



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.**

May 23, 2023

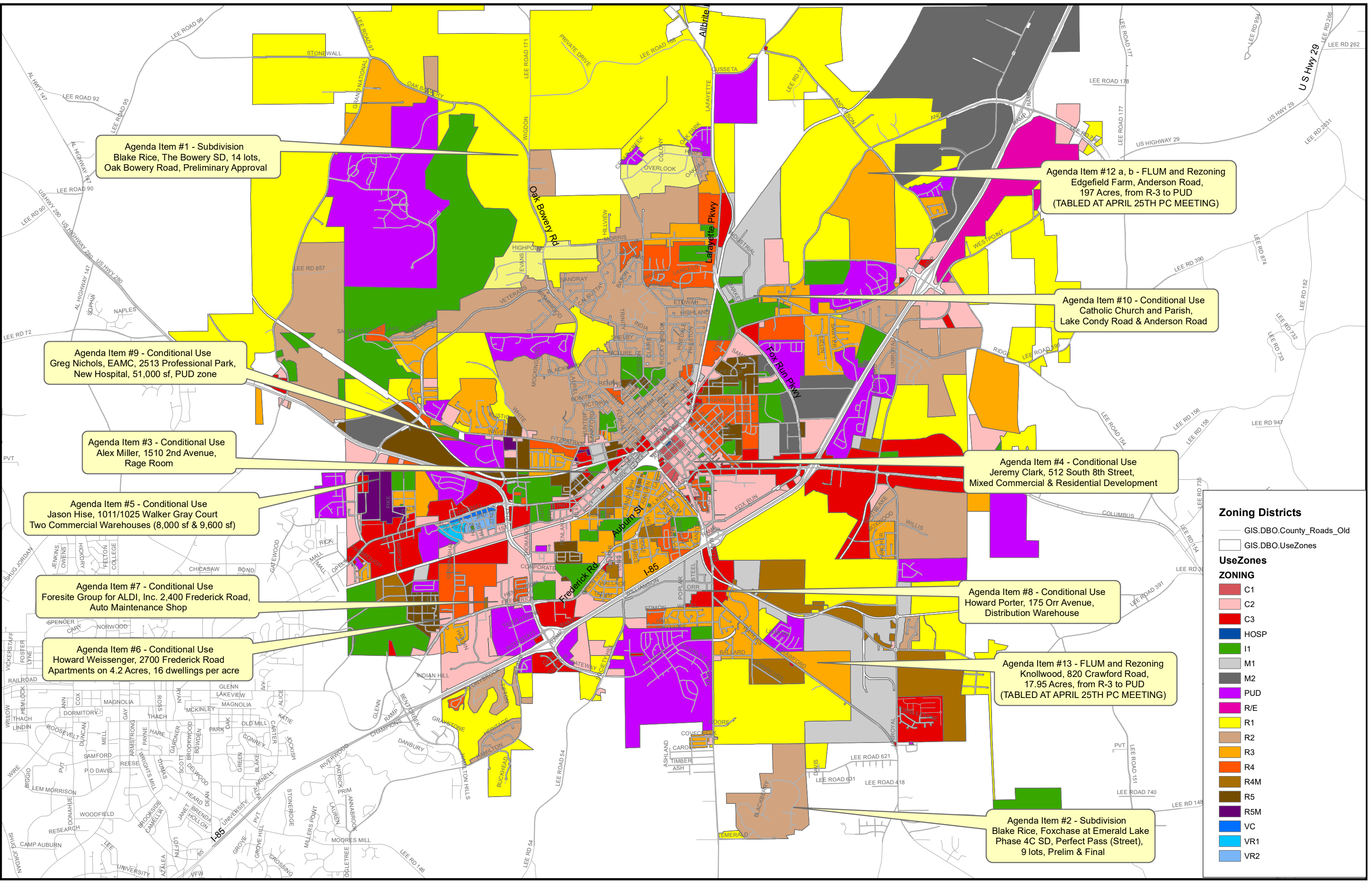
TIME: 3:00 PM

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **PLAT (Preliminary Only) - Public Hearing**
 1. The Bowery SD, 14 lots, accessed from Oak Bowery Road, Blake Rice, Barrett-Simpson, authorized representative for Auston Shaw, Preliminary Approval
 - B. **PLAT (Preliminary and Final) - Public Hearing**
 2. Foxchase on Emerald Lake SD, Phase 4C, 9 lots, accessed from Perfect Pass, Blake Rice, Barrett-Simpson, authorized representative for Plainsman Development Inc, Preliminary and Final Approval
 - C. **CONDITIONAL USE - Public Hearing**
 3. Alex Miller, authorized representative for James G. Kirk, Jr, 1510 2nd Avenue, C-2, GC-S, indoor amusement, wellbeing, and fitness use (Rage Room)
 4. Jeremy Clark, Compass Construction, authorized representative for Nathaneal P. Moody and Shree R. Summerlin, 512 South 8th Street, C-2, GC-P, mixed commercial and residential development
 5. Arthur Nettles, Baseline Surveying, authorized representative for Jason Scott Hise, accessed at 1011 and 1025 Walker Gray Court, C-3, Two commercial warehouse buildings (6,000 sf, 9,600 sf)
 6. Howard Weissinger, authorized representative for NGK Investments, LLC, 2700 block Frederick Road, C-2, GC-P, a multi-family development with a maximum density of 16 dwellings per acre.
 7. Foresite Group LLC, authorized representative for ALDI, Inc, 2400 Frederick Road, C-2, GC-P, Automobile maintenance service center
 8. Howard Porter, authorized representative for PFI, Ltd., and OrrDC, LLC, 175 Orr Avenue C-3, GC-S, Distribution warehouse

9. Greg Nichols, executive vice president EAMC, authorized representative for East Alabama Health, 2513 Village Professional Park, PUD, Hospital
 10. Mike Maher and Father Gil Pierre, authorized representative for William C. Davis Charitable Remainder Trust, accessed at the corner of Lake Condry Road and Andrews Road, M-1, 8.4 acres, Church and parish hall.
- D. **OTHER BUSINESS**
11. Request for Street Name Change - Rename Media General Drive to Wyndham Industrial Court
- V. **OLD BUSINESS**
- E. **REZONING - Public Hearing**
12. (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). *(This item was tabled at the April 25, 2023 meeting at the applicant's request.)*
 13. 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) *(This item was tabled at the April 25, 2023 meeting at the applicant's request.)*

“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.”



Agenda Item #1 - Subdivision
Blake Rice, The Bowery SD, 14 lots,
Oak Bowery Road, Preliminary Approval

Agenda Item #12 a, b - FLUM and Rezoning
Edgefield Farm, Anderson Road,
197 Acres, from R-3 to PUD
(TABLED AT APRIL 25TH PC MEETING)

Agenda Item #10 - Conditional Use
Catholic Church and Parish,
Lake Condy Road & Anderson Road

Agenda Item #9 - Conditional Use
Greg Nichols, EAMC, 2513 Professional Park,
New Hospital, 51,000 sf, PUD zone

Agenda Item #3 - Conditional Use
Alex Miller, 1510 2nd Avenue,
Rage Room

Agenda Item #4 - Conditional Use
Jeremy Clark, 512 South 8th Street,
Mixed Commercial & Residential Development

Agenda Item #5 - Conditional Use
Jason Hise, 1011/1025 Walker Gray Court
Two Commercial Warehouses (8,000 sf & 9,600 sf)

Agenda Item #7 - Conditional Use
Foresite Group for ALDI, Inc. 2,400 Frederick Road,
Auto Maintenance Shop

Agenda Item #8 - Conditional Use
Howard Porter, 175 Orr Avenue,
Distribution Warehouse

Agenda Item #6 - Conditional Use
Howard Weissenger, 2700 Frederick Road
Apartments on 4.2 Acres, 16 dwellings per acre

Agenda Item #13 - FLUM and Rezoning
Knollwood, 820 Crawford Road,
17.95 Acres, from R-3 to PUD
(TABLED AT APRIL 25TH PC MEETING)

Agenda Item #2 - Subdivision
Blake Rice, Foxchase at Emerald Lake
Phase 4C SD, Perfect Pass (Street),
9 lots, Prelim & Final

Zoning Districts

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

UseZones

ZONING

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



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

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

The City of Opelika Planning Commission held its regular monthly meeting April 25, 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, Mayor Gary Fuller, Mr. Ira Silberman, Councilman George Allen, Dr. Arturo Menefee, Mr. Michael Hilyer, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT: Mrs. Leigh Whatley.

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
Mr. Guy Gunter, City Attorney

CALL TO ORDER: Chair Lucinda Cannon called the meeting to order at 3:00 p.m.

Chair Lucinda Cannon and Mayor Gary Fuller recognized outgoing Commissioner Ira Silberman for his role on the Planning Commission over the last 13 years.

Commissioner Silberman thanked the Commission, staff, and City leadership for giving him the opportunity to serve the community.

Approval of Planning Commission Minutes March 28, 2023

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that the Dickson Farms rezoning is moving through City Council and that the first public hearing was last Tuesday and the second reading and vote would be at the next City Council meeting next Tuesday.

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.

Mr. Mosley reported that the site previously received conditional use approval for an auto maintenance license at 1418 2nd Avenue in 2019. The applicant is now requesting conditional use approval to add automobile sales and auto repair⁽¹⁾ to his existing auto maintenance⁽²⁾ 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. 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 Corridor⁽³⁾ 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 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.



(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.

(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.

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 objections or comments.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power services 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: Councilman Ward 1 Willie Allen

DISCUSSION: Mr. Sweatman asked if the property was being subdivided and if the approval could be expanded to the rest of the acreage?

Mr. Mosley stated that he had not received anything to divide this from the larger property and that the specific language of the staff recommendation for approval was limited to what was shown on the site plan. He stated that any expansion beyond what was shown on this site plan would require amending the conditional use based on current staff comments.

Chair Cannon stated that this was in the Gateway Corridor and that she has seen too many auto repair places where cars are not picked up.

AYES: Walters, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: Chair Cannon

ABSTAIN: Ira Silberman

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)

Mr. Mosley reported 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.**

Mr. Parker reported for Engineering, 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.

Mr. Parker reported for the Opelika Utilities Board, 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.

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

Chair Cannon opened the public hearing for the Amendment to the Future Land Use Map and the Rezoning request.

Bill Goree, 3313 Anderson Road, stated that he wasn't against the development because he thought it was good for Opelika, but that he was against the buffer provided and the way the entrance to the property is designed. He noted that it is directly across from his house. He stated that there is already an existing buffer between the road and TREC Power and he asked if that buffer would stay and be undisturbed? He also stated that he believed the driveway had options to be moved either north or south and that he would prefer it be moved northeast because he owns the property next to him and the lights wouldn't be going into his home. He expressed concerns about the traffic and accidents at the intersection at that location and requested that the road be improved to meet the increase in traffic.

Blake Rice, authorized applicant, stated that as far as the buffer, they did have some room to provide additional buffering per staff recommendation along both Anderson and Andrews. He stated that this development has a lot of open space and if the Commission wanted to place a 25 foot undisturbed buffer we could easily handle that requirement. He noted that a small adjustment on the access location slightly north or south would be acceptable. He said that if you get too close to the Andrews and Anderson intersection it creates traffic issues and that other places would be across from someone else's house, but that if there is a lot that does not have a single family residential home on it, this access could easily be moved to that location. He deferred to the City Engineer in regard to the traffic.

Scott Parker, City Engineer, stated that the potential increase in population from this development and the adjacent development creates a demand for the improvement of the roads. He noted that the Engineering Department would work with the developments to require some

access improvements for their turn lanes which would entitle resurfacing a section of the road. He noted that they would look at combined intersection improvements at the fourway stop with the two developments and with the City participation. He stated that they would recommend to the City Council that the City upgrade those roads as these improvements are being made. He stated that it is a public and private partnership to improve the existing facility infrastructure with the developments and to work together with the developers and the City infrastructure improvement projects to bring these roads up to a more populated standard as well as improve the safety with the increase in traffic.

Bill Goree asked how wide the buffer would be? Could you leave the area between the road and the power line as an undisturbed buffer?

Blake Rice stated we could easily accommodate a 25 foot undisturbed buffer, which is about what you're seeing between the TREC line and the roadway right-of-way. The developer of this project will have to approve that, but I think that we can probably do that. If that becomes a point of requirement, I would ask time to discuss that with the developer of this project prior to this moving to a final vote.

Chair Cannon closed the public hearing.

Mr. Hilyer made a positive recommendation for rezoning to City Council with staff recommendations.

Dr. Menefee seconded the motion.

Mr. Hilyer asked regarding the buffer, is there anything between the previously approved church and this subdivision?

Mr. Mosley stated that there is a stream between the property and that he didn't believe the church was building to the edge of their property.

Mr. Hilyer asked if that would be undisturbed behind the houses?

Blake Rice stated that it would be undisturbed.

Chair Cannon stated that the Planning Commission asked the development across the street to change the lots from 40 feet wide to 50 feet wide. She asked if that was in the staff recommendations for this item?

Mr. Mosley stated that the original recommendation for the development across the street did not include that recommendation. He noted that the Planning Commission requested that condition and he pointed this out in the staff report.

Chair Cannon stated I would like to make it part of the motion for this item to not have 40 foot lots.

Blake Rice stated that when you look at the density for this project versus the project across the street, there are many differences here. He noted that the proportion of non single-family lots is much lower in this project than in the adjacent one. He stated that the original plan for the project was less dense, but with the change in zoning in the surrounding property, the developer felt that it had changed what his plan could be for this particular section of his property. He noted that while it is more dense than what his original plan was, it is still much less dense than what was recently approved for the property across the street. He said that while the 40 foot lots

were asked to be removed in that project, these 40 foot lots are rear loaded lots and the cars are going down private shared access driveways. He also noted the only products on this plan are a 50 foot front load single family home, a 40 foot rear load single family home, and townhomes. He said that while there are much higher density product lines in the adjacent project, this developer and builder wanted to stay a little closer to what their original vision for this project was and that is staying as close to the single family product as possible. He proposed that instead of making the removal of the 40 foot lots a condition, the item be tabled so that the developer has time to modify the site plan to take that density and put it into other uses such as more townhomes or some of the quadplexes that the adjacent property has. He stated that he felt the 40 foot lots were different from one project to the next.

Chair Cannon stated that the development across the street did the 50 foot rear loaded lots.

Mr. Silberman asked if there were two or three entrances to the property?

Mr. Mosley stated that there are four.

Mayor Fuller asked Blake Rice, are you asking us to table this?

Blake Rice stated that if the request is to remove the 40 foot lots, then he would ask that the item be tabled so that they could have the option of gaining that density back in different products like more townhomes, quadplexes, or some of the other smaller multifamily products that have been approved adjacent to this property.

Chair Cannon stated that she liked the quadplexes.

Blake Rice stated that, as with the 40 foot lots, many people love that product and many people don't.

Motion to table the rezoning request at the applicant's request

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

Motion to table the amendment to the Future Land Use Map at the applicant's request

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

Chair Cannon asked when the item would be back?

Mr. Mosley stated that because the applicant requested the item be tabled, it would be tabled

until the applicant requested it be acted on or the Commission decided to act on it.

Mr. Silberman asked that the developer consider the concerns of the adjacent property owner.

Blake Rice stated yes sir, that will be part of what we look at.

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)

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, 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.

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

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

Chair Cannon opened the public hearing.

Bill Jay, 713 Crawford Road, stated that the concerns he had were exactly the same as the ones that Mr. Mosley had reported. He noted that he had not seen any drawings and he knew nothing about what was to take place with this development. He stated that he had many questions,

specifically about the buffer. He noted that he was very happy with the original density and that he was disappointed to hear that it is to be increased almost double.

Blake Rice stated that after discussing this with staff and looking at staff concerns, he would request that this item be tabled.

Chair Cannon closed the public hearing.

Motion to table the item at the applicant's request.

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

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)

Mr. Mosley reported 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 sign 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.**

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 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.

Mr. Parker reported for the Opelika Power Services, this subdivision is inside the Opelika Power and Alabama Power service territory.

Chair Cannon opened the public hearing for the Amendment to the Future Land Use Map and the Rezoning request.

Brett Basquin, authorized applicant, stated that they were good with the staff recommendations and were available to answer any questions.

Chair Cannon closed the public hearing.

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

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

Motion to amend the Future Land Use Map

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

V. ADJOURN

Motion to adjourn at 3:58 p.m.

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

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2022

Subdivision: The Bowery

Agenda Item #: A-1

Action Requested: Preliminary Approval

Location of Property: Oak Bowery Road

Property Owner(s): Auston Shaw
Blake Rice, Barrett- Simpson, Inc., authorized applicant

Current Land Use: Vacant

Current Zoning: R-1

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0060G & 01081C0066G – in “Zone X” Zone X area is outside the 0.2% annual chance floodplains and in “Zone A” Zone A area is Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance of flood. No Base Flood Elevations determined.

Staff Comments:

The applicant is requesting preliminary plat approval for a 14-lot subdivision located in the R-1 zoning district. A previous preliminary plat was approved for the same property with 31 lots by the Planning Commission on July 26, 2022. This property is in the Saugahatchee Watershed which requires a minimum lot size of three (3) acres for single-family residential when not on sewer.

Lots 1-13 will take access from Oak Bowery Road by a street named “The Bowery”. Lot 14 has a long stem with frontage along Oak Bowery Road. While this appears to be narrow the frontage of 109.13 feet meets the minimum lot size for the R-1 zone. The lots range in size from 7.65 acres to 40.73 acres; lot width ranges from 67.77 feet to 801.20 feet. These lots exceed the minimums for lot width and area for lots in the watershed without sewer.

The application states these lots will be single-family homes. This subdivision has three significant easements (50 ft, 75 ft, and 100 ft Alabama Power Company easements) intersecting several lots. The plat also shows a 100 foot undisturbed buffer along Oak Bowery Road on Lots 1 and 13. Access to these lots should be limited to the new road instead of direct access

from Oak Bowery Road. The Bowery street does not appear to meet the USPS street naming convention. This will need to be reviewed prior to final plat. This street is approximately 2,800 linear feet. This exceeds the cul-de-sac length typically allowed by the subdivision regulations. However, the street serves 13 extremely large estate lots and does not have opportunities for access to additional properties. While the City does not generally recommend long single-entrance cul-de-sacs, the configuration and character of this neighborhood support one street. The applicant should look at possible ways to promote traffic calming due through design. Additionally, the character and density of this neighborhood are such that staff does not feel that sidewalks should be required. While we always prioritize pedestrian access, many of the lot frontages are the length of entire city blocks.

The plat appears to meet the minimum requirements for preliminary plat approval. The only noted exception is the length of the cul-de-sac. Staff does not feel that this is inappropriate based on the current density and number of lots. The length of the street may limit potential creation of additional new lots in the future.

Planning staff recommends preliminary approval subject to the following:

1. Previous plat and aerial photography show two outbuildings or sheds within the flag of Lot 14. If still present, these should be shown on the plat.
2. Ensure the minimum lot width of 100 feet is met at the building line for Lots 7 and 8.
3. Add a note preventing direct access to Lots 1 and 13 from Oak Bowery Road.
4. Confirm whether the name “The Bowery” will be acceptable prior to final plat approval.
5. The applicant should consider design measures to the street that will promote traffic calming.
6. All utilities shall be underground.

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

The Engineering Department has no other comments or concerns with this proposed Preliminary Plat.

Opelika Utilities Board Report

Water is available from Oak Bowery Road for this development. Development is in close proximity to Saugahatchee Lake and therefore developer should take extra precautions to prevent runoff from development into the lake and tributaries. Erosion Control Measures will

be scrutinized and reviewed (in addition to typical City of Opelika Review) by Opelika Utilities to assure protection of the watershed. No other comments.

Opelika Power Services Report

This subdivision is outside of the Opelika Power Services territory.



000164-2023

AGENDA ITEM # 1

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



DEADLINE: 5/2/23 MEETING: 5/23/23

SITE ADDRESS: 3250 Oak Bowery Road
PROPERTY OWNER: Auston Shaw
APPLICANT/AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.
MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801
PHONE NUMBER: 334-745-7026 **FAX NUMBER:** 334-745-4367
EMAIL ADDRESS: brice@barrett-simpson.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

Does the subdivision require any other official action by the City? No

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: The Bowery

Current Land Use: Vacant

Current Zoning: R-1

Proposed use of the Subdivision: Single-family Residential

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

Number of Lots: 14 x \$3.00 = \$42.00

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

Fee: \$75.00

TOTAL = \$201.00

PAID OK# 26693

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

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE:

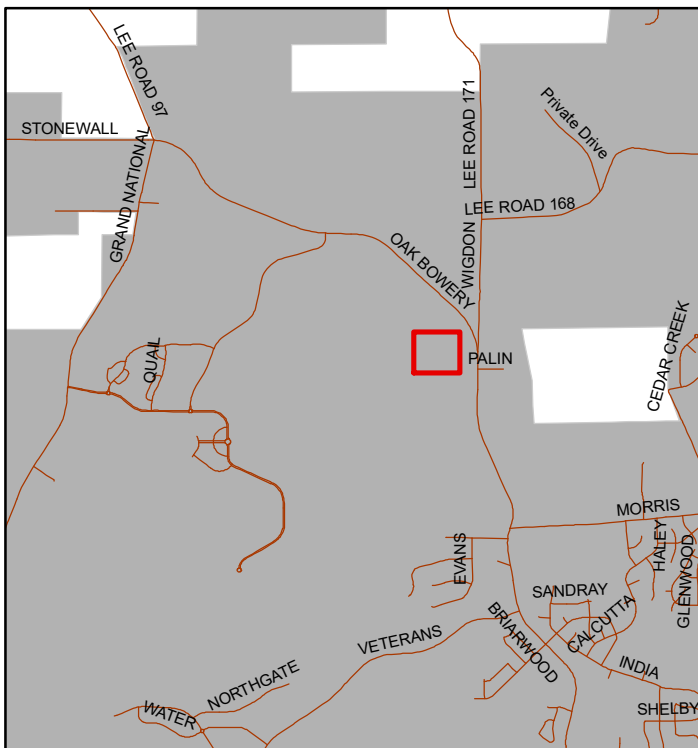
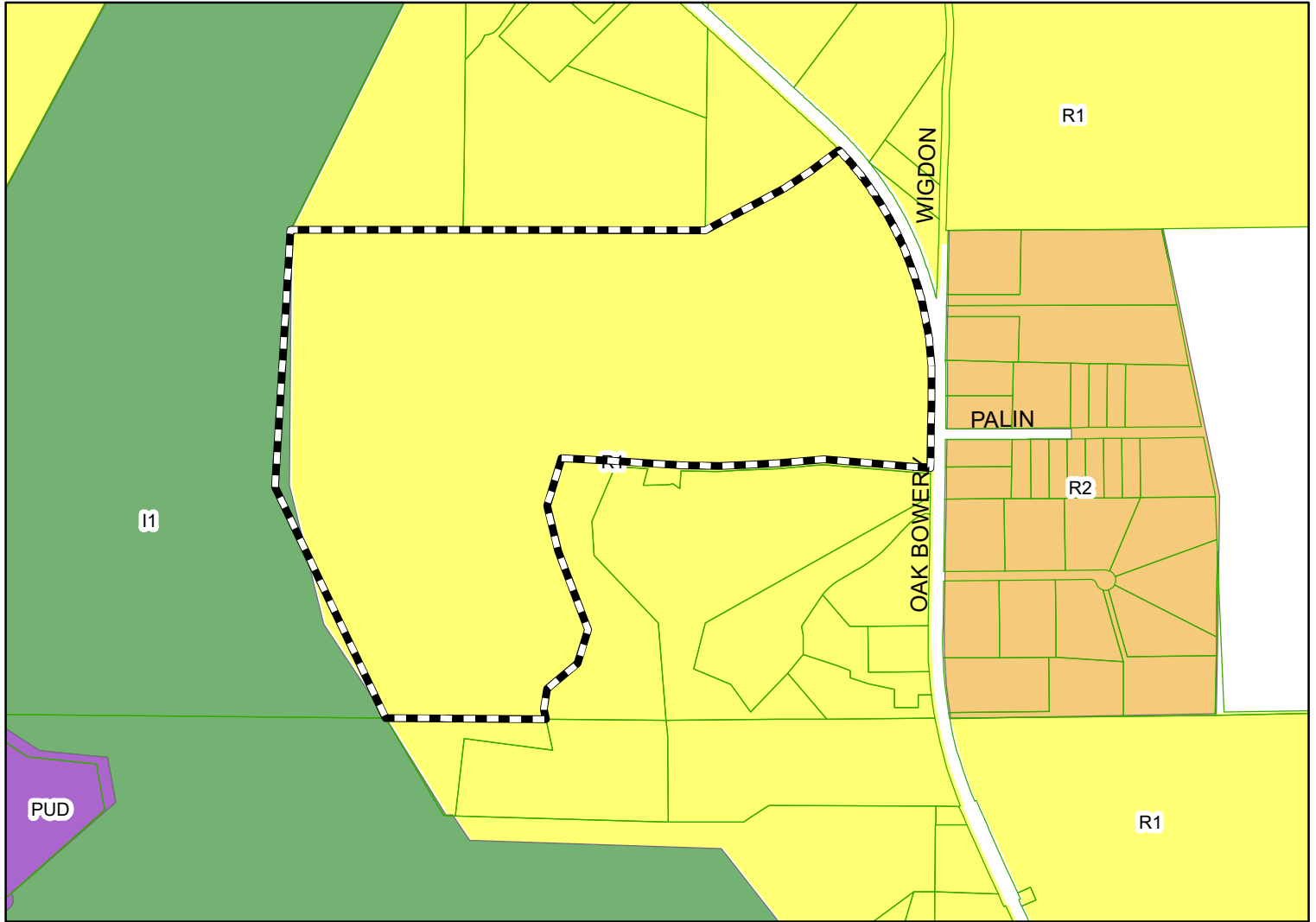
Blake Rice

4/27/23

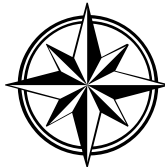
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE

THE BOWERY SUBDIVISION 3400 BLOCK OAK BOWERY ROAD PRELIMINARY APPROVAL, A-1



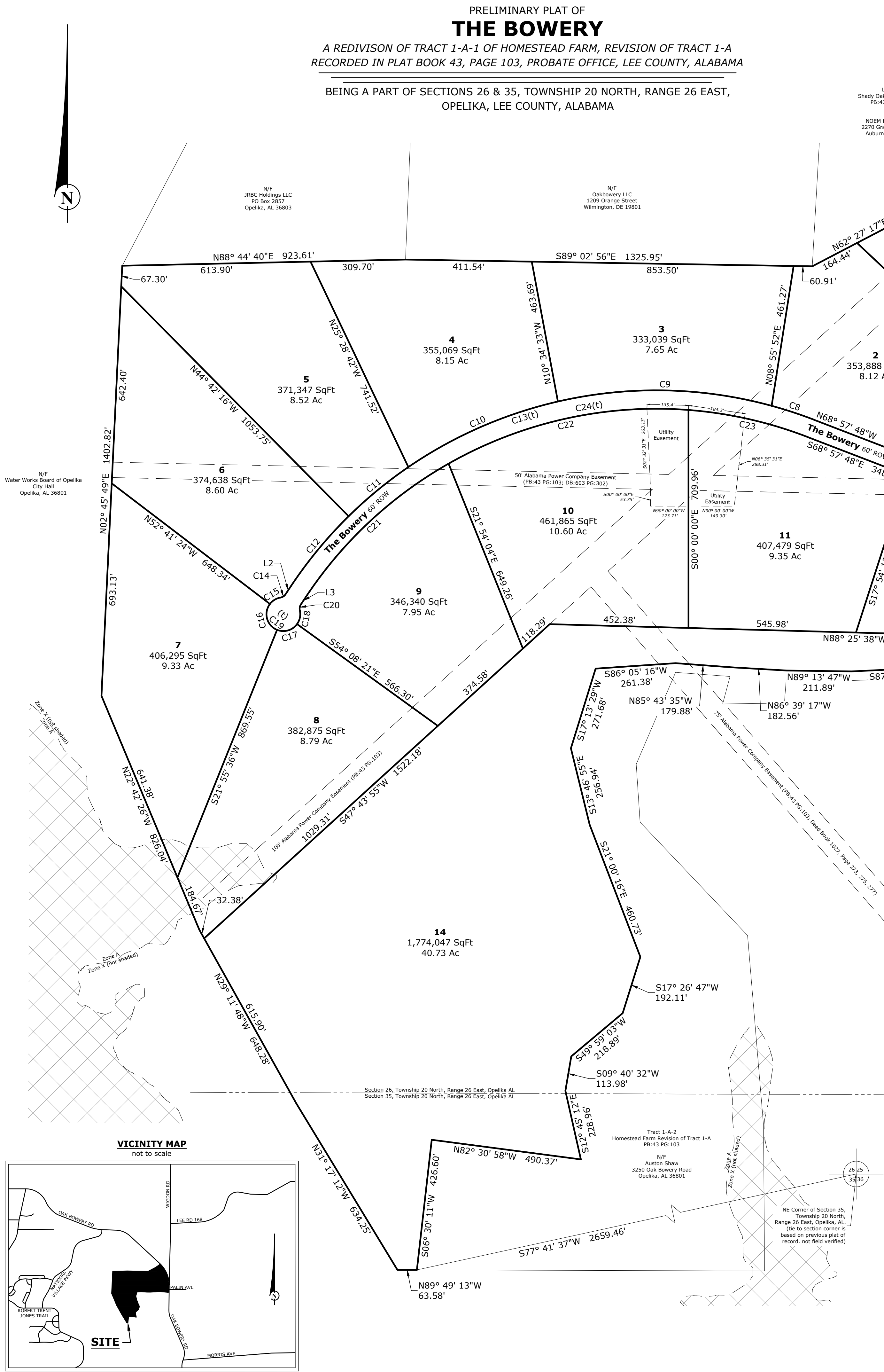
The applicant is requesting preliminary approval for a nine lot subdivision. The property is located in the R-1 zoning district and in the Saughatchee Watershed.



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

Drawing Name: S:\2023\2023-0151 Shaw - Oak Bowery - Opelika - FOR CITY REVIEW.dwg Last Modified: Apr 26, 2023, 8:04am by shaw



LEE COUNTY HEALTH DEPARTMENT APPROVAL

The lot(s) on this plat are subject to approval or deletion by the Lee County Health Department. No representation is made that any lot on this plat will accommodate an onsite sewage system (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain certain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these are on file with the said health department and are made a part of this plat as id set herein.

