

**February 11, 2014
CITY OF OPELIKA
PLANNING COMMISSION MEETING
FEBRUARY 11, 2014
3:00 P.M.
PUBLIC WORKS FACILITY
700 FOX TRAIL**

******* DUE TO THE INCLEMENT WEATHER THE JANUARY 28TH PLANNING COMMISSION MEETING HAS BEEN POSTPONED TO THE ABOVE DATE - TUESDAY, FEBRUARY 11th AT 3:00 PM *******

The City of Opelika Planning Commission held its regular (the January 28, 2014 was rescheduled due to weather) monthly meeting February 11, 2014 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters were mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Lewis Cherry, John McEachern, Arturo Menefee, Ira Silberman, Mayor Fuller, Keith Pridgen, David Canon, Lucinda Cannon, Michael Hilyer

MEMBERS ABSENT: None

STAFF PRESENT: Gerald Kelley, Planning Director
Martin Ogren, Assistant Planning Director
Rachel Dennis, Planning and Zoning Technician
Josh Hawkins, Opelika Utilities Board
Brian Kriel, Opelika Power Services
Scott McBurney, Public Safety
Guy Gunter, City Attorney

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

I. Approval of December 17, 2013 Minutes

Chairman Pridgen asked for any changes or corrections to the December 17, 2013 Planning Commission Minutes

Mayor Fuller made a motion to accept the December 17, 2013 minutes of Planning Commission as written.

Mr. Silberman seconded the motion.

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

Nays: None

Abstention: Menefee

Chairman Pridgen noted Police Chief McEachern is a new Commissioner in place of Fire Chief Junior Morgan's retirement. We are glad to have Chief McEachern to serve.

II. Elect Officers to Planning Commission (Chairman, Vice Chairman)

Chairman Pridgen selected Mr. Kelley to run the election.

Mr. Kelley opened the floor for nominations of Chairman.

Ms. Cannon nominated Mr. Pridgen.

Mayor Fuller seconded the motion.

Council Member Canon moved to close the nominations.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

Chairman Pridgen opened the floor for nominations for Vice Chairman.

Mayor Fuller nominated Mr. Cherry.

Ms. Cannon seconded the motion.

Council Member Canon moved to close the nominations.

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

Nays: None

Abstention: Cherry

III. Update on previous Planning Commission cases

Mr. Kelley reported a public hearing and first reading for microbrewery and the rezoning from C-2 to C-2. In January the City Council approved modification to subdivision development and access into developed subdivision. This means if you have a new subdivision and it exceeds 99 lots you must require an additional access point to a public road or you have to begin sprinkling those structures after 99 have been built.

A. PLATS (preliminary and preliminary & final) – Public Hearing

1. Stauffer Nursery Subdivision, 2 lots, Lee Road 146, James Miller, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 2 lot subdivision located in the Planning Jurisdiction near Highway 51 and about 1.2 miles south of the City limits. The purpose of the subdivision is to create Lot 1. Lot 1 (12.6 acres) is a flag lot with access to Lee Road 146 from a 60 foot wide pole section. Lot 2 is 178 acres; most of Lot 2 is located in a "Zone A" flood plain area as shown on the plat. Each lot meets the minimum 15,000 sf lot size requirement and 100 foot lot width.

Staff recommends preliminary and final plat approval.

Mr. Kelley reported for Engineering, the Engineering Department recommends preliminary and final plat approval.

Mr. Hawkins reported this subdivision is in the Beauregard Water Authority service area.

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

Chairman Pridgen opened the public hearing.

Ms. Tommie Joe White of 672 Lee Road 113, my land is across from this. Is this going to be for a subdivision of houses.

Mr. Miller the surveyor spoke and said they are just dividing the land. They may need to negotiate an easement with you. The USDA is going to continue to use that lot. They are going to sell the other 142 acres.

Chairman Pridgen stated if they want to divide it for a subdivision of housing lots at a later time you will get a letter to notify you of this.

Chairman Pridgen closed the public hearing.

Ms. Cannon made a motion to grant preliminary and final plat approval with staff recommendations.

Mayor Fuller seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

2. Favela South Uniroyal Subdivision, 2 lots, 2814 South Uniroyal Road, Jesus Favela, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 2 lot subdivision located on South Uniroyal Road. An existing 700 square foot single family home will be moved and set-up on Lot 1 (The house to be moved is located next to the Red Lobster restaurant in Auburn.). The two lots meet the minimum 7,500 square foot lot size requirement.

Staff recommends preliminary and final plat approval

Mr. Kelley reported for Engineering, the Engineering Department recommends preliminary and final plat approval.

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

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

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Dr. Menefee made a motion to grant preliminary and final plat approval with staff recommendations.

Mayor Fuller seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

3. Northbrook Subdivision, Phase 5, 45 lots, Northbrook Drive, Brandon Bolt, preliminary and final approval

Mr. Kelley reported the applicant is submitting a preliminary plat for the final phase of Northbrook. This phase will contain forty-five (45) lots on fifteen (15) acres. Lot sizes range from 7,625 sq. ft. to 20,624 sq. ft. All lots satisfy the minimum area, width, and side yard setbacks in the R-4 zoning district.

The City Council passed an amendment to the Fire Code on January 7, 2014 to require that when a subdivision surpasses a lot count of ninety nine (99) lots; either a second access to the subdivision or sprinkling structures exceeding 99 lots is required. On submission of the final plat, identification of specific lots shall be noted on the plat for sprinkling. The developer has chosen lots 39-42 to be the lots that are required with structures to be sprinkled.

A requirement to extend Northbrook Dr. to the eastern property line and provide a temporary cul-de-sac shall be shown on the preliminary plat. The City Engineer will provide additional comments on the street extension.

