

**CITY OF OPELIKA  
PLANNING COMMISSION MEETING  
JANUARY 26, 2016  
3:00 P.M.  
PUBLIC WORKS FACILITY  
700 FOX TRAIL**

The City of Opelika Planning Commission held its regular monthly meeting January 26, 2016 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters have been mailed to all adjacent property owners for related issues.

**MEMBERS PRESENT:** John McEachern, Mayor Fuller, Keith Pridgen, Ira Silberman, David Canon, Michael Hilyer

**MEMBERS ABSENT:** Lewis Cherry, Arturo Menefee, Lucinda Cannon

**STAFF PRESENT:** Gerald Kelley, Planning Director  
Martin Ogren, Assistant Planning Director  
Rachel Dennis, Planning and Zoning  
Lisa Thrift, Community Development Administrator  
Scott Parker, Engineer Director  
Josh Hawkins, Opelika Utilities Board  
Larry Prince, Opelika Power Services  
Guy Gunter, City Attorney

**CALL TO ORDER:** Chairman Pridgen called the meeting to order at 3:00 p.m.

**I. Elect Officers to Planning Commission (Chairman, Vice Chairman)**

Chairman Pridgen asked Mr. Kelley to lead the nominations for Chairman.

Mayor Fuller nominated Keith Pridgen for Chairman.

Mr. Hilyer seconded.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

Chairman Pridgen asked for Vice Chairman Nominations.

Mayor Fuller nominated Lewis Cherry for Vice-Chairman.

Council Member Canon seconded.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**II. Approval of December 15, 2015 Minutes**

Mr. Silberman made a motion for approval of the December 15, 2015 Minutes as written.

Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**II. Update on Previous PC cases**

Mr. Kelley reported City Council concurred with the amendment of the Cannon Gate Master Plan PUD from Planning Commission. There was a second reading for the assisted living and single-family development rezoning for Spring Mill Lake on U. S. Hwy 280 from C-2 to PUD.

**A. PLATS – (preliminary only and preliminary & final) - Public Hearing**  
**1. WP Properties Opelika, Resub of Parcel 3, 2 lots, 3200 block Pepperell Parkway, Lucius E. Lanier, preliminary and final approval**

Mr. Ogren reported *[At the January 16th work session, the Engineering department discussed with the applicant about deeding a 10' strip of Parcel 3-B as right-of-way for Lowndes Street. The applicant provided a revised plat – see plat in your packet. The plat revisions show a 10' strip from Parcel 3-B and Parcel 3-A dedicated as right-of-way for Lowndes Street. The strip runs from Dallas Avenue to Pepperell Parkway. The applicant also added two street names – Dallas Street, U.S. Highway No. 29.]*

The applicant is requesting preliminary and final plat approval for a two lot subdivision in a C-2, GC and R-3 zone. Parcel 3-B (16.6 acres) is accessed from Lowndes Street. The applicant will continue to own Parcel 3-B. The purpose of the subdivision is to sell Parcel 3-B 3-A. Parcel 3-A (44 acres) is created to contain a flood zone area. A restrictive covenant for Parcel 3-A is recorded at the Lee County Courthouse. The covenant limits the future use and construction on the 44 acre parcel. Basically, Parcel 3-A must be preserved as wetland vegetation and remain unaltered. Commercial and industrial uses are prohibited. No structures are allowed to be constructed on Parcel 3-A except for structures to observe wildlife and ecology plantings as approved by the Corp of Engineers. The Corp has authority to enter the property and inspect property conditions.

Planning staff recommends approval.

Mr. Parker reported since the submission of the revised plat the preferred strip of R.O. W. has been handled by the Engineering Department. We will pursue a deed for that strip of R.O. W. ~~This west border of this property is the east right-of-way (ROW) of Lowndes Street. At this time the existing ROW for Lowndes Street is 40-feet with 20-foot on each side of the roadway. The Engineering Department would request that an additional 10-foot be deeded to the City for ROW from the west border of this property to increase the eastern ROW to 30-feet. This additional ROW will be essential to the improvement of the roadway if future development occurs on this property. Other than this request the Engineering Department has objections to this preliminary and final plat and recommends approval.~~

Mr. Hawkins reported water service is accessible to this subdivision by a water main in the R.O.W. of Pepperell Parkway.

Mr. Prince reported this subdivision is in the Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

Mr. Hilyer made a motion to grant preliminary and final plat approval with staff recommendations.

Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**B. ADMINISTRATIVE SUBDIVISION – Ratify**  
**2. The Lakes at Anderson Road Subdivision, Phase 1, Redivision of Lots 18, 19, 20, & 21, 4 lots, Anderson Lakes Circle, Jason A. Forbus, Ratify**

Mrs. Dennis reported the representative requested an administrative plat to shift the side yard lot lines on lots 18-A, 19-A and 20-A to make the structures conforming to the minimum five (5) foot side yard setback requirement in the PUD zoning district. The applicants representative Mr. Forbus and Mr. Gunter have added a note to the plat to read as follows: "The house on Lot 20-A does not meet the front yard setback

requirements of the Zoning Ordinance. By approving this plat, the City of Opelika does not waive the front yard setback requirements for building improvements. The City reserves the right to exercise all legal remedies to enforce said setback requirements.”

Planning staff recommends the Commission ratify this plat recorded December 22, 2015.

