

**CITY OF OPELIKA
PLANNING COMMISSION MEETING
JULY 28, 2015
3:00 P.M.
PUBLIC WORKS FACILITY
700 FOX TRAIL**

The City of Opelika Planning Commission held its regular monthly meeting July 28, 2015 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, Arturo Menefee, Mayor Fuller, Keith Pridgen, Ira Silberman, Michael Hilyer
MEMBERS ABSENT: David Canon, Lucinda Cannon

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 3:01

I. Elect a Secretary to Planning Commission

Chairman Pridgen opened the nominations to elect a Secretary to the Planning Commission.

Mr. Kelley stated we can combine the Vice-Chairman position and the Secretary position.

Mr. Gunter stated the Secretary must be a volunteer of the Commission.

Mayor Fuller made a motion to elect Vice Chairman Cherry as Vice Chairman and Secretary.

Mr. Silberman seconded the motion.

Ayes: McEachern, Menefee, Fuller, Silberman, Hilyer

Nays: None

Abstention: Cherry

II. Approval of June 23, 2015 Minutes

Mayor Fuller made a motion for approval of the June 23, 2015 Minutes as written.

Mr. Silberman seconded the motion.

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

Nays: None

Abstention: None

III. Update on Previous PC cases

Mr. Kelley reported the City Council put on hold the rezoning for the Ward Funeral Home property. Mr. Gunter answered all the questions related to spot zoning. The Council has added this item to the next City Council Work Session.

Mayor Fuller stated Mr. Kelley has delayed his retirement.

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

1. Homestead Farm Subdivision, 2 lots, 3200 Oak Bowery Road, Walker Land Survey, Preliminary and Final Approval

Mr. Kelley reported Mr. Banks Herndon is requesting preliminary and final plat approval to subdivide a portion of the farm into two (2) tracts. The smallest tract (Tract 2) is fifty (50) acres. The larger tract (Tract #1) is one hundred and ninety-four (194) acres which will remain in the Herndon Land LLC. The future land use of this tract is unknown at this time, but could develop as single family residential.

A major 100 ft. wide transmission power line easement crosses Tract 1. A 30 ft. wide power line easement crosses a portion of Tract 1 and all of Tract 2.

The Herndon Family Residence is not a part of this subdivision.

STAFF RECOMMENDATION: Approval

Mr. Parker reported if access for the second lot is to utilize the existing driveway, it is recommended that a dedicated shared access be included in the existing driveway along the new property line for both Track 1 and Track 2. The gravel driveway is not shared and the access to Tract 2 would be on the southern portion of the property, if this is the case there will not need to be an easement on the private access.

The Engineering Department will recommend Preliminary and Final Plat approval.

Chairman Pridgen and staff discussed the driveways and structures. It was agreed that the easement was not a requirement.

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

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 plat approval with staff recommendations.

Mr. Hilyer seconded the motion.

Mr. Silberman called the question.

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

Nays: None

Abstention: None

2. Preston Street Industrial Park Subdivision, 2 lots, 1125 Preston Street, Barrett-Simpson, Inc., Preliminary and Final Approval

Mr. Kelley reported the applicant is requesting preliminary and final plat approval to subdivide the property and create Lot 2 of 2.05 acres. Future use of the property is expected to be an office/industrial use.

Conditional Use Permit will be required when a use has been determined as the Gateway Corridor splits the 2.05 acre tract.

STAFF RECOMMENDATION: Approval

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

The size of the paper for the recorded plats is smaller than the 24x36. Does the Planning Commission or staff have any issues with the plats being of a smaller size?

No comments were made.

Mr. Parker agreed to accept the smaller plat size for the final plat recordings.

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

Mr. Prince reported this subdivision is presently served by Opelika Power Services.

