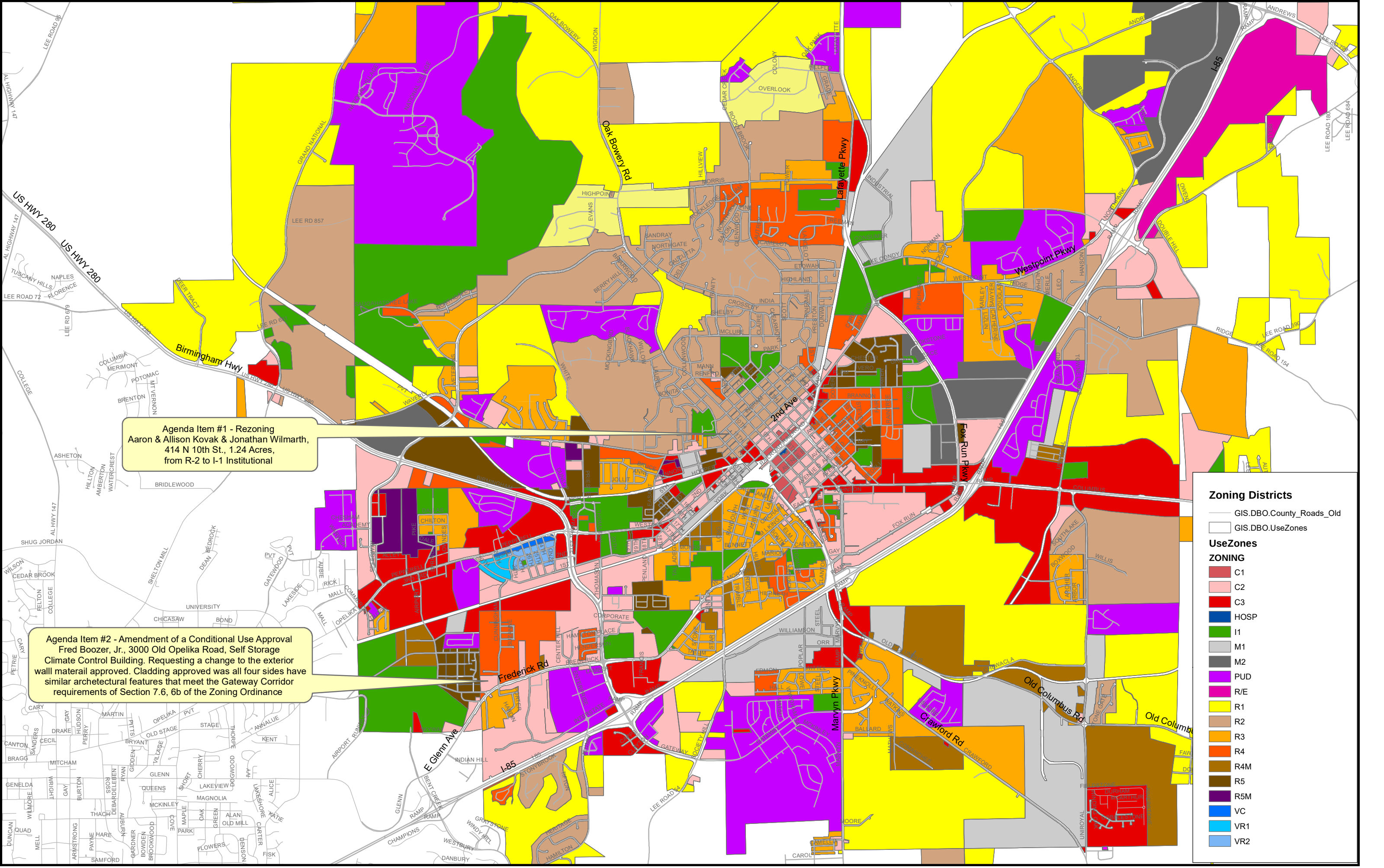




**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
January 23, 2024
TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **REZONING - Public Hearing**
 - 1. (a) Amendment to the Future Land Use Map, accessed from 414 N 10th Street, 1.24 acres, from a medium density residential land use category to an institutional land use category.
 - (b) Rezoning request, Mary Allison Wilmarth Kovak, authorized representative for Thomas J. Rodi, Archbishop of Mobile, a Corporation sole, 1.24 acres, accessed at 414 N 10th Street, from R-2 to I-1
 - B. **OTHER BUSINESS**
 - 2. Fred Boozer, Jr., property owner, requesting an amendment to the exterior building material requirements for a 200,000 square foot two-story climate control self-storage building at 3000 Old Opelika Road. The self-storage building was rezoned by the City Council at the June 2022 Council meeting. The Planning Commission rezoning review at the April 2022 PC meeting included conditions for approval that included the exterior materials must meet the Gateway Corridor requirements for exterior materials.

“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.

December 19, 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 December 19, 2023 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

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

MEMBERS ABSENT: Dr. Arturo Menefee.

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 November 28, 2023

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, 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 Only) - Public Hearing**

1. McCoy Street Townhomes SD, 27 lots, accessed from South Fox Run Parkway, David Slocum, authorized representative for Wayne Gentry, Preliminary Approval
Mr. Mosley presented the staff report to the Planning Commission for McCoy Street Townhomes Subdivision accessed from South Fox Run Parkway. He stated that staff recommends preliminary approval subject to the following:

1. **All utilities must be underground.**
2. **Add a note on final plat about the maintenance responsibility and use of the three common area lots.**
3. **The name and address of LD AL Opelika McCoy Street, LLC should be added.**
4. **The standard Opelika easement certificate should be added:**

“An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating, and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines.”

Conditional use approval for the McCoy Townhomes was at the July 2023 PC meeting. Approval was granted subject to the following conditions:

1. *The exterior materials must meet the gateway corridor cladding requirements as provided in Section 7.6*
2. *Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.*
3. *The dumpsters should be screened with materials compatible with the buildings.*
4. *Create a near opaque screen using a combination of landscaping to include evergreen trees, berming, or fencing on the area where townhomes back up to McCoy Street or the street to be dedicated. Any fencing shall be located between the landscaping and the rear of the building.*
5. *Add a gateway corridor buffer on the remainder of frontage along McCoy Street and the street to be dedicated.*
6. *Provide a sidewalk along the private drive to extend to McCoy Street on each side. This shall include the developed frontage of the street to be dedicated.*
7. *Add a parking lot buffer on the north property line between the private drive and the adjacent property.*
8. *The private street between this development and the apartments to the south shall be dedicated to the City prior to the Certificate of Occupancy being granted.*

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the road name Stowe Avenue shall be placed on the final plat for the public roadway to be accepted. He also stated that previously installed water line location should be verified before final plat.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	John Sweatman
SECONDER:	Jay Walters

DISCUSSION: Mr. Hilyer asked if plans had been submitted yet.

Mr. Parker stated that he had just received them.
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

B. FINAL PLAT

2. Wyndham Gates SD, Pod 3, Phase 5, 9 lots, accessed from Alana Court and Raiden Circle, Doug Ransom, authorized representative for DRB Group Alabama, Final Approval

Mr. Mosley presented the staff report to the Planning Commission for Wyndham Gates Subdivision, Pod 3, Phase 5, accessed from Alana Court and Raiden Circle. He stated that staff recommends final 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 (see below) and include a residential buffer between Lot 171 and Lot 172 (open space lot) and Emory Lane right of way.**
4. **Add a note on plat providing the uses allowed in the open space.**
5. **After site inspection including landscaping is approved, then plat signatures and recording of final plat is allowed.**

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

Motion to grant final plat approval with staff recommendations

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

C. CONDITIONAL USE - Public Hearing

3. Joshua O'Neal, authorized representative for Viking Sun, Inc, 909 South Railroad Ave, C-1, lounge

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for a lounge at 909 South Railroad Avenue. He stated that the Planning Department recommends conditional use approval.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that per onsite meeting, a new fire line will be needed for renovations to existing building. The fire line should be installed along the rear alley of the building and should connect to the water main on exit ramp from 10th Street. Property agreements will be required to install main on private property alley.

Chair Cannon opened the public hearing.

Richard Patton, 101 North 8th Street, stated that he is concerned about parking with 8-10pm being peak time for restaurants. He also noted that the last time there was a nightclub in downtown Opelika there were a lot of issues that the police had to take care of, and it would spill over into adjacent properties. He stated that this was a concern and asked the Commission to keep that in mind as this item was being considered.

Tom Tippet, 1103 Willow Run, stated that the Depot has a Pre-K program that operates from 7am to 5pm and that they are concerned about parking and litter. He stated that he felt this would not add to the environment of downtown Opelika and that he was not in favor of this item.

Garrison Snelling, 505 South 8th Street, stated that he and his wife just had their second child and having a nightclub within a few blocks of them was a concern. He stated that he would be interested to see how the Planning Commission could work with the potential nightclub to make it more family friendly and make it fit with Snopelika or Christmas in a Railroad Town and those types of events.

Joshua O'Neal, applicant, stated that he has four other business in downtown Columbus and that they are very safe and compliant in that community. He stated that they are wanting to bring a live music event space with line dancing and a country-western vibe. He stated that his partner sings country music and that they are trying to bring something that will be great for the community. He stated that they are open to hearing suggestions for how to keep it safe, but that they are able to keep it safe in Columbus and he felt that they would be able to keep it safe here as well.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

DISCUSSION: Mayor Fuller asked if Planning staff has spoken with the applicant about sound proofing?