Staff Recommendation: Approve preliminary plat subject to corrections in the staff report.

Mr. Kelley reported for Engineering, there were concerns from this department regarding the development of the adjacent property to the north and east and the availability of future access to another exit of the development, whether it be Morris Avenue with the connection to Sherwood Drive to the north and with Lafayette Parkway (US 43) to the east. Both could, and should be considered with the future development. It is noted that the best possibility to connect this development with the aforementioned roadways is with the extension of Northbrook Drive; therefore it is recommended by this department that a temporary turnaround be placed at the end of this road until the future development occurs. The means and method of this temporary turnaround is at the

discretion of the designing engineer as long as it meets the City of Opelika's standards. The location and placement of this turn around will be at the discrepancy of the design engineer to determine the best fit that will match the terrain and water shed flow characteristics of the area.

Mr. Hilyer stated we will need permanent barricades at the end of the street.

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

Mr. Kriel reported this subdivision is in the Opelika Power Services territory. Developer will be responsible for paying the estimated cost difference between overhead and underground power.

Chairman Pridgen opened the public hearing.

Brandon Bolt with Bolt Engineering, what we have is 45 lots, these lots have been laid out to preserve as much as possible. It will be up to the home builders as to preserve the trees as possible.

Diane Green, 601 Morris Avenue, this makes more sense than the first plat. My concern now is natural watershed coming off of my property. I do not want water backing up onto my property.

Brandon Bolt stated we have located the ditch and the physical limits, I feel comfortable that the swell we have traveling through there it is very capable of providing safe drainage.

Diane Green stated the ditch is an old railroad bed.

Chairman Pridgen stated a new development cannot create more drainage, so if you have any new problems please contact us. Ms. Green when they developed the other property we had big tree roots dumped on our property. I do not want that to happen again.

Curtis Coker at 2101 Austell Street, my concern is this pond that is going to be developed. There is a lot of water in that area. If they dig down behind my neighbor's house there are a couple of springs. With this pond I am going to have water above my house. If this pond gets full the water will flow into and destroy my in ground pool and my house. I want to make sure this pond is secure.

Brandon Bolt stated we have designed this pond to safely pass the 100 yr. storm and the 25 yr. storm. This will only be a detention pond.

Curtis Coker stated with all the construction in this area, the big trucks have caved in the roads. With this new development the road will deteriorate more. We need some help to make the road like it should be.

Mike Perry, Northbrook Subdivision HOA Representative appointed by Charles E. Smith. I have talked with a few of my neighbors. We are all concerned about the detainment pond. Did I hear correctly that it will not keep water? We also have concerns about the road. I have been told about the spring that runs under Austell Street that is causing road problems. There are concerns about connecting the new subdivision to Sherwood Drive, because the properties are not equal to the same standards

Brandon Bolt stated the pond has a drainage plan.

Chairman Pridgen addressed the connection to Sherwood Drive that we have to look into the future. The current property owners have no land to make that connection.

Chairman Pridgen closed the public hearing.

Mr. Kelley asked Brandon how he would address Mr. Hillier's comment about access at the hammerhead.

Brandon Bolt stated we are going to put in curb and gutter along with signage.

Mr. Hilyer suggested a 6 foot height barricade.

Chairman Pridgen stated typically we require a cul de sac a hammerhead is a rarity.

Mayor Fuller made a motion to grant preliminary plat approval with staff recommendations.

Mr. Silberman seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

B. CONDITIONAL USE - Public Hearing

4. 3M Auto Sales LLC, 215 Second Avenue, C-3, Automobile sales

Mr. Ogren reported the applicant is requesting conditional use approval for an automobile sales lot at 215 2nd Avenue. The site plan shows a 1,710 square foot building on a 9,810 square foot lot. There are four parking spaces for employees and customers including one handicap space; the four spaces are near the east wall (or rear wall) of the building. The plan also shows 13 other parking spaces reserved for automobiles to be sold. Planning staff recommends that no more than 13 automobiles stored on the lot for sale and the automobiles parked in the parking spaces as shown on the site plan. The landscape plan meets minimum requirements. The 41 landscape points required are obtained by the applicant preserving one 28" diameter tree and planting four trees. A daycare center with an outside playground area is located along the south property line adjacent to an automobile display area. Planning staff recommends a six foot high opaque fence installed or mesh screening (minimum 95% visual block) installed on a chain link fence to form a visual barrier between the auto sales lot and the playground. The length of the opaque fence is about 35 feet.

Staff recommends approval subject to recommendations in this report.

Mr. Kelley reported for Engineering, the Engineering Department has no objections to the access and parking proposal of the plans, and recommends conditional use approval as long as parking on N. 3rd Street is not allowed and enforced. It is recommended by the engineering department to install a curb along N. 3rd Street that matches the curb sections at the corner of the intersection and the adjacent property owner. This curb section shall be constructed up to the right-of-way of the City street and two openings shall be left to accommodate the one way traffic in and out of the site as detailed in the plat.

Mr. Hawkins reported Opelika Utilities currently serves this location.

Mr. Kriel reported Opelika Power Services presently serves this use.

Chairman Pridgen opened the public hearing.

Temple Anderson applicant, had concerns about the curbing requirement. I would like to offer an alternative to this of placing two vehicles parallel to the building as display vehicles. I understand the wisdom of now wanting the customers to back out into the street.

Chairman Pridgen stated an automobile is not allowed to be parked in the right-of-way.

Mr. Kelley noted that it would not be allowed to have display cars in the right-of-way. A suggestion would be to limit these two spaces to be employee parking but would require Planning Commission approval.

Temple Anderson suggested another option is that we paint no parking in the curb area

Chairman Pridgen closed the public hearing.

