The City of Opelika Planning Commission held its regular monthly meeting February 27, 2018 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Lewis Cherry, Lucinda Cannon, Michael Hilyer, Dale Vaughn, David Canon, Arturo Menefee, Ira Silberman

MEMBERS ABSENT: Mayor Fuller, John McEachern

STAFF PRESENT: Matt Mosley, Planning Director
Martin Ogren, Assistant Planning Director
Rachel Dennis, Planning Technician
John Gwin, Assistant City Engineer
Guy Gunter, City Attorney

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

I. Approval of January 23, 2018 Planning Commission Minutes
Council Member Canon made a motion for approval of the January 23, 2017 minutes as written.
Dr. Menefee seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

II. Update on previous Planning Commission cases
Mr. Mosley reported the Century Boulevard Rezoning to PUD was approved by City Council. The Gateway Corridor amendments have been adopted by City Council. We will provide you the updated Zoning Ordinance and Subdivision Regulations at the next Planning Commission Meeting.

A. PLAT – (preliminary only) - Public Hearing
1. Silver Oak Subdivision, Phase Two, 30 lots, Lee Road 266, Blake Rice, Preliminary Approval

Mr. Mosley reported the applicant is requesting preliminary plat approval for a 30 lot subdivision located behind Silver Oak Subdivision on Lee Road 266. The property is approximately 72.17 acres. The lots range in size from 1.00 acre to 4.66 acres. This area was previously platted for 83 lots, but that plat has since expired. The property is currently undeveloped, although there was a small area in the first phase for access to this area. The plat adjoins the City of Opelika to the west. As the applicant does not plan to annex the property, the subdivision will receive services from Lee County including public safety, education, and water services. The lots will be served by septic systems.

The subdivision plat meets the requirements for lot width and minimum lot size in the planning jurisdiction. The proposed street currently exceeds the length allowed for ways. The maximum length for cul-de-sacs is 700 feet. The proposed street past the side street is approximately 1,200 square feet.

There are also some minor notational issues with the plat that will need to be addressed prior to any final plat approval.
Staff recommends preliminary approval subject to the following:

- The plat will need to get relief from the Maximum Cul-de-sac length or be reconfigured.
- Add Lee County Engineering Signature
- Add Health Department signature block
- Note the width and location of the gas line easement.
- Label the dark patch on Lots 15-16.
- Label road width between Lots 8-9 of Silver Oak Phase 1.
- Add graphic/text scale to drawing.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. Since this property is outside of Opelika City limits, Lee County Engineering Department will have to concur with the plat’s completeness. The Engineering Department recommends this plat for Preliminary approval.

Because this development is in the County, but within the three mile jurisdiction of the City, Lee County Engineering Department and the City of Opelika will share in the monitoring responsibilities of this development according to a previously approved agreement. The developer will be required to submit a site development plan for the grading, drainage, utility, post construction detention, and roadway installation to the Lee County Highway Department and the City of Opelika Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued by Lee County in concurrence with their regulations and any other applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and approved by Lee County and City of Opelika Departments, and a bond is provided to the City of Opelika for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

Chairman Cherry opened the public hearing.

Ree Davis of 1213 Lee Road 266, we [Davis and Hines Families] are concerned about the road that comes between our properties. When they cleared off the property the log trucks made the roadway wash into our yards. What can be done to fix and prevent future problems?

Blake Rice stated Mr. Gentry had the property logged some time ago. Civil operations are not subject to the erosion control practices mandated by the state and the city. This project itself will be designed to have erosion control. At the end of the day you will have a paved road. During construction a lot of that will have to be cleaned up by default. Mr. Gentry is not the end developer. My client is the one purchasing from Mr. Gentry.

Ree Davis asked will there be any access from the road that they build to our properties?

Blake Rice stated not unless you desire. If you would like to change your driveway to a side entry drive you could contact the Lee County Highway Department to discuss that. You really could not do that until the road is built.

Ashley Crane 1301 Lee Road 266, currently we have gravel drives. Would you provide us with paved driveways?

Blake Rice stated Mrs. Davis has made a request to have a driveway off the road once it is built. This will be the responsibility of Mrs. Davis. Mrs. Crane and I have spoken about a dead tree on the property. I have spoken with the developer. He said that he has no problem to get someone out there to remove that.

Ashley Crane stated one of the things that we did discuss is that we have covenants. It would be beneficial if your client considered phase two covenants that mirrored phase one. This would be to mirror similar home styles and clean yards. We already have poor water pressure as it is. I assume you would tie into the current water lines that are...
running along Lee Road 266. Beulah Utilities refuses to expand the pipe size to accommodate the 10 houses that are there. This will add potentially 30 houses. Currently if anyone below us turns on the dishwasher or washing machine everyone above them has poor water pressure.

Blake Rice stated we will have to get with Beulah Utilities District to ensure that we meet the minimum water pressure requirements, if not it would be incumbent upon the developer to meet the requirements. As far as covenants go, I do know this piece of property is not covered in the Silver Oak Phase One existing covenants. I do know the developer intends to provide covenants. I cannot speak for the developer as to if they will petition Silver Oaks to be part of their covenant or do some of their own. That will likely be determined by what size and style homes will be constructed.

Ashley Crane stated we do not want junk lots next to our homes.

Blake Rice stated my client asked if the Planning Commission will consider not requiring sidewalks interior to this development.

Chairman Cherry closed the public hearing.

Mr. Silberman made a motion to grant preliminary plat approval with staff recommendations. Mr. Vaughn seconded the motion.

Ms. Cannon asked are the sidewalks included in the motion.

Mr. Mosley stated we did not include sidewalks in the recommendation because it is in the county and a fairly rural subdivision.