Lee County Health Officer _____ Date _____
Authorized Signature

OPELIKA CERTIFICATES

Approved by the Opelika City Planning Commission, Opelika, Alabama:
Chairman: _____ Date: _____
Accepted by the Opelika City Planner, Opelika, Alabama:
Planner: _____ Date: _____
Approved by the Opelika City Engineer, Opelika, Alabama:
City Engineer: _____ Date: _____
Accepted by the Opelika Public Works Director, Opelika, Alabama:
Public Works Director: _____ Date: _____
Accepted by the Opelika Utilities, Opelika, Alabama:
Opelika Utilities: _____ Date: _____
Accepted by the Opelika Power Services, Opelika, Alabama:
Opelika Power Services: _____ Date: _____

NOTES:

- Survey North:
-Homestead Farm Revision of Tract 1-A, Plat Book 43, Page 103, Probate Office, Lee County, Alabama.
- Basis for Survey:
-Homestead Farm Revision of Tract 1-A, Plat Book 43, Page 103, Probate Office, Lee County, Alabama.
-Deed Book 2573, Page 745, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0060G & 01081C0066G, effective November 2, 2011, the subject property is located:
-Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
-Zone A - Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood. No Base Flood Elevations determined.
- Any common areas shown on this plat shall be maintained by the Homeowners Association adopted and/or established with this plat.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There is a ten (10) foot utility and drainage easement along the right-of-way of each lot.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
-Total Number of Lots: 14
-Area of Largest Lot: Lot 14 - 40.73 Acres (1,774,047 Sq. Ft.)
-Area of Smallest Lot: Lot 3 - 7.65 Acres (333,039 Sq. Ft.)
-Total Acreage: 160.28 Acres (6,981,610 Sq. Ft.)

SURVEYOR'S CERTIFICATE

I, Jeffrey S. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama, and to the best of my information, and belief.

Preliminary
For Review Only

Jeffrey S. Ham, PLS
Alabama License No. 21775 Date: 04/26/2023

THIS IS NOT A PROPERTY BOUNDARY SURVEY.
This drawing is for information purposes only. The purpose of this plat is to show preliminary lot layout for new subdivision construction. Lots shown are subject to change.

DEDICATION

The State of Alabama
Lee County

I, Auston Shaw, as owner of the real property shown on this plat hereby join in the statement of Jeffrey S. Ham and certify that it is our purpose to subdivide lands so platted into lots as shown.

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2023.

Auston Shaw

ACKNOWLEDGEMENT

The State of Alabama
Lee County

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

Given under my hand and official seal this the ____ day of _____, 2023.

Notary Public:
My Commission Expires:

LEGEND

DB: Deed Book
PB: Plat Book
PG: Page
(R) Record Distance or Bearing
(typ.) Typical Example
ROW Right - of - Way
N/F Now or Formerly
↖ Not to Scale

Line Table		
Line #	Length	Direction
L1	19.25'	S69° 30' 23"W
L2	30.75'	S33° 36' 20"W
L3	30.75'	N33° 36' 20"E
L4	24.38'	N69° 30' 23"E

Curve Table					Curve Table					Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	646.80'	1857.21'	S34° 51' 43"E	643.54'	C10	535.09'	1430.00'	S66° 19' 57"W	531.98'	C19(t)	262.19'	55.00'	S56° 23' 40"E	75.62'
C2	111.64'	1857.21'	S23° 09' 46"E	111.62'	C11	252.49'	1430.00'	S50° 33' 16"W	252.16'	C20	20.32'	25.00'	N10° 19' 19"E	19.76'
C3	728.48'	1857.21'	S10° 12' 13"E	723.82'	C12	296.77'	1430.00'	S39° 33' 03"W	296.23'	C21	640.75'	1370.00'	N47° 00' 15"E	634.92'
C4(t)	1486.92'	1857.21'	N21° 54' 10"W	1447.53'	C13(t)	1932.54'	1430.00'	S72° 19' 16"W	1788.80'	C22	813.09'	1370.00'	N77° 24' 18"E	801.20'
C5	41.19'	25.00'	S22° 18' 39"W	36.68'	C14	20.32'	25.00'	S56° 53' 22"W	19.76'	C23	397.62'	1370.00'	S77° 16' 41"E	396.23'
C6	243.02'	530.00'	S56° 22' 14"W	240.89'	C15	41.15'	55.00'	S58° 44' 30"W	40.19'	C24(t)	1851.45'	1370.00'	S72° 19' 16"W	1713.74'
C7	289.92'	245.00'	S77° 08' 08"W	273.30'	C16	101.16'	55.00'	S15° 22' 54"E	87.49'	C25	360.93'	305.00'	N77° 08' 08"E	340.23'
C8	144.29'	1430.00'	N71° 51' 15"W	144.23'	C17	73.02'	55.00'	N73° 53' 37"E	67.77'	C26	215.51'	470.00'	N56° 22' 14"E	213.62'
C9	703.90'	1430.00'	N88° 50' 46"W	696.81'	C18	46.87'	55.00'	N11° 26' 58"E	45.46'	C27	38.86'	25.00'	S65° 58' 02"E	35.06'

200' 0' 200' 400'
Barscale 1" = 200'

LAND SURVEYOR
Jeffrey S. Ham
AL PLS No. 21775
Barrett-Simpson, Inc.
223 South 9th Street
Opelika, AL 36801

OWNER
Auston Shaw
3250 Oak Bowery Road
Opelika, AL 36801

BARRETT-SIMPSON, INC.
Engineers & Land Surveyors
706 12th STREET, PEHX CITY, AL 36686 (PH 334-297-2423, FAX 334-297-2449)
223 SOUTH 9TH STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)

AUSTON SHAW

THE BOWERY

REVISION:

1

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PRELIMINARY
PLAT

DRAWN BY: BES 04/26/2023
FIELD BY: NA
REVIEWED BY: JSH 04/26/2023
APPROVED BY: JSH 04/26/2023

DATE: 26 APRIL, 2023
PROJECT NUMBER: 22-0191

SHEET NUMBER

PLAT

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Subdivision: Foxchase at Emerald Lakes, Phase 4C

Agenda Item #: B-2

Action Requested: Preliminary and Final Approval

Location of Property: Perfect Pass

Property Owner(s): Plainsmen Development, Inc.
Blake Rice, Barrett-Simpson, Inc.

Current Land Use: Undeveloped

Current Zoning: R-2 and Planning Jurisdiction

Flood Zone: FEMA #01081C0230G - Property located in flood Zone X –
Areas outside the 0.2% chance of floodplain

Staff Comments:

The applicant is requesting preliminary and final plat approval for a 9-lot subdivision in the R-2 zoning district. The preliminary plat for the total 74 lots of Phase 4 was approved in February 2018 then a one-year preliminary plat extension was approved to February 2019. Preliminary approval has expired and therefore preliminary and final plat approval is required.

Eight residential lots are accessed from Perfect Pass. Perfect Pass is a short cul de sac street with Ski Spray Point as an outlet. The ninth lot is 11.5 acres and reserved for a future phase of the Foxchase subdivision; the 11.5 acres will be subdivided similar to Phase 4C with residential lots on a cul-de-sac street.

The minimum lot size in an R-2 zone is 15,000 square feet (sf) and minimum lot width is 80 feet. The eight single-family lots range in size from 38,236 sf to 92,471 sf. The lot width exceeds the minimum 80 feet at the street for seven lots; Lot 47 is on a cul de sac and the 80 foot lot width must be met at the minimum 35 foot front setback line if possible or the house must be setback so the minimum 80 foot lot width is met along the front of the house.

Foxchase on Emerald Lake is a private subdivision. The surveyor added the following statement about the streets to this effect: “All roads for this subdivision shall be private and owned/maintained by all lot owners of Foxchase on Emerald Lake Homeowners Association.”

Staff recommends preliminary and final approval subject to the following:

1. Lot 47 meet the 80 foot lot width at the 35’ minimum setback line or along the front of the house.

Engineering Department Report

All of the Opelika Surveyors comments regarding the plat have been addressed. The Engineering Department has been inspecting the construction and testing of the infrastructure in this subdivision. A Certification of Completion will be completed and signed by the Engineering and Public Works Directors as soon as all the infrastructure completion items below have been met and a positive recommendation for approval will be given:

- All drainage structures, aggregate base and pavement have been placed.
- All stop and roadway signs **have been** installed.
- Maintenance Bond of 25% of the estimated total infrastructure cost will **need to be** submitted.
- Performance Bond of 125% of the estimated cost to place the remaining roadway surface and sidewalks **will need** to be submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file **will need to be** submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots **have been** graded, and stabilized with seed and mulch, and other erosion/sediment control items will need to be added to protect against erosion and sediment issues.

If these requirements are met, the Engineering Department recommends Final Plat approval.

Opelika Utilities Board Report

Outside of Opelika Utilities’ Service Area. No Comments.

Opelika Power Services Report

This subdivision is outside of the Opelika Power Services territory.

000178-2023

AGENDA ITEM # 2

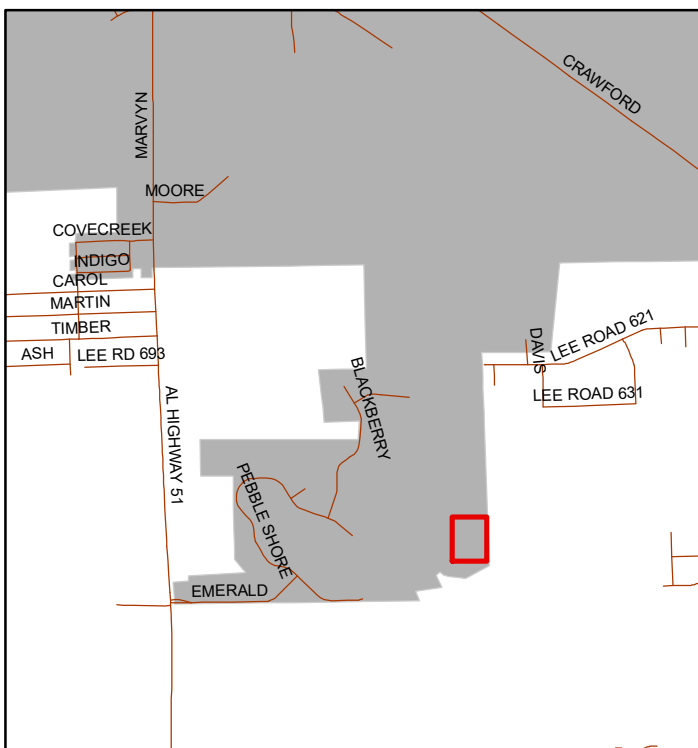
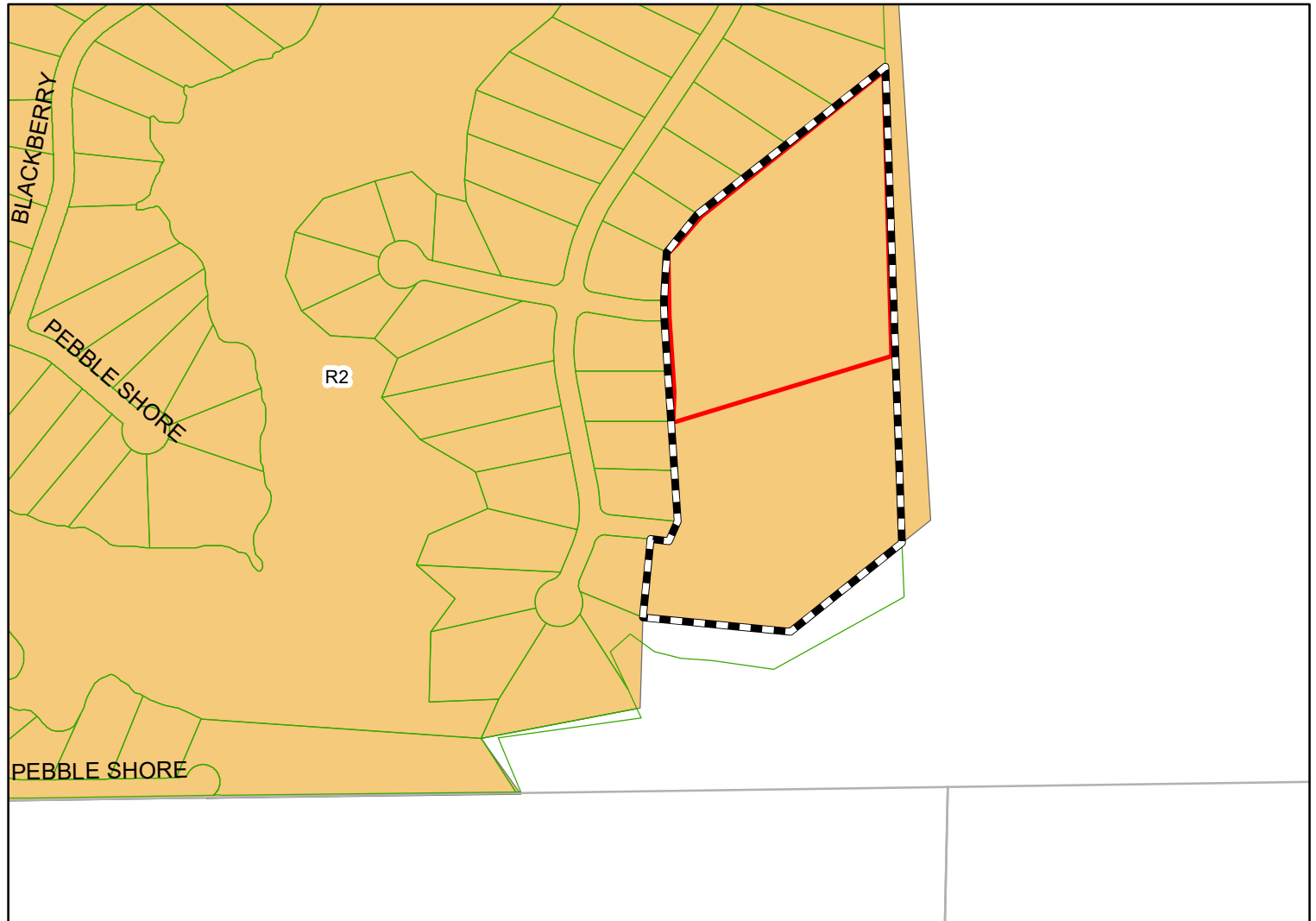


**APPLICATION FOR
SUBDIVISION APPROVAL**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

DEADLINE: 5/22/23 MEETING: 5/23/23

SITE ADDRESS: <u>Perfect Pass, Opelika, AL</u>			
PROPERTY OWNER: <u>Plainsmen Development, Inc.</u>			
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, Barrett-Simpson, Inc.</u>			
MAILING ADDRESS: <u>223 South 9th St. Opelika, AL 36801</u>			
PHONE NUMBER: <u>334-745-7026</u>		FAX NUMBER: <u>334-745-4367</u>	
EMAIL ADDRESS: <u>brice@barrett-simpson.com</u>			
TYPE OF PLAT APPROVAL REQUESTED			
☐ SKETCH PLAN	☐ ADMINISTRATIVE	☒ PRELIMINARY	☒ FINAL
Does the subdivision require any other official action by the City? <u>No</u>			
☐ Annexation	☐ Rezoning	☐ Other _____	
PARCEL INFORMATION			
Subdivision Name: <u>Foxchase on Emerald Lake, Phase 4C</u>		Number of Lots: <u>9</u> x \$3.00 = \$ <u>27.00</u>	
Current Land Use: <u>Vacant</u>		Number of APO: <u>10</u> x \$7.00 = \$ <u>30.00</u> (Adjacent Property Owners)	
Current Zoning: <u>R-2</u>		Fee: <u>\$75.00</u>	
Proposed use of the Subdivision: <u>Single-family Residential</u>		TOTAL = \$ <u>132.00</u>	
☒ Residential ☐ Manufacturing/Industrial		☐ Commercial ☐ Office/Institutional	
PAID _____			
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Foxchase on Emerald Lake, Phase 4C</u> Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.			
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE:		<u>4/27/23</u>	
(PRINT NAME) <u>Blake Rice, Barrett-Simpson, Inc.</u>		DATE	

**FOXCHASE AT EMERALD LAKE PHASE 4C SUBDIVISION
PERFECT PASS
PRELIMINARY AND FINAL APPROVAL, A-2**



The applicant is requesting preliminary and final approval for Phase 4C consisting of 8 single family lots and one lot for a future subdivision. The property is located in the R-2 zoning district.



Subject Property

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

A REDIVISION - LOT 77 OF FOXCHASE ON EMERALD LAKE PHASE 4B

BEING A PART OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 27 EAST,
OPELIKA, LEE COUNTY, ALABAMA

- Jonathan A. Ham, PLS
Alabama License No. 34761

I, Jonathan A. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Date: 04/27/2023

The State of Alabama
Lee County }

We, Plainsmen Developments, Inc., as owners of the real property shown on this plat hereby join in the statement of Jonathan A. Ham and certify that it is our purpose to subdivide lands so platted into lots as shown.

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2023.

Don Ketcham, President

The State of Alabama
Lee County }

I, _____, a Notary Public, in and for said County in said State, hereby certify that Don Ketcham, whose name as President of Plainsmen Developments, Inc., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2023.

Notary Public:
My Commission Expires:

Approved by the Opelika City Planning Commission, Opelika, Alabama:

Chairman: _____ Date: _____

Accepted by the Opelika City Planner, Opelika, Alabama:

Approved by the Opelika City Engineer, Opelika, Alabama:

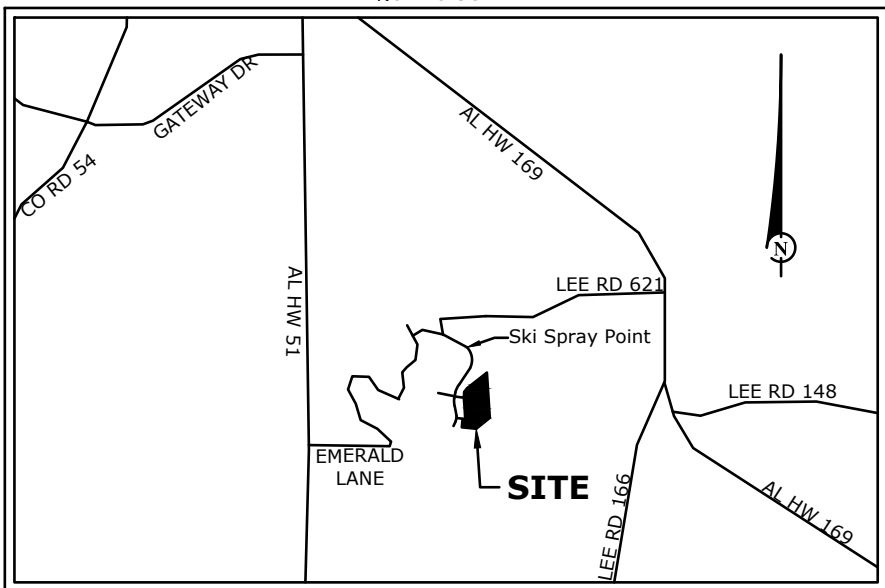
Accepted by the Opelika Public Works Director, Opelika, Alabama:

Accepted by the Opelika Utilities, Opelika, Alabama:

Accepted by the Opelika Power Services, Opelika, Alabama:

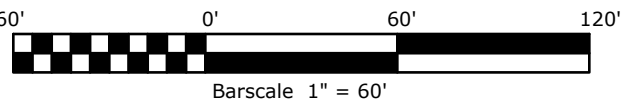
Opelika Power Services: _____ Date: _____

NOT TO SCALE



●	1/2" Rebar Found - Orange Cap Stamped AL CA 718 LSF000600 (unless otherwise noted)
○	1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
DB:	Deed Book
PB:	Plat Book
PG:	Page
ROW	Right-of-Way
N/F	Now or Formerly
~	Not to Scale
—OHU	Overhead Utility Lines
~w/	Power Pole

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	171.08'	630.00'	N80° 09' 32"E	170.56'
C2	125.72'	630.00'	N66° 39' 44"E	125.52'
C3(T)	296.81'	630.00'	N74° 31' 24"E	294.07'
C4	35.24'	40.00'	S86° 11' 07"W	34.11'
C5	84.90'	70.00'	N76° 40' 45"E	79.79'
C6	86.73'	70.00'	N60° 46' 23"E	81.29'
C7	57.47'	70.00'	S52° 34' 31"W	55.87'
C8	106.55'	70.00'	N56° 17' 58"W	96.55'
C9	7.61'	70.00'	S13° 34' 52"W	7.60'
C10(T)	343.25'	70.00'	N29° 03' 15"W	349.09'
C11	35.24'	40.00'	N23° 42' 23"E	34.11'
C12	16.87'	570.00'	N61° 47' 35"E	16.87'
C13	250.51'	570.00'	N74° 13' 52"E	248.50'
C14(T)	267.38'	570.00'	N75° 23' 01"E	264.93'



Owner

Plainsmen Developments Inc.
108 Morning Glory Lane
Dothan, AL 36305

Land Surveyor

Jonathan A. Ham, PLS 34761
Barrett-Simpson, Inc.
223 S. 9th Street
Opelika, AL 36801
jham@barrett-simpson.com

PROJECT NO: 17-0131

FIELD BY: CAJ
DRAWN BY: BES

SECTION 32

[illegible]

SECTION 05 | SECTION 04

[illegible]
BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

706 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUFAULA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-3

Action Requested: Conditional Use – Rage Room (Amusement, Wellbeing)

Location of Property: 1510 2nd Avenue

Property Owner(s): Cleve Kirk, James G. Kirk, Jr.
Alex Miller, authorized applicant

Current Land Use: Vacant building

Current Zoning: C-2, GC-S (Office/Retail, Gateway Corridor Overlay)

**Surrounding Zoning Districts
And Land Uses:**

North	C-2	Auto maintenance
South	C-3, GC	Retail
East	C-2, GC	Retail (Family Dollar)
West	C-2	Auto maintenance

Proposal

The applicant is requesting conditional use approval for a rage room in C-2, GC-S zone. A rage room is an indoor environment where people can take out their stress, frustration, or enthusiasm by smashing certain breakable items. When you exit the rage room, a sense of freedom, relief and independence is experienced. Three tools or ‘weapons’ are used to smash items: metal baseball bats, 2 lb. blow hammer, and 2 lb. sledgehammer. Examples of items smashed include flat screen LED TVs or monitors, computers, printers, cameras, old toys, old electronics, VHS tapes, CDs/DVDs, glasses, bottles, dishwater, furniture, speakers, pictures, old trophies, file cabinets, and general home decor

“Rage Room” is not a specific use found in the Zoning Ordinance - Section 7.3 Uses Allowed. The only uses listed in Section 7.3. that are close to Rage Room is ‘indoor fitness’ which is outright allowed in C-2, GC-S. There are recreation type uses such as bowling and skating that require conditional use approval if the uses are in a Gateway Corridor Overlay district. Therefore, staff believes conditional use review is necessary for this type of use.

The floor plan of the building shows two rage rooms about 384 sf (16x24) and 253 sf. (11x23) and a splatter room 224 sf (14x16). In a rage room, you enter the room with fully protective clothes, closed-toe shoes, and safety goggles armed with a bat or hammer and start raging by smashing fragile objects as provided. A rage room session is 30 or 60 minutes. In a splatter room, participants pick paint colors, wear

protective gear, goggles, and instinctively create art on the walls, ceiling, or on each other. At times, a friendly 'paint fight' breaks out. For a keepsake, a participant is given an art canvas with their artwork in the splatter room. Other rooms in the building are lobby area near entrance door, party table room (14x14 sf), training room (18x16), bathroom & break room (18x14), storage room & closet (12x12).

Customers participate in a rage room session primarily by making an appointment to reserve the rage room for either 30 minutes or 60 minutes. Employees set up items to smash for the appointed time. Walk-in customers are welcome, but most customers make an appointment. The applicant said rage room hours of operation are 12pm to 10pm every day but if business is slow the business may close at 8 pm on weekdays. The minimum age to participate in a rage room session is 13 years old with parent or guardian present. All minors (younger than 18 years old) are required (State Code) to have a waiver signed by their parent or guardian for a rage room session. Age limits for the splatter room participants (art creation) is determined by the parent/guardian.

The applicant said general liability insurance coverage for this type of business is \$1 million. The applicant worked with a broker to make sure his type of business is adequately insured. Insurance coverage includes the participants following requirements such as wearing safety gear, eye goggles, and close-toed shoes. In order to safeguard everyone, the insurance coverage prohibits alcohol sales. Also, insurance coverage prohibits alcohol consumption on the property during hours of operation. Pregnant woman are not allowed to participate in a rage room session.

The applicant said prepackaged foods are available for sale to customers such as sodas, water, sports drink, snacks, and candy. There will be no cooked perishable foods.

Staff asked about safety for the participants during a rage room session when glass and other material are smashed. The applicant said safety gear is required by the applicant's business insurance. Participants are required to wear gloves, face/eye protection, close-toe shoes, and body suit gear over the participants' clothes. Each participant is fitted with safety gear by a staff worker before allowing the participant to enter a rage room. The rage rooms will have 4k video security cameras watching the participants and a PA system (microphone & speakers) installed to contact the participants if something looks unsafe or dangerous. Monitoring is considered safer than having an attendant in the room. The applicant added that since the Birmingham rage room opened two years ago, there has been no major accidents or injuries. The most significant injuries have been a few small cuts. A first aid kit is on site for those infrequent events. The applicant said 'safety' is top priority for the staff to show customers their safety is important and staff is taking precautions to keep customers safe in a potentially unsafe environment.

Staff asked about noise generated from the rage room activities. The applicant said that he doubts if a rage session will be heard outside the exterior walls (the exterior walls are brick), and you can barely hear a rage session even inside the building. The exterior and interior walls of a rage room session contain the

noise very well. The adjacent uses are more heavy commercial including auto repair. The applicant provides sound blockers in the rage room (sound blankets) to help reduce the noise for the participants. The applicant said the noise in a rage room is about the same noise level as a small Bluetooth speaker for music. The participants are not required to wear ear plugs, and from the hundreds of participants in a rage room session there has not been a complaint that 'the noise is too loud'. At the applicant's downtown Birmingham rage room, adjacent businesses are on each side of the rage room sharing a common wall with the applicant. For the past two years at the Birmingham location, the adjacent tenants have not complained about loud noise. The applicant believes noise will not be a complaint factor but will address the noise with insulation or other sound blockers if noise is a problem.

The site plan shows a 3,420 square foot tenant space on a 20,000 sf lot. The tenant space for the rage room does not have an entrance door facing 2nd Avenue; the main entrance is on the west side of the building. A common wall (brick wall) is shared between the applicant's tenant space and the adjacent tenant space. The adjacent tenant space is 4,410 sf and currently vacant.

The entrance driveway to applicant's leased property is from 2nd Avenue (south side). Vehicles can exit through the gate on the north side of the property to 3rd Avenue or exit onto 2nd Avenue. The site plan in packet shows at least 12 parking spaces but more parking spaces can be added; concrete parking space bumpers exists along the west property line that exceed 12 parking spaces. Parking is also available along the north property line. The applicant said most rage room sessions are by appointment, and after a session, participants usually do not stay on the property, but leave soon after a session. This customer rotation from one appointment to the next appointment has been experienced at the Birmingham rage room location, and the applicant expects the same customer rotation in Opelika. The applicant rarely expects more than five vehicles to park for a rage room session. Also, the property owner at 1510 2nd Avenue also owns the adjacent property 1508 2nd Avenue. If overflow parking is needed, especially after business hours, more parking would likely be available at 1508 2nd Avenue.

A dumpster is not shown on the site plan. Any dumpster that is visible from 2nd Avenue must be enclosed with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.

The front yard area between 2nd Avenue and the applicant's building is a narrow 12 x 36 concrete surface. Four planter boxes are set-up along the front yard to prevent vehicles parking along 2nd Avenue. Parking in this front yard area is prohibited due to traffic safety concerns, especially attempting to back-out into 2nd Avenue.

The building was constructed in the 1970s before the Landscape Regulations were adopted (1995). Most of the property is hard surfaced for parking and driveways so there is limited space for landscaping. Landscaping for this conditional use request was reviewed in consideration of Section 8.2 A¹ of the Zoning Ordinance that allows the reuse of nonconforming properties that do not conform to regulations if there are existing physical constraints. The constraint is the asphalt that covers about the entire lot.

The applicant said his downtown Birmingham Rage Room location has been successful and he desires a 2nd location in Opelika. He said the Opelika location will benefit from two years of experience gained from the Birmingham location. Other information about the applicant's business can be seen at the Birmingham website: <https://www.birminghamrageroom.com/>. Photos and videos of the business can be seen on social media (Facebook, Instagram, et al).

Recommendation

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

1. Stripe the minimum parking spaces (9x18) as shown on site plan and at least one parking space for handicap accessible parking (13x18).must be striped and handicap sign posted.
2. Parking in the front yard area adjacent to 2nd avenue will have a negative impact on traffic safety; parking is prohibited in this area. The planter boxes must remain in place to prevent parking along 2nd Avenue; another marker may replace the planter boxes as approved by applicable departments.to prevent parking along 2nd Avenue.
3. Outside storage of furniture, appliances, monitors or any other household item is prohibited. All storage must be inside the building.
4. Noise from the business must not exceed requirements in Section 8.6 Noise Standards.²
5. No alcohol sales and no consumption of alcohol allowed on property during the hours of operation.
6. Participants shall wear long pants, long sleeve shirts, closed toed shoes and other appropriate safety equipment in the rage room

¹ ... the non-conforming structure or land use shall not be: 5. Established after discontinuance unless such establishment shall be in compliance with all regulations.... Note: Unless physical constraints (lot size, existing pavement existing: building, etc.) prohibit the site from coming into compliance. If physical constraints limit the use/structure from coming into compliance, the proposed use must meet the requirements as much as physically possible.

² 1. On any lot or tract within commercial, industrial and floodway districts, noise levels shall not exceed seventy (70) dBA between 7 a.m. and 7 p.m. and sixty-five (65) dBA between 7 p.m. and 7 a.m.
2. For any use with questionable noise levels, a plan of compliance shall be required by the building official. The plan shall show how the above specific standards will be met.
3. Measurements shall be taken with an American National Standards Institute (ANSI) Type 1 or Type 2 sound level meter using the A- weighted scale.
4. Reasonable flexibility and application of noise regulations shall be allowed for a short time periods however, noise in excess of ninety (90) dBA shall not be allowed at any time.

