PLANNING COMMISSION
MINUTES
300 Martin Luther King Blvd.
September 26, 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 September 26, 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, Mayor Gary Fuller, Mr. Sheldon Whittelsey, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Michael Hilyer, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT:

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

Approval of Planning Commission Minutes August 22, 2023

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that the Edgefield Farm rezoning request is going to City Council on October 3rd.

IV. NEW BUSINESS

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

1. Fox Path Subdivision, 29 lots, Highway 29 North, Brandon Bolt, authorized representative for Edgar Hughston Builder, Inc., Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for Fox Path Subdivision accessed from Highway 29 North. He stated that staff recommends preliminary approval subject to the following:

1. **Correct the minimum lot width to be 80 ft in the table and on lots (13 and 14).**
2. **Easements shown are not labeled nor is the width given.**
3. **There is no legend.**
4. **The certificates for the Opelika officials need to be included.**

From: Kendall Andrews <KAndrews@leeco.us>
Sent: Tuesday, September 12, 2023 4:10 PM

We do not approve preliminary plats with new infrastructure without a set of construction plans. I do have a couple of comments for this layout however:

- The detention ponds must be split among adjacent lots. They cannot be on stand alone lots.
- Remove the County Commission certificate
- Add the Lee County Planning Commission certificate (attached)
- Lots 19 & 20 will have to have a shared driveway. Show this on the plat
- We will need access approval from ALDOT

Kendall Andrews, P.E.
Assistant Engineer I
P: (334) 737 – 7011 / F: (334) 745 – 6994
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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 to US 29. He also stated that this development is in Beulah Utilities District service area and this subdivision is outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing.

Sarah Sikes, 626 Lee Road 266, asked if these lots would be on city water or sewage?

Mr. Parker stated that they would not be on city sewage, they will be on septic tanks. He also stated that they will be serviced by Beulah Utilities.

Sarah Sikes stated that to the left of this plat there are 100 acres that are designated to have 150 houses built and they are all on septic tanks. She stated that she has a well and that she is concerned about the number of septic tanks.

Mr. Parker stated that the septic systems are managed by the Lee County Health Department

and that she should speak with them about her concerns.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	**Passed**
MOVER:	Arturo Menefee
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

B. **FINAL PLAT**

2. Anderson Lakes Plat No. 2 SD, 24 lots, 2801 Anderson Road, Flowers & White Engineering, LLC, authorized representative for McIntyre Home Builder, LLC, Final Approval

Mr. Mosley presented the staff report to the Planning Commission for Anderson Lakes Plat No. 2 Subdivision accessed from 2801 Anderson Road. He stated that staff recommends final approval subject to the following:

1. **Add the section, township, and range in the subdivision title.**
2. **Some corner markers are not shown.**
3. **Install underground utilities.**
4. **Install sidewalks on at least one side of all streets.**
5. **Add property owner or developers name and address**
6. **Add the minimum side & rear building setbacks**
7. **For the 20 foot front setback provided on plat include the minimum variation distance compared to the adjacent lots. The building location shall not encroach into the 20 foot minimum front setback.**
8. **Add note on plat who is responsible for the maintenance of Parcel A.**

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.

Mr. Hilyer stated that ESG has a new film to review.

Motion to grant final plat approval with staff recommendations

RESULT:	**Passed**
MOVER:	John Sweatman
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

C. **Conditional Use - Public Hearing**

3. Base Hits LLC, property owners, 1595 and 1605 Auburn Street, R-3 zone, Duplex on each lot

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of a duplex on each lot at 1595 and 1605 Auburn Street. He stated that the two duplexes or four dwelling units are small units at 900 sf but for some households the units may be more affordable or provide another choice of housing in the immediate area. Staff recommends approval of the two duplex dwellings on separate lots subject to a 25% density increase approval by the Planning Commission for the 22,968 sf duplex lot so the duplex meets the maximum density requirements (3.5 dua) of the R-3 zone.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the developer will need to apply for new services and meters for each dwelling/unit. Water is available from Auburn Street.

