



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

August 22, 2023

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 22, 2023 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: Chair Lucinda Cannon, Councilman George Allen, Mrs. Leigh Whatley, Mr. Michael Hilyer, Mr. Sheldon Whittelsey, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT: Mayor Gary Fuller and Dr. Arturo Menefee.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Claire Barber, Planning and Zoning Technician
Mr. Scott Parker, City Engineer

CALL TO ORDER: Chair Lucinda Cannon called the meeting to order at 3:00 p.m.

Approval of Planning Commission Minutes July 25, 2023

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	John Sweatman
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that there are no updates on previous cases.

IV. NEW BUSINESS

A. **PLAT (Preliminary Only) - Public Hearing**

1. Firefly SD Redivision of Lots 1 and 3, 98 lots, accessed from Highway 280 East, Daniel Holland, authorized representative for Firefly Development and Holland Holding, Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for the Firefly Subdivision, Redivision of Lots 1 and 3, accessed from Highway 280 East. He stated that staff recommends preliminary approval subject to the following:

1. Install underground utilities.
2. Install sidewalks on both sides of all public streets. Extend said sidewalks to open space lots/areas (labeled on plat) that are nearest to street sidewalks providing access from street sidewalks to open space areas.
3. Install a residential landscape buffer along the west property line adjacent to townhome Lots 41 to 59 to buffer townhome lots from the adjacent single family lots in Fenwick subdivision
4. Install residential buffer between townhome Lots 26 to Lot 41 to buffer 70' single family lots
5. Exterior materials of all dwelling units must meet the exterior "Materials and Cladding Requirements of Section 7.6 Gateway Corridor District.
6. Add approved street names on final plat.
7. Add the right-of-way width on all streets.
8. Remove the label "60' Power Easement" near Lots 84 to 91 and change label "Tallapoosa River...20' power easement" (east of Lot 22 and 23) to 60 feet.
9. Add a note on final plat providing minimum setbacks for townhouse lots and single family lots. (townhouse - 10' front, 10' side yard on street & 10' side yard on end units, 20' rear yard) (all single family homes – 20' front, 10' side yard on street, 5' side yard, 20' rear)
10. The minimum front setback and lot width must be met at the front property line or the minimum front setback line of all residential lots.
11. Revise Lot 92 shown as 6,140 sf to meet the minimum 6,250 sf for 50' lots.
12. Revise rear property lines on Lot 78 and Lot 79 to match line size on adjacent lots.
13. Add current name of property owner(s) on final plat
14. Change "Lot 2-A" on note #5 to "Lot 3-A"
15. Add note on plat, as stated on developer's narrative ("Overall Development Scheme"), that the developer is responsible for managing and maintaining the open space lots, (Lot 94, 95, and 96) until a homeowner's association is established to continue maintenance of said lots.
16. Add note providing the uses allowed on the open space lots, Lot 94, 95, 96.
17. Add note that a minimum of one street tree per single family home lot and two street trees per townhome lot are required. Street trees must be planted on private property not right of way.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that ALDOT will regulate and authorize all access and this development will be required to have full access to US 280 permitted by ALDOT prior to construction. He stated that water is available on the west side of the development along Columbus Pkwy/U.S. Hwy 280. He also stated that this subdivision is outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Councilman Ward 1 Willie Allen

DISCUSSION: Mr. Sweatman asked if the speed limits would be lowered?

Mr. Parker stated that speed will naturally decrease with congestion and that speed limits are set by the percentage of the average speed. He noted that ALDOT will likely lower the speed limit eventually, but not immediately.

Mr. Walters asked where the turnaround would be?

Hayes Eiford, Holland Homes, stated that the U-turn will be on the far righthand side and that they are going to have to put in a deceleration lane there as well. He noted that they haven't applied for the other access yet.

Mr. Parker stated that these are public infrastructure roads and ALDOT has its own regulations. He stated that the approval for the access will be based on whatever ALDOT requires.

Hayes Eiford stated they are confident that their product will still sell even with this U-turn back into the city. He stated that they would love to have a full access, but after traffic studies and talking to ALDOT, it is not going to be safe for people to make a left turn out of there. He stated that they are very confident they will get an access permit from ALDOT and that for this entrance they believe it will be a right in, right out, with a curb in the median preventing a left turn and delineators so people can see that curb. He noted that they should have a preliminary access concept approval next week.

