

**CITY OF OPELIKA
PLANNING COMMISSION MEETING
JUNE 24, 2014
3:00 P.M.
PUBLIC WORKS FACILITY
700 FOX TRAIL**

The City of Opelika Planning Commission held its regular monthly meeting June 24, 2014 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters mailed to all adjacent property owners for related issues.

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

MEMBERS ABSENT: Arturo Menefee, Lucinda Cannon

STAFF PRESENT: Gerald Kelley, Planning Director
Martin Ogren, Assistant Planning Director
Rachel Dennis, Planning and Zoning Technician
Scott Parker, Engineering Director
Josh Hawkins, Opelika Utilities Board
Guy Gunter, City Attorney

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

I. Approval of May 27th Minutes

Mayor Fuller made a motion to accept the May 27, 2014 minutes of the Planning Commission as written.

Mr. McEachern seconded the motion.

Ayes: McEachern, Fuller, Council Member Canon, Hilyer

Nays: None

Abstention: Cherry

II. Update on Previous PC cases

Mr. Kelley reported updates from City Council.

Mr. Silberman joined the meeting.

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

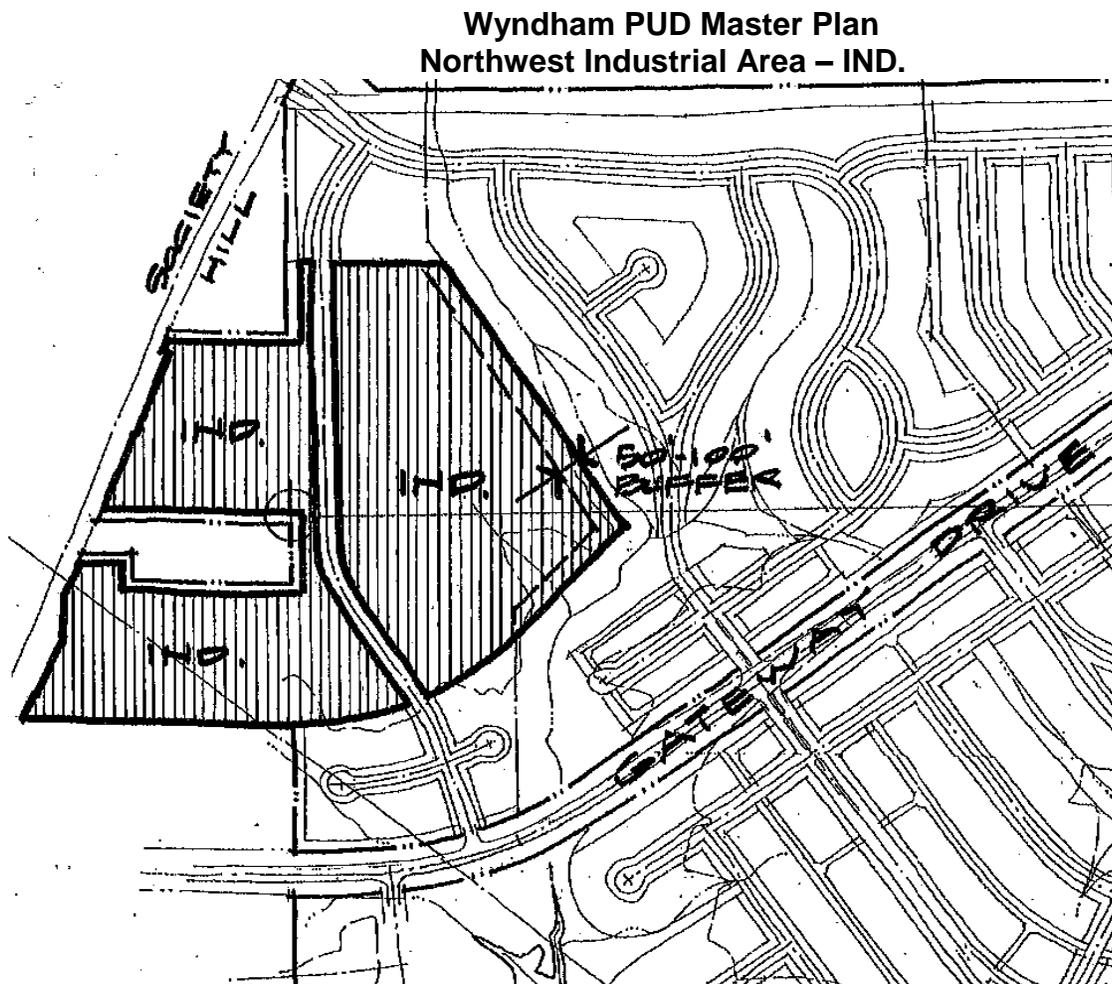
1. Wyndham Industrial Subdivision, revision of Lot 5, 3 lots, Industrial Development Blvd, Jimmy Cleveland, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a three lot subdivision located in the Wyndham PUD on Industrial Development Boulevard. The land uses designated for this area is “commercial/distribution/light industrial”. A warehouse is planned to be constructed on Lot 6B – 4.7 acres. *(Kinnucan’s corporate office and warehouse: receiving location then mostly FedEx deliveries from warehouse to stores.)* The other two lots are 5.5 acres and 12.1 acres. The Wyndham PUD master plan requires a 50 to 100 foot wide buffer along the east property line. The master plan states (page 22-23)

