

**July 23, 2013**

The City of Opelika Planning Commission held its regular monthly meeting July 23, 2013 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters were mailed to all adjacent property owners for related issues.

**MEMBERS PRESENT:** Lewis Cherry, Arturo Menefee, James Morgan, Ira Silberman, Keith Pridgen, David Canon

**MEMBERS ABSENT:** Mayor Fuller, Lucinda Cannon, Michael Hilyer

**STAFF PRESENT:** Gerald Kelley, Planning Director  
Martin Ogren, Assistant Planning Director  
Rachel Dennis, Planning and Zoning Technician  
Walter Dorsey, City Engineer  
Micah Peckham, Opelika Power Services  
Scott McBurney, Public Safety  
Guy Gunter, City Attorney

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

**I. Approval of June 25, 2013 Minutes**

Chairman Pridgen asked for any changes or corrections to the June 25, 2013 Planning Commission Minutes

Council Member Canon made a motion to accept the June 25, 2013 minutes of Planning Commission as written.

Mr. Silberman seconded the motion.

Ayes: Morgan, Silberman, Council Member Canon

Nays: None

Abstention: Cherry and Menefee

**II. Update on previous Planning Commission cases**

Mr. Kelley reported from Planning Commission to the City Council is the public hearing on August 6 for the rezoning of Dr. Chan property on Priester Rd.

**B. CONDITIONAL USE - Public Hearing**

**5. Frances Lipscomb-Galloway & Eddie Ogletree, 707 Orchard Avenue, R-3, Allow duplex in R-3 zone (Tabled at June 25<sup>th</sup> PC meeting)**

Mr. Kelley reported Ms. Galloway was here in June and asked that this case be continued to the August 27, 2013. The Zoning Board of Adjustments will hear the variance case on August 13, 2013.

**E. OTHER BUSINESS**

**11. Discussion/Comments on future Subdivision Regulations amendments concerning requirements for underground utilities.**

Mr. Kelley reported prior to submitting a text amendment, I would like to meet with David Horton the new OPS Director. Mr. Horton can provide some input to policy issues he has experience with before we come back with a text amendment.

## **7. T.R. Amason, 1451 Andrews Road, R-3, Group home for children**

Mr. Kelley reported the applicant is requesting conditional use approval on two (2) acres for the use and conversion of the lodge to a group home for six (6) girls ranging in age from 5-16 years. A group home is defined in Section 2 of the Zoning Ordinance (See Attachment A). The application and narrative provided by the applicant accurately depicts the location, activities, and floor plans for the proposed use of the lodge. Staff recommends no change to the existing site plan. Inspections will review for compliance with building code before occupancy permit is issued.

**Recommendation:** Staff recommends approval subject to receiving applicable certification/license from the State of Alabama for a private home to accommodate no more than six (6) clients. (Conditional Approval from the Planning Commission is required by the State when their formal application is submitted. Their Health Certificate was received on 7-15-13. Statements 2, 3, and 4 will have been submitted.

**Group Home.** A facility which has as its primary use the provision of care for its residents, in a home type environment, and where residency is required to receive such care. The maximum occupancy of a facility is limited to seventy (70) square feet of bedroom gross floor area per resident. This restriction prevents overcrowding of group homes in relation to living area or the number and types of rooms. For the purpose of this definition, bedroom is defined as a room designed or designated for sleeping and not bathrooms, hallways, closets, utility or storage rooms or areas or rooms which primary use is for eating, cooking, or general congregating.

Group Homes shall be an Allowed use in the I-1 (Institutional) District and a Conditional use in R-1, R-2, R-3, R-4, and R-4M, R-5, R-5M, C-2, C-3, GC-1, and GC-2 zoning districts. In single family zoning districts (R-1, R-2, R-3) the maximum number of residents shall be six (6) - not including the care providing staff. In single family zoning districts, the architectural design of new group homes, additions, or renovations to existing single-family homes for group home use shall be compatible with the residential character of the single-family neighborhood. The objective here is to require that group homes retain a residential character in order to preserve and protect the existing single-family neighborhood. A group home proposal must include architectural drawings and site plan layout that identifies with the neighborhood. The Planning Commission shall review the floor plan, and front, side, and rear elevations for approval. The Planning Commission may require changes in exterior materials, building square footage or height, building projections into the vertical and horizontal plane, site plan layout, or other changes necessary to maintain the residential character of a single-family neighborhood. In addition, the following conditions shall be met for all group home requests:

1. Statement from the care providing organization stating, that all applicable and/or required certifications and/or licenses have been obtained.
2. Statement from the care providing organization stating the name of the responsible person or party for the facility and the method for contacting such person or party.
3. Statement from the care providing organization that approval under this section shall not be transferable without prior approval from the Opelika Planning Commission.
4. Statement certifying that the proposed group home is at least one thousand (1,000) feet from any other group home as measured between lot lines.
5. Copies of each document required herein are to be provided to the Planning Department and are to be kept in the appropriate case file. Group Homes are Not Allowed in the C-1, M-1, and M-2 zones.

