



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

300 Martin Luther King Blvd.

April 25, 2023

TIME: 3:00 PM

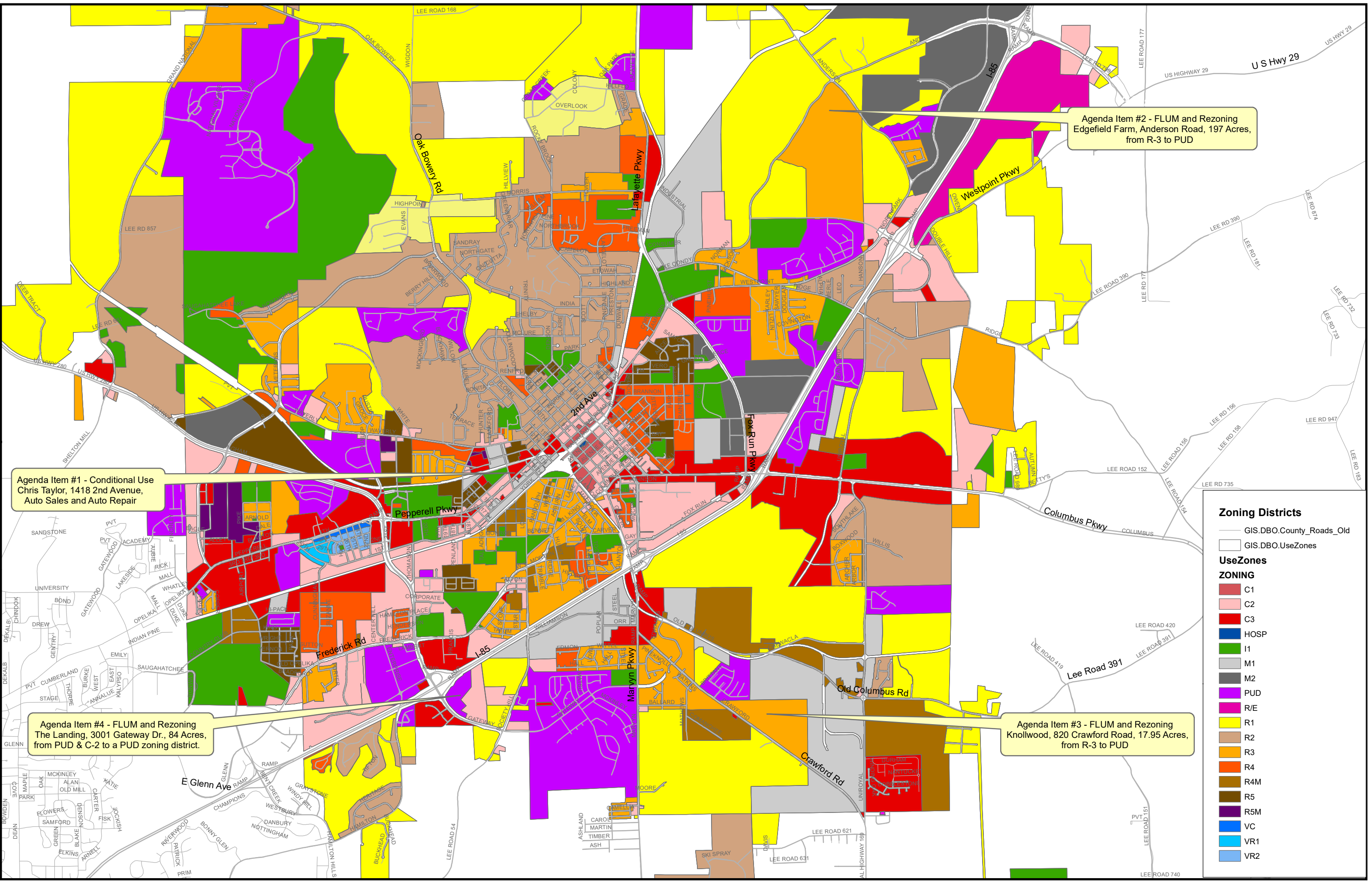
- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **CONDITIONAL USE - Public Hearing**
 1. Chris Taylor, authorized representative for Marrell Hartley, 1418 2nd Avenue, C-3, GC-S, Auto sales and auto repair.
 - B. **REZONING - Public Hearing**
 2. (a) Amendment to the Future Land Use Map, accessed from Anderson Road and Andrews Road, 197 acres, from a low density residential to a mixed use development land use category.

(b) Rezoning request, Blake Rice, Barrett-Simpson, authorized representative for 280 Land Company, LLC, 197 acres, accessed from Anderson Road and Andrews Road, from R-3 to PUD (Edgefield Farm)
 3. Rezoning request, an amendment to the Master Development plan, Blake Rice, Barrett-Simpson, authorized representative for SMB Land, LLC, 17.95 acres, accessed at 820 Crawford Road (Knollwood)
 4. (a) Amendment to the Future Land Use Map, accessed at 3001 Gateway Drive, 42.73 acres, from a mixed use and light commercial land use category to a mixed use development land use category.

(b) Rezoning request, Brett Basquin, Foresite Group, LLC, authorized representative for Broad Metro, LLC; Eagle Vol Opelika, LLC; and Capps Family Partners LTD, 42.73 acres, accessed at 3001 Gateway Drive, from C-2 & PUD to PUD (The Landing)

“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.”





PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

March 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

The City of Opelika Planning Commission held its regular monthly meeting March 28, 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: Chair Lucinda Cannon, Mr. Ira Silberman, Mrs. Leigh Whatley, Mr. Michael Hilyer, and Mr. Jay Walters.

MEMBERS ABSENT: Mayor Gary Fuller, Councilman George Allen, Dr. Arturo Menefee, and Mr. John Sweatman.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Claire Barber, Planning and Zoning Technician
Mr. Scott Parker, City Engineer

CALL TO ORDER: Chair Lucinda Cannon called the meeting to order at 3:02 p.m.

Approval of Planning Commission Minutes February 28, 2023

RESULT:	Passed
MOVER:	Leigh Whatley
SECONDER:	Jay Walters
AYES:	Chair Cannon, Walters, Whatley, Silberman
NAYS:	None
ABSTAIN:	Director Mike Hilyer

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that there were no specific updates of cases at this time. He did note that the Firefly rezoning will be going to City Council for it's second reading on April 4th and the Andrews Estates rezoning will be before City Council for a public hearing and first reading on April 18th.

Chair Cannon asked is that a first reading on April 18th?

Mr. Mosley stated yes, that would be a first reading and public hearing and then it would likely go to the first meeting in May for a vote.

IV. NEW BUSINESS

A. **Plat (Preliminary & Final) - Public Hearing**

1. Perryman Hill Plaza Plat No 1 SD, 5 lots, Veterans Parkway & Highway 280, Jerry South, Preliminary and Final Approval

Mr. Mosley reported the applicant is requesting preliminary and final approval for a 5 lot subdivision located at the southwest corner of Birmingham Hwy and Veterans Parkway. This same subdivision was granted preliminary approval at the January 24th Planning Commission meeting; only preliminary approval was granted because street construction was required. The applicant is requesting preliminary and final approval so the plat can be recorded to complete the sale of Lot 1 and Lot 4.

The plat shows Lot 2 (0.29 acres) and Lot 3 (2.05 acres) fronting along Lot 4. Lot 4 (2.48 acres) will be constructed as a street from Birmingham Highway to Veterans Parkway. After street construction then Lot 4 will become right of way, and Lot 2 and Lot 3 will have public street access. The large square portion of Lot 4 is a single-lane roundabout. Lot 1 (12.6 acres) and Lot 5 (33.7 acres) have access to Birmingham Hwy and Veterans Parkway.

The applicant is requesting preliminary and final approval so the plat can be recorded to sale Lot 1 and Lot 4. A note is added to the plat (note #1) that prohibits a building permit on Lot 2 and Lot 3 until the street and roundabout on Lot 4 are constructed to City standards and accepted by the City.

The lot area and lot widths of the five lots have not changed from the January 24th PC staff report: The subdivision is in a C-2, GC-P zoning district; minimum lot size is 20,000 sf and lot width is 100 sf. The lot widths of the 5 lots range from 113 feet to 513 feet. Each lot meets the minimum requirements: Lot 1 (12.6 acres), Lot 2 (12,698 sf), Lot 3 (89,408 sf) and Lot 4 (2.48 acres). Lot 5 (33.73 acres) is reserved for future development.

Planning staff recommends preliminary and final plat approval.

1. Add adjacent property owners and address for property to the south and west.

Mr. Parker reported for Engineering, 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.

Mr. Parker reported for the Opelika Utilities Board, water is available from both Veteran's Parkway and U.S. Highway 280. No other comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chair Cannon opened the public hearing.

Jerry South, the applicant, stated that the second submittal was in order to provide a sale of the property and change title so that business plans can move forward. He stated we will be submitting roads that comply with Opelika road design and utility design.

David "Buddy" Goolsby, 210 Veterans Parkway, stated that he had seen a lot of change in this area. He explained how he worked with the City to help create Veterans Parkway. He hoped to see continued growth in this area.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Ira Silberman
AYES:	Walters, Whatley, Silberman, Director Hilyer
NAYS:	None
ABSTAIN:	Chair Lucinda Cannon

2. Lot 1-A Bodine SD, 1 lot, Grand National Parkway & Highway 280, Barrett-Simpson, Inc., Preliminary and Final Approval

Mr. Mosley reported the applicant's representative, Tim Simpson, requests preliminary and final plat approval for one lot at the northwest corner of Grand National Parkway and Birmingham Highway. The purpose of this plat is to allow Planning Commission to review this request because the applicant is requesting to remove a 50-foot landscape buffer required by the Planning Commission in 1994. The September 27, 1994, minutes explain the 50-foot vegetative buffer along the north and west boundary lines is intended to separate residential and commercial uses.

Currently, the neighboring uses is a residential home to the north and APR to the west. The need for the expanded residential buffer to the west has changed. A buffer to the north would be useful for neighboring residential use. A 50-foot buffer might now be considered excessive since both properties are commercially zoned. The use to the north is residential but zoned for C-2 (Office/Retail). On the north side, a residential buffer option from the Zoning Ordinance Section 10.6, D, 1, selecting a. b. or c. with the increase of a. and b. to ten (10) feet in width or c. as written. This plat meets the minimum requirements in the Subdivision Regulations.

Staff recommends preliminary and final approval subject to the following:

- On the north side, a residential buffer option from the Zoning Ordinance Section 10.6, D, 1, selecting a. b. or c. with the increase of a. and b. to ten (10) feet in width or c. as written.

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns with this subdivision and recommends preliminary and final plat approval.

Mr. Parker reported for the Opelika Utilities Board, water is available from Grand National Parkway. No other comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside the Opelika

Power Service territory.

Chair Cannon opened the public hearing.

Bennett Jones, 1216 Felton Lane, Auburn, stated that he owned property adjacent to the north side of the residential home. He asked what they were going to do there. He said that it used to be approved for motor sports sales and asked if it was still going to be used for motor sports?

Mr. Mosley stated that it was still going to be for motor sports and that the applicant would have a showroom and a small area for outside display of ATVs and that type of vehicles.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Jay Walters

DISCUSSION: Chair Cannon stated that she didn't have any problems with the setback next to APR but stated that she was concerned about not having enough of a setback to the north with the applicant repairing motors and asked if a residential setback was 20 feet.

Mr. Mosley stated we have recommended that the applicant be required to provide a residential buffer on the north property line. He stated that the property is also zoned C-2 but is being used as a residential home now. He stated that the residential buffer could be a 20 foot non-disturbed buffer, or a buffer with a fence and landscaping, or a double row of evergreens. He stated that the current plan has everything located down at the lower section and doesn't show anything coming within about 300 feet of the property. He noted that if they were to expand or add another building they would have to come back to the Planning Commission under the current ordinance for an amended Conditional Use.

Mr. Silberman asked if it was originally a 50 foot setback and if there was any issue with moving from what was approved to something less?

Mr. Mosley stated yes sir, that is what we are here for today. He noted that instead of using the 50 foot buffer, it is moving to a smaller buffer, similar to what we typically use for a residential buffer. It just requires Planning Commission approval.

AYES: Walters, Whatley, Silberman, Director Hilyer

NAYS: Chair Cannon stated that she was opposed due to the decrease in the setback.

ABSTAIN: None

B. CONDITIONAL USE - Public Hearing

3. Jody Pate, Stark Exterminators, 601 South 7th Street, C-3, GC-S, Office of Contractor without material and equipment yard

Mr. Mosley reported the applicant is requesting conditional use approval for an “office of contractor without equipment and material yard” at 601 South 7th Street. Outside storage is

prohibited in the GC-S (Gateway Corridor-Secondary) overlay district. A portion of the 26,800 square foot lot is in the GC-S (Gateway Corridor Overlay district). The business is Stark Exterminator, a pest control service for home and business that serves many locations in five states; in Alabama the business has 17 locations. The nearest Stark business to Opelika is at 404 Opelika Road in Auburn.

A 2,475 square foot building is on the property that will be used as a business office. The business has 9 employees and 12 company trucks. Four employees are office staff that work at the office Mon thru Fri from 8 AM to 5 PM. The other employees are service employees arriving at the office in company trucks at 7:30 AM to pick up work orders, products, and material for the day. After servicing customers each day the employees take the company trucks to their homes. The next morning the workers return to the office to pick up work orders and products for that day. The trucks used by service employees Mon thru Fri are not stored at the business office overnight. One company truck is parked at the office building overnight. All storage of products and equipment are stored inside the office building in a downstairs area or kept on company trucks. The applicant said that no equipment, pest control products, or other type materials will be stored outside.

The applicant did not provide a site plan or landscape plan. The property has open space to meet minimum off street parking requirements. See aerial photo on page 3. The business is classified as a “commercial support use”⁽¹⁾ so 10 parking spaces are required. The driveway and parking spaces must be hard surfaced (asphalt or concrete). Minimum landscape requirements may be met by preserving existing trees on the property. Several large trees are on the property. The Landscape Regulations encourages the preservation of existing “significant trees” (6” diameter or larger) that count toward base point requirements instead of planting new tree. Preserving existing trees count toward meeting minimum base and parking lot point requirements.

Staff Recommendation

Planning recommends approval subject to the following:

- **Provide a site plan and landscape plan that meets minimum requirements for off street parking and landscaping.**
- **The outside storage of equipment or materials is prohibited.**

⁽¹⁾ One parking space per employee on the largest shift and one parking space per company vehicle regularly stored on premises.

DISCUSSION: Mr. Hilyer stated if there is going to be paving in the back, we need to see that in the Public Works office before that gets done because there is a 15 foot sanitary sewer easement behind there.

AYES: Chair Cannon, Walters, Whatley, Silberman, Director Hilyer

NAYS: None

ABSTAIN: None

4. Yolanda Core, 503 Martin Luther King Blvd., C-2, GC-S, Carry-out restaurant

Mr. Mosley reported the applicant is requesting conditional use approval for a carry-out restaurant in the neighborhood market building at 503 MLK Blvd. The 2,600 square foot building is divided into has three business areas; a convenience store (1,602 sf) and barber shop (521 sf) occupy two spaces and the carry-out restaurant (477 sf) is requesting approval. In the GC-S overlay district (Gateway Corridor- Secondary) a carry-out restaurant requires conditional use approval.

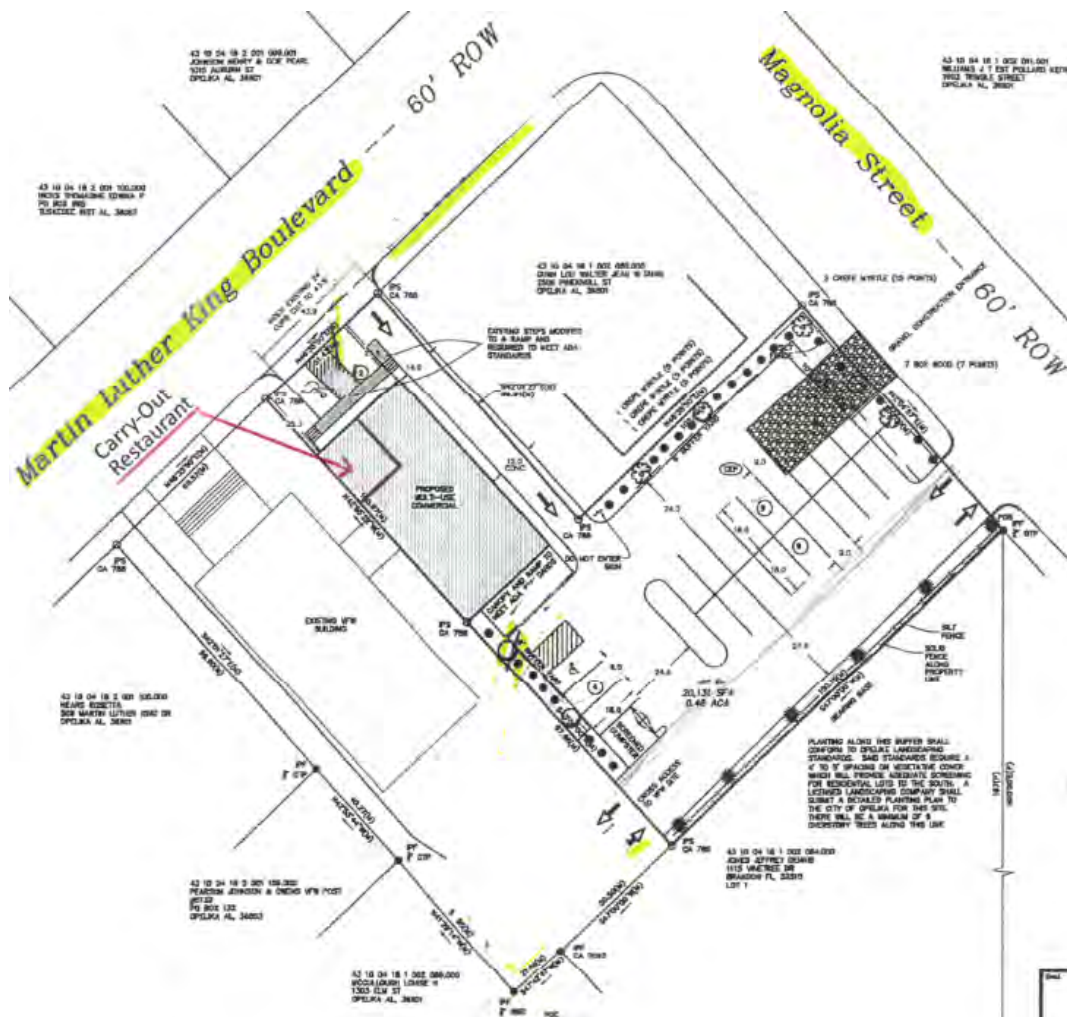
The restaurant is primarily carry-out. The business owner provides two tables with three chairs at each table but the business owner expects customers will carry-out food orders. Restaurant hours are Tues and Wed 10AM to 9 PM and Thurs, Fri, Sat 10AM to 10PM; restaurant is closed Sunday and Monday. A commercial oven will not be installed. Fried fish and chicken are pre-cooked in a table-top fryer (no deep fryer) then food warmed up per customer order. A waffle-grilled toaster will also be used. All can drinks (except for lemonade) and packaged foods are purchased at the convenience store.

About three years ago, the site plan and landscape plan below was provided for the neighborhood market that included floor space for a barber shop and restaurant. The convenience store opened about three years and later a barber shop occupied space in the building. The carry-out restaurant is 477 sf, managed by two people and requires four parking spaces. A total of 24 off street parking spaces are provided on plan. It's expected that some customers purchasing products at the convenience store will also purchase food at the restaurant. Parking is adequate for the carry-out restaurant. Landscaping shown on the plan meets minimum requirements and was planted when the convenience store opened.

Recommendation

Staff recommends conditional use approval for a carry-out restaurant subject to the following.