Mr. Cherry made a motion to grant conditional use approval with staff recommendations.

Mayor Fuller seconded the motion.

Council Member Canon stated this building is older and we should work with what we have. I think we should try not to have the parking in our right-of-way.

Chairman Pridgen, the Commission and staff agree instead of a curb or employee parking has a designation of no parking with paint and signage parallel to be building so that no parking will be allowed in the right-of-way.

Mr. Silberman, Commissioners, and staff agreed to allow the existing fence to be used as a visual barrier between the two commercial uses.

Mr. Cherry made a motion to amend the motion to grant conditional use approval with the painting in place of curbing and no parking signs in addition to the no parking on the pavement with the existing fence to be made opaque.

Mayor Fuller seconded the motion.

Dr. Menefee called for question.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

5. Chun Park, 13 Samford Avenue, C-3, GC-2, Fast food restaurant

Mr. Ogren reported the applicant is requesting conditional use approval for a fast food restaurant "Wing Town" at 13 Samford Avenue (formerly "Grown Folks" bar & grill). The restaurant will primarily be a carry-out type restaurant but will provide four tables (four chairs at each table) to serve customers inside. The restaurant will not offer drive-thru services.

The site plan shows a 3,300 square foot building on a 1.6 acre lot. About 1,370 square feet of the floor area is for customer sales & service including an 800 square foot "waiting area" for customers to pick-up food orders; an 1,100 square foot floor area is storage. The exterior material of the building elevations is painted concrete block (8x16 center-block) on all sides. The exterior walls will be repainted beige with brown trim. The site plan shows 18 off-parking spaces including one handicap parking space for customers and employees; parking is adequate for a restaurant that is primarily carry-out. The property has at least 13 more existing paved off-street parking spaces on the east and south sides of the property. The landscape plan meets minimum requirements. (A revised landscape plan is attached to this report.) A total of 12 understory trees and 82 will be planted. The site meets the maximum 75% Impervious Surface Ratio (ISR); the ISR is about 40%. A private dumpster is located within an existing concrete block wall next to the building ("dumpster" shown on site plan). A 10 foot wide double gate will be installed to visually screen the dumpster area from Samford Avenue. The gate must be opaque (100% visual blocked). Outdoor lighting will consist of security lights on the building.

Staff recommends approval as submitted.

Mr. Kelley reported for Engineering, the Engineering Department has no objection to the road access and parking proposal of the plans. There was some concern if the railroad timber barrier to Samford Avenue will be enough of a barrier to contain localized access through the dedicated entrance; however, after a site visit it was determined that there is a raised grass section between the timbers and the sidewalk that will provide adequate barrier. If the property owner chooses to improve this area more than placing the required shrubs, the Engineering Department should be consulted with a proposed plan. At this time, the Engineering Department recommends conditional use approval.

Mr. Hawkins reported Opelika Utilities currently serves this location.

Mr. Kriel reported Opelika Power Services presently serves this use.

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Mr. Silberman made a motion to grant conditional use approval with staff recommendations.

Dr. Menefee seconded the motion.

Mr. Hilyer stated the grease trap upgrades need to be submitted.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

6. Bill Brown/Carlton Hunley, 2111 Marvyn Parkway, C-3, GC-2, Warehouse/storage

Mr. Ogren reported the applicant is requesting conditional use approval to warehouse-store products or goods. All storage will be inside an existing 40,600 sf building – no outside storage. The building is located on a 4.3 acre lot. The site plan shows 16 parking spaces including one handicap parking space which meets minimum requirements for off-street parking. The parking spaces are not striped; planning staff recommends that the parking spaces be striped. The landscape plan meets minimum requirements. A total of 14 trees and 24 shrubs will be planted in the front yard area facing Marvyn Parkway. The site meets the maximum 75% Impervious Surface Ratio (ISR); the ISR is 38%.

The exterior material of the existing building is metal on all sides. Planning staff recommends that at least 50% of the front elevation be natural material or an approved synthetic material. The applicant desires to install EIFS board. The applicant is requesting a 90 day extension to complete improvements to the front elevation and landscaping. (A tenant has a pending agreement with a customer (Fort Benning) and the customer needs to occupy the building by February 1st.) The front elevation improvements and the landscaping will be completed on or before April 28, 2014.

If a private dumpster is used then all sides of the dumpster must be enclosed with an opaque fence including an opaque gate. Outside lighting for the property will consist of the existing security lights.

Staff recommends approval subject to recommendations in this report.

Mr. Kelley reported for Engineering, no comments or objections.

Mr. Hawkins reported Opelika Utilities currently serves this location.

Mr. Kriel reported Opelika Power Services presently serves this use.

Chairman Pridgen opened the public hearing.

No comments from the public.
Chairman Pridgen closed the public hearing.

Mayor Fuller made a motion to grant conditional use approval with staff recommendations.

Mr. Hilyer seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

C. ANNEXATION

7. George Mann, 3161 Lee Road 054, 9.3 acres

Mr. Kelley reported Mr. Mann requests annexation of 9.3 acres. This property is contiguous to current city limits on three (3) sides. The former Mann Museum is located on the property, with a vacant 25,588 sq. ft. building. A cell tower was erected on site in 2013. The property has not been subdivided.

Staff Recommendation: Approve Annexation Petition

Mr. Kelley reported for Engineering, has no comments or objections.

Mr. Hawkins reported Opelika Utilities currently serves this location.

Mr. Kriel reported this parcel is outside of the Opelika Power Services.

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Mayor Fuller made a motion to send a positive recommendation to city council with staff recommendations.

