



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

April 23, 2024

TIME: 3:00 PM

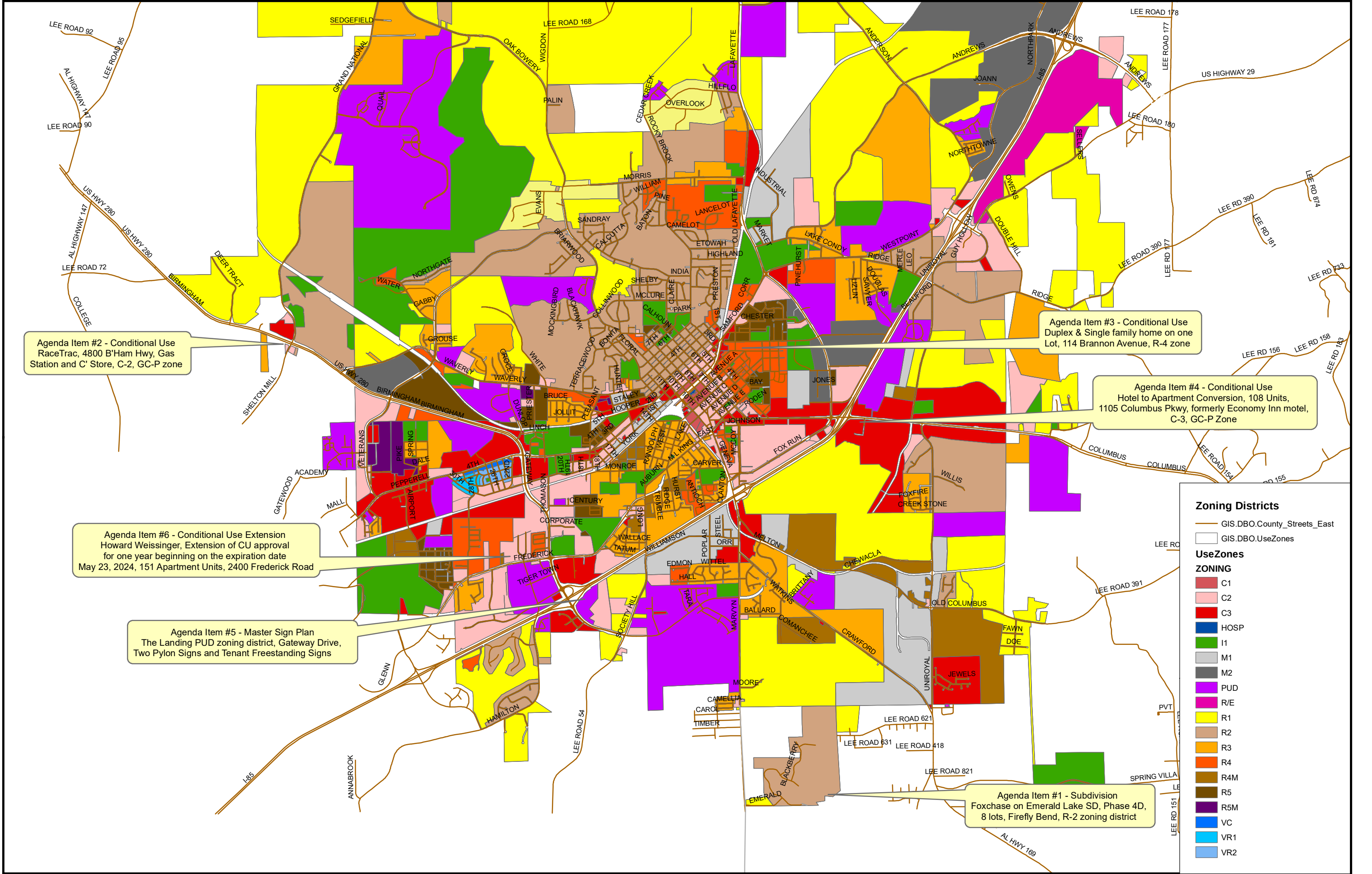
- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **Preliminary and Final Plat - Public Hearing**
 1. Foxchase on Emerald Lake SD, Phase 4D, 8 lots, accessed from Firefly Bend, Blake Rice, Barrett-Simpson, Inc, authorized representative for Plainsmen Development, Inc., Preliminary and Final
 - B. **CONDITIONAL USE - Public Hearing**
 2. RaceTrac, Inc, Victor Sutapaha, authorized representative for WWS Properties, LLC, accessed at the 4800 block of Birmingham Highway (Hwy 280 West), C-2, GC-P, a convenience store and gas station (RaceTrac)
 3. Gustavo Diaz Cax, accessed at 114 Brannon Avenue, R-4, multiple dwellings on a single lot (duplex and single family home). This conditional use approval expired; reapplying for conditional use approval.
 4. Foresite Group, LLC, authorized representative for ALYSSA Corporation, at 1105 Columbus Parkway, C-3, GC-P, Convert 108 unit hotel into a multi-family residential development (apartments)
 - C. **Master Sign Plan Review**
 5. Master Sign Plan for the Gateway Drive Entertainment/Restaurant PUD zoning district. The master sign plan includes two pylon freestanding signs: 399 square feet at 50 foot height and 215 square feet at 20 foot height. Freestanding signs for each tenant parcel: maximum 50 square feet sign area and maximum 10 foot sign height.
- V. OLD BUSINESS
 - D. **Conditional Use Extension - Public Hearing**
 6. A request by Howard Weissinger to extend a conditional use approval for 12 months starting at the current expiration date of May 23, 2024. The said conditional use

approval is The Townes multi-family development (apartments) in a C-2, GC-P zoning district consisting of 151 units accessed at 2400 Frederick Road.

E. **Text Amendments to the Zoning Ordinance - Public Hearing**

7. Bed and Breakfast Uses - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 2.2 Definitions; 7.3 C. Use Categories (matrix table); Add new section: Section 8.28.4 Bed and Breakfast (*This item was tabled at the March 26th Planning Commission meeting*)
8. Institutional Zone - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 6.4 Purpose and Intent of Zoning Districts; Section 7.3 A. District Regulations; Section 7.3 C. Use Categories (matrix table) (*This item was tabled at the March 26th Planning Commission meeting*)

“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.

March 26, 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

The City of Opelika Planning Commission held its regular monthly meeting March 26, 2024 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

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

MEMBERS ABSENT: None.

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 February 27, 2024

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that staff has received a partial draft copy of the comprehensive plan and that they will be getting feedback on that and then scheduling final meetings. He stated that there was a vacation of right-of-way and rezoning from December regarding Speedway Drive and that it will be at the first City Council meeting in May.

IV. NEW BUSINESS

A. Conditional Use and Preliminary Plat - Public Hearing

1. Moore Bass Consulting, Inc., authorized representative for Thrash Investments Inc., accessed from the 220 block of Samford Avenue, R-4, 49 townhome lots.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for 49 townhome lots accessed from the 220 block of Samford Avenue. He stated that Planning Staff recommends conditional use approval subject to the following:

1. **Install a residential buffer along the west property line according to the options⁽¹⁾ described in the Landscape Regulations. If the open space is to be considered an undisturbed buffer, it should be shown on the site plan and plat.**
2. **If a private dumpster is used, the dumpster must be enclosed with an opaque fence and gate at a height, so the dumpster is not visible outside the enclosure and location approved by Planning.**
3. **The visible side of Lots 36, 39, 47 and, 49 should address the street, provide features beyond a flat wall, or have significant landscaping to screen it.**
4. **All utilities shall be underground.**
5. **A sidewalk shall be provided on the townhouse side of the street.**
6. **Address the issue of staggered buildings in the townhome detail.**
7. **Add the rear access easement.**
8. **Buildings shall use materials consistent with the Gateway Corridor.**
9. **HVAC units and other mechanical shall be screened from the street.**
10. **Ensure the easements for trails on the plat and landscape plan are consistent.**

⁽¹⁾ On any commercial, industrial, institutional, PUD or multi-family development, except duplexes, adjacent to or abutting a residential zoning district, a buffer strip along the property line(s) of the developing property is required.

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

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that Opelika Water has no comments regarding townhomes other than meters for individual dwellings shall not be set in driveways/parking pads. See comment in item A-2 regarding water service concerns for the development as a whole.

Chair Cannon opened the public hearing.

Justin Burke, 1211 Preston Street, stated that he was representing himself, his mother, and his brother. He stated that he was upset about this and the construction that is tearing down the woods around Veterans Parkway and other locations. He stated that he felt Auburn University was buying up property and turning it into overpriced housing. He stated that he liked having trees in his backyard. He asked where the jobs were in Opelika to afford living here, who the people moving into these developments are, and where they are coming from? He asked why all of his neighbors didn't receive a letter?

Ricky Cooper, 1400 Preston Street, stated that he saw changes coming that may not appeal to everyone. He stated that he also liked having trees in his backyard. He stated that he felt safe now, but that he might not when these housing projects are built. He stated that he was opposed to this project.

Terry Love, 204 Samford Avenue, stated that he is not opposed to the project and that he is in favor of private property rights. He stated that his office is located at 204 Samford Avenue and that when the survey was done it cut their barbecue pit in half. He asked which side of the fence the barbecue pit will be on? He requested that the large oak trees that are on the boundary line next to the open space be left. He stated that there is also a magnolia tree next to the road that he would like them to leave. He stated that he felt the fence wasn't necessary.

Joey Long, authorized applicant, stated that the product that is going in here will be starting well over \$300,000. He stated that it is going to be a very nice product that will benefit Opelika and that it will tie in with the new elementary school and Southern Union. He noted that they will be replacing over 1,000 feet of 100 year old water main that is made out of cast iron. He stated that if there is a tree that can be saved they will save it. He stated that they put a lot of time into making sure that the townhouses will be screened so that they fit in with the surroundings.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

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

2. Warwick Retreat SD, 84 lots (35 single family lots & 49 townhome lots), accessed from the 220 block of Samford Avenue, Moore Bass Consulting, Inc., authorized representative for Thrash Investments Inc., Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for the Warwick Retreat Subdivision accessed from the 220 block of Samford Avenue. He stated that staff recommends preliminary approval with the following conditions:

1. **Subject to conditional use approval of the townhomes on Lots 1-49.**
2. **The certificates for the Opelika officials need to be included.**
3. **Add an access easement to the open space in the rear of the townhomes.**
4. **Add a note on the plat to state ownership, maintenance, and use of open space lots, including lot numbers. Note that these are nonhabitable lots on final plat.**
5. **Name the roads on the plat.**
6. **Sidewalks shall be required on both sides of the street.**
7. **All utilities shall be underground.**
8. **Remove the setback lines.**
9. **Note required buffers and proposed buffers on the plat, as shown on the landscape plan (20' landscape buffer) and the east property line.**
10. **Define proposed wall along rear of Lots 60, 61, 62, and 63.**
11. **Ensure the easements for trails on the plat and landscape plan are consistent.**

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

- Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance.
- A right turn lane will be required for the main entrance to the subdivision from Samford Avenue.
- There will need to be a permanent access easement between 208 and 210 Samford Avenue to retain the historical access for the lot at 206 Court Circle.
- The road names shall approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

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

He stated that this area is limited in water availability due to 6-inch main along Samford Avenue and Court Street being the only source for the water connection to feed the development. Due to the number of homes proposed and the amount of fire protection needed, water system improvements will be needed to provide sufficient supply to the development. There is an 8-inch main along Samford Avenue just south of Dover Street that is available to supply the needed volume. It appears that an 8-inch main from the development extending south along Samford Avenue approximately 1,100 feet will be needed to make the connection to that existing main. The piping in the development should then be looped on Court Street for additional hydraulic support. Additionally, some lots at higher elevations will likely need individual booster pumps to boost available pressure within the dwellings. The hydraulic gradient of the Opelika Utilities water system varies between 940' and 920' above mean sea level (MSL) during the course of any given day. Plumbing design for these homes should take this into account and provide individual booster pumps and oversized piping as needed. It is suggested that ¾" PEX not be used for any homes that are at elevations higher than 805' MSL.

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: Director John Sweatman

SECONDER: Jay Walters

DISCUSSION: Mayor Fuller asked how the Water Board works with the developer to make sure that all of this gets done?

Joey Long stated that Scott Hise is going to install the water for the development and Scott Hise has met with the Water Board and worked through the design. He noted that the developer will be funding this.

Mr. Parker stated that in regard to the individual units they will be monitored by the Water Board and Building Inspections.

Chair Cannon asked if there were trees going out there?

Joey Long stated that they have submitted a landscape plan and that they are in compliance with the requirements.

Mr. Mosley stated that as part of the conditional use for the townhomes they are showing a landscape plan with trees between each individual unit and they will also have perimeter planting. He stated that single family homes that are allowed by right do not have specific landscape requirements for those single family homes. He noted that they do have open space areas where there is the possibility for trees.

Mr. Whittelsey asked if there is any way to save some of these mature oaks?

Joey Long stated that wherever possible it is their intent to save trees.

Chair Cannon asked about the barbecue grill?

Joey Long stated that this was the first he was hearing about the barbecue grill and that the property lines were surveyed.

Chair Cannon asked Joey Long to speak with the adjacent property owner about the barbecue grill.

Mr. Mosley stated that the only fence that is required is if they have a common dumpster for the townhomes. He stated that these will likely be individual service cans because of the garages. He stated that there is not a fence required on the property line for the landscaping.

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

NAYS: None

ABSTAIN: None

B. FINAL PLAT

3. Wyndham Gates SD, Pod 3, Phase 6, 8 townhome lots, accessed from Alana Court and Raiden Circle, Jeff Adams, authorized representative for DRB Group Alabama, LLC, Final Approval

Mr. Mosley presented the staff report to the Planning Commission for the Wyndham Gates Subdivision, Pod 3, Phase 6, 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. **Add the adjacent property owners information across Marvyn Parkway.**
2. **Sidewalks required on at least one side of the street.**
3. **All utilities installed underground.**
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 Water, and Opelika Power Services. He stated that this property is located outside of the Opelika Power Services Territory.

Motion to grant final plat approval with staff recommendations

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

C. CONDITIONAL USE - Public Hearing

4. Blake Rice, Barrett-Simpson, Inc., authorized representative for T Farmco, LLC, accessed at 3195 Society Hill Road, C-2, GC-P, 20,000 sf warehouse addition.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for a 20,000 square foot warehouse addition accessed at 3195 Society Hill Road. He stated that staff recommends approval subject to the following:

1. Add five parking spaces adjacent to the warehouse and landscaping near the parking spaces.
2. Planning Commission approve the “insulated metal panel with stucco texture finish” installed on the east, west, and south exterior walls and approve the “Pemb’s single skin metal siding” on the north exterior wall.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that because of the limited size of the disturbance for this proposal, there will be no site plan submittal needed from the Engineering Department. All other utilities should still have submittals for approval. The Land Disturbance permit will be issued with the building permit. He stated that the property is currently served from Society Hill Road. He stated that this property is located outside of the Opelika Power Services Territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Sheldon Whittelsey
DISCUSSION: Chair Cannon asked if they cut down the trees are they going to add some back in?

Mr. Mosley stated that if they removed all the trees, Planning staff would reach out and require that they meet the requirements of the ordinance.
AYES: Chair Cannon, Walters, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS: None
ABSTAIN: None

D. ANNEXATION

5. Annexation request, Shelly A. Perry and Annie P. Perry, 2.05 acres, accessed at 5400 Highway 431 North

Mr. Mosley presented the staff report to the Planning Commission for an annexation request of 2.05 acres accessed at 5400 Highway 431 North. He stated that staff recommends the Planning Commission send a positive recommendation to City Council to annex the 2.05 acres and zone the property R-1.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that this property is outside of Opelika Water's service area. He stated that this property is located outside of the Opelika Power Services territory.

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

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

E. Text Amendments to the Zoning Ordinance - Public Hearing

6. Bed and Breakfast Uses - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 2.2 Definitions; 7.3 C. Use Categories (matrix table); Add new section: Section 8.28.4 Bed and Breakfast

Mr. Mosley presented the staff report to the Planning Commission for proposed text amendments to the Zoning Ordinance: Section 2.2 Definitions; 7.3 C. Use Categories (matrix table); Add new sections: Section 8.28.4 Bed and Breakfast. He stated that staff recommends this item be tabled for consideration at the April meeting.

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

Chair Cannon opened the public hearing.

Rick McCarty, 505 North 10th Street, stated that he didn't understand why the wording for R-2 in the Zoning Ordinance might be changed for the entire city to allow bed and breakfasts because of one house. He stated that they have been told the house is in disrepair, that it will be torn down if it can't be turned into a bed and breakfast, and that none of that is true. He stated that he would like to know what is actually true. He stated that he was concerned about parking and water runoff from the parking lots of bed and breakfasts. He stated that he felt neighborhoods were for living, not conducting business. He asked the Commission to not recommend the amendment to R-2.

Chair Cannon closed the public hearing.

Motion to table the item.

RESULT:	Passed
MOVER:	Leigh Whatley

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

7. Institutional Zone - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 6.4 Purpose and Intent of Zoning Districts; Section 7.3 A. District Regulations; Section 7.3 C. Use Categories (matrix table)

Mr. Mosley presented the staff report to the Planning Commission for proposed text amendments to the Zoning Ordinance: Section 6.4 Purpose and Intent of Zoning Districts; Section 7.3 A. District Regulations; Section 7.3 C. Use Categories (matrix table). He stated that staff recommends this item be tabled for consideration at the April meeting.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to table the item.

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

V. OLD BUSINESS

F. PLAT (Preliminary Only) - Public Hearing

8. South Lake Bank Parcels Redivision of Lot 2, 45 lots accessed from South Uniroyal Road, Chao Han, Preliminary Approval (*This item was tabled at the February 27, 2024 meeting at the applicant's request*).

Mr. Mosley presented the staff report to the Planning Commission for the South Lake Bank Parcels Redivision of Lot 2, accessed from South Uniroyal Road. He stated that staff recommend approval of the preliminary plat subject to:

1. Sidewalks shall be required on both sides of the street.
2. All utilities shall be underground.
3. Add a note Lots 44 and 42 shall have access on the new street only.
4. Lots 43 and future lots shall have shared driveways and access easements if farther divided.
5. The Planning Commission agrees to move the 30' undisturbed buffer to the rear portions of Lots 1, 3, 4, 5, 6, 7, and 8 and this buffer will be replanted with a residential buffer to be planted prior to the final plat approval.
6. Ensure a home can be placed on lots 26 without obstructing the 20' private storm easement.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that there have been some issues with the erosion control in the construction of this subdivision that Opelika Engineering/Stormwater has been enforcing. There has been a change in contractor that is doing a better job at working with the City to reduce the construction run off and to construct the infrastructure to the City standards. He stated that final approval is subject to acceptance of all installed water infrastructure.

Mr. Walters left the meeting at 3:56pm

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: Sheldon Whittelsey

SECONDER: Mayor Gary Fuller

DISCUSSION: Chair Cannon asked if the contractor was working with Engineering on the erosion control?

Mr. Parker stated that they are.

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

NAYS: None

ABSTAIN: None

G. REZONING - Public Hearing

9. (a) Amendment to the Future Land Use Map accessed from Gateway Drive, 106 acres, from a light commercial and general commercial land use category to a mixed use category (residential and commercial). *(This item was tabled at the February 27, 2024 meeting at the applicant's request).*

(b) Rezoning request, Blake Rice, Barrett-Simpson authorized representative for Gateway Development, LLC, Cornerstone LLC, and Clark -Adams Development, LLC, 106 acres, accessed at Gateway Drive and Cunningham Drive, from a C-2, C-3 and R-4 to a PUD. *(This item was tabled at the February 27, 2024 meeting at the applicant's request).*

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request for 106 acres accessed at Gateway Drive and Cunningham Drive from C-2, C-3, and R-4 to a PUD. He stated that the Planning 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.

6. Correct the error in the use table on page 4. Interior manufacturing should be Pod 9, not Pod 10.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available from Cunningham Dr. (west side) and Center Hills Road. Connection at Gateway Drive will require highway crossing of Gateway Drive on south side of Thomason Drive. Depending upon ultimate land use of the development, water main size to be installed along roadway could be as large as 10" diameter. He stated that this subdivision is inside the Opelika Power and Alabama Power service territory.

Chair Cannon opened the public hearing.

Blake Rice, Barrett-Simpson, authorized applicant, stated that he and Mr. Mosley have gone over the mistake in the use table and the staff recommendations and the developer has no issue with that change.

Chair Cannon closed the public hearing.

Motion to approve the Amendment to the Future Land Use Map with staff recommendations.

RESULT:	Passed
MOVER:	Director Mike Hilyer
SECONDER:	Director John Sweatman
DISCUSSION:	Chair Cannon asked if this would come back for plat approval. Blake Rice stated that it will. Mr. Whittelsey asked if there was a timeframe for the Thompson Road extension? Mr. Parker stated that it is designed right now and most of the property is owned by the developer. He stated that they will need to acquire some property and after that they should be ready for construction. He stated possibly within a year. Chair Cannon stated that she would like to see 50-foot lots.
AYES:	Chair Cannon, Whatley, Whittelsey, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

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

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

VI. ADJOURN

Motion to adjourn at 4:16 p.m.

RESULT: Passed

MOVER: Director John Sweatman

SECONDER: Arturo Menefee

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

NAYS: None

ABSTAIN: None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024

Subdivision: Foxchase at Emerald Lakes, Phase 4D

Agenda Item #: A-1

Action Requested: Preliminary and Final Approval

Location of Property: Firefly Bend

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

Current Land Use: Undeveloped

Current Zoning: R-2

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

Staff Comments:

The applicant is requesting preliminary and final plat approval for a 8-lot subdivision in the R-2 zoning district. A preliminary plat for 74 lots was approved that included these 8 lots in Phase 4D. The preliminary plat expired, but now the street is about complete including street signs. The applicant is requesting preliminary and final approval for the 8 lots. The eight single family home lots are accessed from Firefly Bend, a short cul de sac street that accesses Ski Spray Point.

The minimum lot size in an R-2 zone is 15,000 square feet (sf) and minimum lot width is 80 feet. The eight single-family lots range in size from 47,832 sf to 80,975 sf. The lot width exceeds the minimum 80 feet at the street for the eight lots.

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

Staff recommends preliminary and final approval subject to the following:

1. Change the signature line for Opelika Utilities to Opelika Water Board

Engineering Department Report

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

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

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

Opelika Water Report

This development is not in Opelika Water's Service Area.

Opelika Power Services Report

This property is located outside of the Opelika Power Services territory.



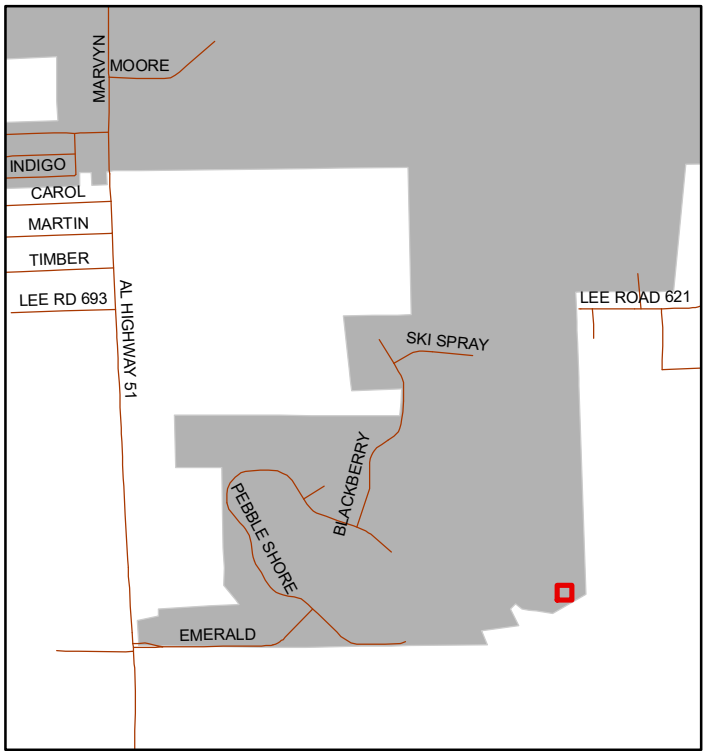
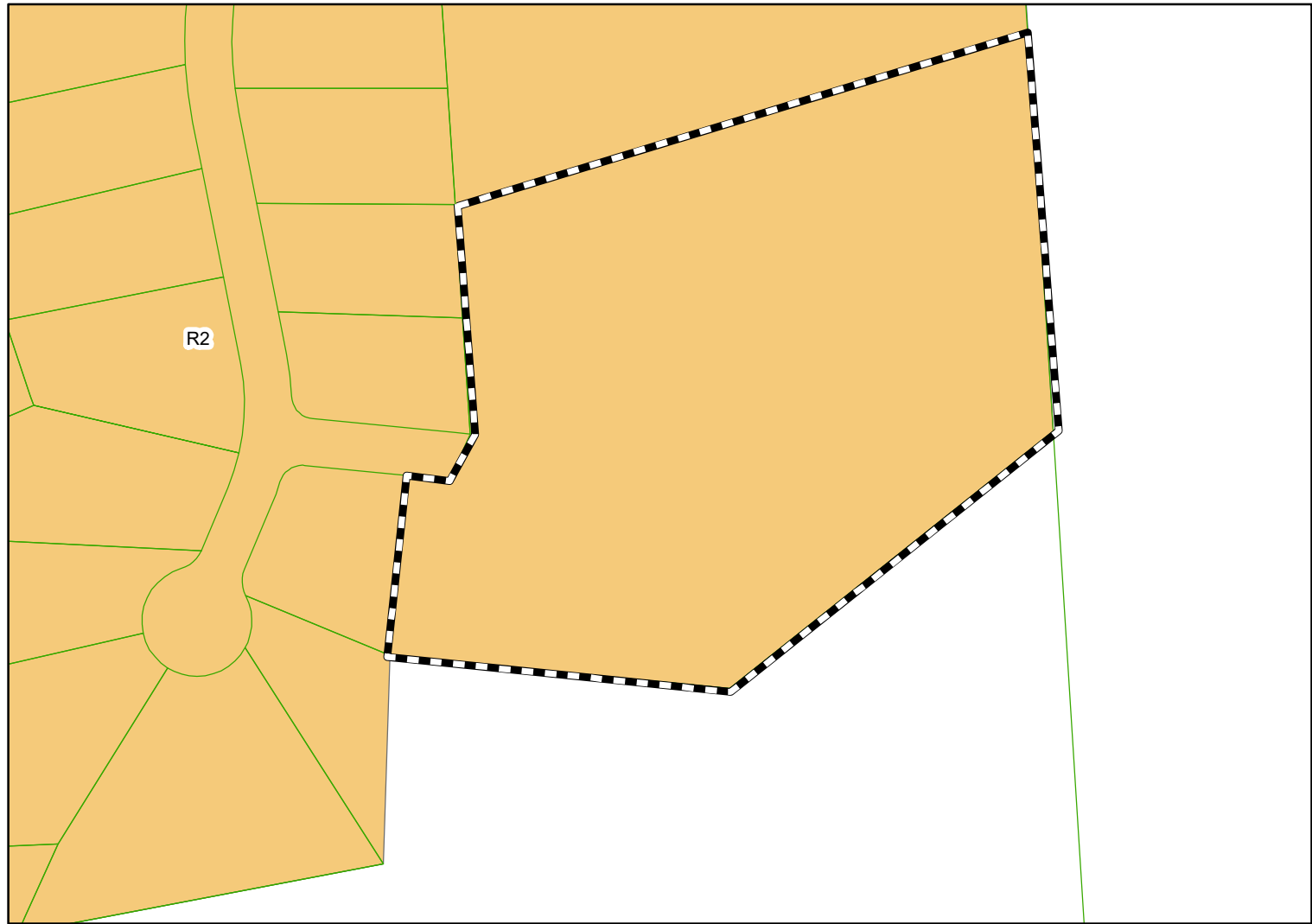
**APPLICATION FOR
SUBDIVISION APPROVAL**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



DEADLINE: _____ MEETING: _____

SITE ADDRESS: _____	
PROPERTY OWNER: _____	
APPLICANT/AUTHORIZED REPRESENTATIVE: _____	
MAILING ADDRESS: _____	
PHONE NUMBER: _____	FAX NUMBER: _____
EMAIL ADDRESS: _____	
TYPE OF PLAT APPROVAL REQUESTED	
☐ SKETCH PLAN	☐ ADMINISTRATIVE
☐ PRELIMINARY	☐ FINAL
Does the subdivision require any other official action by the City? _____	
☐ Annexation	☐ Rezoning
☐ Other _____	
<u>PARCEL INFORMATION</u> Subdivision Name: _____ Current Land Use: _____ Current Zoning: _____ Proposed use of the Subdivision: _____ ☐ Residential ☐ Manufacturing/Industrial ☐ Commercial ☐ Office/Institutional	Number of Lots: _____ x \$3.00 = \$ _____ Number of APO: _____ x \$7.00 = \$ _____ (Adjacent Property Owners) Fee: _____ \$75.00 TOTAL = _____ PAID _____
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) _____ Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.	
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: _____ (PRINT NAME) _____	_____ DATE

FOXCHASE AT EMERALD LAKE PHASE 4D SUBDIVISION
FIREFLY BEND
PRELIMINARY AND FINAL APPROVAL, A-1



The applicant is requesting preliminary and final approval for Phase 4D consisting of 8 single family lots. The property is located in the R-2 zoning district.



Subject Property

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

NOTES:

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS, using the ALDOT CORS as reference.
- Basis for survey:
-Foxchase on Emerald Lake Phase 4C recorded in Plat Book 48, Page 137 in the Office of the Judge of Probate of Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0230G, effective November 02, 2011, the subject property is located:
-Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
- There is a ten (10) foot drainage & utility easement along the right-of-way of each lot.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet of each side of front and side lot lines.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
- 8 Lots
- 11.53 Acres Total (502,222 Sq Ft.)
- Smallest Lot: Lot 31 - 1.10 Acres (47,832 Sq Ft.)
- Largest Lot: Lot 35 - 1.86 Acres (80,975 Sq Ft.)

*All roads for this subdivision shall be private and owned/maintained by all lot owners of Foxchase on Emerald Lake Homeowners Association.

SURVEYOR'S CERTIFICATE

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

For Review Only

Jonathan A. Ham, PLS
Alabama License No. 34761
Date: 04/01/2024

DEDICATION

The State of Alabama
Lee County }

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

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2024.

Don Ketcham, President

ACKNOWLEDGEMENT

The State of Alabama
Lee County }

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

Given under my hand and official seal this the ____ day of _____, 2024.

Notary Public:
My Commission Expires:

OPELIKA CERTIFICATES

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

Chairman: _____ Date: _____

Accepted by the Opelika City Planner, Opelika, Alabama:

Planner: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

City Engineer: _____ Date: _____

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

Public Works Director: _____ Date: _____

Accepted by the Opelika Utilities, Opelika, Alabama:

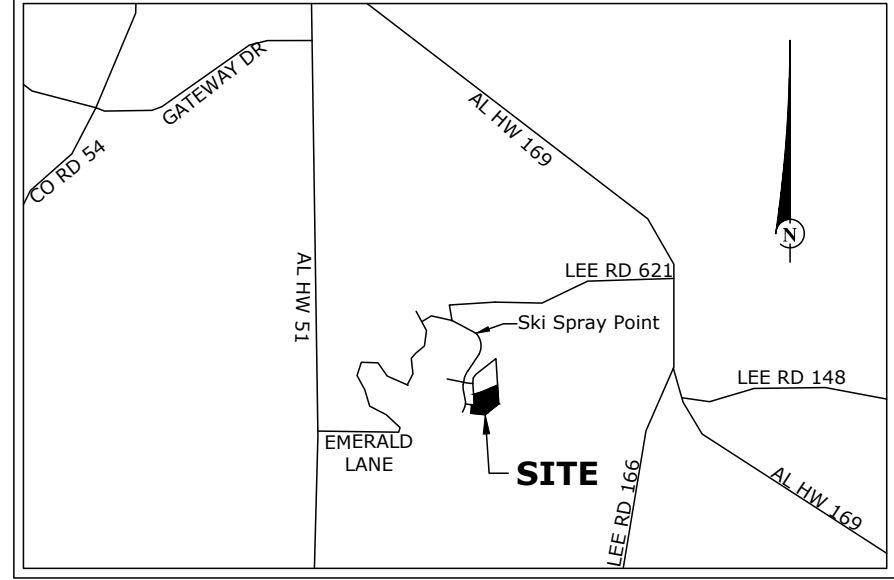
Opelika Utilities: _____ Date: _____

Accepted by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

VICINITY MAP

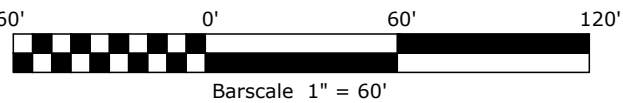
NOT TO SCALE



LEGEND

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

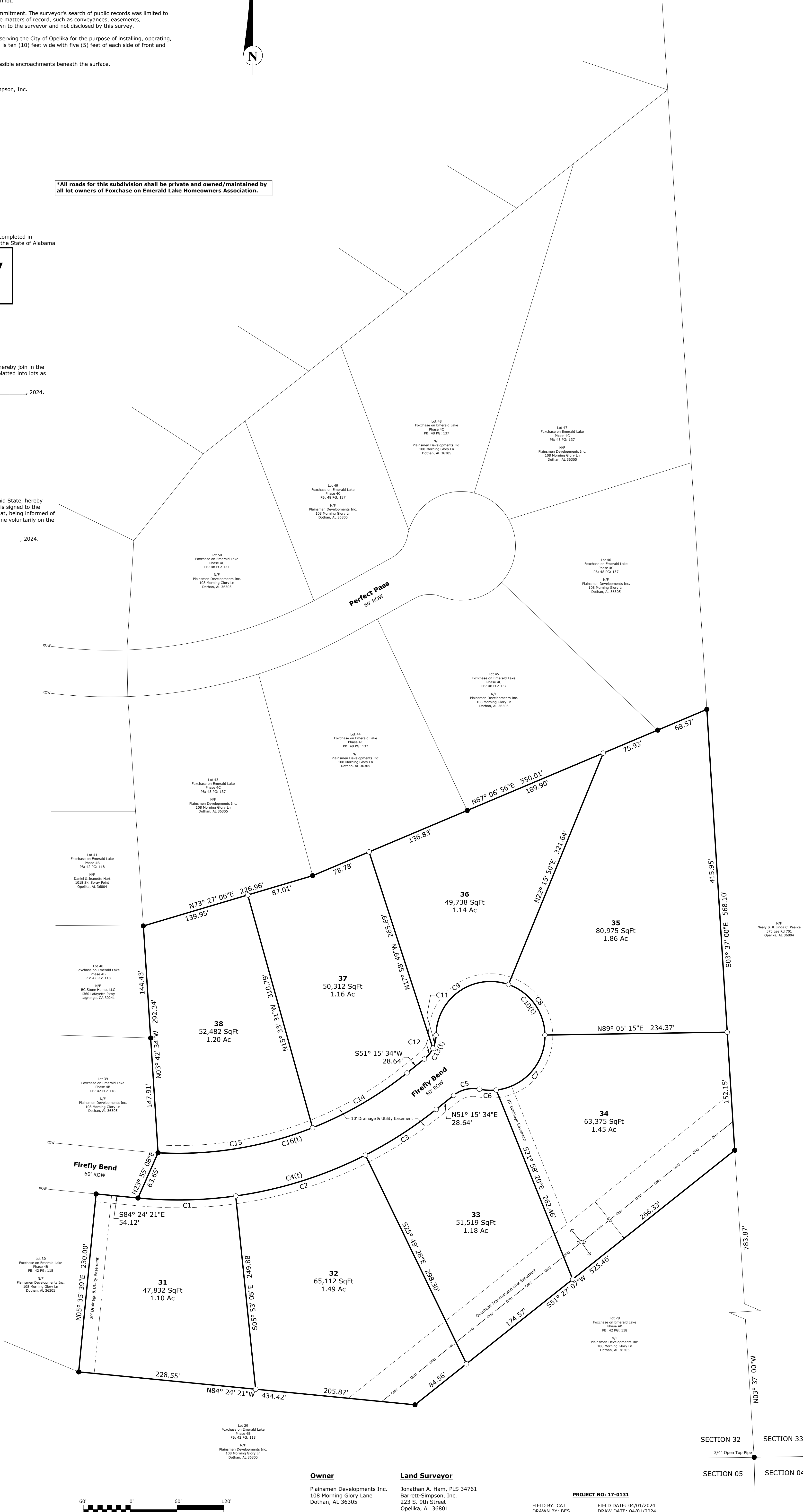
Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	125.87'	530.00'	N88° 47' 25"E	125.58'
C2	175.60'	530.00'	N72° 29' 42"E	174.79'
C3	108.64'	530.00'	N57° 07' 54"E	108.45'
C4(t)	410.11'	530.00'	N73° 25' 36"E	399.95'
C5	35.24'	40.00'	N76° 29' 56"E	34.11'
C6	21.79'	70.00'	S87° 10' 43"E	21.70'
C7	103.58'	70.00'	N41° 30' 48"E	94.39'
C8	85.34'	70.00'	N35° 48' 12"W	80.15'
C9	132.55'	70.00'	S55° 01' 34"W	113.61'
C10(t)	343.25'	70.00'	N38° 44' 26"W	89.09'
C11	17.61'	40.00'	S13° 23' 31"W	17.47'
C12	17.63'	40.00'	S38° 37' 53"W	17.49'
C13(t)	35.24'	40.00'	N26° 01' 12"E	34.11'
C14	140.90'	470.00'	S59° 50' 51"W	140.37'
C15	202.77'	470.00'	S80° 47' 41"W	201.20'
C16(t)	343.66'	470.00'	N72° 12' 24"E	336.06'



PLAT OF
FOXCHASE ON EMERALD LAKE PHASE 4D

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

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



Owner

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

Land Surveyor

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

PROJECT NO: 17-0131

FIELD BY: CAJ
DRAWN BY: BES
FIELD DATE: 04/01/2024
DRAW DATE: 04/01/2024

BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024

Agenda Item #: B-2

Action Requested: Conditional Use –RaceTrac gas station with convenience store.

Location of Property: Corner of Birmingham Highway (Hwy 280 West) & Shelton Mill Road

Property Owner(s): WWS Properties LLC
Race Trac, Inc., authorized representative.

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-3, GC-P	Undeveloped
South	Auburn city limits	single-family homes.
East	C-2, GC-P	BP gas station and convenience store
West	Auburn city limits	Undeveloped and single-family homes.

Proposal

The applicant is requesting conditional use approval to construct a RaceTrac gas station and convenience store at the corner of Birmingham Highway and Shelton Mill Road. RaceTrac is accessed from both streets. The Birmingham Highway access is right-in, right-out only (no left turn) and Shelton Mill Road is full access. About 4.4 acres of the Race Trac property is in the City of Auburn, and 1.4 acres is in Opelika (*5.8 acres total*). (Auburn’s City Council recently approved this conditional use.) The convenience store parking is on the east side closest to Shelton Mill Road. Sixteen gas dispensing pumps are provided for passenger vehicles and small trucks and four gas pumps for tractor-trailer semi (18-wheeler) vehicles. Parking for semi-trucks on premises is prohibited and RaceTrac will install signs to prevent truck parking. (The use is not a “truck fueling station” ¹).

¹ **Truck Fueling Station.** Any fuel sales facility selling and dispensing motor fuels, other petroleum products or accessories for trucks, tractor-trailer rigs, buses and similar commercial freight vehicles where the gas dispensing facilities are designed to primarily service semi-tractors or tractor-trailer truck vehicles. A truck fueling station shall not include premises where vehicle repair and maintenance activities are conducted by the business. A truck fueling station shall not offer overnight accommodations, shower facilities or restaurant. No more than twelve (12) parking spaces for tractor-trailer vehicles shall be permitted on site. A truck fueling station may include a convenience store where limited food products, beverages and household items are sold.

The site plan shows a 6,008 square foot (sf) building that includes a convenience store. The building and two canopies for fuel pumps meet the minimum building setbacks. The 34 off-street parking spaces (additionally 20 pump spaces) including two handicap spaces meet the minimum off-street parking requirement (1 ps per 100 sf customer sales and service of 3,751 sf). A private dumpster is shown on the east side of the convenience store. A dumpster area is shown with an enclosure and double gate as required. The dumpster enclosure must meet the gateway corridor cladding requirements.

The landscape plan meets minimum point requirements (532 Base Points and 34 Parking Points). A total of 184 trees and 571 shrubs will be planted, the size of the trees must meet the minimum size requirements as provided in the Landscape Regulations. A landscape buffer is also along the non-street property lines; the buffer is adjacent to single family homes located in Auburn's city limits. The property meets the maximum 70% impervious surface ratio allowed; 49% of the property will be impervious.

The building exterior meets the minimum requirements for the gateway corridor. Some metal awnings and panels are used. The exterior wall materials on the front are 68% brick and glass, 18% wood, and 14% metal trim siding. The right-side exterior walls are 46% brick and glass, 32% wood, and 22% metal. The left-side exterior walls are 81% brick and 19% metal. The rear wall is 68% brick, 14% wood, and 16% metal. All equipment and mechanical units must be screened to meet the gateway corridor requirements.

The site plan shows a 30' x 220' canopy for the gas pumps fronting along Birmingham Highway and a 30' x 82' canopy for semi-truck pumps in the side yard area. The 220-foot canopy is wider than the 105-foot Race Trac building that faces Birmingham Highway. The canopies are significant structures concerning the property's appearance in the Gateway Corridor. Planning recommends that an exterior material be installed or "wrapped" around the two canopy columns to complement the brick building and add curb appeal. Brick columns that match the building's brick exterior walls is preferred, but other exterior materials may be installed as listed in Section 7.6, 6, b.1a ² *Materials and Cladding Requirements*.

Recommendation

Staff recommends conditional use approval subject to the following:

- 1.. Install "No Overnight Parking, Violators will be Towed" signs on property. Race Trac/property owner responsible for enforcement if violations occur.**

² **Materials and Cladding Requirements**

1. 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: **i.** Brick and brick veneer; **ii.** Stone, stone veneer, and cultured stone; **iii.** Glass **iv.** Precast or field-poured tilt concrete panels with texture and architectural detailing; **v.** Stucco with architectural detailing; **vi.** Cementous siding; **vii.** Wood and wood materials designed and intended for use as exterior finish material; **viii.** Tilt wall panels; **ix.** Decorative or architectural split-faced Concrete Masonry Units (CMU); **x.** Other primary materials approved by the Planning Commission consistent with the purpose of these standards, including architectural metal panels. **xi.** Architectural features and attachments may be approved by the Planning Department.

2. Dumpster area enclosure must meet the gateway corridor cladding requirements.
3. If necessary, the canopy lights or pole lights must be shielded to prevent glare to motorists.
4. Install an exterior material on all canopy columns (front & rear canopies) selected from the exterior material list in Section 7.6, 6, b.1a *Materials and Cladding Requirements*.
5. All utilities meters, mechanical units and rooftop mechanical units shall be screened to meet the gateway corridor requirements 7.6 6, d. 1.,2.,3.

Engineering Department Report

The City of Auburn will be monitoring and requiring all permits for the roadway access of Shelton Road and ALDOT will be permitting and monitoring the roadway access to US 280.

The Engineering Department has no other comments or concerns with this proposed Conditional Use.

Opelika Utilities Board Report

Opelika Water Comments: Water is available from a 12-inch main along U.S. 280 West. Developer may be required to relocate portions of existing water main due to grading (fill) or turn lane installations.

Opelika Power Services Report

This property is located outside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: Southwest corner of U.S. Highway 280 and Shelton Mill Rd. intersection

PROPERTY OWNER: WWS Properties, LLC - John David Walker IV - 3371 Skyway Dr., Suite 5, Auburn, AL 36830

APPLICANT/ AUTHORIZED REPRESENTATIVE: RaceTrac, Inc. - Victor Sutapaha

MAILING ADDRESS: 200 Galleria Parkway Suite 900, Atlanta, GA 30339

PHONE NUMBER: (770) 431-7600

FAX NUMBER: _____

EMAIL ADDRESS: vsutapaha@racetrac.com

PARCEL INFORMATION

Project name: RaceTrac Market

Address/Location: SW corner US 280/Shelton Mill Rd

Current Land Use: Undeveloped

Current Zoning: C-2

Adjacent Zoning Districts: North: C-3

South: Outside City

East: C-2

West: Outside City

Description of Proposed Use: Convenience store with fueling sales

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, John David Walker IV, being owner of the property which is the subject of this conditional use application hereby authorize RaceTrac, Inc. - Victor Sutapaha, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: _____

Date: _____

4-1-24

STATE OF ALABAMA,

COUNTY OF LEE

I, Sarah Williams, a Notary Public in and for said County and State, hereby certify that John D. Walker, 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 1 day of April 2024.

Sarah Williams
Notary Public

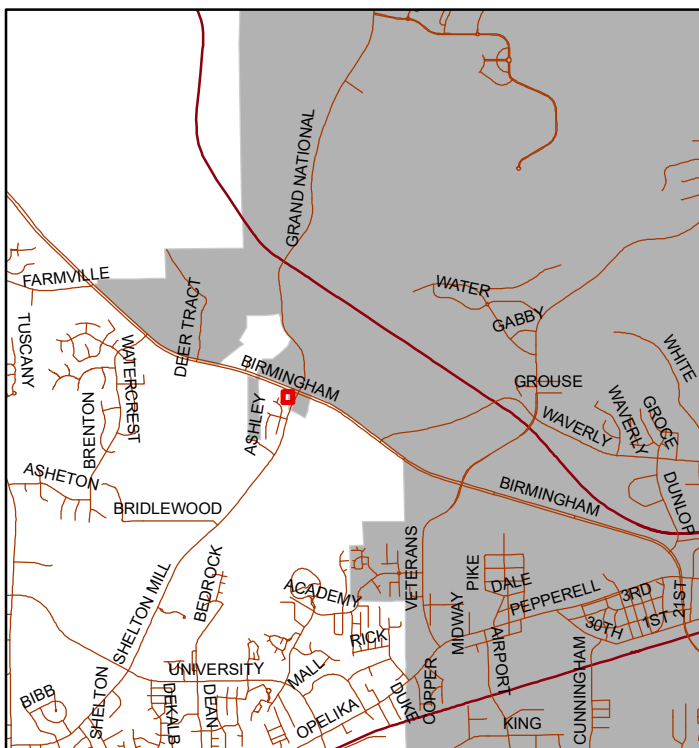
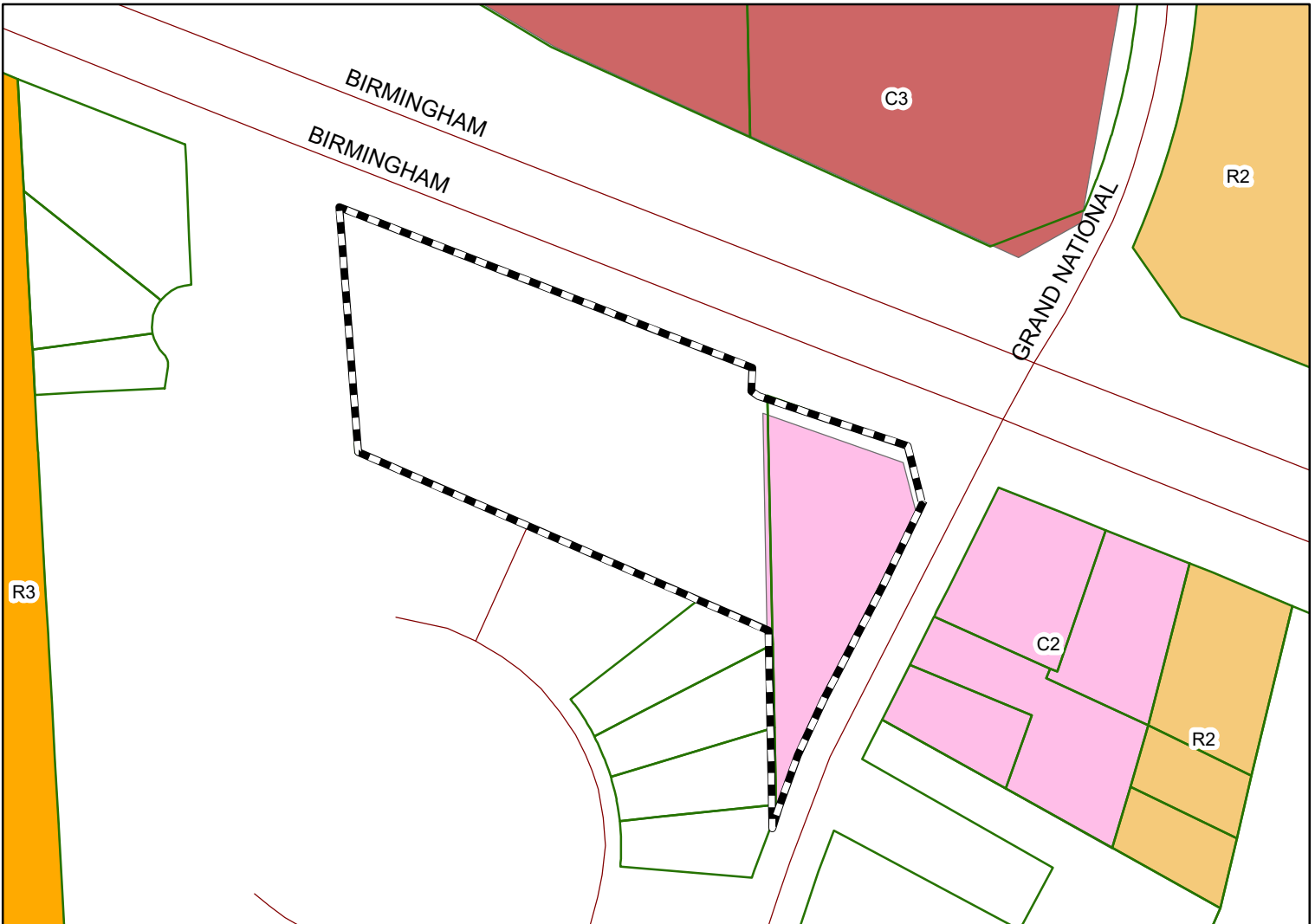


My Commission Expires: 8-23-2025

RACETRAC - GAS STATION & CONVENIENCE STORE

BIRMINGHAM HIGHWAY & SHELTON MILL ROAD

CONDITIONAL USE, B-2



The applicant is requesting approval for a Circle K gas station for vehicles and semi-trucks. The 5.8 acre property is in the City of Auburn (80% of property) and the City of Opelika (20% of property).



Subject Property

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

The Land referred to herein below is situated in the County of Lee, State of Alabama, and is described as follows:

Parcel One:

All that tract or parcel of land lying and being in Section 9, Township 19 North, Range 28 East, Opelika Lee County, Alabama, and being more fully shown in Boundary Survey for J. Michael Williams Sr., of the WestPoint Pepperell Property at the Southwest Intersection of U. S. Highway 280 and Shelton Road prepared by Alva T. Webb, II, L.S. Ala. Reg. No 11516 dated October 5, 1993, and described as follows: Begin at an upright railroad rail located at the Northeast corner of Section 9, Township 19 North, Range 28 East, Opelika, Lee County, Alabama; thence South 67 degrees 21 minutes 55 seconds West 4062.80 feet to an iron pin located on the westerly margin of Shelton Road (Lee Road 097) for a corner and POINT OF BEGINNING of the parcel herein to be describes: From this POINT OF BEGINNING, thence North 01 degrees, 09 minutes, 01 seconds West, 562.42 feet to an iron pin located on the southerly margin of U. S. Highway Number 280 for a corner; thence South 68 degrees 36 minutes, 07 seconds East along the southerly margin of said Highway for a distance of 199.92 feet to an iron pin for a corner; thence South 19 degrees, 38 minutes, 04 seconds East 77.49 feet to a concrete monument located on the westerly margin of Shelton Road (Lee Road 097) for a corner; thence South 28 degrees, 17 minutes, 28 seconds West along the westerly margin of said road for a distance of 115.39 feet to an iron pin; thence in a southwesterly direction along a curve to the left of the northwesterly margin of Shelton Road (Lee Road 097) for a distance of 347.27 feet on a radius of 2904.72 feet said curve having a chord bearing of South 24 degrees, 54 minutes, 43 seconds West and a chord distance of 347.07 feet to the POINT OF BEGINNING.

Parcel Two:

Lot 4, a ReSubdivision of Parcel A, Shelton Cove, Sector One, Auburn, Lee County, Alabama according to and as shown by map or plat of said subdivision of record in Plat Book 34, at Page 150 in the Office of Judge of Probate of Lee County, Alabama.

NOTE: THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE X "UNSHADED", DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS PER FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBER 64 OF 381, MAP NUMBER 01081C0064G, DATED NOVEMBER 2, 2011.
(FLOOD INFORMATION SHOWN WAS OBTAINED BY GRAPHICAL PLOTTING AND SCALING ONLY.)

NOTE: THERE WERE NO OBSERVABLE BUILDINGS OBSERVED ON THE SITE AT THE TIME OF SURVEY.