1. The applicant must contact the Planning Department if there are plans to open a dine-in restaurant (sit-down restaurant, food served at customer's table) to determine if off-street parking meets minimum requirements.



Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns with this proposed conditional use.

Mr. Parker reported for the Opelika Utilities Board, no comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Leigh Whatley

DISCUSSION: Mr. Silberman asked if there were any special health requirements because it was part of an existing facility?

Mr. Mosley stated that there are three suites in that building, so it would be in its own separate space. He stated they would have to meet the Health Department's requirements and submit to regular inspections. He noted that

they would also go through our Building Inspections, Public Works, and Fire Safety groups.

Mr. Hilyer stated that they would also have to get a permit for the grease trap.

Mr. Walters asked if the reason the staff recommendation stated that the owner would be required to talk to the Planning Department before becoming a sit-down restaurant was strictly because of parking?

Mr. Mosley stated that restaurants are typically one of our heavier traffic generators and parking users and staff would want to make sure that there is sufficient parking that is not spilling out into the neighborhood. He stated that there are some other things like fire safety, the number of restrooms they have available, or some other things, but we are primarily interested in it from a parking standpoint.

Mr. Walters asked if staff was comfortable with the two tables that were there.

Mr. Mosley stated that the two tables were not an issue and that there is enough parking now to cover that space.

AYES: Chair Cannon, Walters, Whatley, Silberman, Director Hilyer

NAYS: None

ABSTAIN: None

5. Wade Weekley, 181 Columbus Parkway, C-3, GC-S, Grave Monument Sales-Outside Display of Products

Mr. Mosley reported the applicant is requesting conditional use approval for a grave monument sales office with outside display in a C-3, GC zone. The applicant has an existing sales and production facility located in Columbus, GA. This location would be limited to sales at this time.

The subject property is approximately 28,000 square feet located on the southeast corner of the intersection of Columbus Parkway and McCoy Street. The site has 4,620 square foot building located on the eastern side. The applicant is proposing to layout a 750 square foot walking area that would display a variety of markers and monuments within a landscaped area. The granite markers and monuments would be produced at their Columbus location. This site would act as a showroom for local customers. The applicant notes that they expect to have 1-2 employees at this location.

The site plan/landscape plan provided shows 10 parking spaces for customers and employees. The 10 parking spaces meet the minimum parking spaces for the furniture business. A previous tenant constructed a landscape plan that met the minimum requirements. However, most of that landscaping is no longer present. This will need to be reinstalled or a new plan will need to be created. The trees and shrubs must be planted as shown on the landscape plan to meet minimum requirements of the Landscape Regulations. The trees and shrubs need to be planted and inspected by staff before a business license is issued.

As the applicant notes, there is an existing monument business that was approved at the corner of S. 4th Street and Columbus Parkway. The use should not create any traffic or other negative

effects on adjoining properties. The outside display is very minimal in relation to the overall use of the property.

Recommendation

Staff recommends conditional use approval subject to following recommendations:

- **Missing landscaping shall be installed or a new landscape plan compliant with the zoning ordinance shall be created and installed after approval.**
- **The display area shall be limited to the location and size shown on the conceptual plan.**
- **No signage is approved by this plan. All signage shall comply with the City of Opelika Zoning Ordinance and approved separately.**
- **Any manufacturing of markers or monuments shall require a new or amended conditional use approval.**

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns with this proposed conditional use.

Mr. Parker reported for the Opelika Utilities Board, no comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power Service territory.

Chair Cannon opened the public hearing.

Wade Weekley, the applicant, stated that they have been in the monument and specialty product business for over 35 years in Columbus and that they provide engraved monuments, markers, benches, and stone. He stated that he is requesting approval to place a 750 square foot display area for their products and that he didn't sense any objection to the characteristics or size of the display area, but that the staff report mentions some significant landscape requirements. He stated that they have a short-term lease and that the previous tenants had constructed a landscape plan that met the minimum requirements and the site plan was dated October 2015. He stated he had a picture from when that company was in business and there's very little landscaping, certainly not what was on that landscape plan, but only a few shrubs behind a retaining wall, a tree in the island, and an established tree that is about 34 inches in diameter. He stated that the site plan also referenced proposed paving with the plantings next to it, but it looks like today that parking lot basically covered up all of the planting areas. He noted that this property was sold in 2020 and 2022 and neither of those events triggered this discussion about landscaping and now, because he is requesting a display area, he is left responsible for landscaping that was never completed. He stated that they are anxious to open this office and requested time to more completely understand the minimum requirements for this specific lot and not the other lot that goes all the way to the corner, that they have time to engage the property owner for options, and time to present a new landscape plan to Mr. Mosley and Mr. Ogren without delaying their ability to open this office. He stated it didn't seem that this property had ever been properly landscaped and he didn't want to be the one held to finally deliver before he can open his doors.

Chair Cannon closed the public hearing.

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

Mr. Hilyer stated that he thought the landscaping was important, that it needed to be done, and that he thought that would be a major intersection soon.

Chair Cannon stated we have a Gateway Corridor plan for landscaping.

Mr. Silberman stated that he was greatly concerned about that corner. He noted that it was a major exit and entrance to the City and that it had a substantial amount of property from where the display area is to the corner that is open and bare. He noted that he thought that needed to be addressed in order to move forward with improvements to the City. He stated that he hoped the land owner and the tenant would come together with a plan to show the Commission something dealing with the landscaping, which he felt was critical to the City's appearance.

Mr. Mosley stated that based on the existing landscaping that was there and the size of the property, the developed area is not very large. He stated that there would be about 100 inches of total landscaping that would be required and there is probably about 40 inches present, so there would only be roughly 60 inches required. He noted it would be about four or five larger trees and some shrubs or maybe six or seven smaller trees and some shrubs. He stated that if the Commission would like staff to work with them on getting it in within a certain period after approval, he thought they could manage that because it is a relatively smaller amount of landscaping required.

Mr. Silberman asked Mr. Mosley if he was talking about a barricade type of landscaping rather than an open area dealing with the corner lot.

Mr. Mosley stated that it would be a small area and that a lot of it would be open to the applicant in regard to where it would be placed. He stated that this isn't a size or configuration where staff gets into the specific standards of where each piece needs to be placed. He noted that another thing that comes into play is one of the upcoming road improvement projects and that the City would likely be working with the property owner to gain some right-of-way through there to improve the intersection. He stated that it is worthwhile to take some time to look at where some of the landscaping should go to make sure that we aren't putting something in a location that Engineering, Public Works, or our future development plans need to use in the future.

Mr. Hilyer stated that his concern was how long until it was done and that someone needed to police it if it wasn't done.

Mr. Silberman stated that he was in favor of the business, but that he would like to see the game plan before committing to the project. He noted that he didn't have anything specific in mind but maybe some type of barricade landscaping that would separate it from the corner. He noted that there is a lot of property on that corner and that it's more about retaining the appearance. He stated that he felt something could be done with the landscaping to make the property more appealing, even if it was isolating the business property from the corner.

Mr. Mosley stated that there is a lot of property there and that it is likely that there will be another building or use on that side. He noted that would be something they would have to look at to make sure that what goes there makes sense. He stated that typically what we require is landscaping along the frontage, but because Columbus Parkway has a fairly large right-of-way, the green space that you see on the site is all within a public right-of-way. He noted that there are also some power lines throughout the area and so any landscaping would probably be towards the frontage in places that don't interfere with those overhead power lines. He agreed

that something could be done to enhance the frontage to make it look more attractive.

Mr. Hilyer asked when it would be finished and if 30, 60, or 90 days would be enough?

Mr. Mosley asked the applicant if 60 days would be enough time to work with the property owner on this?

Wade Weekley stated that there are already a few plantings on the property that were on the original plan and that the rest of the things on the plan are under the parking spots. He stated that he was going to put a buffer of Azaleas or Crepe Myrtles from the end to the bottom of the parking lot and that he could stage some things around that, but from there to around that corner he has no intent and it's not part of the lease for him to use any of that corner. He requested 90 days to put a plan together and noted that he is talking to a landscaper to build out that area, level it, fill it, and lay the bricks and gravel and he stated that he could discuss that at the same time.

Mr. Mosley stated that he could work with the applicant however the Commission felt comfortable.

Chair Cannon stated 90 days.

Mr. Mosley stated that's fine with us and we can work with them to hopefully try and get it done sooner than that.

Chair Cannon asked if it needed to come back to the Planning Commission?

Mr. Mosley stated that we are talking about less than ten trees being required for this use and that if Chair Cannon would like, he could give her an update on the plan when he gets it.

Mr. Silberman stated that a barrier along the McCoy Street side between the monuments and the land would be an asset to the appearance of the property that you are going to use.

Chair Cannon stated he is not renting that part of the property.

Mr. Silberman stated the property owner would need to be involved.

Mr. Mosley stated that there is going to have to be some discussions outside of this because we have a proposed roundabout located at this intersection which would change some of the lines through here and it may be a while before that construction takes place. He stated that we would have to coordinate where that new line would be and where some of those plantings would go. He noted that we could work through what Mr. Silberman is talking about.

Mr. Silberman stated I agree.

Mr. Mosley stated he doesn't think that the applicant is required to put in enough planting material to create a full hedge or long buffer through there but that he did think we could get something that would make an impact on that corner.

Mr. Silberman stated that hopefully the City could work toward what their game plan is.

Mr. Mosley stated that he believed that the City would be putting sidewalks through that area and that it is likely, because the McCoy right-of-way is so large, that the City might do some

planting as well.

Amended motion to grant conditional use approval with staff recommendations and the landscaping plans be approved and installed within 90 days

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Jay Walters
AYES:	Chair Cannon, Walters, Whatley, Director Hilyer
NAYS:	None
ABSTAIN:	Ira Silberman

6. Bolt Engineering, Inc., Frederick Road & Cunningham Drive, C-2, GC-P, Rich's Car Wash

Mr. Mosley reported the applicant is requesting conditional use approval to construct an automatic car wash (automobile maintenance) in a C-2, GC-P zoning district. The subject property is part of a larger 4.78 acre property located on the northwest corner of Frederick Road and Cunningham Drive.

The site plan shows a 4,300 square foot (sf) building on a 1.02 acre lot. The minimum building setbacks are met from all property lines. The property is in the Gateway Corridor and the setbacks should be adjusted to meet the 40 foot front, 30 foot side on street, and 20 foot side and rear setbacks. The parking area 23 parking spaces, although most of these will be used for vacuum areas or prep areas. The canopies shown in the elevations do not appear on site plan.

The site takes access from a shared driveway that will provide access to this use and the remainder of the property. The drive will have full access on Cunningham Drive and have a right-in/right-out on Frederick Road. This will need to be placed in an easement during the platting process. The applicant is showing 8 feet of right-of-way being dedicated to the city for lane improvements at the intersection.

The landscape plan is provided(143 base pts. required). A total of 16 trees and 59 shrubs are proposed. The trees total 89 points based on staff calculation. Shrubs required for parking lot buffers do not count towards total points. This excludes 29 shrubs. A 15-foot front parking lot buffer is provided along Frederick Road. There is a six foot planted buffer on the north side along the adjacent properties that includes large trees and shrubs. The buffer along Cunningham Drive has been reduced to four (4) feet to allow for the property to be dedicated to the City. The site appears to need 24 more points. Additionally, the front buffer along Frederick Road does not meet the tree spacing requirements. This would either require the proposed trees increase in size or additional stock be added. The property meets the maximum 70% impervious surface ratio allowed.

The applicant has provided an elevation that shows a brick, stacked stone, stucco, and glass which would be compliant with the corridor overlay materials.

A private dumpster is shown in the rear yard; staff recommends that the dumpster be enclosed with an opaque fence at a height so the dumpster is not visible outside the enclosure. This is shown in the elevations provided.

The most potentially concerning aspect of this use is the noise generated by the cleaning and vacuuming. The use has residential properties to the south (across Frederick Road) and to the

north (Sutton Way). Those homes appear to be at least 300 feet away from the building or vacuuming stations. At that distance, the sound should be near ambient noise generated by traffic or other common sounds. Staff still believes that the applicant should look at ways to reduce noise. This would include moving the vacuum motors interior to the site and potentially shielding them. Additionally, staff recommends that business hours be limited to daytime hours. Staff also recommends that the applicant prohibit loud music from vehicles in the vacuuming areas.

Recommendation

Staff recommends conditional use approval subject to the following conditions:

- 1. Show canopies on the site plan.**
- 2. Adjust setbacks to show Gateway Corridor standards in the table.**
- 3. Adjust landscape plan to meet total planting requirements and conform with the buffering requirement for the Frederick Road corridor.**
- 4. Dumpster must be screened from adjoining properties.**
- 5. All mechanical must be screened from the public right-of-way.**
- 6. Vacuum motors should be moved to the interior of the site and the noise produced dampened to meet Section 8.6 of the Opelika Zoning Ordinance.**
- 7. Monitor and prohibit loud music in the vacuuming area.**
- 8. Hours of operation shall be limited to daytime hours.**
- 9. Access easement will need to be placed on the common drive/private road.**
- 10. Additional right-of-way for Cunningham Drive shown on site plan shall be dedicated to the City of Opelika.**

Mr. Parker reported for Engineering, 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 will limit access to Frederick Road as a right-in/right-out drive due to the proximity of the existing signal. The Engineering Department has no other comments or concerns with this proposed conditional use.

Mr. Parker reported for the Opelika Utilities Board, water is available from Cunningham Dr. No other comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside the Opelika Power Service territory.

Chair Cannon opened the public hearing.

Brandon Bolt, the applicant, stated that he was available to answer any questions that the Commission had and that he had reviewed the staff recommendations and had no objections.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Ira Silberman

SECONDER: Leigh Whatley
DISCUSSION: Chair Cannon stated that she wanted to make sure that the loud music would be monitored during the daytime as well.

Mr. Mosley stated yes ma'am.

Chair Cannon asked is it right in, right out?

Mr. Mosley stated they are showing a right in, right out on Frederick Road. He stated there would be no left turn there.
AYES: Chair Cannon, Walters, Whatley, Silberman, Director Hilyer
NAYS: None
ABSTAIN: None

C. ANNEXATION AND REZONING - Public Hearing

7. Annexation, The Infinity Group LLC, David A. Gethers, managing member, 2700 block Shelton Mill Road, 46,860 square feet, a C-2 zoning district is requested

Mr. Mosley reported the applicant is requesting to annex one lot described as 46,860 square feet. The property is currently undeveloped. The property is located on Shelton Mill Road next to the Opelika city limits line to the north and west.

The city limits are adjacent to the annexation property on two sides. The property owners have provided plans to build an office building for a cleaning service. The property owners wish to annex this portion of the property to gain access to Opelika sewer services.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The applicant is requesting a C-2 zoning district. The Planning Commission agenda has a rezoning request for this lot to be in the desired C-2 zoning district. The lot meets the annexation requirements being contiguous at two points or more.

Staff recommends the Planning Commission send a positive recommendation to City Council to annex the 46,860 square feet.

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns regarding this annexation request.

Mr. Parker reported for the Opelika Utilities Board, water service is only available via proposed water easement corridor to U.S. Highway 280. No other comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside the Opelika Power Service territory.

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

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Leigh Whatley
AYES: Chair Cannon, Walters, Whatley, Silberman, Director Hilyer

NAYS: None

ABSTAIN: None

8. Rezoning Request, The Infinity Group LLC, David A. Gethers, managing member, 2700 block Shelton Mill Road, 46,860 square feet, R-1 to C-2 subject to City Council approval of Annexation

Mr. Mosley reported the applicant requests to rezone the property at 2700 Block of Shelton Mill Road (subject to the annexation approval by City Council) from the standard R-1 zoning requirement upon annexation to C-2 (Office Retail). The lot will meet the C-2 zoning requirements. The applicant has proposed building an office building for a cleaning service with an administrative staff office, a meeting area, and a small storage area. The proposed lot and building layouts have been shared and are attached at the end of this report. The rezoning from R-1 to C-2 would allow the proposed use of an office building on this lot or any other uses currently allowed by right in our Zoning Ordinance.

Just beyond this block of Shelton Mill Road, the area is transitioning into the Auburn city limits on the road's north (related to this property) side (see the map attached). The area to the south is primarily a large lot and undeveloped. The lots surrounding this area to the north and east are inside the Opelika city limits and are mostly zoned C-2. A small area with a vacant lot is zoned R-2 next to the rear area of the subject lot. If you look at the area, the primary uses surrounding this lot are residential, office, and gas station. Being so close to the intersection of Birmingham Highway and Shelton Mill Road, the zoning of C-2 is appropriate between high traffic uses and lower traffic uses like residential ones. C-2 (Office Retail) uses that would be by right in this zone are defined in the ordinance as "areas for offices and neighborhood small retail uses. Other uses would include residential, banks, fast food, convenience stores, or similar (Section 6.4 Purpose and Intent of Zoning Districts)."

Staff recommends approval of the rezoning request from R-1 to C-2 subject to the following:

- **City Council approving the annexation.**

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns regarding this rezoning.

Mr. Parker reported for the Opelika Utilities Board, water service is only available via proposed water easement corridor to U.S. Highway 280. No other comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside the Opelika Power Service territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

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

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Ira Silberman

AYES:	Chair Cannon, Walters, Whatley, Silberman, Director Hilyer
NAYS:	None
ABSTAIN:	None

V. ADJOURN

Motion to adjourn at 4:11 p.m.

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Walters, Whatley, Silberman, Director Hilyer
NAYS:	None
ABSTAIN:	None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary

EmerGov. 000143-208



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 4/4/23 PC MEETING: April 25thSITE ADDRESS: 1418 2nd Ave Opelika AL 36801PROPERTY OWNER: Marrell Hartley / Bence-Hartley IncAPPLICANT/ AUTHORIZED REPRESENTATIVE: Chris TaylorMAILING ADDRESS: 1418 2nd Ave Opelika AL 36801PHONE NUMBER: 334-319-0712 FAX NUMBER: _____EMAIL ADDRESS: CTAutomotive Auburn@gmail.com**PARCEL INFORMATION**Project name: CT Auto Mall Address/Location: 1418 2nd AveCurrent Land Use: Auto Repair - Going to Do Bldg Current Zoning: _____

Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: _____

Description of Proposed Use: old Hartley moto copy Bldg, currently 4th year this Sept CT Automotive**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

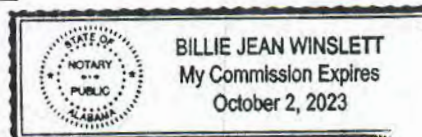
I, Marrell Hartley, being owner of the property which is the subject of this conditional use application hereby authorize Chris Taylor, to act as my representative before the City of Opelika's Planning Commission and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: B. M. HartleyDate: 4-3-2023**STATE OF ALABAMA,****COUNTY OF LEE**

I, Billie Jean Winslett, a Notary Public in and for said County and State, hereby certify that Marrell Hartley, 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 3rd day of April 2023,

Billie Jean Winslett
Notary Public

My Commission Expires: Oct. 2, 2023

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

Meeting Date: April 25, 2023

Agenda Item #: A-1

Action Requested: Conditional Use – Auto Sales and Auto Repair

Location of Property: 1418 2nd Avenue

Property Owner(s): Marrell Hartley
Chris Taylor, authorized representative

Current Land Use: Auto maintenance

Current Zoning: C-3, GC-S

**Surrounding Zoning Districts
And Land Uses:**

North	C-3	Railroad right-of-way
South	C-3, GC-S	Commercial
East	C-2, GC-S	Commercial
West	C-3, GC-S	Commercial

Proposal

From 2019 the applicant has an auto maintenance license at 1418 2nd Avenue. The applicant is now requesting conditional use approval to add automobile sales and auto repair¹ to his existing auto maintenance² shop. Auto sales and auto repair in a C-3, GC-S zoning district require conditional use approval. The property at 1418 2nd Avenue was first developed in 1975 for the Bence & Morris Pontiac Buick GMC dealership.

