PLANNING COMMISSION
MINUTES

300 Martin Luther King Blvd.

June 24, 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.

II. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting June 24, 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, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT:

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford, Planning & 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: The minutes were not approved due to an error with the vote count on item number eight. Corrected minutes will be brought to the July 22nd meeting for approval.

A. May 27, 2025 Minutes

III. UPDATE ON PREVIOUS PC CASES

There are no updates on previous cases.

IV. NEW BUSINESS

B. **FINAL PLAT**

1. Drakes Landing Section 2, Phase 3 SD, 30 lots, Fuzzy Falls, Mark Strozier, authorized representative for Edger Hughston Builders, Inc., final approval.

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval for

30 lots in the planned unit development of Drake's Landing, Fuzzy Falls. He stated that this approval is for Lots 100 through 130 which range in size from 15,000 sf. to 46,000 sf. The lot widths range from 60 ft. to 96 ft.

Staff recommends final plat approval subject to the following:

1. **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.**
2. **Install underground utilities.**
3. **Add a note on plat that the 25 foot wide natural undisturbed buffer or a 6 foot high opaque fence required along Lots 113 to 127 as described in this report.**
4. **Remove note #18 on plat. The lot numbers in note #18 are not lots on the plat.**
5. **Change the Flood Note to refer to the latest, most current (2025) effective date.**
6. **Some lots omit the curve radius on the front of lots. Add the curve radius to those lots that are missing a curve radius.**

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

Motion to grant final plat approval with staff recommendations

RESULT:	**Passed**
MOVER:	Director John Sweatman
SECONDER:	Jay Walters
DISCUSSION	Mayor Fuller asked if the Drake's Landing development started before there was a requirement for sidewalks on both sides. Mr. Mosley stated that it did in fact begin in 2020, before the new sidewalk rule, and thus there will only be sidewalks on one side.
AYES:	Chair Cannon, Walters, Whatley, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

2. Wyndham Village Phase 3, Section 2 SD, 39 lots, Wyndham Way, Mark Strozier, authorized representative for Edger Hughston Builders, Inc., final approval.

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval of Wyndham Village Phase 3, Section 2 SD development. He stated that Mark Strozier of Strozier Surveying is requesting approval for 39 lots, approximately 15 acres, as part of the 523-lot development of Wyndham Village. This phase of the development will have 75 ft. lots, which exceed the original, approved 65 ft. wide lots.

The Planning Staff recommend final plat approval subject to the following:

1. **All utilities shall be underground.**
2. **The 50' Power Company transmission line area on the rear of Lots 251-258 will need to be addressed concerning ownership and maintenance, including fencing and structure restrictions in this area.**
3. **Add the portion of the drainage easement missing on Lot 289.**
4. **The flood note should reference the most current (2025) effective date.**

5. **In note 13 replace Wyndham Village Drive with Wyndham Village Court.**

Motion to grant final plat approval with staff recommendations

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

C. **CONDITIONAL USE – Public Hearing**

3. Trent Scarborough, authorized representative for East Alabama Mental Health, 1708 Corporate Drive, C-2, Addition to Group Home for Integrea Health.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of an addition to the Group Home for Integrea Health. He stated that the subject property is located in the C-2 zone of 1708 Corporate Drive. He explained that this existing facility, constructed in 2003 by East Alabama Mental Health, serves as an office and group home, which temporarily houses individuals experiencing a mental health crisis. The current facility comprises six bedrooms, four bathrooms and 12 beds. The proposal would add four additional bedrooms. Mr. Mosley stated that the Planning Staff recommends conditional use approval subject to the following:

1. **24-hour supervision for the temporary residents shall be provided.**
2. **The temporary residents shall not be permitted to leave the property unsupervised.**
3. **If a tenant becomes disruptive, the tenant must be transferred to another facility.**
4. **The maximum length of stay for a temporary resident must not exceed one month.**

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

Chair Cannon opened the public hearing.

Trent Scarborough with Northstar Engineering and Mr. Jimmy Dickey of East Alabama Mental Health made themselves available for comments.

Jay Walters inquired whether the temporary resident's 24-hour supervision and inability to leave the premises was a condition of the mental health organization.