Mr. Silberman stated the houses on Lee Road 266 do not have sidewalks.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

B. PLAT (preliminary only) and MASTER PLAN REVISIONS - Public Hearing
2a. National Village Plat 6A Subdivision, 19 lots, Robert Trent Jones Trail, Goodwyn, Mills & Cawood, Inc., Preliminary Approval

Mr. Mosley reported the applicant is requesting preliminary approval for a 19-lot subdivision accessed from Robert Trent Jones Trail. The next agenda item concerns this same property area: proposed amendments to the Grand National Master Plan. The changes to the Master Plan involve adding these 19 "cottage court" single family home lots.

The preliminary plat consists of 19 single family zero lot line homes and two common space areas. The lots range in size from 3,400 square feet to 6,008 square feet. Each lot has a 10 foot front building setback, a 10 foot side building setback and zero setback from the side and rear lot lines. The lots will face common green space areas and are accessed by private streets. Street A and Street B will both be public streets. Street B follows and existing driveway and Alabama Power easement. Should Planning Commission grant approval of the preliminary subdivision plat, the developer will be required to construct the streets and utilities with accordance to City of Opelika standards.

Staff recommends preliminary approval subject to the following:
1. Approval of the master plan amendment by City Council.
2. Addition of flood plain data to the drawing.
3. Addition of a scale to the drawing.
4. Install underground utilities.
5. Install sidewalks on at least one side of all streets.
6. Include street names on all streets for final plat.
7. Noting the purpose and maintenance of Parcel A and B.
8. Noting who will maintain the private streets and common area.
9. Include all signature blocks and other standard information for final plat.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary approval.

The developer will be required to submit a site development plan for the grading, drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

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

Dr. Menefee made a motion to grant preliminary plat approval with staff recommendations.
Ms. Cannon seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: Vaughn

2b. National Village PUD Master Plan, Robert Trent Jones Trail, Goodwyn, Mills and Cawood, Inc., Major change to PUD Master Plan

Mr. Mosley reported the applicant is proposing to add 19 "courtyard" homes that were not previously designated on the National Village Master Plan. The proposed homes will be located between Robert Trent Jones Trail and the new spa addition to the hotel. This 7.32 acre section of property is located in Village 6 of the master plan, more commonly referred to as the Town Center.

The original master development plan and PUD were approved by the City Council in 2006. The master plan was updated in 2008 to add additional property not previously included and a large revision to Village 6 creating the Town Center concept. The overall development includes 684 acres and was previously approved for 1,368 units plus retail, restaurants, and office space. The overall density averages 2.00 units per acre. Village 6 was previously approved to have 233 units over 77 acres. This is a density of 2.33 units per acre. The proposed addition would add 19 units in these 77 acres. Without any reductions in the previous number of units, the village density would stay the same increase to 3.27 units per acre. The overall number of units would increase to 1,387 dwelling units with a new density of 2.03 units per acre.

The proposed development will place up to 10 units around a common greenspace so that front porch areas will face each other across the green. The interior space will be available for common use and enjoyment. The units will have a zero lot line setback on one side. The opposite wall will have a side porch that will create a courtyard to the adjoining building. This space will allow some private outdoor space in between the buildings. The residences will range in size from 1,100 square feet to 1,400 square feet with 2-3 bedrooms per unit. The layout of the buildings will be able to utilize the existing trail system for quick access to the hotel and the future Town Center.

Staff Recommendation:
The amendment has a very minor increase on the overall unit count and density for both Village 6 and the overall master plan will stay the same. Staff recommends a positive recommendation be sent to City Council to approve the amendments to the National Village Master Plan to allow 19 “cottage court” residences.
Mr. Gwin reported The Engineering Department has no comments or concerns with the proposed revision to the PUD and recommends a positive recommendation to City Council.

Chairman Cherry opened the public hearing.

Chief Prather stated I noticed on 2a. the private streets will be 30 ft. wide on 2b. the streets are showing 15 ft. wide. Which one are we going with. I am concerned about apparatus access.

Max Vaughn Goodwyn Mills and Cawood, right now there is not going to be any parking on the street. The alleys will be private. There is parking on the public road on the right side. The driveways are being designed into the houses with parking in the garages. The neighborhood will police that and they are very active. The private access road R.O.W. is 30 ft. the drive itself is 15 ft. It is a very narrow condensed concept.

Chief Prather stated. I am concerned about emergency vehicle access. Before we sign off on this in the end we will need to get that straight.

Chairman Cherry closed the public hearing.

Ms. Cannon made a motion to send a positive recommendation to City Council with staff recommendations for the amendment to the PUD Master Plan. Mr. Vaughn seconded the motion.

Ayes: Cherry, Cannon, Hilyer, Menefee, Silberman
Nays: None
Abstention: Vaughn, Council Member Canon

C. ANNEXATION and PUBLIC HEARING for Zoning District Requested and Preliminary Plat
3a. Plainsman Development, Inc., 700 block Ski Spray Point, 160.69 acres, recommendation of annexation request to City Council

Mr. Mosley reported Plainsman Development, Inc., has requested the annexation of approximately 169 acres into the City of Opelika. The subject property is currently undeveloped and includes the lake. The subject property includes the remainder of the property shown in Foxchase at Emerald Lake Phase 4.

This property is contiguous to the City of Opelika through the rest of Foxchase Subdivision and will help ensure the remainder of the area around the lake is in the City of Opelika.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The applicant also has a rezoning request to rezone the property from R-1 to R-2 if the property is annexed.

RECOMMENDATION: A positive recommendation to City Council for annexation.

Mr. Gwin reported the Engineering Department has no comments or concerns with the proposed annexation and recommend a positive recommendation to City Council.

Chairman Cherry opened the public hearing.

