

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

The City of Opelika Planning Commission held its regular monthly meeting April 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, Arturo Menefee, Keith Pridgen, Ira Silberman, David Canon

MEMBERS ABSENT: Lewis Cherry, Mayor Fuller, Lucinda Cannon, Michael Hilyer

STAFF PRESENT: Gerald Kelley, Planning Director
Martin Ogren, Assistant Planning Director
Rachel Dennis, Planning and Zoning Technician
Scott Parker, Engineer Director
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 March 22, 2016 Minutes

Mr. McEachern made a motion for approval of the March 22, 2016 Minutes as written.

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Menefee, Pridgen, Council Member Canon

Nays: None

Abstention: None

II. Update on Previous PC cases

Mr. Kelley reported last week was the second reading concerning the rezoning of the fire station location and the former OPS location structure and lot and a 3rd parcel fronting 10th Street approved and then approved for the zoning change to C-1.

Chairman Pridgen noted May 3rd will be the sign ordinance discussion at City Council.

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

1. Replat lot 5 & 6, Royale Acres Subdivision, 1 lot, 165 Lee Road 632, Barrett-Simpson, Inc., preliminary and final plat approval

Mrs. Dennis reported the applicant is requesting preliminary and final plat approval for a replat of Lot 5 & 6 in Royale Acres Subdivision. The owner is combining two lots, located just outside the corporate limits at 165 Lee Road 632. Lot 5A measures 29,818 square feet. This plat meets the minimum lot size requirements if 15,000 square feet for a subdivision in the Planning Jurisdiction (as stated in the Subdivision Regulations Section 3.5, A. 1. Subsection b).

Planning Department 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. Prince reported for OUB, water service is accessible to this subdivision by a water main in the R.O.W. of Lee Rd. 632.

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

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

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

Mr. McEachern seconded the motion.

Ayes: McEachern, Silberman, Menefee, Pridgen, Council Member Canon

Nays: None

Abstention: None

2. Harper Acres Subdivision, 2 lots, 824 Lee Road 271, James D. Miller, preliminary and final plat approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision in the planning jurisdiction (PJ) on Lee Road 271. Lee Road 271 is about 2.5 miles east of the City limits. The purpose of the subdivision is to create a lot for each dwelling that is shown on the plat. Each lot is 1.1 acre as shown on the revised plat. The lots meet the minimum 15,000 square foot lot size requirements for a subdivision in the PJ.

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. Prince reported for OUB, this subdivision is served by Beulah Utilities District.

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

Chairman Pridgen opened the public hearing.

Ms. Collins an APO asked about the purpose of the letter and subdivision.

Chairman Pridgen explained the subdivision process.

Chairman Pridgen closed the public hearing.

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

Dr. Menefee seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

3. Hamilton Gables Subdivision, Addition & Redivision of Lots 1-4, 14 lots, 3200 block of Hamilton Road, Mike Maher, preliminary and final plat approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 14 lot subdivision accessed from Hamilton Road. The subdivision is in the Hamilton Gables garden home community approved by City Council as a PUD in October 2009.¹ On twelve of the lots garden homes will be constructed. The plat shows four garden home lots in each unit. The units are labeled 17, 18, and 19.

Harry and Sarah Strawn, adjacent property owners along the south property line, provided to Planning an agreement between the Strawn's and the former Hamilton Gables property owners (Terry & Diana Backer) (See Agreement below). In the agreement the minimum building setbacks line for garden homes on Lot 18B, 18C, 19B and 19C shown on the

¹ The purpose in 2009 for the rezoning was to provide future homeowners in Hamilton Gables, LLC the opportunity to obtain better financing by ownership in garden homes rather than ownership condominiums. In a condominium development lending practices make either purchasing or refinancing more difficult where higher fees and down payments are required. The request to rezone in 2009 was not a land use issue but strictly the opportunity for Hamilton Gables, LLC to change legal descriptions from condominiums to garden homes.

