



**PLANNING COMMISSION
MINUTES
300 Martin Luther King Blvd.
May 27, 2025
TIME: 3:00 PM**

I. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting on May 27, 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, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Michael Hilyer, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Jay Walters, Councilman George Allen

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford, 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 22, 2025

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

II. UPDATE ON PREVIOUS CASES

Mr. Mosley stated that the City Council voted against the change to the temporary use section, which pertains to celebration events and bed and breakfast uses at the May 20, 2025, meeting. The City Council also voted to approve the rezoning from R-1 to R-3 for the Perry property on Anderson Road.

Mayor Fuller inquired whether the Perry property rezoning had been a negative recommendation from the Planning Commission.

Mr. Mosley affirmed that there had been a negative recommendation from the commission.

III. NEW BUSINESS

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

1. The Willows Plat No. 2 SD, 56 lots, Willows Drive, Blake Rice, BSI, Inc., authorized representative for Trademark Quality Homes, LLC, property owner, preliminary approval.

Mr. Mosley presented the staff report to the Planning Commission for the preliminary plat approval of The Willows, Number Two located on Catherine Drive. He stated the applicant is requesting a 56-lot subdivision zoned R3. Originally approved in 2019 as the Stephens Woods Phase Six, with the first Phase built in 2020 or 2021, The Willows is a continuation of other phases in Stephens Woods. The initial approval has expired, so it is back before the Planning Commission. The lots in this development range from 10,000 sf to 3.5 acres. Planning staff recommend preliminary plat approval subject to the following:

1. Increase the size of Lots 68, 69, 70, 89, 104, 105, 106, and 107 must meet the minimum 10,000 square foot lot size for the R-3 zoning district,
2. Add to Lot 117 the “Sanitary Sewer Pump Station” lot (42’x55’) and a note that no residential development is allowed and the use.
3. Extend Willows Drive to connect to Brookstone Drive.
4. Install sidewalks on one side of all streets.
5. Install underground utilities

Mr. Parker provided the reports for the 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.

- Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance.
- The road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

The Engineering Department has no other comments or concerns about this proposed Preliminary Plat.

Chair Cannon opened the public hearing.

Blake Rice, representing BSI and a resident of Cussetta, AL, asked the commission to consider removing the North-South connection stub.

Mr. Mosley clarified to the commission that Mr. Rice is asking to remove the northern connection to the property that was for Phase Two of The Chimneys, which has expired but will be developed at some point. The City already has a connection to the development and therefore it would be redundant.

Chair Cannon closed the public hearing.

Motion for preliminary plat approval with staff recommendations to include the East-West connections and also to approve the elimination of North-South connectivity.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Sheldon Whittelsey
DISCUSSION	Chair Cannon asked if there would need to be two votes for this motion; one for the plat approval and one for the removal of the north stub. Mr. Mosley stated that this was just for preliminary plat approval. Mr. Mosley and Mr. Parker further explained details about the history of the original plat and stated that a more valuable East-West connection will be made when The Chimneys subdivision is built. Neither Mr. Parker, nor Mr. Mosley sees removing the North connection stub as an issue.
AYES:	Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

B. FINAL PLAT

2. Hidden Lakes West Phase 4B SD, 37 lots, Lake Condry Road/West Point Parkway, Blake Rice, BSI, Inc., authorized representative for SMB Land, LLC, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the approval of final plat approval for Hidden Lakes West 4B. He stated that this development is located at the western edge of the original Lakes development near Lake Condry Road and West Point Parkway. Blake Rice of BSI, Inc. representing SMB Land, is requesting final plat approval for a 37-lot subdivision. The lots are 14,000 sf and is consistent with the master plan. He noted that there has been one change that is slightly different from the preliminary plat; this development now connects back to the future Lake Condry Hidden Lakes development that was approved a couple of months ago.

