lot size is 10,000 square feet and minimum lot width is 70 feet. All the lots meet the R-3 minimum standards for lot area and lot width; a few cul-de-sacs lots are less than 70 feet wide at the front property line, but lot width must be at least 70 feet wide at the 30-foot minimum building setback line. The 106 single family home lots range in size from 10,127 square feet to 19,681 sf and most lot widths are 70 feet along the front property line. Lots 109 and 110 will be used as a buffer area from Columbus Parkway. Lot 111 will be used for drainage structures. Staff recommends a note be added to state Lots 25, 109, 110, and 111 are not buildable. Staff recommends sidewalks installed on at both sides of all streets and underground utilities installed.

The applicant did provide a future stub out for the west and south portion of the property. Staff recommends a stub-out is recommended along the east property line in place of the stub street to the south. The stub out extension provides opportunity for an alternative access to the subdivision and/or connectivity to a future subdivision that has access to Columbus Parkway or possibly another major collector/arterial street.

Staff recommends preliminary approval subject to the following:

1. **Existing structures should be indicated.**
2. **A portion of the power line right of way appears to cut across the southeast corner of the property.**
3. **On the final plat provide the flood zone.**
4. **Add the signature line for the Chairman of the Planning Commission.**
5. **Install underground utilities.**
6. **Install sidewalks on both sides of all streets.**
7. **On the final plat, provide a 50-foot-wide stub-out right-of-way to the east property line.**
8. **Lot width must be at least 70 feet along front property line or 70 feet at the 30-foot minimum building setback line.**
9. **Provide a buffer screen on the frontage lots adjacent to Columbus Parkway (Lot 109 and 110) to meet Section 3.5 B. 2 of the Subdivision Regulations consisting of recommended plantings (The subdivider shall provide a Planting Buffer Easement of not less than ten (10) feet in width, along the lots abutting an artery).**
10. **Add a note to state Lot 25, 109, 110, and 111 are not buildable lots.**
11. **Add a note to the final plat providing the ownership, maintenance, and who is responsible for the detention ponds, amenity, and open space on lots 25, 35, 109, 110, and 111.**

Mr. Parker reported for Engineering, the developer will be required to submit an infrastructure construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval.

Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

Since this development accesses US 280 (Columbus Parkway), ALDOT will direct the access management and turn lane requirements.

The Engineering Departments review comments have been addressed and the Department recommends preliminary plat approval for this application.

Mr. Mosley reported for the Opelika Utilities Board, water service is assessable by a water main in the R.O.W. of Columbus Parkway.

Mr. Mosley reported for the Opelika Power Services, this subdivision is outside the Opelika Power Service territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: John Sweatman

SECONDER: Director Mike Hilyer

DISCUSSION: Ms. Cannon stated I am concerned about the turn lane requirements like a right in, right out, with this much traffic on Columbus Parkway and with it having 107 lots.

Mr. Parker, City Engineer, stated ALDOT will usually require that. They are pretty stringent on their turn lane requirements so I expect that to be a part of their condition.

Ms. Cannon stated ok thank you.

AYES: Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

B. FINAL PLAT

2. National Village SD, Phase 6B, 1 lot, accessed at Robert Trent Jones Trail, Alan Lee, authorized representative for Opelika Water Works Board, Final Approval

Mr. Mosley reported the applicant is requesting final approval for a two-lot subdivision.

(Preliminary approval was granted at the July 26th PC meeting.) Lot 24, accessed from Spa Loop, is 2.6 acres and subdivided from a 443 acre parcel. (*The insert/smaller map on the plat shows the two lots together.*) Lot 24 will be purchased by the Retirement Systems of Alabama (RSA) and included in the National Village PUD development. Currently, the 2.6 acres is in the rezoning process; a City Council public hearing is scheduled for September 6th to be rezoned from I-1 (Institutional) to the National Village PUD zoning district. After the rezoning is approved and RSA purchases the lot, the 2.6-acre property will be combined with a 4.3-acre parcel. The 6.9 acre combined property will be subdivided into seven single family home lots. The 7 lots will be reviewed by the Planning Commission at a future meeting.

Planning staff recommends final approval subject to the following:

1. Label the power line easement and add width of easement
2. Add a signature line for the Chairman of the Planning Commission.

Mr. Parker reported for Engineering, the Engineering Departments review comments have been addressed and the Department recommends final plat approval for this application.

Mr. Parker reported for the Opelika Utilities Board, no comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Mayor Gary Fuller
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

3. Andrews Estates SD, Phase 3, 25 lots, accessed from Andrews Road, Tim Moore, Final Approval

Mr. Mosley reported the Planning Commission gave preliminary plat approval for these lots in 2020. The applicant is requesting final approval for 25 lots accessed from new cul-de-sac streets named Tyler Court and Tiana Way off Andrews Road. Single family home construction is planned. In this R-1 zoning district, the lots meet the minimum one-acre lot size and 100 foot lot width along the front property line or at the 50-foot building setback line. The lot sizes range from 1 acre to 2.67 acres. Lot 13 (29.60 acres) is in a 100-year Floodplain and unbuildable. Lot 3 and Lot 27 are on the corner of Andrews Road and Tyler Court; driveway access to these lots is from Tyler Court to limit vehicle driveway accesses to Andrews Road.