Mr. Mosley stated that they have spoken with the applicant and let them know about the noise requirements for the City. He stated that the building is brick and the main concern for sound is the sound coming out of the front door. He stated that the applicant has proposed a wall on the inside of the building by the door and the speakers would face the back of the building away from the door.

Mr. Sweatman asked about parking when there are special events downtown like the Songwriters Festival, which causes a higher demand for parking?

Mr. Mosley stated that generally, staff feels like there is enough parking in the downtown area to accommodate this and many other uses. He stated that there will be events when parking is scarce, but that those individual events will just be a few times a year.

Mr. Parker stated that on North and South Railroad from 2nd Avenue to Avenue B, there are 825 public on-street parking spaces. He stated that there are 435 public off-street parking spaces in downtown. He stated that the City utilizes private parking as well, which includes parking at the Baptist Church and the Methodist Church, and there are 800 private parking spaces. He stated that in total, downtown Opelika has over 2,000 parking spaces. He noted that larger events like Snopelika only take place 6 to 10 times a year. He also noted that the public parking is free. He stated that if this was in another zone, the item would require 100 parking spaces, which would include employees and visitors.

Chair Cannon asked what the hours would be?

Mr. Mosley stated that the hours will be 8pm to 2am.

Councilman Allen asked what the capacity was?

Mr. Mosley stated that an architect will figure out the capacity based on the number of seats, restrooms, and other things, but that it could have a capacity of 300–400 people.

Mr. Walters asked if the Historic Preservation Commission looks at this?

Mr. Mosley stated that the Historic Preservation Commission will look at the exterior and potentially the signage.

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

NAYS: Chair Cannon, Walters, Whatley

ABSTAIN: Sheldon Whittelsey

D. Master Plan Revision, Major Amendment - Public Hearing

4. Weston Brasell, Holland Homes, authorized representative for the Opelika IDA, for a major revision to the Brookstone PUD (Planned Unit Development) master plan at 1001 Fox Run Parkway. The amendment adds 43 single family homes, 90 twin homes, and 7 acres of open space.

Mr. Mosley presented the staff report to the Planning Commission for the requested major revision to the Brookstone PUD master plan at 1001 Fox Run Parkway. The amendment adds 43 single family homes, 90 twin homes, and 7 acres of open space. He stated that staff recommends Planning Commission send a negative recommendation to the City Council to modify the current master development plan.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted. He noted that there is only one existing access to a public road, even though there has been a proposed connection to the Willows and the Chimneys. He stated that those have not been connected yet because the subdivisions have not been developed yet. He stated that the existing water main on Woodland Circle (east side cul-de-sac area) is not adequately sized for this number of additional units. Water will need to be reinforced with second connection from Brookstone Drive, Woodland Circle west side cul-de-sac area, or Willows Dr. He also stated that this is outside of the Opelika Power Services territory.

Chair Cannon opened the public hearing.

Thomas Johnson, Holland Homes, stated that there are two connection points to the west that will eventually lead out to West Point Parkway, in addition to connectivity to Fox Run Parkway

through Fox Run Village. He stated that they have adequate access and could make that connection to Brookstone if this goes positively through City Council and in the event that a traffic study were to warrant it. He noted that there are some topography issues connecting there with the creek, which is why it was left out initially. He stated that, with regard to the water, they would be happy to loop the system and continue it to Brookstone or to the other side of Fox Run, and he felt that would be appropriate for pressure and flow. He stated that they kept the 10-foot front consistent on the duets, which is what was originally proposed for Fox Run Village, but that it was their intention to meet the parking code which is why they built all of the duets 20 feet back. He stated that they have no issue making that change. He stated that this is a natural progression of Fox Run Village, and it fits within the current footprint. He stated that compared to the original PUD approval, this will eliminate 64 apartments and zero lot-line garden homes. He noted that everything they are proposing is single-family and they promote ownership as opposed to renting. He stated that of 221 homes that have sold at Fox Run, they believe that only 19 are rentals. He stated that in order to provide more affordable housing for people, more affordable housing needs to be allowed.

Daniel Holland, Holland Homes, stated that there is always a percentage of investors buying houses and that, because Fox Run is so affordable, they are seeing that number go down. He stated that he felt that replacing an apartment complex with an existing community that has been successful is exciting. He stated that the lot sizes are not to cram as many houses in as possible, but that the concept was to reduce the cost of the lot and land. He stated that 1 square foot is a baseline of \$1,300 and so adding 10-20 feet to a lot can price people out of a house. He stated that they have established strictly enforced HOA's.

Mr. Walters asked how the duets handle maintenance issues?

Daniel Holland stated that it is handled the same as a townhome. He stated that both parties are responsible for their share and that is written into the paperwork they sign. He stated that he is the president of the architectural review board.

Mr. Walters asked who enforces that?

Daniel Holland stated that the HOA enforces that, but as long as Holland Homes is developing, they will always keep control of the community.

Chair Cannon asked who would enforce it after Holland Homes is finished developing?

Daniel Holland stated that it would be the HOA then. He stated that they strongly recommend a professional property management company to manage the HOA for the homeowners. He stated that the CCRs (Covenants, Conditions, and Restrictions) are written in a fashion where they can't just come in and repeal everything. He stated that they have found that the buyers have the same desire for the elevated feel and are involved in the community.

Thomas Johnson stated that it would take a unanimous vote of all 258 people to repeal the CCRs.

Daniel Holland stated that even though this is an amendment to the PUD, this is really an extension of Fox Run and will allow us to potentially add more amenities to the existing community and make Fox Run even better.

Mr. Whittelsey asked if their intent was to add a second ingress and egress? He stated that one entrance would be overloaded.

Thomas Johnson stated that there are three points of ingress and egress as shown, but that if it

warrants a connection to Brookstone Drive, that is what they will do.

Chair Cannon stated that there are no trees.

Daniel Holland stated that they have planted about 50 trees and, with the drought, lost about 25 of them. He stated that they are planning on adding several more trees in January. He stated that they want to make sure that the trees continue in the new phase. He stated that they lined trees on Village Drive.

Mr. Mosley stated that if this does get approved, the City's public safety personnel are in favor of having a permanent and immediate additional access. He stated that if the additional units are built before the connections, it would be more than the existing road could handle.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for rezoning to City Council with the condition of an additional ingress and egress being installed with the development

RESULT: Passed

MOVER: Sheldon Whittelsey

SECONDER: Mayor Gary Fuller

DISCUSSION: Mr. Walters asked if the location of the additional connection needs to be specified?

Mr. Mosley stated that right now there is a connection to Brookstone Drive, so the Commission could specify that location or leave it to the developer to pick one of the additional connections.

Thomas Johnson stated that they have a right-of-way connection to Brookstone Drive or they could connect to Willows or Chimneys.

Mr. Sweatman asked what the public safety recommendation was?

Mr. Parker stated that Brookstone is the most logical.

Chair Cannon asked if this will come back to the Planning Commission if the City Council approves it?

Mr. Mosley stated that if this gets approved by City Council, it will come back to the Planning Commission for preliminary plat to verify that it meets the development plan that is being proposed today. He stated that if this plan shows 40-foot lots, a preliminary subdivision with 40-foot lots would need to be approved.

Mr. Whittelsey asked if the phases that have already been developed have 40-foot lots?

Mr. Mosley stated that they do. He noted that the standards they have in this phase are mostly identical to the standards that they have previously submitted for previous phases.

Mr. Whittelsey stated that he was surprised to see that there was only one ingress and egress for this development and that there was a lot of traffic.

AYES:	Walters, Whatley, Whittelsey, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	Chair Cannon
ABSTAIN:	None

V. OLD BUSINESS

E. **CONDITIONAL USE - Public Hearing**

5. Matthew Hall, Superunion, authorized representative for Nathaneal P. Moody and Shree R. Summerlin, 512 South 8th Street, C02, GC-P, mixed commercial and residential development (*This item was tabled at the November 28th Planning Commission meeting*).

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for a mixed commercial and residential development at 512 South 8th Street. He stated that 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.**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that 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. He stated that each unit shall have an individual meter or entire development shall have master meter. Existing service is not adequate and new service(s) will be required from either 8th St. or Ave. E.

Chair Cannon opened the public hearing.

Matthew Hall, Superunion, stated that at the last meeting there was a citizen concerned about the parking, and they have since been before the Zoning Board and Historic Preservation Commission. He stated that they felt that adding an apartment was much more suited for the neighborhood because they are right next to residential. He noted that the alternative is to have more commercial space, which would potentially incur more parking.

Chair Cannon closed the public hearing.

Motion to remove the item from the table

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

Motion to grant conditional use approval with staff recommendations

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Mayor Gary Fuller
DISCUSSION: Chair Cannon asked what type of businesses will be in the commercial units?

Matthew Hall stated that two of the units will be offices for the property owners. He stated that the units facing 8th Street could be a number of different things. He stated that one of the units will be a retail candle shop, and one might be a small bodega. He stated that there is no plan to have a commercial kitchen or restaurant and that all of these scenarios were covered in the Zoning Board meeting. He noted that the Zoning Board felt that the parking would be adequate and that they were given a parking reduction of 4 spaces.

Chair Cannon asked if they will need on-street parking?

Matthew Hall stated that he did not think they would. He noted that commercial is allowed within this zoning, and that what they are requesting is residential which has less of a parking requirement.