Barbara Duncan 704 Ski Spray Point, there is a creek that runs down the corner of my property right next to Phase 4. Will the creek be dredged into the lake? If it will be annexed into the rest of Foxchase then it would be a good thing if they had the same covenants. What entrance would Phase 4 be using?

Blake Rice Barrett-Simpson Engineering representing the developer of this. The entrance will be a gated entrance closed to the general public, but it will be open to Foxchase residents, just as the main entrance. While the main entrance stays open a
majority of the time, this entrance will be a true gated entrance with something like key code for entrance. We will take care of the emergency access requirements. As far as the HOA requirements. I believe the developer has met with the Homeowners Association for Foxchase. They have voted to allow Phase 4 of Foxchase to come under their purview. That creek will be having to crossed at some point. We will impact that creek as minimally as possible and it is protected by the core of engineers. The creek will not be continuously impacted all the way into the lake.

Chairman Cherry closed the public hearing.

Mr. Hilyer made a motion to send a positive recommendation to City Council with staff recommendations for annexations.
Dr. Menefee seconded the motion.

Mr. Mosley stated the roads will be private, but they will be built to city standards.

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

3b. Plainsman Development, Inc., 700 block Ski Spray Point, 160.69 acres, Zoning request for annexation property – R-2, PC zoning district recommendation to City Council

Mr. Mosley reported the applicant is requesting rezoning 160 acres from an R-1 (residential) zoning district to a R-2 (residential) zoning district. The subject properties surrounding this use on the north and west are part of earlier phases of this subdivision and zoned R-2. The areas to the east and south are located outside of the City of Opelika in the Planning Jurisdiction. The subject property does not have a future land use designation currently, but the adjoining properties that do have a designation of low density residential. The proposed zone would be consistent with surrounding zone and would allow a development consistent with what the developer has proposed for Phase 4 of Foxchase at Emerald Lake.

Staff Recommendation: Planning Staff believes that the rezoning request for the 160 acres from R-1 to R-2 is appropriate based on surrounding zoning.

Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the property from R-1 to C-2.

Mr. Gwin reported the Engineering Department has no comments or concerns with the proposed zoning request and recommend approval

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Mr. Hilyer made a motion to send a positive recommendation to City Council with staff recommendations to zone the annexed property as R-2.
Dr. Menefee seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Menefee, Silberman
Nays: None
Abstention: Council Member Canon

3c. Foxchase on Emerald Lake Subdivision, Phase IV, 74 lots, 700 block Ski Spray Point, Blake Rice, Preliminary Approval - (Tabled at January 23rd PC meeting)

Mr. Mosley reported the applicant is requesting preliminary plat approval for a 76 lot subdivision located at the current end of Ski Spray Point in Foxchase at Emerald Lake. The subject property continues the development of the subdivision around Lees Lake.
The property is approximately 174 acres and includes 71 residential lots, four lots designated as HOA or Lake lot and one designated as future development.

The northern portion of the development is located within the City of Opelika. The remainder including the lake lot are located in the Planning Jurisdiction. The applicant has stated that they plan to bring the development into the City of Opelika. The lots within the City are zoned R-2. Lots 91 and 141 are located in the R-2 zone. The minimum lot size in an R-2 zone is 15,000 square feet (sf) and minimum lot width is 80 feet. The requirements for lots in the Planning Jurisdiction are also the same as the R-2 zone. All the lots meet the minimum standards for lot area and lot width except Lots 67 and 68. These lots should be listed as unbuildable.

The plat meets the standards for preliminary plat approval. Prior to any approval of development plans, the property will need to be annexed for sanitary sewer service. Otherwise, the applicant will need to show that all lots can be serviced by septic systems.

Staff recommends preliminary approval subject to the following:
- Note that all roads will be private.
- Sidewalks will need to be provided in this section of the development.
- Note who will maintain all open space/HOA lots and their purpose.
- If Street A does not connect to Lee Road 621 please note this and coordinate with Police and Fire Departments.

Mr. Gwin reported according to Section 7-42 of the Subdivision Regulations, base flood elevation data shall be provided for subdivision proposals greater than fifty (50) lots or five (5) acres. The Engineering Department recommends a flood study be completed to determine the base flood elevations along Emerald Lake.

The Engineering Department is requiring that sidewalks be placed with this development, at least on one side of Ski Spray Point. With the completion of these recommendations, the submitted plat meets the Subdivision and Public Works Manual minimum requirements. The Engineering Department recommends this plat for Preliminary Plat approval with the Departmental contingencies.

The developer will be required to submit a site development plan for the grading, drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

Chairman Cherry opened the public hearing.

Chairman Cherry asked the developer to speak about the sidewalks.

Don Ketchum 4555 Hwy 51, we have had this discussion several times. I submitted the sketch plan in June of last year. Would the Commission consider allowing sidewalks to be the option of the developer due to the fact that this is rural subdivision with large lots of 250 ft. of frontage. Phase 1 thru 3 were not required to have sidewalks. Requiring the homeowners to maintain sidewalks is out of the normal. We had several meetings with homeowners and sidewalks were not part of those meetings. You are looking at private streets with no thru way. I would like to maintain sidewalks as an option as we go forward.

Chairman Cherry closed the public hearing.