Mr. Hilyer seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Cannon, Hilyer

Nays: None

Abstention: Council Member Canon

D. ZONING for ANNEXATION – Public Hearing

8. Jeff Clary, 3161 Lee Road 054, Recommendation: C-2, GC-2 zoning district

Mr. Kelley reported as property is annexed into the City of Opelika, an automatic R-1 zoning classification is provided unless the property owner requests another zoning district. Mr. Mann desires the C-2, GC-2 district and staff concurs. This property has not been subdivided at this time.

Staff Recommendation: Zone the property C-2, GC-2

Mr. Kelley reported for Engineering, has no comments or objections.

Mr. Hawkins reported Opelika Utilities currently serves this location.

Mr. Kriel reported this parcel is outside of the Opelika Power Services.

Chairman Pridgen opened the public hearing.

Doug Click asked about what the use maybe there in the future.

Chairman Pridgen explained the zoning uses in a C-2, GC-2 zone and closed the public hearing.

Mr. Silberman made a motion to send a positive recommendation to City Council with staff recommendations.

Mayor Fuller seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Cannon, Hilyer

Nays: None

Abstention: Council Member Canon

G. VACATION OF STREET

13. Vacate approximately 95 feet of an undeveloped portion of North 6th Street right-of-way beginning at the intersection of 5th Avenue and North 6th Street.

Mr. Kelley reported Mr. and Mrs. Matthew Dixon at 503 5th Ave, and Mr. Drew Clevenger at 601 5th Ave. request the City of Opelika to vacate a 95 foot (length)/60 foot (width) unopened portion of N. 6th St., at the intersection of 5th Ave. and N. 6th St. The City of Opelika neither desires to construct nor maintain this unopened portion of N. 6th St. However, Mr. Clevenger does not want his 30 foot portion of the right of way if vacated, and will give his 30 feet to Mr. and Mrs. Dixon.

Staff Recommendation: Vacate the unopened portion of N. 6th St. right of way at 5th Ave. and deed same to Mr. and Mrs. Dixon.

Mr. Kelley reported for Engineering, the Engineering Department and City Attorney have prepared legal descriptions and documents for the vacation of the section of a right-of-way and they are ready to be signed by the property owners and recorded.

Mr. Hawkins reported Opelika Utilities has no facilities in the subject area.

Mr. Kriel reported no report.

Mayor Fuller made a motion to send a positive recommendation to vacate a portion of this street with staff recommendations.

Ms. Cannon seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Cannon, Hilyer

Nays: None

Abstention: Council Member Canon

H. OTHER BUSINESS

14. Tony Rogers, 400 block of Columbus Parkway, C-3, GC-2, Temporary use of a mobile/modular office from February 5, 2014 to June 30, 2014

Mr. Kelley reported Mr. Rogers is requesting the temporary use of a modular building until June 20, 2014 to relocate his insurance business currently on Frederick Road. Section 8.4: Subsection A. Paragraph 7 allows a commercial use in an emergency situation for a period of time not to exceed one (1) year upon approval by the Planning Commission. Mr. Rogers will explain his business emergency to the Commission for an office. A conditional use permit must be approved for a permanent structure by the Planning Commission at a later date.

Staff Recommendation: Allow the temporary use of a modular structure until June 30, 2014. A conditional use permit request must be submitted by March 4, 2014 for Planning Commission consideration on March 25, 2014.

Mr. Kelley reported for Engineering, Mr. Hawkins and Mr. Kriel had no reports.

Mr. Rogers stated I own the property. I have preliminary plans drawn up by Shawn Foote.

Chairman Pridgen stated if you do not have the building removed by June 30, 2014 you will have to come back to the Commission for an extension.

Mayor Fuller made a motion to temporary conditional use approval with staff recommendations.

Mr. Hilyer seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

12. Amend Sub-Section 9.9 General Business Signs; Paragraph A. General Sign Requirements to "prohibit off premise commercial advertising electronic message boards"

Mr. Kelley reported to clarify the language; in Section 9.9; Paragraph A. the following phrase shall be added in the first sentence (Capitalization added) to read as follows: Billboards, portable signs, and off premise advertising signs (including portable faces mounted on permanent structures AND COMMERCIAL ADVERTISING ELECTRONIC MESSAGE BOARDS) are prohibited.

Staff Recommendation: Approve the additional phrase in first sentence of Paragraph A.

Mr. Kelley reported for Engineering, Mr. Hawkins and Mr. Kriel had no reports.

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Dr. Menefee made a motion to send a positive recommendation to city council with staff recommendations.

Mr. Silberman seconded the motion.

Ayes: Cherry, McEachern, Silberman, Menefee, Fuller, Cannon, Hilyer

Nays: None

Abstention: Council Member Canon

E. REZONING – Public Hearing

9. Amend Opelika zoning map concerning the Gateway Corridor Overlay zoning district and amend the text of the Zoning Ordinance - Section 7.6 Gateway Corridor Overlay District

Mr. Ogren reported it is the intent of this Section is to specify those areas that serve as a primary means of entry into Opelika may be and name those areas the Gateway Corridor Overlay Districts. This district is designated to be an overlay appended to residential, commercial, industrial, or any other districts. The Gateway Overlay district is similar to airport hazard areas (Section 7.4) and the Flood Plain Overlay District (see Section 7.5) in that additional regulation will apply and supersede the underlying district regulations. In other words, a Gateway Overlay district can be placed on top of any of the city's existing zoning districts creating an overlap in the zoning along a specified length of roadway desired to be regulated. Any proposed development, then, would have to meet the zoning requirements of both the existing zone and the Gateway Overlay district. The Gateway Corridor Overlay Districts may include roadway corridors and their adjacent development located in several use districts. Uses typically include retail, wholesale, motel, recreation, office, fast-food establishments, and similar uses. This district is characterized by special design controls enforced to prevent incompatible uses and to maintain an attractive "gateway" or entrance into Opelika. The design of these corridors and their major elements shall reflect the identity and image of the entire City of Opelika. There are two (2) Gateway Corridor Overlay District designations: Gateway Corridor –1 (GC-1) and Gateway Corridor – 2 (GC-2). The GC-1 is typically to be applied to interchange areas and/or an area to serve as the focal gateway for the City. The development standards for this district are more restrained than for those of the GC-2 because of the desire to have this designated area serve as an aesthetic and functional gateway. The GC-2 is not as restrictive as the GC-1 development standards because the areas designated as GC-2 are to be the areas just beyond the GC-1