Mr. Mosley stated that staff also monitors parking and evaluates whether parking is available based on the requested use. He noted that high turnover uses might be limited based on parking.

Mr. Whittelsey asked if there was on-street parking here?

Mr. Mosley stated that there is not currently on-street parking at this location, but that parking on the side of the street on 8th Street is legal.

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

NAYS: None

ABSTAIN: None

VI. ADJOURN

Motion to adjourn at 4:19 p.m.

RESULT: Passed
MOVER: John Sweatman
SECONDER: Director Mike Hilyer
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, 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: January 23, 2024

Agenda Item #: A1a and A1b

Action Requested: Amendment to the Future Land Use Map and Rezoning: 1.24 acre lot with home structure.
(a) Amendment to Future Land Use map - from Medium Density Residential to Institutional
(b) Rezoning - from R-2 to I-1

Location of Property: 414 N. 10th Street

Property Owner(s): Thomas J. Rodi, Archbishop of Mobile
Aaron & Allison Kovak, Johnathan Wilmarth, authorized representatives

Current Zoning: R-2 (Low Density Residential)

Proposed Zoning: I-1 (Institutional)

Existing Land Use: St. Mary's Catholic Church facility (vacant) with gravel parking.

Surrounding Zoning Districts And Land Uses:

North	R-2	Single Family Home
South	R-2	Single Family Home
East	R-2	Church
West	R-2	Church

Use and Area:

This 1.24-acre property is currently for sale and most recently used by the St. Mary's Catholic Church with a gravel parking area added. This property is in the Northside Historic District but is currently not regulated by the Historic Preservation Commission or guidelines because an exemption granted to religious entities. The former use was a single-family residence. The properties on both sides are churches and utility. Single-family uses are located in the front and rear. The property is a corner lot adjacent to N. 10th Street and 5th Avenue. The entrance to the property is currently from 5th Avenue. Across the two right of ways, the adjacent properties on the north and east sides of the rezoning property are developed as single-family homes, and the Tenth Street Church of Christ with large parking lot primarily in the rear. The adjacent property on the west side has two home structures and one church structure with a large parking lot, all these structures are used by the St. Mary's Catholic Church as facilities.

Amendment to the Future Land Use Map

This request is to amend the 2030 Future Land Use Map (FLUM) to align with the potential rezoning from Low Density Residential (R-2) to Institutional Zone (I-1). The 2030 Future Land Use Map (FLUM) shows the 1.24-acre rezoning property in a “medium density residential” land use category. The authorized applicants have proposed purchasing this property and changing the use to a Boutique Hotel or Bed and Breakfast, and Community Event Center renovating the existing structure. The change of ownership from a religious organization would put this property back under the regulations of the Northside Historic Design Guidelines and review by the Historic Preservation Commission. The property has a unique location as mentioned above between two well-established churches. Amending the future land use category from “medium density residential” to “institutional” would allow for this property to be rezoned, purchased, and redeveloped into the new use proposed. Institutional zoning is a zone that can be used for floating type uses, while still protecting the surrounding area from general commercial uses.

Staff Recommendation

Staff recommends approval of an amendment to the Future Land Use map for the 1.24 acres from a “medium density residential” land use category to an “institutional” land use category. The location of this property between two well-established church properties provides an opportunity for this property to be zoned to fit the surrounding uses and allow for the redevelopment of this large historic structure. This potential change of ownership also allows for this historic structure to be put back under the regulations of the Northside Historic Design Guidelines and reviewed by the Historic Preservation Commission.

Rezoning

The authorized applicant is requesting rezoning one lot (1.24 acres) from Low Density Residential (R-2) to Institutional Zone (I-1). The authorized applicants have proposed to purchase this property and change the use to a Boutique Hotel or Bed and Breakfast, and Community Event Center. The change of ownership from a religious organization would put this property back under the regulations of the Northside Historic Design Guidelines and review by the Historic Preservation Commission.

When rezoning a property, it is best practice to review all the allowed uses for that zone to account for the long-range possibilities. This property is different for many reasons, including but not limited to being in the designated Northside Historic District and between two churches. The Institutional District is intended to be used as a zone that is not suitable for general commercial uses and provides protection from incompatible uses. Institutional District (I-1) is defined in the Zoning Ordinance as intended for major institutional uses such as governmental buildings, parks, cemeteries, schools, the East Alabama

Medical Center, and related medical uses. Uses in this district will be limited in order to establish areas for these uses and to protect them from the intrusion of incompatible uses. Single-family homes, Tourism homes, Bed & Breakfast inns, hotels, motels, and similar businesses are allowed use. Other allowed uses in the I-1 zone include churches, offices, clinical, research, and services not primarily related to goods or merchandise examples of these types are clients on premises such as attorney offices, physicians' offices, other professions, insurance, stockbroker, government building, etc., dentist, banks, daycare center, restaurant, funeral home, pharmacies, and retail medial supply.

Recommendation

The authorized applicants plan to purchase this property and change the use to a Boutique Hotel or Bed and Breakfast, and Community Event Center renovating the existing structure. The unique location as mentioned above between two well-established churches supports the zoning change to Institutional. Staff believes the impact of rezoning 1.24 acres from R-2 to I-1 is reasonable and will not have a negative impact on the surrounding uses. This potential change of ownership also allows for this historic structure to be put back under the regulations of the Northside Historic Design Guidelines and reviewed by the Historic Preservation Commission. The Institutional Zoning District provides some additional uses other than single-family residential while limiting the uses allowed. Planning staff recommend approval subject to the future land use amendment approval. **Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the 1.24 acres property from R-2 to I-1.**

Engineering Department Report

The Engineering Department has no comments or concerns with the proposed rezoning.

Opelika Utilities Board Report

Opelika Utilities Comments: No objections. Lot is currently served by standard ¾" Domestic and Irrigation Water meters fed from 5th Avenue.

Opelika Power Services Report

This rezoning is located inside Opelika Power Services territory.

RZN 000002-2024

AGENDA ITEM # 1



REZONING APPLICATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 1/2/24 PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Aaron & Allison Kovak, Jonathan Wilmarth
 MAILING ADDRESS: 1117 West Collinwood Circle
 PHONE NUMBER: 323-997-2856 Email: allison@cottonseedstudios.com

PARCEL INFORMATION

Site Address: 414 N 10th Street, Opelika, AL 36801
 Description of proposed use: Boutique Hotel/Bed and Breakfast, Community Event Center

Tax Parcel Number: 43 10 03 07 2 002 083.000
 Adjacent Zoning Districts: North: R2 South: R2 East: R2 West: R2

Current Land Use: Church Community Building
 Current Zoning: R2
 Proposed Zoning: I1

Number of APO: 4 x \$7.00 = \$ 28.00
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL \$153.00

PAID: ck# 1308

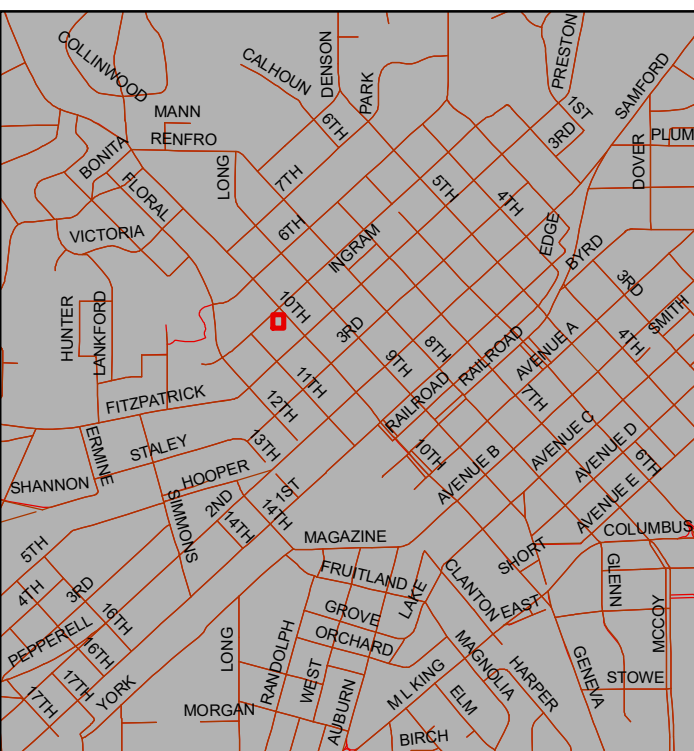
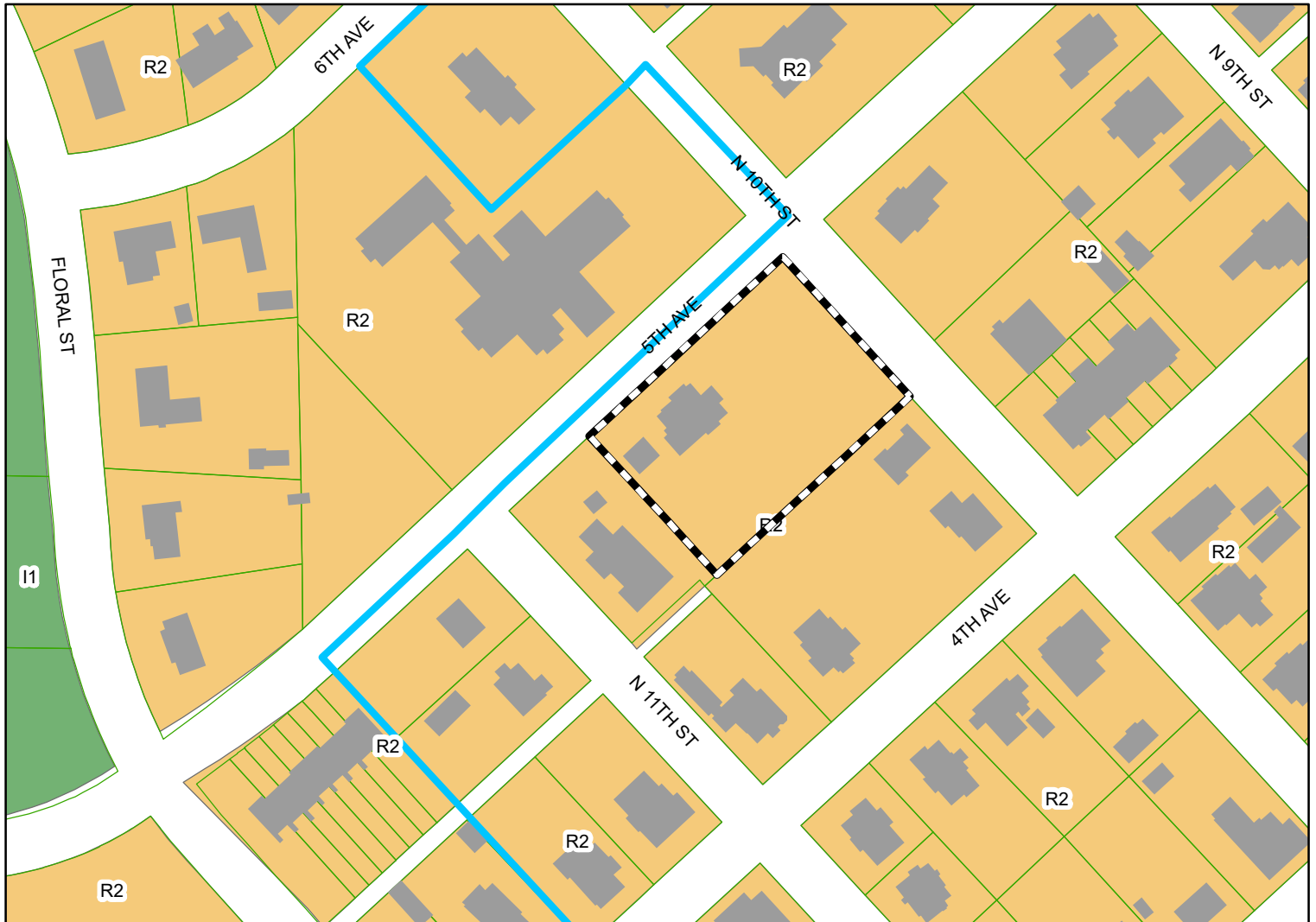
I hereby request my property located at (street address) 414 N 10th Street, Opelika, AL 36801,
 Tax Map parcel number 43 10 03 07 2 002 083.000 be rezoned from
R2 to I1. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining 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>1-2-24</u>
(PRINT NAME) <u>Mary Allison Wilmarth Kovak</u>	

KOVAK & WIMARTH REZONING REQUEST

414 NORTH 10TH STREET

R-2 TO I-1, A-1a,1b



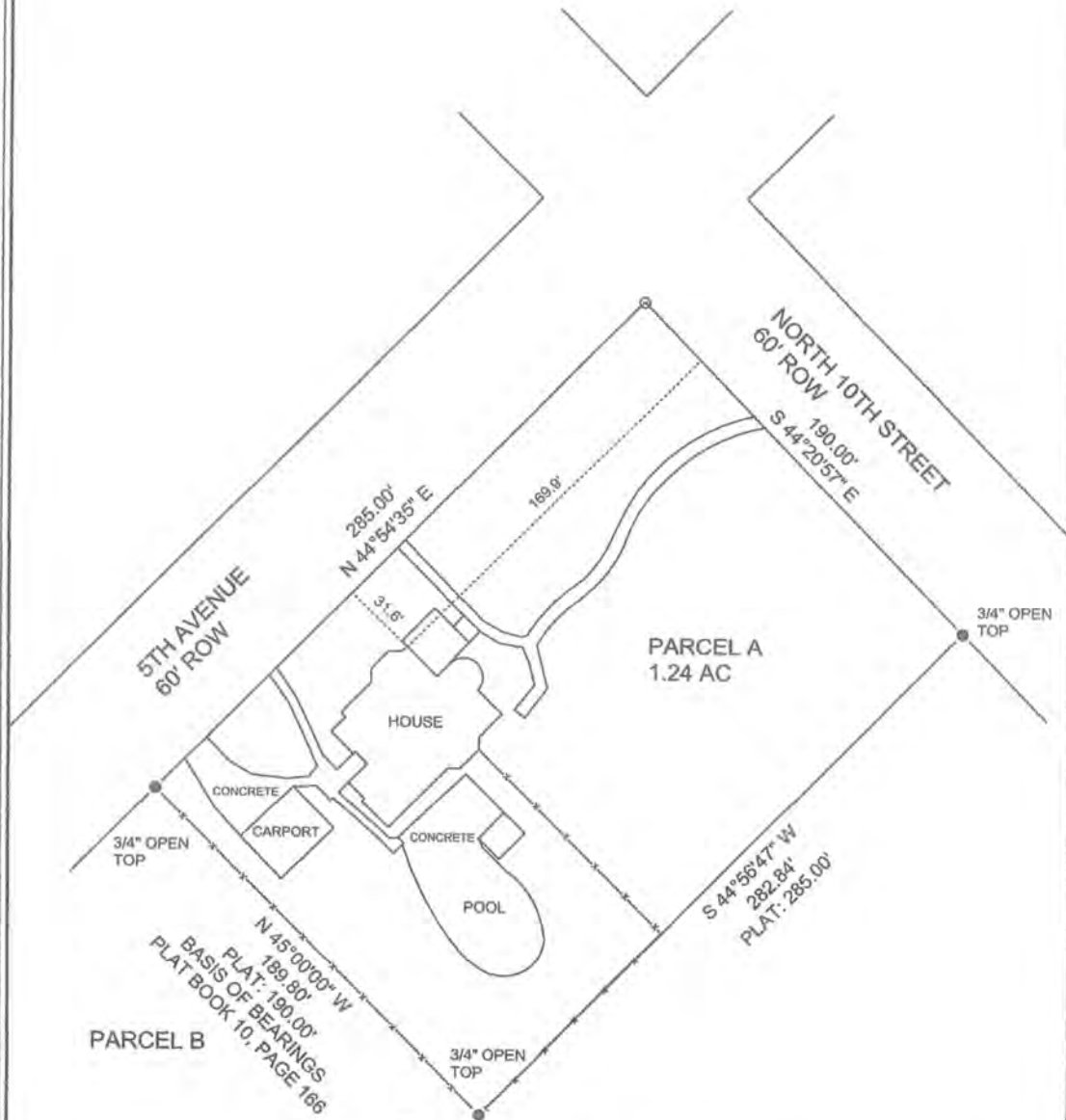
The applicant is requesting to rezone 1.24 acres from R-2 residential to a I-1 Institutional zone. The applicant plans to renovate a 5,090 sf structure built in 1900 located in the Historical District into a hotel/bed & breakfast, boutique, and community event center.



Subject Property

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BOUNDARY SURVEY FOR MOST REV. THOMAS J. RODI, ARCHBISHOP OF MOBILE, CORPORATION SOLE, OF PARCEL A, RENFROE SUBDIVISION, LOTS 3 AND 4 BLOCK 67, GRANT LAND CO. LOCATED IN SECTION 7, T-19-N, R-27-E, IN THE CITY OF OPELIKA, LEE COUNTY, ALABAMA, PLAT BOOK 10, PAGE 166



Notes:

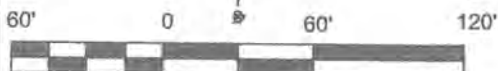
1. Subject to all easements, rights-of-way, and restrictions pertaining to this property.
2. This plat is invalid without the surveyor's original signature and seal.
3. All pins set are 1/2" rebar with "ZDS 12933" on cap.
4. Assumed north is based on bearing as shown.
5. No easements were delivered to the surveyor. Surveyor is not liable for undisclosed easements or those not readily visible.
6. Field work completed 10-15-2018.
Office work completed 10-15-2018.
7. Address: 414 N. 10th Street, Opelika, AL 36801
8. Deed reference: Deed Book 2214, Page 85.

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

Zack Sprayberry 10-31-2018
ZACK SPRAYBERRY PL 9 AL REG. NO. 12933 DATE

SPRAYBERRY & ASSOCIATES
LAND SURVEYING COMPANY
1543 CRESCENT BOULEVARD
AUBURN, ALABAMA 36830-2525
www.sprayberrylandsurveying.com
334-821-6133

LEGEND
● IRON PIN FOUND
○ IRON PIN SET
--- FENCE



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 23, 2024

Agenda Item #: B-2

Action Requested: Amend Conditional Use Approval – Exterior materials for Self-Storage Building

Location of Property: 3000 Old Opelika Road

Property Owner(s): First Storage Opelika, LLC
Fred Boozer, Jr. authorized representative

Current Land Use: Self-Storage building under construction

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Single-family residential
South	R-4/C-3, GC	Church/single-family residential
East	C-2, GC-P	Vacant
West	R-5	Single-family residential

Proposal

At the April 2022 meeting, the Planning Commission granted conditional use approval for a self-storage building. The approval had conditions including the “*Site shall meet the Gateway Corridor requirements for cladding¹ on all four sides.*” The applicant is now requesting an amendment to the approved exterior materials.

At the April 2022 meeting, a drawing was presented for the front building elevation (see drawing on page 3). The side and rear building elevations were not submitted at the meeting. The front elevation is primarily a combination of stone, stucco (EIFs), and glass. A 10’ wide metal siding labeled a

¹ Materials and Cladding Requirements

New construction in the GC Overlay District: a. Primary building facades within the corridor overlay facing any public right-of-way shall be finished with 100% of one or more of the following materials: Brick and brick veneer; Stone, stone veneer, and cultured stone; Glass, Precast or field-poured tilt concrete panels with texture and architectural detailing; Stucco with architectural detailing; Cementous siding; Wood and wood materials designed and intended for use as exterior finish material; Tilt wall panels; Decorative or architectural split-faced Concrete Masonry Units (CMU); Other primary materials approved by the Planning Commission consistent with the purpose of these standards, including architectural metal panels. Architectural features and attachments may be approved by the Planning Department.

b. Approved building materials shall extend from the front façade around side of the building 20 feet or 20 percent of the wall length whichever is greater. Allowances may be provided for contributing structures in a designated historic district.

“Metal R-Panel” is shown between EIFs and stacked stone. Staff recommended and the Planning Commission approved that *“all four sides have similar architectural treatments that meet the Gateway Corridor standards.”* The applicant has now provided revisions for all elevations. See pages 4-6 included in your packet.

Staff is concerned with the transition from the two-story commercial building (two-story, 200'x 500', 200,000 sf) adjacent to a residential zoned properties on the north, south, and west sides. Nine single family homes are adjacent to the commercial building. The applicant decreased the building height from a three story to a two story building that improved the transition. Also, a residential landscape buffer is required along the north and west property lines adjacent to the residential zoned properties, and a Gateway buffer required on the south property line along Old Opelika Road. These requirements will assist in improving compatibility between single family homes and a large commercial development.

In addition to the approved primary facades/cladding listed in Section 7.6 Gateway Corridor District for exterior material, there are “other primary materials” that may be approved. Architectural metal panels require Planning Commission approval. The metal panel proposed should be consistent with the list of approved exterior materials.

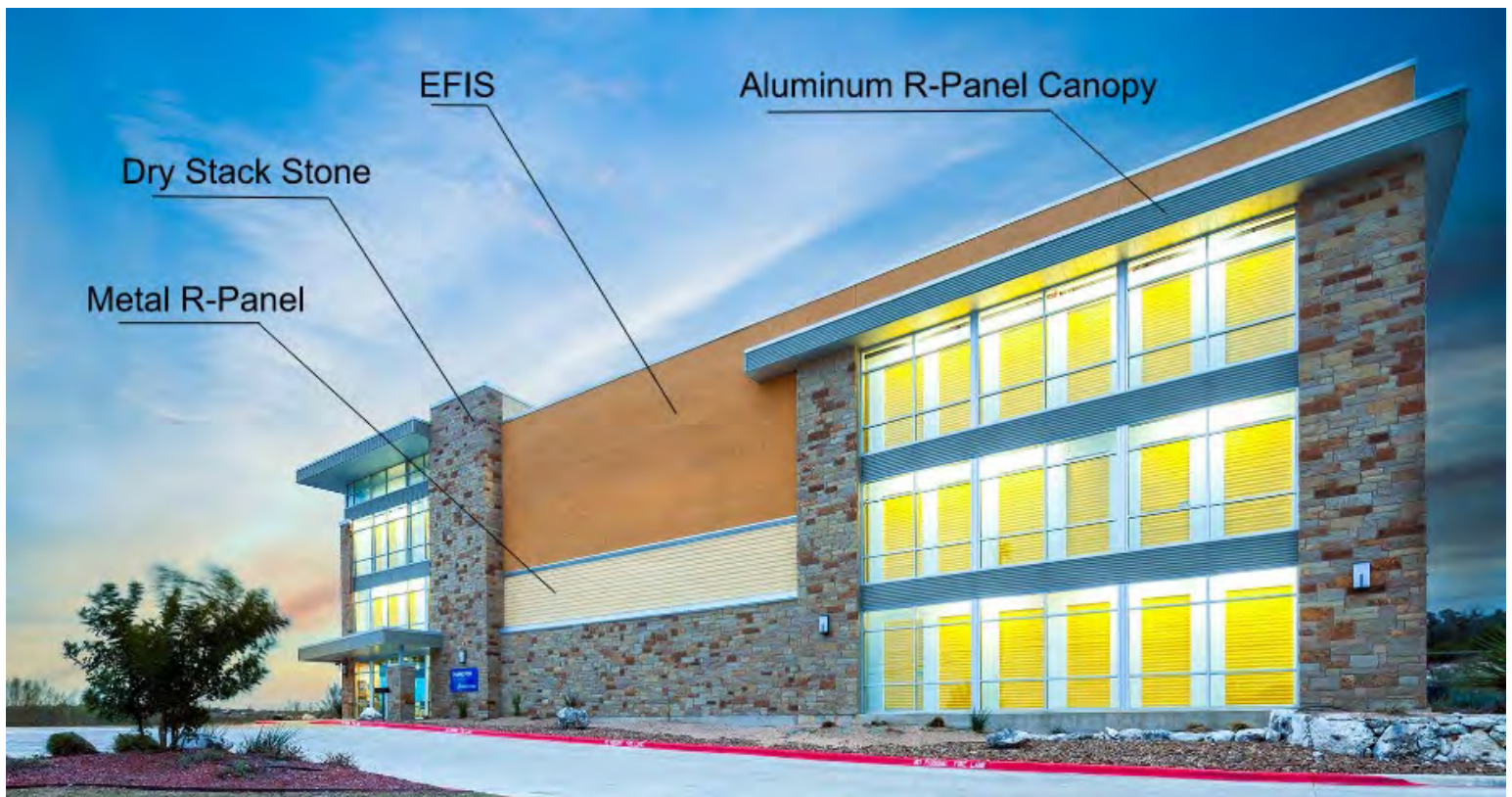
The applicant’s request to amend the approved exterior materials involves all four exterior walls. The front elevation that was reviewed at the April 2022 PC meeting is also revised. The front (or south) elevation presented and approved at the April 2022 PC meeting shows EIFs. Now, a PBC metal panel and IPS insulated panel are proposed. On pages 4 to 6, the elevations and the ‘Exterior Finish Schedule’ (legend) at top of each page provides a list of the exterior materials proposed by the applicant. Three types of metal exterior materials are proposed: The red lines (or borders) drawn on sections of the elevations identify 2.5” vertical IPS (Insulated) panels or 2.5” horizontal IPS (Insulated) panel. The yellow border areas are 2.5” vertical PBC metal wall panels. Stacked Stone and EIFs are approved exterior materials listed in Section 7.6 shown on wall sections. On page 4 to 6 the green borders on elevations are stone or EIFs material.

The applicant provided photos of the proposed metal panels for the elevations on page 7 and 8. A rendering of each elevation with the proposed materials was also provided. The PBC panels is corrugated metal attached to a building structure with exposed fasteners. The IPS panels interlock together and appears to be seamless, and fasteners are concealed.

Recommendation

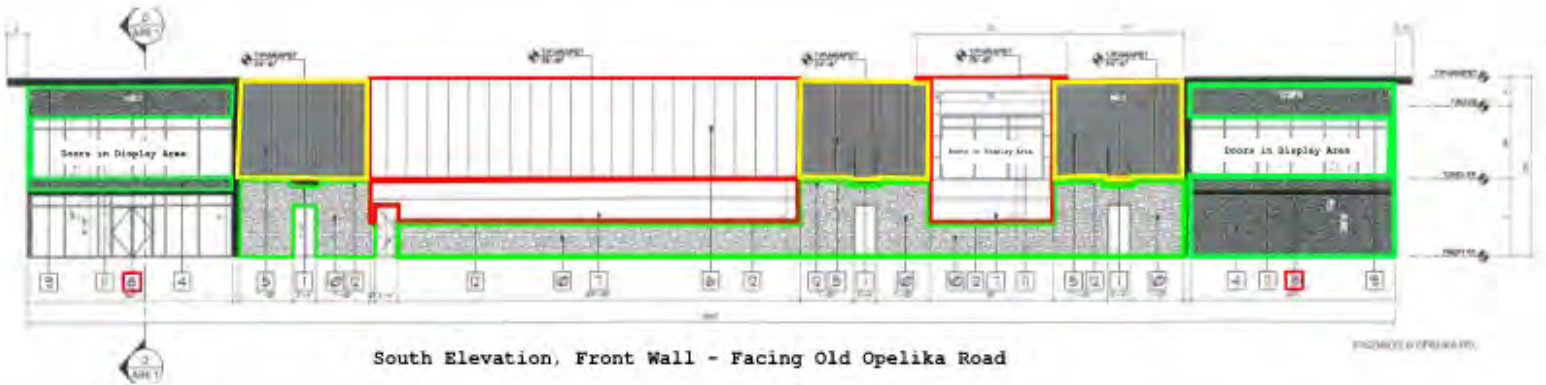
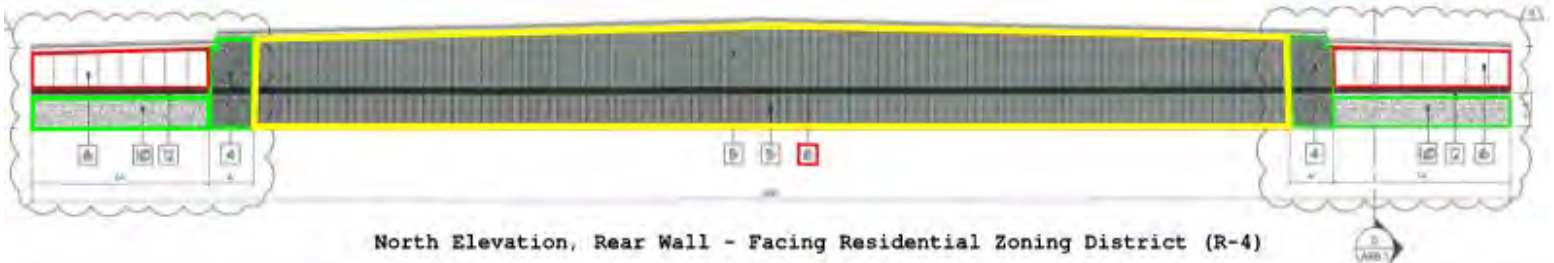
The Self Storage project at 200,000 square feet is adjacent to residential zones or dwellings on three sides, and visible from the Frederick Road Gateway Corridor. Staff recommends the Gateway Corridor list of exterior materials in Section 7.6 be required to improve the transition from commercial to residential uses. Staff does not believe the proposed PBC metal panel is consistent with the approved primary materials in Section 7.6. Staff recommends approval subject to the following

1. For all elevations, revise all exterior materials labeled as PBC panel (see pages 4-6) and install EIFs material or another primary building façade as listed in Section 7.6.

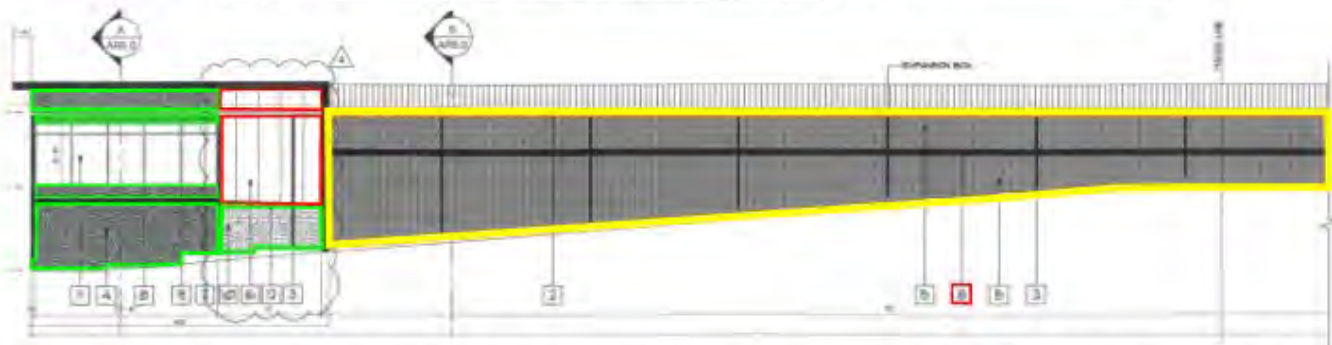


Front elevation facing Old Opelika Road presented at April 2022 Planning Commission meeting

ELEVATION NOTES	
EXTERIOR FINISH SCHEDULE	
1	CANOPY BY OTHERS
2	LARGE GUTTERS (COLOR T.B.D.)
3	LARGE DOWNSPOUTS 20' O.C. MAX. (COLOR T.B.D.) SEE CIVIL FOR STORMWATER TIE-INS / DRAINAGE
4	EIFS EXTERIOR FINISH BY OTHERS (COLOR T.B.D.)
5	24GA VERTICAL PBC PANEL (COLOR T.B.D.)
6	2-1/2" VERTICAL IPS PANEL (COLOR T.B.D.)
7	2-1/2" HORIZONTAL IPS PANEL (COLOR T.B.D.)
8	10' METAL BAND (COLOR T.B.D.)
9	ARCHITECTURAL METAL WRAPPING BY OTHERS
10	DRY STACKED STONE VENEER BY OTHERS
11	DOORS IN DISPLAY AREAS TO BE MORE DULLED / MUTED COLOR NOT BRIGHT YELLOW FROM RENDERING
12	METAL FLASHING OVER TOP OF DRY STACKED STONE (COLOR T.B.D.)



ELEVATION NOTES	
EXTERIOR FINISH SCHEDULE	
1	CANOPY BY OTHERS
2	LARGE GUTTERS (COLOR T.B.D.)
3	LARGE DOWNSPOUTS 20' O.C. MAX. (COLOR T.B.D.) SEE CIVIL FOR STORMWATER TIE-INS / DRAINAGE
4	EIFS EXTERIOR FINISH BY OTHERS (COLOR T.B.D.)
5	24GA VERTICAL FBC PANEL (COLOR T.B.D.)
6	2-1/2' VERTICAL IPS PANEL (COLOR T.B.D.)
7	2-1/2' HORIZONTAL IPS PANEL (COLOR T.B.D.)
8	10' METAL BAND (COLOR T.B.D.)
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11	DOORS IN DISPLAY AREAS TO BE MORE DULLED / MUTED COLOR NOT BRIGHT YELLOW FROM RENDERING
12	METAL FLASHING OVER TOP OF DRY STACKED STONE (COLOR T.B.D.)



East Elevation, Side Wall facing East toward Commercial Zoning District, C-2, GC-P (Section 1 of 3)

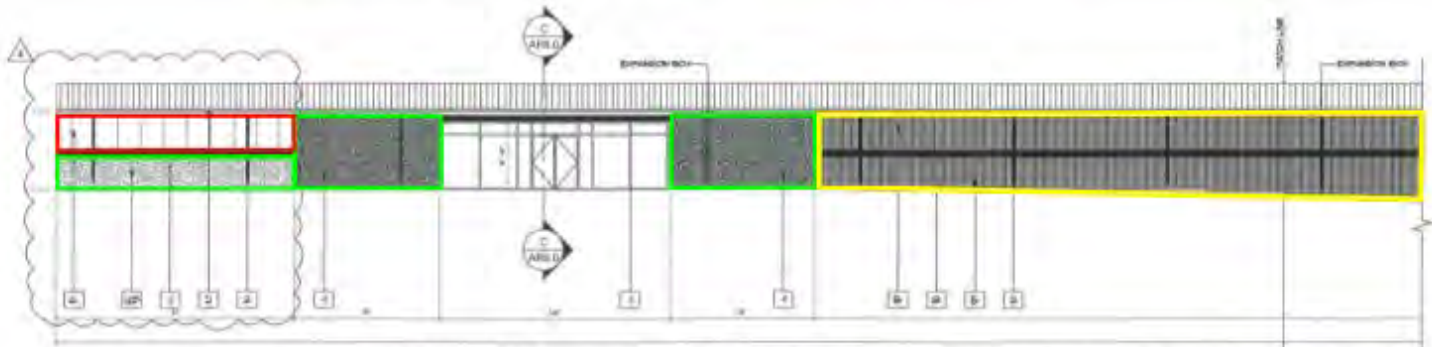


East Elevation, Side Wall facing East toward Commercial Zoning District, C-2, GC-P (Section 2 of 3)

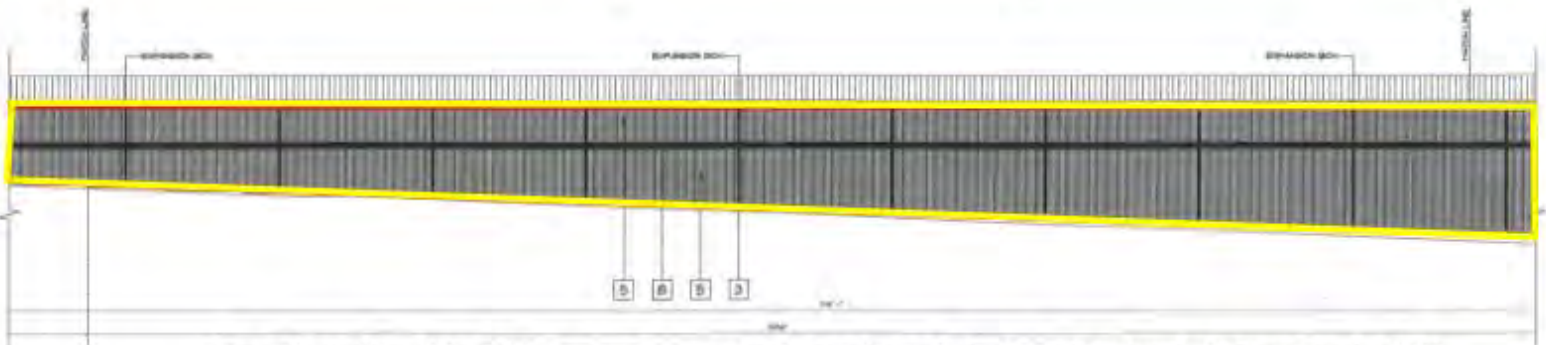


East Elevation, Side Wall facing East toward Commercial Zoning District C-2, GC-P (Section 3 of 3)

ELEVATION NOTES	
EXTERIOR FINISH SCHEDULE	
1	CANOPY BY OTHERS
2	LARGE GUTTERS (COLOR T.B.D.)
3	LARGE DOWNSPOUTS 20' O.C. MAX. (COLOR T.B.D.) SEE CIVIL FOR STORMWATER TIE-INS / DRAINAGE
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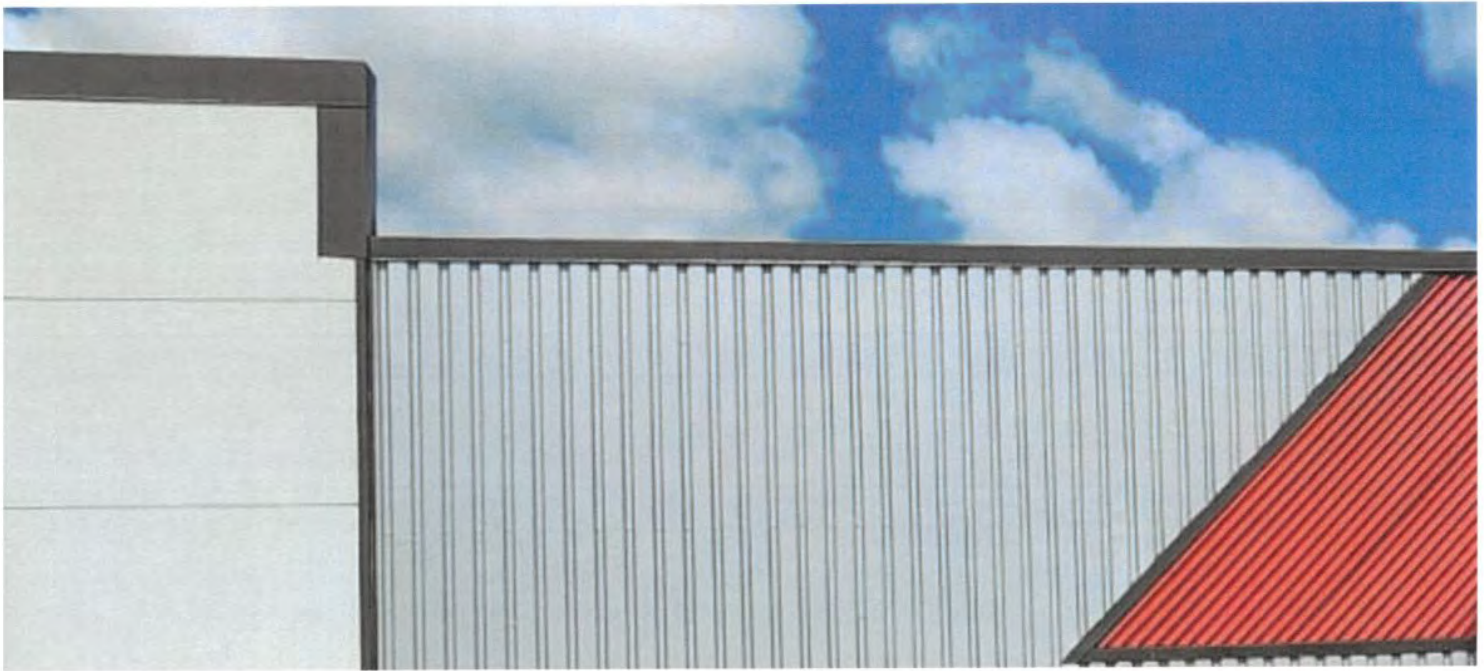
West Elevation, Side Wall facing West toward Residential Zoning District R-5 (Section 3 of 3)



West Elevation Side Wall Facing West toward Residential Zoning District R-5 (Section 2 of 3)



West Elevation, Side Wall facing West toward Residential Zoning District R-5 (Section 1 of 3)



IPS

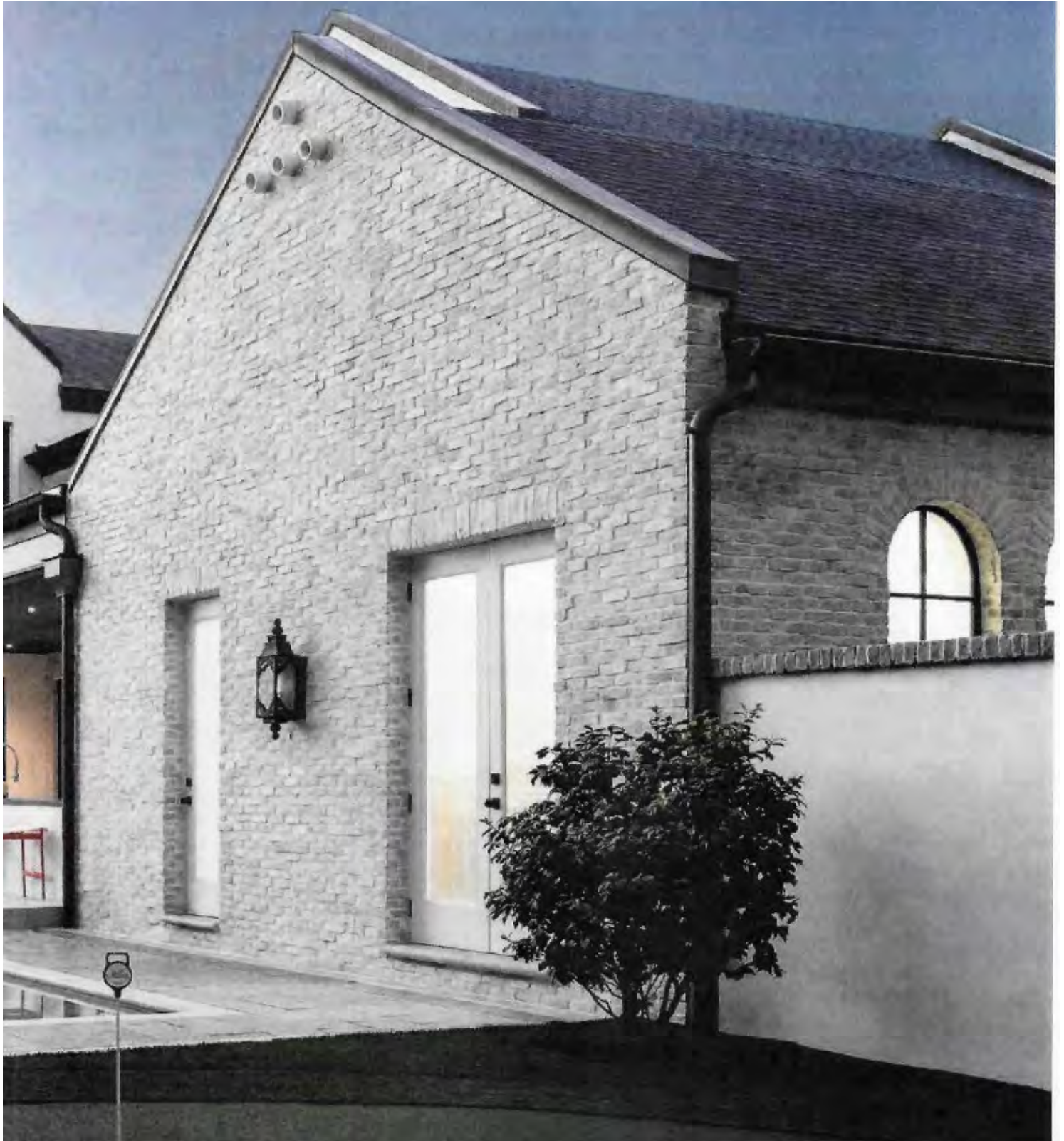
PBU

PBC

Example of IPS insulated panel and PBC metal panel



IPS (Insulated Panel System) Panel with interlocking, concealed fasteners



Color for Stacked Stone

Engineering Department Report

The Engineering Department has no comments.

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This property is located inside Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: <u>3000 Old Opelika Road</u>	
PROPERTY OWNER: <u>First Storage Opelika, LLC</u>	
APPLICANT/ AUTHORIZED REPRESENTATIVE: <u>Fred Boozer, Jr.</u>	
MAILING ADDRESS: <u>8265 Lyside Drive, Melbourne, Florida 32940</u>	
PHONE NUMBER: <u>321-848-8345</u>	FAX NUMBER: <u>None</u>
EMAIL ADDRESS: <u>fredboozerjr@gmail.com</u>	

PARCEL INFORMATION

Project name: First Storage Opelika Address/Location: 3000 Old Opelika Road
 Current Land Use: self storage under construction Current Zoning: C2 rezoned with conditional use
 Adjacent Zoning Districts: North: R4 South: R3/C2/R4 East: C2 West: R5
 Description of Proposed Use: storage facility

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 1/5/2024

STATE OF ALABAMA**COUNTY OF LEE**

I, Deborah B. Gossett, a Notary Public in and for said County and State, hereby certify that Fred D. Boozer III, 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 5 day of January 2024.
Deborah B. Gossett
 Notary Public

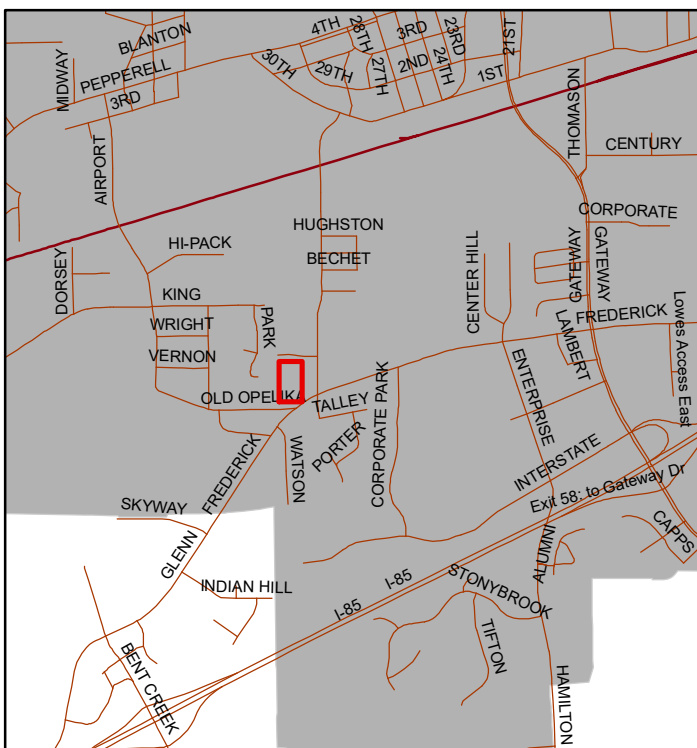
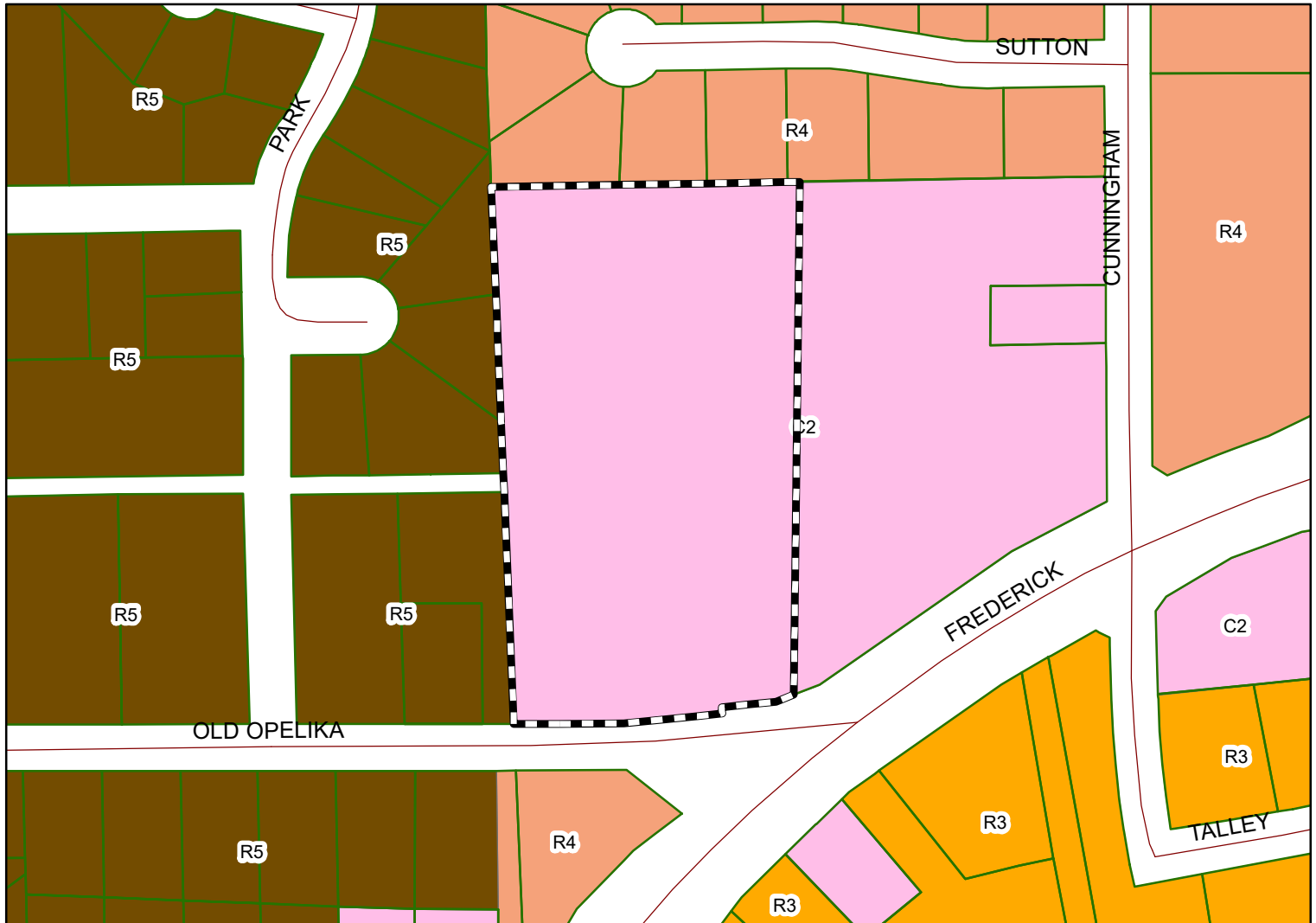
My Commission Expires: 03/02/2026



REQUESTING CHANGES TO EXTERIOR BUILDING MATERIAL

3000 OLD OPELIKA ROAD

AMENDMENT OF CONDITIONAL USE APPROVAL, B-2



The applicant is requesting a change to the exterior materials/cladding on a two-story 200,000 sf climate control self storage building. Cladding presented was stone, stucco EIFs, painted metal. Cladding approved was all four sides have similar architectural treatments that meet the Gateway Corridor cladding standards (Zoning Ordinance, Section 7.6, 6b).

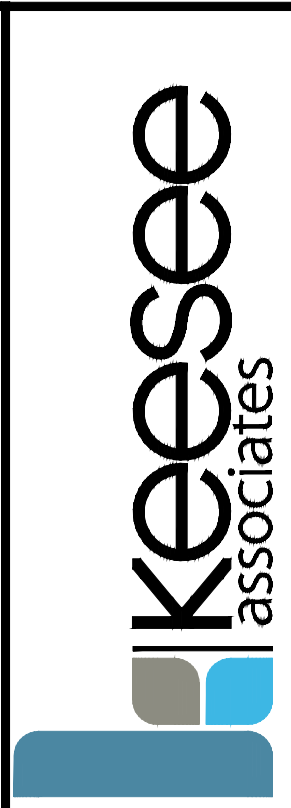


Subject Property

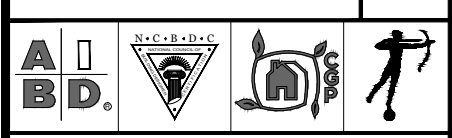
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Professional Architect Seal
Professional Planner Seal
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Info@rapidbuildingsolutions.com

SIGNATURE & SEAL

01/17/2024
JAMES A. GARRITANI, R.A.
LICENSE # 16634

Project Name / Address:

**FIRST STORAGE
OPELIKA**
3000 OLD OPELIKA RD.
OPELIKA, ALABAMA

SHEET INFORMATION

ORIGINAL SUBMITAL DATE:	01/17/2024
DRAWN BY:	DH
PROJECT NO:	454 / 22-10853
REVIEWED BY:	

Plan Revisions Date:

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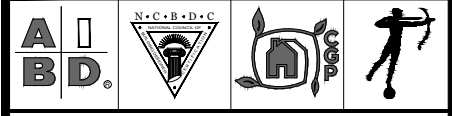
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LICENSE # 9684

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OPELIKA, ALABAMA

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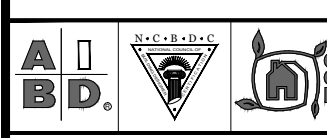
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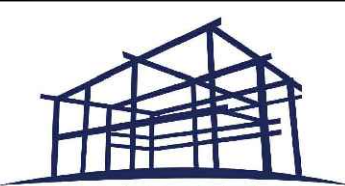


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3000 OLD OPELIKA RD.
OPELIKA, ALABAMA

SHEET INFORMATION

ORIGINAL SUBMITAL DATE: 01/17/2024
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PROJECT NO: 454/22-10853
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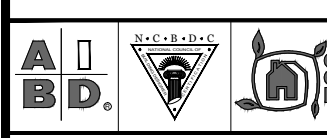
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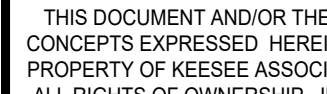


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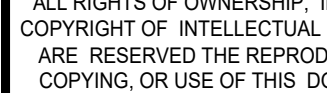


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Sheet Name

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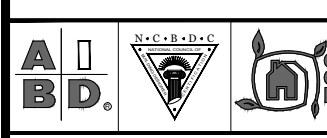
4 OF 5



NORTHWEST PERSPECTIVE
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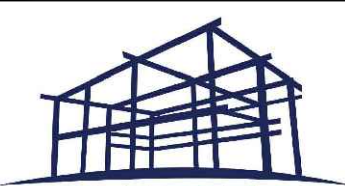
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OPELIKA, ALABAMA

SHEET INFORMATION

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▼ Plan Revisions Date:

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