Mr. Parker reported Engineering Department has no comments or objections to the ratification of this plat and recommends approval.

Mr. Hawkins reported water service is accessible to this subdivision by a water main in the R.O.W. of Anderson Lakes Cir.

Mr. Prince reported this subdivision is outside the Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

Mr. Silberman made a motion to ratify the plat.

Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**C. CONDITIONAL USE – Public Hearing**

**5. David Slocum, end of Stonybrook Point, R-4, GC, Single-family residential homes - age restricted (*Tabled at December 15<sup>th</sup> PC meeting*)**

Mr. Kelley reported the applicant is requesting conditional use approval to build forty-eight (48) single family detached condominium residences on seventeen (17.47) acres. Public street access will extended into the property from Stonybrook Point approximately 800 feet where existing pavement stops. Private road access will then begin and extend approximately 2,050 feet through the development as a loop road.

At this time the preliminary landscape plan proposed meet landscape requirements. Final determination of landscape plan will come after the number, size, and species of existing trees after grading plan is designed.

Various floor plans are provided at this time range in size from heated main floor of approximately 1,750 sq. ft. to 2,110 sq. ft. Homes will be constructed using natural material.

The Village at Hamilton Lake shall return to the Planning Commission this year and request approval of a Condominium Plat. At that time, condominium legal documents will be presented to conform to Chapter 8A: Alabama Uniform Condominium Act and Condominium Plat.

In an email sent to me on January 14, 2016 by David Slocum. In the original application as you may recall this was an age restricted community. That has been modified. “Please note the developer will make the Village at Hamilton Lake an age targeted community development but not age restricted by covenants.”

**RECOMMENDATION:** Approve the conditional use site plan subject to submission of legal documents, condo plat, and administration review and approval of city requirements prior to Planning Commission review and approval in 2016.

Mr. Kelley explained the next steps: this will come back as a condo plat, we will provide as we did as a courtesy a notice to Mr. Varner and a sign as to when that will be heard by the Planning Commission. The legal documents are to be reviewed by the city attorney.

Mr. Parker reported the Engineering Department request that a grading, drainage, utility, erosion control, and post construction detention site development plan be submitted to the Engineering and Public Works Departments for review and approval for a Land Disturbance Permit.

It is understood that some of the roadways that are to be constructed will be privately maintained and will not be a responsibility of the City. The intersection between public and private street will need to be clearly identified and signed after the construction. The public street portion of this roadway will need to follow the bonding and warranty requirements that are detailed in Subdivision Regulation and shall follow the standards in the Public Works Manual. The Engineering Department recommends conditional use approval.

Chairman Pridgen asked if the private road section will be built to City standards.

Mr. Parker stated it is recommended the private road section be built to city standards. The public road section will be required to be built to City standards.

Mr. Hawkins reported water service is accessible to this location by a water main in the R.O.W. of Stonybrook Point.

Mr. Prince reported this location is in the Opelika Power Services and Alabama Power territory.

Chairman Pridgen opened the public hearing.

Throughout the public hearing Mr. Fred Varner (president of the home owners association of Stony Brook Subdivision) Harold Chavis, Bob Pettey, Barbara Woolley, Dianne Knapp and Tangie Lampkin expressed concerns related to the condo development: doubling density, conditions of the streets currently and the streets withstanding four years of construction traffic, reduced quality of life, reduced ability of recreational pedestrians, reduced property values, keeping the character and scale of the neighborhood, road design safety concerns, and reduced square footage.

Chief Byron Prather stated the fire code in question was adopted as part of the fire code. It was researched in depth. There are many municipalities that chose not to adopt this regulation as part of their code because they feel it inhibits growth in there city. It was discussed about expanding this rule from ninety-nine units to a higher unit number. Instead of amending this code over time it was proposed to our City Council to delete this section fire codes. After speaking with Mr. Kelley and the Planning Commission it was determined our response to one house or 99 house would be the same. We feel that we can adequately make ingress and egress to this subdivision if an emergency occurred. The City Council had first reading last week and will be the ones to make the decision about this.

Chairman Pridgen stated as a Planning Commission if we choose to bypass that regulation it can only be conditioned upon the City Council deleting that section.

Mr. Kelley stated part of the discussion with Chief Prather when you as a Commission in a subdivision development see a need for at least an emergency access it is private and gated. Those kind of needs will be handled by the subdivision regulations and conditions where applicable.

Chairman Pridgen stated for the audience to know we have pursued some type of emergency access coming thru multiple potential exits. At this time one has not been conceivable.

The square footage of 1,700 sq. ft. was apparently in the original application. After texting Jay Toland [the developer] he stated the smallest condo would be 2,300 sq. ft.

Mr. Kelley asked if that be spelled out in the covenants and restrictions.

Mr. Gunter suggested that could be included as a condition in the conditional use today.

Mr. Varner stated the minimum sq. ft. for the Stonybrook Subdivision is 2,500 sq. ft.  
Mr. Slocum stated this zone allows up to 9 units an acre, we are at less than 3 units an acre.

I will have to refer to Mr. Parker related to the public street conditions. We will be far below the typical street of 2000 vehicles a day. The build-up will be identical to the City requirements, the street maybe slightly narrower. It will have curb and gutter.

Mr. Parker stated the streets will be monitored during construction and after. We have standards for monitoring streets and maintaining existing streets in place. The traffic on Hamilton Road is going to increase due to surrounding development. I will look into a possible long run turn lane solution.