Mr. Dorsey reported sanitary sewer service is not presently available to this existing residential structure, but is accessible via an in-place gravity main that passes through the subject property approximately 1,000 feet from the structure in a southeasterly direction. Public street access to Andrews Road from the residence is available via a paved, one-lane drive that is approximately 1,600 feet in length. There is an abundance of paved and gravel parking areas near the residence.

The Engineering Department recommends conditional use approval as submitted.

Mr. McBurney reported for OUB, water service is accessible to this location by a water main in the R.O.W. of Andrews Road.

Mr. Peckham reported this use is outside the Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

No comments from the public.  
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: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

**C. REZONING – Public Hearing**

**9. Marsh Real Estate, 1007 Avenue B & 1001 Avenue B, 2.1 acres, from C-2 to C-1**

Mr. Kelley reported since purchase of these properties on Avenue B and 10th Street, Mr. Marsh desires to create an environment through modification of existing buildings to provide a campus setting for entrepreneurs to launch technology based small businesses.

Staff believes this land use is appropriate for technology activities in C-1 subject to providing off street parking which is available. The opportunity may exist for Mr. Marsh to purchase the former Opelika Power Services location from the City of Opelika. Such a possibility would allow a further expansion of a technology based campus.

The C-1 zoning district definition in part say; “typically include retail, office, banking insurance, government, food service, high density residential, service, and limited assembly and manufacturing.” This property is not directly adjacent to C-1; nevertheless, the northeast quadrant of the Avenue B/10th Street intersection is Lee County Courthouse, zoned C-1.

In 2012 the City Council passed the Entertainment District in the Downtown Area which includes the block bordered by 10th Street, Railroad Right-of Way, Avenue B., and Avenue C. C-1 zoning is appropriate for uses within the Entertainment District.

Staff Recommendation: Approve C-1 subject to providing off street parking at the former Davis-Dyar Lighting Center parking lot.

Mr. Dorsey reported sanitary sewer service is available to these two developed commercial lots via in-place gravity mains within the Avenue B and South 10th Street rights-of-way. The Overall Company parcel contains approximately five paved, on-site parking spaces and a one-way, circular drive between Avenue B and South 10th Street, while the Davis-Dyar parcel contains approximately on-site 20 spaces. All spaces on the Davis-Dyar parcel must back into Avenue B when exiting the site. Due to the existing street widths and traffic volumes, no adjacent on-street parking will be allowed on Avenue B or South 10th Street. As a result of their previous commercial development, the future use of these parcels under a C-1 zone will have negligible traffic and storm water impacts when compared with their future use under a C-2 zone.

Therefore, the Engineering Department has a positive recommendation for this rezoning request.

Mr. McBurney reported for OUB, water service is accessible to these locations by a water main in the R.O.W. of Avenue B.

Mr. Peckham reported this parcel is in the Opelika Power Services territory.

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Mr. Silberman made a motion to send a positive recommendation to City Council with staff recommendations.

Mr. Cherry seconded the motion.

Chairman Pridgen stated the parking area needs to remain an open parking area and once the adjacent building is occupied the fence will need to be removed.

Ayes: Cherry, Morgan, Silberman, Menefee, Pridgen

Nays: None

Abstention: Council Member Canon

**D. TEXT AMENDMENTS TO ZONING ORDINANCE – Public Hearing**

**10. Amendments to Section 7.3 matrix table for Single Family Residential Districts concerning minimum requirements for lot area, lot width, front & side yard setbacks, and dwelling units per acre.**

Mr. Kelley reported as discussed by the Planning Commission during their meetings in May and June, 2013; the following amendments to the Matrix Table in Section 7.3 Subsection A. District Regulation, Area Requirements are as follows:

Amend Minimum Lot Size in R-3 from 7,500 to 10,000

Amend Dwelling Units per Acre in R-2 from 4 to 2.5 and in R-3 from 4 to 3.5

Amend Lot Width in R-1A from 100 to 90; in R-2 from 100 to 80; in R-3 from 60 to 70

Amend Front Yard Setback in R-3 from 25 to 30

Amend Side Yard Setback in R-1A from 15 to 20; in R-2 from 12 to 15

Therefore the Matrix Table would appear as shown below with the deletion number crossed out and a new number inserted, highlighted in Yellow.