Ms. Cannon made a motion to grant preliminary plat approval with staff recommendations.
Mr. Vaughn seconded the motion.
Ms. Cannon amended the motion to grant preliminary plat approval with staff recommendations with the exclusion of sidewalks.
Mr. Vaughn seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

D. PLATS – (preliminary & final) - Public Hearing
4. Trillium Subdivision, Third Revision, 2 lots, 606 India Road, William R. Dean, Preliminary and Final Approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two-lot subdivision accessed from India Road or Rocky Brook Road. The subdivision is necessary to settle an estate. Parcel A-1 is 78 acres and Parcel A-2 is 13.8 acres. A single-family home is on Parcel A-2. At a later time, Parcel A-1 will be subdivided into lots that meet the R-2 development standards for lot size and lot width. An existing retention pond is shown on the plat sized to accommodate about 100 acres for storm water run-off. The 100 acres include the two lots on the plat and the lots in Trillium, First Addition. A “new 10’ sanitary sewer easement” is extended about 150 feet for an adjacent property owner on Rocky Brook Road. The subdivision meets minimum standards of the Subdivision Regulations.

Staff recommends preliminary and final plat approval.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

Chairman Cherry opened the public hearing.

Dorthey Ballard 703 India Road asked will these be single family units.

Mr. Mosley stated yes. Currently the zoning is R-2 would only allow single family units.

Chairman Cherry 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, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

5. Ezell Hill Subdivision, 3 lots, 2300 Grand National Parkway, James L. McCrory, Preliminary and Final Approval

Mrs. Dennis reported the applicant, James L. McCrory, McCrory Surveying, representing Ronald G. Ezell is requesting preliminary and final plat approvals for three lots located at 2300 and 2212 Grand National Parkway. The purpose of this subdivision is to arrange the lots to include the storage building on Lot 2. The existing homes on Lot 1 (2300 Grand National Parkway) and Lot 2 (2212 Grand National Parkway) will remain.

Lot 1 will equal 9.455 acres with 401.46 feet of frontage on Grand National Parkway. Lot 2 will equal 1.025 acres with 218.47 feet of frontage on Grand National Parkway. Lot 3 will equal 8.971 acres with two different road frontage areas Grand National Parkway of 57.26 and 143.86 frontage. These lots meet the requirements in the for a subdivision in the Subdivision Regulations.

Recommendation: Staff recommends preliminary and final plat approval of the revised plat.
Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

Dr. Menefee made a motion to grant preliminary and final plat approval with staff recommendations.
Ms. Cannon seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

6. Alta Vista Subdivision, Resubdivision of Lots 22 to 29, Block 2, 2 lots, 822 North 10th Street, James L. McCrory, Preliminary and Final Approval

Mrs. Dennis reported the applicant, James McCrory, McCrory Surveying, representing Lisa Ditchkoff, is requesting preliminary and final plat approval for two lot resubdivision. The purpose of the subdivision is to combine Lots 22, 23, 24, 25, 26, 27, 28 and 29 of Block 2 into two lots. By combining eight small lots ranging in size from 25’x 146’ to 37.4’ x 146’, Lot 22-A will equal 15,336 square feet and Lot 26-A will equal 16,046 square feet.

This combination will create two buildable corner lots in the R-2 zoning district. The buildings shown on Lot 22-A (822 N. 10th Street) will remain. On February 13, 2018 the Zoning Board of Adjustments approved a 22-foot front/side setback variance on Sunset Drive from the 35-foot minimum front yard setback requirement to allow for the porch and garage addition to Lot 22-A (822 N. 10th Street) as shown on the revised plat.

Recommendation: Staff recommends preliminary and final plat approval of the revised plat.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

Ms. Cannon made a motion to grant preliminary and final plat approval with staff recommendations.
Dr. Menefee seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

7. Hollingsworth Subdivision, First Revision, 2 lots, 8450 & 8484 Lee Road 146, James L. McCrory, Preliminary and Final Approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for a two-lot subdivision in the Planning Jurisdiction (Lee Road 146). A revised plat is attached to the staff report. The purpose of the subdivision is to create Lot 2-B (3.4 acres) from the rear yard area of Lot 2-A. Lot 2-A decreased from 2.54 acres to 1.2 acres as shown on the plat. Access to Lot 2-B is from an existing 30-foot flag lot on the west side.

Staff recommends preliminary and final plat approval.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. Since this property is outside of Opelika City limits, Lee County Engineering Department will have to concur with the plats completeness. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

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

Ms. Cannon asked how wide the driveway is.

Jim McCrory stated it is 30 ft wide existing flag lot.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

8. **Teel Subdivision, Murphy Tract, 5 lots, Lee Road 262, Mike Maher, Preliminary and Final Approval**

Mrs. Dennis reported the applicant Mike Maher of Precision Surveying, representing Charles and Wanda Teel, is requesting preliminary and final plat approvals for a five-lot subdivision on Lee Road 236 and Lee Road 262. The purpose of the subdivision is to create five single family lots range in size from 5.00 acres to 7.94 acres. All the lots meet the minimum lot size requirements for a subdivision in the Planning Jurisdiction. Lots 1, 2, and 3 will take access from Lee Road 263. Lots 4 and 5 will take access from Lee Road 262. This plat meets the requirements of the City of Opelika Subdivision Regulations.

Staff recommends preliminary and final plat approval of the revised plat.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. Since this property is outside of Opelika City limits, Lee County Engineering Department will have to concur with the plats completeness. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

Dr. Menefee made a motion to grant preliminary and final plat approval with staff recommendations.
Ms. Cannon seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

9. **Totten’s Map Subdivision, Redivision of Lots 2A, 2B, 3A, 3B, & 4B, Block 30, 1 lot, 900 2nd Avenue, J. Lamar Phillips, Preliminary and Final Approval**

Mr. Ogren reported First Presbyterian Church is requesting preliminary and final plat approval to combine three lots into one lot. The Church intended to start construction on the approved education building, but an opportunity to purchase the adjacent three lots came up. A single-family home is on two of the adjacent lots. The third lot is a parking lot (formerly Papa Joe’s restaurant). First Presbyterian is preparing a master plan for the properties; ideas for the plan have been discussed by Church staff and the architect, but final plans have not been determined. The plan includes the education building, a playground, additional parking and green space along 2nd Avenue. The plat meets minimum subdivision requirements.