Mr. Slocum stated if there is a minimum sq. ft. Jay Toland texted and asked for flexibility to allow a 2,100 sq. ft. condo.

Chairman Pridgen closed the public hearing.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations. Mayor Fuller seconded the motion.

Discussion continued among Commissioners about minimum square footage for condos.

Mr. Hilyer amended the motion to grant conditional use approval with staff recommendations including a minimum condo of 2,150 sq. ft.  
Mayor Fuller seconded the motion.

Mr. Hilyer amended the motion to grant conditional use approval with staff recommendations including the homes constructed at a minimum of 2,250 sq. ft. [in the covenants and restrictions] of heated floor space and being age targeted.

Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**C. CONDITIONAL USE – Public Hearing**

**3. Vic Patel, 1700 Capps Drive/3151 Capps Way, C-3, GC, New hotel**

**The applicant is requesting to construct a four (4) story hotel with eight-eight (88) rooms on approximately two (2) acres. The property is located at the intersections of Capps Drive, Capps Way, and Gateway Drive. Direct access to the hotel will be from Capps Dr. and Capps Way.**

Mr. Kelley reported a landscape plan, parking plan, and lighting plan meet minimum zoning requirements.

Cladding for the hotel will be stucco, glass, and Exterior Insulation Finishing System (EIFS). Staff recommended and applicant agreed to change the hotel entryway from panels to stucco; since either is a prototype for the hotel chain nationwide.

Recommendation: Approve

Mr. Parker reported the Engineering Department request that a grading, drainage, utility, and erosion control site development plan be submitted to the Engineering and Public Works Departments for review and approval for a Land Disturbance Permit. The post construction detention for this site is accounted for by the regional detention pond created by the Capps Landing Development. The Engineering Department recommends Conditional Use.

Mr. Hawkins reported water service is accessible to this location by a water main in the R.O.W. of Capps Way and Capps Drive.

Mr. Prince reported his location is in Opelika Power Services territory.

Chairman Pridgen opened the public hearing and asked Mr. Nettles to pass around tile example for Commissioners to see.

Mr. Nettles spoke while passing around the tile example, saying we all have agreed to use the façade example from Billings, Montana [shown after the motion]. The façade from the Montana example is made from stacked stone and stucco. Mr. Nettles explained the changes that were made on the updated site plan presented at the meeting [shown after the motion]. Stating we will also heavily landscape with thicker beds and canopy trees in the area by the rear entrance to provide a grand entrance to the neighborhood.

Chairman Pridgen stated this is more in character with the surrounding developments.

Mr. Kelley thanked Mr. Patel for working so closely with the Planning Commission and LaQuinta.

Chairman Pridgen closed the public hearing.

Mr. Hilyer amended the motion to grant conditional use approval with staff recommendations.

McEachern seconded the motion.

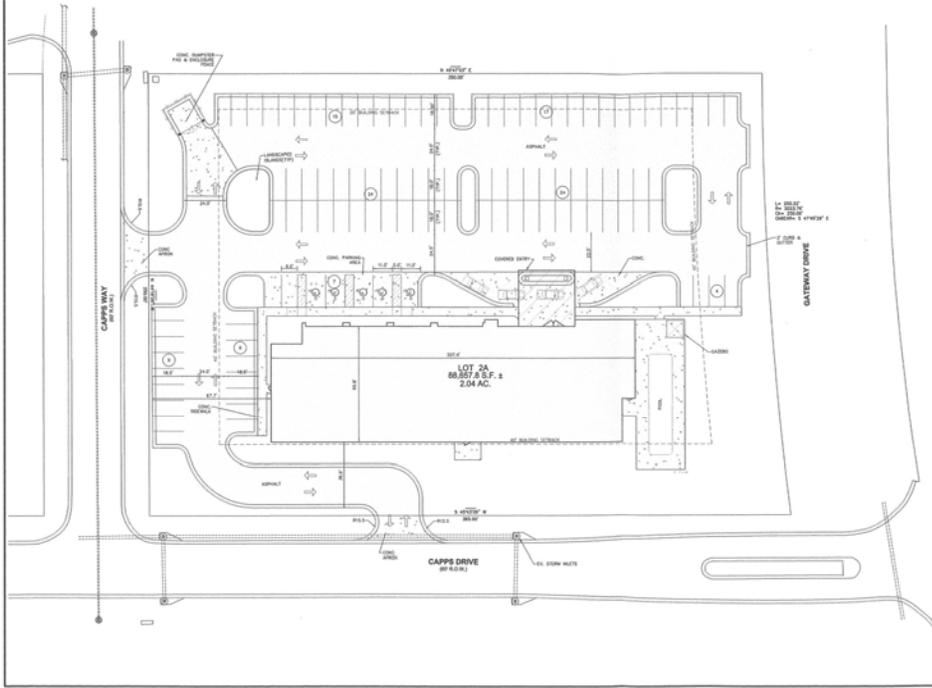
Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