Mr. Whittelsey asked if they are requiring acceleration and deceleration lanes at both locations?

Hayes Eiford stated that this is only the access for this phase, and that they are requiring acceleration and deceleration lanes.

AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

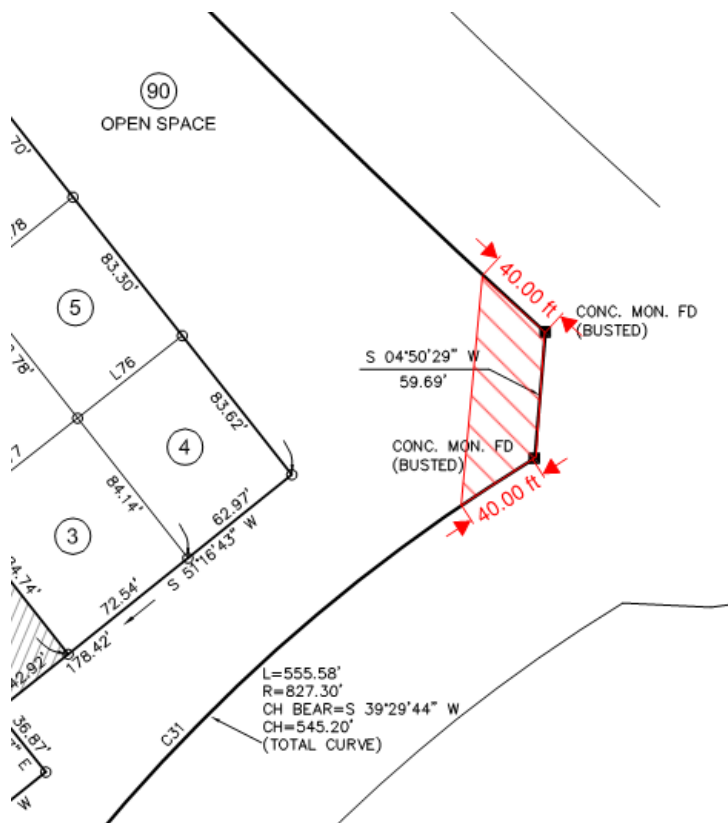
2. Dickson Farms SD, Phase 1, 89 lots, accessed from 3500 Anderson Road, Brett Basquin, Foresite Group LLC, authorized representative for Electra Estates, Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for the Dickson Farms Subdivision, Phase 1, accessed from 3500 Anderson Road. He stated that staff recommends preliminary approval subject to the following:

1. **Add a dedicated access easement for all the cottage/courtyard lots that do not have direct access from a public right of way or private road.**
2. **Townhouse lots shall follow the landscape standards of the zoning ordinance.**

3. Add a note to states that single-family lots shall have one tree per detached residential home either located within the right-of-way with approval or in the front yard.
4. Label Lots 91 and 92 as open spaces.
5. Add a note on the plat to state ownership, maintenance, and use of open space lots, including lot numbers.
6. Complete the notes for #3 and #8.
7. Name the private roads on the plat.
8. Sidewalks shall be required on both sides of the street.
9. All utilities shall be underground.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that it is requested that the developer deed a portion of the intersection of Andrews and Anderson Road to the City as Right-of-Way (ROW) for future intersection improvements (see illustration below). He also stated that Opelika Utilities has the capacity to provide the required potable water service to the proposed development. There is a 12-inch main along Anderson Road for the full length of the development. There are no existing water mains along Andrews Road in this area. The developer will be responsible for extending a new main from Anderson Road along Andrews Road to the needed point(s) of connection. It is likely the main would need to be a 12-inch diameter main to fully support this development and reinforce the water system in this area. He stated that this subdivision is outside of the Opelika Power Services territory.



Chair Cannon opened the public hearing.

Vicki Clark, 3720 Anderson Road, stated that she was representing her parents, who live on the corner lot. She asked when the project was going to start so that her parents could be prepared for the changes that are coming?

Brett Basquin, Foresite Group LLC, stated that construction will start in spring.

Howard Galimore, 1705 Andrews Road, stated that he believed this number of homes in such a small area would cause problems with the roads and traffic. He stated that he felt this was not being built to help Opelika look good, but to make money. He stated that he felt the lots should be much larger.

Austin Hagan, 3607 Anderson Road, stated that he agreed with Howard Galimore. He also noted that he felt there was only entry level housing being developed in Opelika and that he felt there needed to be a mix of housing being developed. He asked where the access on Anderson Road was and if it would be directly across from their driveways?

Brett Basquin, stated that it is where Watasha Way aligns and is located at the high point for maximum visibility in both directions. He stated that he didn't know if it aligned with a residential driveway.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: John Sweatman

SECONDER: Councilman Ward 1 Willie Allen

DISCUSSION: Mr. Walters asked if the easements are private drives?

Mr. Mosley stated that there are private drives, which are roads that are installed by the developer and maintained by the Home Owners Association, and there are also access easements that will run along some of these properties and provide rear alley access. He stated that those are meant to be primary access for the homes, but not garbage trucks or firetrucks.

Mr. Walters asked if there is a limit to the size that requires an access out?

Mr. Mosley stated that generally, the lot length needs to be between 400 feet and 800 feet.

Mr. Walters asked if Dolly Avenue would be a public road?

Mr. Mosley stated yes.

Mr. Whittlesey asked if this plat approval was based on a PUD that had been approved months ago?

Mr. Mosley stated yes, the PUD was approved by City Council in June.

Mr. Whittlesey asked if what the Commission is approving had already been approved in the Master Plan?

Mr. Mosley stated that the applicant submitted a Master Development Plan that includes an overall layout and density. He noted that to start construction on any streets you must go through a preliminary platting process. He stated

that they are asking for approval to begin construction on these lots, roads, and infrastructure. He stated that if they get approval, they will submit construction plans to the City Engineer and Utilities and install the roads and utilities. He stated that they will then come back to Planning Commission for final plat and that if it is in compliance with what was shown on the preliminary plat, then the final plat would be approved. He stated that after the final plat was recorded they can start pulling building permits and begin construction on the individual homes.

Mr. Whittlesey asked if the small lots on Dolly Avenue would be rear access?

Mr. Mosley stated that the townhomes through there would be rear access, but none of those lots would have an individual driveway.

AYES: Chair Cannon, Walters, Whittelsey, Director Hilyer, Councilman Ward 1 Allen, Sweatman
NAYS: Whatley
ABSTAIN: None

3. Dickson Farms SD, Phase 2, 232 lots, accessed from 3500 Anderson Road, Brett Basquin, Foresite Group LLC, authorized representative for Electra Estates, Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for the Dickson Farms Subdivision, Phase 2, accessed from 3500 Anderson Road. He stated that staff recommends preliminary approval subject to the following:

1. **Townhouse lots shall follow the landscape standards of the zoning ordinance.**
2. **Add a note to state that single-family lots shall have one tree per detached residential home either located within the right-of-way with approval or in the front yard.**
3. **Add a name to the Boulevard, private alleys, and unnamed streets on the plat.**
4. **Add all rights-of-way, private streets, alleys, or access easement widths.**
5. **Show parking area for rectangular open space along Dylan Drive and Watasha Way, and access easement not shown along Lots 134-144.**
6. **Label the open space lots with a number currently shown as ##.**
7. **Add a note on the plat to state ownership, maintenance, and use of open space lots, including lot numbers.**
8. **Complete the notes for #3 and #8.**
9. **Sidewalks shall be required on both sides of the street.**
10. **All utilities shall be underground.**
11. **Correct Lot Area Tables.**
12. **Add recorded distances and measures for lots 93-98, 155-162, 176-182, and 185-197**
13. **Add a table with the lot standards as follows: Lots 237-255, 272-280, 283-292, 293-325 (Tract 2 Type A), Lots 198-236, 256-267 (Tract 2 Type B), Lots 155-197 (Tract 1 Type C), Lots 93-133 (Tract 1 Type D), Lots 135-154 (Tract 1 Type E).**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that Opelika Utilities has the capacity to provide the required potable water service to the proposed development. There is a 12-inch main along Anderson Road for the full length of the development. There are no existing water mains along Andrews Road in this area. The developer will be responsible for extending a new main from Anderson Road along Andrews Road to the needed point(s) of connection. It is likely the main would need to be a 12-

inch diameter main to fully support this development and reinforce the water system in this area. He also stated that this subdivision is outside of Opelika Power Services territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: John Sweatman

SECONDER: Director Mike Hilyer

DISCUSSION: Chair Cannon asked why there was a variation in the size of the townhouses.

