

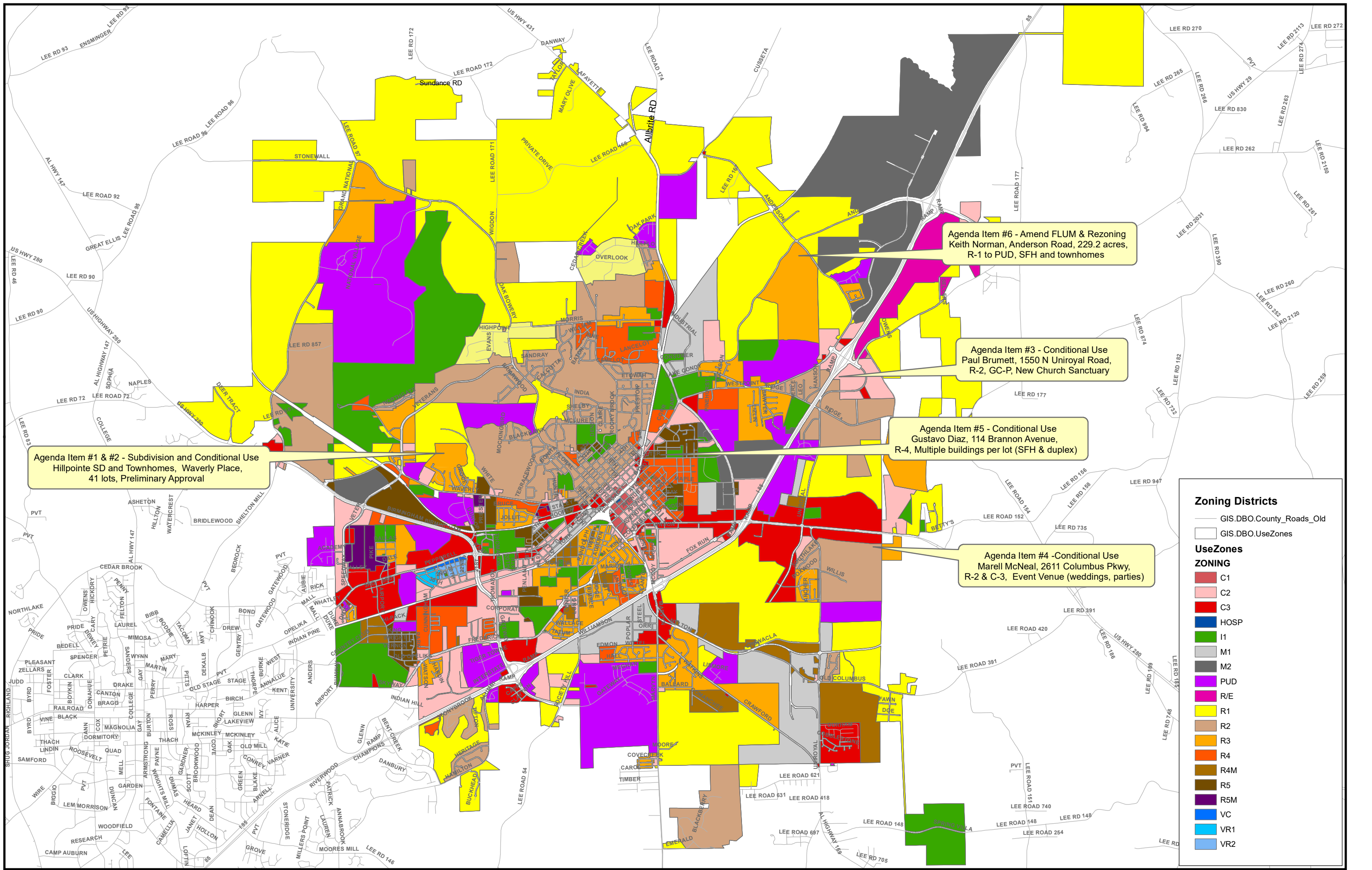


**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
February 28, 2023
TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **PLAT (Preliminary Only) and Conditional Use - Public Hearing**
 - 1. Hillpointe SD, Part of Parcel D, 41 lots, Waverly Place, Harris Gray, LLC, authorized representative for Sallie H. Deen, property owner, Preliminary Approval
 - 2. Bryan Stone, authorized representative for Sallie H. Deen, property owner, Waverly Place, Hillpointe Twin Homes, 41 units
 - B. **CONDITIONAL USE - Public Hearing**
 - 3. Mike Maher and Paul Brumett, authorized representative for Jimmy Golden, property owner, 1550 North Uniroyal Road, R-2, GC-P, New Church Sanctuary
 - 4. Marrell J. McNeal, authorized representative for Farm Family Limited Partnership, property owners, 2611 Columbus Parkway, C-3, GC-P & R-2, Event Venue
 - 5. Gustavo Diaz Cax, property owner, 114 Brannon Avenue, R-4, Multiple buildings on single lot (single family home and duplex)
 - C. **REZONING - Public Hearing**
 - 6. (a) Amendment to the Future Land Use Map, accessed from Anderson Road, 229.2 acres, from a low density residential land use category to a mixed use category.

(b) Rezoning request, Foresite Group, LLC, authorized representative for Keith B. Norman, Electra Estates, 229.2 acres, accessed from Anderson Road, from R-1 to PUD

“In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130.”



Zoning Districts

- GIS.DBO.County_Roads_Old
- GIS.DBO.UseZones

UseZones

ZONING

C1
C2
C3
HOSP
I1
M1
M2
PUD
R/E
R1
R2
R3
R4
R4M
R5
R5M
VC
VR1
VR2



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

January 24, 2023

TIME: 3:00 PM

I. WORKSESSION: 2:00 PM - SMALL LOT INFORMATION

II. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.

III. ELECT OFFICERS TO PLANNING COMMISSION (Chairman, Vice Chairman)

Chair Lewis Cherry opened nominations for the role of Planning Commission Chair.

Motion to elect Lucinda Cannon to the role of Chair.

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Councilman Ward 1 Willie Allen
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

Chair Lewis Cherry opened nominations for the role of Planning Commission Vice Chair.

Motion to elect John Sweatman to the role of Vice Chair.

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Councilman Ward 1 Willie Allen
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

Chair Lucinda Cannon and Mayor Gary Fuller recognized outgoing Chair Lewis Cherry for his role on the Planning Commission over the last 18 years. Mayor Fuller recognized the growth and development that had occurred under the last six years of Mr. Cherry's leadership as chair of the Planning Commission.

Commissioner Cherry thanked the Commission, staff, and City leadership for giving him the opportunity to serve the community. He also challenged the Commission to take their roles with the utmost respect and diligence.

IV. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting January 24, 2023 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chairman Lewis Cherry, Mayor Gary Fuller, Mr. Ira Silberman, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Ms. Lucinda Cannon, Mr. Michael Hilyer, and Mr. John Sweatman.

MEMBERS ABSENT:

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mr. Scott Parker, City Engineer
Mr. Guy Gunter, City Attorney

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

Approval of Planning Commission Minutes December 20, 2022

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director Mike Hilyer
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	Arturo Menefee

V. UPDATE ON PREVIOUS PC CASES

VI. NEW BUSINESS

A. PLAT (Preliminary Only) - Public Hearing

1. Perryman Hill Plaza Plat No 1 SD, 5 lots, 3600 block Birmingham Hwy, Jerry South, authorized representative for Perryman Hill, LLC, Preliminary Approval
Mr. Mosley presented the staff report to the Planning Commission for Perryman Hill Plaza, Plat No. 1. He noted that this was a five-lot subdivision and was zoned C-2, GC-P. He further explained that the subdivision included a small road that would have access to both Veterans Parkway and Birmingham Highway. Mr. Mosley stated that staff was recommending preliminary plat approval subject to the following:

1. Add adjacent property owners and address for property to the south and west.
2. For final approval submit approved street names.

Mr.Scott Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the applicant would need to submit construction drawings for the road. He also noted that construction would of the public infrastructure would be monitored to ensure compliance with regulations.

Chair Cannon opened the public hearing.

John Argo, the developer, for the property described the proposed commercial use and said they hoped to begin soon. He noted that he needed to speak to the staff concerning one of the plat notes.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	John Sweatman
AYES:	Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	Lucinda Cannon

B. PLAT (Preliminary and Final) - Public Hearing

2. Torbert Townhomes SD, 6 lots, 807 Torbert Blvd, Blake Rice, Barrett-Simpson, Inc., authorized representative for BC Stone Homes, LLC, Preliminary and Final Approval

Mr. Mosley presented the staff report and noted that the request was for preliminary and final plat approval of a 7-lot subdivision. He explained that the subject property was zoned C-3, GC-S and located off Columbus Parkway and Torbert Avenue. He noted that conditional use was approved in June 2022 and the development did not include any public infrastructure. Mr. Mosley also noted that this had already been through Historic Preservation. Mr. Mosley stated that staff recommended preliminary and final plat approval subject to the following:

1. Add a note to state who will own and maintain the common areas.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Mayor Gary Fuller
AYES:	Cannon, Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE - Public Hearing

3. Shon Williams, CEO of AlaBloom Medicinal, authorized representative for Thomas M. Hayley, managing member of Auburn East, LLC, property owners, 1441 Gateway Drive, C-2, GC-P, Medical cannabis dispensary

Mr. Mosley presented the staff report for the proposed conditional use request of a medical cannabis dispensary at 1441 Gateway Drive. He noted that the use was located on a vacant site. He also stated that the state was heavily regulating the use as well. Mr. Mosley stated he did not think the site was proposing a drive-through window. Mr. Mosley stated that staff recommended conditional use approval subject to the following:

1. Provide updated landscape plan with calculated points, parking lot landscaping and parking lot buffer between street and parking.
2. All signage shall be approved through a separate signage application.
3. The site shall meet the Gateway Corridor requirements including screening of dumpsters and mechanical equipment.
4. The use approval for this site shall not include non-medical cannabis. Should State or Federal law allow the sale of non-medical cannabis, the site shall be required to meet all associated zoning requirements and may be required to get a new or amended conditional use approval.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

Mr. Williams, the applicant, introduced himself and stated that he was happy to address any questions from the Commission.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Director Mike Hilyer
AYES:	Cannon, Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

D. ANNEXATION AND REZONING - Public Hearing

4. Annexation, Rodney C. and Laurie S. Jones, accessed from 3200 block Columbus Parkway (Hwy 280), annex 204.3 acres, a PUD zoning district is requested

Mr. Mosley presented the staff report for the proposed annexation request of 204.3 acres located on Columbus Parkway. He stated that the Commission would need to vote on this item and the rezoning separately. He stated that there was currently one home on the site, but the property had been proposed for the larger Firefly development that was next on the agenda. He stated that staff recommended annexation approval.

Motion to send a positive recommendation to the City Council for annexation

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

5. Rezoning request, Michael T. Johnson, Holland Homes, Inc., authorized representative for Rodney C. and Laurie S. Jones, property owners, accessed at 3200 block Columbus Parkway, PUD rezoning request subject to City Council approval

Mr. Mosley presented the staff report on the request to rezone the subject property on Columbus Parkway to a PUD. He noted that the item had previously been before the Planning Commission in October 2022. He reminded the commission that they had forwarded a negative recommendation to the Opelika City Council. He explained the applicant, Holland Homes, had withdrawn the request prior to the City Council hearing the item. Mr. Mosley explained that the current request added some additional 50 foot lots and had a slight decrease in the overall number of units. He stated that the request still had a mix of 40 foot wide lots, twin homes, and townhomes as well. He also stated that just under 50 percent of the property was in open space. Mr. Mosley stated that he was recommending rezoning of the property subject to the following:

1. Sidewalks provided on both sides of public streets adjacent to residential properties.
2. All utilities shall be underground.
3. A residential buffer yard described in Section 10.6.D.1 be placed between the townhome lots and the adjacent property to the west.
4. Street trees planted on all lots required as explained in the applicant's January 2023 master plan narrative "Landscape Standards".

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that any needed adjustments to the roadway, adjacent intersections or added turn lanes will be analyzed with a traffic impact study after the Preliminary Plat is submitted and approved.

Chair Cannon opened the public hearing.

TJ Johnson, representing Holland Homes, stated that he felt the development was an improvement over previous versions. He also stated that he thought the development would be a positive for the City of Opelika and that it was similar to many concepts that Mr. Mosley discussed during the worksession.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for rezoning to City Council with staff recommendations

RESULT:	Passed
MOVER:	None
SECONDER:	None
AYES:	Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	Chair Cannon
ABSTAIN:	None

VII. OLD BUSINESS PLAT

- E. Final Plat

6. Foxrun SD, Phase 2B, 74 lots, accessed from east end of Village Drive, Daniel Holland, Holland Homes LLC, Final Approval (*This item tabled at the December 20, 2022 meeting at the applicant's request.*)

Mr. Mosley presented the staff report for Foxrun Subdivision, Phase 2B. He noted that the 74 lot subdivision had been previously submitted for final plat, but the infrastructure was just now installed. He stated the property was part of the Foxrun master plan. He stated that staff recommended approval of the final plat subject to the following:

1. Underground utilities are required.
2. Sidewalks are required on at least one side of the street.
3. Add to the plat notes a 10-foot side yard on street setback and four 1” caliper trees planted as a buffer on corner lots.
4. The Fox Run Village, master plan narrative states open space will remain mostly undisturbed vegetation and provide buffers between different types of residential or commercial uses. Note on the plat any specific use that will be allowed for Lot 130.
5. Revise the minimum width for Lot 208.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	John Sweatman
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

VIII. ADJOURN

Motion to adjourn at 3:44 p.m.

RESULT:	Passed
MOVER:	Chairman Lewis Cherry
SECONDER:	Leigh Whatley
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None



APPLICATION FOR SUBDIVISION APPROVAL

PLANNING DEPARTMENT #

 700 FOX TRAIL SUB-000054
 OPELIKA, AL 36801


DEADLINE: 2/7/2023 MEETING: _____

SITE ADDRESS: Waverly Place (Parcel# 43-09-01-11-2-000-002.000)

PROPERTY OWNER: R&S Properties, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: _____

MAILING ADDRESS: 1620 Yarbrough Farms Blvd, Auburn, AL 36830

PHONE NUMBER: 706-645-5885 FAX NUMBER: _____

EMAIL ADDRESS: bstone@bcstone.biz (and/or) lmcDaniel@harris-gray.com

TYPE OF PLAT APPROVAL REQUESTED Subdivision Plat - Townhomes

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

Does the subdivision require any other official action by the City? _____

☐ Annexation ☐ Rezoning ☐ Other _____
PARCEL INFORMATION

Subdivision Name: Plat of Part Of Parcel D for Hillpointe Subdivision

Current Land Use: Residential

Current Zoning: R3

Proposed use of the Subdivision: Townhomes

☒ Residential ☐ Commercial
☐ Manufacturing/Industrial ☐ Office/Institutional

Number of Lots: 41 x \$3.00 = \$123.00

 Number of APO: 29 x \$7.00 = \$203.00
 (Adjacent Property Owners)

Fee: \$75.00

TOTAL HARRIS GRAY LLC = 401.00

PAID 401.00 PAID CK # 3630 INV. # 00092924

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Hillpointe Subdivision (Townhomes) Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME)

DATE

2-6-23

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 28, 2023

Subdivision: Hillpointe SD, Part of Parcel D

Agenda Item #: A-1

Action Requested: Preliminary Approval

Location of Property: Waverly Place

Property Owner(s): R&S Properties, LLC
Harris Gray, LLC authorized representative

Current Land Use: Undeveloped

Current Zoning: R-3

Proposal

The applicant is requesting preliminary plat approval for 17 twin homes or duplexes. The twin homes are attached together by a common or shared wall. A property line is added along the shared wall so each dwelling unit is on a separate lot; the shared lot line extends to the front and rear property lines, so each twin home unit includes a front and rear yard. A total of 34 twin home lots are proposed. Each lot will be accessed from a new cul-de-sac street. (A flood plain on the north end of the property and severe elevations made it unfeasible for the new street to extend to the north property line.) The twin home development includes two open space lots at 19,588 sf and 1.4 acres. The total lot area is 33 acres but the developed area for the twin home/duplex development is about 11.5 acres; the remaining 21.5 acres is considered unbuildable due to severe elevations and a floodplain on the north side. The 21.5 will be preserved as unbuildable common area with a note on the final plat. The next agenda item is a conditional use request for the twin home or duplex development.

Each twin home unit meets the minimum requirements of the townhouse development standards; the minimum lot width requirement is 20 feet and minimum lot size is 1,800 square feet. The plat provides lot widths ranging from 22 feet at the 30' setback line for one cul-de-sac lot (Lot 22) to 56 feet. Most lots are 35 feet or wider. The lot sizes range from 4,058 sf to 9,225 sf. Each twin home meets the minimum 30' front and 25' rear yard setbacks in the R-3 zone. Each twin home has at least a 20 foot separation as required from the adjacent twin home. The rear yard of each twin home unit is larger

than 50% of the first floor area as required in the townhouse standards. The floor plan provides each unit is about 1,100 square feet with 2 bedrooms and 2 bathrooms.

Staff recommends preliminary plat approval subject to the following:

1. Sidewalks required on at least one side of the street.
2. All utilities shall be underground.
3. Add lot numbers for the two open space lots.
4. Add the names and addresses of adjacent property owners on final plat.
5. Label the remaining part of Parcel D as “Unbuildable Parcel, Preserved as Common Area” on the final plat.
6. Add a note on final plat who is responsible for the maintenance of the two open space lots (19,588 sf and 1.4 acres).
7. Designate a 20’ wide area along the east property line adjacent to the twin homes as “20’ natural undisturbed buffer yard”.

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the 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.

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

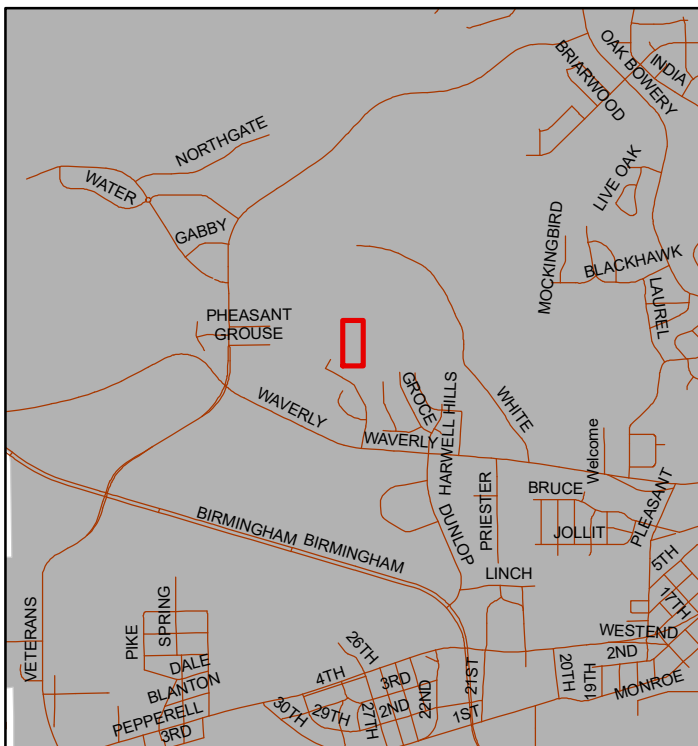
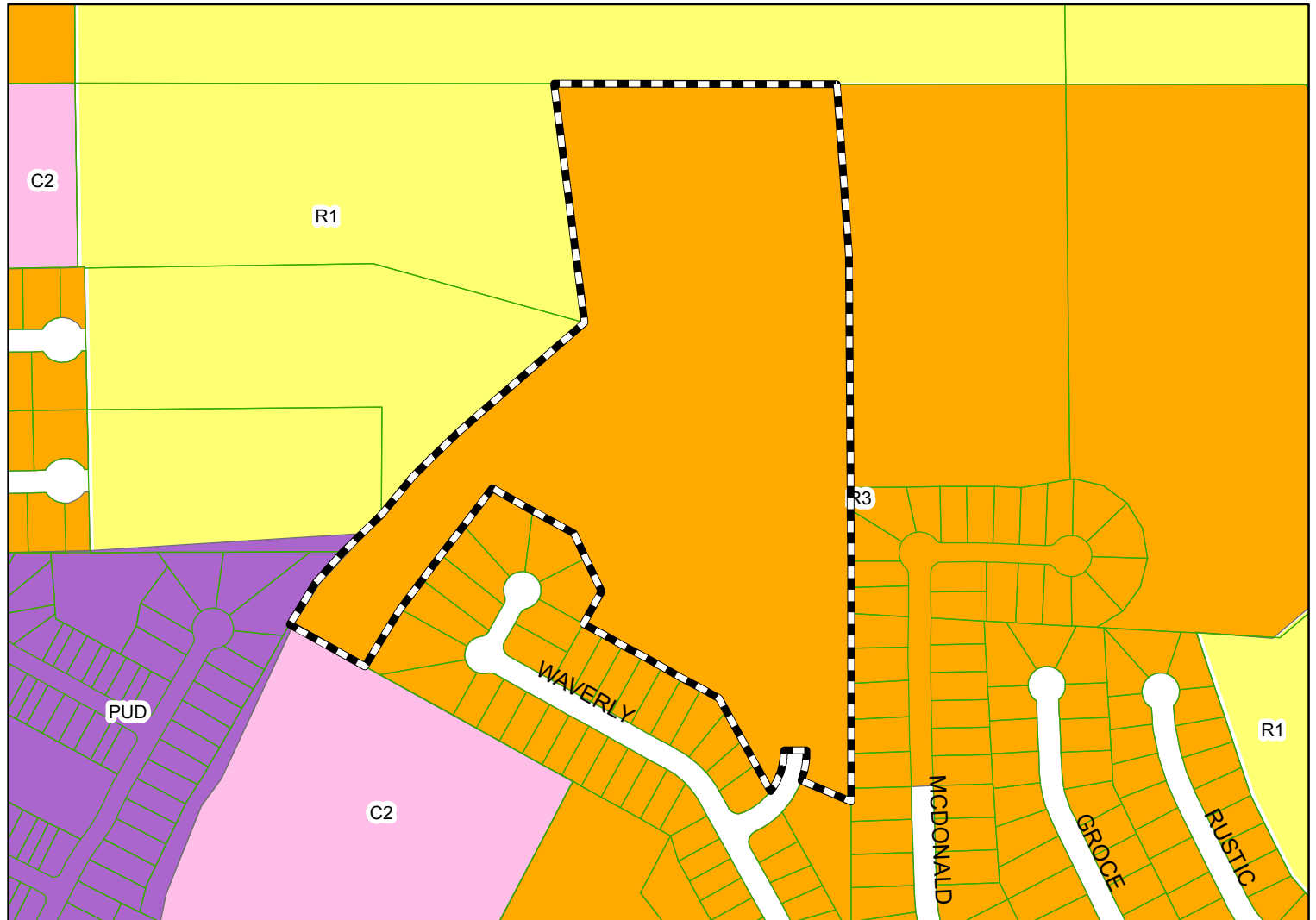
Opelika Utilities Board Report

Water service is accessible to this use by a water main in the R.O.W. of Waverly Place.

Opelika Power Services Report

This subdivision is in the Opelika Power Services territory.

HILLPOINTE SUBDIVISION AND TWIN HOMES WAVERLY PLACE PRELIMINARY PLAT & CONDITIONAL USE APPROVAL, A-1, A-2

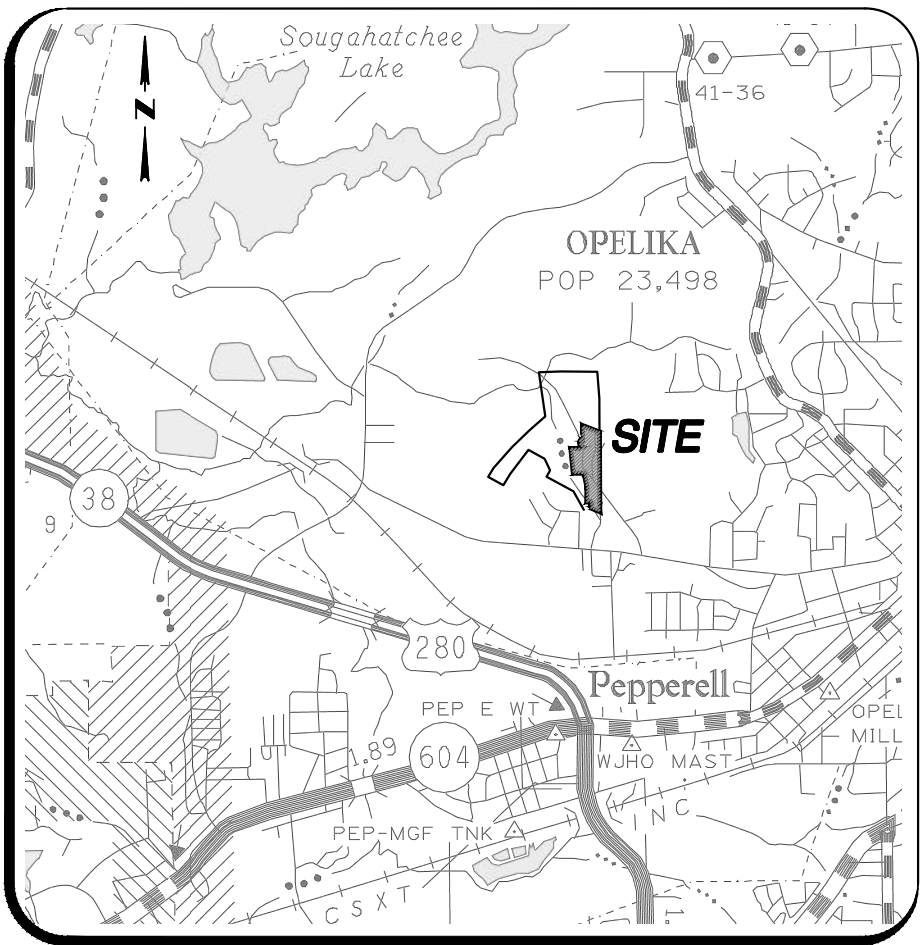


The applicant is requesting preliminary plat approval and conditional use approval for twin homes (duplex) or 2-unit townhomes. Each twin home unit includes a front and rear yard area. The property is located in the R-3 zoning district. .



