



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

300 Martin Luther King Blvd.

November 28, 2023

TIME: 3:00 PM

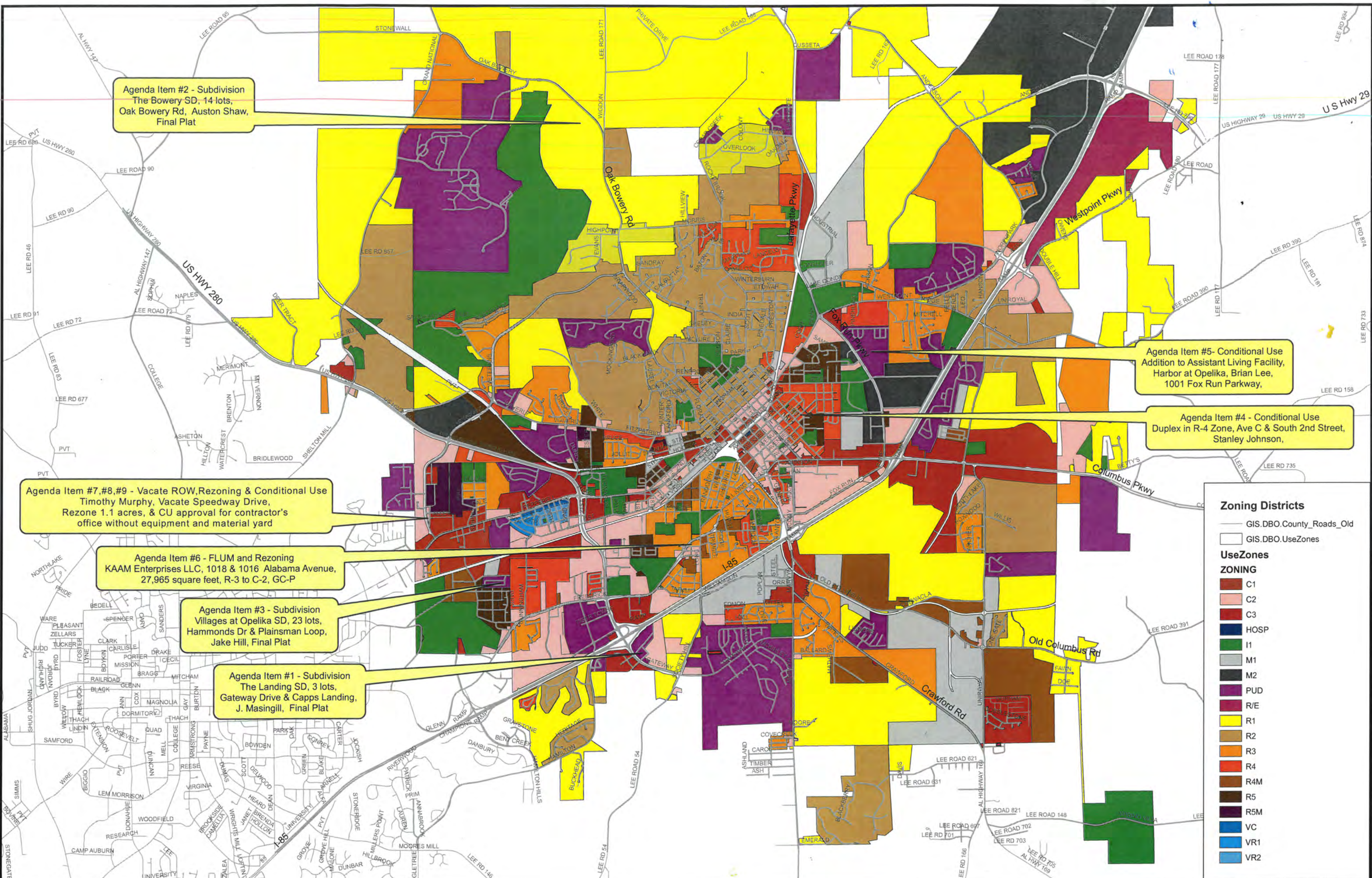
- I. APPROVAL OF MINUTES
- II. UPDATE ON PREVIOUS PC CASES
- III. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- IV. NEW BUSINESS
 - A. **FINAL PLAT**
 1. Redivision of Parcel 2-A, The Landing SD, 3 lots, accessed from Gateway Drive and Capps Landing, Jim Masingill Jr., authorized representative for Broad Metro LLC, Final Approval
 2. The Bowery SD, 14 lots, accessed from Oak Bowery Road, Blake Rice, Barrett-Simpson, authorized representative for Auston Shaw, Final Approval
 3. The Villages of Opelika SD, Phase 2, 23 lots, accessed from Hammonds Drive and Plainsman Loop, Jake Hill, authorized representative for SP Opelika Ventures LLC, Final Approval
 - B. **Conditional Use - Public Hearing**
 4. Stanley R. Johnson, accessed at Avenue C and South 2nd Street, R-4 zone, Duplex
 5. Brian Lee, authorized representative for Opelika Retirement Investors, LLC, 1001 Fox Run Parkway, PUD, Addition to an assisted living facility.
 6. 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
 - C. **REZONING - Public Hearing**
 7. (a) Amendment to the Future Land Use Map accessed at 1018 and 1016 Alabama Avenue, 27,965 square feet (two lots), from a low density residential land use category to a light commercial land use category.

(b) Rezoning request, KAAM Enterprises, LLC, 27,965 square feet, accessed at 1018 & 1016 Alabama Ave, from R-3, GC-P to C-2, GC-P.
 - D. **Vacation of Right-of-Way, Rezoning - Public Hearing, and Conditional Use - Public Hearing**

8. Timothy Murphy, authorized representative for Richard Dale Murphy, A petition for the vacation of a portion Speedway Drive from the north property line of Lot 8 as shown on the JW Long SD plat to the intersection of Speedway Drive and Veterans Parkway.
9. (a) Amendment to the Future Land Use Map, accessed at 1504 Speedway Drive, 1.1 acres, from a light commercial land use category to a general commercial land use category.

(b) Rezoning request, Timothy Murphy, authorized representative for Richard Dale Murphy, 1.1 acres, accessed at 1504 Speedway Drive, from C-2, GC-P to C-3, GC-P.
10. Timothy Murphy, authorized representative for Richard Dale Massey, 1505 to 1609 Speedway Drive or 1001 Fox Run Parkway, C-2, Conditional use request for office of contractor without equipment and material yard. (Conditional use approval is subject to City Council's approval of the rezoning agenda item #9).

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





PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

October 24, 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 October 24, 2023 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chair Lucinda Cannon, Mayor Gary Fuller, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Michael Hilyer, Mr. Jay Walters, Mr. Sheldon Whittelsey, and Mr. John Sweatman.

MEMBERS ABSENT:

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.

Approval of Planning Commission Minutes September 26, 2023

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that there are no updates on previous cases.

IV. NEW BUSINESS

A. PLAT (Preliminary and Final) - Public Hearing

1. Creekside Village SD, Phase 2, 13 lots, accessed from Lee Road 270 and 266, Mike Maher, Precision Surveying, authorized representative for Campfields Lands LLC, Preliminary and Final approval

Mr. Mosley presented the staff report to the Planning Commission for Creekside Village Subdivision Phase 2 accessed from Lee Road 270 and 266. He stated that staff recommends preliminary and final approval subject to the following:

Add an access easement on each adjoining 30' flag lots so the two lots share one driveway to Lee Road 266 or 270.

From: Kendall Andrews

I have the following comments for this plat:

- Show the detention pond and add appropriate drainage easements. The detention pond cannot lie solely on one lot. It must be split among adjacent lots.
- Lots 50&51 and 54&55 will be required to share a driveway. Add a shared driveway easement and number the shared drives (i.e. shared drive 1, shared drive 2). Add the attached shared driveway note. This note should be a standalone note and not included in the list of notes
- Mark the driveway locations for Lots: 48, 49, 50&51, 53, 54&55, 56, 57, 58. I need to verify that these lots will be able to have an access that meets our sight distance requirements prior to approving the plat.
- The site data table is incorrect
- Verify that the pavement on LR 266 is 25ft



Kendall Andrews, P.E.

Assistant Engineer I

P: (334) 737 – 7011 / F: (334) 745 – 6994

www.Leeco.us

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that he has revised the Engineering report based on county comments and the revised plat. He stated that the Engineering department will waive the requirements for a new road to be built and have the access on the easements as shown on the revised plat. He stated that the City and the county will monitor the erosion sediment control and detention ponds according to the county's requirements. He stated that Lee County Engineering will regulate and authorize all access and this development to Lee Road 270 and 266. He noted that the Engineering Department has no other comments or concerns with this proposed preliminary plat. He also stated that this is outside of the Opelika Utilities Service Area and outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing.

Judy Tubbs, 840 Lee Rd 270, stated that she was opposed to having an easement in the back of her property. She stated that she felt feasibility studies should have been done before they applied. She stated that there are other lots that are vacant that they could use as an entrance to the subdivision. She stated that she only received one certified letter and that nothing came from the county.

Linda Fleming, 402 Lee Rd 270, stated that she also only got one certified letter a week ago. She stated that her main concern was that she was looking forward to the neighborhood community and the brush being cleared. She asked for more notice for any future meetings.

Tiffany Simmons, 80 Lee Rd 270, stated that she got an email saying she received a certified letter, but she did not. She asked what it was regarding.

Mr. Mosley stated that the adjacent property was being subdivided and that, according to State Law, letters are sent out to adjoining property owners letting them know that there is a public hearing regarding that property being divided.

Tiffany Simmons asked what they were going to do on the vacant property beside her.

Chair Cannon stated that they do not know.

Mr. Mosley stated that in the county, the city doesn't regulate the use of the property. He stated that the city only regulates how the property will be divided because it is in the planning jurisdiction. He stated that the subdivision covenants or the county zoning might have requirements about how it is used.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: John Sweatman

DISCUSSION: Chair Cannon stated that she thought the driveways were laid out poorly.

Mr. Mosley stated that staff discourages this type of layout because it creates issues if water and sewer ever come here or if it gets subdivided into smaller lots. He stated that right now, there are not any regulations to prevent this. He stated that staff may look at putting in stronger regulations to prevent this kind of layout.

Mr. Whittelsey asked how wide the driveways are?

Mr. Mosley stated that the smallest ones are 30 feet wide and the others are at least 60 feet wide. He noted that most of the driveways are shared.

Chair Cannon asked if the county notifies people in the county about any divisions?

Mr. Mosley stated that if the county doesn't hold a public hearing, then they probably would not notify. He stated that the city is required to send certified letters five days in advance, and staff typically sends them out a week and a half to two weeks in advance.

Mr. Whittelsey asked if these lots are restricted to single-family homes?

Mr. Mosley stated not by zoning requirement. He stated that because it was

set up as a neighborhood, it would probably be in the covenants. He noted that it might be in the county zoning jurisdiction which could have some regulations. He stated that based on the water and sewer situation there will probably be some limitations to the development potential.

Chair Cannon asked if everything would be on either a well or septic?

Mr. Mosley stated that was his understanding.

Mr. Walters asked if staff had spoken with the applicant about making an access road instead of individual driveways?

Mr. Mosley stated that staff has spoken with the applicant about that and the original plat did not meet the subdivision regulations. He stated that they came back with this plan which does meet the minimum of the subdivision regulations.

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

NAYS: Chair Cannon, Walters

ABSTAIN: Sheldon Whittelsey

B. FINAL PLAT

2. Springhill Heights SD, Block G, Redivision of Lots 53-58, 3 lots, accessed from Spring and Arnold Street, Nick Howell, authorized representative for 2H Properties, LLC, Final Approval

Mr. Mosley presented the staff report to the Planning Commission for Springhill Heights Subdivision, Block G, Redivision of Lots 53-58, accessed from Spring and Arnold Street. He stated that staff recommends final plat approval subject to the following:

1. **Remove the setback lines from the lots.**
2. **The dates in some of the certificates need to be changed from 2022 to 2023.**
3. **Show recorded course and distances for comparison with measured.**
4. **Add the owner/developer's name and address.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that if the applicant has satisfied all sanitary sewer requirements, Engineering recommends final plat approval. He also stated that each lot needs a new service tap and meter for service to dwelling.

Motion to grant final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Sheldon Whittelsey

AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

3. Wyndham Gates SD Pod 3, Phase 4, 9 lots, accessed from Alana Court and Raiden Circle, Doug Ransom, authorized representative for DRB Group Alabama, LLC, Final Approval

Mr. Mosley presented the staff report to the Planning Commission for Wyndham Gates Subdivision, Pod 3, Phase 4, accessed from Alana Court and Raiden Circle. He stated that staff recommends final plat approval subject to the following added to final plat or installed before a CO (certificate of occupancy) is issued:

1. **Sidewalks required on at least one side of the street.**
2. **All utilities installed underground.**
3. **Add landscaping as shown on landscape plan.**
4. **Add a note on plat providing the uses allowed in the open space.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that this is in the Opelika Power Services and Alabama Power Services territory.

Motion to grant final plat approval with staff recommendations

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

C. PLAT (Preliminary Only) and CONDITIONAL USE - Public Hearing

4. Moore Bass Consulting, Inc, authorized representative for Thrash Investments, Inc, accessed from the 220 block of Samford Avenue, R-4 zone, 29 townhome lots.

Mr. Mosley stated that the applicant has requested this item be tabled.

Motion to table the item at the applicant's request

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

5. Warwick Retreat SD, 94 lots (55 single family lots & 29 townhome lots), accessed from 220 block of Samford Avenue, Moore Bass Consulting, Inc, authorized representative for Thrash Investments, Inc, Preliminary Approval

Mr. Mosley stated that the applicant has requested this item be tabled. He stated that the Planning Department will resend certified letters to the adjacent property owners for the public hearing when the item comes back.

Motion to table the item at the applicant's request

RESULT: Passed
MOVER: Arturo Menefee
SECONDER: John Sweatman
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

D. CONDITIONAL USE - Public Hearing

6. Lee Tharp, PE, authorized representative for Hogan Investment Properties, LLC, 2220 Enterprise Drive, C-2 zone, A 7,125 square foot addition to an existing 10,250 square foot ABC distribution warehouse (Alabama Alcoholic Beverage Control Board)

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of a 7,125 square foot addition to an existing 10,250 square foot ABC distribution warehouse (Alabama Alcoholic Beverage Control Board) at 2220 Enterprise Drive. He stated that staff recommends conditional use approval subject to the following:

1. The addition and new asphalt area for trucks adds to the developed area. A revised landscape plan with legend is required providing updated total base and parking lot points. The buffer along Enterprise Drive needs to be extended based on the added developed area. Also, the demolition plan removes one tree, and the parking islands modified remove shrubs. Trees removed need to be replaced with at least 1.25" to 2.5" caliper tree, depending on tree type. Minimum shrub size 24 inches (3 gallon container). If other shrubs or trees are removed, the plants must be replaced so minimum landscape requirements are met.

2. The existing dumpster and dumpster enclosure and gate will be removed and relocated. The dumpster's new location must be screened on all sides and gated with opaque material.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that this is outside of 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: Arturo Menefee

SECONDER: Sheldon Whittelsey

AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

E. REZONING and CONDITIONAL USE - Public Hearing

7. (a) Amendment to the Future Land Use Map, accessed from 600 block Veterans Parkway or 3500 block Waverly Parkway, 16.3 acres, from a mixed use land use category to a light commercial land use category.

(b) Rezoning request, Ledge Nettles, authorized representative for Robert Cash, 16.3 acres, accessed from 600 block of Veterans Parkway or 3500 block of Waverly Parkway from R-5 to C-2, GC-P.

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request for 16.3 acres accessed from the 600 block of Veterans Parkway or the 3500 block of Waverly

Parkway from R-5 to C-2, GC-P. He stated that the rezoning request to C-2, GC-P is adjacent to undeveloped residential zoned property (R-1 or R-5) on three sides. Near the property (1,000 feet) is about 150 residential dwellings. On the south side is a 107 acre M-2, GC-P public manufacturing zoned property. The undeveloped M-2 property is for a technology park administered by OIDA (Opelika Industrial Development Authority). Staff has no concerns with the indoor-outdoor fitness use on 2 acres. The fitness program activities are indoors, and minimal impact to adjacent or nearby properties is expected. The remaining 14 acres is reserved for future development and the land uses on 14 acres are unknown at this time. **Staff recommends a positive recommendation to City Council to rezone the 16.3 acres to C-2, GC-P.** The C-2 zone is defined as office-retail type uses and the outside display of products require conditional use approval. The C-2, GC-P zoning district prohibits automobile sales, mobile home sales, and truck and tractor sales lots. Also prohibited in C-2, GC-P are manufacturing, assembling, or processing type uses that require outside activities or outside storage of equipment or material. In addition, the outside storage of equipment, material, and/or vehicles for a contractor's business (ex. contractor's laydown yard) is prohibited in a C-2, GC-P zone. During conditional use review, a proposed use with an outside display for sale, especially larger scale products may be out of character with the surrounding properties and the request denied. For example, a construction equipment sales lot (or rental lot) or a RV sales lot and/or motorcycle sales. During conditional use review, conditions on large scale outdoor displays may reduce a negative impact on adjacent/nearby properties so 'approval with conditions' is granted. However, a denial may be necessary because of the severity of the impact on nearby properties. The C-2 zone is for office-retail type uses and using the outdoors for business activities in a C-2 zone is limited.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that water is available from Waverly Parkway for this development. He also stated that this is in the Opelika Power Services and Alabama Power service territory.

Chair Cannon opened the public hearing for the amendment to the Future Land Use Map and the rezoning request at the same time.

Shane Mills, 3613 Pepperell Parkway, stated that Kage Fit is the mixed martial arts gym that they would like to move to this area. He stated that they provide a good service for the community and a network for Auburn University students to come into Opelika and become a part of the Opelika community. He stated that they have outgrown the property that they are at now.

Chair Cannon closed the public hearing.

Motion to approve the amendment to the Future Land Use Map with staff recommendations

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

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, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

8. Ledge Nettles, authorized representative for Robert Cash, accessed from 3500 block of Waverly Parkway, C-2, GC-P zone, Indoor fitness facility (Conditional use approval is subject to rezoning property to C-2, GC-P).

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of an indoor fitness facility accessed from the 3500 block of Waverly Parkway (conditional use approval is subject to rezoning the property to C-2, GC-P). He stated that staff recommends conditional use approval subject to the rezoning approved and subject to the following:

1. **The 16.3 acre parcel rezoned from R-5 to C-2, GC-P (Office retail, Gateway Corridor Overlay District – Primary).**
2. **The exterior materials meet the exterior material requirements of Section 7.6 Gateway Corridor Overlay District of the Zoning Ordinance (see footnote #2). Provide elevations with exterior material labeled on elevations.**
3. **Provide a landscape plan that meets the requirements of the Landscape Regulations.**
4. **Note on site plan the location of outside activities**
5. **All building mechanical units (ex. air condition units and similar units) and utility meters must be screened not visible from a public right-of-way.**
6. **Dumpsters must be screened with an opaque fence on all sides and an opaque gate; enclosure must be at a height, so dumpster is not visible to a public right of way.**
7. **Power services, communication service, and other services for the building must be provided underground no overhead lines.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that this is in the Opelika Power Services and Alabama Power service territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Jay Walters
DISCUSSION:	Chair Cannon asked if the applicant knows that they have to submit a plan that meets the conditions?

Mr. Mosley stated that if it is approved it has to be rezoned first, and then staff can sign off on plans. He noted that the applicant signs an agreement to

the conditions of approval based on what the Planning Commission approved.

AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

F. **ANNEXATION**

9. Annexation request, Deidre W. Jones and Jason F. Jones, 6551 U.S. Highway 431 North, Annex 30,116 square feet, R-1 zoning district requested.

Mr. Mosley presented the staff report to the Planning Commission for an annexation request of 30,116 square feet at 6551 U.S. Highway 431 North. He stated that staff recommends the Planning Commission send a positive recommendation to City Council to annex the 0.75 acres and zone the property R-1.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that this property is outside of Opelika Utilities Service area and outside of the Opelika Power Services territory.

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

RESULT: Passed

MOVER: John Sweatman

SECONDER: Arturo Menefee

AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

V. **OLD BUSINESS**

G. **CONDITIONAL USE - Public Hearing**

10. Foresite Group LLC and QuikTrip Corporation, authorized representative for Food Services of Tallahassee, Inc., 920 Columbus Parkway, C-3, GC-P, Gas station & convenience store (*This item was tabled by the applicant at the September 26, 2023 Planning Commission meeting*)

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request of a gas station and convenience store accessed at 920 Columbus Parkway. He stated that the Planning Department has no issue with the proposed use, however we feel that the request to completely remove any buffering from Fox Run Parkway is counter to the Zoning Ordinance. He stated that they have provided a revised landscape plan that has a 10 foot buffer in most places. He noted that in some places it is greater and there is one small section where it is a little shorter, but on average it is close to what is required for buffering on that side. He stated that with these changes, staff recommends approval subject to the following:

1. **Revise the landscape plan with a detailed gateway corridor buffer requirement. The gateway corridor landscape regulations require a street frontage landscape buffer 15-ft. wide along Fox Run Parkway and Columbus Parkway. Landscaping shall consist of plants listed in Section 10.6, D.2. b. 2.b. of the Landscape Regulations.**

2. **Revise the plan to comply with the 70 % maximum impervious surface ratio requirement.**
3. **The dumpster area is to be screened on all sides, and screening materials are required to meet the gateway corridor materials and cladding standards in Section 7.6, A., 6. b, 1.**
4. **All utility meters, air conditioning units, and similar mechanical units shall be screened.**
5. **Record a subdivision plat to join the two lots into one.**
6. **Clad the fuel awning columns.**
7. **Approval of an alternate access for Lafayette Parkway by ALDOT and City of Opelika Engineering through cross access.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the access on Fox Run Parkway (US 431) is managed by ALDOT and this department understands that they are going to require the development to share the existing full access with Angel's Antiques and the two accesses' shown will be removed. Opelika will manage the access on Columbus Parkway, and it will be allowed to have right in, left in and right out only. The left out will be restricted at this location because of the congestion at the signal. Other than these comments, the Engineering Department has no issues with Conditional use approval. He also stated that the existing meter serving property is located at proposed retaining wall. The Developer must abandon existing meter and disconnect service from main prior to installing proposed new service. Water for new service is available from Columbus Parkway and Fox Run Parkway.

Chair Cannon opened the public hearing.

Brett Basquin, Foresite Group, stated that they have worked extensively with staff over the past few months to meet the intent of the ordinance. He stated that they are good with all the conditions and that the revised site plan and building elevations show the brick cladding on the canopy columns. He stated that they are still working with staff on the outstanding ISR issues.

Mr. Sweatman asked if they ever considered using the existing access to Columbus Parkway?

Brett Basquin stated that they got cross access with Angels Antiques on the back and that Angels Antiques wanted access across the front of theirs too. He stated that, especially because they were going to be restricted with the access so far back on Fox Run, they needed that direct access there. He stated that it helps with the circulation of the fuel delivery vehicles.

Chair Cannon asked if this meets the Gateway Corridor standards?

Mr. Mosley stated that it meets the requirements. He noted that the primary material will be brick.

Mr. Whittelsey asked if this is going to be a right in, right out on Columbus Parkway?

Mr. Parker stated that it is right in, right out, and left in because there is a dedicated turn lane. He noted that the restriction was a left out towards the signal. He stated that in order to get back to the interstate you would have to loop around to the back and then turn left at the signal.

Mr. Walters asked if the right in on Fox Run is awaiting approval from ALDOT?

Brett Basquin stated that in their conversations with ALDOT, the only access allowed there is a right in. He stated that if they wanted full access they would have to go back and get shared access with the existing Angels Antiques driveway.

Mr. Walters asked if there were any pending ALDOT approvals right now?

Brett Basquin stated that they still have to go through the formal process. He stated that they have had conversations with them and ALDOT has looked at the plans and said what they are allowed to do.

Mr. Walters asked if they felt like they would be able to meet the ISR requirements without any significant changes?

Brett Basquin stated that the only way they are going to be able to meet the ISR is by trying to introduce some pervious pavement in some of the parking stalls, but they aren't going to be able to get below the 70%. He noted that they will probably have to go to the Zoning Board of Adjustment to get a variance for that.

Mr. Walters asked if it is not approved by the Zoning Board of Adjustment, will it come back to the Planning Commission?

Mr. Mosley stated that if it is not approved it will not be able to go there, or they will need to add pervious back in.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

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

VI. OTHER BUSINESS

H. Approve dates for November and December Planning Commission Meetings.

Mr. Mosley stated that staff recommends the date of November 28th for the November Planning Commission meeting and December 19th for the December Planning Commission meeting.

Motion to keep the November Planning Commission meeting on November 28th and move the December Planning Commission meeting to December 19th

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

VII. ADJOURN

Motion to adjourn at 3:57 p.m.

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: John Sweatman

AYES: Chair Cannon, Walters, Whatley, Whittelsey, 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: November 28, 2023

Subdivision: The Landing Subdivision, Parcel 2-A

Agenda Item #: A-1

Action Requested: Final Approval

Location of Property: Capps Landing

Property Owner(s): Jim Masingill, Broad Metro, LLC
Ledge Nettles, Baseline Surveying, Surveyor

Current Land Use: Vacant

Current Zoning: PUD

Flood Zone: FEMA Map #01081C0207G – Nov. 2, 2011
Flood Zone “X” – No portion in flood hazard area

Staff Comments:

The applicant is requesting final for a 2-lot subdivision that fronts along I-85 and Capps Landing near its intersection with Freddie Way. The purpose of the subdivision is to create the right-of-way for Capps Landing extension. The lots both will exceed the minimum standards for the PUD. Part of the original approval of the PUD was to extend a right-of-way to the property to the east (Ward). The lots presented comply with the area distributions presented in the PUD zoning district.

An administrative plat was submitted for comments on November 17, 2023, Second Revision of Parcel 2-A, The Landings with the intent to be recorded prior to this plat. If this does work out this plat will be required to be modified to include Parcel 2-A-1-B (cut out). See the attached administrative plat titled-Second Revision of Parcel 2-A, The Landings.

Staff recommends final plat approval subject to the following:

1. All utilities shall be underground.
2. Sidewalks shall be required on both sides of the street.
3. Add an easement for overhead power lines in parcel 2-A-1-A.

Engineering Department Report

The Engineering Department has been monitoring the construction of the extension of Capps Landing and found it completed and constructed to the standards of the Public Works Manual.

A one-year maintenance bond will be required at the amount of 25% of the construction cost.

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

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This subdivision is in the Opelika Power Services territory.

STATE OF ALABAMA
LEE COUNTY

I, ARTHUR R. NETTLES, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, 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 INFORMATION, KNOWLEDGE, AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 15TH DAY OF NOVEMBER, 2023.

ARTHUR R. NETTLES, AL, P.L.S., REG. NO. 23346
NOT A CERTIFIED SURVEY UNLESS SIGNED AND
STAMPED WITH MY SEAL

STATE OF ALABAMA
LEE COUNTY

I, WILLIAM KADISH, AS DESIGNATED OFFICER FOR BROAD METRO, LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF _____, 2023.

JIM MASINGIL,
BROAD METRO, LLC

STATE OF ALABAMA
LEE COUNTY

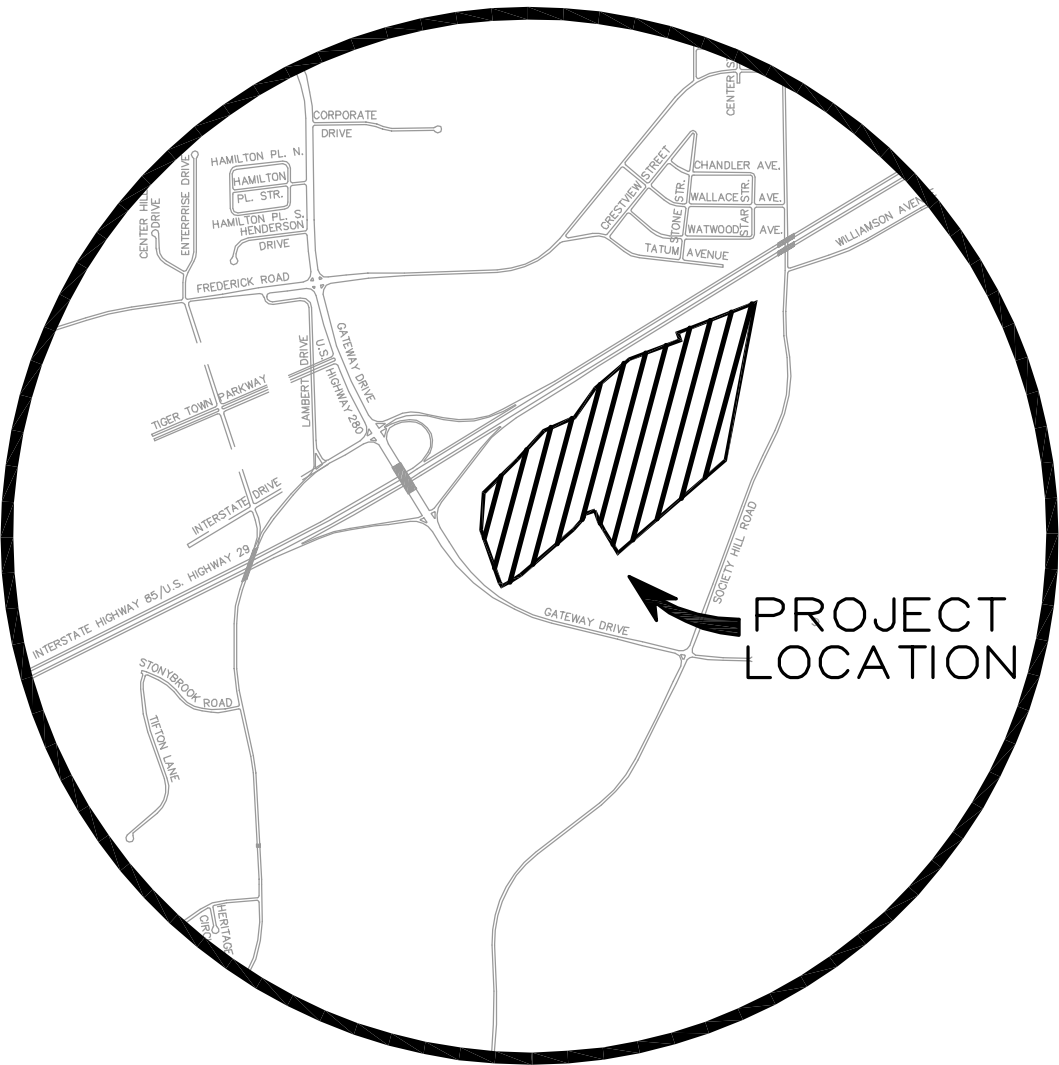
I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT WILLIAM KADISH, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT, BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT, HAS EXECUTED 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:

NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
3. NORTH IS BASED ON GRID NORTH.
4. FIELDWORK COMPLETED APRIL 6, 2023. OFFICEWORK COMPLETED NOVEMBER 15, 2023.
5. ACCORDING TO FEMA FIRM MAP NUMBER 01081C0207G, PANEL 207 OF 381, FOR OPELIKA, LEE COUNTY ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PARCEL LIES IN ZONES X, ZONE X BEING A ZONE OF MINIMAL FLOODING.
6. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES. EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
7. DEVELOPER INFO: BROAD METRO, LLC 135 JERICHO TURNPIKE, OLD WESTBURY, NY 11568.
8. SOURCES OF INFORMATION:
 - PLAT BOOK 46, PAGE 40
 - PLAT BOOK 48, PAGE 45



VICINITY MAP
NOT TO SCALE

LEGEND

CT	CRIMPED TOP	MCCORY	PLASTIC CAP ON THE TOP OF 5/8" REBAR
OT	OPEN TOP		BEARING JAMES L. MCCORY'S ALABAMA
IPFD	IRON PIN FOUND		SURVEYING REGISTRY NUMBER 12463
IPS	IRON PIN SET	BASELINE	PLASTIC CAP ON THE TOP OF 5/8" REBAR
△	CALCULATED POINT		BEARING BASELINE SURVEYING & DESIGN, LLC'S
■	CONCRETE MONUMENT FOUND		ALABAMA LAND SURVEYING CERTIFICATE OF
×	SPIKE NAIL SET		AUTHORIZATION NUMBER CA-922
R.O.W.	RIGHT-OF-WAY	GSA	PLASTIC CAP ON THE TOP OF 5/8" REBAR
(F)	FIELD MEASUREMENT		BEARING GONZALEZ, STRENGTH & ASSOCIATES
(P)	PLAT DIMENSION		ALABAMA LAND SURVEYING CERTIFICATE OF
—	CHAIN LINK FENCE		AUTHORIZATION NUMBER CA-060
○	EXISTING SANITARY SEWER MANHOLE		EXISTING ELECTRICAL TRANSFORMER/
○	EXISTING STORM DRAIN MANHOLE		SWITCHBOX
—GAS	EXISTING GAS LINE (SERVICE LINE)	SSCO	EXISTING SANITARY SEWER CLEANOUT
—UG	EXISTING UNDERGROUND ELECTRIC LINES	○	EXISTING TELEVISION RISER
—OHC	EXISTING OVERHEAD ELECTRIC LINES	○	EXISTING TELEPHONE RISER
—W	EXISTING WATER LINE	□	EXISTING GAS METER
✱	EXISTING LIGHTPOLE	✱	EXISTING GAS VALVE
⊕	EXISTING POWER POLE AND GUY WIRE	✱	EXISTING FIRE HYDRANT
—L	EXISTING SIGN	⊕	EXISTING WATER VALVE
		⊕	EXISTING WATER METER
		⊕	EXISTING IRRIGATION BOX