In 2019, the Planning Commission granted conditional use approval to allow Opelika Town Auto (auto maintenance shop) to expand from their 1419 2nd Avenue location to 1418 2nd Avenue for an auto sales lot. The 2019 PC approval included automobile repairs² (engine overhauls or replacement), but the repairs were only for those vehicles owned and for sale at the Opelika Town Auto Sales lot.

¹ Automobile Repair. A business includes body work, major engine repair, major repair of drive train and related mechanical parts, and any other use allowed in an automobile maintenance establishment or automobile service station.

² Automobile Maintenance Establishment. A business establishment where minor automobile services are rendered such as replacement of oil and filters, spark plugs, batteries, and distributors, replacement of minor items of equipment such as mufflers, tail pipes, water hose, fan belts, brake fluid, etc., front end alignment, brake repair, tune ups, etc.; where no part of the premises is used for paint spraying, body or fender repair, or the storage of dismantled or wrecked vehicle parts; and where all repair and service is conducted within a fully enclosed building; except the washing of automobiles and motor vehicles shall be permitted on the exterior of the premises.

Overhauling or replacing engines on a customer's vehicle was not allowed. Opelika Town Auto Sales is no longer at 1418 2nd Avenue. Since 2019 the applicant has remained at this location as an auto maintenance business and is now requesting to add auto sales and auto repair.

The 6.1 acre property has a 9,910 square foot building with an office & showroom area, and auto repair shop with six vehicle lifts. The applicant's request is to repair and sale the applicant's vehicles that are for sale as well as provide auto maintenance and auto repair to a customer's vehicle. The applicant's auto repair is for engine overhauls or replacement and auto body work. No auto painting will be provided by the applicant. A vehicle that receives body work from the applicant will be "subbed-out" to a local auto paint shop to paint.

The business has a vehicle detail department (auto maintenance) that includes washing vehicles. The wastewater from washing vehicles must drain in an inlet that is connected to the sewer main, so the wastewater is treated at the wastewater treatment plant.

Planning staff has discussed with applicant about the location of parking and storage of vehicles and work activities on the 6.1 acre property. The yellow line shown on page 4 is a boundary area of 1.1 acre. The applicant said the boundary area is an adequate size for an auto sales display area, employee and customer parking, temporary vehicle storage, and all other business activities. The applicant said that no vehicle storage or work activity will take place outside the boundary area.

The business is not part of the 'wrecker rotation' system that tows wreck automobiles to approved auto storage yards. The business does not have a tow truck. The applicant understands that the inbounding of wrecked or inoperable vehicles at 1418 2nd Avenue is prohibited. Staff has reviewed with the applicant Section 7.6 Gateway Corridor³ regulations concerning auto repair shops. The applicant said he will remove those vehicles from 1418 2nd Avenue that do not meet Section 7.6 Auto repair requirements.

A dumpster is not shown on site plan. Staff discussed with applicant that trash and discarded materials must not be seen from 2nd Avenue. The applicant uses the City's garbage services for smaller trash. For large discarded metal body parts or smaller parts acceptable to recycle, the scrap

3 Auto Repair (Section 7.6 Gateway Corridor Overlay District)

1. New or expanded automobile repair facilities in this overlay must meet the following standards:
2. Vehicles undergoing repair, painting or bodywork shall remain inside an enclosed structure at all times.
3. Unlicensed, untitled vehicles shall not be permitted on the site at any time.
4. No body or chassis shall be stored on the site at any time. All parts, including body parts, shall be stored within a completely enclosed structure.
5. Adequate provisions shall be made for ventilation and the dispersion and removal of fumes, and for the removal of hazardous chemicals and fluids.
6. There must be a separator within the drainage system if cleaning agents are being rinsed off of vehicles for all washing/rinsing.
7. There shall be no selling of vehicles at a shop for auto repair. The area around the building shall be kept free of debris and shall be maintained in an orderly and clean condition.
8. No repair, service or paint bay shall be oriented so that its interior is visible from the corridor street.

materials are kept in the building or stored into a box truck temporarily and then taken to a scrap yard. The applicant said the scrap material will not be seen from 2nd Avenue. If a dumpster is installed in the future, the dumpster must be enclosed on all sides with an opaque fence and gate; the enclosure must be at a height, so the dumpster is not seen outside the enclosure.

The site and landscape plan provided meets minimum parking space requirements and landscaping. The site plan shows 33 parking spaces, 29 spaces are required. Six additional parking spaces are also provided inside the building on the six vehicle lifts. The parking spaces on site plan are labeled designating parking for 'customer repairs' 8 parking spaces, vehicles for sale' 16 parking spaces, and 'employee & customer parking' 9 parking spaces. The property was landscaped by the previous business(s) in all pervious areas available. The property was first developed about 1975 before the Landscaping Regulations (1995) were effective; a large portion of the 6.1 acres is concrete or asphalt. The applicant is responsible for maintaining the existing landscaping and replace removed or dead plant material.

The applicant shared that he desires to have a professional auto sales and service business. He said his business is on a high traffic volume street, a Gateway Corridor, and first impressions from motorists driving by his business is important. A professional appearance is significant in the auto sales and auto service business.

Staff recommends approval subject to the following

1. Renewal of the applicant's business licenses for auto sales, auto repair and auto maintenance are conditional each year when the applicant applies for renewal. During the year, Staff will schedule a monthly inspection of applicant's property. Staff will correspond with the applicant by email reporting property conditions and any violations. The applicant must reply with plans to correct violations. Violations must be corrected in a timely manner. Renewal of business license is granted if compliance with Section 7.6 Auto Repair requirements and conditions for approval required by the Planning Commission are met.
2. The temporary storage of vehicles or impounding of vehicles is not allowed. The storage of vehicles on the premises must be a customer's vehicle waiting for auto repairs or maintenance work or the vehicle is repaired and waiting to be picked-up by the customer. All vehicles parked or stored on property must have a current license plate and auto title.
3. All repairs and maintenances of vehicles must be provided inside the building not outside the building.
4. Discarded auto body or engine parts stored on the property must be stored inside the building, in container that is enclosed all sides with an opaque fence and gate or in box truck with door closed so parts are not seen from 2nd Avenue.
5. Stripe the 33 parking spaces as shown on the site plan. One parking space must be handicap accessible.

6. Vehicle storage and work activities are limited to the boundary area shown on page 4 of this report and on site plan. All existing vehicles outside the boundary are prohibited and must be removed or relocated on a designated parking space provided on site plan before a business license is issued.
7. A drainage system for the washing of vehicles must be constructed to collect wastewater into an inlet that is connected to the sewer main so the wastewater is treated at the wastewater treatment plant as approved by the applicable department.



Engineering Department Report

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

Opelika Utilities Board Report

Opelika Utilities Comment: No Objections or comments.

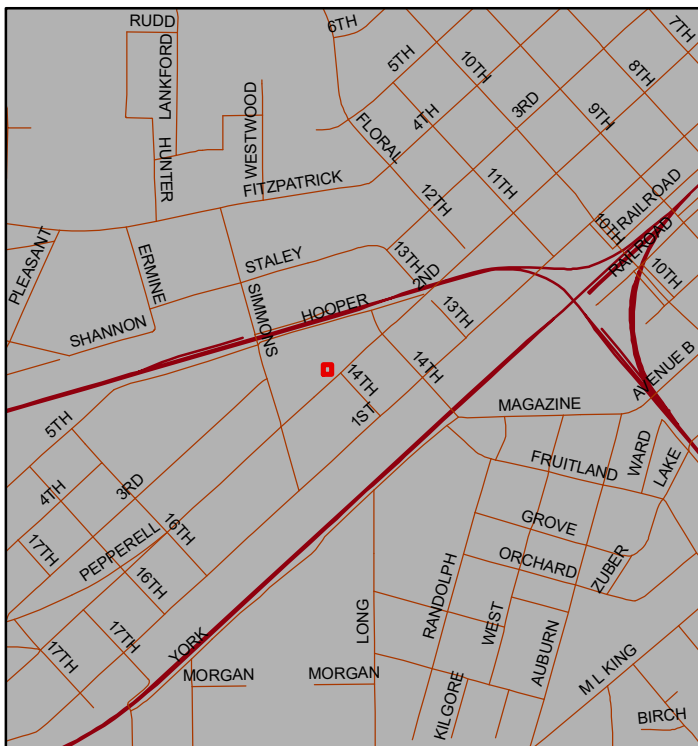
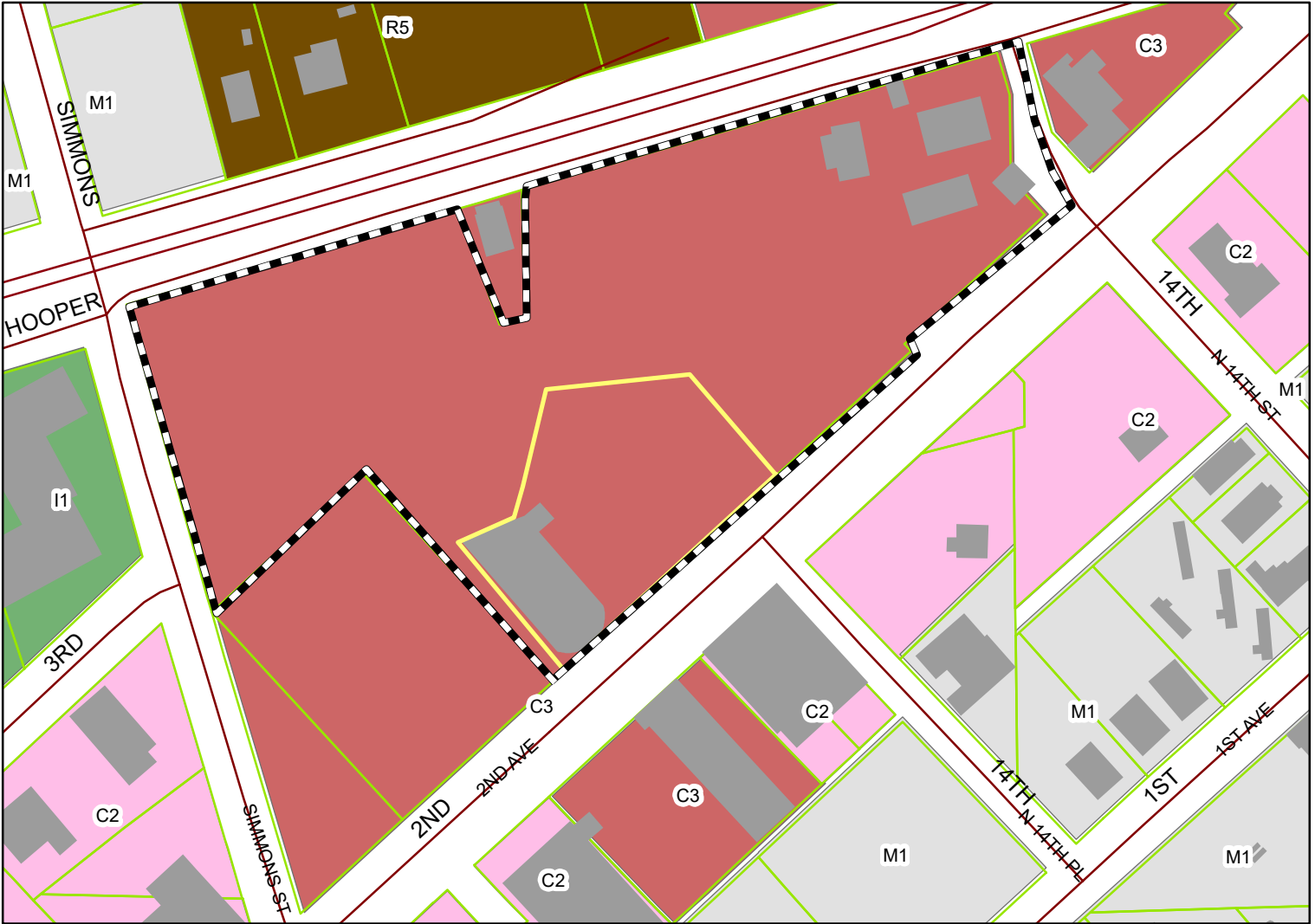
Opelika Power Services Report

This subdivision is inside the Opelika Power services territory.

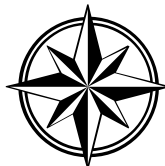
CT AUTO SALES AND AUTO REPAIR

1418 2ND AVENUE

CONDITIONAL USE, D-1

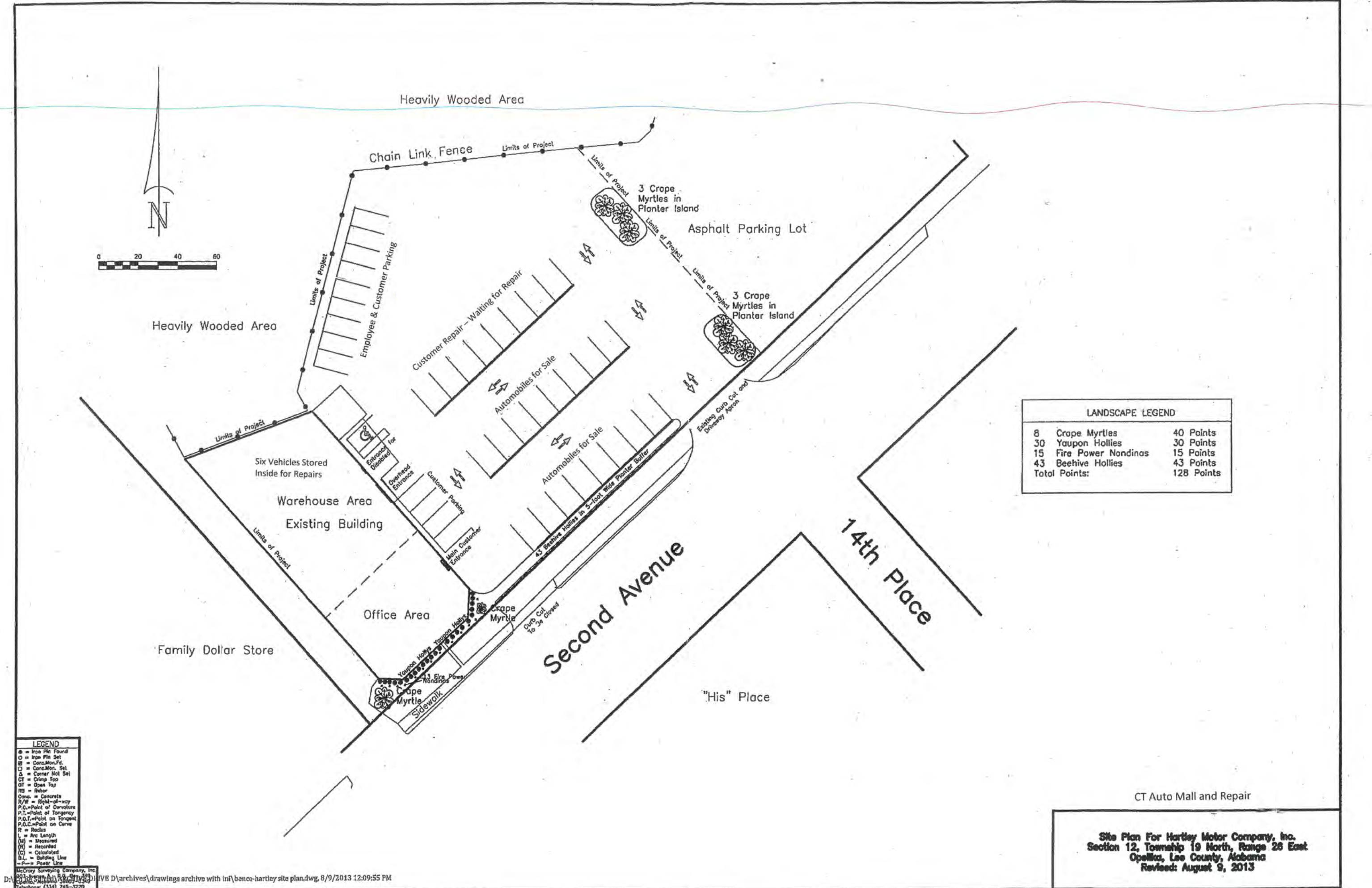


The applicant is requesting approval to sale and repair vehilces. The property is currently used for vehicle maintenance.



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.



LANDSCAPE LEGEND			
8	Crape Myrtles	40	Points
30	Yaupon Hollies	30	Points
15	Fire Power Nandinas	15	Points
43	Beehive Hollies	43	Points
Total Points:		128	Points

LEGEND	
●	Iron Pin Found
○	Iron Pin Set
■	Conc. Mon. Pd.
□	Conc. Mon. Set
△	Corner Not Set
CT	Crump Top
OT	Open Top
RB	Rebar
Comp.	Concrete
R/W	Right-of-way
P.O.	Point of Curvature
P.T.	Point of Tangency
P.O.T.	Point on Tangent
P.O.C.	Point on Curve
R	Radius
L	Arc Length
M	Measured
R	Recorded
C	Calculated
BL	Building Line
PL	Plaster Line

CT Auto Mall and Repair

Site Plan For Hartley Motor Company, Inc.
Section 12, Township 19 North, Range 28 East
Opelika, Lee County, Alabama
Revised: August 9, 2013



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: 4/18/23 PC MEETING: 4/25/23

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett Simpson, Inc.

MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801

PHONE NUMBER: 334-745-7026 Email: brice@barrett-simpson.com

PARCEL INFORMATION

Site Address: 3400 Anderson Rd.

Description of proposed use: Single-family Residential/Townhomes

Tax Parcel Number: 43-03-08-28-0-000-006.015 & 43-03-08-33-0-000-001.000

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

Current Land Use: Vacant

Current Zoning: R3

Proposed Zoning: PUD

Number of APO: 12 x \$7.00 = \$ 84.00
(Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$209.00

PAID: _____

I hereby request my property located at (street address) 3400 Anderson Rd. Opelika, AL 36801,
Tax Map parcel number 43-03-08-28-0-000-006.015 & 43-03-08-33-0-000-001.000 be rezoned from
R3 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: Blake Rice

(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE 3/28/23

EDGEFIELD FARM



April 14, 2023

Master Development Plan Narrative



BARRETT-SIMPSON, INC.

Civil Engineers & Land Surveyors

PHENIX CITY • EUFAULA • OPELIKA

Edgefield Farm

MASTER DEVELOPMENT PLAN NARRATIVE

INTRODUCTION

Barrett-Simpson, Inc., the Applicant, on behalf of the Owner, 280 Land Company, LLC, respectfully requests that the Opelika Planning Commission rezone the proposed Edgefield Farm Subdivision to a PUD (Planned Unit Development). The subject property is currently zoned R-3. The applicant is proposing to create a single-family residential development, governed by a single PUD zoning designation. The proposed rezoning will allow for a mix of medium density single-family residential uses, as well as townhomes.

The following narrative outlines important aspects of the development requesting a PUD.

1

Location

The Proposed Development is located within the City of Opelika, at the corner of Anderson Road and Andrews Road. The Development will be accessed from entrances off both of the aforementioned public roads.

2

Concept

The Applicant is proposing a master planned development, consisting of 404 single-family lots, 140 townhome lots, amenity areas, open space areas and on-site detention. Of the 403 single-family lots, the typical sizes are planned to be 243 each 50' x 150' and 161 each 40' x 150'.

Edgefield Farm Subdivision will be best planned and developed as a PUD which will allow for effective control and certainty of housing density, which is currently projected at a minimum of 2.76 units per acre.

3

Site Details

The Proposed Development consists of a total of +/-197 acres. Given the size of the development, infrastructure construction may be divided into phases, resulting in an inventory of residential lots being made available as market conditions allow.

Storm water detention/retention will be provided on site within the development. Open spaces and amenity areas are planned for the development. A home owners association will be established for proper maintenance of all common areas and amenities. Likewise, architectural guidelines, building regulations and use restrictions will be governed by Covenants, Conditions and Restrictions and the newly established Home Owners Association.