Staff recommends preliminary and final plat approval subject to changing the plat title to “Totten’s Map of Opelika, Block 30”. 

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Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

Ms. Cannon made a motion to grant preliminary and final plat approval with staff recommendations.
Mr. Hilyer seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

10. Robert W. Young Subdivision, Subdivision of Parcel 1A1, 2 lots, 5145 Hwy 29 North, Eric Rudd, Preliminary and Final Approval

Mr. Mosley reported the applicant is requesting preliminary and final plat approval for a two-lot subdivision on US Highway 29. The subject property is approximately 50.093 acres. The applicants are requesting to divide 1.27 acres from the larger property to give to a family member. A single-family home is on Parcel A1A-B. The subject property is located within the Planning Jurisdiction. The plat notes that the State Code of Alabama allows some limited division of family property which is excluded from county requirements. As this falls under the Opelika Planning Commission’s review, it must still meet the City’s requirements.
The lots meet the minimum requirements for lots in the Planning Jurisdiction. The subdivision meets minimum standards of the Subdivision Regulations.

Staff recommends preliminary and final plat approval with the proposed conditions:
• The distance along Highway 29 is incorrectly shown and should be corrected.
• There is a 50 foot building line on the previous plat that should be added or noted on the plat.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. Since this property is outside of Opelika City limits, Lee County Engineering Department will have to concur with the plats completeness. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

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

Dr. Menefee made a motion to grant preliminary and final plat approval with staff recommendations.
Mr. Vaughn seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

11. Redivision of Lot 4A & Part of Lot 1A & Lot 1B, Block 37 of Totten’s Official Real Estate Map Subdivision, 2 lots, 309 Second Avenue, Blake Rice, Preliminary and Final Approval

Mr. Mosley reported the applicant is requesting preliminary and final plat approval to adjust the lot line between the two lots, one facing 2nd Avenue, the other facing North 4th Street. The subject property is approximately 0.73 acres. The lot on 2nd Avenue is being increased from in depth to 25,588 sq. ft. The smaller lot is being reduced to 6,303 square feet. Both lots currently have single family homes on them. The plat meets minimum subdivision requirements.

Staff recommends preliminary and final plat approval of the proposed plat.
Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

Chairman Cherry opened the public hearing.

Dana Parham 310 Second Avenue in the historic district, I am concerned what is going to be across the street from me. I would like to request a conditional use of no food service at all, also that the hours of operation be 8 to 5. Not to mention when they exit the headlights will shine into my windows.

Mr. Mosley stated this request is for a subdivision and the Commission does not regulate use at this time. It depends on what use comes in the future if Conditional Use approval would be required.

Chris George asked will the whole L shape be one lot and will the zoning change?

Mr. Mosley stated no it will be two lots and the zoning has not been asked to be changed.

Mike Palmer 310 Second Avenue, for example if this becomes a BBQ place, they can put something in the smoke stack to eliminate orders, because we do not know the use I am opposed to this.

Rick Johnson 103 North 4th Street, we are concerned about this becoming a commercial location. We are also concerned about the fence issue, with a fence over the line due to a man hole issue.

Lesley McGee 101 North 4th Street, all of the residents on North 4th Street have been improving our area and fixing up our homes. We are concerned about extra traffic and smells. We just have had the new park be built.

Chairman Cherry closed the public hearing.

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

Ms. Cannon asked the purpose of this subdivision is.

Blake Rice stated I do not know what is planned for this property. I have not spoken with property owner about this.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

12. Re-Subdivision of Tract “A” of the Fox Run Parkway Development, LLC
Subdivision, 5 lots, 1301 McCoy Street, Blake Rice, Preliminary and Final Approval

Mr. Ogren reported the applicant is requesting preliminary and final plat approval for five lots. “Tract A-3” (11.89 acres) is the same property that a 216-unit apartment development is proposed; the next agenda item is the conditional use request for the apartments. The primary purpose of the subdivision is to create Tract A-3 for the apartment development, record the plat, and sale Tract A-3. “Tract A-4” is labeled a future street that serves as the north entrance to the apartments. Tract A-4 may be constructed to City street standards and dedicated as a public street upon completion and acceptance by the City. Later, after street construction is complete, a plat will be prepared that includes the street (formerly Tract A-4) and presented to the Planning Commission for preliminary and final plat approval. Tract A-1 currently has access to Fox Run Avenue and Columbus Parkway. Tree Avenue, an unimproved 30’ right-of-way, serves as the south entrance to the apartment development. The applicant is dedicating 20 feet of right-of-way to Tree Avenue shown as “Tract A-6” on the plat. Tree Avenue
will be improved to City street standards and dedicated as a public street upon acceptance by the City. Later, a plat that includes Tree Avenue as a 50’ right-of-way will be presented to the Planning Commission for preliminary and final plat approval. Tract A-2 (5.6 acres) on McCoy Street and Tract A-5 (2.5 acres) on Fox Run Parkway are reserved for future development.

Staff recommends preliminary and final plat approval.

Mr. Gwin reported the submitted plat meets all Subdivision and Public Works Manual requirements. The Engineering Department recommends this plat for Preliminary and Final Plat approval.

Chairman Cherry opened the public hearing.

Tom Jones asked the post office zip code.

Ms. Cannon answered 36801.

Elizabeth Jemison represented by husband, how does this impact me as a land owner and will it affect my taxes.

Mr. Mosley stated the subdivision of the land will not affect your property. The use is planned to be apartments. You should contact Lee County about any tax changes.

Chairman Cherry closed the public hearing.

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

Mr. Hilyer seconded the motion.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman

Nays: None

Abstention: None

E. CONDITIONAL USE - Public Hearing

13. Blake Rice, McCoy Street and South Fox Run Parkway, C-2, GC, Multi-family-Apartments

Mr. Ogren reported the applicant is requesting conditional use approval for a 216-unit apartment development (three stories) consisting of 60 one bedroom, 132 two-bedroom and 24 three-bedroom units. The development includes a 2,100 square foot club house and a 1,300 square foot swimming pool. The Zoning Ordinance allows the Planning Commission to increase the density by a maximum of 25%. In a C-2, GC zone, 16 dwelling units are allowed; the maximum density allowed with a 25% increase is 20 dwellings per acre (16 x 25% = 20); the applicant is requesting 18.15 dwelling units per acre (18.15 dwellings per acre is a 13.4% increase from the 16 dwelling units per acre allowed.)

The site plan shows nine apartment buildings ranging from 8,000 square feet (sf) to 9,200 sf. on a 11.9-acre parcel (revised site plan attached: adding handicap parking spaces and legend corrections). A sidewalk is provided in the front yard of each apartments building located near the parking lot. The minimum off-street parking requirements are met: 432 parking spaces required, 432 spaces provided including nine handicap spaces. The property meets the maximum 70% impervious surface ratio allowed; 51% of the property will be impervious (49% pervious). The elevations are attached. The exterior wall materials for the front walls facing McCoy Street (Buildings 1, 2 & 3 on site plan) and the side walls seen from McCoy Street (north & south side walls of Buildings 1, 2, & 3) are a combination of brick veneer, stone, and vinyl-fiber cement siding (see revised drawing). Two 10’ x 20’ private dumpster areas with a fence enclosure and double gate is shown on the site plan. The enclosure must be an opaque fence on all sides and an opaque double gate. The lighting plan must comply with the lighting requirements of Section 7.6, A. 6a.

Staff recommends approve subject to the following:

1. Preserve existing trees and add shrubs between preserved trees along McCoy Street so landscaping meets Section 10.6, D.2.b. of the Landscape Regulations OR plant trees and shrubs as required to meet said Section 10.6. *The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30)
feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.”

2. The density increased from 16 dwellings per acre to 18.15 dwellings per acre as allowed by the Zoning Ordinance.

3. Approve the use of vinyl fiber cement siding as a simulated exterior material.

4. Enclose the dumpsters on all sides so the dumpster is not visible outside the enclosure.

Mr. Gwin reported the developer will be required to submit a site development plan for the grading, drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, an additional Preliminary and Final Plat can be submitted to the Planning Commission for consideration.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

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

Mr. Silberman seconded the motion.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman

Nays: None

Abstention: None

14. Clay Cardone, 3008 Frederick Road, C-2, GC, Climate control self-storage mini warehouse facility, (Tabled at January 23rd PC meeting)

Mr. Ogren reported this agenda item was tabled at the January 23rd meeting. The request was tabled until improved elevation drawings (renderings) are submitted that provides the types of exterior material and colors of the mini-warehouse building. Also, Ryan Reed, Airport Engineer, would review the proposed colors as recommended by Bill Hutto, Airport director. Planning received an email exchange between Bill Hutto, Airport director, and David Slocum, Engineer, approving the colors as shown on the rendering (see emailed attached). The email includes Ryan Reed recommending a ‘shade of white or a light brown color with a non-reflective finish such as a matte’. The applicant has selected a light brown color with a matte finish as shown on the rendering. David Slocum also emailed stating colors on all sides and roof will be a matte, non-glossy finish. The types of exterior materials are labeled on the renderings. Three exterior walls: The front wall (east side) facing Frederick Road, south wall (facing mini-warehouse parking lot) and north wall (facing office space parking lot) is about 15% brick wainscot and 85% EIFS or Textured Steel Panels. The applicant desires to install the Textured Steel Panel. These panels are manufactured with the insulation attached to the panel. (A sample of the steel panel will be presented at the Planning Commission meeting.) The rear wall exterior material facing the airport runway is 100% metal panel, light brown with matte non-glossy finish.

Mr. Gwin reported the Engineering Department requires that driveway spacing to be a minimum of 400-ft as required by the Public Works Manual for this roadway.

The Engineering Department requires a grading, drainage, utility, erosion control, and post construction detention plan to be submitted to the Engineering and Public Works Departments for review and approval for a Land Disturbance Permit. All other utilities will need to be contacted by the applicant to make sure all designs are approved, and requirements met. The Engineering Department recommends conditional use approval with the submitted application.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

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

Ms. Cannon asked, in the gateway I thought we required a percentage of natural material.

Mr. Mosley stated that is correct. It needs to be 50% natural material, or a synthetic material can be approval by Planning Commission. You would have to approve the insulated metal panel as a material that simulates a natural material; If you wanted to do that, in terms of the zoning ordinance. [A sample of the metal panel was passed around.]

Dr. Menefee amended the motion to grant conditional use approval for the simulated metal with insulation with staff recommendations.

Mr. Silberman seconded.

Ayes: Cherry, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman

Nays: None

Abstention: Cannon

15. David Futral, 303 South Railroad Avenue, C-3, Automobile maintenance

Mr. Ogren reported the applicant is requesting conditional use approval for an automobile maintenance business in a C-3 zoning district. The business is currently located at 1514 2nd Avenue (next to the Animal Health Center, Buddy Bruce). For about four years, the applicant has leased his property at 303 South Railroad Avenue; the tenant (On-Trac, Inc., fiberoptic contractor) has moved and the applicant desires to occupy the property for his auto maintenance business. The business provides typical auto maintenance work such as tune-ups, brakes, oil change, belt replacement, alignments, radiator work, and installs air filters, wiper blades and bulbs. The business will not perform engine overhauls or auto body work & painting. The business is not on the wrecker rotation that tows wreck automobile to the business site. The business has three full-time employees.

