

**CITY OF OPELIKA  
PLANNING COMMISSION MEETING  
MAY 24, 2016  
3:00 P.M.  
PUBLIC WORKS FACILITY  
700 FOX TRAIL**

The City of Opelika Planning Commission held its regular monthly meeting May 24, 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: Arturo Menefee, Keith Pridgen, Ira Silberman, David Canon, Lucinda Cannon, Michael Hilyer

MEMBERS ABSENT: Lewis Cherry, Mayor Fuller, John McEachern

STAFF PRESENT: Gerald Kelley, Planning Director  
Martin Ogren, Assistant Planning Director  
Rachel Dennis, Planning and Zoning Technician  
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 3:02 p.m.

**I. Approval of April 26, 2016 Minutes**

Dr. Menefee made a motion for approval of the April 26, 2016 Minutes as written.

Mr. Silberman seconded the motion.

Ayes: Silberman, Menefee, Pridgen, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

**II. Update on Previous PC cases**

Mr. Kelley reported last week Council approved the new sign ordinance. The moratorium has been lifted and the new ordinance is in place. Council also approved the amendment to the PUD for the Springs at Mill Lakes (related to deleting the second access to 280 and creating the emergency access on 26<sup>th</sup> Street).

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

**1. Totten's Map Subdivision, Redivision of Block 41, 1 lot, 415 First Avenue, Henry J. Stern Jr./Virginia Stern, preliminary and final approval**

Mr. Kelley reported the applicant is requesting preliminary and final plat approval to remove two (2) old lot lines and create Lot 1-A1 of 1.43 acres. Administrative site plan approval is required.

Recommendation: Approve preliminary and final plat.

Mr. Parker reported the Engineering Department would need to review and comment on the site plan once it has been generated for comments and approval since the entire site is over one acre. The Engineering Department has no other 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 1st Avenue.

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

Chairman Pridgen opened the public hearing.

Bret Richardson asked is there any proposed use of this property.

Mr. Kelley stated there is a discussion related to a park.  
Chairman Pridgen closed the public hearing.

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

Mr. Hilyer seconded the motion.

Ayes: Silberman, Menefee, Pridgen, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

**2. Kensington Subdivision, 89 lots, 3811 South Uniroyal Road, Barrett-Simpson, Inc., Preliminary approval**

Mr. Ogren reported the applicant is requesting preliminary approval for an 89 lot single family home residential subdivision. The 40 acre property is located in a C-3 zone. This same subdivision request was granted preliminary approval at the June 2014 Planning Commission meeting. The subdivision layout and lot sizes have not changed. The 89 lots range in size from 10,000 square to 4.2 acres (The 4.2 acres, Lot 43, has a severe slope; building construction is limited.). Two access streets (stub-outs) are shown along the south property line providing access to the adjacent properties. One access street will tie into Lee Road 632; the other street is located between Lot 50 and Lot 51. A 3.3 acre area is labeled "Stormwater Management Area".

Staff recommends preliminary plat approval.

Mr. Parker reported the Engineering Department has no comments or objections to this plat and recommends preliminary 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. Hilyer noted that the lift station will need to upgrade.

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

Chairman Pridgen opened the public hearing.

Joy Davidson a resident of Fieldstone asked what will the area behind the fence look like.

Mr. Rice stated the fence will not be disturbed. It will more than likely be leveled off.

Chairman Pridgen closed the public hearing.

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

Mr. Hilyer seconded the motion.