plat² is 40 feet. As shown on the plat, the proposed setback for some homes are about 38 feet. Planning discussed the setbacks with Mike Maher, surveyor and authorized representative for the property owner. Mr. Maher said the property lines will be relocated as necessary to meet the 40 foot setback. Also, the homes on 17B and 17C will be relocated if necessary so the building setback is 28 feet from the south property line. Planning recommends the units be relocated to meet the 40 foot and 28 foot minimum setbacks. The agreement also states the existing fence between the Strawn's property and the development must not be removed, and a "*landscape buffer adequate to provide privacy to the Strawn property*" shall be installed and maintained by Hamilton Gables. The Agreement also included a landscape drawing showing a staggered row of evergreen trees (see drawing below). Planning recommends evergreen trees planted according to the landscape drawing. The trees should comply with the residential buffer requirements as stated in the Landscape Regulations: "A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier." The Strawn's are concerned with property maintenance along the south property line. In some areas the growth has or will become a snake problem for the Strawn's property. Planning recommends a meeting between the applicant (or authorized representative), the Strawn's and staff to discuss the agreement below. The Strawn's are also concerned about storm water run-off and 'flooding' of their property especially after the 12 garden homes in unit 17, 18 and 19 are constructed. (*The concern is the building pads for the units are elevated higher than the Strawn's property so their property is subject to excessive storm water drainage.*) Engineering plans show a storm drain pipe running about 420 feet along the south property line and ending at the detention pond located near the east property line. Planning recommends the storm drain pipe & inlets installed and approved, and the evergreen trees planted and approved before a certificate of occupancy is issued for a garden home.

Staff recommends preliminary and final plat approval subject to recommendations stated in this report.

Mr. Parker reported the Engineering Department will inspect the required and installed storm drain system that is associated with these lots platted to make sure they are sufficiently installed and maintained properly to ensure optimal function. The Engineering Department will also perform an inspection and maintenance recommendations of the existing detention pond to the developer in order for the detention facility to maintain proper function.

The Engineering Department recommends Preliminary and Final plat approval but would like to withhold certificate of occupancy of the proposed structures until the required maintenance and repair on the storm sewer and post construction detention is completed and inspected.

Mr. Prince reported for OUB, Water service is accessible to this subdivision by a water main in the R.O.W. of Hamilton Road.

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

² Units 18 and 19 on the plat are the same as units 16 and 17 shown on the drawing provided with the agreement. The agreement was established in 2007; since then, the units have been renumbered to unit 18 and unit 19

AGREEMENT AS TO DEVELOPMENT OF PROPERTY

This Agreement is made by and between Hamilton Gables, LLC, an Alabama limited liability company (the "Developer") and Harry and Sarah Strawn (the "Strawns") as of the __ day of January, 2007.

WHEREAS, the Developer intends to construct a residential community on certain property lying adjacent to property owned by the Strawns, the plan for which was approved by the City of Opelika in October, 2006 and is attached hereto as Exhibit A and made a part hereof (the "Site Plan"); and

WHEREAS, in consideration of the Strawn's agreement to waive the building set back requirement imposed upon the aforesaid properties originally imposed by deeds from J.T. Hamilton, Jr. and Elna I. Hamilton, Hamilton Gables has agreed to certain accommodations with respect to development of its property as set forth herein.

NOW THEREFORE, in consideration of the premises and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the southwest corner of Unit 1 on the Site Plan shall be placed a minimum of 44 feet from the easterly right of way for Hamilton Road and a minimum of 47 feet from the north property line of the Strawn property.
2. That Units 16 and 17 on the Site Plan shall be placed a minimum of 40 feet from the north line of the Strawn property, rather than the current proposed location of 28 feet north from the north line of the Strawn property.
3. That the existing fence located along the north property line of the Strawn property shall not be removed or altered by Hamilton Gables and that no trees along said line shall be cut, trimmed or removed without the prior consent of the Strawns.
4. That a landscaping buffer adequate to provide privacy to the Strawn property and shown on Exhibit B attached hereto and made a part hereof shall be installed and maintained at the expense of Hamilton Gables. Said plan includes the removal of an existing privet hedge located along the north line of the Strawn property.
5. That Hamilton Gables will comply with driver visibility and sight distance requirements of the City of Opelika.
6. That Hamilton Gables shall apply for a burn permit for the purpose of burning of debris resulting from development and any such burn shall conform to City of Opelika Fire Department ordinances. Hamilton Gables shall notify the Strawns prior to burning debris outside of a container.
7. The terms and provisions of this Agreement are subject to and conditioned upon the construction of the improvements in accordance with the Site Plan attached hereto as Exhibit B. If Hamilton Gables fails to construct the improvements in accordance with such Site Plan then the Strawns may void this Agreement.

