



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

April 28, 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. The City of Opelika Planning Commission held its regular monthly meeting on April 28, 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, Councilwoman Leigh Whatley, Mr. Sheldon Whittelsey, Dr. Arturo Menefee, and Mr. Tom Penton.

MEMBERS ABSENT: Mayor Eddie Smith, Mr. Ben Bugg, Mr. Jay Walters, and Mr. John Sweatman.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford
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.

II. APPROVAL OF MINUTES

Approval of Planning Commission Minutes March 24, 2026

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS CASES

Matt Mosley reported that several rezoning requests previously considered by the Planning Commission had advanced to the Opelika City Council and had been approved. Those approvals included:

Moore's Ridge PUD amendment
Rezoning on Gateway Drive
Rezoning on North Uniroyal Road

Mr. Mosley stated that those were the only updates on previous cases.

IV. NEW BUSINESS

A. **PLAT (Preliminary Only) – 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.

Chair Cannon recused herself from the item due to a conflict. She left the dais during the item and Mr. Whittlesey presided.

No action due to lack of quorum.

Mr. Mosley stated that due to recusal and the resulting lack of a quorum for this specific item, the Planning Commission would not take action at the April meeting. He advised that because the item had been publicly advertised, the Commission would still open and close the public hearing and continue the item to the May meeting for formal consideration.

Mr. Whittlesey opened the public hearing.

No comments.

Mr. Whittlesey closed the public hearing.

Mr. Whittlesey stepped down. Chair Cannon returned to the dais.

2. Yarbrough Hills Townhouses SD, 68 lots, Woodson T. Harmon, authorized representative for H&H Development, LLC, property owners, Terminus of Yarbrough Drive, C-3, preliminary approval.

Matt Mosley presented a request for preliminary plat approval for Yarbrough Hills Townhouses Subdivision, consisting of 68 townhouse lots on approximately 11.4 acres located at the terminus of Yarbrough Drive within a C-3 zoning district. He stated the proposed townhouse development previously received conditional use approval in 2024. The proposed density is approximately 5.9 dwelling units per acre and exceed the minimum standards. Most lots are approximately 25 feet in width and contain 2,500 square feet or more in lot area.

Mr. Mosley stated that the development would consist of attached townhouse units served by private internal streets and common open space areas. The plan includes internal roadway circulation, drainage infrastructure, and future roadway connectivity associated with the planned extension of Yarbrough Drive toward Veterans Parkway.

Staff recommends conditional use approval, subject to the following:

1. **A sidewalk is required on both sides of the streets. Extend the townhome sidewalk to the north to Yarbrough Drive.**
2. **All utilities shall be underground.**
3. **Add a note on the plat indicating who will maintain the open space.**

4. Between the townhome units nearest to Yarbrough Drive extension and the north property line, install an opaque visual screen with evergreen trees/shrubs. If fencing is installed for these townhome units must be between the landscape buffer and the townhome units, so the evergreen buffer faces Yarbrough Drive extension. The buffer should be shown on the final plat.
5. On or near the west property lines, a residential buffer is required, consisting of one of the three options in Section 10 Landscape Regulations. If fencing is an option chosen, install the fence between landscaping (that is nearest to the adjacent single-family homes) and the townhome units, showing the buffer.
6. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as specified in HOA guidelines.
7. The exterior materials for townhomes must meet the gateway corridor cladding requirements as provided in Section 7.6 Gateway Corridor in Zoning Ordinance.
8. Correct the Lot table. Lot size for Lot 69.
9. Correct Note 4. Address.
10. It should be noted that the portion of the existing right-of-way of Yarbrough Drive touching this subdivision is not yet built. A temporary turnaround will need to be installed on Yarbrough.
11. Re: Note 8, the most current designation for the parent plat is Lot 2, Staley-Finch Subdivision, as recorded in Plat Book 51, Page 47
12. The blocks of lots comprising Lots 13 – 44 and Lots 45 – 50 are “floating” and not tied to the boundary.
13. There is no marker shown for the Easterly terminus of the southerly right-of-way line of the proposed extension of Yarbrough Drive.

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

Chair Cannon opened the public hearing.

Nish Bats, 205 Copper Lane: Opposed the request and stated that the proposed 68-townhome development was too dense and incompatible with the surrounding single-family neighborhood. Ms. Bats expressed concerns regarding traffic, safety, drainage, utilities, privacy, property values, and neighborhood compatibility. She stated that the development could add approximately 120 vehicles to a neighborhood served by a single entrance street. Ms. Bats also requested permanent buffering, preservation of remaining trees, evergreen screening, and fencing adjacent to existing homes. She additionally expressed concerns regarding the timing of mailed notices to surrounding residents.

Paula Gaddis, 2001 Copper Lane: Expressed concerns regarding traffic speed, stop signs, drainage, construction impacts, and fencing adjacent to existing homes. Ms. Gaddis stated that the area already experiences significant stormwater runoff and questioned how long construction activity would continue in the neighborhood.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Sheldon Whittelsey

DISCUSSION: Mr. Mosley: Explained the different types of buffers

Mr. Menefee: questioned whether the development triggered the threshold for a traffic study and asked staff to explain how traffic impacts are evaluated for projects of this size.

Mr. Parker: stated that the proposed unit count did not exceed the City's current threshold requiring a traffic study and explained that traffic studies are generally developer-funded when required. He further noted that the future Yarbrough Drive extension would improve circulation and connectivity in the area. He stated that drainage calculations, grading plans, detention facilities, utilities, and infrastructure improvements would continue to be reviewed during the construction plan process prior to final development approvals.

AYES: Chair Cannon, Penton, Menefee

NAYS: Councilwoman Ward 3 Whatley

ABSTAIN: None

3. Creekstone Phase 5 SD, 101 lots, Drew Mixson, authorized representative for House Mountain LLC, property owner, Oaks Parkway and Wildwood Drive, C-3, preliminary approval.

Mr. Mosley presented a request from Drew Mixson, authorized representative for House Mountain, LLC, for preliminary plat approval of Creekstone Phase 5 Subdivision, consisting of approximately 90 single-family residential lots, detention lots, and outparcels located between the future Scenic Oaks connector corridor and the existing Creekstone subdivision within a C-3 zoning district. He stated that the applicant originally submitted a preliminary plat containing approximately 101 lots, including 98 single-family residential lots connected through the existing Creekstone subdivision by way of Wildwood Drive.

During staff review, concerns were identified regarding cul-de-sac length, buffering, and secondary emergency access. Mr. Mosley stated that a revised plat reduced the overall number of lots to approximately 90 residential lots and included revisions to roadway layout and buffering areas. Mr. Mosley stated that single-family residential development is permitted within the C-3 zoning district subject to compliance with R-5 residential standards, including a minimum lot size of 7,500 square feet and minimum lot width of 60 feet. He stated that the proposed lots comply with those standards and that the overall density is approximately 2.3 dwelling units per acre.

Mr. Mosley stated that there were some notes of concern. Mr. Mosley discussed buffering concerns associated with lots adjoining the existing gas line easement and future connector roadway corridor. He stated that staff recommended required buffering be located directly on the residential lots rather than within the easement area because vegetation within the easement could potentially be removed in the future. Mr. Mosley also discussed concerns regarding secondary fire access and the future Scenic Oaks / Oaks Parkway connector road. He stated that portions of the development were originally platted in connection with prior subdivision approvals dating to approximately 2007 and that the City's position was that extension of the connector roadway remained necessary as part of future development of the property. Mr. Mosley stated that no agreement currently existed between the City and the developer regarding construction of the roadway extension.

If the Planning Commission does choose to approve the plat, we recommend the approval subject to the following conditions:

- 1. Either reduce the number of lots on cul-de-sacs for Street A and Street B, reduce the length, or connect them to other roads removing the cul-de-sac.**
- 2. Provide the use, maintenance responsibility and ownership of all open space lots.**
- 3. Provide signature blocks and standard notes on the final plat.**
- 4. All utilities shall be underground.**
- 5. Provide a double frontage screening buffer for the lots that back up to Lots 500 and 501. This should include a typical screening plan.**
- 6. Construct the future bypass road (Scenic Oaks) from the current turn in South Uniroyal Road to the intersection of Wildwood Drive.**
- 7. Sidewalks are required on both sides of each street.**

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

Chair Cannon opened the public hearing.

Josh Moncrief, 1590 Creekstone Drive: questioned whether the proposed subdivision roadway crossed an existing creek area and asked how drainage, creek crossings, and stormwater infrastructure would be addressed during development review.

Mr. Mosley: explained that detailed engineering analysis, stormwater calculations, and creek crossing design would occur after preliminary plat approval during the engineering review phase.

Josiah Connley, 1704 South Lake Drive: requested that the City consider completing acquisition and long-term planning for the future Scenic Oaks connector roadway extending toward Old Columbus Road and Gateway Drive. Mr. Connley stated that completion of the roadway would improve access between eastern Opelika, Tiger Town, and Auburn while reducing congestion along Columbus Parkway and Interstate 85 interchange areas.

Drew Mixon, Applicant Representative: Mr. Mixon discussed revisions made to the preliminary plat in response to staff comments, including reducing the number of lots and shortening cul-de-sacs. He stated that the Fire Marshal indicated the proposed access configuration was acceptable and argued that requiring the developer to construct the full Scenic Oaks roadway extension was disproportionate to the scale of the subdivision.

Travis Hawkins, 1701 Creekstone Drive: Inquired about the construction timeline and requested that trees be preserved and not clear-cut.

Chair Cannon closed the public hearing

Motion to grant preliminary plat approval with staff recommendations and subject to conditions of roadway.

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Councilwoman Ward 3 Whatley
NAYS:	Menefee
ABSTAIN:	None

4. Warwick Retreat SD, Moore Bass Consulting, Inc., authorized representative for Freedom Land Holdings, LLC, property owners, Samford Avenue, C-2 & R-4, preliminary approval.

Mr. Mosley presented a request from Moore Bass Consulting, authorized representative for Freedom Homes Land, LLC, for renewed preliminary plat approval of Warwork Retreat Subdivision, consisting of approximately 92 total lots, including 84 residential lots, open space lots, and commercial lots located along Samford Avenue within a mixture of R-4, C-2, and Gateway Corridor zoning districts. Mr. Mosley stated that the subdivision previously received preliminary approval approximately two years earlier and that the applicant was requesting renewal prior to expiration. He stated that the design remains substantially unchanged and includes a mixture of townhouse and single-family residential lots on approximately 26 acres with an overall density of approximately 3.4 dwelling units per acre. The proposed lots comply with the applicable minimum lot size requirements.

Staff recommends preliminary approval with the following conditions:

1. The certificates for the Opelika officials need to be included.
2. Add a note on the plat to state ownership, maintenance, and use of open space lots, including lot numbers. Note that these are non-habitable lots on the final plat.
3. Name the roads on the plat.
4. Sidewalks shall be required on both sides of the street.
5. All utilities shall be underground.
6. Remove the setback lines.
7. Note required buffers and proposed buffers on the plat, as shown on the landscape plan (20' landscape buffer) and the east property line.
8. Define proposed wall along rear of Lots 60, 61, 62, and 63.
9. Ensure the easements for trails on the plat and landscape plan are consistent.
10. Sidewalks will be required along Samford Avenue at the time of development of Lot 85 & 86 if not installed previously.

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

Chair Cannon opened the public hearing.

Matt Gray, representing Moore Bass Consulting: requested clarification regarding the required landscape buffer adjacent to the eastern property line and noted that existing vegetation and state-required undisturbed stream buffers already exist within portions of that area. Mr. Gray requested that existing vegetation be allowed to satisfy portions of the buffering requirements where appropriate.

Mr. Mosley: stated that because the area also contains a required undisturbed stream buffer, the existing vegetation would generally satisfy the intent of the buffering requirement.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton

AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

5. Lake Ridge SD, Redivision of South Lake Area Bank Parcels subdivision, Revision of part of Lot 2, 47 lots, Mike Maher, authorized representative for Southlake Bull Homes, LLC., property owner, 1500 block South Uniroyal Road, R-2 & R-3, preliminary approval.

Mr. Mosley presented the staff report to the Planning Commission for the preliminary plat request in the 1500 block of Uniroyal Road, brought by Mike Maher of Precision Surveying, representing Cha Han, Southlake Bull Homes, LLC. He noted the property was in the R-2 and R-3 zone with some lots in both zones. He explained that there was a small section of Institutional (I-1) as a buffer to property backing up to South Uniroyal Road. Mr. Mosley explained the required lots sizes for the zone. He explained that the development has been previously approved twice before by the Planning Commission in 2022 and 2024, but the most recent had expired. Mr. Mosley stated that the lot had a significant amount of elevation change from South Uniroyal down to the lake on the west side. He noted that Alabama Department of Environmental Management (ADEM) has previously cited the development for violations. Mr. Mosley stated to his knowledge these items had been addressed and were being handled through a consent decree and fines.

Mr. Mosley stated that our greatest concern in the staff report was that it only had one entrance and exit. This does not meet the City's approved version of the International Fire Code. He explained that the applicant had amended the plat to state that units would have fire suppression systems if a secondary access was not provided. Mr. Mosley stated that this was not the preferred method to handle this, but could meet the code. He noted that staff wanted the note to explicitly reference the code and state that all dwelling units would meet the sections of the IFC and note that fire suppression systems would meet the requirements of the code. With that condition, Mr. Mosley stated that the Planning Staff would change its recommendation to approval with conditions.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He noted that the pace of the development was not sufficient. He also stated that while some infrastructure had been installed, he did not feel that most of it would meet city standards. He noted that the pace and start and stop nature of the development made it very difficult to monitor the construction and development.

Chair Cannon opened the public hearing.

Johnathan Reichel, 1709 South Lake Drive: Mr. Reichel stated that this item is a clear cut violation of the regulations and should not be approved. He stated that the long time period allowed the Planning Commission to see the actual results of the work this development has produced. He added that this had created four years of disrupted lives. He stated that Opelika Zoning Ordinance and State Code required to ensure the health, safety, and general welfare of the current residents and that this should be distributed over the entire community. He stated that Lakeridge and its developer present danger to the health, safety and welfare of its neighbors based on the following concerns:

1. The property has been under sporadic development for four years with nothing being completed.

2. Neighbors have been exposed to endless construction and noise levels, more than the lawful limit, due to blasting, rock crushing, and boulder moving with poorly maintained equipment. He felt these verged on quarry like operations.
3. The work site is left unattended for weeks and months at a time, leaving hazards such as a deep rock pit, unfinished sewer fittings and rusty construction equipment. This is dangerous to the children in the neighborhood.
4. The landowners have hired two criminal contractors.
5. Environmental concerns include failing to utilize proper erosion control, equipment that is rusty and leaking and unmarked containers near tributaries. He explained that this had damaged the lake's drain and led to sediment.

Joshua Moncrief, 1590 Creekstone Drive: He expressed exasperation with the fact that developer has been burning debris for four years, forcing he and his wife to stay in hotels due to the smoke in his home from fires that are too large and too high. He stated that they are currently burying the debris on site instead of hauling it away. In addition, he discussed the noise and house shaking caused by the blasting of rocks.

Michael Hutchinson, 1811 South Lake Drive: He stated that there is ambiguity about who is responsible for maintaining the lake level. He would like to get clarity on who will be responsible for maintaining the standpipe which appears to be on one of the proposed lots.

Jeff Reichel, 544 Towne Lake Parkway: He stated that the original developer Hughston Homes developed most of the surrounding area, but abandoned this due to it not being developable. He stated that the neighbors have had to endure four years of noise and unsafe conditions due to development that has not produced tangible results. He stated that people have moved away from this development due to the ongoing issues. He believed there were health and welfare issues related to ongoing development.

Chiao Han, 289 Ivy Lane, Auburn, AL, Property Owner: Mr. Han explained the various reasons for delay in this project over the four years. He said they had hoped not to need to blast. He explained that they were inexperienced and trusted contractors, which led to further issues. He stated that they were hoping to finish the blasting last year, but were almost done now. He asked that the plat be approved so that he could finish the project he had started. He stated he is willing to do whatever the City needs him to do to complete the project.

Mike Maher, Precision Surveying: Mr. Maher stated he is the only contractor who has been on this project from the beginning. He suggested that the owners request a table for this item to allow time for the owner, Matt Mosley and Scott Parker, to meet and discuss how to finish this project. He stated that it does not need to be left as is, or this will be erosion problems. He stated that there was a need to improve the property due to safety issues as it currently existed.

Mr. Penton inquired if the applicant would need to request a table.

Mr. Mosley stated that a table would delay the project for a year due to the moratorium.

Mr. Penton inquired if the blasting was complete.

Mr. Maher stated that the plat would need to be approved because there is still some blasting to complete.

Mr. Han stated that he felt there would need to be approximately two weeks worth of blasting including two more rounds of blasting.

Mr. Whittlesey inquired about the silt in the lake and how it would be resolved.

Mr. Maher answered that either ADEM, Corps of Engineers or the City Engineering Department would need to be consulted for advice on how to correct this problem.

Josiah Connely, 1704 South Lake Drive: Asked what would happen next if the plat were tabled with a moratorium in place, and would the site sit as is during the moratorium year?

Mr. Mosley stated that the site would need to be secured from a safety and erosion standpoint. He stated that the developer could come back after the moratorium based on the conditions in place at that time.

Mrs. Whatley inquired what would happen to the property if the plat were denied.

Mr. Mosley answered that the site would need to be secured and not have sediment issues, but would largely stay the way it is.

Chair Cannon closed the public hearing.

Motion for amendment to the motion

RESULT: Passed

MOVER: Tom Penton

SECONDER: Sheldon Whittlesey

DISCUSSION: **Mr. Whittlesey** made a motion to approve with staff recommendations and added that the development will move forward under city, state and federal regulations to clean up and stabilize the site. Mr. Penton seconded the motion.

Mr. Penton asked who would be responsible for the standpipe and how would the slope be modified.

Mr. Parker stated that any remediation and stabilization of the slope and repair and maintenance to the stand pipe is under the obligation of the developer.

Mr. Penton made a motion to amend the motion to include stabilizing the slope to the lake, removing the silt and repairing the stand pipe. Mr. Whittlesey seconded the motion to amend the original motion.

AYES: Chair Cannon, Whittlesey, Penton

NAYS: Menefee, Councilwoman Ward 3 Whatley

ABSTAIN: None

Motion for approval with staff recommendations, must meet city, state and federal regulations for stabilization and clean up of the site. Lake slope, silt and stand pipe must be repaired.

RESULT: Failed

MOVER: Sheldon Whittlesey

DISCUSSION: Councilwoman Whatley asked the rest of the Commission why they believed that this time would be different if approved.

Commissioner Whittlesey stated that he felt it sitting in the current state was a greater concern.

Commissioner Menefee stated he was concerned because the residents would not be able to come back and address the concerns they have raised if approved.

SECONDER: Tom Penton

AYES: Whittelsey, Penton

NAYS: Chair Cannon, Councilwoman Ward 3 Whatley, Menefee,

ABSTAIN: None

Mr. Mosley asked the Planning Commissioners to clarify the reasoning for their vote of denial.

Chair Cannon stated that her concerns were related to the issues raised by the citizens and the history of this project not moving forward as Councilwoman Whatley had stated earlier.

6. Moore's Ridge Phase 3 SD, 26 lots, Mike Maher, Precision Surveying, authorized representative for Moore's Construction, LLC., property owner, Cedar Creek Drive near Heatherbrook Drive, PUD, preliminary approval

Matt Mosley presented a request from Mike Marher, Precision Surveying, authorized representative for Tim Moore / Moore Construction, for preliminary plat approval of Moore's Ridge Subdivision, consisting of 26 single-family residential lots located off Hillflow Drive near Heatherbrook and Cedar Creek Drive within an existing Planned Unit Development. He stated that the property was formerly part of the Cedar Creek subdivision and PUD and that the applicant was proposing to rename the development Moores Ridge. He stated that the lots range in size from approximately 14,500 square feet to 28,000 square feet with minimum lot widths of approximately 80 feet. The proposed density is approximately 1.7 dwelling units per acre across approximately 14 acres.

Staff recommends preliminary approval subject to the following:

1. **Add the minimum setbacks in the plat notes.**
2. **Install sidewalks on both sides of all streets.**
3. **The signature line for Opelika Public Works is missing**
4. **The undeveloped remainder of the parent parcel must be shown, in a reduced scale breakout or similar, with an approximate acreage given.**
5. **The two stub streets should have at least a temporary name and right of way width.**
6. **A temporary turnaround may be required at the end of Cedar Creek Drive.**
7. **Add the owner's name and address.**
8. **Note # 8 "....verified by Robertson Surveying." ?**
9. **As Cedar Creek Subdivision Phase 1B (PB 27, Pg 115) has been recorded, the previous right of way of Cedar Creek Drive through this project should be indicated and any portions outside of the right of way shown on Lots 1-3 should be noted as being vacated.**

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

Chair Cannon opened the public hearing.

Monty Newport, 1100 Cedar Creek Drive: asked what future land use was planned for the undeveloped property adjacent to his recently purchased lot and stated that the plat did not identify future development within that area. He also asked whether sidewalks would be installed throughout the subdivision.

Mr. Mosley: stated that because the property remains part of the Planned Unit Development, any future development would require amendment of the master plan and additional public notification. Mr. Mosley also confirmed that sidewalks would be installed on both sides of the street within the subdivision.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

7. The Woods Phase 2 SD, 78 lots, Blake Rice, BSI, Inc. authorized representative for Pyramid Financial Trust, LLC, property owners, Stowe Avenue, C-2, GC-S preliminary approval.

Mr. Mosley presented a request for preliminary plat approval of Woodward Subdivision Phase 2, consisting of 75 single-family residential lots located along McCoy Street within a C-2 and Gateway Corridor Secondary zoning district. He stated that the property is located behind recently approved townhome developments and Parc Apartments and extends toward South Fox Run Parkway. He stated that the lots comply with the applicable R-5 residential standards required for residential development within the C-2 district. Mr. Mosley stated that the subdivision would primarily access Stowe Avenue and includes a secondary emergency access connection from Oliver Avenue. He noted that Lot 78 is designated as open space and emergency access and recommended that the emergency access be improved and posted to prohibit parking or blockage.

Staff recommends preliminary plat approval, subject to the following:

1. Install underground utilities
2. Install sidewalks on both sides of all streets with connections to McCoy Street.
3. Add a note on who is responsible for building and maintaining open space/common/amenity areas/ HOA properties, and detention ponds.
4. Add the owner/developer's name and address to the plat.
5. Add the adjoiners across McCoy Street and across South Fox Run Pkwy.
6. Confirm that Lots 7, 8, 9, 12, 13, and 36 meet the minimum requirements or modify them to be conforming.
7. Improve and provide signage restricting parking within the fire access road.

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

Chair Cannon opened the public hearing.

Shirley Jones 239 Grove Street: asked whether the creek and lake located behind nearby homes would be altered or drained as part of the subdivision development.

Mr. Mosley: stated that the creek area appears to remain within the proposed open space area and that, to staff's understanding, the existing lake is expected to remain unchanged.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

B. FINAL PLAT

8. Laurel Lakes Phase 1C SD, 57 lots, Blake Rice, BSI, Inc., authorized representative for Flatiron Farms, LLC, property owners, Moraine Drive & Ontario Rd., PUD, final approval.

Mr. Mosley presented a request from Blake Rice, BSI, authorized representative for Flat Iron Farms, LLC, for final plat approval of Laurel Lakes Phase 1C Subdivision, consisting of 57 residential lots within the overall Laurel Lakes Planned Unit Development located near the intersection of North Uniroyal Road and Ridge Road. He stated that the proposed phase extends from Ontario Drive to Moraine Drive and connects to Erie Drive near Ridge Road, creating additional roadway connectivity within the development. He stated that the subdivision includes substantial buffering along Ridge Road and South Uniroyal Road. The lots range in size from approximately 8,000 square feet to 17,000 square feet with minimum lot widths of approximately 60 feet, consistent with the Planned Unit Development standards. He noted that some lots along Moraine Drive are slightly shorter in depth than other lots within the development but remain compliant with the approved standards.

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

9. The Willows, Plat No. 2 SD, 56 lots, Blake Rice, BSI Inc., authorized representative for Trademark Quality Homes, LLC, property owners, Willows Drive, R-3, final approval.

Mr. Mosley presented a request from Blake Rice, BSI, authorized representative for Trademark Quality Homes, LLC, for final plat approval of Willows Subdivision Plat No. 2, consisting of 56 residential lots located within an R-3 zoning district. He stated that the property is located west of the existing Willows subdivision and east of Fox Run Village Phase 5. He explained that the property was formerly part of the Stephen Woods Phase 6 development but was renamed as part of the new subdivision development. All lots comply with the minimum R-3 zoning standards, including minimum lot sizes of approximately 10,000 square feet. The plat also includes two open space and detention lots, including one located near the subdivision entrance and another following the creek corridor separating the development from adjacent neighborhoods. Mr. Mosley stated that the subdivision would improve roadway connectivity through the area by linking Brookstone Drive, Willows Drive, and surrounding neighborhoods back toward Fox Run Parkway and US-431. He also noted that the final plat identifies the location of the sanitary sewer pump station previously requested by staff.

Staff recommends final plat approval subject to:

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

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE – Public Hearing

10. Pleasant Drive Redevelopment, Blake Rice, BSI, Inc., authorized representative for Opelika Housing Authority, property owner, 410 Pleasant Drive, R-5, 252 mixed residential units.

Mr. Mosley stated that the subject property contains approximately 20.9 acres and currently includes 74 housing units constructed during the 1950s. He stated that the redevelopment proposal would expand the site and construct a new 252-unit mixed-income residential development consisting of apartment, townhouse, and duplex-style housing units. The proposed unit mix includes approximately 108 apartment units, 114 townhouse units, and 30 duplex units. Although the total number of units would increase, the overall density of the development would decrease because of the larger redevelopment area. The existing development currently contains approximately 14.8 units per acre and the proposed redevelopment would reduce density to below 12 units per acre.

Mr. Mosley stated that the redevelopment would be phased to allow existing residents to remain within the community during construction. He explained that the project would include a

mixture of subsidized housing units, workforce housing, tax credit units, and market-rate housing intended to create a mixed-income residential community rather than concentrating residents within a single income category.

The proposed site layout, which includes apartment buildings near the front of the property, townhouse units throughout the interior, duplex units, and multiple community amenities including offices, workforce development space, parks, pickleball courts, tennis courts, gazebos, athletic courts, and a dog park. He also discussed future pedestrian connectivity opportunities to East Alabama Health and nearby commercial areas.

Staff recommends approval subject to the following conditions:

- 1. Add sidewalks Pleasant Drive.**
- 2. Provide trees along both new and existing streets.**
- 3. If dumpsters or compactors are installed, dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure. Opelika Environmental Services must approve the waste collection type and location.**
- 4. All utilities shall be underground.**
- 5. All mechanical and HVAC units shall be screened from the public right-of-way.**
- 6. The units shall meet the standards of the Gateway Corridor and meet or exceed the quality of the images provided.**
- 7. Prior to each phase, the developer shall provide the City of Opelika with the number of units and what funding sources or grants will used to ensure that the overall development remains a mixed income development.**

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Mr. Whittelsey: Inquired about the timeframe for the build-out.

AYES: Mr. Mosley: Stated it would take approximately 4 years.
Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley

NAYS: None

ABSTAIN: None

11. 1501 Spring Drive Duplex, Mike Maher, Precision Surveying, authorized representative for Eagle Properties of AU, LLC., property owner, 1501 Spring Dr., R-3, duplex conditional use.

Mr. Mosley presented a request from Mike Maher, Precision Surveying, authorized representative for Eagle Properties of AU, LLC, for conditional use approval to construct a duplex at 1501 Spring Drive within an R-3 zoning district. He stated that the subject property is located near Dale Avenue and was previously subdivided from a larger residential lot. The lot meets the minimum 10,000 square foot requirement for either a single-family residence or

duplex development within the R-3 zoning district. Mr. Mosley stated that the applicant proposed construction of a duplex containing two residential units of approximately 395 square feet each. He noted that multiple easements crossing the property limit the available building area and affect site design.

Mr. Mosley stated that although duplexes and higher-density zoning districts exist within the broader surrounding area, staff believed the proposed density exceeded the scale and character of the immediately adjacent neighborhood. He stated that while the Planning Commission could authorize a density increase under the ordinance, the proposed development would result in a density significantly greater than surrounding nearby residential lots.

Staff recommended denial of the request.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to deny conditional use approval based on size and scale of proposed duplex

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

12. Botanic Cottages, Hayes Eiford, Samford Group, authorized representative for Botanic LLC, property owners, 1702 Frederick Road, C-2, GC-P, mixed-use commercial & residential with short-term rentals.

Mr. Mosley presented a request from Hayes Eiford, Samford Group, authorized representative for Botanic, LLC, for conditional use approval to construct 12 detached cottage-style residential lodging units at 1702 Frederick Road within a C-2 and Gateway Corridor zoning district. He stated that the subject property is part of the existing Botanic mixed-use development, which currently contains a restaurant, retail, greenhouse, and residential uses. He stated that the applicant proposes 12 detached cottage units surrounding the existing lake area together with a proposed conservatory building intended for events and gatherings. Because multiple residential units are proposed on a single lot, the request was reviewed as a multifamily residential conditional use within the C-2 district. The property contains approximately 11.6 acres and the proposed residential density is approximately one unit per acre.

Recommendation

Staff does not have issues with the overall concept, however there are some concerns that must be addressed to ensure that the use will not have ongoing issues for adjacent property owners:

- 1. Any dumpster must be screened through approved corridor materials. No dumpster, refuse bin, composting, or other trash container should be located within 50 feet of any property line due to the strong, pungent smell of the refuse being disposed.**
- 2. All gates will need to be noted and approved by City emergency personnel to ensure emergency access and adequate stacking from the public street.**
- 3. The driveway to the residential units shall be at least 20 feet wide and meet all**

requirements of the Opelika fire code. The drive must include signage or markings noting that the drive cannot be used for parking except in designated locations.

4. All buildings must meet corridor cladding requirements.

5. The storage bins must be fully screened from the public right-of-way. All outside storage and sales areas shall be noted on the site plan. Lay down yards and construction material storage shall be designated on a site plan and must be 50 feet from any property line.

6. The previously required residential buffer along the north property line shall be installed.

7. Building 12 must meet the required setbacks for the Gateway Corridor of at least 20 feet.

8. The cottages shall only be used for lodging (eating and sleeping); private and/or commercial events and activities are prohibited. Only the registered/contracted guests may utilize the cottages.

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

Chair Cannon opened the public hearing.

No public comments were received during the public hearing; however, Mr. Mosley noted that the Commission previously received correspondence from adjacent property owners expressing concerns regarding traffic, parking, access easements, and circulation associated with the development.

Chair Cannon closed the public hearing.

Motion to Amend

RESULT:	Passed
MOVER:	Sheldon Whittlesey
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

Motion to grant conditional use approval with staff recommendations and to include a right and left turn lane

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Arturo Menefee
DISCUSSION:	Mr. Whittlesey expressed concerns regarding parking demand, traffic circulation, and access management associated with the proposed conservatory and cottage development. Questions were raised regarding parking capacity, shared access roads, and whether additional roadway improvements or turn lanes along Frederick Road would be necessary.

Stacey Brown & King Braswell stated that Botanic currently manages event traffic through parking attendants, shuttle services, overflow parking agreements, and guest parking coordination. He stated that the conservatory building would function similarly to the existing event tent currently used on

the property and that the applicant continued exploring additional parking opportunities.

Josh Mura stated that the revised site plan increased the driveway width to 20 feet and expanded on-site parking from approximately 16 spaces to approximately 30 spaces for the cottage area. He also stated that the applicant intended to avoid disruption of existing utility service along the shared access easement.

Mr. Penton & Chair Cannon questioned responsibility for maintenance of utilities and roadway improvements along the private access easement.

Mr. Parker stated that utilities located within the private easement would remain privately maintained and would not become City maintenance responsibilities.

Mr. Mosley clarified that the conditional use request before the Commission primarily involved the residential cottage component and stated that additional parking analysis and review associated with the conservatory would occur during future development review.

During discussion, the Commission amended the motion to require installation of right-turn and deceleration lane improvements associated with the Frederick Road entrance improvements.

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley

NAYS: None

ABSTAIN: None

13. 201 Avenue C Duplex, Alex Perez, Guatamaula Investments, authorized representative for Earnestine and Forson Evans, property owners, South 2nd Street & Avenue C, R-4, Duplex Unit

Mr. Mosley presented a request from Alex Perez, authorized representative for Ernestine Anderson Evans III, for conditional use approval to construct a duplex at 104 Avenue C located at the corner of Avenue C and Second Street within an R-4 zoning district. He stated that the subject property meets the minimum lot requirements for the R-4 zoning district and that the proposed density is below the maximum density permitted within the district. He stated that the proposed duplex would result in approximately two dwelling units per acre on the approximately 10,000 square foot lot. Mr. Mosley stated that the Future Land Use Map designates the area as a single-family neighborhood classification, which permits duplex and townhouse infill development on vacant or corner lots where appropriate. He stated that the proposed duplex units would contain approximately 1,100 square feet each and would utilize materials and pitched roof designs intended to maintain compatibility with the surrounding neighborhood and Gateway Corridor standards.

Staff recommends conditional use request approval subject to:

1. Exterior wall materials must follow the exterior material standards provided in Section 7.6 Gateway Corridor.
2. The duplex must be in character with the existing single-family homes in the neighborhood.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

14. Pointe Grand Apartments, Hillpointe, LLC, authorized representative for Priester Construction and Development, LLC, property owners, 2013 Waverly Parkway, R-5, 360 units townhomes and apartments.

Mr. Mosley presented the staff report to the Planning Commission for the request of conditional use approval for Point Grand Apartments, Hillpointe, LLC. He stated the applicant is proposing to develop a 312-unit apartment complex and 48 townhouse development. The subject property is undeveloped in the R5 zone. The development would include 11 apartment buildings and six town home buildings. He stated that the density of the development would be 13 units per acre, which is below what is allowed in the R5 zone (16 units per acre). The future land use designation in the Opelika comprehensive plan is single-family neighborhoods, which are primarily detached homes, but can also include town houses and duplexes. The developer has provided an additional access point by proposing to add a connection from Priester Road to Dunlop Drive. Mr. Mosley stated that the setbacks, landscaping and parking requirements have been met. He noted that the Planning Staff have not provided either a positive or negative recommendation, as there are issues between the proposal and the future land use plan, in that the development would be more dense than the surrounding properties. If the Commission chooses to approve, the Planning Staff have provided recommended conditions for approval.

Recommendations:

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

Chair Cannon opened the public hearing.

Mark Ackerman, 1158 Willow View: Stated that traffic is already a problem in this area and a new complex would make it worse. He questioned where the extra traffic would go and stated the only two outlets are congested and hard to cross on Highway 280 or the two-lane street, South Pleasant Drive.

Steve Penland, 1019 Fitzpatrick Avenue: Stated that there needs to be a more extensive traffic study than the one that is currently being conducted.

Brett Basquin, Foresite Group: Stated that an in-depth traffic analysis had been performed and given to the City. He also stated that this development would fit in with future land use, in that it would transition from commercial (East Alabama Medical Center) into single family use.

David Wisdom, representing Hillpoint: Reiterated the points that Brett Basquin stated and said that they are working closely with East Alabama Medical Center on the southern road connector.

Chair Cannon closed the public hearing.

Negative recommendation to the City Council

RESULT:	Passed
MOVER:	Councilwoman Ward 3 Leigh Whatley
SECONDER:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

15. 409 Geneva Street Apartments, Nelson Marsh, property owner, 409 Geneva Street, C-2, 5 apartment units in existing building.

Mr. Mosley presented a request from Nelson Marsh, property owner and applicant, for conditional use approval to allow five residential units within the existing structure located at 409 Geneva Street within a C-2 zoning district and the Southside Geneva Historic District. He stated that the subject property contains an approximately 5,000 square foot historic structure located at the corner of Geneva Street and Avenue D. The surrounding area contains a mixture of single-family residences, duplexes, townhomes, office redevelopment uses, and vacant lots. He stated that the structure was significantly damaged by fire in January 2025 and that the applicant was requesting approval to formalize the existing residential configuration and add another unit. He stated that the building historically contained multiple residential units for many years and that the proposal includes two units on the main level and three units within the basement level. The overall density complies with the zoning district requirements and the Future Land Use Map designates the area for mixed-use residential and commercial activity. He stated that staff believed the request represented a compatible adaptive reuse of the historic structure and would assist with preservation of one of the older homes within the district.

Planning staff recommends approval of the conditional use for a fifth apartment unit subject to the following conditions:

- 1. Submittal of a site plan showing a minimum of 10 gravel parking spaces with bumpers.**
- 2. Compliance with all Landscape Regulations, including the preservation of existing trees.**
- 3. Approval from the Historic Commission for all exterior renovations.**
- 4. Installation of a fire sprinkler system on both floors as required by Building Inspections.**

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

Chair Cannon opened the public hearing.

Nelson Marsh, Owner: 509 Geneva Street: stated that the historic structure had significant personal importance to his family and explained that he was born and raised in the home. He stated that historical research indicates portions of the home date to the 1860s and that the structure has functioned with multiple residential units since at least the early 1900s. He stated

that restoring the structure as a multi-unit property would improve the financial feasibility of preserving the historic home following the January 2025 fire. He stated that preserving the structure was important because it represents one of the few remaining antebellum homes along Geneva Street.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Tom Penton

SECONDER: Sheldon Whittelsey

DISCUSSION: **Chair Cannon** expressed concerns regarding the long-term condition of the structure and stated that she did not want the conditional use approval to remain indefinitely if the building were allowed to deteriorate in the future.

Mr. Mosley stated that conditional use approvals are generally valid for 12 months unless development proceeds and noted that Historic Preservation regulations provide additional oversight regarding future demolition or redevelopment of the structure. He also stated that staff had worked with the applicant to preserve and restore the historic character of the home rather than allowing demolition and replacement construction.

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley

NAYS: None

ABSTAIN: None

16. GK9 Kennel, Lee Tharp, Kadre Engineering, authorized representative for Q14, LLC, property owner, 215 Orr Avenue/2405 Poplar St, M-1, Outdoor Kennels.

Mr. Mosley presented a request from Lee Tharp Engineering, authorized representative for Q14, LLC / G Canine Kennel, for conditional use approval to expand an existing canine training facility with additional kennel structures at 215 Orr Avenue located within the Orr Industrial Park. He stated that the facility has operated as a canine training center since approximately 2018 and trains dogs for narcotics, firearms, explosives, and related detection purposes. The proposal includes seven additional kennel buildings located behind the existing structure. He stated that the kennels include climate-controlled indoor areas together with outdoor fenced exercise runs. The proposed kennel buildings are located approximately 215 feet from the nearest residential property line and nearly 300 feet from the nearest residence. He noted that a substantial wooded area currently separates the site from the residential neighborhood to the south and stated that staff recommended preservation of the wooded buffer for noise mitigation purposes.

Staff recommends conditional use approval subject to the following:

1. Provide a revised site plan providing the kennels meet the minimum 30-foot rear yard setback.
2. The 190-foot-wide undeveloped wooded area located on the south side of the property adjacent to kennels must be preserved in its natural state to serve as a permanent noise buffer. R-3 residential district is along south property. If any portion of this wooded area is cleared or significantly thinned, the applicant is required to install a city approved screen to maintain noise standards as provided in Section 8.6 of Zoning Ordinance.

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

Chair Cannon opened the public hearing.

LeeTharp: stated that the applicant had no objections to the staff recommendations and confirmed that the proposed kennel expansion would not substantially alter the current operations of the facility. He stated that the dogs would primarily remain indoors within climate-controlled kennel areas and would only utilize the exterior runs periodically for training and exercise purposes. He also stated that the existing wooded buffer area between the kennel property and nearby residences is intended to remain undisturbed and that the property owners currently have no plans to remove the wooded area.

Chair Cannon closed the public hearing.

Amendment to the motion to state that dogs will not be permitted to be left outside between 6pm to 8am

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

Motion to grant conditional use approval with staff recommendations and amendment stating dogs cannot be left outside at night

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton
	Mr. Penton asked for clarification regarding whether the proposed kennels were primarily indoor or outdoor facilities and questioned the distance between the kennel structures and nearby residential properties.
	Mr. Tharp stated that the kennels are primarily indoor facilities with attached exterior runs and that the dogs would not remain outside continuously. He also confirmed that the wooded buffer area currently provides substantial separation between the site and nearby residences.
	Mr. Whittelsey expressed concerns regarding potential overnight noise impacts to nearby residential properties and requested that the approval require dogs to remain indoors overnight.
	Following discussion, the Commission amended the motion to require that dogs not be kept outdoors between 6:00 p.m. and 8:00 a.m.
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

D. REZONING - Public Hearing

17. Rezoning Request, Mark Strozier, Strozier Services, LLC., authorized representative for Cannon Timber & Land LLC, property owner, 18.35 acres, 3400 block Birmingham Highway, from R-4 to C-3, GC-P.