designated areas. The GC-2 is to serve as a transition from the GC-1 to conventionally zoned areas. GC-2 areas should typically be located adjacent to GC-1 areas along major corridors leading to the GC-1 area.

The Gateway Corridor Overlay district is designated as shown on the official City of Opelika Zoning Map. The boundary depth of the Gateway Corridor Overlay district shall be 600 feet measured from the street centerline of the designated Corridor except for a portion of Second Avenue. The boundary depth for the Second Avenue Gateway Corridor shall be as described below. If any portion of a lot is located within the Gateway Corridor Overlay district then the entire lot is considered within the district.

Mr. Kelley stated we may want to be specific about what we want to do with existing buildings.

Chairman Pridgen stated we do not have a regulation that applies to updating existing buildings and what is a reasonable request.

Mr. Kelley reported for Engineering, Mr. Hawkins and Mr. Kriel had no reports.

The subcommittee has been called to review the gateway regulations.

F. TEXT AMENDMENTS TO ZONING ORDINANCE – Public Hearing

10. Amend the following from Section 7.3 Specific District Regulations, subsection A. District Regulations concerning the Gateway Corridor Overlay District: Notes: 1. Lighting Requirements, 5. For new construction on the Gateway Corridor Overlay – Exterior Material Construction

~~1. Mr. Ogren reported GC-1 and GC-2 Overlay districts, Lighting requirements: Light or glare from any operation and all lighting for parking areas or for the external illumination of buildings or for the external illumination of buildings or grounds shall be directed or located in a manner such that direct or indirect illumination from the source of light shall not exceed one foot candle measured from any property line adjoining a residential zoning district. Outside lights for nonresidential properties/uses must be made up of a light source and reflector so that acting together the light beam is controlled and not directed across an adjacent property. It is the intent of this provision to prevent light from spilling over to adjacent properties in amount that can create negative impacts. Lighting plans shall be reviewed and approved by the Planning Commission (see section 7.6 B.2.15). The Planning Commission requires that appropriate lighting in accordance with the latest recommendations of the Illuminating Engineering Society (IES) guidelines be followed. It is recommended that for lighting parking areas, the developer use a vertical burn, super metal halide, forward projection fixture using cut-off type housing, i.e. shoe box type housing. In addition, it is recommended that the poles be made of metal and of a platinum color to lessen their visibility during the day and that, the heights of the poles not exceed 25 feet.~~

1. Gateway Corridor Overlay District - Lighting Requirements for Off-Street Parking and Vehicular Use Area (PVA)¹

A detailed lighting plan for all PVAs having 15 or more parking spaces or containing at least 5,000 square feet of PVA must be submitted with the construction and landscape plans.

A. The lighting plan shall be drawn on the border of the submitting professional and shall clearly define the property lines and the zoning classifications for all adjacent properties. The lighting plan shall provide the following information:

¹ A land area not on public right of-way designated for the parking and movement of vehicles.

- (1) the type of lamp to be used in each fixture, including the manufacturer's name and part number, lamp wattage, lumen output, and a copy of the manufacturer's lamp specifications;
- (2) pole heights and locations;
- (3) the type of fixtures, including the manufacturer's name and model number, wattage, a picture of the fixture, and the IES file name;
- (4) point-to-point photometric calculations at intervals of not more than ten feet at ground level demonstrating that the plan will provide a uniform intensity of lighting on vehicular surfaces in conformance with the requirements of Section C below;
- (5) the area of each photometric calculation, including an extra calculation to identify the light level produced at the property line, and all data used in each calculation; and
- (6) the stamp of the qualified registered Alabama professional.

B. All exterior lighting fixtures shall be

- (1) located and fitted with appropriate cutoffs, if necessary, to prevent the light level on any adjoining roadway or residential property line from exceeding 1 foot candle;
- (2) aimed so that they do not exceed an angle of 45 degrees out from the base of the pole when using flood lights;
- (3) installed on poles 32 feet or less in height unless the PVA exceeds 25,000 square feet; in such cases, poles exceeding 32 feet, as measured from the finished grade to the bottom of the fixture, may be used if it is demonstrated that all the requirements of this section can be met; and
- (4) shielded so as to prevent glare on adjacent properties and rights of way.

C. PVA lighting shall be designed and installed in compliance with the following standards:

Illumination Requirements for PVAs as Measured at Ground Level:

<u>TYPE OF PVA</u>	<u>Required Minimum Levels</u>	<u>Maximum/Minimum Uniformity Ratio*</u>
Nonresidential & Residential Surface PVAs	1 foot candle	10:1
Nonresidential & Residential Surface PVAs using LED source	0.4 foot candles	8:1

* The highest horizontal illuminance area, divided by the lowest horizontal illuminance point or area should not be greater than the ratio shown. The maximum/minimum ratio must be calculated only for the area within the PVA; maximum light level at the right of way and at property lines shall also be shown.

- D. All required lighting shall be installed and approved prior to issuance of a certificate of occupancy. The registered professional who stamped the plans shall certify by letter that the installation complies with the approved plans. The letter shall specify fixtures, wattages, pole heights, and any special requirements such as rotation, angle, shielding or positioning of critical poles at property lines.
- E. PVA lighting meeting the standards of Section 71.6. shall be utilized during all hours of operation between dusk and dawn.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 28, 2014
Agenda Item #: F-10 (Item 2 of 2)
Action Requested: Amendment to Exterior Material for Gateway Corridor Overlay District

Strikethrough = deletions

Bold Type = Additions

SECTION 7.3 SPECIFIC DISTRICT REGULATIONS

A. District Regulation.

NOTES:

~~5. For new construction in the GC-1 and GC-2 Overlay Districts: Fifty percent (50%) or more of the surface area of the façade to be used on new buildings shall be natural in appearance. Preference is given to materials such as wood, brick, stucco, or glass. Second choice of materials includes other siding that simulates natural materials. A statement shall be submitted to the Planning Department and Building Official for review. The use of simulated exterior materials must have Planning Commission approval. A natural material or approved simulated exterior material shall cover the wall (s) of a building(s) facing all public right-of-ways. The side or rear of a building visible to a gateway roadway shall be reviewed by the Planning Commission to determine the extent of utilizing the natural material or approved simulated exterior material. Trims, building details, dumpster gates, etc. may be made of a man-made material with Planning Commission approval.~~

5. For new construction in the Gateway Corridor Overlay District - EXTERIOR WALL CONSTRUCTION

A. Definitions

Residential buildings-shall mean those buildings utilized for a single family, two-family, and multiple family dwelling, related to accessory use as a primary residential unit.

Nonresidential building -shall mean those buildings utilized for use other than single family, two-family and multiple family dwelling related to accessory use as a primary non-residential building.

Masonry materials-shall mean and include that form of construction defined below and composed of clay brick, stone, decorative concrete block, rock or other materials of equal characteristics laid up unit set in mortar.

Brick- Includes kiln fired clay or shale brick manufactured to ASTM C216 or C652, Grade SW, can include concrete brick if the coloration is integral, may be painted, and it is manufactured to ASTM C1634; minimum thickness of two and one quarter inches when applied as a veneer, and shall not include under fired clay or shale brick.

Stone- Includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all weather stone that is customarily used in exterior building construction; may also include cast or manufactured stone product, provided that such product yields a highly textured stone-like appearance, its coloration is integral to the masonry material and shall not be painted on, and it is demonstrated to be highly durable and maintenance free; natural or manmade stone shall have a minimum thickness of one and one half (1 1/2") inches when applied as a veneer.

Decorative Concrete Block- Includes highly textured finish, such as split faced, indented, hammered, fluted, ribbed or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and five eighths inches when applied as a veneer; shall include light weight and featherweight concrete block or cinder block units.

Precast concrete panels- includes products often associated with Tilt Up Wall Construction but only allowed if post-constructed wall areas are then covered by defined masonry materials that can be laid up by unit set in mortar and meet the required percentages of coverage as defined in this ordinance.

The following materials shall not qualify nor be defined as “masonry construction” in meeting the minimum requirements for exterior construction of buildings, unless specifically approved by wavier from Planning Commission.

- Stucco, exterior plaster, adobe or mortar wash surface material
- Exterior insulation and finish systems (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material
- Cementitious fiber board siding (such as “Hardy Plank” or “Hardy Board”)
- Glass

COLOR: All principal and accessory buildings shall be compatible with the architectural style, character, and appearance, including exterior color, which will harmonize and blend in with other buildings in the area. The use of novelty and primary colors are strongly discouraged and to be avoided. Color is intended to enhance the architecture uses of the building, not to detract attention to specific features or elements such as roof or parapet lines.

Residential: A minimum of 50% of the exterior wall construction for all single family detached, duplex, and attached condominium/townhome shall be constructed of masonry materials. The 50% coverage requirement shall be calculated by measuring all facades of the structure, excluding openings for windows, doors, and trim, and multiplying that figure by 50%. The builder of the structure shall be authorized to satisfy the 50% requirement by placing the masonry material on one or more facades of the structure, provided that the façade that faces the public street or private road that services the structure shall have a minimum of 75% of that façade covered with masonry material.

Multi-Family: A minimum of 50% of the exterior wall construction for all multiple-family dwellings shall be constructed of masonry materials. The 50% coverage requirement shall be calculated by measuring all facades of the structure, excluding openings for windows, doors, and trim, and by multiplying that figure by 50%. The builder of the structure shall be authorized to satisfy the 50% requirement by placing the masonry material on one or more facades of the structure, provided that the façade that faces the public street or private road that services the structure shall have a minimum of 75% of that façade covered with masonry material.

Commercial: A minimum of 50% of the exterior wall construction for all commercial structures shall be constructed of masonry material. The 50% coverage requirement shall be calculated by measuring all facades of the structure, excluding the openings for windows, doors, and trim and multiplying that figure by 50%. The builder of the structure shall be authorized to satisfy the 50% requirement by placing the masonry materials on one or more facades of the structure, provided that the façade that faces the public street or private road that services the structure shall have a minimum of 75%-of the façade covered with masonry and/or glass.

