



**PLANNING COMMISSION
MINUTES
300 Martin Luther King Blvd.
May 28, 2024
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 May 28, 2024 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, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Sheldon Whittelsey, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Michael Hilyer and Mr. Jay Walters.

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 April 23, 2024

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that the Thomason Road rezoning passed at City Council and that the changes to the text amendment for the Institutional zone will be going to City Council next month. He stated that item 4 was withdrawn by the applicant and item 10 was requested to be tabled by the applicant.

IV. NEW BUSINESS

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

1. Wyndham Village SD, Phase 3, 100 lots, accessed from Wyndham Village Drive, Brandon Bolt, authorized representative for Tyler Findley, Windham Gateway LLC, preliminary approval

Mr. Mosley presented the staff report to the Planning Commission for the Wyndham Village Subdivision Phase 3, accessed from Wyndham Village Drive. He stated that staff recommends preliminary plat approval subject to the following:

1. Sidewalks are required on at least one side of the street.
2. All utilities shall be underground.
3. Add a note to the plat to state the ownership, maintenance, and use restrictions of the areas described as open space, park, and/or future amenity. Access needs to be preserved to the amenity as shown on the master plan.
4. The 50' Power Company transmission line area on the rear of Lots 10-20 will need to be addressed concerning ownership and maintenance, including fencing and structure restrictions in this area.
5. Add the remainder tract information.
6. Label the right of way width of Street J and Street I.
7. Add all required certificates and signature blocks to the final plat.
8. Add names and addresses of record owners of adjoining land, including property with frontage along rights of way which bound the subject property.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available through existing neighborhood streets. Water infrastructure installation must be reviewed and approved by Opelika Water before acceptance and approval of final plat.

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: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Chair Cannon asked if there will be any trees in this area or if they will be clear cutting?

Mr. Mosley stated that this was approved in 2006 as a PUD and at that time staff wasn't consistently requiring a planting plan on lots, so there isn't one for this Master Development Plan.

Chair Cannon states that it would look better if there were trees.

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

2. Fox Run SD, Phase 5, 134 lots, accessed from 1201 Foxrun Parkway, Spencer Cothran and Mike Maher, representative for Fox Run Phase V LLC, preliminary approval
Mr. Mosley presented the staff report to the Planning Commission for the Fox Run Subdivision Phase 5, accessed from 1201 Foxrun Parkway. He stated that staff recommends preliminary plat approval subject to the following:

- **Note the use, ownership and maintenance of the common/open space areas.**
- **Underground utilities shall be required**
- **Sidewalks shall be required on at least one side of the street.**
- **The existing right-of-way will need to be vacated.**
- **Add buffer along the rear of Lots 1-16.**
- **Woodland Circle will likely need to be renamed due to the configuration of the street in the other phase.**
- **No fences shall be allowed in easements, particularly Lot 101.**
- **Explain how the uneven number of lots will be handled along Meadow Lane.**
- **Note how Lot 134 will be used or if this will be open space/common area.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that ALDOT will manage and regulate the access to Fox Run Parkway via Brookstone Drive and may require additional turn lanes. He stated that water is available from Brookstone Drive and Woodland Circle. Connections must be at both streets for this development. Water infrastructure installation must be reviewed and approved by Opelika Water before acceptance and approval of final plat. He stated that this subdivision is not in Opelika Power Services territory.

Chair Cannon opened the public hearing.

Becky Ballas, 2916 Lakeview Terrace, stated that she was representing Legacy Senior Living and that they share Brookstone Drive that goes to the subdivision being added. She stated that they didn't have a problem with that but that after speaking with ALDOT they were concerned that the turn lane coming from the north might be blocked off, which would hinder people coming to their business. She stated that their other concerns were that they would take the curb out of Brookstone and that there would be other traffic problems that might cause safety issues.

Mr. Parker stated that ALDOT has requested the island be removed in between the two lanes and in place of that there will be a right and left turn lane to exit the center. He stated that there will be a left turn lane dedicated to that turn. He stated that they are going to add a left turn lane into Brookstone as well. He stated that most of the traffic will be exiting at the existing exit.