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

Nays: None

Abstention: None

3. Totten's Map of Opelika, Replat of 4A & 4B, Block 18, 2 lots, 809 2nd Avenue, Barrett-Simpson, Inc., Preliminary and Final Approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision on the corner of 2nd Avenue and North 9th Street. Lot 4A-1 is a parking lot owned by Trinity Methodist church. Lot 4B-1 consists of a commercial building ("HP Beauty Shoppe") and parking lot. A previous plat shows the commercial building located on the church parking lot property. The purpose of the subdivision is to move the property line between Lot 4A-1 and Lot 4B-1 about 1.25 feet so the commercial building is not on the church parking lot parcel.

Staff recommends preliminary and final plat approval.

Mr. Parker reported the Engineering Department has no comments or objections to the submitted 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 Second 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.

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

Mr. McEachern seconded the motion.

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

Nays: None

Abstention: None

4. Sentinel Hills Subdivision, Phase 3, 7 lots, Lee Road 2192, Barrett-Simpson, Inc., Preliminary approval

Mr. Ogren reported the applicant is requesting preliminary approval for a 7 lot subdivision located in the Planning Jurisdiction and about 2 miles northeast of Exit 66 on Interstate 85. This plat is phase 3 of a 43 lot single family home subdivision that was first reviewed at the August 2008 Planning Commission meeting. R-2 standards apply for subdivisions in the PJ: Minimum lot size= 15,000 sf, minimum lot width = 100 feet, Front yard setback= 35 feet. Single family home construction is planned for Lot 1 thru 6. These six lots range from 34,500 sf to 6 acres. The front yard setback line needs to be relocated so the 35 foot minimum setback is met and the minimum 100 foot lot width is met at the setback line.

Lot A43A (29.64 acres) is reserved for a future subdivision. Lot A43A has access to Lee Road 2192 from the right-of-way provided between Lot A29 and Lot A28.

Staff recommends preliminary approval subject to a 35 foot minimum setback shown on the plat and the 100 foot minimum lot width is met at the setback line.

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

- This development is outside the City Limits of Opelika and its Municipal Separate Storm Sewer System (MS4) responsibilities, but within the three mile planning jurisdiction. Lee County will monitor and regulate the development within their MS4 permit and the City of Opelika will inspect the infrastructure improvements and will hold the required bonds once it is completed prior to Final Plat approval.
- The construction plans for this development have been submitted to the City for review and have been approved to meet the City's Public Works Standards.
- This residential development does not have access to sanitary sewer and must meet the Lee County Health Department requirements for the individual septic sewer systems.

Mr. Hawkins reported 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 plat approval with staff recommendations.

Mayor Fuller seconded the motion.

Mr. Silberman asked about a front setback. Mr. Rice said when this plat was proposed we were in the final stages of approval from the county and then the agreement with the county and the city came into play. We have room to make the adjustments for final plat.

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

Nays: None

Abstention: None

5. Pride of Pepperell Subdivision, Phase 1,1st Revision, Redivision of lot 5, 3 lots, 22nd Street and 24th Street, James Miller, Preliminary and Final Approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two lot subdivision adjacent to Pepperell Village in a C-2 zone. Lot 5B (1.2 acres) and Lot 5C (1.4 acres) are part of a larger Lot 5 parcel (26.5 acres) formerly owned by West Point Stevens. West Point Stevens sold Lot 5 about five years ago. The property owner desires to sale Lot 5B and Lot 5C. Lot 5 has not been surveyed for years. The purpose of the survey is to establish property lines and locate any existing utility, sewer or drainage easements. The subdivision includes a 10 foot dedication of right-of-way along 2nd Avenue and 24th Street adjacent to Lot 5C. The lots meet minimum subdivision requirements.

The revised plat shows the distances of the easements, also the R.O.W dimension.

Staff recommends preliminary and final plat approval.

Mr. Parker reported the Engineering Department has no comments or objections, at this time, to the submitted plat and recommends preliminary and final plat approval.

After work session it was brought up that a utility and sanitary sewer easement were to be shown on the plat and will need an easement. As Mr. Ogren said these are on the final plat. Engineering concurs with this. It is to be noted concerning Lot 5B, the city is in the preliminary process of realigning 22nd Street. When that is done we will look to a R.O.W acquisition or swap in the future.

Mr. Hawkins reported water service is accessible to this subdivision by water main's in the R.O.W. of all streets except 1st Avenue.

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

Chairman Pridgen opened the public hearing.

Zach Volar asked about the use and expressed his interest in property acquisition there. Chairman Pridgen clarified.

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

Nays: None

Abstention: None

6. AltaVista Subdivision, Resubdivision of Parcel 3, 2 lots, 619 Terracewood Drive, James Miller, Preliminary and Final Approval

Ms. Dennis reported the applicant is requesting preliminary and final plat approval for a two lot subdivision. The purpose of the subdivision is to add property from Parcel B1 to Parcel 10-B2. The property added to Parcel 10-B2 is 6,926 square feet; the relocated property lines runs along a 30 foot drainage easement. Each lot meets the 15,000 square foot minimum lot size requirement for the R-2 zoning district.

Staff recommends preliminary and final plat approval.

Mr. Parker reported records show a sanitary sewer line that will remain in area to be transferred and there is no record of a Sanitary Sewer Easement. A 20-foot sanitary sewer easement has been added to this plat for approval. With these recommended revisions, the Engineering Department recommends the approval of the preliminary and final plat.

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

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

Chairman Pridgen opened the public hearing.

Mr. Foster asked about stormwater provisions for future street development.

Mr. Parker stated he was not aware of any issues in that area. At this time there is no plan to address that since there is no new development in the area.

Jim Miller stated this is just a property exchange between two owners with no new development.

Chairman Pridgen closed the public hearing.

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

Mr. Hilyer seconded the motion.

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

B. FINAL PLAT APPROVAL

7. Streeter Estate Subdivision, 6 lots, 1504 Grand National Parkway, Virginia Streeter, Final approval

Mr. Kelley reported the applicant is requesting final plat approval for a six (6) lot subdivision ranging in size from three (3) acres to five (5) acres. The tract is impacted by only a 60 foot frontage width which will be a dedicated street (Clapping Trees Lane) intersecting with Grand National Parkway. A floodplain at the rear of Lots 3, 4, and 5 will not conflict to build a residential structure on those lots. An Alabama Power Transmission Line crosses Lots 3 and 4 but will not hinder to build a residential structure on either lot.

STAFF RECOMMENDATION: Approval subject to the City Council accepting the maintenance of Clapping Trees Lane.

Mr. Parker reported the construction has been completed, inspected and approved. A one year warranty bond has been submitted to the Engineering Department in concurrence with the Public Works Director. Final Plat approval is recommended at this time. One year after the Final Plat is approved, the City Engineer will prepare and submit a resolution to the City Council for official acceptance.

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

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

Mr. Hilyer made a motion to grant final plat approval with staff recommendations.

Mr. Silberman seconded the motion.

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

Nays: None

Abstention: None

C. CONDITIONAL USE - Public Hearing

8. Q L Gewas, Inc., 814 Geneva Street, C-2, GC, Restaurant

Mr. Ogren reported the applicant is requesting conditional use approval for a restaurant at 814 Geneva Street – *same location as the former Tyler's restaurant*. "Geneva Grill" will serve a variety of grilled meats and vegetables, include a buffet counter and offer drive-thru service. The restaurant will have seven employees. After interior renovations and outside improvements, the restaurant will open in October 2015.