The planning department is recommending approval subject to the following conditions:

1. **Replace the required landscape buffer of 15' for the rear of Lots 38, 39, and 40 along West Point Parkway.**
2. **Sidewalks are required on one side of every street.**
3. **All utilities shall be located underground.**

Mr. Parker provided the reports for the Engineering, Opelika Water, and Opelika Power Services. Mr. Parker stated the Engineering Department has inspected all roads and drainage structures, and they have met approvals. They will verify that the roadway signs are installed. They are waiting on the maintenance bonds and performance bonds for the subdivision. The as-built survey for infrastructure is also outstanding, but all should be coming soon. Everything else has been completed. There is a left-turn lane coming from Opelika to the main entrance of Hidden Lakes, which will be completed with this phase of the development. Engineering is prepared to recommend final approval for this final plat with the condition that all signatures will be held until all the items have been completed. He stated that

water infrastructure must be inspected and accepted by Opelika Water before the final plat can be approved, and that the property is in the Opelika Power Services and Tallapoosa River Electric service territory.

Chair Cannon, asked about landscaping and was informed by Mr. Rice responded that this part of the subdivision is part of the Hidden Lakes HOA, as such, subject to their covenants and restrictions, which include the landscaping of at least one canopy tree in the front lot of every home.

Motion to grant final plat approval with staff recommendations

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

3. The Hamlet at Wyndham Gate SD, Pod 10 Phase 1-B, 17 lots, 3200-3434 Hamlet Drive, Mike Maher, authorized representative for DFH Liberty, LLC, property owner, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval of The Hamlet at Wyndham Gate Subdivision, Pod 10 phase 1-B. The applicant is Mike Marlow, of Precision Surveying, representing DHF Liberty, LLC. He stated that this is for 17 lots of the second phase of the Wyndham Planned Unit Development, lots 9-16 and lots 33-40. The townhomes meet all the minimum requirements of the Opelika Zoning Ordinance and in the Planning and development approval. The utilities are underground, and the sidewalks are being built. The exterior materials match what was presented in the September preliminary review. We're recommending final plat approval, subject to adding a note about ownership, use, and maintenance of the open space and amenities, as well as landscaping and sidewalks being installed for the certificate of occupancy.

Mr. Parker provided the reports for the Engineering, Opelika Water, and Opelika Power Services. He stated that this is private infrastructure, but has been completed to provide adequate access to the units; Therefore, Engineering has no other comments or concerns about the proposed preliminary final plans. Opelika water states due to the private infrastructure, they do not inspect the water within the subdivision. It is outside of Opelika Power Services territory.

Motion to grant final plat approval with staff recommendations

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

4. Fox Run Phase V-B SD, 59 lots, 1201 Fox Run Parkway, Spencer Cothran (Holland Homes LLC), authorized representative for Fox Run Phase V LLC, property owner, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval for Fox Run Phase V, requested by Spencer Cothran of Holland Homes, LLC representing Fox Run Phase V, LLC. He stated that there are 57 lots for approval, of which 44 are twin home lots, 13 are single-family lots and two lots are open spaces. He explained that this was originally approved before the connection to Brookstone Drive was added. This approval is for the next phase. He reminded everyone that this section includes lots that were part of a vacation of the right of way that is going before the city council next week. The lot sizes of 4,200 sf and 40 ft lot width for a single-family home and twin-home lots of 3,000 sf with a 25 ft. lot width have all met the minimum requirements. This subdivision does have the ability to connect to both Woodland Lane and the original Fox Run subdivision, giving it both a primary and secondary means of access.

The Planning Department is recommending positive approval of the final plan, pending conditions:

1. Install a residential buffer along the rear property line of Lots 114 to 130. Select one of the Buffer options from Section X Landscape Regulations.
2. The existing right-of-way needs to be vacated before the plat is recorded.
3. All utilities shall be underground.
4. Sidewalks shall be required on at least one side of the street.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that all the engineering requirements were completed with last month's approval of the same subdivision. Engineering recommends final approval. He stated that Opelika Water and Opelika Power services accept their infrastructure.