Chair Cannon opened the public hearing.
No comments.
Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	**Passed**
MOVER:	Arturo Menefee
SECONDER:	John Sweatman
DISCUSSION:	Mr. Sweatman asked if these will be accessed through a private drive? Mr. Mosley stated that there will be a shared drive that comes through the middle of these two lots and it will be private. Mr. Whittelsey asked if it is a prefab house? Mr. Mosley stated that he doesn't believe it is, but that modular homes are treated the same as stick-built homes as long as they are built to the same building code.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

4. Foresite Group LLC and QuikTrip Corporation, authorized representative for Food Services of Tallahassee, Inc., 920 Columbus Parkway, C-3, GC-P, Gas station & convenience store

The applicant requested that this item be tabled.

D. **Other Business**

5. A request by Howard Porter, authorized representative for PFI, Ltd, property owner, concerning an amendment to the approved exterior building material on the 140,000 square foot warehouse (Bldg #3) at the corner of Marvyn Parkway & Orr Avenue. The distribution warehouse and manufacturing development was granted conditional use approval at the November 2020 Planning Commission meeting and at the May 2023 PC meeting an amendment was approved to add manufacturing and assembly uses.

Mr. Mosley presented the staff report to the Planning Commission for a requested amendment to the approved exterior building material on the 140,000 square foot warehouse at the corner of Marvyn Parkway and Orr Avenue. He stated that the proposed flush metal panel is not specifically listed in Section 7.6 (1) but is similar to architectural metal panel that is listed. Architectural metal panel requires Planning Commission approval. Staff prefers the three

exterior materials for the east elevation approved at the June 2022 PC meeting. The variety of exterior materials approved *(CMU brick from ground level to 10 to 12' height, 4' translucent windows, and stucco textured finish metal panels 12' to 16' wide)* creates a more positive commercial image and sets the tone for future commercial buildings along the Marvyn Parkway gateway corridor.

> (1) New construction in the GC Overlay District: Primary building facades within the corridor overlay facing any public right-of-way shall be finished with 100% of one or more of the following materials:
> Brick and brick veneer; Stone, stone veneer, and cultured stone; Glass; Precast or field-poured tilt concrete panels with texture and architectural detailing; Stucco with architectural detailing; Cementous siding; Wood and wood materials designed and intended for use as exterior finish material; Tilt wall panels; Decorative or architectural split-faced Concrete Masonry Units (CMU); Other primary materials approved by the Planning Commission consistent with the purpose of these standards, including architectural metal panels. Architectural features and attachments may be approved by the Planning Department.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

Jake Whaley, applicant, stated that the main driver for this is trying to find a good, functional product that is cost effective. He stated that they looked at increasing the size of the landscape berm and putting a lot more shrubs and trees on top of it. He stated that in doing that, you aren't going to see a lot of the block wall from the street and the block is more expensive than the metal panel. He stated that they have an architectural metal panel that runs horizontal as an accent color and they thought that it looked really nice. He stated that the flush metal wall panel instead of the insulated is more affordable and there are no exposed fasteners and the seams are tight.

Chair Cannon asked how many square feet the building is?

Jake Whaley stated that it is 140,000 square feet.

Mr. Walters asked how high the berm is?

Jake Whaley stated that the berm is probably 8 to 10 feet.

Chair Cannon asked if this metal has been used in Opelika?

Mr. Sweatman stated that the development authority has made a variance for some of this product in North Park and it is a good looking product.

Chair Cannon asked if it would still look good in 20 years?

Mr. Hilyer stated that the product probably has a 30-year warranty.

Mr. Walters asked if the red line in the elevation is where the berm is?

Jake Whaley stated that the red line is where the berm used to be, but that now it is higher. He

stated that the block wall is shown at 8 feet and it steps up to 12.

Mr. Walters stated that if you were to put the block wall back, you wouldn't be able to see it anyway.

Chair Cannon closed the public hearing.

Motion to grant an amendment to the approved exterior building material on the 140,000 square foot warehouse with staff recommendations

RESULT:	**Passed**
MOVER:	Director Mike Hilyer
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

V. ADJOURN

Motion to adjourn at 3:29 p.m.

RESULT:	**Passed**
MOVER:	Mayor Gary Fuller
SECONDER:	John Sweatman
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary