

**CITY OF OPELIKA
PLANNING COMMISSION MEETING
February 23, 2016
3:00 P.M.
PUBLIC WORKS FACILITY
700 FOX TRAIL**

The City of Opelika Planning Commission held its regular monthly meeting February 23, 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, Lewis Cherry, Lucinda Cannon

MEMBERS ABSENT: Arturo Menefee

STAFF PRESENT: Gerald Kelley, Planning Director
Martin Ogren, Assistant Planning Director
Rachel Dennis, Planning and Zoning
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. Approval of January 26, 2016 Minutes

Mayor Fuller made a motion to approve the January 26, 2016 Minutes as written.

Mr. Hilyer seconded the motion.

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

Nays: None

Abstention: Cherry

II. Update on Previous Planning Commission cases.

Mr. Kelley reported no Planning Commission items on the last Council agenda. Staff is reviewing the first draft of the proposed sign ordinance.

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

1. Power District Subdivision, Redivision of Lots 4A, 1A of Totten's Map, 1 lot, 1015 Avenue B & 1010 Avenue C, City of Opelika, preliminary and final approval

Mr. Kelley reported the City of Opelika request preliminary and final plat approval to create Lot 1(Fire Station) on 0.63 acres. Existing property lines need to be deleted which crisscross Lot 2 (Vacant OPS) land and structures on 2.41 acres.

Recommendation: Approve

Mr. Parker reported Engineering Department has no comments or objections to this plat and 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 Avenue B and Avenue C.

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

Nays: None

Abstention: None

2. Cedar Creek Subdivision, Revision of Lot 14 & 15-Phase 1A, 2 lots, 600/602 Hillflo Avenue, James McCrory, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision located in an R-1A zone on Hillflo Avenue. The purpose of the subdivision is to relocate the side lot line that separates Lot 14-A and Lot 15-A. The original side lot line shows part of a fence and/or retaining wall owned by Lot 14-A property owner was located on Lot 15-A. (Lot 14-A formerly Dr. Roberson's property). The subdivision locates the entire fence and retaining wall on Lot 14-A. Also the width of Lot 15-A along Hillflo Avenue is increased by 20 feet. Both lots meet the minimum 30,000 square foot lot size requirement and 90 foot lot width for a subdivision in the R-1A zone.

Staff recommends preliminary and final plat approval.

Mr. Parker reported Engineering Department has no comments or objections to this plat and 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 Hillflo Avenue.

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.

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

Mr. Hilyer seconded the motion.

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

Nays: None

Abstention: None

3. Pride of Pepperell Phase 1 Subdivision, Revision of Lot 1, 3 lots, 2295 First Avenue, Joshua L. Howard, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a three lot subdivision on First Avenue (same location as former West Point Stevens plant). The purpose of the subdivision is to create Lot 1B (2.5 acres) for a wholesale & warehouse HVAC equipment & parts business (Mingledorff's Inc.). The next agenda item is the conditional use request for the HVAC business. Lot 1A (9.4 acres) and Lot 1C (1.6 acres) are for future development. After the plat is recorded, Lot 1A and Lot 1B will be in a C-2 zone and Lot 1C will remain in the C-2, GC zone. Lot 1C meets the 20,000 square foot minimum lot size and 150' lot width for a subdivision in the GC zoning district.

Staff recommends preliminary and final plat approval subject to a 40 foot front setback added for Lot 1C and the County Engineer's signature line removed from the plat.

Mr. Parker reported Engineering Department has no comments or objections to this plat and 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 24th Street.

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

Mr. Silberman seconded the motion.

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

Nays: None

Abstention: None

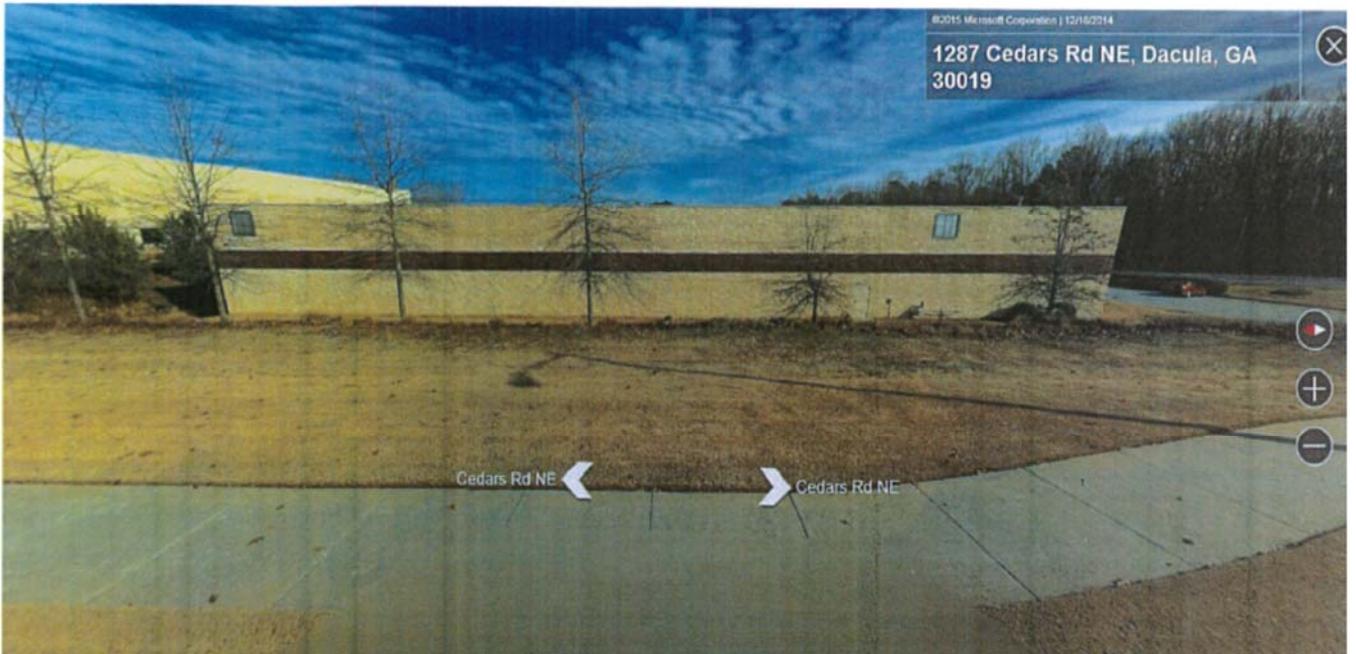
B. CONDITIONAL USE – Public Hearing

4. Brain Lee, 2295 First Avenue, C-2, GC Wholesale & warehouse HVAC equipment/parts

Mr. Ogren reported the applicant is requesting conditional use approval to construct a Mingledorff's distribution facility - wholesale & warehouse HVAC (Heating, Ventilation, and Air Conditioning) equipment/parts facility at 2295 First Avenue (C-2, GC zone). (*Mingledorff's was established in 1939 and now has 33 locations throughout AL, FL, GA, Miss, and SC.*) Four employees will operate the distribution center.

The site plan shows a 20,000 square foot (sf) building on a 2.5 acre lot. Warehouse space is 16,500 sf; office space is 3,500 sf. The plan shows 25 off-street parking spaces including two handicap spaces. (A minimum of 19 parking spaces is required.) The landscape plan meets minimum requirements; a total of 51 trees and 50 shrubs will be planted. The maximum 70% Impervious Surface Ratio (ISR) is met; the ISR is 66%. A 6,500 sf outside storage area is located along the rear property line (pallets of AC units, other equipment, will be stored outside). Most of the storage area is hidden by the existing building. A chain-link security fence will be installed. A 50' section of the fence can be seen from First Avenue. The revised site plan (see attached) states a 'polypropylene visual screen' installed on this 50' section of fence. The screen has 89% visual blockage. One 8'x 8' private dumpster is located in a truck loading dock space next to the warehouse. A three foot high retaining wall will visually screen about three feet of the 8 foot high dumpster from First Avenue. Most of the time a tractor- trailer will be parked in the adjacent loading dock and the dumpster will not be seen from First Avenue.

Exterior lighting will consist of wall-packs on the west side for the 'truck court yard'. The wall-packs may need to be shielded or the light beam redirected away from First Avenue if light creates a negative impact on First Avenue. Outdoor light poles will not be installed in the front parking lot. Elevations are provided in your packet. The exterior material is 100% architectural split-faced block; the block is painted (color: tan/cream wall with dark red stripe. See photos in packet). The "right elevation" labeled on the elevation plan faces west toward the truck court area. The "left elevation" faces east toward the Gateway Drive bridge. Five magnolia trees and shrubs will be planted on the east side (see landscape plan). The photo below is the same elevation that will be facing east toward Gateway Drive.



This elevation in Lawrenceville, Ga is the same as proposed East elevation facing toward Gateway Drive bridge in Opelika.

Staff recommends approval subject to recommendations in this report.

Chairman Pridgen asked to clarify if this property is in the gateway corridor zone. Mr. Ogren stated the conditional use is in the gateway overlay zone at this meeting but when the subdivision plat is recorded then the lot where this development is located will not be in the gateway corridor.

Mr. Parker reported the Engineering Department request that the applicant place curb and gutter, Type "C" across the length of the project site on 1st Avenue instead of matching the existing curb as an upgrade to the roadway system.

The Engineering Department requires 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. With the previously mentioned revisions addressed, 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 24th Street.

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

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

Ms. Cannon asked if a warehouse was allowed in a C-2 zone.

Chairman Pridgen stated it requires conditional use approval in a C-2 zone.

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

Mr. Cherry seconded the motion.

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

Nays: Cannon

Abstention: None

5. PHD Hotels. Inc., 3150 Capps Way, C-3, GC, New hotel

Mr. Kelley reported the applicant is requesting conditional use approval to construct an eight-one (81) room/suites hotel at 3150 Capps Way (adjacent to Holiday Inn Express) on 2.1 acres. Several revisions have occurred since work session on February 16th.

Modifications made include:

- 1) Relocation of the tower from one corner of the building to the opposite side.
- 2) Delete one (1) parking space for landscaping at the entrance to the hotel.
- 3) Minor changes to curb cut locations for internal access and movement of ladder fire truck.
- 4) Addition of seven (7) spaces.
- 5) Adding architectural EFIS brick along the first story elevation for the entire frontage of the hotel.

With these changes, staff support conditional use approval by Planning Commission.
Recommendation: Approve



Mr. Parker reported the Engineering Department recommended that the two-way access on Capps Way be relocated to the middle of the block between the shared property line and the ROW of Capps Drive. It is also recommended that the two-way access closest to the corner of Capps Way and Capps Drive be deleted because neither of these two access meets the access spacing requirements in the Opelika Public Works Manual.

The Engineering Department requires 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. With the previously mentioned revisions addressed, 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 Capps Way and Capps Drive

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

Chairman Pridgen opened the public hearing.

Mr. Lassiter from Forsite Group thanked the Commission.

Jim Hunt representing PHD Hotels showing an updated rendering with the new façade.

Chairman Pridgen closed the public hearing.

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

Mr. McEachern seconded the motion.

Council Member Canon called for the question.