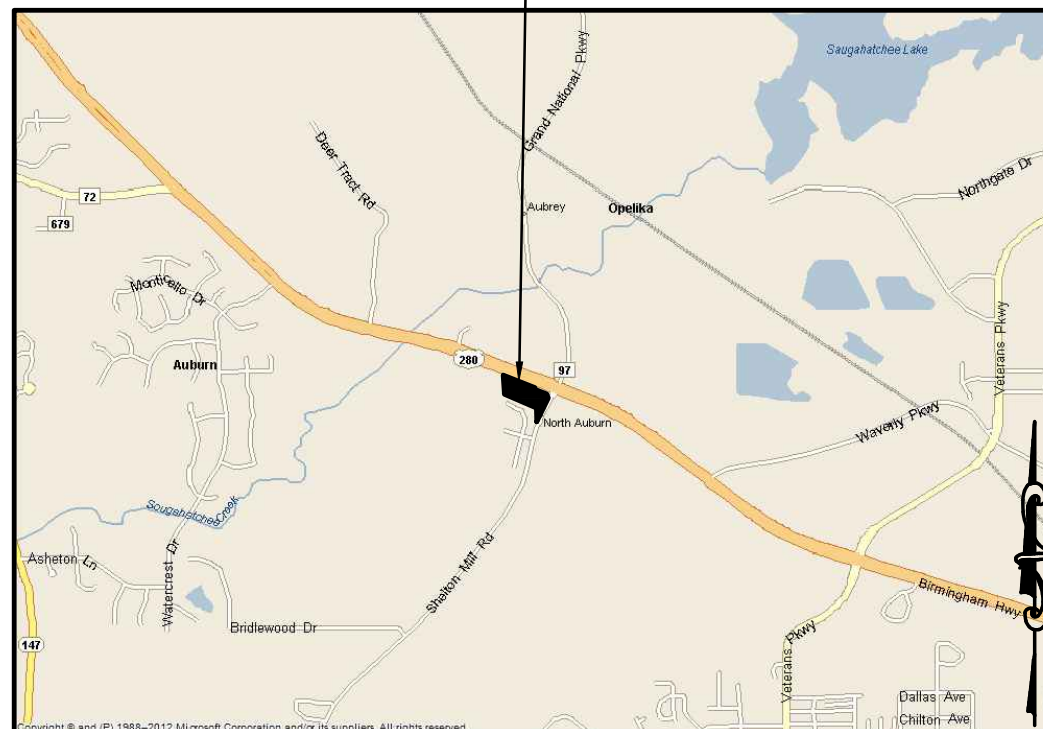
NOTE: THERE WERE NO OBSERVABLE STRIPED PARKING SPACES OBSERVED ON THE SITE AT THE TIME OF SURVEY.

NOTE: POSITIONAL DATA IS BASED ON THE U.S. SURVEY FOOT AND THE ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE.

NOTE: VERTICAL DATUM SHOWN HEREON IS REFERENCED TO NAVD 1988

CERTIFICATION IS ONLY TO THE PARTIES HEREIN NAMED.
THIS SURVEY IS NOT VALID FOR ANY FUTURE TRANSACTIONS OF THIS PROPERTY.

PROJECT LOCATION



VICINITY MAP

NOT TO SCALE

RECORD OWNER

WVS PROPERTIES LLC
3371 SKYWAY DRIVE
SUITE 5
AUBURN, AL 36830

SITE LOCATION

SOUTHWEST INTERSECTION OF U.S. HIGHWAY 280 WEST WITH SHELTON MILL ROAD

T.B.M. #1

EXISTING CONCRETE MONUMENT (ECM) (6"x6", PI 155+32 1962)
LOCATED ON THE NORTH LINE OF PARCEL 2 ON THE
SOUTH RIGHT OF WAY (R/W) OF BIRMINGHAM HIGHWAY.
N=78449.52
E=773547.66
ELEV.=632.35

T.B.M. #2

EXISTING IRON PIN (EIP) (CA0062)
LOCATED AT THE NORTHEAST CORNER OF LOT 73
OF SHELTON COVE SECTOR ONE SUBDIVISION AND
BEING ON THE WEST LINE OF PARCEL 1 AND BEING
THE SOUTHEAST CORNER OF PARCEL 2.
N=783826.55
E=773575.77
ELEV.=636.18

- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attached, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
(Not survey related.)
- Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
(Not survey related.)
- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
(Not survey related.)
- Any facts, rights, interests, or claims that are not shown in the Public Records, but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
(Not survey related.)
- Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
(Not survey related.)
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
(As shown on survey.)
- Any lien, or right to a lien, for services, labor or materials in connection with improvements, repairs or renovations provided before, on or after Date of Policy, not shown by the Public Records.
(Not survey related.)
- Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith as appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B.
(Not survey related.)
- Restriction(s), easement(s) and building line(s) as shown by recorded plat.
(As shown on survey.)
- Title to any portion of subject property lying within the bounds of any public roads.
(As shown on survey.)
- Rights of tenants in possession pursuant to unrecorded leases, as tenants only.
(Not survey related.)
- Restrictions, Easements and Right of ways of record.
(As shown on survey.)
- Right of way granted to Lee County dated September 18, 1922 by instrument recorded in Book 142, Page 171 in the Probate Office of Lee County, Alabama.
(Unable to plot from legal description provided.)
- Right of way granted to Lee County dated May 12, 1934 by instrument recorded in Book 208, Page 286 in the Probate Office of Lee County, Alabama.
(Unable to plot from legal description provided.)
- Right of Way to Alabama Power Company as recorded in Book 218, Page 599 (Blanket in nature); Book 236, Page 168 (Does not affect property - Limited to roadways in Shelton Cove Subdivision); Book 236, Page 171 (Does not affect property - Limited to roadways in Shelton Cove Subdivision); Book 233, Page 922 (Does not affect property - Limited to roadways in Shelton Cove Subdivision) and Book 718, Page 233 (Does not affect property); in the Probate Office of Lee County, Alabama.
- Terms and Conditions of that certain Right of Non-Exclusive Usage of Storm Water Detention Basin dated December 18, 2018, recorded in Book 2405, Page 499, in the Probate Office of Lee County, Alabama, and all rights of drainage into storm water detention pond situated on the property.
(As shown on survey.)
- Declaration of Covenants, Conditions and Restrictions of Shelton Cove, Sector One dated December 8, 2009, and recorded in Book 2358, Page 1, First Amendment recorded in Book 2404, Page 880.
(Blanket in nature.)
- Articles of Incorporation of Shelton Cove Neighborhood Association, Inc. recorded in Book 2358, Page 34.
(Not survey related.)
- Ordinance of Annexation recorded in Book 2183, Page 387.
(Annexation to the City of Opelika - As shown on survey.)
- Right of way granted to Lee County October 25, 1963 by instrument recorded in Book 646, Page 213 in the Probate Office of Lee County, Alabama.
(Does not affect property.)

SURVEYOR'S NOTES:

- ALL MEASUREMENTS WERE MADE ACCORDING TO THE UNITED STATES SURVEY FOOT.
- NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN OR NOTED.
- UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE APPARENT FROM A CASUAL ABOVE GROUND INSPECTION OF PREMISES ARE SHOWN.
- SOURCE OF INFORMATION: SHELTON COVE SECTOR ONE SUBDIVISION (PB-30 PG-128); A RESUBDIVISION OF PARCEL A, SHELTON COVE (PB-34 PG-150); SHELTON COVE SECTOR 3 SUBDIVISION (PB-37 PG-12); BOULDER RIDGE SUBDIVISION (PB-46 PG-1); EXISTING MONUMENTATION; TITLE COMMITMENT FILE NO. E-5881 AS PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY EFFECTIVE AS OF SEPTEMBER 20, 2023.
- ENCROACHMENTS AND IMPROVEMENTS ARE AS SHOWN. THIS IS AN ALTA SURVEY.
- LIABILITY OF THE UNDERSIGNED FOR THE SURVEY SHOWN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN OR NOTED.
- EXISTING CONCRETE MONUMENTS (ECM) ARE 4"x4" UNLESS OTHERWISE LABELED. EXISTING IRON PINS (EIP) ARE AS LABELED.
- SET IRON PINS (SIP) ARE #4 REBAR 24" LONG WITH YELLOW CAP STAMPED CA 0621LS.
- THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THERE WERE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION. THERE WAS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NO WETLANDS DELINEATION MARKERS WERE OBSERVED DURING THE FIELDWORK CONDUCTED ON THE PROPERTY.
- NO DESIGNATION FOR DETERMINATION OF THE RELATIONSHIP AND LOCATION OF CERTAIN DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES, NOR THE OBTAINING OF NECESSARY PERMISSIONS, HAVE BEEN PROVIDED BY THE CLIENT TO THE SURVEYOR PER THE DATE OF THIS SURVEY. CLIENT DID NOT DESIGNATE WALLS TO BE DETERMINED AS PLUMB AT TIME OF SURVEY.
- AN 811 UTILITY LOCATE REQUEST WAS MADE AND MARKINGS FOUND AT THE SITE, IF ANY, HAVE BEEN NOTED. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN AND MARKINGS FOUND AT THE SITE MAY NOT DEPICT UNDERGROUND FEATURES ACCURATELY. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. IN SOME INSTANCES, 811 OR OTHERWISE SIMILAR UTILITY LOCATE REQUEST FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE.
- THE SURVEYOR OBSERVED NO CEMETERIES OR BURIAL GROUNDS DURING THE FIELDWORK CONDUCTED ON THE PROPERTY.
- A ZONING LETTER WAS NOT PROVIDED.

THIS DRAWING IS INVALID WITHOUT SURVEYOR'S SIGNATURE AND ALABAMA SEAL.

BASIS OF BEARINGS: GRID NORTH BASED ON THE ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE.

SURVEYOR'S CERTIFICATION

"I hereby state that all parts of this ALTA 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."

To WVS Properties, LLC, and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1-5,6(a),7(a),8,9,11(b),13, and 16-18 of Table A thereof. The field work was completed on October 31, 2023.

Date of Plot or Map: November 8, 2023

ABBREVIATIONS

CA---CERTIFICATE OF AUTHORIZATION
CB---CABLE BOX
CH---CHORD BEARING
CL---CHORD DISTANCE
CPP---CORRUGATED PLASTIC PIPE
CONC---CONCRETE
DB---DEED BOOK
E---EAST
EB---ELECTRICAL BOX
FB---FIELD BOOK
FT---FEET
INV---INVERT ELEVATION
L---ARC LENGTH
LS---LAND SURVEYOR
MPH---MILES PER HOUR
N---NORTH
N/F---NOW OR FORMERLY KNOWN AS
PB---PLAT BOOK
PG---PAGE
PVC---POLYVINYL CHLORIDE PIPE
R---RANGE/RADIUS
RCP---REINFORCED CONCRETE PIPE
R/W---RIGHT OF WAY
SPHW---SLOPED PAVED HEADWALL
SQ---SQUARE
S---SOUTH
T---TOWNSHIP
UFO---UNDERGROUND FIBER OPTIC
W---WEST
WDN---WOODEN
---DEGREES
---MINUTES, FEET
---SECONDS, INCHES
(D)---DEED INFORMATION
(P)---FIELD INFORMATION
Δ---DELTA ANGLE

LEGEND

EIP ○ EXISTING IRON PIN
ECM □ EXISTING CONCRETE MONUMENT
SIP ● SET IRON PIN
BFP ● BACK FLOW PREVENTER
WM □ WATER METER
WV ⊕ WATER VALVE
FH ⊕ FIRE HYDRANT
ICV ⊕ IRRIGATION CONTROL VALVE
SMH ⊕ STORM DRAINAGE MANHOLE
SSMH ⊕ SANITARY SEWER MANHOLE
CO ⊕ CLEAN OUT
GV ⊕ GAS VALVE
MB □ MAILBOX
□ EXISTING SIGN
FOR ⊕ FIBER OPTIC RISER
CR ⊕ CABLE RISER
EM ⊕ ELECTRICAL METER
GW ⊕ GUY WIRE
PP ⊕ POWER POLE
LP ⊕ LIGHT POLE
UT ⊕ UTILITY POLE

EXISTING TREELINE/LANDSCAPING
CHAIN LINK FENCE
WIRE FENCE
WOODEN FENCE
GUARD RAIL
UNDERGROUND CABLE
UNDERGROUND FIBER OPTIC
UNDERGROUND GAS
OVERHEAD ELECTRIC
SANITARY SEWER PIPE
UNDERGROUND WATER
STORM DRAINAGE PIPE
PROPERTY LINE
EASEMENT LINE
CENTERLINE OF ROAD
FORTY LINE
CITY LIMIT LINE
EXISTING CONTOUR ELEVATION
EXCEPTION SCHEDULE B, PART II

EXISTING CONCRETE
EXISTING GRAVEL

DRAFT
FOR REVIEW ONLY

Steve Strickland, P.L.S.
ALABAMA REGISTRATION NO. 29100-S
E-mail: sstrickland@northstarengineering.com
DATE OF CERTIFICATION: NOVEMBER 8, 2023

PROJECT No.
0130-23

DATE: NOV., 2023
SCALE: 1"=60'

DRAWN BY:
C. TYO

APPROVED BY:
S. STRICKLAND

REVISIONS:

SURVEY DATE:
10/31/2023

FB: 128, PG: 42

AN ALTA/NSPS SURVEY FOR
RACETRAC PETROLIUM, INC.
CITY OF AUBURN/OPELIKA
LEE COUNTY, ALABAMA



(P)334.673.9895 (F)334.673.846
2431 Hartford Hwy Dothan, AL 36005
web: www.northstarengineering.com

AL CERT. OF AUTH.
CA-1896E, CA-0621LS
FL CERT. OF AUTH.
26312-E, 7858-S
GA CERT. OF AUTH.
003129, LSF001156
MS CERT. OF AUTH.
E-00001825

SHEET 1
OF 1

GRID NORTH BASED ON THE ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE.

60 0 60 120 180

SCALE: 1"=60'



Know what's below.
Call before you dig.

SHELTON MILL ROAD
(45 MPH 80' PUBLIC R/W)
(CITY OF AUBURN MAINTAINED)

GW
(APPARENT ENCROACHMENT)
PP W/ 5'-GW

PP W/ 6'-GW

MB

TRAFFIC SIGNAL LP
PP W/ 2'-GW

6' WDN FENCE
6' CHAIN LINK FENCE

TURNBURY ROAD
(50' PUBLIC R/W)
(NOT BUILT)

CHAIN LINK FENCE ALONG
RESIDENTIAL PROPERTY LINE

CHAIN LINK FENCE ALONG
RESIDENTIAL PROPERTY LINE

ESTIMATED
AREA FOR
STORM WATER
DETENTION
5,063 CU. YD. ±

RACETRAC MARKET
6,008 SQ. FT.

8 FUEL DISPENSERS

4 DIESEL FUEL DISPENSERS

660.00'

320.00'

180.00'

US HIGHWAY 280

CONTACT RACETRAC PETROLEUM, INC. PROJECT MANAGER PRIOR TO ANY
REVISIONS TO THE PLAN SUPPLIED BY RACETRAC PETROLEUM, INC.

SITE DESIGN NOTES:

1. MAX PARKING IN A ROW 16(AUBURN) 25(OPELIKA) @ 304FT
2. PERVIOUS % 10%(AUBURN) 30%(OPELIKA)

SITE DESIGN STANDARDS

BUILDING SETBACK	OPELIKA	AUBURN
FRONT (SOUTH)	30	-
SIDE, STREET (WEST)	25'	-
SIDE, INTERIOR (EAST)	10'	-
REAR (NORTH)	20'	-
SIGN SETBACK	REQUIRED	PROVIDED
FRONT (SOUTH)	-	10'
SIDE, STREET (WEST)	-	-

(D) = SUBJECT TO DEVIATION REQUEST.

LANDSCAPE BUFFER REQUIREMENTS

PROPERTY LINE	OPELIKA	AUBURN
FRONT (SOUTH)	10'	15'
SIDE, STREET (WEST)	10'	15'
SIDE, INTERIOR (EAST)	10'	15'
REAR (NORTH)	10'	15'

(D) = SUBJECT TO DEVIATION REQUEST.

LAND USE SUMMARY (ON SITE)

CATEGORY		
6" CONCRETE	49,232	FT2
8" CONCRETE	75,845	FT2
CURB	4,234	LINEAR FT

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PETROLEUM, INC. IS
PROHIBITED.



RACETRAC PETROLEUM, INC.
200 GALLERIA PARKWAY SE
SUITE 900 ATLANTA, GA 30339
(770) 431-7600

SITE PLAN

PROJECT NAME / INTERSECTION

US 280 @ SHELTON MILL ROAD
OPELIKA, AL
LEE COUNTY

DRAWN-BY LBROWN

DATE 2/27/2024

SCALE 1" = 40'

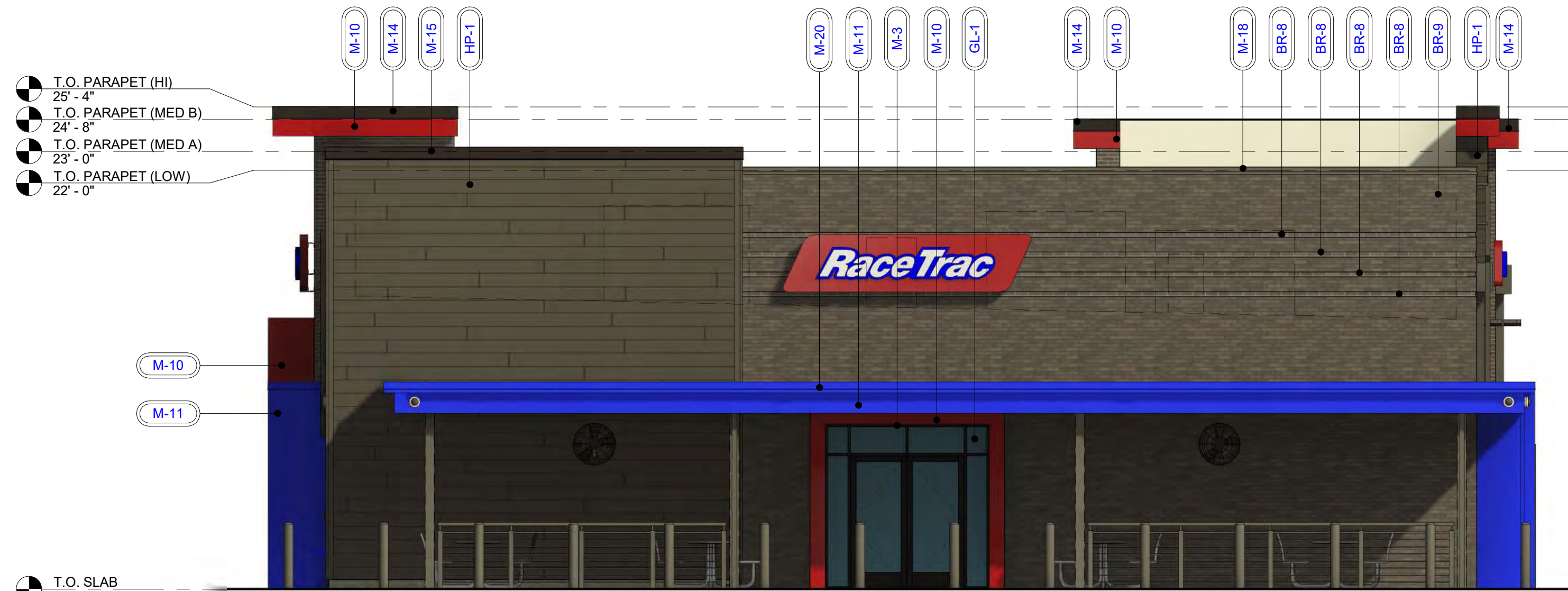
DRAWING NAME:
(CONDITIONAL USE - 1975-1RTEPCED00)
SHELTON MILL V5.dwg

C-1

SHEET NO. VERSION

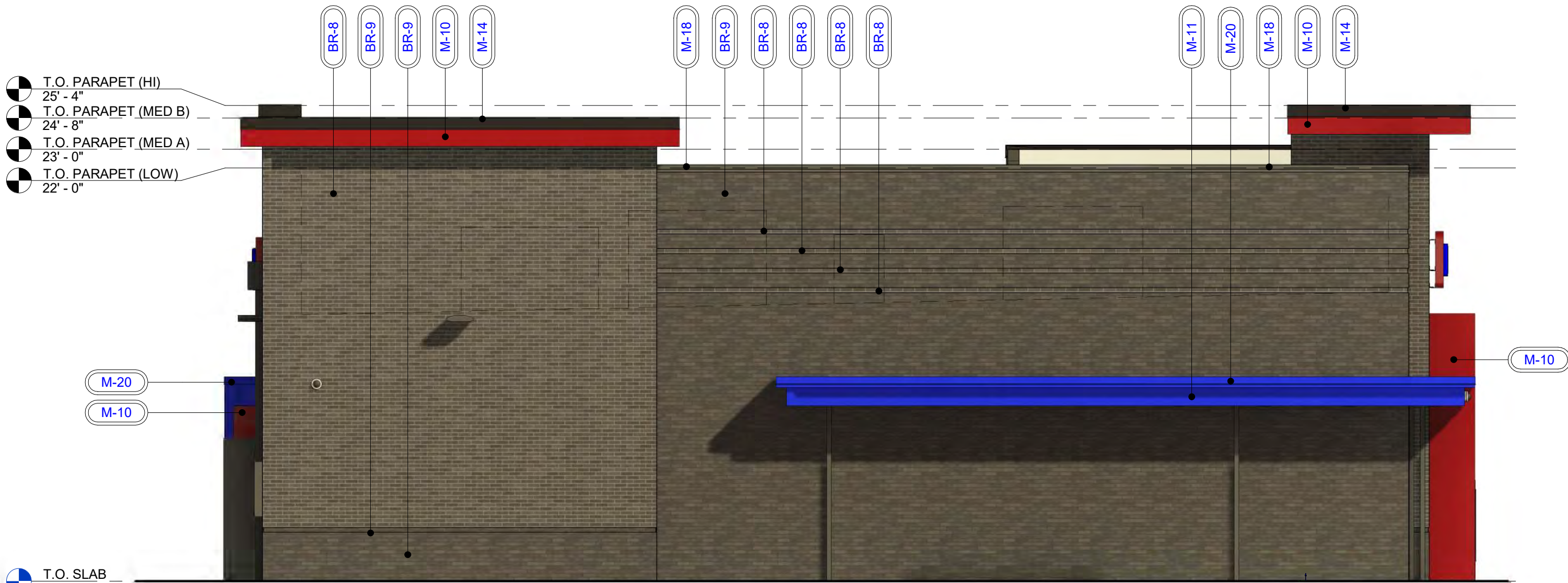
NO.

DATE



RIGHT ELEVATION (ENTRY)			1,576 TOTAL SF
MATERIAL	SQ. FOOT.	% OF ELEVATION	
STONE	0	0%	
BRICK	654	41%	
EIFS	0	0%	
GLAZING	75	5%	
METAL	346	22%	
WOOD	501	32%	

RIGHT ELEVATION



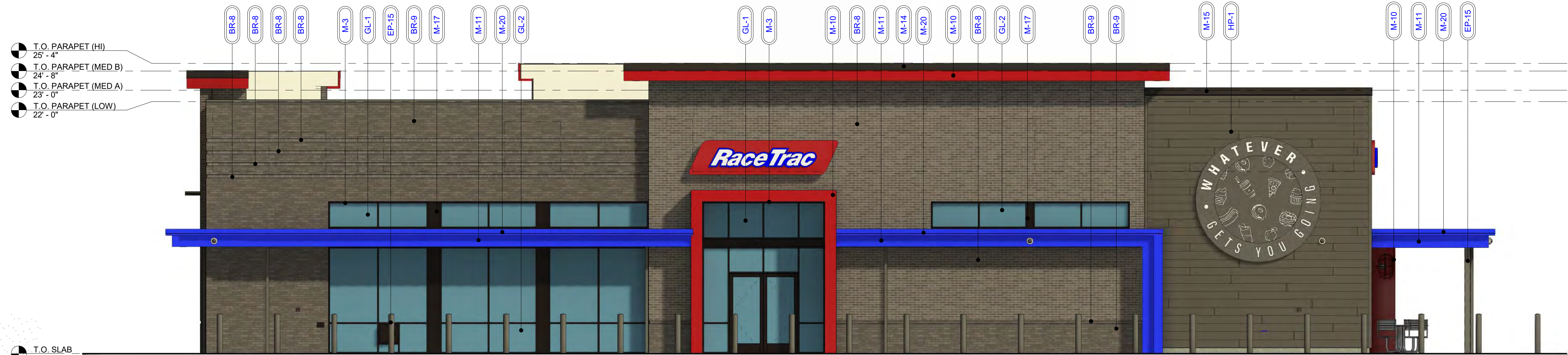
LEFT ELEVATION (NON-ENTRY)			1,572 TOTAL SF
MATERIAL	SQ. FOOT.	% OF ELEVATION	
STONE	0	0%	
BRICK	1,266	81%	
EIFS	0	0%	
GLAZING	0	0%	
METAL	306	19%	
WOOD	0	0%	

LEFT ELEVATION



REAR ELEVATION			2,582 TOTAL SF
MATERIAL	SQ. FOOT.	% OF ELEVATION	
STONE	0	0%	
BRICK	1,756	68%	
EIFS	0	0%	
GLAZING	52	2%	
METAL	406	16%	
WOOD	359	14%	

REAR ELEVATION



FRONT ELEVATION			2,582 TOTAL SF
MATERIAL	SQ. FOOT.	% OF ELEVATION	
STONE	0	0%	
BRICK	1,226	47%	
EIFS	0	0%	
GLAZING	553	21%	
METAL	373	14%	
WOOD	430	18%	

FRONT ELEVATION

EXTERIOR MATERIAL SCHEDULE			
BRICK			
BR-8	GENERAL SHALE	STONE MOUNTAIN (QUEEN 1/3 BOND)	MORTAR: ARGOS IVORY BUFF
BR-9	GENERAL SHALE	STONE MOUNTAIN (QUEEN 1/3 BOND)	MORTAR: ARGOS MAGNOLIA DARK
CEMENT BOARD			
HP-1	JAMES HARDIE	SMOOTH LAP SIDING (OR APPROVED ALTERNATE)	PAINTED SHERWIN WILLIAMS "SEALSKIN" #7675; BLIND FASTEN AND STAGGER PLANKS PER MANUFACTURER'S RECOMMENDATION
HP-3	JAMES HARDIE, VERSATEX, NICHISOFFIT, OR TRU EXTERIOR	SMOOTH NON-VENTED SOFFIT PANEL (OR APPROVED ALTERNATE)	PAINTED SHERWIN WILLIAMS "SMOKEY BEIGE" #9087
GLAZING			
GL-1		1" NON-IMPACT RATED INSULATED GLAZING	CLIMATE ZONES 2 OR 3, IGU AT STOREFRONT 0.28 U-FACTOR, SHGC PF>0.25=0.27 (1/4" PPG SOLARBAN 70-XL LOW-E #2 +1/2" AIR +1/4" CLEAR) OR APPROVED ALTERNATE. SEE A600
GL-2		1" NON-IMPACT RATED ACID ETCHED INSULATED GLAZING	CLIMATE ZONES 2 OR 3, IGU AT STOREFRONT 0.28 U-FACTOR, SHGC PF>0.25=0.27 (1/4" PPG SOLARBAN 70-XL LOW-E #2 +1/2" AIR +1/4" CLEAR SATIN ETCHED #3) OR APPROVED ALTERNATE. SEE A600
METAL			
M-3	OLDCASTLE (OR APPROVED ALTERNATE)	FG-3000 STOREFRONT SYSTEM (OR APPROVED ALTERNATE)	PREFINISHED DARK BRONZE ANODIZED ALUMINUM AA-M2C22A44
M-10	ALPOLIC		TRD RED
M-11	ALPOLIC		HYB BLUE
M-14	ALPOLIC	PREFINISHED 8" 2-PIECE COMPRESSION METAL COVER	METAL TO MATCH ALPOLIC "CNC CHARCOAL"
M-15		PREFINISHED 6" 2-PIECE COMPRESSION METAL COVER	METAL TO MATCH ALPOLIC "CNC CHARCOAL"
M-17		BRAKE METAL	METAL TO MATCH STOREFRONT DARK BRONZE 740
M-18		PREFINISHED METAL COPING	METAL TO MATCH ALPOLIC "CNC CHARCOAL"
M-20	ALPOLIC	PREFINISHED 5" 2-PIECE COMPRESSION METAL COVER	METAL TO MATCH ALPOLIC "HYB BLUE"
PAINT			
EP-15	SHERWIN WILLIAMS		PAINTED SHERWIN WILLIAMS "URBANE BRONZE" #7048
TREX			
TX-1	SELECT COMPOSITE	1"X 6"	WINCHESTER GRAY
WINDOW FILM			
WF-1		WINDOW FILM; 3M PRESTIGE 70 SOLAR FILM	SEE A600 FOR WINDOW FILM LOCATIONS
WF-2		WINDOW FILM; OPAQUE	SEE A600 FOR WINDOW FILM LOCATIONS

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DESIGN PROFESSIONALS

ISSUE/REVISION RECORD

DATE	DESCRIPTION
02/03/23	SPB NO. 0108

RaceTrac.

RACETRAC INC.
200 GALLERIA PARKWAY SOUTHEAST
SUITE 900
ATLANTA, GEORGIA 30339
(770) 431-7600

PROJECT NAME

ANYTOWN,CITY

CITY
STATE 00000
ADDRESS

RACETRAC STORE NUMBER

#0000

PROTOTYPE SERIES 2023

2023 RH MO

PLAN MODIFICATION NOTICE

SPB NO. 0108 DATE 02/03/23

STANDARD PLAN BULLETINS (SPB) MODIFY THE
PROTOTYPE SERIES SET NOTED ABOVE. THE
LISTED SPB REPRESENTS THE LATEST
MODIFICATION INCORPORATED TO THIS
PROTOTYPE SERIES SET AT ORIGINAL RELEASE.
THE ISSUE/ REVISION RECORD COLUMN ABOVE
LISTS ANY REVISIONS OR SPB INCORPORATED IN
THIS SET AFTER THE ORIGINAL RELEASE.
CONTACT RACETRAC ENGINEERING AND
CONSTRUCTION FOR ANY SUBSEQUENT
BULLETINS NOT INCORPORATED HEREIN.

PROFESSIONAL SEAL

PROJECT NUMBER

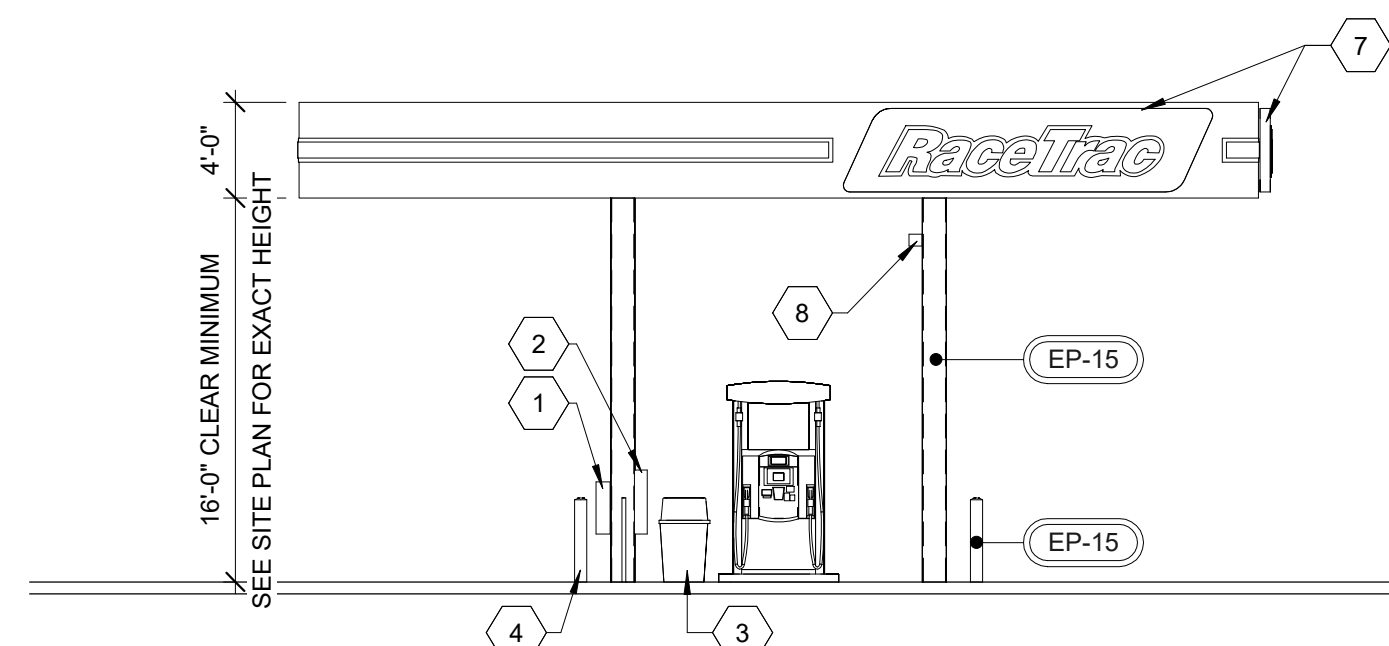
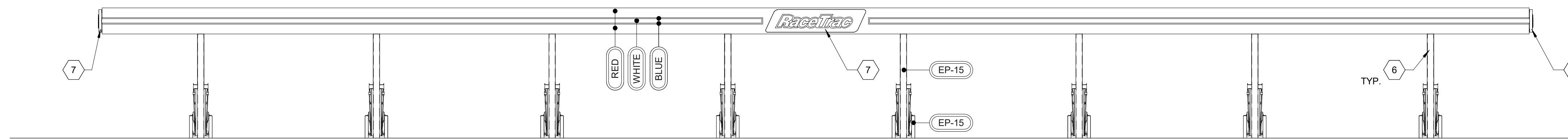
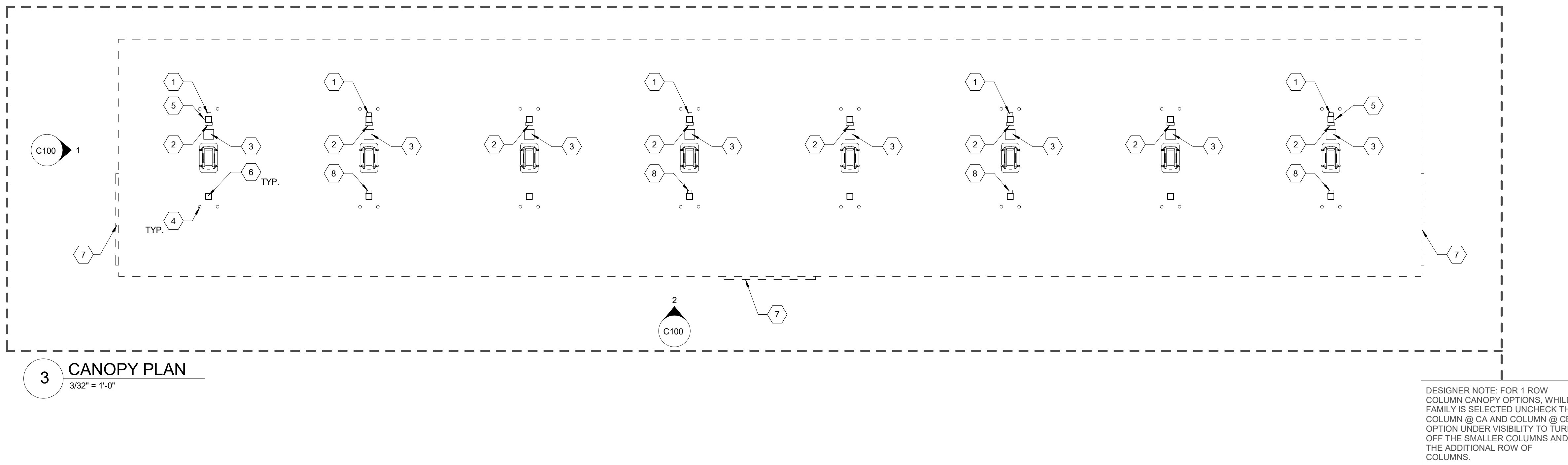
XXXXXXX.XX

SHEET TITLE

EXTERIOR
ELEVATIONS

SHEET NUMBER

300



- ## GENERAL NOTES
1. AREA WITHIN 18'-0" OF DISPENSER BOTH HORIZONTALLY AND VERTICAL SHALL BE CLASS I, DIVISION 2.
 2. EXTINGUISHERS SHALL BE PROVIDED AND SO LOCATED THAT A JUMP DISPENSER OR FILL-PIPE OPENINGS SHALL BE A GREATER DISTANCE THAN 50'-0" FROM SUCH DISPENSER.
 3. NO SMOKING SIGNS SHALL BE POSTED IN ACCORDANCE WITH LOCAL JURISDICTION REQUIREMENT.
 4. PIPES SHALL NOT BE USED ON TOP OF CANOPY. ONLY 3/4" EMT WITH WATER TIGHT CONNECTIONS SHALL BE PERMITTED.
 5. REFER TO ELECTRICAL SCHEDULES FOR CANOPY CIRCUITS.
 6. REFER TO SITE ELECTRICAL PLAN FOR SECURITY CAMERA LOCATIONS AND MOUNTING.
 7. REFER TO FINISH SCHEDULES FOR MATERIAL SPECIFICATIONS.
 8. REFER TO SITE PLAN FOR NUMBER OF CANOPY SIGNS TO BE PLACED.
 9. REFER TO MANUFACTURERS SHOP DRAWINGS FOR ALL STRUCTURAL DETAILS.
 10. REFER TO SITE SPECIFIC PLAN FOR CANOPY LIGHTING.
 11. REFER TO SITE SPECIFIC PLAN FOR CONCRETE ISLAND LAYOUT.
 12. REFER TO CANOPY MANUFACTURER'S DRAWINGS FOR FOUNDATION INFORMATION AND COLUMN SURROUND.
 13. PROVIDE SAFETY DECALS AS REQUIRED.

SHEET KEYNOTES	
1	M2M RED MARK II CABINET WITH RED COVER, ON BACK SIDE OF COLUMN COVER. PROVIDE ONE 80-B RATED EXTINGUISHER.
2	TOWEL DISPENSER "DCI MARKETING" ITEM NUMBER SBWC BLACK.
3	TRASH CAN. REFER TO SITE PLANS.
4	BUMPER STOP. REFER TO CIVIL SITE DETAIL SHEETS.
5	WOODFORD 1-3/4" FEELERLESS IOWA YARD HYDRANT
6	STEEL CANOPY COLUMN.
7	RACETRAC LOGO. REFER TO SIGN PLAN.
8	SPEAKER. INSTALL ON THE CANOPY COLUMN CLOSEST TO THE STORE AND MOUNTED 18"-24" BELOW THE DECKING.

FUEL CANOPY MATERIAL SCHEDULE			
FUEL CANOPY FINISH SCHEDULE			
ID	MANUF.	MATERIAL	COMMENTS
BLUE	-		2" BLUE STRIPE
RED	-		REFER TO SPECIFICATION CHART ON SHEET C100
WHITE PAINT	-		8" WHITE STRIPE
EP-15	SHERWIN WILLIAMS	PAINTED SHERWIN WILLIAMS 'URBANE BRONZE' #7048	

STANDARD CANOPY FASCIA COLOR SPECIFICATION CHART		
COLOR CALLOUT	CANOPY MANUFACTURER	STANDARD COLOR SPECIFICATION
"TAN"	LANE CANOPIES	ETT TAN FASCIA
	McGEE CANOPIES	ETT TAN FASCIA
	MADISON CANOPIES	PUEBLO TAN FASCIA
	LANE CANOPIES	TRD RED FASCIA
"RED"	McGEE CANOPIES	TRD RED FASCIA - PROGRAM RED
	MADISON CANOPIES	PROGRAM RED FASCIA

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DESIGN PROFESSIONALS

ISSUE/REVISION RECORD	
DATE	DESCRIPTION
10/04/23	SPB NO. 0306

RaceTrac

RACETRAC INC.
200 GALLERIA PARKWAY SOUTHEAST
SUITE 900
ATLANTA, GEORGIA 30339
(770) 431-7600

PROJECT NAME

ANYTOWN, CITY

CITY
STATE 00000
ADDRESS

RACETRAC STORE NUMBER

#0000

PROTOTYPE SERIES 2023

2023 LH MO

PLAN MODIFICATION NOTICE

SPB NO. 0306 DATE 10/04/23

STANDARD PLAN BULLETINS (SPB) MODIFY THE PROTOTYPE SERIES SET NOTED ABOVE. THE LISTED SPB REPRESENTS THE LATEST MODIFICATION INCORPORATED TO THIS PROTOTYPE SERIES SET AT ORIGINAL RELEASE. THE ISSUE/ REVISION RECORD COLUMN ABOVE LISTS ANY REVISIONS OR SPB INCORPORATED IN THIS SET AFTER THE ORIGINAL RELEASE. CONTACT RACETRAC ENGINEERING AND CONSTRUCTION FOR ANY SUBSEQUENT BULLETINS NOT INCORPORATED HEREIN.

PROFESSIONAL SEAL

PROJECT NUMBER
XXXXXXXX.XX

SHEET TITLE

FUEL CANOPY PLANS AND ELEVATIONS

SHEET NUMBER

C100



GENERAL NOTES

1. AREA WITHIN 18'-0" OF DISPENSER BOTH HORIZONTALLY AND VERTICAL SHALL BE CLASS 1, DIVISION 2.
2. EXTINGUISHERS SHALL BE PROVIDED AND SO LOCATED THAT THE DISPENSER OR FILL-PIPE OPENING SHALL BE A GREATER DISTANCE THAN 50'-0" FROM SUCH DISPENSER.
3. NO SMOKING SIGNS SHALL BE POSTED IN ACCORDANCE WITH LOCAL JURISDICTION REQUIREMENT.
4. PVC PIPE SHALL NOT BE USED ON TOP OF CANOPY. ONLY 3/4" ENT WITH WATER TIGHT CONNECTIONS SHALL BE PERMITTED.
5. REFER TO ELECTRICAL SCHEDULES FOR CANOPY CIRCUITS.
6. REFER TO SITE ELECTRICAL PLAN FOR SECURITY CAMERA LOCATIONS AND MOUNTING.
7. REFER TO FINISH SCHEDULES FOR MATERIAL SPECIFICATIONS.
8. REFER TO SITE PLAN FOR NUMBER OF CANOPY SIGNS TO BE PLACED.
9. REFER TO MANUFACTURERS SHOP DRAWINGS FOR ALL STRUCTURAL DETAILS.
10. REFER TO SITE SPECIFIC PLAN FOR CANOPY LIGHTING.
11. REFER TO SITE SPECIFIC PLAN FOR CONCRETE ISLAND LAYOUT.
12. REFER TO CANOPY MANUFACTURER'S DRAWINGS FOR FOUNDATION INFORMATION AND COLUMN SURROUND.
13. PROVIDE SAFETY DEALS AS REQUIRED.

EDO FUEL CANOPY MATERIAL SCHEDULE			
FUEL CANOPY FINISH SCHEDULE			
ID	MANUF.	MATERIAL	COMMENTS
BLUE	-		2" BLUE STRIPE
RED	-		REFER TO SPECIFICATION CHART ON SHEET C100
WHITE PAINT	-		8" WHITE STRIPE
EP-15	SHERWIN WILLIAMS		PAINTED SHERWIN WILLIAMS "URBANE BRONZE" #7048

STANDARD FASCIA COLOR SPECIFICATION CHART		
COLOR CALLOUT	CANOPY MANUFACTURER	STANDARD COLOR SPECIFICATION
"TAN"	LANE CANOPIES	ETT TAN FASCIA
	McGEE CANOPIES	ETT TAN FASCIA
	MADISON CANOPIES	PUEBLO TAN FASCIA
"RED"	LANE CANOPIES	TRD RED FASCIA
	McGEE CANOPIES	TRD RED FASCIA - PROGRAM RED
	MADISON CANOPIES	PROGRAM RED FASCIA

C200

[illegible]

TREES	CODE	COMMON / BOTANICAL NAME	SIZE	CONTAINER	QTY
	AR	Red Maple / <i>Acer rubrum</i> Min. 12' Tall	CONT.	3" Cal	12
	CC	Eastern Redbud / <i>Cercis canadensis</i> Min. 6' Tall	CONT.	1.5" Cal	50
	CF	Flowering Dogwood / <i>Cornus florida</i> Min. 6' Tall	CONT.	1.5" Cal	52
	CD	Deodar Cedar / <i>Cedrus deodara</i> Min. 8' Tall	CONT.	2" Cal	8
	JV	Eastern Red Cedar / <i>Juniperus virginiana</i> 'Brodie' Min. 8' Tall	CONT.	2" Cal	16
	MG	Southern Magnolia / <i>Magnolia grandiflora</i> Min. 12' Tall	CONT.	2.5" Cal	10
	QL	Laurel Oak / <i>Quercus laurifolia</i> Min. 12' Tall	CONT.	2" Cal	4
	QP	Willow / <i>Quercus phellos</i> Min. 12' Tall	CONT.	2.5" Cal	7
	QV	Live Oak / <i>Quercus virginiana</i> Min. 12' Tall	CONT.	3" Cal	18
	UP	Chinese Elm / <i>Ulmus parviflora</i> 'Bosque' Min. 12' Tall	CONT.	3" Cal	7
SHRUBS	CODE	COMMON / BOTANICAL NAME	SIZE		QTY
	AG	Rose Creek Abelia / <i>Abelia grandiflora</i> 'Rose Creek' 18" Tall Min., 36" o.c.	3 gal		63
	IV	Dwarf Yaupon Holly / <i>Ilex vomitoria</i> 'Nana' 18" Tall Min., 36" o.c.	3 gal		81
	IX	Nellie R. Stevens' Holly / <i>Ilex</i> x 'Nellie R. Stevens' 24" Tall Min., 60" o.c.	3 gal		85
	WM	Wax Myrtle / <i>Myrica cerifera</i> 24" Tall Min., 48" o.c.	3 gal		342
GROUND COVERS	CODE	COMMON / BOTANICAL NAME	SIZE		QTY
	CS	Bermuda Hydromulch	seed		
	CD	Bermuda Grass / <i>Cynodon dactylon</i> 'tif 419'	sod		40,700

CONTACT RACETRAC PETROLEUM, INC. PROJECT MANAGER PRIOR TO ANY REVISIONS TO THE PLAN SUPPLIED BY RACETRAC PETROLEUM, INC.

SECTION 860 - ROADSIDE IMPROVEMENT MATERIALS

860.05

(A) GENERAL

SOLID SOD SHALL BE OBTAINED FROM SOURCES OF THE CONTRACTOR'S SELECTION MEETING WITH THE APPROVAL OF THE ENGINEER. THE CONTRACTOR, WITHOUT EXTRA COMPENSATION, SHALL FURNISH SUCH MATERIAL AND CONSTRUCT AND MAINTAIN HAULING ROAD NECESSARY FOR OBTAINING THE MATERIAL.

THE SOD SHALL BE OF COMMON TIFLAWN BERMUDAGRASS, CENTIPEDE, MYERS ZOYSIA, ZOYSIA MATRELLA, OR OTHER APPROVED TYPES OF NATIVE OR ADAPTABLE GRASSES, SUITABLE FOR GROWING IN THE LOCALITY OF THE WORK.

(B) PROCURING AND HANDLING SOD.

1. GENERAL

ALL SOD SHALL BE PROCURED FROM AREAS WHERE THE SOIL IS FERTILE AND CONTAINS A HIGH PERCENTAGE OF LOAMY TOPSOIL AND WHERE THE GRASS IS WELL ROOTED AND FULL GROWN AND FROM AREAS THAT HAVE BEEN GRAZED OR MOVED SUFFICIENTLY TO FORM A DENSE TURF. (APPROXIMATELY 2 INCHES [50MM] IN HEIGHT AT THE TIME OF LIFTING) THE SOIL SHALL BE FREE FROM OBNOXIOUS WEEDS OR OTHER GRASSES AND SHALL NOT CONTAIN ANY MATER DELETERIOUS TO ITS GROWTH. SOLID SODDING SHALL BE LIVING OR SEASONALLY DORMANT DURING THE COLD OR DRY SEASON AND HAVE AN ESTABLISHED ROOT SYSTEM CAPABLE OF CONTINUED GROWTH. SOLID SODDING GROWN WITH A GEOTEXTILE BACKING IS ACCEPTABLE FOR USE AT THE CONTRACTOR'S OPTION WITH NO ADDITIONAL COMPENSATION. SOLID SODDING USED IN CHANNEL APPLICATIONS SHALL BE ROLLED SOD.

2. HARVESTING

MECHANICAL DEVICES, SUCH AS SOD CUTTERS, MAY BE USED FOR CUTTING THE SOD INTO STRIPS, BLOCKS OR ROLLS AT LEAST 12 INCHES (300MM) WIDE, EXCEPT WHEN SOD STRIPS ARE SPECIFIED, THEN THEY SHALL BE AT LEAST 3 INCHES (75 MM) WIDE. DEPTH OF SOD CUTTING SHALL BE SUCH THAT APPROXIMATELY $\frac{2}{3}$ OF AN INCH (19 MM) OF SOIL IS REMOVED WITH THE TURF. CARE SHALL BE EXERCISED AT ALL TIMES TO RETAIN THE NATIVE SOIL ON THE ROOTS OF THE SOD DURING THE PROCESS OF EXCAVATING, HAULING, AND PLANTING.

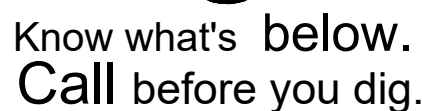
3. HANDLING

SECTIONS OF SOD SHALL BE CUT AWAY BELOW THE ROOT LINE AND SHALL BE LIFTED AND LOADED IN SUCH A MANNER THAT NO TEARING OR BREAKING WILL OCCUR, AND UNLOADED BY HAND OR APPROVED MECHANICAL METHOD. DUMPING FROM VEHICLES WILL NOT BE PERMITTED. ALL BROKEN OR DRIED SOD SHALL BE REJECTED AND REMOVED FROM THE JOB.

4. CONTROL

THE SOD SHALL, IN GENERAL, BE TRANSPLANTED WITHIN THREE DAYS FROM THE TIME IT IS HARVESTED. HOWEVER, IF SPKLED IN TEMPORARY STORAGE, THE SOD SHALL BE SPREAD IN A SHADY LOCATION WITH THE GRASS SIDE UP. THE SOD SHALL BE FIRMED WITH WATER WHEN AND AS DIRECTED. IF REQUIRED, IT SHALL BE COVERED WITH MOIST BURLAP, STRAW, OR OTHER ACCEPTABLE MATERIAL. ANY SOD PERMITTED BY CONTRACTOR TO DRY OUT MAY BE REJECTED WHENEVER, IN THE JUDGEMENT OF THE ENGINEER, ITS SURVIVAL, AFTER PLACING, SHALL HAVE BEEN RENDERED DOUBTFUL AND NO PAYMENT FOR SUCH SOD SHALL BE MADE.

IN NO EVENT SHALL MORE THAN 10 DAYS ELAPSE BETWEEN THE CUTTING AND PLANTING OF THE SOD.
PRIOR TO PERMITTING SOD PLANTING, THE ENGINEER SHALL INSPECT THE SOD STACKS FOR RETENTION OF NATIVE SOIL. SUCH
MAY BE ACCOMPLISHED BY MEASURING THE STACK HEIGHT AND DETERMINING THE AVERAGE LAYER THICKNESS ($\frac{1}{4}$ OF AN INCH
{19 MM} MINIMUM).

[illegible]

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024 (Approval February 28, 2023, expired)

Agenda Item #: B-3

Action Requested: Conditional Use – Duplex and single-family home on one lot.

Location of Property: 114 Brannon Avenue

Property Owner(s): Gustavo Diaz Cax, property owner
L.B. Jackson, representative

Current Land Use: Single-family residential

Current Zoning: R-4

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Single-family residential
South	R-4	Single-family and duplex residential
East	R-4	Single-family residential
West	R-4	Vacant and single-family residential

Proposal

The applicant requests conditional use approval to add a duplex to a lot with an existing single-family residence in the R-4 zoning district. Multiple buildings for multi-family are allowed conditionally on a lot that allows apartments. Apartments are allowed conditionally in the R-4 zoning district. The R-4 zone requires conditional use approval for multi-family residential, provided the structures or units are under one ownership; or, if separately owned, are covered by a condominium declaration setting out the various rights and responsibilities of ownership, including access and maintenance of common areas.

The subject property is located at 114 Brannon Avenue. The property is approximately 19,701 square feet or 0.45 acres. According to the Lee County Tax Assessor, the existing single-family home is 868 square feet. The property owner has recently added a 320 square foot room addition. The single-family dwelling is located on the front of the property and faces Brannon Avenue. This dwelling appears to be a legally non-conforming structure that was built sometime around the 1940s and recently renovated. The applicant proposes building a 30 x 60 two story duplex behind the single-family home. The floor plans provided show each unit would be approximately 2,600 square feet in two stories.

The proposed building should be in harmony with the character of the neighborhood, including building style, building materials, roof pitch, and orientation. The applicant has provided specific plans for a duplex.

They have provided proposed materials, and possible materials changes added to the example drawings of brick in place of stone. Staff has consistently required multi-family to meet or exceed the materials of the gateway corridor. The primary materials provided will be brick, Hardie board/fiber cement siding, and shingle roofing. The previous approval had a different duplex example that will not be used. Part of the conditional use approval is to ensure the duplex structure is in character with the existing neighborhood.

In evaluating conditional use, the staff looks at the general use standards. This section includes criteria for review. These criteria include whether the use is in harmony with the comprehensive plan and zoning ordinance, whether the use is needed and what effect it will have on the surrounding neighborhood, and whether there are adequate utilities and services to handle the use.

This request would not likely create a substantial impact on traffic. The parking configuration is in the rear area of the single-family home and the front of the duplex. The applicant's representative, Mr. Jackson, stated the parking area and drive will be gravel.

The area around the subject property is zoned R-4. This zone does allow single-family homes by right, and duplexes and apartments require conditional use approval. The neighborhood is primarily single-family homes and a few duplexes in various conditions. The property across the street has a duplex and two (2) single-family homes. The Future Land Use Map describes this area as Medium Density Residential, potentially allowing up to 3.5 dwelling units per acre. In the R-4 zone, the allowable density (dwelling units per acre) is nine (9). The maximum number of dwelling units allowed is determined by the lot sizes, the number of units allowed per acre, lot coverage allowed, and building height limitations. The density allowed on this 0.45-acre lot would be four (4) units per acre. The three (3) units are within the allowable density. The proposed use would be in compliance with the Zoning Ordinance and the Future Land Use Map of the Comprehensive Plan.

This conditional use request will change the use of the property from single-family residential to multi-family residential. Due to this change, the Zoning Ordinance requires a residential buffer be installed to meet the residential zone buffer requirement in Section 10.6, D., 1., a. In this case, since a privacy fence is already being installed, option a. is recommended: An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot And a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three (3) full growing seasons planted on the inside of the fence. This buffer is required along both sides and the rear of the property (in the previous conditional use approval, the evergreen plantings were not required by the Planning Commission's approval).

The proposed duplex will be about 30 feet in height. Attached is a photo of the original home before and after recent renovations. In addition, included is an overhead view of the area. The applicant provided examples of the duplex and floor plan (attached). The applicant is aware that if a permit is issued, following

the issuance of a conditional use permit pursuant to the provisions of the ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by the Article for the original approval.

Recommendation

Staff recommends conditional use request approval subject to:

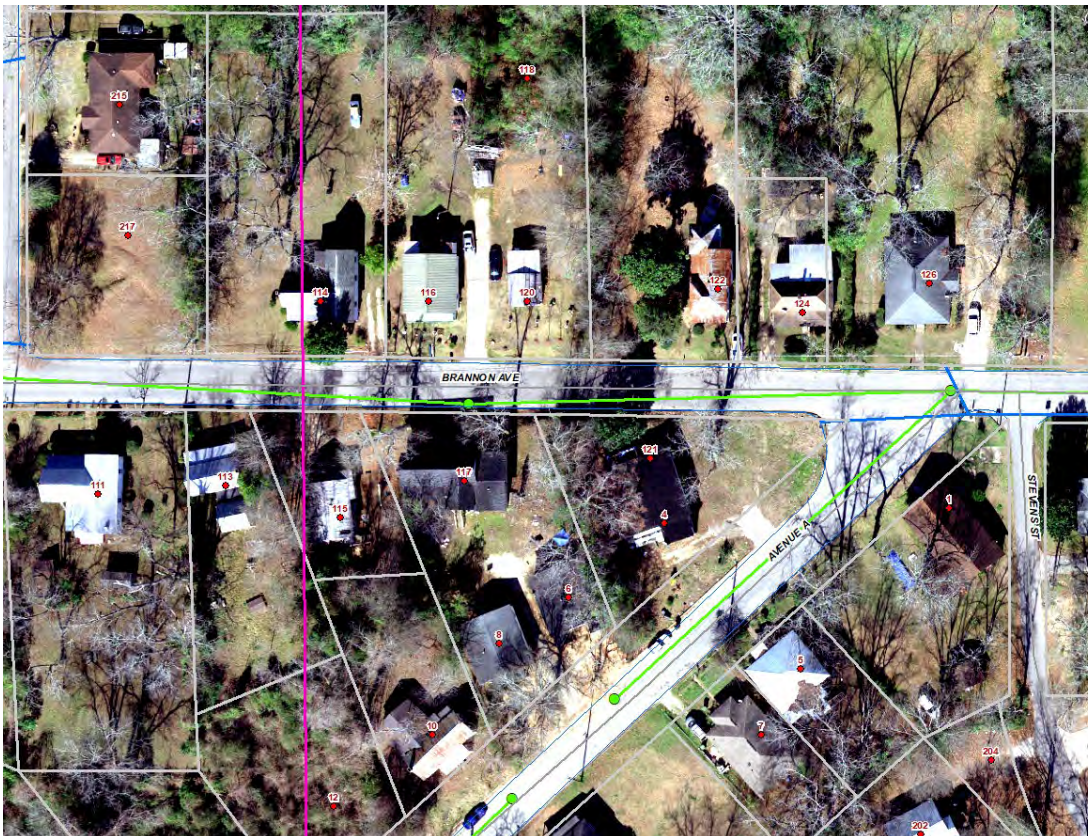
- 1. Exterior cladding materials shall primarily be brick, stone, wood, or fiber cement siding to be in harmony with the existing single-family homes.**
- 2. The building shall complement the character of the neighborhood, including building style, building materials, roof pitch, and orientation.**
- 3. Update the site plan to include the accessory structure if it is to stay on the property.**
- 4. Provide a residential zone buffer from Section 10.6, D., 1., a. listed in the report on both sides and rear property lines. *In the previous conditional use approval, the commission did not require the residential buffer to have both the opaque fence and evergreen plantings. The fence has been installed.***



Before Renovations



After Renovations



Area overhead view

Engineering Department Report

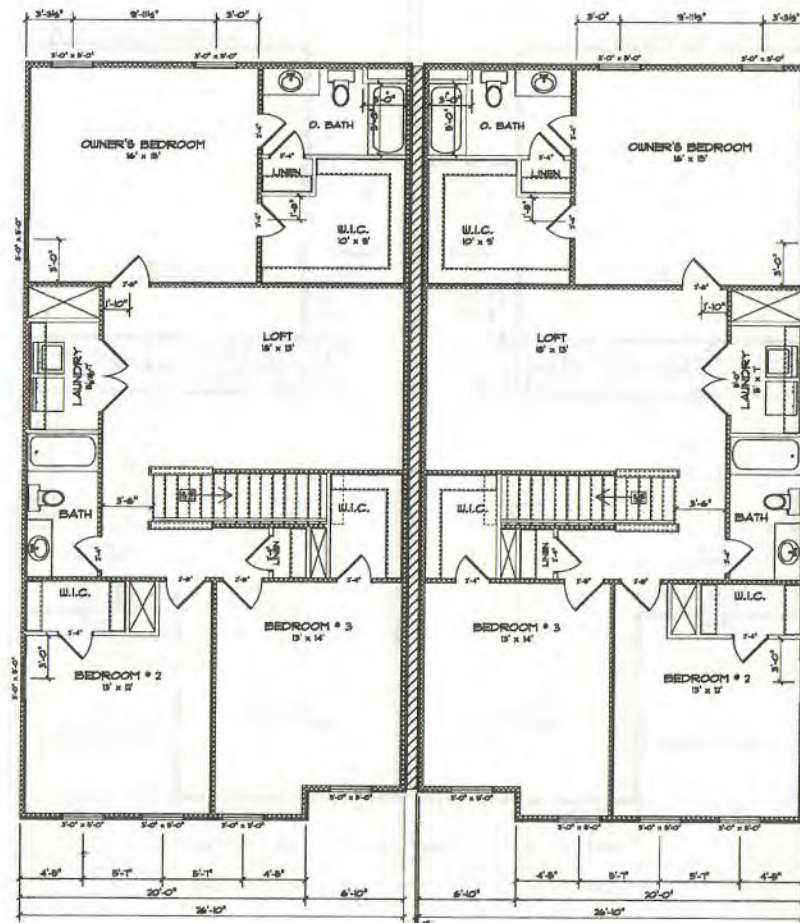
The Engineering Department has no other comments or concerns with this proposed Conditional Use.

Opelika Utilities Board Report

Water is available from Brannon Avenue. Each unit must have separate plumbing and individual service meters.

Opelika Power Services Report

This property is located inside of the Opelika Power Services territory.

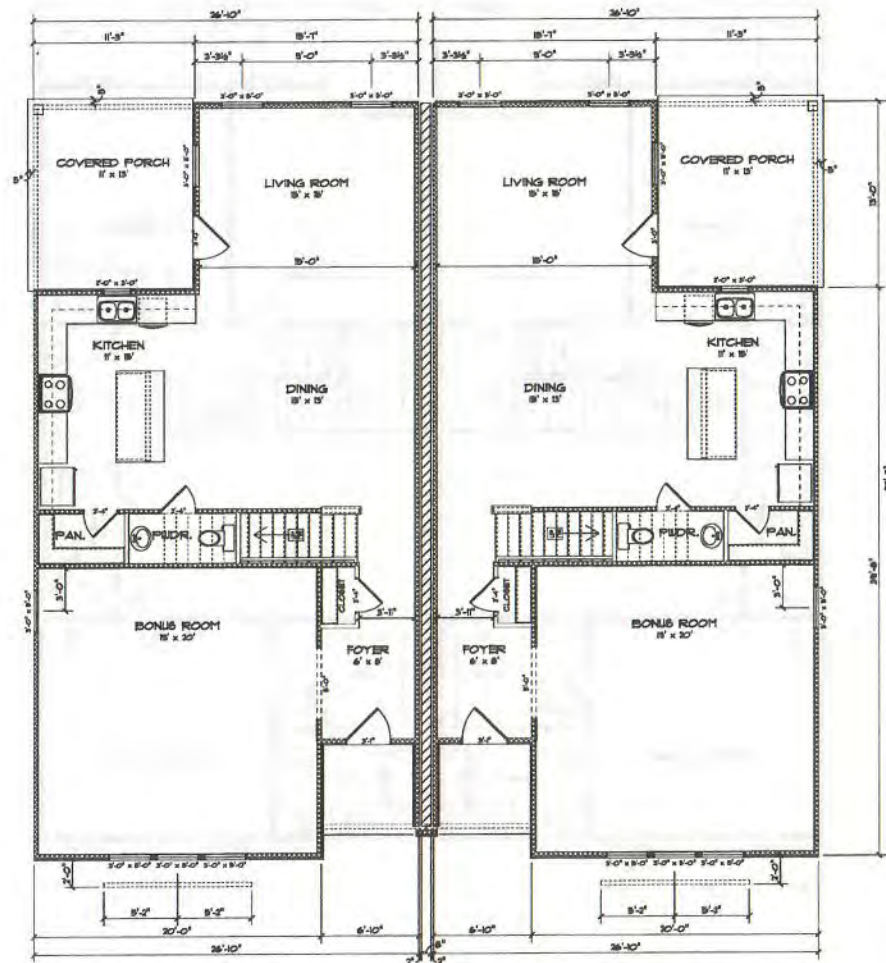


2ND FLOOR LAYOUT
SCALE: 1/4" = 1'-0"

NON BEARING WALL
BEARING WALL

PLAN DATE:
09/26/2024
SHEET NUMBER:

3



1ST FLOOR LAYOUT
SCALE: 1/4" = 1'-0"

AREA SCHEDULE	
NAME	AREA
1st Floor	1160 sq. ft.
2nd Floor	1303 sq. ft.
Total Heated	2463 sq. ft.

- NON BEARING WALL
 BEARING WALL

PLAN DATE:
 03/25/2024
 SHEET NUMBER:

2



RIGHT ELEVATION
SCALE 1/4" = 1'-0"

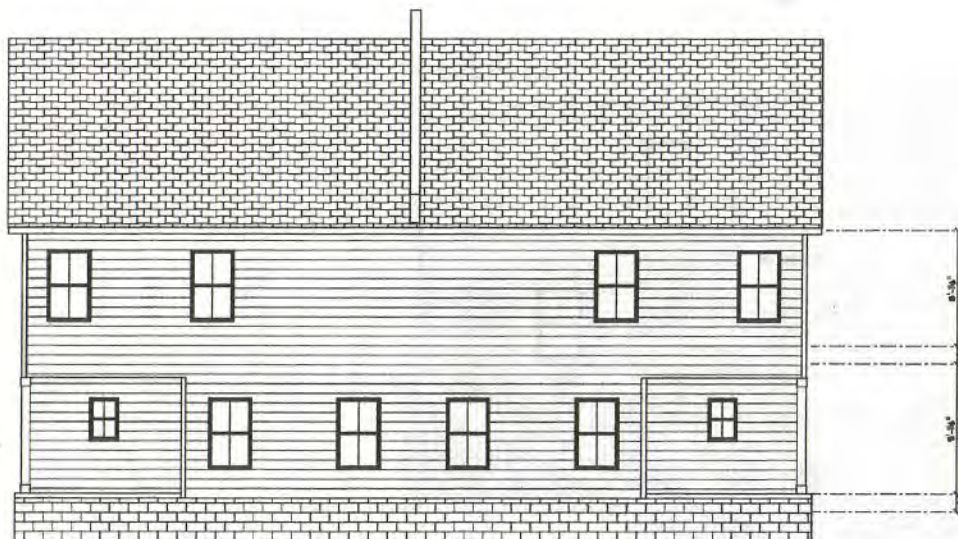


LEFT ELEVATION
SCALE 1/4" = 1'-0"

PLAN DATE:
05/25/2024
SHEET NUMBER:



FRONT ELEVATION
SCALE 1/4" = 1'-0"



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

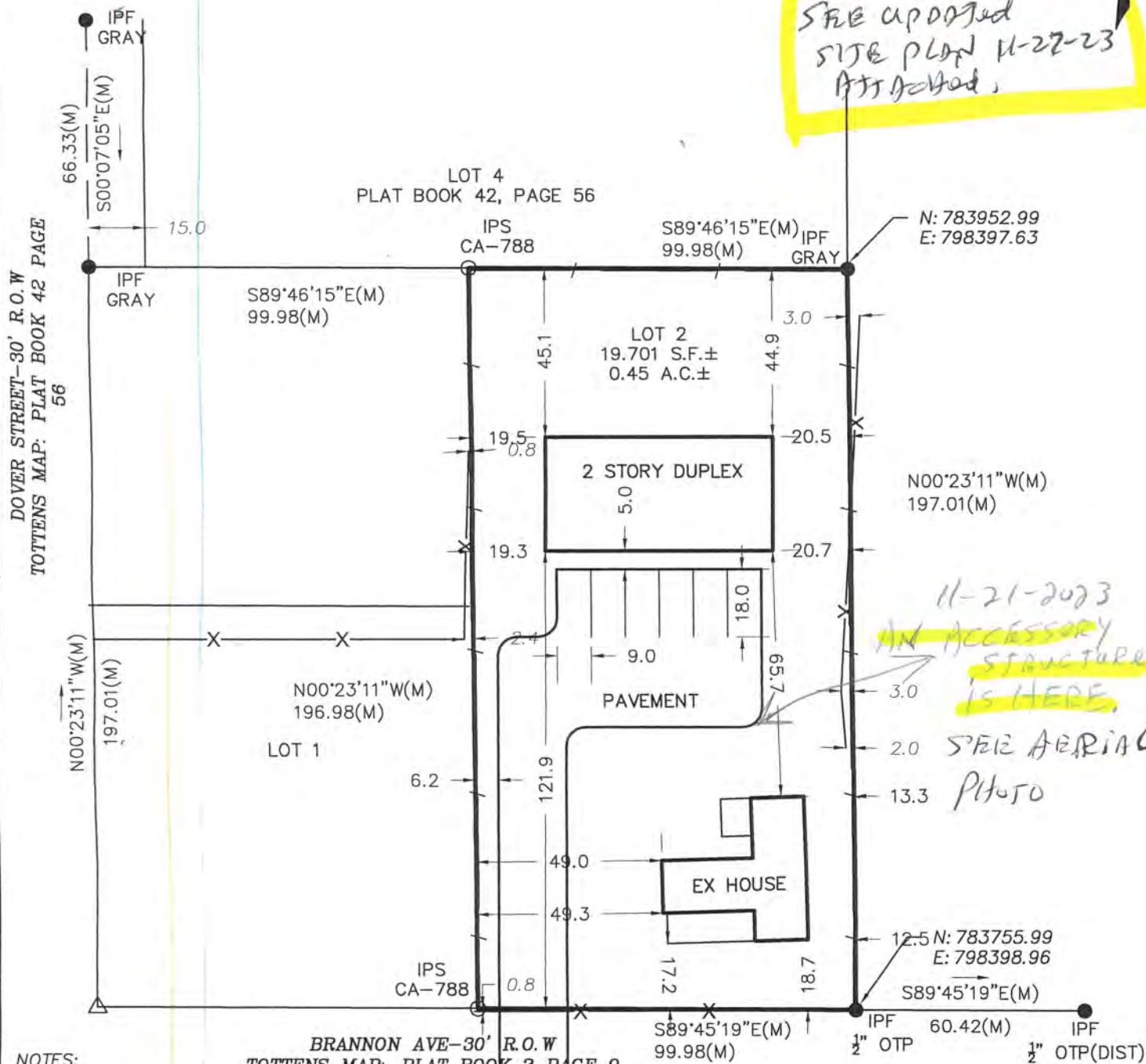
ROOF PLAN

BOUNDARY AND CONDITIONAL SURVEY
DUPLEX HOUSING
DIAZ & JACKSON

LOT 2
TOTTEN S/D
114 BRANNON AVE
OPELIKA, LEE COUNTY, ALABAMA

N

SEE UPDATED
SITE PLAN 11-22-23
ATTACHED.



11-21-2023

AN ACCESSORY
STRUCTURE
IS HERE.

SEE AERIAL
PHOTO

NOTES:

- SOURCE OF INFORMATION: TOTTENS MAP; PLAT BOOK 2, PAGE 9.
- DATE OF FIELD SURVEY: 11-17-2022; DATE OF OFFICE WORK: 11-22-2022.
- BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL.

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

MICHAEL T. MAHER
PLS NO. 29993

DATE: 11/21/23

NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL.

LEGEND

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

Drawn By:
ANW

Scale:
1"=40'

File Name:
22-0729

Date:

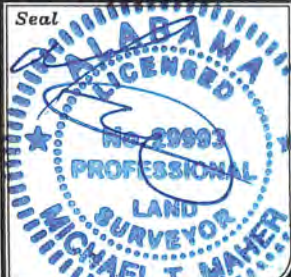
11-22-2022

PRECISION
SURVEYING

595 Dekalb Street
Suite "D"
Auburn, Alabama 36830
Phone (334) 821-0105



SCALE IN FEET



006133-2024

AGENDA ITEM #

3



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: April 23rd

SITE ADDRESS: 114 Brannon Avenue

PROPERTY OWNER: Gustavo Diaz Cax

APPLICANT/ AUTHORIZED REPRESENTATIVE: _____

MAILING ADDRESS: Gustavo65diaz830@gmail.com

PHONE NUMBER: 334 707 5003

FAX NUMBER: _____

EMAIL ADDRESS: Same

PARCEL INFORMATION

Project name: _____ Address/Location: _____

Current Land Use: home

Current Zoning: _____

Adjacent Zoning Districts: North: _____

South: _____

East: _____

West: _____

Description of Proposed Use: duplex

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: Gustavo Diaz Cax

Date: 3-27-2024

STATE OF ALABAMA, COUNTY OF LEE

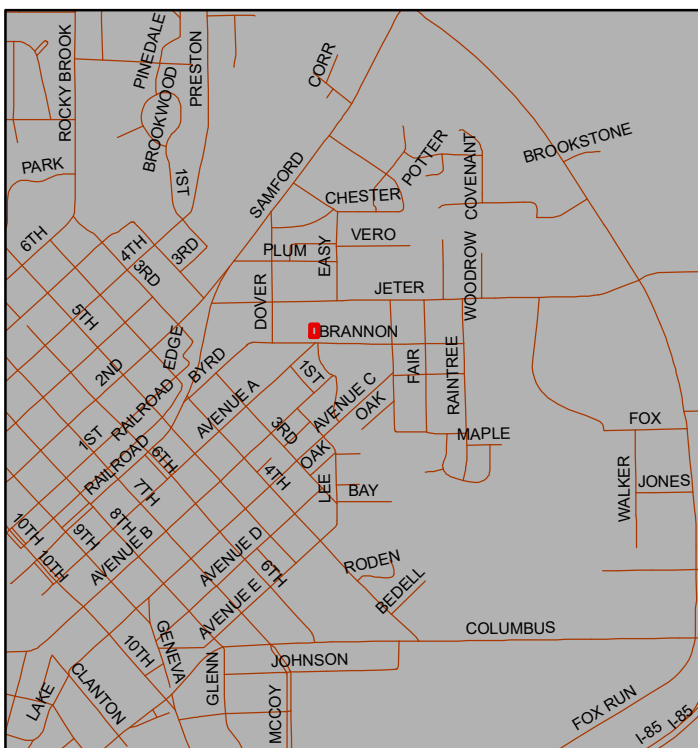
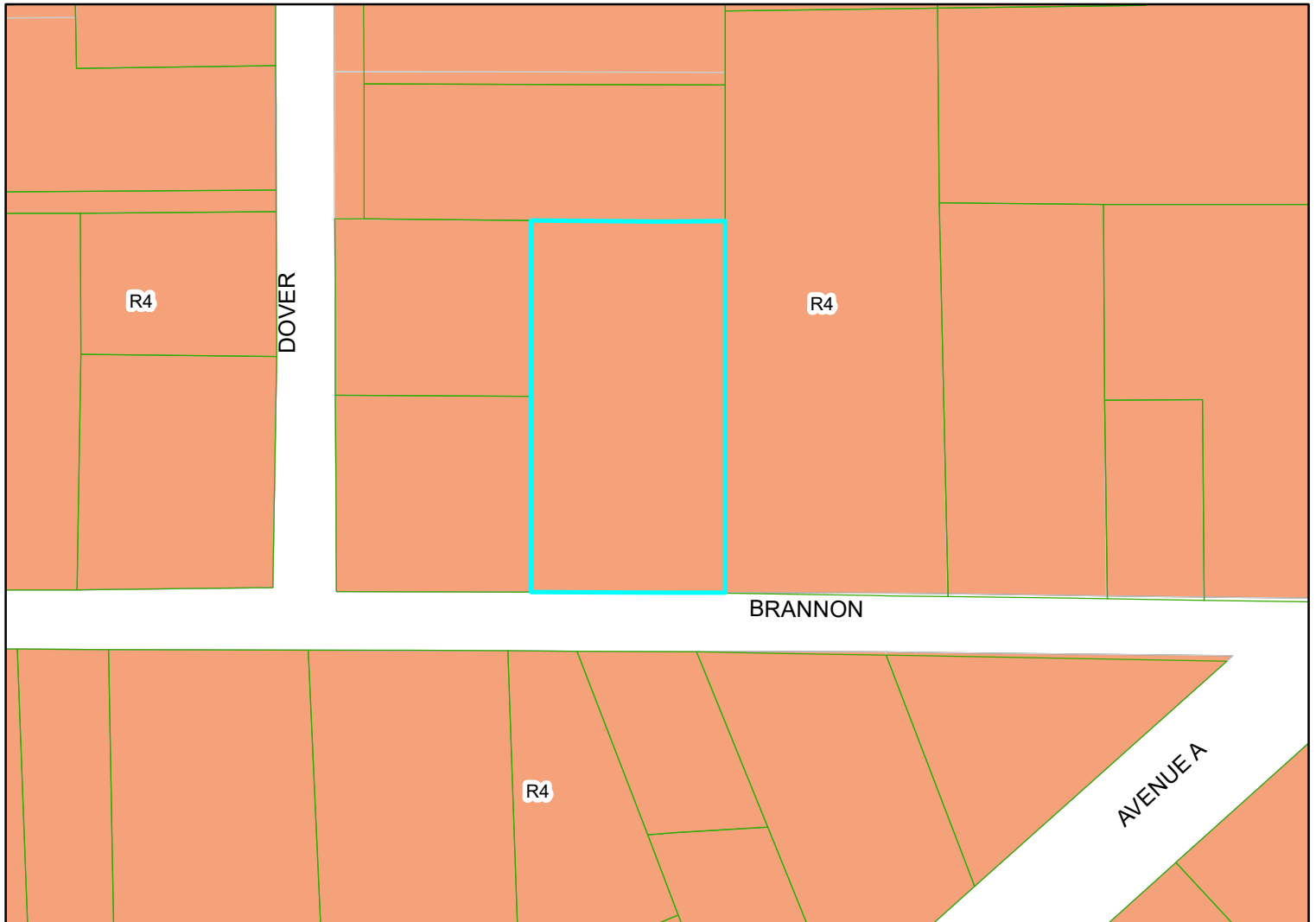
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

MULTIPLE BUILDINGS PER LOT (SECTION 8.7.1)
114 BRANNON AVENUE
CONDITIONAL USE APPROVAL, B-3



The applicant is requesting approval to construct a duplex on a lot that has an existing single family home. Section 8.7.1 allows multiple dwellings on a single lot with conditional use approval if density and setbacks are met. The property is in a R-4 zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024

Agenda Item #: B-4

Action Requested: Conditional Use – Hotel to Apartment Conversion

Location of Property: 1105 Columbus Parkway

Property Owner(s): ALYSSA Corporation
Brett Basquin, Foresite Group LLC, authorized representative

Current Land Use: Motel

Current Zoning: C-3, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North:	C-3, GC-P	Commercial
South:	C-3, GC-P	Undeveloped
East:	C-3, GC-P	Restaurant, motel
West:	C-3, GC-P	Restaurant, motel

Proposal

The applicant is requesting conditional use approval to convert a 108 room motel into a 108 unit apartment building. In the past, this motel location has been occupied for extended stays. The two-story motel was constructed in 1973 for Economy Inn. (Later, the motel was renamed Knights Inn and Opelika Inn). The apartment units are the same size as the motel room – 12x24, 288 square feet. The apartments will not offer special services such as senior housing or an assisted living facility.

During normal business hours, two people will be on-site: a general manager on behalf of the property management company and a maintenance person. There is not a separate security person that stays on site 24 hours or during nighttime hours. Typically, the maintenance person lives on-site but that has not been determined.

Planning emailed the Police and Fire departments and asked (1) if they received frequent calls of criminal activity at 1105 Columbus Parkway (2) are there existing concerns or issues at this address, and (3) are there concerns with the motel converting into apartments. Both departments have information and records on criminal activities for assistance from 1105 Columbus Parkway. Opelika Police Department answered 964 calls for service in the last five (5) years at this site. They included

a variety of domestic issues, trespass, civil disputes, drug related and assault calls. The department has concerns that residential use in this high crime area may continue the problems. The Opelika Fire Department and Building Department are both concerned about making the site compliant with current building and fire protection codes. The current building has multiple issues.

Rent for an apartment is expected to be \$800 per month; the term of lease is a minimum 6 months. The utility fees (water, electricity, and internet fees) are typically separate from the rent amount and paid by the renter. However, the property management company may choose to structure the rental rate that includes the utility charges. All tenants will have access to WiFi in their apartment.

A conversion from motel to apartments requires that all building and fire codes for residential use are met. In your packet are before and after images of a bedroom, overall property area, swimming pool area, and tenant lounge area. After renovations are complete, each apartment unit will be provided a cooktop and microhood¹ for cooking in addition to a microwave. All apartment units will have a refrigerator. Floor space will be renovated on site for a laundry room with 8 to 10 washers and dryers for the tenants. The tenant will provide their own furniture.

The C-3 zone allows 16 units per acre. The applicant's property is 3.87 acres so a maximum of 61 dwelling units (16×3.87) is allowed by the Zoning Ordinance. The applicant is requesting 108 apartment units - a 47 unit increase from the maximum 61 units allowed by the Zoning Ordinance. The 108 unit request increases the density per acre from the 16 dwelling units per acre to 27.9 units/acre ($108/3.87$). The conditional use section of the Zoning Ordinance states that the Planning Commission can increase the intensity (density) of a use beyond the allowable intensity provided that it does not exceed the maximum intensity allowed by the Zoning Ordinance. The maximum density allowed in the zoning ordinance is 28 units per acre allowed in the C-1 zone. This would be just under that density as presented.

Another option to reduce the number of units would be to combine some of the existing motel rooms into one new apartment. This may potentially reduce the viability of the project or how much they would need to charge to recoup cost lessening attainability.

Off street parking requirements for a motel is one parking space per room plus one parking space per employee. The minimum off-street parking requirement for residential uses is two parking spaces per dwelling unit. For the proposed 108 apartment units, a total of 216 off-street parking spaces are required. The site plan shows 127 parking spaces. From a review of the site plan and aerial photos the 3.87 acre property with three buildings (27,354 sf) and a 2,700 sf swimming pool does not have space to meet minimum parking space requirements for the apartments. A variance from the Zoning Board is required. It is unlikely that such small studio units would generate much beyond a single vehicle

¹ Microwave and vent hood combination to vent smoke and odor from a cooking surface.

per unit. Staff believes that the city needs to examine the parking standards for 1-bedroom or efficiency units/studios. The current regulation would likely create an unnecessary surplus of parking.

A landscape plan was submitted but has not been fully reviewed at this time. Along the property lines are trees that appear to be on the applicant's property; the trees will count toward the base and parking lot points. Some landscaping may be added on the pervious (grass) area near the swimming pool. See aerial photo on page 4.

Recommendation

In this area of Columbus Parkway, several other motels were built in the 1970s -1980s that may also request a conversion to multi-family dwellings. Staff sees benefit in renovating a very undesirable building and creating more attainable housing. We do have concern that if conditions are not in place for this apartment conversion an increase in crime activity may occur and the apartments become undesirable living conditions for residents. Comments by the Police and Fire department concerning crime activities is a major concern.

Staff recommends approval for the use subject to the following conditions:

1. Conditional use approval is subject to the Zoning Board approval of a variance for off-street parking.
2. Approval of the density to allow an increased number of units by the Planning Commission.
3. The applicant should work with Opelika Police Department on ways to increase safety and security to potentially include lighting, cameras, access control, fencing, security personnel, and other measures.
4. Lighting for all parking spaces and entrances/exits shall meet security lighting standards as recommended by a professional lighting designer/engineer.
5. Each apartment must have at a minimum the kitchen appliances as described in this report. The refrigerator must have a freezer.
6. No unit shall be rented for any term less than 90 days.
7. Landscaping shall meet all requirements of the ordinance.
8. Any new lighting poles or electrical service shall be run underground.
9. Air handling units shall integrated into the units and screened to the extent possible.
10. Dumpsters shall be screened through means of a fence and gate meeting corridor approved materials and additional landscaping.
11. Any modification to the buildings shall meet the gateway corridor cladding and screening requirements.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed Conditional Use.

Opelika Water Report

Water is available from Columbus Parkway.

Opelika Power Services Report

This property is located inside of the Opelika Power Services territory.



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 1105 Columbus Parkway
PROPERTY OWNER: ALYSSA CORPORATION
APPLICANT/ AUTHORIZED REPRESENTATIVE: Foresite Group, LLC
MAILING ADDRESS: 2301 Ogletree Village Lane, Suite 200
PHONE NUMBER: (334) 887-6064 **FAX NUMBER:** (770) 368-1944
EMAIL ADDRESS: bbasquin@fg-inc.net

PARCEL INFORMATION
Project name: 1105 Columbus Parkway Address/Location: 1105 Columbus Parkway
Current Land Use: Hotel Current Zoning: C-3
Adjacent Zoning Districts: North: C-3 South: C-3 East: C-3 West: C-3
Description of Proposed Use: Convert existing hotel into Multi-Family Residential Development (108 Units)

AUTHORIZATION TO ACT AS APPLICANT (if applicable)
I, Alyssa Corporation, being owner of the property which is the subject of this conditional use application hereby authorize Foresite Group, LLC, 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.

See separate authorization to act as Applicant form.

Property Owner's Signature: _____ Date: _____

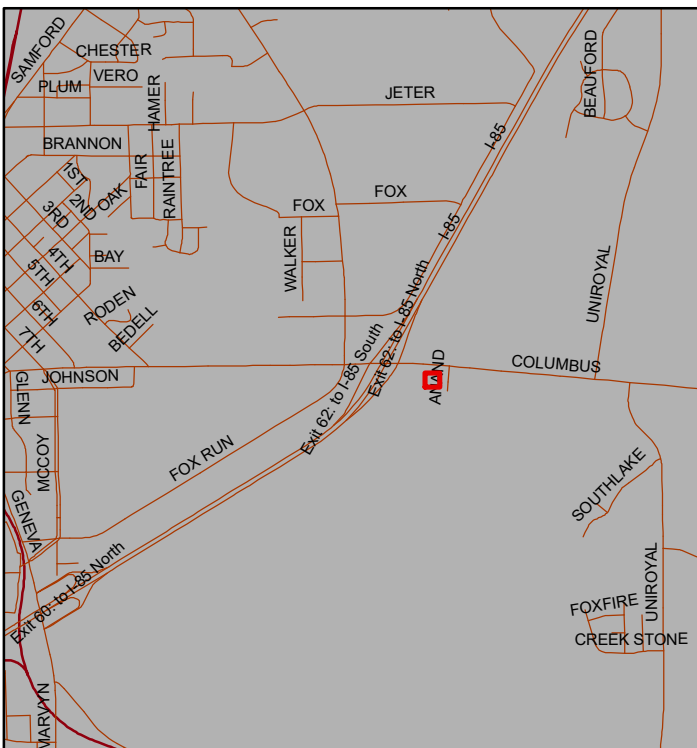
**STATE OF ALABAMA,
COUNTY OF LEE**
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.
Given my hand and seal of office this ____ day of _____,

Notary Public
My Commission Expires: _____

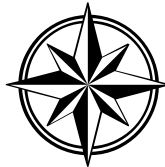
COLUMBUS PARKWAY APARTMENTS

1105 COLUMBUS PARKWAY

HOTEL TO APARTMENT CONVERSION, B-4



The applicant is requesting approval to convert 108 motel rooms into apartments. The 22,630 square foot motel is the Economy Inn built in 1973.



Subject Property

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SITE DATA	
SITE AREA:	3.87 AC.
PERVIOUS AREA:	1.28 AC.
IMPERVIOUS AREA:	2.59 AC.
ISR ALLOWED:	0.70
ISR PROVIDED:	0.67
NUMBER OF UNITS:	108 UNITS
DENSITY ALLOWED:	16 UNITS/ACRE
DENSITY (VARIANCE REQUIRED):	27.9 UNITS/ACRE
BEDROOMS:	108 1-BEDROOM STUDIOS
PARKING REQUIRED:	(2 SPACE PER 1 UNIT) = 216 SPACES
PARKING PROVIDED: (VARIANCE REQUIRED)	127 SPACES 108 SPACES FOR RESIDENTS 3 SPACES FOR STAFF 16 GUEST SPACES

OPELIKA INN CONVERSION TO MULTI-FAMILY CONCEPT PLAN

1105 COLUMBUS PARKWAY, OPELIKA, AL.



EXISTING UNIT



unit

Rendering



Opelika Inn Before/After Images

HOTEL TO MULTIFAMILY CONVERSION



BEFORE & AFTER

INTERIOR



Unit - Before



Unit - After

BEFORE & AFTER

EXTERIOR



Exterior - Before



Exterior - After

BEFORE & AFTER

POOL AREA



Pool - Before



Pool - After

BEFORE & AFTER

TENANT LOUNGE



Meeting Room - Before



Meeting Room – After (Tenant Lounge)

BEFORE & AFTER

12



Restaurant Kitchen - Before



Restaurant Kitchen – After (Storage)

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024

Agenda Item #: C-5

Action Requested: Master Signage Plan – Gateway Drive Entertainment PUD

Location of Property: Gateway Drive and Interstate 85

Property Owner(s): Broad Metro, LLC
Brett Basquin, Foresite Group LLC, authorized representative

Current Land Use: Retail and Entertainment PUD

Current Zoning: PUD

**Surrounding Zoning Districts
And Land Uses:**

North:	C-3, GC-P	Lowes, Hotel, Miniature Golf
South:	C-3, GC-P	Restaurant, Fueling Station, Hotel
East:	C-2, GC-P	Vacant
West:	C-3, GC-P	Restaurant, Fueling Station, Hotel

Proposal

The Broad Metro/Capps Landing Planned Unit Development was first approved in February 2020 with a later addition in June 2023. The total are for the development at this time is 47.3 acres. At this time the development has a QT fueling station, Texas Roadhouse, Starbucks (under construction), and Golf Suites under review. There are at least eight additional sites that could develop, primarily along the I-85 frontage. The applicant has decided to request for a master signage plan that would grant additional signage for sites meeting certain criteria. This includes that the site must have at least 25 acres or 300,000 square feet of space.

At this time they have requested two freestanding signs located on the Gateway Drive corridor and the I-85 corridor. The Gateway Drive sign would be located on the corner of Gateway Drive and I-85 on Outparcel 4. This sign is proposed to be 20 feet tall with 215 square feet of sign area. The I-85 sign is proposed to be on Outparcel 6 and was originally proposed to be 50 feet tall with 399 square feet of sign area. After discussing this with the applicant, it is determined that the largest sign allowed is 30 feet in height, but up to 400 feet in area. The applicant has agreed to the change and is in the process of submitting new plans.

The applicant has not at this time asked for any additional increases to the building or wall signage.

Recommendation

Staff recommends sending a positive recommendation to City Council to approve the Master Signage Plan for this development provided the applicant can submit a new exhibit meeting the 30 foot height cap.



MASTER SIGN PLAN
PUD ZONING DISTRICT
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/ Broad Metro, LLC
AUTHORIZED REPRESENTATIVE _____
MAILING ADDRESS: P.O. Box 130665, Birmingham, AL 35213
PHONE NUMBER: 205-910-1425 Email: jmasingill@5oakssouth.com

PARCEL INFORMATION

Site Address: Gateway Drive Entertainment/Restaurant District

Description of proposed signs (attach site plans with buildings and sign locations, sign drawings with dimensions, sign height of freestanding signs): _____

Proposed Master Sign Plan with two large pylon signs: 1.) 50 FT interstate sign and 2.) 30 FT

Gateway Drive sign. We are limiting the on-site signage for each outparcel to 10 FT tall and
50 SQ FT with the larger shared pylon signs.

Tax Parcel Number: 43 09 06 24 0 000 012.000 , 43 09 06 24 0 000 012.003

Adjacent Zoning Districts: North: C3 South: C3 East: R1/C2 West: PUD/C3

Current Land Use: Commercial

Current Zoning: PUD

I hereby request my properties located in a PUD zoning district (street name) Capps Landing
be reviewed for approval. I understand that the City may require additional information at any time
during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE:	
(PRINT NAME) ' <u>Brett Basquin on behalf of Foresite Group, LLC</u>	DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, Jim Masingill, being owner/authorized manager of the
property(s) as described in this Application hereby authorize Foresite Group, LLC
to act as my representative in all decisions concerning the master sign plan request for my properties
before the Opelika Planning Commission and City Council.

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

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

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

My Commission Expires: _____

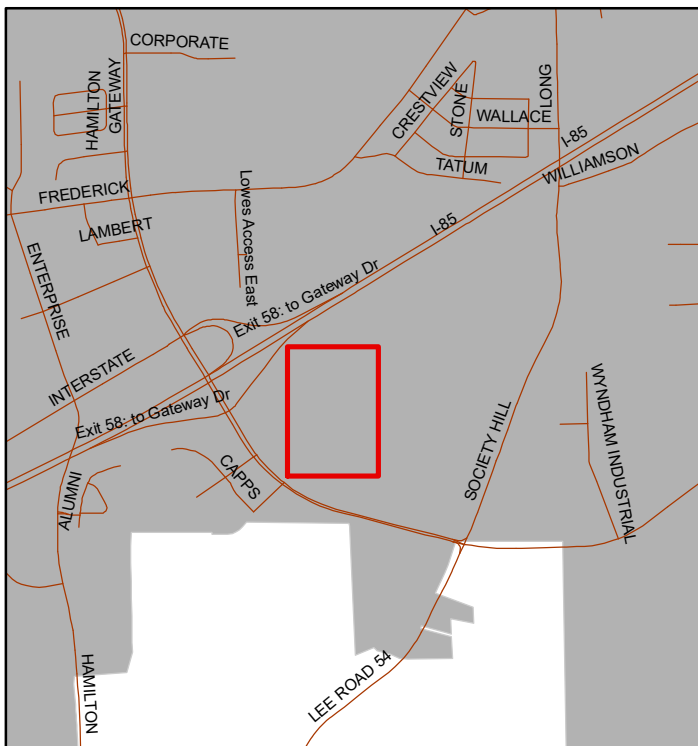
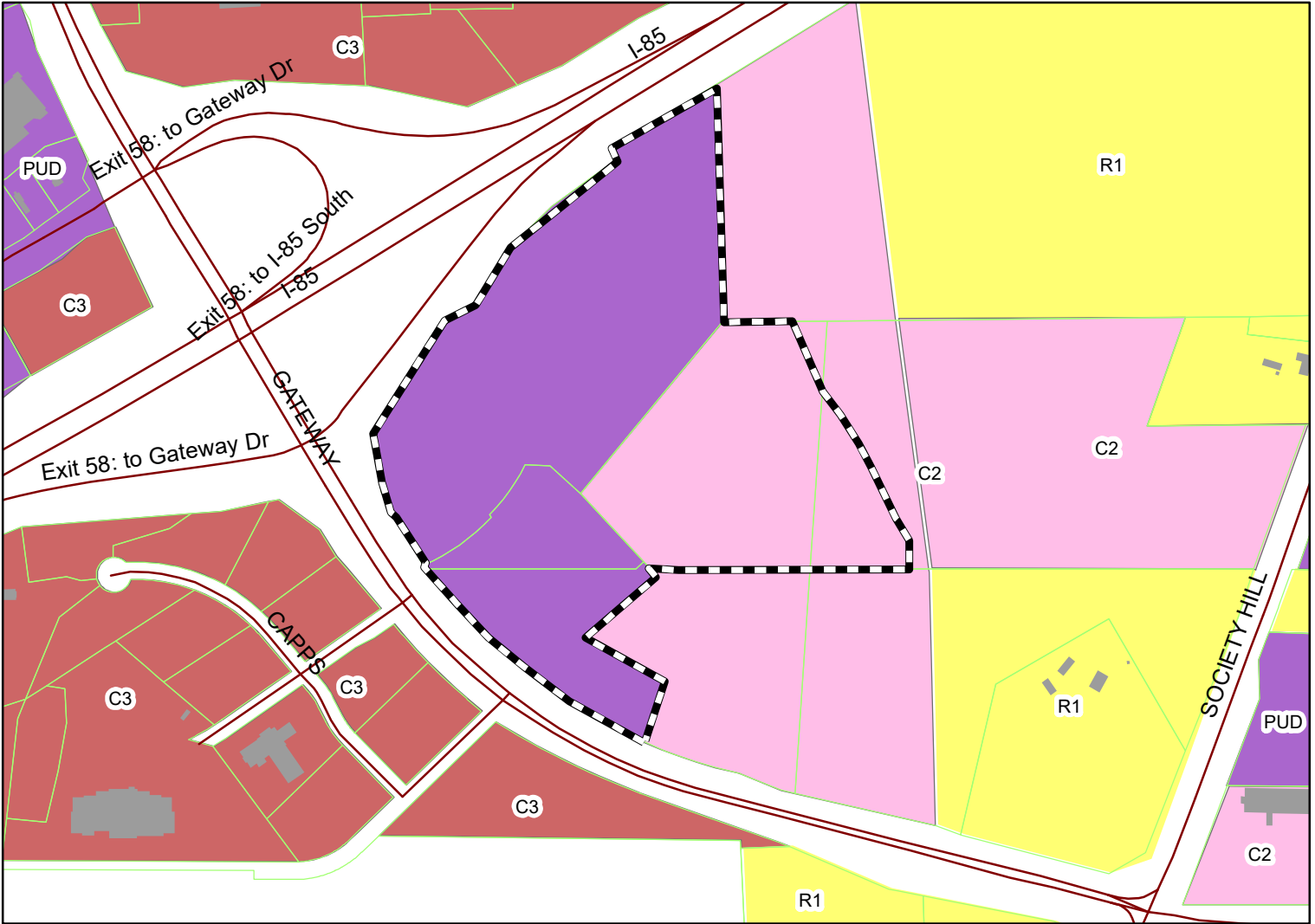
Master Sign Plan**Section IX Sign Regulations**

- a. The master sign plan allowance established herein is to provide for a single review of permanent signage for large-scale developments when the plan will promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development, as well as with the surrounding neighborhood.
- b. A master sign plan may be submitted when a project contains over 25 acres or a minimum of 300,000 square feet of nonresidential floor area.
- c. The master sign plan may only be authorized as part of a site plan review or approval of a PUD or PRD.
- d. A master sign plan may include more than one freestanding sign per frontage and more than one attached sign per façade as is otherwise provided for in Section 9.8: Permanent Signs Allowed in Zoning Districts.
- e. A master sign plan may include a freestanding sign with a maximum sign area of 400 square feet and up to ten percent (10%) more sign area, per sign, for all other sign types, as is otherwise provided for in Section 9.8: Permanent Signs Allowed in Zoning Districts.
- f. An application for review of a master sign plan shall include:
 - (i) A master sign plan, drawn to scale, delineating the site proposed to be included within the master sign plan and the general locations of all permanent signs including freestanding and building signs and the property lines, buildings and roadways;
 - (ii) Drawings and/or sketches indicating the dimensions in square feet, location and sign area for all the permanent signs;
 - (iii) Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, awning signs, canopy signs, projecting signs, window signs or other building signs are proposed;
 - (iv) Samples or photos of colors and materials to be used for signs and the relationship to the building materials; and
 - (v) Information regarding the illumination of any signs.
- g. In order approval of a master sign plan, each of the following conditions must be met:
 - (i) That the plan's contribution to the design of the site and surrounding area will be superior to the quality that would result under the regulations and standards of this Section IX;
 - (ii) That the signs proposed as part of the master sign plan will create a uniform sign package for the site related to materials, lighting, design and other features of the individual signs; and
 - (iii) That the proposed signs are compatible with the style or character of improvements and are well-related to each other in terms of location and spacing.
- h. Where a master sign plan is submitted as part of a PUD or PRD, the City Council shall make the final decision on the master sign plan and may impose reasonable conditions to the master sign plan to carry out the intent of Section IX.
- i. Where a master sign plan is submitted for a development outside of a PUD or PRD application, the Planning Commission shall review and make a decision on the approval of a master sign plan through the conditional use review process. The Planning Commission may impose reasonable conditions to a master sign plan necessary to carry out the intent of this Section IX.
- j. No building permits or other permits required for the construction of any sign shall be issued unless the sign is in compliance with the approved master sign plan.
- k. An approved master sign plan may only be amended or modified through the same review process required for its approval.

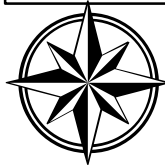
MASTER SIGN PLAN - THE LANDING PUD

3001 GATEWAY DRIVE

ENTERTAINMENT & RESTAURANT DISTRICT, C-5



The applicant is requesting approval for a 399 sf, 50 foot high sign and a 215 sf, 20 foot sign. Freestanding signs for tenant parcels are a maximum 50 sf sign area and 10 foot height.



Subject Property

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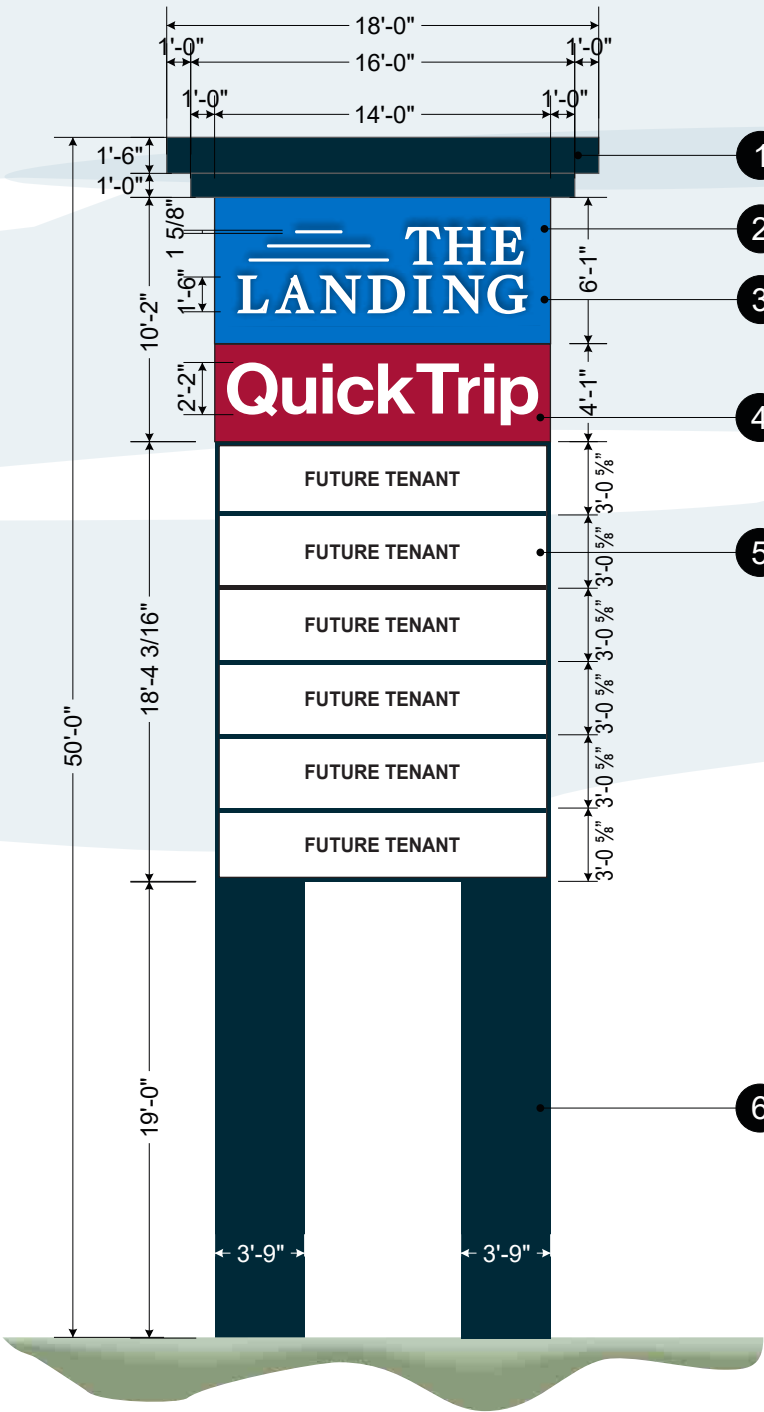


The Landing



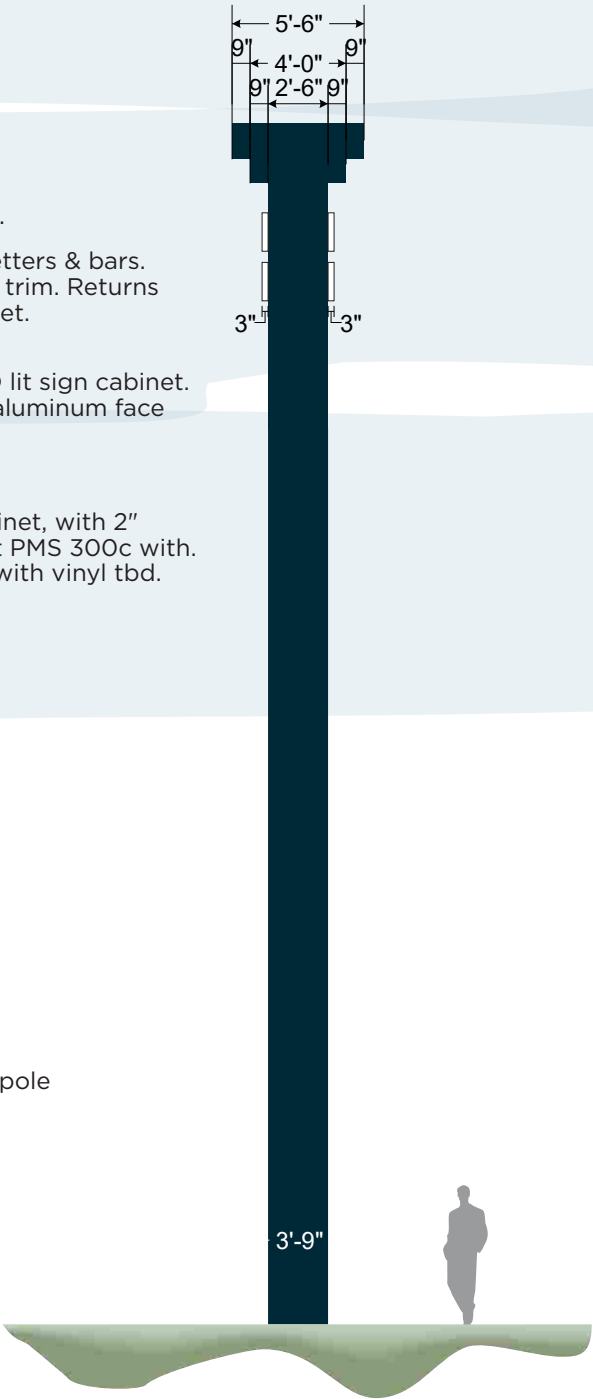
Sign Package
OPELIKA, ALABAMA



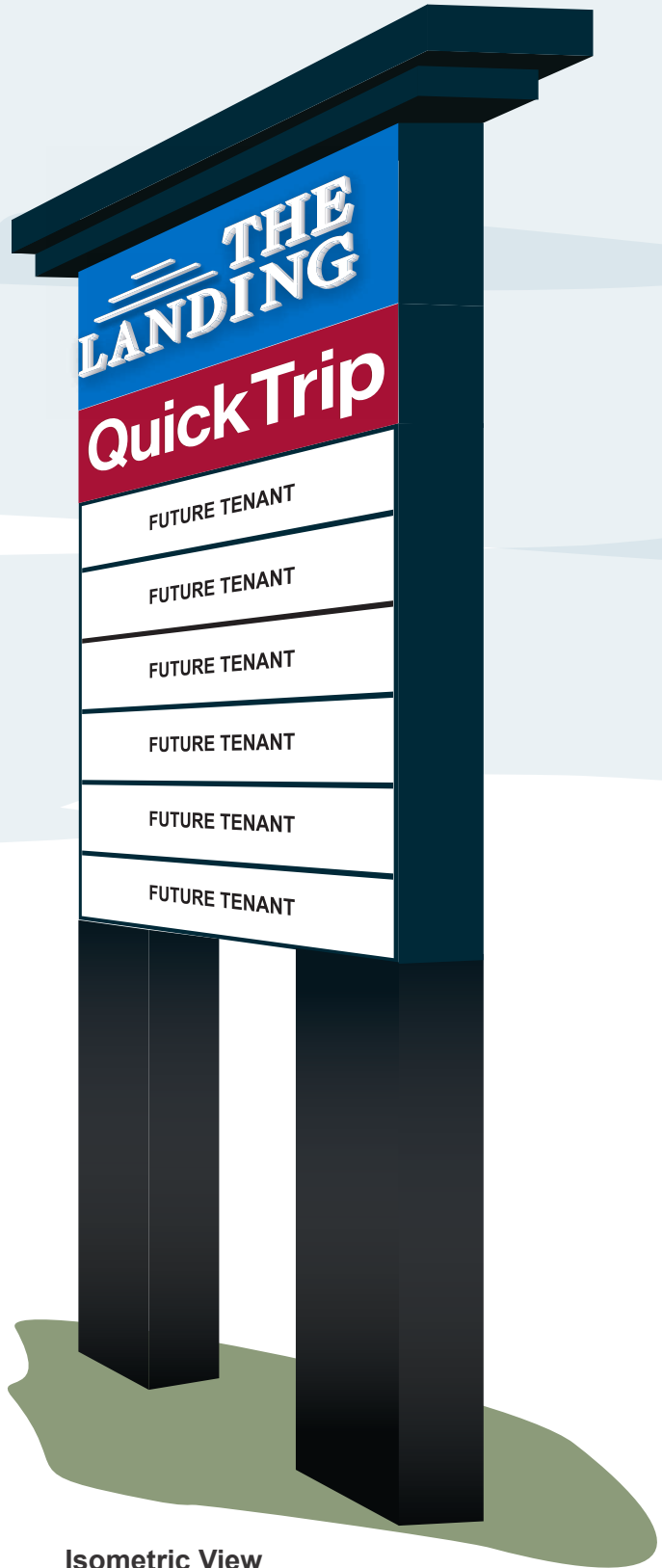


Pylon Front Elevation
 Scale: 1/8" = 1'-0"

- Aluminum topper paint PMS 303c
- Aluminum cabinet, paint PMS 300c.
- 3" deep internally LED lit channel letters & bars. 3/16" white acrylic faces with white trim. Returns painted white; mount flush to cabinet.
- Double sided routed aluminum LED lit sign cabinet. Paint faces & returns PMS 1945CV, aluminum face backed with 3/16" white lexan.
- Double sided LED lit aluminum cabinet, with 2" retainers & 2 1/2" divider bars, paint PMS 300c with. with flat white lexan tenant panels with vinyl tbd.
- 3'-9" x 3'-9" x 18'-11 5/8" Aluminum pole covers, paint PMS 303c.



Side View
 Scale: 1/8" = 1'-0"



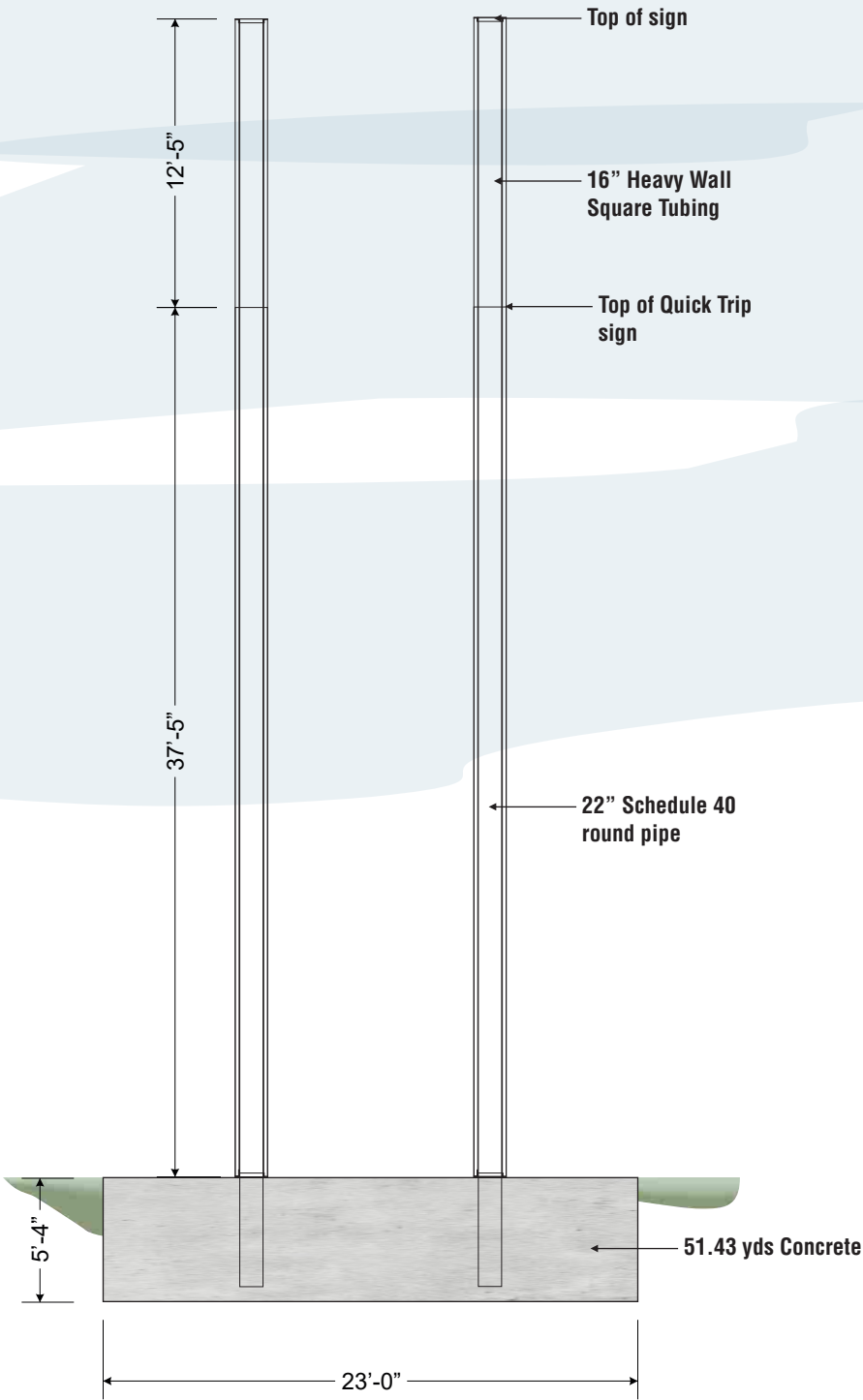
Isometric View
 NTS

Date:	February 20, 2024
Job Name:	The Landing - Quick Trip
Job Location:	Opelika, AL
Salesperson:	J. Lacaster
Designer:	J. Smalley/JET
Drawing Number:	234041 Rev: 2

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. SIGNS DESIGNED FOR 120V SERVICE; PLEASE NOTIFY KSI IF POWER SOURCE IS DIFFERENT.



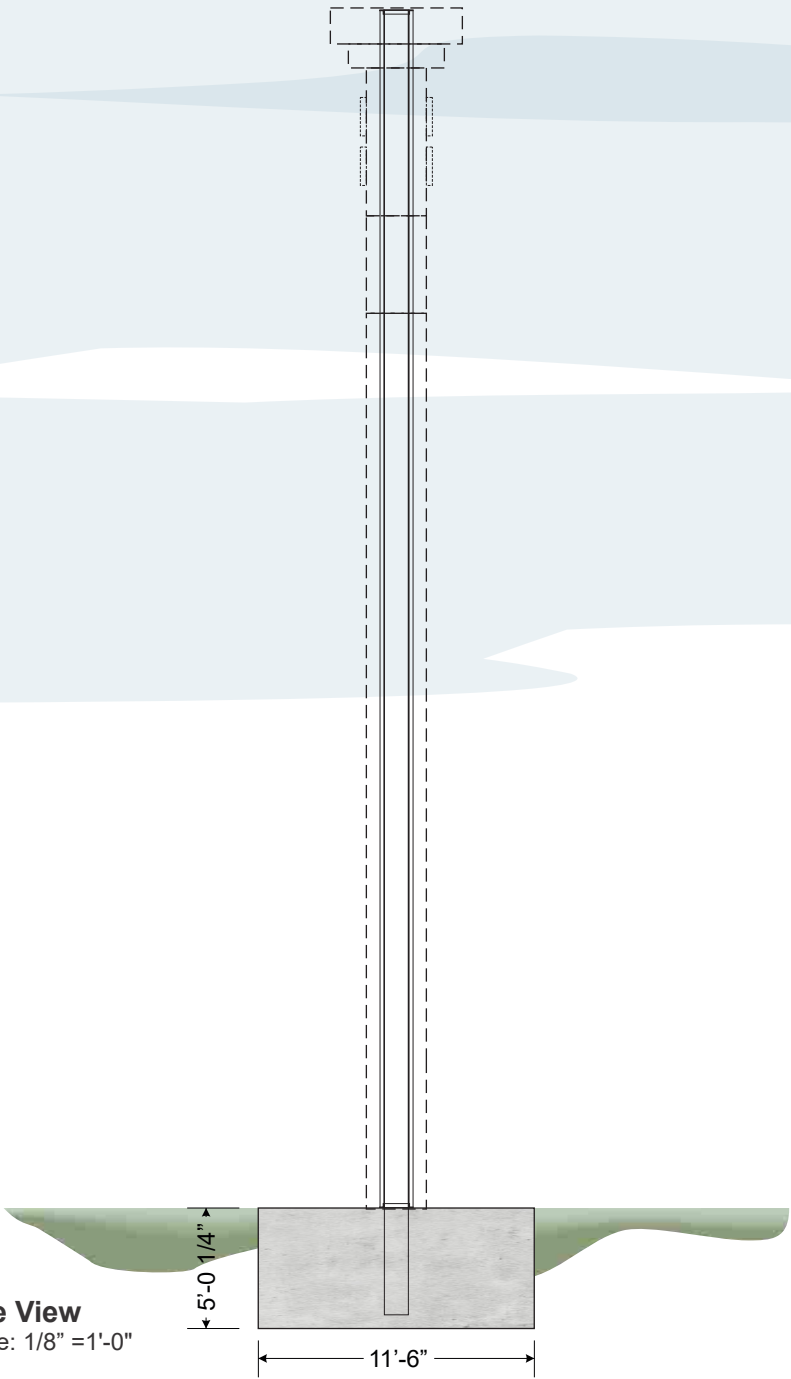
PYLON: 1



Pylon
Scale: 1/8" = 1'-0"

- #4 Rebar - 337
- #6 Rebar - 349
- #3 Rebar - 116

Side View
Scale: 1/8" = 1'-0"



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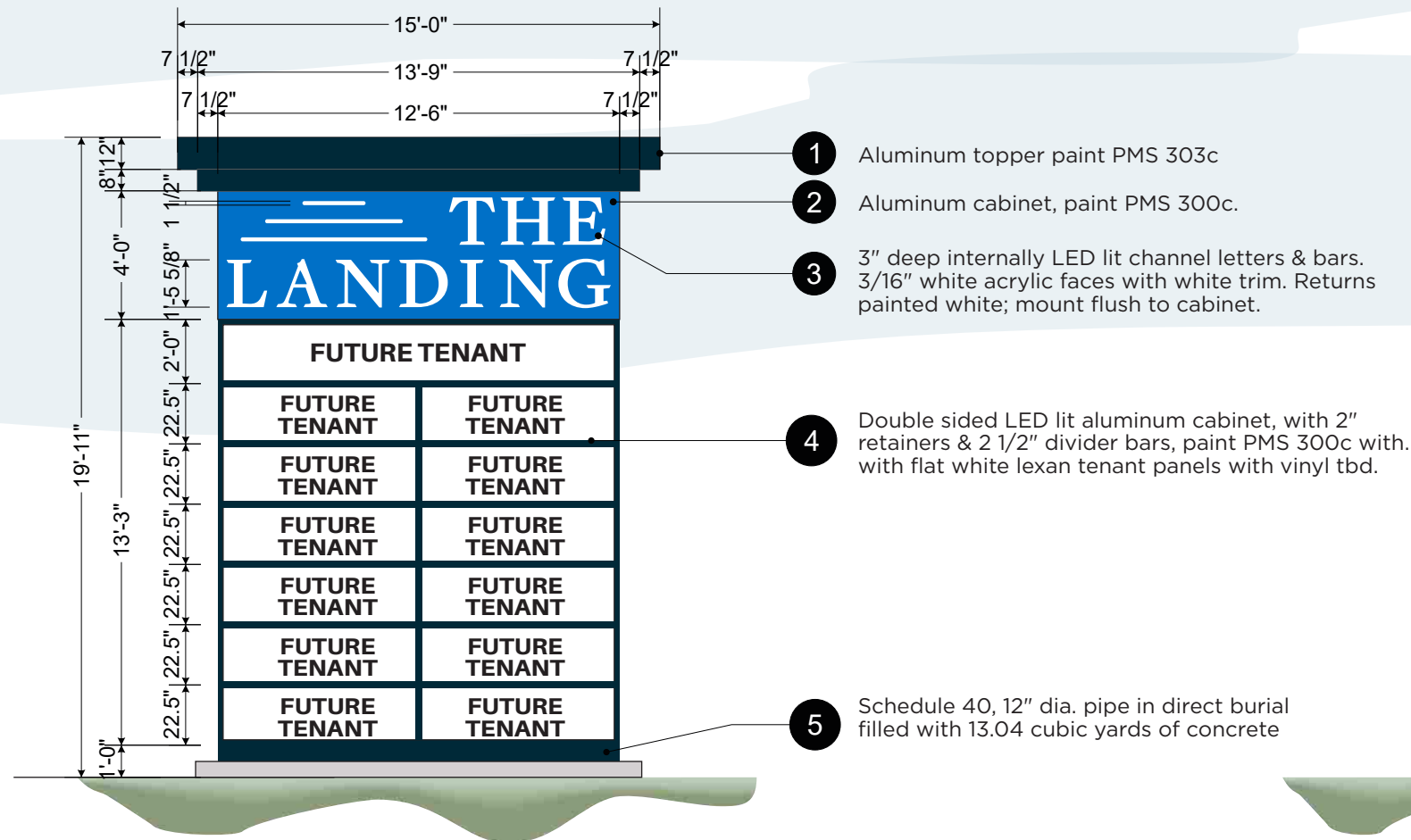


PYLON: 2



5959 Knight Ave. Tuscaloosa, AL 35405
y y y Omp ki j vuki p Oe q o 4 2 7 05 6 7 07 4 6 4

NOTES:



Pylon
Scale: 3/16" = 1'-0"



Side View
Scale: 3/16" = 1'-0"

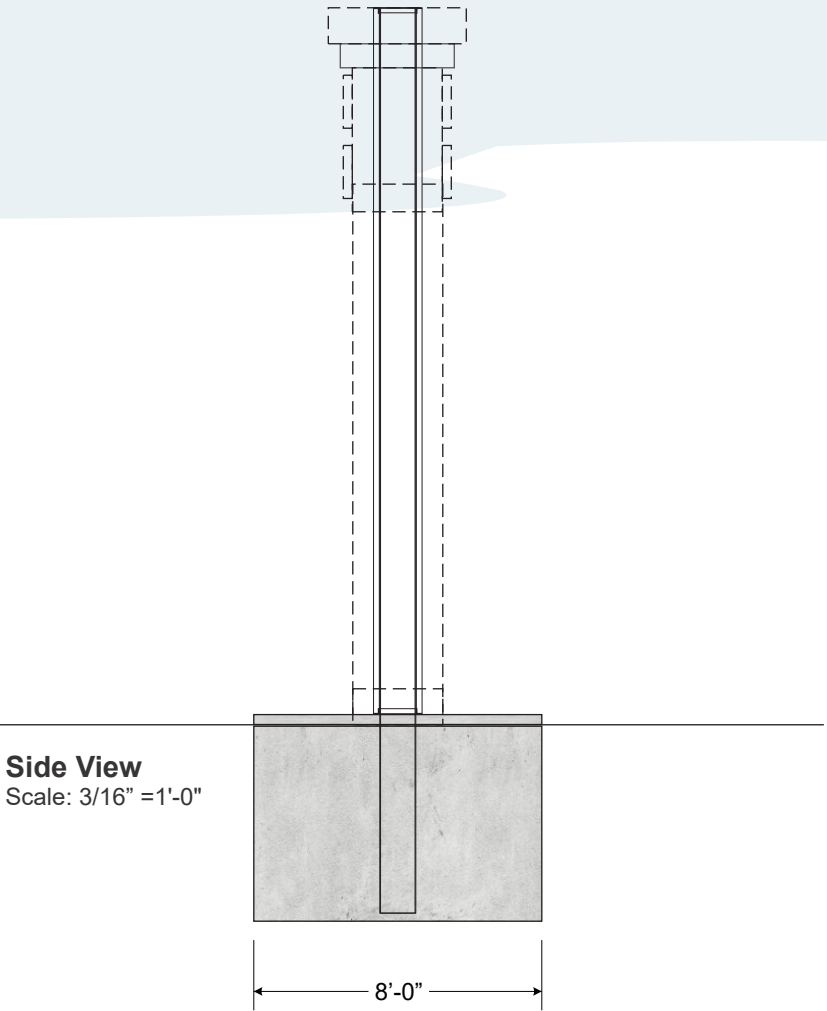
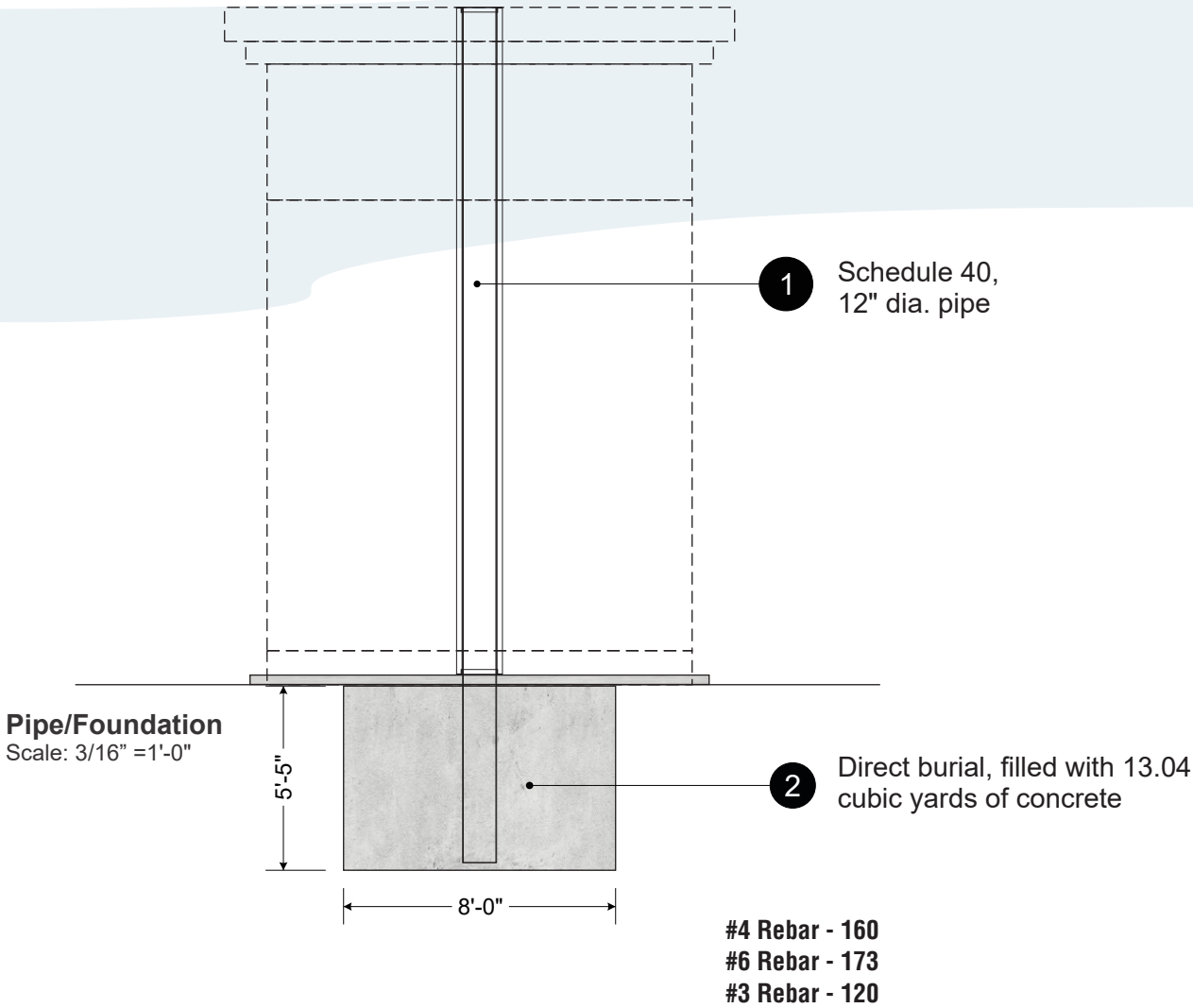


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IF POWER SOURCE IS DIFFERENT.





PARCEL NAME	LAND USE	ACREAGE
PARCEL 1	QUICK SERVICE RESTAURANT WITH DRIVE THRU	1.07
PARCEL 2	GAS STATION	5.51
PARCEL 3	RESTAURANT	2.56
PARCEL 4	OUTPARCEL	1.51
PARCEL 5	OUTPARCEL	2.37
PARCEL 6	OUTPARCEL	3.24
PARCEL 7	OUTPARCEL	1.76
PARCEL 8	OUTPARCEL	2.02
PARCEL 9	OUTPARCEL	1.89
PARCEL 10	OUTPARCEL	1.83
PARCEL 11	OUTPARCEL	2.73
PARCEL 12	GOLF	10
PARCEL 13	HOTEL	3.04
PARCEL 14	OUTPARCEL	4.17

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 23, 2024 (Originally approved May 23, 2023)

Agenda Item #: C-6

Action Requested: Request for 12 month extension
Conditional Use – Multi-Family Residential, Apartments

Location of Property: 2700 block of Frederick Road

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

Current Land Use: Undeveloped

Current Zoning: C-2, GC

**Surrounding Zoning Districts
And Land Uses:**

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

Proposal

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

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

The site plan shows ten buildings on a 10-acre parcel. The minimum off-street parking requirements are met: 310 parking spaces required, 373 spaces provided. It is unclear whether there is enough parking in areas close to units. Building 1, 2, and 3 have some parking adjacent, but may require some residents to walk to other areas for parking. The applicant may want to consider removing some of the

excess parking to provide better outdoor spaces for residents. The property meets the maximum 70% impervious surface ratio allowed; 60% of the property will be impervious.

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

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

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

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

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

Staff recommends approval of a 12 month extension subject to the following:

1. Provide an updated landscape plan showing the site meeting requirements of the landscape ordinance.
2. Note the materials proposed for the units. All four sides of the development shall meet the Gateway Corridor cladding requirements.
3. Enclose the dumpsters on all sides with corridor approved materials and landscaping, so the dumpsters are not visible from the street.
4. All HVAC, meters, and other mechanical shall be screened from the street.

5. The applicant should consider traffic calming or raised pedestrian crossings slow vehicles on the main drive.
6. Ensure that all buildings have some green space or useable outdoor areas adjacent to the building, specifically Buildings 7 and 9.
7. Any commercial uses in Building 1 will need to be approved through the zoning based on Table 7.3 Permitted Use table.

Engineering Department Report

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

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

Opelika Utilities Board Report

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

Opelika Power Services Report

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

**The Townes – Opelika
Howard Weissinger
1922 Professional Circle
Suite 204
Auburn, AL 36830**

March 27, 2024

Dear Mr. Mosley,

We are proceeding with our development, The Townes, on the 2700 block of Frederick Road; however, we are not in a position yet to apply for a building permit.

We are currently working with our Architect, Engineers, City of Opelika, and our Builder, to complete our construction plans and to tentatively be in a position to move forward with construction later this Fall.

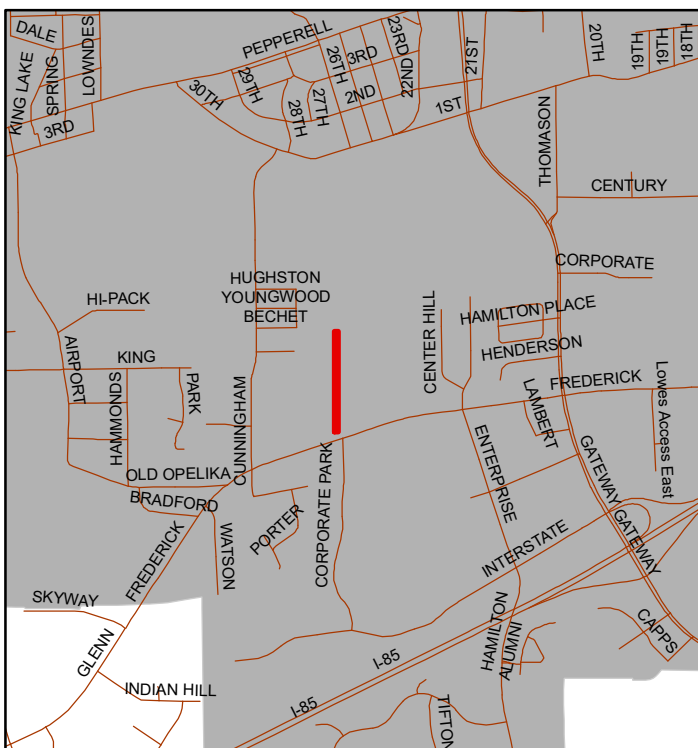
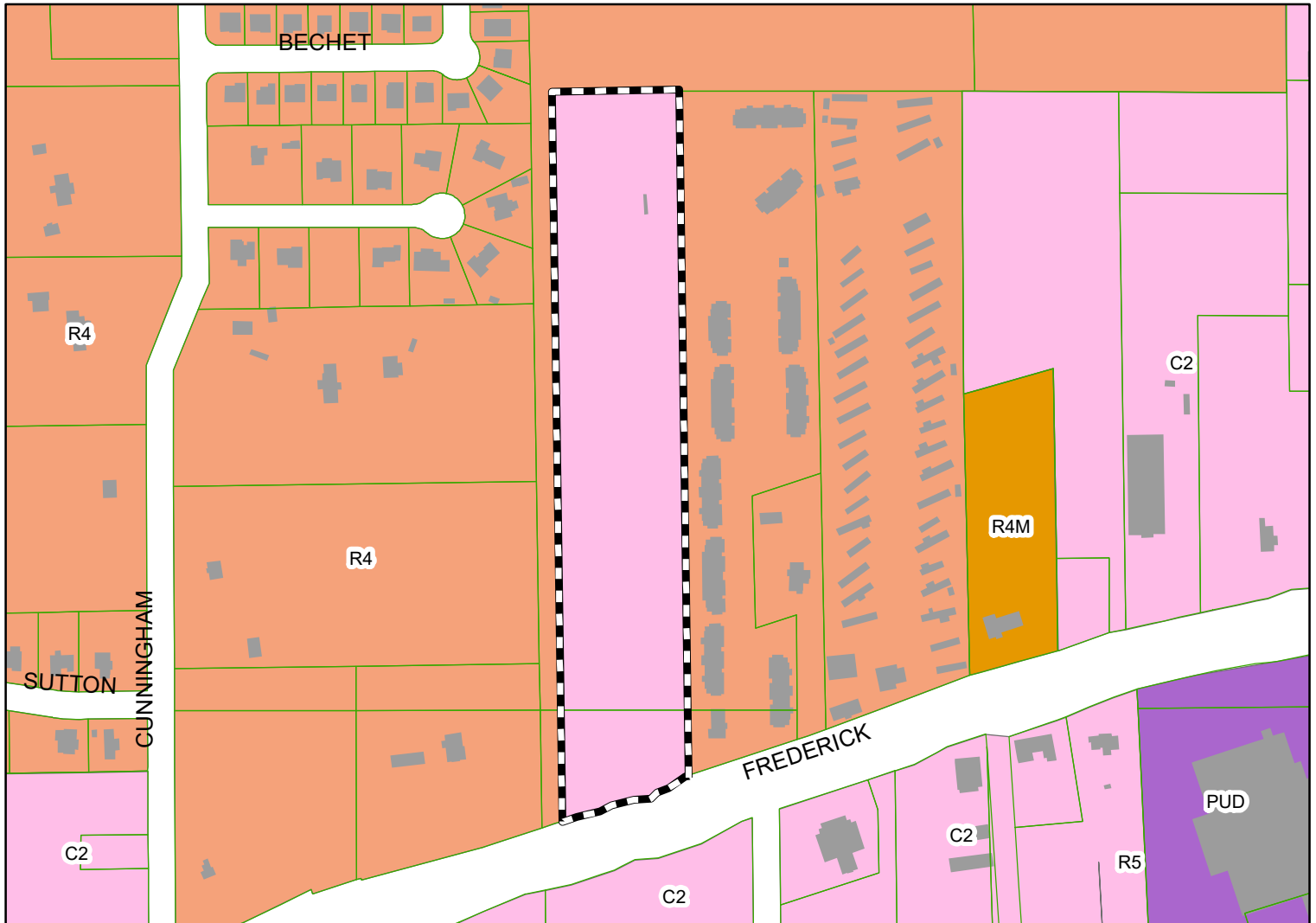
I would like to ask for a 12-month extension of the Conditional Use Approval that was granted on May 23, 2023, in order for us to proceed with our planning.

I appreciate all of your time and help!

Sincerely,

Howard Weissinger
Howard Weissinger

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



The applicant was granted CU approval at the May 2023 PC meeting. Requesting a one year extension of the CU approval beginning May 23, 2024. Approved for 155 apartment units (2 and 3 stories) on 10 acres. Common area: fitness room, swimming pool, and two pickle ball courts. Property in a C-2, GC-P zoning district.



Subject Property

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Conceptual Multi-Family Village

BUILDING ELEVATION

Opelika, Alabama



Conceptual Multi-Family Village

BUILDING ELEVATION 2

Opelika, Alabama



Conceptual Multi-Family Village

BUILDING ELEVATION 3

Opelika, Alabama

Conceptual Multi-Family Village

2700 Frederick Rd.
Opelika, Alabama



studiosmith
Architecture LLC

Exterior Architecture Concept

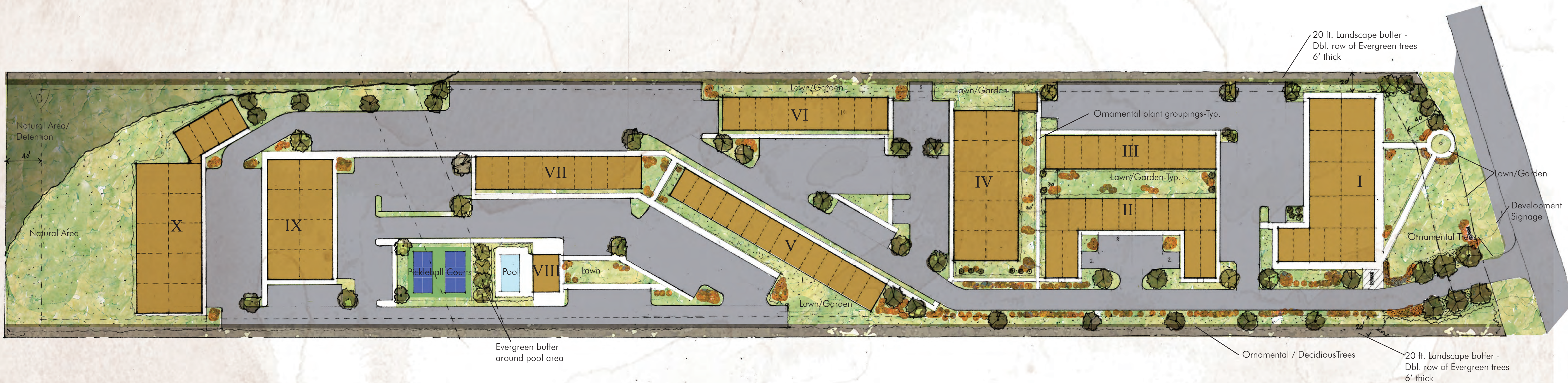


CONCEPTUAL MULTI-FAMILY VILLAGE

2700 Frederick Rd., Opelika, Alabama

CONCEPTUAL LANDSCAPE PLAN

04.14.2023



UNIT TABULATION

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

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

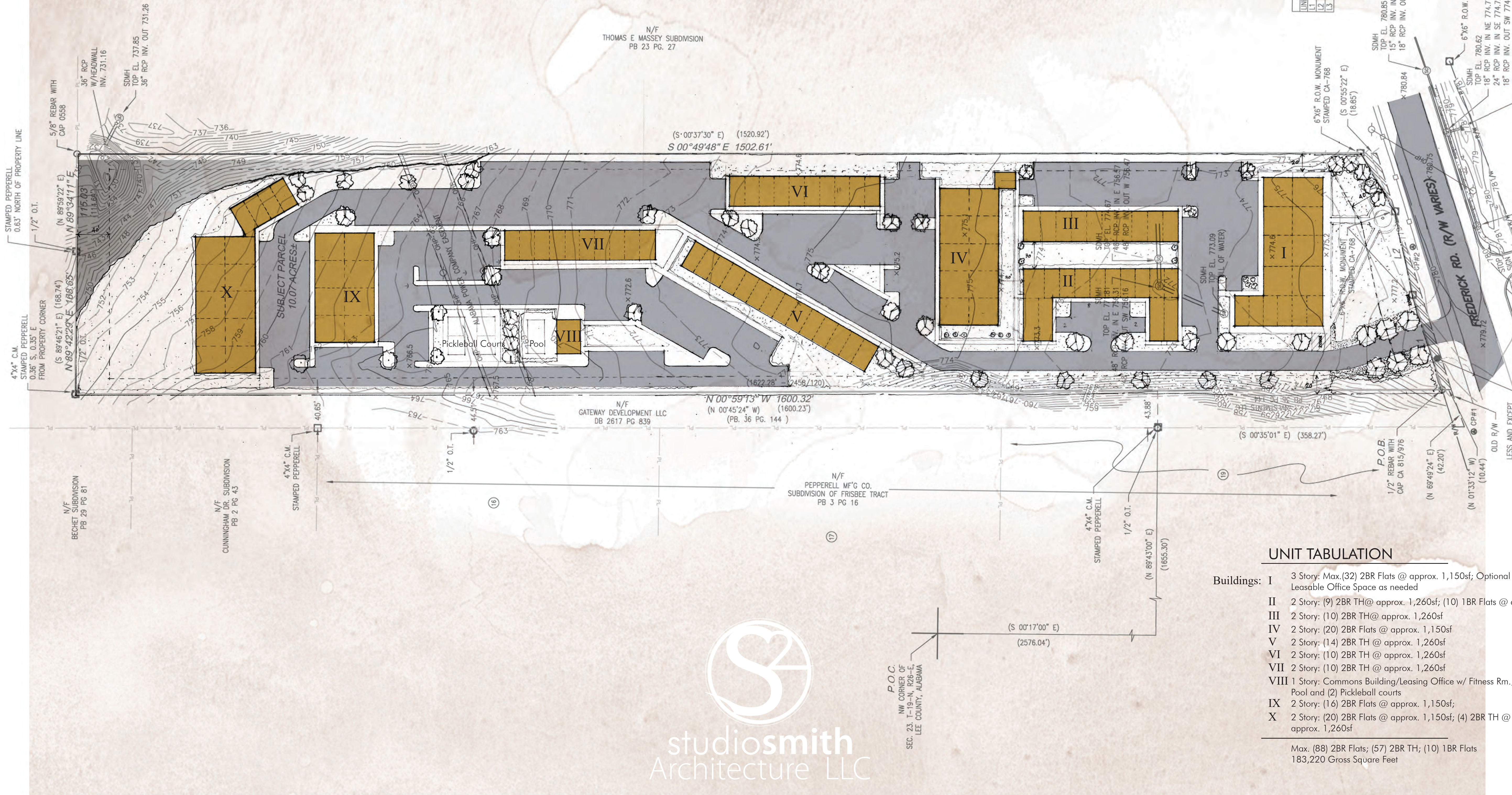
CONCEPTUAL MULTI-FAMILY VILLAGE

2700 Frederick Rd., Opelika, Alabama

CONCEPTUAL SITE PLAN

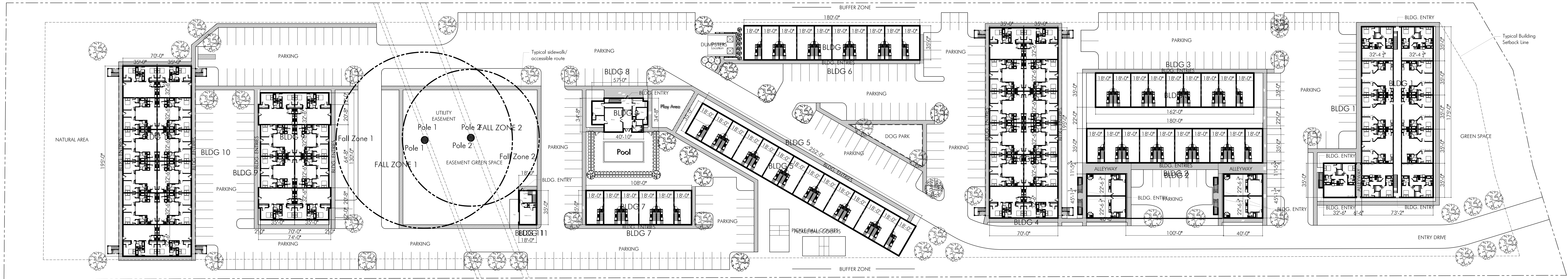
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04.14.2023



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



THE TOWNES 2700 FREDERICK RD OPELIKA, AL 36801						
BUILDING	UNIT	UNIT TYPE	HUD NET RENTABLE AREA (1)	UNIT GROSS AREA (2)	NO. OF UNITS	NO. OF UNIT TYPES
1	A1	2BR FLAT	1,079 SF	1,134 SF	32	(14) A1
	A2	2BR FLAT	1,082 SF	1,134 SF		(18) A2
2	A3	2BR TOWNHOUSE	1,172 SF	1,260 SF	20	(8) A3
	A4	2BR TOWNHOUSE	1,164 SF	1,260 SF		(2) A4
	A5	1BR FLAT	845 SF	902 SF		(10) A5
3	A3	2BR TOWNHOUSE	1,172 SF	1,260 SF	9	(7) A3
	A4	2BR TOWNHOUSE	1,164 SF	1,260 SF		(2) A4
4	A1	2BR FLAT	1,079 SF	1,134 SF	24	(8) A1
	A2	2BR FLAT	1,082 SF	1,134 SF		(16) A2
5	A3	2BR TOWNHOUSE	1,172 SF	1,260 SF	14	(12) A3
	A4	2BR TOWNHOUSE	1,164 SF	1,260 SF		(2) A4
6	A3	2BR TOWNHOUSE	1,172 SF	1,260 SF	10	(8) A3
	A4	2BR TOWNHOUSE	1,164 SF	1,260 SF		(2) A4
7	A3	2BR TOWNHOUSE	1,172 SF	1,260 SF	6	(4) A3
	A4	2BR TOWNHOUSE	1,164 SF	1,260 SF		(2) A4
8	B1	CLUBHOUSE		1,765 SF	2	(1) B1
	B2	BUSINESS		1,765 SF		(1) B2
9	A2	2BR FLAT	1,082 SF	1,134 SF	16	(8) A2
	A6	2BR FLAT	1,671 SF	1,765 SF		(8) A6
10	A1	2BR FLAT	1,079 SF	1,134 SF	24	(8) A1
	A2	2BR FLAT	1,082 SF	1,134 SF		(16) A2
11	C1	MAINTENANCE		630 SF		(1) C1
	C2	STORAGE		630 SF		(1) C2
SUB-TOTAL						185,839 GBSF
TOTALS			NON-RENTABLE		4	4,790 GBSF
			RENTABLE		155	181,049 GBSF

Parking Spaces Required:
1 space per Bedroom
(145) 2 BR Units x 2 Spaces = 290 spaces
(10) 1 BR Units x 1 Spaces = 10 spaces

Parking Spaces Provided = 320 spaces



City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	April 23, 2024
Agenda Item #:	E-7
Action Requested:	Text Amendment – Amend Section 2.2 Definitions Amend Section 7.3 Use Categories Add Section 8.28.4 Bed and Breakfast

During the recent, discussion regarding the Renfro House rezoning, it came to light that our current Bed and Breakfast regulations needed to be updated. While this topic was spurred by that discussion, the two issues are separate. This concerns the future location and operation of potential bed and breakfast uses community wide.

The most significant issue regarding the City of Opelika’s bed and breakfast regulations is the location in which they may operate. Traditionally, a bed and breakfast is a home that rents out rooms and provides some meals to the guests for a fee on a short-term basis. These homes are generally in a residential area that contains some uniqueness or adjacency to a downtown, historic, or other tourist destination. Currently, under the City of Opelika zoning regulations, a bed and breakfast is not permitted in most residential areas. It would be allowed in commercial and institutional zones. Most places that would be attractive for a bed and breakfast use are not zoned commercially. The one exception to this are the homes immediately adjacent to downtown on the north and south. This text amendment proposes modifying the permitted use table to allow the use as a conditional use in most residential zones. This allows the Planning Commission to review requests and hold a public hearing for potential sites. Additionally, the Planning Commission can then approve, deny, or approve with certain conditions.

In most zoning ordinances, bed and breakfast uses are required to meet common special development standards. These would be base conditions required of all new requests. These conditions can limit how many rooms and guest can utilize the site. They may also require food service, specify parking requirements, limit locations to certain capacity roads, or other items that may allow the use to better blend into a neighborhood setting without disrupting adjoining residential uses. Staff has provided some basic standards as a starting point for discussion or review. We have looked at other municipalities and current bed and breakfast uses (Hertiage House).

At the time of this report, the City Council is proposing to host a meeting on the proposed uses. In conversations with City Administration and affected parties, we feel that it is in the best interest of City to take time to make sure that the best possible regulations can be implemented. As such, we are requesting that no recommendation be made at the April meeting to allow more time for feedback and input into the potential change.

Recommendation: We recommend this item be tabled for consideration to the next meeting.

Engineering Department Report, Opelika Utilities Board Report, and Opelika Power Services Report

No report.

Added – Underlined

Removed - ~~Strikeout~~

SECTION 2.2 DEFINITIONS

When used in this ordinance, the following terms shall have the meanings herein ascribed to them:

Bed and Breakfast Inn. A ~~house~~ private residence or portion thereof, where short-term lodging, rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.

Bed and Breakfast Operator – A person who manages the daily operation of a bed and breakfast establishment and who resides within the establishment.

Hotel/Motel. ~~A building or group of buildings used or intended to be used for the daily lodging of more than ten (10) persons for compensation. A commercial establishment providing a private room for sleeping accommodations for a fee on a daily basis with private bathroom facilities and customary lodging services. Related ancillary uses may include, but are not limited to conference and meeting rooms, restaurants, sale of convenience items, bars, and recreational facilities.~~

B. Uses Allowed.

Uses allowed in each zoning district are determined from the following matrix. Categories for each use are:

1. Allowed – Allowed by right. Applicant need only submit the necessary plans for review to the zoning administrator.
2. Conditional Use – Further review required by the Planning Commission as directed by Section 8.17 of this ordinance.
3. Not allowed – Use not allowed in this zone.

Allowed – A

Conditional – C

Not Allowed – N

C. Use Categories.

USES	DISTRICTS															
	R-1	R-1A	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
RESIDENTIAL																
Tourists Home, Bed & Breakfast Inn	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	A	A	A	N	N	A	C	C

SECTION 8.28.4 BED AND BREAKFAST

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A. **Purpose and Intent**

The purpose and intent of this section is to regulate and provide special standards for the uses of single-family homes for bed and breakfast inns. This special residential use allows short-term lodging and meals in a private residence where the use and operation of the bed and breakfast maintains the character of the surrounding neighborhood. For the purposes of determining signage and landscaping, this shall be considered a residential use.

B. **Use Standards**

1. Location – Guest lodging shall be restricted to the principal dwelling unit only; guest rooms shall not be in any accessory structures.
2. Operational Requirements
 - a. Bed and Breakfast uses shall only be allowed in operator-occupied or owner-occupied dwelling units serving as the principal residence of the host.
 - b. Breakfast shall be served daily to guest and cost of such service shall be included in the overall lodging rate.
 - c. The maximum number of guest rooms shall be limited to six (6) or less.
 - d. The number of guest rooms shall be noted at the time of application for use approval. The number of guest rooms shall not be increased without going through the same approval process.
 - e. The maximum stay for any guest shall be 29 days.
 - f. ~~The maximum occupancy per room shall be limited to two (2) adults and two (2) children.~~
 - g. No guest rooms shall contain their own cooking facilities.
 - h. The operation of the facility shall be in character with the adjoining residential properties. Lighting, parking, and waste collection shall be handled in similar methods to the adjacent properties. The applicant shall provide a plan and/or narrative that shall describe how these issues will be addressed. Additional landscaping, fencing, or screening may be required through the conditional use process or by the Planning Director for locations where the use is allowed.
 - i. The use shall be in compliance with all federal, state, and local laws, including, but not limited to all building, fire and life safety codes, and environmental health regulations for the level of occupancy of the lodging.
3. Parking – The use shall be required to provide one (1) on-site parking space per guest room in addition to the required parking for the residential use requirement. No

Added – Underlined

Removed - ~~Strikeout~~

parking shall be located within a front yard. All parking shall be screened from the public right-of-way and adjoining residential properties.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	April 23, 2024
Agenda Item #:	E-8
Action Requested:	Text Amendment – Amend Section 6.4 Purpose and Intent Amend Section 7.3 A District Regulations Amend Section 7.3 C Use Categories

During the recent, discussion regarding the Renfro House rezoning, there was a great deal of discussion regarding the institutional zone. Many residents feared that the zone could allow commercial in areas where it may be detrimental to residential neighborhoods. Many of the concerns were unlikely to ever occur, but some of the issues raised were valid.

The zoning ordinance defines the Institutional District as:

I-1 Institutional District. This district is 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.

As the intent section states, the zone is typically applied to create a zone for uses that are more intense than most residential zones, but also limits commercial uses that may impact them. In some cities, the institutional zone is also considered a floating zone that can allow non-residential uses under certain circumstances. This has been used function of the zone has been used a few times in Opelika including with the Brownfield House, Ward Funeral Home, and Darden House.

A majority of the property zoned as I-1 in the City of Opelika is owned and used by the City of Opelika or Opelika Board of Education for offices, parks, and schools. There are also many properties that area owned by other local, state, or federal entities. This includes property owned by Lee County, Lee County Board of Education, Auburn University (AU Airport), Southern Union Community College, Alabama Armory Commission, and the federal government (Post Office, National Guard Armory). Finally, there are some properties owned by individual entities like Lee County Fairgrounds, Ward Funeral Home site, Darden House, Frazier Dental site, Greater Peace Church, and property for the historic commercial in Pepperell Village. The largest non-governmental owner of institutional property is East Alabama Medical Center.

There uses allowed in this zone are typically those associated with types of uses above. These uses include governmental offices, medical related uses, parks, schools, and churches. The City of Opelika zoning ordinance allows a few more uses that are allowed outright in the zone as well. These include banks, day cares, restaurants, and hotels. While some of these uses are appropriate in some areas of the I-1 District, there are many places that the uses may not be appropriate or at

least without some additional conditions. Most of the properties zoned I-1 are sporadically spread throughout the city and often in residential areas. As such we are recommending that some of the uses be changed from allowed by right to conditional. We have also recommended that a few uses be changed from not allowed to conditional as well.

Use	Existing	Proposed
Single-Family	Allowed	Allowed
Apartments	Conditional	Conditional
Group Homes	Allowed	Allowed
Domiciliary	Conditional	Conditional
Bed and Breakfast	Allowed	Allowed
Professional Office	Allowed	Allowed
Office for Dentist/Physician	Allowed	Allowed
Bank without drive through	Allowed	Conditional
Day Care Center	Allowed	Conditional
Fraternal Hall – conditional	Conditional	Conditional
Restaurant (non-fast food)	Allowed	Conditional
Fast Food Restaurant	Conditional	Conditional
Airport	Allowed	Conditional
Guard/Reserve Center	Allowed	Conditional
Funeral Home, Cemetery, Mausoleum, Columbarium, Crematorium	Allowed	Conditional
Medical Clinic	Allowed	Conditional
Pharmacy	Allowed	Conditional
Laboratory	Allowed	Conditional
Retail Medical Supply	Allowed	Conditional
Medical Cannabis Dispensary	Conditional	Conditional

Many of the uses would be unlikely to operate within a residential area because they would not have the size property or commercial viability to operate. Some of the uses like guard center or airport would likely be operated through a governmental agency which the city may not be able to regulate due to the supremacy clause. The medical cannabis use would remain conditional, but would be prohibited from residential areas because of specific distance requirements in their special development standards.

Again, the area most likely to be affected by this is the area surrounding the hospital. There are some uses that instead of being allowed by right may need to seek conditional use approval. This could include some larger clinics or pharmacy not part of the primary hospital complex. Many of these uses located within the hospital campus would likely be considered accessory uses to the overall hospital complex. Additionally, professional and medical offices were not modified because these uses typically have few negative impacts on neighbors and it could have significant impact on the outlying properties around the hospital.

As previously mentioned two uses were recommended to be moved from not allowed to conditional. These uses were post office and indoor recreation. The current post office is zoned institutional. Again, the city would likely have little to no authority to regulate the post office if it were owned by federal government. The indoor recreation use is common with park, church,

school, and medical facilities and may be able to operate with proper conditions in many of the I-1 zones.

The other change proposed to the I-1 zone is to apply a density to the District Regulation table. While apartments and single-family residential are permitted or conditional uses, there is no maximum density associated with it. To avoid any potential confusion or abuse, staff has recommended that this be set to 16 units per acre. This would allow potential housing in the more commercial areas where the use is located, but does not require that full density is allowed in every case. As with any development, staff recommends a density based on the comprehensive plan recommendations and the surrounding zoning and development.

Recommendation: We recommend the Planning Commission send a positive recommendation to the City Council.

Engineering Department Report, Opelika Utilities Board Report, and Opelika Power Services Report

No report.

SECTION 7.3 SPECIFIC DISTRICT REGULATIONS

The following pages contains specific regulations for each district including uses permitted, uses prohibited, required lot area, density limitations, setbacks, and height limitations.

A. District Regulation.

The following regulations govern the yard and area requirements for each district.

AREA REQUIREMENTS	DISTRICTS												GC -P	GC-S
	R-1	R-1A	R-2	R-3 ¹	R-4/M	R-5/M	C-1	C-2	C-3	M-1	M-2	I-1		
Dwelling Units Per Acre	1	1.25	2.5	3.5	9	16	28	16	16			<u>16</u>		

C. Use Categories.

USES	
	I-1
RESIDENTIAL	
Single-Family	A
Apartments	C
Houses for Handicapped or Infirm	
Child Care Homes	A
Group Homes	A
Domiciliary	C
Tourists Home, Bed & Breakfast Inn	A
Hotel, Motels, and Similar Business	A C
Temporary Emergency, Construction and Repair Residences	A

Offices, Clinical, Research and Services Not Primarily Related To Goods or Merchandise	
Operation Designed to Attract and Serve Customer or Clients on Premises such as Office of Attorney, Physicians, Other Professions, Insurance, Stock Broker, Government Building, etc.	A
Office of Physicians or Dentist	A
Banks	A C
Banks with Drive-in Windows	A C
Day Care Center	A C
Social, Fraternal clubs and Lodges and Union Halls, and Similar Uses	C
Indoor Fitness Center	N C
Restaurant, standard	A C
Fast Food Restaurant	C
Miscellaneous Public & Semi Public Facilities	
Post Office	N C
Airport	A C
Military Reserve or National Guard Center	A C
Funeral Home	A C
Cemetery	A C
Mausoleum²	A C
Columbarium³	A C
Crematorium⁴	A C
Medical Related	
Medical or Dental Clinic	A C
Pharmacies	A C
Medical Research Laboratories	A C
Retail Medical Supply	A C
Medical Cannabis Dispensary	A C