



**CITY OF OPELIKA
CITY COUNCIL
WORKSESSION MEETING AGENDA
300 Martin Luther King Blvd.
December 5, 2023
TIME: 5:45 PM**

1. CALL TO ORDER
 1. George Allen, Erica Norris, Tim Aja, Todd Rauch, Eddie Smith
2. PRESENTATIONS
 1. CDBG PY2022 Consolidated Annual Performance Report (CAPER).
 2. Request to Advertise for PH - Rezoning, 1018 and 1016 Alabama Avenue, 27,965 square feet, from R-3, GC-P to C-2, GC-P.
 3. Request to Advertise for PH - Rezoning, 1504 Speedway Drive, 1.1 Acres, from C-2, GC-P to C-3, GC-P.
 4. Request to Vacate Right-of-Way - Portion of Speedway Drive Right-of-Way (ROW).
3. RESOLUTIONS
4. ORDINANCES
5. GENERAL UPDATES
6. REVIEW/DISCUSS CURRENT COUNCIL MEETING AGENDA
7. GENERAL / DISCUSSION
8. END OF WORK SESSION

"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."

**CITY COUNCIL REPORT
CDBG PY2022
CAPER**

PY 2022 BUDGET **\$258,169**

<u>ACTIVITY</u>	<u>AMT SPENT</u>	<u>NUMBER ASSISTED</u>
Home Ownership Avg Purchase Price \$232,866 (+22%)	\$16,455.00	3HH/6PP
Emergency Home Repair	\$55,265.00	6HH/11PP (3-Carver Area/2-Jeter Area)
Façade Renovations	\$22,735.00	4 (Crawford-Willis, Main Street, Fringe)
Public Infrastructure	\$0.00	0
Supportive Services (EAFB, LRCG Utility Assist.)	\$37,725.00	860HH/ 1,977
COVID Housing/ Childcare	\$42,732.11	36HH/95PP
	Total Assisted	2,093

INCOME

Extremely Low	1,835	87.7%
Low	225	10.8%
Moderate	33	1.5%

RACE

Black/African Amer.	1,514	72.5%
White	342	16.3%
Hispanic	202	9.7%
Other	31	1.5%

City of Opelika

Planning Commission Report

Action Requested:	Rezoning: 27,966 square feet (Two lots: 19,104 and 8,862 sf) from R-3, GC-P 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)

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; a mobile home is on two commercial zoned lots. 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. The adjacent property on the north side is church property (Seventh Day Adventist) on 1.3 acres. The church property near the rezoning property is primarily wooded undeveloped property. On the east side two single family home lots are near the rezoning property. The adjacent properties on the east side across Alabama Avenue are either single family homes or undeveloped lots. Overall, there are two mobile homes and one single family home that border the rezoning property; all other adjacent properties are undeveloped.

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.

Years ago, Frederick Road was extended to Martin Luther King Boulevard, and then MLK Blvd extended to Torbert Boulevard. Torbert Boulevard was improved to Columbus Parkway to complete an east to west corridor through Opelika. The six mile 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.

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.

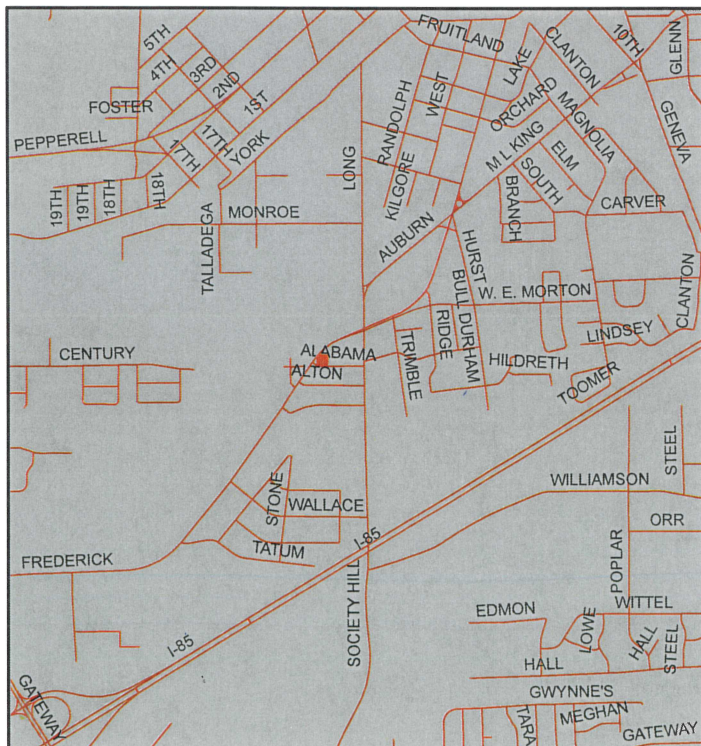
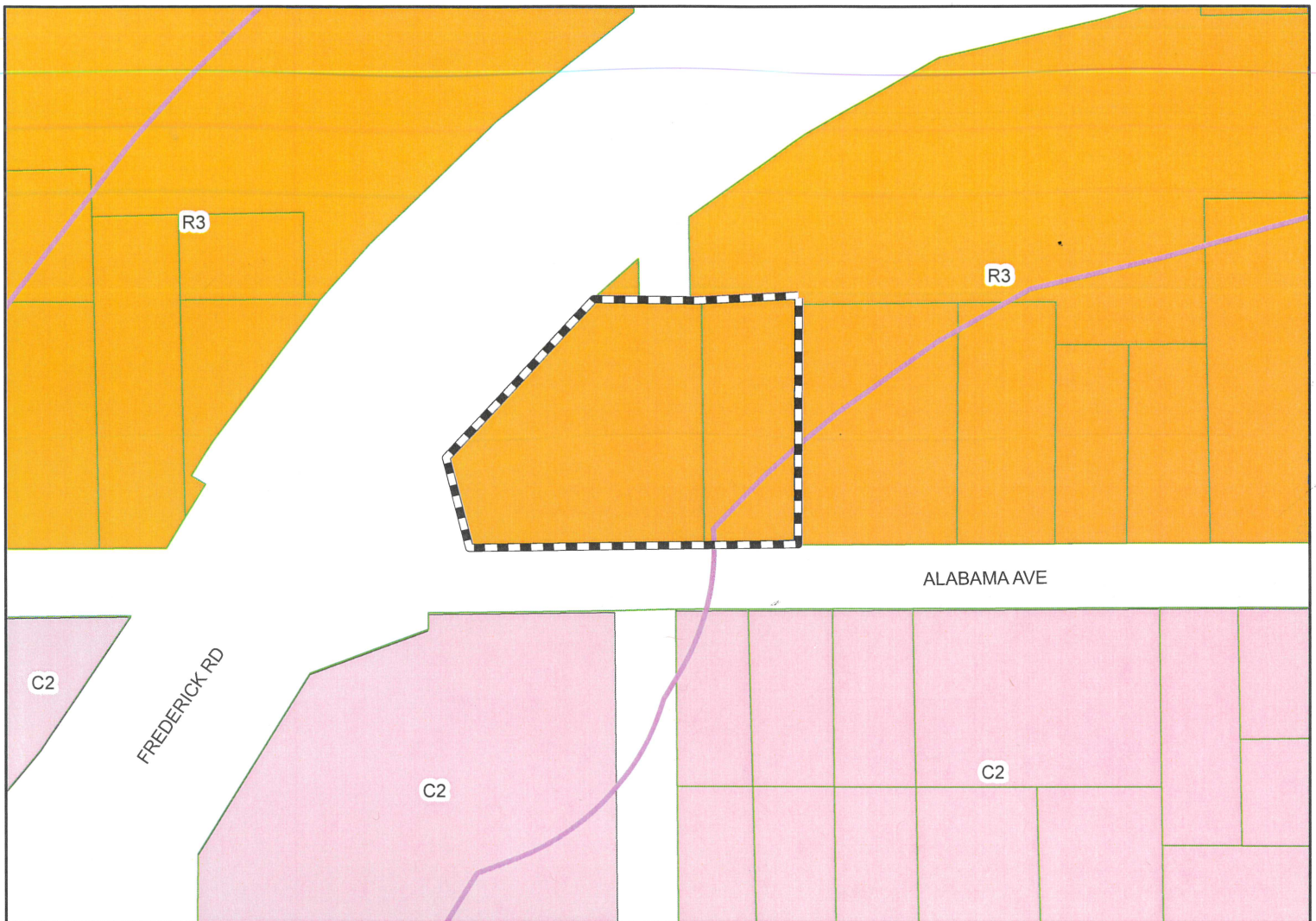
Most properties are undeveloped near the rezoning property. Staff is concerned that positive growth of those adjacent properties will be hindered by some of the more intensive uses and those that include outside storage or have an outdoor component. Most of these uses are conditional use that would allow 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.