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

Nays: None

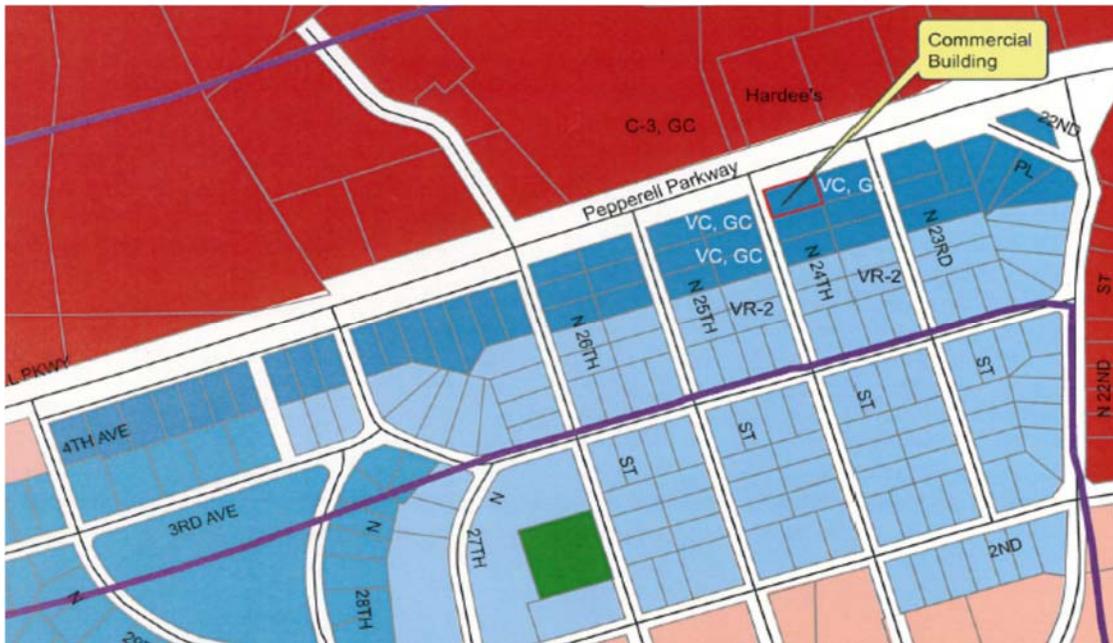
Abstention: None

6. Eddie Jackson, 313 North 24th Street, VC, GC, New commercial building

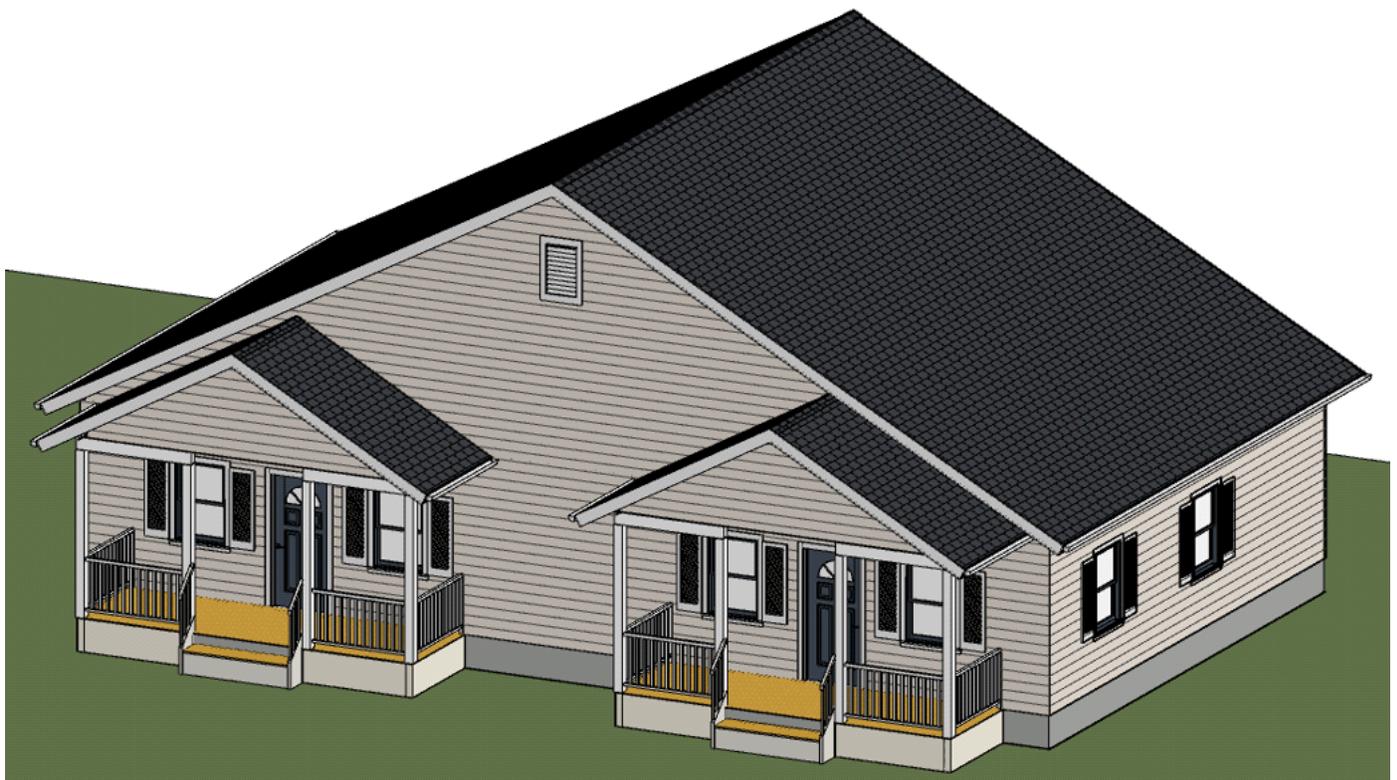
Mr. Ogren reported the applicant is requesting conditional use approval to construct a new commercial building in the VC zoning district (Village Commercial) and GC overlay district. *See vicinity map on page 2.* Two businesses will occupy a 1,545 square foot (sf) building. A hair salon is one tenant; an office is anticipated as the other tenant. The VC zone prohibits businesses *“which has operating hours which customarily extend into the late evening or late night”*. The hair salon hours is from 7 am to 6 pm. The intent of the village commercial district is to *“accommodate low intensity” commercial uses “which are compatible in mass, scale and design with nearby single-family structures.”* The district offers *“appropriate locations for small businesses and offices, the size and operating characteristics of which require limited parking, customarily have operating hours compatible with a residential area, and which generate limited traffic, lighting, noise, and trash levels.”*

The site plan shows a 1,545 square foot (sf) building on an 11,020 sf lot. The building meets minimum setbacks and off-street parking requirements. The plan shows 11 off-street parking spaces including one handicap space. The landscape plan meets minimum requirements; a total of 12 trees will be preserved and 11 shrubs planted. A residential buffer with a 6 foot high fence and a row of evergreen plantings is required along the south and east property lines. In some areas existing trees visually screen the commercial property from the adjacent residential property. The development meets the maximum 70% 50% Impervious Surface Ratio (ISR) allowed; the ISR is 50%. A ‘dumpster pad’ is shown near the south property line next to the parking lot. A dumpster or a 300 gallon trash container or larger must be screened on three sides with an 8 foot high opaque fence. The screen material must be the exterior material of the principle structure. The gate must be permanent and constructed of an opaque material. Elevations are attached to this report. In the VC zone new structure should *be compatible in mass, scale, and design* with nearby structures. The maximum building size allowed on the applicant’s lot is 2,220 sf; the building is 1,545 sf. The maximum building height allowed is 25 feet at the ridge line; the proposed building is 25 feet. After the Feb 16th Planning Commission work session the applicant and architect discussed revisions to the elevations. Option 4 elevations are on page 3-4 and Option 5 on page 5-7. In comparison to the Options reviewed at the work session, the gable-end of Option 4 is facing Pepperell Parkway. Option 5 shows one front door entrance facing Pepperell Parkway and the other front door facing North 24th Street. On Option 5, the right-view facing North 24th Street is similar to the existing insurance office located directly across the street from Option 5 (photo of insurance office on page 5). The proposed height of Option 5 building at the ridge is 21’3”; the maximum building height allowed is 25 feet. The lower ridge on Option 5 reduces the roof slope so the attic storage area is smaller. The attic is accessed from a folding ladder installed in one of the tenant spaces. The first floor ceiling height is 10 feet. The siding is 100% HardiPlank (cement, sand, & cellulose fibers). Planning staff recommends Option 5 building elevations. The porches extend four feet into the front and rear building setbacks. Section 7.3 A. note #7 states *“The setback requirements may be varied by the Planning Commission if an alternative access is available ...”* other than the Gateway Corridor. (The development is accessed from North 24th Street.) Staff recommends a 4 foot variance from the 16 foot front yard minimum building setback requirement along

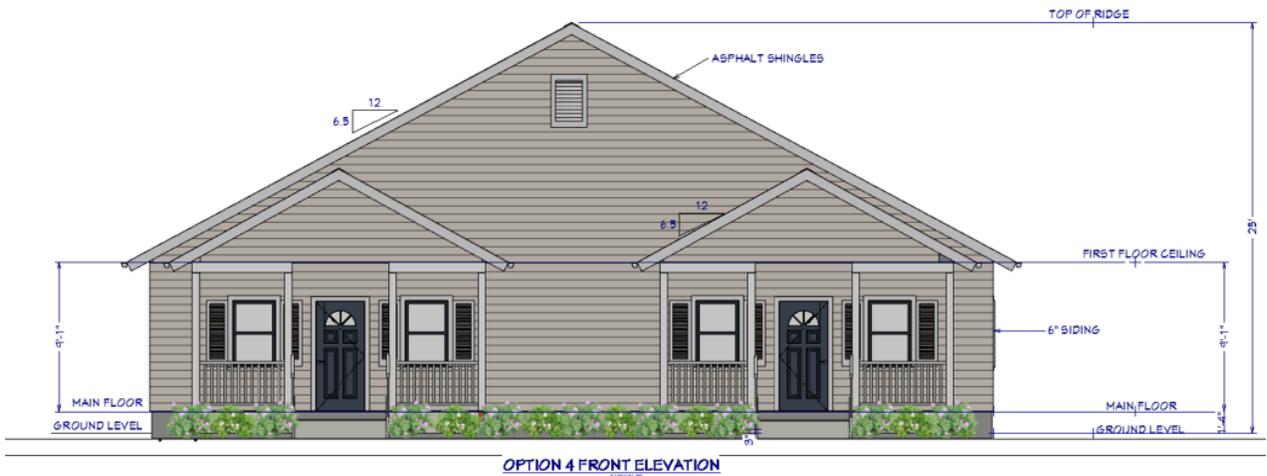
Pepperell Parkway, a 4 foot variance from the 35 foot rear yard setback, and a 4 foot variance from the 18 foot side yard setback (east side). In the VC zone the maximum height of any outdoor lighting is 12 feet. If outdoor lights are installed they must be shielded so no direct light is toward adjacent properties. Staff recommends approval subject to recommendations in this report.