Mr. Dickey replied in the affirmative.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	**Passed**

MOVER:	Arturo Menefee
SECONDER:	Jay Walters
AYES:	Chair Cannon, Walters, Whatley, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

4. Bradley Prichard, authorized representative of Opelika Custard RE LLC, property owner, Fox Run Parkway & West Point Parkway, C-3, GC-P, Culver's restaurant

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of a restaurant on the corner of Fox Run Parkway and West Point Parkway. He stated that the proposed Culver's restaurant building would be 4,388 sq. ft. on a 1.87-acre lot, zoned C3 in the gateway corridor, and exceed minimum building setbacks. Mr. Mosley stated that there are restrictions on where order boxes can be placed in restaurant parking lots, in that they could not need to be the primary visual when driving by. The applicant has worked with planning to limit that view. Landscaping plans have met the requirements, and additional landscaping of trees is in place to shield the order boxes from being a focal point. The Planning Department feels the applicant has met the requirements for conditional use approval, with recommendations:
1. Outdoor pole lighting fixtures and exterior lighting fixtures must be directed downward and/or equipped with light shields or other controls to prevent light beam spillage or light glare interference with motorists or adjacent properties.
2. Air conditioning units and rooftop mechanical shall be screened so as not to be visible from public rights-of-way.

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

Chair Cannon opened the public hearing.

Clay Smith, civil engineer with Kimley-Horn and Ty Lewis, owner and operator of the Culver Franchise, stated that the site has vehicular access within the shopping center. Culver's is planning to add a pedestrian connection to the Winn-Dixie parking lot and also implementing storm water management as well.

Mr. Walters asked if the plan called for a galvanized chain link fence on the retaining wall?

Mr. Smith stated that it would be black galvanized chain link fencing.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	**Passed**
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
DISCUSSION	Mayor Fuller asked if the existing western access would be used? Mr. Smith confirmed that it will be utilized.

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

5. Dave King, authorized representative of King Automobiles, Inc., Northwest corner of Dunlop Drive & Hwy 280, C-3, GC-P, Commercial retail.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request on the northwest corner of Dunlop Drive and Highway 280, C-3, GC-P Commercial Retail. The applicant is Dave King, owner of King Automobiles. Mr. Mosley stated that Mr. King is proposing an extension of the current automotive sales and display area from the main King Honda property. The proposed use includes some display areas, other parking, signage and a welcome house. Mr. Moslley pointed out that there appear to be different utilities running through the site. He also noted that the property is partially zoned C-2, which does not allow automotive sales, so rezoning would need to be part of the process. He further stated that some of the items on the site plan appear to be in the right of way of setbacks or in existing utility easements, which would not be allowed without some sort of agreement, either through city council with city easement or through an approval of the easement holder such as Opelika Power or Alabama Power. The Planning Department has also noted that the plan shows parking pads and drives which use a variety of materials (pavement and gravel). These areas would need to conform to Section 8.1 of the zoning ordinance, which requires that all parking for outside display of auto sales be on a hard surface (asphalt or concrete) as required by the Public Works Manual. Also of concern, a truck pull-off is located to the right of Thomason Circle, which could be a potential problem when unloading cars near the intersection. He stated that the Planning staff are recommending denial of conditional use at this time, until a site plan that meets requirements is submitted.

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

Chair Cannon opened the public hearing.

Dave King, Owner of King Honda, stated that he is asking for permission to build two new buildings and would need parking areas to display 500 cars for sale. The current complex is not set up to accommodate that many cars. He is hoping to get the North Dunlop property approved in order to service and sell more cars, as well as provide employee parking.

Chair Cannon closed the public hearing.

Motion to Table

RESULT:	**Passed**
MOVER:	Mayor Gary Fuller
SECONDER:	Director John Sweatman
DISCUSSION	Mayor Fuller asked what Mr. King would need to furnish to the planning staff in order to achieve his goal? Mr. Mosley stated that Mr. King would need to show property lines and easements and believes that there would be a few issues between what is being requested and what is allowed. Rezoning of a portion of the property from C-2 to C-3 would need to be approved by the City Council. A landscape plan which meets all the requirements would need to be submitted. He would need to amend or seek variance for some of the parking areas if they wanted to keep them as gravel. Elevations would need to be provided as well as an explanation of the exact use of the Welcome Center. The site for

offloading new vehicles would need to be discussed, as it is the staff's concern that the proposed site is too close to the intersection of Thomason and Pepperell Parkway. Finally, the signage would need to be brought into compliance.