At the November 28th meeting, the Planning Commission voted 8 to 0 to send a positive recommendation to the City Council to approve the rezoning of the 27,966 square foot property from R-3, GC-P to C-2, GC-P.

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



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



Subject Property

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City of Opelika

Planning Commission Report

Action Requested: Rezoning: 48,862 square feet (1.1 acre lot)
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

Rezoning

The 1.1 acre undeveloped rezoning property is bordered on all sides by right of ways – Veterans Parkway, Speedway Drive and Randall Drive (map attached). Across the three right of ways, the adjacent properties on the north and west sides of the rezoning property are zoned C-2, GC-P. The adjacent property on the west side (31,363 sf lot) has six mobile homes and zoned C-3, GC-P. Also, on the east side are eight adjacent undeveloped lots (2.7 acres) also zoned C-3, GC-P; the 8 lots are part of the applicant's proposed development. The developer is also requesting to vacate an unused portion of Speedway Drive. The applicant's plan is to combine the vacated portion of Speedway Drive, the eight undeveloped lots, and the 1.1 acre rezoning property into one 4.2 acre lot; the 4.2 acre property will be divided into 9 to 14 tenant spaces according to the tenant's needs (a typical tenant is a contractor's office with warehouse space).

About four years ago on Veterans Parkway (1,800 feet north of this rezoning request) a contractor's office and warehouse development consisting of 18 lots (32,000 sf each) was approved and the property was rezoned C-3, GC-P. The rezoning request today is similar but on a smaller scale; office and storage space will range from 1,900 sf to 3,690 sf (site plan attached). Storage of equipment and materials will be kept inside the tenant space no outside storage. The development is accessed from Randall Drive. Street

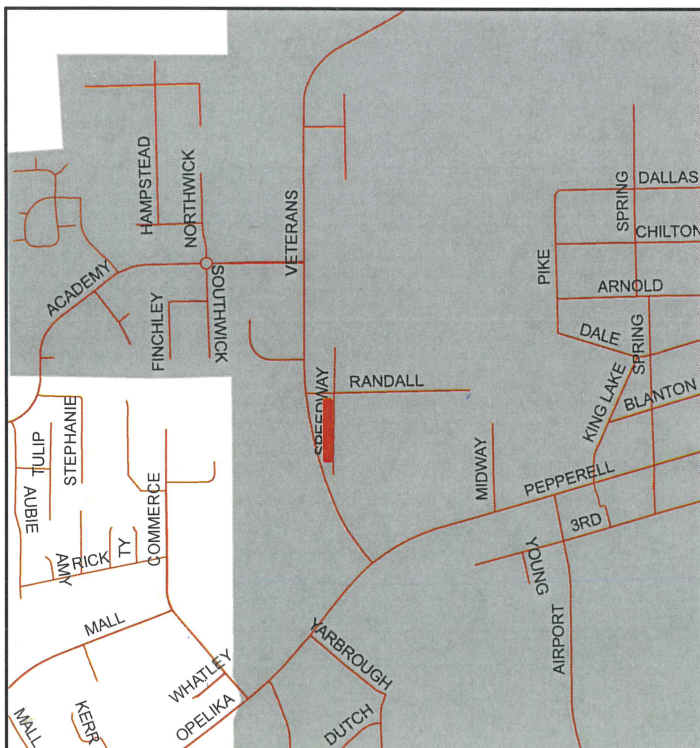
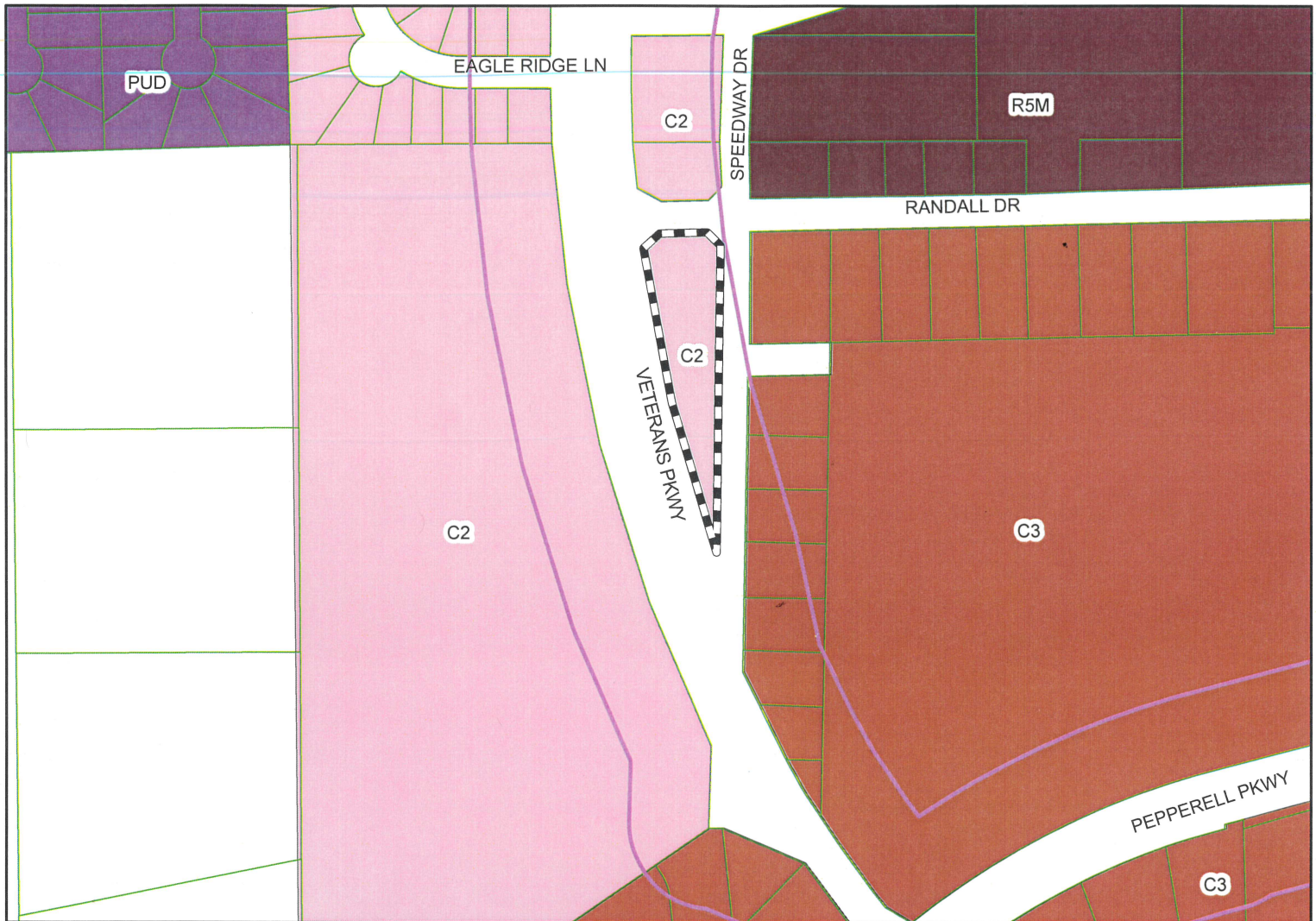
improvements and/or access limits from Randal Drive to Veterans Parkway to improve public safety may be required.