4

Lifestyle and Amenities

The development will provide opportunities for residents to live healthy and active lifestyles. Not only will Edgefield Farm provide generous open spaces, the development will feature the Opelika areas' most diverse and extensive amenities package ever offered in a single development. The phased amenities area will feature a pavilion and restrooms, a pool, and playground. Sports fields, pickle ball and tennis courts are all potential uses. A community garden, dog park, and walking/jogging trails may be offered as additional amenities for exercise and entertainment opportunities. All common areas and amenities will be professionally landscaped and maintained by a neighborhood homeowners association.

5

Lot Information

Setbacks for the single-family portions of the development are proposed to be a minimum of 20' from the front property line, 7' from each side property line, 25' from the rear property line and 15' from a side street. The proposed maximum Impervious Surface Ration on single family lots is 0.70 including rear alleys.

Setbacks for the townhome portions of the development are proposed to be a minimum of 20' from the front property line, 10' from each end-unit side property line, 25' from the rear property line and 15' from a side street. Other aspects of the townhome areas will comply with the Townhome Standards of the Opelika Zoning Ordinance. Streets within the townhome portions of the development are intended to be private with parking located adjacent to the travel lanes. This will allow for "Courtyard" open spaces within the townhome areas providing localized activity areas.



6

Utilities

The Proposed Development will be served by City of Opelika sewer and Opelika Utilities water services. Power and communications will be provided by a combination of Opelika Power Services, Tallapoosa River Electric Cooperative and Point Broadband. Natural gas, if used, will be provided by Southeast Alabama Gas.

7

Net Impact of Proposed Development

The proposed rezoning from the current R-3 designation to PUD is necessary to accommodate the proposed housing densities contemplated for the development.

The proposed rezoning request does not adversely impact the City of Opelika or its infrastructure in any way. Rather, the rezoning proposed for the development represents a net benefit to the City upon implementation through its completion.

8

Accompanying Exhibits

Attached are several exhibits supporting the application for rezoning to PUD. The supporting exhibits include the following:

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Authorization to Act as Applicant
- Deed to Subject Property
- Application for PUD Zoning

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 25, 2023

Agenda Item #: B-2

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): 280 Land Company, LLC.
Blake Rice, Barrett-Simpson, authorized representative

Current Land Use: Single-family development

Current Zoning: R-3

Staff Comments:

Amendment to the Future Land Use Map:

The rezoning request from R-3 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 197-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 197 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 “planned unit development” pending the rezoning of Dickson Farms. The property to south also has a designation as “planned development” for the Hidden Lakes North property. 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 2.76 units per acre. This includes a variety of housing types including detached single-family and townhouse units.

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 197 acres from a R-3 (medium 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 border with Hidden Lakes North and the proposed Church of the Highlands site. The southern boundary of the development is a creek with some significant flood plain.

The PUD development consist of a mixture of single family detached homes and townhomes. The overall development has 544 residential units. The overall density is 2.76 units per acre.

The development has 404 traditional single family home lots. This would include a mix of 50 foot front access lots and 40 foot rear access lots. There are 243 50-ft single family lots and 160 40-ft single family lots. The setbacks for these lots are:

Front: 20 ft

Side: 7 ft

Rear: 25 ft

The 40-foot lots are accessed by private alleys that connect to public streets. Forty foot lots have been somewhat of an issue in recent development like Firefly and Dickson Farms. The earlier phase of Dickson Farms was not recommended for approval with the smaller lots. This was one of many items that were changed between the two submissions including overall density and removal of commercial and multi-family uses.

The site also includes two sections of townhome lots. The applicant states in their narrative that these units would be designed with common parking to allow for “courtyard” open spaces. 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 140 townhome units.

Front: 20 ft

Side (End Unit): 10 ft

Rear: 25 ft

In most recent PUD requests, staff has pushed to have lots smaller than 50 feet be rear access. This creates a stronger connection between the street and the front facing portion of the development. The applicant has chosen to place the townhomes in this development in defined pods. It is difficult to determine what this will be based on the information provided. If the common parking approach is used, additional buffering and landscaping may help improve the transition through the neighborhood on the public streets.

The applicant has not provided any information on what the single-family or townhome units would look like.

The site is intended to have multiple access roads off Anderson Road and Andrews Road. The master development plan shows four (4) 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.

While most of the streets in the townhome area are private, there are public entry drives that connect to the remainder of the development. Hidden Lakes North was not required to connect to this section of the property due to the creek and flood plain. 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 proposed development plan shares many similarities to a conservation subdivision. Conservation subdivisions are where the density and development is clustered in the most developable areas, while the natural features like streams, wetlands or steep slopes are preserved. This reduces infrastructure and grading costs, as well. Typically, these developments are paired with low impact standards to reduce impervious surface and improve drainage. This clustering will allow the developer to build smaller more affordable housing units.

The master development plan also shows a significant amount of open space and amenity lots. Approximately 86.64 acres of this site is designated open space. This represents 44 percent of the overall site. Much of the open space is located in areas adjacent to streams or floodplain. There is a central amenity located between the two large clusters that would provide amenities.

Buffering

The applicant shows a 20-building setback along all street sides of the development. Additionally, in many places very large sections of open space are present. More specific buffering should be noted and provided for this development. This is especially important in areas where the more dense townhouses are directly across the street from more large rural lots. The townhouse areas should meet the City's landscaping requirements. The applicant has noted that they plan to have landscape beds on four sides of the residential units and each lot will have at least one tree.

Discussion:

The applicant is proposing a development that is a mix of residential uses. The proposed density is less than is currently allowed on the site under the existing zoning, although there are areas that may not be buildable. 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. The plan uses 40-foot lots and townhomes with common parking that have been a discussion point. The development could potentially be better in line with the current surrounding properties if some larger lots were added. The applicant may be able to show how these building types might work better with supplemental documents including landscaping, building types, and other information previously mentioned.

Staff recommendation:

Staff believes that the general density is in line with previously approved developments that are adjoining. Staff believes that more information is necessary, particularly on the townhouse units and 40-foot lots before a positive recommendation to City Council is granted. Should the

Planning Commission recommend a positive recommendation, the following conditions should be included:

- 1. Sidewalks shall be required on both sides of the street where they adjoin residential or amenity uses.**
- 2. All utilities shall be underground.**
- 3. Uses shall follow those listed in the written report**
- 4. Townhouse uses shall follow the landscape standards of the zoning ordinance.**
- 5. Gateway cladding standards shall apply.**
- 6. Add buffers to the perimeter of the PUD. Note the type of buffer, width, and material.**

Engineering Department Report

Any roadway, intersection or capacity upgrade requirements for this development will be coordinated and communicated with the developer with the preliminary plat approval phase.

The Engineering Department has no comments or concerns regarding this rezoning.

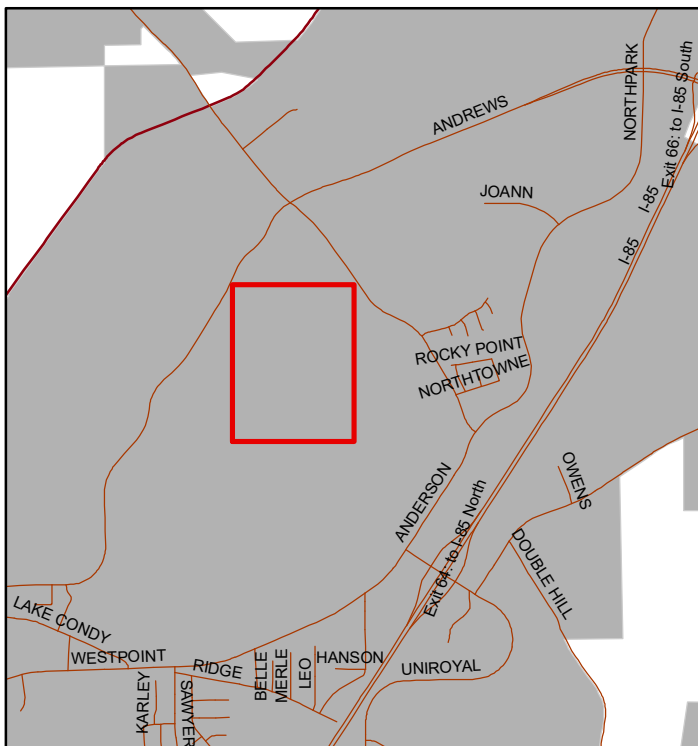
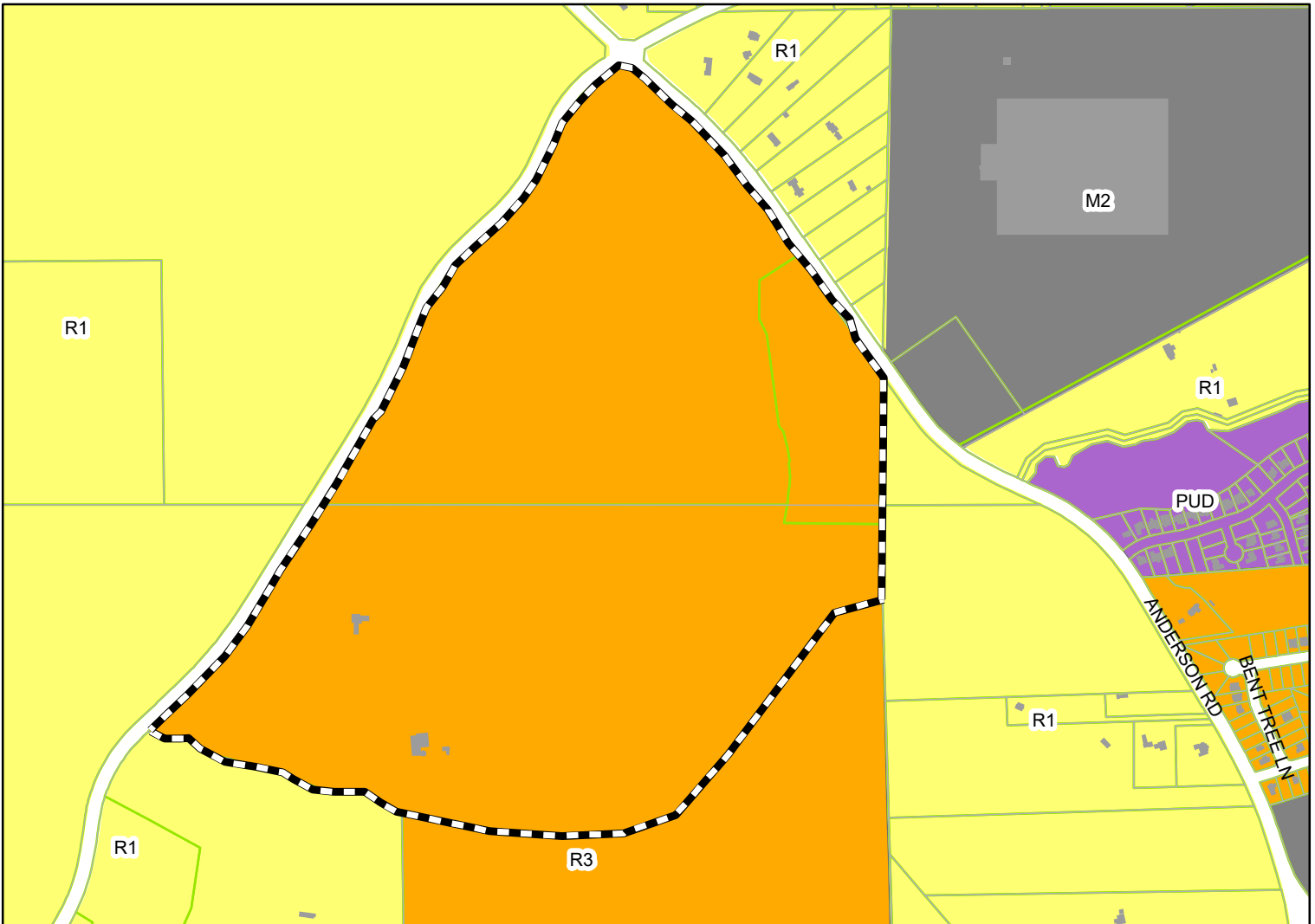
Opelika Utilities Board Report

Opelika Utilities Comments: Water is available from Anderson Road. Water must be extended from Anderson Road to connection point on Andrews Road at ultimate buildout. Water main on Andrews Road must be 12-inch diameter pipe. It is suggested that this developer coordinate Andrews Road Water Main Extension with developer of Hopson Farms. They are also required to extend water main down Andrews Road for their development.

Opelika Power Services Report

This subdivision is outside of the Opelika Power Services territory.

EDGEFIELD FARM REZONING ANDERSON ROAD AND ANDREWS ROAD R-1 TO PUD, D-2a, 2b



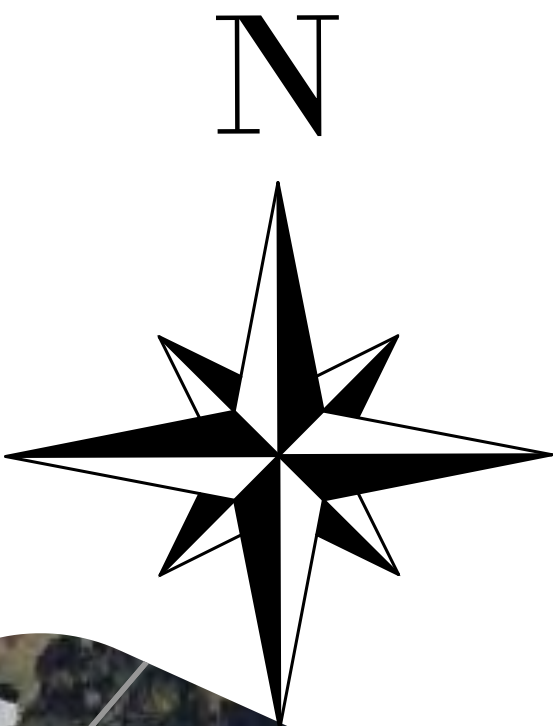
The applicant is requesting to rezone 197 acres from a R-1 to a PUD zoning district. The development includes 404 single family home lots, 140 townhome lots, and amenity & open space areas.



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.

PUD EXHIBIT
EDGEFIELD FARM
OPELIKA, LEE COUNTY,
ALABAMA



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 3. Development Data:

-Total Property Area:	197 Acres±
-Proposed Use:	Single Family Residential
-Current Zoning:	R3 - Low Density Residential
-Required Zoning:	PUD
-Typical Lot Size:	50' x 150', 40' x 150'
-Total Number of Lots Proposed, 50':	243
-Total Number of Lots Proposed, 40':	160
-Total Number of Townhomes Proposed:	140
-Total Area of Open Space & Buffers:	86.64 Acres±
-Total Number of Open Space/Det Lots:	5
-Total Number of Residential Lots:	544
-Total Number of Lots:	544
-Total Length of Streets:	17,665 LF±
-New Street Right of Way Width:	60 feet
 4. All Right-of-Way and roadway widths will comply with the Opelika Public Works Manual.

- LEGEND:
- 50' LOTS
 - 40' LOTS
 - TOWNHOMES



VICINITY MAP
N.T.S

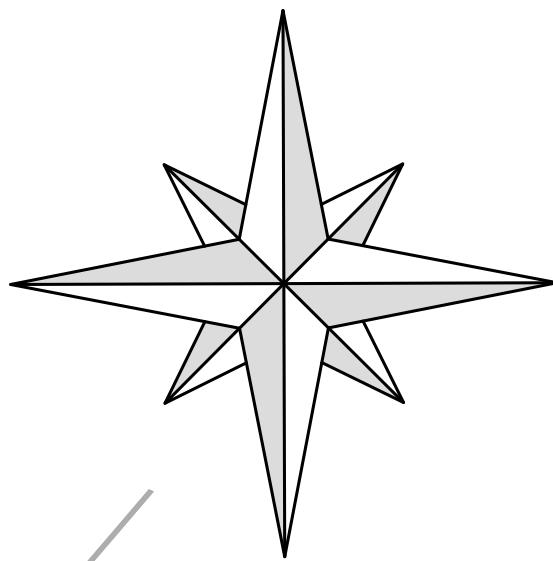


PUD EXHIBIT

EDGEFIELD FARM

OPELIKA, LEE COUNTY,
ALABAMA

N



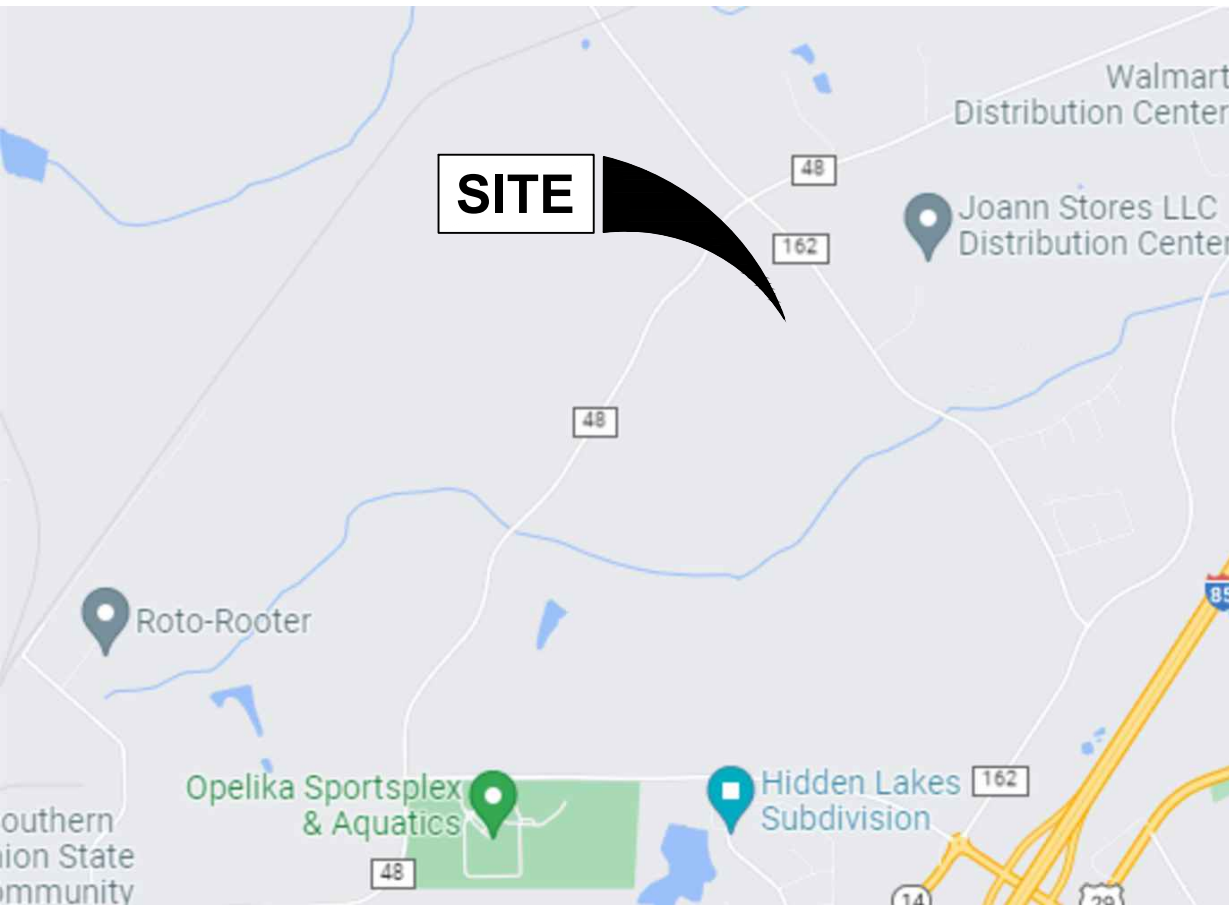
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- All Right-of-Way and roadway widths will comply with the Opelika Public Works Manual.