Planning staff recommends preliminary approval subject to the following:

1. **Underground utilities required.**
2. **Sidewalks are required on at least one side of the street.**
3. **Update Note 11. To read as Lot 13.**
4. **Add a signature block for the Planning Commission Chairman.**

5. Add a note on plat that Lot 3 and Lot 27 (corner lots) have public street access from Tyler Court only.

Mr. Parker reported for Engineering, all of the Opelika Surveyors comments regarding the plat have been addressed. The Engineering Department has been inspecting the construction and testing of the infrastructure in this subdivision. A Certification of Completion will be completed and signed by the Engineering and Public Works Directors as soon as all the infrastructure completion items below have been met and a positive recommendation for approval will be given:

- All drainage structures, aggregate base and pavement have been placed.
- All stop and roadway signs have been installed.
- Maintenance Bond of 25% of the estimated total infrastructure cost will have been submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots have been graded, and stabilized with seed and mulch, and other erosion/sediment control items will need to be added to protect against erosion and sediment issues.

If these requirements are met, the Engineering Department recommends Final Plat approval.

Mr. Parker reported for the Opelika Utilities Board, Opelika Utilities recommends approval.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside the Opelika Power Service territory.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Leigh Whatley
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

4. Wyndham Gates SD, Pod 3, Phase 1, 10 lots, accessed from Emory Lane, Doug Ransom, authorized representative for Opelika Gateway Properties, LLC, Final Plat

Mr. Mosley reported the applicant is requesting final approval for 10 lots of a 64-lot subdivision. Preliminary plat approval for the 64-lot subdivision was granted at the January 2021 Planning Commission meeting. Eight of the 10 lots are townhome lots. Parcel A (1.37 acres) and Parcel B (8.98 acres) are the other two lots that will be subdivided at a later time into 56 townhome lots. After the 56 townhome lots are platted, a 23,090 sf area of Parcel A and a 3.69-acre portion of Parcel B will be preserved as open space.

The eight townhome units including the front and rear yard on a single lot will be sold. The two-story townhomes are approximately 1,700-1,800 SF (excluding 2 car garages). The

townhome lots meet the minimum yard size requirement with one yard being at least 50% of the first floor size of a unit. The lots also exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The proposed lot widths are 25 feet. The lot area for six lots are 2,000 square feet (sf) and two lots are 3,000 sf. Each unit has two parking spaces as required. Underground utilities are installed, and sidewalks are installed along the streets. The rear lot line of each townhome unit is adjacent to open space. A note needs to be added to plat that the open space will be maintained by the Wyndham Gate Pod 3 HOA (Homeowner's Association). The exterior building material is a mix of brick and hardie board with vinyl soffit and fascia.

The townhomes setback requirement needs to be determined and stated in the notes. The minimum setback along Emory should be 20 feet to correspond to the 20-foot minimum setback for the single-family homes on the north side of Emory Lane.

A landscape plan for the 8-unit townhome group meets minimum requirements concerning base and parking lot points. A landscape plan (construction drawings) includes a residential buffer as required adjacent to the townhome unit on Lot 155; a residential buffer is also shown along Marvyn Parkway as required. The buffer provides a visual barrier between the different type of dwellings and motorists on Marvyn Parkway.

Staff recommends final approval subject to the following added to final plat or installed before a CO (certificate of occupancy) is issued:

- 1. Sidewalks required on at least one side of the street.**
- 2. All utilities installed underground.**
- 3. Add landscaping as shown on landscape plan for the eight townhome group and residential buffers as shown on construction drawings.**
- 4. Add the minimum building setback requirement on the final plat.**
- 5. Add a note on plat providing the uses allowed in the open space lots and who will own and maintain the open space lots.**
- 6. Exterior materials installed must follow Gateway cladding standards (Section 7.6).**
- 7. Add Tract 4 to the final plat as shown on the revised preliminary plat - "Tract 4 Remainder not surveyed at this time, 32.51 Acres ±"**

Mr. Parker reported for Engineering, the Engineering Departments review comments have been addressed and the Department recommends final plat approval for this application.

Mr. Parker reported for the Opelika Utilities Board, Opelika Utilities has not yet conducted a final inspection. Opelika Utilities does not recommend final approval until the above conditions are met.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Motion to table the item at the applicant's request to the September 27, 2022 Planning Commission meeting

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director Mike Hilyer

AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

5. Cannon Gate SD, Phase 3B, 60 lots, accessed from Cannon Gate Drive, Blake Rice, Barrett-Simpson, authorized representative for SMB Land LLC, Final Approval

Mr. Mosley stated the applicant is working on the subdivision and the streets and they were not able to finish, so they have requested that this item be tabled to the September 27, 2022 Planning Commission meeting.

Motion to table the item at the applicant's request to the September 27, 2022 Planning Commission meeting.