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



VICINITY MAP
NOT TO SCALE

Curve Table				
Curve #	Length	Radius	Chord	Bearing
C1	36.26'	230.00'	36.22'	N15°25'52"E
C2	35.32'	230.00'	35.28'	N06°30'57"E
C3	7.86'	230.00'	7.86'	N01°06'16"E
C4	35.52'	310.00'	35.50'	N03°07'25"W
C5	29.58'	310.00'	29.57'	N09°08'23"W
C6	17.02'	250.00'	17.01'	N09°55'24"W
C7	33.95'	250.00'	33.93'	N04°04'57"W
C8	17.41'	60.00'	17.35'	N08°30'15"W
C9	26.37'	60.00'	26.16'	N29°24'27"W
C10	17.90'	60.00'	17.83'	N50°32'43"W
C11	27.57'	60.00'	27.33'	N72°15'29"W
C12	26.89'	60.00'	26.67'	S81°44'05"W
C13	138.28'	60.00'	108.65'	S02°52'07"W
C14	32.16'	50.00'	31.61'	S44°43'42"E
C15	22.78'	50.00'	22.59'	S13°14'46"E
C16	10.52'	310.00'	10.52'	S01°09'49"E
C17	35.75'	310.00'	35.73'	S05°26'23"E
C18	16.93'	310.00'	16.93'	S10°18'30"E
C19	52.50'	250.00'	52.40'	S05°51'26"E
C20	117.10'	170.00'	114.80'	S19°53'32"W

LOT TABLE		
LOT #	ACREAGE	SQUARE FOOTAGE
1	0.175 ACRES	7,625 SQ. FT.
2	0.095 ACRES	4,135 SQ. FT.
3	0.097 ACRES	4,205 SQ. FT.
4	0.093 ACRES	4,058 SQ. FT.
5	0.098 ACRES	4,257 SQ. FT.
6	0.106 ACRES	4,634 SQ. FT.
7	0.111 ACRES	4,846 SQ. FT.
8	0.172 ACRES	7,505 SQ. FT.
9	0.163 ACRES	7,099 SQ. FT.
10	0.122 ACRES	5,319 SQ. FT.
11	0.121 ACRES	5,255 SQ. FT.
12	0.122 ACRES	5,317 SQ. FT.
13	0.121 ACRES	5,253 SQ. FT.
14	0.122 ACRES	5,315 SQ. FT.
15	0.121 ACRES	5,251 SQ. FT.
16	0.122 ACRES	5,312 SQ. FT.
17	0.121 ACRES	5,250 SQ. FT.
18	0.122 ACRES	5,310 SQ. FT.
19	0.121 ACRES	5,247 SQ. FT.
20	0.163 ACRES	7,079 SQ. FT.
21	0.209 ACRES	9,109 SQ. FT.
22	0.212 ACRES	9,225 SQ. FT.
23	0.180 ACRES	7,855 SQ. FT.
24	0.167 ACRES	7,281 SQ. FT.
25	0.147 ACRES	6,397 SQ. FT.
26	0.143 ACRES	6,209 SQ. FT.
27	0.138 ACRES	6,013 SQ. FT.
28	0.137 ACRES	5,962 SQ. FT.
29	0.133 ACRES	5,771 SQ. FT.
30	0.131 ACRES	5,717 SQ. FT.
31	0.127 ACRES	5,530 SQ. FT.
32	0.126 ACRES	5,473 SQ. FT.
33	0.121 ACRES	5,289 SQ. FT.
34	0.121 ACRES	5,281 SQ. FT.

LEGEND

- IRON PIN SET - 1/2" REBAR
- IRON PIN FOUND - AS NOTED
- IP S IRON PIN SET
- IP F IRON PIN FOUND
- CONCRETE MONUMENT
- CTP CRIMP TOP PIPE
- OTP OPEN TOP PIPE
- RB REBAR
- △ CALCULATED POINT
- EXIST EXISTING
- N.T.S. NOT TO SCALE
- P.O.B. POINT OF BEGINNING
- (123.45') RECORDED DISTANCE
- R/W RIGHT OF WAY
- CL PROPERTY LINE
- CL CENTERLINE
- O- WOODEN FENCE
- OE- OVERHEAD ELECTRIC LINE
- PP POWER POLE
- D.B. DEED BOOK
- P.B. PLAT BOOK
- PG. PAGE
- N NORTH
- S SOUTH
- E EAST
- W WEST
- NW NORTHWEST
- NE NORTHEAST
- SW SOUTHWEST
- SE SOUTHEAST
- ° DEGREES
- ' MINUTES IN A BEARING
- " SECONDS IN A BEARING
- ' FEET IN A DISTANCE
- " INCHES IN A DISTANCE
- S- SANITARY SEWER LINE
- ⊗ SANITARY SEWER MANHOLE
- MH SANITARY SEWER MANHOLE
- ① PROPOSED LOT NUMBER

SURVEY NOTES

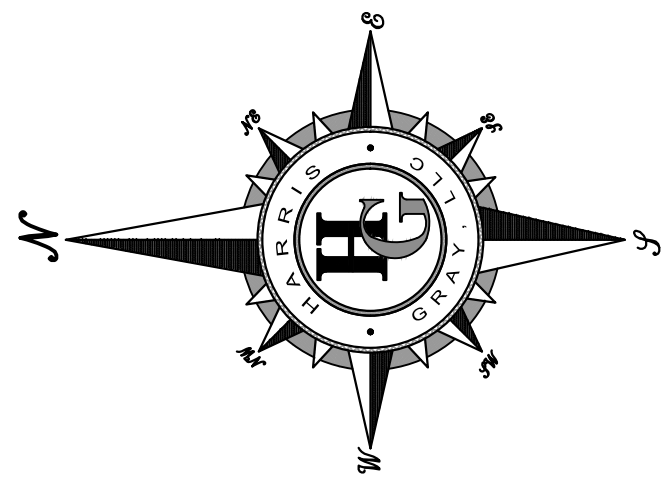
- I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR LEE COUNTY, ALABAMA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 01081C00685 AND 01081C00686, EFFECTIVE DATE NOVEMBER 2, 2011 AND FOUND NO PORTIONS OF THE PROPOSED SUBJECT PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE.
- THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
- ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).
- PROPERTY HAS ACCESS TO PUBLIC RIGHT-OF-WAY:
 - WAVERLY PLACE
 - WAVERLY PARKWAY
- AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, AND TO ANY TELEPHONE COMPANIES SERVING THE CITY OF OPELIKA, FOR THE PURPOSE OF INSTALLING, OPERATING AND MAINTAINING POLES, LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
- SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS OF RECORD.
- NORTH IS ASSUMED.

ZONING REQUIREMENTS

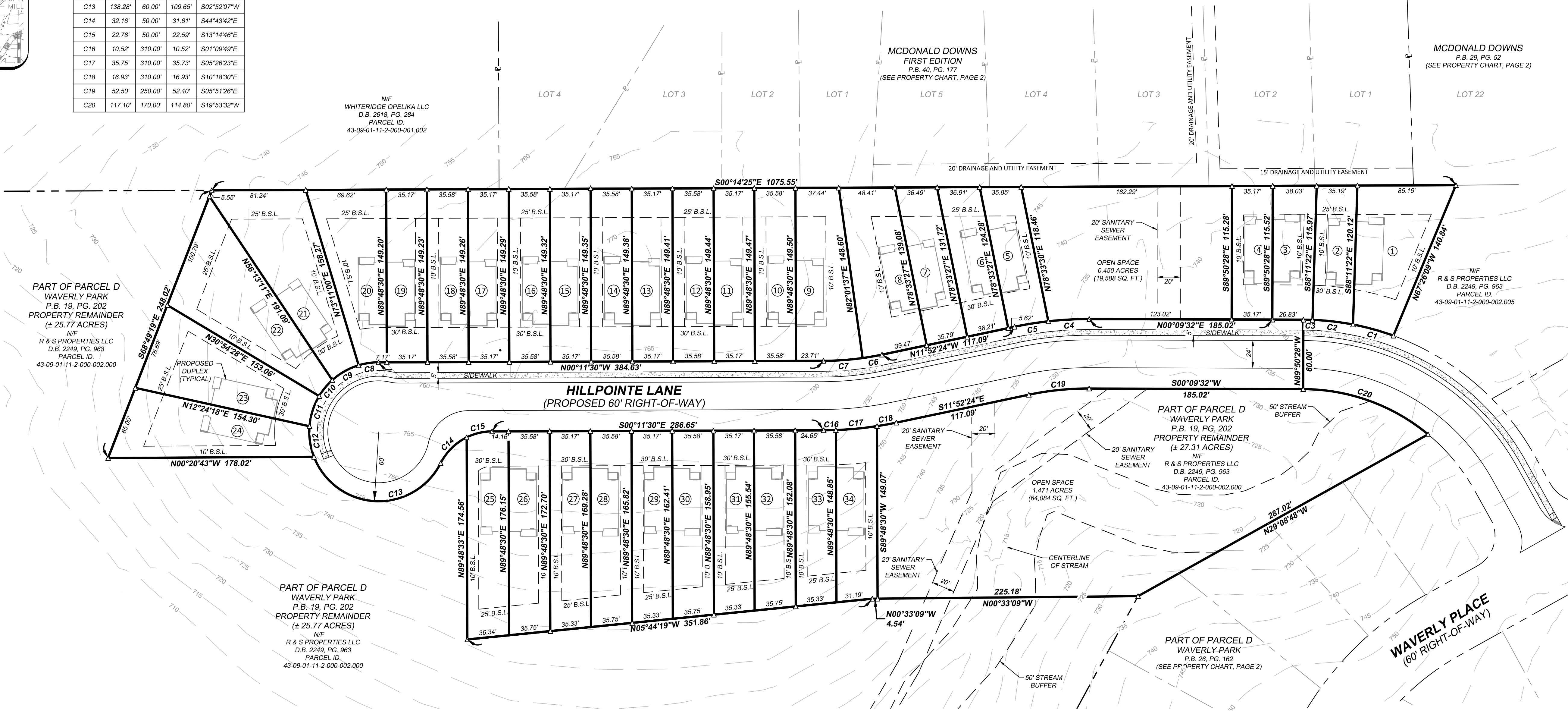
- PROPERTY ZONED: R-3 (LOW DENSITY RESIDENTIAL)
- AREA REQUIREMENTS:
 - MINIMUM LOT SIZE: 10,000 SQUARE FEET
 - MINIMUM LOT WIDTH (FT.): 70'
 - FRONT YARD SETBACK (FT.): 30'
 - REAR YARD SETBACK (FT.): 25'
 - SIDE YARD SETBACK (FT.): 10'
 - SIDE YARD ON STREET SETBACK (FT.): 20'
 - MAX. BUILDING HEIGHT (FT.): 35'
 - MINIMUM LIVABLE FLOOR AREA SINGLE FAMILY: 800 SQUARE FEET

SURVEY REFERENCES

- SURVEY FOR WAVERLY PARK, PREPARED BY T. RICHARD FULLER, DATED JANUARY 9, 1998, AS RECORDED IN PLAT BOOK 19, PAGE 202, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.



BASIS OF BEARING
ALABAMA STATE PLANE
COORDINATE SYSTEM
GRID NORTH - AL EAST ZONE



CERTIFICATES OF APPROVAL

APPROVED FOR RECORDING ONLY BY THE LEE COUNTY ENGINEER:

COUNTY ENGINEER: _____ DATE: _____
COUNTY OF LEE, ALABAMA

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT:

PUBLIC WORKS DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNER, OPELIKA, ALABAMA:

CITY PLANNER: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD:

OPELIKA UTILITIES BOARD: _____ DATE: _____

APPROVED ON BEHALF OF OPELIKA LIGHT AND POWER, OPELIKA, ALABAMA

OPELIKA LIGHT AND POWER: _____ DATE: _____

SURVEYOR'S CERTIFICATION

I, **B. SHAWN GRAY**, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY DECLARE THAT THIS PLAT OR MAP IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY CONDUCTED UNDER MY DIRECTION. I FURTHER DECLARE THAT THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENT BY BUILDINGS ON ADJOINING PROPERTY. THAT THE STRUCTURES NOW ERECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY OR EASEMENTS VISIBLE, BUT IS SUBJECT TO ANY SUCH RIGHTS OF WAYS AND EASEMENTS THAT MAY BE RECORDED OR UNRECORDED, OR JOINT DRIVE WAYS ON, OVER, OR ACROSS THIS PROPERTY, VISIBLE ON THE SURFACE EXCEPT AS SHOWN ON THIS PLAT.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

B SHAWN GRAY, ALABAMA PLS #25217 _____ DATE _____

sgray@harris-gray.com

HARRIS GRAY LLC

https://harris-gray.com/

824 THIRD AVE. WEST POINT, GEORGIA 31833

CERTIFICATE OF AUTHORIZATION NO. 1052 LS

PRELIMINARY PLAT OF PART OF PARCEL D OF

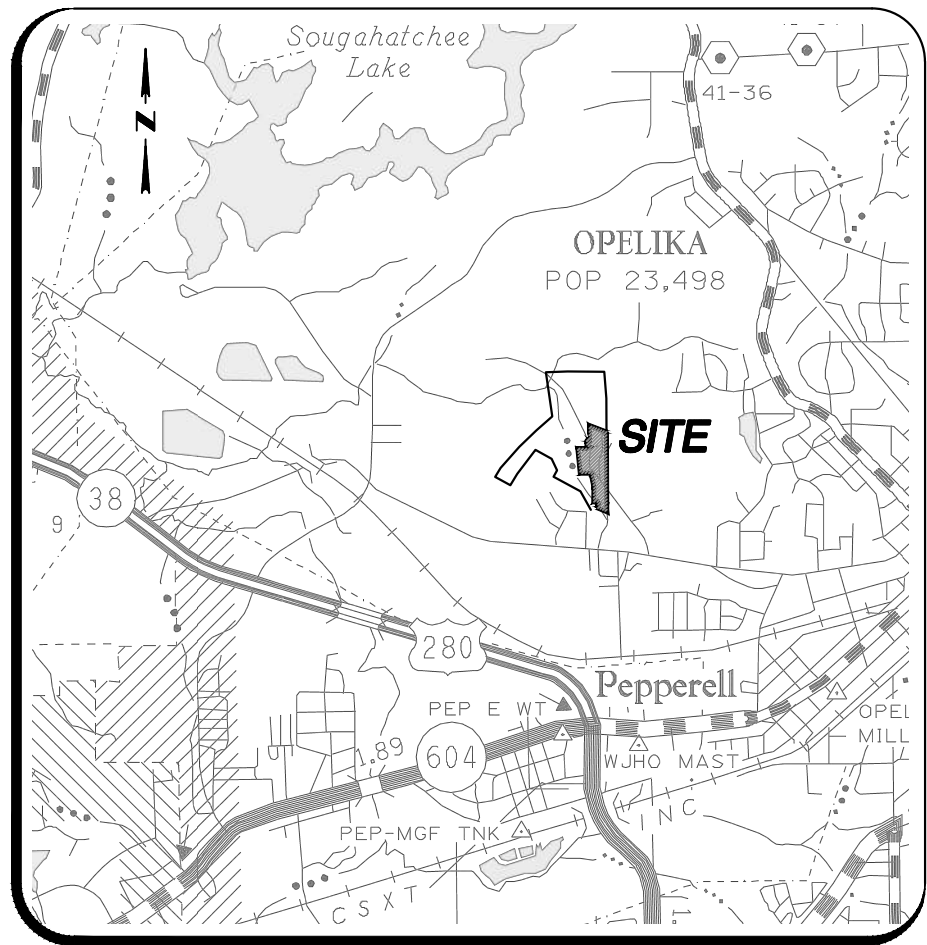
HILLPOINTE SUBDIVISION

SECTION 11, T-19-N, R-26-E
CITY OF OPELIKA, LEE COUNTY, ALABAMA

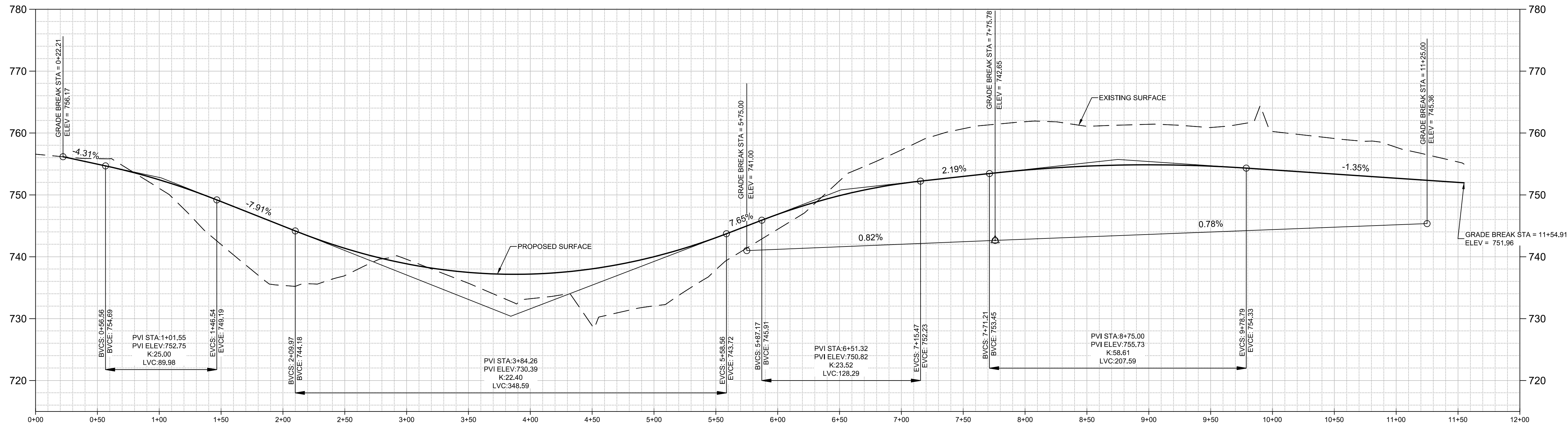
DATE: 2/14/2023
DRAWN BY: RLW
CHKD BY: BSG
FIELD CREW:
FILE NAME: HILLPOINTE SUBD
JOB NO.: AL230039
DWG. SCALE: 1" = 40'



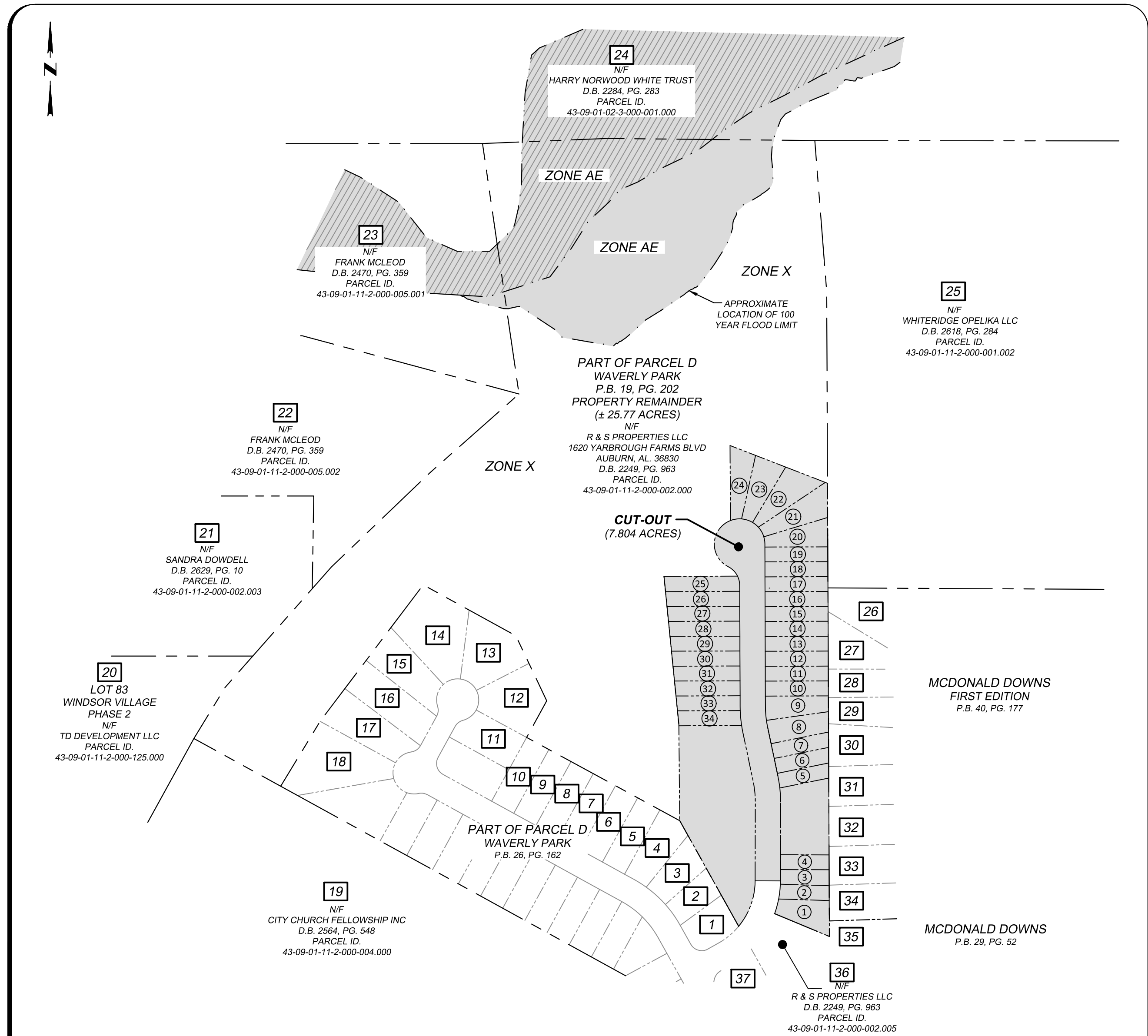
SHT. 1 OF 2



VICINITY MAP
NOT TO SCALE



Hillpointe Lane
SCALES: 1"=50' HORIZ., 1"=10' VERT.



INSET MAP
NOT TO SCALE
(SEE PROPERTY CHART)

R&S Properties, LLC		43 09 01 11 2 000 002.000	726	1620 Yarbrough Farms Blvd		Auburn	Al	36830
ID	ADJOINING/ADJACENT PROPERTY OWNERS	Parcel Number	Acct	Property Address	Mailing Address	Mailing City	Mailing State	Mailing Zip
1	GIBBS, GENE & DARLA	43-09-01-11-2-000-028.000	61614	701 WAVERLY PLACE		OPELIKA	AL	36801
2	CARTER, JOHN & JILL	43-09-01-11-2-000-029.000	61615	703 WAVERLY PLACE	1590 CRESENT BLVD	AUBURN	AL	36830
3	POTTEET, KELSEY BREANNE	43-09-01-11-2-000-030.000	61616	705 WAVERLY PLACE		OPELIKA	AL	36801
4	SKIPPER STATES & MYRA	43-09-01-11-2-000-031.000	61617	707 WAVERLY PLACE		OPELIKA	AL	36801
5	PERRY, SHERRY & EMORY	43-09-01-11-2-000-032.000	61618	709 WAVERLY PLACE	2775 CROSS KEYS RD	SHORTER	AL	36075
6	KOZAK, BARBARA	43-09-01-11-2-000-033.000	61619	711 WAVERLY PLACE		OPELIKA	AL	36801
7	LAMBERT, RANDALL	43-09-01-11-2-000-033.000	61620	713 WAVERLY PLACE		OPELIKA	AL	36801
8	HUNLEY, CARLTON E IV	43-09-01-11-2-000-035.000	61621	801 WAVERLY PLACE		OPELIKA	AL	36801
9	XIDS, HARRIET	43-09-01-11-2-000-036.000	61622	803 WAVERLY PLACE		OPELIKA	AL	36801
10	JONES, DIANNE	43-09-01-11-2-000-037.000	61623	805 WAVERLY PLACE		OPELIKA	AL	36801
11	LONG, SUSAN W	43-09-01-11-2-000-039.000	61644	905 WAVERLY PLACE		OPELIKA	AL	36801
12	Long, Susan W	43-09-01-11-2-000-040.000	61645	907 WAVERLY PLACE				
13	THOMAS, CHARLEEN	43-09-01-11-2-000-041.000	61646	909 WAVERLY PLACE		OPELIKA	AL	36801
14	R&S PROPERTIES, LLC	43-09-01-11-2-000-042.000	61647	908 WAVERLY PLACE	1620 YARBROUGH FARMS BLVD	AUBURN	AL	36830
15	R&S Properties, LLC	43-09-01-11-2-000-043.000	61648	906 WAVERLY PLACE				
16	SWATTS, CHLOE	43-09-01-11-2-000-044.000	61649	904 WAVERLY PLACE		OPELIKA	AL	36830
17	COTTLE, MATTHEW & SHIRLEY	43-09-01-11-2-000-045.000	61650	902 WAVERLY PLACE	530 MARY DR	ROANOKE	AL	36274
18	MEDIROS, JULIA	43-09-01-11-2-000-046.000	61651	900 WAVERLY PLACE	53 SCENIC SHORE WAY	JACKSONS GAP	AL	36861
19	CITY CHURCH FELLOWSHIP INC	43-09-01-11-2-000-004.000	31333	2900 WAVERLY PKWY	323 AIRPORT RD, SUITE D	AUBURN	AL	36830
20	TD DEVELOPMENT	43-09-01-11-2-000-125.000	96877	597 WINDSOR CIRCLE	544 E GLENN AVE	AUBURN	AL	36830
21	DOWDELL, SANDRA ANN	43-09-01-11-2-000-005.003	90864	GROUSE AVE	765 LEE RD 263	CUSSETA	AL	36852
22	MCLEOD, FRANK	43-09-01-11-2-000-005.002	90863		301 HIGHLAND AVE	OPELIKA	AL	36801
23	McLeod, Frank	43-09-01-11-2-000-005.001	44764					
24	WHITE, HARRY NORWOOD (TRUST)	43-09-01-02-3-000-001.000	43303	WHITE RD	c/o DIANE WHITE YOUNG 815 THOUSAND OAKS LOOP	SAN MARCOS	TX	78666
25	WHITERIDGE OPELIKA, LLC	43-09-01-11-2-000-001.002	58704	WHITE RD	2680 CORP PARK DR, SUITE 300	OPELIKA	AL	36801
26	TRADEMARK QUALITY HOMES, LLC	43-09-01-11-2-000-117.000	95651	MCDONALD DR	684 EMERSON RD	GREENVILLE	GA	30222
27	Trademark Quality Homes, LLC	43-09-01-11-2-000-118.000	95652					
28	Trademark Quality Homes, LLC	43-09-01-11-2-000-119.000	95786					
29	Trademark Quality Homes, LLC	43-09-01-11-2-000-120.000	95653					
30	FOSTER HELEN W (LIFE ESTATE)	43-09-01-11-2-000-083.000	84822	728 MCDONALD DR		OPELIKA	AL	36801
31	ATKINSON, QUANTEZ & CORE TALESHIA	43-09-01-11-2-000-084.000	84823	724 MCDONALD DR		OPELIKA	AL	36801
32	HUTCHINSON, CAROL	43-09-01-11-2-000-085.000	84824	720 MCDONALD DR		OPELIKA	AL	36801
33	STEPHENS, ANTAVEOUS & SHARON	43-09-01-11-2-000-086.000	84825	716 MCDONALD DR		OPELIKA	AL	36801
34	BONDURANT, GENEVA & FARRIS LEE	43-09-01-11-2-000-087.000	84826	712 MCDONALD DR		OPELIKA	AL	36801
35	BRAN-SOLARES, AUGUSTO & BRAN	43-09-01-11-2-000-075.000	68620	708 MCDONALD DR		OPELIKA	AL	36801
36	R&S PROPERTIES, LLC	43-09-01-11-2-000-002.005	61606	WAVERLY PLACE				
37	EASON, MARY & JOHN	43-09-01-11-2-000-027.000	61603	613 WAVERLY PLACE		OPELIKA	AL	36801

S:\SURVEY\NEWSURVEY\HG PROJECTS\ALABAMA\LEE\2023\AL230039 BC STONE (WAVERLY PLACE) OPELIKA\WORKING\HILLPOINTE NOTES.DWG

PRELIMINARY PLAT OF PART OF PARCEL D OF

HILLPOINTE SUBDIVISION

SECTION 11, T-19-N, R-26-E
CITY OF OPELIKA, LEE COUNTY, ALABAMA

DATE 2/14/2023
DRAWN BY RLW
CHKD BY BSG
FIELD CREW
FILE NAME HILLPOINTE NOTES
JOB NO. AL230039
DWG. SCALE N.T.S.