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:
PUBLIC WORKS DIRECTOR: _____ DATE: _____

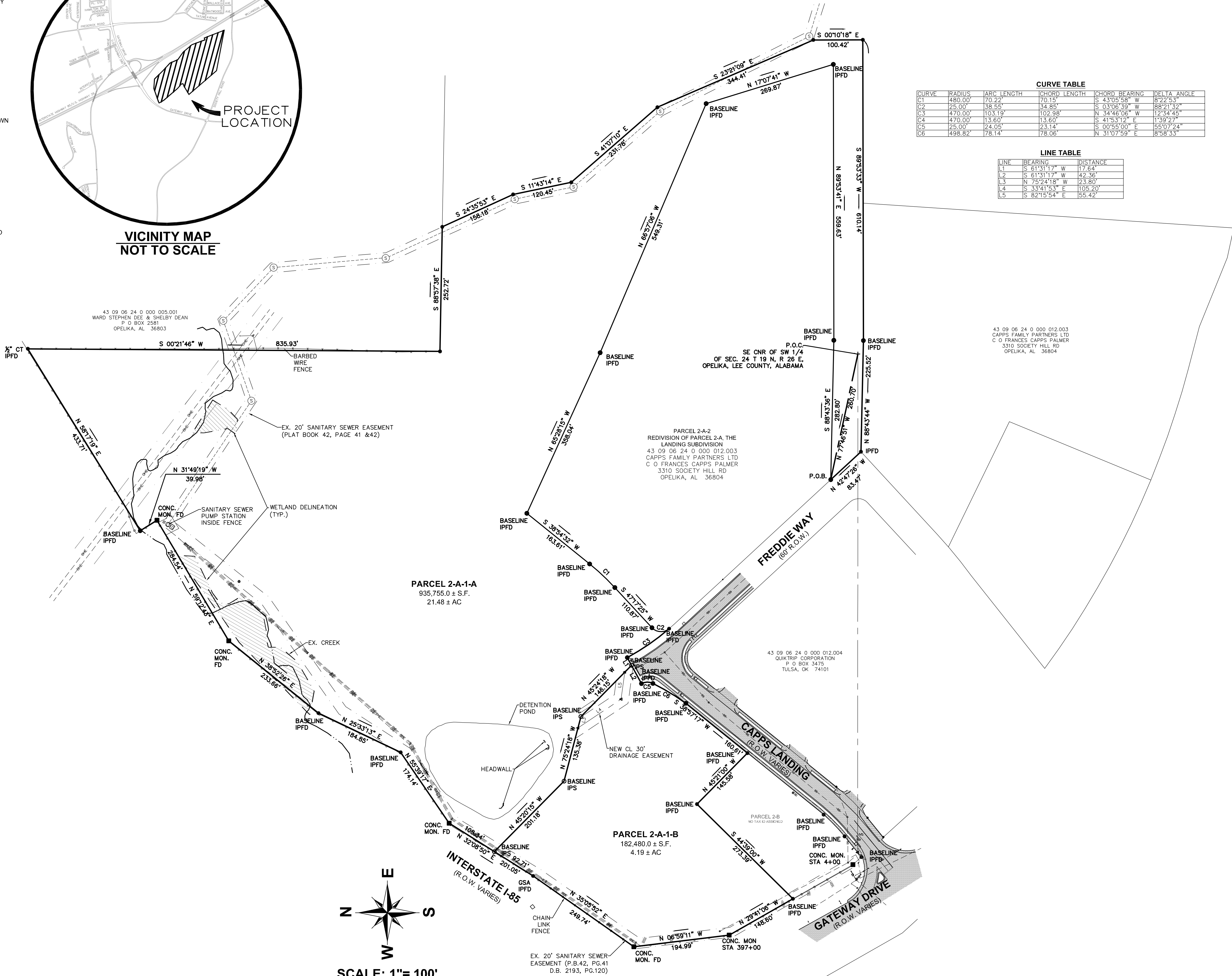
APPROVED BY THE OPELIKA CITY PLANNING DIRECTOR, OPELIKA, ALABAMA:
PLANNING DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:
CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:
OPELIKA UTILITIES BOARD: _____ DATE: _____

REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, ALABAMA:
OPELIKA POWER SERVICES: _____ DATE: _____

SECOND REDIVISION OF PARCEL 2-A, THE LANDING SUBDIVISION



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	480.00'	70.22'	70.15'	S 43°05'58" W
C2	25.00'	38.55'	34.85'	S 03°06'39" W
C3	470.00'	103.19'	102.98'	N 34°46'06" W
C4	470.00'	13.60'	13.60'	S 41°53'12" E
C5	25.00'	24.05'	23.14'	S 00°55'00" E
C6	498.82'	78.14'	78.06'	N 31°07'59" E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 61°31'17" W	17.64'
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L3	N 75°24'18" W	23.80'
L4	S 33°41'53" E	105.20'
L5	S 82°15'54" E	55.42'

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INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL
SYSTEM, WITHOUT PERMISSION IN WRITING FROM BASELINE SURVEYING & DESIGN, LLC.



SECOND REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION
SEC. 24 T 19 N Rg 26 E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60'
ARTHUR R. NETTLES, AL, P.L.S., REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

CREW CHIEF
TM

DRAWN
CSM

JOB NO.
B12023.37

SECOND REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION

STATE OF ALABAMA
LEE COUNTY

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IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 22ND DAY OF NOVEMBER, 2023.

ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
NOT A CERTIFIED SURVEY UNLESS SIGNED AND
STAMPED WITH MY SEAL

STATE OF ALABAMA
LEE COUNTY

I, JIM MASINGIL, JR., AS DESIGNATED OFFICER FOR BROAD METRO, LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF _____, 2023.

JIM MASINGIL, JR.
BROAD METRO, LLC

STATE OF ALABAMA
LEE COUNTY

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GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF _____, 2023.

NOTARY PUBLIC: MY COMMISSION EXPIRES:

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—OHE—	EXISTING OVERHEAD ELECTRIC LINES
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☆	EXISTING LIGHTPOLE
—	EXISTING POWER POLE AND GUY WIRE
—	EXISTING SIGN
MCCORRY	PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING JAMES I. MCCORRY'S ALABAMA SURVEYING REGISTRY NUMBER 12493
BASLINE	PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING BASELINE SURVEYING & DESIGN, LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-922
GSA	PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING GONZALEZ - STRENGTH & ASSOCIATES ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-690
E	EXISTING ELECTRICAL TRANSFORMER/ SWITCHBOX
SSCO	EXISTING SANITARY SEWER CLEANOUT
TV	EXISTING TELEVISION RISER
T	EXISTING TELEPHONE RISER
G	EXISTING GAS METER
V	EXISTING GAS VALVE
F	EXISTING FIRE HYDRANT
W	EXISTING WATER VALVE
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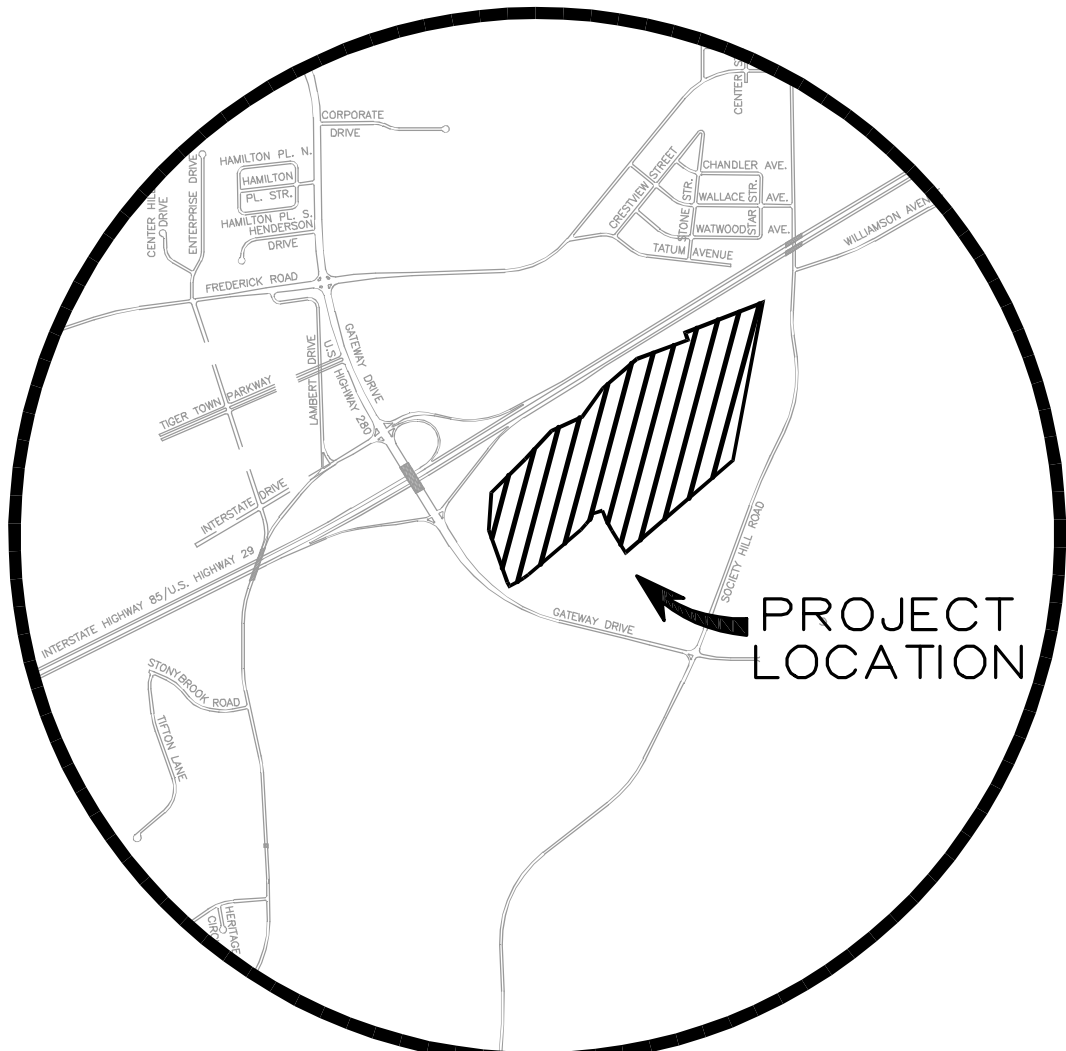
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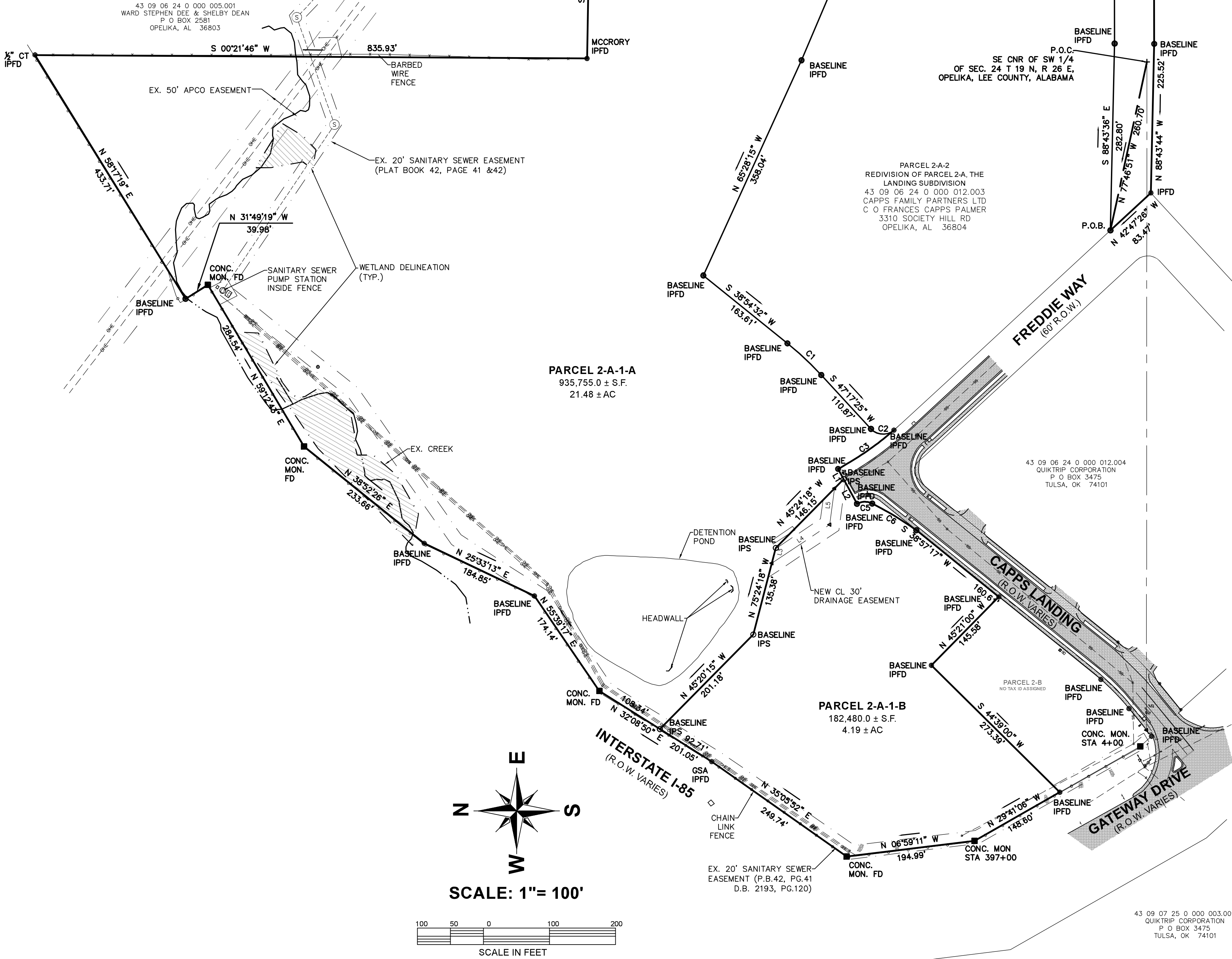
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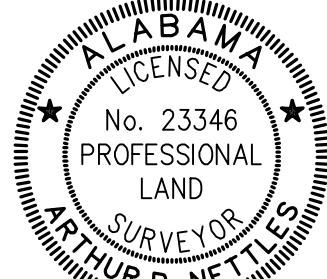


VICINITY MAP
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CREW CHIEF	TM
DRAWN	CSM
JOB NO.	B12023.37

2004 Vinograd Drive, Ste A
Opelika, Alabama 36801
Phone: (334) 749-9200
Web: www.baseline-llc.com

BASLINE
SURVEYING & DESIGN, LLC

SECOND REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION
SEC. 24 T19 N R9 26 E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60'
ARTHUR R. NETTLES AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922



000 357-2623 AGENDA ITEM # 1

APPLICATION FOR SUBDIVISION APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



DEADLINE: 11/17/23 MEETING: 11/28/23

SITE ADDRESS: Gateway Dr. and Capps Landing
PROPERTY OWNER: Broad Metro, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Jim Masingill Jr.
MAILING ADDRESS: 135 Jericho Turnpike, Old Westbury, NY 11568
PHONE NUMBER: 205-910-1425 **FAX NUMBER:** N/A
EMAIL ADDRESS: jmasingill@5oakssouth.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other

PARCEL INFORMATION

Subdivision Name: Redivision of Parcel 2-A, The Landing Subdivision

Current Land Use: vacant

Current Zoning: PUD

Proposed use of the Subdivision: commercial

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

Number of Lots: x \$3.00 = \$

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

Fee: \$75.00

TOTAL = \$75.00

PAID

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Redivision of Parcel 2-A, The Landing Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

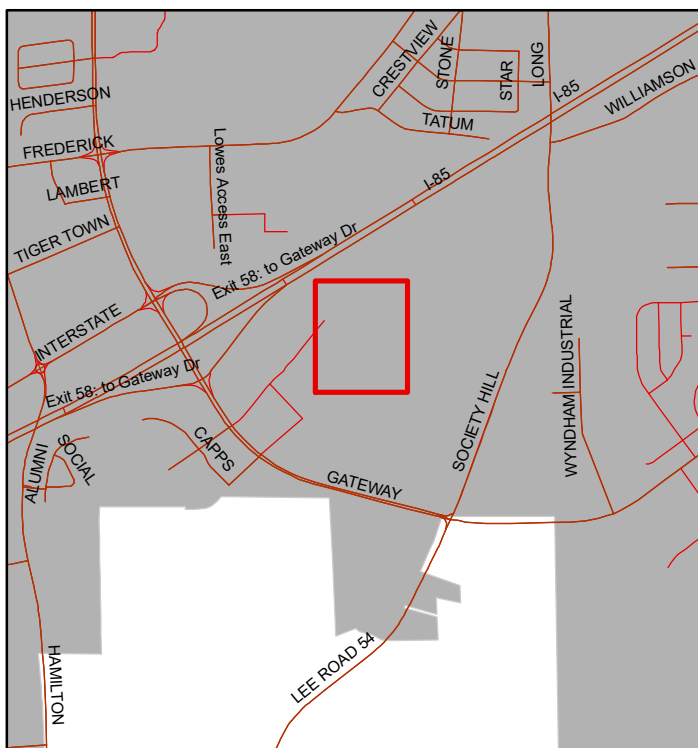
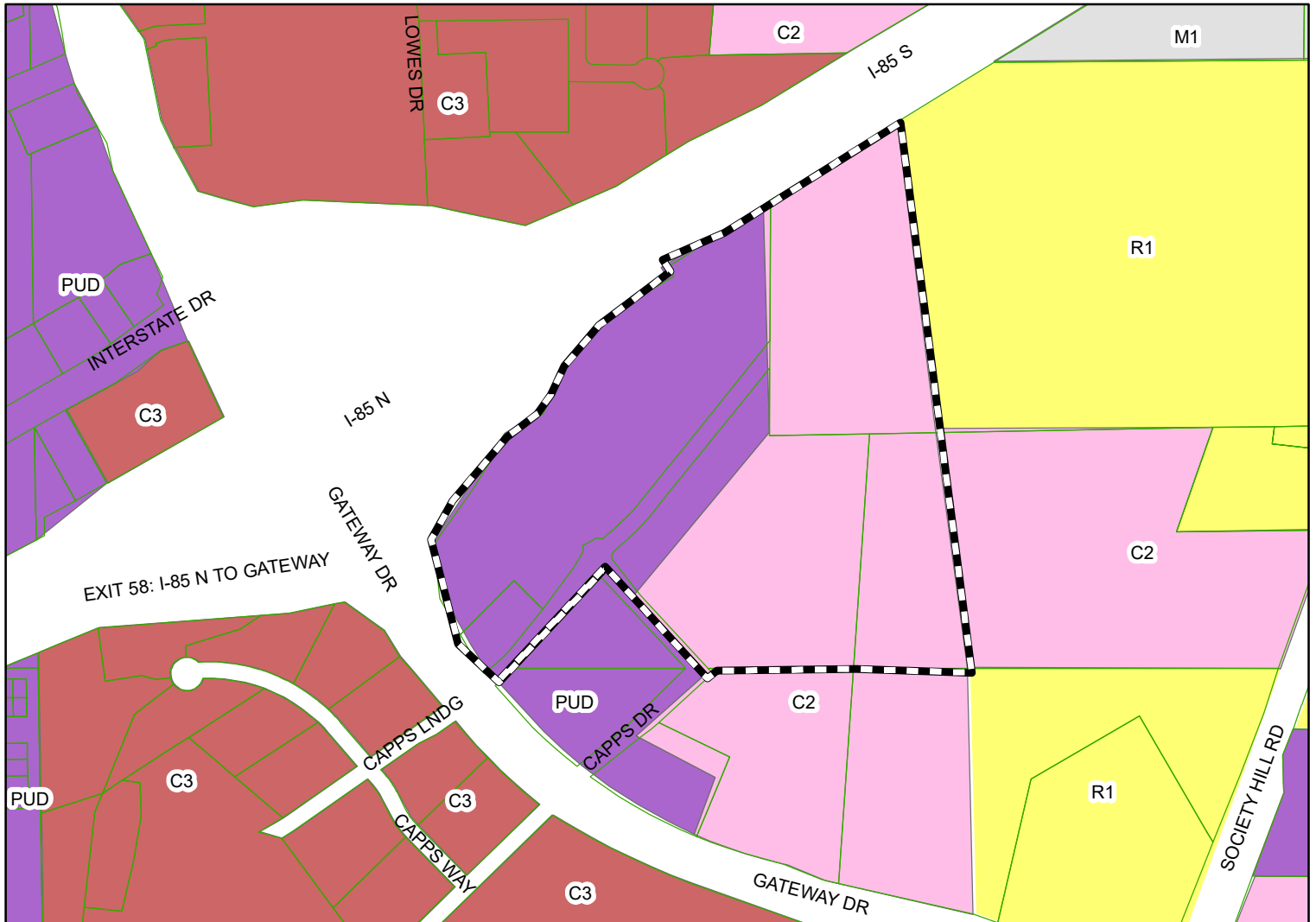
**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

(PRINT NAME)

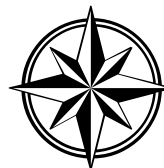
Jim Masingill Jr.

DATE 10/26/23

THE LANDING REDIVISION OF PARCL 2-A SUBDIVISION GATEWAY DRIVE & CAPPS LANDING FINAL PLAT, A-1



The applicant requesting final plat approval for three lots in The Landing 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

REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION

STATE OF ALABAMA
LEE COUNTY

I, ARTHUR R. NETTLES, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, 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 INFORMATION, KNOWLEDGE, AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 1ST DAY OF JUNE, 2023.

ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
NOT A CERTIFIED SURVEY UNLESS SIGNED AND
STAMPED WITH MY SEAL

STATE OF ALABAMA
LEE COUNTY

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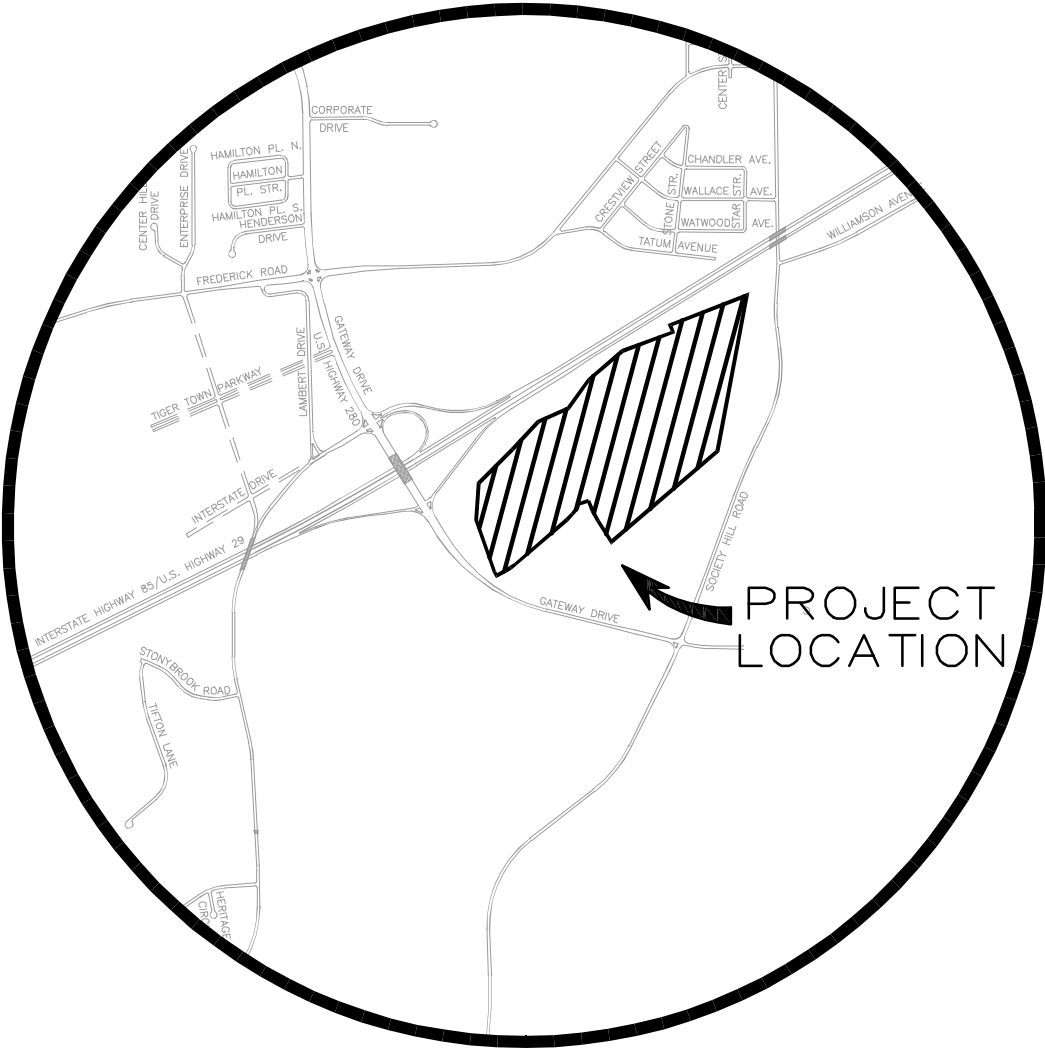
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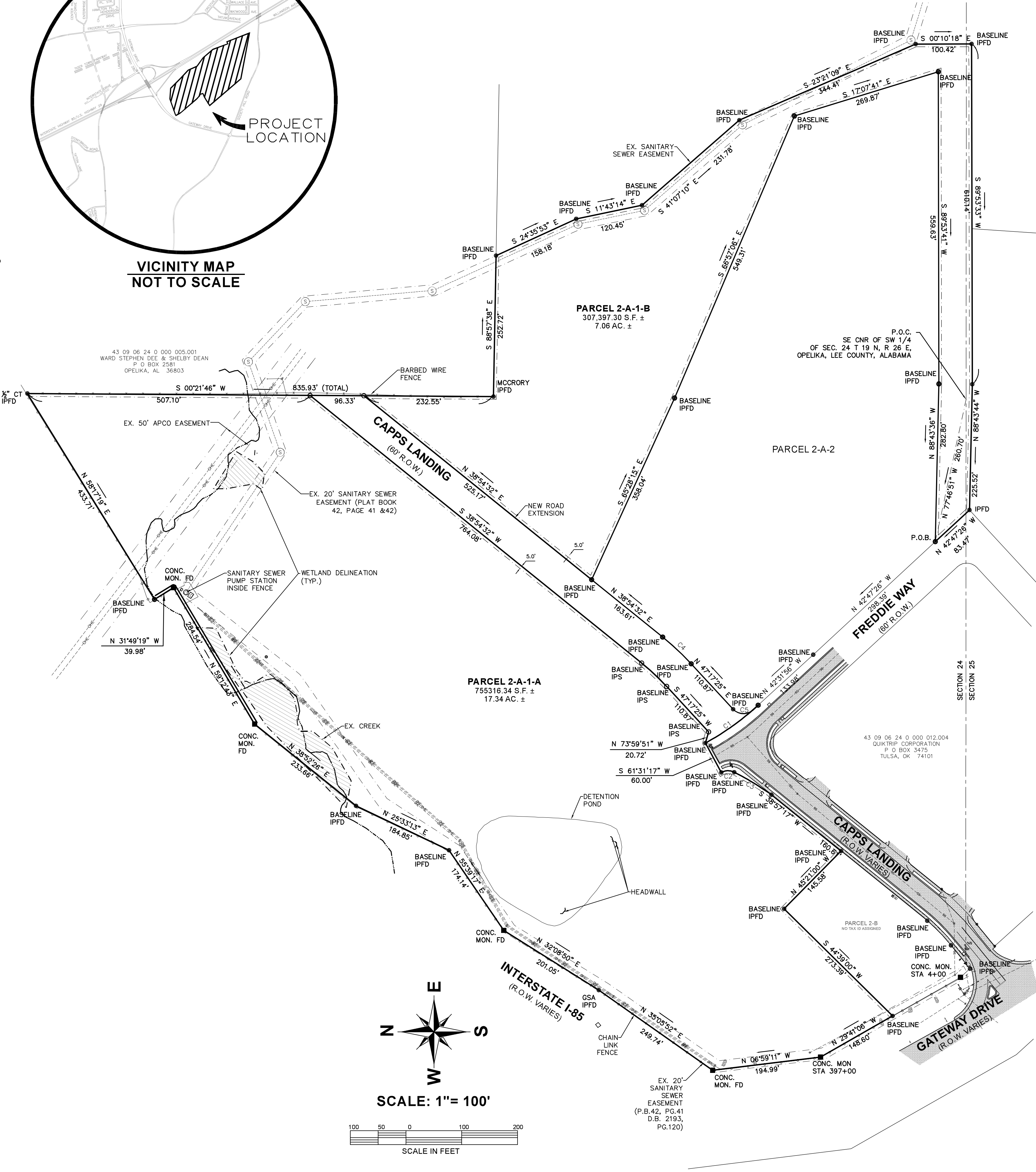
NOTARY PUBLIC; MY COMMISSION EXPIRES: _____

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NOT TO SCALE



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REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION
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SCALE: 1"=60'
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ALABAMA CERT. OF AUTH. CA. NO. 922

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:
PUBLIC WORKS DIRECTOR: _____ DATE: _____
APPROVED BY THE OPELIKA CITY PLANNING DIRECTOR, OPELIKA, ALABAMA:
PLANNING DIRECTOR: _____ DATE: _____
APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:
CHAIRMAN: _____ DATE: _____
APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:
CITY ENGINEER: _____ DATE: _____
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PARCEL 2-A, THE LANDING SUBDIVISION

STATE OF ALABAMA
LEE COUNTY

I, ARTHUR R. NETTLES, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, 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 INFORMATION, KNOWLEDGE, AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 22ND DAY OF NOVEMBER, 2023.

ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
NOT A CERTIFIED SURVEY UNLESS SIGNED AND
STAMPED WITH MY SEAL

STATE OF ALABAMA
LEE COUNTY

I, JIM MASINGIL, JR., AS DESIGNATED OFFICER FOR BROAD METRO, LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF _____, 2023.

JIM MASINGIL, JR.
BROAD METRO, LLC

STATE OF ALABAMA
LEE COUNTY

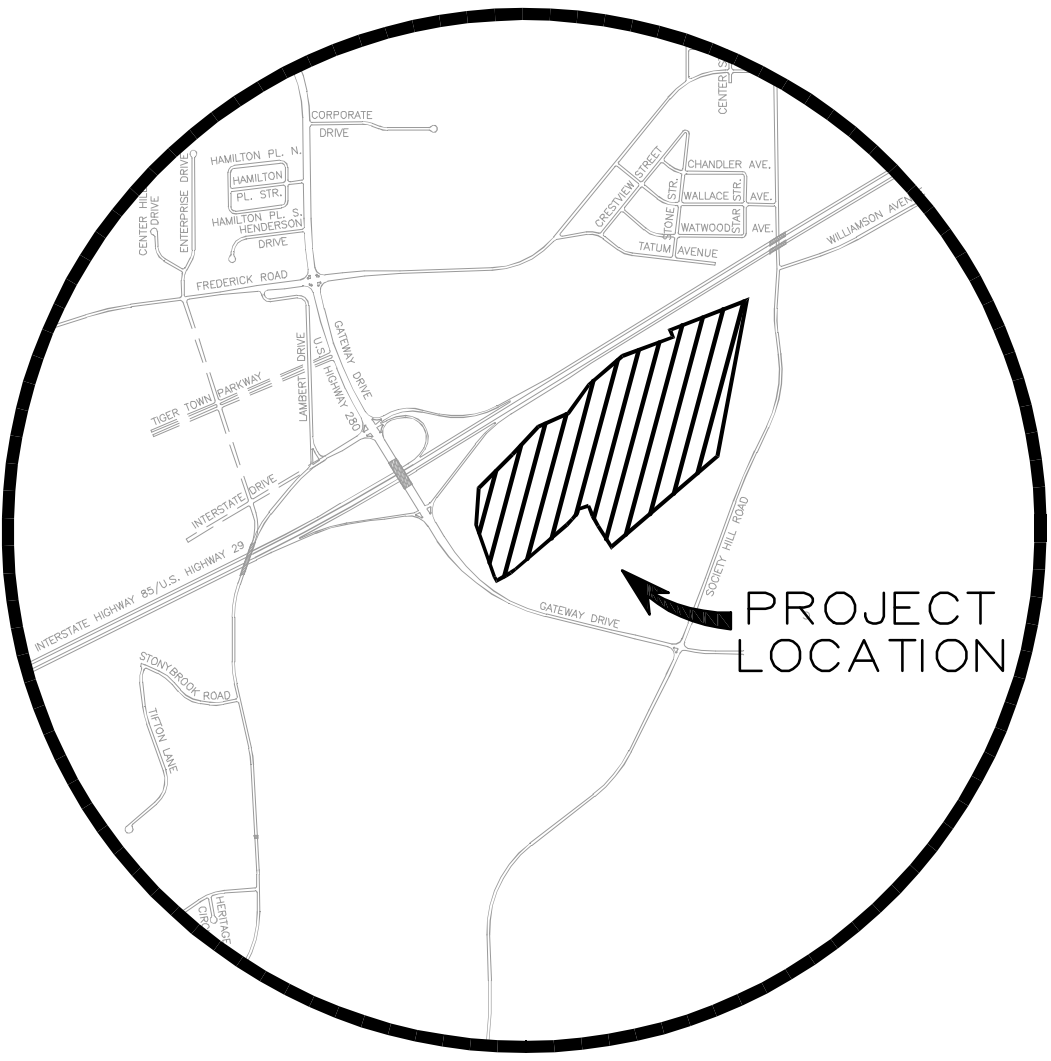
I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT WILLIAM KADESHI, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT, BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT, HAS EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF _____, 2023.