Mr. Dorsey, Mr. McBurney reported for OUB, and Mr. Peckham had no reports.

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Mr. Silberman made a motion to send a positive recommendation to City Council with staff recommendations.

Dr. Menefee seconded the motion.

Ayes: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

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

**1. Saugahatchee Hills Subdivision, Revision of lot 1, 2 lots, 2503 Grand National Pkwy, R. Scott Roe, Preliminary and Final Approval**

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 2 lot subdivision located off Grand National Parkway. The subdivision involves adding a rear yard portion to Lot 33-A. The lots meet the minimum one acre lot size requirements for a subdivision in an R-1 zone.

Staff recommends preliminary and final plat approval subject to the 50' building setback line shown on the plat.

Mr. Dorsey reported sanitary sewer service is not presently available to either undeveloped lot in this two-lot subdivision. The nearest accessible sanitary sewer is located approximately 1,200 feet to the east on the Saugahatchee Lake property owned

by Opelika Utilities. Lot 33-A has public street access via Grand National Parkway, while the second lot has public street access on Saugahatchee Hills Court. The in-place driveway within the pole portion of Lot 33-A also provides street access to Lots 31 and 32.

The Engineering Department recommends preliminary and final plat approval, subject to the following:

1. Identify the 2.3-acre remainder parcel as the second lot in the subdivision and provide a unique lot number.
2. Provide a vicinity map on the plat to identify the location of the subdivided parcels.
3. Indicate the front-yard zoning setbacks on both parcels.
4. Change the street name of 'Rosamond Court' to 'Saugahatchee Hills Court'.
5. Change the responsible street paving entity from 'Lee County' to 'City of Opelika'.

These comments have been addressed in the final submittal today.

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

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

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

Mr. Cherry made a motion to grant preliminary and final plat approval with staff recommendations subject to the property owner signatures on the final plat.

Mr. Morgan seconded the motion.

Ayes: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

## **2. National Village Subdivision, Phase 7-C, 32 lots, Double Eagle Drive, Retirement Systems of Alabama, preliminary approval**

Mr. Ogren reported the applicant is requesting preliminary plat for a 32 lot subdivision. The 32 lots is Phase 7-C of the National Village PUD. The lots range from 8,120 sf to 14,500 sf. The building setbacks shown on the plat are 5' front yard, 5' side yard, and 15' rear yard. In the previous four phases<sup>1</sup> in National Village the front yard setbacks were a minimum of 15 feet. A PUD zoning district allows flexibility in certain regulations that follow the general purposes of the Zoning Ordinance. At the February 2006 Planning Commission rezoning public hearing, RSA included in their narrative the following paragraphs concerning setback requirements (City Council approved the PUD in April 2006):

*RSA will propose differing types of housing not necessarily contemplated by the City of Opelika's Zoning ordinance. Phase I should contain all single-family detached homes except that two garages may abut each other at the side property lines between two homes. Such an attachment will suggest a zero lot-line home except that living areas of each home will not touch. Only will the garages actually touch.*

*Attached Cottages Twin-homes, Condominiums and Cluster Homes are proposed in National Village, as described earlier. These housing types may well offer differences from what is contemplated by the current Opelika Zoning ordinance. We request that the PUD rezoning request take into consideration these foreseen and unforeseen variances with the Zoning ordinances. In the event variances requests are required by the Planning Commission, RSA will work closely with the*

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<sup>1</sup> Phase 1A, 1B 1C, 7B

*Planning Department to bring such potential variances to the Planning Commission in a timely manner.*

Staff recommends preliminary plat approval.

Mr. Dorsey reported sanitary sewer service is available to all 32 lots in this residential subdivision phase via an in-place gravity main that extends just north of, and parallel to, the lots along the northern side of Double Eagle Lane. Public street access is available via Double Eagle Lane. Undeveloped land areas to the north and south of the subdivision phase are located within jurisdictional wetlands and/or the 100-year flood zone boundary, but neither encroaches into any of the subject lots.