Plam 000056-2023

AGENDA ITEM # _____



**APPLICATION FOR
CONDITIONAL USE APPROVAL
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801**

PC DEADLINE: 2/7/23 PC MEETING: _____

PROJECT NAME: Waverly Place
SITE ADDRESS: 0 Waverly Place
PROPERTY OWNER: R&S Properties, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Bryan Stone
MAILING ADDRESS: 687 N. Dean Rd. Suite 200 Auburn, AL 36830
PHONE NUMBER: (334) 444-6271 FAX NUMBER: _____
EMAIL ADDRESS: bstone@bcstone.biz

PARCEL INFORMATION

Current Land Use: Vacant Current Zoning: R3
Description of Proposed Use: TWIN HOMES
Adjacent Zoning Districts: North: R1 South: C2 East: R3 West: R1, PUD

**READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION
8.17 CONDITIONAL USES; E. General Use Standards.**

1. No application for a conditional use permit shall be approved unless the Planning Commission shall specifically find the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria.
2. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

AGENDA ITEM #

ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY (BE SPECIFIC). YOUR ANSWERS PROVIDE THE PLANNING COMMISSION AND STAFF THE BASIS FOR REVIEWING YOUR REQUEST. ANY QUESTION UNANSWERED WILL BE RETURNED TO YOU FOR COMPLETION.

- 1) How is the proposed use appropriate in the location for which it is proposed? The density of the proposed development is 1.2 DU/AC, whereas the allowed density of the zone is 4 DU/AC.
The proposed development is adjacent to similar housing types in the vicinity and will be isolated from view by an undisturbed wooded area.
- 2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? No, the proposed development is within the existing character and use of the surrounding subdivision and will not be visible from the existing subdivision. Additionally, density is much less than the existing subdivision. The development only consists of 41 du on a property that is zoned to support 135 units.
- 3) What precautions will be taken to minimize any adverse affects from the proposed use on surrounding property owners? the development will be isolated by a significant amount of wooded area.

APPLICATION REQUIREMENTS:

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month; Work Session is at 3:00 p.m. Thursday at 4:00 p.m. before each PC Meeting).
2. Application signed by property owner or authorized agent/representative.
3. Submit 26 copies of the Site Plan (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
4. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
5. Conditional use approval shall expire in one year after approval date.

Fee: \$125.00 PAID K# 1177

CERTIFICATION

I _____, HEREBY CERTIFY that this application is made with my approval, as property owner or authorized applicant designated by the property owner, as evidenced by my signature below. This application, site plan, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore the undersigned is authorized to make said application and submit said documents on this request. I certify that I have read and understand the contents of this application, and that this application together with the requirements set forth in Section 8.16 *Site Plan Review* and all supplemental information is a true representation of the facts concerning this request.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: <u>[Signature]</u>	DATE: <u>2-6-23</u>
(PRINT NAME) <u>Bryan Steel</u>	

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	February 28, 2023		
Agenda Item #:	A-2		
Action Requested:	Conditional Use – 17 Twin Homes/duplexes (34 dwelling units total)		
Location of Property:	Waverly Place		
Property Owner(s):	Marvin E. and Sallie H. Deen Bryan Stone, authorized representative		
Current Land Use:	Undeveloped		
Current Zoning:	R-3		
Surrounding Zoning Districts And Land Uses:	North	R-1	Undeveloped
	South	R-3	Single-family (Waverly Place)
	East	R-3	Undeveloped/Single-family
	West	R-1	Vacant/Undeveloped

Proposal

(This conditional use request is the same property as the Hillpointe subdivision; staff report for Hillpointe SD agenda is #A-1.) The applicant is requesting conditional use approval for 17 twin homes or duplexes that total 34 dwelling units in a R-3 zone. A new cul-de-sac street will be constructed to access the 34 twin home units. A flood plain on the north end of the 33 acre property prevents the new street from extending to the north property line. The flood plain and severe elevations on the 33 acre property creates development challenges and limits development to 11.5 acres of the 33 acres. Therefore, about 21.5 acres of the property will be preserved as natural wooded, unbuildable area and 11.5 acres developed for the 17 twin homes.

Each twin home (two units attached) is located on a separate lot; the twin homes are attached by a common shared wall; the side property line runs along the common wall. When you purchase a twin home, you are also purchasing the front and rear yard areas. The twin homes attached look like a duplex but are also called a townhome.

In the R-3 zone, a maximum density of 3.5 dwelling units per acre is allowed; the 34 twin home units on 33 acres is 1.03 dwelling units per acre. For comparison, the maximum density in the R-1 rural zone with a minimum one acre lot size is 1 dwelling unit per acre.

A landscape plan is included in your packet. The landscape plan provides that 11.5 acres is the disturbed area for the duplex development. Trees and shrubs will be planted along the new street near each duplex unit. A total of 70 trees and 146 shrubs planted. The remaining base points are met from preserving existing trees near the street and along the rear property lines of the twin homes.

As the staff report provides for agenda item #A-1, the minimum lot size, lot width, and setback requirements for the 17 twin homes meet the townhouse development standards. The 34 twin home lots exceed the minimum 20 foot lot width requirement and minimum 1,800 square foot lot size. Each twin home has at least a 20 foot separation as required from the adjacent twin home. The rear yard of each twin home unit is larger than 50% of the first floor area as required; for most units the first floor is 1,220 square feet and the rear yard area is 2,240 sf.

Recommendation

Development is limited to about 11.5 acres of this 33 acre property due to floodplain and severe elevations. The remaining 21.5 acres is unbuildable and will remain natural wooded area. The proposed street is a cul de sac street with no stub out street to the adjacent property for additional traffic on Waverly Place. Traffic created from 34 dwelling units should not produce difficult traffic-flow conditions. The density of 34 dwelling units on 33 acres is comparable to the R-1 rural zoning district at 1 dwelling unit per acre. Staff does not anticipate any substantial adverse effect on the adjacent properties or the character of neighborhood from the twin home development.

Staff recommends approval subject to the following conditions:

1. Add note on plat who will maintain the two open space lots (19,588 sf and 1.4 acres).
2. Sidewalks should be located on one side of the street.
3. All utilities are required to be underground.
4. The following recommendations for the Hillpointe subdivision (agenda #A-1) are required for final plat approval.
 1. Sidewalks required on at least one side of the street.
 2. All utilities shall be underground.
 3. Add lot numbers for the two open space lots.
 4. Add the names and addresses of adjacent property owners on final plat.
 5. Label the remaining part of Parcel D as “Unbuildable Parcel, Preserved as Common Area” on the final plat.
 6. Add a note on final plat who is responsible for the maintenance of the two open space lots (19,588 sf and 1.4 acres).
 7. Designate a 20’ wide area along the east property line adjacent to the twin homes as “20’ natural undisturbed buffer yard”.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

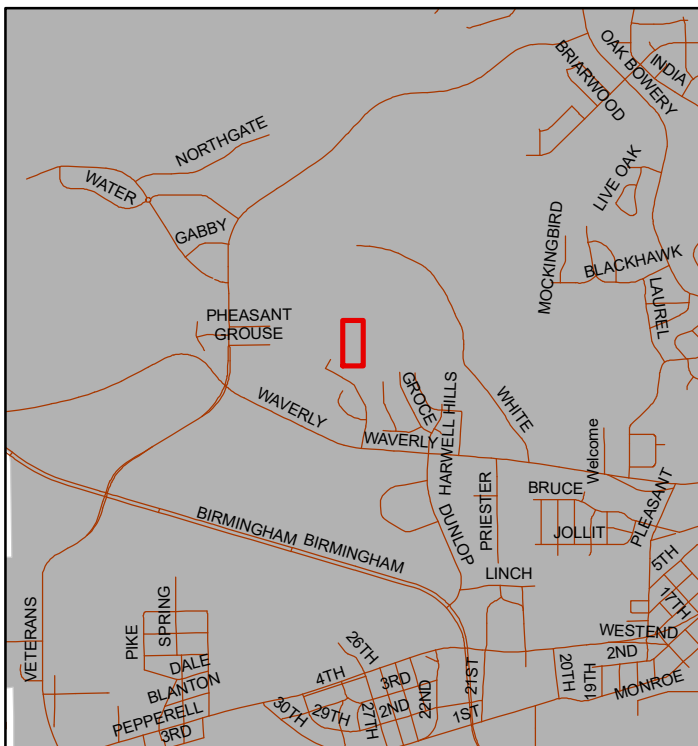
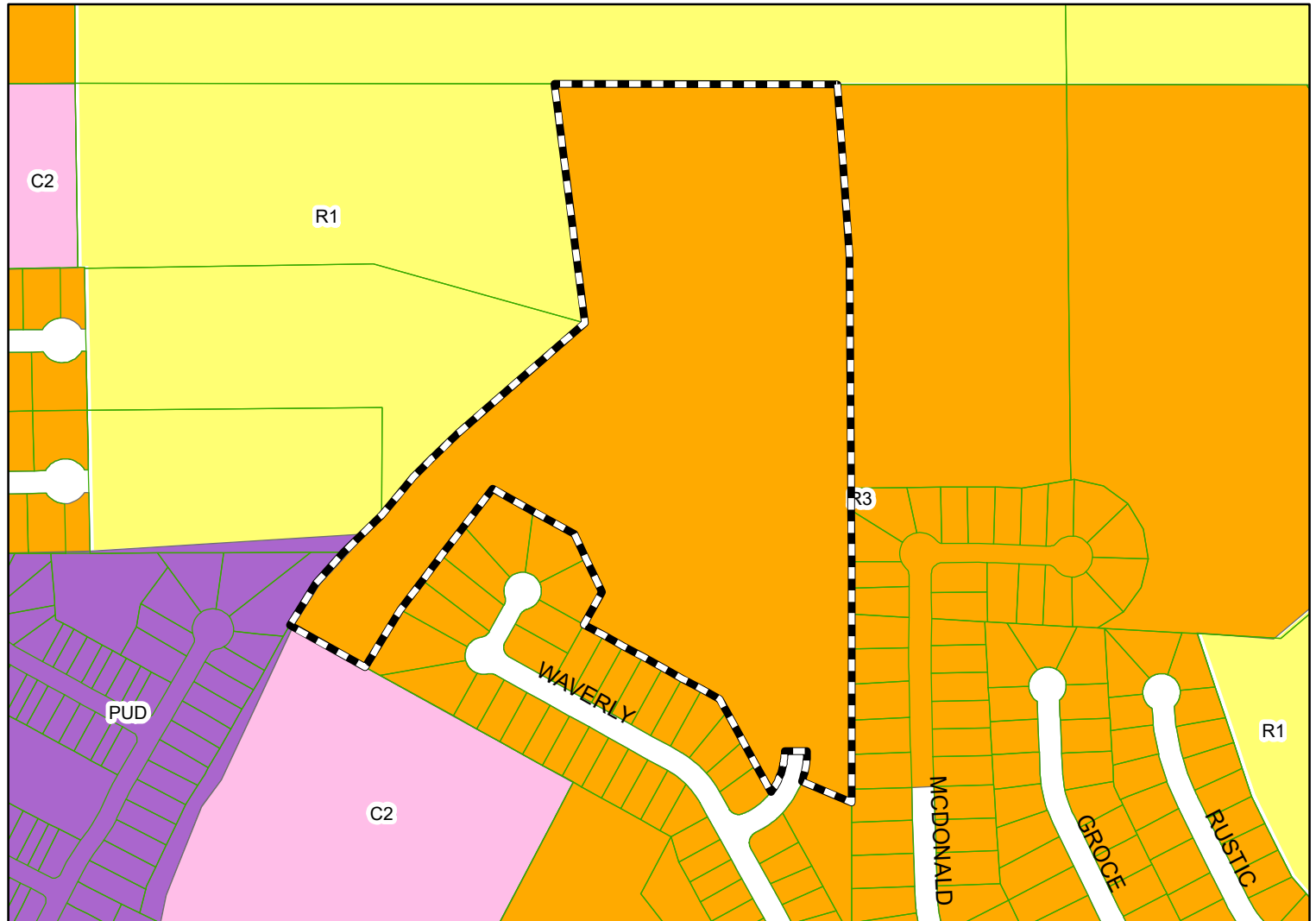
Opelika Utilities Board Report

Water service is accessible to this use by a water main in the R.O.W. of Waverly Place.

Opelika Power Services Report

This subdivision is in the Opelika Power Services territory.

HILLPOINTE SUBDIVISION AND TWIN HOMES WAVERLY PLACE PRELIMINARY PLAT & CONDITIONAL USE APPROVAL, A-1, A-2

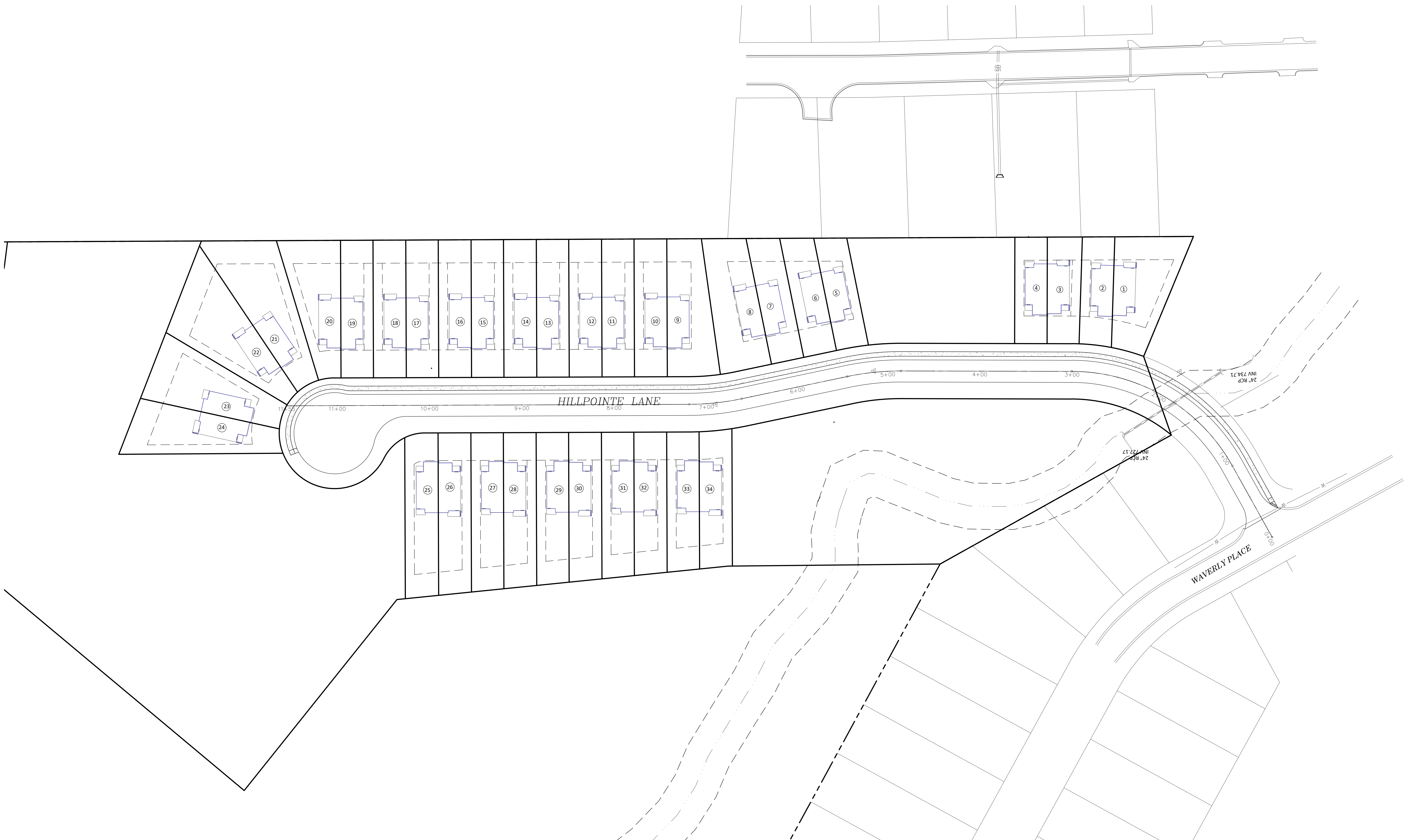


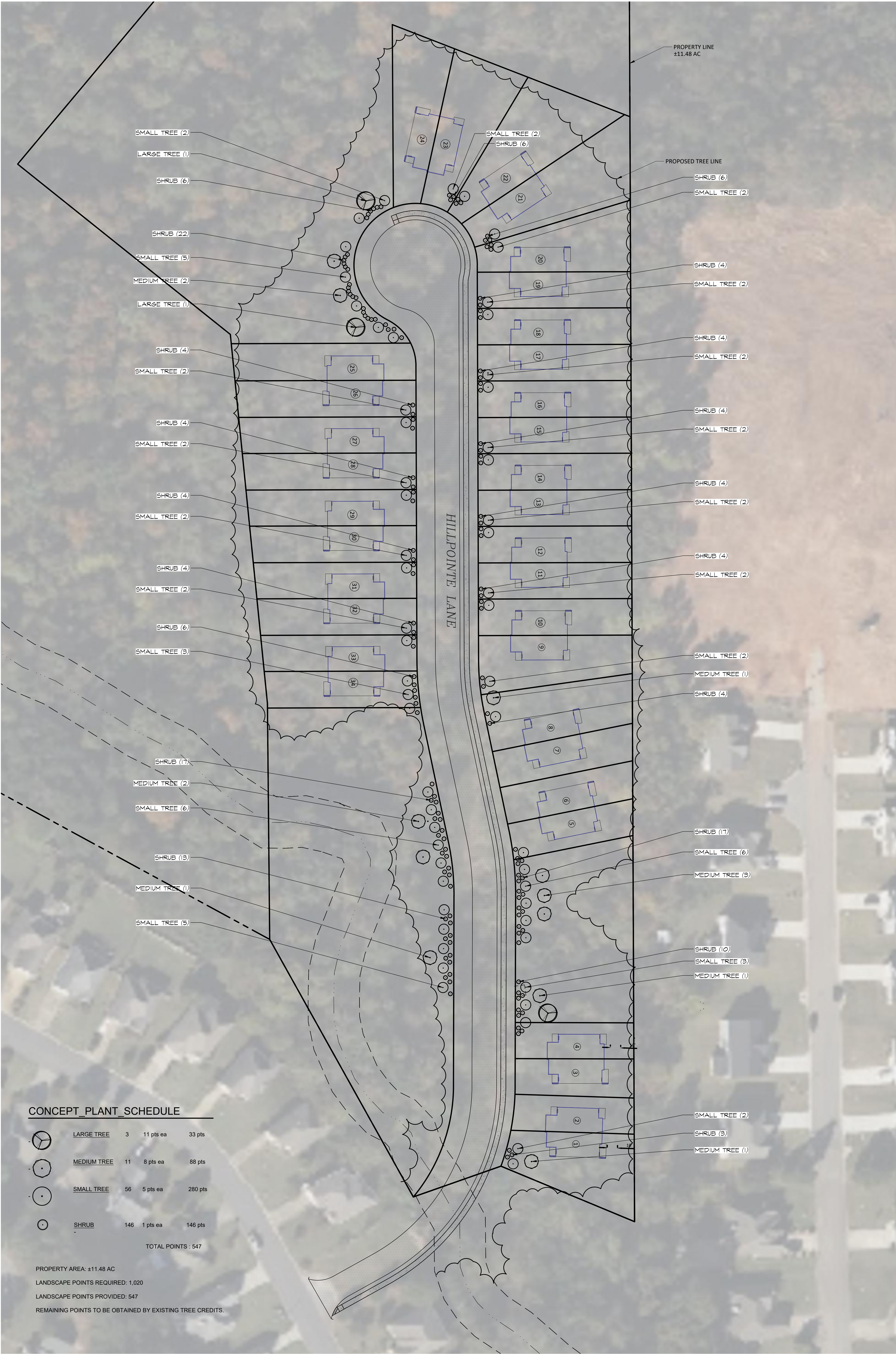
The applicant is requesting preliminary plat approval and conditional use approval for twin homes (duplex) or 2-unit townhomes. Each twin home unit includes a front and rear yard area. The property is located in the R-3 zoning district. .



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



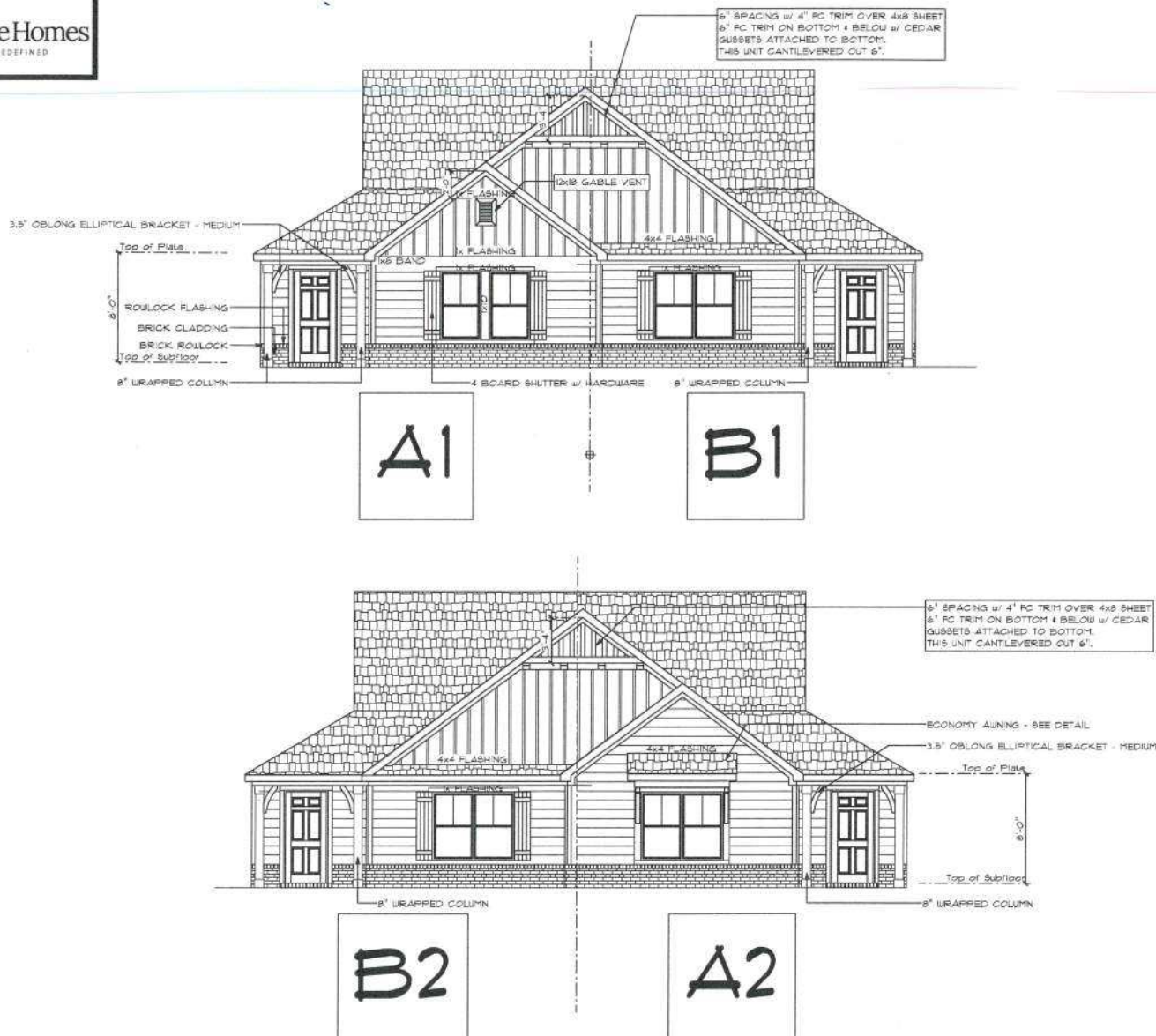


CONCEPT_PLANT_SCHEDULE

	LARGE TREE	3	11 pts ea	33 pts
	MEDIUM TREE	11	8 pts ea	88 pts
	SMALL TREE	56	5 pts ea	280 pts
	SHRUB	146	1 pts ea	146 pts

TOTAL POINTS : 547

PROPERTY AREA: ±11.48 AC
LANDSCAPE POINTS REQUIRED: 1,020
LANDSCAPE POINTS PROVIDED: 547
REMAINING POINTS TO BE OBTAINED BY EXISTING TREE CREDITS.



TH Clarkston -
2BD

Plan Print Date:
Thursday, February 9, 2023

PAGE:

Duplex - Elevations

PLAN SIGN OFF

By executing these Plans in the space provided below, Buyer hereby approves these Plans for the construction of the House. Buyer further acknowledges that during the ordinary course of construction minor variances from these Plans may occur resulting in minor differences (less than 5%) in actual square footage or the physical location of the House on the property. Such minor variances in the Plans and overall square footage shall be acceptable by Buyer.