Mr. Mosley presented a request from Race Cannon, property owner, to rezone approximately 18.34 acres located along the 3400 block of Birmingham Highway (US-280) from R-4 (Medium/High Density Residential) to C-3, Gateway Corridor. He stated that the property is currently vacant and located north of the Lee County Youth Development Center near the Springs of Mill Lakes subdivision and Ski Lodge Apartments. He stated that the Future Land Use Map designates the area as mixed-use, which permits both residential and commercial development. Mr. Mosley stated that staff initially recommended rezoning the property to C-2, Gateway Corridor rather than C-3 because of its proximity to nearby residential development. He explained that C-2 generally contains lighter office and retail uses than C-3 while still remaining consistent with the mixed-use designation. He also discussed development limitations associated with the property, including steep terrain, the presence of a substantial stream corridor, required stream buffers, and Alabama Department of Transportation access restrictions along Birmingham Highway. He stated that commercial development adjacent to residential neighborhoods would be required to provide buffering, lighting controls, and other screening measures under the zoning ordinance.

Staff recommends a negative recommendation to rezone the property from R-4 to C-3, GC-P by the City Council. Because the 2040 Land Use Plan shows this area as mixed use, which is defined as a mix of residential and commercial uses. This designation would support a lesser zoning classification of C-2, GC-P.

If the applicant and Commission would like to move forward with C-2, GC-P zoning, that zoning would be supported by the mixed-use Future Land Use designation and similar zoning on the adjacent property.

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

Chair Cannon opened the public hearing.

Jamie Allen 3150 Mill Lakes Ridge: stated that residents were not opposed to reasonable commercial development but requested preservation of the creek corridor and wooded areas nearest the neighborhood as permanent buffers. She expressed concerns regarding traffic, noise, lighting, privacy, and access into the Springs of Mill Lakes subdivision and requested that lower-intensity commercial uses be considered.

Mel Beams 1310 Spring Lakes Crossing: The speaker expressed concerns regarding trespassing, homeless activity, neighborhood security, lighting impacts, and traffic access from Birmingham Highway. He requested installation of fencing, buffering, and lighting protection between future commercial development and the residential neighborhood.

Janey Patti, 3090 Mill Lakes Ridge: expressed concerns regarding removal of trees along Birmingham Highway and potential increases in traffic noise affecting nearby homes. She requested preservation of the wooded buffer and questioned whether the narrow triangular portion of the property behind existing homes could realistically be developed.

Norman Patti, 3090 Mill Lakes Ridge: requested clarification regarding environmental protections for the creek corridor and asked how future buffering, lighting, and environmental protections would be addressed if the property is developed.

Russ Stoddard, 1340 Spring Lakes Crossing: thanked the Commission and staff for clarifying that the request involved only rezoning and that detailed development standards and conditions would occur during future site plan review.

Barbara Cowan, 1260 Spring Lakes Crossing: expressed concerns regarding impacts to the creek corridor and surrounding natural areas, which she stated were important features of the neighborhood.

Mark Ackerman 1158 Willow View: expressed concerns regarding drainage, topography, highway access limitations, and the practicality of commercial development on the property. He questioned whether the property was suitable for more intensive commercial zoning because of steep terrain, stream corridors, and traffic access constraints.

Race Cannon, property owner: stated that no development plans currently exist for the property and explained that the request was intended to establish more appropriate zoning along the Birmingham Highway corridor. He stated that he understood neighborhood concerns regarding buffering and stream protection and noted that future development would still be subject to City review standards and environmental regulations. Mr. Cannon also stated that he did not object to rezoning the property to C-2 rather than C-3 if the Commission preferred the less intensive zoning classification.
Chair Cannon closed the public hearing.

Motion to approve or send a positive recommendation to the City Council for rezoning from R-4 to C-2, GC-P.

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

V. OLD BUSINESS

E. FINAL PLAT

18. Firefly Phase 2A SD, 84 lots, Spencer Cothran, Holland Homes, authorized representative for Firefly Development Lee, LLC, property owner, 100 Firefly Lane, PUD, final approval. *(This agenda item tabled at the March 24th PC meeting.)*

Mr. Mosley presented a request for final plat approval within the Firefly Planned Unit Development, consisting of 84 total lots, including 81 residential lots, two future development lots, and one access lot serving an adjacent property owner. He stated that the request was previously tabled during the prior month's meeting because infrastructure improvements were not complete at that time. He stated that the proposed phase is located on the eastern portion of the Firefly development and includes a mixture of single-family lots and duette style residential units along Honeysuckle Lane featuring rear-entry access configurations.

Staff recommends preliminary plat approval subject to the following:

1. **Install underground utilities.**
2. **Install sidewalks on both sides of all public streets. Extend said sidewalks to open**

space lots/areas that are nearest to street sidewalks providing access from street sidewalks to open space areas.

3. Exterior materials of all dwelling units must meet the exterior “Materials and Cladding

Requirements of Section 7.6 Gateway Corridor District.

4. Add a note on final plat providing minimum setbacks for twin homes and single-family lots. twin home - 10’ front, 10’ side yard on street & 10’ side yard on end units, 20’ rear yard) (all single-family homes – 20’ front, 10’ side yard on street, 5’ side yard, 20’ rear)

5. Add note on plat, as stated on developer’s narrative (“Overall Development Scheme”), that the developer is responsible for managing and maintaining open space lots until a homeowner’s association is established to continue maintenance of said lots.

6. Add note on plat providing the uses allowed on the open space lots, Lot 1000 and Lot 1002.

7. Add a note that a minimum of one street tree per single family home lot and one street tree twinhome lot are required. Street trees must be planted on private property not right of way.

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

Motion to move item off of the table

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

VI. ADJOURN

Motion to adjourn at 4:00 p.m.

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

_____ **Lucinda Cannon, Chair**

_____ **Matt Mosley**