The site plan shows a 3,600 square foot building on a 22,300 square foot lot. The restaurant's parking lot is located on an adjacent 14,600 square foot lot. At the August 25th Planning Commission meeting, the applicant will submit a 'lot-line erasure subdivision plat' to combine the restaurant lot with the parking lot property. The site plan shows 66 off-street parking spaces including four handicap spaces; the minimum off-street parking requirement is 42. The original Tyler restaurant building was constructed (1965) before the Landscape Regulations were adopted (1995). Most of the property is asphalted for parking and driveway lanes. The landscape plan shows plant material in the existing grass area in front of the building. The applicant will remove asphalt and construct two landscape islands in the north side parking lot to break-up the expanse of asphalt (see site plan). Also, three landscape areas will be added along the east and south property lines. Concrete curbs will border all the new landscape areas to protect the plants. At least one tree and shrubs and will be planted in all the new landscape areas except the landscape area on the south property line. The applicant had concerns about shrubs/trees obstructing a driver's vision backing-out of the parking spaces adjacent to the new

landscape area along the south property line. The applicant proposes a grass area for the 14' x 38' landscape area. Staff recommends adding low growing shrubs. A shrub with a maximum growing height of 4 feet (juniper, boxwood) could be planted. An existing 12' x 15' private dumpster area is shown on the site plan along the west property line (rear yard). Staff recommends the dumpster must be enclosed on three sides with an opaque fence. The fence should be high enough (7 to 8 feet) so the dumpster is not seen from the gateway corridor - Geneva Street. Also, an opaque double gate should be installed with a 7 to 8 foot height to screen the dumpster. There is existing outside lighting on the front and sides of the building. Also, the existing street lights provide some light to the property. The applicant will install a few outdoor lights for the rear yard area to illuminate the darker areas.

Staff recommends approval subject to recommendations in this report and a plat submitted combining the two lots - parking lot property and restaurant lot (see attached).

Mr. Parker reported the Engineering Department approves of the access and parking revisions and would like to see a curb added across to close the driveway and physically prevent traffic from using this access. With this addition to the drawing, Engineering recommends conditional use approval.

The third entrance to the far north that is set to be closed. I would like this to be blocked with a curb between the sidewalk and the new landscaped area. From a site visit, I did not notice any access ramps from parking lot to the existing sidewalk along the restaurant's outside wall that provides handicap access to the restaurant. That access ramp will need to be included in the development. Where ever the handicap parking will be they should have an access ramp from the parking lot to the store front.

Mr. Hawkins 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.
No comments.
Chairman Pridgen closed the public hearing.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations subject to the removal of the lot line.
Mayor Fuller seconded the motion.

Mr. Ogren and Fuller discussed the outdoor lighting with the developer.

Motion Amendment:

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations subject to the removal of the lot line and no less than two light in the rear area for security.
Mayor Fuller seconded the motion.

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

Nays: None

Abstention: None

Chairman Pridgen changed the order of the agenda of 10 before 9, 10 and 9 are related.

E. REZONING – Public Hearing

10. L. River James, 940 Fox Run Parkway & 500 block of Greater Peace Drive, 7.8 acres, from I-1, GC to C-2, GC

Mr. Kelley reported the applicant is requesting a zone change from I-1 GC to C-2 GC to develop at a future date a seven (7) acre tract for a neighborhood mixed use development of commercial services, offices, and residential. Staff believes this is a positive transition from Institutional uses to Neighborhood Services. A Conditional Use Permit will be

required at a future date when the CDC is ready to develop. An amendment to the 2020 Land Use Map is Item #9

STAFF RECOMMENDATION: Approve Rezoning from I-1, GC to C-2, GC

Mr. Parker, Mr. Hawkins, and Mr. Prince had no reports.

Chairman Pridgen opened the public hearing.

No comments.

Chairman Pridgen closed the public hearing.

Dr. Menefee made a motion to send a positive recommendation to City Council.

Mayor Fuller seconded the motion.