CUSTOMER 1:

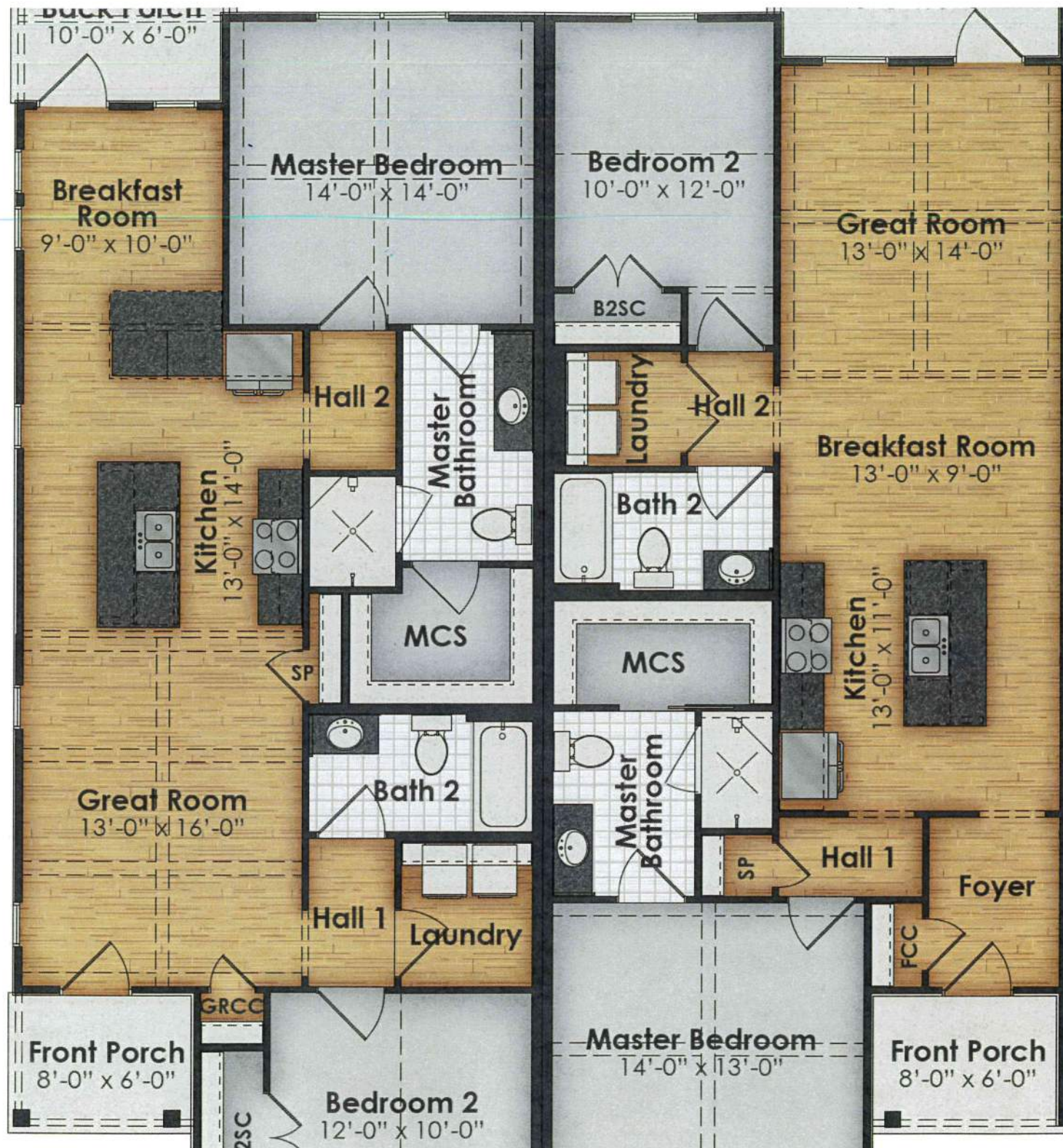
DATE:

CUSTOMER 2:

DATE:

BUILDER:

DATE:



000089-2023

AGENDA ITEM # _____



**APPLICATION FOR
CONDITIONAL USE APPROVAL**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

PC DEADLINE: 2/7/23 PC MEETING: _____SITE ADDRESS: 1550 N Uniroyal Road across from 1515 N Uniroyal RoadPROPERTY OWNER: Jimmy GoldenAPPLICANT/ AUTHORIZED REPRESENTATIVE: Mike Maher representing Paul BrumettMAILING ADDRESS: 2124 Moores Mill RoadPHONE NUMBER: 334-821-0105 / 334-745-6926FAX NUMBER: 334-821-4044EMAIL ADDRESS: mike.precisionsurv@gmail.com**PARCEL INFORMATION**Project name: Gateway Pentecostal Gateway Address/Location: N Uniroyal RdCurrent Land Use: VacantCurrent Zoning: R 4 MAdjacent Zoning Districts: North: C2 South: R4M East: R4M West: R4MDescription of Proposed Use: Church**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

I, Jimmy Golden, being owner of the property which is the subject of this conditional use application hereby authorize Paul Brumett, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

DocuSigned by:

A handwritten signature in blue ink, appearing to read "Paul Brumett".

Property Owner's Signature: _____

Date: 2/7/2023
**STATE OF ALABAMA,
COUNTY OF LEE**

I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this _____ day of _____,

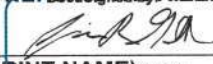
Notary Public

My Commission Expires: _____

AGENDA ITEM # _____

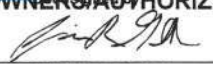
CERTIFICATION

I, Jim Golden, HEREBY CERTIFY that this application is made with my approval, as property owner or authorized applicant designated by the property owner, as evidenced by my signature below. This application, site plan, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore the undersigned is authorized to make said application and submit said documents on this request. I certify that I have read and understand the contents of this application, and that this application together with the requirements set forth in Section 8.16 *Site Plan Review* and all supplemental information is a true representation of the facts concerning this request.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	DATE: 2/7/2023
(PRINT NAME) <u>Jim Golden</u>	

STATEMENT OF UNDERSTANDING

I, Jim Golden (property owner or authorized applicant) UNDERSTAND this Conditional Use Request must be filed with all to the requirements of the Opelika Zoning Ordinance and all other information requested or required by City Departments in order to be considered complete. I UNDERSTAND that this application will not be filed until all required information has been received and further understand that the City reserves the right to postpone this request until such time as the requirements are met. I UNDERSTAND that City Department staff is available for the purpose of reviewing my site plan prior to submission deadline. I UNDERSTAND that if the request is approved the approval applies only to the property(s) shown on the site plan submitted and reviewed by the Opelika Planning Commission. I UNDERSTAND that at a later date if adjacent or other property(s) are expected to be used in association with an approved conditional use then a Conditional Use request must be submitted for the use of such adjacent or other property(s). I UNDERSTAND that the City may require additional information, requirements, or require modifications to the site plan at any time during the process as deemed necessary to accomplish the proper and orderly development of this proposal. I UNDERSTAND that if conditional use is granted by the Opelika Planning Commission then I must submit structural drawings (building plans) as required for review and approval by the applicable departments prior to issuing a Building Permit. The said drawings shall be submitted to the Building Inspection Division for review (Building Inspection 705-5420). I UNDERSTAND that if a request for conditional use is approved or approved subject to conditions, I must acknowledge such approval in writing and unconditionally accept and agree to any conditions imposed on the approval within fifteen (15) days following approval by the Opelika Planning Commission. In the event the conditional use request is not approved or is approved subject to conditions not acceptable to me, I may within the fifteen (15) days either appeal such decision to Circuit Court or abandon the application at the expiration of this fifteen (15) day period.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	DATE: 2/7/2023
(PRINT NAME) <u>Jim Golden</u>	

**City of Opelika
Planning Commission
Planning Department Report**

Meeting Date: February 28, 2023

Agenda Item #: B-3

Action Requested: Conditional Use – New Church Offices and Sanctuary

Location of Property: N. Uniroyal Road

Property Owner(s): Jimmy Golden, owner
Paul Brumett, authorized representative

Current Land Use: Vacant

Current Zoning: R-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-2, GC-P	Vacant
South	R-2, GC-P	Vacant
East	R-2, GC-P	Vacant
West	R-2, GC-P	I-85, Single-family residential

Proposal:

The applicant's representative requests conditional use approval to construct church office and sanctuary buildings accessed from N. Uniroyal Road. The lot is approximately 6 acres.

Surrounding Area:

The church site is primarily surrounded by mostly vacant land and at the beginning of a large curve on N. Uniroyal Road and to the immediate West fronts Interstate 85. To the East is a vacant six (6) acre tract of land in the R-2, GC-P zoning district. Beyond this parcel, the area changes to C-2, GC-P zoning district, and is primarily undeveloped though the curved N. Uniroyal Road up to Exit 64 and Westpoint Parkway. Moving West from this parcel along N. Uniroyal Road are existing neighborhood leading into the Towne Lakes development on the right.

Site Plan:

The site plan shows a 6,000 sq. ft. new church building and a 6,000 sq. ft. church office building. The placement of the buildings meet the setback requirements for the R-2, GC-P zoning districts.

Parking:

The off-street parking is calculated by the church's maximum capacity, which has not been determined at this time. Parking area requirements for a church are based on one space per four seats. The site plan shows 110 total parking spaces; 5 must be handicap accessible.

Landscaping:

The applicant has submitted a landscape plan that meets the minimum landscape requirements in an R-2, GC-P zoning district. The developed area requires 285 base landscape points; for the parking lot an additional 221 parking landscape points are required. The church's maximum capacity, which has not been determined at this time, may change the parking space numbers required. The landscape regulations require a residential buffer along the east side. Residential buffer options area provided must meet the requirements in the Zoning Ordinance in Section 10. 6. D. 1. a., b., or c. Off-street parking lots, fronting on the public rights-of-ways of a designated gateway corridor, shall provide a 15-foot-wide planting area between the property line and the edge of parking lot. Landscaping shall consist of plants listed in Section 10.6, D.2. b. 2. of the Landscape Regulations. *The revised landscape plan shows added parking spaces, parking buffers, and residential buffer with a total of 671 points, which exceeds the required 479 points on the revised site and landscape plan combination.*

Materials and Cladding in the Gateway Corridor Overlay District:

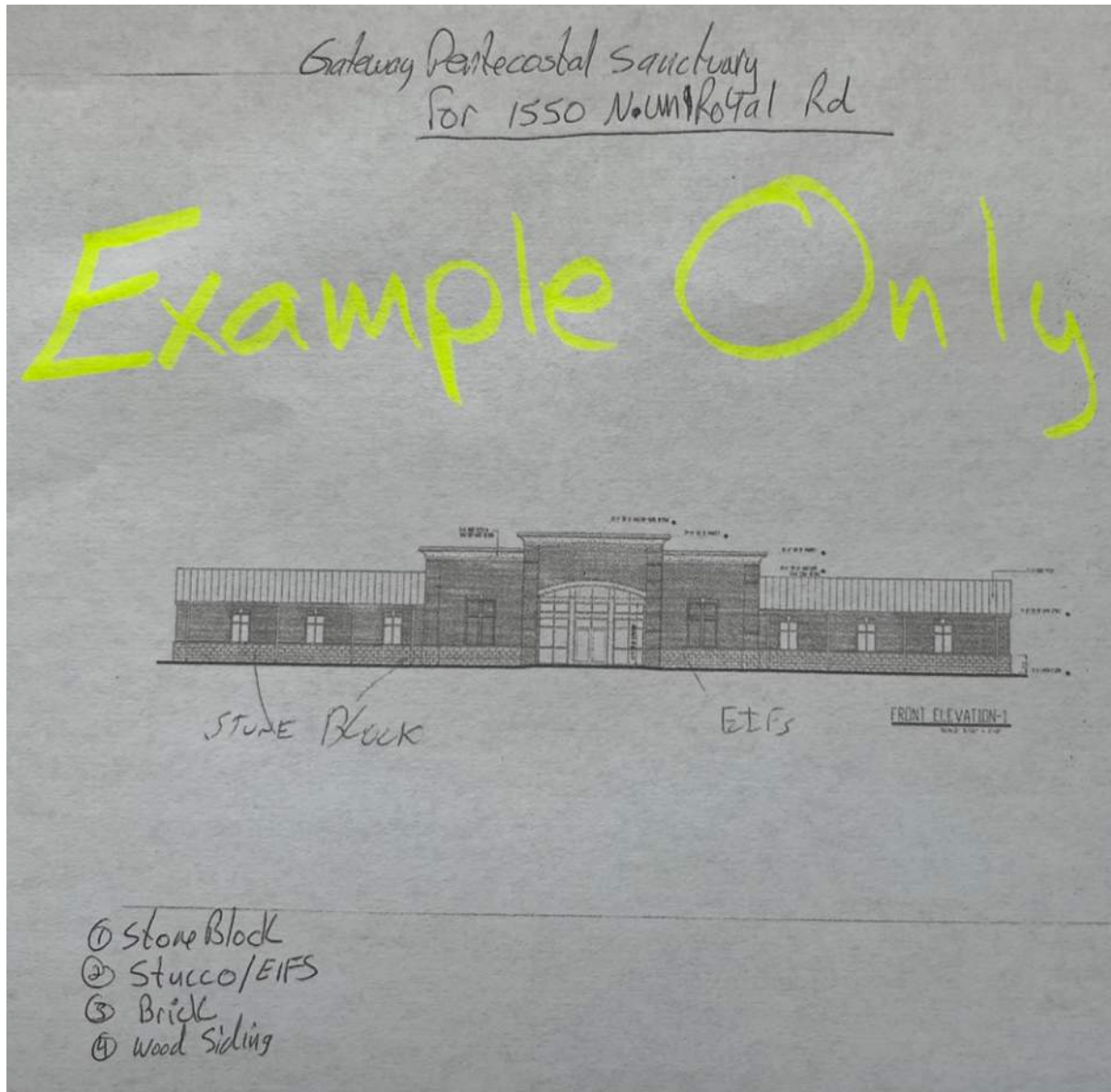
The exterior building materials and elevation example have been provided. The church building will be a single story. The example provides a materials list of stone blocks along the bottom of the building, EIFs, stucco, brick, and wood siding as the remaining materials. The applicant, Mr. Brummett, stated they have not completed the architectural plans. The materials listed meet the minimum requirements for the front façade on a gateway corridor. The side elevations and materials are not shown. Gateway Corridor standards state that on the sides, the approved building materials shall extend from the front façade around the side of the building 20 feet or 20 percent of the wall length, whichever is greater. Staff recommends the eastern side have improved materials due to the orientation of the building and the high visibility from N. Uniroyal Road. The applicant is aware that if a permit is issued, following the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

Lighting and Equipment and Mechanical Screening:

Outside lighting must meet the Gateway Corridor requirements in Section 7.6, B., 6, a. All utility meters, air conditioning units, and similar mechanical units shall be screened so as not to be visible from a public right-of-way. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by the relevant utility company for safety.

The Planning Department recommends conditional use approval subject to:

- 1. Front façade shall be consistent or equivalent to the example elevation provided in terms of architecture and materials. Improved materials shall be used on the east side due to the increased visibility to North Uniroyal Road.**
- 2. Add to the landscape plan a detailed residential buffer along the east side of the property by choosing an option provided in the zoning ordinance Section 10. 6. D. 1. a., b., or c.**
- 3. Revise the landscape plan to meet the minimum 285 base points and 221 parking lot points based on the maximum capacity of the church buildings.**
- 4. If a dumpster is to be added, the location will need to be reviewed by Planning and dumpster screening on all sides.**
- 5. Outside lighting must meet the Gateway Corridor requirements in Section 7.6, B., 6, a.**



Engineer's Report

A new building at this site will require the applicant to submit a site construction and grading plan for the drainage, and utility plan 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.

The Engineering Department has no other comments or concerns with this proposed conditional use.

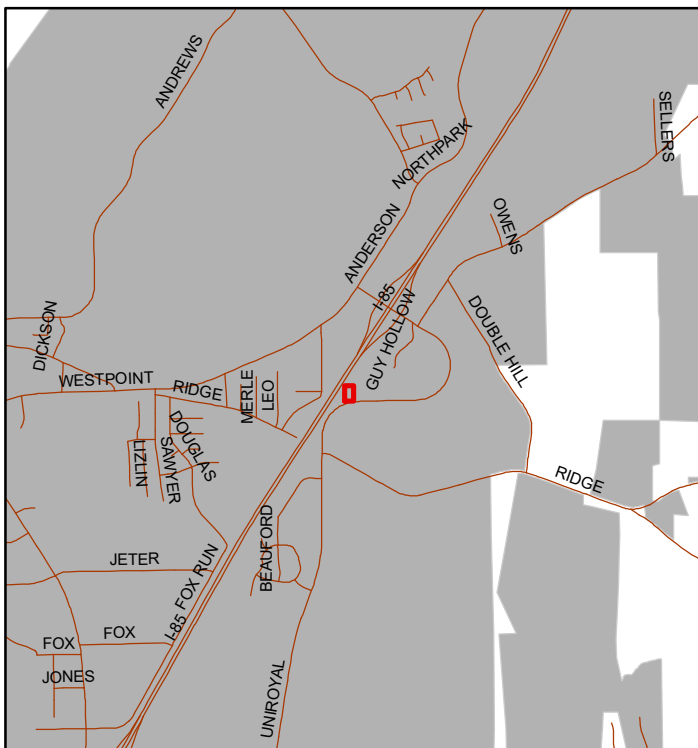
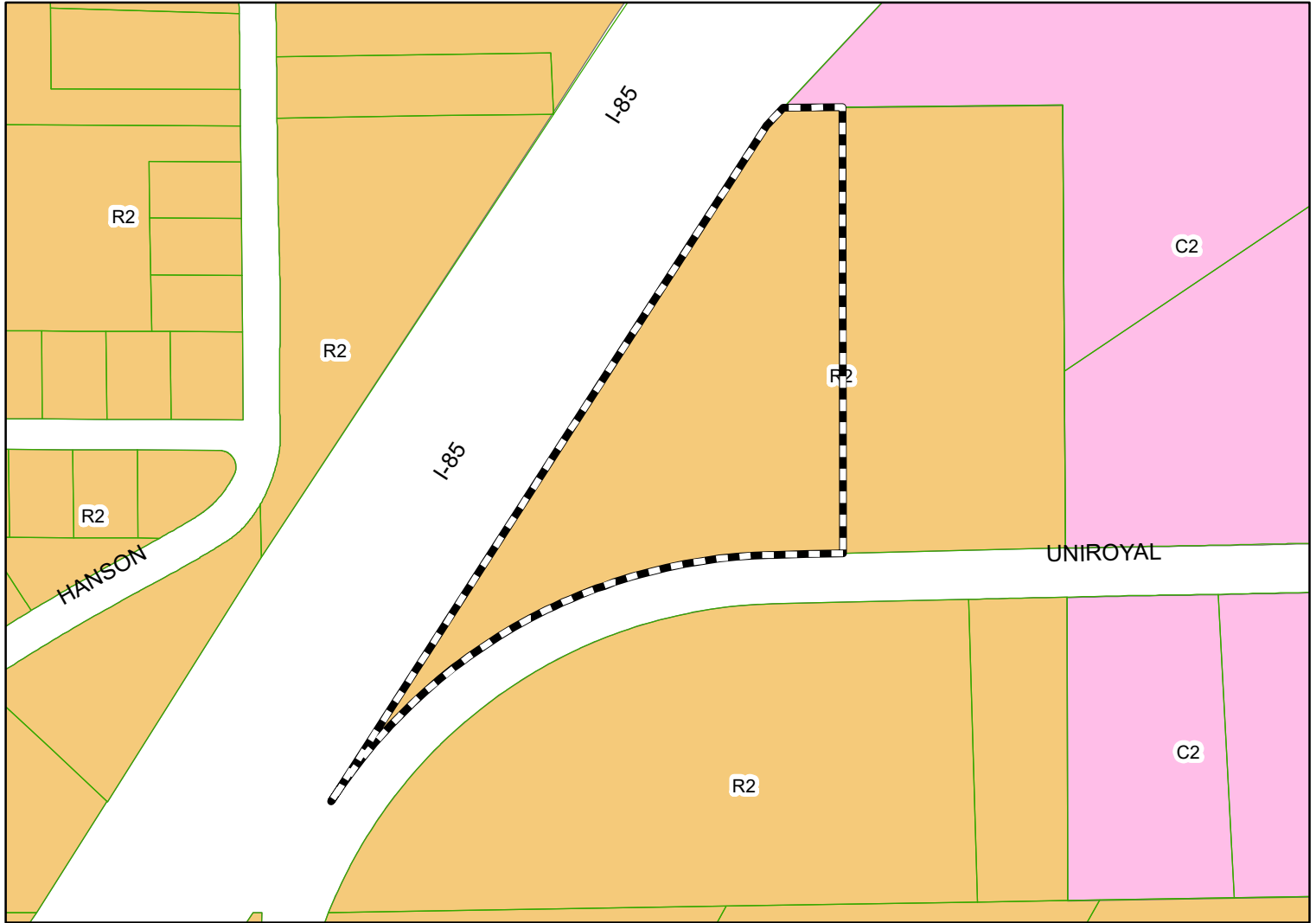
OPELIKA UTILITIES

Water service is accessible to this location by a water main in the R.O.W. of North Uniroyal Road.

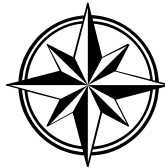
Opelika Power Services

This location is outside the Opelika Power Services territory.

**NEW CHURCH SANCTURAY- GATEWAY PENTECOSTAL
1550 NORTH UNIROYAL ROAD
CONDITIONAL USE APPROVAL, B-3**



The applicant is requesting approval for a new 12,000 square foot sancturay and church office. The property is bordered by I-85 and North Uniroyal Road. The property is in the R-2, GC-P zoning district.



Subject Property

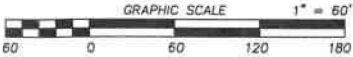
The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

EXHIBIT FOR CONDITIONAL USE APPROVAL
FOR
GATEWAY PENTECOSTAL SANCTUARY
CITY OF OPELIKA
PROPERTY IN DEED BOOK 2377, PAGE 706

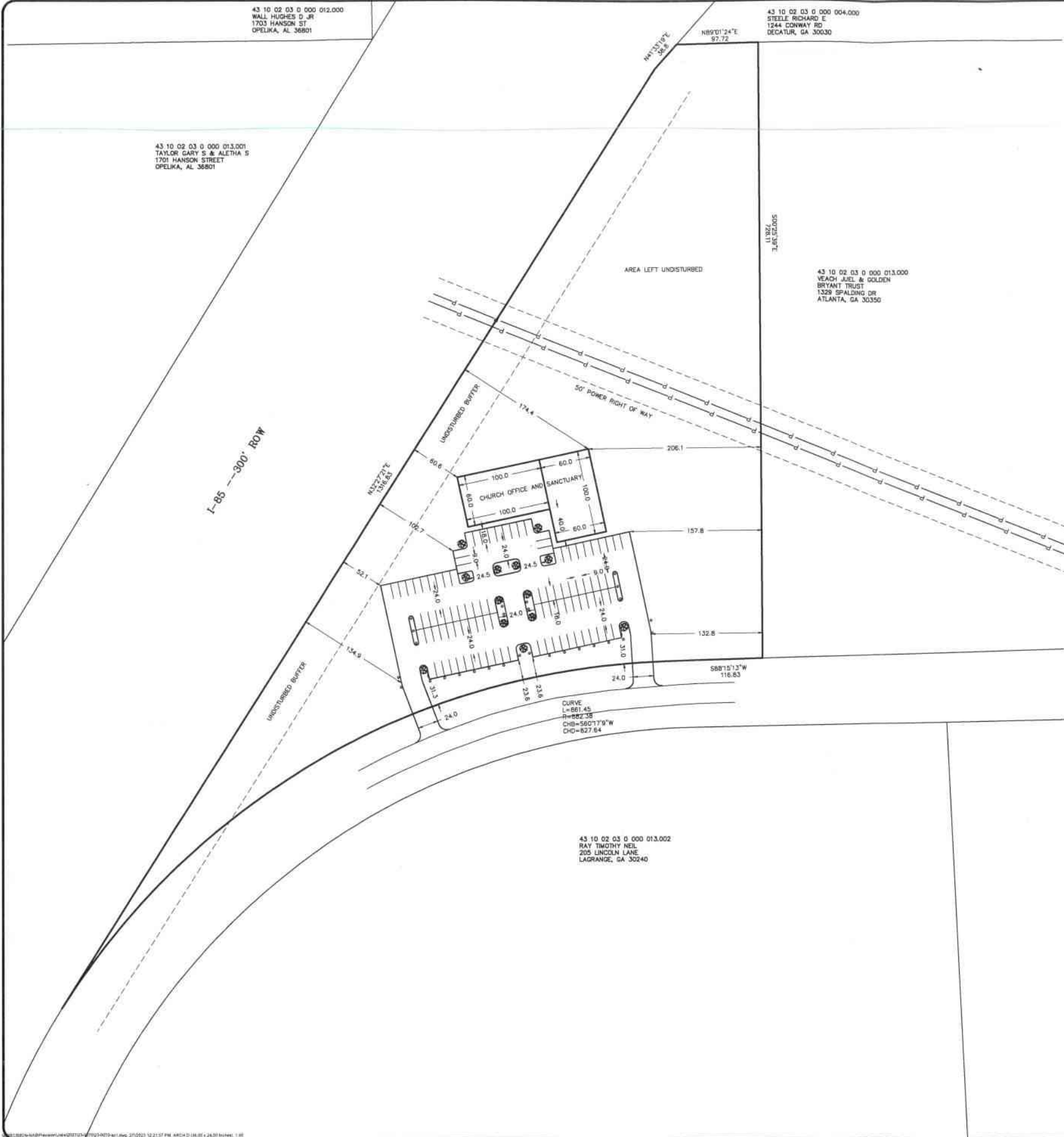


- NOTES:
1. SOURCE OF INFORMATION: DEED BOOK 2377, PAGE 706
 2. DATE OF OFFICE WORK: 1-31-2023, NO FIELD WORK COMPLETED.
 3. BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL.
 4. LANDSCAPING NOTES
 - 4.1. PRELIMINARY LANDSCAPING
 - 4.1.1. LEAVE 50' BUFFER ALONG INTERSTATE 85 (50+ OVER STORY, LARGE TREES)
 - 4.1.2. ADD 15 MEDIUM TREES (CREPE MYRTLE OR OTHER)
 - 4.1.3. ADD 25 SMALL SHRUBS IN PARKING LOT
 - 4.2. AS A PART OF THE SITE PLAN AN ACTUAL LANDSCAPING PLAN SIMILAR TO THE ABOVE WILL BE DRAFTED AND INSTALLED.