Becky Ballas asked if there were lots behind their building?

Mr. Parker stated that he thought the creek separated them from the lots.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee

AYES:	Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

B. Preliminary and Final Plat - Public Hearing

3. Drake's Landing SD, Section 2, 32 lots, accessed from Webbed Way, Mark Strozier, authorized representative for Edgar Hughston Builder Inc., preliminary and final approval

Mr. Mosley presented the staff report to the Planning Commission for the Drake's Landing Subdivision Section 2, accessed from Webbed Way. He stated that staff recommends final plat approval subject to the following:

- 1. Change signature line Opelika Utilities Board to Opelika Water Board**
- 2. Sidewalks are required on at least one side of the street where homes are constructed and provide sidewalks to access the designated open space areas shown on plat.**
- 3. Install underground utilities.**
- 4. Add a note on plat with the minimum building setbacks. Approved proposed minimum building setbacks: 25' front yard, 8' side yard, 20' rear yard, and 25' side on street (corner lots).**
- 5. Install a residential buffer as approved at the Dec 2021 PC meeting: Along the south perimeter property line install a 6' high opaque fence along the rear property lines of the following lots - Lot 64 to Lot 79 and install at least a 20.5 foot fence section beginning at the corner of Lot 80. For Lots 64 to 80, Label on the rear property line "6' fence" when the site plan for a lot is submitted requesting a building permit.**
- 6. Ensure all easements are shown and labeled on the final plat.**
- 7. Provide a temporary turnaround for any street stub exceeding 150 feet.**

Mr. Mosley stated that final testing on the manholes did not pass and representatives from the Public Works Department feel like this is something that can be held for signatures.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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 infrastructure construction cost will need to be submitted.
- Performance Bond of 125% of the estimated cost to place the remaining roadway surface and sidewalks 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

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Chair Cannon asked about the sewer issues?

Mr. Mosley stated that typically if there are minor issues with testing, the Public Works Department will not sign the plat until the sewer is installed and up to code.

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

C. FINAL PLAT

4. Firefly SD, Phase 1, 95 lots, accessed at 3169 Columbus Parkway, Daniel Holland, authorized representative for Firefly Development Lee, LLC, final approval

Mr. Mosley stated that this item was withdrawn by the applicant and that staff expects it to be back at next month's Planning Commission meeting.

5. National Village 3A SD, 49 lots, accessed from Robert Trent Jones Trail and National Village Parkway intersection, Mike Maher and Ab Conner representative for Retirement System of Alabama, final approval

Mr. Mosley presented the staff report to the Planning Commission for the National Village 3A Subdivision, accessed from Robert Trent Jones Trail and National Village Parkway. He stated that staff recommends final approval subject to the following:

1. **Add a note that Outparcels A-E are open space lots, type of use, and add the property owner name.**
2. **Add a note with all minimum setbacks.**
3. **Certifications on the three plat sheets are not necessary. One sheet is adequate for certifications.**
4. **Install sidewalks on at least one side of all streets.**
5. **All utilities shall be underground.**
6. **Remove Note #8 – “The site is not in the Saugahatchee Watershed”.**
7. **Add a note that the site is served by Opelika public sewer.**
8. **Remove label for Lot 35**
9. **If trail remains on Lots 25 and 41 provide an access easement.**

10. **Ensure all easements are shown and labeled on the final plat. Easements may be missing or need clarification on the following lots:**
 - **Lot 4 has an easement that does not continue**
 - **Lot 1 sanitary sewer easements point to different lines**
 - **Easement between Lot 20 and road does not extend into the right-of-way**
 - **Generally, clarify where utility easements and specific easements are adjacent or overlap.**
11. **Add note preventing Lots 36-41 from taking access from National Village Parkway.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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 Obligation letter is required for this subdivision.
- 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.

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed. He stated that this subdivision is not in Opelika Power Services territory.