“... the development of the Northwest parcel will be the establishment of an appropriate Buffer between this Industry and the areas projected to become Premium Single-Family Residential. The Wyndham plan envisions that this “buffering” will be accomplished by the means of width (50’ to 100’) as well as by topography. The goal of this Buffer will be to allow these two types of areas [Industry and single family homes] to exist in harmony with each other.” (See map on page 2)

The adjacent property to the east is designated in the master plan “premium single family homes”. The buffer establishes a visual screen and an appropriate distance between the incompatible uses. The Wyndham master plan also states that the topography could be used as buffering.

Staff recommends preliminary and final plat approval subject to the buffer shown on the plat stating “50 to 100 foot wide residential buffer”



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Mr. Parker reported the Engineering Department has no comments or objections to this 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 Wyndham Industrial Drive.

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

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

Mayor Fuller made a motion for preliminary and final plat approval with staff recommendations.

Mr. Cherry seconded the motion.

The Commissioners and staff discussed the final road surface completion.

Mayor Fuller amended the motion for preliminary plat approval with staff recommendations until the final road surface is installed (Chairman Pridgen added “or a bond is issued”).

Mr. Cherry seconded the motion.

Chairman Pridgen stated we will not issue final approval until the road is completed or a bond is issued.

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

Nays: None

Abstention: None

2. Pepperell Corners Subdivision, Resubdivision of Lot 6, Pepperell Corners shopping center, Alabama Land Surveyors, Inc., preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a three lot subdivision located on Pepperell Parkway. *(This report is based on a revised plat; See revised plat attached.)* The purpose of the subdivision is to sell a 1.1 acre parcel (Lot 6-A) for a fast food restaurant (*Bojangles chicken*). Lot 6-B is 35,778 square feet. A portion of a detention pond that serves the Pepperell Corners shopping Center is located on Lot 6-A and Lot 6-B. The three lots meet the minimum 100 foot lot width.

Staff recommends preliminary and final plat approval subject to the easement statement added on the plat: *“An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet on each side of the front and side lot lines.”*

Mr. Parker reported there have been a preliminary site layout plan that have been submitted (attachment A2) prior to this plat approval that illustrates the proposed access spacing on Pepperell Parkway that meets the Opelika Public Works requirements.

This site layout plan also shows a shared access driveway for access of Lot 6-B and this permanent access should be noted on the plat if this layout is intended to be used in the development of Lot 6-A.