Brett Basquin, Foresite Group, stated that they have a couple of different product types for the townhouses depending on if they are front loaded or rear loaded. He noted that the ones that are accessed from the main street are wider than the rear alley access townhouses. He stated that these were outlined in the pattern book that was submitted with the PUD.

Chair Cannon asked if the front loaded ones would be a driveway and then another parking pad? She also asked how many there would be like that.

Brett Basquin stated that it would be a parking pad, a space, and then another parking pad. He noted that there would be 30 in this section like that. He stated that all of the ones in Phase 1 are rear alley and park in the back. He stated that Phase 2 has the ones in the middle that are front load, but that Lots 197-155 are rear alley access and you would be seeing the front of the homes not garages.

Chair Cannon asked about landscaping.

Brett Basquin stated that they will have one tree per lot and that all the open space will be landscaped as well.

Mr. Whittelsey asked how many points of access there were?

Brett Basquin stated that there is an entrance to the south where the boulevard is, an entrance where Prine Trail is, and the Phase 1 entrance off Andrews Road. He noted that there are three off of Andrews Road and one off Anderson Road now and there will be a future one. He noted that based on the neighbors' feedback, they limited the number of accesses off Anderson Road because there are fewer driveways on Andrews Road.

Mr. Whittelsey asked if there were any plans to create turning lanes?

Mr. Parker stated that they did a traffic study for this proposal and both of these roads have about 750 cars a day. He stated that this would add a couple hundred cars a day. He stated that at this location it doesn't reach the count that requires turn lanes. He noted that they do anticipate the construction traffic and additional traffic affecting these roads and will lead to improvements in infrastructure after construction. He stated that the request

for the first phase is to give the City some right of way for a potential intersection improvement, but right now it isn't required or warranted.

Mr. Whittelsey asked why Deann Drive turned into a private easement?

Brett Basquin stated that Deann Drive will probably end up being a private street because the HOA owns, maintains, and landscapes the yards, streets, and sidewalks.

AYES: Walters, Whittelsey, Director Hilyer, Councilman Ward 1 Allen, Sweatman
NAYS: Chair Cannon, Whatley
ABSTAIN: None

B. ANNEXATION - Public Hearing

4. Annexation, James M. Veasey Sr. and James M. Veasy Jr., accessed at 2822 Old Columbus Road, 5.2 acres, R-1 zoning district is requested.

Councilman Allen left the meeting at 3:53 p.m.

Mr. Mosley presented the staff report to the Planning Commission for the annexation request accessed at 2822 Old Columbus Road. He stated that staff recommends the Planning Commission send a positive recommendation to City Council to annex the 5.2 acres and zone the property R-1.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that this subdivision is outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for annexation to City Council with staff recommendations

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Sheldon Whittelsey
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Sweatman
NAYS: None
ABSTAIN: None

V. OTHER BUSINESS

C. Conditional Use Extension - Public Hearing

5. A request by Jack Johnson to extend a conditional use approval for 12 months starting at the current expiration date of August 24, 2023. The said conditional use approval is for a climate-controlled self-storage building accessed at the 300 block of Samford Avenue approved at the August 2019 Planning Commission meeting.

Mr. Mosley presented the staff report to the Planning Commission for a conditional use extension request accessed at the 300 block of Samford Avenue. He stated that staff recommends extending the conditional use approval to the August 2024 Planning Commission meeting – August 24, 2024. The following conditions are required concerning the site plan and landscape plan:

- 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 provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the developer should note that due to elevation of this property, the available pressure for the water service to this development will be approximately 45-55 psi.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to extend the conditional use approval to the August 2024 Planning Commission meeting with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	John Sweatman
DISCUSSION:	Mr. Sweatman asked if there was a limit to the amount of times a Conditional Use could get an extension? Mr. Mosley stated that there was not, but that when someone comes back with a Conditional Use extension, staff reviews it to make sure that there have not been any zone changes that would cause a change in the staff recommendation.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Sweatman
NAYS:	None
ABSTAIN:	None

VI. OLD BUSINESS

D. FINAL PLAT

6. Springhill Heights SD, Redivision of Lots 53-58, 3 lots, accessed at the corner of Arnold Avenue and Spring Drive, Nick Howell, authorized representative for 2H Properties LLC, Final Approval *(This item was tabled at the July 25, 2023 meeting at the applicant's request)*

Mike Maher, the authorized applicant, stated that he would like to withdraw this item.