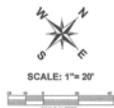


SITEPLAN FOR A FUTURE HOTEL ON  
 LOT 2A, CAPPS-PALMER SUBDIVISION, EIGHTH REVISION



**SITE INFORMATION TABLE**

DATE OF PREPARATION	10/15/16
PROJECT NAME	LOT 2A, CAPPS-PALMER SUBDIVISION, EIGHTH REVISION
CLIENT	ALABAMA STATE UNIVERSITY
DESIGNER	BASELINE ENGINEERING & ARCHITECTURE, INC.
PROJECT NO.	16-001
SCALE	1" = 20'
DATE	10/15/16
BY	J. W. BROWN
CHECKED BY	J. W. BROWN
APPROVED BY	J. W. BROWN
DATE	10/15/16
PROJECT NO.	16-001
SCALE	1" = 20'
DATE	10/15/16
BY	J. W. BROWN
CHECKED BY	J. W. BROWN
APPROVED BY	J. W. BROWN
DATE	10/15/16



ALABAMA STATE UNIVERSITY  
 CAPPS-PALMER SUBDIVISION, EIGHTH REVISION  
 LOT 2A  
 88,587 sq. ft.  
 2.04 AC.

**BASELINE**  
 ENGINEERING & ARCHITECTURE, INC.  
 1000 UNIVERSITY BLVD., SUITE 100  
 TUSCALOOSA, AL 35403  
 TEL: 205/964-1000  
 FAX: 205/964-1001  
 WWW.BASELINE-ARCHITECTS.COM

**4. David Slocum, 3700 Pepperell Parkway, C-3, GC, Speculative retail/restaurant space (Tabled at December 15<sup>th</sup> PC meeting)**

Mr. Ogren reported the applicant is requesting conditional use approval to construct two speculative commercial buildings in the existing parking lot of the Saugahatchee Square shopping center. The two buildings are located in the same shopping center parking lot as the Guthrie's restaurant. Guthrie's was approved by Planning Commission in October 2013. The spec retail building is 10,800 (180 x 60) square feet (sf) and the restaurant(s) is 3,025 sf (55 x 55). The 10,800 sf building is designed for nine tenant spaces. The applicant plans to construct the 10,800 sf building first and the 3,025 building constructed at a later time (future phase). There are no new access driveways/curb-cuts proposed for the two commercial buildings. The new buildings will be accessed from the existing traffic light entrance on Pepperell Parkway and the existing driveway on Pepperell Parkway near Veterans Parkway. (The driveway near Veterans Parkway is next to the existing auto service building located at the corner of Pepperell Parkway and Veterans Parkway.)

The site plan shows the two commercial buildings on a 2.85 acre area designated as the developed area for this project. The developed area shows 200 parking spaces including seven handicap parking spaces. The minimum 69 off-street parking space requirement for a shopping center is met. The applicant said the extra 131 parking spaces are shown because the parking spaces are existing. Also, restaurants may occupy several tenant spaces and more parking is required.

The landscape plan meets minimum requirements concerning total points obtained and providing a 15' wide parking buffer along Pepperell Parkway: 468 total points are required (268 base points + 200 parking points), 587 total points are obtained (296 new plant material + 291 existing shrubs). There are 291 existing shrubs along the east, north and west sides of the developed area. About four years ago the applicant constructed landscape islands and planted shrubs in the former Mid-Way Plaza parking lot. The islands and shrubs provided curb appeal and enhanced the 3 acre asphalt parking lot. Most of the new plant material will be planted in the new 15' wide parking buffer. A total of 19 new trees<sup>1</sup> and 141 shrubs will be planted.

The maximum ISR (Impervious Surface Ratio-hard surface) allowed is 70% of the developed area. The developed area for the two commercial buildings is 124,146 square feet (2.85 acres). The boundary of the developed area is the existing landscape shrub rows on three sides and the property line along Pepperell Parkway. The maximum 70% impervious surface allowed for the developed area is 86,902 square feet. The existing impervious surface of the developed area before construction is 94.7% (117,566 sf or 2.7 a). After the proposed landscaping shown on the landscape plan is planted (see landscape plan in packet) the total ISR for the developed area is reduced to 82.1% (101,924 sf or 2.34 a). The applicant needs to provide 15,022 square feet (101,924 - 86,902 = 15,022) of pervious area ("green area") to not exceed the 70% maximum impervious allowed. Last week the applicant provided an additional landscape drawing showing six new landscape islands (15'x 20' or 10' x 30' each) in the existing north parking lot and a landscape island at the Pepperell Parkway (2,500 sf) and Veterans Parkway (1,925 sf) entrance (See *drawing on page 3*). The landscaping adds 6,225 square feet of pervious surface to the pervious area shown on the original landscape plan. The additional landscaping reduces the ISR from 82.1% to 77% (101,924 - 6.225 = 95,699 sf.). At the October 2013 meeting the Planning Commission granted conditional use approved for the Guthrie's restaurant located in the Saugahatchee Square parking lot. The maximum 75% <sup>2</sup> ISR was not met for Guthrie's. Guthrie's developed area was 95.5% impervious. At the October 2013 meeting, the applicant discussed that other commercial buildings would be constructed near Guthrie's and more landscaping would then be planted. The maximum 75% ISR would be addressed when other buildings are reviewed

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<sup>1</sup> Tree caliper requirements: Large trees 2" and 2.5"; Medium or Understory trees 1.25" and 1.5". Multi-stemmed understory trees must be between six and 8 feet in height.

<sup>2</sup> In 2013 when Guthrie's was reviewed, the maximum ISR allowed was 75%. In 2014, amendments to Section 7.3 A.

were approved changing the maximum ISR allowed to 70%. The current maximum ISR allowed is 70%. The applicant is required to meet the 70% ISR because an increase in building square footage is proposed.

for approval. In addition to the landscaping proposed by the applicant, Staff recommends the applicant plant three medium shade trees (ex. nuttall oak, Japanese zelkova), or as recommended by the City horticulturist, in two of the existing landscape islands located in the rear parking lot area behind the 10,800 sf building. (See location of trees on aerial photo page 4). The trees will provide more variety of plant material and enhance the rear area of the building.

The elevations for the 10,800 sf building are provided in your packets. The exterior material is primarily stucco/EIFs material on all sides. The EIFS board is on the 22 foot tall towers located on each end of the building, on the eight columns along the covered pedestrian walkway, on the retaining wall on the east side of the building, and the wall section below the blue mansard roof.

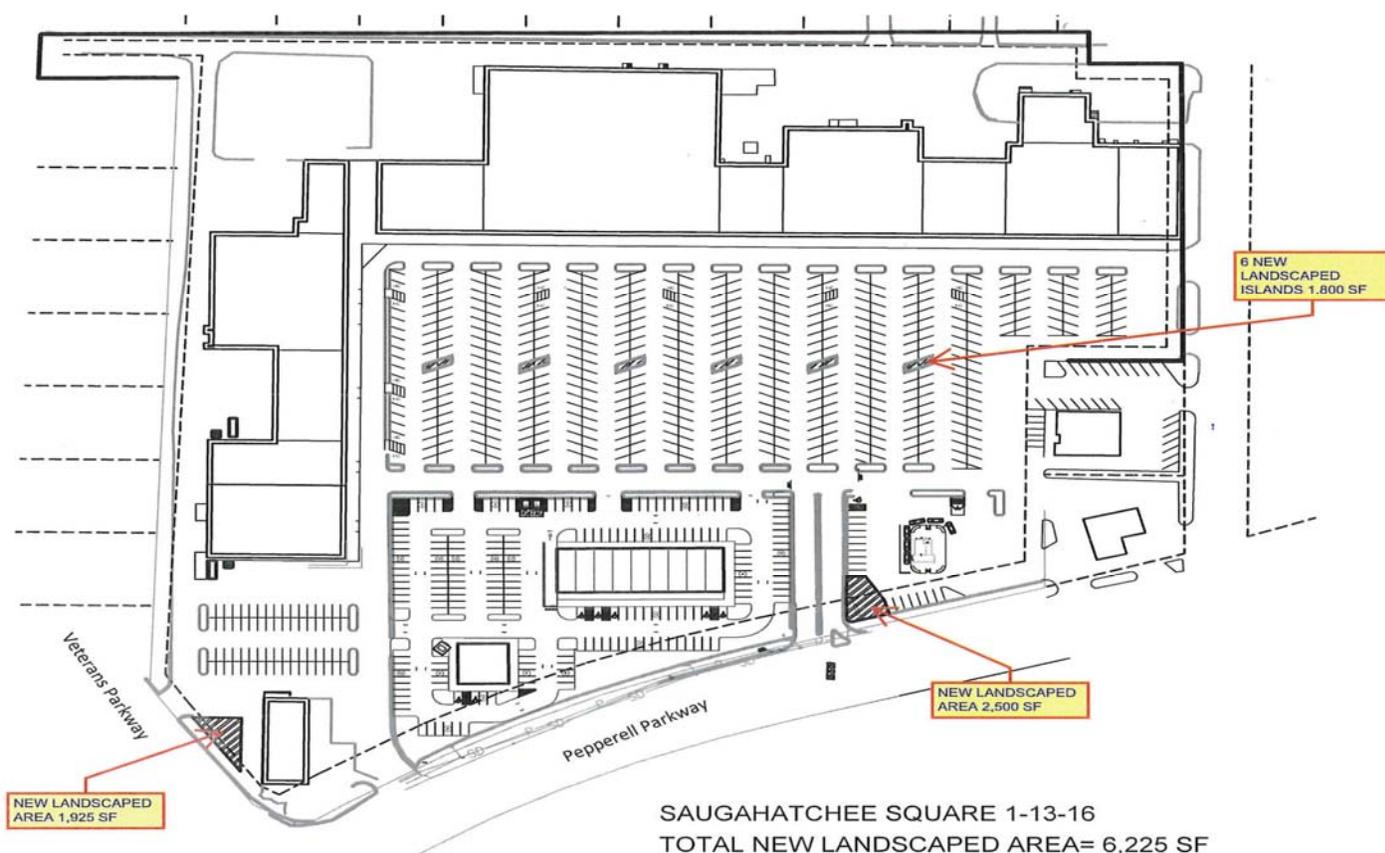
The east side elevation, west side, and 180' front wall facing Pepperell Parkway is a combination of EIFs (synthetic stucco) and glass (glass panels framed in bronze anodized aluminum). The rear wall facing the existing shopping center is 100% EIFs. A 3' wide blue metal mansard roof to encircle the building. Planning staff recommends approval for the simulated natural material.

The rear wall of the 10,800 sf building faces north toward the front of the existing Saugahatchee Square shopping center. The rear wall shows nine rear-side entrance doors – one door for each tenant space. Planning staff recommends that the doors remain as standard doorways and not converted to double doors or bay doors in the future.