- LEGEND
- (M) = MEASURED
 - (R) = RECORDED
 - OTR = OPEN TOP PIPE
 - CTP = CRIMPED TOP PIPE
 - IPF = IRON PIN FOUND
 - IPS = IRON PIN SET (CA-788)
 - CA-788 = PRECISION SURVEYING
 - = IRON PIN FOUND
 - = 1/2" REBAR SET (CA-788)
 - = HUB SET
 - △ = CALCULATED POINT
 - = CONCRETE MONUMENT
 - ⊥ = POWER POLE
 - x—x— = WIRE FENCE
 - |—|— = WOOD FENCE
 - o—o— = CHAIN LINK FENCE



Sheet	Drawn By:	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	AH - MTM		
	Scale:		
	1" = 60'		
File Name:	23-0070-SP1	Sheet Title:	EXHIBIT FOR CONDITIONAL USE REQUEST DEED BOOK 2377, PAGE 706 NORTH UNIROYAL ROAD, OPELIKA
	Date:		
	01-27-2023		



SITE PLAN – LANDSCAPE PLAN AND
EXHIBIT FOR CONDITIONAL USE APPROVAL
FOR
GATEWAY PENTECOSTAL SANCTUARY
CITY OF OPELIKA
PROPERTY IN DEED BOOK 2377, PAGE 706



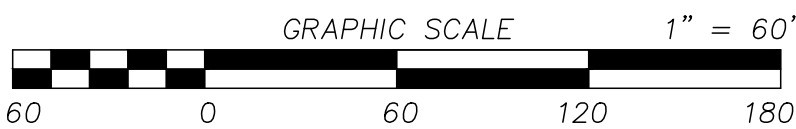
NOTES:

- SOURCE OF INFORMATION: DEED BOOK 2377, PAGE 706.
- DATE OF OFFICE WORK: 1-31-2023. NO FIELD WORK COMPLETED.
- BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL.
- LANDSCAPING NOTES:
 - PRELIMINARY LANDSCAPING
 - LEAVE 50' BUFFER ALONG INTERSTATE 85 (50+ OVER STORY, LARGE TREES)
 - ADD 13 MEDIUM TREES (CREPE MYRTLE OR OTHER)
 - ADD 28 SMALL SHRUBS IN PARKING LOT
 - AS A PART OF THE SITE PLAN AN ACTUAL LANDSCAPING PLAN SIMILAR TO THE ABOVE WILL BE DRAFTED AND INSTALLED.
- LANDSCAPING NOTES:
 - TOTAL AREA DISTURBED 119,000 SF = 218 BASE POINTS REQUIRED
 - 17 LARGE CALIPER TREES PLANTED ALONG HIGHWAY AND EASTERN LINE
 - TOTAL BASE POINTS 187 FROM LARGE TREES, 37 POINTS FROM EXCESS PARKING PLANTINGS = 224 POINTS
 - TOTAL PARKING SPACES = 221 (1 SPACE PER 18sf IN SANCTUARY) (REQUIRES 221 POINTS)
 - CREPE MYRTLES = 19 --- 95 POINTS
 - JUNIPER = 45 --- 45 POINTS
 - 9 NEW OVER CUP OAK --- 99 POINTS
 - PARKING POINTS = 239
 - COORIDOR BUFFER PLANTINGS
 - CREPE MYRTLES IN COORIDOR BUFFER 26 = 130 POINTS
 - JUNIPERS IN COORIDOR BUFFER 67 = 67 POINTS
 - TREES IN COORIDOR 7 = 77 POINTS
 - TOTAL COORIDOR POINTS 274 POINTS
 - TOTAL PLACED LANDSCAPING POINTS FROM TREES = 157

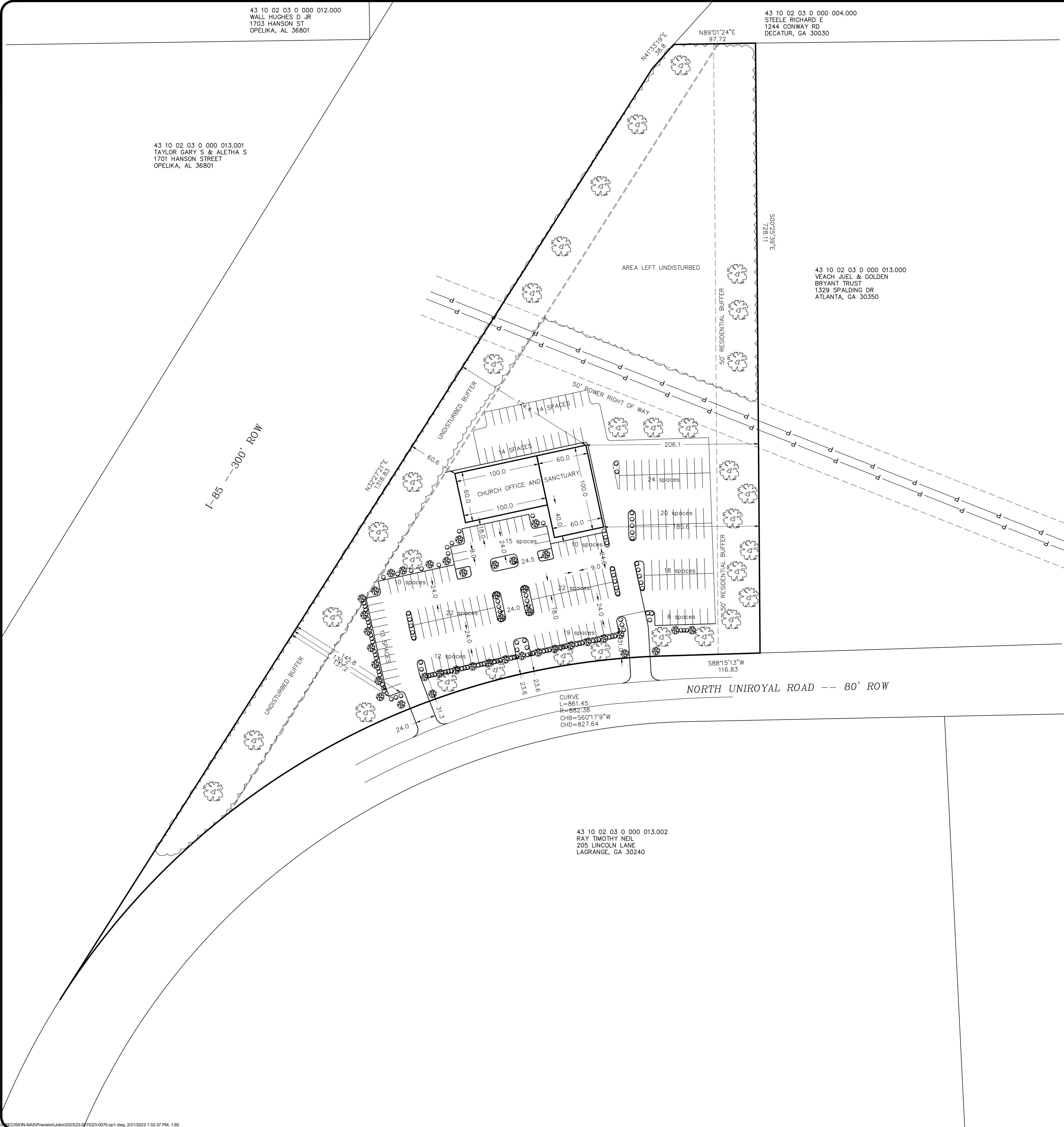
- LARGE CALIPER TREE = 11 POINTS
● CREPE MYRTLE TREE = 5 POINTS
○ JUNIPER SHRUB = 1 POINTS

LEGEND

- (M) = MEASURED
(R) = RECORDED
OTP = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
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Seal	Drawn By: AH - MTM	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-9105 www.precisionsurveying.biz
	Scale: 1" = 60'		
	File Name: 23-0070-SP1		
	Date: 2-14-2023		
		Sheet Title: EXHIBIT FOR CONDITIONAL USE REQUEST DEED BOOK 2377, PAGE 706 NORTH UNIROYAL ROAD, OPELIKA	





APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL #000063-2023

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 2611 COLUMBUS PARKWAY; OPELIKA, AL 36801
 PROPERTY OWNER: FARM FAMILY LIMITED PARTNERSHIP (LESSEE)

APPLICANT/ AUTHORIZED REPRESENTATIVE: MARRELL J. MCNEAL
 MAILING ADDRESS: P.O. Box 308, OPELIKA, AL 36803
 PHONE NUMBER: 334-745-7033 FAX NUMBER: 334-745-7043
 EMAIL ADDRESS: MARRELL@MARRELLMCNEAL.LAW.COM

PARCEL INFORMATION

Project name: THE VENUE Address/Location: 2611 COLUMBUS PARKWAY
 Current Land Use: BLAND Current Zoning: C-3, R-2, CC-P
 Adjacent Zoning Districts: North: C-3, CC-P South: R-2 East: R-3, CC-P West: C-3, R-2, CC-P
 Description of Proposed Use: EVENT VENUE

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, MARRELL J. MCNEAL, PRESIDENT being owner of the property which is the subject of this conditional use application hereby authorize MARRELL J. MCNEAL to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: [Signature] Date: 2/8/23

STATE OF ALABAMA, COUNTY OF LEE

I, Wanda Harris, a Notary Public in and for said County and State, hereby certify that MARRELL J. MCNEAL, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 8th day of February, 2023.

Wanda Harris
Notary Public

My Commission Expires: 2/2/2026

READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF **SUBSECTION****8.17 CONDITIONAL USES; E. General Use Standards.**

1. No application for a conditional use permit shall be approved unless the Planning Commission shall specifically find the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria.
2. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY. YOUR ANSWERS PROVIDE THE PLANNING COMMISSION AND STAFF THE BASIS FOR REVIEWING YOUR REQUEST. ANY QUESTION UNANSWERED WILL BE RETURNED TO YOU FOR COMPLETION.

- 1) How is the proposed use appropriate in the location for which it is proposed? THIS IS AN 11 ACRE PARCEL WITH A POND THAT WILL BE A NICE ADDITION TO THE CITY WITH NO KNOWN ADVERSE EFFECTS ON ADJACENT PROPERTIES
- 2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? NO

- 3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? APPROPRIATE CLOSING TIMES

APPLICATION REQUIREMENTS

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Authorization to Act as Applicant signed by property owner and notarized, if applicable
3. Copy of the current deed
4. Submit 26 copies of the Site Plan (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
5. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
6. Conditional use approval shall expire in one year after approval date. FEE: \$125 Paid _____

INV. # 0093268

**City of Opelika
Planning Commission
Planning Department Report**

Meeting Date: February 28, 2023

Agenda Item #: B-4

Action Requested: Conditional Use – Event Venue, Weddings and Parties

Location of Property: 2611 Columbus Parkway

Property Owner(s): Willis Farm Holdings LLC - Farm Family Limited Partnership (lessee)
Marrell McNeal, property owner/authorized applicant

Current Land Use: Undeveloped

Current Zoning: C-3, GC-P and R-2

**Surrounding Zoning Districts
And Land Uses:**

North	C-3, GC-P	Single family homes
South	R-2	Undeveloped & Single-family
East	Outside City	Undeveloped, Fenwick SD
West	R-2, C-3	Undeveloped

Proposal:

The applicant is requesting approval to host event venues for weddings and possibly other gathering events on the applicant's property. This same request was approved at the August 2021 PC meeting, but now the event venue site has changed to another location also owned by the applicant. The new location is on a 11 acre parcel accessed from Columbus Parkway. The property is in a C-3, GC-P and R-2 zoning district. The event venue will be located on the rear portion of the 11 acres in the R-2 zone; the front portion of lot near Columbus Parkway is in a C-3, GC-P (general commercial) zone. The property is in a rural wooded environment with a small pond (15,000 sf) - a setting that is currently popular and favorable for weddings. The only structure on the 11 acre parcel is a 31'x 97' (3,007 sf) "barn" that will serve as the venue meeting place. The barn is about 1,400 feet from Columbus Parkway accessed from a gravel driveway. (See notes on map on page 4.) Parking will be on each side of the gravel driveway as marked on applicant's site plan; staff figured at least 100 parking spaces are provided. A floor plan of barn provides a bathroom & room for men (groom) and a bathroom & room for women (bride), a storage room, and a 2,030 square foot 'event space' area.

The applicant anticipates events for no more than 200 guests with events ending by 11 pm. Currently, the nearest adjacent residential dwelling to the barn is about 1,200 feet from the barn. (i.e., homes along Columbus Parkway near driveway entrance). Fenwick subdivision, 111 single

family homes, located on the east side adjacent property was approved for construction in 2021, but construction has not started. The barn will be about 200 feet from the nearest homes in Fenwick. Other adjacent land uses surrounding the site are rural wooded area like the applicant's property.

The City of Opelika zoning ordinance does not list event venues as a land use. Event venues have become popular and more common in the last 10 years. The use does not fit within a home occupation or home based business as it does generate traffic; the use will likely have outdoor activities and the applicant employ others to assist with some event. Land uses in the Zoning Ordinance closest to an event venue are either semi-public buildings/uses or private owned outdoor recreational facilities. Staff plans to provide specific regulations and recommendations for this use to clarify in the future but felt that the use could proceed as a conditional use.

As previously mentioned, rural event venues or retreats have become much more prevalent in recent years. Many cities and counties have created regulations that help minimize any impacts these uses might have on surrounding property. The regulations typically include minimum size, buffering and separation, maximum occupancy, lighting, noise, transportation concerns, and accessory uses. The following are common regulations and recommendations for this particular project.

Minimum Size, Buffering and Separation

Regulations vary somewhat for the minimum size required for an event site. In some places the minimum size is tied to the number of occupants for an event. In other places, the city sets a minimum and then requires distance requirements from other properties or residences. The most common minimum size requirement for rural event spaces is 5-10 acres. The applicant's event venue property is 11 acres. The adjacent properties on the north, south, and west side of the applicant's event venue property are undeveloped wooded or farm pastureland similar to the event venue property. The adjacent property on the east side is Fenwick subdivision approved in August 2022 for 111 single family homes. Street construction has not started at Fenwick. On the Fenwick plat, the nearest single family home will be about 200 feet from the barn or event meeting site.

Many cities also require a separation and buffering between an event site's actively used area to the adjacent properties, especially adjacent residential properties. The distance requirement from the event site is usually 100-200 feet from the adjacent property lines with some locations allowing less distance with additional buffering. The applicant's 'barn' (3,007 sf) or the event meeting place is 30 feet from the east property line. Mature trees exist between the barn and east property line. As stated in the previous paragraph, Fenwick residential subdivision is the approved adjacent property on the east side but street construction has not begun. The applicant owns the adjacent property on the south side. The west side property is undeveloped farmland. The nearest residential property with a house is approximately 700 feet from the barn meeting site located on Columbus Parkway; the dwelling on this adjacent property is about 1,200 feet from the event meeting site.

Occupancy and Hours of Use

Regulations concerning the allowed occupancy also vary from city to city. Some municipalities limit the occupancy to as low as 50 attendees. Others tie the occupancy to capacity of buildings or

a ratio to the overall acreage. Many ordinances set the maximum attendee number between 200-400 people. The applicant is proposing to have no more than 200 guests. It is probably more important to ensure that the access, restroom facility and other services are available for the number of guest attending. The applicant will need to ensure the restrooms are sufficient for up to 200 guests.

The applicant is proposing to have all events end by 11 pm or earlier. Again, this type of regulation varies from place to place. In most cases, both morning and evening limits are set with specific approval required for anything that would be considered overnight. Staff would recommend that no events begin prior 8 am any day of the week. Additionally, staff recommends that Sunday – Thursday no event end later than 9 pm. On Friday – Saturday no event end later than 10 pm. All event lighting shall be turned off by 11 pm.

Transportation and Access

Rural event centers can generate traffic. For an event with 200 people, it would be expected that there would be between 50-70 vehicles. The gravel driveway from Columbus Parkway to the barn event site is about 1,400 feet long. The applicant's site plan provides parking spaces on each side of the gravel driveway. About 100 parking spaces are available. This proposed use compared to other comparable uses provided in the Zoning Ordinance would require at least 50 parking spaces. Due to the rural nature and aesthetic of this use, staff does not believe the parking needs to be asphalt or concrete. Some parking spaces and other accommodations are subject to the requirements of the Americans with Disabilities Act (ADA).

Noise and Lighting

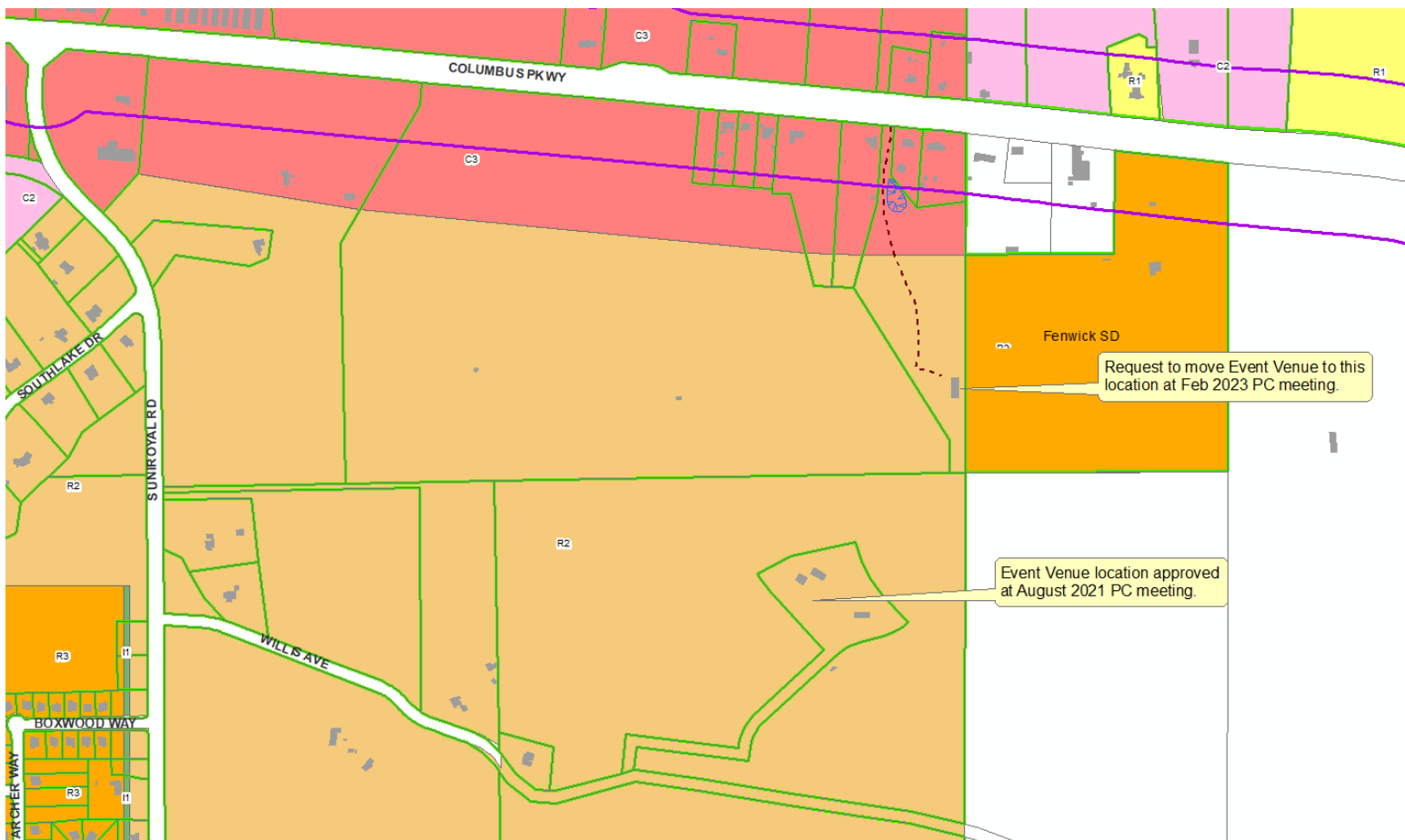
As previously mentioned, staff recommends lighting for the event be turned off by 11 pm. Additionally, all lighting shall be directed so that it does not shine on adjacent properties. The site will also be subject to the noise standards in Section 8.6 of the zoning ordinance. This limits noise to sixty (60) dBA between 7 am and 7 pm and fifty-five (55) dBA between 7 pm and 7 am.

Recommendation

Planning Staff recommends conditional use approval subject to the following conditions:

- **Install a 6 foot opaque fence along the east property line to visually screen the event meeting place (barn) and extend said fence along property line to screen all outside areas planned for outside gatherings and ceremonies near the venue meeting place (barn).**
- **Noise generated by the use, as measured at any property line, shall not exceed 55 decibels (dB) between the hours of 7:00 p.m. and 7:00 a.m., and shall not exceed 60 decibels (dB) at any other time.**
- **No event shall exceed 200 guests.**
- **Restroom facilities shall be required commensurate with the attendance of the event. Improvements to septic system shall be approved by Lee County Health Department.**
- **No events shall begin prior 8 am any day of the week. Additionally, staff recommends that Sunday – Thursday no event end later than 9 pm. On Friday – Saturday no event end later than 10 pm. All event lighting shall be turned off by 11 pm.**

- No overnight accommodations shall be permitted.
- No camping or RVs shall be permitted without further approval by the Planning Commission.
- Any enclosed indoor facilities, additional amenities or expansions that increase capacity shall be approved by the Planning Commission.
- Any structures to be used in connection with the venue shall comply with the adopted building and fire codes for the City of Opelika.
- All lighting shall be directed or shielded so that it does not shine on adjacent properties.
- Parking shall be limited to designated areas. Access lanes to the event space must be reviewed by the Opelika Fire Department. Vehicles must be parked to not obstruct emergency personnel.
- Any use of fireworks must be reviewed and approved by the City of Opelika Fire Department.
- Trash or garbage collection shall be coordinated with the City of Opelika Environmental Services.
- All regulations enforced through other agencies, (i.e. Federal, State, and other Local authorities) must be met. These include, but are not limited to, building codes, fire codes, health department regulations, groundwater protection, etc.



Engineering Department Report

The Engineering Department has no comments or concerns with this proposal and recommends conditional use.

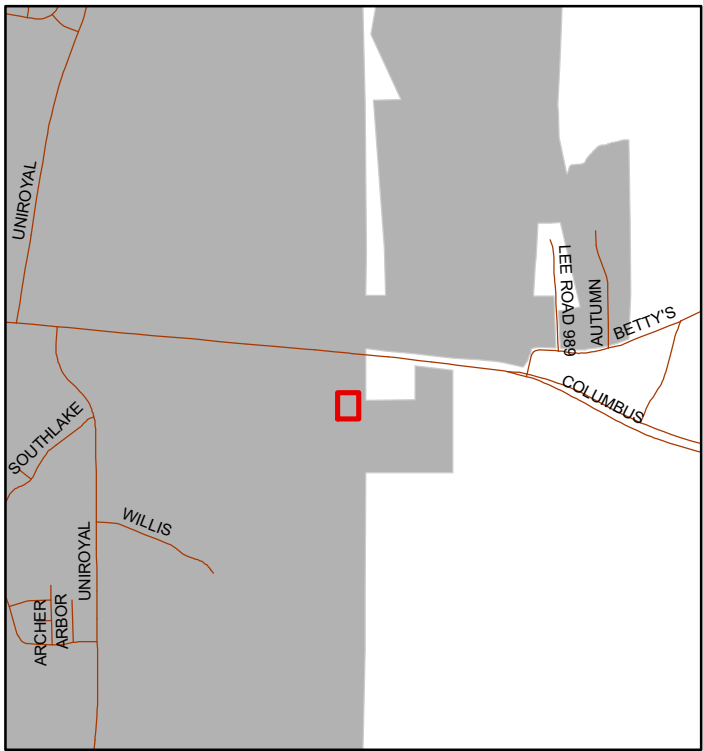
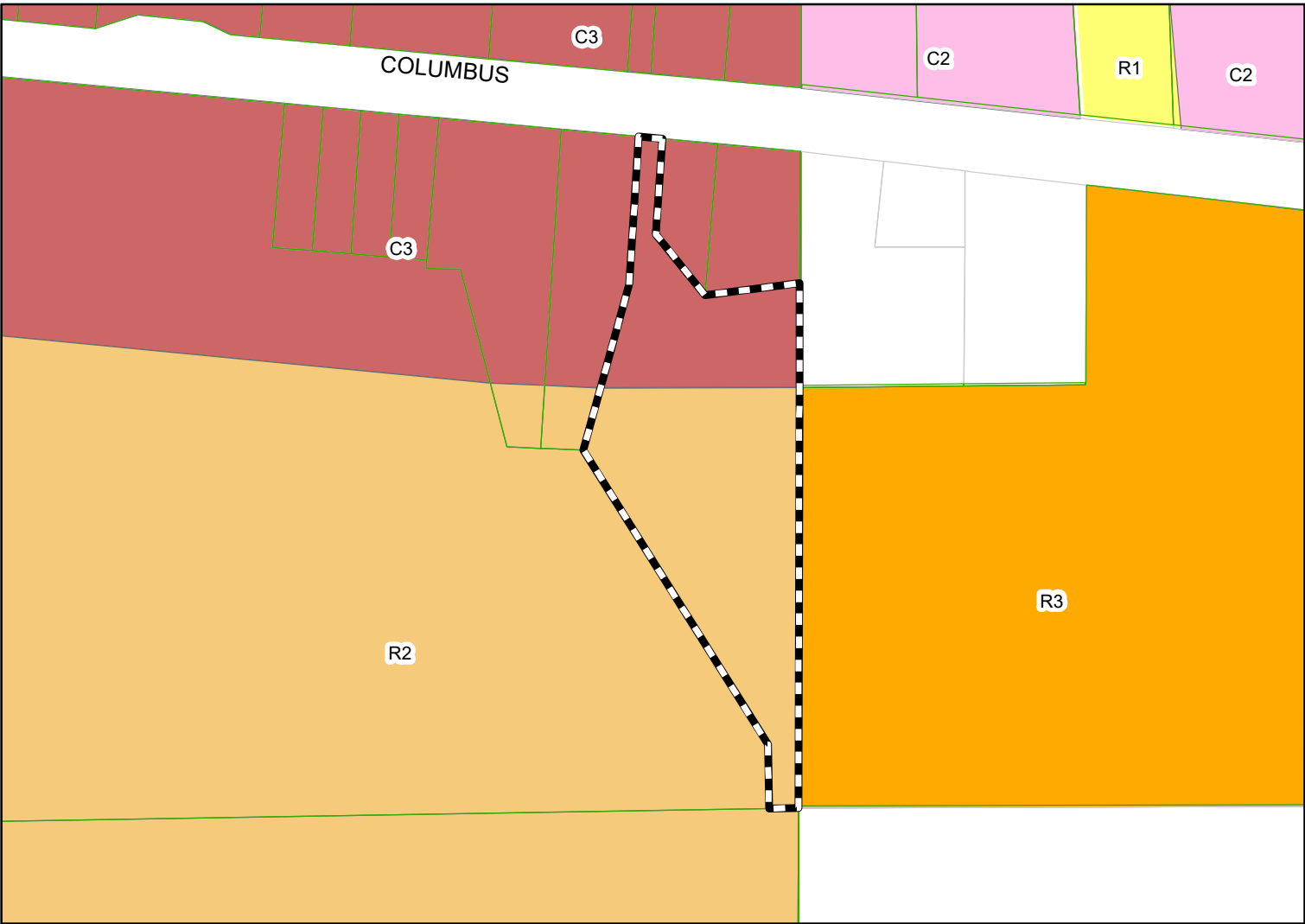
Opelika Utilities Board Report

No report at this time.

Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

**EVENT VENUE
2611 COLUMBUS PARKWAY
CONDITIONAL USE APPROVAL, B-4**



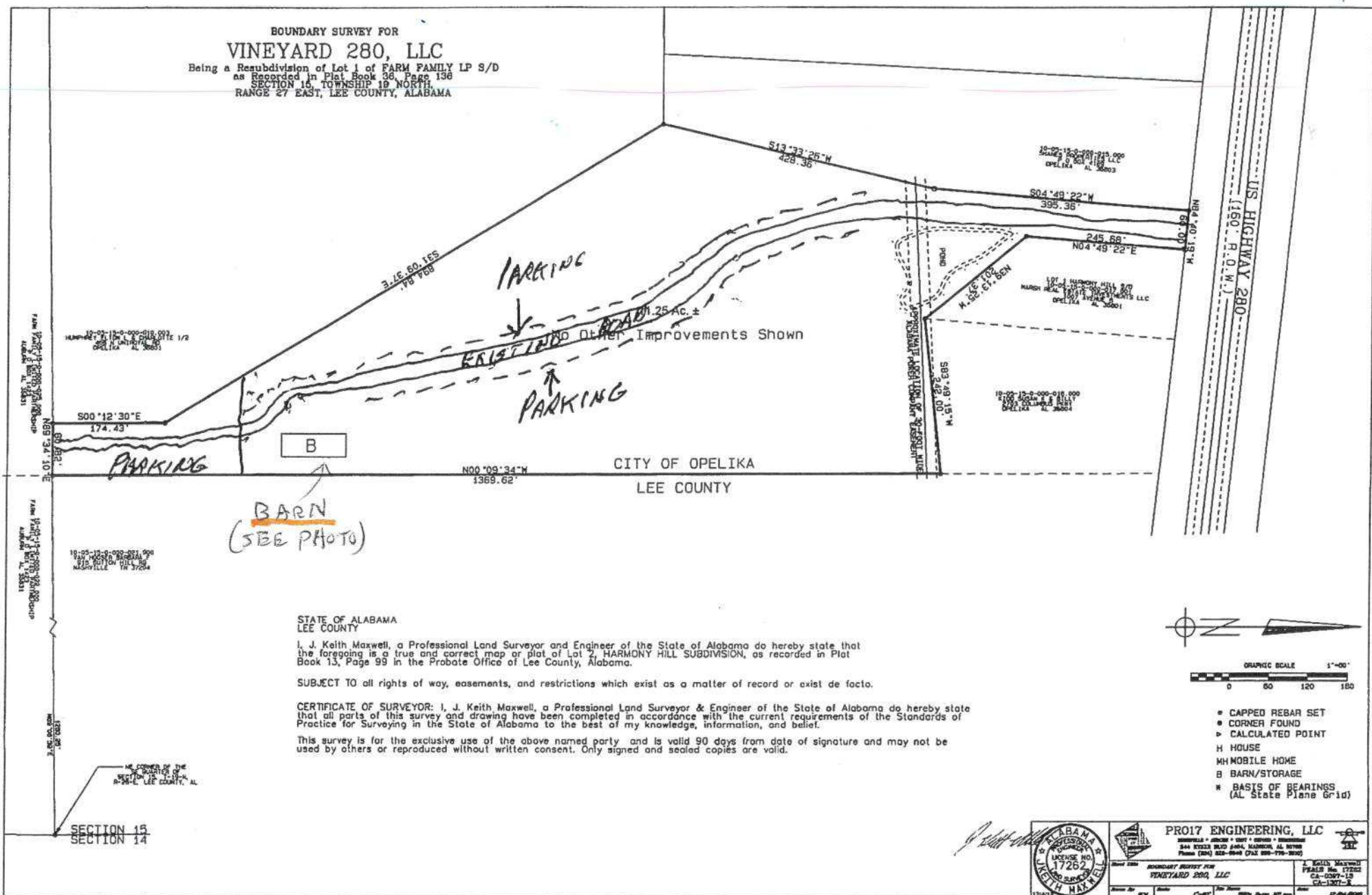
The applicant is requesting approval for an event venue for weddings and parties. The property is in a rural area located in a R-2 and C-3 zoning district.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

BOUNDARY SURVEY FOR
VINEYARD 280, LLC
Being a Resubdivision of Lot 1 of FARM FAMILY LP S/D
as Recorded in Plat Book 36, Page 136
SECTION 15, TOWNSHIP 19 NORTH,
RANGE 27 EAST, LEE COUNTY, ALABAMA



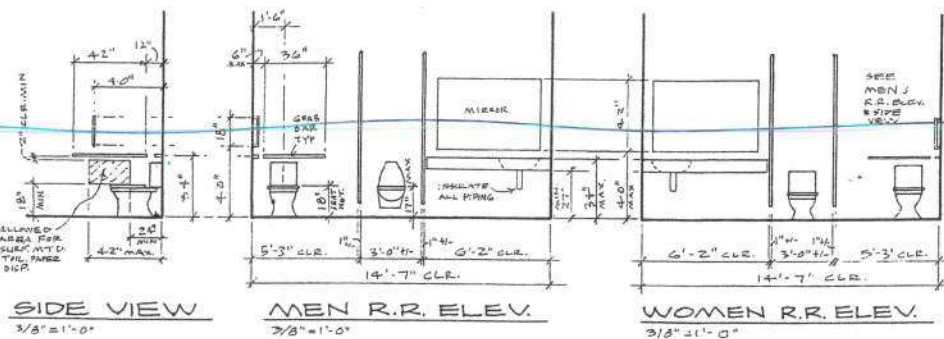
BARN



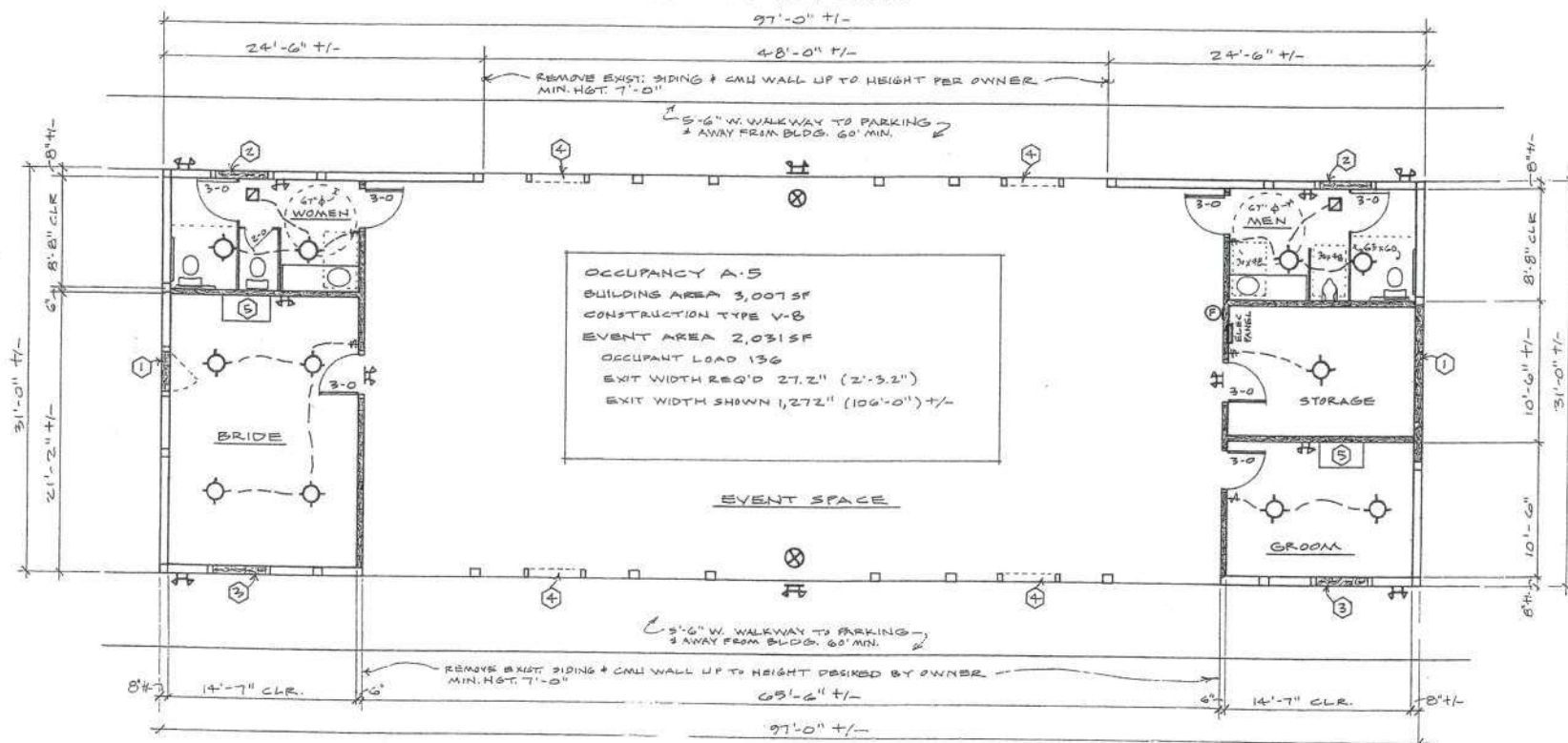
- 1 REMOVE EXIST DOOR & FILL IN TO MATCH EXIST.
- 2 REMOVE EXIST WINDOW & FILL IN TO MATCH EXIST.
- 3 REMOVE EXIST WINDOW, FILL IN, INSTALL NEW WDW. & SILL C.B.O AFF.
- 4 CUSTOM FRAMING ABOVE 7'-0" AFF C/O OLD WDW. LOCATIONS
- 5 ADA COMPLIANT BENCH. CONSTRUCTION & INSTALLATION SHALL MEET ALL REQ'T. OF ANS I CC A117.1-2017, SECTION 903.

-  EXIT LIGHT
-  EMERGENCY LIGHT
-  EXHAUST FAN
-  LIGHT FIXTURE

SEE OWNER FOR ALL ADDITIONAL
LIGHTING & ALL RECFM. LOCATIONS.
ELECTRICAL PLANS BY OTHERS.



ALL WORK SHALL MEET REQ'T. OF 2021 IBC & AS APPLICABLE, REQ'T. OF 2015 IECC, AS WELL AS ALL STATE & LOCAL CODES & ALL APPLICABLE REQ'T. OF ICCA 7.1-2017.
ANY NEEDED STRUCTURAL INSPECTIONS TO BE BY OTHER. ANY REQ'D. STRUCT., PLUMB, HVAC, ELEC., OR SITE PLANS TO BE BY OTHERS.



== ☐ EXIST. WALL & COL. TO REMAIN
~~=====~~ NEW WALLS & INFILL

FLOOR PLAN & LIFE SAFETY PLAN

$$1/4'' \approx 1' - 0''$$

BARN 31' X 97' 3,007 S.F.



NETTLES ARCHITECTURE
JOHN W. NETTLES-ARCHITECT

1134 TERRACE ACRES DRIVE
AUBURN, ALABAMA 36830
(334)703-6360 JVNARCHITECT@

(334)703-6360 JWNARCHITECT@ATT.NET
AUBURN, ALABAMA 36830

RENOVATION-EXISTING BARREN
WATER CENTER

WILLIS AVE
OPPOSITE
WILSON

PROJ.
2218

DATE
1-10-23

REV

1994

SHEET
1 of 1

1



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 114 Brannon Avenue

PROPERTY OWNER: Gustavo Diaz Cax

APPLICANT/ AUTHORIZED REPRESENTATIVE: _____

MAILING ADDRESS: Gustavo65diaz830@gmail.com

PHONE NUMBER: 334 707 5003

FAX NUMBER: _____

EMAIL ADDRESS: Same

PARCEL INFORMATION

Project name: _____ Address/Location: _____

Current Land Use: home

Current Zoning: _____

Adjacent Zoning Districts: North: _____

South: _____

East: _____

West: _____

Description of Proposed Use: duplex

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, _____, being owner of the property which is the subject of this conditional use application hereby authorize _____, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: Gustavo Diaz Cax

Date: 2-7-23

STATE OF ALABAMA, COUNTY OF LEE

I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this _____ day of _____,

Notary Public

My Commission Expires: _____

READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF **SUBSECTION**

8.17 CONDITIONAL USES; E. General Use Standards.

1. No application for a conditional use permit shall be approved unless the Planning Commission shall specifically find the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria.
2. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY. YOUR ANSWERS PROVIDE THE PLANNING COMMISSION AND STAFF THE BASIS FOR REVIEWING YOUR REQUEST. ANY QUESTION UNANSWERED WILL BE RETURNED TO YOU FOR COMPLETION.

1) How is the proposed use appropriate in the location for which it is proposed? _____

Others Duplexes

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? NO

3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? 6-foot Fence

APPLICATION REQUIREMENTS

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Authorization to Act as Applicant signed by property owner and notarized, if applicable
3. Copy of the current deed
4. Submit 26 copies of the Site Plan (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
5. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
6. Conditional use approval shall expire in one year after approval date. **FEE: \$125 Paid** _____

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 28, 2023

Agenda Item #: B-5

Action Requested: Conditional Use – Duplex and single-family home on one lot.

Location of Property: 114 Brannon Avenue

Property Owner(s): Gustavo Diaz Cax, property owner
L.B. Jackson, representative

Current Land Use: Single-family residential

Current Zoning: R-4

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Single-family residential
South	R-4	Single-family and duplex residential
East	R-4	Single-family residential
West	R-4	Vacant and single-family residential

Proposal

The applicant requests conditional use approval to add a duplex to a lot with an existing single-family residence in aa R-4 zoning district. Multiple buildings for multi-family are allowed conditionally on a lot that allows apartments. Apartments are allowed conditionally in the R-4 zoning district. The R-4 zone requires conditional use approval for multi-family residential, provided the structures or units are under one ownership; or, if separately owned, are covered by a condominium declaration setting out the various rights and responsibilities of ownership, including access and maintenance of common areas.

The subject property is located at 114 Brannon Avenue. The property is approximately 19,701 square feet or 0.45 acres. According to the Lee County Tax Assessor, the existing single-family home is 868 square feet. The property owner has recently added a 320 square foot room addition. The single-family dwelling is located on the front of the property and faces Brannon Avenue. This dwelling appears to be a legally non-conforming structure that was built sometime around the 1940s and recently renovated. The applicant proposes building a footprint of a 30 x 60 two story duplex behind the single-family home. This would mean each unit in the duplex would be approximately 1,571 up to 2,000 square feet depending on the plan options presented and chosen.

The proposed building should be in harmony with the character of the neighborhood, including building style, building materials, roof pitch, and orientation. The applicant has not provided specific plans for a duplex. They have provided examples of narrow single family detached homes that could be placed side by side in a duplex form. The applicant does not provide proposed materials, nor are they shown on the example drawings. Staff has consistently required multi-family to meet or exceed the materials of the gateway corridor. Without any materials having been provided, planning staff recommends the exterior cladding materials be limited primarily to be brick, stone, wood, and fiber cement siding. Part of the conditional use approval is to ensure the duplex structure is in character with the existing neighborhood. Two of the provided examples have much more of a traditional residential style found in surrounding neighborhoods in Opelika. Staff would recommend that those styles be emulated instead of the more modern unit which would not blend into the existing neighborhood.

In evaluating conditional use, the staff looks at the general use standards. This section includes criteria for review. These criteria include whether the use is in harmony with the comprehensive plan and zoning ordinance, whether the use is needed and what effect it will have on the surrounding neighborhood, and whether there are adequate utilities and services to handle the use.

This request would not likely create a substantial impact on traffic. The parking configuration is in the rear area of the single-family home and the front of the duplex. The applicant's representative, Mr. Jackson, stated the parking area and drive will be gravel.

The area around the subject property is zoned R-4. This zone does allow single-family homes by right, and duplexes and apartments require conditional use approval. The neighborhood is primarily single-family homes and a few duplexes in various conditions. The property across the street has a duplex and two (2) single-family homes. The Future Land Use Map describes this area as Medium Density Residential, potentially allowing up to 3.5 dwelling units per acre. In the R-4 zone, the allowable density (dwelling units per acre) is nine (9). The maximum number of dwelling units allowed is determined by the lot sizes, the number of units allowed per acre, lot coverage allowed, and building height limitations. The density allowed on this 0.45-acre lot would be four (4) units per acre. The proposed number of units is within the allowable density requesting three (3) units. Therefore, the proposed use would be in compliance with the Zoning Ordinance and the Future Land Use Map of the Comprehensive Plan.

This conditional use request will change the use of the property from single-family residential to multi-family residential. Due to this change, the Zoning Ordinance requires a residential buffer be installed to meet the residential zone buffer requirement in Section 10.6, D., 1., a. In this case, since a privacy fence is already being installed, option a. is recommended: An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot And a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three (3) full

growing seasons planted on the inside of the fence. This buffer is required along both sides and the rear of the property.

The applicants representative, Mr. Jackson, stated the duplex will be about 30 feet in height. Attached is a photo of the original home before and after recent renovations. In addition, included is an overhead view of the area. The applicant provided examples of the duplex options and floor plans (attached). The applicant is aware that if a permit is issued, following the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

Recommendation

Staff recommends conditional use request approval subject to:

- 1. Exterior cladding materials shall primarily be brick, stone, wood, or fiber cement siding to be in harmony with the existing single-family homes.**
- 2. The building shall compliment the character of the neighborhood, including building style, building materials, roof pitch, and orientation.**
- 3. Update the site plan to include the recent room addition, gravel parking, and accessory structure if it is to stay on the property.**
- 4. Provide a residential zone buffer from Section 10.6, D., 1., a. listed in the report on both sides and rear property lines.**



Before Renovations



After Renovations



Area overhead view



Unit 101
1,000 sq. ft. studio

Master Suite (12' x 12')

Kitchen (10' x 10')

Dining (10' x 10')

Living (10' x 10')

Loft (10' x 10')

Bathroom

Closet

Storage Area

Entrance

The floor plan for the second floor includes the following areas:

- 2 CAR GARAGE**: Located at the top left of the plan.
- BEDROOM 3**: Located in the middle left section.
- LIVING/ BEDROOM 2**: Located at the bottom left section.
- BATH**: Located in the middle right section.
- KITCHEN**: Located in the bottom right section.
- DINING**: Located at the bottom right, adjacent to the kitchen.
- HALL**: A central hallway connecting the bedrooms and living areas.
- CLOSET**: A closet located near the living/bedroom area.
- ENTRY**: An entry area located near the living/bedroom area.

Page 5 of 9



JOB#	E7051
LEVEL ONE	678
LEVEL TWO	1317
TOTAL LIVING	1995
OVERALL WIDTH	26'-10"
OVERALL DEPTH	52'-8"
1st FLOOR CLG	9'-1 1/2" O.N.
2nd FLOOR CLG	10'-1 1/2" O.N.



SECOND FLOOR



FIRST FLOOR



JOB#	E2027 B1 1
LEVEL ONE	932
LEVEL TWO	1630
OUTDOOR	160
TOTAL	2722
OVERALL WIDTH	20'-4"
OVERALL DEPTH	87'-0"
1st FLOOR CLG	11'-2" U O N
2nd FLOOR CLG	10'-1" U O N

SECOND FLOOR



FIRST FLOOR



Engineering Department Report

The Engineering Department has no comments or concerns with this proposed conditional use.

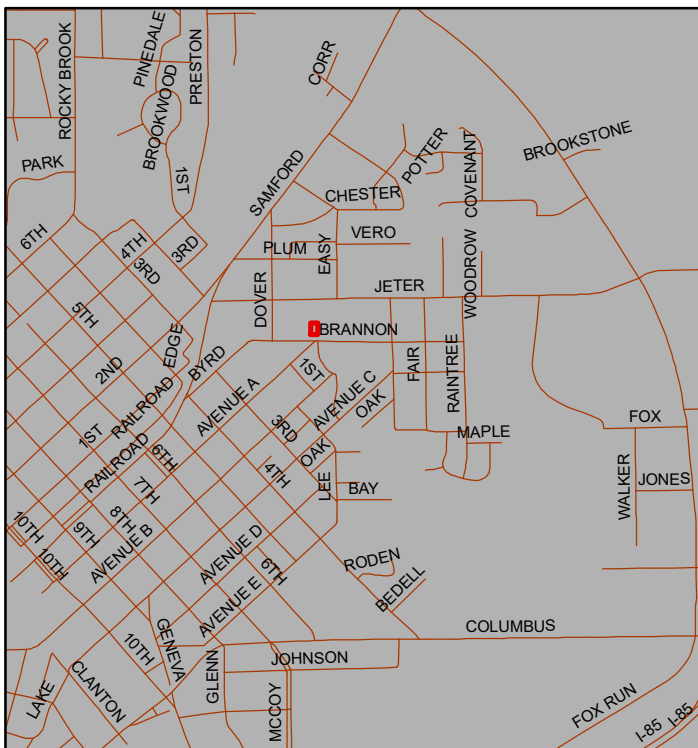
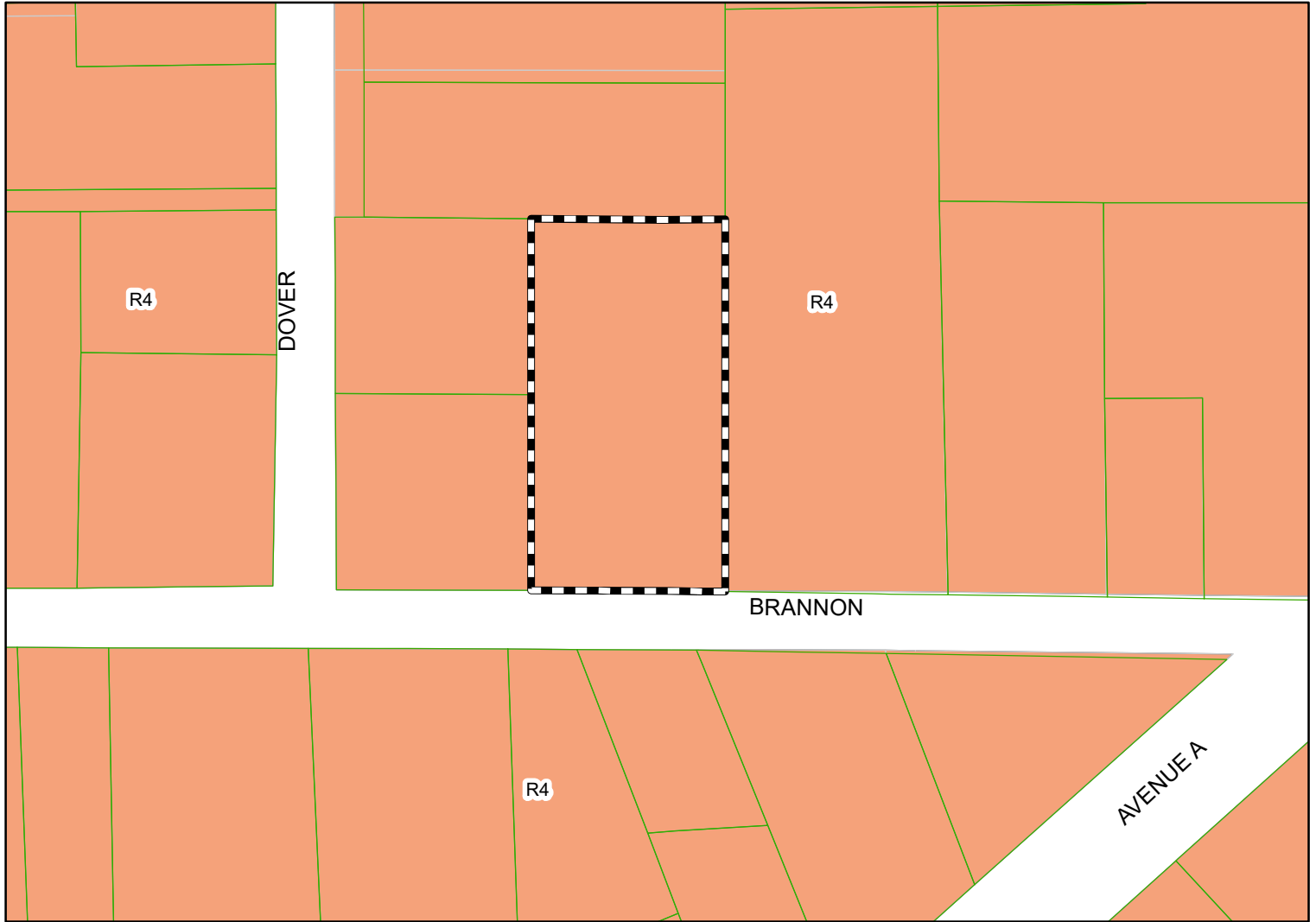
Opelika Utilities Board Report

No report at this time.

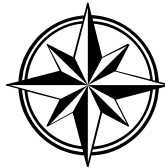
Opelika Power Services Report

This subdivision is in the Opelika Power Services territory.

MULTIPLE BUILDINGS PER LOT (SECTION 8.7.1)
114 BRANNON AVENUE
CONDITIONAL USE APPROVAL, B-5



The applicant is requesting approval to construct a duplex on a lot that has an existing single family home. Section 8.7.1 allows multiple dwellings on a single lot with conditional use approval if density and setbacks are met. The property is in a R-4 zoning district.



Subject Property

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000058-2023



REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: 2/7/2023 PC MEETING: 2/28/2023

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Foresite Group, LLC
 MAILING ADDRESS: 2128 Moores Mill Road, Suite C, Auburn, AL 36830
 PHONE NUMBER: 334-887-6064 Email: bbasquin@fg-inc.net

PARCEL INFORMATION

Site Address: 3500 Anderson Road
 Description of proposed use: Mixture of residential uses

Tax Parcel Number: 03-08-28-0-000-006.000

Adjacent Zoning Districts: North: R1 South: R1 East: R1/R3 West: R1

Current Land Use: Vacant; Residential

Current Zoning: R1

Proposed Zoning: PUD

Number of APO: 15 x \$7.00 = \$ 105.00
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = _____

PAID: _____

I hereby request my property located at (street address) 3500 Anderson Road,
 Tax Map parcel number 03-08-28-0-000-006.000 be rezoned from
R1 to PUD. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
 REPRESENTATIVE SIGNATURE:

Brett C. Basquin

(PRINT NAME) Brett C. Basquin for Foresite Group, LLC

2/3/2023

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, Kleth B. Norman, Electra Estates, being owner/authorized manager of the rezoning property(s) as described in this Rezoning Application hereby authorize Foresite Group, LLC to act as my representative in all decisions concerning the rezoning of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature Kleth B. Norman Date 8/18/22

STATE OF ALABAMA**COUNTY OF LEE**

I, Nancy W. Belser, a Notary Public in and for said County and State, hereby certify that Keith B. Norman, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 18 day of August, 2022
Nancy W. Belser
 Notary Public

My Commission Expires: 6 14 25

REZONING APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Complete the 'Authorization to Act as Applicant', if applicable
3. Complete the Rezoning Petition below including signature(s) of property owner(s) and signature(s) notarized
4. Provide Legal Description of rezoning property (same as Exhibit A on petition) *Legal description(s) on deed(s) may serve as legal description if complete.*
5. Provide Map of Rezoning area (same as Exhibit B on petition)
6. Provide copy of the current Deed(s) for the rezoning property
7. Provide List of Adjacent Property Owners on separate sheet.
8. Rezoning Fee = \$125 application fee plus \$7.00 each certified letter. Checks payable to the City of Opelika.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 28, 2023

Agenda Item #: C-6

Action Requested: Amendment to the Future Land Use Map Low Density Residential to Mixed Use
Rezoning from R-1 to PUD

Location of Property: Andrews Road and Anderson Road

Property Owner(s): Keith B. Norman
Brett Basquin, Foresite Group, authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD (Planned Unit Development)

Staff Comments:

The previous request was not forwarded to the City Council at the applicant's request. They have revised a plan and resubmitted to the Planning Commission for review.

Amendment to the Future Land Use Map:

The rezoning request from R-1 to PUD for a mixed use community requires an amendment to the 2030 FLUM concerning the land use category. The 2030 Future Land Use Map shows the 229.2-acre property as a "low density residential" land use category. If the rezoning request to PUD is approved by City Council, then the 2030 FLUM should be amended so the 229 acres are in a "planned unit development" land use.

The adjacent properties to the east and west surrounding the subject property are in a "low density residential" category. The property across the Andrews Road has a designation of "medium density residential." Across the railroad tracks to the north is a mix of property with a "low density residential" designation and property outside of the city limits. Moving beyond the immediate properties, this property is between the Northeast Opelika Park and the older industrial park located off Lake Condry Road. This project proposed a residential component with a density of 4.01 units per acre. This includes a variety of housing types from detached single-family to townhouse units. The previous multi-family and commercial have been removed and replaced with a detached cottage component.

Staff Recommendation:

Staff recommends the Future Land Use map amended from a “low density residential” land use category to a “planned unit development” category subject to the City Council approval of the rezoning request.

Rezoning:

The applicant is requesting rezoning 229.2 acres from a R-1 (low density residential) zoning district to a PUD (planned unit development) zoning district for a mixed residential community. The property is bound by Andrews Road and Anderson Road on two sides and also has a significant border with an active CSX Railroad. There is also a significant overhead power transmission easement that runs along the rear of the property.

The PUD development consist of a mixture of single family detached homes, townhomes, apartments and a commercial corner. The proposed development uses many principles found in traditional neighborhood development or new urban development. This means the development is intended to mix multiple uses and greenspaces into a walkable neighborhood. The overall development has 920 residential units. This is a reduction of 217 units from the previous plan. The overall density is 4.01 units per acre. The development has 606 traditional single family home lots. This would include a mix of 60 foot front access lots and 50 foot front or rear access lots. The lots that were previously 40 feet wide have been increased to at least 50 feet wide. These lots are found primarily in Tracts 2-4 with some located on the perimeter of Tract 1.