Recommendation

Most of the development (2.7 acres) is currently zoned C-3, GC-P. The adjacent property on the east side is Saugahatchee shopping center that is currently zoned C-3, GC-P. The rezoning property is near the intersection of Veterans Parkway and Pepperell Parkway and most properties on Pepperell Parkway are zoned C-3, GC-P. Staff believes the rezoning of an additional 1.1 acre to C-3, GC-P is reasonable and will not have a negative impact on the surrounding uses. 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.**

At the November 28th meeting, the Planning Commission voted 8 to 0 to send a positive recommendation to the City Council to approve the rezoning of 1.1 acres from C-2, GC-P to C-3, GC-P.

TIMOTHY MURPHY REZONING SPEEDWAY DRIVE C-2, GC-P TO C-3, GC-P

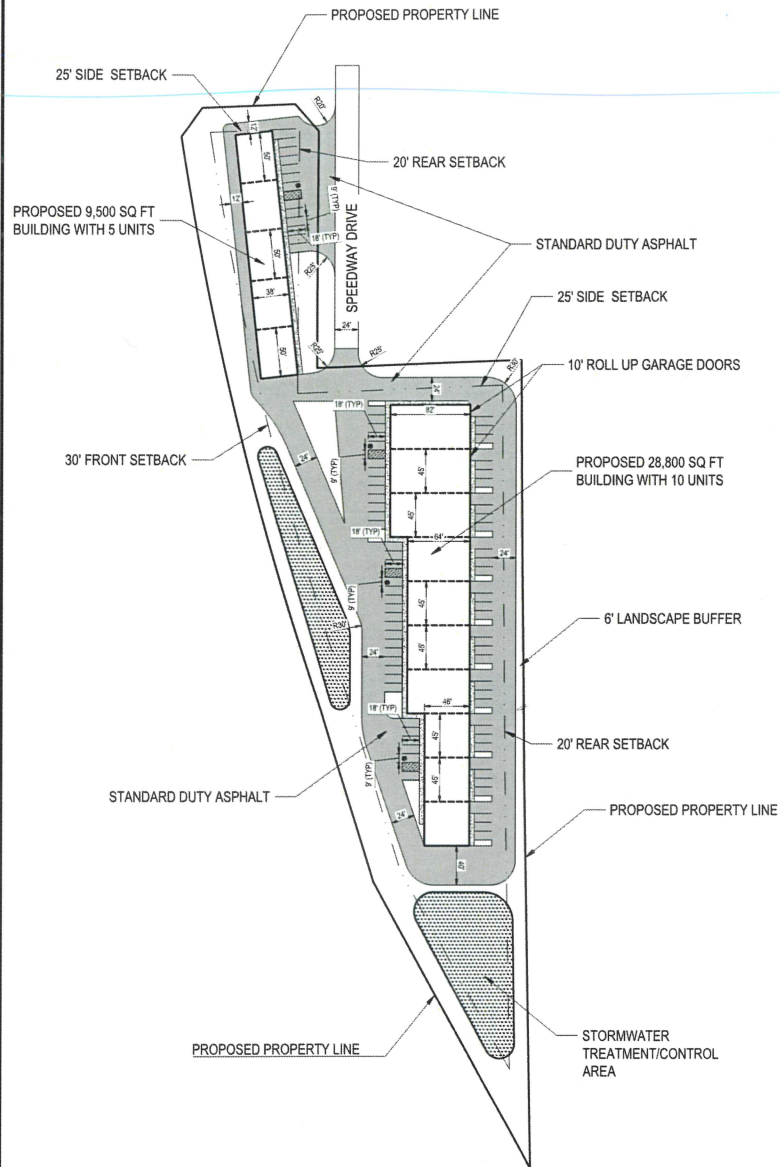


The applicant is requesting to rezone 1.1 acres to C-3, GC-P. The applicant's 2.7 acres is currently zoned C-3,GC-P. He also requests to vacate a portion of Speedway Drive. The 1.1 acres and vacated property will be combined with his 2.7 acres. An office of contractor and warehouse development for 9 to 14 tenants is planned.



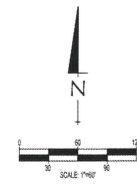
Subject Property

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SITE SUMMARY	
PARCEL NUMBER:	4.22 ± AC
DISTURBED AREA:	2.80 ± AC
BUILDING SETBACKS:	FRONT: 30 SIDE: 10 REAR: 20
CURRENT ZONING:	C2C3
PROPOSED ZONING:	C3
TOTAL UNITS:	15
TOTAL PARKING REQUIRED:	57
TOTAL PARKING PROVIDED:	73
OFFICE SPACE:	12,787 (1 SPACE/200SQFT)
WAREHOUSE SPACE:	25,013 (1 SPACE/4,000SQFT)
ACCESSIBLE PARKING REQUIRED:	3
ACCESSIBLE PARKING PROVIDED:	4
PARKING REQUIREMENT:	57
PARKING SPACE DIMENSIONS:	8'x11'

SITE LAYOUT LEGEND	
	ASPHALT PAVING
	STORMWATER POND
	ADA PARKING SYMBOL



PROPOSED SITE PLAN

LBYD ENGINEERS
Birmingham, Alabama
Huntsville, Alabama
Tampa Bay, Florida
www.lbyd.com

LBYD, Inc.
Civil and Structural Engineers
810 Montclair Road
Suite 600
Birmingham, AL 35213
Phone: (205) 251-4500

PROJECT NO. 2020-001
DATE: 01/15/2020
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
SCALE: 1/4" = 1'-0"

VETERANS OFFICE DISTRICT

SITE LAYOUT PLAN

Sheet No. 1 of 1

Scale: 1/4" = 1'-0"

Project No. 2020-001

Sheet No. 1 of 1

Sequence: 1

C4.0

Veterans Office District

Agenda

Site Introduction

- Existing conditions, location and historical data.

Development Summary

- Units, square footage and amenities.

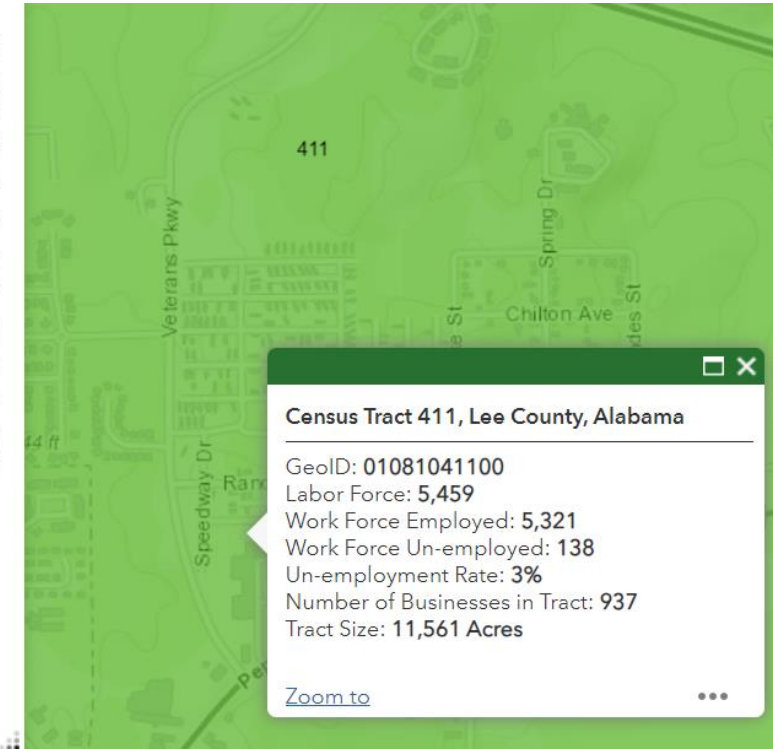
Development Highlights

- 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

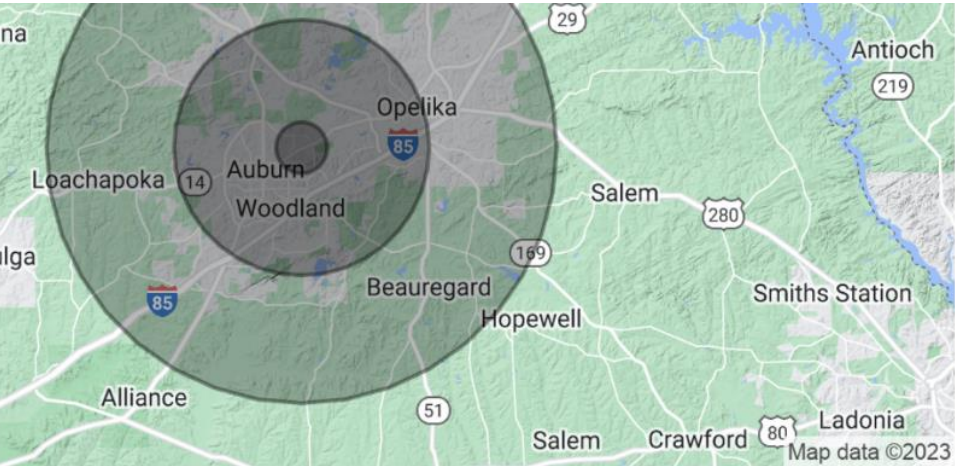
Hour Beginning	Eastbound	Westbound	Total
Day Total	2,062	2,079	4,141

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%

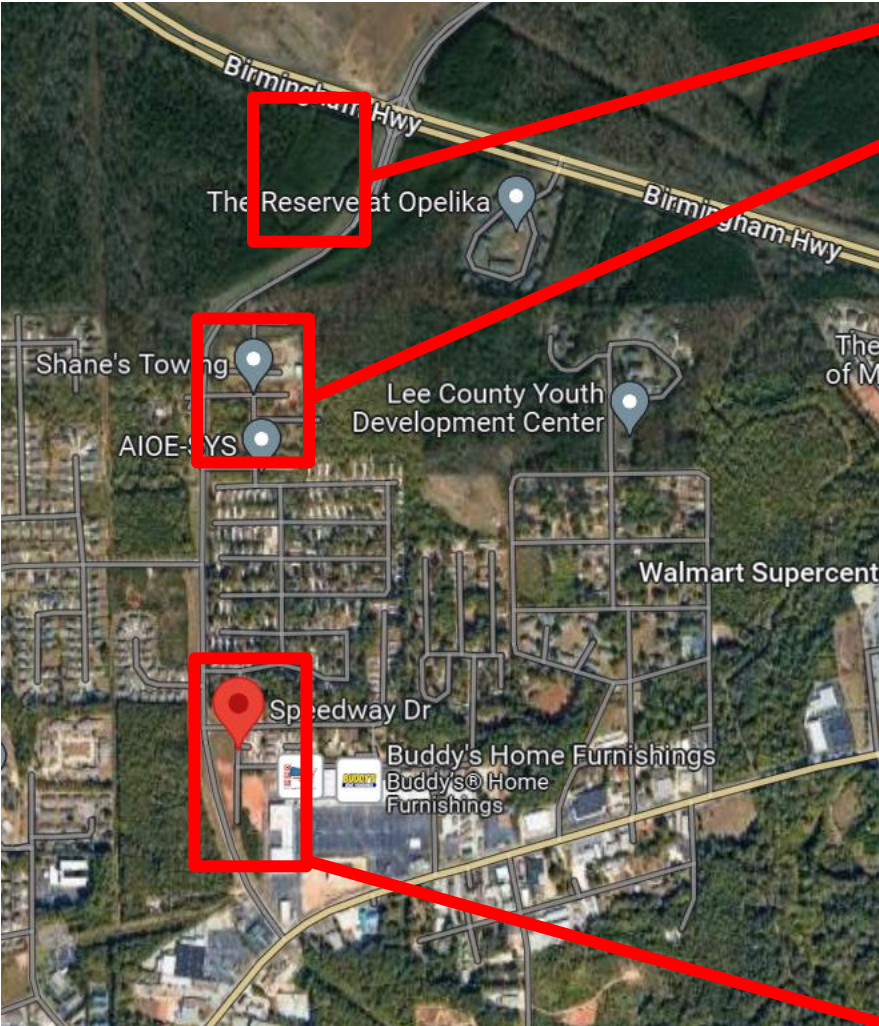


POPULATION	1 MILE	5 MILES	10 MILES
Total Population	7,540	74,166	108,733
Average Age	32.6	32.9	34.2
Average Age (Male)	30.0	32.2	33.4
Average Age (Female)	36.2	34.4	35.7
HOUSEHOLDS & INCOME	1 MILE	5 MILES	10 MILES
Total Households	3,902	34,004	48,250
# of Persons per HH	1.9	2.2	2.3
Average HH Income	\$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

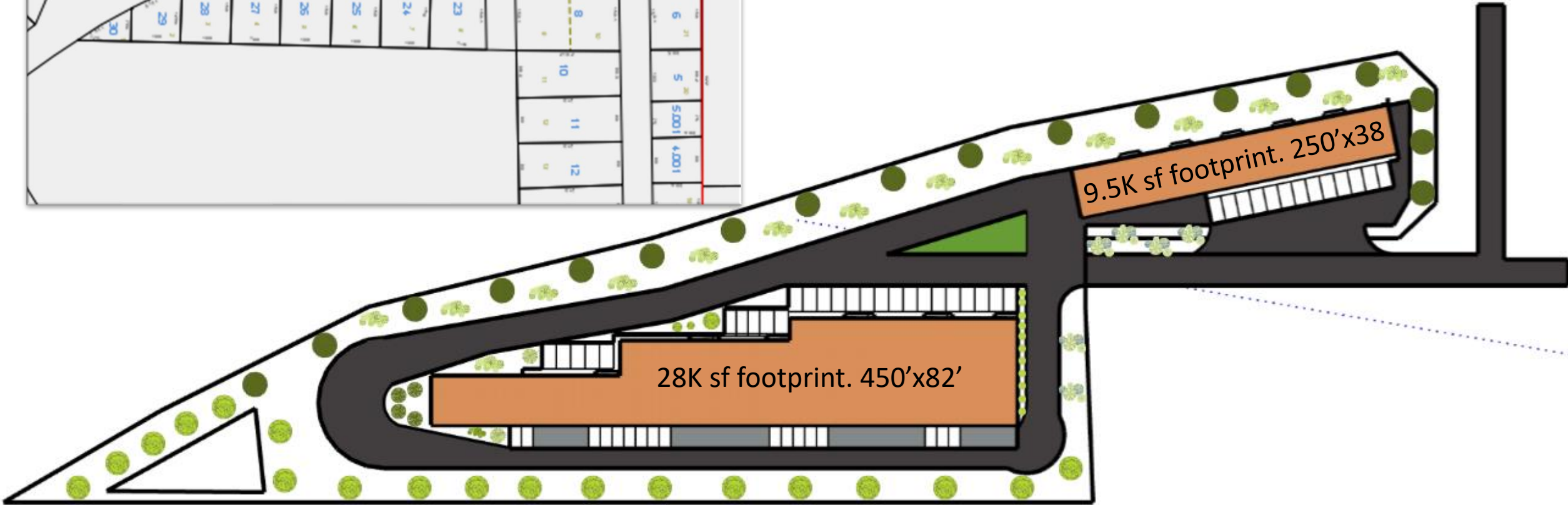
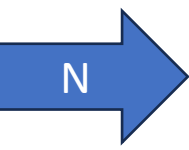


Plat and Historical

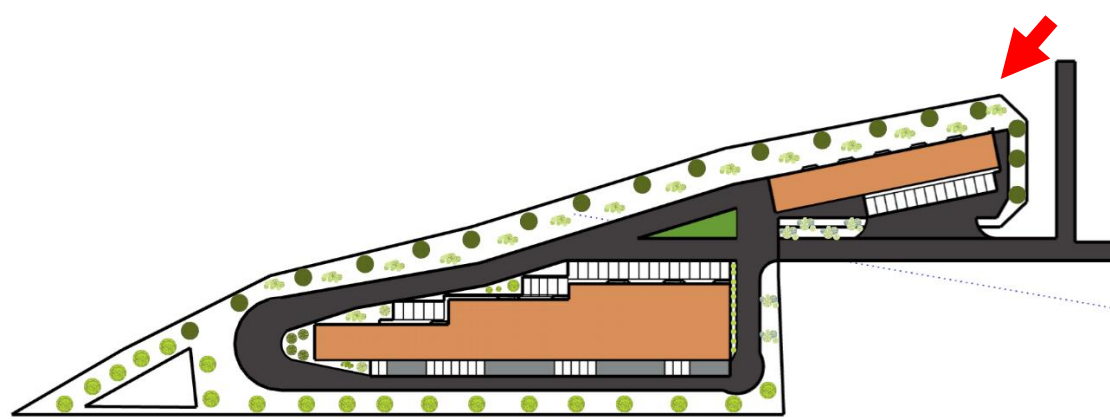
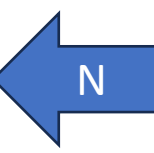


Development Summary

- 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.



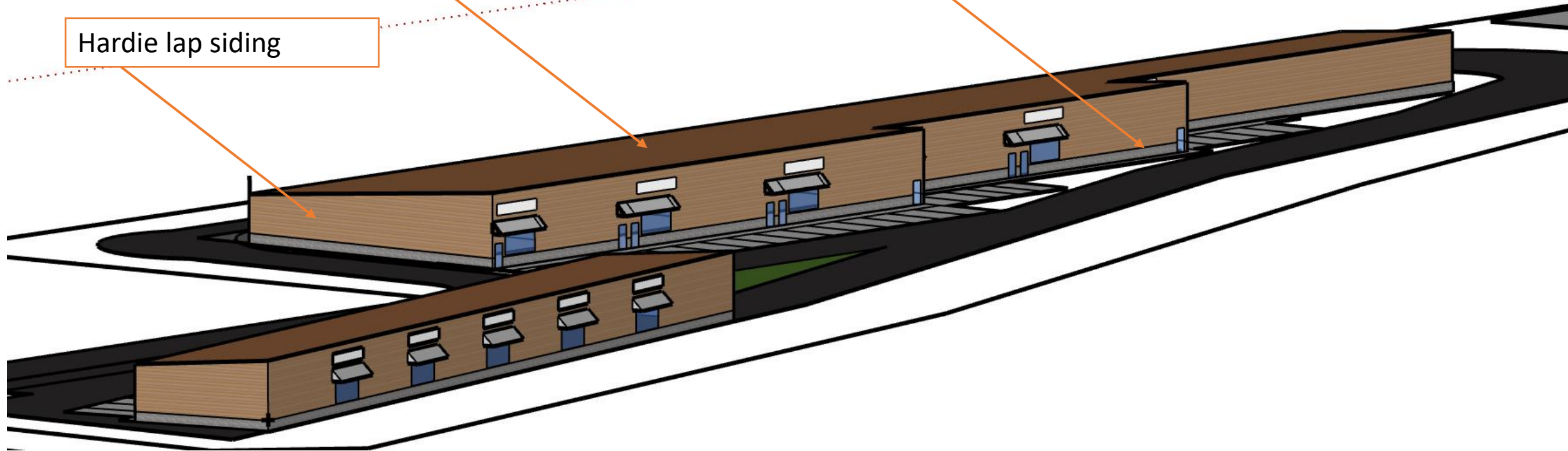
Site Plan

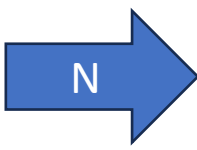


Hardie lap siding

Corrugated metal roof

Brick apron ~3 foot





Site Plan

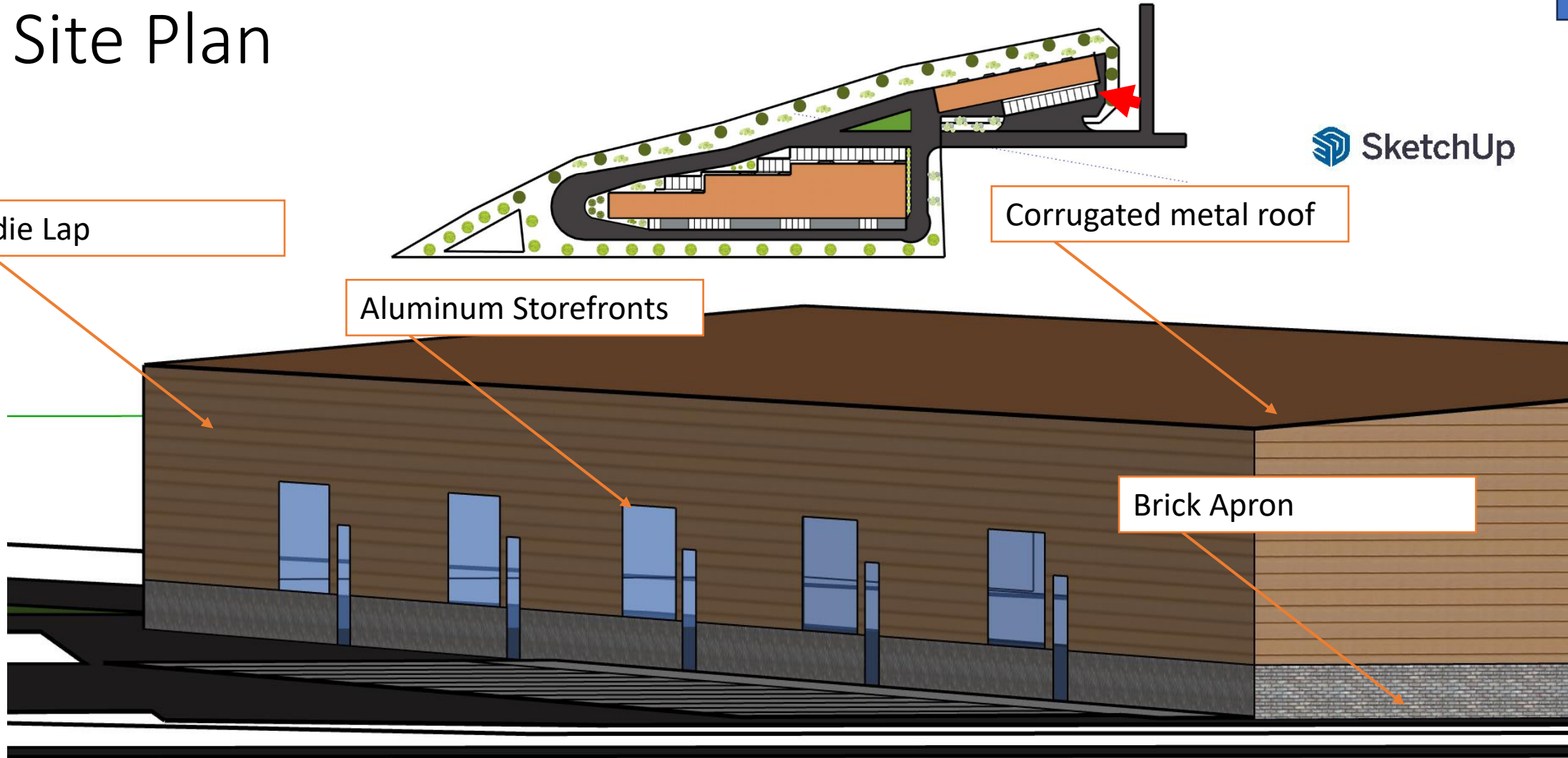
SketchUp

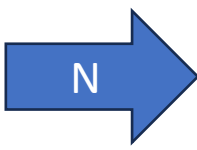
Hardie Lap

Aluminum Storefronts

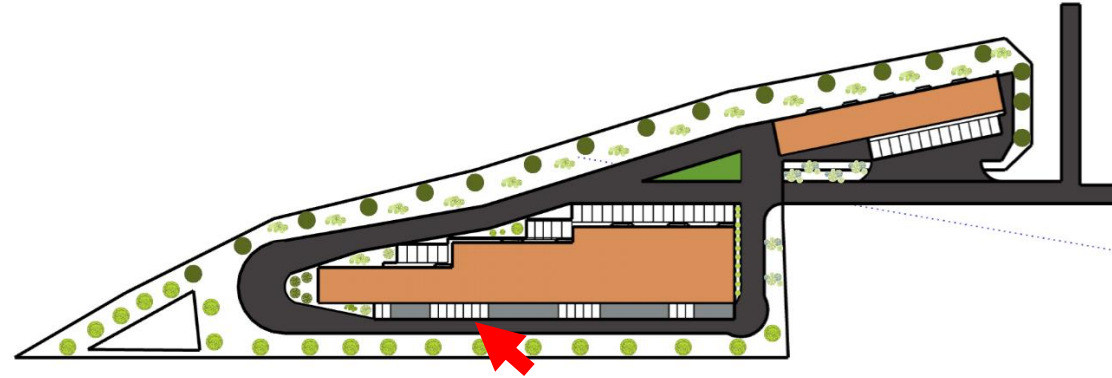
Corrugated metal roof

Brick Apron





Site Plan

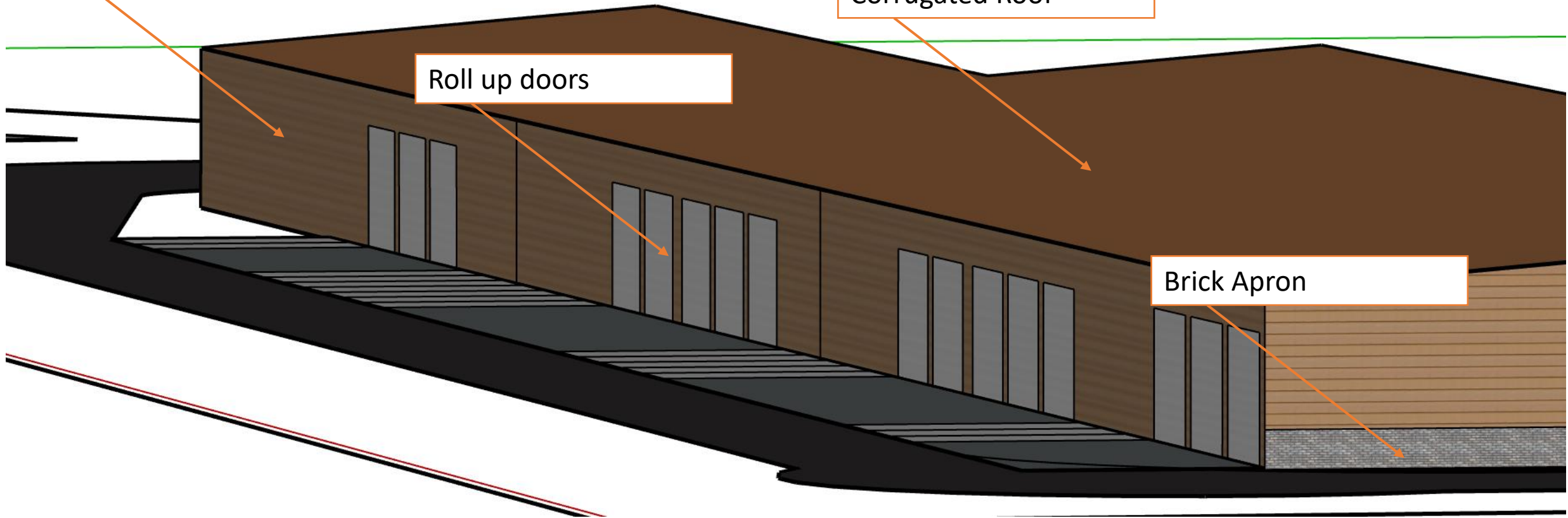


Hardie Lap

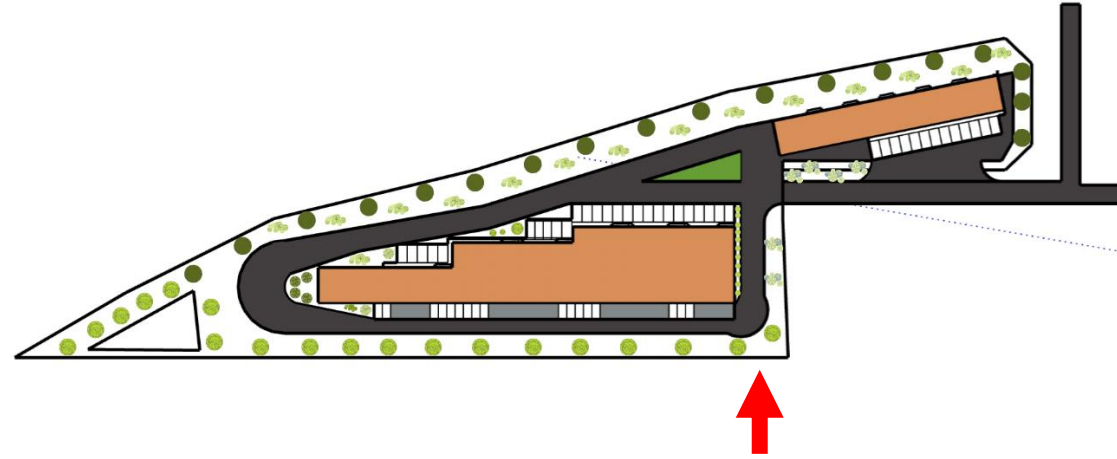
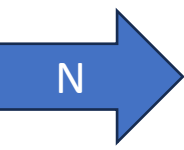
Corrugated Roof

Roll up doors

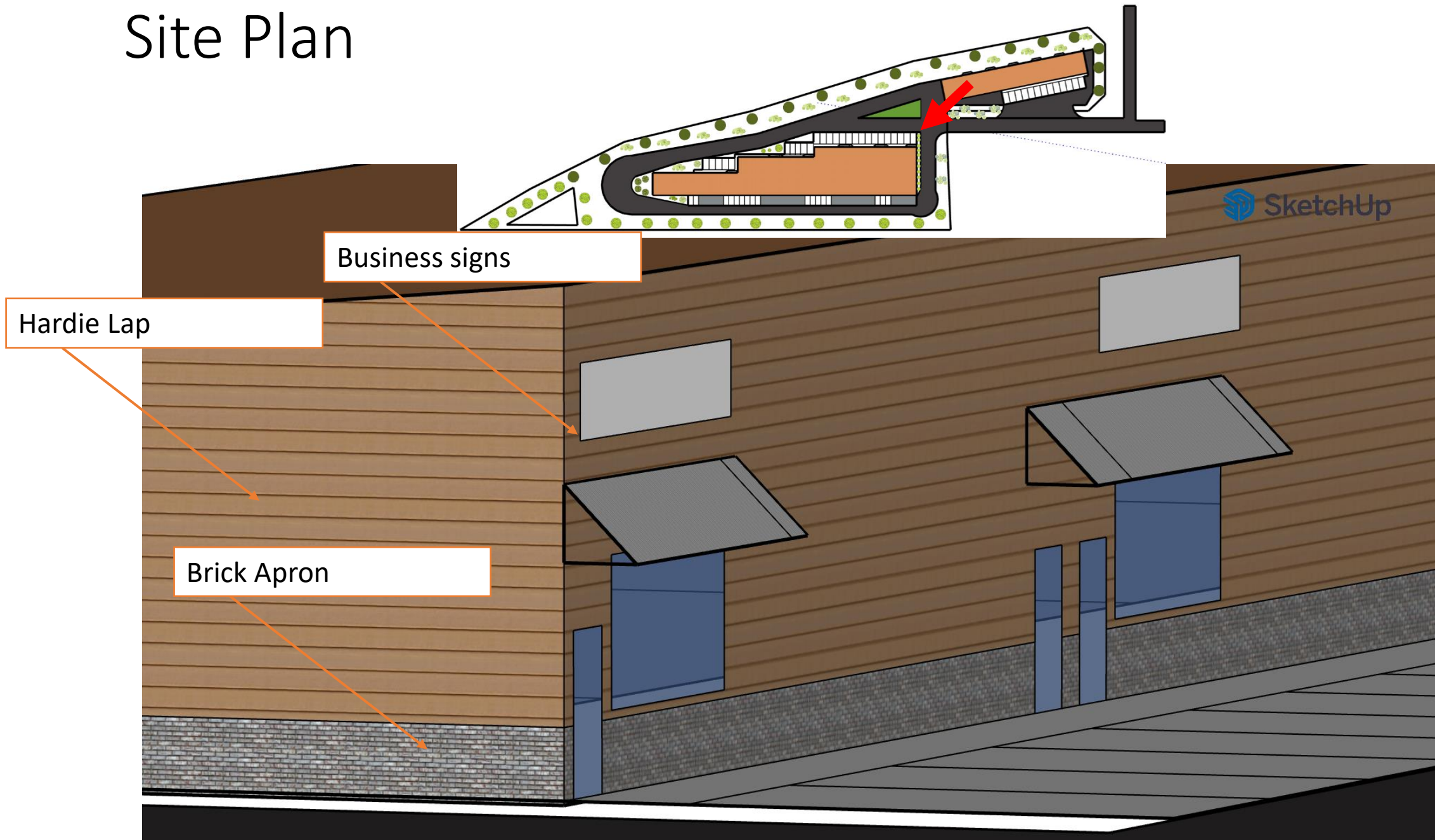
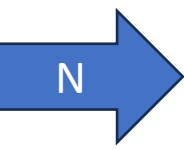
Brick Apron



Site Plan



Site Plan



City of Opelika Planning Commission Report

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 (map attached). 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.

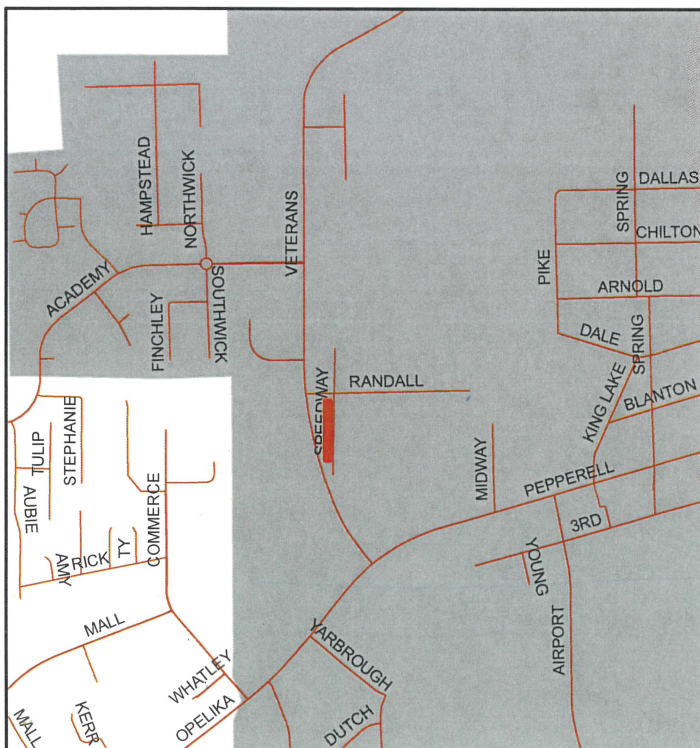
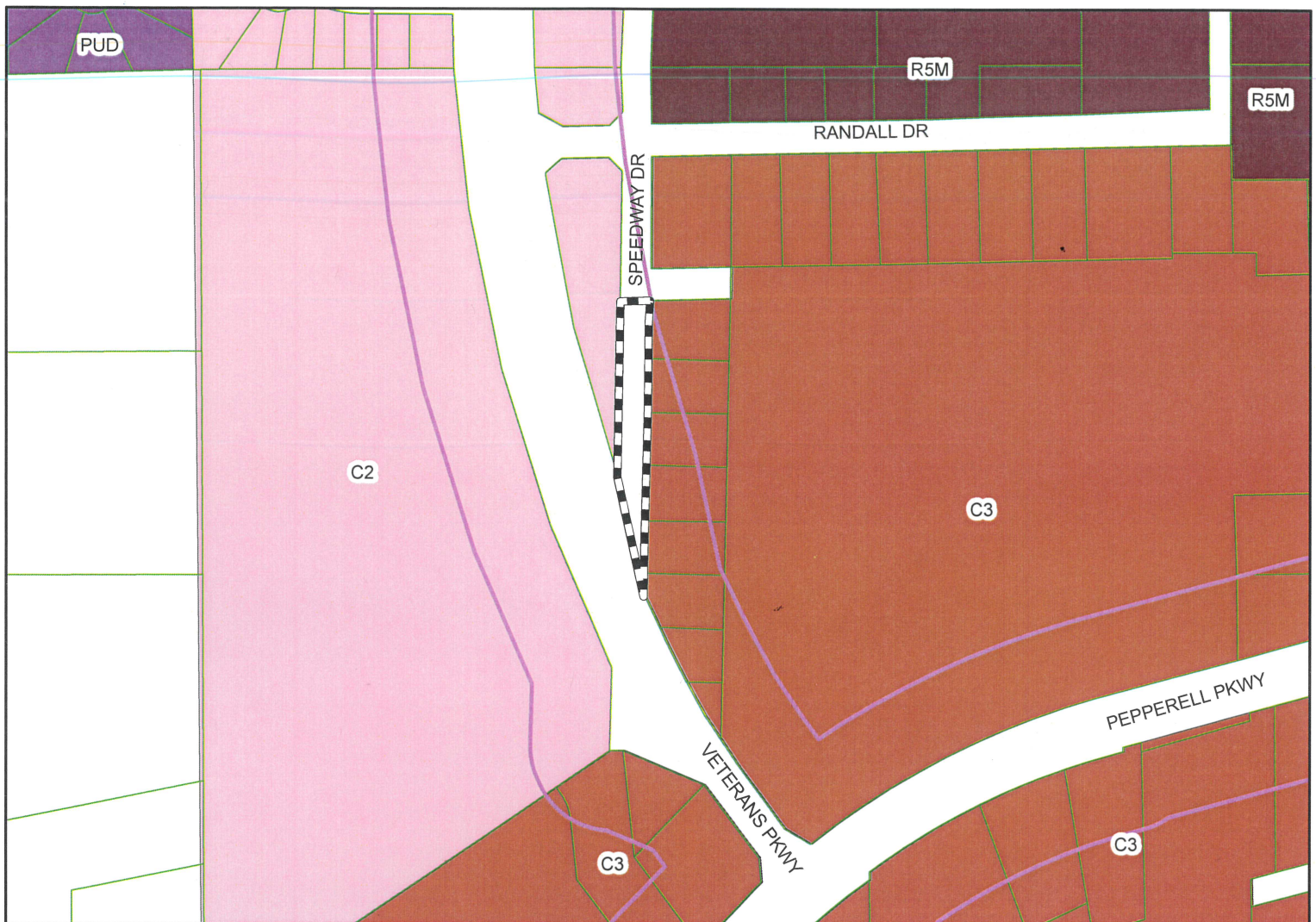
The City does not have any use for this portion of Speedway Drive right of way. Motorist currently use Veterans Parkway not Speedway Drive to enter & exit Pepperell Parkway. If right of way is vacated an easement may be required for existing public utilities in Speedway Drive.

Recommendation

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

At the November 28th meeting, the Planning Commission voted 8 to 0 to send a positive recommendation to the City Council to vacate a portion of Speedway Drive right-of-way.

VACATION OF RIGHT-OF-WAY PORTION OF SPEEDWAY DRIVE



The applicant is requesting to vacate a portion of Speedway Drive - about 50' x 550' (27,500 sf). The vacated right of way will be combined with two adjacent properties for an office and warehouse development. PC supports the vacation of right of way.



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