7. Participants shall not be allowed to break objects containing hazardous or toxic substances.
8. The applicant shall provide commercial liability insurance in the minimum amount of \$1,000,000.00
9. The applicant must meet all federal, state and local regulations to assure safety for customers and employees.
10. All garbage collection will be handled by a commercial garbage collection company. If dumpster location is visible from 2nd Avenue, an opaque material must be installed so the dumpster is not seen from outside the enclosure. The enclosure material and gate must consist of an opaque material.
11. Only blunt instruments provided by the business shall be used in the rage room. No bladed weapons, crossbows, bows, firearms, air guns, or explosives shall be used in the rage room.

Engineering Department Report

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

Opelika Utilities Board Report

No Comments.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 1510 2nd Ave Opelika AL 36801

PROPERTY OWNER: Cleve Kirk with James Kirk Properties LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Alex Miller

MAILING ADDRESS: 1520 Holly Road Hoover AL 35226

PHONE NUMBER: 205-370-9612 **FAX NUMBER:** _____

EMAIL ADDRESS: awmiller12@gmail.com

PARCEL INFORMATION

Project name: 1510 2nd Ave Opelika Rage Room Address/Location: 1510 2nd Ave Opelika AL 36801

Current Land Use: _____ Current Zoning: C2

Adjacent Zoning Districts: North: C2 South: C2 East: C3 West: C2

Description of Proposed Use: Rage Room & Games- recreation and amusement

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Cleve Kirk, being owner of the property which is the subject of this conditional use application hereby authorize Alex Miller, 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:  Date: 05/03/23

**STATE OF ALABAMA,
COUNTY OF LEE**

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

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

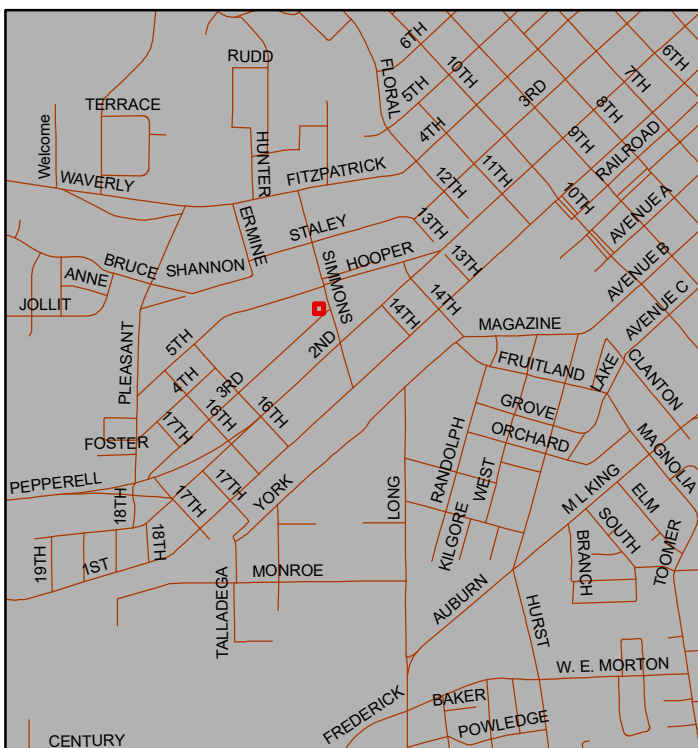
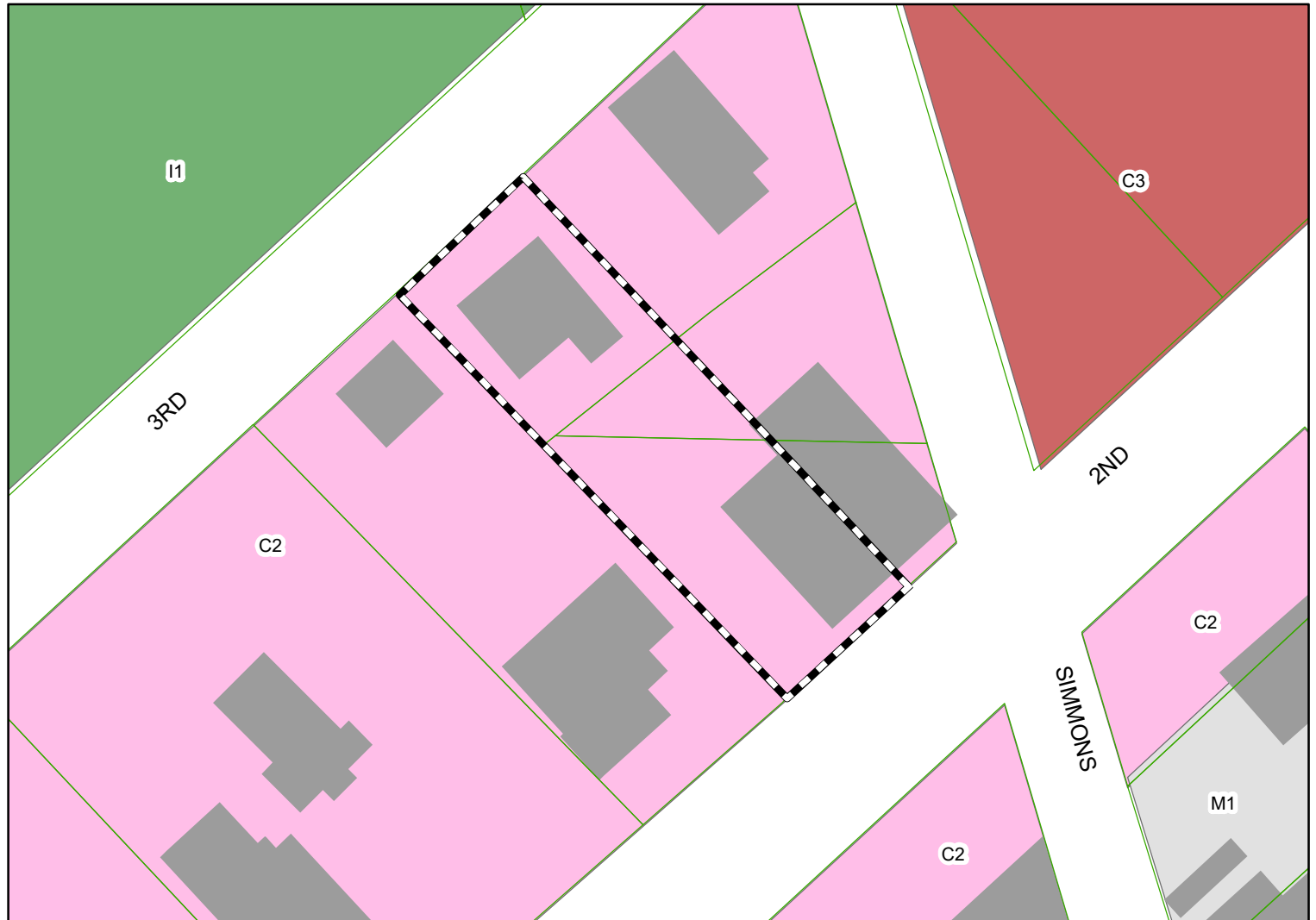
Notary Public

My Commission Expires: _____

RAGE ROOM - AMUSEMENT AND WELLBEING ACTIVITY

1510 2ND AVENUE

CONDITIONAL USE, B-3



The applicant is requesting approval for a rage room. An indoor activity to release anger and stress by smashing a variety of items using a variety of tools. Safety gear will be provided.



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

3RD AVENUE - 60' ROW

SIMMONS STREET - 50' ROW

2ND AVENUE - 80' ROW

S
A758

4 parking spaces
PS
CA758

ASPHALT

ASPHALT

IPF
3/4" OTP
DISTURBED

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

328.00' (P)
SITTING

IPS
PK NAIL

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

GRASS

ASPHALT

1510

151.00' (P)
SITTING

151.00' (P)
SITTING

151.00' (P)
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151.00' (P)
SITTING

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-4

Action Requested: Conditional Use – Mixed Use – Apartments and commercial

Location of Property: 512 S 8th Street

Property Owner(s): Phil Moody and Shree Summerlin
Jeremy Clark, Compass Construction, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-2	Vacant
South	C-3, GC-P	Daycare
East	C-2	Vacant
West	C-2, GC-P	Vacant

Proposal

The applicant is requesting conditional use approval for three (3) apartments located above office/retail spaces in a C-2, GC-P zoning district. The property is also located in the Southside/Geneva Historic District. The property is located on the northeast corner of the intersection of S. 8th Street and Avenue E. The subject property is approximately 0.45 acres. The C-2 zone allows up to 16 units per acre. The subject property is approximately 8.9 units per acre. The property is located on the edge of the historic district. The properties to the immediate north are vacant before transitioning to a mix of residential homes and residential homes adapted to office and commercial. The properties to the south, near Columbus Parkway, are generally more intense commercial including daycare, retail and restaurant uses.

The proposed development is configured with two buildings located on the corner, one facing S. 8th Street and one facing Avenue E. A third single-family home will face Avenue E towards the middle of the block. All of the units are two stories with commercial/office space on the first floor and one (1) bedroom units on the 2nd floor. Parking is located on the interior of the block. The buildings on the corner have a more urban character that would be consistent with downtown Opelika. The bottom floor has storefront style windows with residential windows above. The buildings previously received a variance from the Zoning Board of Adjustment to allow the buildings to be moved closer to the streets in line with the historic buildings located along the same streets.

Under the current standards, this development would be required to have 2 spaces per unit. This would require six (6) off-street parking spaces. The office/commercial space would require 10-12 parking spaces. In practicality, the residential units would likely not have so many tenant vehicles and the space would be targeted towards live work units where the commercial space would be occupied by a business of the residential tenant. The proposed parking lot with 17 units should be more than sufficient for the mix of uses proposed.

The landscape plan needs to be better formalized. The applicant does show some landscaped areas along the sidewalks. The other area of importance is the buffer between the parking and the adjacent property to the north.

The location is in a transition zone between the historic residential areas south of downtown Opelika and the more commercial areas near Columbus Parkway. The Historic Preservation Commission has approved the general concept and materials of the development. There may need to be further approval of lighting and other details.

Recommendation

Staff recommends conditional use approval subject to the following conditions:

- 1. A more detailed landscape plan noting the specific plants and quantities.**
- 2. Reconstruction of the current sidewalk as needed to conform to the proposed plan.**
- 3. All service utilities, mechanical and similar units shall be screened from view.**
- 4. All buildings must comply with Historic Preservation Commission standards and approvals.**

Engineering Department Report

Because of the size of the development and limited drainage or grading impact on the area, there will not need to be any submissions to the Engineering Department for approval. Approval and permits from building inspections and other utilities will still be required.

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

Opelika Utilities Board Report

Water is available from 8th Street and Avenue E. Existing single residential meter will need replacement for serving multi-use facility. Individual water meters for each tenant are preferred. A master meter is allowable if building Owner/Manager is responsible for account. No other comments.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.

000172-2023

AGENDA ITEM # 4



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 5/2 PC MEETING: 5/23

SITE ADDRESS: 512 S. 8th St.
PROPERTY OWNER: Nathaneal P. Moody + Shree R Summerlin
APPLICANT/ AUTHORIZED REPRESENTATIVE: Compass Construction Jeremy Clark
MAILING ADDRESS: PO Box 1911 Auburn, AL 36831
PHONE NUMBER: 334-332-9331 FAX NUMBER: N/A
EMAIL ADDRESS: jclark@buildwithcompass.com

PARCEL INFORMATION

Project name: 8th & E Address/Location: 512 S. 8th St.
Current Land Use: VACANT Current Zoning: C2
Adjacent Zoning Districts: North: C2 South: C3 East: C3 West: C2
Description of Proposed Use: Small apartments

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

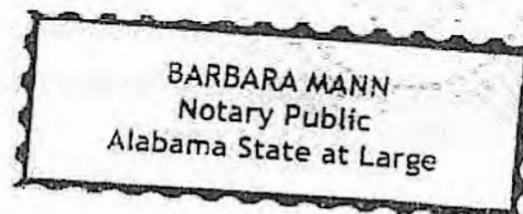
Property Owner's Signature: [Signature] Date: 4-14-23

STATE OF ALABAMA, COUNTY OF LEE

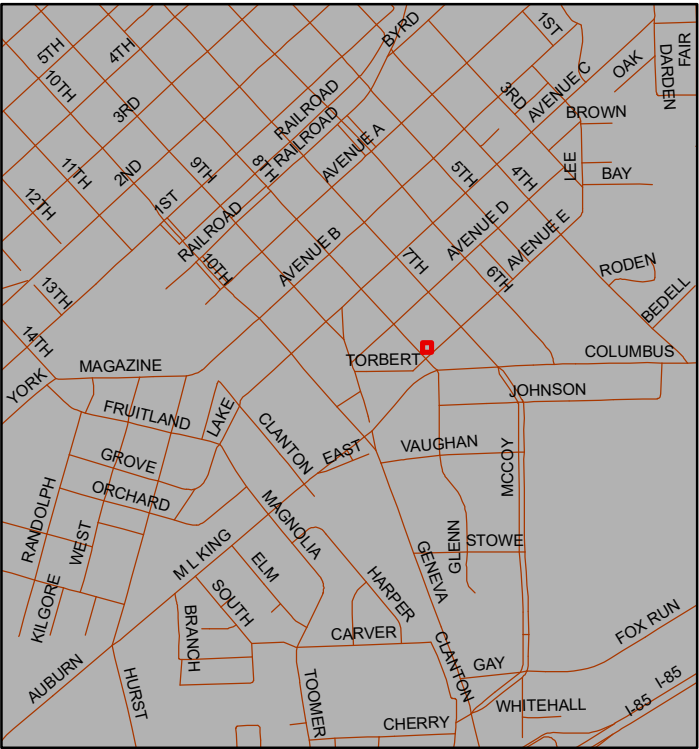
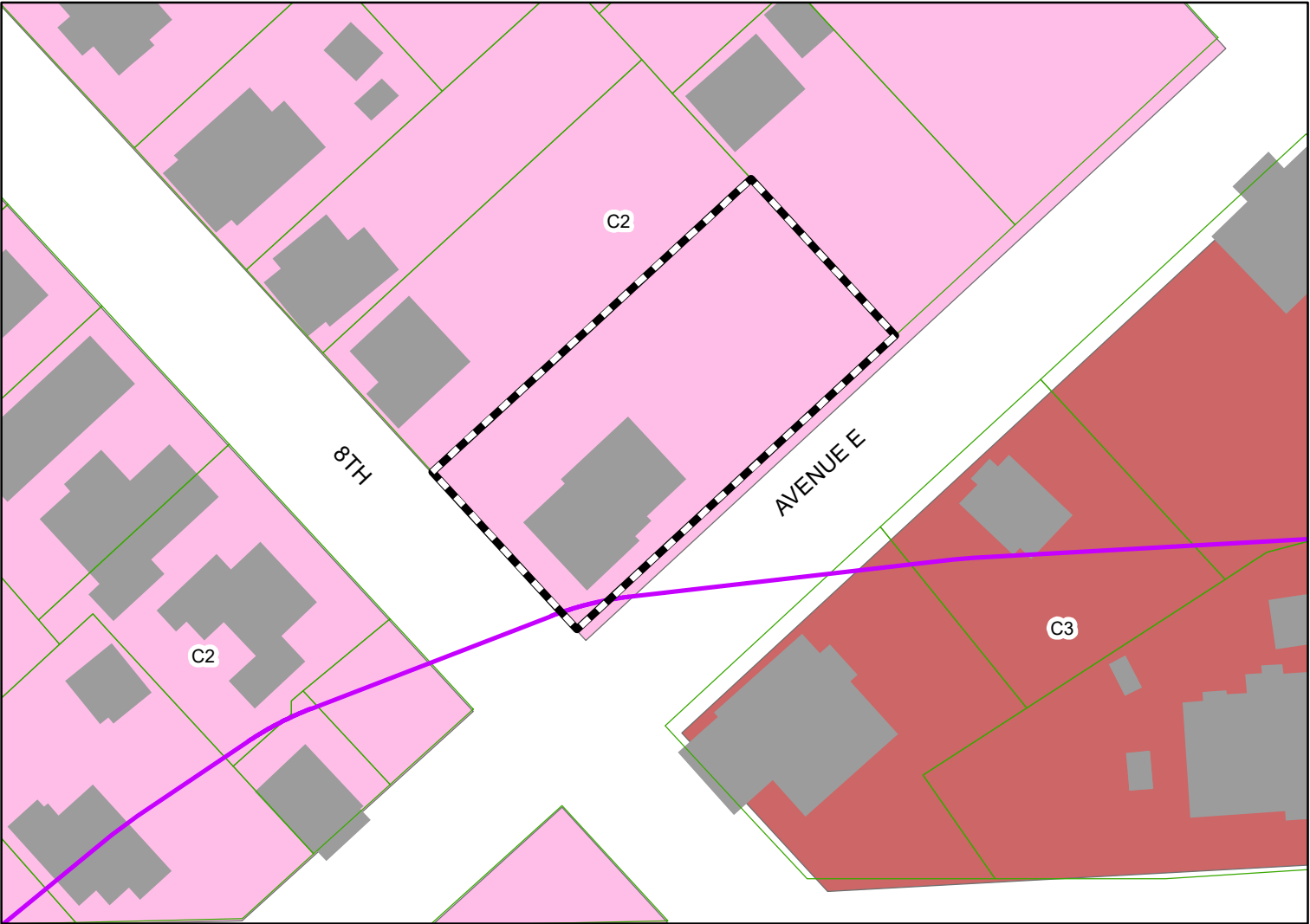
I, Barbara A. Mann, a Notary Public in and for said County and State, hereby certify that Shree Rose Summerlin, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily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

Given my hand and seal of office this 14 day of April, 2023
[Signature]
Notary Public

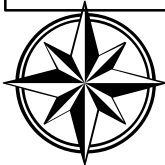
My Commission Expires: 06-22-2024



JEREMY CLARK - MIXED COMMERCIAL & RESIDENTIAL DEVELOPMENT
512 SOUTH 8TH STREET
CONDITIONAL USE, C-4



The applicant is requesting approval for a mixed use development on a 19,500 sf lot: four commercial tenant spaces (2,900 sf total), two studio apartments (500 sf each), and two one bedroom apartments (950 sf each). Property zoned C-2, GC-P.



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



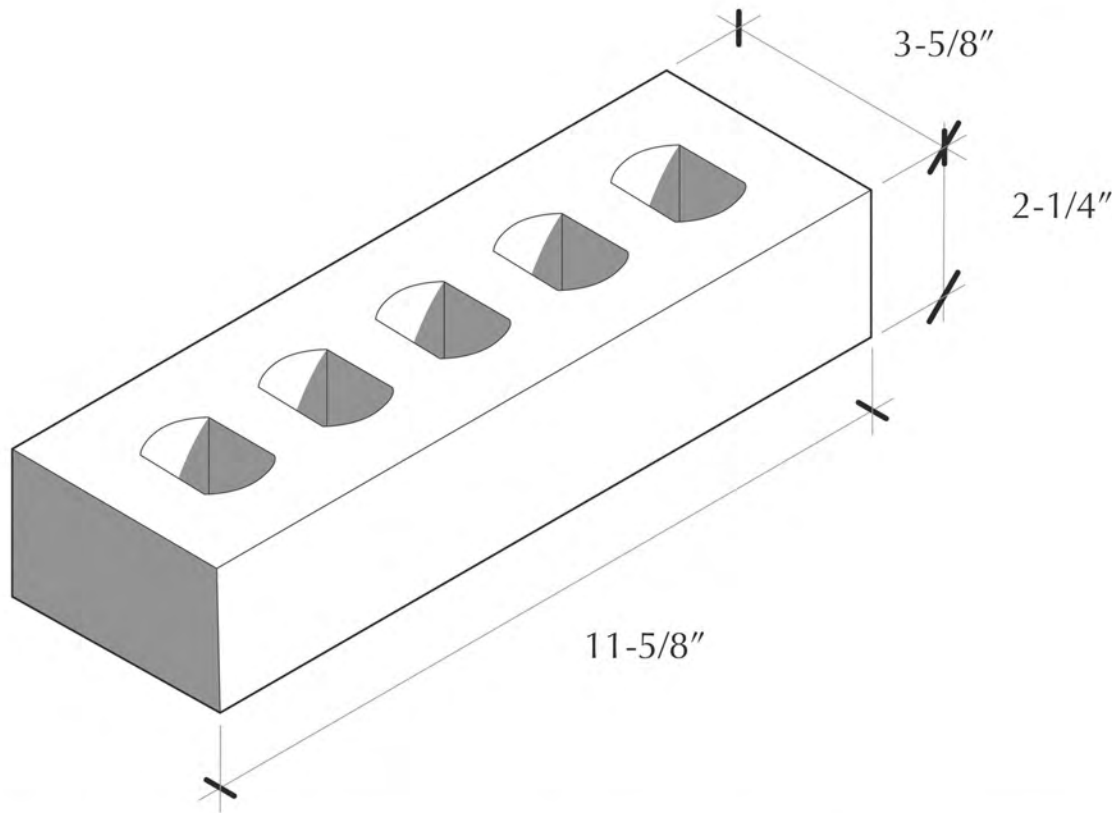
1 AVE E ELEVATION
 $\frac{1}{8}"=1'-0"$



2 NORTHWEST ELEVATION
 $\frac{1}{8}"=1'-0"$



3 S. 8TH AVE ELEVATION
 $\frac{1}{8}"=1'-0"$



WHWHITE PAINTED NORMAN BRICK
ALL EXTERIOR WALLS



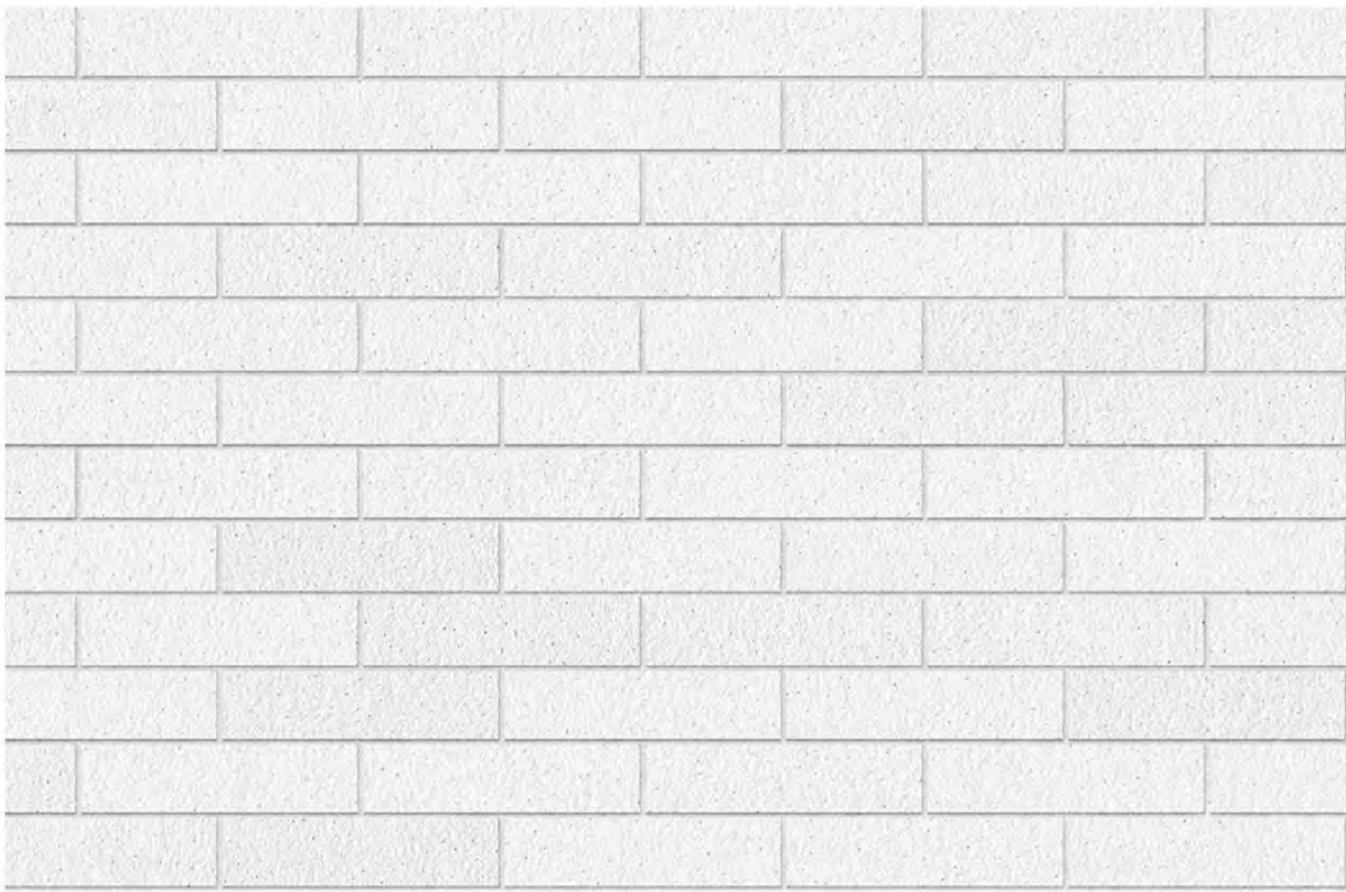
BLACK ALUMINUM CLAD DOUBLE HUNG WINDOWS
ALL WINDOWS ON SECOND LEVEL



BLACK ANODIZED ALUMINUM STOREFRONT
ALL GLAZING/DOORS AT GROUND LEVEL



BLACK PAINTED STEEL
CANOPY AND MISC. METALS



A203
MATERIALS

01.18.2023
8TH & E SUMMERLIN-MOODY
DRAWN: MSH
SUPERUNISON 559 BRYANT AVE / AUBURN, AL 36830

SUPERUNISON

SHANE@SUPER-UNISON.COM / 828-214-7129
MATT@SUPER-UNISON.COM / 865-769-4065

12" SOLDIER COURSE
NORMAN BRICK
GREY PAINTED

● **HEIGHT 21'-4"**

12" SOLDIER COURSE
NORMAN BRICK
WHITE PAINTED

12" RUNNING BOND
WHITE PAINTED

● **L2 12'-0"**

12" RUNNING BOND
STACKED BOND
WHITE PAINTED

● **0'-0"**

● **L1 -2'-8"**



SUPERUNISON

SHANE@SUPER-UNISON.COM / 828-214-7129
MATT@SUPER-UNISON.COM / 865-789-4065

02.13.2023

8TH & E / SUMMERLIN-MOODY

DRAWN: MSH

SUPERUNISON 559 BRYANT AVE / AUBURN, AL 36830

A204

FACADE DETAIL

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-5

Action Requested: Conditional Use – Commercial Office Warehouses with Outside Storage

Location of Property: 1011 and 1025 Walker Gray Court

Property Owner(s): Jason Scott Hise

Current Land Use: Undeveloped

Current Zoning: C-3

**Surrounding Zoning Districts
And Land Uses:**

North	C-3	Undeveloped
South	C-3	Undeveloped
East	R-5M	Undeveloped
West	PUD	Undeveloped

Proposal

The applicant is requesting conditional use approval for a proposed office warehouse development on two lots in a C-3 zoning district. The applicant's business (Hise Contracting-forestry and land management, 1033 Walker Gray Court) is adjacent to the proposed development. The development consists of nine office warehouse units on the north side lot (30,500 sf) and two office warehouse units on the south side lot (31,000 sf) that are leased to tenants. Each of the nine units are 1,066 sf (26.6'x 40'). The two building units on the south side lot are 3,000 sf each (50'x 60'). An office warehouse use is leased to contractors that primarily work at job sites but need warehouse space and a small office; the units could also be leased to a business that provides services at the customer's business location not the office warehouse.

The applicant has a plumbing contractor interested in leasing a 3,000 sf building. The contractor needs some outside storage space for equipment, materials, and vehicles. The site plan provides a 6,000 sf

area for outside storage; a chain link fence encloses the storage area. An office of contractor with equipment and material yard requires conditional use approval in a C-3 zone.

The site plan shows two adjacent lots that total 1.5 acres. The property line dividing the two lots is located along the edge of a driveway; the driveway is on the north lot providing nine tenant units access to Walker Gray Court. The two building units on the south lot also use the same driveway to Walker Gray Court.

The site plan provides 24 parking spaces for the nine building units on the north lot and 12 parking spaces provided for the two tenant units on the south lot. At least two handicap parking spaces must be included. Also, extra parking spaces may be available inside the warehouse space for some businesses. For office warehouse use, walk-in customers without an appointment will probably not happen; instead, customers in need of an office warehouse type business will make an appointment to discuss their project. The parking spaces provided for the north and south building units are adequate for office warehouse and another business that does not require walk-in customers. However, if walk-in customers are common with a proposed use, then parking may not be adequate to approve the business license. The proposed building units on the north and south lots meet the minimum building setbacks for this C-3 zoned property (30' front yard, 25' side yard on street, 10' side, 30' rear).

The landscape plan meets minimum requirements concerning base and parking lot points. Base points (151) and parking lot points (36) for the 65,500 sf development total 187 points required. The landscape plan shows a total of 228 points. Three landscape islands and two planting areas near the parking lot contain the parking lot points. Base points are met with trees and shrubs near Walker Gray cul de sac and the evergreen trees planted for a residential buffer. The impervious surface of the 1.5 acre lot is only 47%.

A residential zoning district (R-5M) is adjacent to the applicant's property along the east and north property line. A residential buffer is shown on plan as required from the options below ¹ with a 6

-
- a. ¹ An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three full growing seasons planted on the inside of the fence or;
 - b. A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier or;
 - c. Natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the City Horticulturist shall determine whether the barrier is satisfactory through a site inspection prior to plan approval. Barriers shall be erected during construction to ensure the area is protected from damage due to construction.

foot high opaque 'wooden fence' and green giant arborvitae trees. The trees must be spaced 3 to 10 feet apart depending on the variety of green trees not 12 feet on-center as stated on plan.

The exterior wall material will match the applicant's existing adjacent building at 1033 Walker Gray Court (*photo on page 4*). The exterior walls are architectural metal on all sides; the lower 3 foot portion of front wall facing Walker Gray Court will be stone or brick.

A private dumpster is shown on the south lot in the rear yard on the gravel outside storage area. The dumpster is directly behind a building and a few feet from the rear property line; the rear property line is 300 feet from Walker Gray Court. Staff believes the dumpster will not be visible from Walker Gray Court. If dumpster can be seen from Walker Gray, then a dumper enclosure is required.

The development is adjacent to an undeveloped residential zoning district. The property owner is aware that the brightness of outdoor lighting must not exceed 1 foot-candle at a property line.