Vicinity map – New commercial building – 313 North 24th Street



Option 4 - 3D Plan View – gable porches facing Pepperell Parkway



Option 4 - Front facing north toward Pepperell Parkway

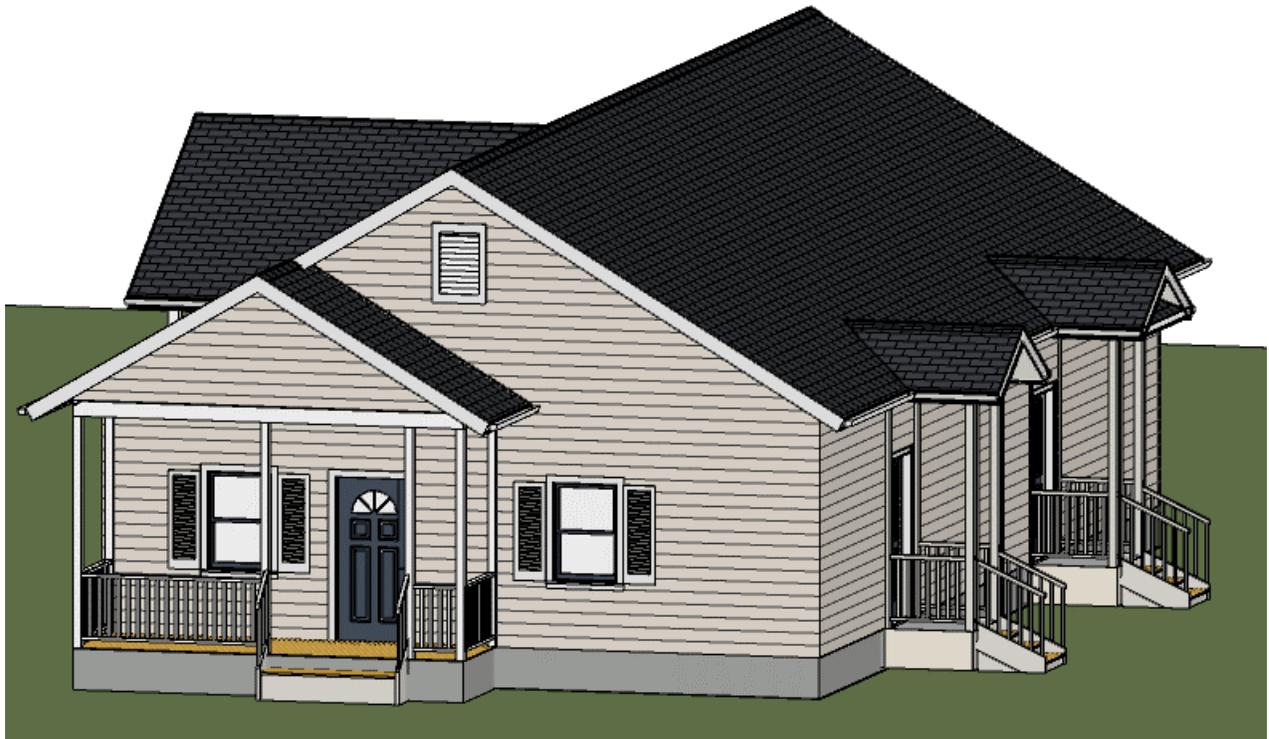


Option 4 - Facing west toward North 24th Street



Option 4 - Facing south toward adjacent property in VC zone

[OPTION 5 (RECOMMENDED IN PLANNING REPORT & Approved by Planning Commission)]



Option 5 – This gable porch & front door faces west toward North 24th Street - (3D Plan View)



Existing Insurance building on North 24th Street facing the above elevation



Option 5 – Facing west toward North 24th Street – Building height from ground to ridge is 21'3"



Option 5 – Facing north toward Pepperell Parkway – ceiling height 10'; building height 21'3"



Option 5 – Left side facing east toward adjacent VC property



Option 5 – Facing south toward adjacent property in VC zone. (Rear entrance to each tenant space.)

Mr. Parker reported since the total land disturbance of the development is under one half acre, the land disturbance permit should be submitted to the Building Department with the issuance of the building permit. Erosion and sediment controls will be established according to the standards required at that department. 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 24th Street.

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

Chairman Pridgen opened the public hearing.

Mr. Jackson agreed with the selection of Option 5.

The Commissioners and staff discussed the Option 5 and the height of the building.

Chairman Pridgen closed the public hearing.

Mr. Hilyer made the motion to grant conditional use approval with staff recommendations with a ridge height of no more than 25 ft.

Mr. Cherry seconded the motion.

Mr. Ogren stated the porches on each side (i.e., porches are on three sides of structure) of Option 5 goes into the setback by 4 feet. In section 7.3 of the Ordinance it states the setback requirements maybe varied by the Planning Commission if an alternative access is available other than the gateway corridor. In this case that's North 24th Street. We are recommending a 4 foot setback variance for each side setback.

Mr. Kelley stated this is because there is no direct access to Pepperell Parkway.

Mr. Hilyer amended the motion to grant conditional use approval with staff recommendations with a ridge height of no more than 25 ft. allowing for each side setback variance of 4 ft.

Mr. Cherry seconded the motion.

Mr. Silberman called for the question.

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

Nays: None

Abstention: None

C. REZONING - Public Hearing

7. City of Opelika & Marsh Real Estate Investments LLC, 1015 Avenue B, 1010 Avenue C, & 405 South 10th Street, Total of 3.3 acres, from C-2 zone to C-1

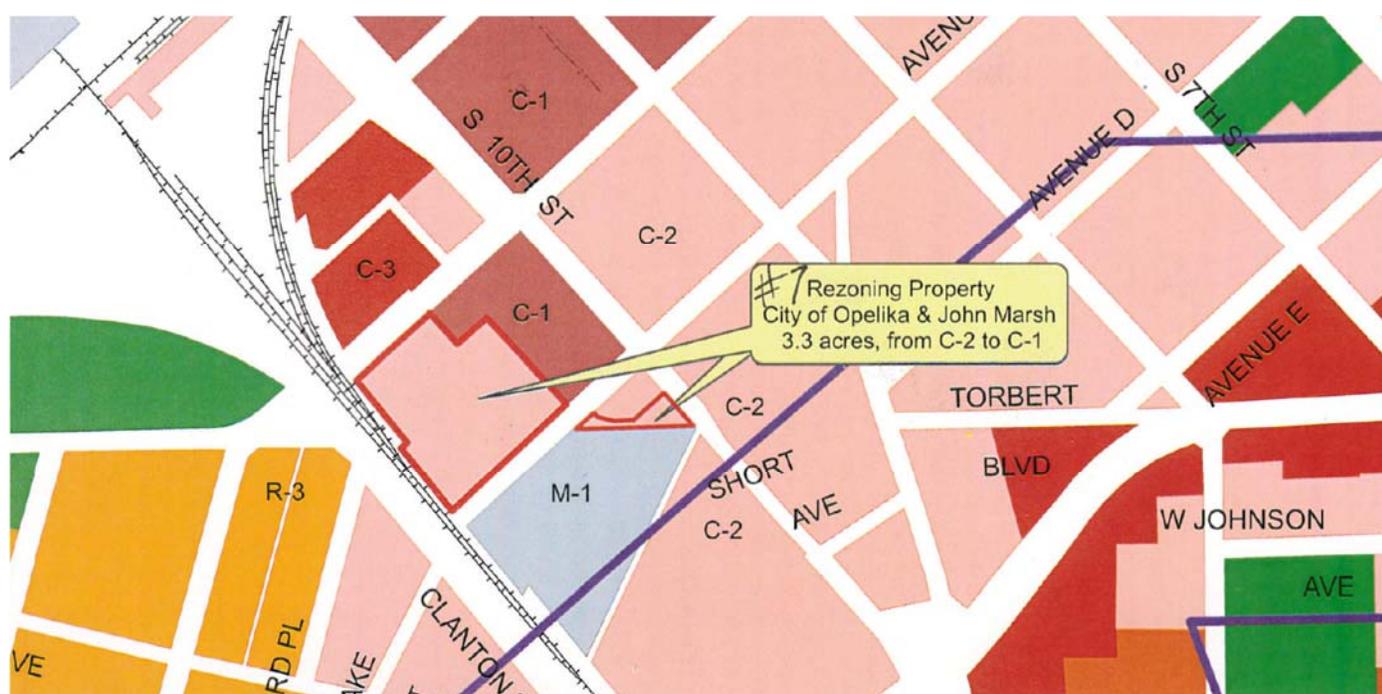
Mr. Kelley reported the applicants, City of Opelika and Marsh Real Estate Investments, are requesting rezoning from C-2 to C-1 for a total of 3.3 acres. The fire station is permitted in any zoning district without conditional use since same is a government building. When the new fire station is built and occupied the City may keep or sell the property.