Motion to grant final plat approval with staff recommendations

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

C. **CONDITIONAL USE – Public Hearing**

5. Brian Lee, Auburn Civil Pros, authorized representative for Horne Brothers, LLC, property owner, 2000 block Cunningham Drive, C-3, office building.

Mr. Mosley reported that the applicant, Brian Lee of Auburn Civil Pros, authorized representative for Horne Brothers, LLC requested that this item be tabled until the July 2025 meeting. They requested in October 2024 to fill the floodplain along the creek area for a building that was being used as a warehouse. The commission denied the request at that time. They are planning to use the building as office space now, but have not been using the most up-to-date floodplain information, so they would like to table for time to further review.

Motion to table until July 22, 2025

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Sheldon Whittelsey

AYES:	Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

D. CONDITIONAL USE and PRELIMINARY PLAT - Public Hearing

6. Hayes Eiford, authorized representative for Hi Pack QOZB I, LLC, property owner, accessed at 3100 block of Hi Pack Drive, C-3, 40 Townhomes units & 39 Townhome units

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of 40 twin homes and 39 townhomes in an area zoned C3. He stated the proposed site is located between a former manufacturing company on High Pack Drive and a residential area located on Cunningham Drive, which is zoned R4. The applicant is proposing a medium-density development that would transition between the two zones. The lots meet the minimum requirements for townhome standards of a twenty-foot minimum lot width and an 1800 square foot lot size. The lots are between 2,400 sf townhomes and 4,200 sf twin homes, and meet the minimum setbacks as required in the C3 Zone. They have proposed some building design standards, which are a mixture of brick, lap siding and board & batten siding. They have proposed a landscape plan which includes plantings along the street and adjacent to all the units. Open space is approximately four and a half acres. He stated that the **Planning Department is recommending approval, subject to the following conditions:**

1. **All utilities must be underground.**
2. **Install or coordinate with the City of Opelika to install 5-foot sidewalks on Hi Pack Drive extension. All other streets shall have sidewalks on both sides and on the 10' accessways to Lot 503.**
3. **The houses facing the Hi Pack Drive extension shall have a corridor-style buffer.**
4. **Any house or townhouse that backs up to a public street must provide a near-impervious visual buffer.**
5. **Exterior building materials must be as elevations presented – brick, lap siding, and board & baton siding. See #6 concerning exterior material for side walls**
6. **Provide an on-site plan and in the HOA guidelines how the open space amenity lots will be used.**
7. **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.**

Mr. Parker stated 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 on 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. Engineering has no other comments or concerns regarding the proposed Conditional Use approval.

Chair Cannon opened the public hearing.

Hayes Eiford, representing the Samford Group, stated there were 83 lots total, as there are 79

plus 4 open spaces.

Mr. Parker asked Mr. Eiford to summarize a discussion that he had with Ms. Britton (who submitted a letter to the planning counsel) prior to the meeting.

Mr. Eiford stated that he felt there had been miscommunication with Ms. Britton. She was under the impression that the city was going to build a road up to her house, but he assured her that this was not the case. Mr. Eiford and Mr. Parker have been working together on this development. He relayed to her that Mr. Parker had instructed the engineers to keep the new road as far away from her house as to impact her property as little as possible. The proposed right of way will only be a quarter of an acre on Cunningham Drive, which is away from her house. The new road will also provide her with utility access to her existing house. And finally, he stated he believes that she will ultimately be deeded two acres.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Mike Hilyer
AYES:	Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

7. Brookwood Townhomes SD, 77 lots, 3100 block Hi Pack Drive, Hayes Eiford, authorized representative for Hi Pack QOZB I LLC, preliminary approval.