VICINITY MAP
N.T.S



**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 4/4/23 PC MEETING: 4/25/23

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett Simpson, Inc.MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801PHONE NUMBER: 334-745-7026 Email: brice@barrett-simpson.com**PARCEL INFORMATION**Site Address: 820 Crawford Rd.Description of proposed use: Single-family Residential-Twin Homes

Tax Parcel Number: _____

Adjacent Zoning Districts: North: PUD South: R4M/R3 East: R3 West: R3Current Land Use: VacantCurrent Zoning: R3Proposed Zoning: PUDNumber of APO: 15 x \$7.00 = \$105.00
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = \$230.00**PAID:** _____I hereby request my property located at (street address) 820 Crawford Rd.Tax Map parcel number 43-10-09-29-0-000-001.002 be rezoned fromR3 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:(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.DATE 3/29/23

KNOLLWOOD



April 14, 2023

Master Development Plan Narrative



BARRETT-SIMPSON, INC.

Civil Engineers & Land Surveyors

PHENIX CITY • EUFAULA • OPELIKA

Knollwood

MASTER DEVELOPMENT PLAN NARRATIVE

INTRODUCTION

Knowllwood Subdivision is envisioned to be master planned development, consisting of 106 Twin Home lots, open space areas and on-site detention. The approximately 17.95 acres development will be professionally planned and developed as a Planned Unit Development (PUD), with careful attention paid to protection of the natural environment.

Barrett-Simpson, Inc., the Applicant, on behalf of the Owner, SMB Land, LLC, respectfully requests that the Opelika Planning Commission rezone the proposed Knowllwood Subdivision to a PUD. Currently, the subject property is zoned R-3. The proposed PUD will allow for a mix of medium density Twin Home residential uses.

The following narrative outlines important aspects of the development requesting a PUD.

1

Location

The Property for the proposed Knollwood Subdivision is located within the City of Opelika, along Crawford Road. The Development will be accessed from one entrance, though there is a stub out provided for future connectivity.

2

Concept

The Applicant is proposing a master planned development, consisting of 109 Twin Home residential lots and open space areas. The typical sizes of proposed lots are planned to be 25' x 130' (or more in depth).

Knollwood Subdivision will be best planned and developed as a PUD which will allow for effective control and certainty of housing density, which is currently projected at a minimum of 6.07 units per acre.

Site Details

Storm water detention/retention will be provided on site within the development. Open spaces are planned for the development. A home owners association will be established for proper maintenance of all common areas. Likewise, architectural guidelines, building regulations and use restrictions will be governed by Covenants, Conditions and Restrictions and the newly established Home Owners Association.

Lifestyle and Amenities

[illegible]

5

Lot Information

Setbacks for the development are proposed to be a minimum of 20' from the front property line, 6' from one side property line and 0' from the other, 25' from the rear property line and 15' from a side street. The proposed maximum Impervious Surface Ratio on the lots is 0.65.

Individual lot landscaping for will consist of landscape beds on all 4 sides of each building along with shrub plantings in front and a minimum of 1 canopy tree per unit planted in the front yard.

6

Utilities

The Proposed Development will be served by City of Opelika sewer and Opelika Utilities water services. Power and communications will be provided by a combination of Opelika Power Services and Point Broadband. Natural gas, if used, will be provided by Southeast Alabama Gas.

7

Net Impact of Proposed Development

The proposed rezoning from the current R-3 designation to PUD is necessary to accommodate the proposed housing densities contemplated for the development.

The proposed rezoning request does not adversely impact the City of Opelika or its infrastructure in any way. Rather, the rezoning proposed for the development represents a net benefit to the City upon implementation through its completion.

8

Accompanying Exhibits

Attached are several exhibits supporting the application for rezoning to PUD. The supporting exhibits include the following:

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Authorization to Act as Applicant
- Deed to Subject Property
- Application for PUD Zoning

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 25, 2023

Agenda Item #: B-3

Action Requested: Amendment to a Master Plan
From PUD with 49 lots to PUD 106 lots

Property Owner(s): SMB LLC
Blake Rice, Barrett-Simpson, authorized applicant

Current Zoning: PUD (Planned Unit Development)

Proposed Zoning: Amendment to the PUD (Planned Unit Development)

Existing Land Use: Single-Family Residential, proposing twin home residential

**Surrounding Zoning Districts
And Land Uses:**

North	PUD	Single-Family Homes
South	R-3, R-4M & C-3	Hickory Haven Mobile Home Park & Gas with Convenience Store
East	R-3	Vacant
West	PUD	Single-Family Homes

Rezoning as an Amendment to Knollwood Master Plan

The applicant is requesting an amendment to the master plan of 17.9 acres from 49 lots for single-family homes to 106 for twin homes(duplexes) with two open space lots. Crawford Road borders the development along the south property line. The adjacent property to the north and west is The Village at Waterford Subdivision, Phase 4, primarily a PUD single-family home development. The adjacent property on the east is a large rural single family lot. The adjacent property to the south is a mobile home park and convenience store with gas islands. Access to the development is from two new streets, with one connecting to Crawford Road on the south side of the property. The second access to this development will be a connection to Jansen Avenue from a planned stub street connector to be built in the Village at Waterford, Phase 4 Subdivision. The road layout and open space areas resemble the previously approved PUD. However, the density, lot size, lot width, and housing type differ from the previously approved PUD.

The Master Plan narrative describes the concept as 106 residential lots for twin homes and two open space lots. The lot sizes for this development are listed as a lot width of 25 feet by 130 feet deep, allowing for a minimum lot size of 3,250 sf. The density for the proposed PUD amendment with the corrected 106 lots is approximately 6.07 units per acre. The setback requested is 20' in front, 6' on one

side, 0' from the other side (adjoining structures), and 25' from the rear. The narrative states this development will likely be developed in phases. The revised narrative provides amenities of open space that feature a pavilion, walking trails, and a dog park. A homeowner's association will manage any maintenance needs. Staff suggests amenities be added to the master plan concept map to show size and location.

The "detention/open space" on the master plan is two (2) lots that total 4.99 acres. The revised proposal has stated in the narrative that amenities will be provided. A revised concept map is needed to locate buffers, amenities proposed, and dedicated access to the amenities. The narrative states a homeowner's association will be established to properly maintain common areas. The narrative also says Covenants and Restrictions will be established for architectural and use restrictions.

Buffers are typically required on the perimeter of the PUDs. Additionally, twinhome/townhome units are required to buffer against single family zones. The buffer provides a transition to prevent any negative effects from the changes in density. The staff is concerned that the higher density requested in this location is not consistent with the adjoining existing Village at Waterford PUD and surrounding land uses. The previously approved single-family homes in the approved PUD are much more consistent with the lots in Village at Waterford. It is uncommon to have two different PUD Master Plans adjoin. Because of this relationship, the two areas should have a transition. The density for the neighboring Village at Waterford PUD will have a density of approximately 4.5 dwelling units per acre.

In most recent PUDs, staff has raised concerns about the lot configuration of front loading twinhome lots. The lot width of 25 feet is narrow for all of the uses that typically occur in this space, specifically for landscaping, yard space, and parking needs. A parking pad for two vehicles as required for residential units is typically 18-22 feet. For this reason, staff has recommended that this style of unit be rear loaded to provide a better street presence. The staff has not received design elements, architectural style, placements of buildings upon the land, and building heights and bulk, off-street parking of buildings with this revised proposal. We have not received any details about whether these units will include garages. These details are needed for a significant amendment PUD review.

A detailed landscape plan was not provided in the review packet, nor was it addressed in the narrative. The development should at the very least meet the general standards for landscaping in the zoning ordinance. The previously approved PUD included the requirement for trees to be located within the front yard of the single-family homes. Additionally, most recently approved PUDs have included one tree per 1-2 residential lot. According to the landscape regulations, a residential buffer strip is required along the perimeter property line of the development where it abuts residential zoning districts. Staff suggest the same as the previously approved Knollwood PUD buffer between the two PUD zoning districts and for the landscape requirements. The new homes constructed on those lots face an internal street, and the rear yard faces Crawford Road. A visual buffer between the residential lots and Crawford Road would help preserve the character of this area. The buffer also reduces possible interference between the existing commercial, manufacturing, and activities of the proposed residential community.

The previous requirement was for a 25 foot undisturbed buffer with additional planting to supplement areas where plant material was not present.

Recommendations:

Staff has concerns with the proposed development. The approved PUD is more consistent with the surrounding development pattern. The proposed development is more dense and varies from the predominant detached single-family character of the area. The front loaded narrow twin home lots are a typology that the City has moved away from in more recent PUD approvals. Finally, there is a need for some more information before we could support the proposed amendment.

Staff recommends Planning Commission send a negative recommendation to the City Council for the PUD amendment due to the development not being consistent with the surrounding neighborhood's density and details listed in this report.

Engineering Department Report

Any roadway, intersection or capacity upgrade requirements for this development will be coordinated and communicated with the developer with the preliminary plat approval phase.

The Engineering Department has no comments or concerns regarding this rezoning.

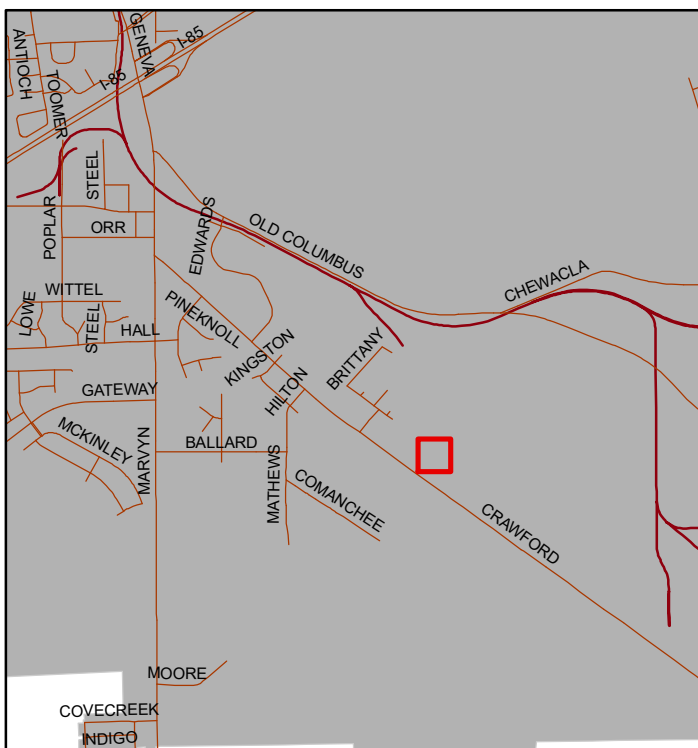
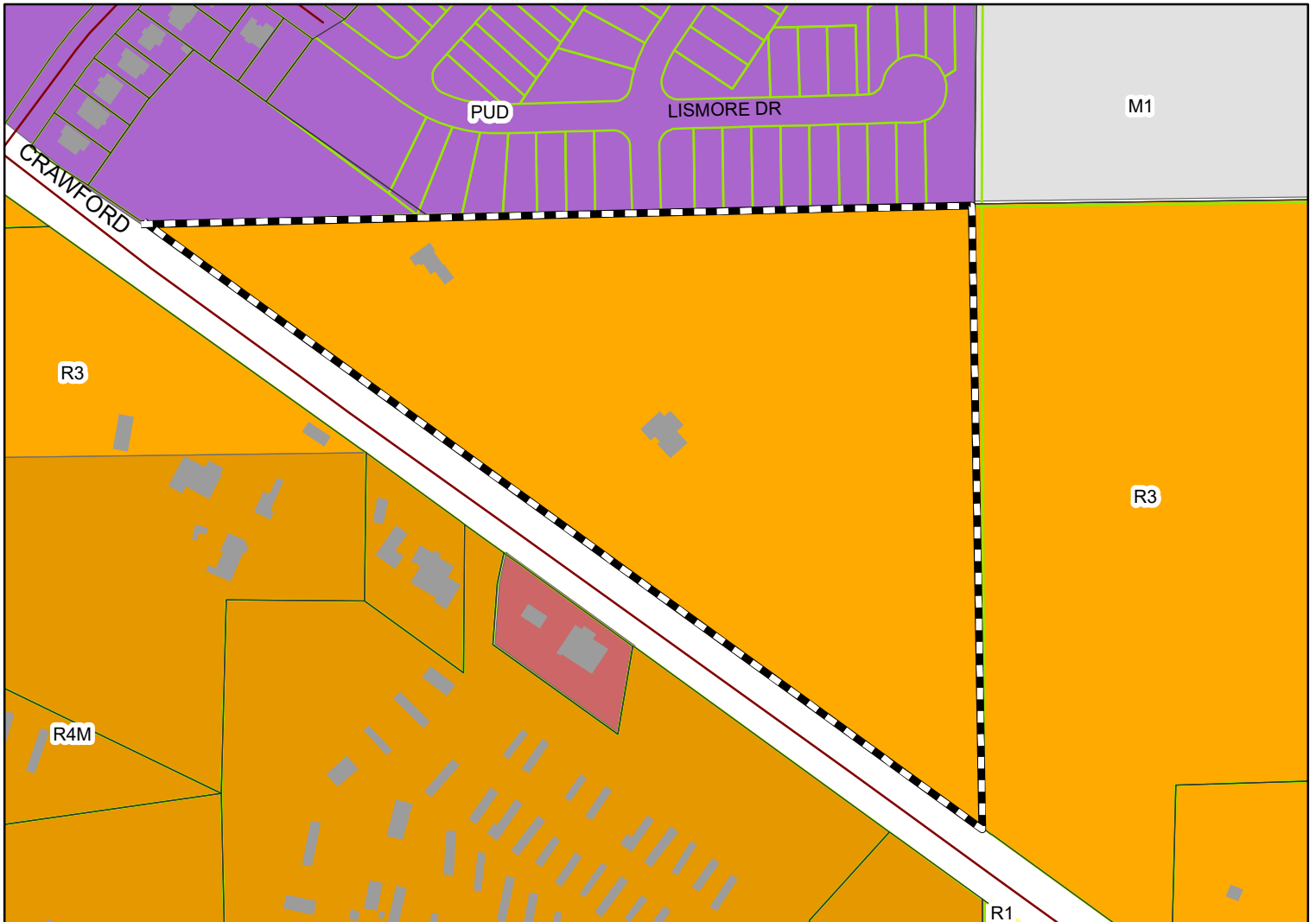
Opelika Utilities Board Report

Opelika Utilities Comments: Water is available from Crawford Road. No other comments.

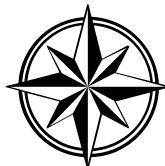
Opelika Power Services Report

This subdivision is inside the Opelika Power services territory.

KNOLLWOOD REZONING 820 CRAWFORD ROAD R-3 TO PUD

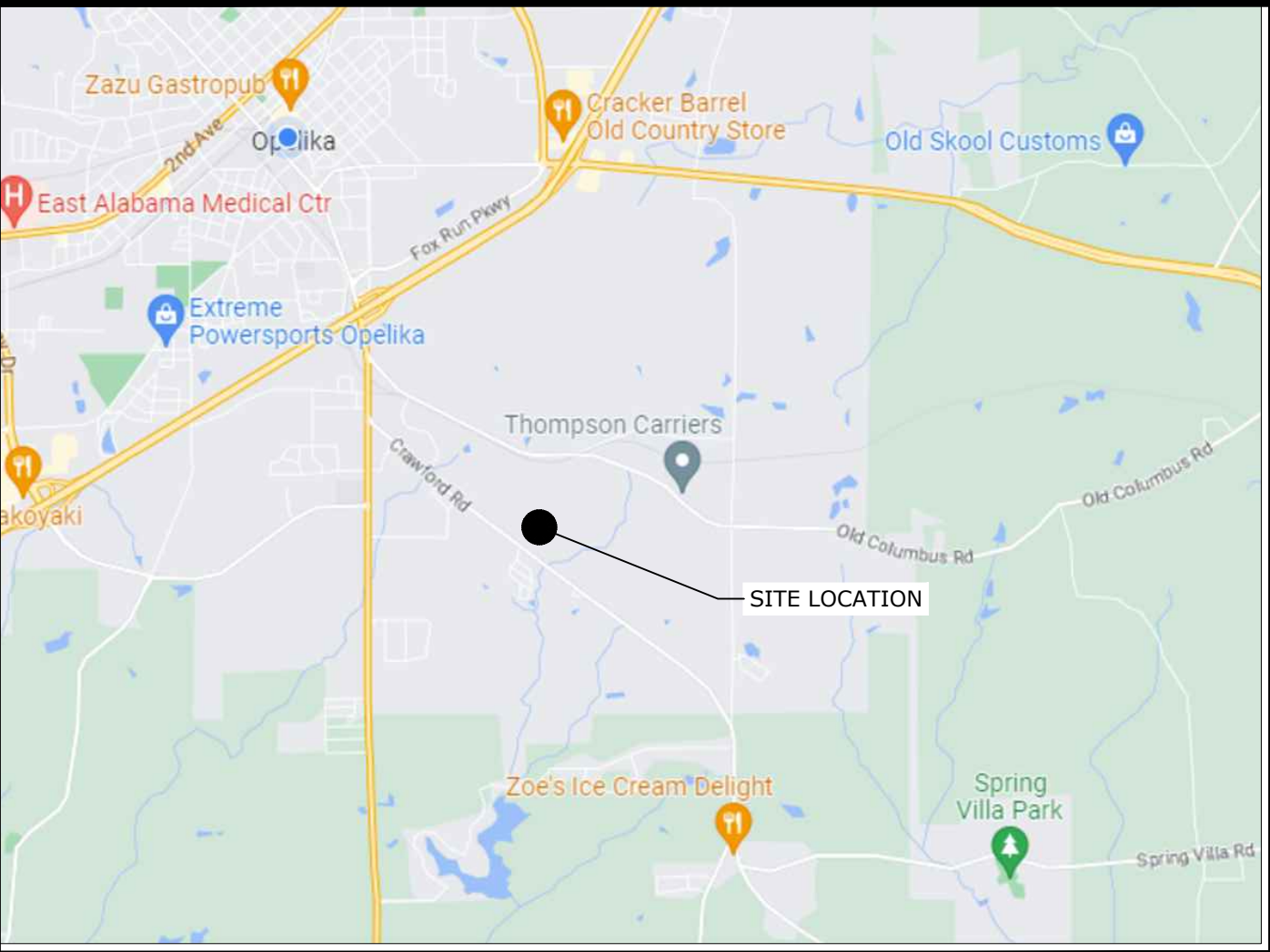


The applicant is requesting to rezone 17.95 acres to PUD for 109 twin home lots and common open areas. A homeowner's association will be provided to maintain the open space.



Subject Property

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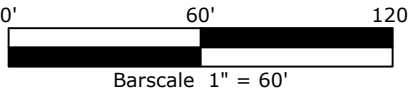
VICINITY MAP
NOT TO SCALE

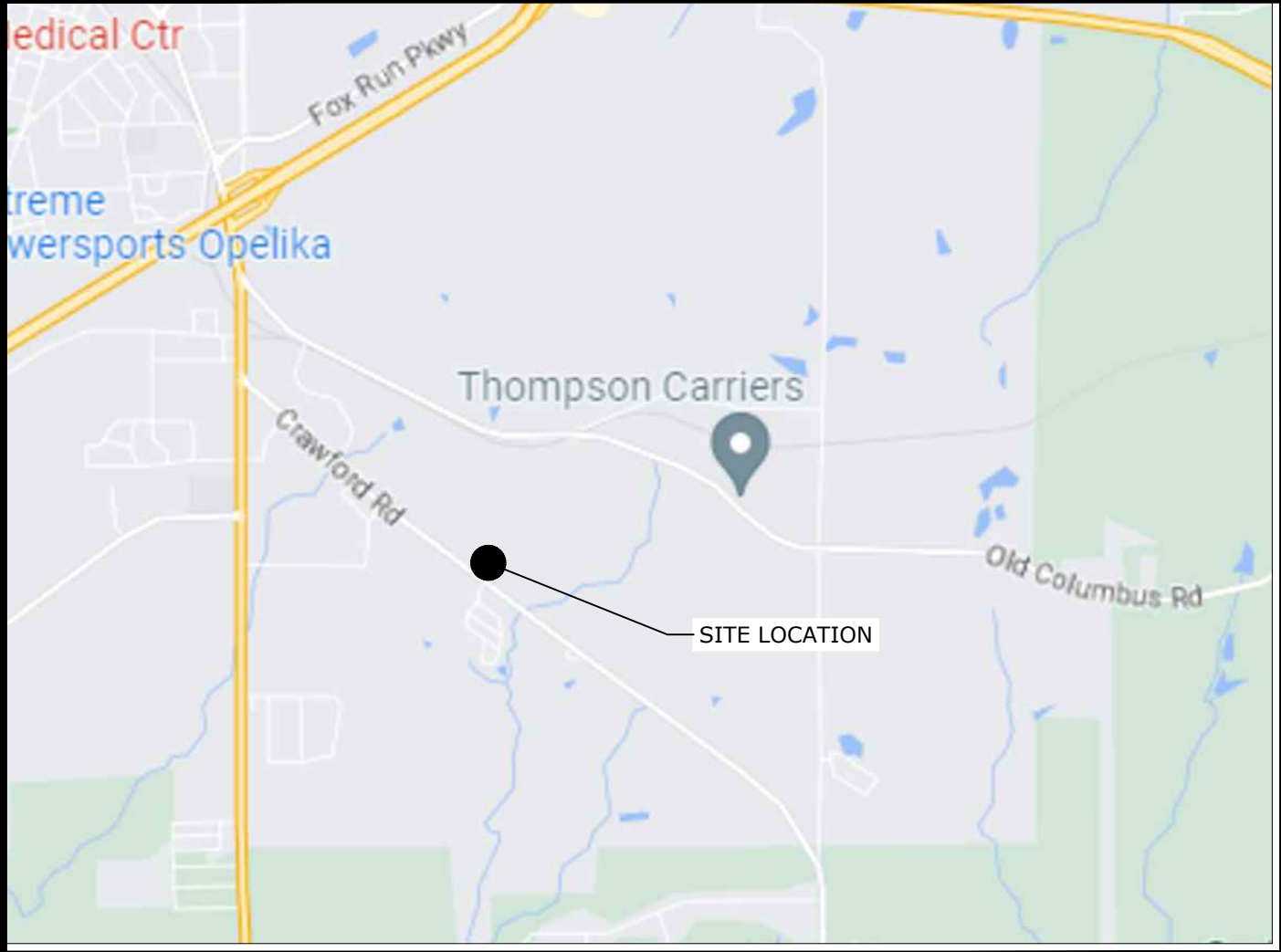
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 3. Development Data:

-Total Property Area:	18 Acres±
-Proposed Use:	Single Family Residential
-Current Zoning:	R3 - Low Density Residential
-Required Zoning:	PUD
-Typical Lot Size:	25' x 130'
-Total Number of Lots Proposed:	108
-Total Number of Open Space/Det Lots:	2
-Total Number of Residential Lots:	106
-Total Length of Streets:	1,776 LF±
-New Street Right of Way Width:	50 feet
-Open Space	4.99 ac ±



PUD EXHIBIT
KNOLLWOOD
OPELIKA, LEE COUNTY,
ALABAMA



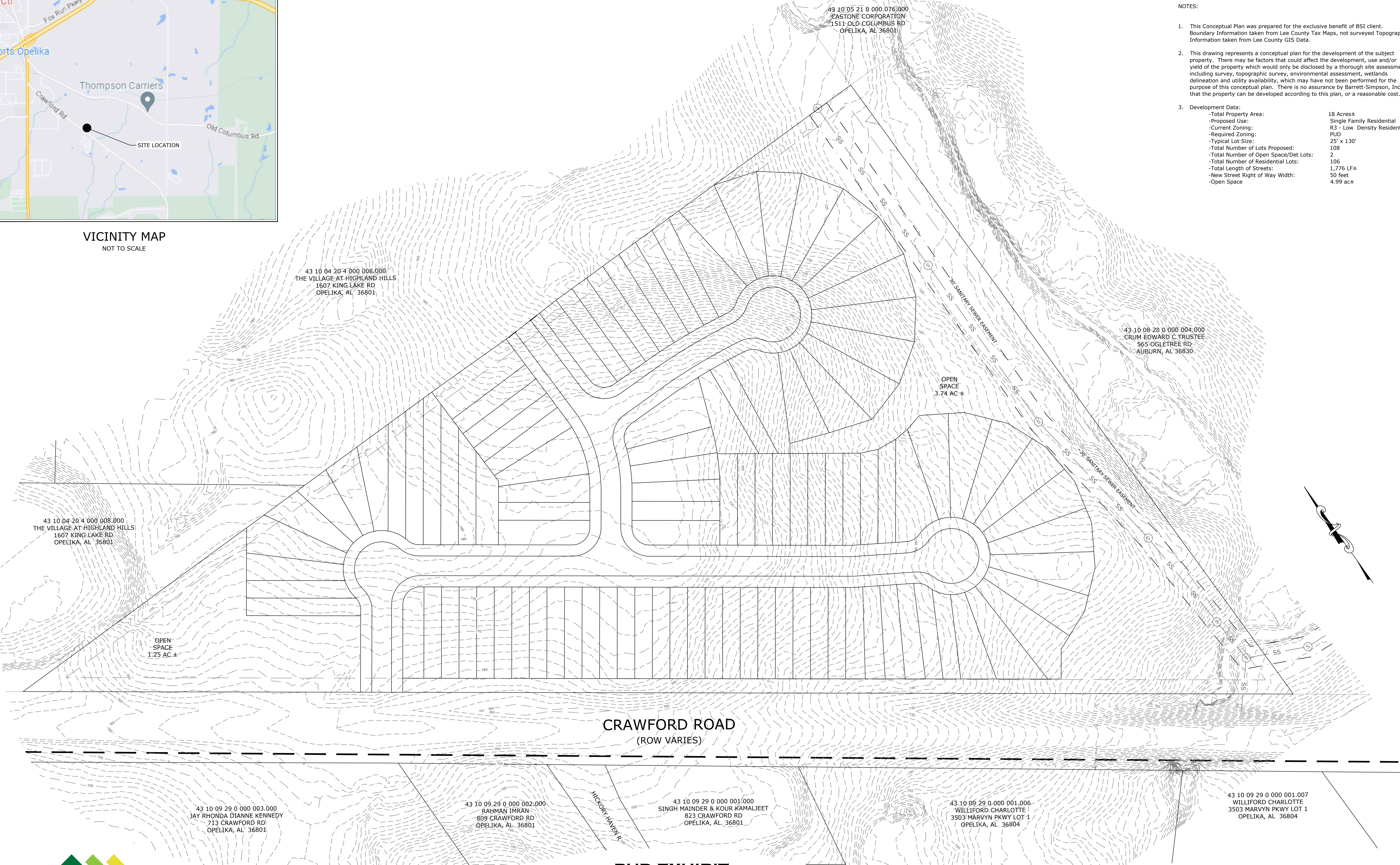


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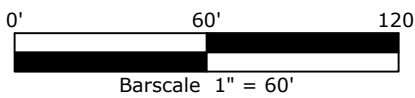
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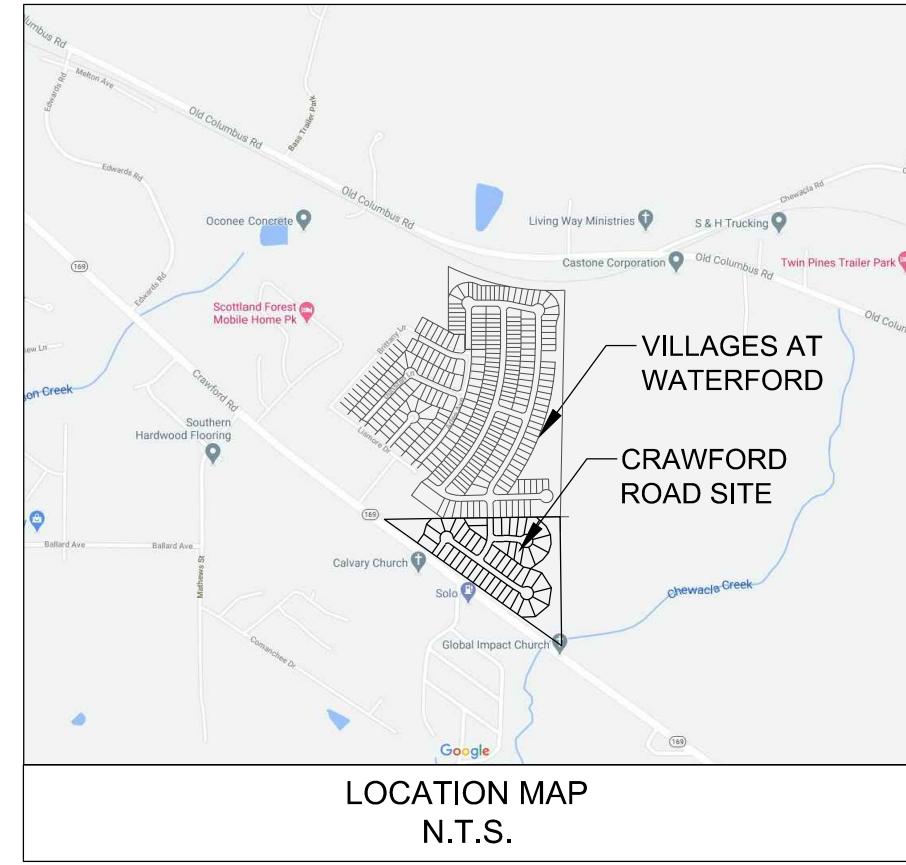
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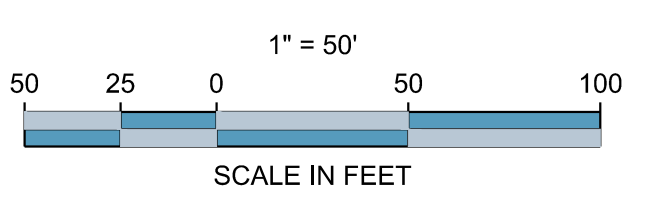
PUD EXHIBIT
KNOLLWOOD
OPELIKA, LEE COUNTY,
ALABAMA



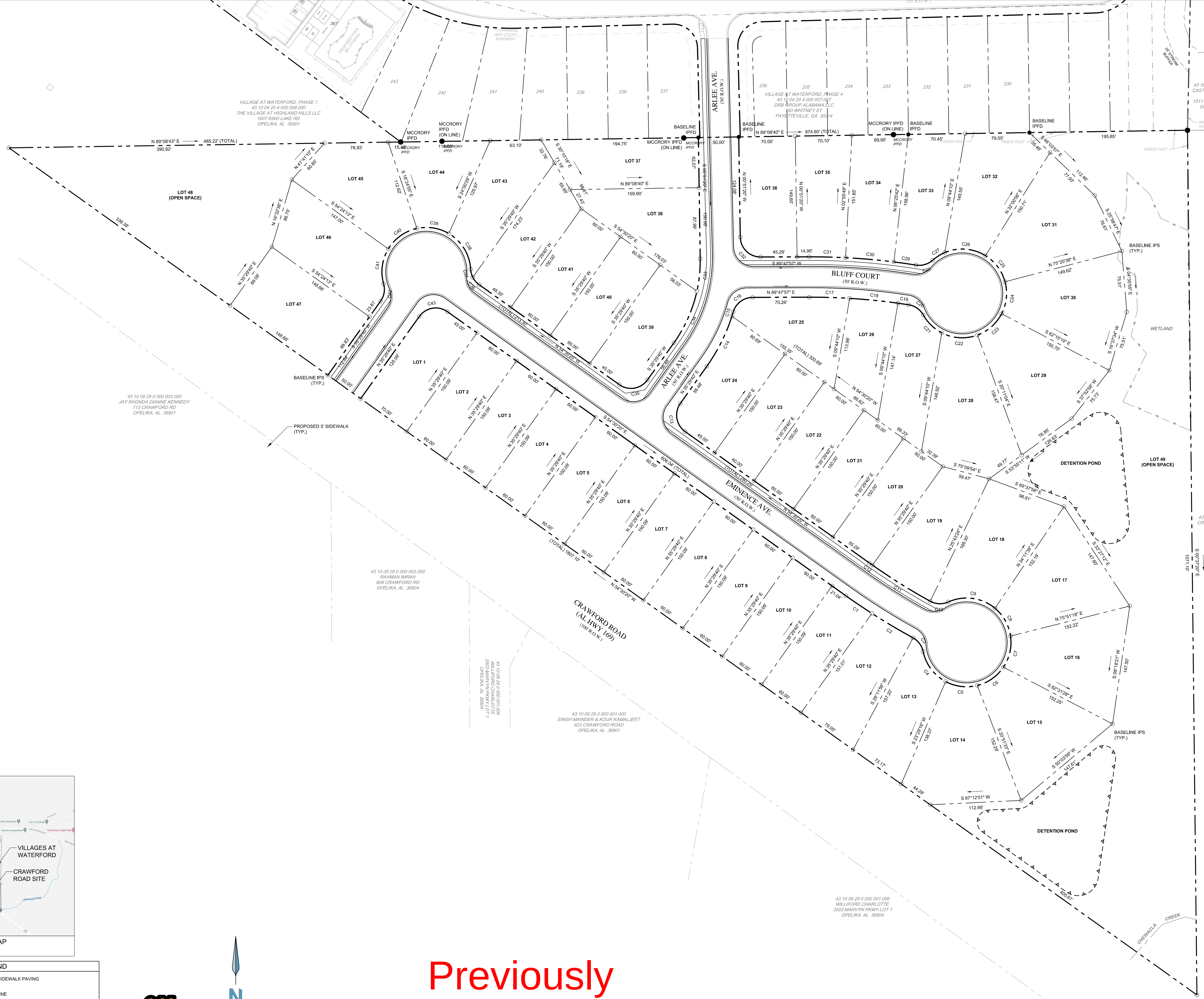


LEGEND	
	CONCRETE SIDEWALK PAVING
	PROPERTY LINE
	TRAFFIC SIGN
	PROPOSED UTILITY EASEMENT
	PROPOSED BUILDING SET BACK

SITE DATA	
TOTAL SITE AREA:	17.95 AC.
NUMBER OF LOTS:	47 BUILDABLE LOTS
BUILDING SETBACK - FRONT:	20 FT
FRONT ON SIDE STREET:	15 FT
SIDE:	5 FT
REAR:	25 FT
BUILDING LOT COVERAGE MAXIMUM:	45%



Previously
Approved
Master Plan



ENGINEER:

FORESITEgroup

ForeSite Group, LLC
21238 Moores Mill Rd.
Suite C
Auburn, AL 36830

334.887.6054
334.887.6024
www.foresitegroup.net

DEVELOPER:

HARTBROOK
DEVELOPMENT, LLC.
995 FAIRVIEW DRIVE
AUBURN, AL 36830

BRANDON HAYS

PROJECT:

KNOLLWOOD

CRAWFORD ROAD
OPELIKA, LEE COUNTY, AL 36804
SECTION 20, TOWNSHIP 19 N, RANGE 27E

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	ADY
DRAWING BY:	JFG
JURISDICTION:	OPELIKA, AL
DATE:	12/15/2021
SCALE:	1" = 50'
TITLE:	

MASTER PLAN

SHEET NUMBER:

1 OF 1

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

JOB FILE NUMBER:

1582.007

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Broad Metro, LLCMAILING ADDRESS: P.O. Box 130665, Birmingham, AL 35213PHONE NUMBER: 205-910-1425Email: jmasingill@5oakssouth.com**PARCEL INFORMATION**Site Address: Gateway Drive Entertainment/Restaurant DistrictDescription of proposed use: Commercial Retail and EntertainmentTax Parcel Number: 43 09 06 24 0 000 012.000 , 43 09 06 24 0 000 012.004 , 43 09 07 25 0 000 003.009 , 43 09 06 24 0 000 012.003 , 43 09 07 25 0 000 003.008 (partial) , 43 09 07 25 0 000 003.008 , 0906240000012001(partial)Adjacent Zoning Districts: North: C3 South: C3, R1 East: R1, C2 West: PUD, C3Current Land Use: Vacant; CommercialCurrent Zoning: PUD, C2Number of APO: 13 x \$7.00 = \$ 91

(Adjacent Property Owners)

Proposed Zoning: Planned Unit Development for an Entertainment DistrictFee: \$125.00TOTAL = \$216

PAID: _____

I hereby request my property located at (street address) Gateway Drive and Interstate 85Tax Map parcel number 0906240000012000, 0907250000003008 be rezoned from

C2/PUD 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:

(PRINT NAME)

Brett C. Basquin for Foresite Group, LLC

DATE



REZONING APPLICATION
PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Capps Family Partners LTD, C/O Frances Capps Palmer
 MAILING ADDRESS: 3310 Society Hill Road
 PHONE NUMBER: _____ Email: _____

PARCEL INFORMATION

Site Address: Gateway Drive Entertainment/Restaurant District
 Description of proposed use: Commercial Retail and Entertainment

Tax Parcel Number: 43 09 06 24 0 000 012.000 , 43 09 06 24 0 000 012.004 , 43 09 07 25 0 000 003.009 , 43 09 06 24 0 000 012.003 , 43 09 07 25 0 000 003.008 (partial) , 43 09 07 25 0 000 003.006

Adjacent Zoning Districts: North: C3 South: C3, R1 East: R1, C2 West: PUD, C3

Current Land Use: Vacant; Commercial

Current Zoning: PUD, C2

Proposed Zoning: Planned Unit Development for an Entertainment District

Number of APO: 13 x \$7.00 = \$ 91
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$216

PAID: _____

I hereby request my property located at (street address) Gateway Drive and Interstate 85,
 Tax Map parcel number 0906240000012003, 0906240000012001 (partial) be rezoned from
C2 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

DATE



REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Greg Edney/Eagle Vol Opelika LLC
 MAILING ADDRESS: 300 S. Mills River Road, Mills River, North Carolina 28759
 PHONE NUMBER: (828) 778-1809 Email: gaedney@gmail.com

PARCEL INFORMATION

Site Address: Gateway Drive Entertainment/Restaurant District
 Description of proposed use: Commercial Retail and Entertainment

Tax Parcel Number: 43 09 06 24 0 000 012 000 , 43 09 06 24 0 000 012 004 , 43 09 07 25 0 000 003 009 , 43 09 06 24 0 000 012 003 , 43 09 07 25 0 000 003 008 (partial) , 43 09 07 25 0 000 003 006

Adjacent Zoning Districts: North: C3 South: C3, R1 East: R1, C2 West: PUD, C3

Current Land Use: Vacant; Commercial

Current Zoning: PUD, C2

Proposed Zoning: Planned Unit Development for an Entertainment District

Number of APO: 13 x \$7.00 = \$ 91
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$216

PAID: _____

I hereby request my property located at (street address) Gateway Drive and Interstate 85,
 Tax Map parcel number 09072500000030063 (PARTIAL), 0907250000003008 (PARTIAL) be rezoned from
C2 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: <u>Brett C. Basquin</u>	<u>3/31/2023</u> DATE
(PRINT NAME) <u>Brett C. Basquin for Foresite Group, LLC</u>	

Master Plan for The Landing Entertainment District

Opelika, AL Revised April 2023

The Landing Entertainment District

Proposed PUD Rezoning

The existing PUD development consists of 32.45 Acres. Broad Metro, LLC, the Applicant, respectfully requests that the Opelika Planning Commission to rezone and add 14.29 acres of the Capps Family Property along with 0.56 Acres of the Texas Roadhouse property, which are located on the East Side of the Development, to join the existing PUD (Planned Unit Development). The subject property is currently zoned C-2, allowing a limited mix of commercial uses. The applicant is proposing to create a multi-use commercial development, governed by a single PUD zoning designation. The proposed rezoning will allow for a mix of commercial restaurants, fueling station, hotels and outdoor/ indoor recreational and entertainment businesses.