A neighbor to this development contacted this office in regards to the detention pond that is on both of these subdivided lots. If either of these lots are developed, it shall be the developer’s responsibility to ensure the function and capacity of this detention pond will be maintained. This will need to be documented with the grading and site development plan and storm drainage calculations and reports.

Other than this request, the Engineering Department has no additional comments or objections to this 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 Pepperell Parkway.

Mr. Ogren 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 for preliminary and final plat approval with staff recommendations.

Mayor Fuller seconded the motion.

Audience member stated it does not serve the entire shopping center.

The Commissioners discussed the access easement and if the lot is buildable, future conditional use maybe required for the lot, and the detention pond.

Ayes: Cherry, McEachern, Silberman, Fuller, Council Member Canon, Hilyer
Nays: None
Abstention: None

3. Shelia Thompson Subdivision, 2 lots, 7171 Highway 29, William Morkes, preliminary and final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision located in the planning jurisdiction about two miles east of the Opelika City limits from Exit 66 (Interstate 85). This plat was approved at the May 27th meeting. The plat is reviewed again because the closing attorney found in his title search a deed stating Rodney Thompson owned a 3.8 acre portion of Lot 1-B. Lot 1-B is now 13.7 acres not 17.5 acres as approved at the May PC meeting. Lot 1-A is 15.4 acres. The purpose of the subdivision is to sell Lot 1-A. Each lot meets the minimum 15,000 square foot lot size and 100 foot lot width requirement for a subdivision in the planning jurisdiction.

Staff recommends preliminary and final plat approval.

Mr. Parker reported this subdivision is outside the Opelika City limits, but is within the 3-mile Planning Jurisdiction of the City. Lee County Commission should be contacted and for coordination along with the City of future developmental updates.

The Engineering Department has no comments or objections to this preliminary and final plat approval.

Mr. Hawkins reported this subdivision is in the Beulah Utilities District.

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

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

Mr. Cherry made a motion for preliminary and final plat approval with staff recommendations and Lee County Commission approval.

Mayor Fuller seconded the motion.

Ayes: Cherry, McEachern, Silberman, Fuller, Council Member Canon, Hilyer
Nays: None
Abstention: None

4. Kensington Subdivision, 89 lots, South Uniroyal Road, George Barrett, Preliminary Approval

Mr. Kelley reported Kensington Subdivision is a proposed single family development of eighty (89) lots on forty (40) acres. All lots meet the minimum requirements for R-3. Lot sizes range in area from 10,000 square feet to 4.2 acres. All city services will be provided and meet City of Opelika and Opelika Utilities code requirements.

Additional access is available via Lee County Road #632 in Royal Acres Subdivision. Another future access on the south side of the property is available between Lots 50 & 51.

Both stub-out streets should be identified by name on the final plat.

The adjacent subdivision to the north is Fieldstone. Both Fieldstone and future Kensington subdivisions are zoned C-3. Our 2020 Comprehensive Plan (Future Land Use Map) recommends that zoning be changed from commercial to residential. Now is the time for the Planning Commission to initiate and recommend to City Council an R-3 zoning district for Kensington and an R-4 zoning district for Fieldstone.

Staff Recommendation: Preliminary Plat Approval for Kensington subject to providing street names for the two (2) stub-out right of ways adjacent to southern property line on the final plat.

Mr. Parker reported the Opelika Engineering Department has no comments or objections to this preliminary plat approval. The final plat approval shall be approved after the grading site development and utility plan has been designed approved and constructed to the standards of the Opelika Public Works Manual and has been officially signed off on by the Engineering and Public Works Department.

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

Mr. Ogren reported this subdivision is in the Opelika Power Services and Tallapoosa Electric Co-operative territory. The developer shall submit an electronic copy of the plat to OPS to determine which entity will serve which lots.