Mr. Mosley presented the staff report to the Planning Commission for the preliminary plat approval of the Brookwood Townhomes Subdivision. The applicant is Hayes Eiford of the Samford Group, representing Hi Pack QOZB 1 LLC. He stated that this is for 84 lots, which includes 40 twin homes, 39 townhomes and 5 open spaces. It is zoned C-3 for conditional use but R-5 minimum setbacks apply. The minimum lot requirements have been met for twin home and town home as are the requirements for conditional use. **The Planning Department is recommending preliminary plat approval subject to the conditional use approval of item number 6, with the following:**

1. **Change, modify, or rename the subdivision. A recorded plat with the name “Brookwood Subdivision” exists at the end of North 1st Avenue.**
2. **Add a vicinity map on plat.**
3. **Add the name and address of the owner/developer on the plat.**
4. **Add the addresses of the adjacent property owners listed.**
5. **Add the sanitary sewer outfall lines located near the east and north side of the property.**
6. **Add the names and addresses of the adjoining property owners.**
7. **Add a flood note and the existing 100-year flood zone limits.**
8. **Add the railroad right of way that borders the north property line.**
9. **Add the certificates for the owner(s)/developer(s), notary statement, and certificates for the city officials on the plat.**

10. Install a 5-foot sidewalk from Lot 1 to Lot 11 that front on Hi Pack Drive and install a 5' sidewalk on the 10-foot accessways to Lot 503 (3.8 open space lot with walking trail) between Lots 61 & 62 and Lots 71 & 72.
11. All utilities shall be underground.
12. Add a note on the plat concerning the HOAs allowed uses and maintenance responsibilities of the open space lots.
13. Add the standard Opelika easement statement: *“An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines.”*

Mr. Parker stated that all the Engineering staff comments, as well as that of Opelika Power Services and Opelika Water, are the same as in previous item #6.

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 John Sweatman
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

- E. **AMENDMENT TO FUTURE LAND USE MAP and REZONING - Public Hearing**
 8. (a) Amendment to Future Land Use Map, Logan Drive, 135 Acres, from a low-density residential and general commercial land use category to a mixed use land use category.
 - (b) Rezoning Request, Hayes Eiford, PE (Samford Group, LLC), Bridgewater, 135 acres, Logan Drive, from R-1 and C-3 to PUD.

Mr. Mosley presented the staff report to the Planning Commission for an amendment to future land use and rezoning for the Bridgewater PUD, owned by Freeman JJLP and represented by Hayes Eiford of the Samford Group. The applicant is requesting a change of future land use from low density residential to general commercial with a planned unit development. They are proposing a residential development of 534 single-family, detached units of multiple-sized lots. The plan also shows multiple pocket parks on different roads and between community sections, as well as a wooded park in the center. The developers are putting a fairly significant amount, about 25% of the overall property, towards open spaces. The developers have provided the planning department with some basic lot setup layouts which comprise 40ft, 50ft and 60ft lots. The overall density will be around 2.5 to 2.57 units per acre, which is between a low and medium density development, and appropriate for this area. The Planning Department is making a positive recommendation to the Planning commission to be sent to the City Council.

Mr. Parker provided the reports for the Engineering, Opelika Water, and Opelika Power Services. The Engineering Department has no immediate concerns about the re-zoning. If approved, there will be extensive work between the City and the developer to meet the needs of the entire development. Right-of-way routes as well as routes around Logan Drive have signalization from the Parkway. A preliminary plat will be required once these have been worked out in that phase. He also reported on behalf of Opelika Water that there is not enough water capacity from Logan Drive to support the full development, as it will only support 75 homes. A secondary connection to a larger 24-inch main from South Uniroyal Road will need to be made to provide significant capacity for the rest of the development. Finally, he reported that both Opelika Power Services and Alabama Power serve the territory. The Engineering Department approves the re-zoning.

Chair Cannon opened the public hearing.

Hayes Eiford, clarified that the 135 acres listed in the packet is actually 208 acres. He also requested that the Planning Commission use a sliding setback instead of a standard 5ft minimum setback. The packet lists a 5ft minimum, but that can be reduced to a 3ft minimum setback and still require 10ft between homes. This would allow a little bit more room to work with, in the case of steep grade breaks. This would not change the distance between houses, but would allow them to be offset a little relative to the property lines.