The site plan shows two private dumpster for the larger 10,800 sf building and one dumpster for the 3,025 square feet. Staff recommends an opaque fence installed on all sides of the dumpsters and an opaque access gate installed. The fence and gate must be a height so the dumpster is not seen.

The applicant plans to construct a 5,000 sf addition on the rear wall of the existing shopping center. The addition is a loading dock for trucks delivering products to tenants. Planning approves the addition subject to construction plans provided to determine if the addition meets the City's building code requirements. Minimum area requirements are met: The addition is setback at least 50 feet from the rear property line; the minimum rear yard setback is 20 feet.

Staff recommends approval subject to recommendations in this report.





Staff recommendation: Plant six medium trees in existing landscape islands behind 10,800 commercial building.





Mr. Hawkins reported water service is accessible to this location by a water main in the R.O.W. of Pepperell Parkway.

Mr. Prince reported this location is in Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

Council Member Canon asked how the area for the small building will be landscaped if the building is not to be built for a few years.

Mr. Slocum stated all the parking and landscaping around the small building will be put in place. The area for the foundation of the small building will be a grass area.

Mr. Foote asked if one of these spaces is a restaurant can allow for a double glass door in the rear for a back entrance.

Chairman Pridgen closed the public hearing.

Mr. Silberman amended the motion to grant conditional use approval with staff recommendations with the option for one double glass door in the rear.

Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

Mayor Fuller and the Commission all praised Mr. Fimiani who worked with the Planning Commission and staff; applauding all the work done at Saugahatchee Square to renovate the shopping center.

**6. Oxton Court of Opelika LLC, 1001 Fox Run Parkway, PUD, Tim Barron, 24 room addition to existing assisted living facility**

Mr. Ogren reported the applicant is requesting conditional use approval to add a 24 room addition on an assisted living facility at the corner of Fox Run Parkway and Brookstone Drive. The existing facility has 32 rooms. Each room has one bed. The facility cares for individuals with Alzheimer's, dementia or similar memory impairments. Seven employees will serve the residences at the 64 room facility.

The existing facility/building is 20,390 square foot (sf) on a 4.4 acre lot. The 24 room addition is 16,025 sf. The addition is constructed on the existing parking lot that fronts along Fox Run Parkway. New parking spaces will be constructed on the north side (facing Brookstone Avenue) and near east property line (rear yard). The Zoning Ordinance provides minimum parking requirements for a 'nursing home'. A nursing home with 64 beds require 23 parking spaces. The site plan shows 39 off-street parking spaces including seven handicap spaces. A 65' x 85' courtyard will be constructed between the new addition and the existing facility. A 4 foot wide sidewalk will be constructed on the north, east and south side of the addition.

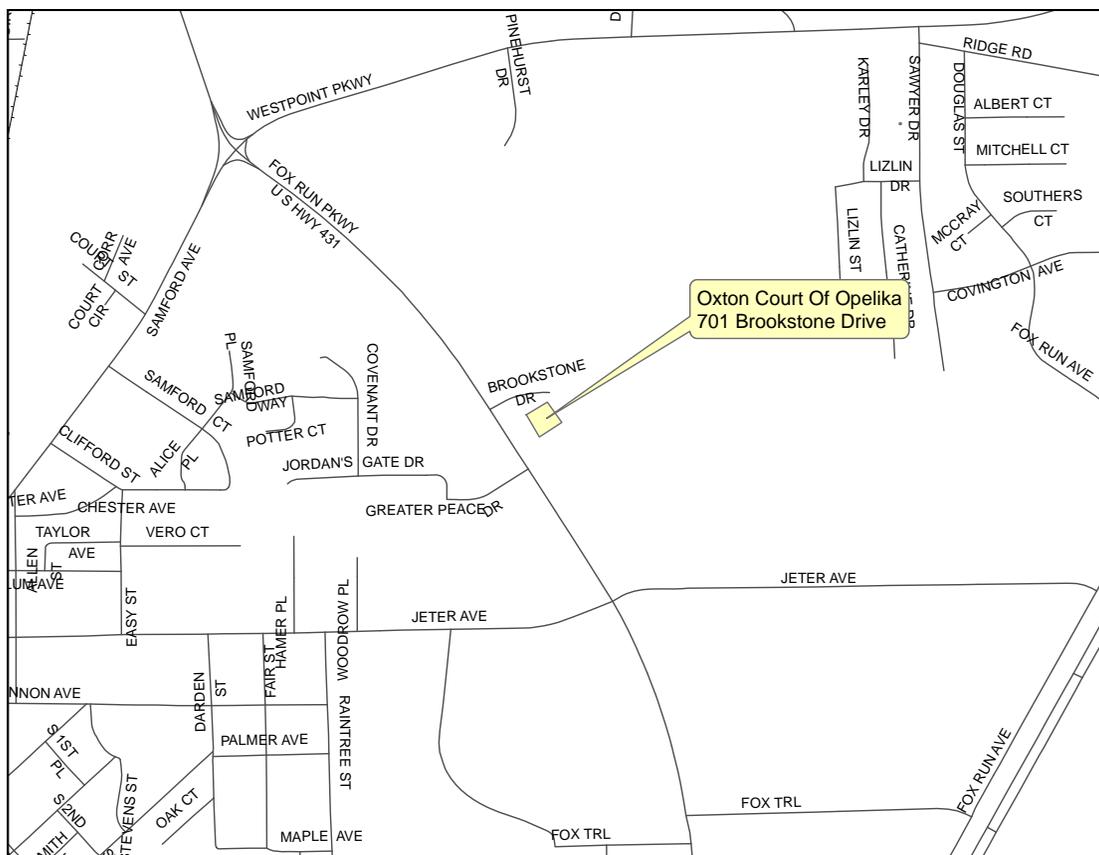
Along Fox Run Parkway most of the trees on the property will be removed because of construction activities. The applicant said trees will be preserve if possible. (The trees at the corner of Fox Run Parkway and Brookstone Drive will be preserved.) The new addition will be about 49 feet from the front property line along Fox Run Avenue. The minimum landscape requirements are met from the existing trees on the property. New landscaping is proposed for the front yard area. A landscape plan is in your packet. The new landscaping meets minimum total point requirements. A total of 64 understory, medium or large trees will be planted. Along Fox Run Parkway new medium trees will be planted in some areas. Also, a note is added on the plan along Fox Run Parkway: "Potential Tree Save Area". Planning recommends that if the existing trees cannot be saved then medium or large be required to replace the existing trees.