Staff recommends conditional use approval subject to the following:

1. Outside storage allowed in 6,000 sf area only as provided on site plan. Inoperable vehicles, equipment or scrap material is prohibited in outside storage area.
2. The chain link fence must not have barbed wire or razor wire if visible from Walker Gray Court.
3. Outdoor lighting must not exceed 1 foot candle at the property line.
4. The residential buffer trees selected (green giant arborvitaes) must be spaced 3 to 10 feet apart depending on variety. The buffer should extend the entire length of the northern lot line.



Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

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

Opelika Utilities Board Report

Water is available from Walker Gray Court. No other comments.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: Walker Gray Court 1011 and 1025 Walker Gray Court
PROPERTY OWNER: Jason Scott Hise
APPLICANT/ AUTHORIZED REPRESENTATIVE: Jason Scott Hise
MAILING ADDRESS: 1972 Sequoia Dr. Auburn, AL 36879
PHONE NUMBER: 334-744-7763 **FAX NUMBER:** N/A
EMAIL ADDRESS: ledge@baseline-llc.com

PARCEL INFORMATION

Project name: Hise Development **Address/Location:** Walker Gray Court 1011 & 1025 Walker Gray Ct
Current Land Use: vacant **Current Zoning:** C3
Adjacent Zoning Districts: North: C3 South: C3 East: R5M West: C3
Description of Proposed Use: commercial warehouse building

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 05-01-2023

**STATE OF ALABAMA,
COUNTY OF LEE**

I, Leigh Anne Shropshire, a Notary Public in and for said County and State, hereby certify that Jason Scott Hise, 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 1st day of May

[Signature]
Notary Public

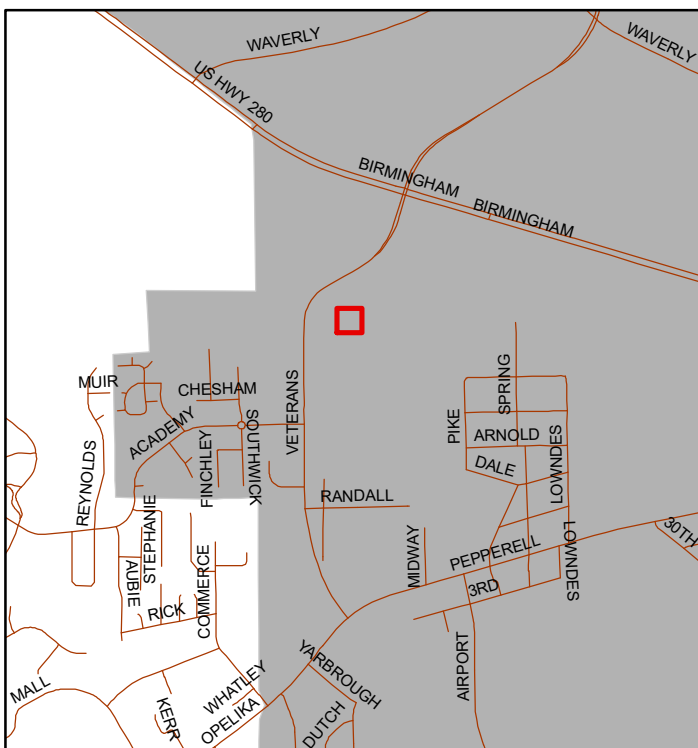
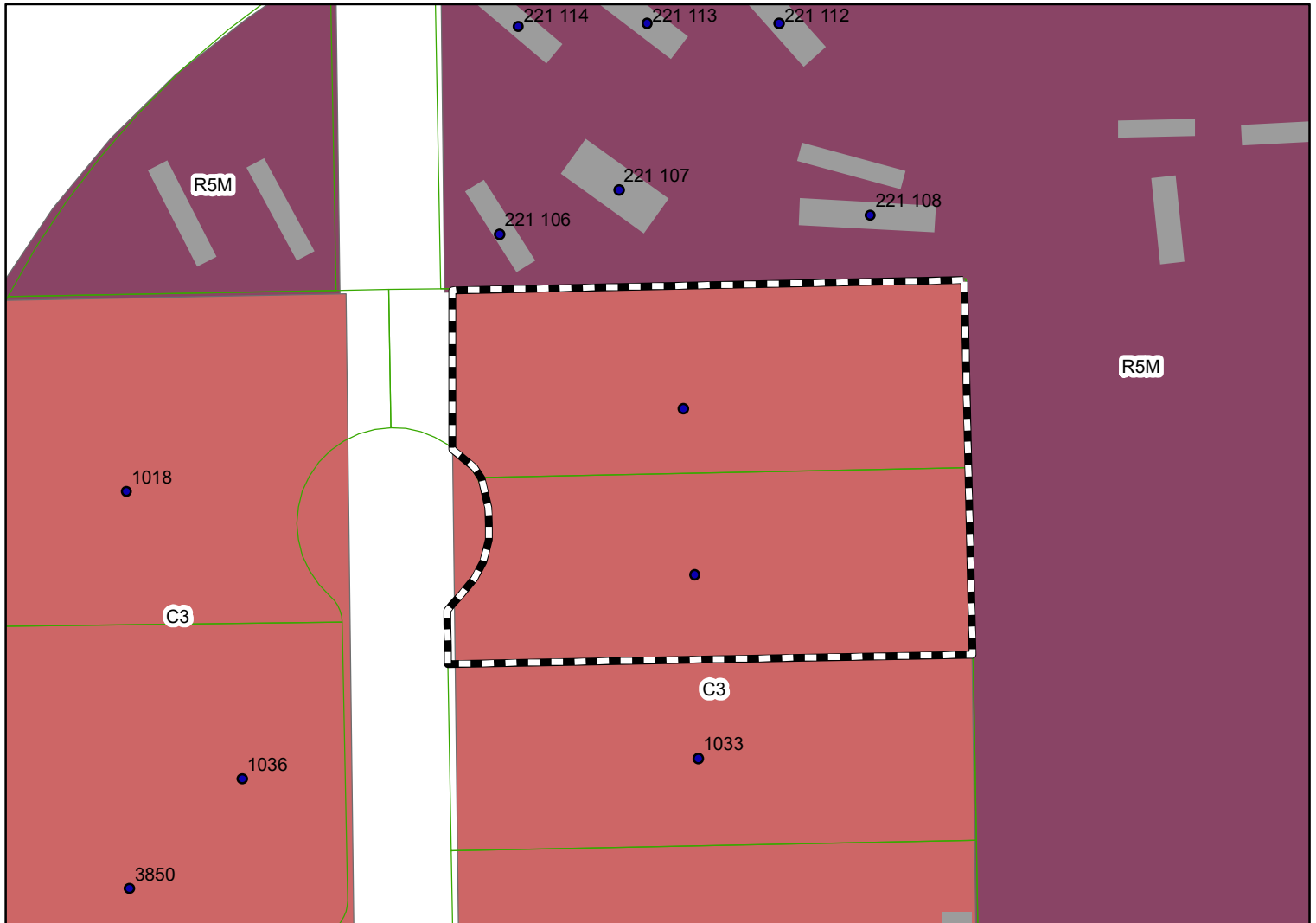
My Commission Expires: 8-10-2025



JASON HISE - TWO COMMERCIAL WAREHOUSES

1011 AND 1025 WALKER GRAY COURT

CONDITIONAL USE, C-5



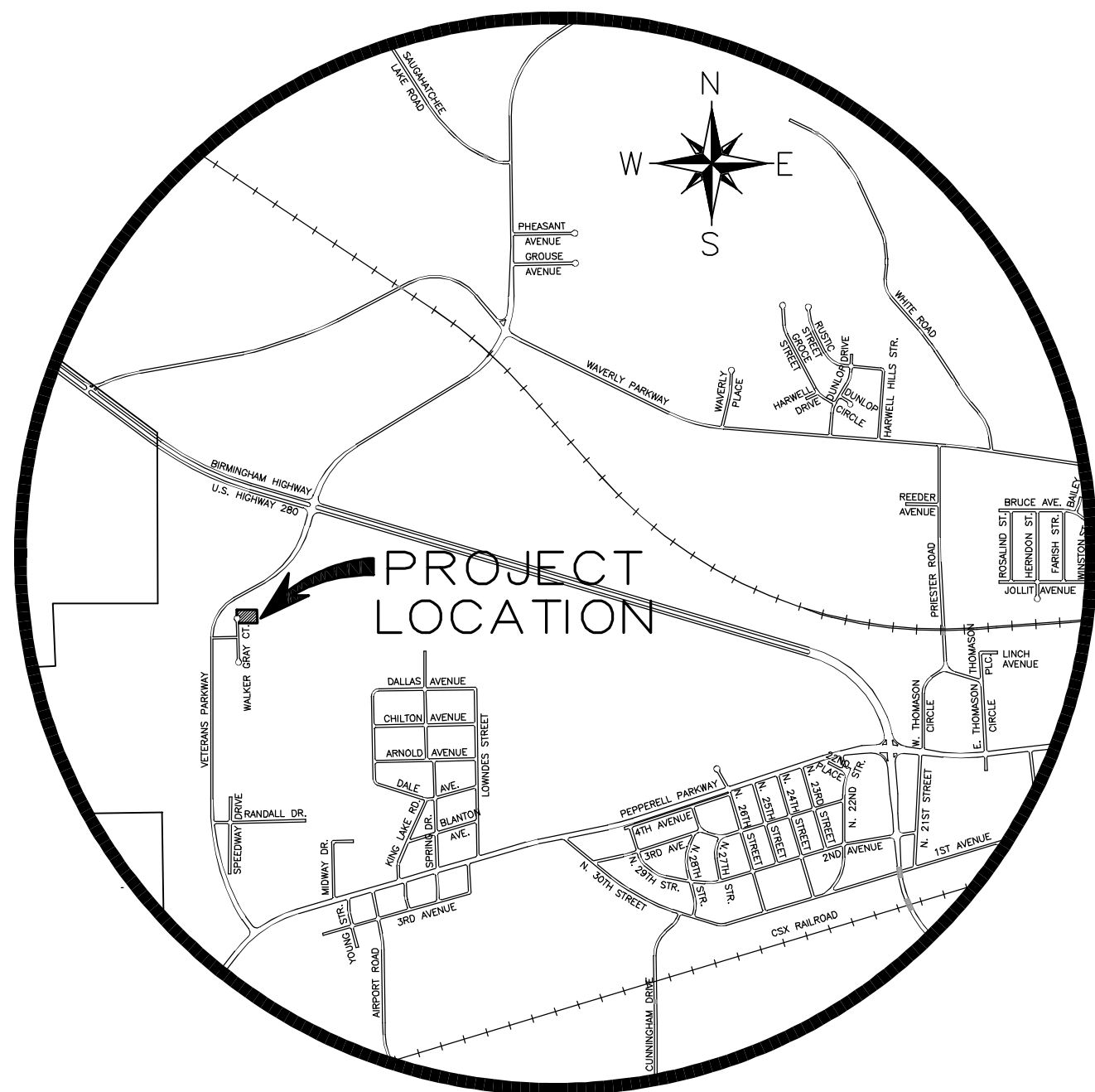
The applicant is requesting approval to construct a 6,000 sf and a 9,600 sf warehouse. The property is in a C-2, GC-S zoning district.



Subject Property

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

HISE DEVELOPMENT
SITE PLAN



VICINITY MAP
NOT TO SCALE

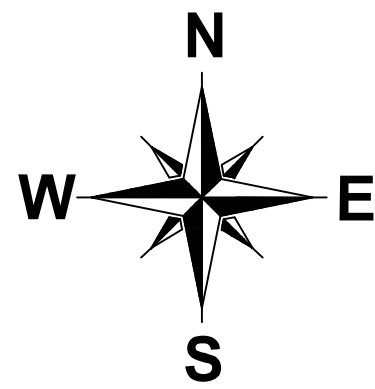
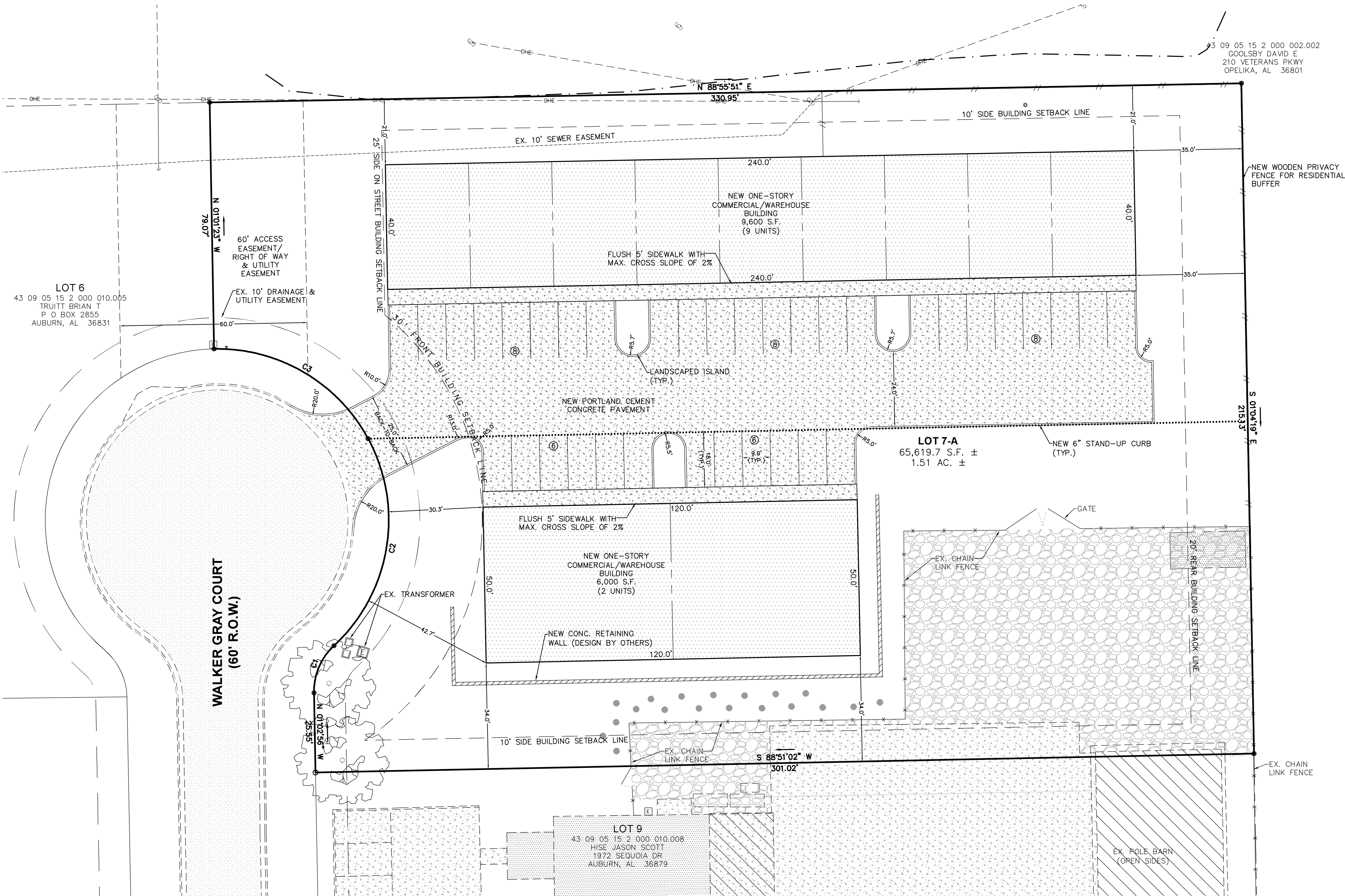
NOTES:
1. SITE LIGHTING SHALL NOT EXCEED MORE THAN ONE FOOT CANDLE AT THE PROPERTY LINES.

LOT 7-A INFORMATION TABLE

TYPE USE	COMMERCIAL
DISTRICT	C-3
LOT SIZE	65,619.7 S.F. 1.51 AC.
IMPERVIOUS SURFACE I.S.R. ACTUAL	31,145 S.F. 0.47
FLOOR AREA F.A.R. ACTUAL	15,600 S.F. 0.24
MINIMUM LOT WIDTH	60'
FRONT YARD SETBACK	30'
REAR YARD SETBACK	20'
SIDE YARD SETBACK	10'
SIDE ON STREET SETBACK	25'
MAXIMUM BUILDING HEIGHT	75'
MAXIMUM BUILDING AREA	50%

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	20.00'	16.93'	16.43'	N 22°55'16" E
C2	55.00'	72.46'	67.34'	N 09°21'11" E
C3	55.00'	60.14'	57.19'	N 59°47'26" W



SCALE: 1"= 20'

NO.

DATE

APPR.

REVISION

DESIGNED

DRAWN

DATE

JOB NO.

ARN

DMC

05/02/23

B51723.01

2004 Yarbrough Drive, Ste. A
Opelika, Alabama 36801
Phone: (334) 748-9200
Web: www.baseline-llc.com

BASELINE

SURVEYING & DESIGN, LLC

HISE DEVELOPMENT

SITE PLAN

ALABAMA

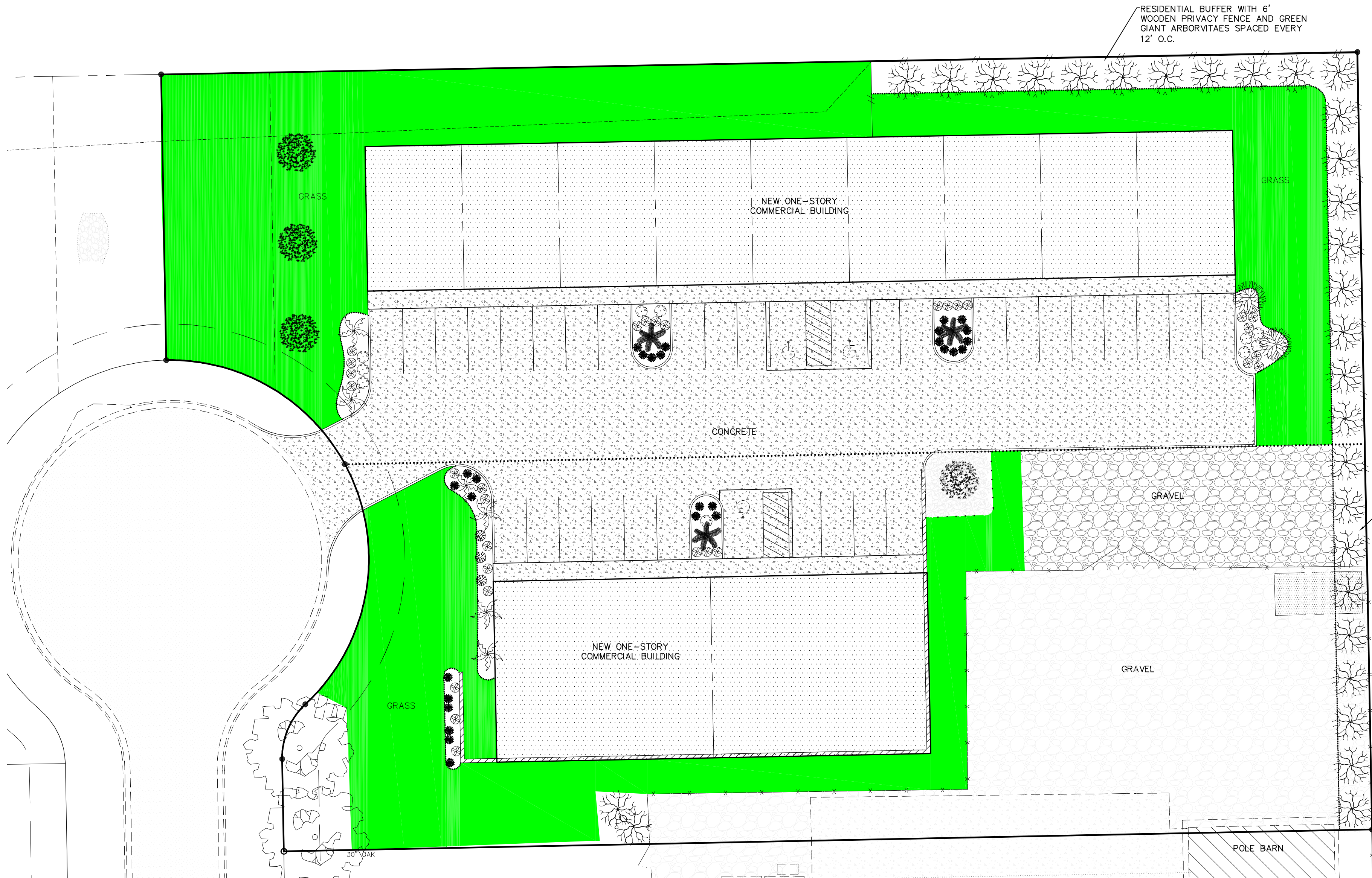
OPELIKA

SHEET

2 OF 7

HISE DEVELOPMENT

LANDSCAPE PLAN

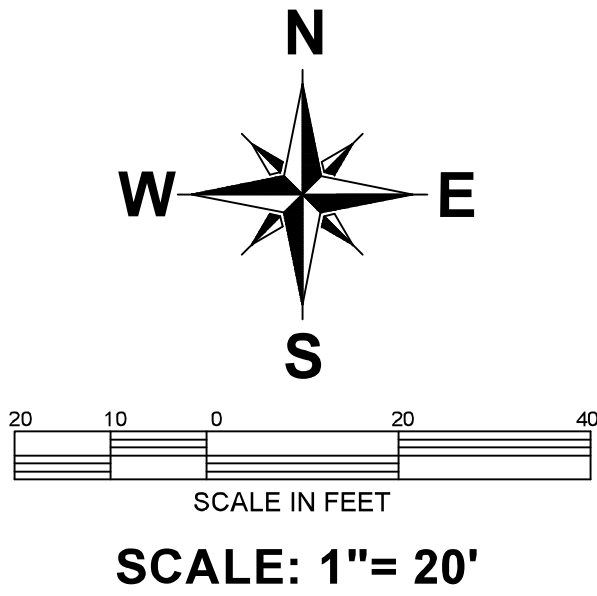


INFORMATION TABLE

LOT SIZE	65,619.7 S.F. (1.51 AC.±)
RES. BUFFER	YES
BASE POINTS REQUIRED	151
BASE POINTS PROVIDED	207
PARKING LOT POINTS REQUIRED	34
PARKING LOT POINTS OBTAINED	47
TOTAL POINTS REQUIRED (LESS RES. BUFFER)	185
TOTAL POINTS OBTAINED (LESS RES. BUFFER)	254

LEGEND

SYMBOL	NAME	SIZE	NO.	POINTS
	WINTERGREEN BOXWOOD	1 GAL	30	30
	LOROPETALUM	3 GAL	10	10
	INDIAN HAWTHORN	1 GAL	28	28
	ENCORE AZALEAS (AUTUMN IVORY AND AUTUMN TWIST)	3 GAL	3	3
	VARIEGATED JUNIPER	1 GAL	24	24
	SOUTHERN WAXMYRTLE	1.5" CAL	6	30
	CRAPE MYRTLE (NATCHEZ MUSCOGEE)	1.5" CAL	3	15
	RIVER BIRCH	1.5" CAL	2	16
	SHUMARD OAK	1.5" CAL	4	32
	GREEN GIANT ARBORVITAE	3 GAL	2	16
	EXIST. 30" OAK	30"	2	50
TOTAL POINTS				254



NO.

REVISION

DATE

APPR.

DESIGNED

ARN

DATE

05/02/23

DRAWN

DMC

JOB NO.

BS1723.01

2004 Yarrowhough Drive, Ste A
Opelika, Alabama 36801
Phone: (334) 748-9200
Web: www.baseline-llc.com

BASILINE
SURVEYING & DESIGN, LLC

HISE DEVELOPMENT
LANDSCAPE PLAN

ALABAMA

OPELIKA

SHEET

11

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-6

Action Requested: Conditional Use – Multi-Family Residential, Apartments

Location of Property: 2700 block of Frederick Road

Property Owner(s): NGK Investments, LLC.
Howard Weissinger, authorized applicant

Current Land Use: Undeveloped

Current Zoning: C-2, GC

**Surrounding Zoning Districts
And Land Uses:**

North	R-4, GC-P	Vacant
South	C-2, GC	Commercial (Tiger Square)
East	R-4, GC	Apartments
West	R-4, GC-P	Vacant

Proposal

The applicant is requesting conditional use approval for a 155-unit apartment development on approximately 10.1 acres. The development consists of 10 one-bedroom and 145 two-bedroom units. The unit mix is 300 bedrooms. The buildings are primarily two-story buildings with the front building being three stories. The front building also proposes allowing the bottom floor being leasable office/commercial space. The bottom floor of this building is approximately 13,000 square feet. The development also includes a community building, pickleball courts and swimming pool.

In a C-2, GC zone, 16 dwelling units are allowed. The proposed density is 15.3 units per acre. Most of the surrounding properties are zoned R-4. The density allowed in R-4 is 9 units per acre. The townhome style apartment development to the east has 56 units and a density of 7 units per acre. The mobile home park just beyond that has 50 units and a density of just over 5 units per acre. The property to the south is a commercial multi-tenant site. The property to the immediate west is a narrow strip that runs the entire length of the property line. This property and the property to the north are both vacant at this time.

The site plan shows ten buildings on a 10-acre parcel. The minimum off-street parking requirements are met: 310 parking spaces required, 373 spaces provided. It is unclear whether there is enough parking in areas close to units. Building 1, 2, and 3 have some parking adjacent, but may require some residents to walk to other areas for parking. The applicant may want to consider removing some of the excess parking to provide better outdoor spaces for residents. The property meets the maximum 70% impervious surface ratio allowed; 60% of the property will be impervious.

The elevations are attached. The exterior wall materials are not noted but would have to meet the Gateway Corridor requirements. The buildings have an English Village/Tudor Revival style.

The site does not show any dumpsters or trash containers. The site would not likely work for individual cans due to the private roads and configuration. Dumpsters or a compactor need to be shown on the site plan. These containers need to be enclosed and screened with corridor approved materials and landscaping.

The applicant has provided a landscape plan. It does not provide the required information on points, but does show planting areas, required buffers and natural areas. The site requires 900 base points and 373 parking lot points (1 per space). It is important that the development either provide buffers and other means of transitioning between these properties or the overall density should be lowered. The development does provide 20-foot buffers on each side with six foot bands showing a double row of evergreen trees. The rear of the property notes a forty (40 ft) natural buffer. This may need to be supplemented to create a dense screen. The front will be required to meet the Gateway Corridor requirements. Staff has some concerns about the useable outdoor space available to residents. Buildings 7 and 9, particularly, do appear to be almost completely surrounded by parking lots. Staff is unaware if any of the units will have stoops or balconies. The applicant should consider removing some excess parking, redesigning the space, or dropping units to ensure that units are not completely surrounded by parking lots.

The lighting plan must comply with the lighting requirements of Section 7.6, A. 6a. All HVAC, meters, and other mechanical equipment must be screened from the corridor. The applicant may want to consider speed tables or raised pedestrian crossings along the primary drive through the development to reduce speed and create safer crossings. This area would likely fall with the Airport Obstruction notification zone. The applicant will need to work with the airport to ensure the height does not create any obstructions.

Overall, staff does not take issue with apartments in this location provided they are consistent with requirements and provide quality housing. The density of this property is higher than the allowable density in the adjacent R-4 zones, but does provide wider, planted buffers. There are some concerns about the desirability of some of the internal units that are surrounded by parking areas. Overall, with some design modifications, staff believes that the use is appropriate in this location.

Staff recommends approval subject to the following:

1. Provide an updated landscape plan showing the site meeting requirements of the landscape ordinance.
2. Note the materials proposed for the units. All four sides of the development shall meet the Gateway Corridor cladding requirements.
3. Enclose the dumpsters on all sides with corridor approved materials and landscaping, so the dumpsters are not visible from the street.
4. All HVAC, meters, and other mechanical shall be screened from the street.
5. The applicant should consider traffic calming or raised pedestrian crossings slow vehicles on the main drive.

6. Ensure that all buildings have some green space or useable outdoor areas adjacent to the building, specifically Buildings 7 and 9.
7. Any commercial uses in Building 1 will need to be approved through the zoning based on Table 7.3 Permitted Use table.

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

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

Opelika Utilities Board Report

Water is available from Frederick Road. Development plans will require approval from Opelika Utilities to determine public and private water main and service locations. Any public water mains on private property will require easements and compliance with Opelika Utilities Specifications. An individual master meter for the full development or meters for each building are both available options. Fire protection considerations will factor into final decision regarding location of public and private water mains in development.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services and Alabama Power territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 2700 Frederick Road, Opelika, AL 36801

PROPERTY OWNER: NGK Investments LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Howard Weissinger

MAILING ADDRESS: 1922 Professional Circle, Suite 204, Auburn, AL 36830

PHONE NUMBER: 334-524-4123

FAX NUMBER: n/a

EMAIL ADDRESS: hhweissinger@gmail.com

PARCEL INFORMATION

Project name: The Townes Address/Location: 2700 Frederick Road

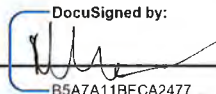
Current Land Use: undeveloped Current Zoning: C-2, GCP

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

Description of Proposed Use: Request to allow multi-family with max density of 16 units per acre.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Nadeem Khan, being owner of the property which is the subject of this conditional use application hereby authorize Howard Weissinger, 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:  Date: 4/27/2023

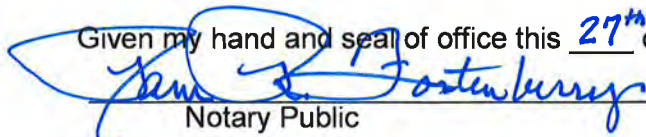
DocuSigned by:

B5A7A11BECA2477

**STATE OF GEORGIA,
COUNTY OF MUSCOGEE**

I, Pam R. Fortenberry, a Notary Public in and for said County and State, hereby certify that Nadeem Khan, 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.