Ayes: Silberman, Menefee, Pridgen, Council Member Canon, Cannon, Hilyer

Nays: None

Abstention: None

**B. FINAL PLAT APPROVAL**

**~~3. National Village 7D SD, 40 lots, 2700 block National Village Parkway, Max Vaughn, Final Approval WITHDRAWN~~**

**C. CONDITIONAL USE – Public Hearing**

**4. Barrett-Simpson, Inc., 501 North 26<sup>th</sup> Street, C-3, GC, Revisions to climate control mini-warehouse building and detention pond**

Mr. Ogren reported at the December 15, 2015 meeting, the Planning Commission approved a conditional use request for a two-story climate controlled mini-warehouse building. Now, the applicant revised the site plan so conditional use approval is required again. The revisions were necessary because the detention pond needed to be larger. At the Dec 2015 meeting, the detention pond was located on the north side of the property

(The north side faces the Springs at Mill Lakes PUD property). The larger detention pond requires the parking lot to be moved to the west side of the building (facing 26<sup>th</sup> Street). Also, the building footprint is smaller to provide more property for the detention pond. At the December 2015 meeting the Planning Commission approved a two-story building with a building footprint about 29,565 sf (191 warehouse units each floor x 2 = 382 units total). Now, the building footprint for the three-story building is about 27,300 sf (154 units on each floor x 3 = 452 units total).

The three-story climate controlled mini-warehouse building with elevators has storage units ranging in size from 5'x 5' to 10'x 20'. The three-story building is 81,900 square feet (sf) (210' x 130' x 3). The lot area is 82,650 square feet (1.19 acres). Minimum off-street parking requirements for a mini-warehouse is one parking space per 10 storage unit; 46 parking spaces are required. The site plan shows 44 off-street parking spaces. Staff recommends two off street parking spaces added to meet minimum requirements. The landscape plan meets minimum requirements concerning total points: 29 trees and 18 shrubs will be planted. The Landscape Regulations require a minimum 15 foot wide parking lot buffer along North 26<sup>th</sup> Street. On the landscape plan the buffer along 26<sup>th</sup> Street ranges from 7' to 10 feet wide. If a 15 foot buffer cannot be provided, staff recommends adding understory trees and shrubs to capacity in the buffer as recommended by a licensed landscaper. On the December 15<sup>th</sup> landscape plan 11 trees were proposed along 26<sup>th</sup> Street; on the revised plan five trees are proposed (The Dec 15<sup>th</sup> Landscape Plan is on the last page). A residential buffer is required along the north property line (The north property line is adjacent to the Springs at Mill Lakes property). The applicant must provide a buffer as described in Section 10 Landscape Regulations of the Zoning Ordinance. One of the following residential buffers is required: (1) an opaque fence not less than six feet in height and four foot wide strip of evergreen plantings, (2) a staggered double row of Evergreen plantings at least six feet in width, or (3) natural, undisturbed forest at least twenty (20) feet in width that provide a nearly impervious visual barrier.

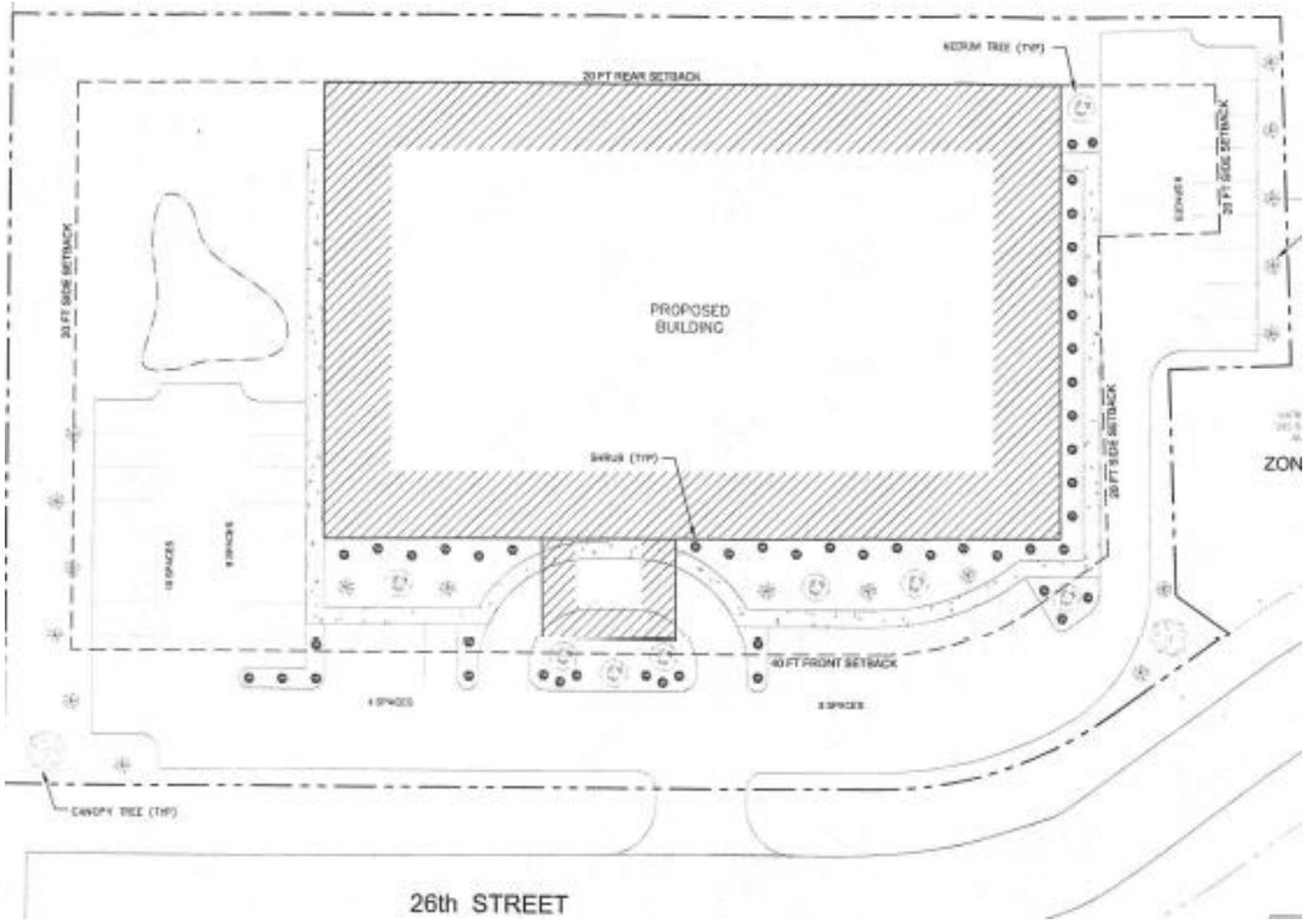
The front elevation of the building is shown in the photo below. The applicant said the mini-warehouse on North 26<sup>th</sup> Street will *look similar to this building*. The exterior material will be a *combination of brick, stacked stone, stucco (EIFs), glass, and painted metal siding*. The west wall faces North 26<sup>th</sup> Street; the south wall faces toward Pepperell Parkway. The applicant said 100% of the west and south walls will be a combination of natural material and simulated natural material (EIFs) as listed above. The applicant proposes that the exterior wall facing north (side wall) and the wall facing east (rear wall) will be 100% painted metal. (The east rear wall faces toward the Tractor Supply store property.) Planning staff recommends a combination of natural material and simulated natural material (EIFs) constructed on the north elevation as is proposed for the west and south elevation. At the May 17<sup>th</sup> work session, the applicant explained that the north elevation will not be visible to the adjacent property to the north since a residential buffer is required for the mini-warehouse development and trees will remain along the adjacent property owner's north property line. The adjacent property to the north is the 'The Springs at Mill Lakes' PUD development. The PUD master plan shows single family homes constructed adjacent to the mini-warehouse property.

Recommendation: Staff recommends approval subject to the recommendations in this report.



The front entrance with the green sign shown above is at the same location as the yellow highlighted area shown on the site plan below. The above photo is a panoramic type-view showing the west wall elevation facing North 26<sup>th</sup> Street and the south wall facing toward Pepperell Parkway.





26th STREET  
 Landscape Plan presented at December 15, 2015 PC meeting

Mr. Parker reported 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 North 26<sup>th</sup> Street.

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

Chairman Pridgen opened the public hearing.