The exterior material is a combination of HardiePlank<sup>3</sup> and brick (see elevations in packet). The 'west elevation' faces Fox Run Parkway. The north elevation faces Brookstone Drive. Most of the west elevation (facing Fox Run Parkway) is HardiePlank except one wall section is brick. A revised elevation plan is in your packet. The revisions are on the west elevation that faces Fox Run Parkway. The right corner of the west elevation is changed from HardiePlank to brick.

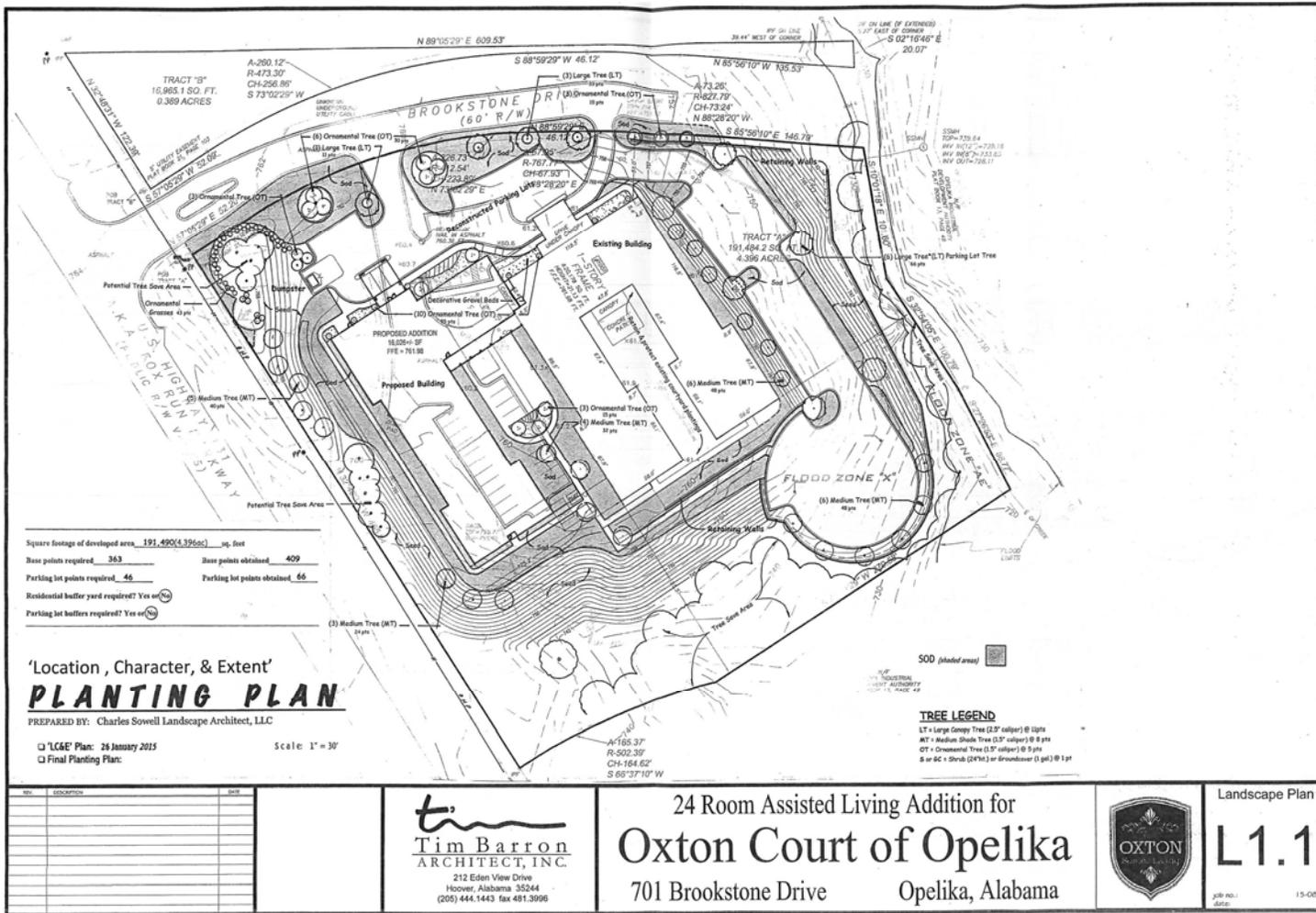
Staff recommends the dumpster enclosed on three sides with an opaque fence. The fence should be high enough (8 feet) so the dumpster is not seen from the gateway corridor – Fox Run Parkway. Also, an opaque double gate should be installed at a height to screen the dumpster. On the revised elevation plan (top-left corner of page) a dumpster enclosure is shown.