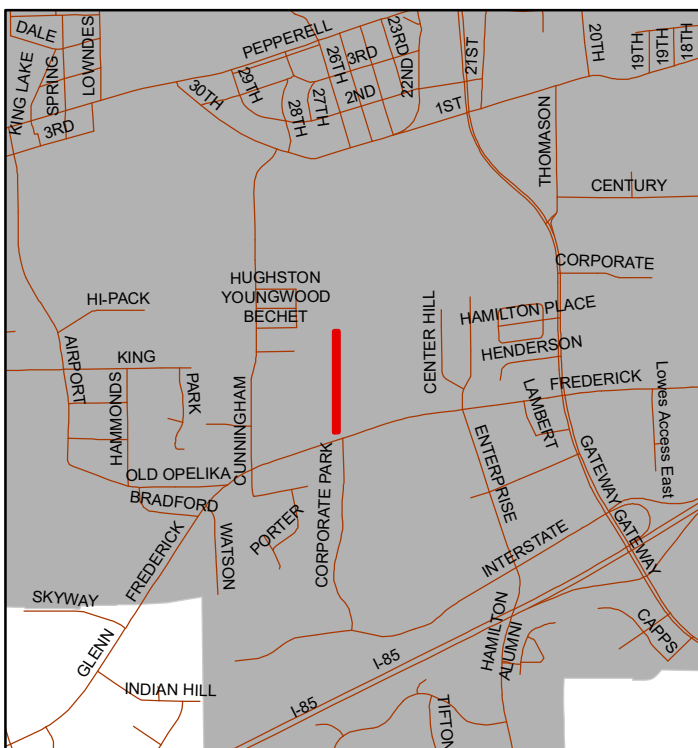
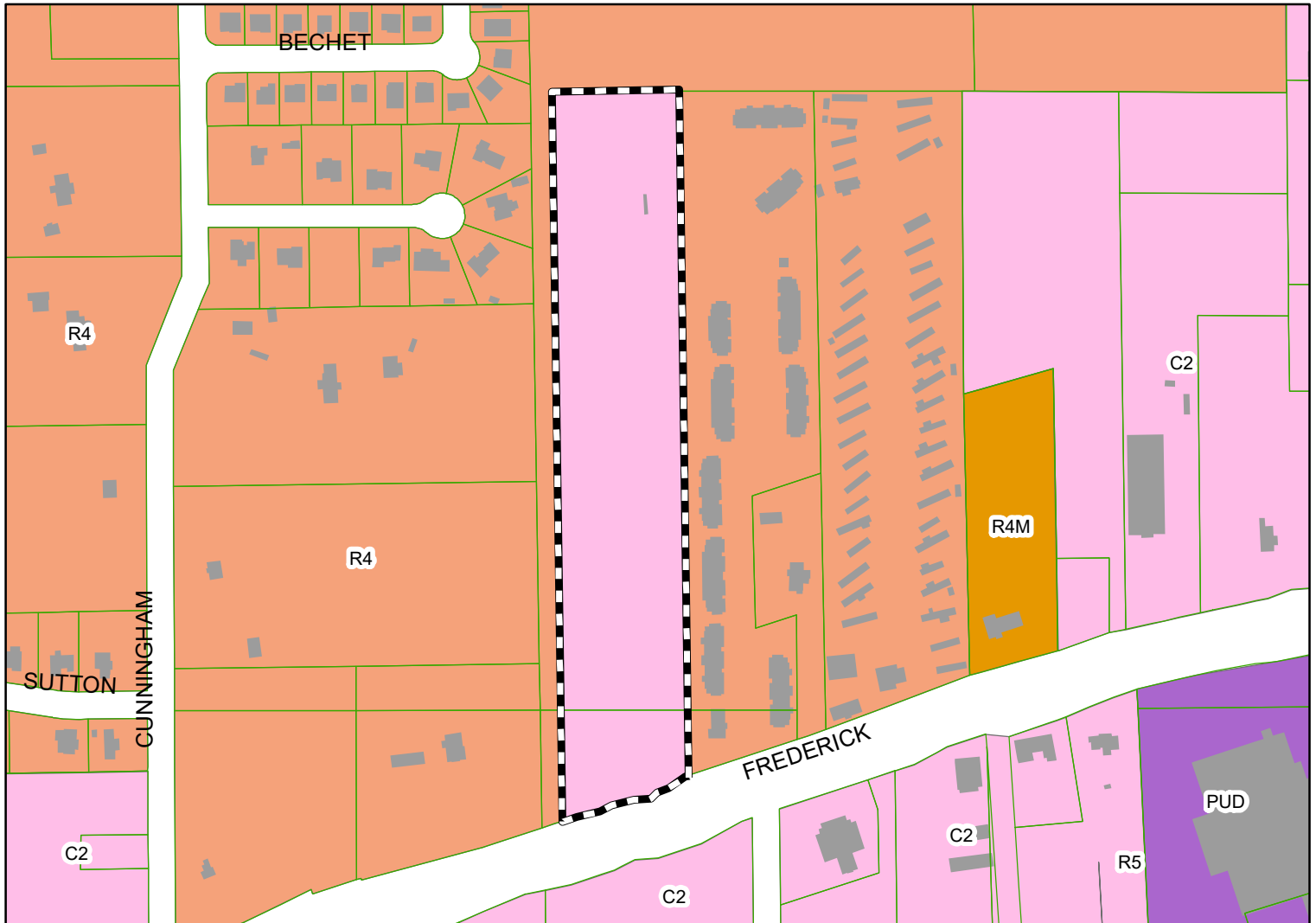
Given my hand and seal of office this 27th day of April,


Notary Public

My Commission Expires: January 2, 2026



**THE TOWNES APARTMENTS
2700 FREDERICK ROAD
CONDITIONAL USE, C-6**



The applicant is requesting approval to construct 155 apartment units (2 and 3 stories) on 10 acres. Common area includes a fitness room, swimming pool, and two pickle ball courts. The property is in a C-2, GC-P zoning district.



Subject Property

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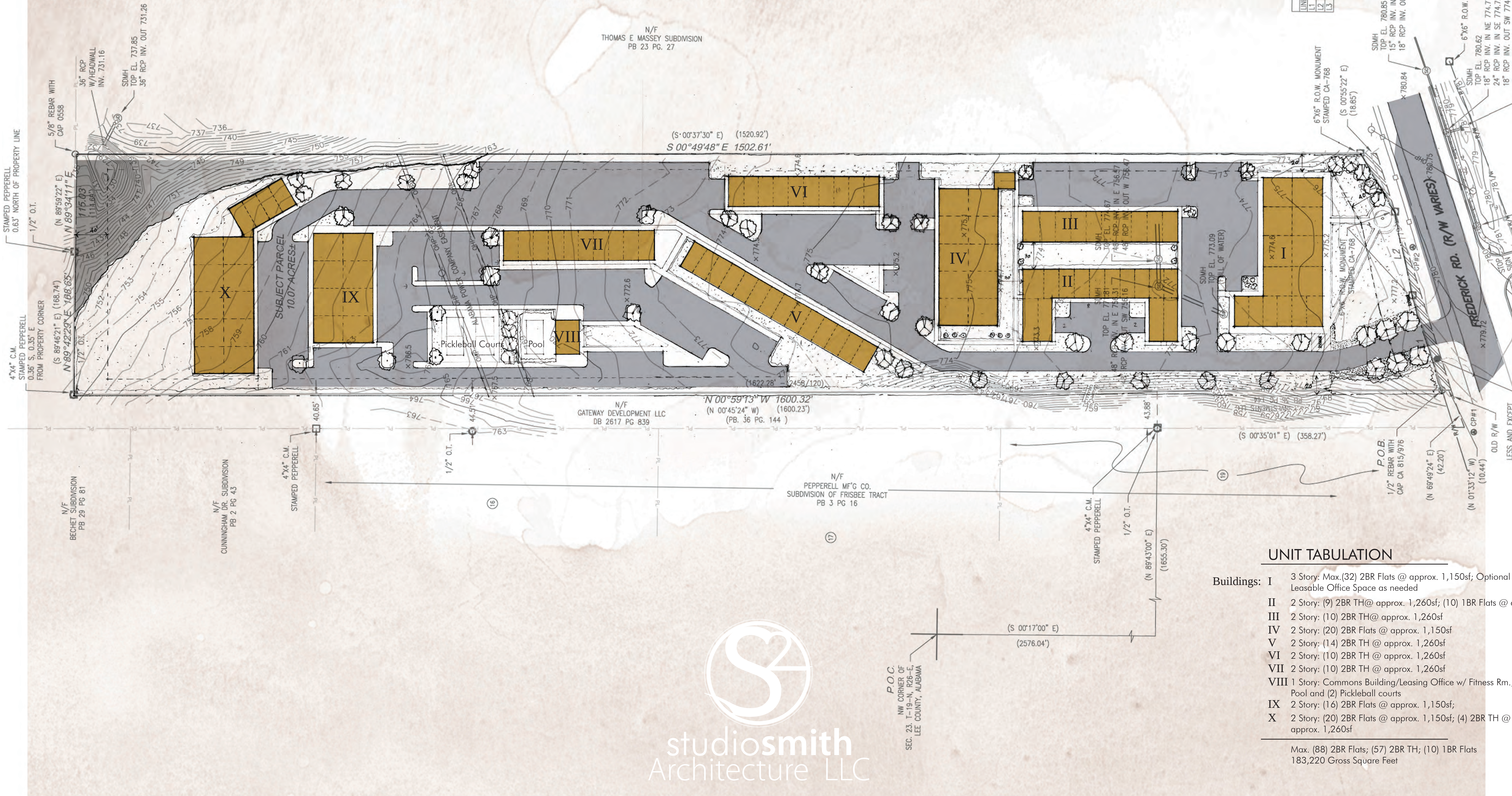
CONCEPTUAL MULTI-FAMILY VILLAGE

2700 Frederick Rd., Opelika, Alabama

CONCEPTUAL SITE PLAN

Scale 1:60

04.14.2023

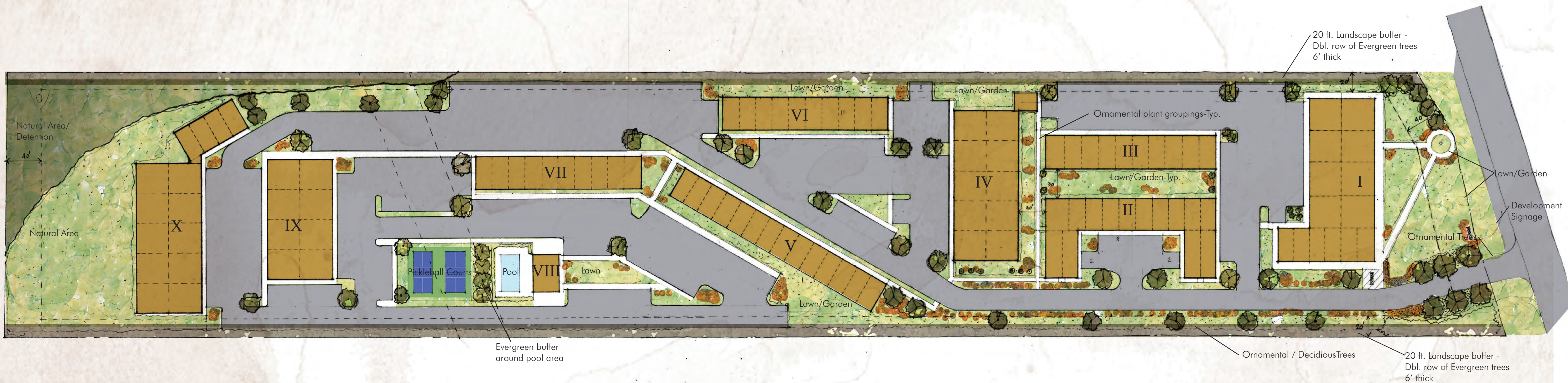


CONCEPTUAL MULTI-FAMILY VILLAGE

2700 Frederick Rd., Opelika, Alabama

CONCEPTUAL LANDSCAPE PLAN

04.14.2023



UNIT TABULATION

Buildings:	I	3 Story: Max.(32) 2BR Flats @ approx. 1,150sf; Optional ground level Leasable Office Space as needed
	II	2 Story: (9) 2BR TH@ approx. 1,260sf; (10) 1BR Flats @ approx. 900sf
	III	2 Story: (10) 2BR TH@ approx. 1,260sf
	IV	2 Story: (20) 2BR Flats @ approx. 1,150sf
	V	2 Story: (14) 2BR TH @ approx. 1,260sf
	VI	2 Story: (10) 2BR TH @ approx. 1,260sf
	VII	2 Story: (10) 2BR TH @ approx. 1,260sf
	VIII	1 Story: Commons Building/Leasing Office w/ Fitness Rm., Pool and (2) Pickleball courts
	IX	2 Story: (16) 2BR Flats @ approx. 1,150sf;
	X	2 Story: (20) 2BR Flats @ approx. 1,150sf; (4) 2BR TH @ approx. 1,260sf

Max. (88) 2BR Flats; (57) 2BR TH; (10) 1BR Flats
183,220 Gross Square Feet

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-7

Action Requested: Conditional Use – Automobile Maintenance – (Aldi Auto or Midas)

Location of Property: Outparcel between 2400 and 2310 Frederick Road

Property Owner(s): ALDI, Inc.
Foresite Group, LLC, authorized representative

Current Land Use: Vacant Lot

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-2	Commercial (Encompass Health)
South	PUD	Commercial (Kroger)
East	C-2, GC-P	Commercial (Wittichen Supply Co.)
West	C-2, GC-P	Commercial (ALDI)

Proposal:

The applicant requests conditional use approval to construct a Midas shop (automobile maintenance) in the C-2, GC-P zoning districts. The site is located between the ALDI store and Wittichen Supply Company. The site will be accessed by shared access through the ALDI parking lot from Frederick Road.

The site plan shows a 6,373 square foot (sf) building on a 37,162 square foot (0.85 acre) lot. The building is designed with eight (8) bay areas with a customer sales area, one office, restrooms, and a breakroom.

The minimum building setbacks in the GC-P are 40 front, 20 sides, and 20 rear. The applicant has requested a 10-foot side yard setback on the east side adjacent to Wittichen. This is the standard side setback allowed in a C-2 zoning district and is consistent with the setback for the adjacent building on that side. Section 7.3 Specific District Regulations Note 6. states: “The setback requirements may be varied by the Planning Commission as part of development plan approval (see Section 7.6); if an alternative access, roadway/driveway is provided/available so that access is not taken directly from the designated corridor. It is recommended that access be provided via a perpendicular access road in order to protect the integrity of the subject corridor.” While an access road has not been created, this site was initially designed to share access with ALDI through a common drive. Additionally, a rear exit road exists.

The parking area shows 30 parking spaces, including two (2) handicap spaces; the minimum off-street parking requirements are met. The site is just at the 70% maximum impervious surface ratio (ISR). A color rendering of the elevation is in the packet. The proposed exterior wall material facing Frederick Road (Store Front Elevation) is painted CMU (red), scored EIFS (grey), concrete masonry units (grey), cultured stone veneer, and storefront glass area. The primary exterior materials on the side facing ALDI are painted CMU (red), concrete masonry units (grey), culture stone veneer, and glazed sectional overhead doors. The elevation facing Wittichen Supply Co. is proposed to have the first 20% of the wall clad with the same building materials building materials on the front and then transition to metal. Due to the prominent location of this site adjacent to Tiger Town, staff feels that Gateway Corridor materials are extend across the side wall. The rear elevation will be covered with painted concrete masonry units (CMU in red and grey) and culture stone veneer at the bottom. The CMU units must have an architectural finish, texture or design.

The developed area is 37,162 square feet. The landscape plan meets minimum requirements. The site requires 130 total points (100 base and 30 parking) and provides 148 total points (108 base and 40 parking lot points). A 15-foot front parking lot buffer is required and shown along Fredrick Road. In addition, a 6-foot parking lot buffer shall be planted between the non-street property lines and the edge of the parking lot consisting of medium and understory trees and shrubbery as listed in Section 10.6 D.2.b of the Landscape Ordinance.

Three private dumpsters for this development are shown on the site plan. The dumpsters will need to be screened with a dumpster enclosure located behind the front plane of the building and be screened with approved corridor materials. In addition, all utility meters, air conditioning units and similar mechanical units shall be screened so as not to be visible from a public right-of-way. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by the relevant utility company for safety.

If outdoor pole lighting or wall pack lighting is proposed, then the lights must comply with the City's lighting requirements. In addition, it may be necessary to reduce light glare by installing light fixture shields and/or redirecting light direction if the light is excessive on public streets.

Recommendation

Staff recommends conditional use approval subject to the following:

- 1. The Planning Commission approves the setbacks requested.**
- 2. The concrete masonry units must be decorative or architectural grade materials to meet the Gateway Corridor cladding requirements in Section 7.6 Gateway Corridor Overlay District, 6, b. Materials and Cladding Requirements.**
- 3. The Gateway Corridor materials shall cover all four sides of the building.**
- 4. Outdoor lighting must meet the requirements in Section 7.6 Gateway Corridor Overlay District, 6, a. Lighting Requirements**
- 5. If fencing is ever installed, the property owner must meet the Gateway Corridor Overlay District regulations in Section 7.6 of the Zoning Ordinance.**
- 6. Dumpster areas must be screened by approved Gateway Corridor Overlay District materials.**
- 7. All utility meters, air conditioning units, and similar mechanical units shall be screened so as not to be visible from a public right-of-way. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by the relevant utility company for safety.**
- 8. No outside storage or display of tires, parts, or vehicles to be serviced.**

9. No automotive maintenance work shall be performed outside.
10. Discarded or worn-out tires (or rims), parts, or vehicles stored on the property must be stored inside the building, not outside.

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

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

Opelika Utilities Report

Water is available from Frederick Road. Water main was brought across road for this development during construction of ALDI development.

Opelika Power Services Report

This subdivision is outside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 2400 Fredrick Rd

PROPERTY OWNER: ALDI Inc.

APPLICANT/ AUTHORIZED REPRESENTATIVE: Foresite Group, LLC

MAILING ADDRESS: 2128 Moores Mill Road, Suite C

PHONE NUMBER: (334) 887-6064

FAX NUMBER: _____

EMAIL ADDRESS: bbasquin@fg-inc.net

PARCEL INFORMATION

Project name: ALDI Outparcel

Address/Location: 2400 Fredrick Rd.

Current Land Use: Vacant

Current Zoning: C-2

Adjacent Zoning Districts: North: C-2

South: PUD

East: C-2

West: C-2

Description of Proposed Use: Automotive Service Center

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____

Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

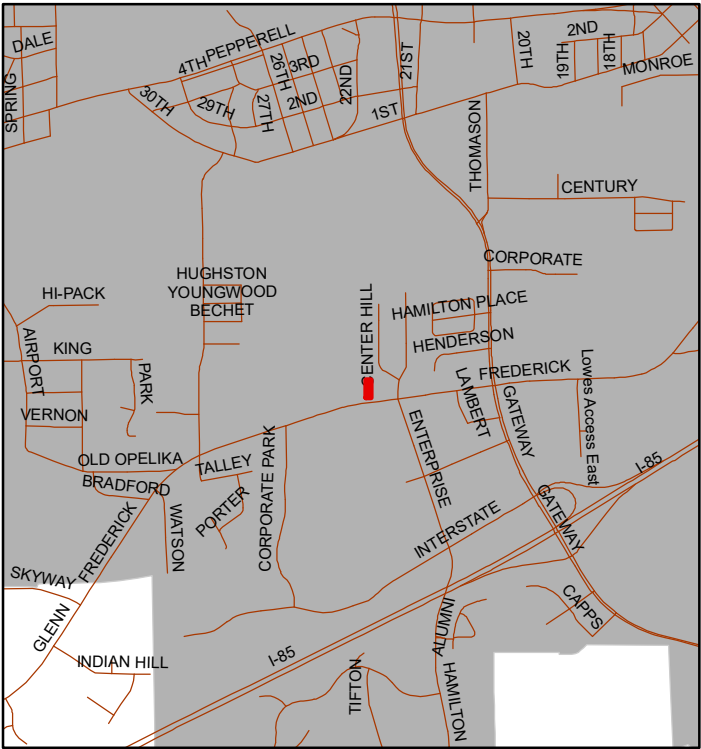
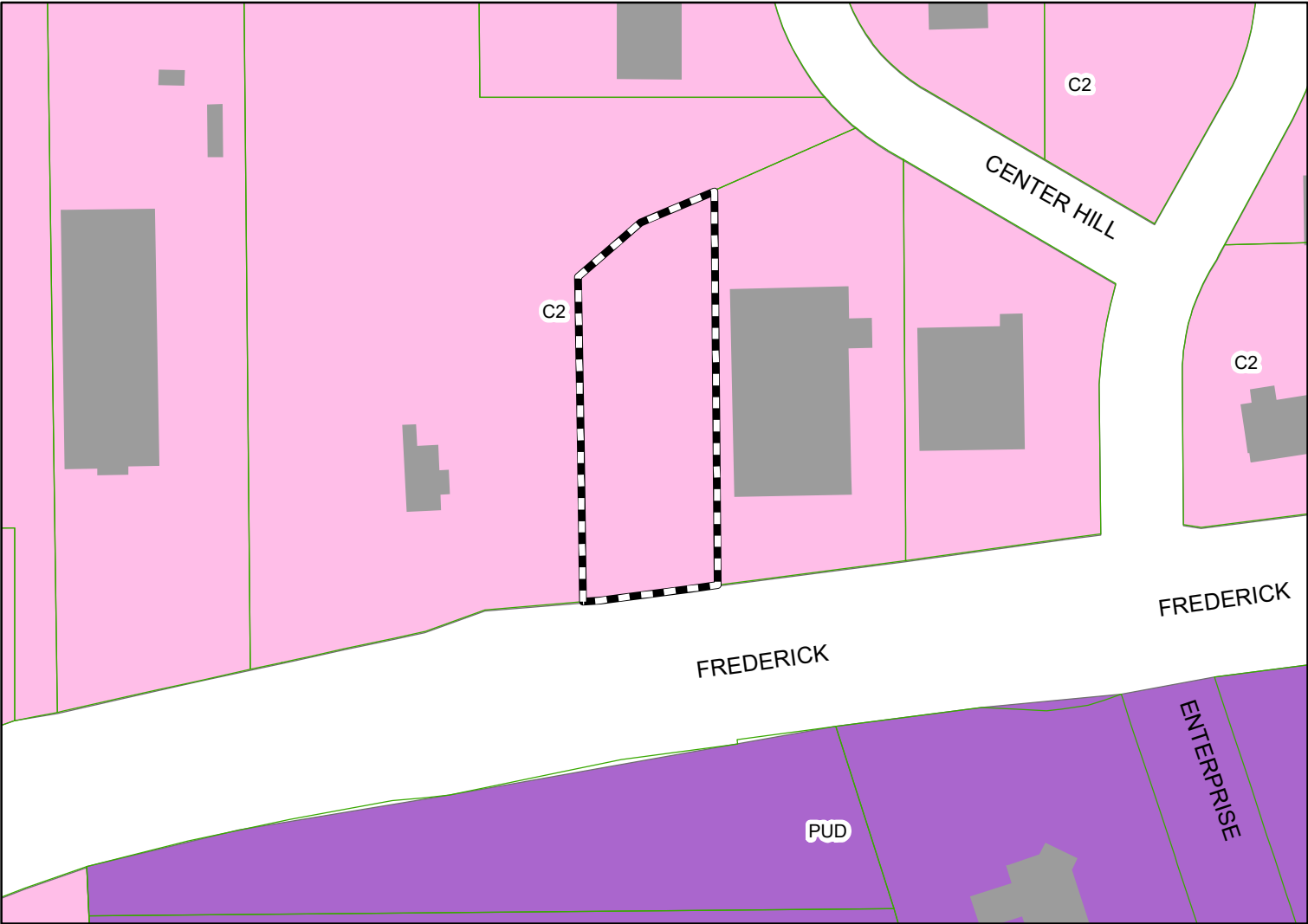
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

AUTOMOBILE MAINTENANCE SERVICE CENTER
2400 FREDERICK ROAD
CONDITIONAL USE, C-7



The applicant is requesting approval to construct a 8,373 sf auto maintenance building on a 37,160 sf lot. The property is in a C-2, GC-P zoning district.



Subject Property

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GENERAL LANDSCAPE NOTES:

- WARRANTY: ALL PLANTS SHALL BE WARRANTED TO REMAIN ALIVE, HEALTHY, AND IN THRIVING CONDITION FOR A PERIOD OF ONE YEAR FROM FINAL ACCEPTANCE
- PLANTS SHALL MEET DOT SPECIFICATIONS AND AMERICAN STANDARD FOR NURSERY STOCK STANDARDS.
- PLANTS SHALL BE SPECIMEN QUALITY. PLANTS SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED, AND DENSELY FOLIATED WHEN IN LEAF.
- HEIGHT AND SPREAD DIMENSIONS SPECIFIED REFER TO THE MAIN BODY OF THE PLANT AND NOT FROM BRANCH TIP TO TIP. IF A RANGE OF SIZE IS GIVEN, NO PLANT SHALL BE AS LARGE AS THE MAXIMUM SIZE SPECIFIED.
- SHADE TREES SHALL BE STRAIGHT UNLESS OTHERWISE SPECIFIED
- PLANTS SHALL BE SUBJECT TO REVIEW BY OWNER'S REPRESENTATIVE. OWNER'S REPRESENTATIVE SHALL BE THE SOLE JUDGE OF THE QUALITY AND ACCEPTABILITY OF MATERIALS AND PLACEMENT.
- PLANTING PLANS INDICATE DIAGRAMMATIC LOCATIONS ONLY. SITE ADJUSTMENTS OF PLANTING DESIGN AND RELOCATION OF PLANT MATERIAL INSTALLED PRIOR TO OWNER REPRESENTATIVE'S APPROVAL SHALL BE DONE WITHOUT PENALTY OR ADDITIONAL COST TO OWNER. STAKE PLANT LOCATIONS AT SITE AND OBTAIN OWNER REPRESENTATIVE'S APPROVAL PRIOR TO PLANT INSTALLATION.
- PLACE PLANTS UPRIGHT AND TURNED SO THAT THE MOST ATTRACTIVE SIDE IS VIEWED.
- BE FAMILIAR WITH UNDERGROUND UTILITIES BEFORE DIGGING. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ALL DAMAGE OF UTILITY LINES.
- PROVIDE SHOVEL-CUT TRENCH AT SHRUB BEDS IN LAWN AREAS UNLESS OTHERWISE NOTED.
- PROVIDE 3" THICKNESS MULCH AT ALL PLANTS AND PLANTING BEDS. MULCH MUST BE 3" THICK AT TIME OF FINAL WALK-THROUGH. MULCH IN SHRUB AND TREE PLANTING BEDS SHALL BE PINE STRAW UNLESS OTHERWISE NOTED. MULCH IN GROUNDCOVER BEDS TO BE SHREDDED HARDWOOD UNLESS OTHERWISE NOTED.
- MAINTENANCE WORK SHALL BE PERFORMED UNTIL DATE OF FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE.
- CONTRACTOR'S PRICES SHALL INCLUDE ALL LABOR AND MATERIAL NECESSARY TO COMPLETE THE WORK, I.E. MULCH, PLANTING, SOIL MIX, WOOD AND WIRE STAKING MATERIAL, ETC.
- QUANTITIES NECESSARY TO COMPLETE THE WORK ON THE DRAWING SHALL BE FURNISHED. QUANTITY ESTIMATES HAVE BEEN MADE CAREFULLY, BUT THE OWNER'S REPRESENTATIVE ASSUMES NO LIABILITY FOR OMISSION OR ERRORS. HIS ESTIMATES ARE ONLY AN AID FOR CLARIFICATION OF UNITS AND A CHECK FOR THE CONTRACTOR TO COMPARE WITH HIS OWN ESTIMATES. DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF OWNERS REPRESENTATIVE. NO EXTRA COMPENSATION SHALL BE ALLOWED FOR EXTRA QUANTITIES NECESSARY TO COMPLETE THE WORK.
- WHERE LANDSCAPING AREAS ADJOIN GRASSED RIGHTS-OF-WAY, SUCH AREAS SHALL BE CONSIDERED PART OF THE LANDSCAPED AREA FOR PURPOSES OF MAINTENANCE. AS OF COMPLETION OF SITE IMPROVEMENTS, THE PROPERTY OWNER SHALL HAVE AN IMPLIED EASEMENT OF THE RIGHT-OF-WAY EXTENDING FROM THE SITE TO THE ROAD PAVEMENT IN ORDER TO COMPLETE THE REQUIRED MAINTENANCE.
- CONTRACTOR TO DESIGN-BUILD IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE OF NEW PLANT MATERIAL. IRRIGATION HEADS TO BE INSTALLED FLUSH WITH GRADE.

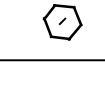
LANDSCAPE REQUIREMENTS:

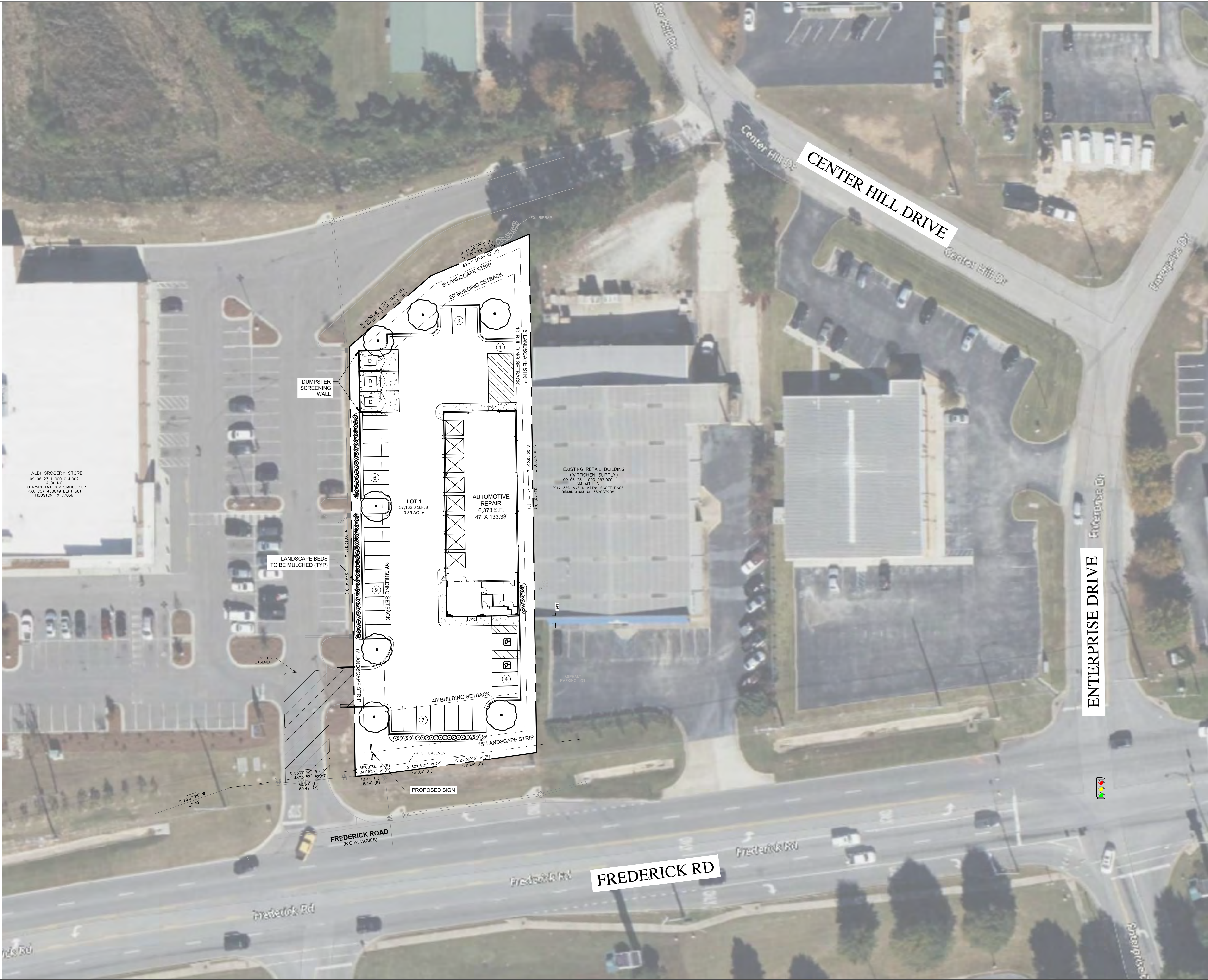
DISTURBED AREA: 37,162 SF

BASE POINTS REQUIRED: 100 POINTS
BASE POINTS OBTAINED: 106 POINTS

PARKING LOT POINTS REQUIRED: 30 POINTS
PARKING LOT POINTS OBTAINED: 42 POINTS

NO RESIDENTIAL BUFFER YARD REQUIRED.