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

Nays: None

Abstention: None

D. AMENDMENT TO 2020 COMPREHENSIVE PLAN – Public Hearing

9. Amendment to the Future Land Use Map, 940 Fox Run Parkway & 500 block of Greater Peace Drive, 7.8 acres, from Institutional land use to light commercial land use

Mr. Kelley reported the Greater Peace Community Development Corporation (GPCDC), property owner, desires to rezone 7.8 acres to provide a retail-office commercial center adjacent to their Greater Peace Child Development Center on Fox Run Avenue. The 2020 Future Land Use Map of the 2020 Comprehensive Plan designates this 7.8 acre area as an “Institutional” land use category; the property is zoned I-1. If the Planning Commission concurs with a rezoning to a C-2, GC zone (retail-office, gateway corridor overlay district) then a change in the 2020 future land use map to “Light Commercial” is necessary so the future land use map and official zoning map are consistent.

Staff Recommendation: Planning staff is requesting approval of the resolution attached that amends the 2020 Future Land Use Map of the Comprehensive Plan from an “Institutional” land use to a “Light Commercial” land use category for the 7.8 acres.

RESOLUTION #

WHEREAS, Greater Peace Community Development Corporation submitted a rezoning request to the Planning Commission of the City of Opelika for three properties consisting of 7.8 acres more or less located at the southwest corner of Fox Run Parkway and Greater Peace Drive to rezone the property from I-1,GC, to C-2,GC ; and,

WHEREAS, the Planning Commission engaged in a study of the Future Land Use map of the 2020 Comprehensive Plan to consider if said rezoning request was consistent and appropriate with the designated land use categories as shown on the said Future land Use map; and,

WHEREAS, on July 28, 2015 the Planning Commission held a public hearing, after due and proper notice, to consider public comments on proposed amendments to the Future Land Use map concerning the said 7.8 acres; and,

WHEREAS, at said public hearing the Planning Commission determined that it was necessary and desirable to reclassify the land use category on the Future Land Use map for the said 7.8 acres from an “Institutional” land use to a “Light Commercial” land use category so the said three properties would be consistent with the goals and purposes of the Comprehensive Plan; and,

WHEREAS, at the July 28, 2015 meeting the Planning Commission unanimously voted to amend the land use categories of the Future Land Use Map for the said 7.8 acres from “Institutional” to “Light Commercial.”

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

That the Future Land Use map of the City of Opelika Comprehensive Plan as adopted on October 27, 2009 is further amended to reclassify the following described properties as light Commercial: Lot 11A and Lot 2 as shown on plat of survey entitled “Jeter School Subdivision”, Section 8, T19N, R27E, in the City of Opelika, Lee County, Alabama said plat surveyed by Jim McCrory Alabama Reg. No. 12493 and recorded in the Office of the Judge of Probate of Lee County, Alabama on October 17, 2000, in

Town Plat Book 22 on page 14. Lot 11A containing 2 acres more or less and Lot 11A containing 5.86 acres more or less

A copy of the said amendment to the Future Land Use map is filed at the Planning Department office and incorporated into and made a part of the Land Use Plan of the Comprehensive Plan of the City of Opelika.

ADOPTED and APPROVED this the _____ day of July, 2015.

Chairman of Opelika Planning Commission

Attest:

Secretary

Mr. Parker, Mr. Hawkins, and Mr. Prince had no reports.

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

Mr. Silberman made a motion to amend the future land use map.
Dr. Menefee seconded the motion.
Ayes: Cherry, McEachern, Menefee, Fuller Council Member Canon, Cannon, Hilyer
Nays: None
Abstention: None

F. VACATION OF ALLEY

11. Vacate the northern portion of public alley between 500 block of Avenue A and 500 block of Avenue B

Mr. Ogren reported the petitioners are requesting the City to vacate the northern portion of South 5th Street right-of-way (ROW) located between Avenue A and Avenue B (see maps in packet). The entire South 5th Street ROW area between Avenue A and Avenue B is undeveloped. The area of the northern portion to be vacated is 8,000 square feet - 40 feet wide and 200 feet long. The adjacent property owners on the southern portion of the right-of-way are Henry Love and the City of Opelika. Mr. Love signed a "*consent to vacate right-of-way*" document stating he does not object to the vacation. Mr. Love understands that access to Avenue A through this ROW portion of South 5th Street will be unavailable after the northern portion is vacated.