E. REZONING - Public Hearing

7. (a) Amendment to the Future Land Use Map, accessed from Anderson Road and Andrews Road, 197 acres, from a low density residential to a mixed use development land use category.

(b) Rezoning request, Blake Rice, Barrett-Simpson, authorized representative for 280 Land Company, LLC, 197 acres, accessed from Anderson Road and Andrews Road, from R-3 to PUD (Edgefield Farm). *(This item was tabled at the July 25, 2023 meeting)*

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request for 197 acres accessed from Anderson Road and Andrews Road, from R-3 to PUD. He stated that staff believes that the general density is in line with previously approved developments that are

adjoining. Staff believes that the proposal is consistent with the City's long range plans and recommends a positive recommendation to City Council subject to the following conditions should be included:

- 1. Sidewalks shall be required on both sides of the street where they adjoin residential or amenity uses.**
- 2. All utilities shall be underground.**
- 3. Townhouse uses shall follow the landscape standards of the zoning ordinance.**
- 4. Gateway cladding standards shall apply.**
- 5. Buffering on the perimeter of the residential area where the rear of the lot is adjacent to the street, the buffer shall be either 20 feet undisturbed, a planted buffer to include evergreen trees, a landscaped berm, or any combination thereof. This buffer shall fully screen the rear yards of adjacent residential uses. The specifics of this plan shall be coordinated with Planning staff for approval.**
- 6. Any solid fencing uses in bufferyards shall be located between the planted landscaping and the rear of the home.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that any needed adjustments to the roadway, adjacent intersections or added turn lanes will be analyzed with a traffic impact study after the Preliminary Plat is submitted and approved. He also stated that water is available from Anderson Road. Water must be extended from Anderson Road to connection point on Andrews Road at ultimate buildout. Water main on Andrews Road must be 12-inch diameter pipe. It is suggested that this developer possibly coordinate Andrews Road Water Main Extension with developer of property across Andrews Road. They are also required to extend water main down Andrews Road for their development. He noted that this subdivision is outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing for the rezoning request and the amendment to the Future Land Use Map at the same time.

Bill Goree, 3313 Anderson Road, stated that he felt the entrance should be moved to in front of JoAnn and requested that the entrance be kept away from them. He stated that he has 7 estate houses in front of his house and that three of the driveways open up on property he owns. He stated that he believes the City has done great work at Exit 64, but that when you get to the red light you will see the back of this development and it will be the first impression people have of Opelika. He requested the developer and the commissioners meet with the adjacent property owners to discuss this item.

Keith Singleton, 1740 Andrews Road, stated that he agreed with Bill Goree. He noted that he was glad the commercial was removed, but that he was concerned about the traffic and trash. He stated that he hopes to move.

Blake Rice, Barrett-Simpson, stated that at the last Planning Commission meeting the main concern was the commercial and the 40 foot lots. He stated that both of those items had been removed and he didn't understand why having lots on Anderson Road that are the same size as the surrounding property didn't help. He noted that the project originally had townhomes fronting there. He noted that these lots are not going to be mass graded and will be more traditional neighborhood lots.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for rezoning to City Council with staff recommendations

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: John Sweatman
AYES: Chair Cannon, Walters, Whittelsey, Director Hilyer, Sweatman
NAYS: Whatley
ABSTAIN: None

Motion to approve the Amendment to the Future Land Use Map with staff recommendations

RESULT: Passed
MOVER: John Sweatman
SECONDER: Director Mike Hilyer
DISCUSSION: Chair Cannon asked if the parking was in the front or the back for the townhouses?

Mr. Mosley stated that the central ones are rear loaded and the others will have a common parking area.

Chair Cannon asked if it would be on street parking or a parking lot?

Mr. Mosley stated that there would not be parking directly in front of the house.
AYES: Walters, Whittelsey, Director Hilyer, Sweatman
NAYS: Chair Cannon, Whatley
ABSTAIN: None

VII. ADJOURN

Motion to adjourn at 4:19 p.m.

RESULT: Passed
MOVER: John Sweatman
SECONDER: Jay Walters
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Sweatman
NAYS: None
ABSTAIN: None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary