



**PLANNING COMMISSION
MINUTES
300 Martin Luther King Blvd.
March 25, 2025
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.

The City of Opelika Planning Commission held its regular monthly meeting March 25, 2025 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, Mrs. Leigh Whatley, Mr. Michael Hilyer, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT: Councilman George Allen, Dr. Arturo Menefee,

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
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. She explained that some items have a public hearing and speakers are allowed one five-minute turn at the microphone per public hearing.

II. **APPROVAL OF MINUTES**

- A. February 25, 2025 Minutes

Approval of Planning Commission Minutes February 25, 2025

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

III. **UPDATE ON PREVIOUS PC CASES**

Mr. Mosley stated that Dickson Place Subdivision was withdrawn at this time until they could get some of the final items completed. Mr. Mosley also informed the Planning Commission that they would receive a copy of the recently drafted 2040 Comprehensive Plan for the City of Opelika. He noted that there would be two open houses planned for the public and a special called Planning Commission meeting on May 1st at 3pm to review the document.

IV. NEW BUSINESS

B. FINAL PLAT

1. Dickson Place SD, Phase 2A, 77 lots, 3500 Andrews Road, Ledge Nettles, Baseline Surveying, authorized representative for Andrews & Anderson Development, LLC, property owner, final approval.

This item was withdrawn by the applicant and no action was taken at the meeting.

2. Wyndham Village SD, Phase 3, Section 1, 25 lots, Wyndham Village Drive, Mark Strozier, authorized representative for Tyler Findley, property owner, final approval.

Mr. Mosley stated that the first item was a final plat request for 26 lots in Wyndham Village Phase Three, Section One, part of the Wyndham PUD and master plan. He explained that the development included 25 residential lots and one remainder lot located off of Wyndham Village Drive and Rolling Hills Drive. He noted that these lots were initially intended to be smaller 65-foot-wide lots, but the developer made them 75-foot-wide lots. He stated that the Planning Department recommended final plat approval subject to the following:

1. Sidewalks are required on one side of the street.
2. All utilities shall be underground.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities. He explained that the Engineering Department has been inspecting the infrastructure of the subdivision while it was being constructed and the utilities have been doing likewise. He stated that they have all passed their inspections and the infrastructure is ready to approve. We have received bonds and as-builts on this site, so the Engineering Department has no other comments and recommends final plat approval. He added that Opelika Water states that the water system has been accepted by Opelika Water, and Opelika Power will service the subdivision.

There was no public hearing required.

Chair Cannon asked the Planning Commission if there was any discussion or a motion on the request.

Motion to grant final plat approval with staff recommendations

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

3. Southern Pines SD, Phase 2, 29 lots, 1700 Oak Bowery Road, David Slocum, authorized representative for Bryan Stone, property owner, final approval.

Mr. Mosley stated that this request was also a final plat request. He stated that the applicant was David Slocum, Pinnacle Design, for BC Stone. He noted that the subject property was zoned R-2 and located between Northgate Subdivision and Cannongate Subdivision. He stated that the 2nd revision was a request for 29 lots. Mr. Mosley explained that the ZBA had granted a variance to allow the developer to shift the buildings towards one side to allow for side entry garages. Mr. Mosley stated that Planning Staff recommended approval of the final plat.

Mr. Parker stated that engineering and utilities have been inspecting the infrastructure and utility work that was installed, and it all has been approved. He noted that the developer had not yet provided bonds for the infrastructure and the maintenance bond for this phase of the subdivision so we will request approval of this final plat but we'll hold signatures until we receive these bonds and files. He also stated that Opelika Water has accepted their utility, and Opelika Power will service the development.

Chair Cannon stated that there was no public hearing required and asked the Planning Commission if there was any discussion or a motion on the request.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	None
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE – Public Hearing

4. Hayes Eiford, authorized representative for Bobby Joe Burdette, property owner, 2112 Cunningham Drive, R-4 zone, 50 townhome units.

Mr. Mosley stated that this item was a conditional use request for 50 townhome units on 7.8 acres in the R-4 zone. He stated that property was owned by Bobby Joe Burdette and located at 2112 Cunningham Drive. Mr. Mosley explained that the property was located where a new street, an extension of Hi-Pack Drive would connect with Cunningham Drive before extending to Gateway Drive. He noted that the townhomes would all be rear loaded units and met the minimum standards for townhouses in the zoning ordinance. He stated that the Planning Department recommend conditional use approval subject to the following conditions:

1. All utilities must be underground.
2. Install 5 foot sidewalks along Cunningham Drive right of way and Hi Pack Drive extension.
3. Install a landscape buffer from the options in Section 10.6, D.2. b.1 along Cunningham Drive.
4. Install a residential buffer as provided from the options in Section 10 Landscape Regulations along the south property line.

5. Exterior building material must be as elevations presented – brick, lap siding, and board & baton siding. See #6 concerning exterior material for side walls
6. Elevations on the side walls of townhome units Lot 5, 9, 16, 27, 21, 39, 22, 40, 43, 47, 48, and 50 visible from Cunningham Drive or Hi Pack Drive must include architectural features to a blank wall (100% lap siding on elevations) in order to provide depth and dimension to the side wall from Cunningham Drive and Hi Pack Drive.
7. Provide detail on site plan and in the HOA guidelines on how the open space amenity lots will be used.
8. Any fences constructed between townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines. Opaque fences are prohibited along public streets.
9. The turnarounds meet Fire Code and Public Works Manual requirements.

Mr. Parker 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 City is working with the applicant with a development agreement for the needed right-of-way and roadway extension of High Pack Drive that will be constructed by the City through this development to Cunningham Drive. A secondary access to Cunningham Drive at the south end of the development is approved to be connected. Engineering has no other comments or concerns regarding the proposed Conditional Use approval. He also noted that water service (10" main) is available from the western side of Cunningham Dr and the subdivision is the Opelika Power and Alabama Power service territory.

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

Chair Cannon asked the Planning Commission if there was any discussion or a motion on the request.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Mayor Gary Fuller
DISCUSSION:	Commissioner Sweatman asked how the City would prevent tenants from using their front yards along Cunningham Drive to store accessory structures. Mr. Mosley responded the City's Accessory Structure regulations in the Zoning Ordinance prevents these items from being located on front. He did note that it would be a potential enforcement issue. Chair Cannon asked if there were enough trees on the property, particularly near the buildings. Mr. Mosley stated that they have noted the need for plantings along Cunningham Drive. He also suggested that the area adjacent to the building

would need to meet the landscaping requirements.

Commissioner Whittlesey asked why the middle drive ended in "T" instead of a cul-de-sac.

Mr. Parker stated that a "T" or hammerhead turnaround is used in areas where there are limitations on space, but not a great deal of traffic. He stated that it would be acceptable in this instance as the street would likely only service those residents and occasional guests.

AYES: Chair Cannon, Walters, Whatley, Whittlesey, Hilyer, Mayor Fuller, Director Sweatman

NAYS: None

ABSTAIN: None

D. REZONING – Public Hearing

5. Rezoning Request, Bill Perry, authorized representative of James David Perry, property owner, 2505 Anderson Road, 20.1 Acres, from R-1 to R-3.

Mr. Mosley stated the next item was a rezoning request. He stated that the applicant is requesting to rezone the property, 2502 Anderson Road from R1 to R3. He explained that the Future Land Use map shows this property as medium density residential. Mr. Mosley stated that the subject property is approximately 20 acres. Mr. Mosley pointed out that the property had R-1, which is our lower density residential, to the north and south on Anderson Road. He then pointed out that the property to the west, Hidden Lakes and Edgefield Farm, were PUDs with similar density to an R-3 zone. He added that across the street you have both M-2, which is the property along North Park Drive, and R-3 in the Northtown subdivision. Mr. Mosley stated that the applicant is proposing to rezone this from R1 to R3, which would be a medium density residential, similar to what the future land use shows. He stated that staff's largest concern with this has been ensuring that there is sewer connectivity to this property. Mr. Mosley stated that the Planning Department recommended sending a positive recommendation to City Council to rezone the property.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities. He stated that the Engineering Department and Water Board expressed no concerns with the rezoning. He added that Opelika Power Services would not serve this as it was outside of their territory.

Chair Cannon opened the public hearing.

Julie Moore, 2714 Anderson Road, stated that she had put up with the issues of development previously and did not want to go through this again. She was concerned with the number of homes and the impact it would have on the land and streams in the area.

John Moore, 2714 Anderson Road, stated he was opposed to the development and felt that it would be appropriate to develop it to the R-1 standards.

Linda Guy, 2422 Anderson Road, stated that she was concerned with the size and scale of the property. She did not feel it was in character with the neighborhood. She also was concerned

about the traffic that would be generated by this development. She noted that the road was already busy with the other residential developments and the industrial traffic from the nearby industry.

Forest Provo, 2709 Compass Point, stated that he had been in the area for about six (6) years. He thought the traffic was already problematic. He also thought the loss of natural habitat was a concern.

Thomas Causland, 2720 Anderson Road, stated that he lives on one of the larger lots in the area. He agreed with Mr. Provo about the traffic concerns. He said he liked to see the new jobs, but the traffic that came with them was a concern. He thought the development was too close to the intersection and it would lead to more accidents.

Chair Cannon closed the public hearing.

Chair Cannon asked the Planning Commission if there was any discussion or a motion on the request.

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

RESULT:	Passed
MOVER:	Leigh Whatley
SECONDER:	Jay Walters
DISCUSSION:	Mayor Fuller asked if all the property in the area was currently zoned R-1.
	Mr. Mosley stated that the properties to the north and south immediately adjacent were R-1. He noted that across the road and to the west were R-3 or similar zoning.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

E. MASTER PLAN REVISIONS AND REZONING – Public Hearing

6. (a) Spencer Cothran (Holland Homes, LLC), authorized representative for Opelika Mill, LLC., and Ericson LLC, property owners, Major Amendments to The Mill PUD Master Plan and Rezoning 1.37 acres, from C-2 to PUD., 2400 block 1st Avenue
- (b) Amendment to Future Land Use Map, 2400 block 1st Avenue, 1.37 acres, from light commercial to mixed-use commercial and residential if Rezoning approved.

Mr. Mosley stated that this item was a request for rezoning and master plan amendment for the Mill development. It also includes an amendment of Future Land Use map. to a small portion. He stated that the subject property is where the former Pepperell Mill industrial site was located. He explained that the property is mostly zoned as a Planned Unit Development (PUD). Mr. Mosley stated that the applicant was proposing to purchase an additional 1.37 acres and add it to the PUD and development. He stated that the applicant is proposing to redevelop the property based on having a new design after going through the environmental review. He

stated that the overall development area is approximately 40 acres. He noted that much of northern part of the plan was very similar to the previously approved PUD. He explained that the area around 1st Avenue and south was reworked to create a more mixed use plan and a realignment of 1st Avenue. He stated that overall, there are 327 residential units proposed which is a very slight increase from the last development plan, but because of the additional area, the density is actually going down just slightly. Mr. Mosley stated that we found this plan to be an improvement over the previous plan, which was approved. He added that he felt this is a positive improvement to both the area and to the previous plan. We are recommending approval of amending the future land use plan and a positive recommendation to rezone the additional 1.37 acres from C-2 to a PUD and amend the master development plan as proposed with the following conditions:

1. Provide sidewalks on both sides of each street adjoining an amenity or residence. Additional internal sidewalks should connect parts of the commercial areas. Sidewalks in the commercial areas along 1st Avenue should be 8 feet or greater.
2. All new utilities shall be underground unless they are located along the railroad tracks.
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. The commercial areas along 1st Avenue shall have traditional storefront windows or regularly spaced windows and doors along the street. No section of wall along the 1st Avenue shall have unadorned or blank walls exceeding 30 feet in length.
5. Non-single family sections shall meet the parking lot landscaping requirements and meet the general requirements unless they cannot based on layout. In such instances, an alternative landscape plan to the Planning Director.
6. Street trees shall be planted as shown generally on the site plan at a spacing of one tree every 60 feet unless there is a conflict with overhead utilities. Where street trees are not an option 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.
7. Open space shall be clearly marked and the use and maintenance shall be noted on the plat.
8. Residential units 10 feet or closer to a public street shall be raised above the street at least 18 inches either through a raised foundation or through site grading.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities and had no comments.

Chair Cannon opened the public hearing for both the rezoning and future land use amendment.

Julie Stanley, 202 29th Street, stated that she was opposed to the development. She said there were existing problems related to water pressure, drainage, and the roads. She felt that it would create more issues. She was also concerned with the realignment of 28th Street and the roundabout.

Dave Lindahl, 2604 3rd Avenue, stated he was concerned with noise from the outdoor entertainment area. He also said the roads needed attention due to their age and previous maintenance. He said he had issues with speeding, especially on the narrow roads.

Patrick, Hitchman-Craig, 2504 2nd Avenue, stated he had some questions related to the development. He asked if the single-family homes had enough parking. He also worried about businesses surviving in this area.. Finally, he was also concerned with disruptions during construction especially to 1st Avenue.

Mr. Parker stated that the new alignment of

Chair Cannon closed the public hearing.

Chair Cannon asked the Planning Commission if there was any discussion or a motion on the request.

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

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	None
DISCUSSION:	Commissioner Walters asked to confirm whether this area was already part of a PUD. Mr. Mosley stated that yes, most of the property was already part of a PUD that was somewhat similar. Mr. Parker stated that the new layout of 1st Avenue would be constructed in unoccupied space, so it should be able to be developed without significant impact to current traffic. He noted that the roundabout may cause some occasional delays or detours during construction. Commissioner Whittelsey stated he had concerns with stormwater and drainage. Mr. Parker stated that most of this site was largely paved at one point. He noted that the new plan probably added greenspace and less impervious to the area and would likely improve the drainage. Chair Cannon asked if Pepperell Village was part of a historic area. Mr. Mosley stated that Pepperell Village is on the National Historic Registry. He stated that it is recognition of the historic nature, but does not provide any real protection to the buildings.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

Motion to approve the amendment the Future Land Use Map

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

ABSTAIN: None

V. OLD BUSINESS

F. TEXT AMENDMENTS

7. Text Amendment to the Zoning Ordinance - Public Hearing

Bed and Breakfast Uses - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Additions and revisions to definitions in Section 2.2 Definitions; revisions to Section 3.1 Building Permit Required; revisions to 7.3 C. Use Categories (matrix table); revisions to Section 8.11.1 Temporary Structures/Temporary Uses; and add new section: Section 8.28.4 Bed and Breakfast (*This item was tabled at the January 25th Planning Commission meeting*)

Mr. Mosley stated that there had been no change on the Bed and Breakfast text amendment and he recommended the item remain on the table.

No action was taken to remove it off the table.

VI. ADJOURN

Chair Cannon asked if there was a motion to adjourn.

Motion to adjourn at 4:20 p.m.

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

Lucinda Cannon, Chair

Matt Mosley, Secretary