



CITY OF OPELIKA
CITY COUNCIL
WORKSESSION MEETING AGENDA
300 Martin Luther King Blvd.
April 2, 2024
TIME: 5:45 PM

1. A CALL TO ORDER
 1. George Allen, Erica Norris, Tim Aja, Todd Rauch, Eddie Smith
2. PRESENTATIONS
 1. Request to Advertise for PH, Rezoning, Gateway Drive, 98.8 Acres, from C-2, C-3 and R-4 to PUD.
3. RESOLUTIONS
4. ORDINANCES
 1. Amend Master Plan for Brookstone PUD: 24.05 Acres, 1001 Fox Run Parkway - 2nd Reading - (Tabled).
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 of Opelika

Planning Commission Report

Action Requested:	Amendment to the Future Land Use Map and Rezoning - 98.8 acres Amendment- from Light Commercial and General Commercial to Mixed Use land use category, Rezoning - from C-2, C-3 & R-4 to PUD		
Location of Property:	Between Gateway Drive and Cunningham Drive		
Property Owner:	Gateway Development, LLC, Cornerstone LLC, and Clark -Adams Development, LLC. Barrett-Simpson, Inc. (authorized representative)		
Current Zoning:	C-2, C-3 & R-4		
Proposed Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	C-3	Mill detention/vacant
	South	C-2 & R-4 (GC-P)	Vacant, warehouse, hotel, mobile home park, restaurant
	East	C-2 (GC-P)	Banks and Retail
	West	C-3 & R-4	Residential/Vacant

Rezoning:

The 98.8 acre rezoning property extends along a proposed extension of Thomason Drive from Cunningham Drive to Gateway Drive. This is part of a larger extension from Pepperell Parkway and Veterans Parkway across the western half of the city. This new road is expected to alleviate traffic on both Pepperell Parkway and Frederick Road.

The proposed development includes 12 pods that would include different uses based on the location and a miniature version of the City of Opelika permitted use table.

Pod 1 is shown as a commercial/shopping center located on the corner of Gateway Drive and the new street. This would be the most commercial desirable location on the site with the highest traffic and best site access. The developer has proposed uses that would be applicable to this use. These include retail, commercial uses, office, bank, entertainment uses, and limited automotive uses. The one use that does stand out is the distribution use.

After discussion with other departments we do not feel that this is appropriate use at this location.

Pod 2/3 are directly to the west of Pod 1 on the south side of the new road and adjacent to the commercial business park to south. The proposed uses here are similar to Pod 1 except that these pods add apartment and townhouse uses, but remove some of the commercial uses that depend on high traffic like a grocery store, fast food restaurant and banks. The residential in this area would have a maximum density of 16 units per acre. This area also allows some light manufacturing provided it occurs completely inside a building.

Pod 4/5 are west of Pod 3 across the extension of Center Hill Drive. This zone is very similar to Pods 2/3 but reduces the density down to 8 units per acre and allows single-family, duplex, and patio homes as allowable uses.

Pod 6 is the last pod on the south side of the new extension of Thomason Drive. It removes all of the commercial uses. This residential zone would provide a transition to the residential developments along Cunningham Drive. Again, the proposed density is 8 units per acre.

Pod 7 is a small 50 foot wide strip that runs down to Frederick Road. It is shown as access and has no independent development potential.

Pod 8 is located along Cunningham Drive on the north side of the new road. This pod is adjacent to some undeveloped commercially zoned property near the railroad tracks. The developer has proposed to have less intense commercial zones in this area. A large portion of this pod is likely undevelopable due to the flood plain.

Pod 9 is along the north part of the new road and is geared towards commercial, retail, and residential uses that do not need the highest traffic counts. It has very similar uses allowed to Pod 10, but allows some storage and assisted living uses as well.

Pod 10 is commercially oriented without any storage or warehouse type uses.

Pod 11 is much like Pod 10, but is the only location that allows climate control storage.

Pod 12 is an open space pod that does not allow any significant development.

Due to the phasing of the road and the likelihood that this development will not significantly until that is completed, the applicant did not feel that they could appropriately show the future roadway connections or building configurations. Instead they have

provided very strong design and development guidelines. These proposed regulations significantly exceed the gateway corridor standards. This requires that non-single family properties have a set percentage of masonry cladding. It also requires that all properties meet or exceed the required buffers or landscaping requirements for the city. This includes requiring plantings for single-family homes. There are design standards for single-family homes, multi-family, and commercial buildings. It also requires that the corridor along Thomason Drive will be protected.

The requirements for setback will follow the GC-S standards. For single family the proposed standards would be:

Front:	20 feet
Side:	7 feet
Side on Street:	15 feet
Rear:	20 feet
Lot size:	4,500 sq ft
Lot width:	40 ft for rear loaded 60 ft for front loaded lots

This has been a concern for narrow lots, but the rear loaded lots do not suffer from the same concerns as front loaded 40 ft lots.

There would also be a requirement for 15 percent of residential developments to be open space as well as required sidewalks and buffering.

While it is preferable to have a greater amount of graphic detail in the master plan. The extensive narrative and conditions should provide regulations that give a positive development along the new roadway.

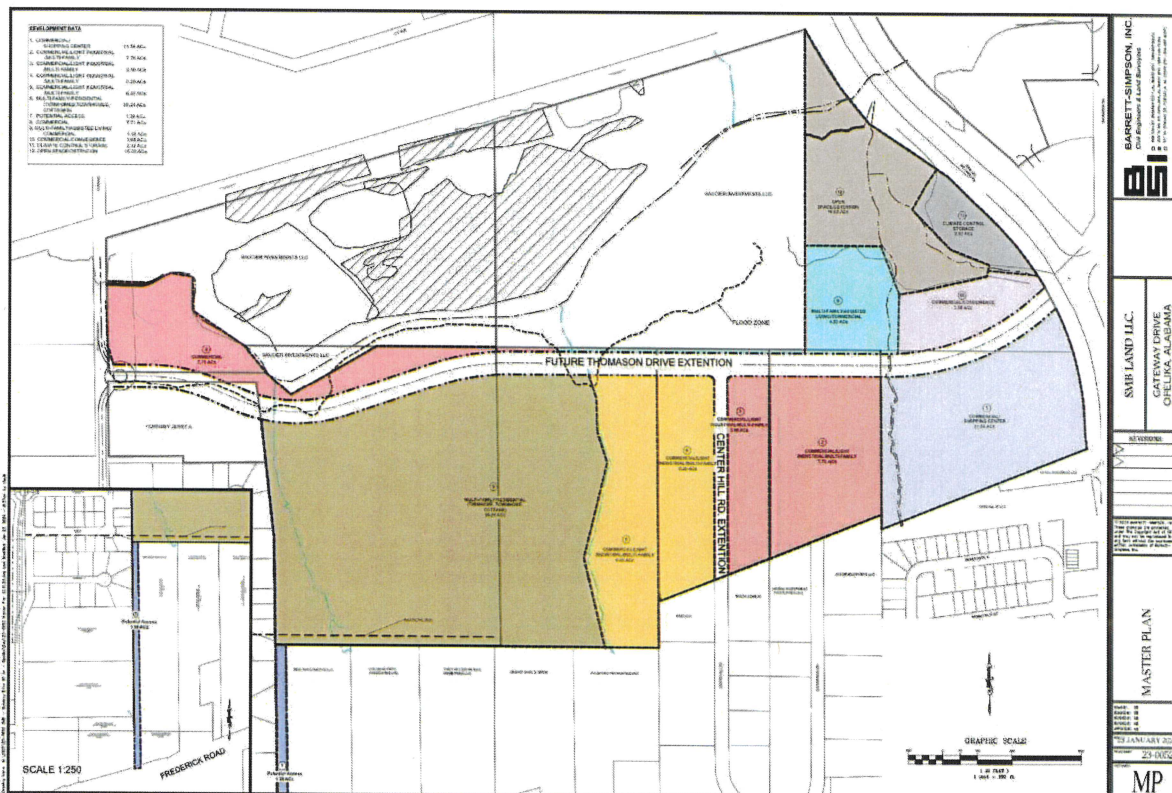
Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from C-2, C-3, and R-4 to PUD subject to the following:

- 1. Remove distribution use from Pod 1**
- 2. All building exterior materials and screening requirements shall meet Section 7.6 Gateway Corridor Overlay requirements where more stringent standards have not been proposed.**
- 3. All utilities shall be underground.**
- 4. Sidewalks shall be located on both side of all public streets.**
- 5. The development shall provide cross-access through pods where uses are similar.**

At the March 26th meeting, the Planning Commission voted 9 to 0 to send a positive recommendation to the City Council to rezone the 98.8 acre property from C-2, C-3 & R-4 to PUD.

Thomason Drive Extension



March 6, 2024

Master Development Plan Narrative

Thomason Drive Extension

MASTER DEVELOPMENT PLAN NARRATIVE

INTRODUCTION

Thomason Drive Extension is proposed to be a true mixed-use, master planned development, consisting of various commercial uses, as well as several types of multi-family residential uses, with corresponding open space areas and on-site detention. The approximately +/-98.8 acres development will be professionally planned and developed as a Planned Unit Development (PUD), with careful attention paid to protection of the natural environment.

Barrett-Simpson, Inc., the Applicant, on behalf of the Owners, Gateway Development, LLC, Cornerstone, LLC and Clark-Adams Investments, LLC, respectfully requests that the Opelika Planning Commission rezone the proposed Thomason Drive Extension to a PUD. Currently, the subject property is zoned C2, C3 and R4, with the frontage along Gateway Drive being zoned as Primary Gateway Corridor Overlay. The proposed PUD will allow for a mix of commercial uses and medium to high density residential uses.

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

1

Location

The Property for the Thomason Drive Extension is located between Gateway Drive and Cunningham Drive, in southwestern Opelika. The Development will be accessed primarily from Gateway Drive and Cunningham Drive but will also have access to Frederick Road via Center Hill Drive.

The City of Opelika currently has plans for a project to construct a collector class roadway from Gateway Drive to Cunningham Drive. This roadway will be an extension of the existing Thomason Drive and will serve as a traffic corridor to help vehicles navigate around the existing Gateway Drive / Frederick Road intersection. The construction of this extension will facilitate additional development opportunities within the area.

2

Concept

The Applicant is proposing a master planned development, consisting of multi-family residential uses including townhomes, twin homes, apartments and cottages. Commercial uses are to be determined but may include a shopping center, climate-controlled storage, and other commercial/light industrial uses.

Thomason Drive Extension will be best planned and developed as a PUD which will allow for effective control, certainty of housing density and consistency of design.

3

Site Details

The proposed development consists of a total of +/-98.8 acres. Given the size of the development, infrastructure construction may be divided into phases.

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

Additionally, the architecture of this project is intended to be homogeneous and inspire a true mixed-use experience. As such, it is proposed that the entire Project be subjected to the Gateway Corridor cladding, fencing, screening, and landscape requirements of the City of Opelika Zoning Ordinance.

4

Lifestyle and Amenities

The development will provide opportunities for commercial customers and residents to live healthy and active lifestyles. Walkability between the commercial and residential uses will be ensured as sidewalks will be constructed along all streets. Not only will the multi-family portion of the development provide localized open spaces, hardscape amenities and congregational areas. All common areas and amenities will be professionally landscaped and maintained by a property owners association.

It is also important to note that while the overall project contains a multitude of potential uses, pod differentiation will be necessary. Residential buffers will be required on all commercial properties abutting a residential use.

5

Utilities

The proposed development will be served by City of Opelika sewer and Opelika Utilities water services. Power and communications will be provided by a combination of Opelika Power Services and Point Broadband. Natural gas, if used, will be provided by Spire.

6

Uses

As the proposed project is a mixed-use development, it is necessary to outline uses that are appropriate and approved for the project. The commercial and residential portions of the development will be represented as Pod numbers in the table below along with corresponding proposed uses from Table 7.3.C of the Opelika Zoning Ordinance.

Uses	Pod											
	1	2	3	4	5	6	7	8	9	10	11	12
Residential Use												
Single-family				A	A	A						
Duplex				A	A	A						
Apartments*		A	A	A	A	A						
Townhomes		A	A	A	A	A						
Patio Homes				A	A	A						
Assisted/Independent Living Facility		A	A	A	A	A			A			
Commercial												
Fully Enclosed Building												
less than 100,000 SF GLA	A	A	A	A	A			A	A	A	A	
more than 100,000 SF GLA	A	A	A	A	A			A	A	A	A	
Consumer Shopping Goods	A	A	A	A	A			A	A	A	A	
Grocery Store	A							A	A	A	A	
Offices, Clinical, Research & Services not Primarily Related to Goods or Merchandise												
Offices Designed to Attract & Serve Customers or Clients on Premises such as Attorney, Physicians, Other Professionals, Insurance, Stock Broker, Gov't Buildings	A	A	A	A	A			A	A	A	A	
Office of Physicians or Dentist	A	A	A	A	A			A	A	A	A	
Banks	A							A	A	A	A	
Banks with Drive-in Windows	A							A	A	A		
Office of Contractor												
Without Equipment & Material Yard		A	A	A	A			A	A		A	
Automobile Related**												
Automobile Maintenance Establishment (maximum of 1 per Pod)	A	A	A	A	A				A	A		
Convenience Store W/ Gas Station/Auto Car Wash (maximum of 1 per Pod)	A								A			
Daycare Center	A								A	A	A	

Uses	1	2	3	4	5	6	7	8	9	10	11	12
Dry Cleaner	A	A	A	A	A				A	A	A	
Church		A	A	A	A	A	A	A	A	A	A	
Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Clearing, Assembly of Goods, Merchandise & Equipment												
All Operations Conducted W/I Fully Enclosed Bldg.		A	A	A	A					A		
Bowling Alleys & Skating Rinks	A								A	A		
Indoor Fitness Center	A	A	A	A	A			A	A	A	A	
Golf Driving Range, Miniature Golf	A	A	A	A	A			A	A	A		
Restaurant, Standard	A	A	A	A	A				A	A	A	
Fast Food Restaurant (maximum of 1 freestanding per pod)	A								A	A		
Brewpub	A								A	A	A	
Micro-Breweries	A								A	A	A	
Micro-Distilleries	A								A	A	A	
Storage**												
All Storage within Completely Enclosed Structures		A	A	A	A			A	A		A	
Climate Controlled Storage											A	
Distribution Center	A	A	A	A	A			A	A		A	
Services & enterprises Related to Animals												
Veterinarian	A	A	A	A	A			A	A	A		
Medical Related												
Medical or Dental Clinic	A	A	A	A	A			A	A	A	A	
Pharmacies	A	A	A	A	A			A	A	A	A	
Medical Research Laboratories	A	A	A	A	A			A	A	A	A	
Retail Medical Supply	A	A	A	A	A			A	A	A	A	

* All apartments to be a maximum of 4 stories

** No street-facing roll-up doors will be allowed

The uses outlined in the above table shall be considered allowed uses and will not be required to receive conditional use approval in the future.

7

Lot Information

The commercial portions of the proposed development will comply area requirements of the GC-S zoning district. Any requested changes to minimum lot areas, lot widths, setbacks, etc., from Table 7.3.A of the Opelika Zoning Ordinance, will require a PUD amendment at a later date.

Double frontage lots shall be avoided on the Thomason/Veterans Extension if possible. Where they cannot be prevented, a 30 foot heavily planted and/or bermed buffer shall be required. No privacy fences or chain link fences shall be used along Thomason/Veterans Extension without Planning Director approval.

Outside of mixed use areas, transitions from commercial and residential uses shall be orderly. Once a pod proceeds with either a commercial or residential use, the block for that pod shall be consistent where possible. If a commercial to residential transition does occur, a residential buffer designed per the Opelika Zoning Ordinance shall be required.

General Residential

Duplicative building designs adjacent to each other are strongly discouraged. Simple reverse configurations of the same building design on more than 2 adjacent lots are not sufficient to meet the goal of architectural variety. However, exceptions may be granted by the Planning Director in special circumstances where similar architectural consistency provides a distinct character for a cluster of homes surrounding an open space or on a particular street.

Residential pods shall be designed in a cohesive architectural style, with a cohesive set of architectural features, and a consistent palette of materials, textures, and colors on all sides.

Horizontal lap siding (wood or fiber cement), masonry (brick/stone/simulated stone), stucco, EIFs, and glass are allowed materials. Stucco or EIFs shall not be used within 18 inches of the ground. These materials must be trimmed in wood, masonry, or other approved materials.

Cement block may only be used on residential building exteriors at the foundation up to a height of three ft. Cement block foundations along front facades must be screened with shrubs or other landscaping.

Unless an alternative set of materials standards is specifically approved by the Planning Director, the standards in the table below shall be met.

Detached Single-Family Dwellings	Min. 30% Masonry	Min. 40% Masonry
Attached Dwellings	Min. 50% Masonry	Min. 60% Masonry

For the purposes of these standards, masonry includes brick, stone, terra cotta, split face concrete block, concrete tilt wall, cement fiber board or a combination of these. Stucco and plaster are only considered a masonry material when applied using a three-step process over diamond metal

lath mesh to a 7/8th inch thickness or by other processes producing comparable cement stucco finish with equal or greater strength and durability specifications.

Multi-Family uses will conform to the Area Requirements in Table 7.3.A as represented in the GC-P zoning designation. Multi-Family density within the development will not exceed the maximum density shown below.

Pod	Maximum Density (units/acre)
2	16
3	16
4	8
5	8
6	8
9	16

All residential uses within the project shall provide a minimum of 15% open space. Open spaces shall include but not be limited to the following: undeveloped areas, amenities, detention facilities, etc.

Multi-family residential uses shall meet the landscaping standards of the Opelika Zoning Ordinance. Single-family and duplex units shall be required to have one medium or canopy tree per unit located on the same lot.

Foundation plantings shall be required for all residential use. The landscaped area for foundation plantings shall be at least two feet wide.

Single Family

All Single-Family Residential uses shall conform to the following requirements:

Minimum Lot Size	4500 sq ft
Minimum Lot Width	40' for rear loaded lots 60' for front loaded lots
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback	7'
Side Yard on Street Setback	15'
Maximum Impervious Surface Area per Lot	60%

Duplex/Townhomes

All Townhome Residential Uses will conform to the Townhome Development Standards of the City of Opelika Zoning Ordinance.

All Duplex Residential uses shall conform to the following requirements:

Minimum Lot Size	8000 sq ft
Minimum Lot Width	75'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback	7'
Side Yard on Street Setback	15'
Maximum Impervious Surface Area per Lot	60%

Front doors (excluding garage doors) should be protected by a recess, porch, or other covered element. A covered porch up to 200 square feet may extend up to six feet into the minimum required front setback. Front doors and windows (excluding windows on a garage door or above a garage door) should be designed as a focal point on the front elevation.

Houses should have windows that face the street; and no wall of a house should be without some fenestration, unless it is less than 3 feet from a property line or adjoining structure.

Front entries for duplexes and townhouses shall face the street and have entry details such as doors, windows, front porch, covered entries, or other entry features.

Driveways and parking spaces may not occupy more than 60% of the required front yard of a dwelling.

For front-loaded lots, that portion of a dwelling's front façade containing a garage may not project more than eight feet closer to the front setback line than the nearest wall plane or porch. Garage doors wider than ten feet must include one or more of the following design elements: windows, wood or wood composite, raised panels, or decorative trim around the door opening.

Multi-family

Multifamily buildings must be oriented toward streets, interior drives and improved open spaces, not adjacent properties. A multifamily building may be aligned along a parking area provided it is also oriented toward a street, interior drive or improved open space.

Building entrances must face and be clearly visible from streets, interior drives or interior open space. This does not apply to entrances to individual dwelling units. Building entrances must be accessible from the street, interior drive or open space they face.

Off-street parking must be located to the side or rear of buildings and may not extend forward of the front building line. When located to the side of buildings and adjacent to a public street,

off-street parking areas may not occupy more than 30% of each perimeter public street frontage. The Director may waive these requirements when off-street parking is located forward of the front building line on adjoining properties on both sides of the multifamily site; however, these requirements may not be waived where the site fronts on a local street or on the same frontage as an adjoining detached single-family dwelling.

Multi-family developments shall provide improved amenity space for their development. This may be included as part of larger Pod amenity plan.

Multi-Family uses within the Project shall comply with the following Architectural Standards.

1. Four-sided design. All building elevations must reflect consistent design, textures, colors, and features. All walls must be articulated and fenestrated to provide visual interest.
2. Building Articulation. All buildings must include the following architectural design features at intervals of no more than 30 ft along all facades facing a street, open space or parking area:
 - a. Vertical building articulation. Minimum depth and width of articulation is 36 inches and four feet, respectively, if corresponding with a change in color or building material and/or roofline. Otherwise, minimum depth and width of articulation is ten feet and 15 ft, respectively. Porches and projecting balconies, including those that are partially recessed, count toward this requirement. Regulations 7-19 Vertical.
 - b. Articulation of the “base, middle and top”. This typically includes a distinctive design for the portion of the elevation along the foundation and ground floor, consistent articulation of middle floors, and a distinctive roofline.
3. Diversity of Building Types. Multi-building developments must provide different architectural designs to achieve visual interest and variety, particularly where multiple buildings front on the same public street. Changes in building colors or reversal of facade designs are not sufficient to comply with this standard. To meet this requirement, changes must include a combination of at least two of the following: vertical articulation (meeting the requirements of (a) above), fenestration, building materials, and roof design.
4. Accessory structures must reflect the same design and finish as principal buildings.
5. Multifamily buildings must have a minimum 4:12 roof pitch. Alternative roof designs will be considered provided design elements are included to help the building and its roofline fit into the site's context. Pitched-roof buildings must incorporate variations in the roofline. The maximum length of any continuous roofline is 40 ft. The use, alone, of dormers and/or gables is not sufficient to comply with this requirement.
6. Transparent windows facing the street are required. At least 15% of each street-facing facade must be fenestration. All other facades must have a minimum fenestration area of 10%. Windows must be recessed or project at least two inches from the wall plane or window trim must be used at least four inches in width with color that contrasts with the base building color. Exceptions will be considered where the design includes other distinctive window or facade treatment that adds visual interest to the building.

8

Net Impact of Proposed Development

The proposed rezoning request does not adversely impact the City of Opelika nor its infrastructure in any way. Rather, the rezoning proposed for the development represents a net benefit to the City upon implementation through its completion.

9

Accompanying Exhibits

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

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Deeds to Subject Properties
- Application for PUD Zoning
- Rezoning Exhibit

OPBEITKA IEE COUNTY ALABAMA

[Handwritten signature]

* * * Advertisers information shown was taken from current GIS online maps for Lee County, Alabama as of case on this exhibit.

121 W. BROAD STREET, CUMMINGS, AL 36027 (PH 334-687-4275, FAX 334-687-8829)
223 SOUTH PINE STREET, OPELIKA, AL 36801 (PH 334-745-7928, FAX 334-745-6386)

DRAW DATE: 02/05/2024

PG: Page

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CSA

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Part 5

Joseph H. H. CO
Sedgewick Practice Trust
pg. 13 of 16

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Cunningham Court				
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Optima, 44, 2003
 Exp 17

10-10

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR BROOKSTONE
PUD**

BE IT ORDAINED by the City Council (the “Council”) of the City of Opelika,
Alabama (the “City”) as follows:

Section 1. FINDINGS. The Council has determined and hereby finds and declares that the following facts are true and correct:

(a) Pursuant to Ordinance No. 131-97, adopted on December 16, 1997, the City Council approved a Development Plan for Brookstone PUD and amended the official Zoning Map of the City to designate the zoning classification of PUD for approximately 81 acres.

(b) Brookstone PUD is a mixed residential development, consisting of six acres with up to 48 assisted living units, six acres with up to 24 garden homes, 18 acres with 44 single-family homes and 81 acres for apartments.

(c) Out of the total project area within Brookstone PUD only the assisted living area has been developed and the apartment area has been removed from the PUD.

(d) Holland Homes, LLC is the owner of record and/or has a property interest in the remaining 24.05 acres within the Brookstone PUD.

(e) Holland Homes, LLC, has heretofore submitted to the City a proposed Amended Development Plan for the 24.05 acres of land owned by it within Brookstone PUD. The subject property is located east of Fox Run Parkway and is further described as follows:

Commencing at a found 5/8” rebar by Goodwyn, Mills and Cawood (GMC), said point is in a disturbed condition and is located at the locally accepted Southeast Southeast corner of Section 5, Township 19 North, Range 27 East, Lee County, Alabama and is the Southeast corner of Lot 27 of Foxrun Industrial Park, 1st Revision, 1st Addition, Redivision of Lots 19-38 and Resubdivision of Lots 4 and 7 (plat book 21, page 103); thence North 00°14'27" East, a distance of 192.42 feet to a found ½” open top iron pin at the Northeast corner of Lot 27; thence North 00°00'55" East, a distance of 158.93 feet to a set ½” rebar by Precision Surveying LLC (CA788), said point being the Southeast corner of a proposed parcel of land and is the Point of Beginning of said proposed parcel described herein: from this **POINT OF BEGINNING**; thence South 89°45'25" West, a distance of 1050.33 feet to a set ½” rebar (CA788); thence North 42°46'37" West, a distance of 138.09 feet to a set ½” rebar (CA788); thence North 27°31'17" West, a distance of 85.87 feet to a found 5/8” rebar (GMC); thence North 32°57'23" West, a distance of 101.67 feet to a found 5/8” rebar (GMC); thence North 09°50'00" West, a distance of 136.50 feet to a calculated point in a creek centerline; thence North 02°30'52" West, a distance of 47.40 feet to a calculated point 5.07’ Westerly of a found 5/8” rebar (GMC); thence North 27°56'32" East, a distance of 112.87 feet to a set ½” rebar (CA788) in a creek centerline; thence North 23°48'39" East, a distance of 264.08 feet to a set ½” rebar (CA788) in the centerline of a creek; thence North 04°36'56" East, a distance of 98.59 feet to a set ½” rebar (CA788) in the Southerly line of Fox Run Subdivision; thence along the South line of Fox Run Subdivision North 89°06'59" East, a distance of 186.57 feet to a set ½” rebar (CA788); thence along the South line of Fox Run Subdivision North 89°18'39" East, a distance of 248.84 feet to a found ½” crimp top iron pin; thence along the South line of Fox Run Subdivision North 89°02'21" East, a distance of 377.20 feet to a found ½” crimp top iron pin; thence along the South line of Fox Run Subdivision North 89°05'57" East, a distance of 279.91 feet to a found ½” crimp top iron pin; thence along the West line of Lot 35, The Chimneys Subdivision in Plat Book 44, Page 191 South 00°13'41" East, a distance of 195.42 feet to a found ¾” crimp top iron pin; thence along the West line of Lot 116, The Willows Plat No. 1, A Redivision Of Lot Future Of Stephens Woods Subdivision, Phase 2-A Section 2 as recorded in Plat Book 45, Page 148; thence continue along Lot 116 South 00°34'09" East, a distance of 402.92 feet to a found ¾” crimp top iron pin; thence continue along Lot 116 South 00°03'19" West, a

distance of 68.46 feet to a found ¾" crimp top iron pin; thence continue along Lot 116 South 00°00'55" West, a distance of 229.61 feet to the Point of Beginning.

Said parcel is in Section 5, Township 19 North, Range 27 East, Lee County, Alabama and is a revision of Lots 19 through 30, part of Lots 32, 33, 38 and Lots 34 through 37, Foxrun Industrial Park, 1st Revision, 1st Addition, Redivision of Lots 19-38 and Resubdivision of Lots 4 and 7 (plat book 21, page 103) and contains 24.05 acres, more or less.

The above-described property, containing approximately 24.05 acres, is at 1001 Fox Run Parkway and is located on the east side of Fox Run Parkway.

(f) The Amended Development Plan is a mixed residential development, consisting of 43 single-family homes and 90 twin homes. The proposed development will create an extension of Fox Run Village, and the residential units within the development will mirror those in Fox Run Village. The development will have a density of 5.53 units per acre.

(g) On December 19, 2023, the Planning Commission heretofore conducted a public hearing of the proposed Amended Development Plan and referred to the City Council its recommendation to approve the Amended Development Plan for Brookstone PUD with the condition that the applicant/developer provide an additional public access to the development.

Section 2. CONDITIONAL APPROVAL OF THE AMENDED DEVELOPMENT PLAN. The Amended Development Plan for Brookstone PUD as submitted for review is hereby approved and confirmed as required by Section 8.18(N) of the Zoning Ordinance of the City, subject to and conditioned upon the applicant/developer providing an additional access through an extension of Brookstone Drive to the development as approved by the Planning Director and City Engineer.

Section 3. RETENTION OF COPIES OF AMENDED DEVELOPMENT PLAN. Copies of the Amended Development Plan shall be maintained in the office of the City Clerk, Planning Director, City Engineer and Building Official and shall be open for public inspection.

Section 4. REPEALER. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 5. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 6. PUBLICATION. This Ordinance shall be published one (1) time in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2024.

PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2024.

CITY CLERK

ACTION BY MAYOR

APPROVED this the _____ day of _____, 2024.

MAYOR

ATTEST:

CITY CLERK