Recommendation:

Staff recommends approval subject to recommendations in this report.



<sup>3</sup> A fiber cement exterior material consisting of sand, cement and cellulose fibers.



Mr. Parker reported this development is an addition to an existing development that access Brookstone Drive, which is a privately maintained street. The address of this development should be revised to 701 Brookstone Drive because the access is from this street. I will need to get with the development engineer to review the land disturbance, erosion control and site development plans. With these comments, the Engineering Department recommends conditional use approval.

Mr. Hawkins reported water service is accessible to this location by a water main in the R.O.W. of Brookstone Drive

Mr. Prince this location is in the Opelika Power Services and Tallapoosa River Electric Co-Op territory.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations. Mayor Fuller seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

**D. OTHER BUSINESS**

**7. Discuss amendment to Section 9.9 General Business Signs, sub-section B, concerning sandwich board signs in C-1 zoning district.**

Mrs. Thrift reported Opelika Zoning Ordinance: Section 9 Sign Regulations Subsection 9.2 Definitions – Sign, Portable and Subsection 9.9 General Business Signs – Permit required – see highlighted areas

**SECTION 9.2 DEFINITIONS**

Sign, Portable. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but, not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.<sup>4</sup>

**SECTION 9.9 - GENERAL BUSINESS SIGNS – Permit Required**

**A. C-1, C-2, C-3, M-1, M-2, I-1, GC Zoning Districts, Single Lot General Businesses:** The maximum total display area for wall signs on any single lot with 30,000 square feet or less of floor area shall not exceed 200 square feet maximum total display area of wall signage shall be calculated at 1.6 square feet of sign area for each lineal foot of exterior wall business frontage. Commercial uses with over 30,000 square feet of floor area, maximum total display area of wall signage shall be calculated at 1.6 square feet of sign area for each lineal foot of exterior wall business frontage not to exceed 320 square feet. Business frontage shall be the front exterior wall facing a street public right-of-way. Corner lots with two (2) street public-right-of-ways have two (2) right-of-ways. For a freestanding sign, the maximum area of sign shall not exceed 100 square feet. Corner or double-frontage lots shall be allowed two (2) freestanding signs (one (1) per street frontage). No one (1) freestanding sign shall exceed a height of 30 feet. Freestanding signs are prohibited in the C-1 zoning district.

One (1) temporary sandwich board sign per business lot is permitted in the C-1 zoning district. The sandwich board shall be no more than four (4) feet high with each sign face not exceeding eight (8) square feet in area. Sandwich board signs allowed under this subsection shall be located on private property only and not erected within the public rights-of-way. Sandwich boards proposed within the public rights-of-way (sidewalk, street, etc.) shall be approved by the City Council by resolution. The City Council may place conditions it deems appropriate on approval including, but not limited to, precise location, time limits, maintenance/appearance for the sign, proof of insurance, and an indemnification agreement to hold the City harmless from claims against the City.

**STAFF COMMENTS:**

Currently the City Council approves a temporary “sandwich board” within public right of way by resolution. This process is cumbersome and time consuming for a City Council agenda item and has not been enforced regularly. Staff proposes the following changes:

One (1) temporary sandwich board sign per business lot is permitted in the C-1 zoning district (which includes the Historic Downtown Business District). The sandwich board shall be no more than eight (8) square feet (2'x4') in area. Sandwich board signs allowed under this subsection shall be located on private property only and not erected within the public rights-of-way. Sandwich boards proposed within the public right-of-way (sidewalk, greenways, etc.....) shall be approved by Planning Staff. The Planning Staff may place conditions it deems appropriate on approval including, but not limited to, precise location, time limits, materials, maintenance/appearance for the sign, proof of insurance, and an indemnification agreement to hold the City harmless from claims against the City.

Staff recommends with Planning Commission concurrence that Section IX Sign Regulations, Subsection A., Paragraph 2 be amended to allow the Planning Department to enforce and approve this issue. If Planning Commission concurs, a public hearing will be scheduled for February 23, 2016.

No reports from Engineer, OPELIKA UTILITIES and Opelika Power Services

Chairman Pridgen requested we put this item on hold while the sign regulations are being revised.

#### **8. Discuss 2030 Master Plan**

Mr. Kelley and Chairman Pridgen reviewed the 2030 Master Plan history quickly, discussing needs to set public hearing.

Mr. McEachern commended the parks and recreation department for the exceptional facilities and staff.

#### **9. Review 2016 Planning Commission meetings and deadlines**

This item was discussed at the work session only.

#### **10. Wyndham Gates SD, Phase 2, Requesting extension of preliminary plat approval for six months or July 26, 2016**

Mayor Fuller made a motion to extend preliminary plat of Wyndham Gates Subdivision Phase 2 for six months with staff recommendations.

Mr. McEachern seconded the motion.

Ayes: McEachern, Silberman, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: None

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 4:35 p.m.

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Keith Pridgen, Chairman

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Lewis Cherry, Secretary