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director Mike Hilyer
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

6. The Woods SD ~~Wildwood SD~~, 77 lots, accessed from Mcoy Street and East Johnson Avenue., Blake Rice, Barrett-Simpson, authorized representative for Fox Opelika, LLC, Final Approval

Mr. Mosley reported a similar plat was granted preliminary approval at the November 2019 Planning Commission (PC) meeting; a year elapsed, and the plat expired. The applicant in February 2021, resubmitting for preliminary approval that includes revisions to the November 2019 plat. At the November 2019 meeting a total of 74 lots were proposed (70 residential lots); at the February 2021, meeting 78 lots are proposed (74 residential lots). There are no changes to the lot sizes of the two future commercial lots (2.1 acres & 1.8 acre) that were proposed on the plat presented at the November 2019 PC meeting and the February 2021, PC meeting. (At a later time, when development is proposed for the commercial lots, the development is required to follow requirements of the Gateway Corridor Overlay District.) On the November 2019 preliminary plat two amenity lots were proposed; in February 2021 revised plat two amenity lots are shown, but the lot size of one amenity lot decreased. This request is for a final approval of the February 2021, preliminary plat request. This report is based on the February 2021, preliminary report.

The plat is in a C-2, GC-P zoning district. For residential developments in the C-2 zone, the R-5 zoning district requirements apply. Therefore, the minimum 7,500 square foot lot size, and minimum 60-foot lot width are required; Minimum building setbacks are 25 feet front yard, 10 feet side yard, and 25 feet rear yard. All 73 residential lots meet the minimum lot size and lot width requirements. The lots range from 8,096 square feet to 20,783 sf; lot width is at least 60 feet at property line or must be 60 feet at the 25' minimum building setback line. A note was added to plat that the current R-5 minimum setbacks apply for residential lots in a C-2 zoning district.

The revised February 2021, plat decreases the 1.27 acre "HOA Parcel 1" amenity lot (homeowners association parcel) as shown on the November 2019 plat to 22,200 square feet;

the decrease of the lot adds two residential lots, Lot 37, and Lot 38. The plat presented today shows Lot 14 as Common (new lot created by adding right-of-way access from the development to East Johnson Avenue) and Lot 75 as Common (previously called HOA Parcel 1). The HOA Parcel 2 (existing lake) shows on the February 2021, plat is not shown as part of this development for the final plat. Add a note to state who is responsible to build and maintain open space/common/amenity areas/HOA properties, and detention ponds.

The notable revision proposed on the February 2021, plat is removal of the alternative north to south access street for the residential lots that ties into East Johnson Avenue and then Columbus Parkway. The plat in February 2021, provides one access point from McCoy Street to the 74 residential lots. The November 2019 plat provides a north to south access for 70 residential lots to East Johnson Avenue/Columbus Parkway and an access to McCoy Street on the west end of the development. Today's revised plat shows lot 15, 16, and 17 take access off a connector street shown as Swift Street to East Johnson Avenue and Lot 14 is 7,914 square feet creating a "Common" lot. Lot 75 is 19,144 square feet and labeled a "Common". Staff recommends that sidewalks be placed on at least one side of all streets and utilities installed underground.

Staff recommends final plat approval subject to the following:

- 1. There is already a Wildwood Subdivision in Opelika. Please consider a different name to avoid confusion. (name The Woods has been selected)**
- 2. Install underground utilities and sidewalks on at least one side of all streets.**
- 3. Add a note who is responsible to build and maintain open space/common/amenity areas/ HOA properties, and detention ponds.**
- 4. Add the owner/developer's name and address.**

Mr. Parker reported for Engineering, all of the Opelika Surveyors comments regarding the plat have been addressed. The Engineering Department has been inspecting the construction and testing of the infrastructure in this subdivision. A Certification of Completion will be completed and signed by the Engineering and Public Works Directors as soon as all the infrastructure completion items below have been met and a positive recommendation for approval will be given:

- All drainage structures, aggregate base and pavement have been placed.
- All stop and roadway signs have been installed.
- Maintenance Bond of 25% of the estimated total infrastructure cost will need to be submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots have been graded, and stabilized with seed and mulch, and other erosion/sediment control items will need to be added to protect against erosion and sediment issues.

If these requirements are met, the Engineering Department recommends Final Plat approval.

Mr. Mosley stated Mr. Hilyer noted that there were some issues with the sewer as well, so I'll let him go through those.

Mr. Hilyer stated the vacuum test is incomplete, we have not received the video on the sewer line, street signs are not installed, we have not received the as-builts, and the checklist is not complete

that they received.

Mr. Parker asked do you still recommend approval and we will hold signatures until everything is complete?

Mr. Hilyer stated yes, we will not sign off until they are done.

Mr. Parker reported for the Opelika Utilities Board, Opelika Utilities has not yet conducted a final inspection. Opelika Utilities does not recommend final approval until the above conditions are met.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Motion to grant final plat approval with staff recommendations

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Mayor Gary Fuller

DISCUSSION: Ms. Cannon asked can we approve this with all of these conditions not ready?

Mr. Parker stated we typically do as long as the roads and infrastructure are completed to our standards. The other things that trickle in over time usually take a week or so to come in. It's not a long enough period of time for another meeting. We'll hold our signatures until we can get all the documents, but those are just documents. Those aren't the physical construction of the subdivision and that's why we recommend approval. We'll wait until we get all of our backup documents before we finalize.

Ms. Cannon stated sometimes they come in tidy and this doesn't seem to be tidy.