Mr. King agreed to table the request.

Mayor Fuller inquired if this was something that the Planning Department, King Honda, architects and engineers could work together to map out.

Mr. Mosley stated that the Planning and Engineering Departments would work with Mr. King if that was his wish. Due to the substantial number of changes that would need to be made, everyone would need to sit down and come up with a new site plan to meet requirements.

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

6. Dave King, authorized representative of King Automobiles, Inc., Front Corner of Highway 280 and Dunlop Drive, C-3, GC-P, Commercial retail.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of the front corner of Highway 280 and Dunlop Drive, C-3, GC-P commercial retail for King Honda. He stated that the applicant is proposing a parking area where the current brick foundation is located and also a metal shop on the far east side of the development. There is a proposed gravel parking lot next to Dunlop Drive exiting close to Linch Avenue. Finally, they are proposing a 14' x 48' LED sign. The Planning Department did not receive much information on the details of the proposed shop and its uses. He noted that much of the property is located on Alabama Power easements, which would require some approval for any structures or modifications to the easements. He stated that the proposed gravel drive would need to be asphalt for commercial use. He further stated that the billboard exceeds the size and height requirements for signage. Finally, he stated that a landscape plan which would meet minimum requirements would need to be submitted. The Planning Department recommends denial based on lack of information.

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

Chair Cannon opened the public hearing.

Mr. King, stated that he wants to improve the look of both areas, and to create space to sell more cars and generate tax dollars. He said that he understands that the proposal will need to be tabled while he works to create agreements and drawings that would be acceptable to move forward with this project.

Chair Cannon closed the public hearing.

Motion to Table

RESULT:	**Passed**
MOVER:	Arturo Menefee
SECONDER:	Leigh Whatley

DISCUSSION	Chair Cannon asked if the auto shop would fit into the Gateway Corridor? Mr. Mosley stated that it would be a conditional use that the Planning Commission could approve or deny. Director Sweatman inquired about the proposed parking lot and stated that he would like to see a pedestrian plan for the public to cross Dunlop Drive safely.
AYES:	Chair Cannon, Walters, Whatley, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

D. **REZONING - Public Hearing**

7. Rezoning Request, 208 acres, Hayes Eiford, PE (Samford Group, LLC), authorized representative for Freeman JJLP, property owners, accessed from Columbus Parkway and Wildwood Drive (secondary access), Rezone from R-1 and C-3 to PUD (Bridgewater PUD).

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request from R-1 to C-3 of 208 acres located in the Bridgewood PUD, accessed from Columbus Parkway and Wildwood Drive. Mr. Mosley stated that this request was listed on the May agenda but was withdrawn by the applicant after the Planning Commission's negative recommendation to City Council. The property is zoned R1 and C3. They're asking to rezone eight acres from C3 and R1 to PUD. Mr. Mosley said that there were some notable changes to point out at the very beginning:
1. They have removed the 40 ft. lots and have replaced them with 65 ft. lots, which are surrounded by a significant amount of open space.
2. The applicant has made further connections with the adjacent property owners and now has a contract to connect through property along Columbus Parkway.
3. Have created a fire acces lane which leads to Creek Stone Subdivision.
Mr. Mosley pointed out that 43% of the entire site is made up of 12 open-space lots, used for amenities and pocket parks. There is also a two-mile loop around the perimeter. Because of these things, even though there are a few small lots with density, on average it works out to be 2.6 units per acre.
The applicant has agreed to a phasing plan in the PUD narrative for fire access roads as well as amenity construction. Mr. Mosley stated that based on the changes made, Planning is recommending approval subject to the following staff recommendations:

1. **The development shall follow the standards and densities found within the written report.**
2. **Sidewalks shall be required on both sides of the street.**
3. **All utilities shall be underground.**
4. **Single-family lots shall have one (1) tree per detached residential home either located within the right-of-way with approval or in the front yard. Landscaping should also include foundation plantings or shrubs.**
5. **Gateway cladding standards and buffers shall apply to all single family uses.**
6. **Dividing the C-3 portion into a lot from the PUD portions.**

Mr. Parker provided the reports for the Engineering, Opelika Water, and Opelika Power Services. Mr. Parker stated that Engineering does not usually comment on re-zoning. Engineering comments will come in the next phase of the preliminary plat. Opelika Water stated that more infrastructure will be needed with the development phasing.