Opelika Power Services (OPS) property will be used by the Opelika Industrial Development Board (OIDA) via an agreement with the City for redevelopment by Marsh Real Investments to lease. The uses are yet to be determined but there will be up to ten (10) individual units as an incubator type business for start-up entrepreneurs to do "limited light assembly and manufacturing" (Section 6.4 Purpose and Intent of Zoning Districts; C-1 Downtown Commercial District); for such items as billfolds, coin purses, dog collars/leashes, jewelry etc.

Mr. Marsh owns the property at 405 S. 10th St. and desires to rezone from C-2 to C-1. The building is vacant but he has a tenant who makes picture frames and desires to lease the structure. However, this building for the proposed use has a property line through the structure which will require a subdivision plat and conditional use via Planning Commission (PC) meeting on March 22, 2016.

After consultation with City Attorney, Guy Gunter, a change to Section 7.3 Specific District Regulations; Subsection C Use Categories; Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Assembling of Goods, Merchandise, and Equipment; is necessary to amend the matrix table to allow such uses on a "case by case" request for Conditional Use in C-1. A public hearing on an amendment change will come to PC on March 22, 2016.

Recommendation: Approve and recommend to City Council a zone change from C-2 to C-1 for properties located at 1015 Avenue B, 1010 Avenue C, and 405 S. 10th Street.



Mr. Parker reported the Engineering Department has no issues or comments are recommends rezoning.

Mr. Hawkins reported water service is accessible to this location by a water main in the R.O.W. of Avenue B and Avenue C.

Mr. Prince reported this location 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 send a positive recommendation to City Council to rezone these parcels form C-2 to C-1.

Mr. Silberman seconded the motion.

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

Nays: None

Abstention: Council Member Canon

D OTHER BUSINESS – Public Hearing
8. Opelika Master Plan 2030, Resolution

Mr. Kelley reported this is the public hearing coming to a close of the 2030 Master Plan. We started back in May of 2015 with five weeks meeting with appointed subcommittee and different department heads. After that we brought it back in October and moved the public hearing to today's meeting with the corrections. Mr. Kelley stated Mr. Parker updated the some of the transportation maps.

Planning Commission

700 Fox Trail
Opelika, Alabama 36801



Phone: 334-705-5156
Fax: 334-705-5193

RESOLUTION NO. 01-16

RESOLUTION APPROVING OPELIKA MASTER PLAN 2030

WHEREAS, Section 11-52-8 of the *Code of Alabama* provides that it shall be the function and duty of the Planning Commission to make and adopt a “master plan” for the physical development of the municipality; and

WHEREAS, the Planning Commission of the City of Opelika recently completed a five-year review of Opelika’s current master plan, known as “Opelika Comprehensive Plan 2020”; and

WHEREAS, the purpose of said five-year review was to update long-range (15 years) major needs in five year intervals (2020/2015/2030) based on population projections and anticipate future infrastructure, major construction projects, and equipment expenditures so the projected major needs are planned for Opelika by 2030; and

WHEREAS, the five-year review process resulted in the formulation of an amended master plan, known as “Master Plan 2030”; and

WHEREAS, every effort has been made to provide citizens with the opportunity to comment on Master Plan 2030; and

WHEREAS, the Planning Commission conducted public hearings on February 23, 2016, to receive comments on the proposed plan; and

WHEREAS, the Planning Commission has complied with all procedures for the adoption of a master plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Opelika as follows:

1. That the master plan known as “Master Plan 2030” and all maps attached thereto, a copy of which plan is attached hereto as Exhibit “A”, is hereby approved, authorized, ratified and confirmed.

2. That the Secretary of the Planning Commission is hereby authorized and directed to deliver a copy of said Plan to the City Council to be used by the City Council in the determination of developmental decisions.

ADOPTED AND APPROVED this the 23rd day of February, 2016.

CHAIRMAN OF THE PLANNING COMMISSION OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:

SECRETARY

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

Ms. Cannon made a motion to send a positive recommendation to City Council.
Mr. McEachern seconded the motion.

Ms. Cannon amended the original motion to adopt for Res. No. 01-16.
Mr. McEachern seconded the motion.
Mr. Silberman called for question.
Ayes: Cherry, McEachern, Silberman, Fuller, Council Member Canon, Hilyer
Nays: None
Abstention: None

Mr. Cherry made a motion to send a positive recommendation to City Council.
Mr. McEachern seconded the motion.
Ayes: Cherry, McEachern, Silberman, Fuller, Hilyer
Nays: None
Abstention: Council Member Canon

With no further business on the agenda, Chairman Pridgen adjourned the meeting
at 3:55 p.m.

Keith Pridgen, Chairman

Lewis Cherry, Secretary