Mr. Mosley stated no ma'am, there are definitely some tests and information that they have not provided here yet. As Mr. Parker said, it appears that all the infrastructure is in. There have not been a lot of final inspections on it to make sure that it tests and works correctly and so we would make sure that that happens before the plat is recorded or any building permits are sold or anything like that, but it is always up to the discretion of the Commission what you would like to do.

Mayor Fuller asked Mr. Parker what steps do we take during the process to make sure that the as-builts are as they say they are?

Mr. Parker stated the surveyor of record certifies the as-builts with his license stamp. They physically survey the devices that are installed and the surveyor of record will certify that with his license stamp as a recorded document.

Mayor Fuller asked so if we find out that is not the case, what options do we have?

Mr. Parker stated I would say that the surveyor would be liable due to errors.

Mayor Fuller stated then we want to take steps out on Palin Avenue because the as-builts show the sewer on one side of the street and the sewers are on the other side instead.

Mr. Parker asked did we record as-builts then?

Mr. Hilyer stated yes.

Mr. Parker stated ok, I wasn't there then. I guess we do. I haven't heard of that situation, but typically that's what we would do.

Mayor Fuller stated well, when the problem is going to come in on these as-builts is ten years from now when somebody is trying to track something down and they can't find it because it doesn't match the as-built.

Mr. Parker stated yes, and I would say that we are ensuring that there's a higher quality now than there was 10 or 12 years ago. I think the submittals that are coming in are certainly of a higher quality now.

Mayor Fuller asked is that something that we check on during construction?

Mr. Parker stated it's something that is verified, yes sir. We don't check every one, but they are verified. When the surveyor sends it in, we certainly verify that what all was listed is what all we need. They also submit a file that can be imported into our GIS system. So, those are the requirements we have.

Chairman Cherry asked wouldn't the as-builts also hold up the permits?

Mr. Parker stated yes, it does. They cannot pull a permit until all the signatures are on the plat, so it does hold up the permits.

Chairman Cherry stated that's what I thought.

Ms. Cannon asked going along with what the Mayor just said, if the as-built says the sewer is on the right-hand side and it turns out it's on the left-hand side, who moves it?

Mr. Hilyer stated I think it would be the responsibility of the surveyor.

Mr. Parker stated ultimately at that point, that's a liability issue for the surveyor because they are certified that they're providing accurate information.

Mr. Hilyer stated and that it's correct.

Mr. Parker stated correct. And if they're not, then they're liable for that error.

Chairman Cherry asked so that means you'd have to wait until you get the new as-built in hand?

Mr. Parker stated no. I think what that means is they would be liable to any damages that are done or any costs that come in because if Palin was

submitted 12 years ago and the as-builts were submitted and now we find out that they're incorrect, something has to be done to change that. If these as-builts are incorrect and we find out two years from now, that surveyor and that applicant will still be responsible for any corrections we need to do.

Chairman Cherry stated I can understand that if it's years later, but don't we get a report immediately back on the as-built?

Mr. Mosley stated yes.

Chairman Cherry stated well, if it's wrong, it needs to be corrected first and then permits issued.

Mr. Hilyer stated we didn't know it was wrong, the particular instance we're talking about, until years later.

Mr. Parker stated right now, they stamp it, the surveyor stamps it, and we review it.

Chairman Cherry stated and it ended up being wrong. Ok, that explains it.

Mr. Mosley stated I do think it's worth noting, the as-builts are the record of what was put in there, but there are lots of inspections that go on as it's being installed, whether it's through the Engineering Department, the Public Works Department or the engineer of record. So, while we always get as-builts now, it doesn't necessarily mean that something wasn't installed correctly at that time, as far as the manner. Now, if it is on the wrong side of the street, that's a whole different issue.

Chairman Cherry asked shouldn't things like that be caught beforehand though? Something that critical I can understand, that will be caught, but if it's a minor adjustment here or there that could be caught later, I can understand that.

Mr. Hilyer stated now on inspections we GPS all the lines, but back then the City wasn't doing that.

Mayor Fuller stated well, we were also supposed to have inspectors out there inspecting.

Chairman Cherry stated well, I'm very familiar with what Mr. Hilyer is talking about because GPS should be done.

Mayor Fuller stated but, in my opinion, our inspectors were not doing a correct job. I mean, even I would know that's the wrong side of the street.

Chairman Cherry stated that's completely right. I understand that, but I understand both issues.

AYES: Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

C. CONDITIONAL USE - Public Hearing

7. Takella Graves, authorized representative for Starco Group, LLC, 2419 Frederick Road, C-2, GC-P, Childcare center.

Mr. Mosley reported the applicant is requesting conditional use approval for a child daycare center at 2419 Frederick Road near Tiger Town. (*The previous business was TPE Small Engines (lawn mower sales and repair)*). The daycare will provide services for nursery, toddlers, and preschoolers. The daycare will have 4 to 6 employees to care for 50 to 60 children as allowed by the Department of Human Resources (DHR). The daycare is open from 5:30 am 6:00 pm Monday to Friday. A future 2nd shift is planned from 3:30 pm to 11 pm. The applicant currently owns a daycare in Auburn (Nana's Nursery). The Frederick Road location has been approved for a child daycare by the Department of Human Resource; DHR has other requirements that the applicant must follow before the business opens (ex. staff to child ratio documented, minimum bathroom facilities, fenced outdoor play area, clean/uncluttered environment, etc.). The Fire Department has inspected the building: two fire extinguishers are required, and the rear exit door must remain accessible.