Chair Cannon inquired about whether the commission would be voting on just the re-zoning or the subdivision.

Mr. Mosley stated that while the vote is just for the re-zoning, in approving the re-zoning the commission would be giving a blessing on the general concept of the subdivision.

Mr. Gunter clarified that the Planning Commission is not approving the zoning or the master plan, but rather is making a recommendation to the City Council, who will approve the rezoning and master plan.

Chair Cannon opened the public hearing.

Hayes Eiford, authorized representative of the Samford Group, gave a presentation where he addressed the concerns of the commission from the last meeting and explained what they have done to address those concerns.

Chair Cannon asked about the phasing and the plan for fire and emergency vehicles?

Mr. Eiford explained that, after meeting with the Fire Department, the plan is to build a gravel road that will connect to public roads inside the development to allow emergency vehicles the access they need, per IFC regulations for initial fire access.

Mr. Parker asked if the gravel road would become a permanent road in another phase?

Mr. Eiford said that a permanent road is one of the options.

Chair Cannon asked if ALDOT would add a signal at some point?

Mr. Parker stated that he feels there will be a signal there.

Mr. Walters expressed that he would like clarification on the phasing so that the commission has a better understanding of the plans that have to be made before each phase can happen. He was concerned about approving items without a full picture of how they would go from concept to finish.

Mr. Parker explained that the phasing details would come with the preliminary plat that would come before the commission for approval. Each phase will have preliminary approval. He explained that the developers have self-imposed limits. If they build 30 lots and cannot get secondary access for the next phase, then it will stay at 30 lots. It is at their risk, so they will work to develop other options to mitigate their risk.

Mr. Eiford further clarified that the building lot limits have been self-imposed to protect themselves as well as the Planning Commission and the City Of Opelika. He explained that he is working with Mr. Mosley to give the Planning Department the ability to stop the development if they are not fulfilling their promises.

Mr. Walters asked for clarification on the planning staff's recommendation?

Mr. Mosley explained that the original recommendation, the week prior, was to deny, however, after working with Mr. Eiford this week on the phasing, the recommendation is now for approval.

Chair Cannon closed the public hearing.

Motion for a positive recommendation to City Council.

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

E. **ANNEXATION, AMENDMENTS TO THE FUTURE LAND USE MAP, and REZONING - Public Hearing**

8. (a) Annexation, Hayes Eiford, PE, authorized representative for Rebecca Walton Young and Oline Walton Price, property owners, 32.3 acres, accessed from Old Columbus Road.

   (b) Amendment to Future Land Use Map, South Uniroyal Road and Old Columbus Road, 174.2 acres, from a low-density residential and manufacturing land use category to a mixed-use land use category.

   (c) Rezoning Request, Hayes Eiford, PE (Samford Group, LLC), authorized representative for Rebecca Walton Young and Oline Walton Price, property owners, accessed from South Uniroyal Road and Old Columbus Road, 174.2 acres, from R-1 and M-1 to PUD (Mayfair PUD).

Mr. Mosley presented the staff report to the Planning Commission for the annexation of 32.3 acres accessed from Old Columbus Road. He stated that most of the property is currently within the city limits, and is proposed to be zoned as a PUD. A portion is in Lee County, and therefore, would need to be annexed. The Planning Department is recommending a positive recommendation to the City Council.