The Engineering Department recommends preliminary plat approval, subject to the following:

1. Indicate a tie to a section corner.
2. Increase the front-yard zoning setback on each lot from 5 to 15 feet.
3. Revise the graphic scale at the bottom of the plat from 1" = 50' to 1" = 40'.
4. The developer's engineer shall submit a full set of public works construction plans to the Engineering and Public Works Departments for review and approval. No construction on the public works improvements shall begin until after the plans have been approved. All improvements, except for the placement of the wearing surface asphalt, shall be completed, tested, inspected, and accepted for use by the Engineering and Public Works Departments prior to final plat submittal.

Mr. McBurney reported for OUB, water service is accessible to this subdivision by a water main in the R.O.W. of National Village Parkway

Mr. McBurney reported for public safety

## ***Part III—Building and Equipment Design Features***

### CHAPTER 5

## FIRE SERVICE FEATURES

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**503.3 Marking.** Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words **NO PARKING—FIRE LANE** shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

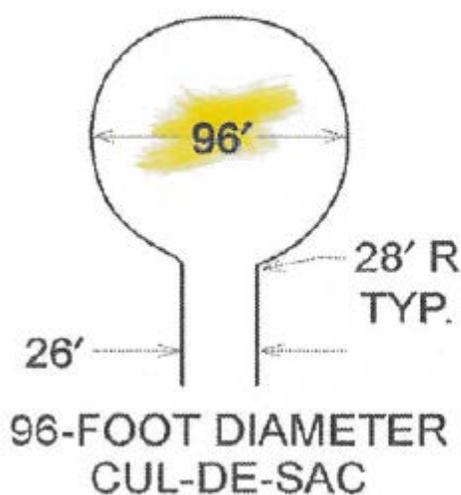
**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

**TABLE D103.4  
REQUIREMENTS FOR DEAD-END  
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

**FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**



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

Chairman Pridgen opened the public hearing.

Max Vaughn engineer and representative of Goodwin Mills and Caywood said the plat was first submitted with the 5 foot front yard setback. However, we would like to submit a plat revision providing 10 foot front yard setback along the thru portions of Double Eagle Lane and 5 foot front setback on the lots that front the cul-de-sac. We do feel that allowing some of those homes to be closer to the road we are protecting the natural topography in this area especially along the rear lot line. The elevation drops are significant and this would allow us to protect some of the natural area. This plat is actually a restricted covenant area where the mitigation was done for the property as a whole. We would like to do as limited disturbance as possible to these lots. In response to the fire department report I do feel we can meet the fire code requirements. The plat shows a 35 foot road right-of-way with an 18 foot lane. The right of way is the same as previous plats which include inverted concrete driveways whereby most lots in all other phases have access. There is no on street parking allowed, but I realize you cannot always prevent people from parking on the street when they are visiting people living in the subdivision. If someone blocked half of the road for a small portion of time, you would have a 17.5 foot of right-of-way plus a 10 foot setback which would leave you a distance of 27.5 feet on one side with no obstruction for a fire truck to pass by. .

Captain McBurney stated we need 20 feet of all-weathered roadway.

Max Vaughn stated we have existing roads at 18 feet.

Captain McBurney stated we have adopted 2012 Fire Codes now and it is specific about 20 foot roadways not including shoulders.

Max Vaughn stated we will work and meet those requirements for public safety. We would still like to make the request for the approved setbacks of 5 foot along the cul-de-sac and 10 foot on the others.

Mike Maher submitted a change drawing for this plan to the commissioners to review.

Commissioners and Max Vaughn discussed the reason for the setback, design of the homes, the placement of the garages and front porch. Mr. Cherry stressed his safety concerns about the homes setbacks. Mr. Silberman and Chairman Pridgen were concerned about of setting a precedent with the 5 foot setback for other phases in National Village. .

Commissioners and Staff discussed radius regulations, setback regulations, and concerns of public safety.

Chairman Pridgen closed the public hearing.

Mr. Gunter asked is the proposal for a 10 feet front yard setback on Double Eagle Lane and 5 feet on the five cul-de-sac lots with the road paved width of 20 feet.

Chairman Pridgen stated correct.

Council Member Canon made a motion to grant preliminary plat approval with staff recommendations and the revision that were given to us today and include signage to prohibit parking along the street.

Mr. Silberman seconded the motion.

Max Vaughn stated we will modify the design to meet any safety standards.