PLANT SCHEDULE						
TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	POINTS	TOTAL
	7	QUERCUS PHELLOS / WILLOW OAK	B & B	2" CAL	11	77
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	POINTS		
	51	ABELIA X GRANDIFLORA 'EDWARD GOUCHER' / GLOSSY ABELIA 24 INCH MINIMUM HEIGHT AT PLANTING	7 GAL	1	36" o.c.	51
	20	ILEX GLABRA / INK BERRY HOLLY 24 INCH MINIMUM HEIGHT AT PLANTING	7 GAL	1	36" o.c.	20
						148



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 23, 2023

Agenda Item #: C-8

Action Requested: Conditional Use – Distribution Warehouses

Location of Property: 175 Orr Avenue

Property Owner(s): PFI, Ltd
Howard Porter, authorized representative

Current Zoning C-3 and C-3, GC-S

Current Land Use Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	M-1	Commercial
South	R-3	Residential & church
East	C-2	Commercial & undeveloped
West	C-2	Commercial

Proposal

At the June 2022 Planning Commission (PC) meeting, the applicant was approved for two warehouse buildings in Building #1 (180,000 sf) and Building #2 (165,000 sf). In Building #3 (140,000 sf) adjacent to Marvyn Parkway was approved for warehousing and some manufacturing. Currently, a building permit for building #3 has not been requested, but the construction of Building #1 and Building #2 is complete.

The applicant has manufacturing prospects to lease building #1 and #2. At the May 2023 PC meeting, the applicant is requesting to add manufacturing and assembly as uses for buildings #1 and #2 as well as maintain the warehousing use that was approved at the June 2022 PC meeting. Manufacturing uses require more parking spaces than warehousing, so the applicant has added 141 more parking spaces.

The additional parking spaces are next to the Orr Avenue entrance near buildings #1 and #2. *(On page 3 and in packet are the June 2022 and May 2023 site plans for comparison).* The revised May 2023 site plan now has a total of 179 parking spaces for manufacturing and warehouse workers. Semi-truck parking shown on the June 2022 site plan remains at loading docks to load or unload products or material.

At the May 2023 meeting, the approved June 2022 landscape plan for buildings #1, #2, and #3 will also be installed subject to approval at the May 2023 PC meeting. The landscape additions at the May 2023 PC meeting are for the additional 141 parking spaces near buildings #1 and #2. The landscaping includes a 15' wide buffer of trees and shrubs (15'x155') along Orr Avenue, landscaping in five parking lot islands, and a landscape area (15x155) of trees and shrubs on the south side of the parking lot. *(On page 4 is the June 2022 landscape plan and the May 2023 landscape addition for the 141 parking spaces.)*

As reported at the June 2022 PC meeting, the adjacent properties on the south are single family homes in a R-3 zoning district (residential). The landscape plan shows a residential buffer as required along the south property line; the existing berm is in place consisting of trees and/or vegetation that will remain preserved served as the buffer; the berm was installed years ago when manufacturing occupied the property.

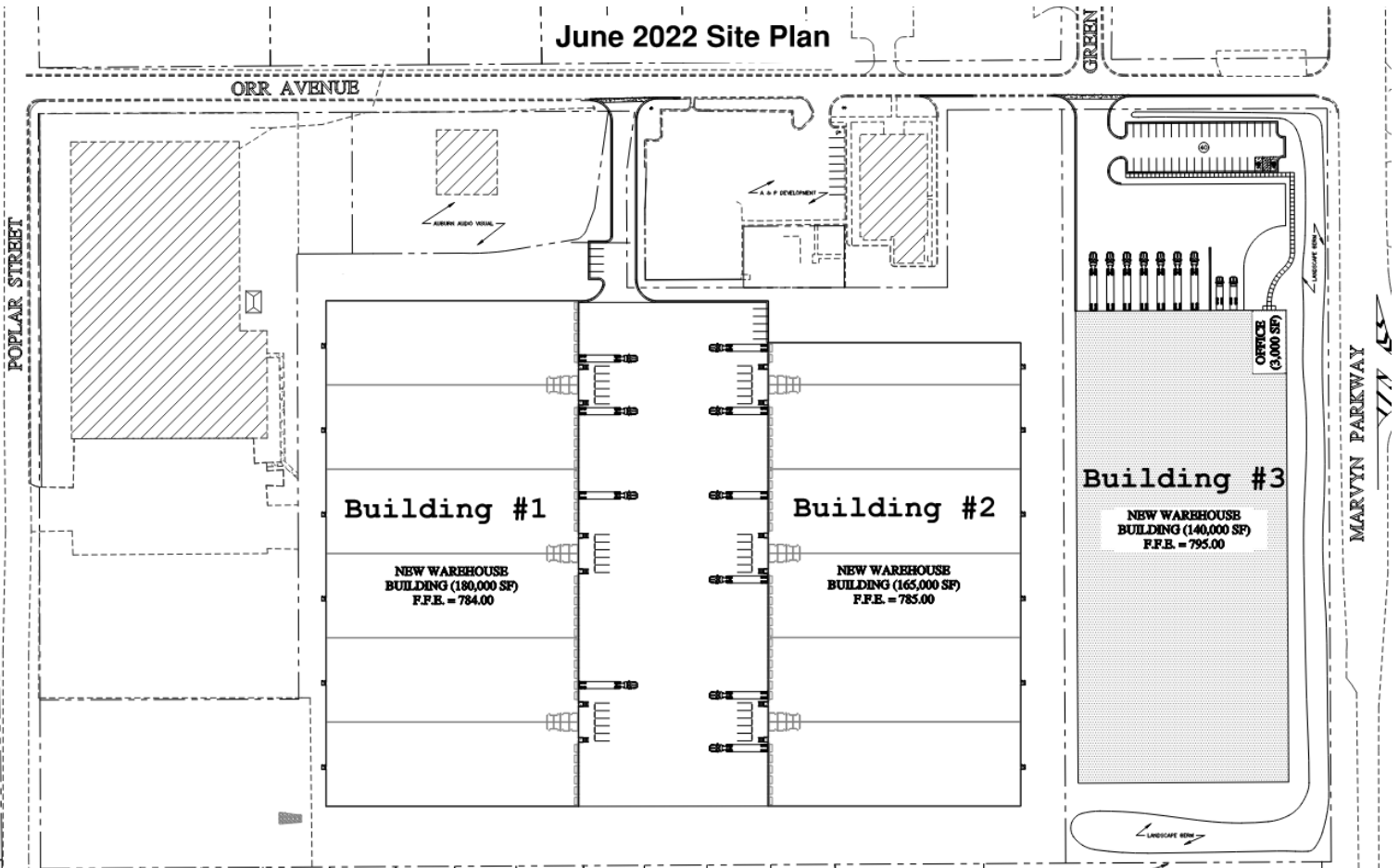
Currently, a building permit for building #3 (140,000 sf) located next to Marvyn Parkway has not been requested. The site plan and landscape plan for building #3 (see plans in packet and on page 4 of this report) remains approved as presented at the June 2022 PC meeting. The site plan includes 9 semi-truck parking spaces (ps) and 40 parking spaces (ps) shown for workers that load or unload semi-trucks. The landscape buffer between Building 3 and Marvyn Parkway is 30 trees consisting of 13 red maple trees, 15 crape myrtle and 2 white oaks. The street trees visually buffer building #3 from Marvyn Parkway. The 40 parking spaces near Building 3 and the Orr Avenue entrance are buffered on all sides with 22 trees and 44 shrubs.

Recommendation

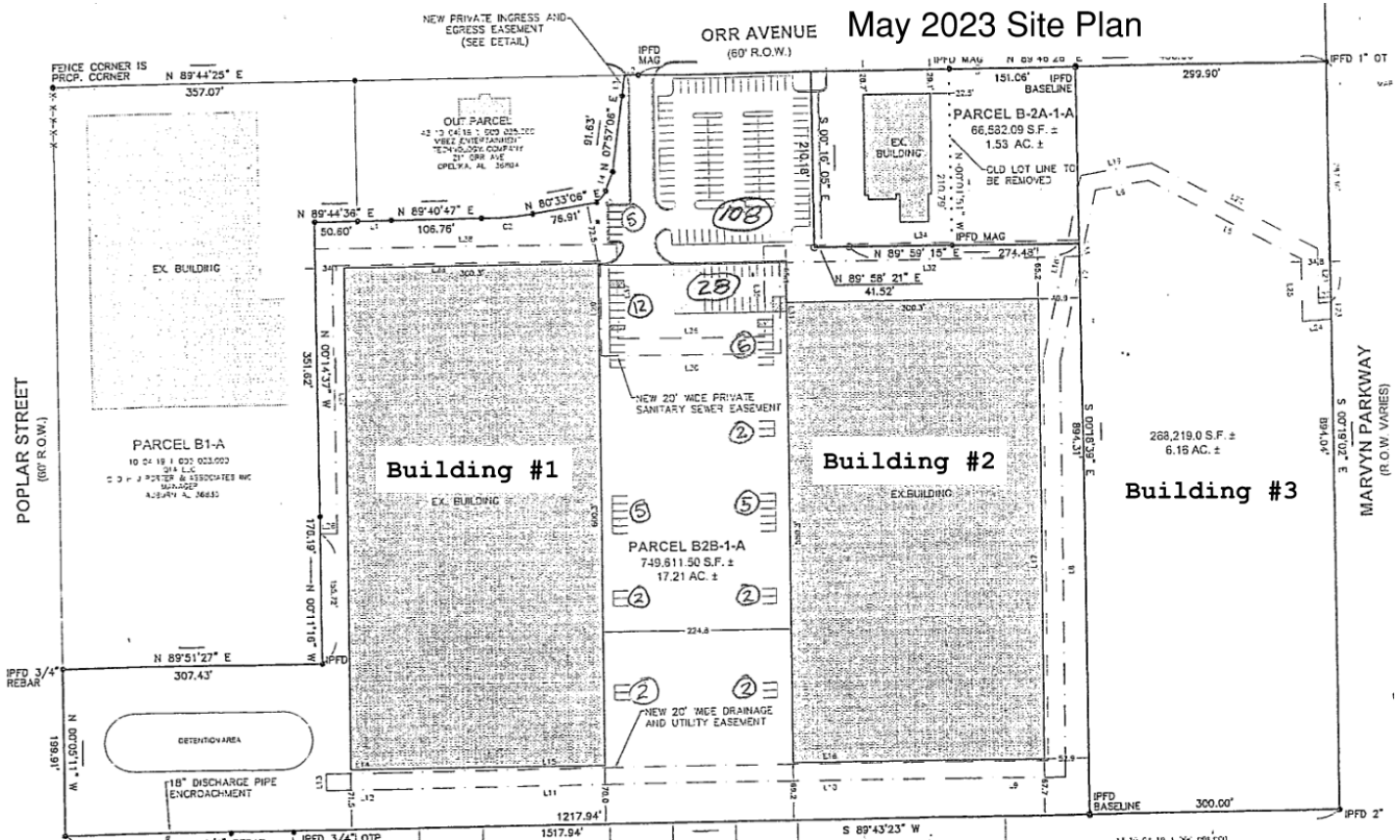
Staff recommends approval subject to the following:

1. Allow buildings #1, #2, and #3 to expand their uses to manufacturing, assembly, and warehousing.
2. The approved June 2022 landscape plan and the landscape additions presented at the May 2023 PC meeting are required.
3. For manufacturing and warehousing uses, all products or raw materials stored must be stored inside an enclosed building not outside. No storage allowed outside a building.
4. Provide on landscape plan total base points and total parking lot points required based on the developed area and provide the total number of base & parking lot points obtained as shown on the landscape plans (June 2022 and May 2023 landscape plans).

June 2022 Site Plan

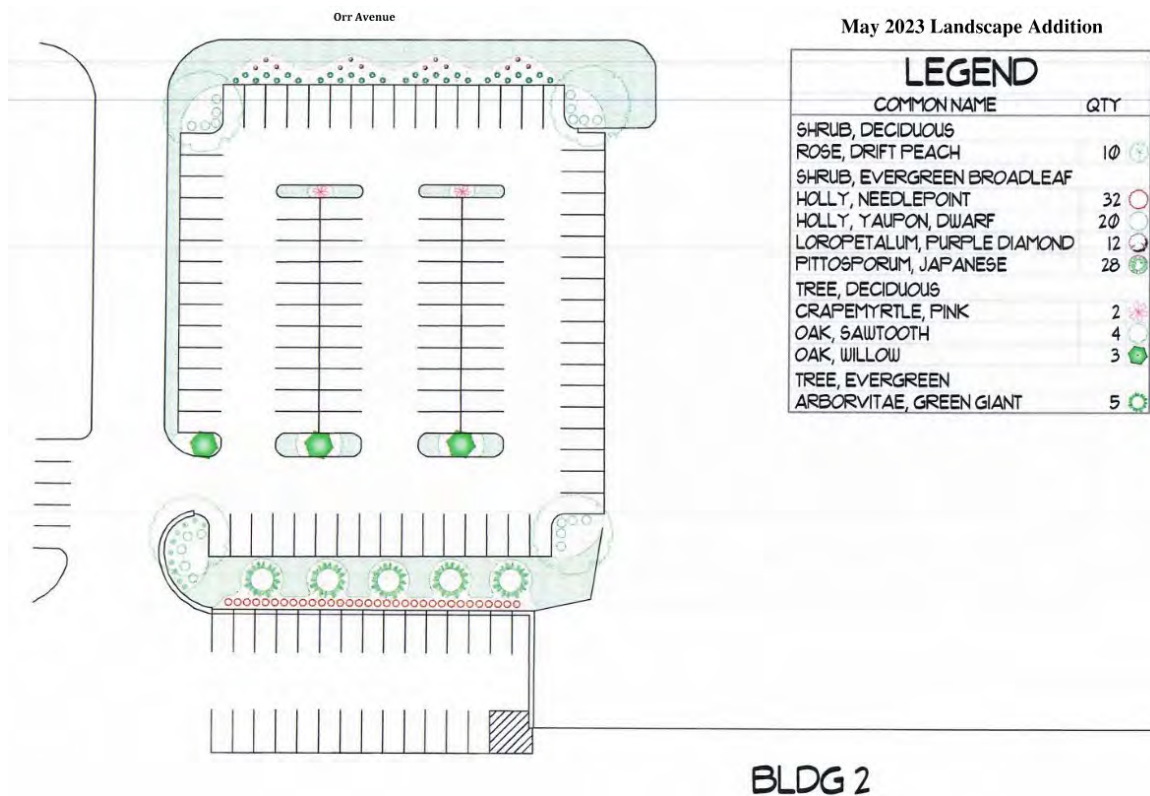
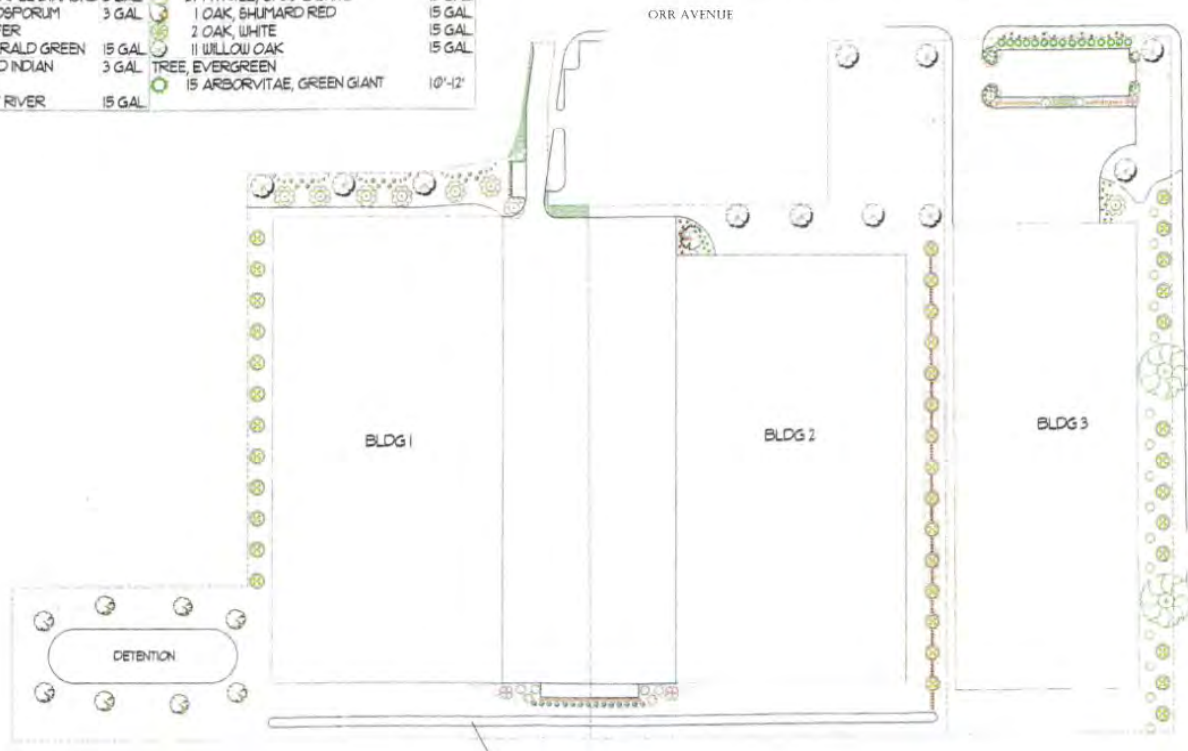


May 2023 Site Plan



LEGEND					
QTY	COMMON NAME	SIZE	QTY	COMMON NAME	SIZE
SHRUB, EVERGREEN BROADLEAF			10	CRAPEMYRTLE MYRTLE	15 GAL
94 AZALEA, PINK		3 GAL	3	MAGNOLIA, SAUCER	15 GAL
55 HOLLY, NEEDLEPOINT		3 GAL	40	MAPLE, RED	15 GAL
27 LOROPETALUM, PURPLE DIAMOND		3 GAL	27	MYRTLE, CRAPE WHITE	15 GAL
15 VARIEGATED PITTOSPORUM		3 GAL	1	OAK, SHUMARD RED	15 GAL
SHRUB, EVERGREEN CONIFER			2	OAK, WHITE	15 GAL
15 ARBORVITAE, EMERALD GREEN		15 GAL	11	WILLOW OAK	15 GAL
47 HAWTHORN, HYBRID INDIAN		3 GAL	TREE, EVERGREEN		
TREE, DECIDUOUS			15	ARBORVITAE, GREEN GIANT	10'-12'
8 BIRCH, DURA HEAT RIVER		15 GAL			

June 2022 Landscape Plan



Engineering Department Report

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

Opelika Utilities Board Report

No Comments.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.

000175-2023

AGENDA ITEM #

8



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



PC DEADLINE: 5/12/23 PC MEETING: 5/12/23

SITE ADDRESS: 175 Orr Avenue, Opelika AL 36804

PROPERTY OWNER: PFI, Ltd, Ground Lessor; OrrDC, LLC Ground Lessee

APPLICANT/ AUTHORIZED REPRESENTATIVE: Howard J. Porter, Jr., President of It's General Partner/Manager

MAILING ADDRESS: 495 Lee Road 14, Auburn, AL 36830

PHONE NUMBER: (334)319-3107

FAX NUMBER: n/a

EMAIL ADDRESS: hporter@portercompanies.com

PARCEL INFORMATION

Project name: Orr Distribution Center Address/Location: 175 Orr Avenue

Current Land Use: Distribution Warehouse Current Zoning: C-3

Adjacent Zoning Districts: North: M-1 South: R-3 East: C-2 West: C-2

Description of Proposed Use: Warehouse & manufacturing

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Howard J. Porter, Jr., Pres of PFI, Ltd. GP, Porter Asset Management, Inc., being owner of the property which is the subject of this conditional use application hereby authorize Howard J. Porter, Jr., 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: *Howard J. Porter* Date: April 27, 2023

*Pres of It's General Partner
Porter Asset Management, Inc.*

STATE OF ALABAMA,

COUNTY OF LEE

I, Phillip E. Rawson, a Notary Public in and for said County and State, hereby certify that Howard J. Porter, Jr., 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.

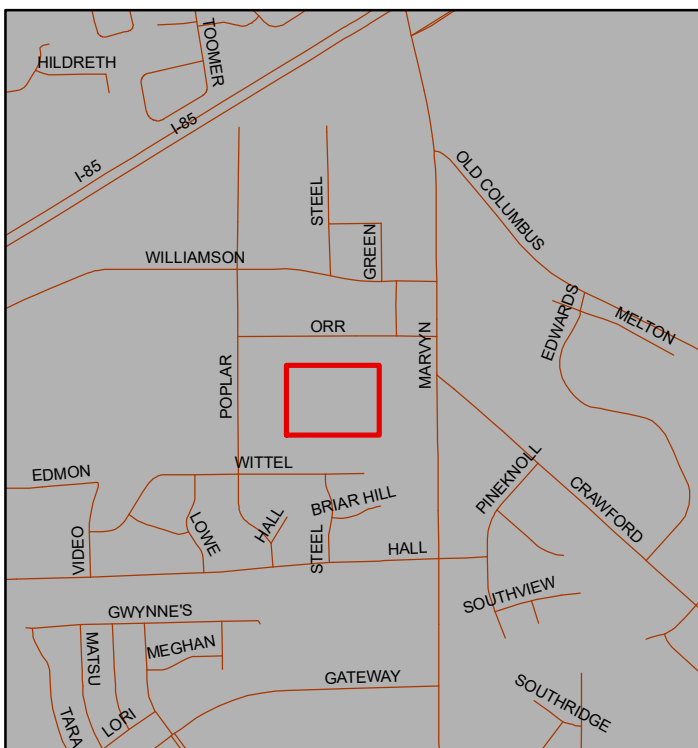
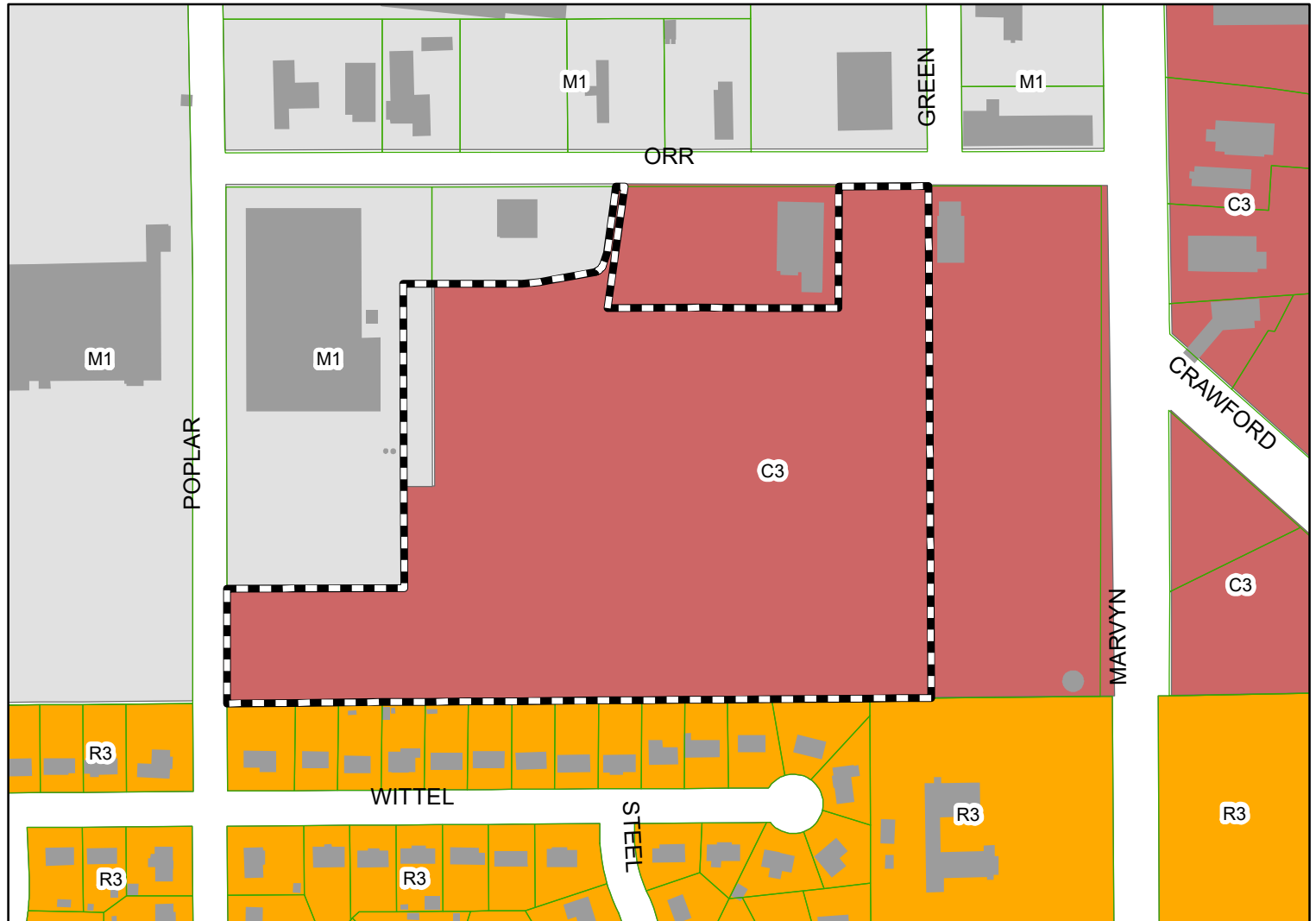
Given my hand and seal of office this 27th day of April 2023

Phillip E. Rawson
Notary Public

My Commission Expires: 09-22-2025



DISTRIBUTION WAREHOUSES 175 ORR AVENUE CONDITIONAL USE, C-8

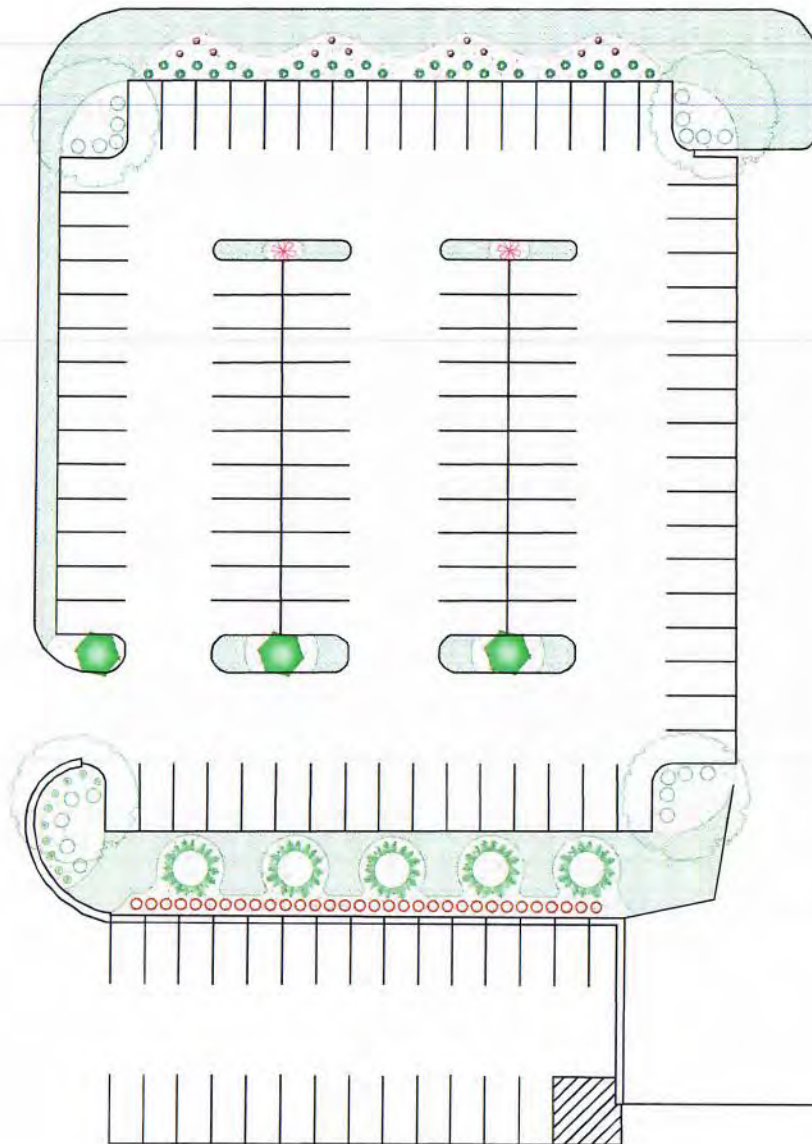


The applicant is requesting approval to construct a 165,000 sf and a 180,000 sf warehouse on 16.8 acres. The property is in a C-3 zoning district.



Subject Property

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LEGEND	
COMMON NAME	QTY
SHRUB, DECIDUOUS	
ROSE, DRIFT PEACH	10
SHRUB, EVERGREEN BROADLEAF	
HOLLY, NEEDLEPOINT	32
HOLLY, YAUPOON, DWARF	20
LOROPETALUM, PURPLE DIAMOND	12
PITTOSPORUM, JAPANESE	28
TREE, DECIDUOUS	
CRAPEMYRTLE, PINK	2
OAK, SAWTOOTH	4
OAK, WILLOW	3
TREE, EVERGREEN	
ARBORVITAE, GREEN GIANT	5

BLDG 2

Revision #: 0

Date: 4/6/2023

Scale:

1" = 50'

Landscape Plan: 1

BLDG 2 Parking

Landscape Design by: Colin Lassitter

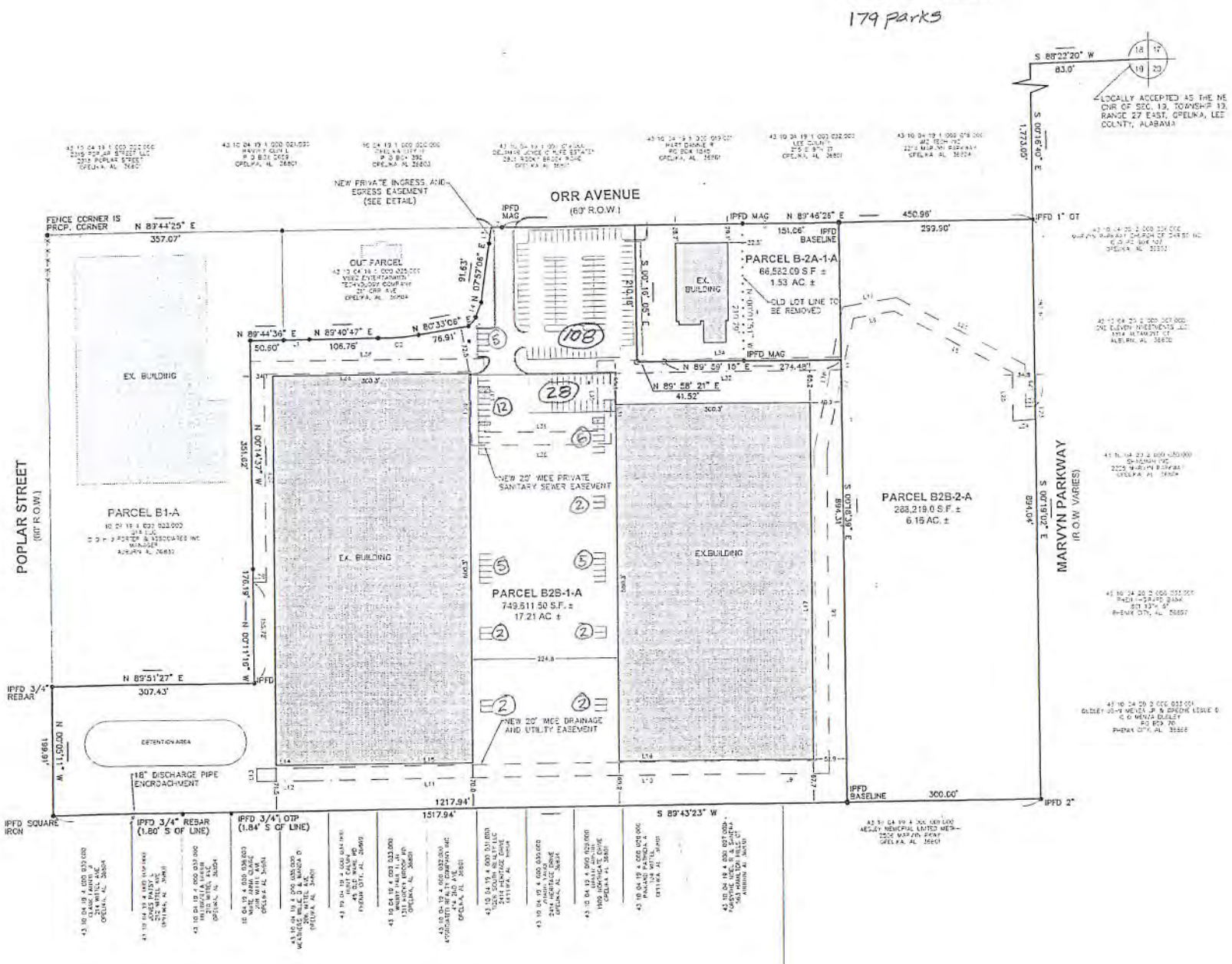
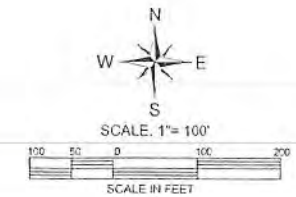
Outdoor Concepts

SITE PLAN

Orr Distribution Center

175 Orr Avenue
Opelika, AL 36804

- LEGEND**
- BASELINE PLASTIC CAP ON THE TOP OF 5/2" REBAR
 - ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-322
 - RICLES PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING BOLTS ENGINEERING, S.C.S.
 - ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-002
 - CRANED TOP
 - OT OPEN TOP
 - PTM IRON PITCHING
 - PSO IRON PITCHING
 - CA CALULATED POINT
 - CONCRETE WORKMENT FOUND
 - SPRINKLER
 - R.O.W. RIGHT OF WAY
 - F. FIELD MEASUREMENT
 - PI PLAT DIMENSION
 - EXISTING ELECTRICAL TRANSFORMER
 - SWITCH BOX
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING 160 STORY CHAIN MANHOLE
 - EXISTING OVERHEAD ELECTRICAL LINE



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

Meeting Date: May 23, 2023

Agenda Item #: C-9

Action Requested: Conditional Use – New Hospital Facility

Location of Property: 2513 Village Professional Park

Property Owner(s): East Alabama Health, owner
Greg Nichols, authorized representative

Current Land Use: Vacant

Current Zoning: PUD

**Surrounding Zoning Districts
And Land Uses:**

North	PUD	Pinnacle Cardiovascular Associates, LLC
South	PUD	Premier OB/GYN, LLC
East	PUD	Vacant
West	PUD	Vacant

Proposal:

The applicant is requesting conditional use approval to construct a hospital at 2513 Village Professional Park. This hospital will provide mental health services in inpatient and outpatient settings. The site is located in the Village Professional Park PUD which is primarily filled with medical office facilities. This portion of the PUD was previously noted as office or office/residential. While the building is larger than the schematic plan in the PUD, a hospital use is conditional in all zones.

The hospital site is primarily surrounded by mostly vacant land, and the office for Pinnacle Cardiovascular Associates, LLC is directly across an un-named side road. The current site is approximately 12 acres located on a larger 40 acre property owned by the East Alabama Health Care Authority.

The site plan shows a 51,435 sq. ft. hospital building with a rear loading dock. There appear to be 40 private rooms with beds shown on the floor plan. The placement of the building appears to meet the setback requirements for the PUD zoning districts.

Parking:

The off-street parking is calculated for a hospital by two (2) spaces per three (3) patient beds, plus one (1) space per staff doctor and each other employee on the largest work shift. The parking area requirements shown on the site plan show a total of 85 parking spaces which meets the requirements based off of the applicants provided information.

Landscaping:

The applicant has not submitted a landscape plan at this time. The developed area requires meeting base landscape points and parking lot points. The hospital's parking requirement has been determined but may change, 85 parking spaces are provided. The landscape regulations require parking lot buffers. The PUD states that the streets will be tree lined with landscaped areas to accentuate the development. The applicant's representative stated the landscaping will meet the general requirements and the PUD requirements.

Materials and Cladding in the Gateway Corridor Overlay District:

The exterior elevation example photo has been provided. The final approved plans for the hospital have not been completed at this time. The materials list will meet the minimum requirements for a gateway corridor exterior. The side elevations and materials are not shown. Staff recommends the eastern side, which will be another front, have improved materials due to the orientation of the building and the high visibility from the side street between the hospital and Pinnacle Cardiovascular Associates, LLC. The applicant is aware that if a permit is issued, following the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

The Planning Department recommends conditional use approval subject to the following:

- 1. Front façades shall be consistent or equivalent to the example elevation provided in terms of architecture and materials.**
- 2. Add a landscape plan to be approved by the Planning Department prior to site plan approval to meet the PUD and general standards including the requirement that streets are tree lined as the rest of the development has been constructed.**
- 3. The sidewalk noted as part of the PUD should be installed parallel to the existing and new street.**
- 4. If the new street is public a subdivision plat will be required at the appropriate time.**

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

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

Opelika Utilities Report

Water is available from Cancer Center access road that is to be extended with this project. Water main must be extended to point of service and for full development length of new roadway. Preliminary information indicates an 8" water main extension will be required.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.

000176-2023

AGENDA ITEM #

9



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

PC DEADLINE: 5/2/23 PC MEETING: 5/23/23

PROJECT NAME: EAMC Freestanding Behavioral Health Hospital

SITE ADDRESS: 2513 Village Professional Park

PROPERTY OWNER: East Alabama Health

APPLICANT/ AUTHORIZED REPRESENTATIVE: Greg Nichols, Executive Vice President

MAILING ADDRESS: 2000 Pepperell Parkway, Opelika, Alabama 36801

PHONE NUMBER: 334.710.0009

FAX NUMBER: 334.710.0012

EMAIL ADDRESS: greg.nichols@eamc.org

PARCEL INFORMATION

Current Land Use: Undeveloped

Current Zoning: PUD

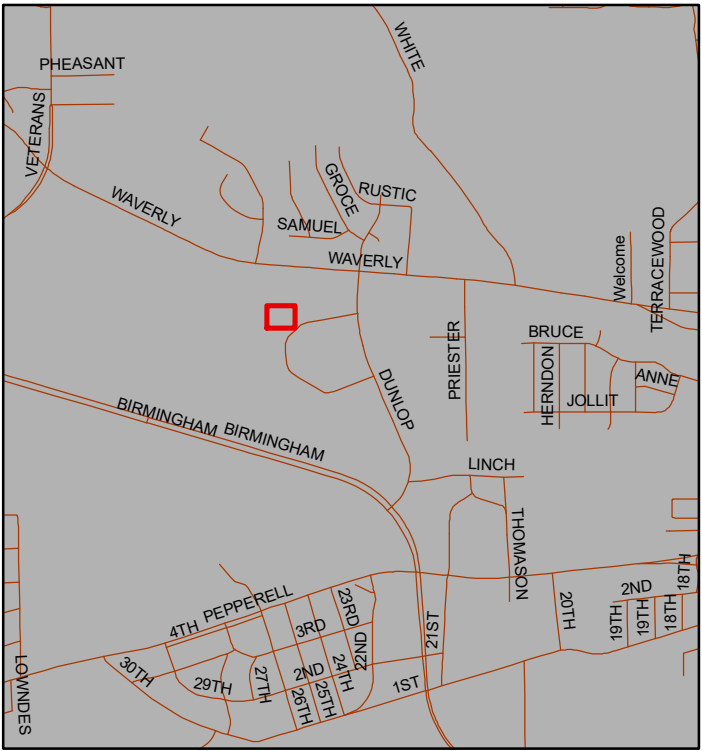
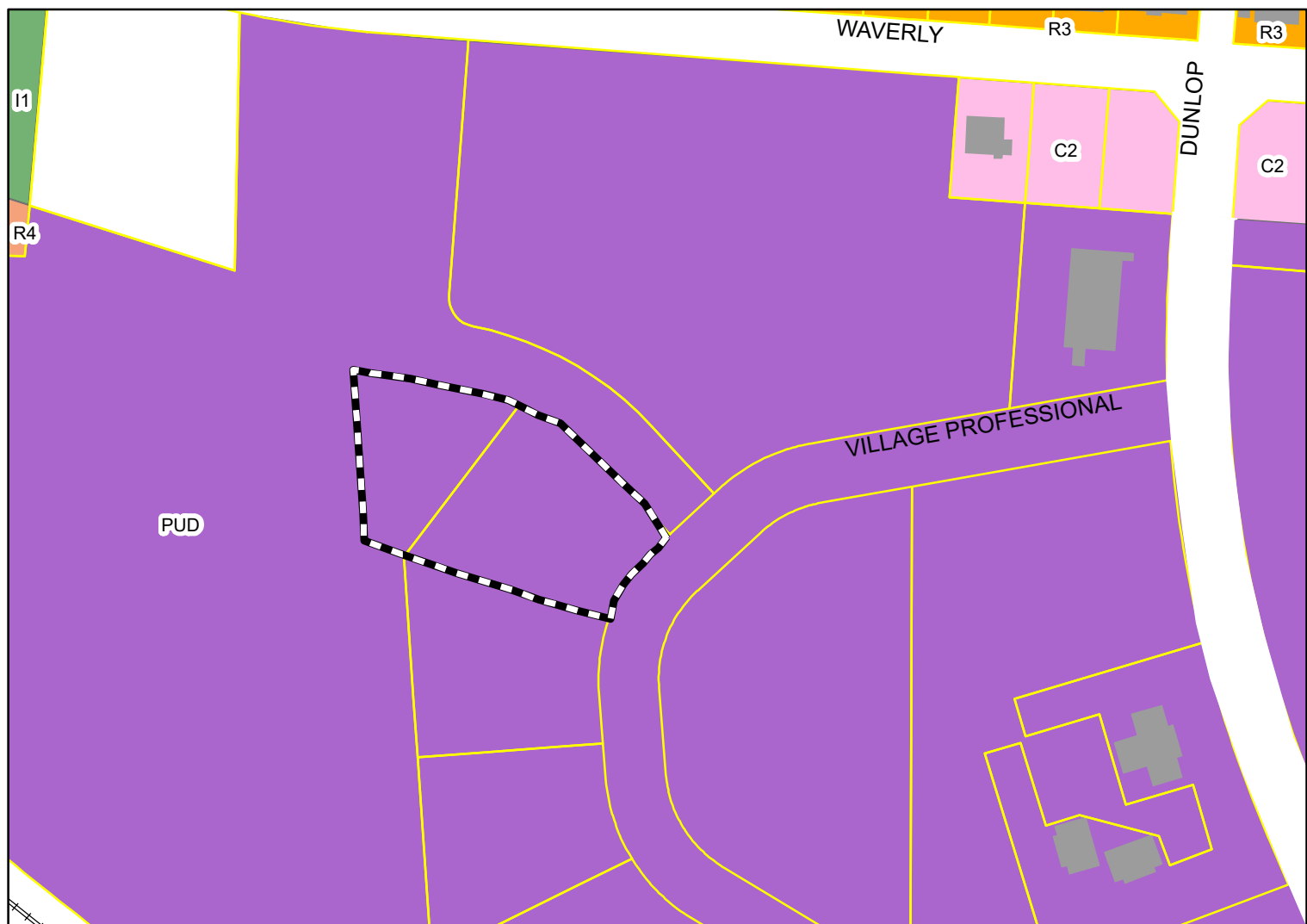
Description of Proposed Use: Hospital

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

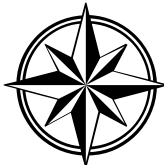
READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION 8.17 CONDITIONAL USES; E. General Use Standards.

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

**EAMC HOSPITAL
2513 VILLAGE PROFESSIONAL PARK
CONDITIONAL USE, C-9**

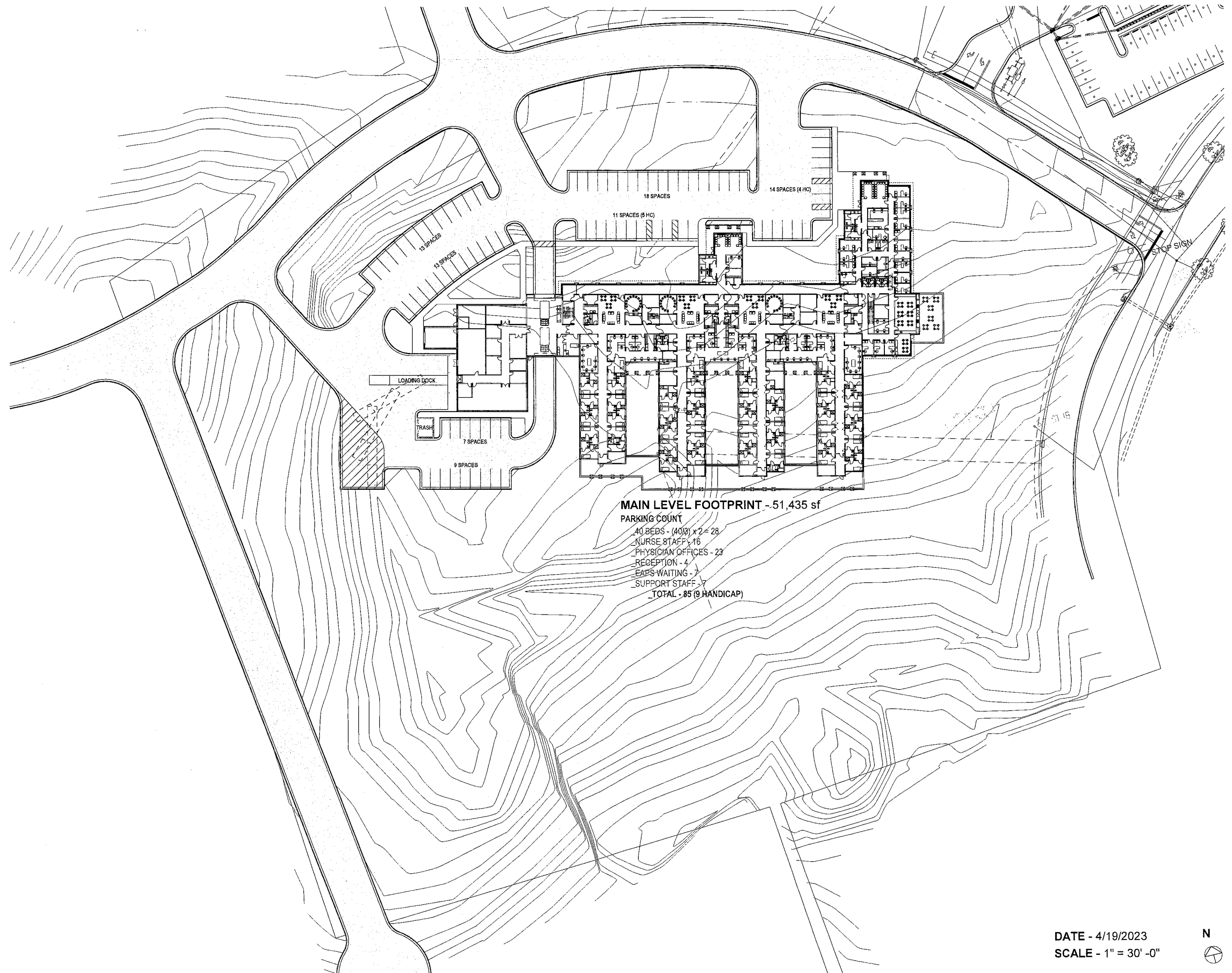


The applicant is requesting approval to construct a 51,435 sf hospital. The property is in a PUD zoning district.



Subject Property

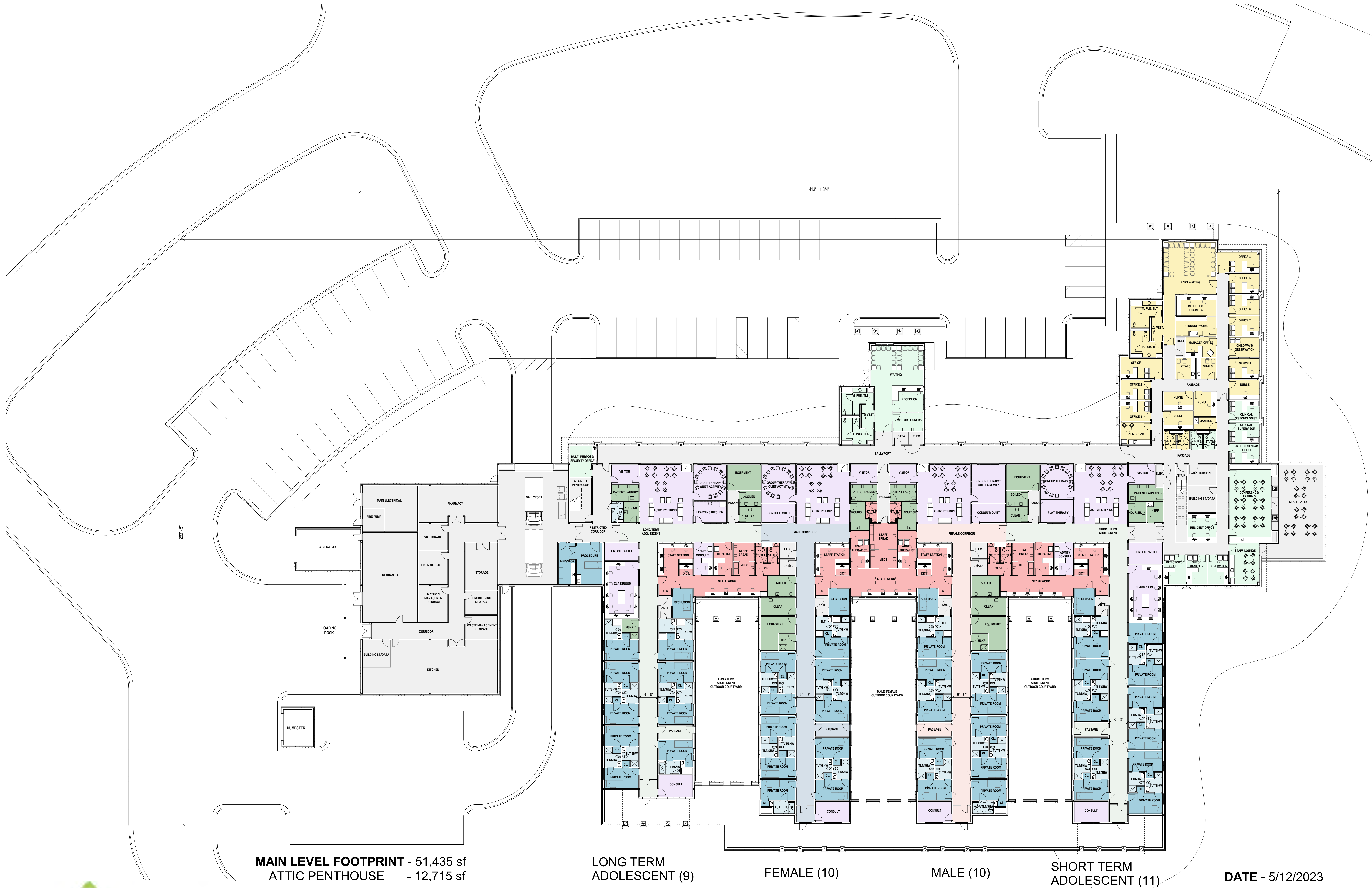
The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not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



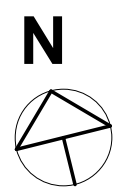
DATE - 4/19/2023
SCALE - 1" = 30' - 0"



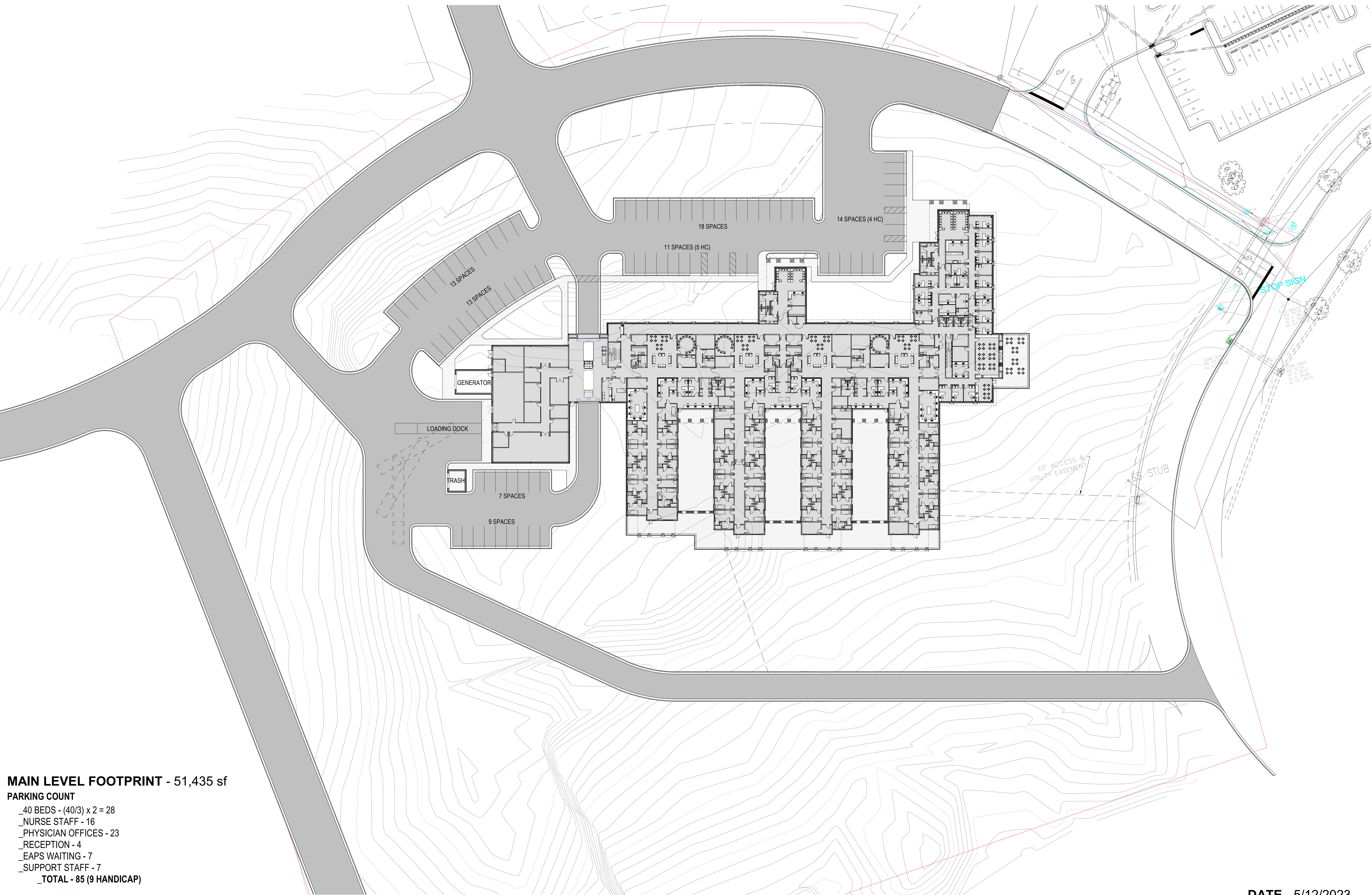
Psychiatric Hospital - Main Level Floor Plan



DATE - 5/12/2023
SCALE - 1/16" = 1' - 0"



Psychiatric Hospital - Site Plan



MAIN LEVEL FOOTPRINT - 51,435 sf
PARKING COUNT
_40 BEDS - (40/3) x 2 = 28
_NURSE STAFF - 16
_PHYSICIAN OFFICES - 23
_RECEPTION - 4
_EAPS WAITING - 7
_SUPPORT STAFF - 7
_TOTAL - 85 (9 HANDICAP)



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

Meeting Date: May 23, 2023

Agenda Item #: C-10

Action Requested: Conditional Use – New Church Sanctuary, Parish Hall and Parish House

Location of Property: Corner Lake Condry Road and Andrews Road

Property Owner(s): W.C. Davis Charitable Remainder Trust, owner
Father Gil, church representative
Mike Maher, Precision Survey, authorized representative

Current Land Use: Vacant

Current Zoning: M-1, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	M-1	Undeveloped
South	I-1, GC-P	Southern Union College
East	R-3	Residential (single family homes)
West	M-1, GC-P	Commercial

Proposal:

The applicant is requesting conditional use approval to construct a church sanctuary, parish hall, and parish house buildings and recreation field for church or religious facility. Churches are conditional in all zones. The lot is approximately 8.4 acres, located next to Southern Union Collage across Lake Condry Road. It will have access from Lake Condry Road, Andrews Road, and Industrial Blvd. This project will be built in phases. The first phase will be the parish hall and parish house; the field area and church sanctuary will be in the future.

Surrounding Area:

The church site is primarily surrounded by a mix of uses including institutional, industrial and residential. There are residential homes in the R-3 zoning district to the east. Southern Union Community College is located across Lake Condry Road and is in the I-1, GC-P zoning district. There are existing industrial uses located to the west of the subject property.

Site Plan:

The site plan shows a 24,060 sq. ft. Church Sanctuary building, a 17,160 sq. ft. Parish Hall building, and a Parish House. The placement of the buildings meets the setback requirements for the M-1, GC-P zoning districts.

Parking:

The off-street parking is based on the church's maximum capacity. While the final design has not been determined, the applicant has estimated the maximum capacity to be 500 people. Parking area requirements for a church are based on a ratio of one space per four seats. The site plan shows 209 parking spaces for the church sanctuary and parish hall. There are an additional 32 spaces for the field area.

Landscaping:

The applicant has submitted a conceptual landscape plan that meets the minimum landscape requirements in an M-1, GC-P zoning district. Most of the 8.4 acres is forested. A natural undisturbed wooded buffer is located along the perimeter adjoining the M-1 property of the lot. The developed area requires 1163 base landscape points and an additional 241 parking landscape points. The church's maximum capacity, which has not been finalized at this time, may change the parking space numbers required. In addition, the landscape regulations require a residential buffer along the east side. The residential buffer options provided must meet the requirements in the Zoning Ordinance in Section 10. 6. D. 1. a., b., or c. Off-street parking lots, fronting on the public rights-of-ways of a designated gateway corridor, shall provide a 15-foot-wide planting area between the property line and the edge of the parking lot. Landscaping shall consist of plants listed in Section 10.6, D.2. b. 2. of the Landscape Regulations. The trees preserved on the east side may serve as a residential buffer if the buffer is at least 20 feet wide and provides a near visual impervious barrier.

Materials and Cladding in the Gateway Corridor Overlay District:

The exterior building materials and elevation example have been provided. The Parish Hall will be a single story. The applicant stated that the architectural plans for these structures have not been completed. The example provides a photo of a similar church sanctuary constructed recently by the diocese. The representative has stated they will comply with the Gateway Corridor materials and cladding standards. The side elevations and materials are not shown. Gateway Corridor standards state that on the sides, the approved building materials shall extend from the front façade around the side of the building 20 feet or 20 percent of the wall length, whichever is greater. Staff recommends the eastern side have improved materials due to the orientation of the building and the visibility from Andrews Road. The applicant is aware that if a permit is issued, following the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

Lighting and Equipment and Mechanical Screening:

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

The Planning Department recommends conditional use approval subject to the following:

- 1. Front façade shall be consistent or equivalent to the example elevation provided in terms of architecture and materials. Improved materials shall be used on the east side due to the increased visibility of Andrews Road.**
- 2. Add to the landscape plan a detailed residential buffer along the east side of the property by choosing an option provided in the zoning ordinance Section 10. 6. D. 1. a., b., or c.**

3. **Revise the landscape plan to meet the minimum base points and parking lot points based on the maximum capacity of the church buildings once architectural plans have been completed.**
4. **If a dumpster is to be added, the location will need to be reviewed by Planning and dumpster screening on all sides.**
5. **Outside lighting must meet the Gateway Corridor requirements in Section 7.6, B., 6, a.**

Engineering Department Report

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

The Engineering Department will consult with the site engineer to determine needs for turn lanes for this site. If a traffic study is needed for these determinations, the applicant will be required to provide this at that time.