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

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

Motion for a positive recommendation to City Council

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

Mr. Mosley presented the staff report to the Planning Commission for the Amendment to Future Land Use of 174.2 acres, from a low-density residential and manufacturing land use category to a mixed-use land use category. The property's location is South Uniroyal Road north of Old Columbus Road. He stated that the applicant is proposing a residential development that would include 174 acres, 401 lots with a density of approximately 2.3 units per acre. Lot types would include: 156-50 ft. single family detached, 6,500 sf, 146-60 ft single family detached, and 99-70 ft single family detached. He stated that the biggest concern of the Planning staff is the lot sizes and widths related to those in the surrounding areas. The Planning staff recommends a positive recommendation subject to the following:

1. **Provide sidewalks on both sides of the street.**
2. **All utilities shall be located underground.**
3. **Provide a minimum of one tree per yard for single-family lots. Corner lots install at least one tree for each street. Trees may be placed in the adjacent right-of-way with approval of city staff.**
4. **Provide a standard landscaping typical for single-family homes including shrubs.**
5. **Vinyl or aluminum siding shall not be the primary cladding material for single-family homes.**

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

Chair Cannon inquired about the water concerns?

Mr. Mosley noted that there are elevations on the property that may require additional boosters for pressure.

Chair Cannon asked if there would be sewer or septic systems?

Mr. Mosley and Mr. Parker stated that it would be sewer systems.

Chair Cannon opened the public hearing.

Hayes Eiford with Samford Group gave a presentation on the proposed Mayfair PUD.

Chair Cannon closed the public hearing.

Motion for a positive recommendation to City Council to rezone

RESULT:	**Passed**
MOVER:	**John Sweatman**
SECONDER:	**Jay Walters**
DISCUSSION	Chair Cannon stated that she believes that the development does not fit with the surrounding developments. She suggested that Mayfair have larger lots.
AYES:	Walters, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	Chair Cannon, Whatley
ABSTAIN:	None

Motion to Ammend the Future Land Use

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

F. Bed and Breakfast Text Amendment - Alternative

9. 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- An alternative proposal to text amendment currently on the table.

Mr. Mosley stated that this agenda item is to discuss and send a positive or negative recommendation to City Council for a text amendment of the Zoning Ordinance about Bed and Breakfast uses. The proposed regulation in this alternative text would require an owner-occupied resident, who would need to be on call at all times. This regulation would limit the number of guest bedrooms to six. A Bed and Breakfast in a residential area would not be available for commercial events. And finally, it states that a Bed and Breakfast in a residential zone should not use the structures, property or premises to host events, gatherings, or parties for commercial gain. Commercial events such as wedding parties or business meetings are considered separate uses that are part of a different zoning classification permit. It can be used to host owner's private events, provided it is not for commercial gain or a commercial venture. It further states that Bed & Breakfasts, located in a non-residential area, can host events with zone permitting. He stated that the Planning Commission should provide a positive or negative recommendation on this, as well as item 11, to go to the City Council which would allow them to make a decision based on the Commission's recommendation.

Chair Cannon opened the public hearing.

Amy Hess, 601 N. 10th Street, said that she signed a petition earlier in this process because it was her understanding that there would not be any large events or parties. She stated that she likes the idea of a B and B, but only if there are not loud events.

Phillip Rowton, also a neighbor in the historic district, stated that he believes he speaks for most of the community that are directly impacted by the proposed Bed and Breakfast on 10th Street. He stated that they are not in favor of it. It is his belief that there will be increased activity and problems associated with it. He said that he is adamant about not allowing B & B's to have events in residential areas. He stated that he believes they should be owner-occupied.

Jason Lanz 410 N. 9th Street, stated that he was originally told about the Renfro House Bed and Breakfast, and what it is now, is not the same. He feels that it would be a glorified Airbnb with events. He stated that the proposal with owner occupation and no commercial events is more in line with what he had in mind.

George Purvis, 514 North 8th Street expressed his frustration that Bed and Breakfasts in a residential zone keep coming up at meetings, despite his belief that he and his neighbors do not want one.

Chair Cannon closed the public hearing.