Location

The Proposed Development is located within the City of Opelika, along Gateway Drive just south of Interstate 85 opposite of the existing AMC Theater and Hotel Properties. One parcel in the Development will take access by further extending Capps Landing across Gateway Drive from the existing entrance to the AMC Theater on Capps Landing. The other will take access through an existing extension of Capps Drive across Gateway Drive.

Concept

The Applicant is proposing a master planned development, consisting of a 2,500 SF coffee shop, an approximately 8,000 SF Texas Roadhouse restaurant, retail outlets, restaurants, quick service restaurants with drive thrus, hotels, and an outdoor recreational facility that also contains conference and meeting facilities, with a food and beverage component as part of its operations, all with shared common areas and landscaping contained in the Development. The 8,300 SF fueling station and welcome center are already constructed.

The Landing Entertainment District will be best planned and developed as a PUD, which will allow for effective control and certainty of the commercial uses to complement the existing uses in the area and provide more destination locations for the residents of Lee County and attract those traveling on Interstate I-85 to spend time in the City of Opelika. Such rezoning will reflect the multi-use design of the development and allow for centralized planning and implementation of the concept.

Site Details

The Proposed Development consists of a total of +/- 47.30 acres. The previous PUD consisted of 32.45 Acres, and the proposed revision will add in the 0.56 Acres for the Texas Roadhouse parcel as well as 14.29 Acres of additional Capps Family property for the proposed outdoor recreational facility. The infrastructure for the development will be completed in two phases to capitalize on the recruitment of all businesses to the Development as market conditions allow. The fueling station shown on the attached plans committed to being the first business in the

Development and was responsible for the phase 1 construction. This phase included work within Gateway Drive as well as on site development of portions of the interior roadway and other infrastructure (utilities). Phase 2 will consist of extending Capps Landing for additional Outparcel users and access to the Outdoor recreational facility.

The main access to Capps Landing Entertainment District, via Gateway Drive, required the addition of deceleration and left-turn lanes at the point of connection and signal modifications.

Signage

The Development will require two multi-tenant access signs located on the property with a height and size of adequate proportion to advertise and attract consumers to the Development from Interstate I-85. Due to visibility from the interstate and existing grades these master development signs will need to exceed the new height allowance in the sign code. We are proposing a 50 FT tall master pylon sign along I-85 and a 30 FT tall master sign along Gateway Drive. In addition, the Development will also be best served by individual signage for any businesses located with road frontage on Gateway Drive and the extension of Capps Landing and Capps Drive into the Development.

Stormwater Detention

Stormwater Detention will be provided on site according to attached engineering plans. Storm water management will be master planned for the PUD in accordance with local regulations and be provided in regional detention ponds.

A property owners association will be established for proper maintenance of all common areas and multi-tenant signs located on the property. Likewise, architectural guidelines, building regulations, and use restrictions will be governed by the Capps Landing Entertainment District Covenants, Conditions and Restrictions.

The proposed commercial development will feature use-specific architectural guidelines, the property owner association and maintenance agreements for jointly owned infrastructure and landscaping shall insure the long-term maintenance of the PUD is maintained.

Utilities

The Proposed Development will be served by City of Opelika sewer and water services. Power will be provided by Opelika Power Services, Alabama Power, and ATT for communications. Natural gas, if used, will be provided by Spire.

Uses

As the Proposed Project is a commercial entertainment development, it is necessary to outline future uses that are deemed appropriate and approved for the Commercial Project. The +/- 47.3-

acre commercial property will generally conform to the C-3 zoning designation use tables and building setbacks located within the City of Opelika Zoning Ordinance.

This parcel will allow a Fueling Station and Welcome Center, Restaurants, Hotels, Retail, and an Outdoor/Indoor recreational facility with conference and meeting rooms along with a food and beverage component with by right uses approved as part of the PUD.

Net Impact of Proposal

The Proposed Development will offer a destination location to provide for entertainment opportunities not previously found within a 50-mile radius of the City of Opelika. While a fueling station/welcome center will be the first business to open, the addition of new restaurant options for residents and travelers alike will expose more people to the City of Opelika. The outdoor recreational component of this development is not available within 50 miles of the City of Opelika at this time. This component will be a destination for entertainment from Central Alabama to the neighboring West Georgia communities that all are easily accessible to Opelika along Interstate 85. The Proposed Development will only enhance the success Opelika has achieved at Exit 58 and the Gateway Drive area. The proposed rezoning request does not adversely impact the city of Opelika or its infrastructure in any way.

The proposed rezoning from the current C-2 designation to PUD is necessary to accommodate the various commercial and entertainment uses intended for this site.

Commercial owners and tenants will all benefit from common area maintenance and security of the property as the Property Owners Association will maintain any common areas associated with the development.

Accompanying Exhibits

Attached are several exhibits supporting the application to extend the PUD for Capps Landing Entertainment District. The supporting exhibits include the following:

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Authorization to Act as Applicant
- Deeds to Subject Properties
- Application for PUD Zoning
- Sign Exhibits

City of Opelika

Planning Commission

Planning Department Report

Meeting Date: April 25, 2023

Agenda Item #: B-4

Action Requested: Rezoning - from C-2 & PUD to PUD

Location of Property: 3001 Gateway Drive

Property Owner: Broad Metro, LLC, Greg Edney/Eagle Vol Opelika LLC,
and Capps Farm Partnership LTD
Foresite Group, LLC (authorized representative)

Current Zoning: C-2 & PUD

Proposed Zoning: PUD (Planned Unit Development)

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	C-3 (GC-P)	I-85, Lowes/Vacant
	South	C-3 (GC-P)	LaQuinta/Vacant
	East	C-2 (GC-P)	Vacant
	West	C-3 (GC-P)	Freddie's/Tiger Fuel/Vacant

In 2020, the applicant was approved for a 32.45 acre PUD rezoning district. Since that rezoning approval, an 8,000 sf Quick Trip gas station and convenience store on Gateway Drive was constructed on a 5.6 acre property. The development included new streets that border the QT property. The new streets provide access to PUD zoned properties adjacent to QT. A new street will also be constructed that extends north to other PUD properties. Other current developments in this PUD district are a restaurant (Texas Roadhouse) under construction and plans are approved to construct an additional restaurant.

The applicant is now requesting a rezoning from C-2 to PUD to add 14.86 acres to the existing 32.45 acre PUD district; the PUD is called The Landing Entertainment District. The 14 acres are split into four commercial outparcels. The modified parcels include – Outparcel 13 (3 acres), Outparcel 14 (4.1 acres), Outparcel 12 (10 acres more or less) and Site 3 (Texas Roadhouse). The 10-acre lot will be an indoor/outdoor recreational facility with conference and meeting rooms. The exact commercial uses for Outparcels 13 and 14 is not known at this time. Outparcel 14 is in a lower area and shows a detention pond on a large

portion of the lot. If the rezoning is approved, The Landing PUD will be 47.31 acres consisting of 14 lots ranging from one acre to 10 acres.

The applicant/developer reviewed the commercial uses allowed and not allowed in Section 7.3 C. 'Uses Allowed' of the Zoning Ordinance to select uses outright allowed in The Landing PUD Entertainment district. The applicant is requesting that the following list of uses be approved as outright allowed in The Landing PUD:

- drive thru services (ex. fast-food restaurants, banking, pharmacy, carwash)
- grocery store
- small box discount store
- office of physicians or Dentist
- automotive maintenance
- automobile sales
- bowling alley
- indoor fitness
- golf driving range
- indoor entertainment uses (ex. arcade, laser tag, etc)
- hotel
- retail use
- restaurant uses (lounge, brewpub, micro-breweries, micro-distilleries)
- gas station (limited to existing site 2)

The developer is also requesting that minimum building setbacks for the three outparcels comply with the minimum building setback requirements:

Front: 30 feet

Side: 10 feet

Rear: 20 feet.

The applicant notes that the Capps Landing Entertainment District will maintain common areas and govern use specific architectural guidelines. These guidelines should at the very least meet the Gateway Corridor cladding and screening requirements. The applicant is targeting national brands that style guidelines. The applicant plans to ensure that all buildings are complimentary without requiring a singular architectural style or limited color palate. The applicant has also not set any landscaping or buffering standards. Outside of specific standards, the uses shall meet the zoning ordinance landscaping and buffer requirements.

The development has slightly shifted the main road with the addition of the new property. This allows more property to be located directly on the interstate. The site still connects to the property to the northeast. Additionally, the two connections to Gateway Drive are still present.

As with all new developments, sidewalks shall be required on both sides of all streets and all utilities shall be underground.

The applicant also provided two freestanding sign drawings for The Landing Entertainment District. The signs include the Quik Trip gas station and six sign panels for future PUD commercial developments. One pylon sign is 50 feet in height with a sign area of 539 square feet; the sign is near the west property line next to Interstate 85. The other pylon sign is 30 feet in height and 291 square feet; the sign is near Quick Trip's front property line next to Gateway Drive. Section IX Sign Regulations allows a maximum sign area of 100 square feet and maximum sign height of 20 feet per lot; the pylon signs are not allowed. However, the Landing PUD is a nonresidential development that exceeds a minimum 25-acre requirement as provided in Section IX Sign Regulations, so the PUD is allowed to submit a Master Sign Plan application. The Master Sign plan section allows a maximum 400 square foot sign area for a pylon (freestanding) sign; the section is silent about a maximum sign height, however signs greater than 30 feet are prohibited. The proposed sign exceeds 400 square feet. Additionally, the application does not include required materials to full review for a master signage plan.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from C-2 & PUD to PUD subject to the following:

- 1. Remove small box discount store, auto maintenance, and carwash from the applicant's 'outright allowed' list as provided on page 2. These uses do not contribute to the indoor/outdoor recreational and entertainment description of this PUD district as provided in the applicant's PUD narrative. Auto sales should be limited to a primary use of new automotive sales with used automotive sales, auto rental, and automotive maintenance or repair strictly in an accessory use to the primary use.**
- 2. Removal of the proposed signage at this time or provide a Master Sign Plan for staff review that includes all freestanding signs, wall signs, and other types of signs with proposed maximum sign areas, sign heights (freestanding signs), and general location of signs meeting the requirements of the zoning ordinance. (See Section 9.6 (4) Master Sign Plan in Sign Regulations for application instruction.)**
- 3. All building exterior materials and screening requirements shall meet Section 7.6 Gateway Corridor Overlay requirements.**
- 4. The site shall meet the general landscaping and buffering requirements for the zoning ordinance.**
- 5. All utilities shall be underground.**
- 6. Sidewalks shall be located on both side of all public streets.**

Engineering Department Report

The Engineering Department has no comments or concerns regarding this rezoning.

Opelika Utilities Board Report

Opelika Utilities Comments: Water is available via Capps Landing, Capps Drive, Gateway Drive, and Society Hill Road. Significant development may require secondary connection to main on Gateway Drive or Society Hill Road. No other comments.

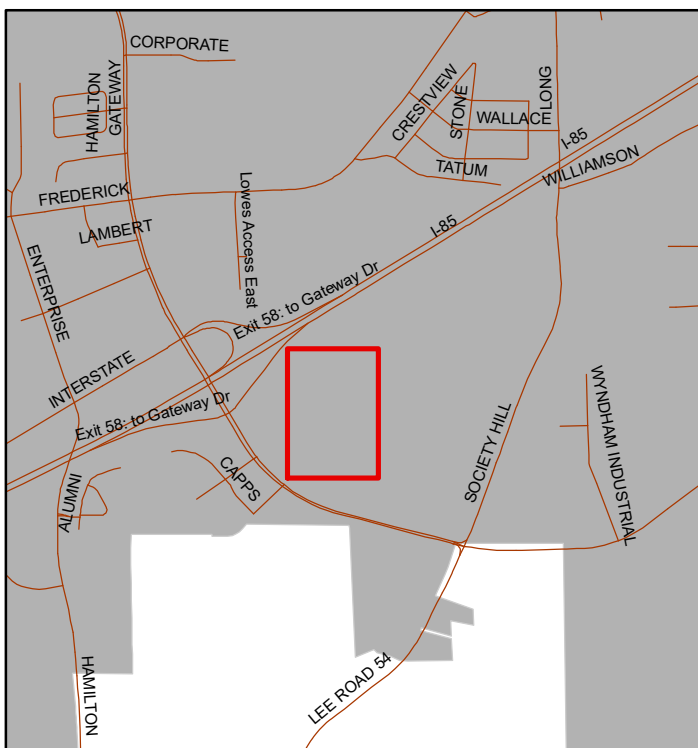
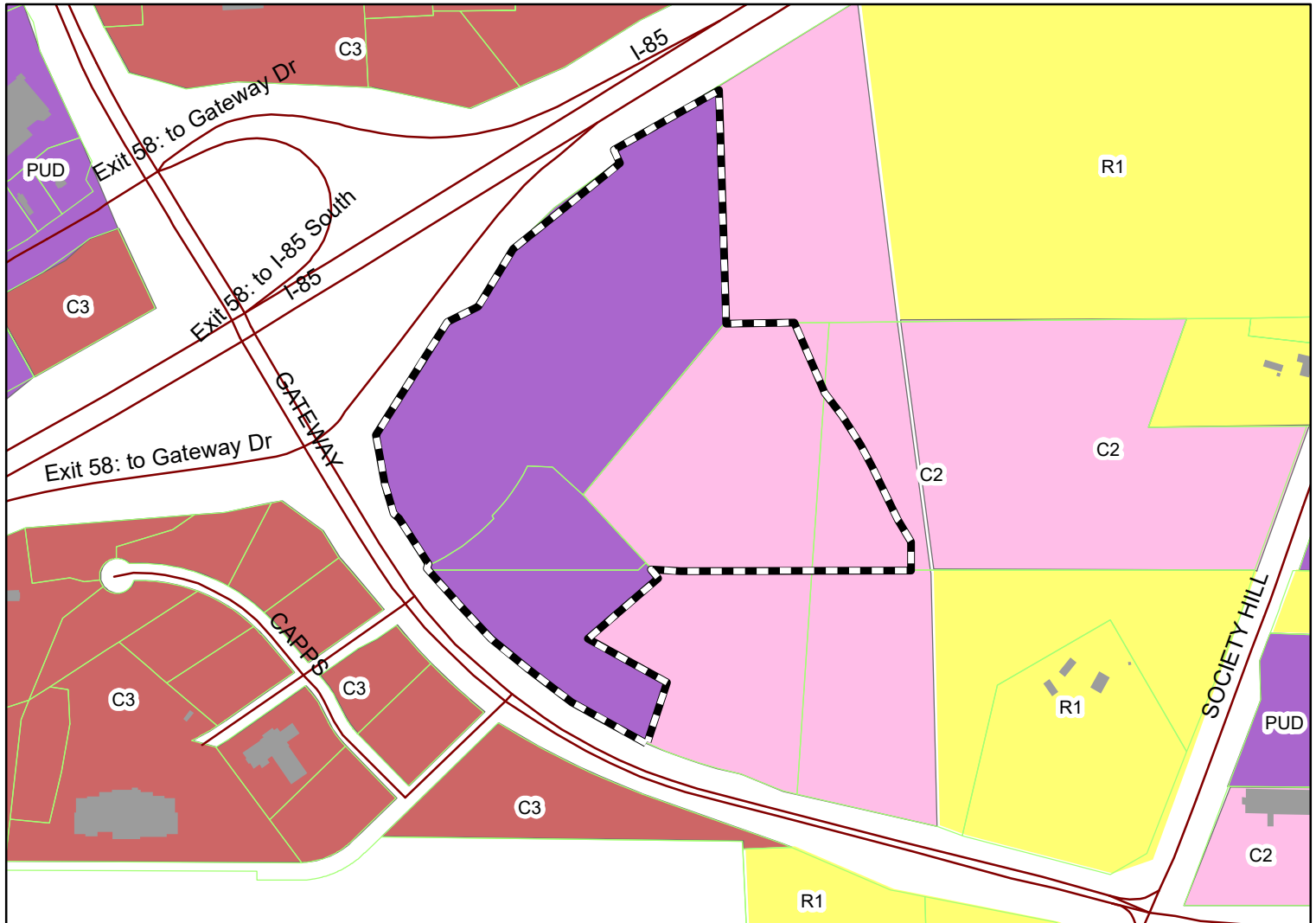
Opelika Power Services Report

This subdivision is inside the Opelika Power and Alabama Power service territory.

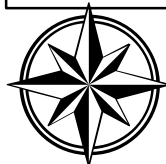
THE LANDING RETAIL-ENTERTAINMENT DISTRICT REZONING

3001 GATEWAY DRIVE

PUD & C-2 TO PUD



The applicant is requesting to add about 17.2 acres to an existing 32.45 acre retail-entertainment Planned Unit Development (PUD) zoning district approved in 2019. The 17 acres is divided into three commercial lots - 3 acres, 4.1 acres, and 10 acres.



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.