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

Opelika Utilities Board Report

Water is available from Industrial Boulevard and Lake Condry Road. Water is available from Andrews Road if 8" Main is extended a short distance from existing fire hydrant location. This location is at a high elevation and the water pressure available is approximately 30-40 psi. The developer needs to take this into account during design of facilities. Available water volume is plentiful but available pressure is low.

Opelika Power Services Report

This subdivision is inside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: corner of lake condy road and anderson road

PROPERTY OWNER: DAVIS WILLIAM C CHARIT REMAIN UNITRUST - c/o St mary's Catholic Church

APPLICANT/ AUTHORIZED REPRESENTATIVE: Mike Mahan & Father Gil Pierre
DAVIS WILLIAM C CHARIT REMAIN UNITRUST - c/o St mar

MAILING ADDRESS: 2124 Moores Mill Rd Suite 110

PHONE NUMBER: 334-821-0105 **FAX NUMBER:** 334-821-4044

EMAIL ADDRESS: mike.precisionsurv@gmail.com

PARCEL INFORMATION

Project name: St Mary's Church Address/Location: Lake Condy and Anderson
Current Land Use: Vacant Current Zoning: M1
Adjacent Zoning Districts: North: M1 South: I 1 East: R4 West: M1
Description of Proposed Use: Church site with parish hall and parsonage

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____ Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

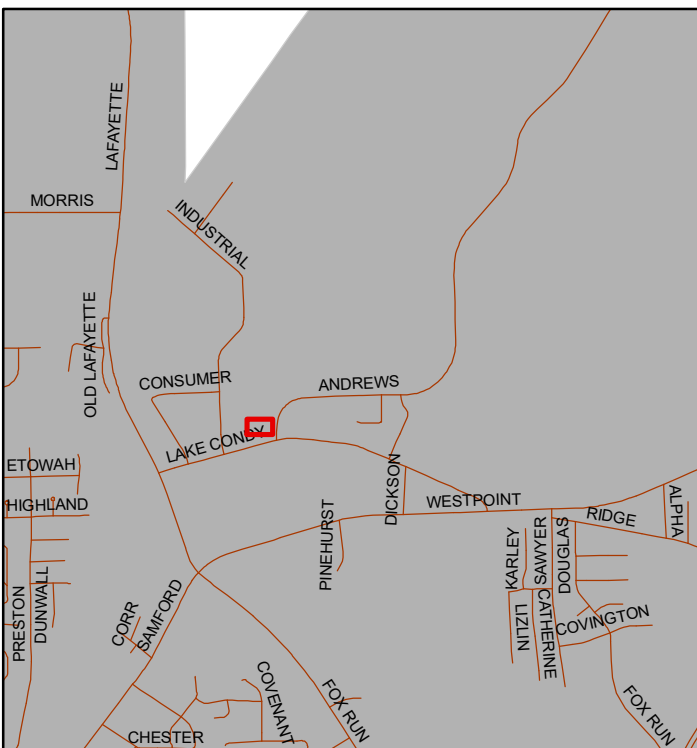
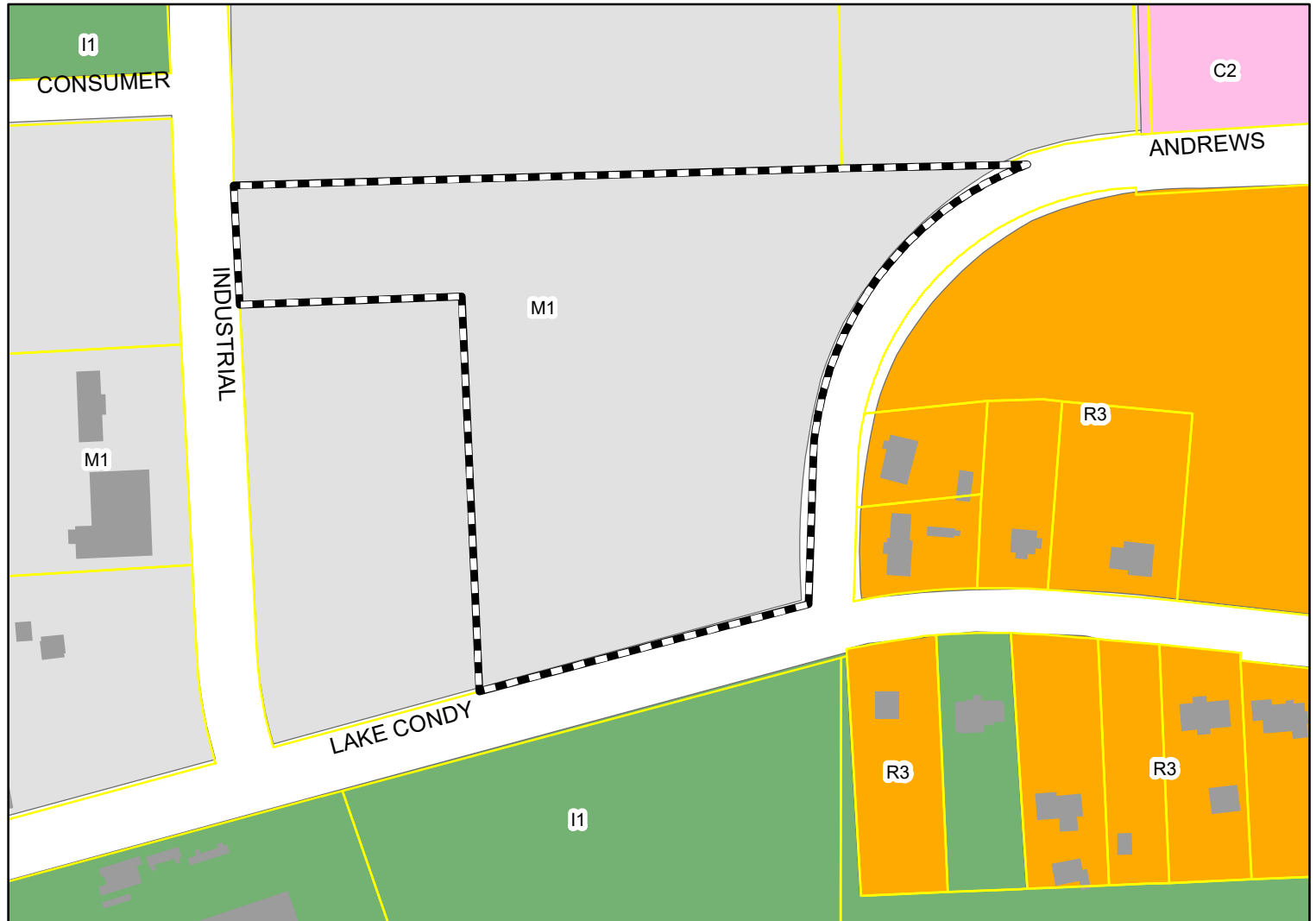
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

CATHOLIC CHURCH AND PARISH LAKE CONDY ROAD & ANDERSON ROAD CONDITIONAL USE, C-10



The applicant is requesting approval to construct a church and parish. The property is in a M-1 zoning district.



Subject Property

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SITE PLAN – LANDSCAPE PLAN AND
EXHIBIT FOR CONDITIONAL USE APPROVAL
FOR
SAINT MARYS CATHOLIC CHURCH
PROPERTY IN DEED BOOK 2189, PAGE 762
SECTION 32 T 20 N R 27E
SECTION 5 T 19 N R 27 E
CITY OF OPELIKA LEE COUNTY ALABAMA

INDUSTRIAL BLVD -- 60' ROW

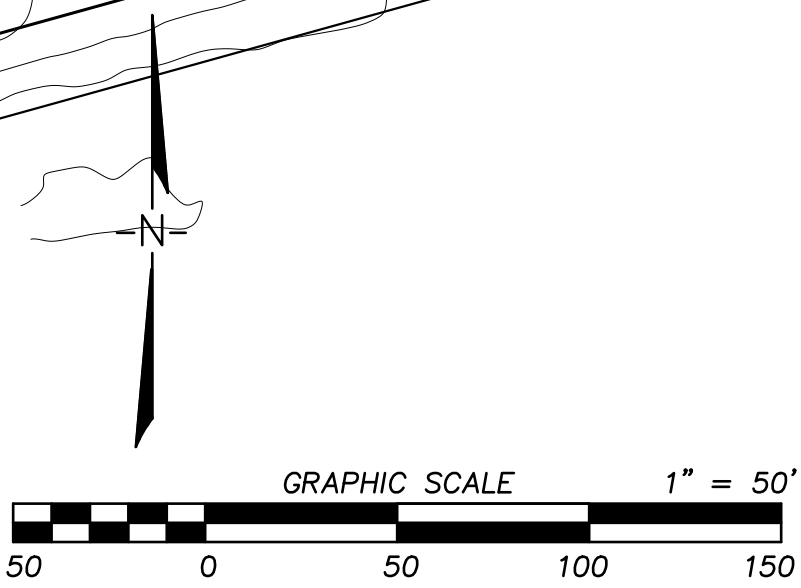
ANDREWS ROAD -- 60' ROW

LAKE CONDY ROAD -- 80' ROW

- NOTES:
1. SOURCE OF INFORMATION: DEED BOOK 2189, PAGE 762
 2. DATE OF OFFICE WORK: 5-4-2023. NO FIELD WORK COMPLETED.
 3. BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL.
 4. LANDSCAPING NOTES
 - 4.1. PRELIMINARY LANDSCAPING
 - 4.1.1. LEAVE 50' BUFFER ALONG HUDMON PROPERTY TO THE SOUTHWEST
 - 4.1.2. ADD 156 MEDIUM TREES (CREPE MYRTLE OR OTHER)
 - 4.1.3. ADD 172 SMALL SHRUBS IN PARKING LOT
 - 4.1.4. ADD 35 LARGE CALIPER TREES
 - 4.2. AS A PART OF THE SITE PLAN AN ACTUAL LANDSCAPING PLAN SIMILAR TO THE ABOVE WILL BE DRAFTED AND INSTALLED.
 5. LANDSCAPING NOTES
 - 5.1. TOTAL AREA DISTURBED 450,600 SF + 253 SPACES = 1134 BASE POINTS
REQUIRED -- TOTAL PROVIDED = 1337
 - 5.2. TOTAL PARKING SPACES = 253 (1 SPACE PER 186 SF IN SANCTUARY)
(REQUIRES 253 POINTS)
 - 5.2.1. CREPE MYRTLES = 156 -- 780 POINTS
 - 5.2.2. JUNIPER = 172 -- 172 POINTS
 - 5.2.3. OVER CUP OAK = 35 -- 385 POINTS
 - 5.2.4. PARKING POINTS = 253
 - 5.3. CORRIDOR BUFFER PLANTINGS
 - 5.3.1. CREPE MYRTLES IN CORRIDOR BUFFER 10 = 50 POINTS
 - 5.3.2. JUNIPERS IN CORRIDOR BUFFER 20 = 20 POINTS
 - 5.3.3. TREES IN CORRIDOR 6 = 66 POINTS
 - 5.3.4. TOTAL CORRIDOR POINTS 136 POINTS
 - 5.4. TOTAL PLACED LANDSCAPING POINTS FROM TREES = 451

- LEGEND
- (M) = MEASURED
(R) = RECORDED
OTP = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
○ = 1/2" REBAR SET (CA-788)
■ = HUB SET
▲ = CALCULATED POINT
□ = CONCRETE MONUMENT
⊕ = POWER POLE
-x- = WIRE FENCE
-H- = WOOD FENCE
-O- = CHAIN LINK FENCE

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



Seal	Drawn By: MTM
	Scale: 1"=50'
	File Name: 23-0271-SP1
	Date: 5-4-2023

PRECISION
SURVEYING

Sheet Title:
SITE PLAN FOR SAINT MARY'S CHURCH
LAKE CONDY ROAD
OPELIKA, LEE COUNTY, ALABAMA

2124 Moores Mill Road
Suite 110
Auburn, Alabama 36830
Phone (334) 821-0105
www.precisionsurveying.biz

City of Opelika

Planning Commission

Planning Department Report

Meeting Date: May 23, 2023

Agenda Item D-11

Action Requested: Recommendation to City Council to rename Media General Drive to Wyndham Industrial Court

Staff Comments: The former site of the Opelika-Auburn News has a small public road that connects the rear of the property Wyndham Industrial Drive. This drive was named Media General Drive after the parent company of the newspaper. The property has been repurposed and is being used by different companies. This has prompted new addresses off of this drive. The new company has asked that the address be something more generic and not tied to the old company.

The City has proposed Wyndham Industrial Court as the street comes off of Wyndham Industrial Drive.



Engineering Department Report

The Engineering Department agrees with this name change since the original property owner that assigned the name has relocated.

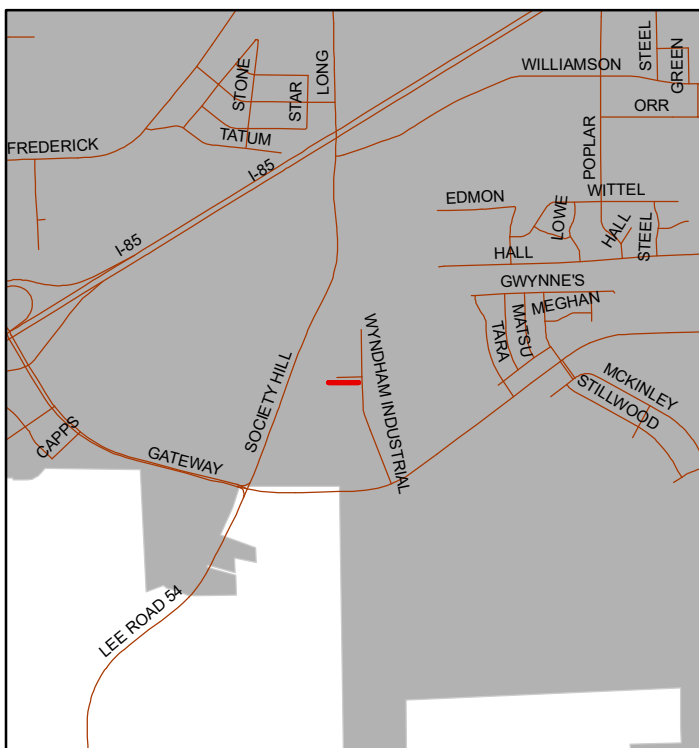
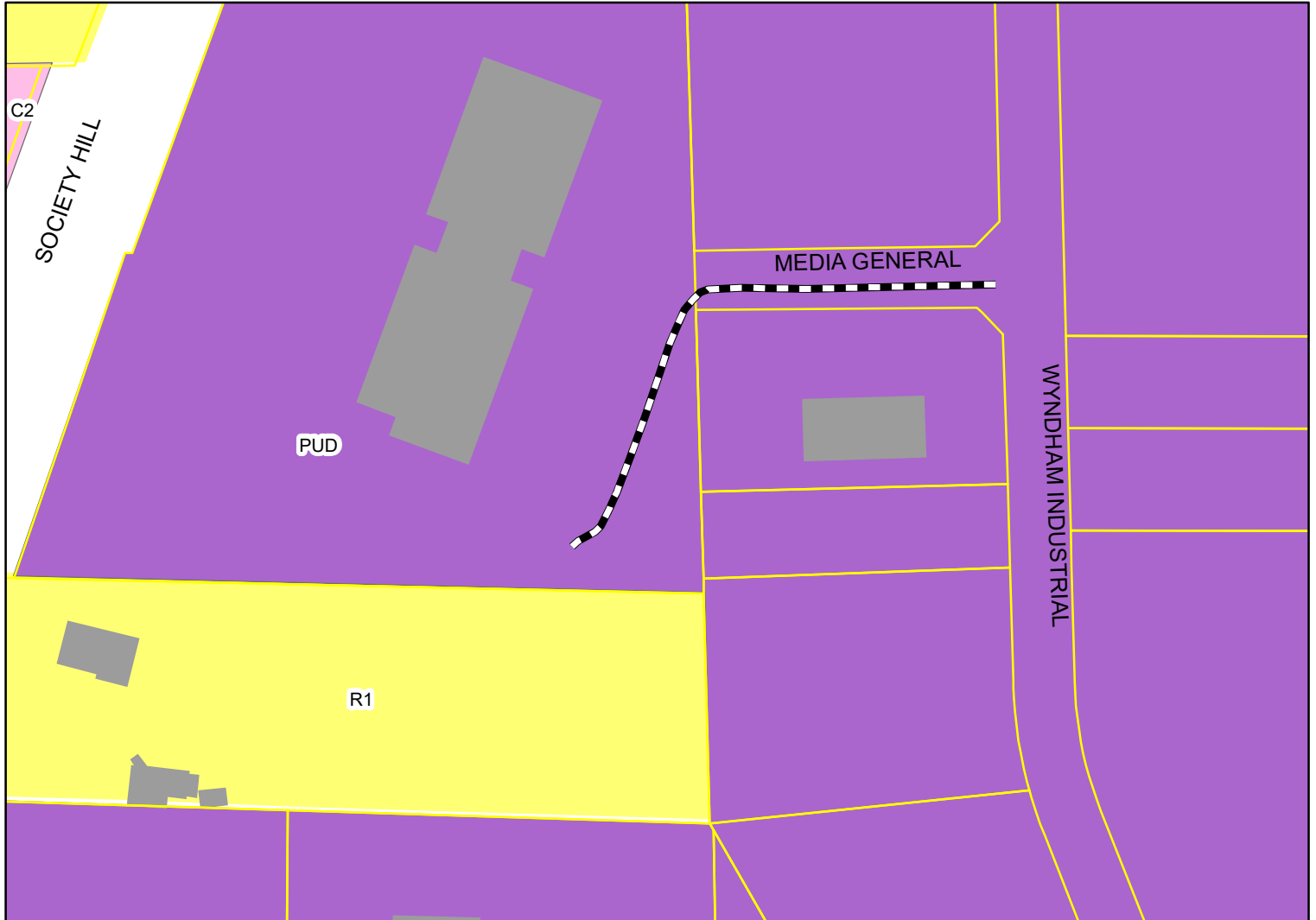
Opelika Utilities Board Report

No Comments.

Opelika Power Services Report

No Comments.

STREET NAME CHANGE MEDIA GENERAL DRIVE OTHER BUSINESS, D-11



Requesting Media General Drive changed to Wyndham Industrial Court .



Subject Property

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Permit: 000140-2023

AGENDA ITEM # 2 12



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: 4/11/23 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.

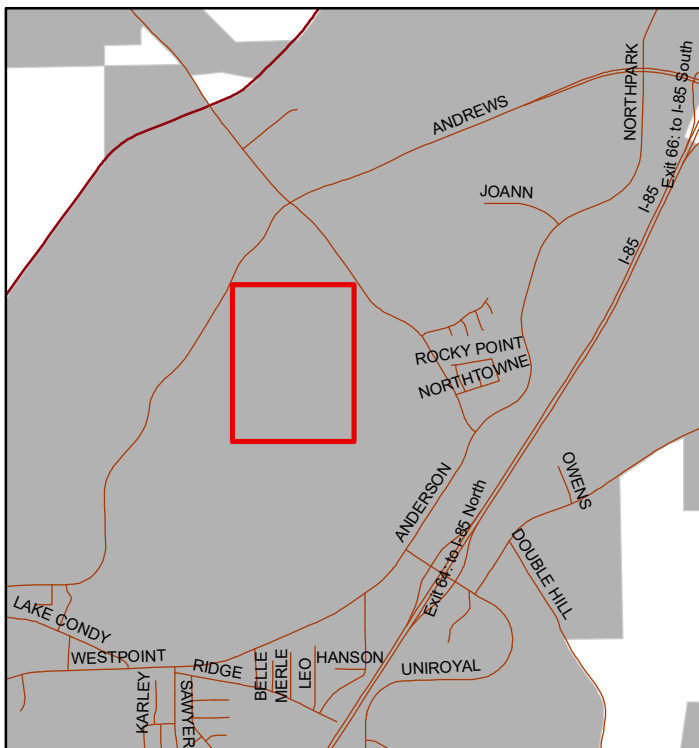
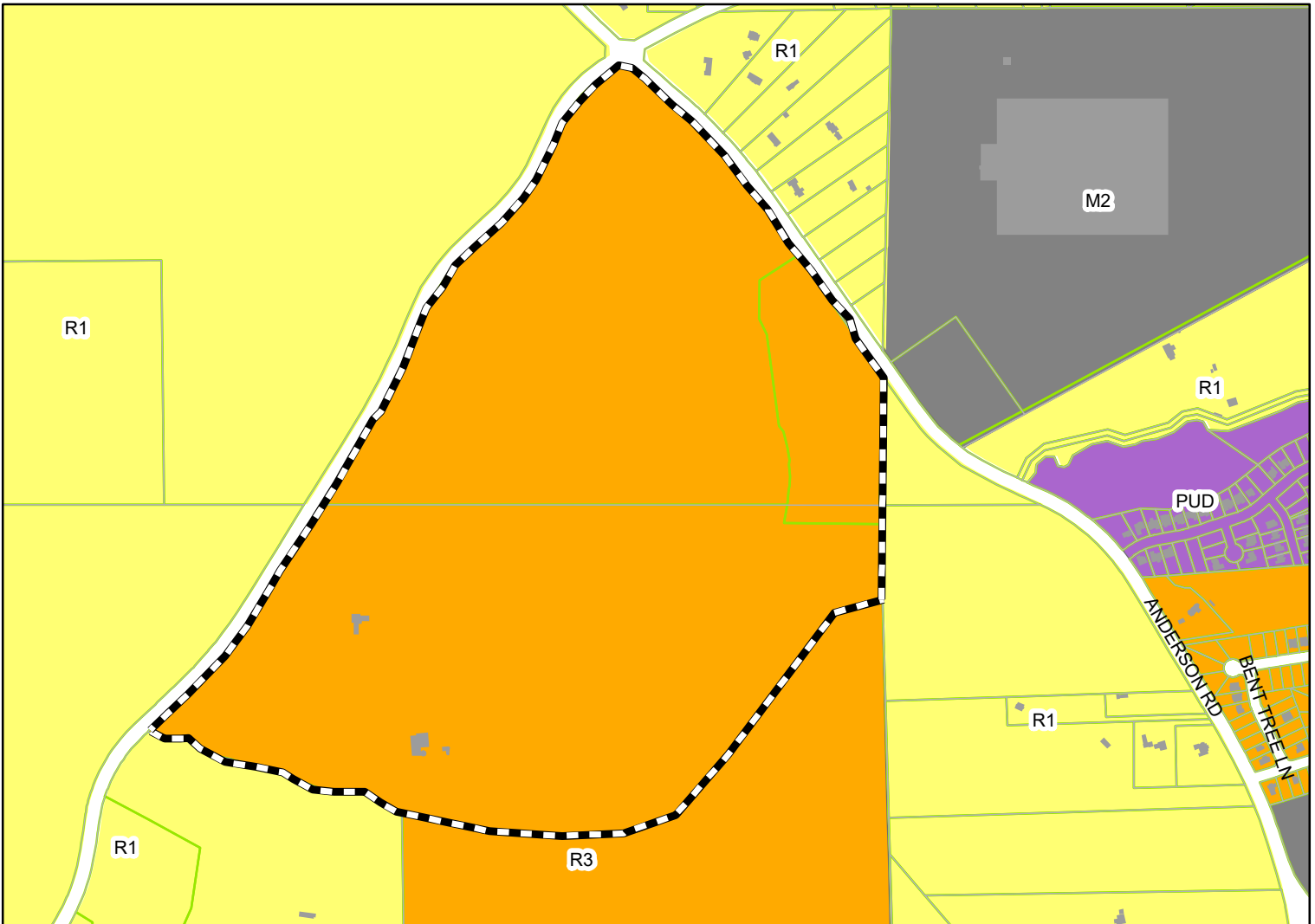
OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

Blake Rice

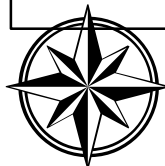
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE 3/28/23

EDGEFIELD FARM REZONING ANDERSON ROAD AND ANDREWS ROAD R-1 TO PUD, E-11a, 11b - OLD BUSINESS



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. This item was tabled by the applicant at the April 25th PC meeting.



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.



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 36801

PHONE 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: R3

Current Land Use: Vacant

Current Zoning: R3

Proposed Zoning: PUD

Number 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 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

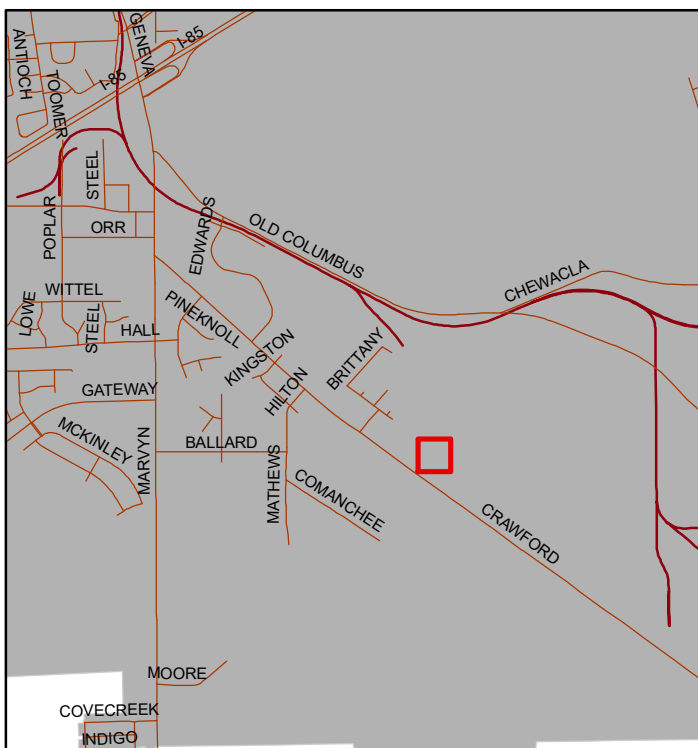
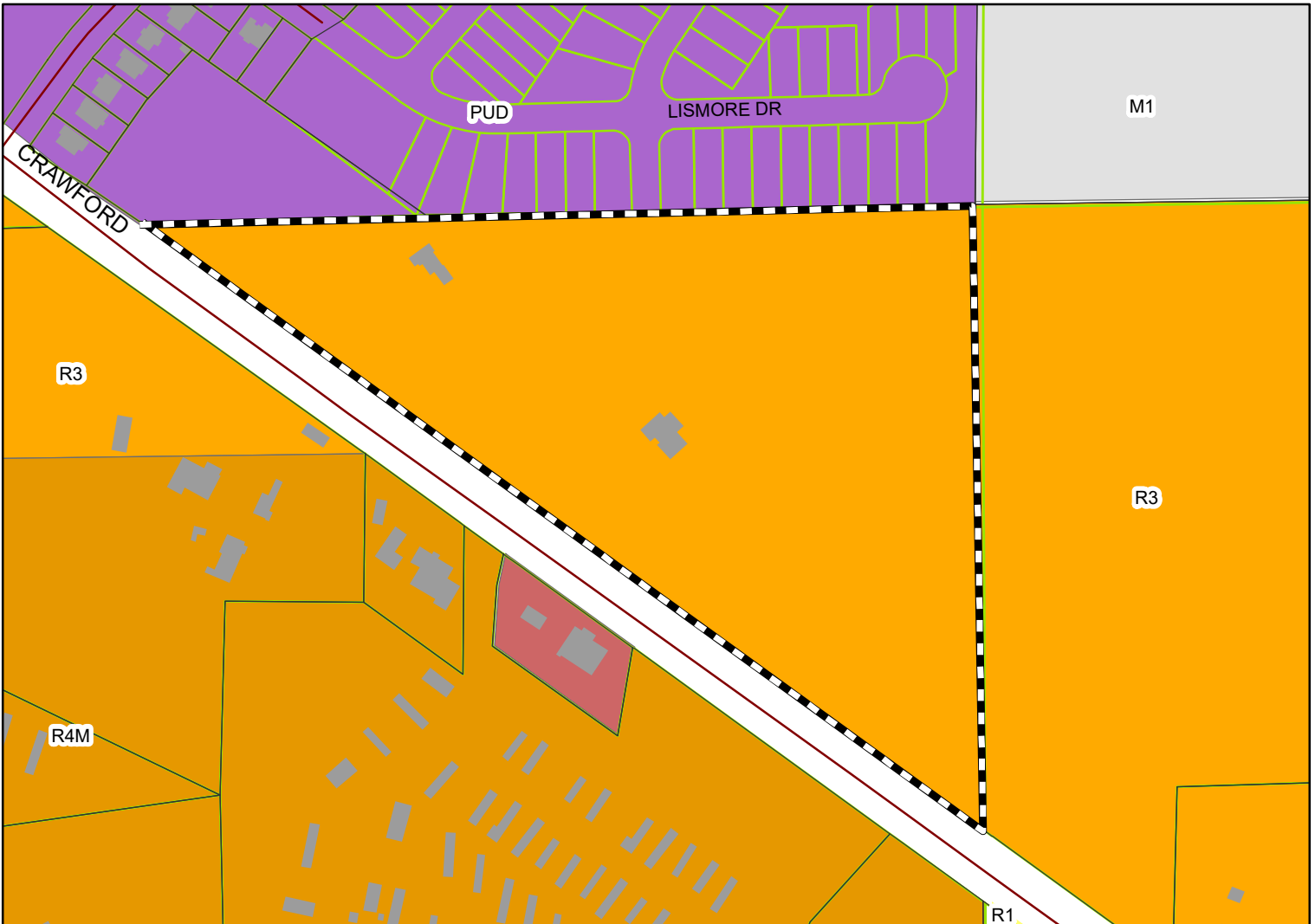
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE 3/29/23

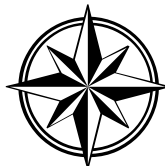
KNOLLWOOD REZONING

820 CRAWFORD ROAD

R-3 TO PUD, E-13 - OLD BUSINESS



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. This item was tabled by the applicant at the April 25th PC meeting.



Subject Property

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