The site plan shows a 3,045 square foot building on a 29,300 square foot property area. The 16 parking spaces including one handicap parking space meets the minimum off-street parking for a daycare with a maximum of 60 children. If the daycare exceeds the maximum capacity of 60 children, then additional parking spaces must be added. The site plan and a site visit provide that space is available to add more parking spaces.

The building was constructed in 1965 before the Landscape Regulations were adopted (1995). There is limited space for landscaping because the property was asphalted for parking spaces and driveway lanes. Landscaping for the daycare conditional use was reviewed in consideration of Section 8.2 A(1) of the Zoning Ordinance that allows the reuse of nonconforming properties that do not conform to regulations if there are existing physical constraints. The constraint is the asphalt that covers most areas of the daycare property. Section 8.2 A. supports the reuse of commercial buildings on nonconforming lots rather than allow a building to remain vacant and create economic and aesthetic negative impact on the surrounding area. The pervious yard space for landscaping is along the west property line and the asphalt edge on the south side near the playground; 20 pine trees (10" dia.±) are in this area. Also, a few trees and shrubs are next to the daycare building on the east side of property between the building and driveway.

Planning Staff believes the daycare will serve the area being conveniently located near residential districts and many commercial businesses.

Recommendation

Planning Staff recommends approval subject to the following:

1. Restripe the 16-parking spaces; one space must be at least 13'x 18' for the handicap parking space and a sign posted providing location of the parking space.
2. If more than 60 children at any time are served by the daycare, then additional parking spaces are required. An asphalt or concrete surface is required for parking spaces.
3. The playground area needs to be fenced.

(1) ... the non-conforming structure or land use shall not be: 5. Established after discontinuance unless such establishment shall be in compliance with all regulations....

Note: Unless physical constraints (lot size, existing pavement existing: building, etc.) prohibit the site from coming into compliance. If physical constraints limit the use/structure from coming into compliance, the proposed use must meet the requirements as much as physically possible.

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposed conditional use application.

Mr. Parker reported for the Opelika Utilities Board, no comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

8. Scott Harris, Harris Gray LLC, authorized representative for G.A. Properties, LLC, 1201 S. Fox Run Parkway, C-3, GC-P, Expand the outside display area of RV Roadway of Opelika (Recreational Vehicle sales lot) and the future construction of a 11,250 square foot service building.

Mr. Mosley stated this item is a request for the expansion of the the existing RV sales lot to include a larger display area and then an additional 11,000 square foot service building. The subject property is zoned C-3 GC-P. They have submitted a site plan but before this was submitted we sent them some comments and some issues that we thought needed to be addressed. They have requested that it be tabled to your September 27, 2022 meeting

Motion to table the item at the applicant's request to the September 27, 2022 Planning Commission meeting.

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

9. Richard Hayley, authorized representative for W.C. Davis Charitable Remainder Trust, accessed at the corner of Lake Condry Road and Andrews Road, 18.4 acres, M-1, Private school (Morae Classical School).

Mr. Mosley reported the applicant is requesting conditional use approval for a private school – Morae Classical School in a M-1, GC-P zoning district. Private schools are allowed in all zoning districts with conditional use approval. The proposed school property is 18.4 acres located next to Southern Union College across Lake Condry Road. Morae School has a similar curriculum as the Trinity Christian School on India Road. The proposed school is the first school of thirteen schools that are planned for construction in the vicinity of a military base; all the schools will have the same curriculum. The schools serve military families. For example, if a military family at Fort Bragg, NC is transferred to Fort Benning, Ga then the Morae School on Lake Condry Road will have the same curriculum as the school near Fort Bragg. Those military families that move frequently from base to base will be provided assurance and comfort that their children are receiving a consistent education each time the family moves. The school does not offer classes to homeschoolers nor open to public school students.

The school will begin teaching 5th grade through 8th grade. The school plans to grow one grade each year until the school has 5th through 12th grade classes. Grades 5 to 8 are called Logic School; Grades 9 to 12 called Rhetoric School. The maximum class size for all grades is 30 students per grade; the school has eight grades (5th through 12th), so a maximum of 240 students is expected. Two teachers will be assigned to each grade, so for the 5th grade through 12th grade a total of 16 teachers. Other employees at the school are the Head of School, front office assistant, computer technician, two student aides, facility manager, and two janitors. The school has a total of 25 on staff.

The school operates five days a week Monday-Friday. On Tuesdays, Wednesdays, and Thursdays, from 8 am to noon students attend the school on Lake Condry Road for academics. On Monday through Friday students attend extracurricular activities such as sports, arts, music, etc. from noon to 5 pm at the school. Two days a week classes are online.

The site plan shows a 12,320 square foot (sf) school building, 26,400 sf gymnasium, and a football/soccer field. Parking requirements for a school: *1. Elementary and junior high: One (1) space per teacher and staff member, plus one (1) space per two (2) classrooms. 2. Senior high: One (1) space per teacher and staff member on the largest shift, plus one (1) space per five (5) non-bused students.* Maximum class size is 30 students for grades 5 through 8; a total of 120 students (4 classes x 30 students) will attend the 5th through 8th grades (elementary and junior high). Therefore, a minimum of 14 parking spaces are required for teachers and staff, grades 5 through 8 (12 parking spaces for teachers and staff plus one parking space per 2 classes).