The area shown as Tract 1 includes a section of townhome lots. These lots would include a mix of front entry and rear alley entry townhomes. The developer has said these could range in height from 1-3 stories depending on the topography and adjoining land uses. The master plans shows 216 townhome units. This is very similar to the previous configuration.

Use	November Plan	Current Plan	Difference
Single-family	433	606	203
40 ft lots	141	0	-141
50 ft lots	280	433	153
60 ft lots	209	173	-36
Townhouse	216	216	0
Apartments	275	0	-275
Cottages	0	98	98
Total Units	1137	920	-217
Commercial	5.7 acres	0 acres	- 5.7 acres

At the intersection of Andrews Road and extending along Anderson Road, the master plan previously contained a commercial and apartment section on approximately 20 acres. This area has been replaced with 98 cottage homes. These cottage homes would be smaller detached single family homes that are configured around a shared drive for up to four (4) units. The front units would face the street. The rear units would face the interior drive.

The applicant has provided both example photos and a pattern book of the proposed development types. The eventual product should be similar in style, setback, and layout to what has been provided. Each of the pattern book types provides setbacks and lot coverage regulations.

The site is intended to have multiple access roads off Anderson Road and Andrews Road. The master development plan shows five (5) entry points into the development. These entries and the intersection at Anderson Road and Andrews Road will have to be analyzed with the City Engineer to determine what improvements are necessary. Internally, all parts of the development are connected to the rest. The applicant has also provided two stub streets that would connect to adjoining properties for future development. The development uses short blocks between 400-800 linear feet to create walkable areas that help slow traffic speeds. Staff recommends that streets fronting amenities or residential uses have sidewalks.

Open Space

The master development plan also shows a significant amount of open space and amenity lots. The center piece to the development is 5.4 acres “central park.” This includes a swimming pool, clubhouse, large open lawn, and mail kiosk. The master plan also shows approximately 5.79 acres of small pocket parks that could be used for dog parks, playgrounds, fire pits, or a splash pad. Mail kiosks would also likely be placed in these areas. The applicant also proposes to use the 20.87 acres between the powerline easement and railroad for open play or athletic fields. The applicant notes that all of these areas could be used for stormwater as well. The proposed plan shows multiple other sites that are set aside for streams, wetlands, or storm water detention. Overall, there appears to be well over 30 acres set aside for open space, amenities, and detention. This is over 15% of the site.

Buffering

The applicant also notes and shows a 25-foot landscape buffer along all sides of the development. The applicant has also noted a buffer on the few lots that would have double frontage between two roads, not including alleyways. The masterplan also shows 25-foot buffers along all streams. The townhouse areas should meet the City’s landscaping requirements. Staff recommends that the single-family lots have one tree per detached residential home either located within the right-of-way with approval or in the front yard.

Discussion:

The applicant is proposing a large master plan community with a variety of residential types and uses. The applicant has embraced the concepts like connectivity, useable open space, and increased design. The density at this location is higher than the existing surrounding development. The remainder of Hidden Lakes across the street is zoned R-3 which allows 3.5 units per acre or 4.3 units per acre if granted a density bonus through conditional use or a rezoning. It also proposes a mix of smaller lots and units than are currently nearby. The development is located in a growing area of the city. Additionally, the development proposes to use traditional neighborhood or form-based standards that are recommended in the City of Opelika’s Master Plan.

Staff recognizes that the current plan has many similarities with the plan that was previously recommended for denial by the Planning Commission. However, we feel that the applicant addressed many of the most significant complaints. While the plan could potentially be better in line with the current surrounding properties if the density were lowered and some larger lots were added; the development has made significant reductions in the overall number of units and increased lot sizes. Staff believes the proposed plan is in alignment with the PUD Criteria in Section 8.18. E.

Staff recommendation:

Staff recommends a positive recommendation be sent to City Council to approve the Dickson Farms Master Plan subject to the following:

- 1. The development shall follow the standards and densities found within the written report.**
- 2. Sidewalks shall be required on both sides of the street where they adjoin residential or amenity uses.**
- 3. All utilities shall be underground.**
- 4. Uses shall follow those listed in the written report**
- 5. Townhouse uses shall follow the landscape standards of the zoning ordinance.**
- 6. Single-family lots shall have one tree per detached residential home either located within the right-of-way with approval or in the front yard**
- 7. Gateway cladding standards and buffers shall apply to all non-single family uses.**

Engineering Department Report

Any needed adjustments to the roadway, adjacent intersections or added turn lanes will be analyzed with a traffic impact study after the Preliminary Plat is submitted and approved.

The Engineering Department has no other comments or concerns with this proposed re-zoning application.

Opelika Utilities Board Report

Water is available on Anderson Road and at intersection of Anderson Road and Andrews Road. Water is not available along Andrews Road and would require extension of 12-inch Ductile Iron Main to point of service if development along Andrews Road if development is begun on southern end as described.

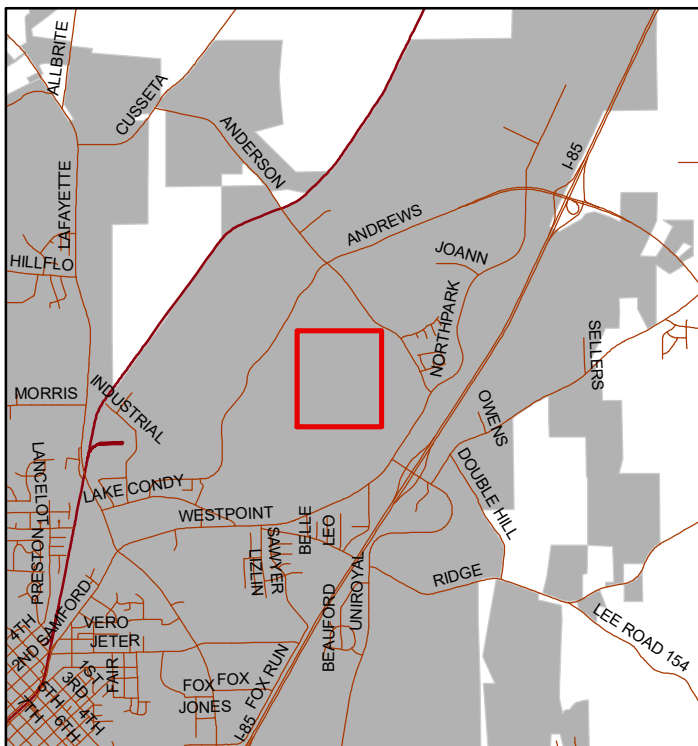
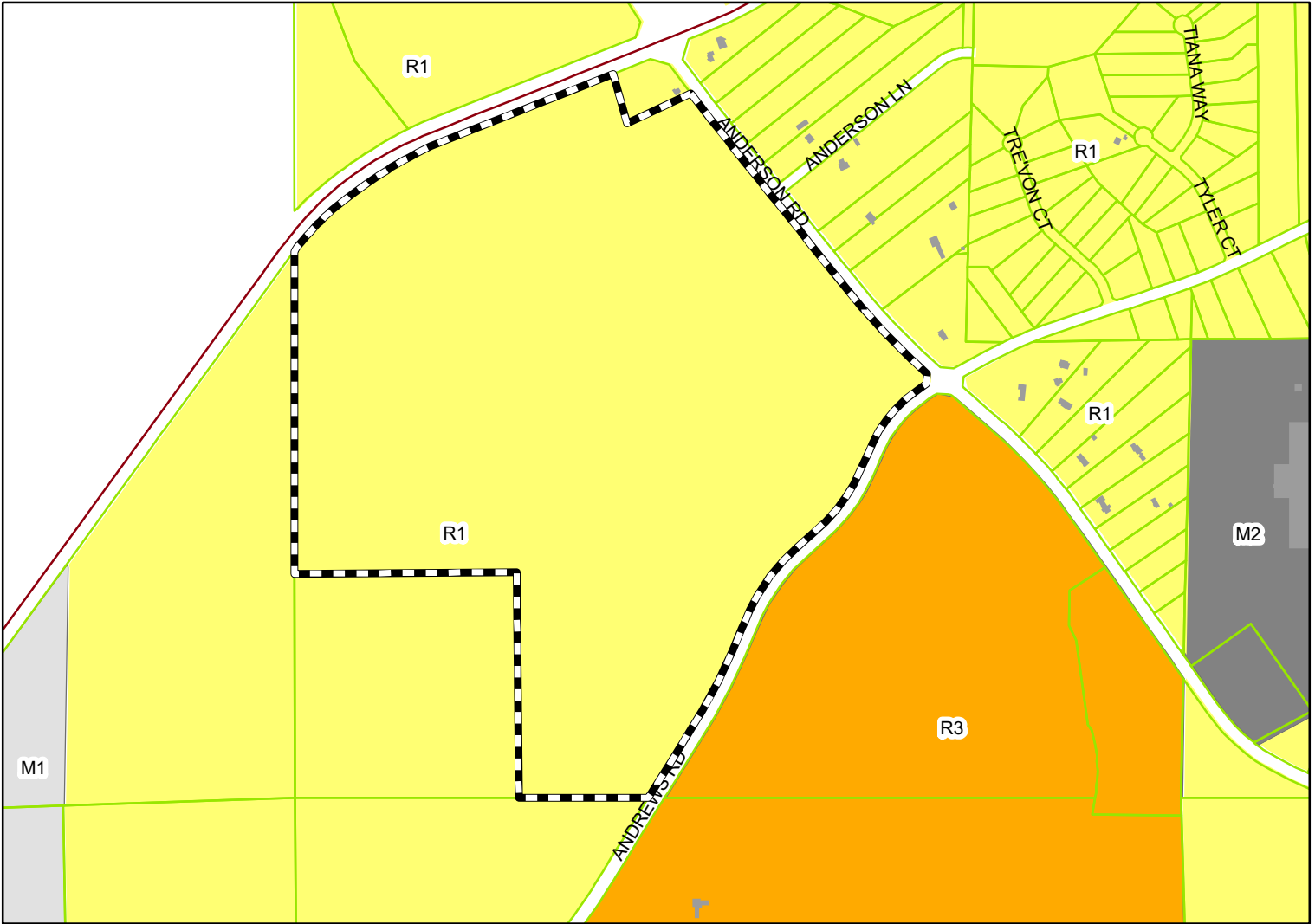
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

DICKSON FARMS REZONING

3500 ANDERSON ROAD

R-1 TO PUD, C-6

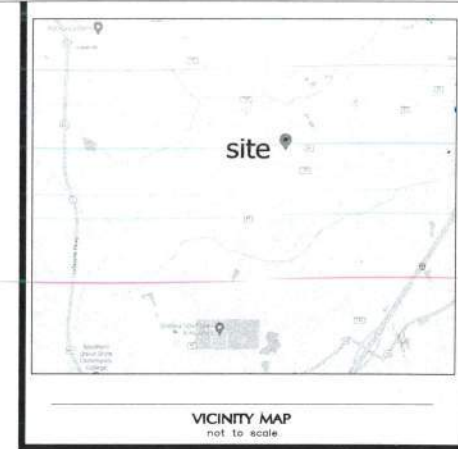


The applicant is requesting to rezone 229.2 acres for residential development. Single family homes total 822 units, townhomes 216 units and 98 cottage homes. 7.8 acres active amenity area. Some lots provide front entry access; other lots rear entry.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without verification by an independent professional qualified to verify such information.



- SITE NOTES**
1. Site area - 229.2 acres
 2. Existing Zoning - R-1
 3. Proposed Zoning - PUD
 4. Density:
 - Maximum Density for Single Family Tracts 1-4 including the Amenity Area is 5 units per acre.
 - Maximum Density for the Tract 5 is 5 units per acre.

ALLOWABLE LAND USE TABLE				
	AREA	PROPOSED USE	ALLOWABLE DENSITY	
TRACT 1	33.7 AC	SINGLE FAMILY TYPE B, C, D, & E	8 UNITS PER ACRE	263 TOTAL: 216 TOWNHOMES, 47 50' LOTS
TRACT 2	36.7 AC	SINGLE FAMILY TYPE A & B	6 UNITS PER ACRE	141 TOTAL: 58-50' REAR ENTRY SF, 83-50' FRONT ENTRY SF
TRACT 3	85.9 AC	SINGLE FAMILY TYPE A (LARGE LOTS), TYPE A & TYPE B	5 UNITS PER ACRE	272 TOTAL: 27-50' REAR ENTRY SF, 158-50' FRONT ENTRY SF, 87-60' FRONT ENTRY SF
TRACT 4	45.3 AC	SINGLE FAMILY TYPE A (LARGE LOTS), TYPE A & TYPE B	4 UNITS PER ACRE	146 TOTAL: 46-50' REAR ENTRY SF, 86-60' FRONT ENTRY SF, 14-50' FRONT ENTRY SF
TRACT 5	19.8 AC	COTTAGE HOMES/ COURTYARD HOMES	5 UNITS PER ACRE	98 COTTAGE HOMES/ COURTYARD HOMES
AMENITY TRACT	7.8 AC	ACTIVE AMENITY AREA		
TOTAL SITE AREA	229.2 AC			

SURVEY NOTES:

NOTE: Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

Note:
This plan is based on the boundary survey for the Electra Hopson Estate by Sprayberry & Associates Land Surveying on 11-26-13. Topo information taken from county GIS.

OWNER/DEVELOPER

TPG HOMES, LLC

Warren Jolly

Tele: (770) 527-4544

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com



ZONING PLAN

Dickson Farms

SECTION 28, T-20-N, R-27-E

CITY OF OPELIKA

LEE COUNTY, ALABAMA

DATE: 2/02/2023

SCALE: 1" = 200'

CN 220278CP16

LSV:

JN:

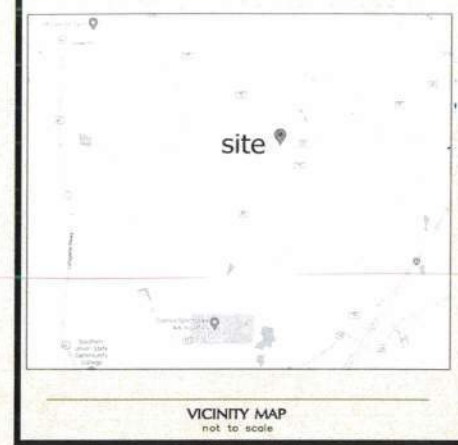
FN:

For The Firm
Travis Pruitt
&
Associates, Inc.

1 of 1



- TYPE A (LARGE LOTS)
- TYPE A
- TYPE B
- TYPE C
- TYPE D
- TYPE E
- TYPE F



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TOTAL SITE AREA	229.2 AC			

SURVEY NOTES:

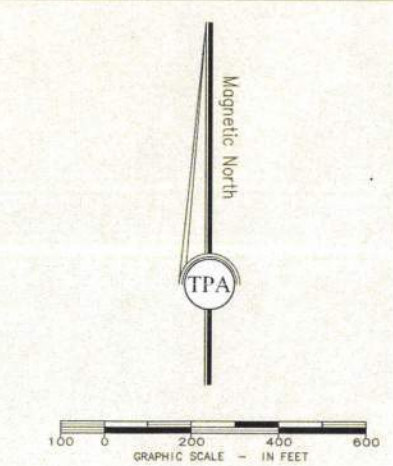
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ZONING PLAN
Dickson Farms

SECTION 28, T-20-N, R-27-E
CITY OF OPELIKA
LEE COUNTY, ALABAMA

DATE: 2/02/2023
SCALE: 1" = 200'
CN:22078CP16
LSV:
JN:
FN:

For The Firm:
Travis Pruitt
&
Associates, Inc.

1 of 1

Master Plan for Dickson Farms Planned Unit Development

Opelika, AL February 2023

Dickson Farms Mixed-Use Development

Proposed PUD Rezoning

Foresite Group, LLC, the authorized agent for the applicant, respectfully requests that the Opelika Planning Commission rezone Dickson Farms to a PUD (Planned Unit Development). The subject property is currently zoned R-1. The applicant is proposing to create a residential development governed by a PUD zoning designation. The proposed rezoning will allow for a mixture of single-family residential uses, park, townhomes, and Cottage Court yard homes.

Location

The Proposed Development is +/- 229.2 Acres located within the City of Opelika and is adjacent to Anderson Road and Andrews Road.

Concept

The Applicant is proposing a planned resident development with residential uses within the development. All infrastructure will meet City of Opelika standards and at completion of construction, all infrastructure and public utilities will be turned over to the proper authorities for continued maintenance, following acceptance and conclusion of warranty periods.

Site Details

See Zoning Plan and Pattern book that shows the uses, allowable densities, and product types for the proposed uses for the Development.

The development will be developed in multiple phases over a ten-to-fifteen-year period. Based upon existing site constraints with topography and limited access to gravity sanitary sewer, it is anticipated that the site will develop from south to north due to the location of the future sanitary sewer pump station being located in the south quadrant of the development near the creek.

Setbacks and Buffers

Pattern books for the different residential uses are provided with specific performance standards in regard to minimum lot size, minimum lot width, building setbacks, maximum building height, maximum lot coverage and parking requirement.

All covered front porches may extend up to 50% of the front yard setback.

A 25 FT buffer will be provided along the existing road frontages of Anderson Road and Andrews Road. Utility easements, driveways, street connections, and entry signage and landscape features are allowed to be within the buffer. The buffer has the option of being undisturbed or if disturbed it will need to be planted back to City of Opelika Residential buffer standards.

A 25 FT undisturbed stream buffer will be provided adjacent to the existing stream on the southside of the site.

A 25 FT planted buffer will be provided adjacent to roads where the rear facing side of the building front a public street. This condition exists where front loaded residential lots have road frontage on both sides of the lot. This would not be needed on any Alley loaded lots.

Housing Types

The Proposed Development plan is showing different housing types (see Residential Pattern Book for Performance Standards):

Type A –

- 1.) Large Lot Front Entry Detached Single-Family
- 2.) 50 FT wide Front Entry Detached Single-Family

Type B - 50 FT wide Rear Entry Detached Single-Family

Type C – 20 FT wide Alley Entry Townhomes

Type D – 24 FT wide Front Entry Townhomes

Type E – 20 FT wide Alley Entry Townhomes

Type F – Cottage/Courtyard Detached Single-family Homes

Amenity and Open Space

The Proposed Development will provide a central Amenity Tract in the middle of the development that will include a pool, clubhouse, parking lot, kids play yard, and other active outdoor amenities. This area will be credited towards the overall open space. The development will have a minimum of 10% open space provided for the residential areas of the development. Due to the existing topographic conditions of the site, these proposed open space areas will be more passive open space areas that will be used to best protect the sites natural resources and provide the best natural features to break up various areas of development and buffer against the existing railroad tracts and power easements adjacent to the site. Anticipated uses in the improved open space areas are centralized mail kiosks, dog parks, play fields, fire pits, walking trails, detention ponds, and/or splash pad.

Stormwater Detention

Storm water detention will be dry detention ponds and assigned to open space areas throughout the site. The location of the detention pond and how many detention ponds will be determined after further analyzing the property. The pond/ponds will be in an area that is best suited for the overall development and may be incorporated into open space areas. The Homeowner's association will manage all open spaces within the residential portion of the development including the areas that contain storm water detention.

Utilities

The Proposed Development will be served by City of Opelika sewer and water services. Water is located along Anderson Road and a new sanitary sewer lift station and force main will be required to pump sewer to the sewer crossing on Anderson Road east of the Andrews Road intersection. Power will be provided by Opelika Power and communications will be provided by ATT. Natural gas, if used, will be provided by Spire.

Net Impact of Proposal

The proposed rezoning from the current R-1 designation to PUD increases the multiple uses of the land. The Dickson Farms development will provide single-family detached, single-family attached, a central park amenity with pool, townhomes, cottage style housing uses that are beneficiary for this area.

The proposed rezoning request does not adversely impact the City of Opelika or its infrastructure in any way. Rather, the rezoning proposed represents a net benefit to the City by providing more housing opportunities and choices, recreational benefits, and local economy growth.

Accompanying Exhibits

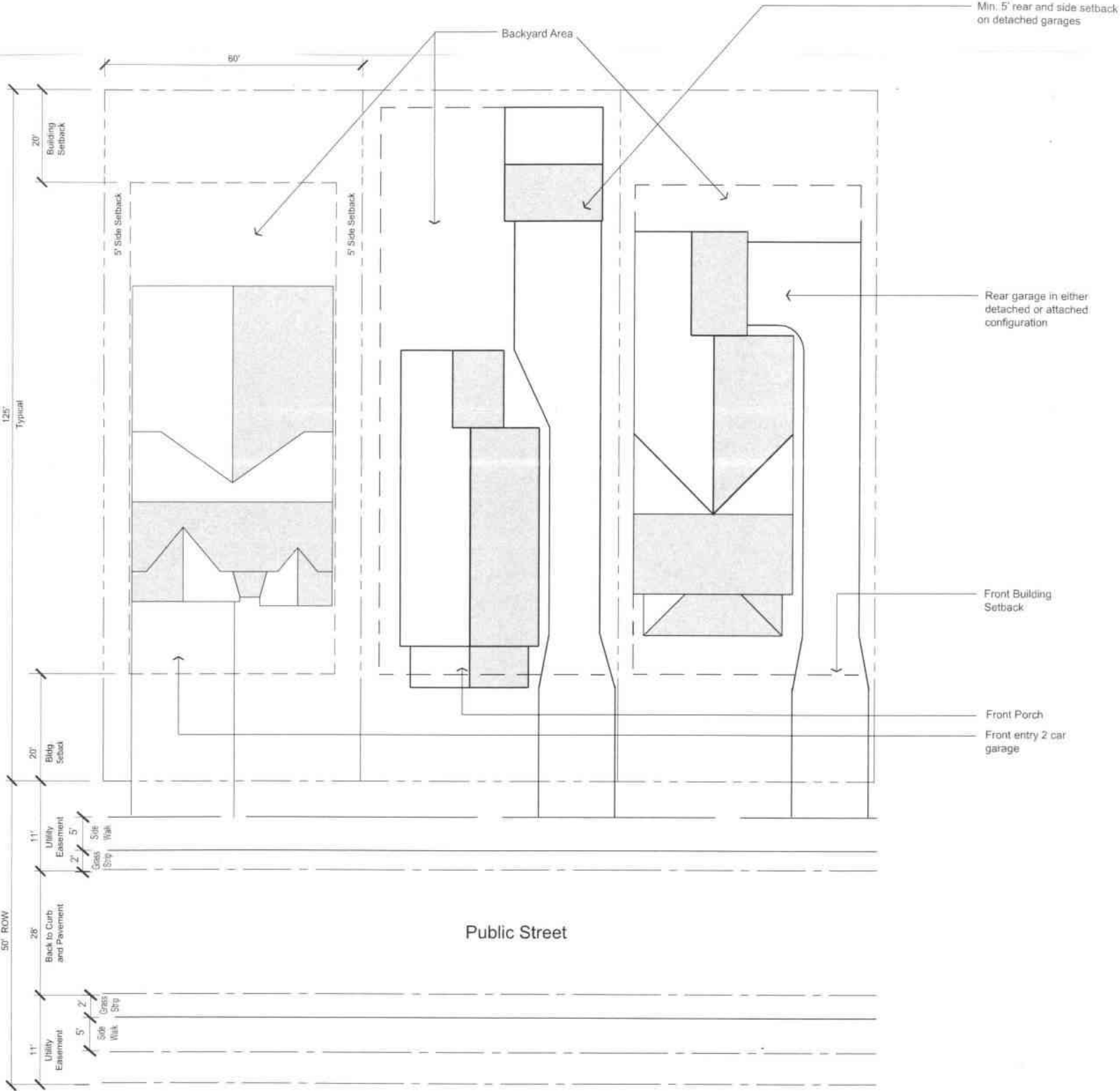
Attached are several exhibits supporting the application for a PUD for Dickson Farms Mixed-Use Development. The supporting exhibits include the following:

- Zoning Plan
- Residential Uses Pattern Book
- Adjoining Property Owners Listing
- Application for PUD Zoning with Authorization to Act as Applicant
- Deed to Subject Property
- Existing Survey