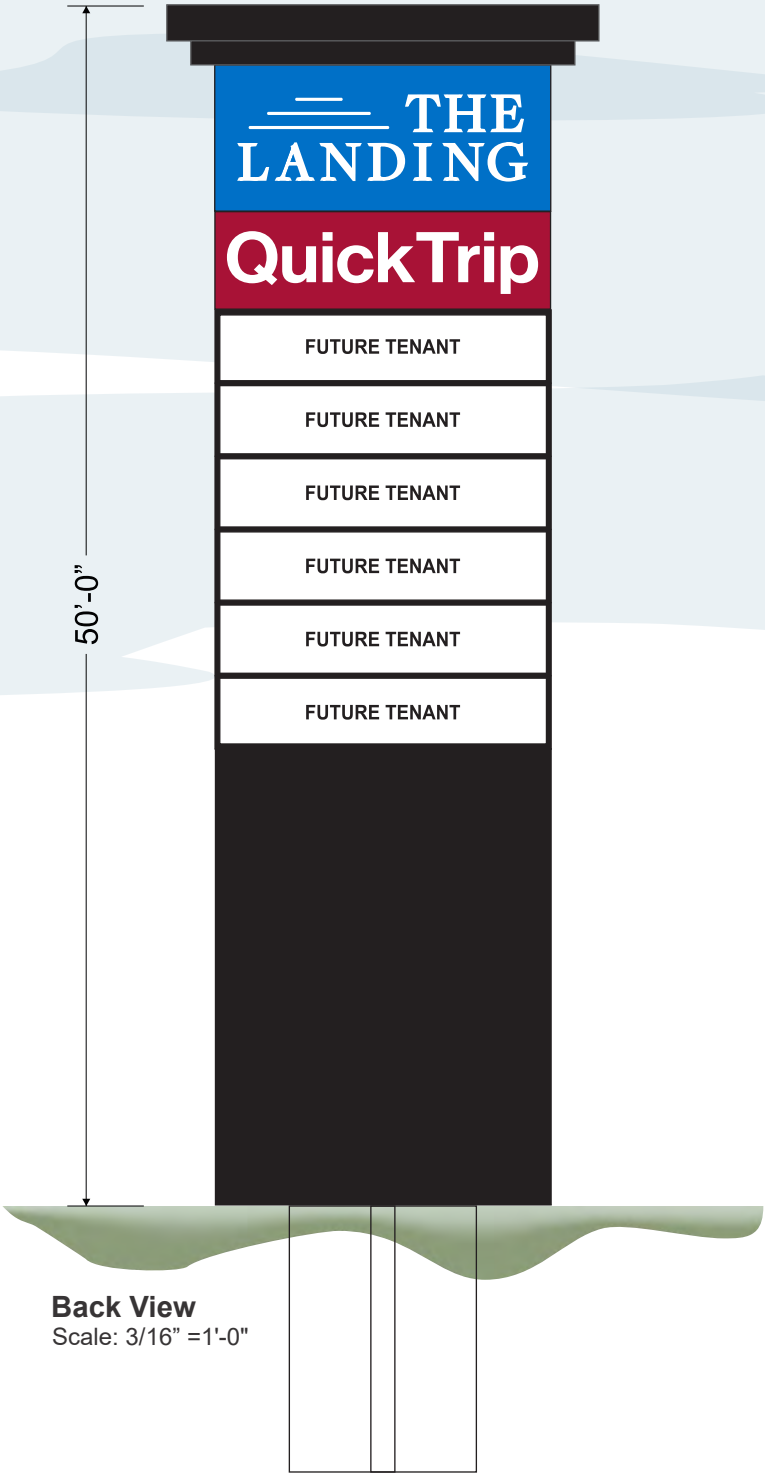
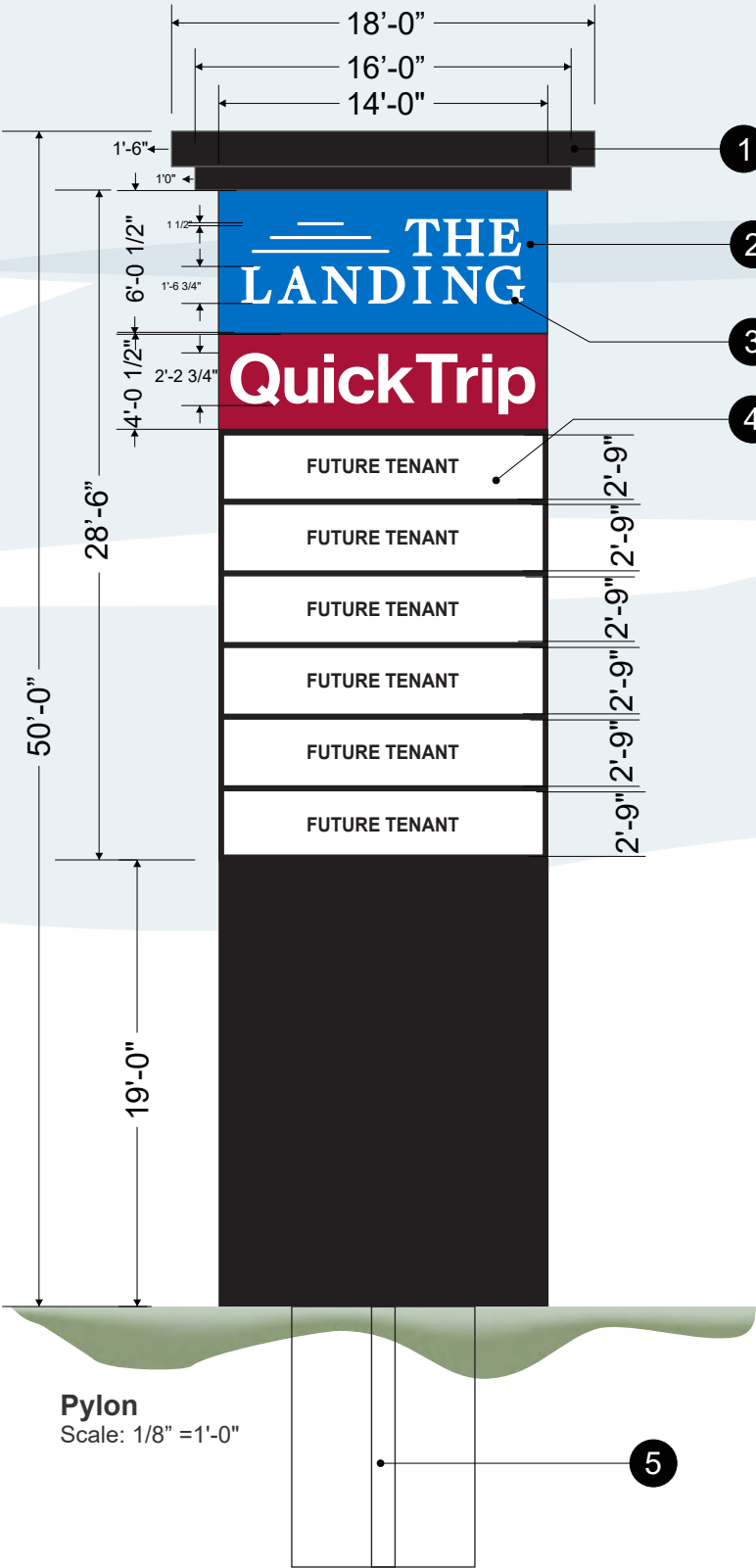


THE LANDING

OPELIKA, AL



PYLON: 1



- NOTES:
- D/F Pylon Sign
1. Aluminum toppers and base, paint black, low gloss.
 2. Aluminum background, paint to match PMS 300c Blue.
 3. 3" deep reverse LED lit channel letters and bars. Aluminum faces and returns, paint white. Stud mount with 1/2" stand offs off aluminum background.
 4. Internally LED illuminated cabinet. 2" retainers, divider bars and 30" filler, paint black low gloss. Flat, white acrylic tenant panels
 5. Foundation: tbd.

Date: April 4, 2023
Job Name: The Landings - Quick Trip
Job Location: #7172
Salesperson: J. Lacaster
Designer: J. Smalley
Drawing Number: 234041

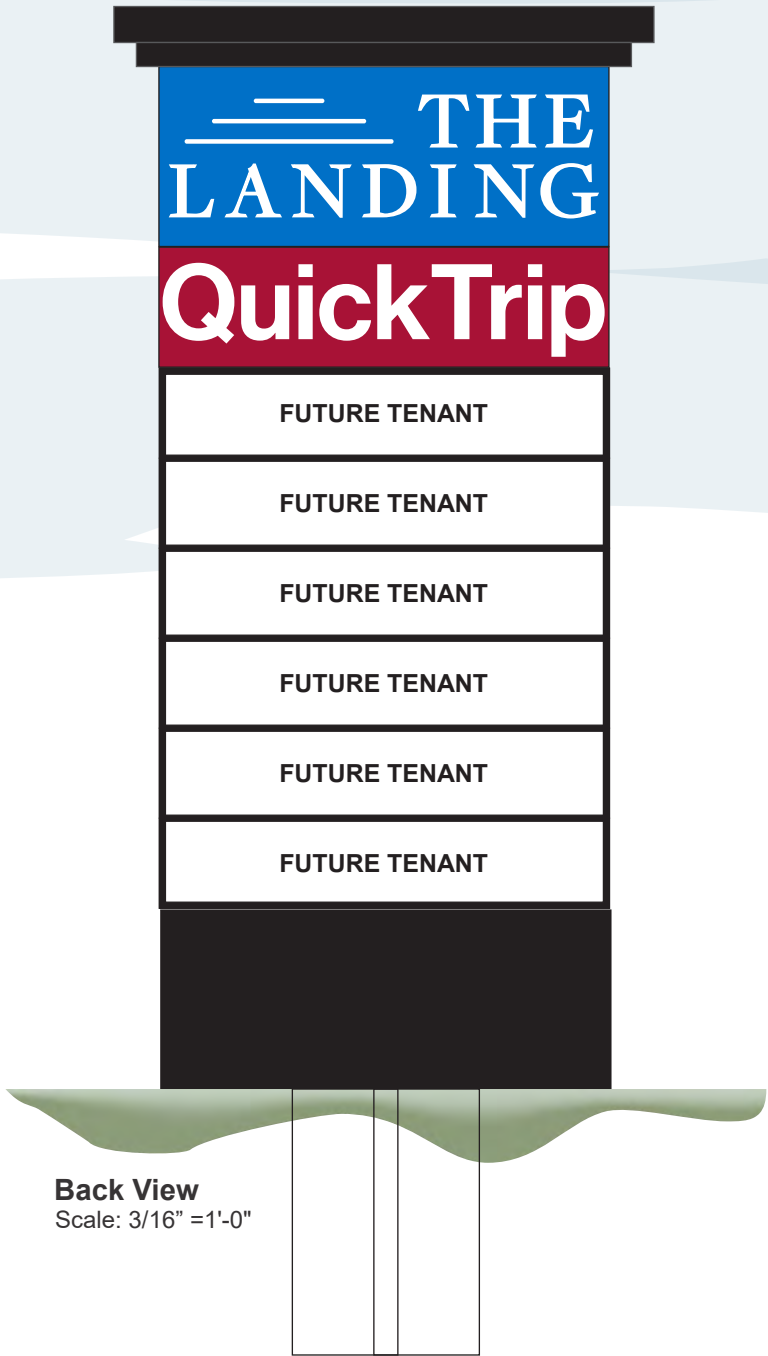
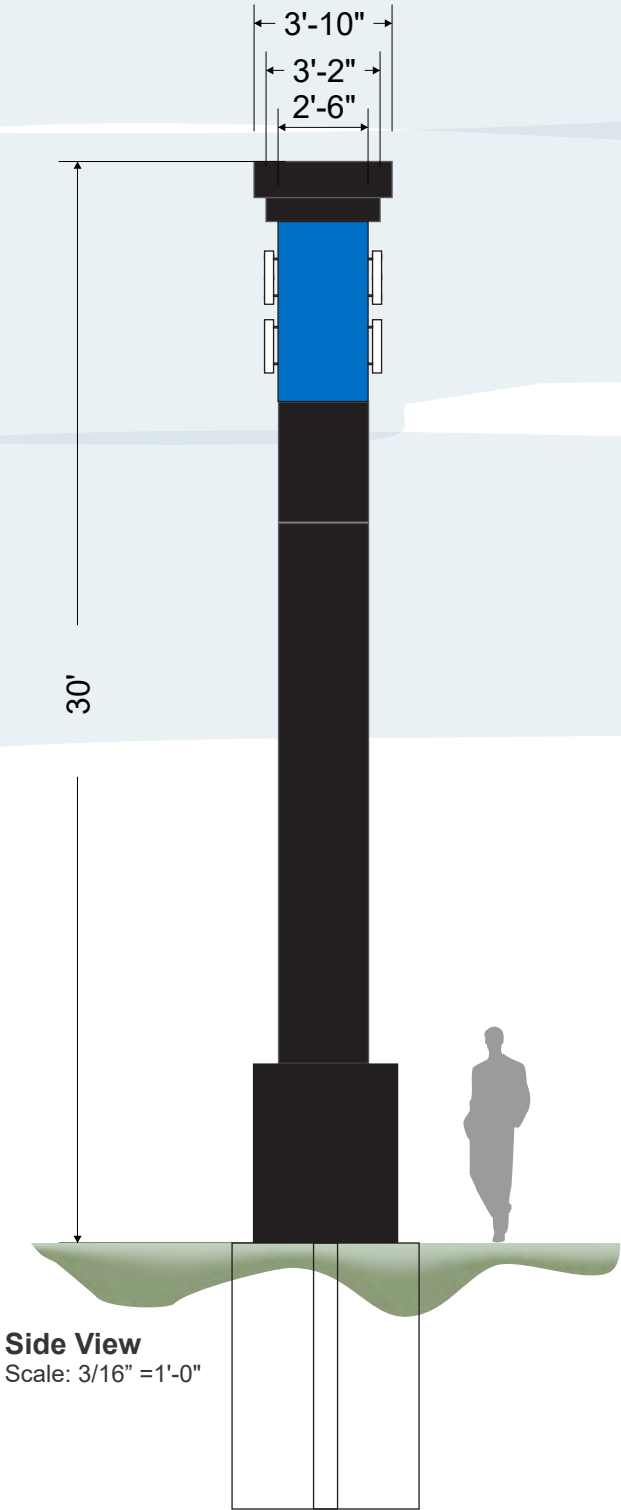
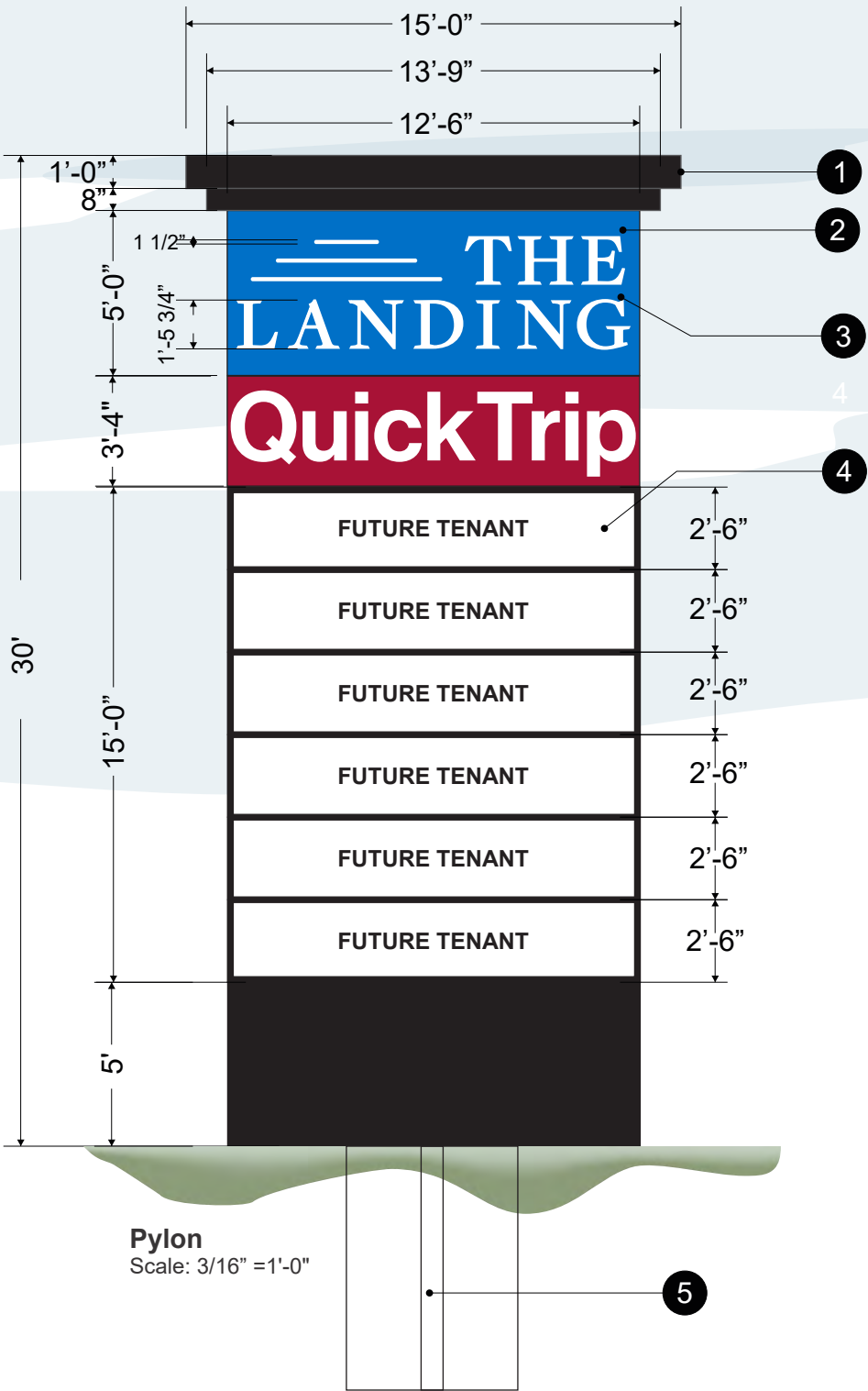
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. SIGNS DESIGNED FOR 120V SERVICE; PLEASE NOTIFY KSI IF POWER SOURCE IS DIFFERENT.



NOTES:

D/F Pylon Sign

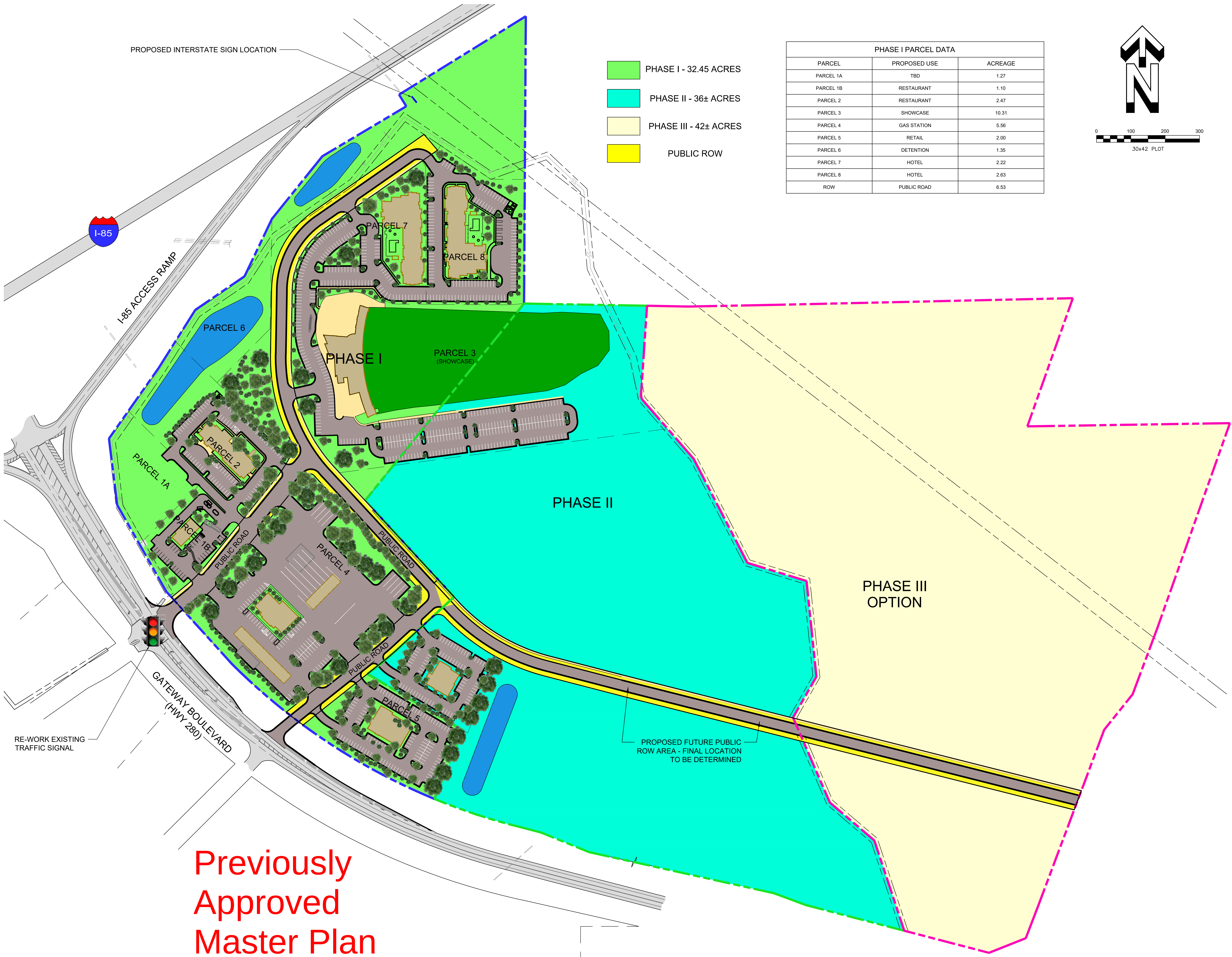
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5. Foundation: tbd.



Date:	February 8, 2023
Job Name:	The Landings - Quick Trip
Job Location:	#7172
Salesperson:	J. Lacaster
Designer:	J. Smalley
Drawing Number:	234041

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Previously
Approved
Master Plan

NO.

REVISIONS

DESCRIPTION

DATE

TITLE

MASTER CONCEPTUAL LAYOUT PLAN

PROPOSED DEVELOPMENT

GATEWAY DRIVE (HWY 280)
OPELIKA, ALABAMA

BROAD METRO, LLC

CKG. BY
TONY MUGGIO, PLS

DWN. BY
TONY MUGGIO, PLS

SCALE
1"=100'

DATE
4/9/19

GONZALEZ - STRENGTH & ASSOCIATES, INC.
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CONSTRUCTION

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DWG. NO.
CP1 - 0

PROJECT
18-0331