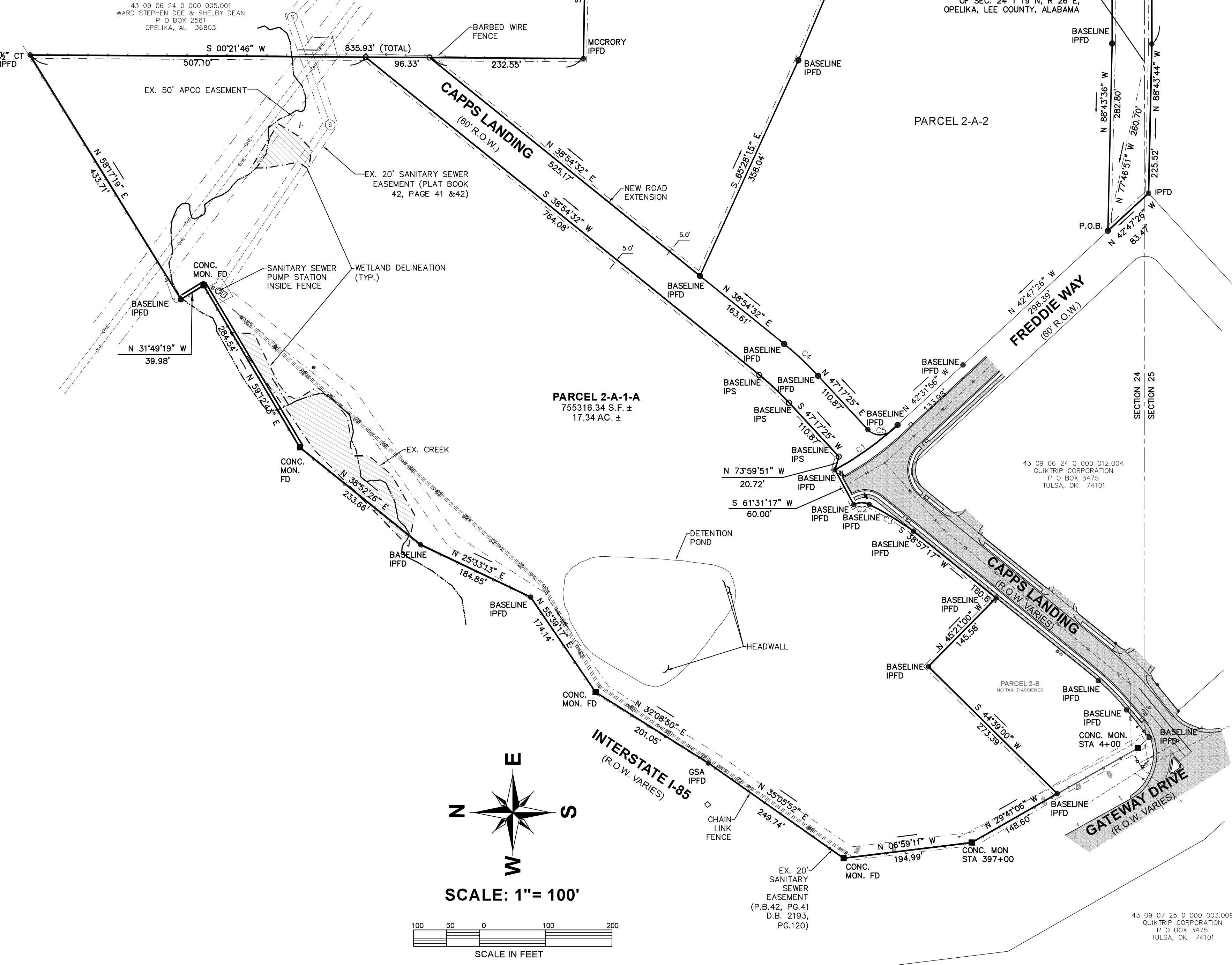
NOTARY PUBLIC; MY COMMISSION EXPIRES: _____

NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
3. NORTH IS BASED ON GRID NORTH.
4. FIELDWORK COMPLETED APRIL 6, 2023. OFFICEWORK COMPLETED JUNE 1, 2023.
5. ACCORDING TO FEMA FIRM MAP NUMBER 01081C0207G, PANEL 207 OF 381, FOR OPELIKA, LEE COUNTY, ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PARCEL LIES IN ZONES X, ZONE X BEING A ZONE OF MINIMAL FLOODING.
6. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES; EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
7. DEVELOPER INFO: BROAD METRO, LLC 135 JERICHO TURNPIKE, OLD WESTBURY, NY 11568.
8. SOURCES OF INFORMATION:
 - PLAT BOOK 48, PAGE 40
 - PLAT BOOK 48, PAGE 45



VICINITY MAP
NOT TO SCALE



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	470.00'	103.19'	102.98'	S 34°46'09\"	172°14'45\"
C2	25.00'	24.05'	23.14'	N 00°55'00\"	55°07'24\"
C3	498.82'	78.14'	78.06'	S 31°07'59\"	8°58'33\"
C4	480.00'	90.22'	70.15'	S 43°05'58\"	8°22'53\"
C5	25.00'	38.55'	34.85'	S 03°06'39\"	88°21'32\"



THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC. THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC, AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BASELINE SURVEYING & DESIGN, LLC.	
CREW CHIEF	TM
DRAWN	DMC/KBM
JOB NO.	B12023.12

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

BASELINE
SURVEYING & DESIGN, LLC

REDIVISION OF
PARCEL 2-A, THE LANDING SUBDIVISION
SEC. 24 & 25 T 19 N R 26 E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60'
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:
PUBLIC WORKS DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING DIRECTOR, OPELIKA, ALABAMA:
PLANNING DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:
CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:
CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:
OPELIKA UTILITIES BOARD: _____ DATE: _____

REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, ALABAMA:
OPELIKA POWER SERVICES: _____ DATE: _____

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Subdivision: The Bowery

Agenda Item #: A-2

Action Requested: Final 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 preliminary plat was approved at the May 23, 2022, Planning Commission. The applicant is requesting final approval for a 14-lot subdivision located in the R-1 zoning district. This property is also in the Saugahatchee Watershed. The Saugahatchee Watershed regulates the lot size minimum standards of three (3) acres for single-family residential when not on public sewer. Lots 1-13 will take access from Oak Bowery Road. Lot 14 has a flag portion 109.13-foot frontage along Oak Bowery Road. The lots range in size from 7.40 acres to 40.73 acres.

The application states these lots will be used for single-family homes. This subdivision is unique because three easements are shown intersecting several lots (50, 75, and 100' Alabama Power Company Easements). A landscape buffer for the double frontage lots is required along Oak Bowery Road. The plat shows a 100' undisturbed landscape buffer along Oak Bowery Road.

Planning staff recommends final approval.

Engineering Department Report

The Engineering Department has been monitoring the construction of the extension of The Bowery and found it completed and constructed to the standards of the Public Works Manual.

A Performance bond for 125% of the cost of the final layer of asphalt and a maintenance bond will be required at the amount of 25% of the construction cost.

The proposed road name on the final plat will need to be changed to “Morning Dove Lane” as approved.

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

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This subdivision is in the Opelika Power Services territory.



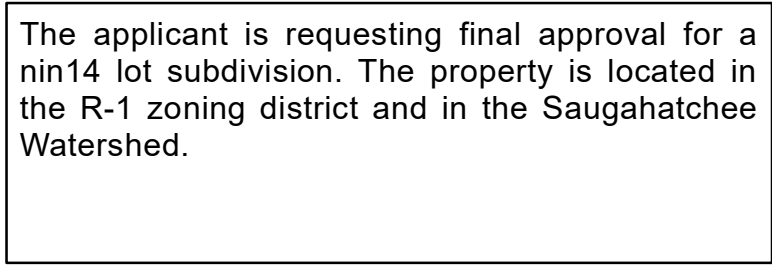
**APPLICATION FOR
SUBDIVISION APPROVAL**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



DEADLINE: 11/7/23 MEETING: 11/28/23

SITE ADDRESS: <u>Oak Bowery Road</u>			
PROPERTY OWNER: <u>Auston Shaw</u>			
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, Barrett-Simpson, Inc.</u>			
MAILING ADDRESS: <u>223 S. 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>The Bowery</u> Current Land Use: <u>Vacant</u> Current Zoning: <u>R1</u> Proposed use of the Subdivision: <u>Single-family Residential</u> ☒ Residential ☐ Commercial ☐ Manufacturing/Industrial ☐ Office/Institutional		Number of Lots: <u>14</u> x \$3.00 = \$ <u>42.00</u> Number of APO: <u>13</u> x \$7.00 = \$ <u>N/A</u> (Adjacent Property Owners) Fee: <u>\$75.00</u> TOTAL = <u>\$117.00</u> PAID _____	
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>The Bowery</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>Blake Rice</u>			11/6/23 DATE
(PRINT NAME) <u>Blake Rice, Barrett-Simpson, Inc.</u>			

The map displays the proposed boundary for the City of Tigard, outlined in a dashed line. The surrounding areas are color-coded and labeled with land use designations: R1 (Residential Single-Family, light blue), R2 (Residential Medium-Density, medium blue), PALIN (Public Use, Limited Intensity, light green), PUD (Public Use, Diverse, dark green), and I1 (Industrial Medium-Density, yellow). The map also shows the locations of the City of Tigard, the City of Medford, and the City of Seaside. The map is titled "Map of the City of Tigard" and includes a legend.



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

FINAL PLAT OF
THE BOWERY
A REDIVISON OF TRACT 1-A-1 OF HOMESTEAD FARM, REVISION OF TRACT 1-A
RECORDED IN PLAT BOOK 43, PAGE 103, PROBATE OFFICE, LEE COUNTY, ALABAMA
BEING A PART OF SECTIONS 26 & 35, TOWNSHIP 20 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA

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.
- All bearings, distances, and curve information shown were measured to be the same as shown on plat of record.
- 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 - 7.40 Acres (322,299 Sq. Ft.)
-Total Acreage: 160.28 Acres (6,981,610 Sq. Ft.)
- Driveway or direct access shall not be permitted/allowed from Lots 1 & 13 to Oak Bowery Road.

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 to the best of my knowledge, information, and belief.

For Review Only

Jonathan A. Ham, PLS
Alabama License No. 34761
Date: 11/03/2023

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: _____

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 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.

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:

LEE COUNTY HEALTH DEPARTMENT APPROVAL

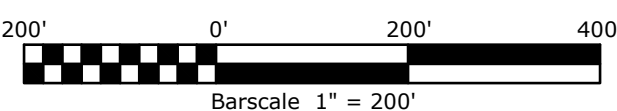
The lot(s) on this plat are subject to approval or deletion by the Lee County Health Department. No representation is made that any lot on this plat will accommodate an onsite sewage system (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an 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
Authorized Signature _____ Date _____

LEGEND

- Iron Pin Found and Type
- 1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
- ROW Right-of-Way
- N/F Now or Formerly
- DB: Deed Book
- PB: Plat Book
- PG: Page
- (R) Record Distance or Bearing
- Chain Link Fence
- Wire Fence
- Not to Scale

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	231.46'	N84° 32' 07"E
L5	24.38'	N69° 30' 23"E



Curve Table			
Curve #	Arc Length	Radius	Chord Bearing
C1	646.80'	1857.21'	S34° 51' 43"E
C2	111.64'	1857.21'	S23° 09' 46"E
C3	728.48'	1857.21'	S10° 12' 13"E
C4(t)	1486.92'	1857.21'	N21° 54' 10"W
C5	41.19'	25.00'	S22° 18' 39"W
C6	243.02'	530.00'	S56° 22' 14"W
C7	301.64'	245.00'	S78° 30' 19"W
C8	81.39'	730.00'	N69° 25' 05"W
C9	291.16'	730.00'	N84° 02' 18"W
C10(t)	372.55'	730.00'	S80° 50' 40"E
C11	186.76'	1430.00'	S80° 47' 38"W
C12	535.09'	1430.00'	S66° 19' 57"W

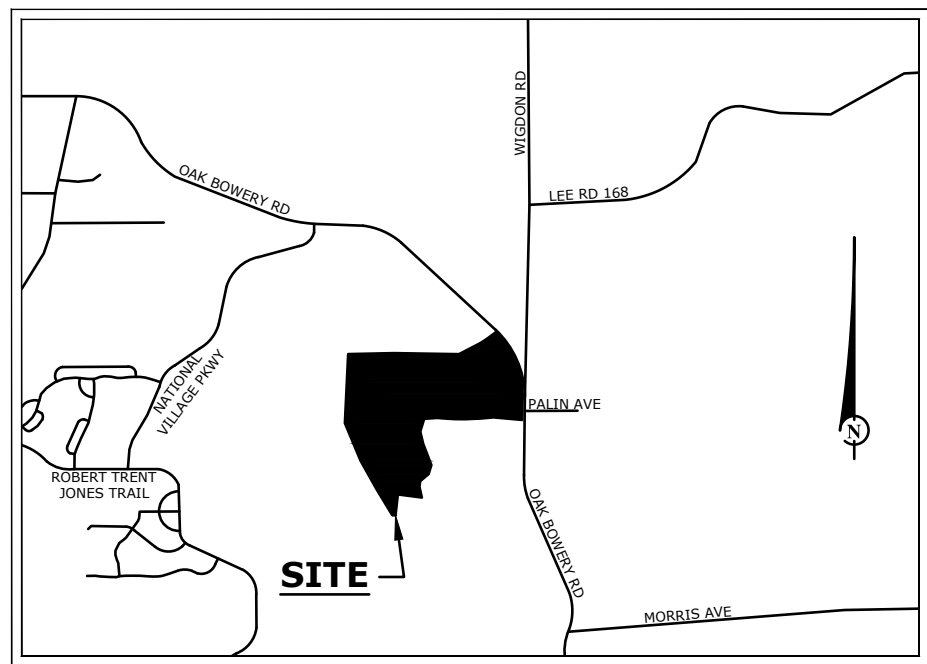
Curve Table			
Curve #	Arc Length	Radius	Chord Bearing
C13	252.49'	1430.00'	S50° 33' 16"W
C14	296.77'	1430.00'	S39° 33' 03"W
C15(t)	1271.11'	1430.00'	S59° 04' 14"W
C16	20.32'	25.00'	S66° 53' 22"W
C17	41.15'	55.00'	S58° 44' 30"W
C18	101.16'	55.00'	S15° 22' 54"E
C19	73.02'	55.00'	N73° 53' 37"E
C20	46.87'	55.00'	N11° 26' 58"E
C21(t)	262.19'	55.00'	S56° 23' 40"E
C22	20.32'	25.00'	N10° 19' 19"E
C23	640.75'	1370.00'	N47° 00' 15"E
C24	577.03'	1370.00'	N72° 28' 09"E

Curve Table			
Curve #	Arc Length	Radius	Chord Bearing
C25(t)	1217.78'	1370.00'	S59° 04' 14"W
C26	5.36'	670.00'	N84° 45' 53"E
C27	336.57'	670.00'	S80° 36' 55"E
C28(t)	341.93'	670.00'	N80° 50' 40"W
C29	11.02'	305.00'	S67° 15' 34"E
C30	354.80'	305.00'	N78° 22' 48"E
C31	9.69'	305.00'	N44° 08' 40"E
C32(t)	375.51'	305.00'	N78° 30' 19"E
C33	215.51'	470.00'	N56° 22' 14"E
C34	38.86'	25.00'	S65° 58' 02"E

PROJECT NO: 22-0191

FIELD BY: WHP/CAC/JAS
DRAWN BY: BES

FIELD DATE: 08/29/2023
DRAW DATE: 11/03/2023



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, EUFALA, AL 36807 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)

LAND SURVEYOR
Jonathan A. Ham
AL PLS No. 34761
Barrett-Simpson, Inc.
223 South 9th Street
Opelika, AL 36801

OWNER
Auston Shaw
3250 Oak Bowery Road
Opelika, AL 36801

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Subdivision: The Villages of Opelika, Phase 2

Agenda Item #: A-3

Action Requested: Final Approval

Location of Property: 3001 Hi-Pack Drive

Property Owner(s): SP Opelika Ventures, LLC.
Jacob Hill, Authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

Proposal

The applicant is requesting final plat approval for a 23-lot subdivision. The subject property is approximately 2.28 acres located with a PUD zoning designation. The preliminary plat approval and master plan show 131 lots for the entire development. Last November, 50 lots adjacent to this section received final plat approval. The proposed subdivision contains 23 single-family lots and an open space lot that should be platted with this phase. The remainder is expected to be platted at a later date.

The 23 single-family lots exceed the minimum size of 2,800 square feet and 35 ft width. Most of the lots are 37 feet in width and between 4,200 square feet and 4,900 square feet. These lots all have access on either Loblolly Lane or Plainsman Loop which were constructed with Phase 1. The lot between Lots 61 and 62 is being created as the remainder of the lot left after subdivision. This area was shown as a natural area with walking paths in the PUD. This area needs to be shown as part of this plat. Additionally, the lot should be labelled as open space with ownership and maintenance responsibilities noted on the plat. Finally, the applicant should provide the City with a timeline noting the construction of the previously proposed walking paths. This should be constructed along with the adjacent lots.

The PUD also required large buffers against the north, south and west property lines. The north and south buffers were required to meet the residential buffer requirements of the zoning ordinance. These buffers should be shown on the plat if the lot is included in this phase. The residential buffer along Lots 46-61 is not clearly shown. The plat seems to mix setbacks and buffers. Setbacks are spatial separation between the lot lines and structures. Buffers include a spatial aspect but also generally have landscaping or fencing component. The buffer was approved with 1.5 times the required plantings and a minimum initial planting height of six (6) feet. At this time, the buffer has not been installed and the rear yard has a very steep cut. Additionally, the development is required to have one (1) canopy tree per residential lot. This should either be in the front yard or in the right-of-way with city approval.

Overall, the lots are consistent with the preliminary plat and PUD. There are some minor corrections that need to occur to the plat.

Staff recommends approval of the final plat subject to the following conditions:

- 1. Add the Lot between Lot 61 and 62. Note that the lot is open space and who will maintain the lot.**
- 2. There appear to be a few storm sewer easements from the construction plans that are not shown. This includes Lots 39, 99, 105, 115, 121, and 129.**
- 3. Show the exterior buffer lines. These are different from setbacks and should be shown differently.**
- 4. Residential buffers found in Section 10.6.D1 of the zoning ordinance shall be required on the northern and southern property lines. The planting requirements are required to be 1.5 times the amount required by the ordinance and shall have a minimum height of six (6) feet at time of installation. The buffer shall be installed prior to the Certificate of occupancy being issued for individual houses on that lot.**
- 5. Plat Note #2 needs to be corrected.**
- 6. Lot 67 in the Lot area table should be corrected.**

Engineering Department Report

This infrastructure has been completed and approved with a previous phase. All testing and bonding requirements have been previously meet.

The Engineering Department has no comments or concerns and recommends Final Plat approval.

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This subdivision is in the Opelika Power Services and the Alabama Power Service territory.



000360-2023

AGENDA ITEM # 3**APPLICATION FOR
SUBDIVISION APPROVAL
PLANNING DEPARTMENT****700 FOX TRAIL
OPELIKA, AL 36801**PC DEADLINE: 11/17/23 PC MEETING: 11/28/23

SITE ADDRESS: Hammonds Drive and Plainsman Loop
PROPERTY OWNER: SP Opelika Ventures, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Jake Hill
MAILING ADDRESS: 709 Avenue A, Opelika, AL 36801
PHONE NUMBER: 256-996-5586 **FAX NUMBER:** N/A
EMAIL ADDRESS: jacob.hill@hillstoneadvantage.com thwagone@progrexivgroup.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATIONSubdivision Name: The Villages of Opelika Phase 2 Number of Lots: _____ x \$3.00 = \$_____Current Land Use: Vacant Number of APO: _____ x \$6.74 = \$_____
(Adjacent Property Owners)Current Zoning: PUD Fee: \$75.00Proposed use of the Subdivision: Residential **TOTAL** = \$75.00

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

PAID CHK# 2791

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) The Villages of Opelika Phase 2 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:

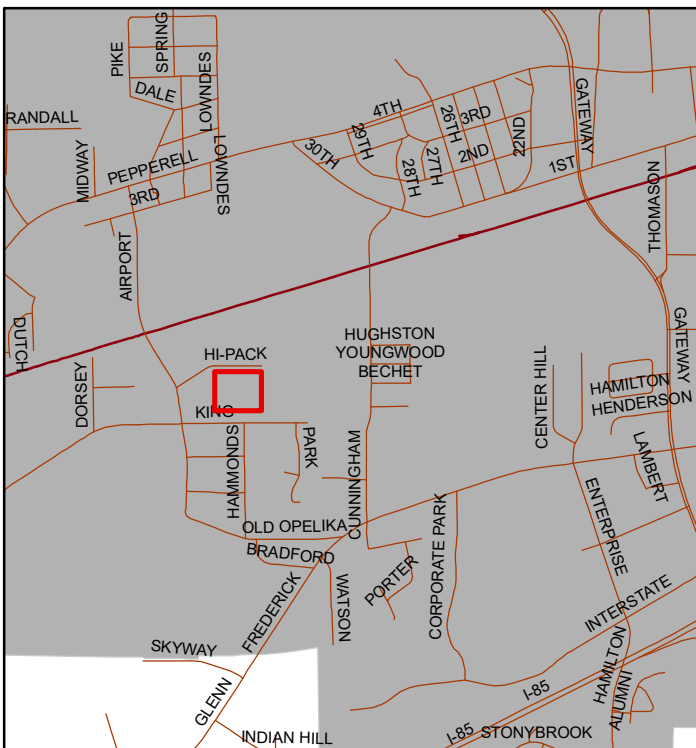
(PRINT NAME)

SP - OPELIKA VENTURES, LLCJacob W. Hill11/16/2023
DATE

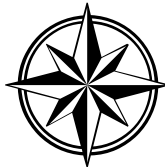
VILLAGES AT OPELIKA PHASE 2 SUBDIVISION

3001 HI-PACK DRIVE

FINAL APPROVAL, A-3



The applicant is requesting final plat approval for 23 single family home lots. The property is located in a PUD zoning district that includes twin homes and townhomes.



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.

GENERAL NOTES:

- 1.SOURCE OF RECORD INFORMATION USED: DEED BOOK 2571 AT PAGE 361, AND PLAT BOOK 10 AT PAGE 134, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN LEE COUNTY, ALABAMA.
- 2.NORTH DERIVED FROM RTK GPS SESSION, NAD83 AL EAST ZONE.
- 3.NO PORTION OF THIS PARCEL LIES WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP NUMBERS 01081C0068G AND 01081C0206G, DATED NOVEMBER 2, 2011.
- 4.AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND 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 ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
5. OWNER/DEVELOPER: SP Opeliko Ventures, LLC
709 Avenue A
Opeliko AL 36801
6. THERE MAY BE MATTERS OF RECORD, SUCH AS CONVEYANCES, EASEMENTS, RIGHTS-OF-WAY, ETC. THAT MAY AFFECT THE TITLE TO THE SUBJECT PROPERTY WHICH ARE NOT KNOWN TO THE SURVEYOR AND NOT DISCLOSED BY THIS PLAT.
7. EXISTING EASEMENT LOCATIONS SHOWN ARE BASED ON AN ALTA/NSPS LAND TITLE SURVEY PREPARED BY JAMES D. MILLER, PLS NO. 17256, DATED JUNE 6, 2019 FOR SOUTHSIDE CORP., LLC., HI PACK Q02B I, LLC., HILLSTONE OPPORTUNITY ZONE FUND I, LLC., AND HILLSTONE ADVANTAGE PARTNERS, LLC.

LOT CURVE TABLE

CURVE	DELTA	LENGTH	RADIUS	CHORD	DISTANCE
C8	90°00'00"	15.71	10.00	S 44°28'52" W	14.14
C23	16°33'52"	41.92	145.00	N 10°35'42" E	41.77
C24	03°02'57"	7.72	145.00	N 20°24'07" E	7.72
C26	25°49'08"	92.38	205.00	N 09°01'02" E	91.60



LEGEND	
D	- DRAINAGE EASEMENT
U	- UTILITY EASEMENT
A	- ACCESS EASEMENT
o	SET 5/8" REBAR WITH SAIN CAP(CA00279)

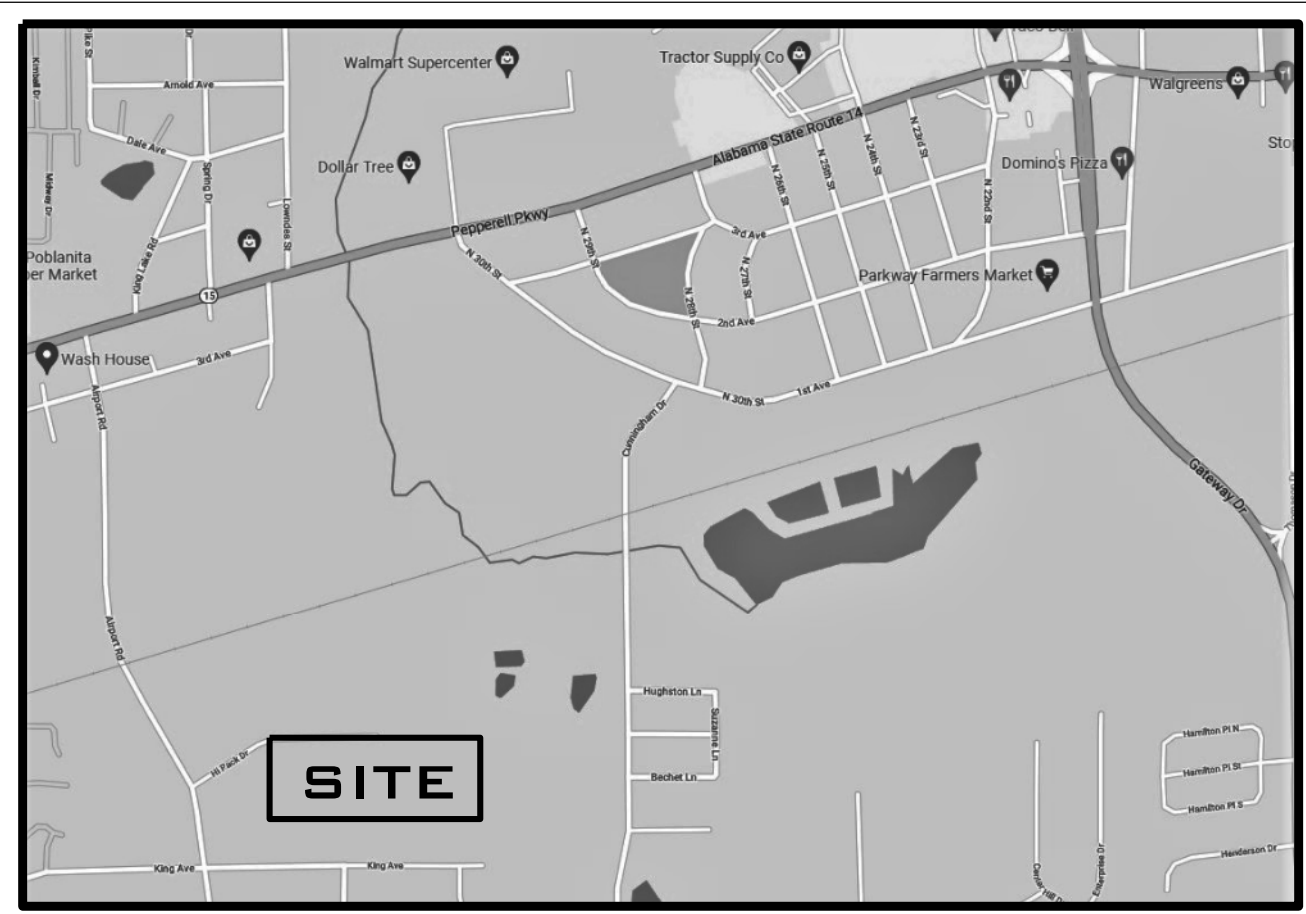
SCALE IN FEET
1" = 60'

SURVEYOR



CONTACT INFORMATION:
Michael Thomas, PLS
Alabama Reg. No. 33673
Phone: (205) 940-6420
E-mail: mthomas@sain.com
SAIN ASSOCIATES, INC.
Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243

Subdivision design and lot layout, provided by:
Adams Construction & Associates, Inc.
(334) 521-5320
6053 Stage Road
Auburn, AL 36832



VICINITY MAP

LOT NUMBER S.F.

LOT NUMBER	LOT AREA	LOT NUMBER	LOT AREA
46	4092	58	4107
47	4107	59	4107
48	4107	60	4107
49	4107	61	4107
50	4107	62	4920
51	4107	63	4920
52	4107	64	4920
53	4107	65	4920
54	4107	66	4920
55	4107	67	491
56	4107	68	4247
57	4107		

HOUSE SETBACKS:

- FRONT SETBACKS - 15'
SIDE SETBACKS - 5'
SIDE SETBACK ABUTTING A STREET - 6'
REAR SETBACKS - 10'

TOWNHOME SETBACKS

- FRONT SETBACKS - 15'
SIDE SETBACKS - 0'
REAR SETBACKS - 10'

PLAT NOTES:

1. 1 LARGE CANOPY TREE SHALL BE INSTALLED FOR EACH HOUSE FRONTAGE
- 2.AMENITY, OPEN SPACE AREAS, ALLEYS AND LOT 98 OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION.
- 3.PROVIDE SIDEWALKS ON BOTH SIDES OF STREET ADJOINING AN AMENITY OR RESIDENCE.

SURVEYOR'S CERTIFICATE

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

OCTOBER 20,2023

MICHAEL LEE THOMAS (PLS NO.33673)
(NOT VALID WITHOUT SURVEYOR'S SEAL AND SIGNATURE)

DEDICATION

I, _____, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF MICHAEL LEE THOMAS, AND CERTIFY THAT IT WAS AND IS MY PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN.

OWNER NAME _____ DATE _____

ACKNOWLEDGEMENT

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

NOTARY PUBLIC _____ DATE _____
MY COMMISSION EXPIRES: _____

PARCEL C
TAX ID: 09 05 22 1 000 001.002
HI PACK Q02B I, LLC
923 ENDICOTT ST
CHATTANOOGA, TN 37405

NORTHEAST CORNER
OF SECTION 22,
TOWNSHIP 19 NORTH,
RANGE 26 EAST
LEE CO., OPELIKA, ALABAMA

LOT 1
TAX ID: 09 05 22 1 000 016.000
AIRVIEW BAPTIST CHURCH
2309 AIRPORT RD
OPELIKA, AL 36801
KINGS NURSERY
AIRPORT PROPERTY

PLAINS MAN LOOP
60' RIGHT-OF-WAY
(DEDICATED BY PB 47, PG 188)

THE VILLAGES OF OPELIKA
FINAL PLAT-PHASE 1
PB 47, PG 188

PLAINS MAN LOOP
60' RIGHT-OF-WAY
(DEDICATED BY PB 47, PG 188)

LOBLOLLY LANE
60' RIGHT-OF-WAY
(DEDICATED BY PB 47, PG 188)

PARK DRIVE
(NOT IN USE)

POWLEDGE SUBDIVISION
PART TWO

PARK DRIVE
(NOT IN USE)

REVIEWED ON BEHALF OF OPELIKA POWER SERVICES,
OPELIKA, LEE COUNTY, ALABAMA.

OPELIKA POWER SERVICES _____ DATE _____

REVIEWED ON BEHALF OF THE UTILITIES BOARD OF
THE CITY OF OPELIKA, LEE COUNTY, ALABAMA.