Chairman Pridgen opened the public hearing.

Velma Roberts, 87 Lee Road 632, an APO, asked for clarification on what they are doing with the property.

Chairman Pridgen closed the public hearing.

Mr. Kelley added that a rezoning request for this property and Fieldstone will come in the future.

Mr. Silberman made a motion for preliminary approval with staff recommendations.

Mr. McEachern seconded the motion.

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

Nays: None

Abstention: None

5. Saugahatchee Hills Subdivision, Redivision of Lots 29, 30, 31, 32, 3 lots, Grand National Parkway, Robert Haynie, Preliminary and Final approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a three lot subdivision located on Grand National Parkway. The subdivision involves relocating a property line (see dashed line on plat) that crosses the driveway on Lot 32A, relocating the west property line of Lot 31A to widen the side yard area of Lot 31A, and combining two lots to create a larger lot - Lot 29A. Lot 29A is combined to be sold. Each lot meets the 100 foot minimum lot width requirement and one acre lot size for a subdivision in an R-1 zoning district.

Staff recommends preliminary and final plat approval.

Mr. Parker reported there was a concern with the length of the flag lot that is presented in lots 31A and 32A however, these were not changed in this plat, but were part of the previous plats of this area.

The Engineering Department has no comments or objections to this 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 Grand National Parkway.

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

Chairman Pridgen opened the public hearing.

Dennis Haynes an APO asked will this remain in R-1 zone. Chairman Pridgen answered yes.

Chairman Pridgen closed the public hearing.

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

Mayor Fuller seconded the motion.

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

Nays: None

Abstention: None

B. CONDITIONAL USE - Public Hearing

6. Billy Bell, 2100 Industrial Blvd., M-1, Addition to West Fraser

Mr. Kelley reported West Frazier is requesting conditional use approval to add two (2) four hundred (400) foot long kiln as the first phase of a forty (40) million dollar major expansion to their plant operation. A dry kiln function is to reduce the moisture content in wood by artificially controlling heat, air circulation, and humidity. Kilns will operate overnight and run continuously at West Frazer.

According to Jon Davis, Project Engineer with the Forsite Group: "The plant currently sees a peak of 85 trucks per 24 hours. The kiln expansion will not affect this as the limiting factor will still be the saw mill. After the full plant expansion truck traffic is estimated to increase to around 150 trucks per 24 hours." (Staff will provide additional information after meetings the week of June 16th; related to potential traffic implications and recommendations from the City Engineer).

Section 8.6 Noise Standards shall be subject to meeting noise standards in Subsection A., Paragraphs 2-5. (See Attachment). Noise levels are defined by decibel, A-weighted (dBA) which is a unit for describing the amplitude of sound as measured on a sound level meter. Noise level is measured at the property line.

Other questions raised by staff are being researched by John Davis, Project Engineer from the Forsite Group; along with Bill Bell, plant manager at West Frazer. This information will be provided to staff and Planning Commission by the client either at work session or regular meeting.

A major topic of discussion within the city administration and West Frazer is log/lumber truck access to and from the plant via Lake Condry Road. At some point in future phases to implement plant expansion/renovation via their long range development plan by West Frazer a second access should be made available or another alternative. This is a major transportation public safety concern and a land use sensitivity issue with close proximity to Opelika High, Southern Union, and the Sportsplex.

A meeting with city staff (Inspections, Fire Prevention and West Frazer is scheduled for Tuesday, June 17th) AND with Engineering, Economic Development, Planning, and West Frazer on Thursday, June 19th.) Additional information will be provided to Planning Commission at the June 24th regular meeting.

ENGINEERING AND ECONOMIC DEVELOPMENT WILL PROVIDE INFORMATION ON POSSIBLE TRUCK TRAFFIC MOVEMENT SOLUTIONS AT LAKE CONDY ROAD AND INITIATIVES THE CITY WILL PURSUE TO ENHANCE PUBLIC SAFETY.