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

Nays: Cherry

Abstention: None

Mr. Cherry voted nay because the front yard setback of less than 15 foot is a safety concern because the homes could be constructed so close to the street.

***Preliminary plat was approved by the affirmative votes of the majority the quorum present (5 of 6). The developer was notified that the preliminary plat approval carried. (At the time of the meeting it was discussed that the plat was denied which was incorrect because this is a preliminary plat not a final plat.)***

**3. Juanita G. Jones Subdivision, 2<sup>nd</sup> Revision, 4 lots, 488 Lee Road 155, Juanita G. Jones, preliminary and final approval**

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 4 lot subdivision located on Lee Road 155 in the planning jurisdiction. The purpose of the subdivision is to create Lot 2B (2.9 acres), Lot 2C (2.3 acres), and Lot 2D (5.4 acres). Lot 2B was subdivided from Lot 3B (31.9 acres). Lot 3B has public road access onto Lee Road 155 via a 60 foot wide flag lot. Each lot meets the minimum 15,000 square foot lot size requirements for lots in the planning jurisdiction.

Staff recommends preliminary and final plat approval subject to a minimum 35 foot front building line added to the plat.

Mr. Dorsey reported sanitary sewer service is not available to the four lots in this subdivision, which is located outside the Opelika corporate limits on Lee Road 155. Public street access is available via Lee Road 155. Lots 2-B and 2-C have been developed with residential structures, while lots 2-D and 3-B are undeveloped. The residences on Lots 2-B and 2-C, as well as the residence on the Ford lot to the south, all share a common driveway. Lot 3-B contains an in-place pond that also extends northward into the Ford lot. A 100-foot wide easement for overhead power transmission extends through the northwestern corner of Lot 2-B.

The Engineering Department recommends preliminary and final plat approval, subject to the following:

1. Indicate the front-yard zoning setback on each lot.
2. Provide a 20-foot wide permanent access easement across Lots 2B and 2C that is centered along the in-place driveway.
3. Indicate the in-place residential structure on Lot 2C.

These comments have been address with the final plat submission.

Mr. McBurney reported for OUB, this subdivision is in the Smith Station Water Authority service area.

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

Chairman Pridgen opened the public hearing.

No comments from the public.

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: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

**4. MWV Lee Road 148 Subdivision, 3 lots, Lee Road 148, John Torbert, preliminary and final approval**

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a 3 lot subdivision located on Lee Road 148. The subdivision involves creating Parcel 1 (184 acres) from a 364 acre parcel. Parcel 2 (180 acres) and Parcel 3 (255 acres) are not surveyed at this time.

Staff recommends preliminary and final plat approval.

Mr. Dorsey reported sanitary sewer service is not available to either undeveloped lot in this two-lot subdivision, which is located outside the Opelika corporate limits on Lee Road 148. Public street access is available via Lee Road 148, which is unpaved. Several streams and creek pass through both lots in a northeast-to-southwest direction; however, none of the land is located within the 100-year flood zone boundary.

The Engineering Department recommends preliminary and final plat approval, subject to the following:

1. Indicate the approximate acreage and front-yard zoning setback on Parcel 2, as it is also part of the subdivision.
2. Block out and identify the vicinity map for better clarity and to avoid confusion with the subject parcels in the plat.

The revised plat was submitted today which addresses all of the concerns listed.

Mr. McBurney reported for OUB, this subdivision is served by private wells.

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

Chairman Pridgen opened the public hearing.

No comments from the public.

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, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

**6. Sun-Self Storage, 1702 Frederick Road, C-2, GC-2, Addition to Climate Control mini-warehouse facility**

Mr. Ogren reported the applicant is requesting conditional use approval to construct a 56 unit climate control mini-warehouse building. The 12,000 square foot building is accessed from Frederick Road via a 30 foot wide public easement labeled on the subdivision plat as "30' Access for Owner of Lot 2A & Public Vehicles Only (Not for General Public)." A revised site plan is attached to this report. The revised site plan shows the driveway extended and another turnaround located in the rear yard area behind the building. The purpose of the second turnaround is so fire trucks could have a wide enough area to turn around. The larger turnaround area has a radius of 40 feet; the turnaround will be gravel. The canopy attached to the building that extends over the driveway is 14 feet high; the fourteen foot height meets minimum height standards (13'6") for a fire truck. Six paved off-street parking spaces are required for a 56 unit mini warehouse facility. The revised site plan needs to show the location of 6 parking spaces. Landscaping is met from the existing trees on the lot.