Motion to grant final plat approval with staff recommendations

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

6. The Village at Waterford SD, Phase 4B, 60 lots, accessed from Stokes Avenue and Jansen Avenue, Jeff Adams, authorized representative for DRB Group Alabama, LLC, final approval

Mr. Mosley presented the staff report to the Planning Commission for the Village at Waterford Subdivision Phase 4B, accessed from Stokes Avenue and Jansen Avenue. He stated that staff recommends final approval subject to:

1. **Install underground utilities.**
2. **Install sidewalks on at least one side of all streets.**

3. **Add a note on final plat that street trees are required as described in the Village of Waterford Master Plan: At a minimum plant at least one street tree every two lots; trees must be planted on private property.**
4. **Change Opelika Utilities Board to Opelika Water**
5. **Add note listing setbacks**
6. **Account for the remainder property.**
7. **Ensure all easements are shown and labeled on the final plat.**
8. **Provide a temporary turnaround for any street stub exceeding 150 feet.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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 infrastructure construction cost will need to be submitted.
- Performance Bond of 125% of the estimated cost to place the remaining roadway surface and sidewalks 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.

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed.

Motion to grant final plat approval with staff recommendations

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

D. CONDITIONAL USE - Public Hearing

7. David Slocum, authorized representative for Wayne Gentry, accessed at Fox Run Parkway, C-2, GC-P, 22 townhomes.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for townhomes accessed at Fox Run Parkway. He stated that staff recommends approval subject to the following:

1. The exterior materials must meet the gateway corridor cladding requirements as provided in Section 7.6
2. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.
3. The dumpsters should be screened with materials compatible with the buildings.
4. Create a near opaque screen consisting of a combination of evergreen trees and shrubs along McCoy Street and Stowe Avenue including right of way that is planned to be dedicated, buffer along the north and east property lines, and the east side of the private driveway that ends at Stowe Avenue. The screening should follow the description in this report.
5. Any fencing shall be located between the landscape buffer and the rear of the townhome unit including the townhomes that back up to McCoy Street or the street to be dedicated.
6. Ensure that the potential right-of-way for the extension of Stowe Ave is preserved.
7. The private street between this development and the apartments to the south shall be dedicated to the City prior to the Certificate of Occupancy being granted.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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 concerns with this proposed Conditional Use because the creation of the building for units 16, 17, and 18 will cut off the path of the extension of the roadway. This is not acceptable and these units will need to be removed for a positive recommendation for approval.

He stated that water is available from existing private drive and McCoy Street. He stated that this subdivision is not in Opelika Power Services territory.

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: Sheldon Whittelsey

DISCUSSION: Councilman Allen asked if Opelika Power would service this location?

Mr. Parker stated that their report stated this subdivision is not in Opelika Power Services territory but that staff would confirm this.

Chair Cannon asked if the parking would be in the front or if there would be on-street parking?

Mr. Mosley stated that it is not on-street parking and that the parking pads

	will be in front next to the private street. He stated that there is room for two cars.
AYES:	Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

8. Blake Rice, Barrett-Simpson, Inc., authorized representative for JD Real Properties, LLC, accessed at 4800 Birmingham Highway, C-3, GC-P, Extreme Power Sports off-road equipment sales

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for Extreme Power Sports off-road equipment sales accessed at 4800 Birmingham Highway. He stated that staff recommends approval subject to the following conditions (These conditions include the conditions approved at the July 26th and September 27th Planning Commission meetings.)