The site plan shows an existing 2,040 square foot (sf) and 1,165 sf building on a 23,740 sf lot. The larger building is the auto shop, the smaller building an office for the business. There are no plans for the “Future Building” as shown on site plan. The minimum off-street parking requirements are met with 11 parking spaces including one handicap space. Most of the property was asphalted in the 1950s when the original business (smaller building) occupied the property; the larger building was added in 2005. Landscaping consists of 24 large shrubs on the front & side of the office building and the side of the shop building. The property is secured with a 6’ high wooden privacy fence that runs along the sides and rear property line; along the front property line is a 6’ high chain link fence. The business will use City services for garbage pick-up.

Staff recommends approval subject to the following:
1. Remove the razor wire from the chain link fence.
2. Only “automobile maintenance” type of repairs as defined by the Zoning Ordinance are allowed. “Automobile repairs” as defined in the Zoning Ordinance including engine overhauls or paint & body work are not allowed on the premises.
3. The storage of vehicles on the premises must be for customer vehicles waiting for auto maintenance type of repairs or after a vehicle is repaired the vehicle is waiting to be picked-up by the customer. The storage or impounding of vehicles for other reasons is not allowed.

Mr. Gwin reported because of the size of the improvements, no additional site plans will be required to be submitted to the Engineering Department for approval and no land disturbance permit will be required.

The Engineering Department has no comments or concerns with the proposed conditional use application and recommends approval.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.
Mr. Hilyer made a motion to grant conditional use approval with staff recommendations. Mr. Vaughn seconded the motion.
Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

16. Dylan and Patricia Jackson, 207 North 3rd Street, C-3, GC, Automobile stereo and speaker installation services

Mr. Ogren reported the applicant is requesting conditional use approval for an automobile stereo and speaker installation business in a C-3, GC zone. The owner plans to operate the business himself – no employees.

The site plan shows a 2,455 square foot (sf) building on a 14,025-sf lot that fronts on North 3rd Street. The lot has a severe slope; the lot is level with North 3rd Street, but then drops much lower in the rear yard. The building is a two-story building. Two businesses, a retail boutique & hair salon, will occupy tenant space located on the 2nd floor. The 2nd floor and North 3rd Street are parallel or at the same elevation. Five parking spaces are provided near the front entrances for these businesses. The stereo-speaker installation business and a sign & banner business (computer cut vinyl) will occupy the first floor. Customer entrance to the first-floor businesses is from the rear yard. An unimproved public alley runs beside the building providing access to the rear yard. An existing concrete parking lot (7 parking spaces) is in the rear yard for the two businesses (see photos on page 3).

The applicant will install stereo-speaker systems by appointment only. Basically, the customer will purchase a stereo-speaker system at a store or web site, then the customer & applicant will decide on a time to drop-off the automobile for installation and a time to pick-up the auto after installation is complete.

The applicant said the stereo-speaker business and the sign & vinyl business on the first floor will occupy about 200 square feet each. The seven off-street concrete parking spaces in the rear yard area is adequate for the two businesses especially since the owner/applicant of the stereo-speaker business will install speaker systems by appointment only and installs the systems alone (no employees). A single bay-door for one automobile will be installed. All stereo-speaker installations will be conducted inside the building.

Staff recommends approval subject to the following:
1. The installation of auto stereo-speaker systems must be by appointment only. Seven parking spaces are provided in the rear yard area. Staff is concerned that if appointments are not required and customers visit the business at random then the parking lot may be full. That is, if appointments are not required then automobiles are dropped-off waiting for service, and other autos may be in the parking lot waiting to be serviced or in the parking lot waiting to picked-up. Furthermore, new customers could visit the business to discuss stereo-speaker systems with the owner. “Installation by appointment only” controls the daily flow and capacity of work so the amount of work is appropriate for a one-person business operation.
2. Install #57 stone gravel from the property line (edge of alley) to the existing concrete parking lot to provide a hard surface 24’accessway and improve a drainage problem in this low area in rear yard. Install asphalt pavement or concrete (match the existing concrete parking lot) from the property line (edge of alley) to the existing concrete parking lot providing a 24-foot wide driveway.
3. Improve alley from North 3rd Street to driveway entrance.
4. Install an opaque fence and/or shrub along the property line on each side of the driveway to provide a visual barrier for the adjacent single-family dwelling and to prevent automobiles driving on the grass.
5. Stripe the seven parking spaces including one parking space must be handicap accessible.
Mr. Gwin reported because of the size of the improvements, no additional site plans will be required to be submitted to the Engineering Department for approval and no land disturbance permit will be required.

The Engineering Department would like to comment for the record that the gravel drive noted on the plans is a public access, but it not maintained by the City of Opelika. The Engineering Department has no other comments or concerns with the proposed conditional use application and recommends approval.

Chairman Cherry opened the public hearing.

Pherel Oliver 215 North 3rd Street, my concern is the road or the alleyway. Is the City in the future going to do anything with the alley way [improve] at any point?

Mr. Hilyer stated the City does not maintain that road. It is not a road.

Pherel Oliver stated I realize this is an alley way. There have been a lot of changes in the area. Is there any chance in the future that you might be able to do something with the alleyway considering all the development that has been done? Is it possible that the city can do some up keep on that alley?

Mr. Gunter stated you can petition the city to vacate the alleyway. The title to the alleyway would go back to the property owners.

Mr. Mosley stated it is a long-standing tradition that the city does not maintain the alleyway.