For grades 9 through 12, the maximum 30-student class capacity allows 120 students (4 classes x 30) for the four senior high grades. Busing students to school is not provided so the 120 senior high students count toward minimum parking requirements ($120/5 = 24$ ps + 13 teachers & staff = 37 parking spaces). A minimum of 37 parking spaces are required for the senior high school grades. Eventually, the school will have 8 grade levels (5th grade through 12th grade). For all grade levels, a total of 51 parking spaces are required. The site plan shows 252 parking spaces (ps).

The site plan provided includes a conceptual landscape plan. Most of the 18.4 acres is currently forested, tree-covered property. The plan shows large areas that preserve trees. A natural undisturbed wooded buffer is along the perimeter of the lot. A R-3 residential zoning district is adjacent to the applicant's property along the east property line next to Andrews Road. A residential buffer is required along adjacent residential zoned properties. The trees preserved on

the east side may serve as a residential buffer if buffer is at least 25 feet wide and provides a near visual impervious barrier. Landscape islands are near the parking spaces to buffer the expanse of asphalt. The landscape plan needs to show that the minimum base points and parking lot points are met. The property is less than the maximum 70% impervious surface ratio allowed.

A photo of the school building is in your packet and on next page. This building will be used temporary for a few years until funds are secured to construct a permanent school building. The building is about 30% brick and 70% EIFs or fiber cement siding. These materials are approved exterior material in the Gateway Corridor.

Outside lighting must be directed or shielded so that light is controlled and not spilling over to adjacent properties creating a negative impact. Lighting must not exceed one footcandle measured from a property line adjacent to a residential zoned property.

Staff recommends approval subject to the following conditions:

1. Add a legend to landscape plan providing base points & parking lot points required and obtained and add the type of residential buffer adjacent to the R-3 zone.
2. Handicap parking spaces must meet the standards of the ADA (Americans with Disability Act).



Mr. Parker reported for Engineering, the applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation

to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

More information will be needed regarding the school attendance and times to determine if additional turn lanes will be necessary for the existing roadways. It is also requested that a 5-ft sidewalk be placed around the school connecting the entrances of Lake Condry and Andrews Roads with the development of this site.

The Engineering Department has no other comments or concerns with this proposed conditional use application.

Mr. Parker reported for the Opelika Utilities Board, no buildings shall be built at or above the finished floor elevation above 805 feet without mechanical assistance to maintain pressure that satisfies the International Building Code (IBC).

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	John Sweatman
SECONDER:	Mayor Gary Fuller
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

V. OLD BUSINESS

D. PLAT (Preliminary Only) - Public Hearing

10. Fox Path SD, 28 lots, accessed from Hwy 29 N, Brandon Bolt, Bolt Engineering, authorized representative for Edgar Hughston Builder, Inc, Preliminary Approval (*tabled at the July 26, 2022 meeting at the applicant's request*)

Mr. Mosley stated the applicant has requested that this item be tabled one more time to the September 27, 2022 Planning Commission meeting.

Motion to table the item at the applicant's request to the September 27, 2022 Planning Commission meeting.

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Mayor Gary Fuller
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

E. CONDITIONAL USE - Public Hearing

11. Blake Rice, Barrett-Simpson, authorized representative for Brookhaven Property Group, LLC, accessed at 1500 Pinehurst Drive (700 block of West Point Parkway), R-4, Add 36 apartment units to Pinehurst Apartments (*tabled at the February 22, 2022 meeting at the applicant's request*)

Mr. Mosley stated this item has been withdrawn by the applicant.

12. Jack Johnson, 300 Block Samford Avenue, C-2, GC-S, Climate-Controlled Self-Storage building approved at the August 2019 Planning Commission meeting, requesting extension of conditional use for 12 months starting at June 24, 2022 PC meeting.

Mr. Mosley reported *minutes from the August 24, 2021, Planning Commission MeetingD. CONDITIONAL USE – Public Hearing*

3. Jack Johnson, 300 Block Samford Avenue, C-2, GC-S, Climate-Controlled Self-Storage building

Mr. Mosley reported this agenda item received conditional use approval at the August 2019 Planning Commission meeting. The approval was for a 98,400 square foot (sf) two-story climate controlled mini-warehouse building on 13.7 acres. A second storage building (one story, 25,875 sf) was also shown on the 2019 site plan as a future phase. The 2019 conditional use approval has expired and the applicant is now reapplying for the development. The site plan reviewed today has changed from the site plan approved in 2019.

The applicant was able to reshape the detention pond so more space is added to the rear yard. The extra yard space allowed for a longer building for more storage units. The two-story climate controlled mini-warehouse building is 67 feet longer than the 2019 storage building. In 2019 the building length was 293 feet long; now the building is 360 feet long. The width of the building, or the front wall width facing Samford Avenue, has not changed. The 2019 building width was 190 feet and the width today is 190 feet. In 2019, the total floor area of the two-story storage building, first and second floors, was 98,400 (sf); the total floor area today is 136,624 sf, an increase of 38,224 sf. The footprint of the two-story building today is 68,400 sf (1.57 acres) on a 13.7 acre parcel.