1. **Extend trees along the front property line of Highway 280 to the west side property line. The number of trees is based on the tree type as provided in Landscape Regulations.** Spacing should be generally meet the ordinance, although some grouping may occur to allow for better visibility.
2. **Add trees down the right of way of Grand National Parkway if that area is disturbed**
3. **ATV outdoor display is limited to the areas shown on drawing attached. No parts or tires shall be displayed or stored outside.**
4. **Enclose dumpster on all sides with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.**
5. **Wall signs are shown on the elevation drawings. This conditional use review does not include a review of signage. A Sign Permit application must be completed and approved by Planning staff and Building Inspections before any permanent signs are installed. Contact Planning staff to obtain approval for temporary signs before any temporary signs are installed.**
6. **If outside lighting is proposed for ATVs, brightness must not exceed 1 footcandle at the property line.**
7. **Fence material to secure ATVs must be a commercial architectural style (ex. Ornamental decorative fencing or rod-iron appearance). Wire mesh or chain link type fencing is prohibited.**
8. **The display area must be hard surface – concrete or asphalt - not gravel or yard area.**
9. **All equipment and mechanical areas must be screened from the public right-of-way not to be visible, including rooftop mechanical systems to meet the gateway corridor requirements.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that the roadway access and spacing meets the Public Works Manual requirements. No additional turn lanes will be required for this development. He stated that water is available from Grand National Parkway. He stated that this subdivision is not in Opelika Power Services territory.

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: Mayor Gary Fuller

SECONDER: Director John Sweatman

DISCUSSION: Mr. Sweatman asked if there would be restrictions or limitations on what they are allowed to display in the display area?

Mr. Mosley stated that they would not be allowed to display parts or tires but that there aren't restrictions on the types of vehicles.

Mr. Whittelsey asked if there would be detention on site?

Mr. Parker stated that it needs to be designed and studied but that typically it will be on site.

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

9. Foresite Group, LLC, authorized representative for Broad Metro, LLC, 3310 Society Hill Road, C-2, GC-P, 323-unit apartment development.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for a 323-unit apartment development accessed at 3310 Society Hill Road. He stated that staff recommends approval subject to the following:

1. **Approval of this conditional use is contingent on Zoning Board of Adjustments approval of a parking variance or meeting the standard parking requirements in the Zoning Ordinance.**
2. **Add residential buffers on the northeast and south sides per the requirements of the zoning ordinance. If an undisturbed buffer is used, additional planting will need to be added to insure the screening is appropriate.**
3. **Adjust the landscape plan to meet the minimum requirements of the plan.**
4. **Add trees along the Society Hill Road frontage consistent with the Gateway Corridor parking buffer requirements.**
5. **Note the materials proposed for the units. All four sides of the development we recommend meet the Gateway Corridor cladding requirements with use of masonry consistent with the provided elevations. Buildings shall be substantially similar in terms of materials, roofline, fenestration, and other design features with the provided elevations.**
6. **If dumpsters are installed, dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure.**
7. **All utilities shall be underground except overhead required transmission lines.**
8. **All mechanical and hvac units shall be screened from the public right-of-way.**
9. **Any gates will need to be coordinated and approved by Opelika public safety departments for emergency entry.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that a traffic study will be required, or an agreement for additional turn lanes on Society Hill Road can be reached by the applicant and Engineering Department. He stated that water is available from Society Hill Road and Freddie Way/Capps Dr. in Capps Landing. If

property access is available, it is preferred that water be fed from both directions for this development. Master meters for each building or sets of buildings may be required. Design review process will determine best configuration. He stated that this subdivision is not in Opelika Power Services territory.

Chair Cannon opened the public hearing.

Brett Basquin, Foresite Group, stated that only one of the buildings will be 4 stories and that the others will be 3 stories. He stated that this property is served by Opelika Power and that there is only one spot on the property that is outside their territory and that is the clubhouse, which will be served by Alabama Power. He stated that 70% of these units are one bedroom. He stated that in regard to parking, there will be two spaces per unit on the two and three bedroom units and on the one bedroom units there will be one space plus visitor parking.

Chair Cannon asked how many trees they would be putting up?

Brett Basquin stated that there are a lot required by the landscape ordinance.

Mr. Mosley stated that it is almost 200.

Brett Basquin stated that on Society Hill Road there is a power line and they will probably plant them behind the power line so they don't get cut.

Mr. Whittelsey asked if they are going to bridge over or culvert the creek?

Brett Basquin stated that it will be a culvert.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

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

10. Bradley Creasy, authorized representative for Dyas Properties, LLC, accessed at the 1400 block of South Fox Run Parkway, C-2, GC-P, 153-unit townhouse development.