Recommendation: Planning recommends approval subject to compliance with Section 8.6 Noise Standards: Subsection A. Items 2, 3, 4, and 5. (See Attachment)

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

Mr. Ogren reported this use is presently served by Opelika Power Services.

Mr. Parker reported the Engineering Department has concerns as to the additional truck traffic that will be introduced by this expansion and any possible plant expansion in the future. The truck traffic on Lake Condry Road and at the intersection of Lake Condry and Lafayette Parkway next to Opelika High School and Southern Union Community

College is extreme for this area and additional trucks could cause further problems. It is requested that the engineers involved in the site development of the expansion of the West Fraser plant join the Engineering Department to find and develop truck traffic alternatives or facility improvements to handle the potential increase in truck traffic.

With this cooperative effort to alleviate potential traffic, the Engineering Department recommends conditional use approval.

Jon Davis stated we looked at adding an access point to connect to 431/Morris Ave. The big problem with this is you have to cross a CSX main line. It is a federal regulation that if you add a railroad crossing, you must eliminate two existing crossings. This is not an option. You would have to add a turn lane and signal improvements as well. The other option would be extending Consumer Street to connect to 431. The problem here is the truck traffic coming south on 431. There is not a left turn lane. In order to add a left turn lane you would have to widen the bridge. This would also be costly, require permitting through the state, and a signal addition (which would be too close to the Lake Condry signal).

Knowing the traffic signal at Lake Condry will probably be installed. This will greatly increase the safety factor. The plant will expand in phases over 5 years. The Kiln expansion will increase truck volume. The traffic engineer and I felt that improvements on Lake Condry will help with the increase in volume enabling truck traffic to move more consistently along Lake Condry. The improvement of widening the lane all the way to Industrial Blvd. will help with volume and safety.

Mr. Parker suggested the problem is Lake Condry is undersized even with the recent improvements of adding a turn lane.

Mrs. Lori Hughley stated the conclusion was that the improvements on Lake Condry with a new traffic signal would accommodate the increased of truck traffic. We will apply for an Industrial Access Grant to make those improvements to Lake Condry.

Chairman Pridgen expressed concerns about the completion of the phases within 5 year and the truck traffic increase.

Mrs. Hughley stated that the improvements discussed will increase the efficiency. The improvements will make a difference in the increase number of trucks; also, the turnover of trucks will be another positive.

Mr. Silberman asked if the improvements will be extended down Industrial Blvd.

Mrs. Hughley stated no, only on Lake Condry Rd.

Mr. McEachern said the biggest problem currently is the trucks stacking on Industrial Blvd. The last thing we want is the trucks to back up on Lake Condry because we do have a Fire Department there that we do not need to block.

Mr. Parker stated part of the plant improvements are to add a larger crane, extension of parking, and have two scales.

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

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

Mr. Hilyer seconded the motion.

Mr. Silberman stated we should ask in the grant for improvements to Industrial Blvd. and Lake Condry.

Chairman Pridgen stated the repair of Lake Condry Road is not the best long term solution.

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

Nays: None

Abstention: None

7. Terra Equities LLC, 2100 block of Interstate Drive, C-3, GC-1, Retail development

Mr. Ogren reported the applicant is requesting conditional use approval to construct a commercial development at the intersection of Interstate Drive and Gateway Drive across from Starbucks. The 3.6 acre parcel is located adjacent to the Tiger Town PUD. The property is bordered by three streets/highways: Interstate Drive, Gateway Drive (Hwy 280) and Interstate 85.

The site plan shows four buildings that total 34,270 square feet. Three restaurants will occupy a total of 7,350 square feet, one medical service business 3,500 sf, and retail businesses will occupy 23,420 sf. The development is providing 197 parking spaces including eight handicap spaces. The minimum off-street parking spaces required are based primarily on the "customer sales and/or service" floor area. The applicant provided floor space data (see page 3) that compares the "total square feet" of each tenant space to the floor area available as "public square feet" or the customer sales and/or service area. From the information provided the minimum off-street parking spaces required for all the tenants is 192 spaces.