Planning staff believes the request to vacate this portion of South 5th Street is appropriate. Vacating the ROW should not result in any adverse effect to the surrounding properties. The City has no plans to improve South 5th Street from Avenue A to Avenue B. The topography is severe and street construction would be expensive. Staff has emailed various departments asking if an easement should be required and an easement included before the vacation is finalized. The Engineering department and Opelika Power Service are not requiring an easement.

Planning Staff recommends a positive recommendation be sent to City Council to vacate the northern portion of South 5th Street between Avenue A and Avenue B as shown on the maps in your packet.

Mr. Parker reported the Engineering Department has no objection and recommends the vacation of the right of way.

Mr. Hawkins and Mr. Prince have no reports.

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

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

G. OTHER BUSINESS

12. Discuss pertaining to the acceptance of street(s) by amending the Public Works Manual and recreational amenities in the Subdivision Regulations

Mr. Gunter's comments:

The developer of a new subdivision is responsible for the maintenance of the subdivision streets until they are dedicated to the City. The dedication must be accepted as streets and roads cannot be forced on public authorities without their consent. The governing body of the municipality is the appropriate body to accept the dedication of streets, roads and alleys.

In my opinion, the best procedure for the acceptance of new streets, roads and alleys is as follows:

1. The developer must complete all streets, infrastructure and other improvements within the subdivision in compliance with the minimum standards outlined in the Public Works Manual and in compliance with the plats and plans approved by the Planning Commission.
2. After completion of the streets and public infrastructure, the developer should make a formal request to the City for the acceptance of the streets and public infrastructure within the subdivision.
3. A maintenance bond may be required by the City as a condition of acceptance of any new streets or rights-of-way.
4. The City Engineer and Public Works Director should inspect the streets, drainage structures, infrastructure, and other improvements for compliance with City standards.
5. The City Engineer and Public Works Director should file with the City Clerk their written certification confirming that the streets and public infrastructure have been constructed in accordance with City standards. The developer's application for street acceptance should also be filed with the City Clerk.
6. The City Council should adopt a resolution accepting the dedication of the street rights-of-way.
7. The developer should execute and deliver an appropriate deed to the City transferring ownership of the street rights-of-way to the City.

Thank you for the opportunity to comment. These are merely my thoughts on the subject matter, and I am confident that City staff will have additional comments and suggestions. If you have any questions, please don't hesitate to call me.

Guy Gunter

Mr. Kelley reported after further review of Huntsville regulations on recreational amenities (designed more for a major metropolitan city, rather than Opelika): my suggestion for discussion is any proposed subdivision for single family lots be rezoned to either PUD (Planned Unit Development) or PRD (Planned Residential Development) if recreation amenities are desired.

The PRD district was approved by City Council on May 15, 2009. Although after six (6) years, no interest has been shown for this district. Of course in 2009 the country was in a major recession. The district needs minor changes and updating along with an additional subsection to regulate private recreational amenities in both PUD and PRD.

Opelika does not need to be in the business of regulating private amenities. Either the property owner/developer or a home owners association must carry that responsibility. However, the Planning Commission must be responsible that any phase of the development which is ready for final plat consideration have recreational amenities completed, operational, and financially capable to maintain those recreational amenities, before accepting a new phase as a preliminary plat first.

Otherwise, build a subdivision under our existing residential districts regulations.

Mr. Parker, Mr. Hawkins, and Mr. Prince had no reports.

Chairman Pridgen stated these are a work in progress.

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 3:50 p.m.

Keith Pridgen, Chairman

Lewis Cherry, Secretary