UTILITIES BOARD, CITY OF OPELIKA _____ DATE _____

APPROVED BY THE PUBLIC WORKS DEPARTMENT OF
THE CITY OF OPELIKA, LEE COUNTY, ALABAMA.

PUBLIC WORKS DIRECTOR _____ DATE _____

APPROVED BY THE OPELIKA CITY PLANNER:

PLANNER _____ DATE _____

APPROVED BY THE OPELIKA CITY ENGINEER:

ENGINEER _____ DATE _____

APPROVED BY THE OPELIKA PLANNING COMMISSION:

CHAIRMAN _____ DATE _____

THE VILLAGES OF OPELIKA
FINAL PLAT-PHASE 2

situated in
Northeast corner
of the Northeast quarter
of Section 22,
Township 19 North,
Range 26 East
Lee Co., Opelika, Alabama

Prepared by
Sain Associates
Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243
Phone: (205) 940-6420
Website: www.sain.com
Date: November 3, 2023.

LOT 7
TAX ID: 09 05 22 2 000 005.000
GLENN ROBERT LEE, LLC
2306 S. BIRCHMOUNT DR
AUBURN, AL 36830

LOT 6
TAX ID: 09 05 22 2 000 016.000
CLAYTON K. HILLSTONE
2306 S. BIRCHMOUNT DR
OPELIKA, AL 36801

LOT 80
TAX ID: 09 05 22 1 000 026.000
BILLY ALEXANDER &
ADERHOLD ROSA L. ESSMAN
3000 KING AVE
OPELIKA, AL 36801

LOT 81
TAX ID: 09 05 22 1 000 025.000
DEBORAH SUE FITZPATRICK
3004 KING AVE
OPELIKA, AL 36801

LOT 82
TAX ID: 09 05 22 1 000 024.000
TODD E. & NANCY
VINCENT JOHNSON
551 KELLOGG MILL RD
FREDERICKSBURG, VA 22406

LOT 83
TAX ID: 09 05 22 1 000 023.000
TODD E. & NANCY
VINCENT JOHNSON
551 KELLOGG MILL RD
FREDERICKSBURG, VA 22406

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Agenda Item #: B-4

Action Requested: Conditional Use – Duplex

Location of Property: Corner of Avenue C and South 2nd Street

Property Owner(s): Stanley R. Johnson, property owner
Mike Maher, Precision Surveying, surveyor

Current Land Use: Vacant

Current Zoning: R-4

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Vacant
South	R-4	Vacant
East	R-4	Vacant
West	R-4	Single-family residential

Proposal

The applicant requests conditional use approval to build a duplex on a lot in the R-4 zoning district. The R-4 zone requires conditional use approval for multi-family residential, provided the structures or units are under one ownership; or, if separately owned, are covered by a condominium declaration setting out the various rights and responsibilities of ownership, including access and maintenance of common areas.

The subject property is located at the corner of Avenue C and South 2nd Street. The property is approximately 10,000 square feet. The applicant proposes building a one-story duplex. Each unit would have 1,046 square feet. The proposed building appears to be in harmony with the character of the neighborhood, including building style, building materials, roof pitch, and orientation. The applicant has provided a specific floor plan, elevations, and site plan showing the front of the units that would face Avenue C. The applicant has stated the proposed exterior materials would match the elevations, minus the entrance door side light. Mr. Johnson provided the siding will be 50% Hardie Board and 50% rock exterior on the front façade. Staff has consistently required multi-family to meet or exceed the materials of the gateway corridor. Planning staff recommends the exterior cladding materials be limited primarily to brick, stone, wood, and fiber cement siding.

In evaluating conditional use, the staff looks at the general use standards. This section includes criteria for review. These criteria include whether the use is in harmony with the comprehensive plan and zoning

ordinance, whether the use is needed and what effect it will have on the surrounding neighborhood, and whether there are adequate utilities and services to handle the use. This request would not likely create a substantial impact on traffic. The off-street parking configuration is in the garage and the driveway for each unit in the front of the duplex. The applicant, Mr. Johnson, has stated the driveways will be paved.

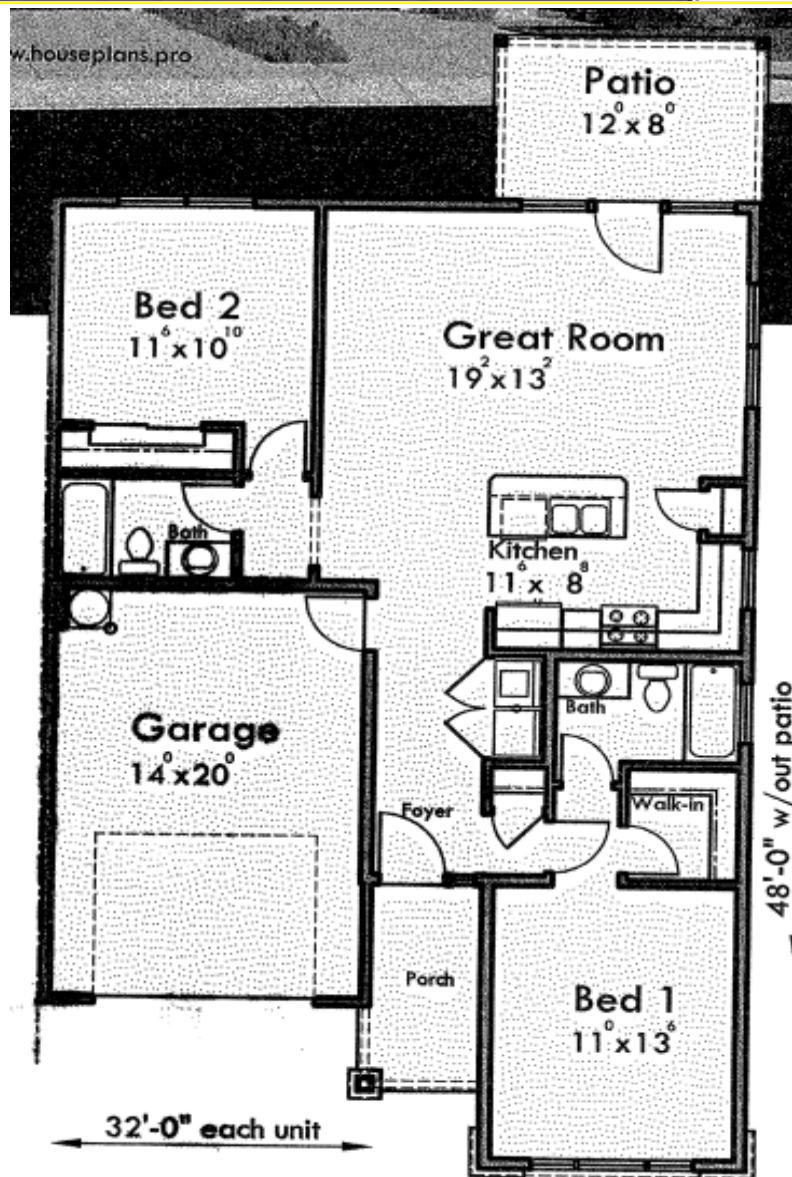
The area around the subject property is zoned R-4. This zone does allow single-family homes by right, and duplexes require conditional use approval. The neighborhood is primarily single-family homes and a few duplexes in various conditions. The Future Land Use Map describes this area as Medium Density Residential, potentially allowing up to 3.5 dwelling units per acre. In the R-4 zone, the allowable density (dwelling units per acre) is nine (9). The maximum number of dwelling units allowed is determined by the lot sizes, the number of units allowed per acre, lot coverage allowed, and building height limitations. The density allowed on this 10,000-square foot lot would be 2.05 units. The proposed number of units is within the allowable density requesting two (2) units, as a duplex. Therefore, the proposed use would be in compliance with the Zoning Ordinance and the Future Land Use Map of the Comprehensive Plan.

In addition, included is an overhead view of the area. The applicant provided examples of the duplex with a floor plan (attached). The applicant is aware that if a permit is issued, following the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

Recommendation

Staff recommends conditional use request approval subject to:

- 1. Exterior cladding materials shall primarily be brick, stone, wood, or fiber cement siding to be in harmony with the surrounding single-family homes.**
- 2. The building shall compliment the character of the neighborhood, including building style,**





Engineering Department Report

The Engineering Department has no issues with Conditional use approval.

Opelika Utilities Board Report

Duplex must have dedicated, individual unit plumbing and separate water meters for each unit. There are no current services available on this lot, so new service taps will be required. Water is available from Avenue C and 2nd Street but only Avenue C is on same side of street as this lot.

Opelika Power Services Report

This is in the Opelika Power Services territory.

000354-2023

AGENDA ITEM # 4



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: 11/17/23 PC MEETING: 11/28/23

SITE ADDRESS: <u>Avenue C & South 2nd Street</u>	
PROPERTY OWNER: <u>Stanley R. Johnson</u>	
APPLICANT/ AUTHORIZED REPRESENTATIVE: <u>Stanley R. Johnson</u>	
MAILING ADDRESS: <u>2800 Talley Ave., Opelika, AL 36801</u>	
PHONE NUMBER: <u>334.444.1453</u>	FAX NUMBER: <u>N/A</u>
EMAIL ADDRESS: _____	

PARCEL INFORMATION

Project name: N/A Address/Location: Avenue C & South 2nd Street
Current Land Use: Vacant Current Zoning: R-4
Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: _____
Description of Proposed Use: _____

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

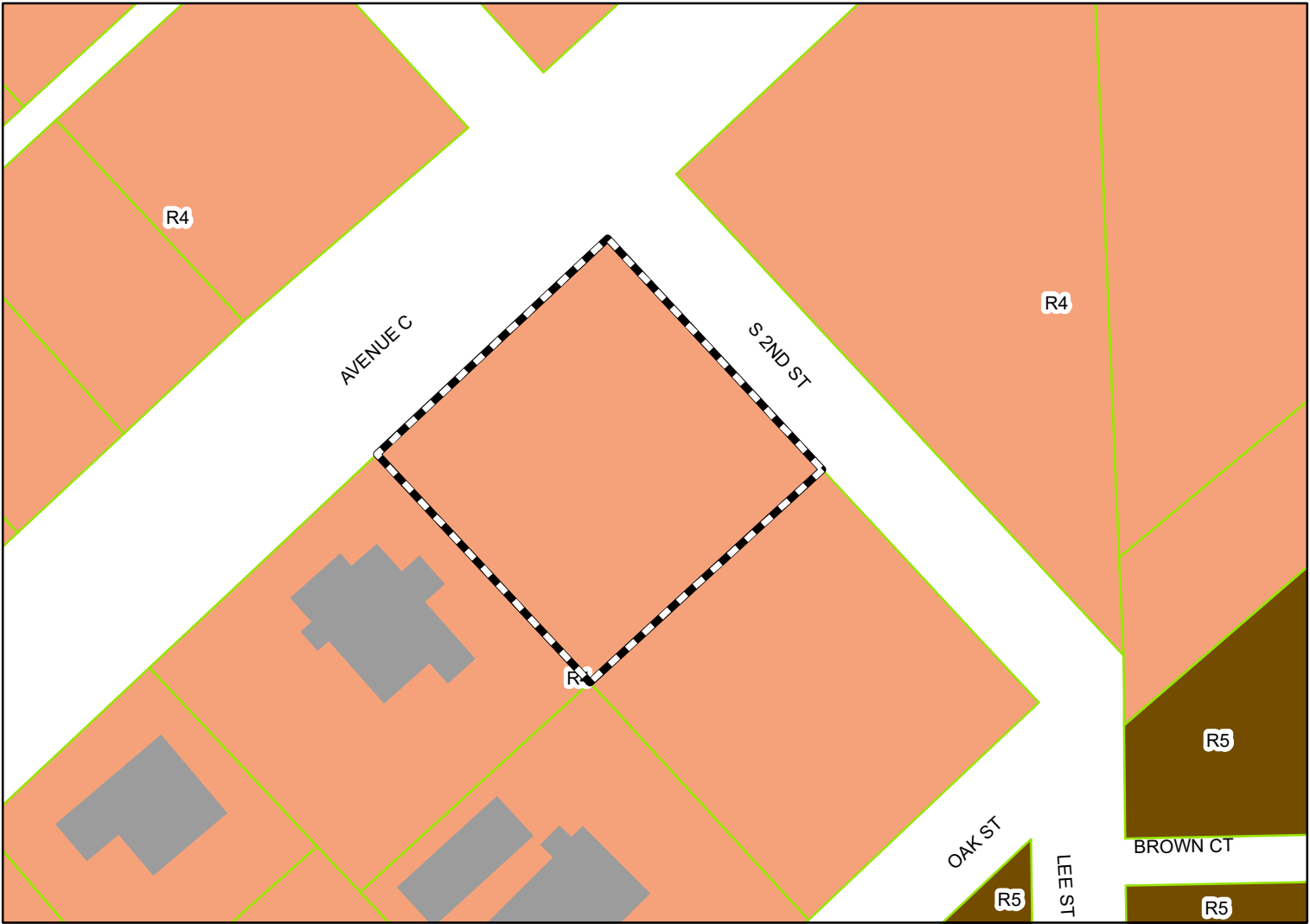
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

DUPLEX PROPOSED IN R-4 ZONING DISTRICT
AVENUE C & SOUTH 2ND STREET
CONDITIONAL USE, B-4

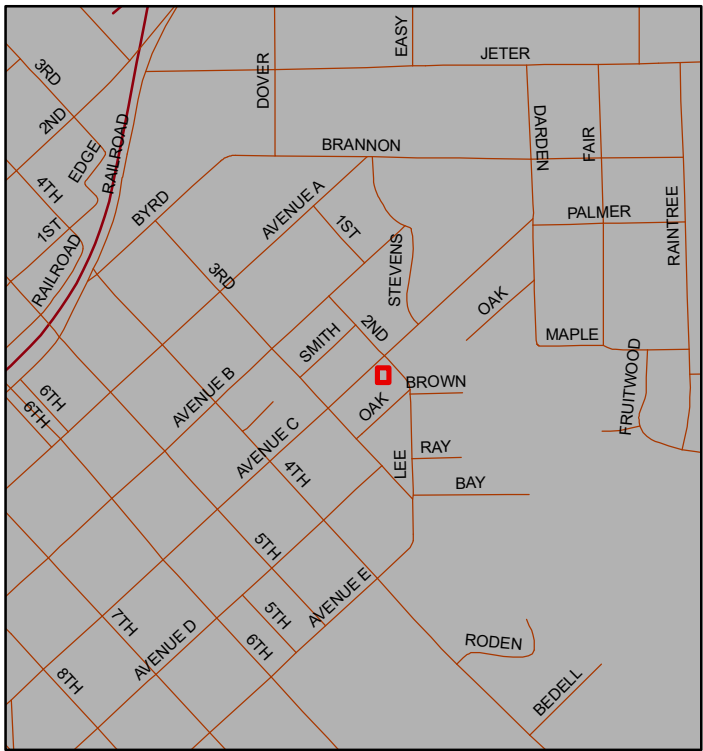


The applicant is requesting approval for a duplex.
Each unit is 1,046 square feet.



Subject Property

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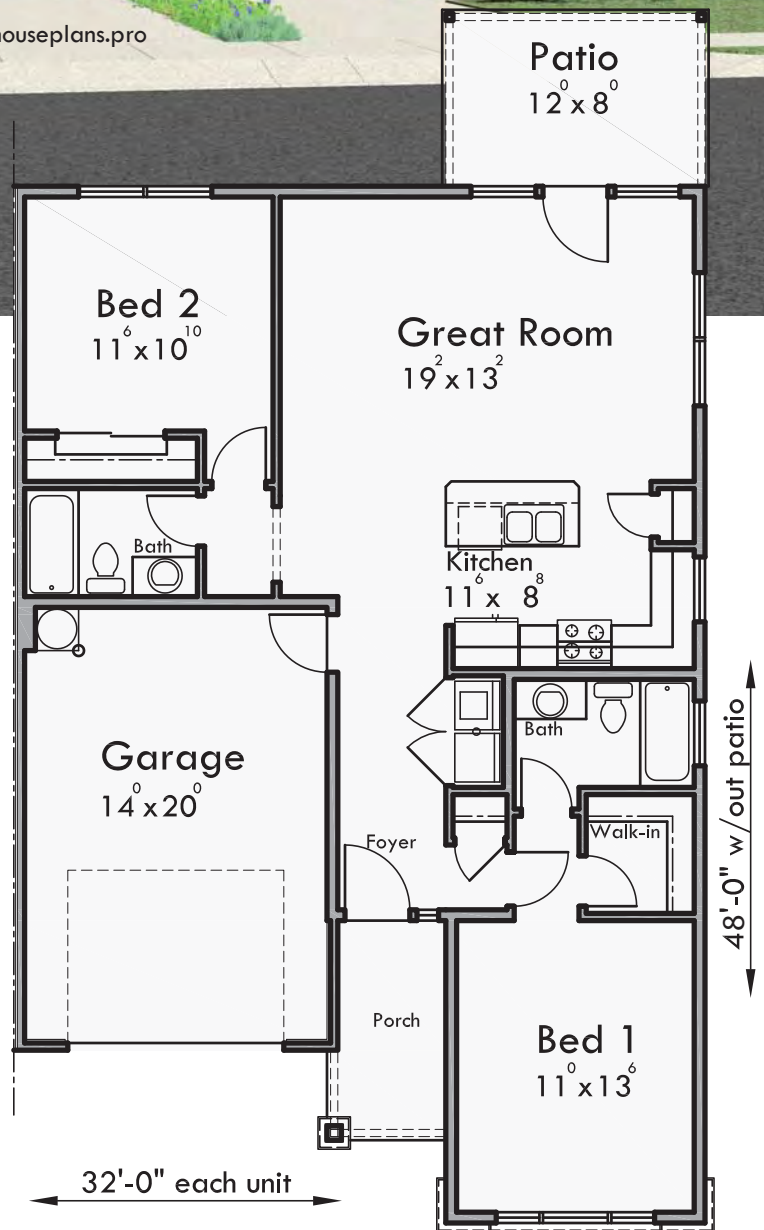


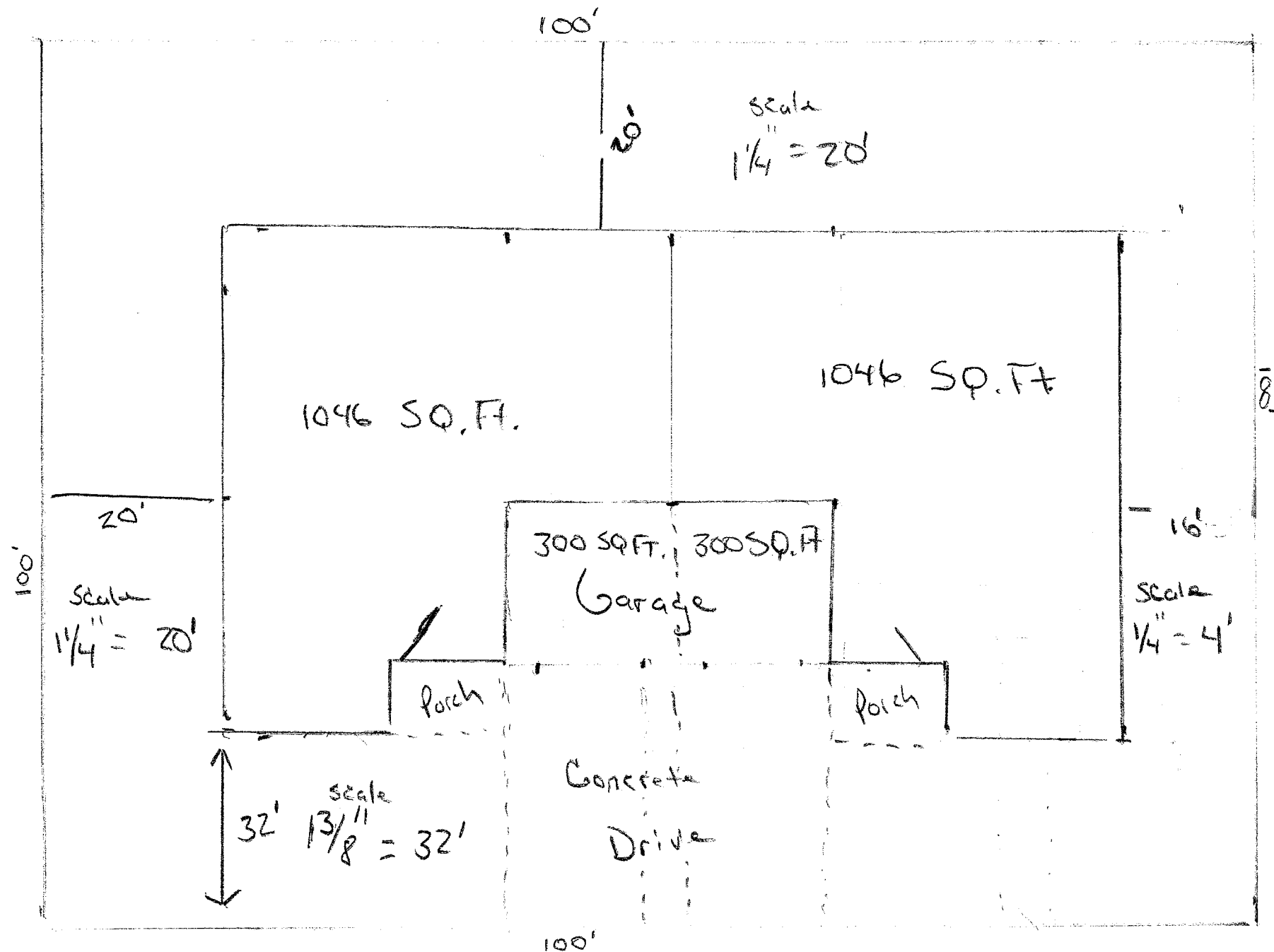


© www.houseplans.pro

PLAN #D-630

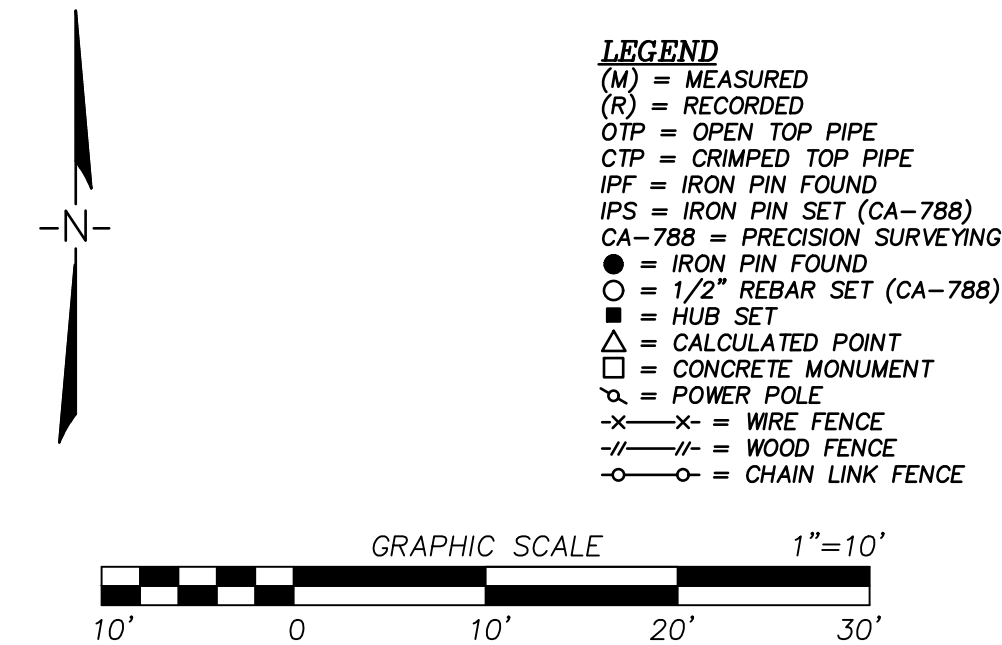
MAIN FLR. 1046 SQ. FT.
 GARAGE 300 SQ. FT.
 PATIO 96 SQ. FT.
 PORCH 51 SQ. FT.





Avenue C

BOUNDARY SURVEY AND SITE PLAN FOR:
STANLEY R. JOHNSON
&
BONITA M. JOHNSON
PLAT OF SURVEY
201 AVENUE C
OPELIKA, LEE COUNTY, ALABAMA
LOT 4 BLOCK 11
TOTTENS MAP
PLAT BOOK 2, PAGE 9



NOTES:
1. SOURCE OF INFORMATION: TOTTENS MAP PLAT BOOK 2, PAGE 9 AND DEED BOOK 2199, PAGE 897.
2. BASIS OF BEARING: SOUTHEAST LINE OF THIS LOT
3. DATE OF FIELD SURVEY: 11-14-2023; DATE OF OFFICE WORK: 11-15-2023.
I, MICHAEL T. MAHER, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.
MICHAEL T. MAHER _____ DATE: _____
PLS NO. 28993
NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL.

Seal	Drawn By: MTM	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36890 Phone (334) 821-0105 www.precisionurveying.biz
	Scale: 1"=10'		
	File Name: 23-0780-BDY		
	Date: 11-15-2023		
		Sheet Title: BOUNDARY SURVEY AND SITE PLAN JOHNSON PROPERTY AT 201 AVENUE C OPELIKA LEE COUNTY ALABAMA	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Agenda Item #: B-5

Action Requested: Conditional Use – 13,419 sf Addition for Assisted Living Facility

Location of Property: 1001 Fox Run Parkway

Property Owner(s): Opelika Retirement Investors, LLC
Brian Lee, authorized representative

Current Land Use: Harbor at Opelika Assisted Living Facility

Current Zoning: PUD

**Surrounding Zoning Districts
And Land Uses:**

North	PUD	Undeveloped (facing Brookstone Drive)
South	PUD	Undeveloped
East	PUD	Undeveloped
West	M-2, GC	Undeveloped (facing Fox Run Parkway)

Proposal

The applicant is requesting conditional use approval to add 21 beds to an assisted living facility at the corner of Fox Run Parkway and Brookstone Drive. Each room has one bed. The existing facility has 30 beds. The facility cares for individuals with Alzheimer's, dementia, or similar memory impairments. Eighteen employees will be serving the 51 residences at The Harbor at Opelika.

The existing facility/building constructed in 2006 is 20,390 square feet (sf) on a 4.4 acre lot. The 21 bed addition is 13,419 sf. The addition is constructed on the existing parking lot that fronts along Fox Run Parkway. The proposed addition is about 49 feet from the front property line along Fox Run Avenue. A 5 foot wide sidewalk is proposed from the existing building to the new building addition. Twenty-three parking spaces are added near the front property line along Fox Run Parkway. The Zoning Ordinance provides minimum parking requirements for a 'nursing home'¹. The assisted living facility including addition has 51 beds; 18 employees serve the residences so 27 parking spaces. The site plan shows a total of 37 off-street parking spaces including four handicap spaces.

¹ One parking space per six patient beds plus one parking spaces per employee on the largest shift plus one parking space per staff member and visiting doctor.

Along Fox Run Parkway some trees will be removed for the addition and the new required parking spaces. Preserving existing trees is encouraged and existing trees count toward tree credits and fewer new trees are required if existing trees can be preserved. The revised landscape plan meets minimum landscape requirements. The landscape plan includes a parking lot buffer as required between the front property line and edge of parking spaces. The buffer includes existing trees and new trees & shrubs. A total of 22 trees and 91 shrubs will be planted. On the south side of the addition and new parking spaces is existing wooded area that will remain undisturbed serving as a buffer.

The exterior material is a combination of HardiePlank² and brick (see elevations in packet). The 'west elevation' faces Fox Run Parkway. The north elevation faces Brookstone Drive. Most of the west elevation (facing Fox Run Parkway) is HardiePlank except one wall section is brick. The exterior material meets the exterior material requirements of the Gateway Corridor.

Recommendation

Staff recommends approval subject to the following:

- 1. As shown on plan, enclose the dumpster on all three sides and gated with opaque material. The enclosure should be at a height, so dumpster is not seen when viewed outside the enclosure.**

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

Opelika Utilities Board Report

No objections. If additional water service is required, it is available from Brookstone Dr.

Opelika Power Services Report

This is in the Opelika Power Services territory.

² A fiber cement exterior material consisting of sand, cement and cellulose fibers.

000302-2023

AGENDA ITEM # 5



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



PC DEADLINE: 11/7 PC MEETING: 11/28

SITE ADDRESS: 1001 FOX RUN PARKWAY OPELIKA, AL 36801

PROPERTY OWNER: OPELIKA RETIREMENT INVESTORS, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: BRIAN LEE

MAILING ADDRESS: 6053 STAGE ROAD, DUBURN, AL 36832

PHONE NUMBER: 334-521-5320 FAX NUMBER: _____

EMAIL ADDRESS: brian@acaiconstruction.com

PARCEL INFORMATION

Project name: HARBOR AT OPELIKA Address/Location: 1001 FOX RUN PARKWAY

Current Land Use: SKILLED ASSISTED LIVING Current Zoning: PUD

Adjacent Zoning Districts: North: PUD South: PUD East: PUD West: M2

Description of Proposed Use: ADDITION TO SKILLED ASSISTED LIVING

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Barry Ray, 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: [Signature] Date: 10/27/23

STATE OF TENNESSEE
COUNTY OF HAMILTON

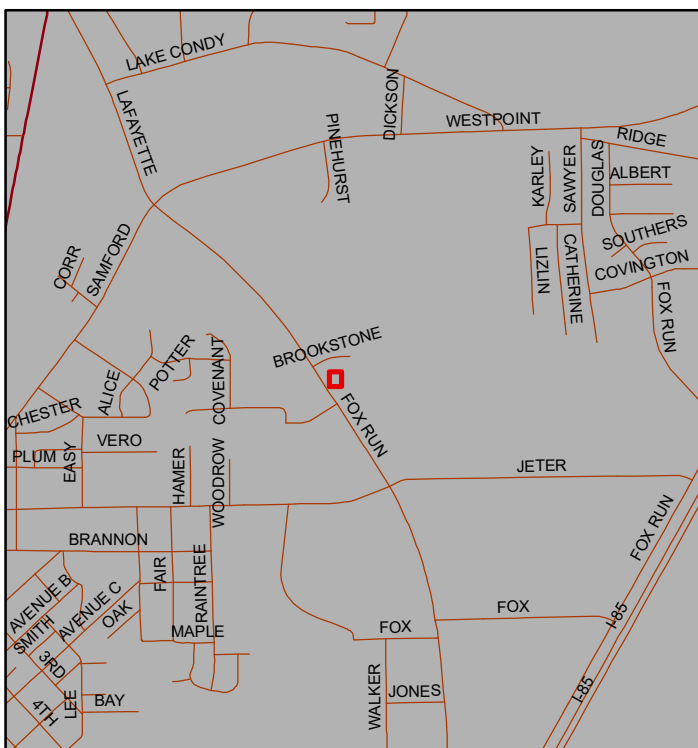
I, Charity Garrison, a Notary Public in and for said County and State, hereby certify that BARRY RAY, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on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

Given my hand and seal of office this 27th day of October
[Signature]
Notary Public

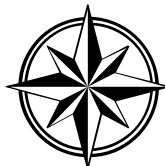
My Commission Expires: 2/11/2026



THE HARBOR AT OPELIKA ADDITION 1001 FOX RUN PARKWAY CONDITIONAL USE, B-5

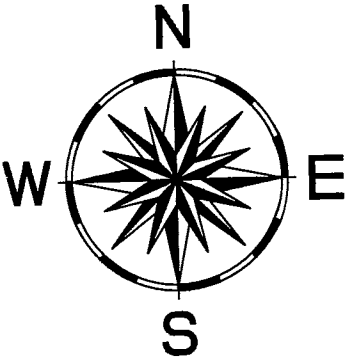


The Harbor at Opelika Memory Care assisted living facility is requesting approval for a 13,429 square foot addition. The 4.4 acre parcel is in a PUD zoning district.