The future phase one-story storage building is also shown on the site plan. The building is 29,900 sf (130'x 230') with an estimated 190 storage units. The applicant said it will be several years before the building is constructed. At that time, the site plan will be revised so minimum parking spaces and landscaping are provided to meet requirements.

Minimum off-street parking requirements for a self-storage mini-warehouse is one parking space per 10 storage unit; the site plan shows 100 parking spaces. The applicant said the size of storage units (5x10, 10x10, etc.) are driven by market demand and the applicant may be converting sizes of storage units to meet the customer's demand. The two story building will have 970 storage units; 100 parking spaces are provided on the site plan. Minimum parking spaces are met for the two story building.

The landscape plan meets minimum requirements concerning total points: 501 total points required and 546 points obtained. A 15' parking lot buffer is added along Samford

Avenue as required. A residential buffer is required along the Opelika Housing property line that touches this development; the landscaping shown is elm trees only; the buffer must consist of one of three options provided in the Landscape Regulations(a).

As described above, the 293 foot building length proposed in 2019 has changed to a building 360 foot long. The front elevation facing Samford Avenue is the same 190 foot width with the same exterior materials and store front windows as approved at the August 2019 meeting. Staff believes the building increase is minimal since the increase is in the rear yard area.

The office has moved to the center and the applicant has come back and stated that it would be clear glass, it would be visible inside so they will keep it nice and professionally maintained inside what is visible from the street.

The front elevation is shown below as presented at the 2019 meeting. The building front wall will be painted brick with glass store front windows. These windows will create the appearance of a storefront but will be completely opaque. The building will also have some breaks in the roof-line which will cause it to appear as multiple buildings. This helps bring this very large building into better scale with the surrounding properties. In the rendering below it shows the storage office on the left side located within the gable front. Now, the office will be relocated to the middle of the building; The gable roof, wall sign, and canopy will be moved to the center of the building; the store front windows will be evenly distributed on each side of the gable roof.

The side wall exterior material will consist of brick and EIFs extending 90 feet along each side wall to meet requirements; the brick and EIFs will start at the front corner of the building on both sides. Then, metal siding will be installed on the remainder (270 feet) of the side walls.



Recommendation:

Staff recommends approval subject to the following:

- 1. An easement that intersects one of the buildings needs to be vacated and/or relocated. The applicant is aware of the easement and is preparing to relocate the easement.*
- 2. Approval for the future phase, one-story building requires the site plan revised so the minimum parking spaces and landscaping requirements are met.*

3. Revise the residential buffer along the adjacent Opelika Housing Development property to meet one of the residential buffer options as provided in Section IX Landscape Regulations.

Mr. Parker reported for Engineering, the applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this use by a water main in the R.O.W. of Samford Avenue.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chairman Cherry opened the public hearing.

Jack Johnson, Jr., 2919 Mockingbird Circle, stated thank you for hearing us again on this matter. It was approved in 2019 as Mr. Mosley stated. Number one, we didn't know that it would expire and number two, when we were purchasing the property there was an issue with title. We went through the courts to clear up the clouds with that. That took a while and right when that was over the pandemic hit so we kind of hit pause for a little bit. That's why we're before you again so thanks for hearing us again. To add just a little bit to what Mr. Mosley said, at the time when we got the original request in we had a boundary survey but we didn't have a full topographic survey. So, once we got that and did the engineering we were able to size the pond and the pond took up a lot less space than we had originally estimated so we were able to get some more depth to the building. That's one of the main reasons for the change in the building depth. As you see it from the street the width will still be the same. Mr. Mosley showed the elevations there and we did move the office building part of it to the center of the building, but the look will be the same as that rendering with that white painted brick and there's some stucco elements and glazing in the front. I'm here to answer any questions that you might have.

Chairman Cherry closed the public hearing.

Mayor Fuller made a motion to grant conditional use approval with staff recommendations.

Mr. Hilyer seconded the motion.

Mr. Silberman asked is the entire building two story? I'm looking at it and it looks like it's one story and then two story behind that hip part of the roof.

Jack Johnson stated it's an over and under so the way the topography of the land is, one side you'll be able to drive up and access the top floor and the other side you'll be able to access the bottom floor so there's no need for an elevator.

Ms. Cannon asked is it fenced?

Jack Johnson, Sr., Storage World, stated probably not, we're going more away from fences. There is a privacy fence between the property to the east of us, but their probably won't be a security fence. All the doors will have a keypad entry instead of a fence.

Ms. Cannon asked and does this follow our gateway building standards?

Mr. Mosley stated yes ma'am it does. The Gateway Corridors require the improved materials and you have materials that we have allowed before. The brick is definitely one, the glass with storefront windows are allowed, the EIFs is a simulated stucco and that is something that is generally approved although that is at the Commission's discretion. The entire frontage is required to meet the material requirements and then it's either 25 feet on the side or up to a quarter of the building is required to meet the side material, so it has to turn the corner with the materials and this does meet that requirement.

Ms. Cannon stated we typically have to approve that EIFs.