The exterior material is a combination of EIFs, stone (stone veneer panels), and brick. The front elevations are provided in your packets; the other elevations are attached to this report. Planning recommends that brick be used on the elevations on the buildings along the rear property line. The photometric plan shows 1.0 footcandles at the property line in all 10 foot increment locations except for two 1.1 footcandle measurements on the full access driveway. The 1.1 footcandle is about 70 feet from the edge of Interstate Drive. The sign plan proposed includes a monument sign for Interstate Drive and a freestanding pylon sign for Interstate 85. A drawing of the monument sign is attached. Planning recommends the monument sign not exceed the monument sign used for the Tiger Town PUD. The Tiger Town PUD sign is located in front of Starbucks along Gateway Drive (Highway 280).

The landscape plan meets minimum requirements; a total of 38 trees and over 750 shrubs will be planted (515 points required; 1,147 points provided). The tree caliper (trunk thickness) stated in the plant material list is 2.5 inches. The 2.5" caliper meets the minimum size for trees planted in Tiger Town. Planning staff recommends at least 2.5 inches for each tree to maintain the standard established by Tiger Town. Some landscaping is planted in the right-of-way along Interstate Drive including four oak trees (Nuttall oaks). The width of Interstate Drive's right-of-way adjacent to the development ranges from 45' to 76' wide (measured from Interstate Drive pavement edge to property line). The right-of way edge on the north side of Interstate Drive ranges from 14' to 25' wide. *(A major gas line runs along the north side of Interstate Drive so more ROW width acquired from south side of Interstate Drive.)* The Landscape Regulations require a 15 foot wide landscape buffer provided along Interstate Drive. Planning recommends the applicant/developer be allowed to plant in the right of way as shown on the landscape plan given the unusual wide right-of-way width on the south side of Interstate Drive. The applicant understands that he is responsible for landscape and grass maintenance in the right-of-way as well as replanting plant material if right-of-way maintenance is necessary in the future. The developer/applicant has agreed to 'assume ownership' of the Interstate Drive right-of-way concerning landscape maintenance and lawn care. Planning recommends that an irrigation system be installed to adequately maintain the plant material in the right-of-way.

The maximum Impervious Surface Ratio (ISR) in the GC-1 Overlay District is 70%. The impervious (i.e., hard surface area—asphalt & roof tops) surface area proposed by the applicant is 77.2 % which exceeds the maximum allowed by 7.2%. If the impervious surface area includes the Interstate Drive right-of-way then the ISR is 65% and the development meets the 70% maximum ISR¹. *(The development would meet the 70%*

¹ 3.6 acre property - 150,813 sf: Pervious Area: 34,400.88 (22.8%), Impervious Area: 116,412.55 (77.2%)

ISR requirement if a 22 foot wide right-of-way area (22'x 505') is defined as part of the development.) Planning recommends that the 70% maximum ISR calculations include the Interstate Drive right-of-way since landscaping is proposed in the right-of-way as shown on the landscape plan.

Four private dumpsters are shown near the rear property line. The dumpster must be enclosed with an opaque fence on all sides and an opaque double gate.

Staff recommends approval subject to recommendations in this report.