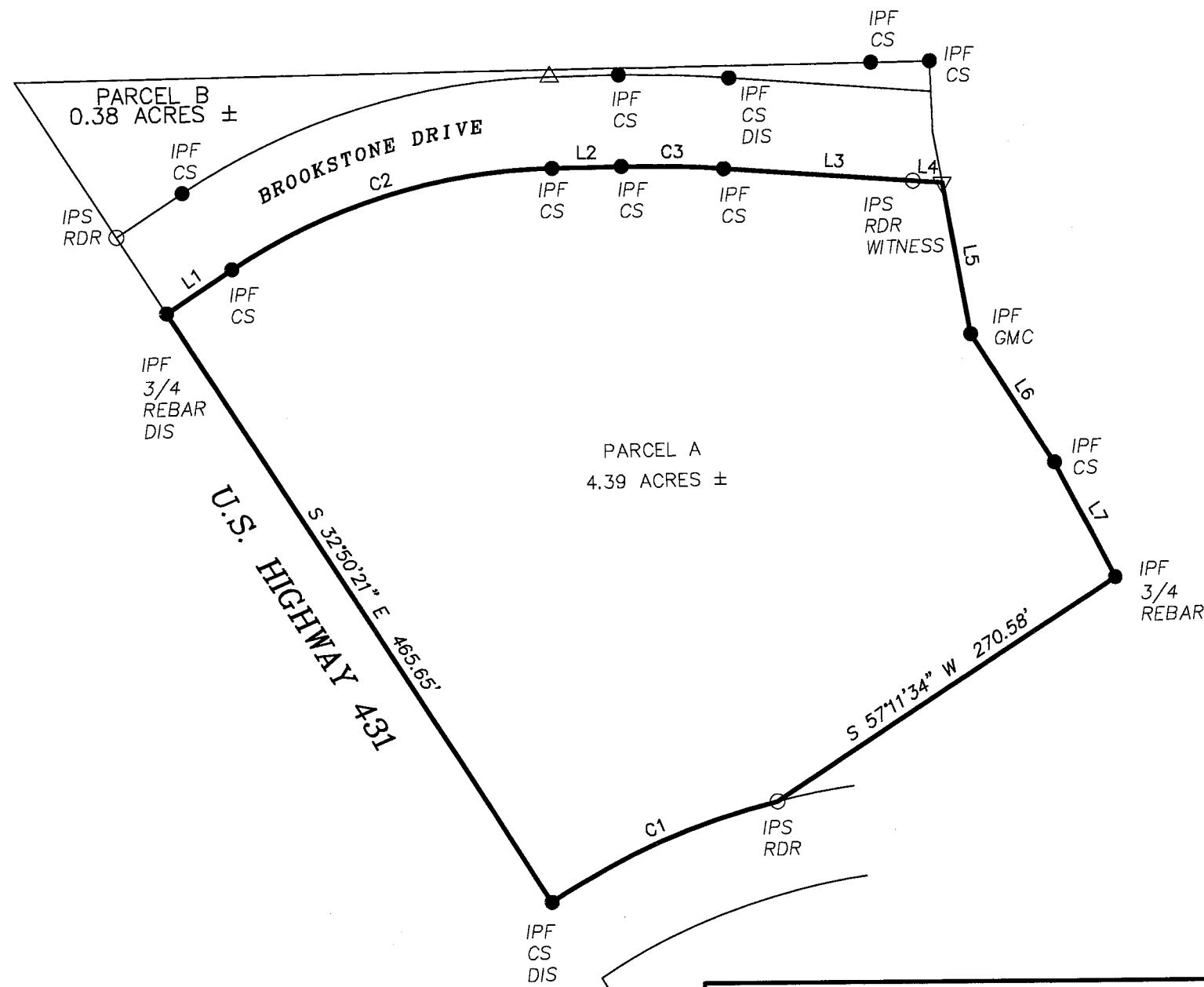


Subject Property

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BOUNDARY SURVEY FOR
THE HARBOR AT OPELIKA
LEE COUNTY ALABAMA



- LEGEND**
(M) = MEASURED
(R) = RECORDED
OTP = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (RDR)
RDR = R. D. ROBERTSON
● = IRON PIN FOUND
○ = 1/2" REBAR SET (RDR)
■ = HUB SET
△ = CALCULATED POINT
□ = CONCRETE MONUMENT
⚡ = POWER POLE
-x-x- = WIRE FENCE
-// -// = WOOD FENCE
-o-o- = CHAIN LINK FENCE
CS = CLINK SCALES
GMC = GOODWYN MILLS CAWOOD

LINE	BEARING	DISTANCE
L1	N 56°51'22" E	52.44'
L2	S 88°59'14" W	46.07'
L3	N 85°57'12" W	146.79'
L4	S 85°57'12" E	19.97'
L5	S 09°58'43" E	101.62'
L6	N 32°53'06" W	101.45'
L7	N 27°29'43" W	86.10'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	502.39'	165.39'	164.65'	S 66°33'19" W	18°51'46"
C2	407.37'	226.77'	223.85'	N 73°04'28" E	31°53'41"
C3	767.52'	68.05'	68.03'	N 88°30'18" W	5°04'48"

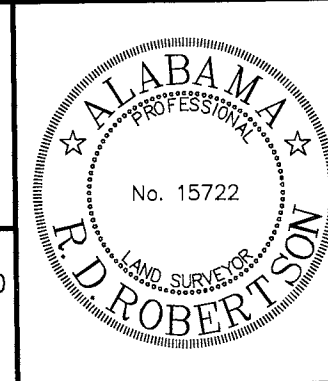
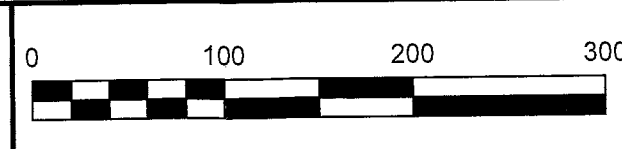
ADDRESS: 1001 FOX RUN PKWY, OPELIKA, AL
BASIS OF BEARING USED: STATE PLANE 83 COORDINATES
DATE OF FIELD SURVEY: 10/19/23
DATE OFFICE WORK COMPLETED: 10/23/23

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

SURVEYOR'S SIGNATURE: _____
R. D. ROBERTSON
ALABAMA LICENSE NUMBER 15722

ROGER ROBERTSON SURVEYING
2190 KEYSTONE DRIVE
AUBURN, AL 36879
(334) 275-1463

JOB#
R23-158



ADDITION TO HARBOR OF OPELIKA

1001 FOX RUN PARKWAY
OPELIKA, ALABAMA

SECTION 5, TOWNSHIP 19N, RANGE 27E

VICINITY MAP



OWNER

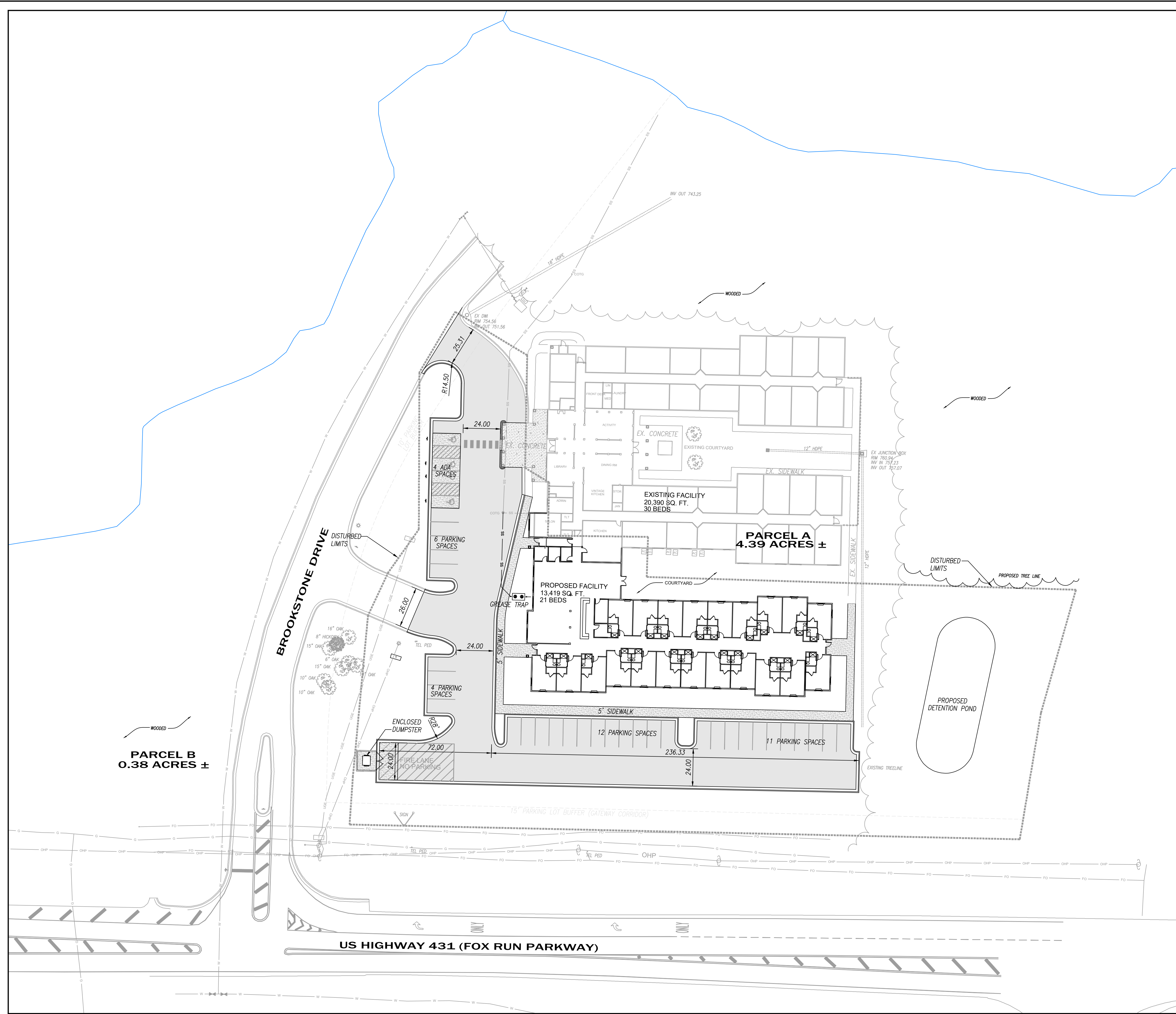
OPELIKA RETIREMENT INVESTORS, LLC
2235 CANDIES LANE NW
CLEVELAND, TN 37312

OWNER'S CONTACT
BARRY RAY
423-478-8071

PREPARED BY:

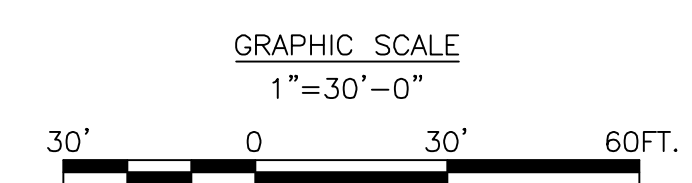
CIVIL DESIGN - CONSTRUCTION
BRIAN LEE, PE
6053 STAGE ROAD
AUBURN, ALABAMA 36832





- PROJECT NOTES:**
1. SITE = 4.39 ACRES, DISTURBED AREA 1.94 ACRES
 2. ZONING DISTRICT: PUD
 3. ADJACENT ZONING: NORTH, EAST & SOUTH: PUD, WEST: M2
 4. CURRENT LAND USE: SKILLED ASSISTED LIVING FACILITY 30 BEDS
PROPOSED USE: SKILLED ASSISTED LIVING FACILITY 21 BEDS = TOTAL 51 BEDS
 5. THIS PARCEL IS IN THE FLOOD PLAIN AE, BASE FLOOD ELEVATION ~737.61 FEET ABOVE MSL AS SHOWN ON FIRM COMMUNITY PANEL NUMBER 01081C0090G DATED 11/2/2011.
 6. GATEWAY CORRIDOR - PRIMARY.
 7. PROPOSED BUILDING ADDITION= 13,419 SQ. FT.
 8. PARKING SPACES REQUIRED = 1/6 BEDS (8.5)+ 1/EMPLOYEE (18) & DOCTOR (1)= 27
PARKING SPACES PROVIDED = 37
 9. MAXIMUM NUMBER OF EMPLOYEES = 18

- LEGEND:**
- PROPERTY LINE OR RIGHT OF WAY
 - PARKING LOT BUFFER
 - DISTURBED LIMITS - PROJECT AREA
 - EXISTING WATERLINE
 - EXISTING GAS LINE
 - EXISTING OVERHEAD POWER
 - EXISTING TELEPHONE/FIBER OPTICS
 - EXISTING STORM SEWER
 - EXISTING SANITARY SEWER
 - EXISTING CLEAN OUT TO GRADE
 - EXISTING CONCRETE
 - PROPOSED CONCRETE
 - PROPOSED ASPHALT
 - EXISTING TREES TO REMAIN

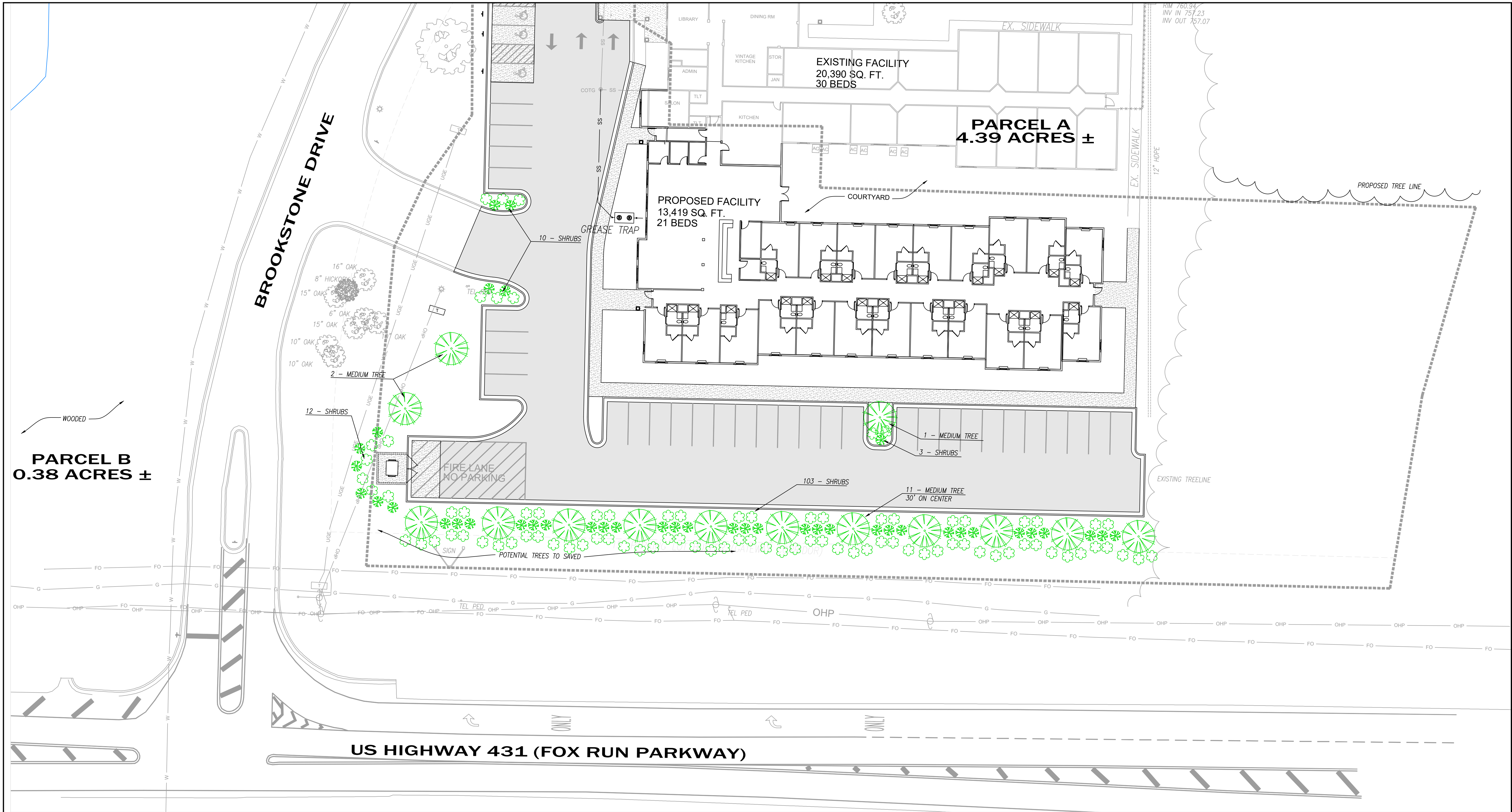


HARBOR AT OPELIKA
OPELIKA RETIREMENT INVESTORS, LLC
OPELIKA, ALABAMA

ISSUED:

JOB NO: MTA ARCH/HARB
DRAWN BY: AMH
CHECKED BY: BFL
DATE: 1 NOV 2023
SCALE: 1" = 30'-0"

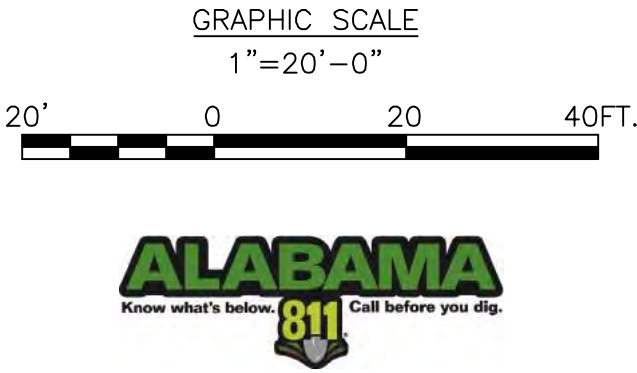
**PROPOSED
SITE
PLAN**



	QUANTITY	SIZE	POINTS	SYMBOL
BASE POINTS				
UNDERSTORY TREE	X	1.25"-1.5" CALIPER	112	
SHRUB	X	1 GALLON	91	
TOTAL BASE POINTS			203	
PARKING LOT POINTS				
SHRUB	37	1 GALLON	37	
TOTAL PARKING LOT POINTS			37	
TOTAL POINTS			240	

SQUARE FOOTAGE OF DEVELOPED AREA	84,503 SQ. FEET	
BASE POINTS REQUIRED	189	BASE POINTS OBTAINED 203
PARKING LOT POINTS REQUIRED	37	PARKING LOT POINTS OBTAINED 37
RESIDENTIAL BUFFER REQUIRED	NO	
PARKING LOT BUFFER REQUIRED	YES	

- LANDSCAPE NOTES:**
- IRRIGATION SYSTEM DESIGN AND INSTALLATION BY LANDSCAPE CONTRACTOR.
 - LANDSCAPING, IRRIGATION, AND SOD, TO BE CONTRACTED DIRECTLY WITH THE OWNER.
 - ACCEPTABLE SUBSTITUTE PLANTS ARE LISTED IN THE CITY OF OPELIKA LANDSCAPE ORDINANCE OR AS APPROVED BY THE CITY HORTICULTURIST.
 - THIS PLAN IS INTENDED TO SHOW MINIMUM POINTS REQUIRED BASED ON THE DISTURBED AREA.



ACA
ADAMS CONSTRUCTION & ASSOCIATES, INC.
6053 Stage Road Auburn, Alabama 36832 334.521.5320

ALABAMA
LICENSED
No. 35977
PROFESSIONAL
ENGINEER
BRIAN F. LEE

HARBOR AT OPELIKA
OPELIKA RETIREMENT INVESTORS, LLC
OPELIKA, ALABAMA

ISSUED:

JOB NO: MTA ARCH/HARB
DRAWN BY: AMH
CHECKED BY: BFL
DATE: 1 NOV 2023
SCALE: 1" = 20'-0"

PROPOSED
LANDSCAPE
PLAN

at
 The Harbor
 at Opelika
 A Premier Memory Care Center

MTa
ARCHITECTURE & PLANNING
200 W.M.L.K. Blvd., Suite 200a
Chattanooga, Tennessee 37402
(423) 464-7175

Design Development

No.	Issue	Date
-----	-------	------

A100



1 LEVEL 1 OVERALL FLOOR PLAN



1001 Fox Run Pkwy
Opelika, AL 36801

Prepared for:
Legacy Healthcare



ARCHITECTURE & PLANNING
200 W.M.L.K. Blvd., Suite 200a
Chattanooga, Tennessee 37402
(423) 464-7175

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In association with:

Design
Development

Revisions:		
No.	Issue	Date

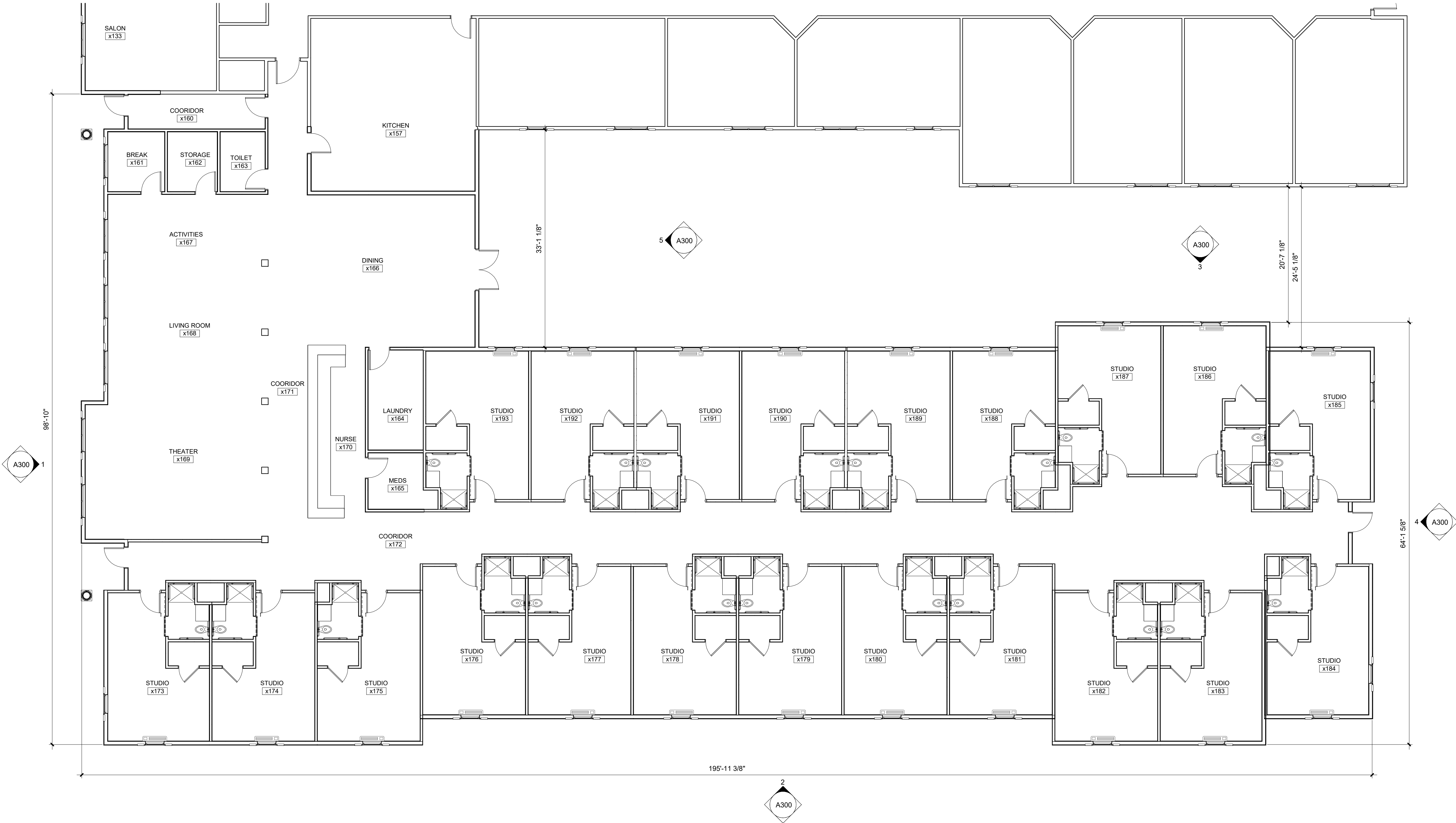
Issue Date: October 09, 2023
Project No.: 23-40
Sheet Title:

ARCHITECTURAL

FLOOR PLAN

Sheet Number:

A110



1 FLOOR PLAN - LEVEL 1
SCALE: 1/8" = 1'-0"

SCALF Addition



1001 Fox Run Pkwy
Opelika, AL 36801

Prepared for:
Legacy Healthcare

MTa

ARCHITECTURE & PLANNING

200 W.M.L.K. Blvd., Suite 200a
Chattanooga, Tennessee 37402
(423) 464-7175

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In association with:

Design
Development

Revisions:

No.	Issue	Date
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Issue Date: October 09, 2023

Project No.: 23-40

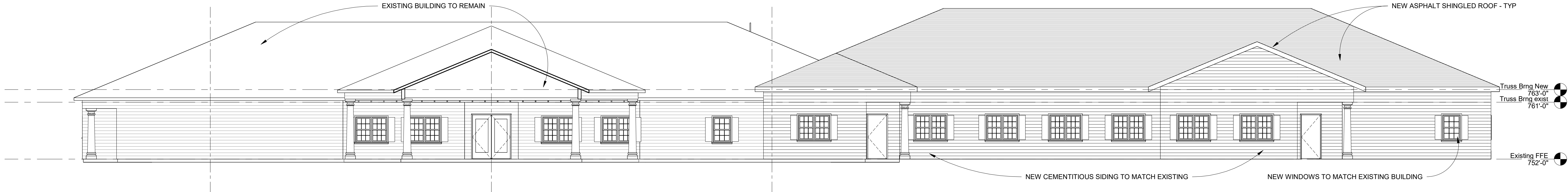
Sheet Title:

ARCHITECTURAL

EXTERIOR
ELEVATIONS

Sheet Number:

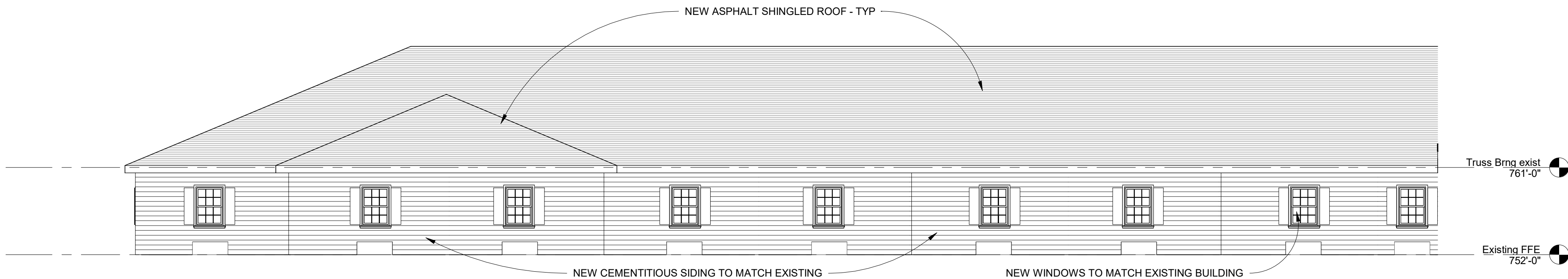
A300



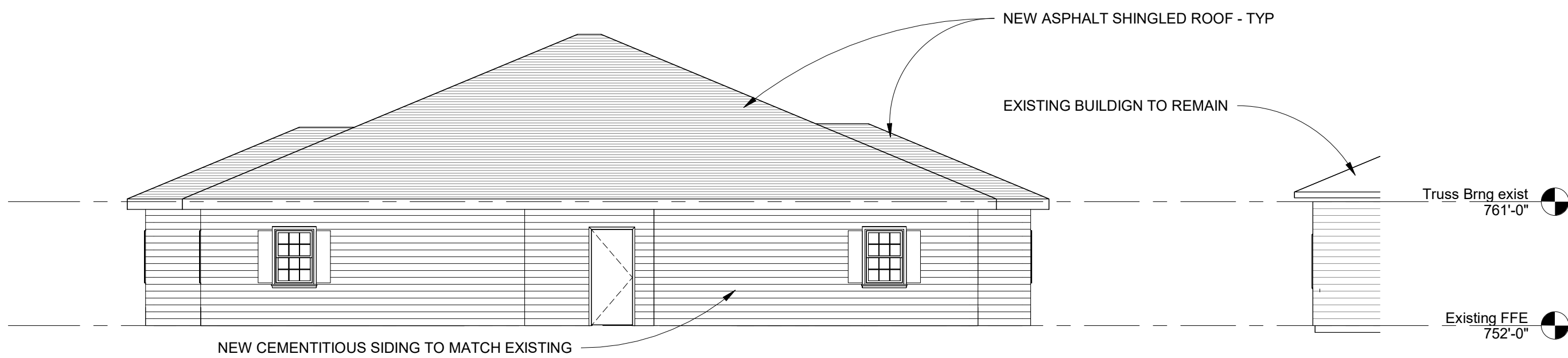
1 ELEVATION - FRONT
SCALE: 1/8" = 1'-0"



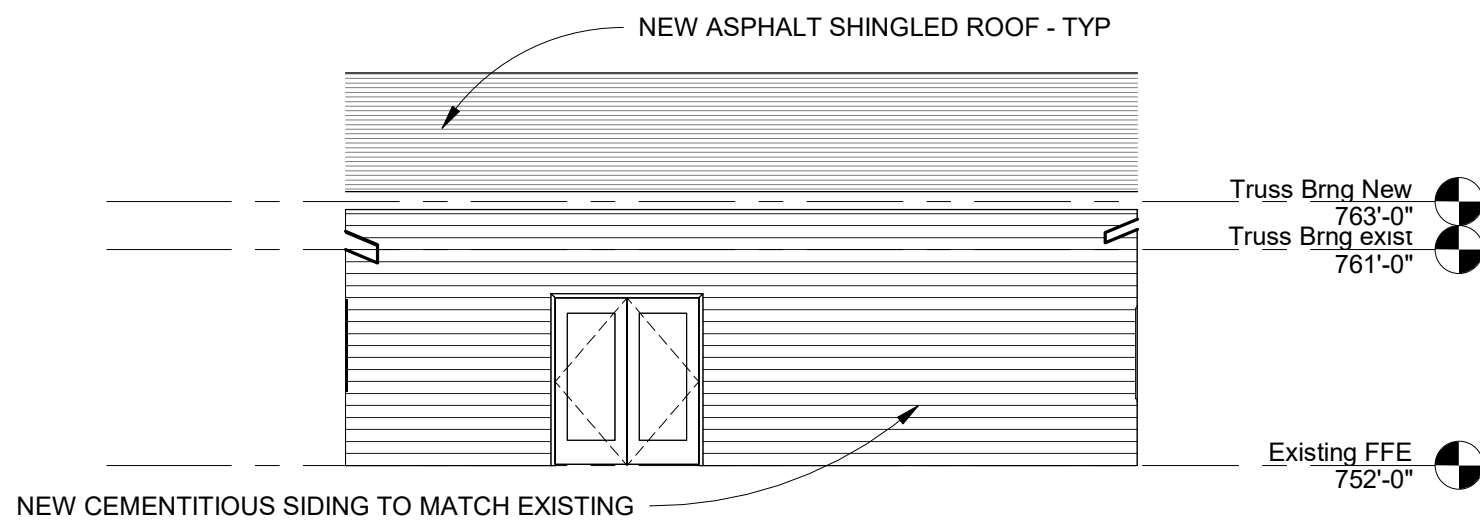
2 ELEVATION - SIDE
SCALE: 1/8" = 1'-0"



3 ELEVATION - COURTYARD SIDE
SCALE: 1/8" = 1'-0"



4 ELEVATION - REAR
SCALE: 1/8" = 1'-0"



5 ELEVATION - COURTYARD
SCALE: 1/8" = 1'-0"

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Agenda Item #: B-6

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 four (4) 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 0.80 acres. The C-2 zone allows up to 16 units per acre. The subject property is approximately 12.8 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 site was previously approved in May 2023 for a similar development. Since that time, the applicant has acquired an additional lot to the north which almost doubles the size. This lead them to add an additional building with one additional residential unit and additional retail/office space.

The proposed development is configured with two buildings facing S. 8th Street and one facing Avenue E. A fourth 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 1-2 bedroom units on the 2nd floor. Parking is located on the interior of the block. The driveway has moved from Avenue E to South 8th Street. 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 eight (8) off-street parking spaces. The office/commercial space would require 15-17 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 applicants will live in the single-family home and plan to occupy two of the commercial spaces for their offices. The single-family home shows a two car garage and drive-way able to accommodate additional parking as well. The proposed parking lot with 16 units should be sufficient for the mix of uses proposed under that configuration. However, this configuration may not be always be the case. It is possible that on street parking spaces could also be added to supplement parking needs. Parking may also limit some more intense uses such as a café or other traffic generating uses.

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 previous concept and materials of the development. A new approval is likely necessary due to the changes to the plan.

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 limited size of the disturbance of this development, there is no need for a site and land disturbance permit from Engineering. Coordination will need to be made with all utilities and Building Inspections will handle the Land Disturbance permit with the building permits.

The Engineering Department has no issues with Conditional use approval.

Opelika Utilities Board Report

No objections. Individual Units require separate plumbing and meters unless Master Meter is installed for development. Existing service is from South 8th Street but is only ¾" Meter. Water is available from both S. 8th Street and Avenue E.

Opelika Power Services Report

This is in the Opelika Power Services territory.

600370-2023

AGENDA ITEM #

6



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



PC DEADLINE: 11/7 PC MEETING: 11/28

SITE ADDRESS: 508 ~~510~~ S 8th Street

PROPERTY OWNER: Phil Moody & Shree Summerlin

APPLICANT/ AUTHORIZED REPRESENTATIVE: Matthew Hall, Architect

MAILING ADDRESS: Superunison LLC 559 Bryant Ave, Auburn, AL 36830

PHONE NUMBER: 865-789-4065 **FAX NUMBER:** _____

EMAIL ADDRESS: matt@super-unison.com

PARCEL INFORMATION

Project name: 8th & E Address/Location: 508 S 8th Street

Current Land Use: vacant Current Zoning: C2

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

Description of Proposed Use: 1 bedroom apt on upper floor above commerical

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, _____, being owner of the property which is the subject of this conditional use application hereby authorize Matthew Hall, 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: 11/3/2023

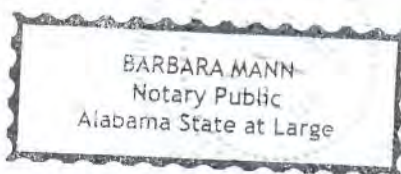
**STATE OF ALABAMA,
COUNTY OF LEE**

I, Barbara A. Mann, a Notary Public in and for said County and State, hereby certify that Shree 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.

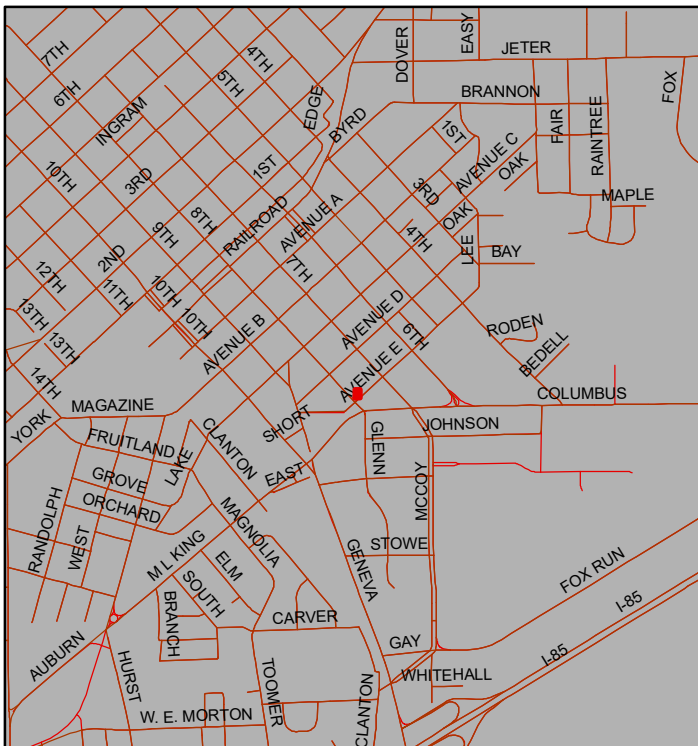
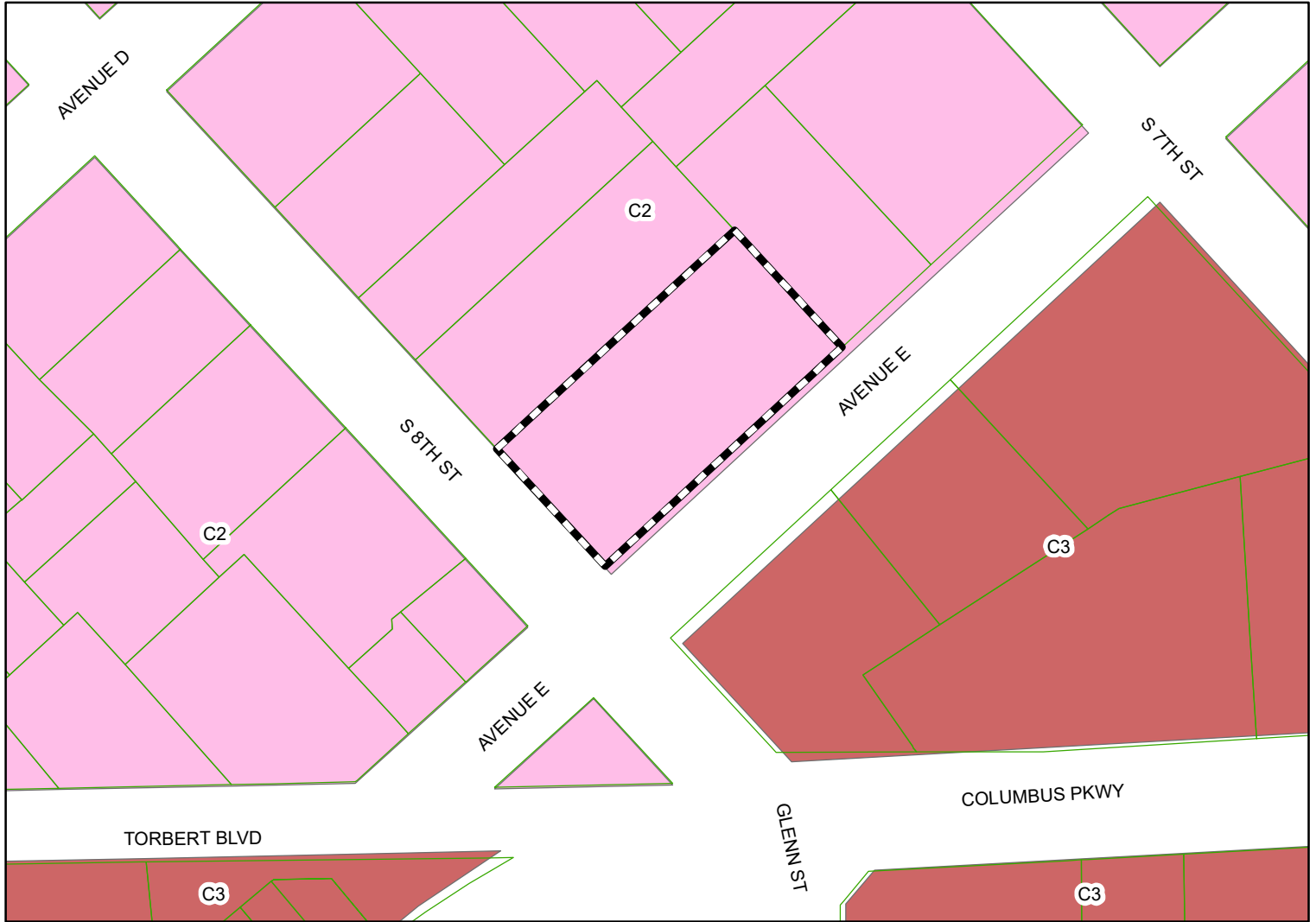
Given my hand and seal of office this 13 day of November, 2023

Barbara A. Mann
Notary Public

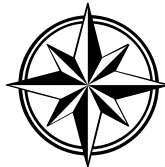
My Commission Expires: 06-22-2026



**COMPASS CONSTRUCTION COMMERCIAL & RESIDENTIAL
512 SOUTH 8TH STREET,
MIXED USE DEVELOPMENT, B-6**

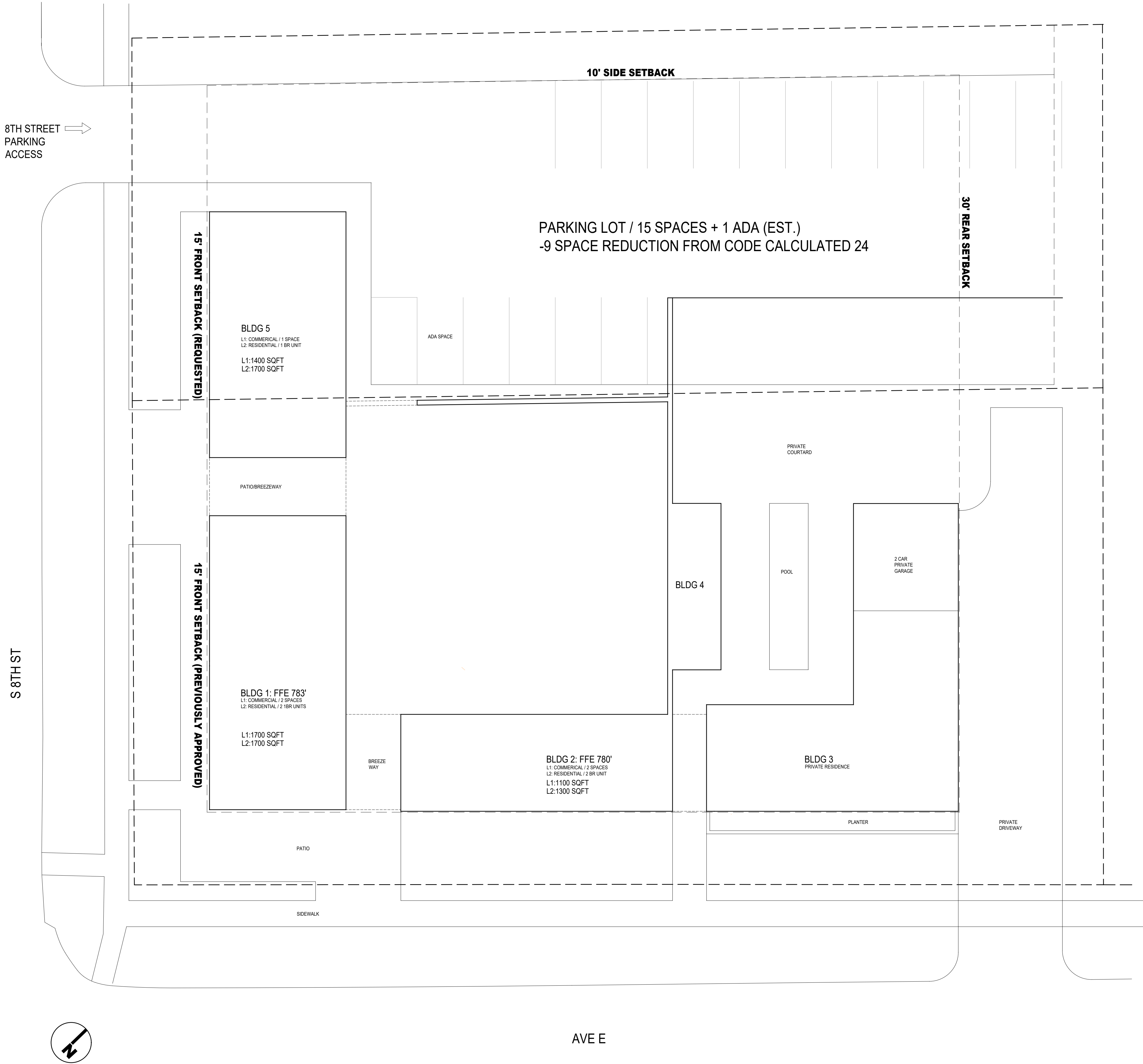


The applicant requesting approval for a commercial and residential development on a 15,922 sf lot in a C-2, GC-P zoning district. .



Subject Property

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



SITE PLAN / SCALE $\frac{3}{32}$ "=1'-0"

SUMMERLIN/WOODY DEVELOPMENT
SOUTH 8TH ST
OPELIKA, AL
8TH & E ST

DRAWING TITLE:
PARKING REDUCTION

JOB # 22002
DRAWN BY: MSH
DATE: 10/23/23
PHASE: SCHEMATIC

REVISIONS:

NOT FOR
CONSTRUCTION

SHEET:
A103

SUPERUNISON
SHANESSUPERUNISON.COM / 252-244-7229
MATT@SUPERUNISON.COM / 665-789-4005

COMPASS
CONSTRUCTION



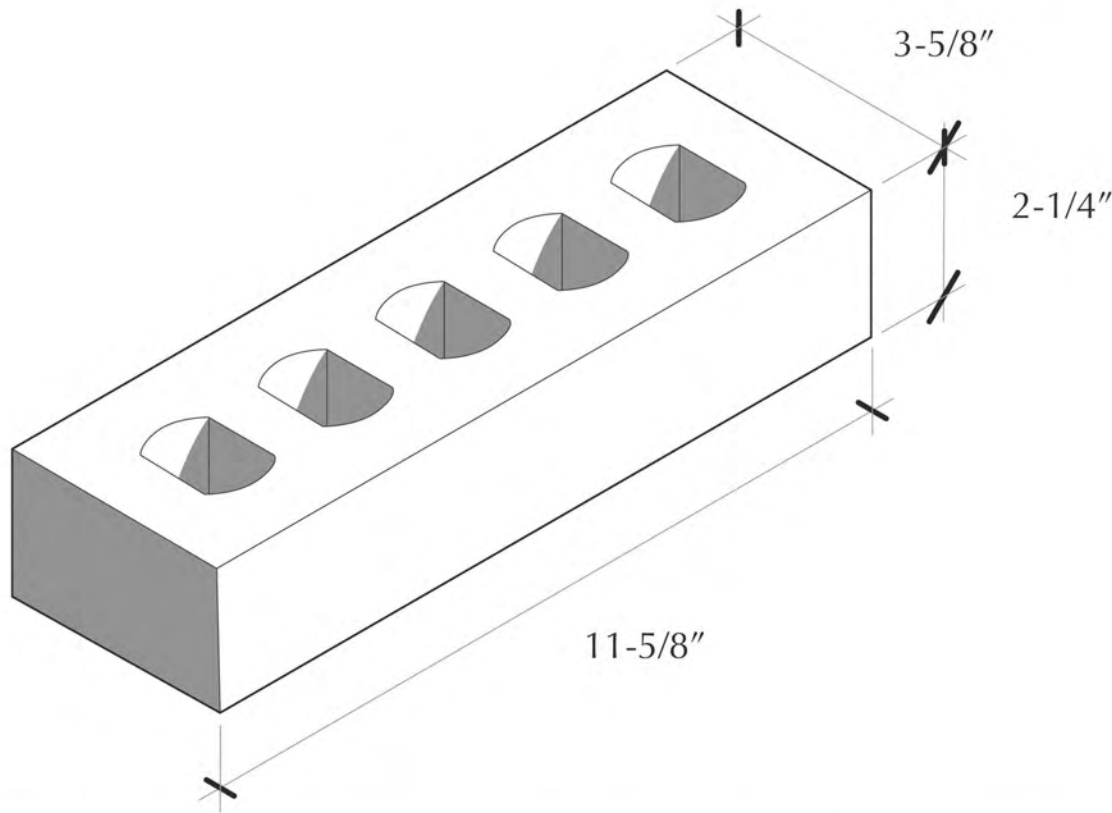
1 AVE E ELEVATION
 $\frac{1}{8}"=1'-0"$



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



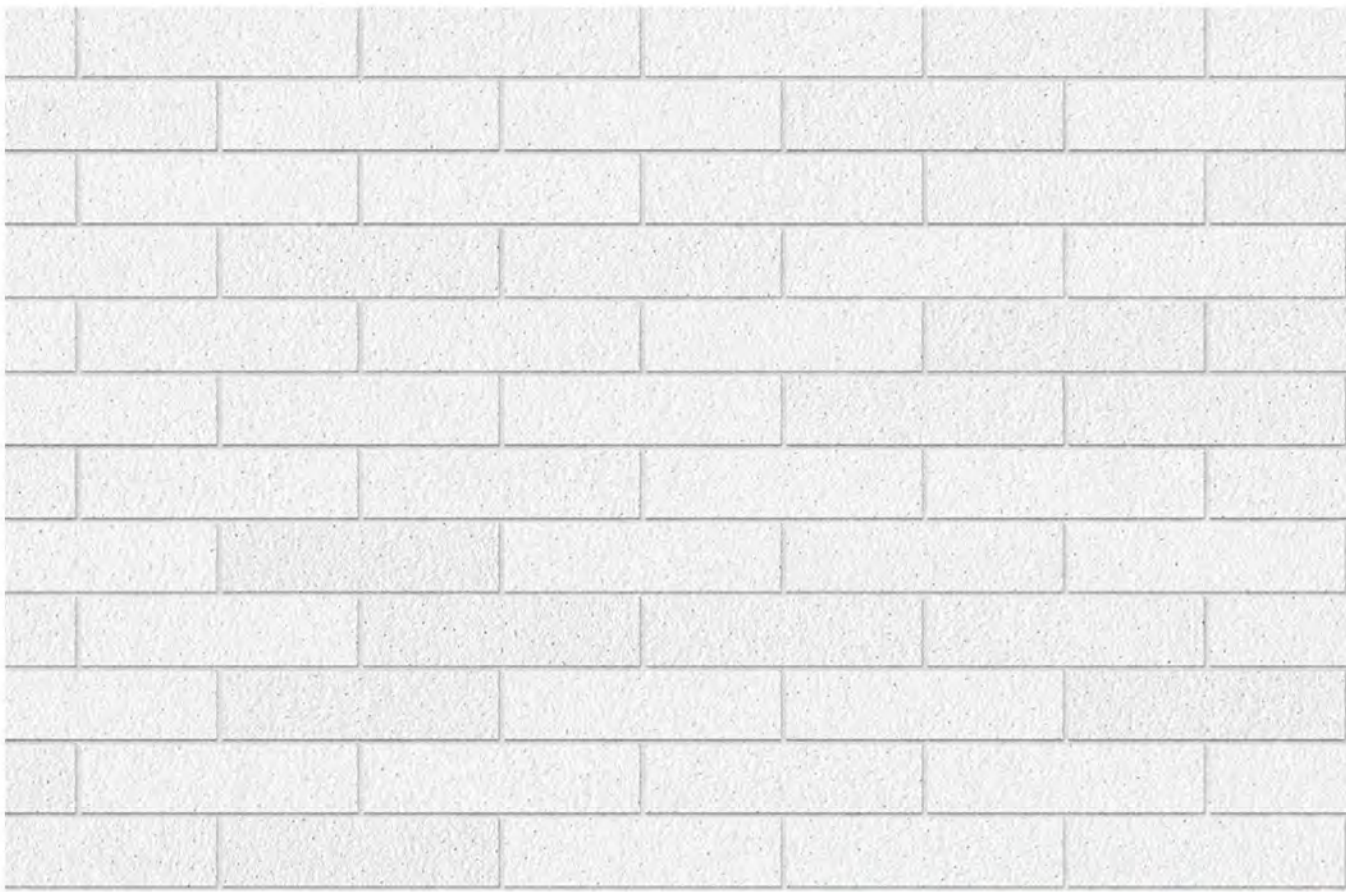
BLACK ALUMINUM CLAD DOUBLE HUNG WINDOWS
ALL WINDOWS ON SECOND LEVEL



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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	November 28, 2023		
Agenda Item #:	C7a and C7b		
Action Requested:	Amendment to the Future Land Use Map and Rezoning: 27,966 square feet (Two lots: 19,104 and 8,862 sf) (a) Amendment to Future Land Use map - from Low Density Residential to Light Commercial (b) Rezoning - from R-3 to C-2, GC-P		
Location of Property:	1018 and 1016 Alabama Avenue		
Property Owner(s):	KAAM Enterprises, LLC Mike Maher, authorized representative		
Current Zoning:	R-3, GC-P (medium density residential)		
Proposed Zoning:	C-2, GC-P (office – retail, gateway corridor overlay district – primary)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	R-3	Undeveloped
	South	C-2, GC-P	Undeveloped & mobile homes
	East	R-3	Single family homes
	West	R-3, GC-P	Undeveloped (Frederick Road 120’ ROW)

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) shows the 27,966 sf rezoning property in a “low density residential” land use category. The rezoning property and most adjacent properties on the north & west sides across Frederick Road are undeveloped and located in a low density residential land use category. The adjacent property on the north side is church property (Seventh Day Adventist) on 1.3 acres; the church building & parking lot is about 265 feet from the rezoning property located on the east side of the lot near South Long Street. The church property near the rezoning property is primarily wooded undeveloped property. The adjacent properties on the east side accessed from Alabama Avenue are either single family homes or undeveloped lots. The adjacent properties on the south side across Alabama Avenue are zoned commercial (C-2) but there are no commercial developments; a mobile home is on two commercial zoned lots and one lot undeveloped. Overall, there are two mobile homes and one single family home that border the rezoning property; all other adjacent properties are undeveloped.

Years ago, Frederick Road was extended to Martin Luther King Boulevard and MLK Blvd extended to Torbert Boulevard. Then, Torbert Boulevard was improved to Columbus Parkway to complete an east to west corridor through Opelika. The corridor runs from the Opelika & Auburn City limits on the west side to Columbus Parkway on the east. The rezoning property fronts along the corridor and is about halfway through the six mile corridor.

Staff Recommendation

The rezoning request to C-2, GC-P requires an amendment to the 2030 FLUM concerning land use category. The applicant's plan is commercial development. If the rezoning request is approved, staff recommends the 2030 Future Land Use map be amended for the rezoning property from a "low density residential land use category to a light commercial category.

Rezoning

The applicant is requesting rezoning two lots that total 27,966 square feet from R-3 to C-2, GC-P. The undeveloped property is at the corner of Alabama Avenue and Frederick Road. An adjacent larger C-2 zoning district (2.6 acres, 10 lots) is south of the rezoning property across Alabama Avenue, but there are no commercial uses in this C-2 zone. The existing C-2 zoned area is mainly undeveloped except for five mobile homes and a single family home. On the north, east, & west sides of the rezoning property, the adjacent properties are also mostly undeveloped; on the east side two single family home lots are near the rezoning property. On Frederick Road, the nearest commercial use to the rezoning property is at the corner of Frederick Avenue and Frederick Road (East Alabama Powersports-sales lot motorcycle, all-terrain vehicle). Across Frederick Avenue is a 4,800 sf three-tenant commercial building that is occupied primarily by a church. All other properties along Frederick Road in the vicinity of the rezoning property are either residential or undeveloped. A gas station-convenience store exists about 1,100 feet east of the rezoning property at the corner of Frederick Avenue and South Long Street. For about 25 years the business has served the nearby residential neighborhood.

Recommendation

The adjacent properties across Alabama Street would support the rezoning to C-2, GC-P. However, this area, especially along Frederick Road has developed largely as a residential or institutional corridor with very few commercial sites between Tiger Town and Geneva Street. While the proposed zone may be appropriate, the applicants proposed use of a gas station is a heavier and more intensive use than surrounding areas. Many of the previous fueling stations in the area no longer have pumps or are being used for other uses. True neighborhood retail and offices uses that are allowed outright in the C-2, GC-P zoning district including offices, retail stores (grocery store), or standard restaurants may have the potential to enhance the surrounding neighborhood, but some of the more intensive uses such as fast food restaurant, fueling station and others could have detrimental impacts on the neighbors.

In comparison, land uses that require outside storage or the display of products outside are allowed with conditional use approval in a C-2, GC-P zone. Those uses that require conditional use approval are automobile maintenance shops, gas station-convenience stores, and uses that require outside storage or products displayed outside (except for auto sales lots and auto repair shops that provide overhauls, body work are prohibited in the C-2, GC-P zone). Gas stations, convenience stores and auto maintenance shops have proved to generate excessive traffic especially if the business is located on a corner lot. A gas station & convenience store has long hours, and some stores are open 24 hours. A convenience store stocks a variety of basic home products, and at times, vehicles are fueling while customers are shopping. These business activities are prone to be disruptive to adjacent properties, especially adjacent residential uses. Most of the adjacent properties near the rezoning property are undeveloped except for several residential uses. Staff has concerns with a gas station & convenience store as proposed by applicant as well as other land uses that require conditional use approval.

Most properties are undeveloped near the rezoning property. Staff is concerned that positive growth of those adjacent properties will be hindered by some of the more intensive uses and those that include outside storage or have an outdoor component. Most of these uses are conditional use that would allow the Planning Commission to approve or deny them if they are applied for at a later time. The Planning Commission does not have the ability to pick and choose which uses they would allow to be established in a zone outside of the conditional use approval. They must weigh the possibility of all the uses allowed by right and the potential for a conditional use approval to be granted at a later time. If the Planning Commission and City Council feel that the uses of the existing zoning are more appropriate, they could decide not to rezone the property.

Planning staff recommends rezoning of the property, but does so with the qualification that we feel most of the conditional uses that allowed in the zone would be inappropriate at this location based on the character of the surrounding property and neighborhood.

Engineering Department Report

The Engineering Department has no issues with this rezoning. All access and site design decisions will be addressed during the conditional use or plat approval phases.

Opelika Utilities Board Report

No objections. Water is available from both Alabama Avenue and Frederick Rd. However, either street will require service line being installed across roadway. Preferred connection is from Alabama Ave.

Opelika Power Services Report

This is in the Opelika Power Services territory.



606361-2023
REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: 11/17/23 PC MEETING: 11/28/23

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: KAAM ENTERPRISES LLC - Mike Maher
 MAILING ADDRESS: 753 KARLEE CT, Auburn, al
 PHONE NUMBER: 334-821-0105 Email: mike.precisionsurv@gmail.com

PARCEL INFORMATION

Site Address: 1018 and 1016 Alabama Ave

Description of proposed use: Gas Station

Tax Parcel Number: 43 09 06 13 4 001 021.000

Adjacent Zoning Districts: North: R3 South: C2 East: R3 West: R4M

Current Land Use: Vacant

Current Zoning: R3

Proposed Zoning: C2

Number of APO: 6 x \$7.00 = \$ 42
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = 167

PAID: _____

I hereby request my property located at (street address) 1018 and 1016, Alabama Ave,
 Tax Map parcel number 43 09 06 13 4 001 021.000 be rezoned from
R3 to _____. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

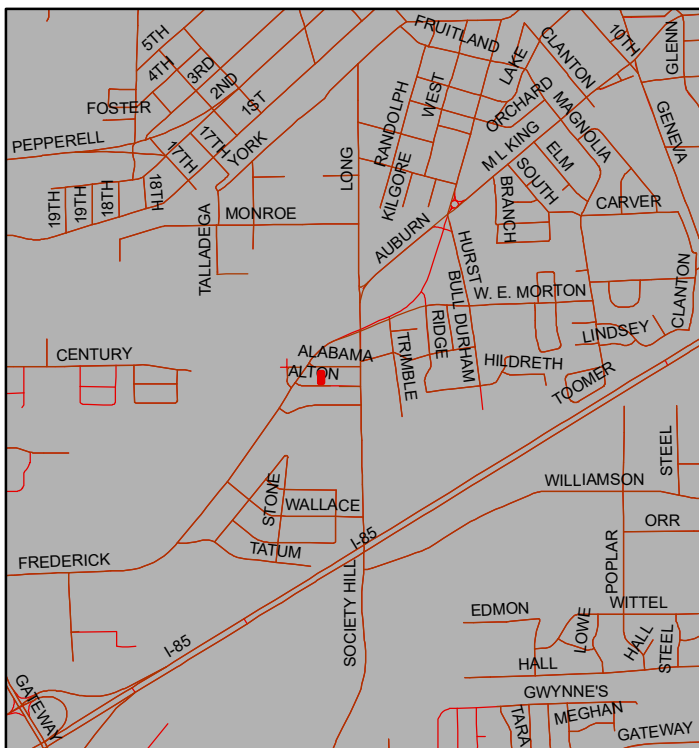
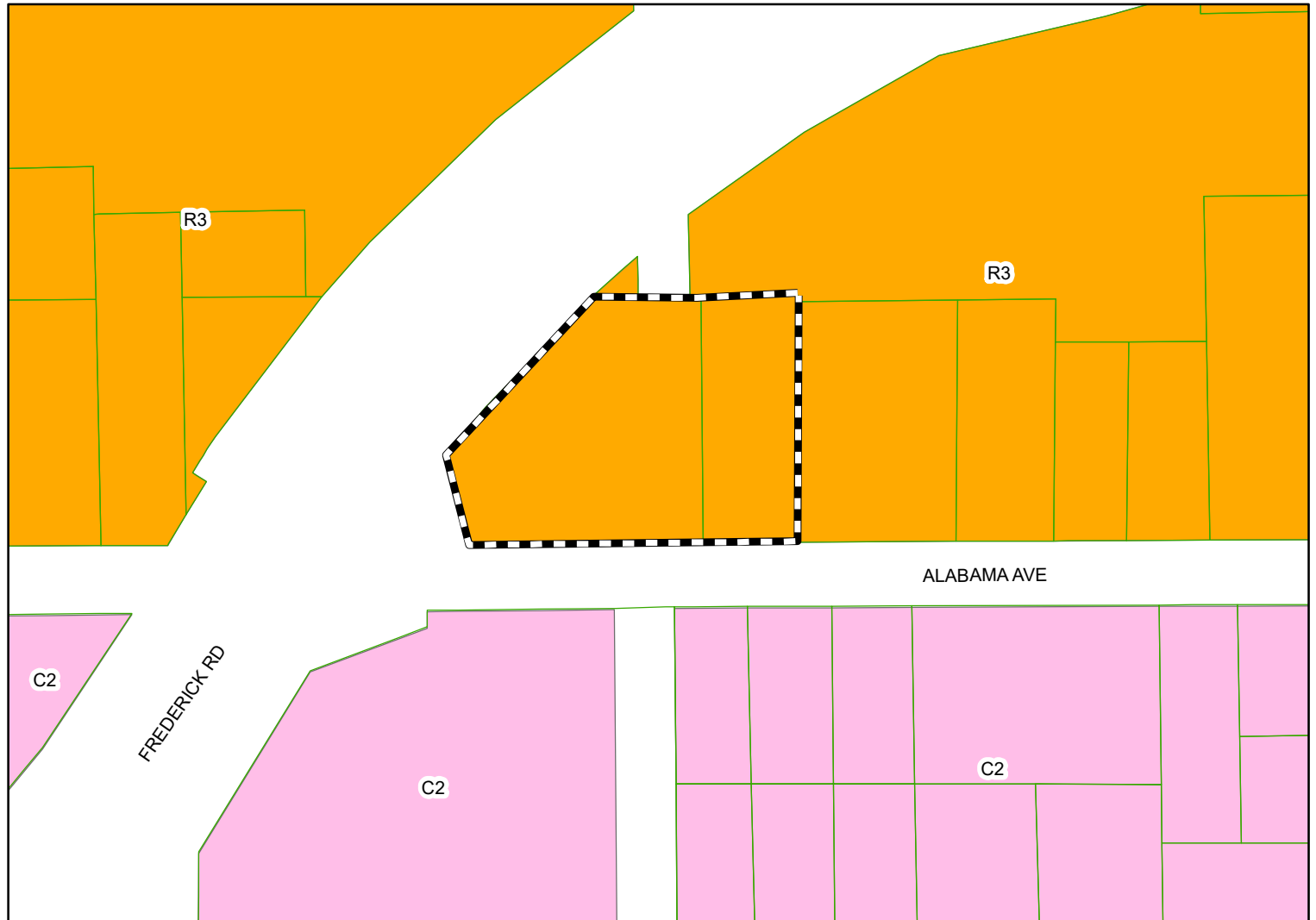
OWNERS OR AUTHORIZED
 REPRESENTATIVE SIGNATURE:

(PRINT NAME) Asif Merchant

11-3-2023

DATE

**KAAM ENTERPRISES REZONING
1018 AND 1016 ALABAMA AVENUE
R-3, GC-P TO C-2, GC-P, C-7a, 7b**

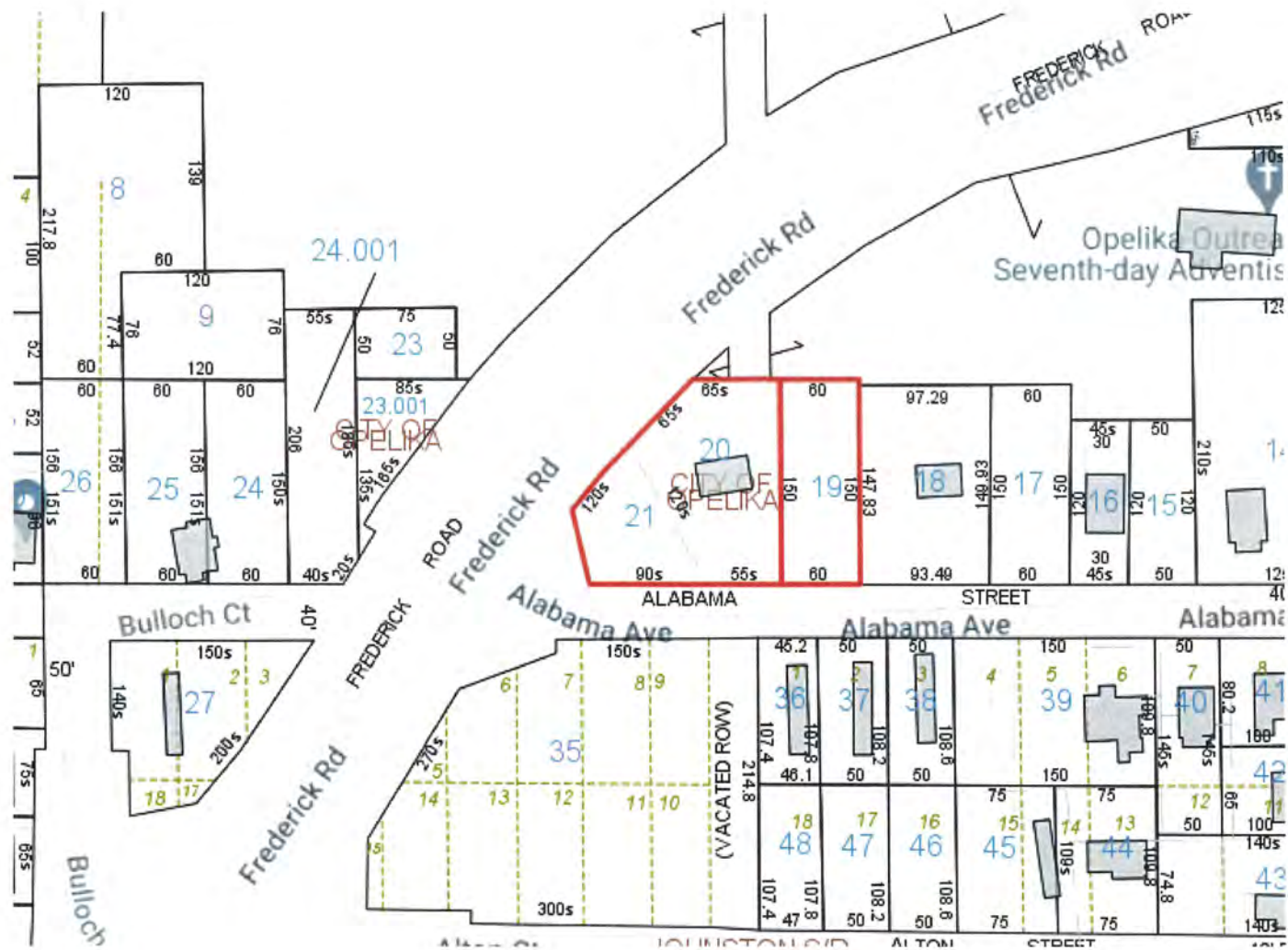


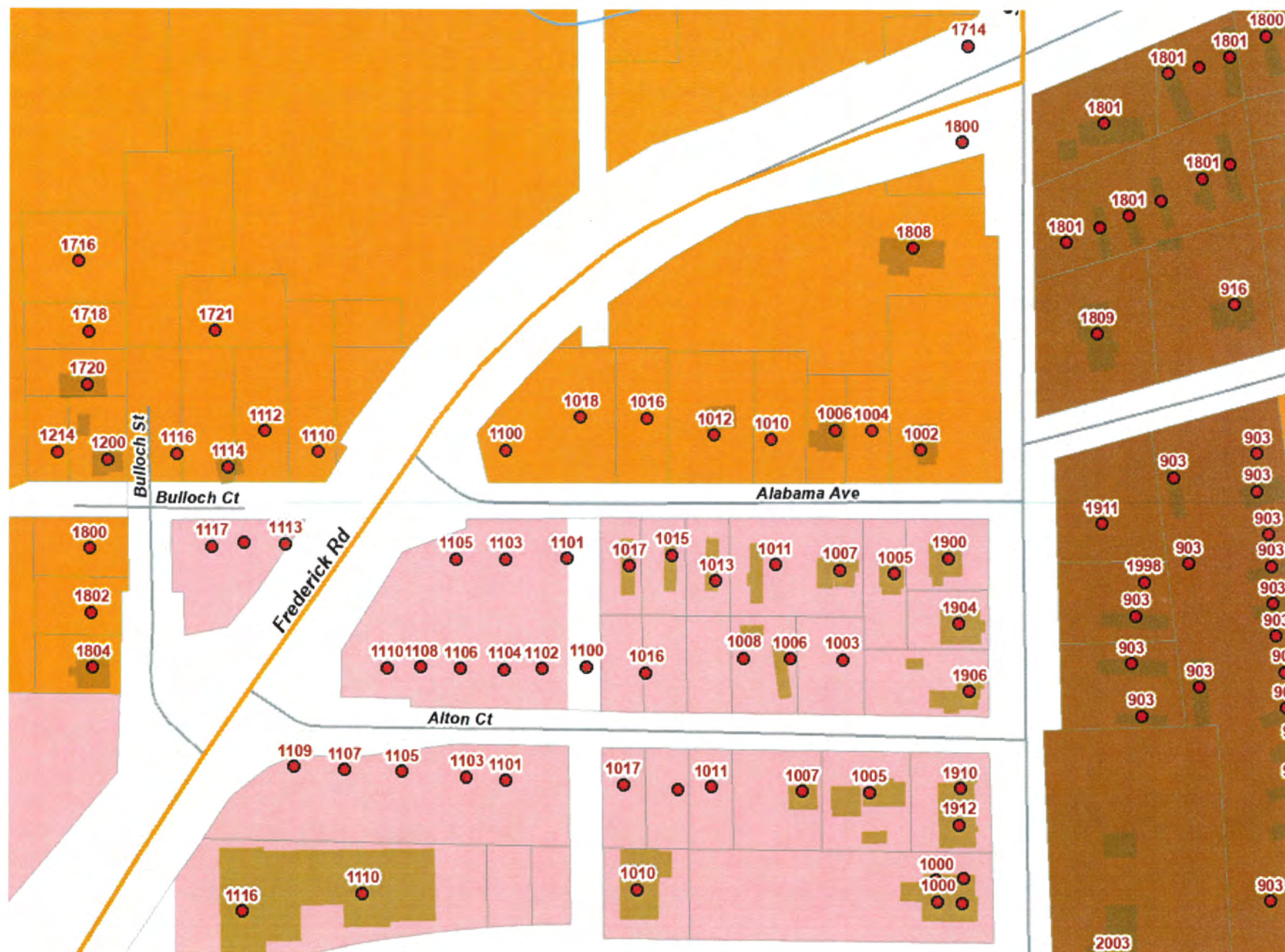
The applicant requesting rezoning of two lots or 27,965 square feet.



Subject Property

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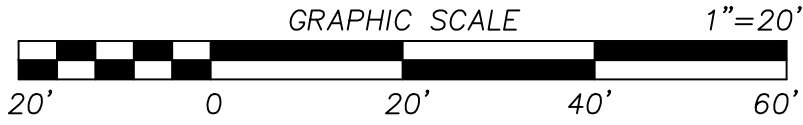




SITE PLAN FOR:
KAAM ENTERPRISES LLC
1100 AND 1016 ALABAMA AVE
OPELIKA, LEE COUNTY ALABAMA
SECTION 25 T 19 N R 25 E



- 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-X- = WIRE FENCE
 - |~|~|~| = WOOD FENCE
 - = CHAIN LINK FENCE



43 09 06 13 4 001 007.001
SOUTH CENTRAL CONFERENCE ASSOC
715 YOUNGS LANE
NASHVILLE, TN 37207

43 09 06 13 4 001 007.001
SOUTH CENTRAL CONFERENCE ASSOC
715 YOUNGS LANE
NASHVILLE, TN 37207

43 09 06 13 4 001 018.000
EVANS EARNESTINE
5426 US HWY 29 S
AUBURN, AL 36830

43 09 06 13 4 001 023.001
OPELIKA CITY OF
P.O. BOX 390
OPELIKA, AL 36803

43 09 06 13 4 001 027.000
WARD STEPHEN D
P.O. BOX 2581
OPELIKA, AL 36803

43 09 06 13 4 001 036.000
43 09 06 13 4 001 037.000
43 09 06 13 4 001 038.000
WARD STEPHEN D
P.O. BOX 2581
OPELIKA, AL 36803

43 09 06 13 4 001 035.000
WARD STEPHEN D
P.O. BOX 2581
OPELIKA, AL 36803

Seal	Drawn By: MTM	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36890 Phone (334) 821-0105 www.precisionurveying.biz
	Scale: 1"=20'		
	File Name: 23-0773-SP		
	Date: 11-07-2023		
		Sheet Title:	SITE PLAN FOR KAAM 1100 AND 1016 ALABAMA AVE REZONING REQUEST

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023
Action Requested: Vacate a portion of Speedway Drive
Agenda Item #: D-8
Location of Property: Vacate 550' portion of Speedway Drive that intersects with Veterans Parkway
Property Owner(s): City of Opelika
Current Land Use Right-of-way
Current Zoning C-3, GC-P
Flood Zone: None

Staff Comments:

The petitioner is requesting to vacate a 50-foot wide and 550 foot long portion (50' x 550') of Speedway Drive for a development. This portion of Speedway Drive dead-ends into Veterans Parkway and is no longer used for thru traffic. The applicant's development is to construct two multi-tenant commercial structures (9,500 sf and 28,000 sf); 9 to 14 tenants will lease space typically for a contractor's office and warehouse space or similar use.

Speedway Drive right -of way is located between the applicant's properties. If the 50' right of way is vacated and added to the applicant's parcel, then the applicant will be able to develop on one parcel that is from 150 feet to 205 feet wide.

The City does not have any use for this portion of Speedway Drive right of way. Motorist currently use Veterans Parkway not Speedway Drive to enter & exit onto Pepperell Parkway. If right of way is vacated an easement may be required for existing public utilities in Speedway Drive.

Recommendation

Staff recommends a positive recommendation be sent to City Council to vacate a portion of Speedway Drive right of way (50'x 550').

Engineering Department Report

The Engineering Department has no issues with the Vacation of Speedway Drive. In turn, Engineering would request additional right-of-way (ROW) from Veterans Parkway adjoined to this project.

Opelika Utilities Board Report

There is an existing 12" Ductile Iron Water Main in Speedway Drive at this location. Relocation/replacement of this pipe (12" Diameter may not be required) or easement for existing main should be provided with this development.

Opelika Power Services Report

This is in the Opelika Power Services territory.



**APPLICATION FOR
VACATION FOR STREET, ALLEY
OR EASEMENT
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801**



Date Submitted:	Meeting Deadline:
Agenda Item#	Meeting Date:

PART I. OWNER/APPLICANT INFORMATION:

Tim Murphy 484 Lee County Road 72 Auburn AL 3345397000

Owner Name

Address

Phone

Agent Name (if applicable)

Address

Phone

PART II. STREET/ALLEY/EASEMENT INFORMATION:

Street/Easement Address: 1505 Speedway Drive Opelika

Current Zoning: C2/C3

Current Land Use: Vacant

a) Is the Petition signed and notarized by all Property Owners listed on the deed of adjoining the proposed Street/Alley/Easement? Yes

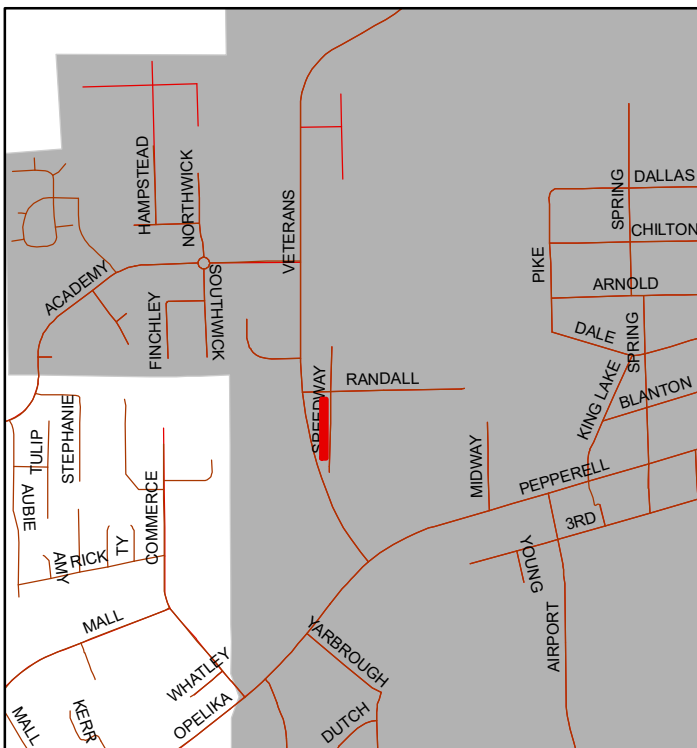
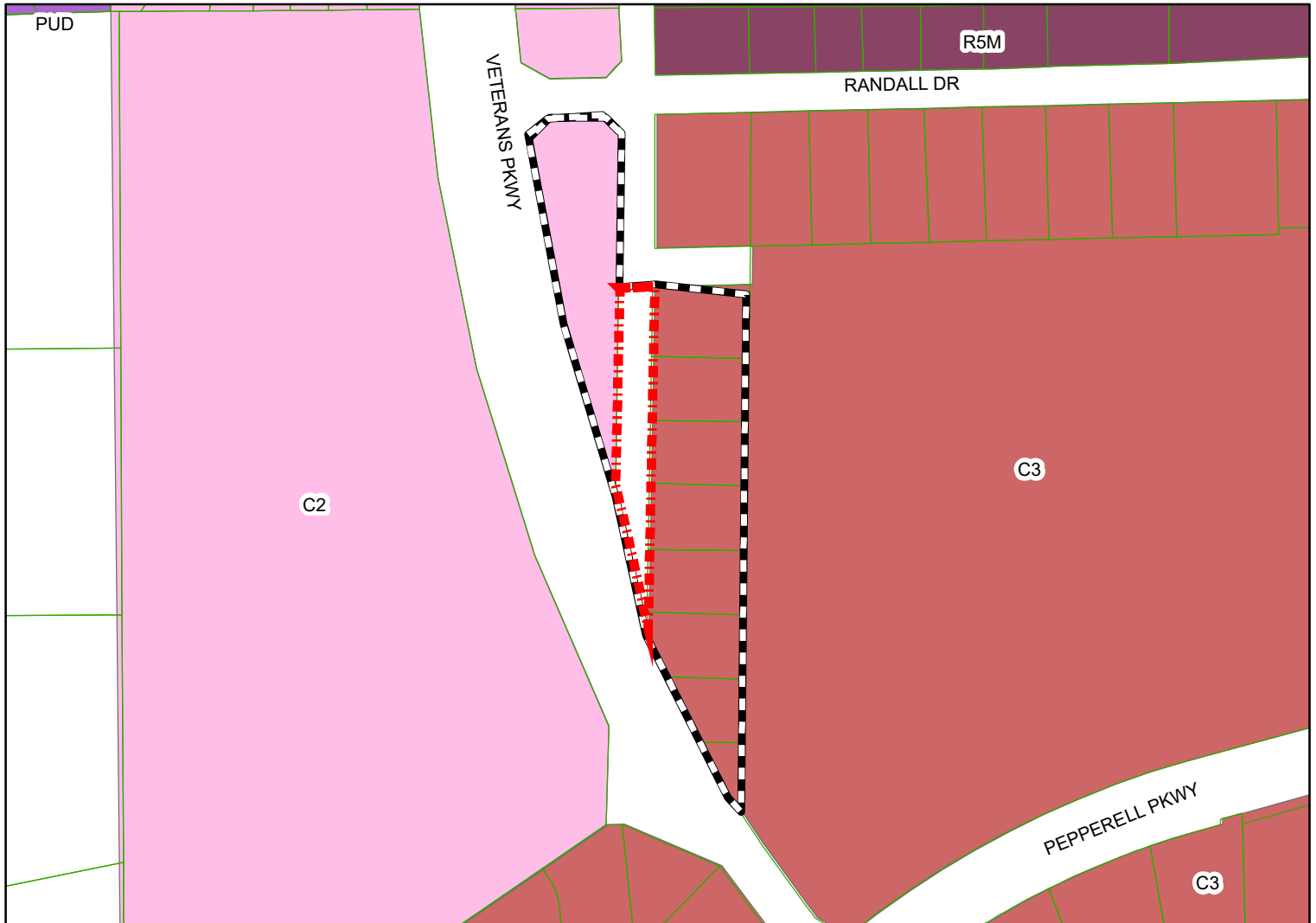
b) Does the Vacation of Street/Alley/ Easement deprive other property owners of their rights of ingress/egress or adversely affect other properties? No

If yes, explain: _____

PART III. PROVIDE AN EXPLANATION FOR THE REQUEST:

The dead ended road way divides parcels of land that are owned by a single property owner. No thru traffic or use due to dead end abandonment of roadway. Property owner intends to develop.

**MURPHY VACATION, REZONING, & CONDITIONAL USE
SPEEDWAY DRIVE & VETERANS PARKWAY
R-3, GC-P TO C-2, GC-P, OFFICE OF CONTRACTOR, D-8, 9 & 10**



The applicant requesting to vacate a portion of Speedway Drive (red area on map), rezone 1.1 acres to C-3, and request conditional use approval for office of contractor without equipment or material yard. The 4 acre development consist of two buildings (38,000 sf) for 8 to 14 tenant spaces.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	November 28, 2023		
Agenda Item #:	D9a and D9b		
Action Requested:	Amendment to the Future Land Use Map and Rezoning: 48,862 square feet (1.1 acre lot) (a) Amendment to Future Land Use map - from Light Commercial to General Commercial (b) Rezoning - from C-2, GC-P to C-3, GC-P		
Location of Property:	Speedway Drive		
Property Owner(s):	Richard Dale Massey Timothy Murphy, authorized representative		
Current Zoning:	C-2, GC-P (office -retail, gateway corridor overlay district)		
Proposed Zoning:	C-3, GC-P (general commercial gateway corridor overlay district – primary)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	C-2, GC-P	Undeveloped
	South	C-3, GC-P	Undeveloped
	East	C-3/C-3, GC-P	Mobile home lots & Undeveloped
	West	C-2, GC-P	Undeveloped

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) shows the 1.1 acre rezoning property in a “light commercial” land use category. The triangular shaped undeveloped property is bordered on all sides by right of ways – Veterans Parkway, Speedway Drive and Randall Drive. Across the three right of ways, the adjacent properties on the north and west sides of the rezoning property are also undeveloped and in the light commercial land use category. The adjacent property on the east side (31,363 sf) has six mobile homes; this lot is in the general commercial land use category. Also, on east side, eight adjacent undeveloped lots (2.7 acres) are also part of the applicant’s development. The rezoning property is one lot west of the Saughatchee Square shopping center. The land use category of the eight lots is general commercial and the lots are zoned C-3, GC-P. The applicant’s plan is to combine the rezoning property currently designated “light commercial” with the eight lots (currently designated “general commercial”) into one lot for a contractor with warehouse development. (The developer is also requesting an undeveloped portion of Speedway Drive be vacated (agenda item 8) and combined with the development property.

The development is about 1,000 feet from Pepperell Parkway and many properties along Pepperell Parkway are in the general commercial lands use category.

Staff Recommendation

Staff recommends approval of an amendment to the Future Land Use map for the 1.1 acres from “light commercial” land use category to a “general commercial” land use category. About four years ago on Veterans Parkway (1,800 feet north of this rezoning request) a contractor’s office and warehouse development for 18 lots (32,000 sf each) was approved and property was rezoned C-3, GC-P. The rezoning request today is similar but on a smaller scale with smaller tenant space, limited outside use, and storage of equipment and materials inside a building. The rezoning request to C-3, GC-P requires an amendment to the 2030 FLUM concerning land use category from a light commercial to general commercial land use category. If the rezoning request is approved, staff recommends the 2030 Future Land Use map be amended for the rezoning property from a “light commercial” to a “general commercial” category.

Rezoning

The applicant is requesting rezoning one lot (1.1 acres) from C-2, GC-P to C-3, GC-P. The applicant’s adjacent properties (2.7 acres) are part of the proposed development and currently zoned C-3, GC-P. The rezoning property is near Pepperell Parkway and most properties on Pepperell Parkway are zoned C-3, GC-P. Access to the proposed 9 to 14 tenant spaces is from Randall Drive only. Street improvements and/or access limits from Randal Drive to Veterans Parkway to improve public safety may be required.

Recommendation

The applicant’s plan is to provide tenant spaces for ‘an office of contractor with warehouse space.’ Most of the development (2.7 acres) is currently zoned C-3, GC-P; Staff believes the impact of rezoning an additional 1.1 acre to C-3, GC-P is reasonable and will not have a negative impact on the surrounding uses. The adjacent property on the east side (Saugahatchee shopping center) is currently zoned C-3, GC-P. Planning staff recommends approval subject to no outdoor storage or outside display of products by tenants or property owner. All business activities must take place inside a building. **Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the 1.1 acres property from C-2, GC-P to C-3, GC-P.**

Engineering Department Report

The Engineering Department has no issues with this rezoning.

Opelika Utilities Board Report

No objections.

Opelika Power Services Report

This is in the Opelika Power Services territory.

000307-2023

AGENDA ITEM # 9



REZONING APPLICATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 11/1/23 PC MEETING: 11/28/23

PROPERTY OWNERS/
AUTHORIZED REPRESENTATIVE: Tim Murphy
MAILING ADDRESS: 484 Lee County Road 72 Auburn AL 36830
PHONE NUMBER: 334-539-7000 Email: tim@tmurphyco.com

PARCEL INFORMATION

Site Address: 1505 Speedway Drive
Description of proposed use: Commercial multi-tenant office/warehouse storage.

Tax Parcel Number: 43 09 05 15 3 000 007.001

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

Current Land Use: None - Vacant

Current Zoning: C2

Proposed Zoning: C3

Number of APO: 4 x \$7.00 = \$ 28
(Adjacent Property Owners)

Fee: \$125.00

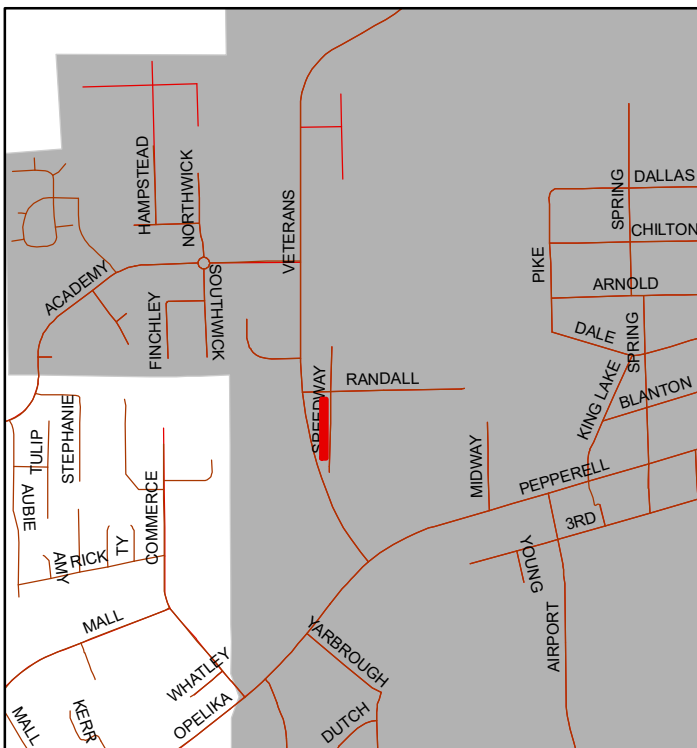
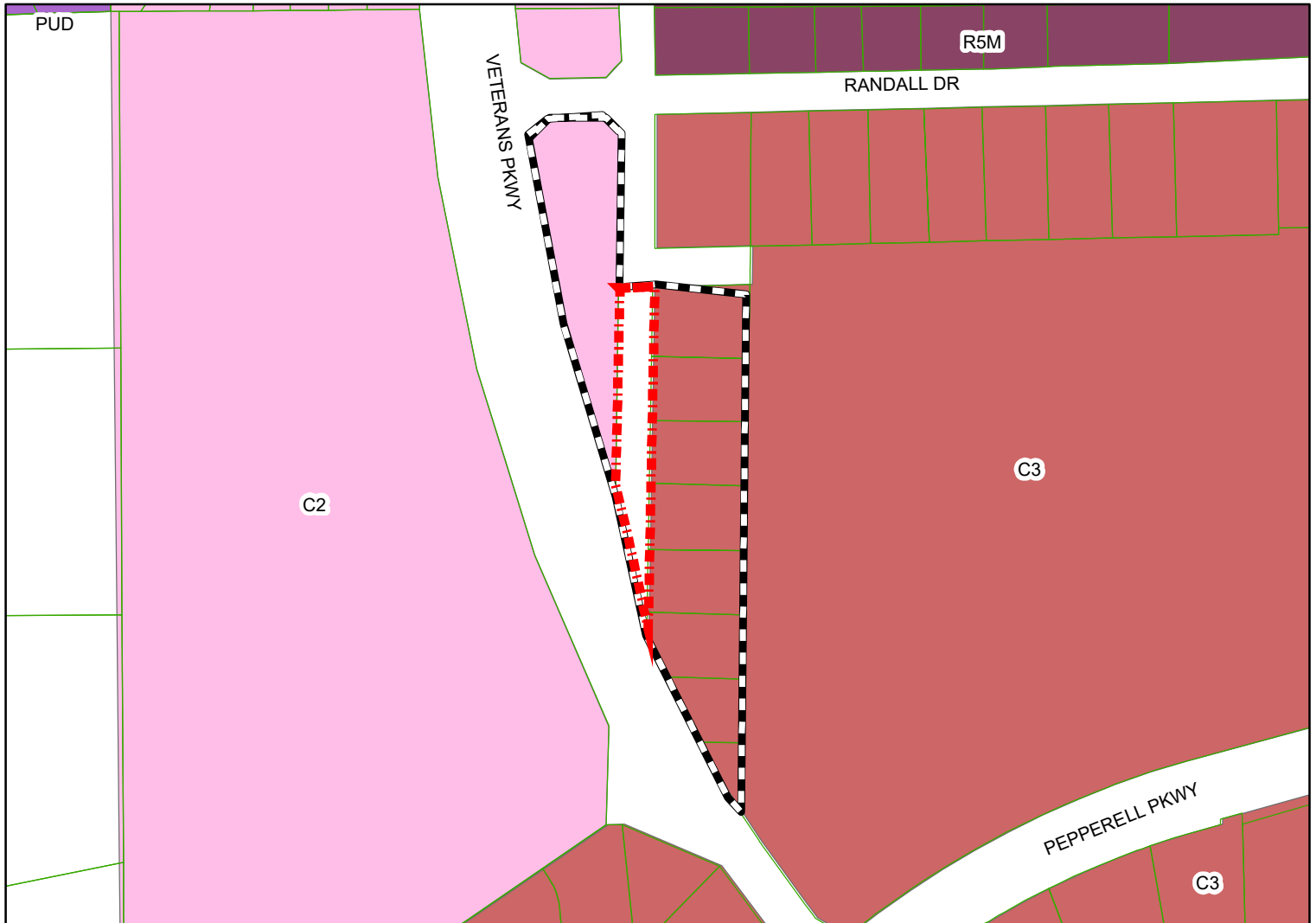
TOTAL = 153

PAID: _____

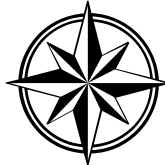
I hereby request my property located at (street address) 1505 Speedway Dr.,
Tax Map parcel number 43 09 05 15 3 000 007.001 be rezoned from
C2 to C3. A copy of the tax area map, a survey of the property, a copy of the deed
for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE: <u>[Signature]</u>	DATE <u>11/1/23</u>
(PRINT NAME) <u>Timothy Murphy</u>	

**MURPHY VACATION, REZONING, & CONDITIONAL USE
SPEEDWAY DRIVE & VETERANS PARKWAY
R-3, GC-P TO C-2, GC-P, OFFICE OF CONTRACTOR, D-8, 9 & 10**



The applicant requesting to vacate a portion of Speedway Drive (red area on map), rezone 1.1 acres to C-3, and request conditional use approval for office of contractor without equipment or material yard. The 4 acre development consist of two buildings (38,000 sf) for 8 to 14 tenant spaces.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 28, 2023

Agenda Item #: D-10

Action Requested: Conditional Use – Office of Contractor without Outside Storage of material & equipment

Location of Property: 1505 Speedway Drive

Property Owner(s): Richard Dale Massey
Timothy Murphy, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-3, GC-P (general commercial, gateway corridor overlay)

Surrounding Zoning Districts

And Land Uses:	North	C-2, GC-P	Undeveloped
	South	C-3, GC-P	Undeveloped
	East	C-3/C-3, GC-P	Mobile home lots & Undeveloped
	West	C-2, GC-P	Undeveloped

Proposal:

The applicant is requesting conditional use approval for a contractor’s office & warehouse development with no outside storage of materials and equipment. The size of tenant space will vary for some tenants depending on the business’s activities and needs. The applicant estimated that 9 to 14 tenant spaces will be leased. The applicant will modify tenant space to suit the business’s needs. For example, a tenant may need warehouse space only (no office space) for equipment and/or storage of material for jobs. Another tenant may need a showroom as part of tenant space to display products for customers by appointment. The larger building that faces Veterans Parkway will have store front windows to assist in marketing products. There will be no outside storage or outside product displays allowed for tenants or property owner. All materials and equipment will be inside the tenant’s warehouse and/or office space.

The site plan shows two buildings (9,500 sf and 28,000 sf) that will be divided into 9 to 14 warehouse tenant spaces. Office space is optionable. Access to the two buildings is from Randall Drive only. Private asphalted driveways will circle the two buildings to access the roll-up doors on the rear wall and the front door of each tenant space. The site plan shows 13 parking spaces for the 9,500 sf building and 38 parking spaces for the

28,000 sf building. For some tenants, warehouse space can be used for employee parking or to secure company vehicles left on premises overnight.

The applicant submitted a conceptual landscape plan. A more detailed plan with base points, parking lot points, and buffer requirements is required if City Council approves the rezoning request and vacation of right-of-way (Speedway Drive). Landscape requirements is granted according to Section 7.6 - developments in the Gateway Corridor Overlay

¹. The plan shows buffers along Veterans Parkway as required and a buffer along the perimeter lot lines on all sides. The buffers must meet the buffer requirements as provided in the Landscape regulations for development in the Gateway Corridor Overlay zone. It appears from landscape plan that the development meets the maximum 70% impervious surface ratio (ISR) allowed; The landscape plan must also provide the development's ISR.

The exterior wall materials for the 28,000 sf building are a minimum of 3 foot high brick apron on the front and side walls and 100% Hardie plank on the rear exterior wall; the rear wall with roll-up garage doors face the rear wall of the Saugahatchee Square shopping center. On the 9,500 sf building the 3 foot brick apron and Hardie plank are on all four sides of the building.

If a private dumpster service is provided, then dumpster must be enclosed on all sides and gated with an opaque fence and an opaque double gate.

Recommendation

Planning recommends approval subject to the following:

1. Conditional use approval is subject to City Council's approval of vacation of street and rezoning of 1.1 acres to C-3, GC-P.
2. The outside storage of equipment, products, materials, trailers, or any other items by tenants or property owner is prohibited.
3. Provide a landscape plan with base and parking lot points and buffers as required in Section 7.6 and provide the ISR (Impervious Surface Ratio) for the development.
4. The exterior material of buildings must meet the exterior material minimum requirements of Section 7.6 Gateway Corridor Overlay District.

a. ¹ In addition to requirements set forth in Section X, Landscape Regulations of the Opelika Zoning Ordinance, the following buffer and landscape requirements apply. Off street parking lots, fronting on the public right-of-way of a designated gateway corridor shall provide a 15 foot wide planting area between the property line and edge of parking lot. The planting area shall consist of plants as listed in Section 10.6, D.2.b of the Landscape Regulations. Section 10.6 - A planting strip of no less than four (4) feet in width shall be provided between said property line and the off-street parking facilities (asphalt). A planting screen or hedge, of developers choice, and between two (2) and four (4) feet in height shall be provided and maintained on a continuing basis, except that such screen or hedge shall not obstruct or obscure sight lines, restrict vehicular movement, or block pedestrian walkways or sidewalks and/or,

b. A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

5. The site plan does not show a dumpster location. If a dumpster is used, the dumpster must be enclosed on all sides with opaque material and gated with opaque material at a height, so dumpster is not visible outside the enclosure.

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.

Opelika Utilities Board Report

There is an existing 12" Ductile Iron Water Main in Speedway Drive at this location. Relocation/replacement of this pipe (12" Diameter may not be required) or easement for existing main should be provided with this development.

Opelika Power Services Report

This is in the Opelika Power Services territory.