Mr. Mosley stated yes ma'am you do, it's a fairly common material. Especially as they use it here, they don't have it on the ground which is where we run into trouble with that because it can sometimes get water in it or it often can get beat up by weed eaters and things like that. As a material above the base its typically a pretty good material.

Ms. Cannon stated we just have one shot of getting this right for twenty years from now.

Mr. Mosley stated yes ma'am.

Ayes: Mayor Fuller, Cherry, Silberman, Councilman Lofton, Whatley, Cannon, Hilyer, and Lee.

Nays: None.

Abstention: None.

(1) An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three full growing seasons planted on the inside of the fence or; A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier or; Natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the City Horticulturist shall determine whether the barrier is satisfactory through a site inspection prior to plan approval. Barriers shall be erected during construction to ensure the area is protected from damage due to construction.

Proposal

This agenda item received conditional use approval at the August 2019 Planning Commission meeting. The approval was for a 98,400 square foot (sf) two-story climate controlled mini-warehouse building on 13.7 acres. A second storage building (one story, 25,875 sf) was also shown on the 2019 site plan as a future phase. The 2019 conditional use approval has expired, and the applicant received approval of a revised site plan on August 24, 2021 (minutes in italics in this report). **The revised site plan conditional use request was approved on August 24, 2021, and the applicant is asking for a one-year extension on the exact approved plan from the August 24, 2021 Planning Commission Meeting.**

August 24, 2021, report presented to the Planning Commission:

The applicant was able to reshape the detention pond, so more space is added to the rear yard. The extra yard space allowed for a longer building for more storage units. The two-story climate controlled mini-warehouse building is 67 feet longer than the 2019 storage building. In 2019 the building length was 293 feet long; now the building is 360 feet long. The width of the building, or the front wall width facing Samford Avenue, has not changed. The 2019 building width was 190 feet and the width today is 190 feet. In 2019, the total floor area of the two-story storage building, first and second floors, was 98,400 (sf); the total floor area today is 136,624 sf, an increase of 38,224 sf. The footprint of the two-story building today is 68,400 sf (1.57 acres) on a 13.7-acre parcel.

The future phase one-story storage building is also shown on the site plan. The building is 29,900 sf (130'x 230') with an estimated 190 storage units. The applicant said it will be several years before the building is constructed. At that time, the site plan will be revised so minimum parking spaces and landscaping are provided to meet requirements.

Minimum off-street parking requirements for a self-storage mini warehouse is one parking space per 10 storage unit; the site plan shows 100 parking spaces. The applicant said the size of storage units (5x10, 10x10, etc.) are driven by market demand and the applicant may be converting sizes of storage units to meet the customer's demand. The two-story building will have 970 storage units; 100 parking spaces are provided on the site plan. Minimum parking spaces are met for the two-story building.

The landscape plan meets minimum requirements concerning total points: 501 total points required, and 546 points obtained. A 15' parking lot buffer is added along Samford Avenue as required. A residential buffer is required along the Opelika Housing property line that touches this development; the landscaping shown is elm trees only; the buffer must consist of one of three options provided in the Landscape Regulations⁽²⁾.

As described above, the 293-foot building length proposed in 2019 has changed to a building 360 foot long. The front elevation facing Samford Avenue is the same 190-foot width with the same exterior materials and store front windows as approved at the August 2019 meeting. Staff believes the building increase is minimal since the increase is in the rear yard area.

The front elevation is shown below as presented at the 2019 meeting. The building front wall will be painted brick with glass store front windows. These windows will create the appearance of a storefront but will be completely opaque. The building will also have some breaks in the roofline which will cause it to appear as multiple buildings. This helps bring this very large building into better scale with the surrounding properties. In the rendering below it shows the storage office on the left side located within the gable front. Now, the office will be relocated to the middle of the building; The gable roof, wall sign, and canopy will be moved to the center of the building; the store front windows will be evenly distributed on each side of the gable roof.

The side wall exterior material will consist of brick and EIFs extending 90 feet along each side wall to meet requirements; the brick and EIFs will start at the front corner of the building on both sides. Then, metal siding will be installed on the remainder (270 feet) of the side walls.

Recommendation:

Staff recommends approval subject to the following:

- 1. An easement that intersects one of the buildings needs to be vacated and/or relocated.**

- The applicant is aware of the easement and is preparing to relocate the easement.**
- 2. Approval for the future phase, one-story building requires the site plan revised so the minimum parking spaces and landscaping requirements are met.**
- 3. Revise the residential buffer along the adjacent Opelika Housing Development property to meet one of the residential buffer options as provided in Section IX Landscape Regulations.**

(2) An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three full growing seasons planted on the inside of the fence or; A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier or; Natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the City Horticulturist shall determine whether the barrier is satisfactory through a site inspection prior to plan approval. Barriers shall be erected during construction to ensure the area is protected from damage due to construction.

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposal and recommends conditional use extension.

Mr. Parker reported for the Opelika Utilities Board, no comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to extend the conditional use approval for 12 months starting at the August 23, 2022 Planning Commission meeting with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	John Sweatman
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

VI. ADJOURN

Motion to adjourn at 3:36 p.m.

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director Mike Hilyer
AYES:	Cannon, Chairman Cherry, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

_____ Lewis A. Cherry, Chairman

_____ Matt Mosley, Secretary