Mr. Blake Rice stated current staff recommendation require the addition of the two parking spaces. As stated in the previous meeting, this is almost impossible. I would like the Planning Commission to consider a variance to that requirement.

Chairman Pridgen stated, we did have the discussion last Tuesday's meeting. Do we have the authority to wave two parking spaces as part of the conditional use? Can we allow them to have 44 instead of 46? If that is a request by the Commission.

Mr. Kelley stated staff recommendations is to make that allowance by the Commission. As you will remember we did something similar for the proposed 6 unit building addition across from Chuck's BBQ. We have a situation here where there was a definite need based upon the surrounding land area that has to use this detention area for stormwater that it has to be upsized. Given the nature of the use of space will be indoor a/c ministorage units the need for two additional spaces is marginal. We would recommend that as part of the conditional use.

Mr. Silberman stated most of this parking is temporary and not a daily event in terms of the usage of space.

Chairman Pridgen closed the public hearing.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations, including the authority to only use 44 instead of 46 parking spaces.

Mr. Silberman seconded the motion.

Ayes: Menefee, Silberman, Pridgen, Cannon, Council Member Canon, Hilyer

Nays: None

Abstention: None

## **5. Rob Slocumb, 605 Avenue B, C-2, Music studio & 2<sup>nd</sup> floor residential**

Mr. Kelley reported the applicant requests conditional use to allow for an apartment on the 2<sup>nd</sup> floor of the commercial building with a recording studio and office on the 1<sup>st</sup> floor. Historic Preservation Commission approved a Certificate of Appropriateness on May 12, 2016.

Landscaping ordinance requirements are met.

~~Staff is awaiting information on square footage areas of the various uses within the structure to determine required off street parking spaces.~~

RECOMMENDATION: Staff will support Conditional Use ~~(Parking Spaces under Review)~~

Mr. Parker reported the applicant will need to make concessions and arrangements to have a handicap access to the building and property spaced parking locations.

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 Avenue B.

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

Chairman Pridgen opened the public hearing.

Mr. Mike Maher represents the contractor for the owners, asked how many ADA parking spaces are required.

Parker stated one.

Ms. Thrift reported the Historic District does not regulate handicapped accessibility.

Chairman Pridgen read a regulation from Opelika Building Official, "if it is not feasible to provide physical access to a historic property in a manner that will not threaten or destroy the historic significance of a building or facility alternative methods of access shall be provided pursuant to the requirement." So basically they do not have to have a [permanent] ramp if there is sufficient access.

Mr. Maher expressed concerns about an alternative requirement standard.

Mr. Hilyer stated what we had to do at the Moore Stadium is provide a ramp or a lift.

Mr. Maher stated so we are going to want a ramp.

Mr. Hilyer stated the Historic Commission does not regulate handicapped access but, they do not surpass federal law.

Mr. Silberman stated in the work session you mentioned a portable ramp. Is that sufficient.

Mr. Gunter stated as long as it is available during business hours.

Chairman Pridgen closed the public hearing.

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

Ayes: Menefee, Silberman, Pridgen, Cannon, Council Member Canon, Hilyer

Nays: None

Abstention: None

## **6. Edward Whatley, 1902 Market Street, M-1, GC, Warehouse/storage addition**

Mr. Kelley reported the applicant requests a conditional use to add a 3,000 sq. ft. addition to an existing 4,000 sq. ft. warehouse. Additional parking is provided to satisfy parking requirements. Landscaping for tree credits are satisfied and exceed more than twice the minimum.

EFIS cladding is the proposed material for the building expansion to match color of existing warehouse.

A variance request to the Board of Adjustment will be required for a front yard setback from Market St. in the future for a 600 sq. ft. addition to the existing office building.

**RECOMMENDATION:** Approve Conditional Use

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 Market Street.

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

Chairman Pridgen opened the public hearing.

Edward Whatley is representing the owner, I would like to address staff comments from last Tuesday. The driveway to the south is currently used for his dumpster. The other one is adding landscape buffer to block some of the trailers. He would have to dig up pavement and a fence. It is paved up to the property line.