Manufacturing/Industrial: A minimum of 25% of the exterior wall construction for all manufacturing/industrial structures shall be constructed of masonry material. The 25% coverage

SECTION 7.3 SPECIFIC DISTRICT REGULATIONS

Allowed - A Conditional - C Not Allowed - N

Strikethroughs = deletions **Bold** type or **Red/Yellow** = additions

C. Use Categories.

USES

DISTRICTS

	R-1A	R-1	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-1	GC-2
RESIDENTIAL																
Single-Family	A	A	A	A	A	A	A	A	C	A	A	N	N	A	A-	A
Duplex	N	N	C	C	A	A	A	A	N	N	N	N	N	N	E-	C
Apartments	N	N	N	N	C	C	C	C	C	C	C	C	C	C	E-	C
Townhouse/ Condominium	N	N	N	N	C	C	C	C	C	C	C	N	N	N	E-	C
Patio Houses	N	N	N	N	C	C	C	C	N	C	C	N	N	N	E-	C
Mobile Home	N	N	N	N	N	A	N	A	N	N	N	N	N	N	N-	N
Mobile Home Park & Subdivision	N	N	N	N	N	C	N	C	N	N	N	C	N	N	N-	N
Houses For Handicapped or Infirm																
Child Care Homes	N	N	N	N	C	C	C	C	N	C	C	N	N	A	E-	C
Group Homes	C	C	C	C	C	C	C	C	N	C	C	N	N	A	E-	C
Domiciliary	C	C	C	C	A	A	A	A	N	C	C	N	N	C	E-	C
Miscellaneous Rooms for Rent																
Rooming House, Boarding House	N	N	N	C	A	A	A	A	N	C	C	N	N	N	E-	C
Tourists Home, Bed & Breakfast Inn	N	N	N	C	N	N	N	N	A	A	A	N	N	A	E-	C
Hotel, Motels, and Similar Business	N	N	N	N	N	N	N	N	A	A	A	N	N	A	E-	C
Recreational Vehicle Park	C	C	N	N	N	C	N	C	C	N	N	N	N	N	E-	C
Temporary Emergency, Construction and Repair Residences	A	A	A	A	A	A	A	A	A	A	A	A	A	A	E	E
COMMERCIAL																
No Storage & Display of Goods Outside																
Fully enclosed Building	N	N	N	N	N	N	N	N	A	A	A	C	N	N	A-	A
less than 100,000 Square Feet GLA	N	N	N	N	N	N	N	N	C	C	C	C	N	N	E-	C
more than 100,000 Square Feet GLA	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	N
Adult Businesses	N	N	N	N	N	N	N	N	N	N	N	C	N	N	E	E
Package Liquor Store	N	N	N	N	N	N	N	N	N	N	N	C	N	N	E	E
Body Art(Tattoo & Piercing)	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	N
Storage and Display of Goods Outside																
Fully Enclosed Building Allowed	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	E
Automobile Sales	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	E
Mobile Home Sales	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	E
Truck and Tractor Sales	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	E
Truck Stop	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N-	E

USES

DISTRICTS

Square Feet GLA
 All Other More Than 100,000
 Square Feet GLA

Offices, Clinical, Research and Services Not Primarily Related To Goods or Merchandise
 Operation Designed to Attract and Serve Customer or Clients on Premises such as Office of Attorney, Physicians, Other Professions, Insurance and Stock Brokers, Government Building, etc.
 Offices of Physicians or Dentist
 Banks
 Banks with Drive-in Windows

Office of Contractor
 With Equipment and Material Yard
 Without Equipment and Material Yard

Automobile Related
 Automobile Maintenance Establishment
 Automobile Repair
 Automobile Service Station
 Convenience Store with Gas Station/Automatic Car Wash

Manufacturing, Processing, Creating Repairing, Renovating, Painting, Clearing Assembling of Goods, Merchandise and Equipment
 All Operations Conducted Within Fully Enclosed Building
 Operations Conducted Within or Outside Fully Enclosed Building
 Social, Fraternal clubs and Lodges and Union Halls, and Similar Uses

	R-1A	R-1	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-1	GC-2
Square Feet GLA	N	N	N	N	N	N	N	N	C	C	C	C	N	N	GC-1	GC-2
All Other More Than 100,000	N	N	N	N	N	N	N	N	C	C	C	C	N	N	GC-1	GC-2
Square Feet GLA	N	N	N	N	N	N	N	N	C	C	C	C	N	N	GC-1	GC-2
Offices, Clinical, Research and Services Not Primarily Related To Goods or Merchandise																
Operation Designed to Attract and Serve Customer or Clients on Premises such as Office of Attorney, Physicians, Other Professions, Insurance and Stock Brokers, Government Building, etc.	N	N	N	N	N	N	N	N	A	A	A	C	N	A	A	A
Offices of Physicians or Dentist	N	N	N	N	N	N	N	N	A	A	A	C	N	A	A	A
Banks	N	N	N	N	N	N	N	N	A	A	A	C	N	A	A	A
Banks with Drive-in Windows	N	N	N	N	N	N	N	N	N	A	A	C	N	A	A	A
Office of Contractor																
With Equipment and Material Yard	N	N	N	N	N	N	N	N	N	N	C	A	A	N	N	E
Without Equipment and Material Yard	N	N	N	N	N	N	N	N	A	A	A	A	A	N	GC	E
Automobile Related																
Automobile Maintenance Establishment	N	N	N	N	N	N	N	N	N	C	C	A	A	N	GC	E
Automobile Repair	N	N	N	N	N	N	N	N	N	N	C	A	A	N	GC	E
Automobile Service Station	N	N	N	N	N	N	N	N	N	C	C	A	N	N	GC	E
Convenience Store with Gas Station/Automatic Car Wash	N	N	N	N	N	N	N	N	N	C	C	A	N	N	GC	E
Manufacturing, Processing, Creating Repairing, Renovating, Painting, Clearing Assembling of Goods, Merchandise and Equipment																
All Operations Conducted Within Fully Enclosed Building	N	N	N	N	N	N	N	N	N	C	C	A	A	N	GC	E
Operations Conducted Within or Outside Fully Enclosed Building	N	N	N	N	N	N	N	N	N	N	C	A	A	N	GC	E
Social, Fraternal clubs and Lodges and Union Halls, and Similar Uses	C	C	N	N	C	C	C	C	A	A	A	N	N	C	GC	E

USES	DISTRICTS																
	R-1A	R-1	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-1	GC	GC-2
Bowling Alleys and Skating Rinks	N	N	N	N	N	N	N	N	A	A	A	A	N	N	-E	C	E
Indoor Fitness Center	N	N	N	N	N	N	N	N	A	A	A	A	N	N	-E	C	E
Indoor/Outdoor Fitness Center	N	N	N	N	N	N	N	N	N	A	A	A	N	N	-E	C	E
Billiard and Pool Halls	N	N	N	N	N	N	N	N	A	A	A	A	N	N	-E	C	E
Movie Theater	N	N	N	N	N	N	N	N	A	A	A	A	N	N	-E	C	E
Activity Conducted Primarily Outside																	
Enclosed Buildings or Structure																	
Private Owned Outdoor Recreational Facilities such as Golf and Country Clubs, Swimming or Tennis Clubs, etc.	C	C	N	N	N	N	N	N	N	N	A	N	N	N	-E	C	E
Golf Driving Range, Miniature Golf, Skateboard Park, Bicycle Race Tract	C	C	N	N	N	N	N	N	N	C	A	N	N	N	-N	C	E
Horse Back Riding Stables	A	A	N	N	N	N	N	N	N	N	N	N	N	N	-N	N	N
Automobile or Motorcycle Racing Tracts	C	C	N	N	N	N	N	N	N	N	N	C	N	N	-N	N	N
Commercial Recreational Fishing	N	A	N	N	N	N	N	N	N	N	N	N	N	N	-N	N	N
Day Care Center	N	N	N	N	C	C	C	C	C	A	A	A	N	A	-E	C	E
Restaurants	N	N	N	N	N	N	N	N	A	A	A	A	A	A	-E	C	E
Lounge (Also called bar/nightclub)	N	N	N	N	N	N	N	N	C	C	C	C	N	N	-E	C	E
Car Wash	N	N	N	N	N	N	N	N	N	C	A	A	N	N	-N	N	E
Self-Service, unattended, open bay																	
Storage: Storage of goods not related to sale of use of those goods on the same lot where they are stored.																	
All storage within completely enclosed structures	N	N	N	N	N	N	N	N	N	C	C	A	A	N	-N	C	E
Storage inside or outside completely enclosed structure	N	N	N	N	N	N	N	N	N	N	C	A	A	N	-N	N	E
Mini warehouse	N	N	N	N	N	N	N	N	N	C	C	A	A	N	-N	N	N
Scrap Materials, Salvage Yard, Junkyard, Automobile Graveyard	N	N	N	N	N	N	N	N	N	N	C	C	C	N	-N	N	N

USES	DISTRICTS															
	R-1A	R-1	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-1	GC-2
Services and Enterprises Related to Animals																
Veterinarian	C	C	N	N	N	N	N	N	N	A	A	A	N	N	G	C
Kennel	C	C	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Agricultural, Mining, Quarrying Operation																
Agricultural Operations with Livestock	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	C
excluding Livestock	A	A	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mining or Quarrying, including on-site sale of products	C	C	N	N	N	N	N	N	N	N	N	C	N	N	N	C
Miscellaneous Public and Semi-Public Facilities																
Post Office	N	N	N	N	N	N	N	N	C	C	A	A	N	N	G	C
Airport	C	C	N	N	N	N	N	N	N	N	N	A	N	A	N	C
Sanitary Land Fill	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Military Reserve or National Guard Center	N	N	N	N	N	N	N	N	N	N	N	A	N	A	N	N
Dry Cleaner	N	N	N	N	N	N	N	N	A	A	A	A	N	N	G	C
Laundromat	N	N	N	N	N	N	N	N	A	A	A	A	N	N	N	N
Open Air Markets																
Farm and Craft Market	C	C	N	N	N	N	N	N	N	N	A	N	N	N	N	G
Produce Market	C	C	N	N	N	N	N	N	C	N	A	N	N	N	N	G
Flea Market	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N
Horticulture Sales w/Outdoor Display	C	C	N	N	N	N	N	N	N	C	C	C	N	N	N	G
Funeral Home	C	C	N	N	N	N	N	N	N	A	A	N	N	A	G	C
Cemetery	C	C	N	N	N	N	N	N	N	N	C	C	N	A	N	N
Mausoleum, Crematorium, Columbarium																
Bus Station	N	N	N	N	N	N	N	N	N	C	A	A	N	N	N	C

USES	DISTRICTS																
	R-1A	R-1	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GG-1	GG-2	
Commercial Greenhouse Operations																	
No on-premise sales	C	C	N	N	N	N	N	N	N	C	A	A	N	N	N	N	C
On-premise sales permitted	C	C	N	N	N	N	N	N	N	C	A	A	N	N	N	N	C
Medical Related																	
Medical or Dental Clinic	N	N	N	N	N	N	N	N	A	A	A	N	N	A	A	A	C
Pharmacies	N	N	N	N	N	N	N	N	A	A	A	N	N	A	A	A	C
Medical Research Laboratories	N	N	N	N	N	N	N	N	N	A	A	A	A	A	A	A	C
Retail Medical Supply	N	N	N	N	N	N	N	N	A	A	A	A	N	A	A	A	C

Chairman Pridgen opened the public hearing.

No comments from the public.

Chainman Pridgen continued the public hearing for items 9, 10, 11 to the March 25, 2014 Planning Commission Meeting.

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 4:20 p.m.

Keith Pridgen, Chairman

Rachel Dennis, Secretary