Staff recommends approval subject to the site plan revised showing six parking spaces; the parking spaces must be paved as stated in Section 8 Off-Street Parking of the Public Works Manual and subject to the sign for the access way.

Mr. Dorsey reported sanitary sewer service is available to the existing storage building via an in-place gravity main within the Frederick Road right-of-way. Sanitary sewer service is not proposed to be extended to the new storage building, since the restrooms in the existing building will provide service to customers in the new building. Access to the new building will be provided via a widening and northward extension of the existing paved drive along the eastern property boundary. A paved turn-around adjacent to the new building will accommodate customers and small vehicles, while a larger gravel turn-around area will be constructed farther north of the paved turn-around for large trucks and emergency vehicles. Twelve paved, on-site parking spaces in front of the existing building are provided for customers and employees. Storm water from the new building and turn-around will drain to an existing detention pond located just to the east of the site.

The Engineering Department recommends conditional use approval, subject to the following:

1. Provide a pavement width not less than 24 feet for the widened and extended driveway to the new building, per Section 3.5.4 of the Public Works Manual.

Mr. McBurney reported for OUB, Opelika Utilities currently serves this location.

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

Chairman Pridgen opened the public hearing.

Mr. Benson stated he did not agree with a width of 24 feet for the private access driveway, because the driveway is access only for public vehicles and customers and there is no parking allowed on the access driveway. I would ask that you allow me to construct a 20 foot wide paved access drive not 24 feet.

Chairman Pridgen closed the public hearing.

Mr. Silberman made a motion to grant conditional use approval with staff recommendation and allowing a 20 foot access driveway.

Mr. Cherry seconded the motion.

Ayes: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

#### **8. Derek Thomas, 1107 Crawford Road, R-1, New church including 750 sf addition to existing building**

Mr. Ogren reported the applicant is requesting conditional use approval for a church at the former BF Goodrich Union Hall and Career Development Center on Crawford Road (Hwy 169). The church congregation will have regular services on Wednesday and Sunday, and then at various times, smaller groups/business meetings will meet. The church will not provide day care services but may in the future. The church has about 65 members; the church building at maximum capacity will seat 140 members. A 750 square foot addition to the sanctuary will be constructed on the west wall.

The site plan shows a 5,750 square foot building on a 3 acre parcel. Minimum off street parking for a church is one parking space per four seats in the church at maximum capacity (max = 140 seats). At maximum capacity 35 parking spaces are required. There are 25 existing parking spaces and the church will add 10 concrete parking spaces in the rear yard area. The landscape requirements are met by preserving at

least 35 existing trees (6"+ diameter) on the west side of the property; forty shrubs exist in in the front yard area. The church is aware the trees should not be removed.

Staff recommends approval subject to ten paved parking spaces added.

Mr. Dorsey reported sanitary sewer service is not presently available to this 5.92-acre commercial site. The nearest accessible gravity main is located approximately 700 feet to the northeast. Public street access is available via two paved curb cuts on Crawford Road (Alabama Highway 169). The easternmost curb cut will accommodate two-way traffic, but the westernmost curb cut is only wide enough for one-way traffic. Two additional, existing unpaved curb cuts located farther west than the one-way curb cut will not be used. An in-place, paved parking lot containing 25 spaces is provided along the eastern side of the building. Two of these spaces are designated for use by the disabled. A portion of this parking lot encroaches approximately ten feet into the Alabama Department of Transportation right-of-way. Ten additional paved parking spaces will be constructed along the southern side of the building.

The Engineering Department recommends conditional use approval, subject to the following:

1. Install signs and pavement marking to indicate the direction of traffic flow for the one-way drive along the western side of the building.
2. Remove the two unpaved site curb cuts.

Mr. McBurney reported for OUB, Opelika Utilities currently serves this location.

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

Chairman Pridgen opened the public hearing.

No comments from the public.

Chairman Pridgen closed the public hearing.

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

Mr. Morgan seconded the motion.

Ayes: Cherry, Morgan, Silberman, Menefee, Council Member Canon

Nays: None

Abstention: None

With no further business on the agenda, Chairman Pridgen adjourned the meeting at 4:06 p.m.

Chairman Pridgen congratulated Mr. Dorsey on his retirement.

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Keith Pridgen, Chairman

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Rachel Dennis, Secretary