Chair Cannon closed the public hearing.

Motion to amend the future land use map with staff recommendations

RESULT: Passed

MOVER: Director John Sweatman

SECONDER: Mike Hilyer

DISCUSSION:

Chair Cannon asked for clarification on whether the amendment would change the zoning.

Mr. Mosley responded that the land use map is something that the planning commission has jurisdiction over. The zoning would need to go to the City Council. So the commission would be approving the land use map and making a recommendation for it to go to City Council to change the zoning if that's what the council chooses to do.

AYES: Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman

NAYS: Chair Cannon

ABSTAIN: None

Motion for a positive recommendation to City Council for rezoning

RESULT: Failed

MOVER: Director John Sweatman

SECONDER: Menefee

DISCUSSION: Chair Cannon inquired whether there would be spot zoning.

Mr. Mosley stated that would ultimately be a court decision, but felt the area was large enough that it would not be considered spot zoning and that it would be a transition from a commercially zoned C-3 section to an R-1 residential zone. Because of that, he does not feel its spot zoning.

Mr. Whittlesey stated that it was his understanding that the commission is being shown a preliminary plat for re-zoning and, if approved, it would need

to come back to the commission to approve the PUD and plan. Without proper access and utilities it will ultimately fail. They are trying to put themselves in a position to come back to the commission in the future if they get everything together.

Mr. Mosley confirmed that the plan would come back as the next phase of the preliminary approval. There may be parts of the plan that will not be able to be approved without access to proper water and sewer capacity. A positive recommendation would commit the city and developer to work under this plan, but if they cannot get the utilities to make the plan work, then it wouldn't be able to be built.

Mr. Whittlesey requested to amend the motion to read that until such access and utility availabilities are negotiated, then this plan is not approved, (or not acceptable).

Mr. Parker stated that the developers would need a base to start working on the rest of the plan. Without approval, they will not work on the infrastructure of utility. He explained that they would need a baseline of approval, so they could work on the rest of the project.

Chair Cannon stated that she has concerns about the circular wooded park in the center.

AYES: Menefee, Director Sweatman
NAYS: Chair Cannon, Whatley, Whittelsey, Hilyer, Mayor Fuller,
ABSTAIN: None

F. ANNEXATION and REZONING - Public Hearing

9. Annexation Strozier, authorized representative for Perryman Hill, LLC, property owner, Highway 280 & Veterans Parkway, 7.26 acres.

Mr. Mosley presented the staff report to the Planning Commission for a request to annex a piece of property located on Birmingham Highway, US 280. This is a request from Strozier Services LLC representing Perryman Hill, LLC. The property, which is currently in the planning jurisdiction, joins city limits along its eastern side portion of 7.6 acres with frontage along US 280 and the rest of the urban development. The applicant is proposing to annex these 7.6 acres into the city limits to be part of a future development. We are recommending a positive recommendation to the city council to annex the property.

The next item, which will require a public hearing, where they're requesting to rezone this to C-2 instead of being R-1, which is normally what it is annexed as.

Mr. Parker stated that Engineering does not have any comments on the annexation. This property is in the Opelika Power Services area and Opelika Water states that there is water available.

Motion to grant approval of annexation

RESULT: Passed
MOVER: Arturo Menefee
SECONDER: Director John Sweatman
AYES: Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman
NAYS: None

ABSTAIN: Chair Lucinda Cannon

10. Rezoning request, Strozier LLC, authorized representative for Perryman Hill, LLC, Highway 280 & Veterans Parkway, 7.26 acres, from R-1 to C-2, GC-P.

Mr. Mosley stated that the next item is a request for the same property rezoning from R1 pending annexation to C2 Gateway corridor primary. Again, this is a request from Perryman Hill LLC. The 7.6 acres are currently in planning jurisdiction. If you come into an R1 zone, typically there's an annex, but in this case, they're requesting to come in with a C2 zone so they can come out again for future development.