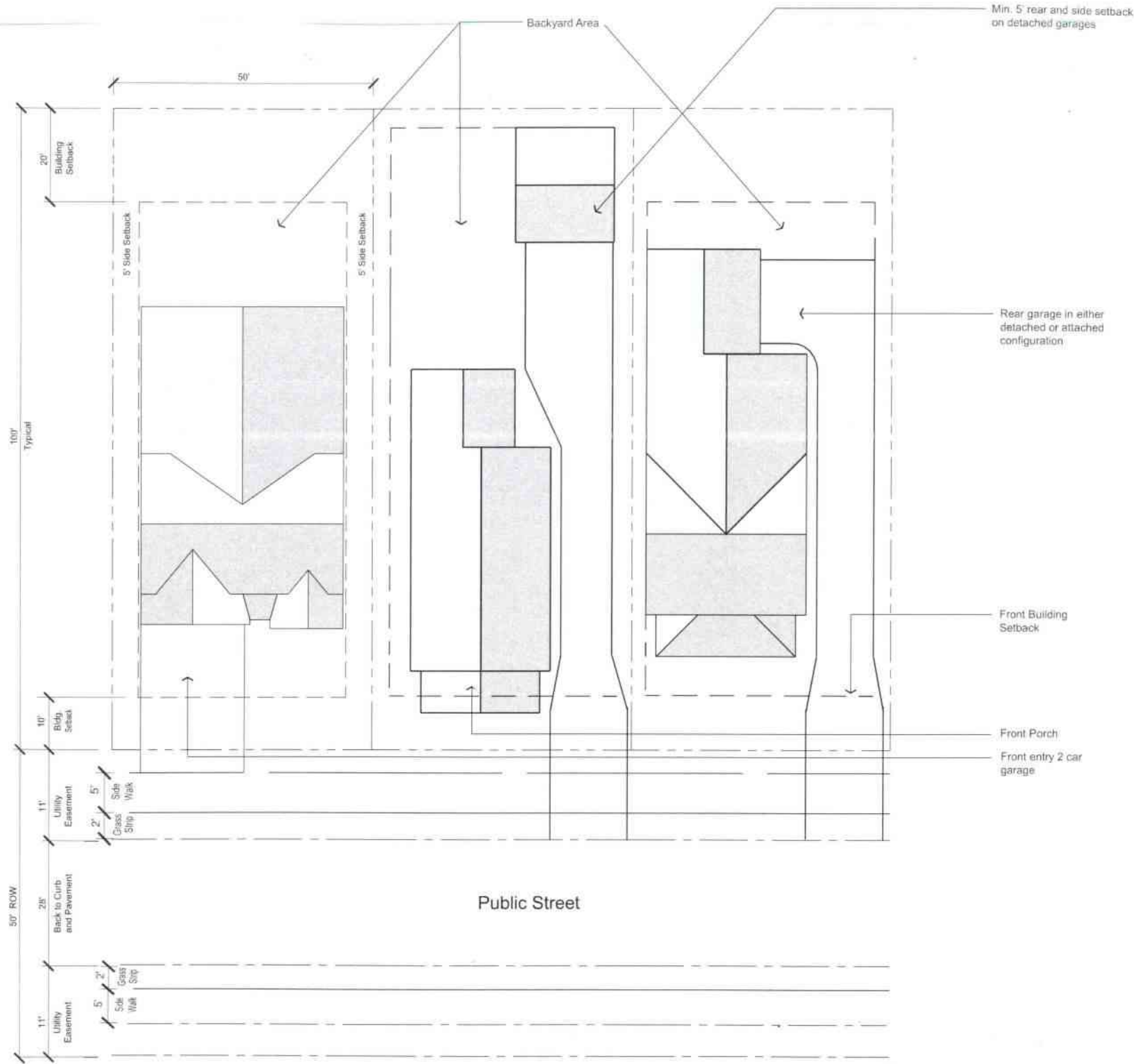
DICKSON FARMS

Residential Pattern Book

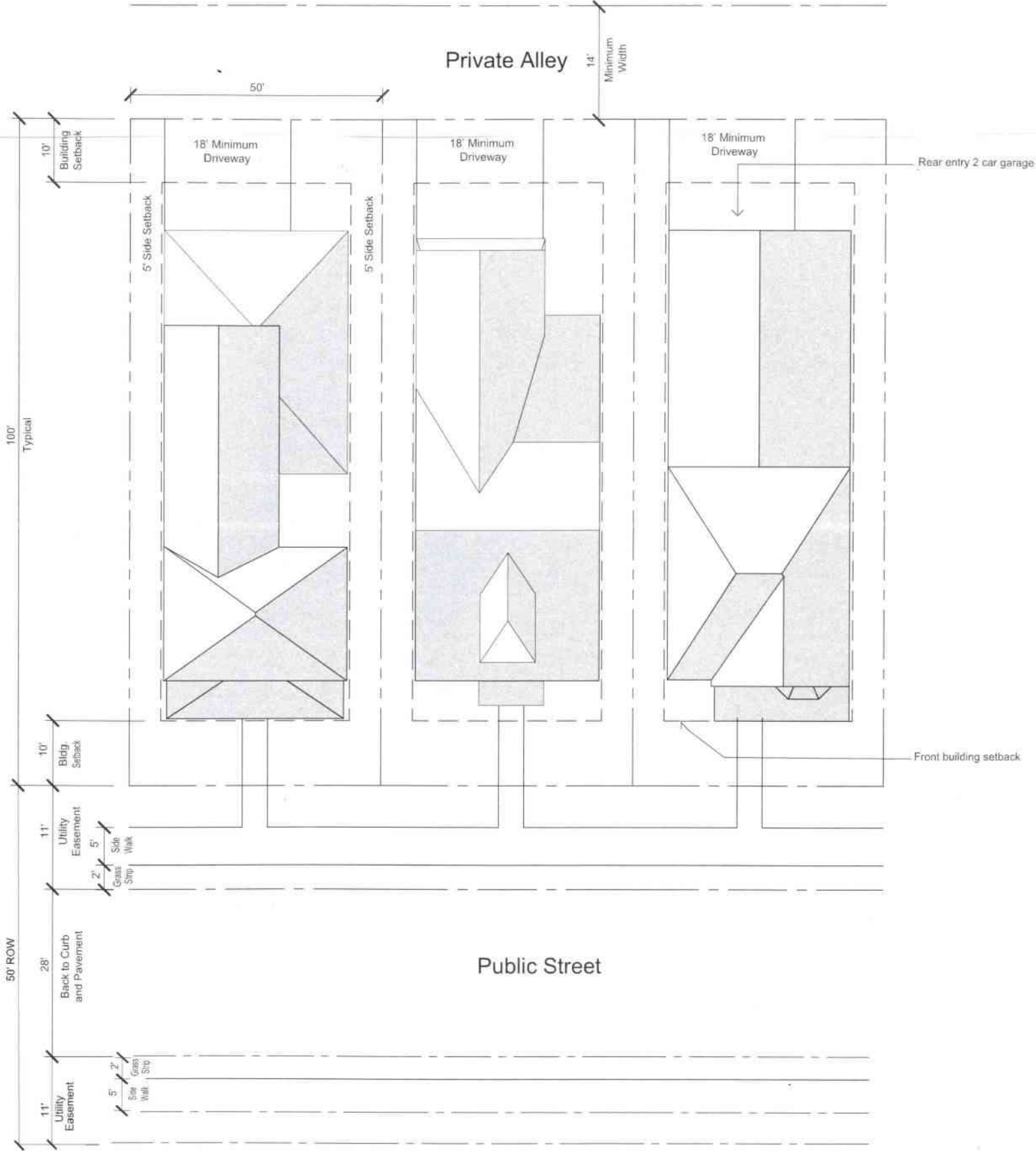
Type A - Large Lot 60' Wide Front Entry Detached Lots Performance Standards	
Permitted Uses	Single Family, Detached Homes
Minimum Lot Size	7500 SF
Minimum Lot Width	60'
Building Set Backs	
Front	20'
Rear	20' (exluding 5' detached garages)
Side	5' (exluding 5' detached garages)
Side from the Street	10'
Minimum Building Separation	10' (exluding 5' detached garages)
Maximum Height	35'
Maximum Building Coverage	80% per lot
Parking and Loading Requirments	2 Car Garage



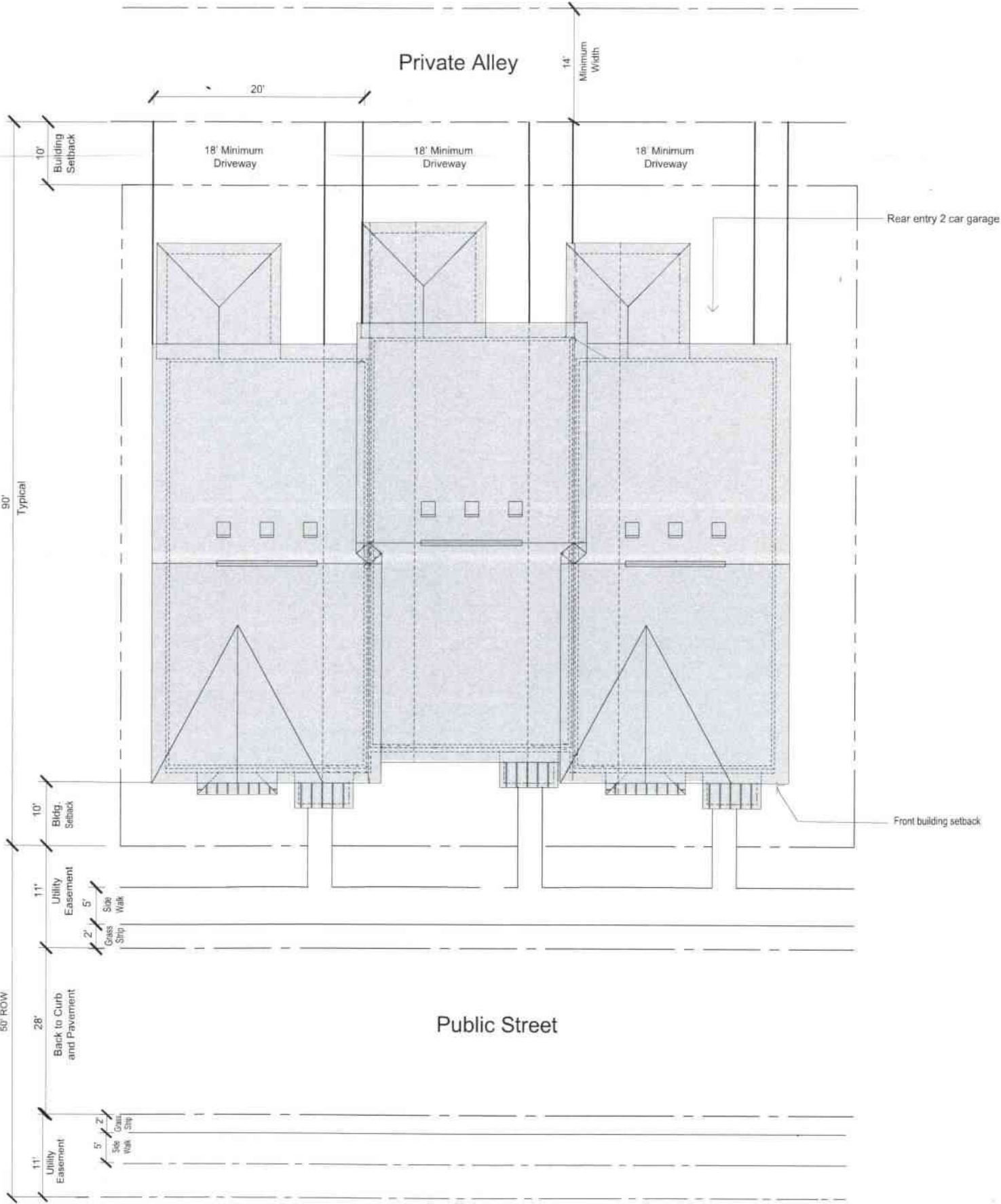
Type A 50' Wide Front Entry Detached Lots Performance Standards	
Permitted Uses	Single Family, Detached Homes
Minimum Lot Size	5000 SF
Minimum Lot Width	50'
Building Set Backs	
Front	10'
Rear	20' (excluding 5' detached garages)
Side	5' (excluding 5' detached garages)
Side from the Street	10'
Minimum Building Separation	10' (excluding 5' detached garages)
Maximum Height	35'
Maximum Building Coverage	80% per lot
Parking and Loading Requirments	2 Car Garage



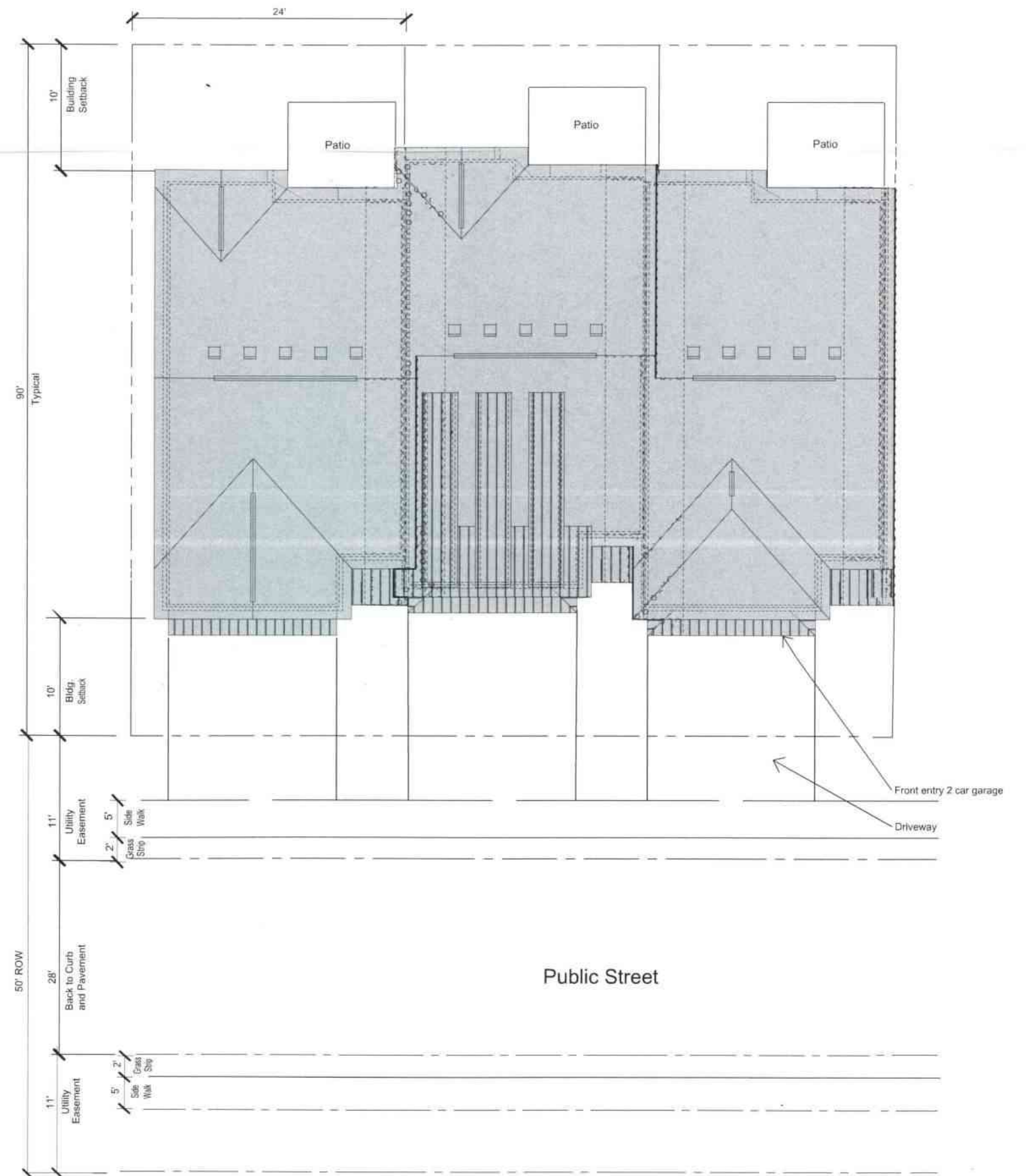
Type B 50' Wide Rear Entry Detached Lots Performance Standards	
Permitted Uses	Single Family, Detached Homes
Minimum Lot Size	5000 SF
Minimum Lot Width	50'
Building Set Backs	
Front	10'
Rear	10'
Side	5'
Side from the Street	10'
Minimum Building Separation	10'
Maximum Height	35'
Maximum Building Coverage	80% per lot
Parking and Loading Requirments	2 Car Parking



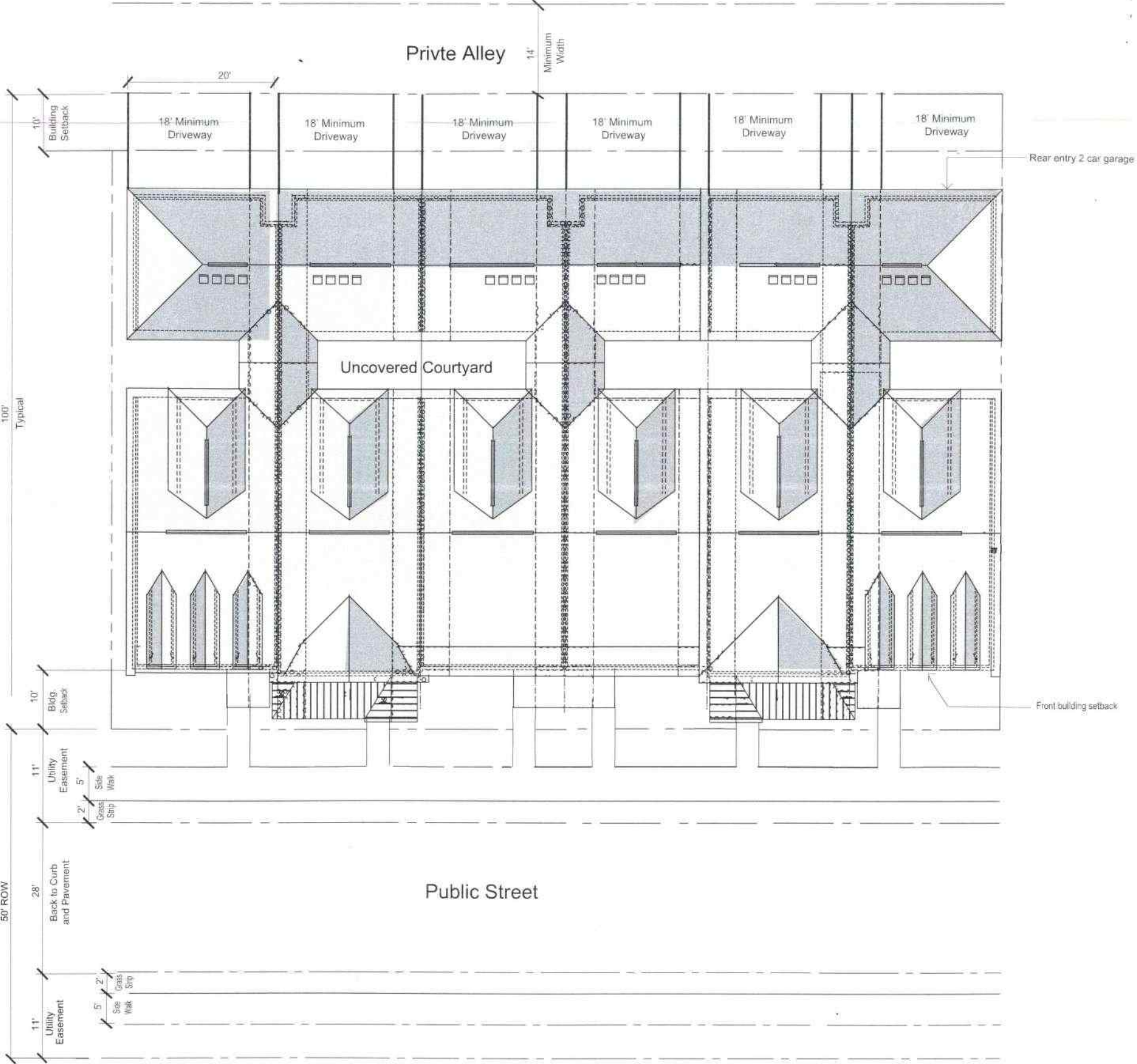
Type C 20' Wide Alley Entry Townhome Lots Performance Standards	
Permitted Uses	Single Family, Attached Homes
Minimum Lot Size	1500 SF
Minimum Lot Width	20'
Building Set Backs	
Front	10'
Rear	10'
Side	20' Between Buildings
Maximum Height	35'
Maximum Building Coverage	N/A
Parking and Loading Requirments	2 Car Rear Entry Garage



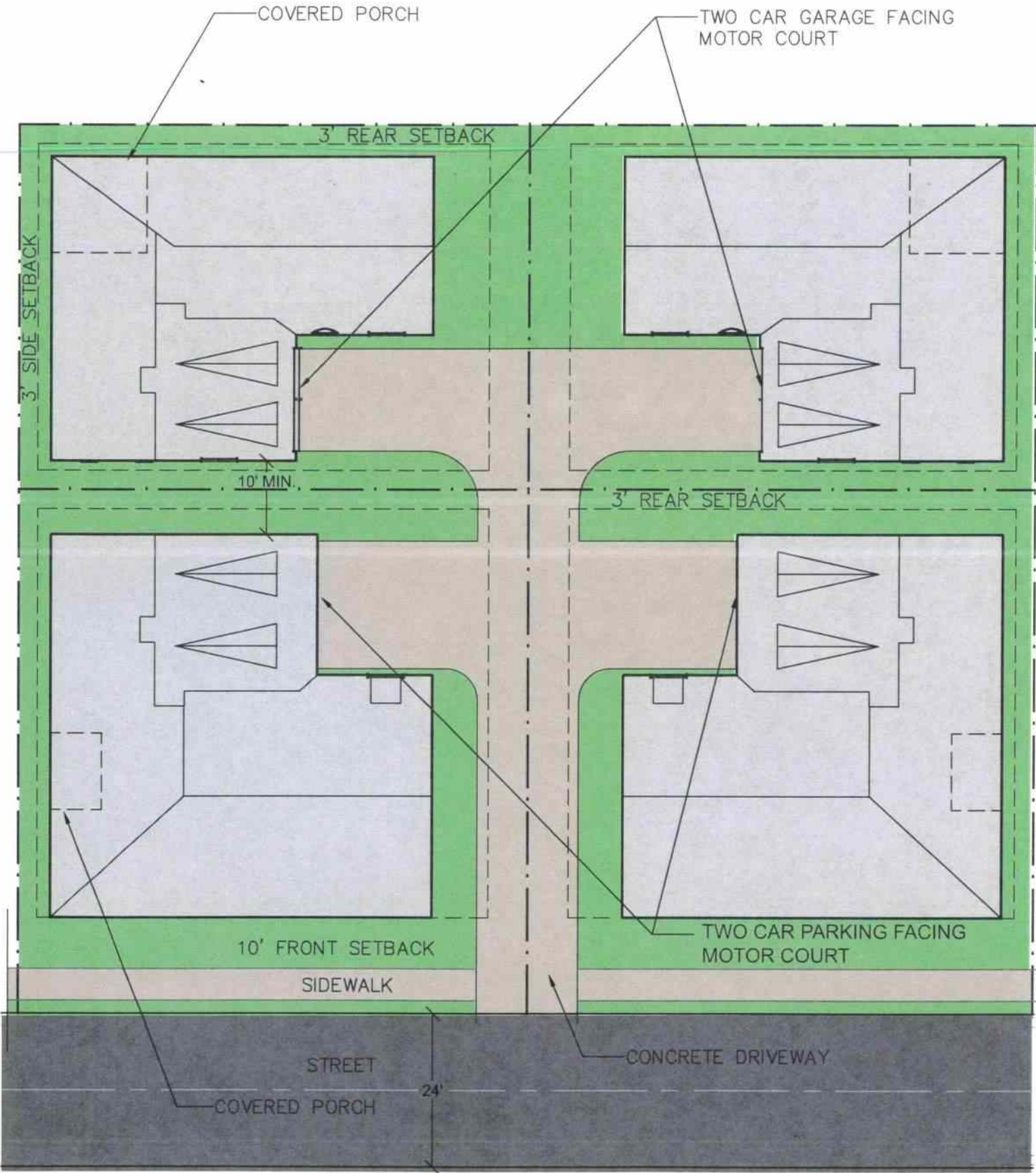
Type D 24' Wide Front Entry Townhome Lots Performance Standards	
Permitted Uses	Single Family, Attached Homes
Minimum Lot Size	2000 SF
Minimum Lot Width	24'
Building Set Backs	
Front	10'
Rear	10'
Side	20' Between Buildings
Side from the Street	10'
Maximum Height	35'
Maximum Building Coverage	N/A
Parking and Loading Requirements	2 Car Front Entry Garage



Type E 20' Wide Alley Entry Townhome Lots Performance Standards	
Permitted Uses	Single Family, Attached Homes
Minimum Lot Size	N/A
Minimum Lot Width	20'
Building Set Backs	
Front	10'
Rear	10'
Side	20' Between Buildings
Side from the Street	10'
Maximum Height	35'
Maximum Building Coverage	N/A
Parking and Loading Requirments	2 Car Parking
Yards Requirements	The interior courtyard will be the require yard for the 50% requirement for the first floor area



Type F Cottage/Courtyard Homes Performance Standards	
Permitted Uses	Cottage/Courtyard Homes
Minimum Lot Size	3500 SF
Minimum Lot Width	N/A
Building Set Backs	
Front	10'
Rear	3' (excluding Detached Garages)
Side	3'
Side from the Street	10'
Minimum Building Separation	10'
Maximum Height	35'
Maximum Building Coverage	80% per lot
Parking and Loading Requirments	2 Car Parking





Single Family - Alley - Streetscape - Traditional



Single Family - Alley - Streetscape - Farmhouse



Farm House Alley Entry Single Family Homes



Traditional Alley Entry Single Family Homes



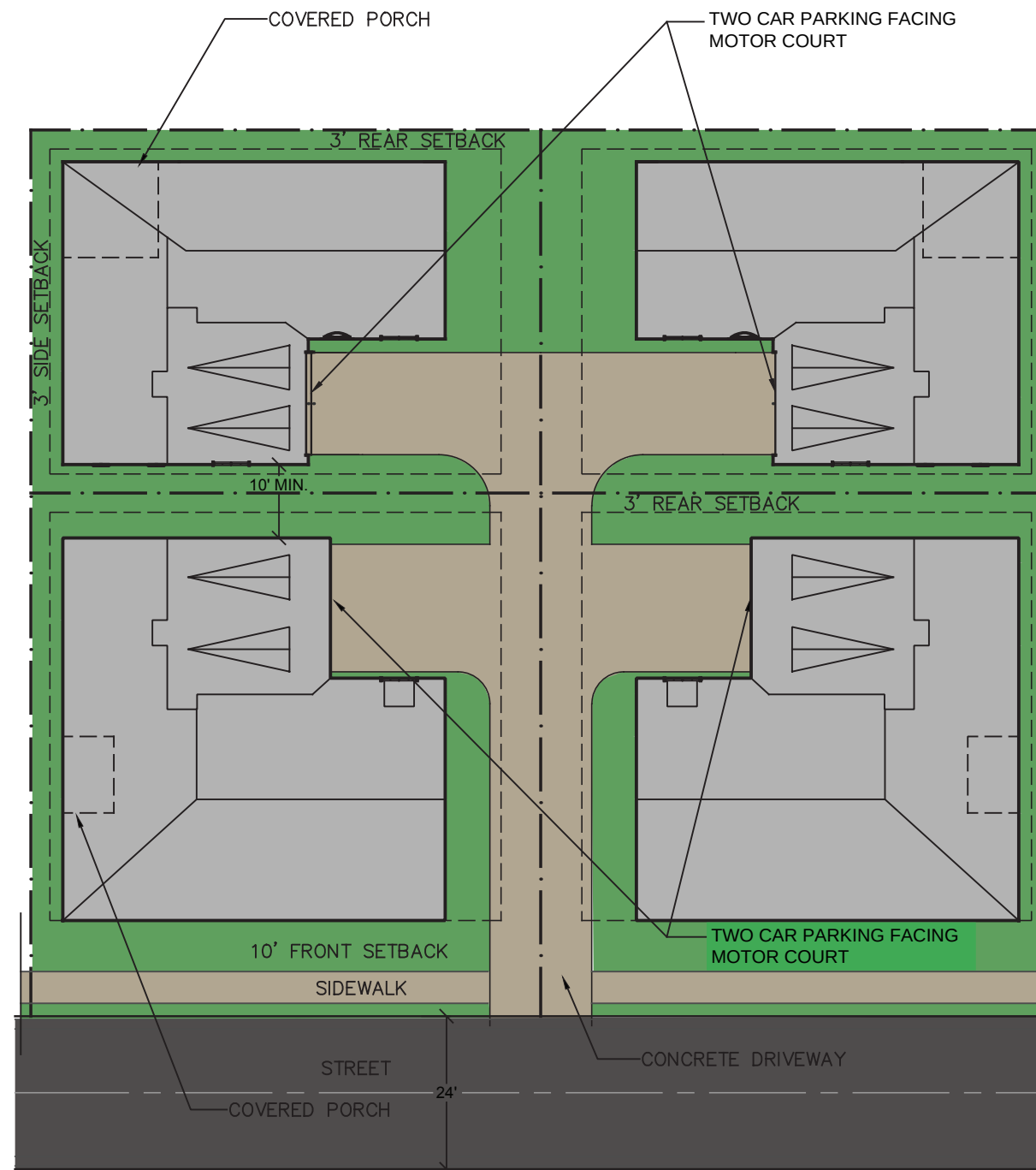


Single Family - Alley - Courtyard



Courtyards





Minimum Lot Size	3,500 sf
Minimum Lot Width	35'
Building setbacks	
Front	10'
Rear	3' (excluding detached garages)
Side	3'
Minimum Building Separation	10' (excluding detached garages)
Maximum Height	35'
Maximum Building Coverage	80% per lot
Parking and Loading Requirements	2 Car Parking



2 Story Townhomes - Traditional



Courtyard Townhomes - Traditional



Alley Townhomes - Traditional



Alley Townhomes - Traditional





Pocket Parks



Amenities