Chairman Pridgen stated a buffer can be a natural growth or a fence. I think the area in the back of the trailers looks bad. In not mandating a full natural material on the siding, we have asked for the buffer to the southeast area. If you feel like you cannot add trees in there a solid wood fence would suffice.

Chairman Pridgen closed the public hearing.

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

Dr. Menefee seconded the motion.

Chairman Pridgen gave planning staff authority to determine the details of the fences.

Ayes: Menefee, Silberman, Pridgen, Cannon, Council Member Canon, Hilyer

Nays: None

Abstention: None

## **7. Drew Ellis, 2220 Enterprise Drive, C-2, ABC wholesale distribution warehouse**

Mr. Ogren reported the applicant is requesting conditional use approval for an ABC wholesale distribution warehouse facility (Alabama Alcoholic Beverage Control Board). A retail liquor store will not occupy the property. The site plan shows a 9,800 square foot building to be constructed on a 48,920 square foot lot. Office space is 2,160 square feet; warehouse is 7,640 sf. The 10 off-street parking spaces meet minimum parking requirements for the office and warehouse. The landscape plan meets minimum requirements concerning points required: total points required 130, total points obtained 175 (11 trees and 84 shrubs will be planted). An R-3 residential zone is adjacent to this property along the north property line, therefore a residential buffer is required along the property line. A 100 foot wide Alabama Power line easement is located on the applicant's property along the north property line. The residential buffer proposed in the revised landscape plan attached shows 50 glossy Abelia<sup>1</sup> shrubs (4 foot centers) planted between the detention pond and the easement's southern boundary. Staff believes the proposed buffer is adequate given the R-3 zone is 100 feet from the buffer, and the existing growth in the 100 foot wide easement will assist in providing a visual barrier. A dumpster is shown on the site plan. Staff recommends the dumpster enclosed on all sides with an opaque fence and gate.

The front, side and rear elevations of the ABC building is 100% metal. As a condition for approval, Staff recommends that the front elevation be 50% brick and 50% metal<sup>2</sup>. The business across the street from the proposed ABC building is 'Special Arrangements', a

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<sup>1</sup> Evergreen flowering shrub – maximum height 4 to 6 feet; maximum width 5 feet

<sup>2</sup> The ABC property is not located in the Gateway Corridor Overlay so the 50% natural material is not required. Staff contacted the applicant about staff recommending 50% brick on the front elevation. The applicant was willing to install 50% brick on the front elevation. The 50% brick will complement the Special Arrangement's building and set an example for future developments on Enterprise Drive.

party & event rental company. The front elevation of the Special Arrangement building is 100% brick.

Recommendation: Staff recommends approval subject to recommendations in this report.

Mr. Parker reported the Engineering Department requires a grading, drainage, utility, erosion control, and post construction detention site development plans 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 Enterprise Drive.

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

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

Ms. Cannon seconded the motion.

Ayes: Menefee, Silberman, Pridgen, Cannon, Council Member Canon, Hilyer

Nays: None

Abstention: None

#### **8. Alabama Power Co., 4750 North Park Drive, M-2, Power substation**

Mr. Kelley reported the applicant requests to Conditional Use for a power substation as set forth in Section 7.2 of the Zoning Ordinance. Subdivision approval by the Planning Commission was given on April 26, 2016. Security fencing will be provided for the site. Natural area buffering and floodplain/wetlands surround this proposed facility in the northern isolated portion of the Northeast Industrial Park. The Opelika Industrial Development Authority has approved the use.

RECOMMENDATION: Approve Conditional Use

Mr. Parker reported the Engineering Department has no comment or objection to this submittal and recommends conditional use approval.

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

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

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

Ms. Cannon seconded the motion.

Ayes: Menefee, Silberman, Pridgen, Cannon, Council Member Canon, Hilyer

Nays: None

Abstention: None

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 3:45 p.m.

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Keith Pridgen, Chairman

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Lewis Cherry, Secretary