000364-2023

AGENDA ITEM # 10

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

PC DEADLINE: 11/7/2023 PC MEETING: 11/28/2023SITE ADDRESS: 1501 Speedway Drive OpelikaPROPERTY OWNER: Tim MurphyAPPLICANT/ AUTHORIZED REPRESENTATIVE: Tim MurphyMAILING ADDRESS: 484 Lee County Road 72 Auburn AL 36830PHONE NUMBER: 334-539-7000

FAX NUMBER: _____

EMAIL ADDRESS: tim@tmurphyco.com**PARCEL INFORMATION**Project name: Veterans Office District Address/Location: 1501 Speedway Dr. Opelika ALCurrent Land Use: Vacant - No use Current Zoning: C2/C3Adjacent Zoning Districts: North: R5M South: C3 East: C3/R5M West: C2Description of Proposed Use: Commercial Multi- Tenant Office/Warehouse development

Request to rezone parcel 0905153000007001 To C3, vacate Speedway Dr. right-of-way as indicated, and conditional use for office/warehouse development.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, _____, being owner of the property which is the subject of this conditional use application hereby authorize Tim Murphy, 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**

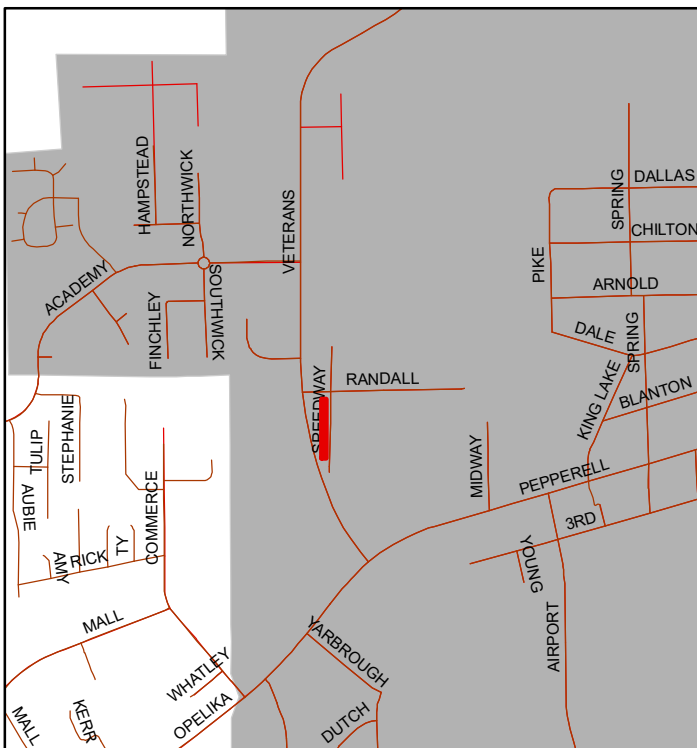
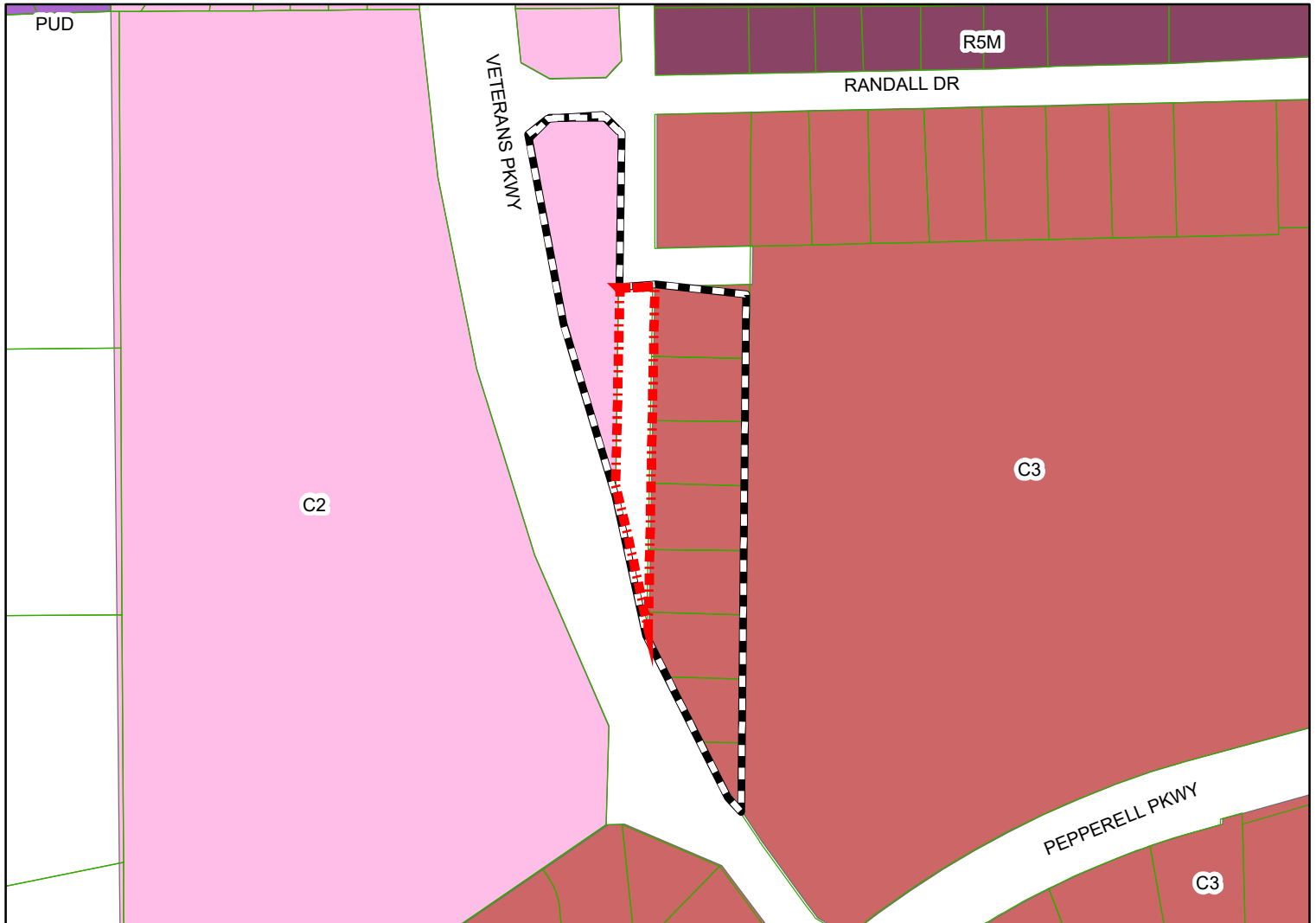
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

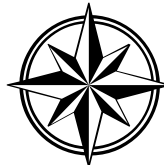
Notary Public

My Commission Expires: _____

**MURPHY VACATION, REZONING, & CONDITIONAL USE
SPEEDWAY DRIVE & VETERANS PARKWAY
R-3, GC-P TO C-2, GC-P, OFFICE OF CONTRACTOR, D-8, 9 & 10**



The applicant requesting to vacate a portion of Speedway Drive (red area on map), rezone 1.1 acres to C-3, and request conditional use approval for office of contractor without equipment or material yard. The 4 acre development consist of two buildings (38,000 sf) for 8 to 14 tenant spaces.



Subject Property

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Veterans Office District

Agenda

Site Introduction

- Existing conditions, location and historical data.

Development Summary

- Units, square footage and amenities.

Development Highlights

- Plat, structures, illustrations and layout.

Site Introduction

- 1 Deed, 10 platted parcels.
- 3.91 Ac (without vacate).
- 2 Zonings currently: C2 and C3
- ~2,300 Vehicles traveled daily.
- Falls within Opportunity Zone
- 4 mi. to Downtown Auburn or Opelika

The Governor's Office, with the input of the Alabama Department of Economic and Community Affairs, identified and selected 158 Opportunity Zones in the state with each of Alabama's 67 counties having at least one designated zone. Using an objective methodology that involved input from a variety of resources to determine areas where the program could be most effective, the selected zones were chosen from 629 qualifying census tracts. The selected tracts average between 1,200 and 8,000 in population and vary in size from 199 acres to 235,352 acres. Click [here](#) to download a copy of the "*Opportunity Zones 101*" brochure.



C-2 Office/Retail District. This district is intended to provide areas for offices and neighborhood small retail uses. Other uses would include residential, banks, fast food, convenience stores and similar uses.

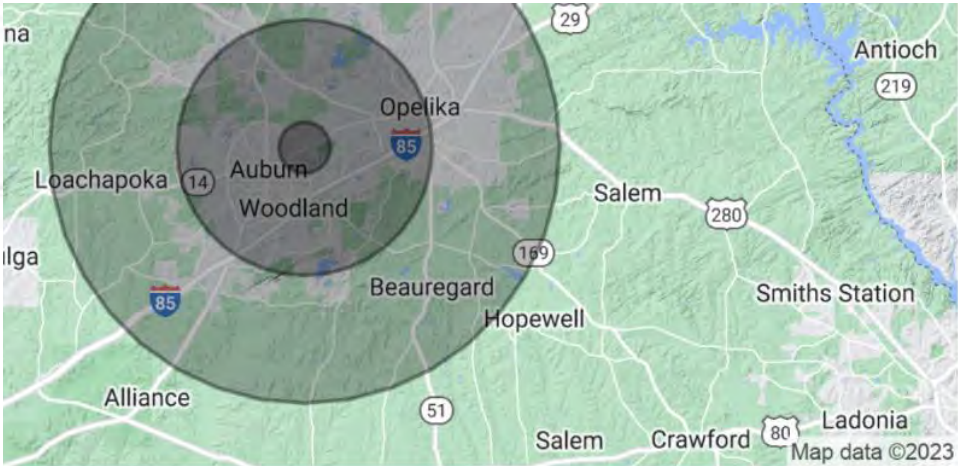
C-3 General Commercial District. This district is characterized by a broad range of retail, wholesale, and service uses and is equivalent to previous general and highway business districts. Uses allowed are motels, individual businesses, small strip centers, banks, fast-food establishments, grocery stores, and similar uses. These areas should be served by sanitary sewer.

Demographics

2 of 2

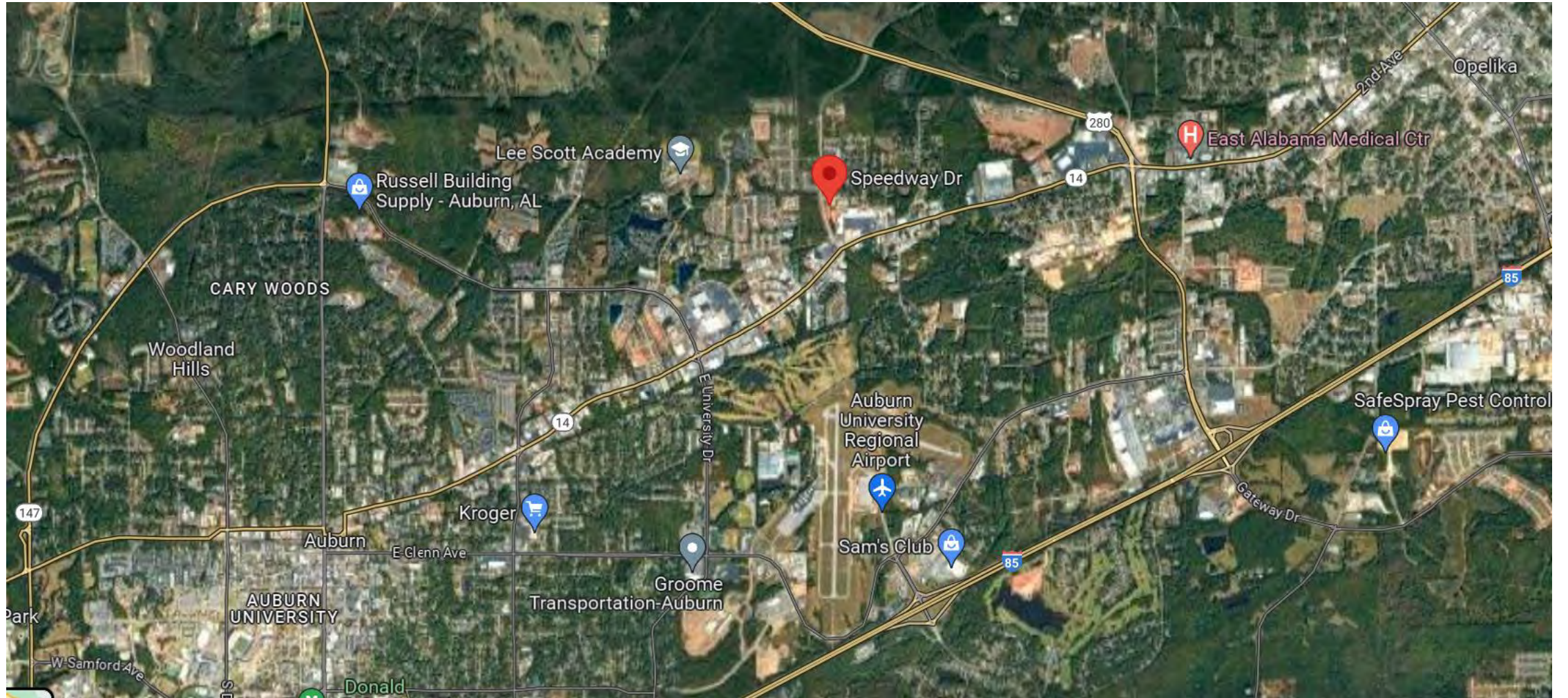
10/14/2023 2:52 PM

Hour Beginning	Eastbound	Westbound	Total
Day Total	2,062	2,079	4,141
Date Collected 09/22/2021			
Day Total	1,166	1,172	2,338
Grand Total	4,076	4,134	8,210
Percentage	49.65%	50.35%	100.00%
AM/PM Peak Hour and Totals			
Peak AM Hour	7:00am - 8:00am		
Peak AM Volume	499		
Peak AM Percentage	12.05%		
Peak PM Hour	5:00pm - 6:00pm		
Peak PM Volume	389		
Peak PM Percentage	22.47%		

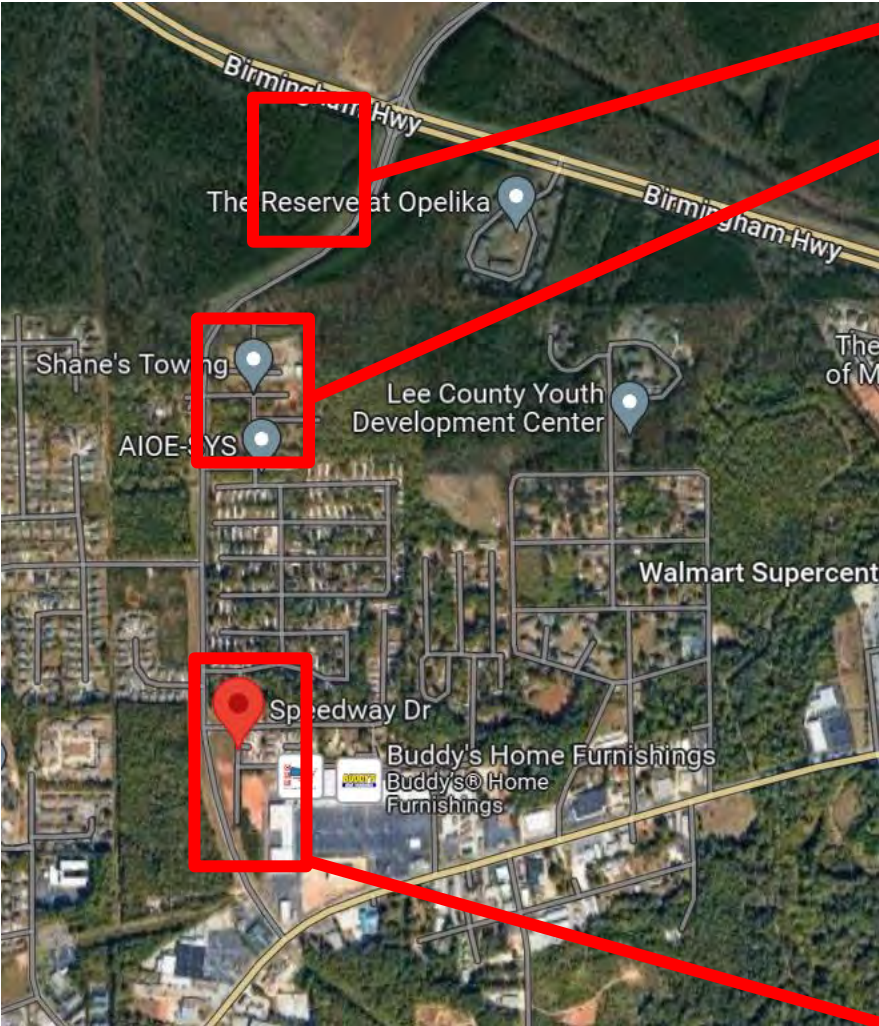


POPULATION	1 MILE	5 MILES	10 MILES
Total Population	7,540	74,166	108,733
Average Age	32.6	32.9	34.2
Average Age (Male)	30.0	32.2	33.4
Average Age (Female)	36.2	34.4	35.7
HOUSEHOLDS & INCOME	1 MILE	5 MILES	10 MILES
Total Households	3,902	34,004	48,250
# of Persons per HH	1.9	2.2	2.3
Average HH Income	\$53,188	\$59,211	\$62,468
Average House Value	\$165,342	\$186,499	\$182,460

Arial Map



Nearby



Publix: 12-16 business with, 2025 open date.



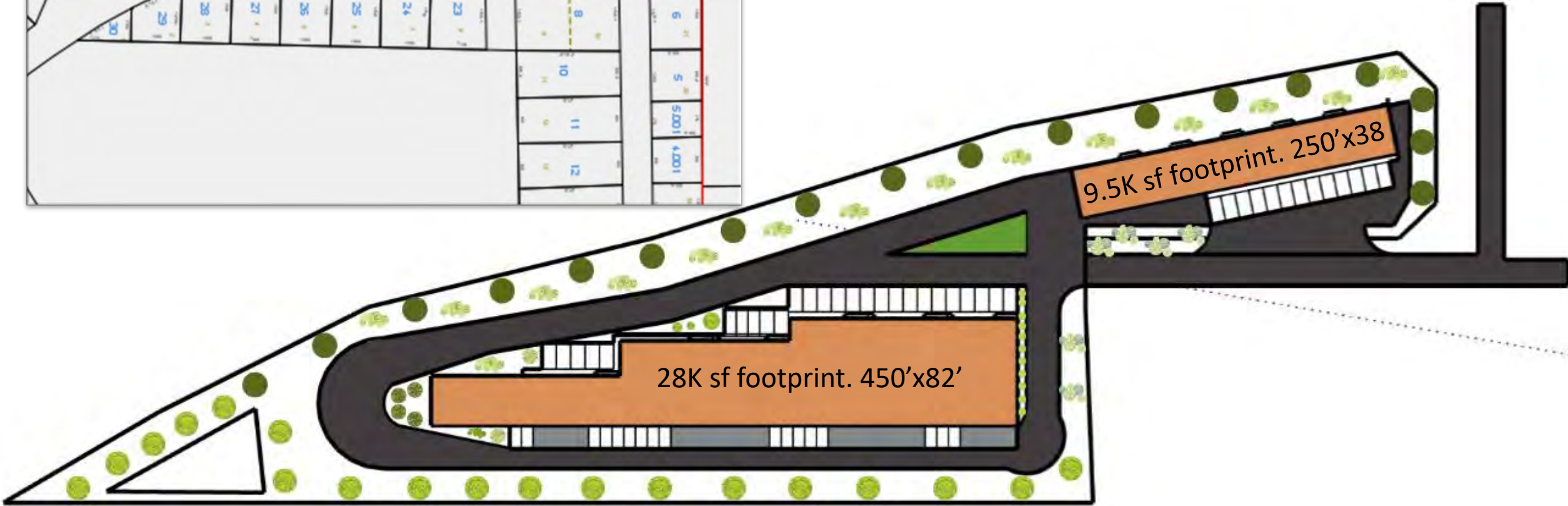
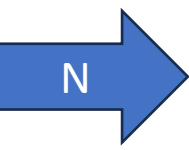
Recent new build comps



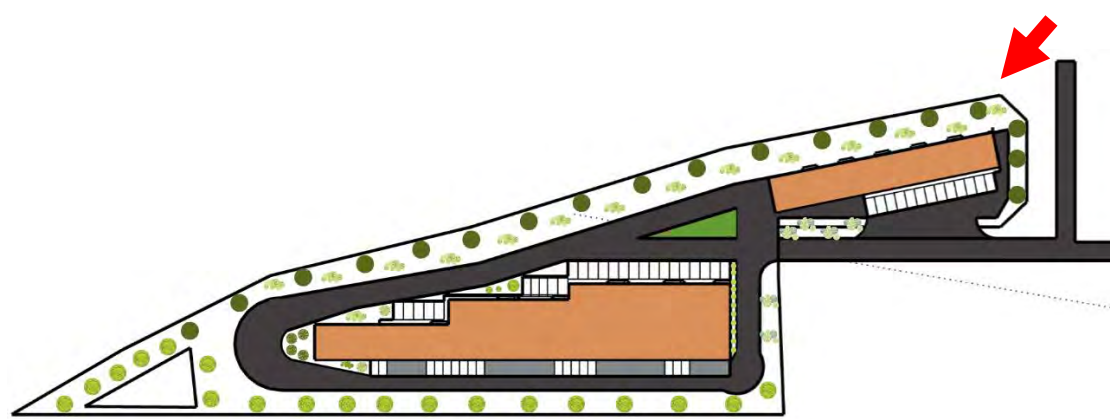
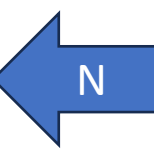


Development Summary

- Free span, red iron structures with a mixed façade of brick veneer and hardie lap. Mixed use spaces with optional office and/or warehouse availability.
- Onsite garbage collection.
- 2 structures (~9,500 sf, ~28,000 sf) totaling ~38,000 sf.
- Total unit options between 8-14 depending on size and configuration.
- Traffic in and out site circle for easy and safe traveling.
- Back of building access for all employees and warehouse entrances including multiple rollup door access for each space.



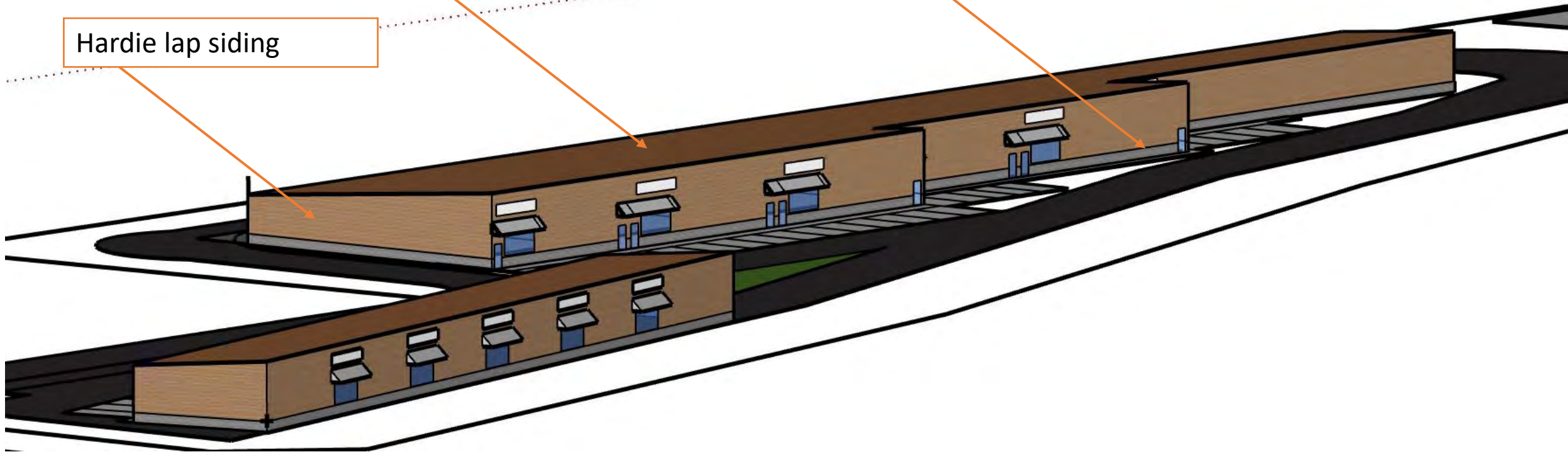
Site Plan

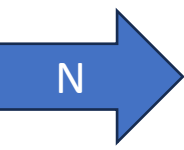


Hardie lap siding

Corrugated metal roof

Brick apron ~3 foot





Site Plan

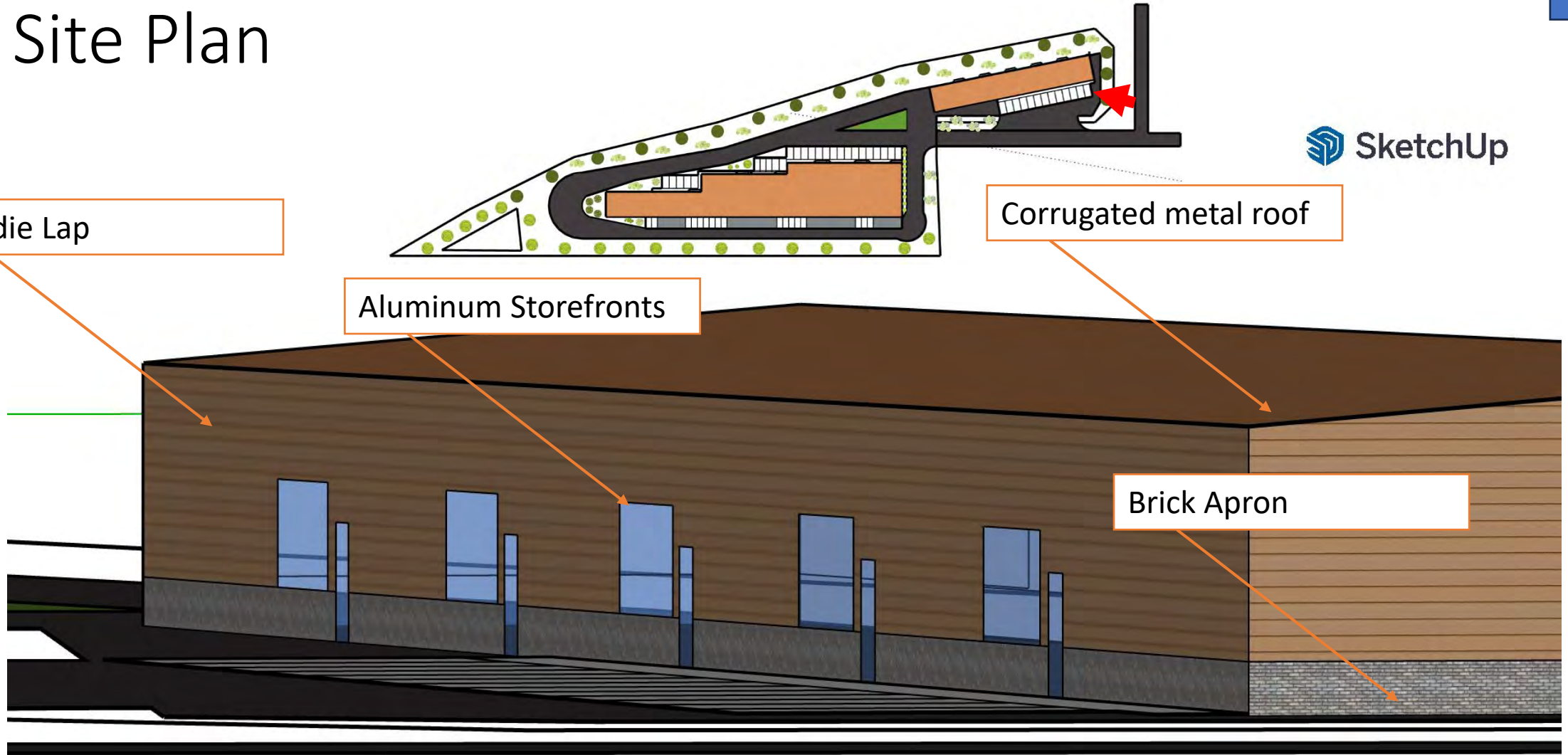
SketchUp

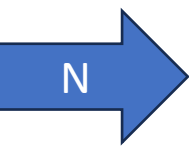
Hardie Lap

Aluminum Storefronts

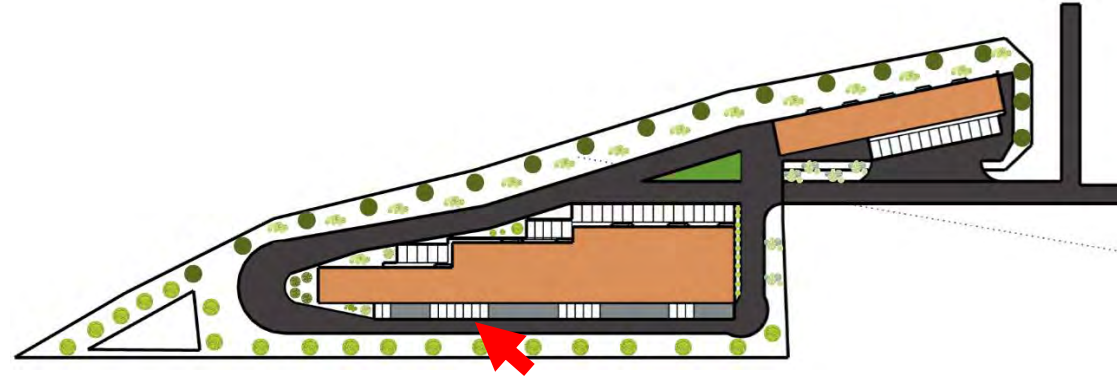
Corrugated metal roof

Brick Apron





Site Plan

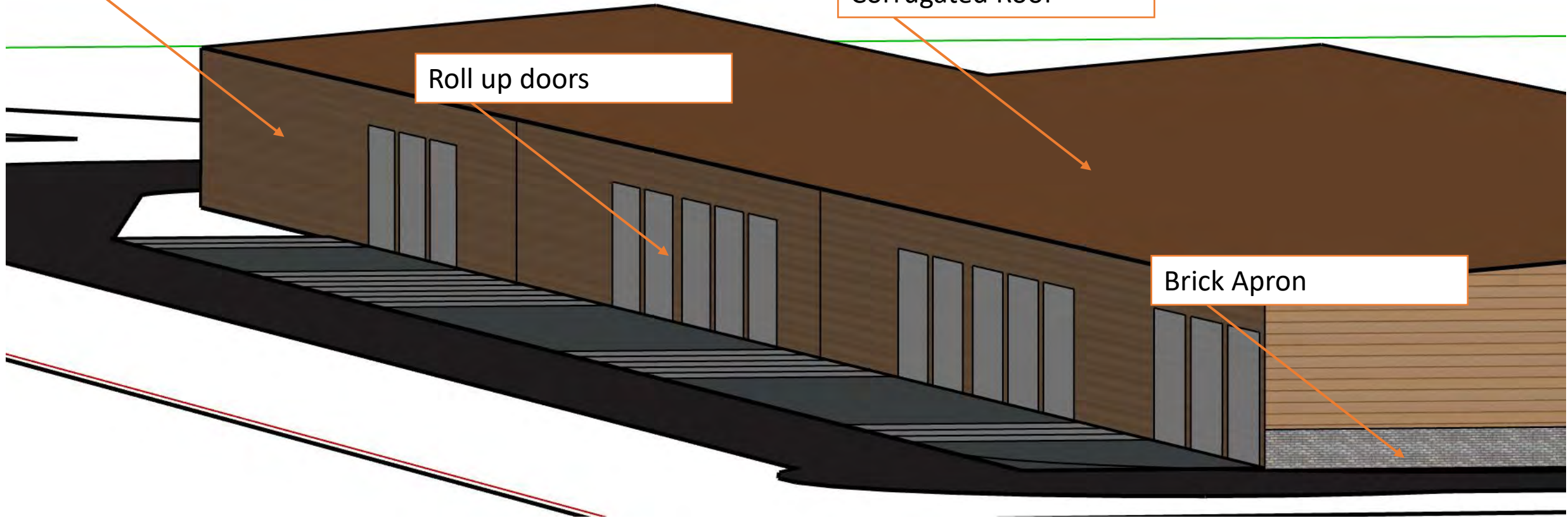


Hardie Lap

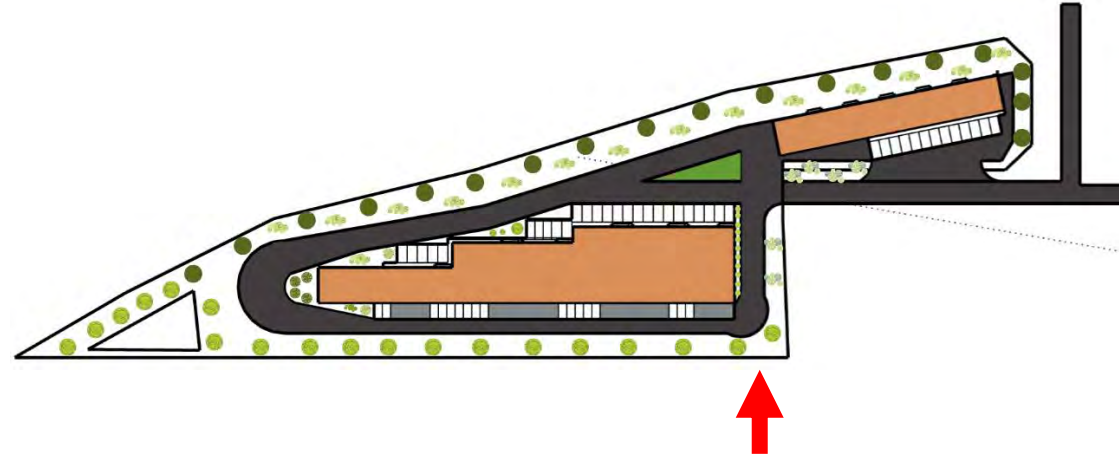
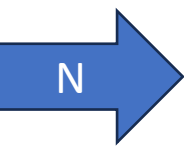
Corrugated Roof

Roll up doors

Brick Apron



Site Plan



Site Plan