Mr. Mosley stated that this property is in the floodplain and after discussion with the City floodplain manager and other public safety officials, staff felt there needed to be more discussion about this prior to giving approval. He stated that the applicant requested this item be tabled.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to table the item to the June 25, 2024 Planning Commission meeting at the applicant's request.

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

E. REZONING - Public Hearing

11. (a) Amendment to the Future Land Use Map accessed from North 29th Street and Cunningham Drive, 34.5 acres, from light commercial land use category to a mixed use category (residential and commercial).

(b) Rezoning request, Hayes Eiford, Samford Group LLC, representative for Saucier Investments, LLC, 34.5 acres, accessed from North 29th Street and Cunningham Drive, from C-2 to a PUD.

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request for 34.5 acres accessed from North 29th Street and Cunningham Drive, from C-2 to a PUD. He stated that staff recommends a positive recommendation to rezone the property from C-2 to PUD, it should be subject to the following:

1. **Provide sidewalks on both sides of each street adjoining an amenity or residence. Additional internal sidewalks should connect parts of the commercial areas.**
2. **All utilities shall be underground.**
3. **All multi-family and commercial buildings shall meet the Gateway Corridor cladding requirements. The larger mixed use and multifamily buildings should have significant amounts of masonry on the front and visible facades.**
4. **Non-single family sections of the development shall meet the landscaping requirements at time of development unless a master landscape plan is submitted.**
5. **One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.**
6. **Open space shall be clearly marked and the use and maintenance shall be noted on the plat.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available along the perimeter of the proposed development. Water mains within the development are out of service and abandoned. New water mains will be required through proposed development streets. Details of connections and new mains can be developed during plan review.

Chair Cannon opened the public hearing.

Julie Stanley, 202 N 29th Street, stated that half of her backyard is where they will be moving 28th Street. She stated that these roads are small and need to be widened. She stated that she has concerns with the traffic, noise, water pressure and drainage. She asked how the City is going to address these problems?

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for rezoning to City Council.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Councilman Ward 1 Willie Allen
DISCUSSION:	Chair Cannon stated that she wanted to see 50-foot lots. She stated that she felt 40-foot lots didn't keep in character with the neighborhood.
	Daniel Holland, Holland Homes, stated that they are proposing plans that they specifically made to integrate with the Mill Village. He stated that he felt the 50-foot lots that they added last time help tie in and transition it.
	Chair Cannon stated that she felt the other lots on those blocks need to be 50 feet too.
	Daniel Holland stated that they are trying to meet the market and if the lot width increases, the cost of the homes will go up. He noted that they would lose two lots on each street if they did that.
	Mr. Whittelsey asked how these lots will be parked?
	Daniel Holland stated that there will be a driveway and parking for two cars on each lot. He stated that their typical concrete parking pad for residential units is 20 by 22 feet.
AYES:	Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	Chair Cannon, Whatley
ABSTAIN:	None

F. Master Plan Revisions - Public Hearing

12. The Villages at Opelika PUD, Minor Amendment to the Master Plan, Hi Pack Road, Joe Mazzucchelli, representative for Trust Homes Southcoast, LLC, The amendment changes the use of the 23,160 sf amenity lot from playground equipment & open space to a 1,440 sf office, gym, and storage building with an 800 sf open covered patio attached to the building and open space. The amendment provides more opportunities for the residents.

Mr. Mosley presented the staff report to the Planning Commission for the minor amendment to the Master Plan at Hi Pack Road. He stated that staff recommends approval of the minor amendment to the Villages of Opelika master plan to allow the construction of a 1,400 sf building for an office, storage area, gym, and an 800 sf open covered patio.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant approval of the minor amendment to the Master Plan

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

G. ANNEXATION

13. Annexation, Antione Harvis, Sr., 48 acres, accessed from 2051 Highway 169, A commercial zone will be requested at a later time.