IN WITNESS WHEREOF, the parties have executed this agreement as of the date first written above.

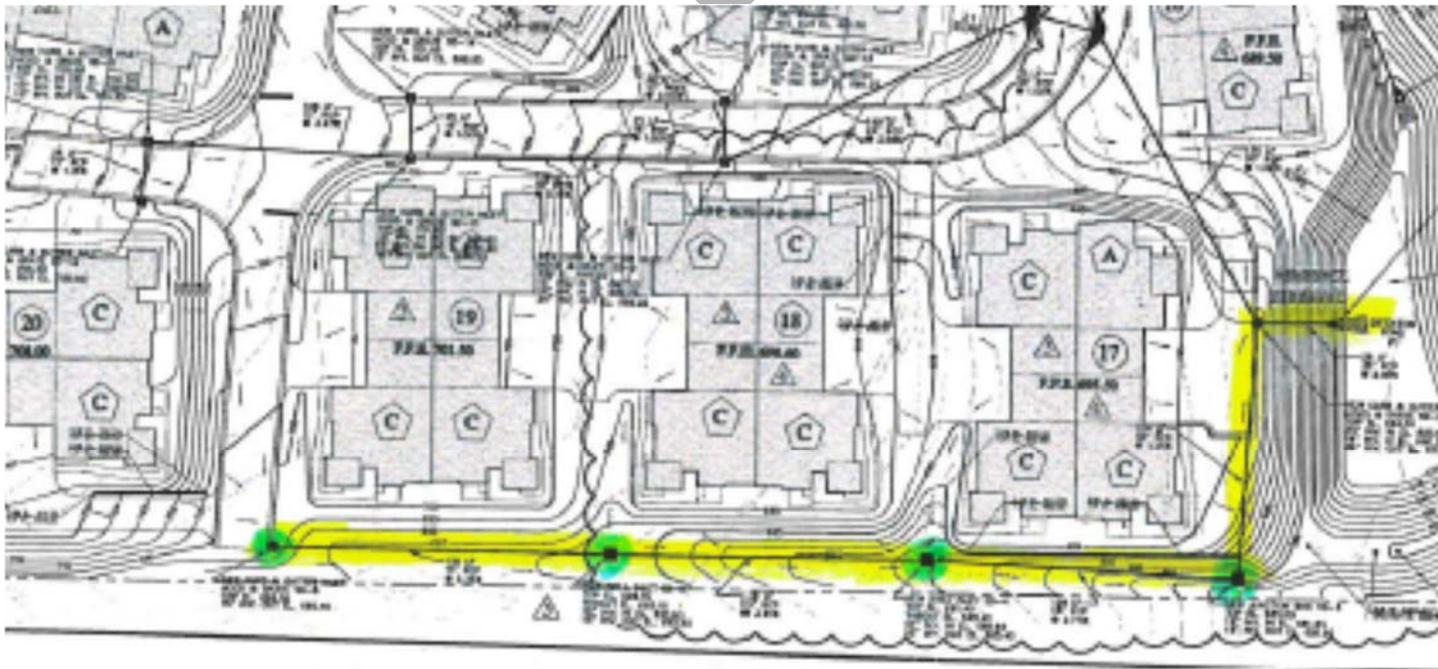
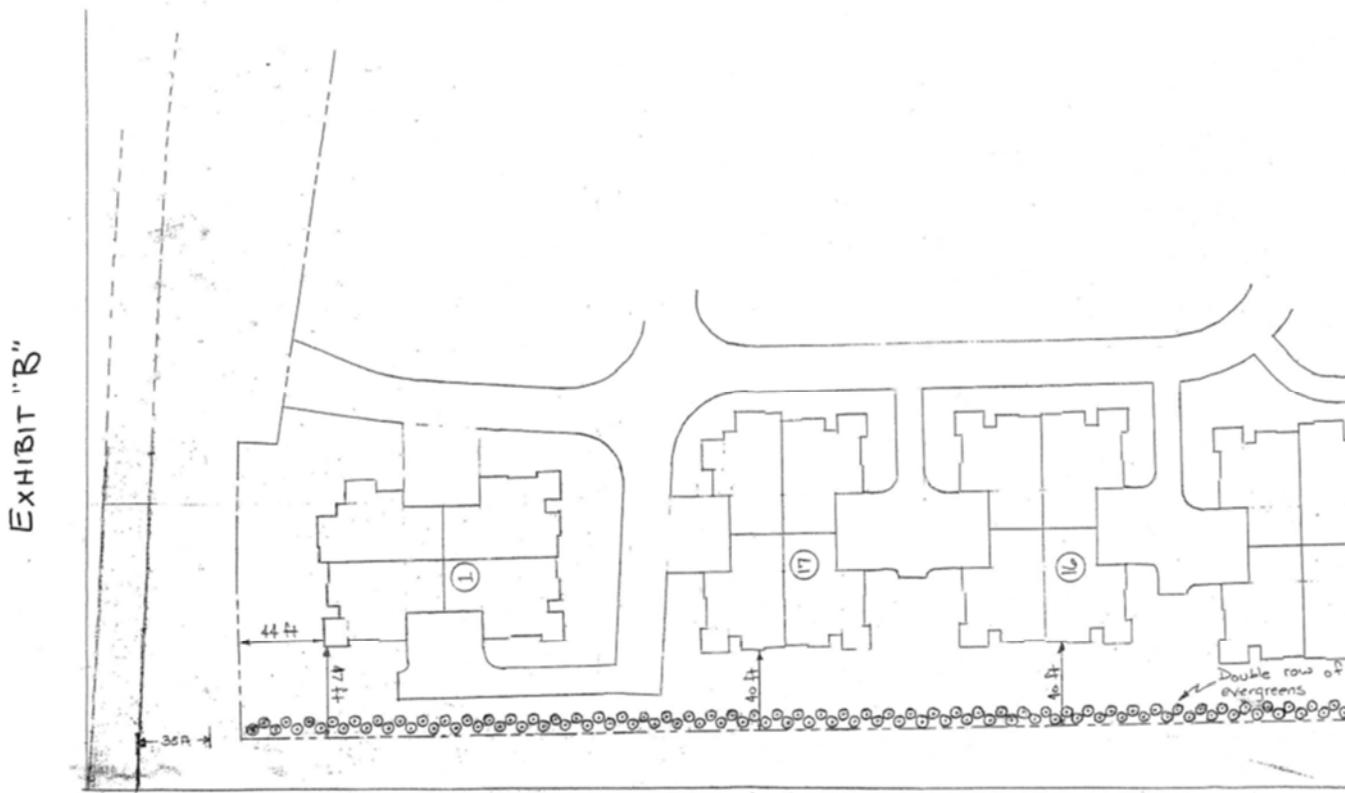
Hamilton Gables, LLC

By: Terry Baker
Terry Baker, Manager Member

Harry B. Strawn
Harry Strawn

Sarah S. Strawn
Sarah Strawn

Exhibit B



Engineer's drawing: Yellow highlight is storm drain pipe; green area inlets.

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

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

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

4. Tottens Map Subdivision, Redivision of Lots B, C and D Block 226, 1 lot, 507 Geneva Street, Mike Maher, preliminary and final plat approval

Mr. Kelley reported the applicant is deleting two (2) existing lot lines and creating a new lot, Lot D-1 of 52.423 sq. ft. (1.20 ac.) This request also is related to Agenda Item 11. Note 5 will need to be corrected to reflect location in Opelika, not Auburn.

Planning Recommendation: Approve subject to correction of Note 5.

Mr. Parker reported Engineering Department has no comments or objections to this plat and recommends preliminary and final plat approval

Mr. Prince reported for OUB, Water service is accessible to this subdivision by a water main in the R.O.W. of Geneva 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. Silberman made a motion to ratify the plat.

Mr. McEachern seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

5. Margaret C. Strickland Estate Subdivision, Redivision of Lot 5, 2 lots, Lee Road 177, Mike Maher, preliminary and final plat approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision in the planning jurisdiction (PJ). Lot 5A (4.4 acres) is accessed from Lee Road 177; Lot 1 (40.8 acres) is accessed from Lee Road 390. The purpose of the subdivision is to create Lot 5A for an existing single family home. At this time there are no plans for Lot 1. The lots meet the minimum 15,000 square foot lot size requirement for a subdivision in the PJ.

Staff recommends preliminary and final plat approval subject to (1) adding the 35 foot minimum setback line on each lot. Two property owners are shown on the plat but a signature line & notary is provided for one property owner. (2) Add a signature line for Charles C. Dutcher and a signature line for the notary.

Mr. Parker reported Engineering Department has no comments or objections to this plat and recommends preliminary and final plat approval

Mr. Prince reported for OUB, this subdivision is served by Beulah Utilities District

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.

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

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

6. 4-H Subdivision, Resurvey of Lot 3, Redivision of Lots 3-A & 3-B, 2 lots, Oak Bowery Road, Mike Maher, preliminary and final plat approval

Mr. Kelley reported the Henderson's are deleting an old lot line and creating Lot 3-A1 (4.66 acres) and Lot 3-B1 (4.52 acres).

Planning Recommendation: Approve

Mr. Parker reported the Engineering Department questions the need for or presence of a permanent access easement because more than one lot shares a single access to Oak Bowery Road. It is not recommended that another access be created at this location.

With this comment for consideration, the Engineering Department has no comments or objections to this plat and recommends preliminary and final plat approval.

Mr. Prince reported for OUB, Water service is accessible to this subdivision by a water main in the R.O.W. of Oak Bowery Road. This subdivision is within the Saugahatchee Lake Watershed Protection Area, and must meet the design requirements that are described in the Subdivision Regulations.

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

Chairman Pridgen opened the public hearing.

Mr. Klepper asked about the division.

Mr. Kelley stated we are eliminating a lot line and creating two tracts approximately 4.5 acres a piece.

Mr. Maher stated Mr. Henderson is making his son's lot bigger and his lot smaller.

Chairman Pridgen closed the public hearing.

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

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

7. Northeast Opelika Industrial Park Subdivision, 16th Revision, 2 lots, 4600 block of North Park Drive, James L. McCrory, preliminary and final plat approval

Mr. Kelley reported OIDA is selling to Alabama Power Co. a 2.8 acre parcel (Lot 1B-5A5) for a substation.

Planning Recommendation: Approve

Mr. Parker reported Engineering Department has no comments or objections to this plat and recommends preliminary and final plat approval. There is a utility and access easement from the public dedicated R.O. W. to have access to this property

Mr. Prince reported for OUB, Water service is accessible to this subdivision by a water main in the R.O.W. of North Park Drive.

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

Mr. McEachern seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon
Nays: None
Abstention: None

8. M.C. Carden Subdivision of Block U, 1st Revision, Resub Lots 1 through 9, 5 lots, 709 Avenue E, James L. McCrory, preliminary and final plat approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a **four** lot subdivision that fronts along four streets: Columbus Parkway, South 8th Street, Avenue E and South 7th Street. The original 1930 plat shows nine lots. There are five buildings on the 2.47 acre property: three buildings are commercial uses, one building used as a church, and one is a single family home occupied by one of the property owners. The purpose of the subdivision is to subdivide the property to sell the lots. ~~The subdivision creates a lot for each structure. The property is zoned C-3, GC and the minimum lot size is 20,000 sf³. The lots range from **26,833 square feet to 27,138 sf**. ~~Lot 4 (Daycare facility) is 15,420 sf and the adjacent Lot 3 (Dance studio) is 27,138 sf. Planning recommends that the lot lines separating Lot 4 and Lot 3 be relocated so Lot 4 meets the minimum 20,000 sf lot size requirement. Also, the lot line between Lot 4 and Lot 5 can be relocated to add square footage to Lot 4. The buildings on Lot 1 and Lot 4 have canopies that were installed within the public right-of-way⁴. Planning staff recommends the canopies be trimmed back to the property line so the canopies are not in the right-of-way, or as a condition for plat approval, an indemnification agreement signed by the property owners and approved by City Council that holds the City harmless from claims against the City. (At the May 3rd Council work session, the property owners will discuss the indemnification agreement with City Council.)~~~~

Planning staff recommends approval subject to the recommendations in this report.

Mr. Parker reported Engineering Department has no comments or objections to this plat and recommends preliminary and final plat approval.

Mr. Prince reported for OUB, Water service is accessible to this subdivision by a water main in the R.O.W. of South 7th Street and Avenue E and Torbert Boulevard.

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.

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

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

³ "The Gateway Corridor Overlay District regulations shall not apply to platted subdivision lots for new single family detached dwellings and existing single family detached dwellings." Section 7.6 Zoning Ordinance

⁴ The canopy on Lot 4 is 4.5 feet within the South 8th Street right-of-way; the canopy on Lot 1 is 3 feet within the Avenue E right-of-way.

B. FINAL PLAT APPROVAL

9. Village Professional Park Subdivision, First redivision of lot 2-B, 6 lots, Village Professional Parkway, Arthur R. Nettles, Final plat approval

Mr. Kelley reported this plat was given preliminary approval on March 22, 2016. The final plat is ready for consideration based upon the decision to provide the topcoat paving of Village Professional Parkway. Scott Parker, City Engineer, will discuss the options.

Planning Recommendation: Approve subject to Mr. Parker's recommendation.

Mr. Parker reported the Engineering Department has been inspecting the final surface of pavement on the roadway, which has been completed. A maintenance bond or letter of credit will need to be issued to the City for 25% of the infrastructure cost for one year. We also discussed with the hospital about a substitute for a bond in their situation would be a certified letter of commitment for one year to maintain the property as another option. If this requirements are met, the Engineering Department conditionally recommends Final Plat approval.

Chairman Pridgen stated what we need for final plat approval is contingent upon final acceptance of the final wearing surface and a letter or indemnity bond for the warranty.

Mr. Silberman asked if the letter has the same financial insurance as a bond.

Mr. Parker stated it does not. What we have done in the past for agencies like Retirement Systems of Alabama is we allow them to self-fund the bond. With EAMC a permeant fixture in the city we offer that as an option as well.

Chairman Pridgen asked Mr. Gunter if that is an acceptable option in lieu of an official bond.

Mr. Gunter stated that is up to the Planning Commission. EAMC has a lot of financial ability to back this up; technically the Subdivision Regulations call for a bond.

Mr. Silberman stated I was not concerned about this project, I was concerned about precedence.

Mr. Parker stated in my discussions, I did say this would have to be concurred by the Commission.

Chairman Pridgen stated we can leave it as an approved warranty bond.

Mr. Prince reported for OUB, Water service is accessible to this location by a water main in the R.O.W. Village Professional Parkway.

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

Chairman Pridgen opened the public hearing.

Mr. Nettles asked will we have to come back to the Commission again.

Chairman Pridgen stated this will be contingent upon meeting all the requirements. Typically what happens is when a road is accepted as finished by the City of Opelika we want a one year warranty on it. Typically a bond is issued and we hold it for a year and then it's passed away. We would prefer to have a bond as opposed to a letter.

Chairman Pridgen closed the public hearing.

Mr. Parker stated I will work with Ledge on the bonding requirements and ensure that is in.

Chairman Pridgen stated typically we are giving final approval after the road is complete, the public works director is not here. We have to have the contingencies on this one.

Mr. Silberman made a motion to grant final plat approval with staff recommendations.
Dr. Menefee seconded the motion.
Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon
Nays: None
Abstention: None

C. CONDITIONAL USE – Public Hearing

10. Jong Bae Park, 30 Samford Ave., Unit 34, M-1, Office, warehouse, fabrication for auto industry

Mr. Ogren reported the applicant is requesting conditional use approval for a mechanical and industrial engineering company at the Opelika Business Center on Samford Avenue. The business's customers are primarily auto related industries (Hanwha, Mando, Seohan, Power Tech, J-One, CNJ Tech, Inc. etc.). The business will occupy three tenant spaces in the building located in the rear portion of the Business Center's property (see map in your packet). The two buildings in the rear yard area are zoned M-1, GC (The businesses that front along Samford Avenue are in a C-2, GC zone). In an M-1, GC zone, for manufacturing, processing, and assembly of a product type land uses require conditional use approval. The businesses' floor area is 4,500 square feet (800 sf office, 1,000 sf storage inventory, 2,700 sf shop). The business designs, fabricates, and assembles pipes for machines, modifies machines, fabricates automatic units, and installs metal shelving racks. Examples of work: install exhaust ducts, duct cover, pipe for vacuum pump, coolant piping, panel safety cover, work table. The primary tools for manufacturing are a pipe threader, cutters, and a welding machine. The process involves product design, cutting material, welding-painting-electric panel build up, and assembly. About 30% of the process activities are performed in the shop and 70% at the job site. All activities of the proposed business will be conducted inside the building not outside. After a product/component is complete, a pick-up truck is used to deliver the product/component to a customer. At times the company will rent a 20 foot long Penske/U-Haul truck for their deliveries. About four times a month the business will order pipe and other supplies delivered to the Business Center. The supplies are delivered in a 25 foot long box truck. Three employees manage the business's activities.

Staff recommends approval subject to all business activities are performed within the building.

Mr. Parker reported the Engineering Department has no comments or objections to the submitted Conditional Use and recommends approval.

Mr. Prince reported for OUB, Water service is accessible to this location by a water main in the R.O.W. of Samford Avenue

Mr. Prince reported Opelika Power Services presently serves this location.

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

Dr. Menefee made a motion to grant conditional use approval with staff recommendations.

Mr. McEachern seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

11. Mike Maher, 507 Geneva Street, C-3, GC, Addition to Downtown Garden apartments

Mr. Kelley reported the applicant requests to construct an eight (8) unit apartment building at the location of the current parking lot as an addition to Downtown Garden Apartments. Parking for the existing two (2) apartment building and the new building will be located on the western side of the property. On April 14, 2016 the Historic Preservation Commission approved the request for Certificate of Appropriateness.

Issues related to parking spaces and landscaping on site have been corrected. A minor intrusion into the buffer near the eastern property line to accommodate width/length for two (2) handicapped spaces is acceptable.

RECOMMENDATION: Approve Conditional Use

~~Mr. Parker reported the Engineering Department makes the recommendation to create one access point for the parking lot. This access point should be divided to provide one-way travel and parking around the lot and then out the same access. It is also recommended that the developer place new curb and gutter that matches the existing curb and gutter at the cul-de-sac adjacent to the property. This curb and gutter should extend the limits of the lot and will tie into the proposed access driveway.~~

Two of these parking spaces need to be handicap accessible. Since the parking lot is replacing an existing non-pervious structure and the proposed building will not dramatically increase the impervious area of the development, it is anticipated that no storm water detention will be required for this development. The area of development is under 1-acre in size so the Land Disturbance for this site will be obtained through the Building Inspections Department as part of their permit process.

With these recommendations, the Engineering Department recommends conditional use.

Mr. Prince reported water service is accessible to this location by a water main in the R.O.W. of Geneva Street.

Mr. Prince reported Opelika Power Services presently serves this location.

Chairman Pridgen opened the public hearing.

Mr. Maher stated we will need to move the buffer in the rear to add 2 more parking spaces. Chairman Pridgen closed the public hearing.

Dr. Menefee made a motion to grant conditional use approval with staff recommendations.

Mr. Silberman seconded the motion.

Ayes: McEachern, Silberman, Pridgen, Menefee, Council Member Canon

Nays: None

Abstention: None

D. OTHER BUSINESS

12. Review condominium declarations for Highland Business Park, Shannon Court

Mr. Kelley reported you will recall a few months ago we approved a subdivision of this property, submitted by Joe Zaccaro. This was related to development of commercial condominium in the C- 3 zone for service type industry use. The unique issue with this is they are to be condominium with individual ownership to each unit with in the building structure. This is to be the document review. You will be seeing them for conditional use as needed for individual units.

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 4:40 p.m.

Keith Pridgen, Chairman

Lewis Cherry, Secretary

DRAFT