Michael Richmond representative for 207 N. 3rd Street, there is quite a bit of traffic on this road. We had the idea to block this off. Piedmont [Fertilizer] asked that we not block this off. If we are to fix this road and it is torn up again by Piedmont or the traffic that flows through there, what are we to do?

Mr. Gunter stated the request is to improve this alleyway. The Planning Commission does not have jurisdiction over that. That will have to be a request to the City Council. They would have to appropriate the funds to do that.

Michael Richmond stated the boutique and hair salon upstairs is not going to tolerate very loud music for very long. I have asked her and the surrounding individuals for a 10 second sound check to show the customers the radio works.

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

Dr. Menefee called for the question.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

17. The Firing Pin, LLC, 2195 First Avenue, C-2, Indoor firing range (Feb 2017 Conditional Use approval expired)

Mr. Mosley reported the applicant is requesting conditional use approval for an indoor firing range in C-2, GC zone. The site plan shows a 11,900 square foot building on a 1.59 acre property. The specific use is not found in the current Permitted Use Table in the City of Opelika Zoning Ordinance. The uses most closely related to this use are those considered to be indoor recreation like a bowling alley, skating rink or indoor fitness center. These uses are conditional uses in the gateway corridor overlay. Due to the unique nature of the use staff has researched the issue and found that many common conditions of approval are relate to noise, safety, and handling of spent casings and lead. As these uses have increased nationwide, many of the requirements for handling these potential nuisances are specifically regulated by OSHA, EPA or other state or federal authorities.
The proposed building shows 12 firing lanes, an instructional classroom, retail area, and a member’s lounge. The Firing Pin would move its retail component from its current location on Pepperell Parkway. The classroom would allow for training classes. The members lounge is an area that would allow regular members to store their firearms in lockers and wait until a lane becomes available. There is no food or beverage component shown.

**Zone Bulk Standards:**

<table>
<thead>
<tr>
<th>Minimum Lot Size:</th>
<th>20,000 sq. ft.</th>
<th>Min. Lot Width:</th>
<th>150 ft.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Min. Front Setback:</th>
<th>40 ft.</th>
<th>Max. Impervious Surface Area:</th>
<th>70%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Front Setback</td>
<td>83 ft.</td>
<td>Proposed Impervious Surface Area:</td>
<td>43%</td>
</tr>
</tbody>
</table>

**Parking:** The site shows 39 parking spaces. Staff researched other ordinances to determine a recommended parking standard. The most consistent requirement is one parking space per firing lane. Staff is also requiring the retail component to meet the standard parking ratio of one space per 200 square feet of retail space. This would equate to 12 parking space for the firing lanes and 12 spaces for the retail component plus two spaces for employees, totaling 26 parking spaces.

**Landscaping:** The landscape plan shows the required 15 foot front buffer and 6 foot landscape buffers between the adjoining properties to the east and west. The site is required to have 159 base landscape points and 39 parking points. The landscape plant shows 399 points exceeding the landscape requirements. There are actually 410 points shown on the landscape plan.

**Other Zoning Requirements:** The proposed elevations show brick veneer and stucco as the primary materials on all four sides of the building. Accents of simulated stone are used on the columns and the gable is simulated stucco. The elevation is in compliance with the Gateway Corridor requirements. All utility meters, ground mounted equipment and similar mechanical units shall be screened so as to not be visible from property boundaries. The dumpster enclosure is noted on the site plan but will need to match the building exterior.

**Recommendation:**

The site plan, landscaping plan and lighting plan are generally in compliance with the Zoning Ordinance. The site plan needs a vicinity map and dimensional information. Staff recommends approval of the conditional use subject to the following condition(s):

- The use must meet all federal, state and local regulations related to environmental waste, occupational safety and any other applicable regulation.
- Noise from the firing range measured at the property line should not exceed the sound of standard automobile traffic on the adjoining road.

Mr. Gwin reported the Engineering Department is requesting that a 24-inch curb and gutter be placed throughout the length of 1st Avenue with the development of this site.

The Engineering Department requires a grading, drainage, utility, erosion control, and post construction detention plan be submitted to the Engineering and Public Works Departments for review and approval for a Land Disturbance Permit. The Engineering Department recommends conditional use approval with the submitted application.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

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

Ms. Cannon seconded the motion.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman

Nays: None

Abstention: None
F. OTHER BUSINESS

18. Discussion of previous rezoning request from November 2017 for Ledge Nettles, 2700 block Society Hill Road, 16.6 acres, from R-1 to C-2.

Mr. Mosley reported at the November 2017 Planning Commission Meeting we had a request for rezoning at the 2700 block of Society Hill Road 16.6 acres, from R-1 to C-2. There was a lot of confusion around the motions. There was some confusion about the where the property was located on the street as well. Since then I have heard from different Commissioners about that case and if they could hear it again. I wanted to put this back on the agenda to hear what the Commissions desire was. The negative recommendation was never heard by the city council. If you would like to rehear this case, simply make a motion to do so.

Mr. Hilyer made a motion to bring the rezoning back for Planning Commission to review. Dr. Menefee seconded the motion.

Ayes: Cherry, Cannon, Hilyer, Vaughn, Council Member Canon, Menefee, Silberman
Nays: None
Abstention: None

Mr. Hilyer resigned as Vice Chairman due to a conflict of interest related to the position I hold with the City.

Mr. Hilyer nominated Mr. Silberman for Vice-Chairman.
Ms. Cannon seconded the motion.
Dr. Menefee closed the nominations
Ayes: Cannon, Cherry, Council Member Canon, Hilyer, Menefee, Vaughn
Nays: None
Abstention: None

Chairman Cherry adjourned the meeting at 5:03 p.m.

___________________________________________Lewis A. Cherry, Chairman

___________________________________________Ira Silberman, Secretary