Motion for a positive recommendation to City Council

RESULT:	**Passed**
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
DISCUSSION	Mr. Gunter clarified that this vote would be to recommend the more restrictive regulation. It would require a Bed and Breakfast, in a residential neighborhood, to be owner-occupied and not allowed to have commercial uses or events on the premises. He further read from the proposed amendment: "The primary function of a bed and breakfast in a residential area shall be for the provision of temporary accommodation and meals for travelers, and the owner shall not use the structures, property or premises to host events, gatherings, or parties for commercial gain." He said that it was his understanding that the comments today were directed at the less restrictive item 11.
AYES:	Chair Cannon, Walters, Menefee, Councilman Ward 1 Allen, Director Sweatman
NAYS:	Whatley
ABSTAIN:	None

V. OLD BUSINESS

G. **CONDITIONAL USE - Public Hearing**

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

Mr. Mosley stated that this item was tabled last month. The developers were supposed to do some additional work and create a site plan. They have not done so yet. So no action needs to be taken at this time.

H. **TEXT AMENDMENTS TO THE ZONING ORDINANCE - Public Hearing**

11. 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 March 25th Planning Commission meeting)*

Mr. Mosley stated that this was the original amendment that was tabled in January 2025. In this version, the owner does not need to be present; instead, an innkeeper or manager will be available and on call. The property could be used for commercial events, but would be limited to ten a year. The property has to be over an acre to have outside events. It has to be located on a major thoroughfare in order not to change the traffic to the property. Events would have to be approved by the planning department and, as needed, by additional departments. He stated that the Planning Staff is recommending a positive or negative recommendation to the City Council for their review.

Motion to remove from the table

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

Chair Cannon opened the public hearing.
Robin Weyent, 809 Shelby Avenue asked for clarification on why there are two opposite amendments being sent to City Council.

Mr. Mosley explained that the Planning Commission can send one negative recommendation and one positive recommendation to the council.

Robin Weyent, stated that the administrative code for the state of Alabama defines a bed and breakfast as an owner-occupied dwelling, and thus it is exempt from the Department of Health. She stated that she does not want an event center to be available in a residential neighborhood.

Phillip Rowton, 515 North 10th Street, stated that he feels neighbors in the historic district have been misled to believe that the Renfro House was in dire condition and in a state of disrepair and yet the new owners have not worked on it. He further stated that he feels the supply of lodging in the city is high, and another lodging area is not in demand. He feels that the intended use of the house has always been an event center. He believes that the concerns of him and his neighbors are being ignored.

Jason Lanz, 410 N. 9th Street stated that as a neighbor of the Renfro House, he would prefer a neighbor, not an event center or Airbnb. He feels that the re-zoning is being done for one specific entity and not for the good of the neighborhood. He would like to see a negative recommendation.

Chair Cannon closed the public hearing.

Mr. Mosley stated that the ordinance was written to address community concerns. The restrictions presented in the previously proposed amendment were put in place as a direct response to address the concerns of the community to limit events and commercial activity in residential areas.

Mr. Gunter stated that he wanted to clarify the item before voting. He said that is the more expansive version of the Bed and Breakfast regulations. He read from the amendment: "The property owner shall live within the city limits and an innkeeper or operator shall be available on call within the city limits at all times regarding any guest occupancy. It does not require owner-occupancy. It does allow commercial events such as wedding receptions, but it is conditioned on certain restrictions, such as: number of attendees, the number of occasions it can be used for commercial purposes, and parking requirements."

Motion for a negative recommendation to City Council

RESULT:	**Passed**

MOVER:	Leigh Whatley
SECONDER:	Mayor Fuller
DISCUSSION	Leigh Whatley stated that after reading it thoroughly, she feels this is making allowances for this one house that are not afforded to the other residences. The trash has to be picked up more than once a week. Trash cans will be on the curbs more often than others in the neighborhood. It will require much more lighting than a private residence. They will need a parking pad. Without owner occupancy, the trash will overflow like Airbnb's do. The neighbors who will be directly affected are not for this. The Renfro House will not be torn down, as other houses on the same street have sold in the last two months for well over $500,000.00. It is a desirable property. This is something that really needs to be considered because it is not positive for the future.
AYES:	Chair Cannon, Walters, Whatley, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

VI. ADJOURN

Motion to adjourn at 5:15:34 p.m.

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

______________________________________**Lucinda Cannon, Chair**

______________________________________**Matt Mosley, Secretary**