Mr. Mosley presented the staff report to the Planning Commission for an annexation request of 48 acres accessed from 2051 Highway 169. He stated that staff recommends the Planning Commission send a positive recommendation to the City Council to annex the 48.3 acres.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available from Highway 169. There is an existing 12-inch water main on the property that is active. Water main can be abandoned with proper planning and coordination. He stated that this subdivision is not in Opelika Power Services territory.

Motion to send a positive recommendation for annexation to City Council.

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Arturo Menefee

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

V. OLD BUSINESS

H. Text Amendment to the Zoning Ordinance - Public Hearing

14. Bed and Breakfast Uses - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 2.2 Definitions; 7.3 C. Use Categories (matrix table); Add new section: Section 8.28.4 Bed and Breakfast (*This item was tabled at the March 26th Planning Commission meeting*)

Mr. Mosley presented the staff report to the Planning Commission for proposed text amendments to the Zoning Ordinance: Section 2.2 Definitions; 7.3 C. Use Categories (matrix table); Add new section: Section 8.28.4 Bed and Breakfast. He stated that staff recommends the Planning Commission send a positive recommendation to City Council.

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

Councilman Allen made a motion to remove the item from the table.

Mr. Sweatman seconded the motion.

Ayes: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, and Director Sweatman.

Nays: None.

Abstain: None.

Chair Cannon opened the public hearing.

Philip Rowton, 515 N 10th Street, stated that he was against the text amendment and that his concerns included the events, traffic, and lack of restrictions.

Tony McCarty, 505 N 10th Street, stated that he was against the text amendment and that his

concerns included the quality of his neighborhood, parking, and parties. He asked the Commission to vote against the text amendment.

Burt Boykin, 2001 Park Place N, stated that he was representing Mr. Rowton. He read a statement that addressed concern about events and parties in neighborhoods and the effects they will have on the City. He asked the Commission to recommend denial of the text amendment.

Clay Harper, 904 5th Avenue, stated that he was against the text amendment and that his concerns included trespassing and events. He asked the Commission to vote against the text amendment.

Jason Lanz, 410 N 9th Street, stated that he was against the text amendment and that his concerns included noise, on premise owner/operator, and events.

Brian Perdomo, 1015 4th Avenue, stated that he was against the text amendment and that it felt targeted towards the Renfro House. He asked the Commission to consider everyone and not just one person.

Gary Larude, 408 N 11th Street, stated that he supported the text amendment and that he was in favor of bed and breakfasts. He noted that they require use permits and that he didn't think Opelika would be flooded with bed and breakfasts. He stated that he supported the tourism industry.

Charlie Brewer, 315 N 10th Street, stated that he was against the text amendment and that his concerns included the number of people allowed for events, parking, and alcohol being served near churches.

Julie Lock, 501 N 10th Street, stated that she was against the text amendment and that she felt people would be interested in the house for residential use.

Megan Perdomo, 1015 4th Avenue, stated that she was against the text amendment and that her concerns included noise, traffic, and parties. She noted that she tried to buy the Renfro house as a residential property.

Chair Cannon closed the public hearing.

Motion to send a negative recommendation for text amendment to City Council.

RESULT: Passed

MOVER: Leigh Whatley

SECONDER: Sheldon Whittelsey

DISCUSSION: Mr. Mosley stated that for clarification, staff was directed by City Council to look at this. He stated that the reason we have conditional uses is that some uses don't work everywhere. He stated that allowing the use as a conditional use does not mean that it will be allowed everywhere.

Mr. Sweatman thanked staff for the hard work that was done on this text amendment.

Mr. Whittelsey agreed.

Chair Cannon stated that the commissioners were unaware of the meetings

that citizens were having regarding this item.

Mrs. Whatley stated that the lack of representation from the City at those meetings was disappointing.

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller

NAYS: Councilman Ward 1 Allen, Director Sweatman

ABSTAIN: None

VI. ADJOURN

Motion to adjourn at 4:57 p.m.

RESULT: Passed

MOVER: Director John Sweatman

SECONDER: Sheldon Whittelsey

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary