PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

May 26, 2026

TIME: 3:00 PM

I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.

II. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting May 24, 2026 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 Eddie Smith, Mr. Sheldon Whittelsey, Dr. Arturo Menefee, and Mr. John Sweatman.

MEMBERS ABSENT: Councilwoman Leigh Whatley, Mr. Ben Bugg, Mr. Tom Penton, and Mr. Jay Walters,

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mr. Scott Parker, City Engineer
Mr. Robbie Treese, City Attorney

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

Chair Cannon stated the April Minutes should reflect that Chair Cannon recused herself, left the dais and turned over control of the meeting to Sheldon Whittlesey during Item One: Perryman Hill Plaza, Plat No. 1.

Approval of Planning Commission Minutes April 28, 2026 with conditions

RESULT:	**Passed**
MOVER:	Mayor Eddie Smith
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS CASES

IV. NEW BUSINESS

A. **PLAT (Preliminary Only), Continued Item – Public Hearing**

1. Perryman Hill Plaza Plat No. 1 SD, 9 lots, Jerry South, Gonzalez-Strength, Inc., authorized representative for Perryman Hill, LLC, property owners, 3615 Birmingham Highway, C-2, GC-P, preliminary approval. *(This item continued from the April 26th PC meeting.)*

Chair Cannon recused herself from the item and Vice-Chair Sweatman presided.

Matt Mosley stated that the request involved Perryman Hill Plaza Plat No. 1, consisting of 9 lots surrounding the proposed shopping center development located at the corner of Birmingham Highway and Veterans Parkway. The item had been continued from the April 2026 Planning Commission meeting and a public hearing had already been conducted at that meeting.

Director Sweatman opened the public hearing.
No comments.
Director Sweatman closed the public hearing.

Mr. Mosley explained that due to the lack of a quorum, the Commission could not take action on the item. He stated that the preliminary plat would be approved through the statutory review process following the expiration of the applicable review period of 30 days and that staff did not believe a special called meeting was necessary because of the limited comments associated with the plat.

No vote was taken due to lack of a quorum. The preliminary plat was scheduled to proceed through the statutory approval process.

Vice-Chair Sweatman stepped down, and Chair Cannon returned to the dais.

B. **FINAL PLAT**

2. Springs at Opelika SD, 7 lots, Gateway Drive & Society Hill Road, Blake Rice, BSI, Inc., authorized representative for Capps Family Partnership, Ltd., property owner, final approval.

Mr. Mosley presented a request from Blake Rice, BSI, Inc., authorized representative for Capps Family Partnership, Ltd., for final plat approval of Springs at Opelika Subdivision, consisting of 7 lots on approximately 34.47 acres located at the northwest corner of Gateway Drive and Society Hill Road within a C-2, Gateway Corridor Primary zoning district.He stated that Lots 1 through 4 are proposed commercial outparcels fronting Gateway Drive. Lot 5 contains the previously approved multifamily development site, Lot 6 is designated as a stormwater detention pond serving the overall development, and Lot 7 consists of the remaining undeveloped property, which remains zoned R-1 and is intended to remain under the ownership of the Capps Family Partnership. He noted that no future development is currently proposed for Lot 7 and that rezoning would likely be required before any future development occurs.

Staff recommends preliminary approval subject to the following:

1. **Add the landscape buffer around the apartment development to be shown on Lots 5 and 6.**
2. **Add a note on the final plat about ownership, maintenance responsibility, and use of the pond on Lot 6.**
3. **All utilities must be underground.**
4. **Sidewalks will be required along Gateway Drive.**
5. **The owner's name and address should be shown.**
6. **Some existing corner markers are not described, and no legend is shown for them.**
7. **Access to Lots 1-4 shall be limited to the shared easements as shown. No direct access shall be otherwise permitted.**
8. **Lot 7 shall not take direct access from Gateway Drive.**

Motion to grant final plat approval with staff recommendations

RESULT:	**Passed**
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman
NAYS:	None
ABSTAIN:	None

C. **ANNEXATION**

3. Earnest Gunn, Jr., Armuriel Gunn Dumas, Callege Pak Gunn Holloway, property owners, 6571 Highway 431 North (Lafayette Pkwy), 35,098 sf lot.

Mr. Mosley presented a request from property owners Earnest Gunn, Jr., Armuriel Gunn Dumas, and Callege Pak Gunn Holloway for annexation of approximately 35,098 square feet located at 6571 Highway 431 North (Lafayette Parkway). The property is situated north along Highway 431 near the City limits and contains two existing residences.He stated that staff had verified the property meets the statutory contiguity requirements for annexation under Alabama law. He explained that the property was acquired through inheritance and that multiple heirs participated in the annexation petition. The existing residences are currently served by private well and septic systems and are expected to remain on those systems for the foreseeable future.The applicant's primary reason for seeking annexation was to allow a grandchild residing on the property to attend Opelika City Schools. He noted that if annexed, the property would receive an R-1 zoning classification and is located within the City's adopted growth boundary.

Staff recommends the Planning Commission send a positive recommendation to the City Council to annex the 35,098 square foot lot. An R-1 zone will be assigned to the property if the annexation is approved.

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

RESULT:	**Passed**
MOVER:	Arturo Menefee
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman

NAYS:	None
ABSTAIN:	None

D. **TEXT AMENDMENTS TO THE ZONING ORDINANCE – Public Hearing**

4. Revision to Section 2.2 Definitions, Section 7.3. C. Use Categories (matrix table) for alcohol and hemp/CBD uses, and Section 8.28.5 Package Liquor Store Standards for Use - A public hearing to consider a recommendation to the City Council on proposed amendments to the Zoning Ordinance.

Mr. Mosley presented proposed amendments to the Zoning Ordinance related to alcohol sales, tobacco and vape retailers, and consumable hemp products. The proposed amendments included revisions to Section 2.2 Definitions, Section 7.3.C Use Categories, and Section 8.28.5 Package Liquor Store Standards.He stated that the proposed amendments would add definitions for Beer and Wine Stores, Package Liquor Stores, ABC Stores, Retail Tobacco/Vape/Hookah Stores, and several categories of Consumable Hemp Retailers, including specialty retailers, pharmacies, and grocery stores selling hemp products. He explained that the amendments were intended to address recent state regulatory changes concerning consumable hemp products and to clarify how these uses are regulated within the City's zoning ordinance.

Mr. Mosley reviewed proposed development standards, including separation requirements between certain uses, minimum floor area requirements for package stores, restrictions on drive-through service, limitations on exterior security features, and requirements that package liquor stores and specialty hemp retailers be associated with larger grocery stores or pharmacies exceeding 14,000 square feet. He also reviewed proposed amendments to the use matrix, including where package stores, beer and wine stores, ABC stores, tobacco and vape retailers, and consumable hemp retailers would be permitted, prohibited, or allowed through conditional use approval. He stated that staff was seeking Planning Commission feedback before bringing the ordinance back for formal consideration at a future meeting.

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

Motion to table the item

RESULT:	**Passed**
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
DISCUSSION:	**Chair Cannon** asked whether the proposed regulations would ultimately be incorporated into the comprehensive zoning ordinance update currently being prepared by the City's consultants. **Mr. Mosley** stated that staff intended for the proposed language to be reviewed by the City's zoning consultants and incorporated into the broader ordinance update if supported by the Commission. He noted that future revisions could still occur as part of that process and that evolving federal and state regulations concerning hemp and CBD products could require additional changes. **Mr. Sweatman** asked whether staff had identified examples from other municipalities that had adopted similar regulations governing hemp products,

package stores, and related uses.

Mr. Mosley stated that portions of the proposed language had been adapted from ordinances adopted in other communities and that staff would provide additional examples to the Commission for review prior to further consideration of the amendment.

AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman
NAYS:	None
ABSTAIN:	None

E. **STREET RENAMING - Public Hearing**

5. A public hearing to consider a recommendation to the City Council a proposed renaming of Joann Drive to Faith Way.

Mr. Mosley presented a request to rename Jo-Ann Drive to Faith Way within the Northeast Industrial Tech Park. The roadway is located off North Park Drive and was originally named for the former Jo-Ann Distribution facility that occupied the property. He stated that there are currently no occupied buildings addressed off Jo-Ann Drive. While two undeveloped parcels carry Jo-Ann Drive addresses, both properties remain under the ownership of the Opelika Industrial Development Authority. As a result, no occupied properties would be required to change their addresses if the street renaming is approved.
Mr. Mosley explained that the request originated from Faith Technologies, a manufacturer of electrical and electronic components that is locating within a portion of the former Jo-Ann facility. He stated that staff believed Faith Way was an appropriate name because it reflects the incoming business while remaining sufficiently general should future ownership or occupancy of the property change.

Staff recommended a positive recommendation to the City Council.

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

Motion to send a positive recommendation to City Council

RESULT:	**Passed**
MOVER:	Arturo Menefee
SECONDER:	Mayor Eddie Smith
AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman
NAYS:	None
ABSTAIN:	None

V. ADJOURN

Motion to adjourn at 3:18 p.m.

RESULT:	**Passed**

MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whittelsey, Menefee, Mayor Smith, Director Sweatman
NAYS:	None
ABSTAIN:	None

____________________________________**Chair Lucinda Cannon**

____________________________________**Matt Mosley**