We recommend a positive recommendation to the city council.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion for positive recommendation to City Council

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

G. CONDITIONAL USE EXTENSION - Public Hearing

11. A request by Howard Weissinger to extend conditional use approval for 12 months starting at the current expiration date of May 25, 2025. The conditional use approval is The Townes of Hampshire multi-family development (apartments) in a C-2, GC-P zoning district consisting of 155-units at 2650 Frederick Road approved at the April 2024 Planning Commission meeting.

Mr. Mosley presented the staff report to the Planning Commission for a conditional use extension. Howard Porter, representing NGK Investments, LLC, owner of a multifamily development located on the 2700 block of Redwood Road. The property is zoned C-2 in the Gateway corridor primary. Originally approved in May 2023, this will be the second extension, as conditional use expires after 12 months. The applicant proposed a 155-unit apartment complex development. They have turned in a full site plan and building plan, but they are working through financing. They are compliant with the original requirements for approval. The Planning Department is recommending a 12-month extension of their conditional use approval.

Mr. Parker stated that there are no comments from Engineering.

Motion to grant extension of conditional use approval

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

IV. OLD BUSINESS

H. FINAL PLAT

12. Dickson Place SD, Phase 2A, 77 lots, 3500 Anderson Road, Ledge Nettles, Baseline Surveying, authorized representative for Andrews & Anderson Development, LLC, property owner, final approval. *(This item was tabled at the April 22, 2025 PC meeting.)*

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval for Dickson Place subdivision, which is Phase 2A in the Dickson PUD zoning district. He stated that there are 36 single-family lots and 30 townhomes lots along the Andrews Road side of the development. All the lots meet the minimum requirements of lot size for in the PUD. The original development was approximately 950 units. The Planning Department is recommending final plat approval subject to the following:

1. **All utilities shall be underground.**
2. **Sidewalks are required on both sides of the street.**
3. **Townhouse lots shall follow the landscape standards of the zoning ordinance. Provide a landscape plan for townhomes when requesting a building permit.**
4. **Provide a landscape plan for each townhome group when a building permit is requested.**
5. **Add a note on the plat that single-family lots shall have at least one tree per lot either within the right-of-way with approval or in the front yard.**
6. **Add a note on the plat to state ownership, maintenance responsibility, and use of open space lots 90, 91 and 166.**
7. **Add a table or note on plat with the lot standards for single family homes and townhome lots.**
8. **Include an inset drawing showing Phase 2A and the overall boundary of Phase 2. The section tie can also be shown on the unset drawing.**
9. **Found pins should be identified by size and type.**
10. **There is a dimension line, 85.3 feet in length, in the partial cul-de-sac on Whitetail Lane that can't be identified as to its purpose.**
11. **No surrounding property owners are shown or listed. This includes those across Anderson Road as well as those adjacent to the parent parcel.**
12. **The standard Opelika easement statement is missing the wording: "and to any telephone companies serving the City of Opelika," after "municipal corporation".**
13. **Opelika Utilities Board has reverted to Opelika Water Board.**
14. **"February" in the surveyor's statement should be updated.**
15. **Curve data is missing on the boundary of Lot 149 that fronts Andrews Road.**
16. **A SIP symbol is missing on the northwesterly corner of Lot 132.**

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

Services. He stated that utilities have been inspected and infrastructure has been completed. The signs have been installed. The bonds are on the way. Everything has been completed for engineering. Water infrarastucture and sewer need approval before the plat is signed.

Motion to grant final plat approval with staff recommendations

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

I. PRELIMINARY PLAT - Public Hearing

13. Summit Point SD, 46 lots, Edgar Hughston Builder Inc., 2800 block Lee Road 391 (Old Columbus Road), Preliminary Approval. (*This item was tabled at the April 22, 2025 PC meeting.*)

Mr. Mosley presented the staff report to the Planning Commission for the request for preliminary plat approval of 46 lots in the Summit Point Subdivision. He stated that the applicant, Brandon Bolt, representing Edgar Hughston Builder, Inc. The development is located on Old Columbus Road in the planning jurisdiction. This came before the commission in April for annexation. However, they have decided to move forward with this outside of the city limits.

He noted that the original plan had a large retention lot that had been modified to a non-retention lot. Another change is the 46 lots in the original are now only 40. The lot widths are 100ft, and they meet and exceed the minimum of 15,000 square foot minimum. The subdivision regulations for the City of Opelika state that block lengths can only be up to 1,200 feet in length. In this case, there is a road which is close to 4,000 feet long. The developers have created a mid-block cul-de-sac between lot 31 and 32, which would allow drivers the opportunity to turn around. He explained that there were not many areas to make good connections. We did note that the number of lots exceeds how many can be served off of one street which is a City of Opelika requirement, so the annexation has now been withdrawn. We recommend **preliminary plat approval in the planning jurisdiction subject to the following:**

- 1. This plat will need to be approved by Lee County Planning Commission.**
- 2. Add a signature line for the City Planner, Planning Chair, the City Engineer, Opelika Power Services, Opelika Water Board, and Public Works.**
- 3. Lots 1 and 45 shall take access off the new road.**
- 4. All utilities shall be underground.**

Mr. Parker provided the reports for the 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. Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance. The Engineering Department has no other comments or concerns about this proposed Preliminary Plat. Water service is available from an 8” main on the north side of Old Columbus Rd and this property is outside the Opelika Power service territory.

Mr. Mosley added that a letter from Larry and Mary Jean White was sent to the Planning Commission, which stated that they were opposed to the development. (Mr. Mosley read aloud the letter that is attached to the minutes.)

Chair Cannon opened the public hearing.

Mary White introduced herself as the person who sent the letter. She stated that she and her husband were opposed to the subdivision because they were afraid it would back up traffic, but she was happy that she attended the meeting because she now has the understanding that the development will not be within the city limits. She asked Mr. Mosley to clarify whether the lots were in fact 6 acres, as she did not see lots that size on the small map.

Mr. Mosley stated that the lots had changed a little bit and are now 6.5 acres.

Mrs. White asked Mr. Mosley to clarify that her understanding of him was that most of the lots would be outside the city limits and outside the City of Opelika's jurisdiction. She restated that on the grounds that the lots are outside the city limits and her property is not, that they would have different ordinances than she and her husband are still opposed to it.

Chair Cannon closed the public hearing.

Mr. Sweatman made a motion to deny

Mr. Gunter stated that Mr. Sweatman would have to state grounds for denial under state code. He stated that it could be based on the length of the street block.

Mr. Whittlesey recommended that the commission make a motion to amend it based on the length of the block, the number of lots that exceed the city requirements for fire protection and access.

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

Motion as amended

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

ABSTAIN: None

J. COMPREHENSIVE PLAN

14. Adoption of Opelika 2040 Comprehensive Plan.

The last item on the agenda is a comprehensive plan. Again, this is a document we've been working on for quite some time. So, there are two minor changes here. In the residential section, they updated the section to include adding Southern Union community adjacent properties and residential growth to include those student-oriented houses. Some minor language describing the hotel properties along Columbus Parkway in the specific plan and then under alternative transportation to collaborate with Auburn University in the RTP to expand the fixed route tiger transit, should that ever become a possibility. Again, those all come from discussions with the open houses and are based on comments we had with different stakeholders. With that, though, we submitted a resolution before the Planning Commission for approval of that comprehensive plan and are happy to answer any questions you may have.

Motion to approve the 2040 Comprehensive Plan

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director John Sweatman

AYES: Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman

NAYS: None

ABSTAIN: None

V. ADJOURN

Motion to adjourn at 4:38 p.m.

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Director John Sweatman

AYES: Chair Cannon, Whatley, Whittelsey, Hilyer, Menefee, Mayor Fuller, Director Sweatman

NAYS: None

ABSTAIN: None