Tenant SF Schedule							
Required Parking Matrix							
6/6/2014	Space	Total Square Feet	Public Square feet	Seats in Restaurant	Required Parking	Notes	
	Medical	A-1	3,500	2,210	7	18	7 medical rooms
	Mercantile	A-2	2,033	1,420		7	
	Restaurant	A-3	2,450	1,270	84	28	
	Mercantile	B-1	4,500	3,540		16	
	Mercantile	B-2	2,507	1,540		8	
	Restaurant	C-1	2,200	610	32	11	
	Mercantile	C-2	3,710	2,650		13	
	Restaurant	C-3	2,700	1,430	85	28	
	Mercantile	C-4	1,850	1,375		7	
	Mercantile	D-1	8,820	6,615		34	
	Total		34,270	22,660	208	170	
	TOTAL Parking Spaces Required including restaurant employees					<u>192</u>	

Number of restaurant employees:

1. Breakfast concept- 6 employees
2. Lunch/Dinner concept- 12 employees
3. Lunch dinner concept- 4 employees

Mr. Parker reported the main two way access to the development is across from the access to Steak and Shake. The proposed "right exit only access was a preliminary concern because of the spacing to the other access point and the intersection of Gateway Drive. However, since it will be limited to a right exit only and is in the dedicated right turn lane to Gateway Drive and the northbound access of I-85, it is not

3.6 acre property and ROW - 179,279.84 sf: Pervious Area: 62,867.29 sf (35%), Impervious Area: 116,412.55 (65%)

believed that there will be additional traffic issues. It is suggested that the right exit only be signed to deter vehicles from crossing the right turn lane and entering the southbound access ramp to I-85 or Gateway Drive toward town. With these issues noted, 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 Interstate Drive.

Mr. Kelley reported this use is in the Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

Allen Hawkins, owner, DOT is confident there was a conveyance in 1994 of the R.O.W. to the City. We have researched it as much as we can, there is no formal change of title.

Chairman Pridgen closed the public hearing.

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

Mr. Hilyer seconded the motion.

Commissioners and Allen Hawkins discussed the ISR and landscaping requirements related to the R.O.W. concerns.

Allen Hawkins agreed to install pervious pavers to reduce the ISR to meet the regulations if landscaping in the ROW was not allowed.

Mayor Fuller amended the motion to grant conditional use approval with staff recommendations allowing for pervious pavers to decrease the ISR to meet the regulations.

Mr. Hilyer seconded the motion.

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

Nays: None

Abstention: None

8. Jamey Adams, 3831 Pepperell Parkway, C-3, GC-2, Ice hut vending machine

Mr. Ogren reported the applicant is requesting conditional use approval to install an Ice Hut vending machine on Habitat for Humanity's 'Restore' parking lot on Pepperell Parkway (see photos in your packet). The applicant's Ice Hut is operating now at the corner of Westend Court and 18th Street (1807 Westend Court) adjacent to the Five Points shopping center. The applicant desires to relocate the Ice Hut to ReStore's parking lot

The Ice Hut is 6 feet wide, 12 feet long and 8 feet high. From the photos the proposed location of the Ice Hut is at the end of a row of parking spaces and next to an existing landscape island. The landscape island will screen the Ice Hut on the west side (facing Yarbrough Street). On the east end of the Ice Hut an awning is attached to the Ice Hut where customers purchase ice. Planning recommends that a visual screen (parapet wall or roof) be constructed to hide the machines mounted on top of the Ice Hut. The materials used for the screen should complement the awning; the screen will add architectural to the Ice Hut and enhance its appearance. In addition Planning recommends that the bottom two feet of the exterior wall be bricked. The brick will be a contrasting color against the white exterior walls and further enhance the Ice Hut.

If approval is granted and the Ice Hut removed from 1807 Westend Court, Planning recommends that the applicant repair the ground area at the 1807 West End Court location to its original condition and remove the bollards.

Staff recommends approval subject to recommendations stated in this report.

Mr. Parker reported the Engineering Department has no comments or concerns 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 Pepperell Parkway.

Mr. Kelley reported this use 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 for conditional use approval with staff recommendations requiring three sides to be fenced at the top and bricked around the bottom.

Mr. Cherry seconded the motion.

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

Nays: None

Abstention: None

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 4:21 p.m.

_____ Keith Pridgen, Chairman

_____ Rachel Dennis, Secretary