



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

June 25, 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 Plat and Conditional Use - Public Hearing**
 1. Waverly Woods SD, 83 lots, accessed from Waverly Place, Hayes Eiford and Mike Maher, authorized representative for Whiteridge Opelika LLC, and R&S Properties LLC, preliminary approval
 2. Hayes Eiford and Mike Maher, authorized representative for Whiteridge Opelika LLC and R&S Properties, LLC, accessed from Waverly Place, R-3, 78 twinhome lots, three open space lots, and one lot for future development.
 - B. **Preliminary and Final Plat - Public Hearing**
 3. Asheton Village SD, 45 lots, accessed at 5067 Birmingham Highway, Nick Howell, authorized representative for 2H Properties LLC, preliminary and final approval
 - C. **FINAL PLAT**
 4. Wyndham Gates SD, Pod 3, Phase 7, 14 townhome lots, accessed at Alana Court and Raiden Circle, Jeff Adams authorized representative for DRB Group Alabama LLC, final approval
 - D. **CONDITIONAL USE - Public Hearing**
 5. Pamela Viale, authorized representative for The Brown Agency, accessed at 103 Rocket Avenue, M-1, Church.
 6. David Slocum, authorized representative for Food Bank of East Alabama, at 1699 16th Place, M-1, GC-S, Food Bank grocery store.
 7. Blake Rice, Barrett-Simpson, Inc., authorized representative for BH 55 LLC, accessed from Corporate Drive, I-1, 204-unit apartment development.
 - E. **REZONING - Public Hearing**
 8. (a) Amendment to the Future Land Use Map accessed at 711 Pleasant Avenue, 22,450 square foot lot, from a high density residential land use category to light commercial.

(b) Rezoning request, Kibwe LLC, 22,450 square foot lot, accessed at 711 Pleasant Drive, from R-5M to C-2.

9. Rezoning request, Hayley Investments LLC, three lots (18,696 square feet), accessed at First Avenue or North 7th Street, from a C-2 to C-1.

V. OLD BUSINESS

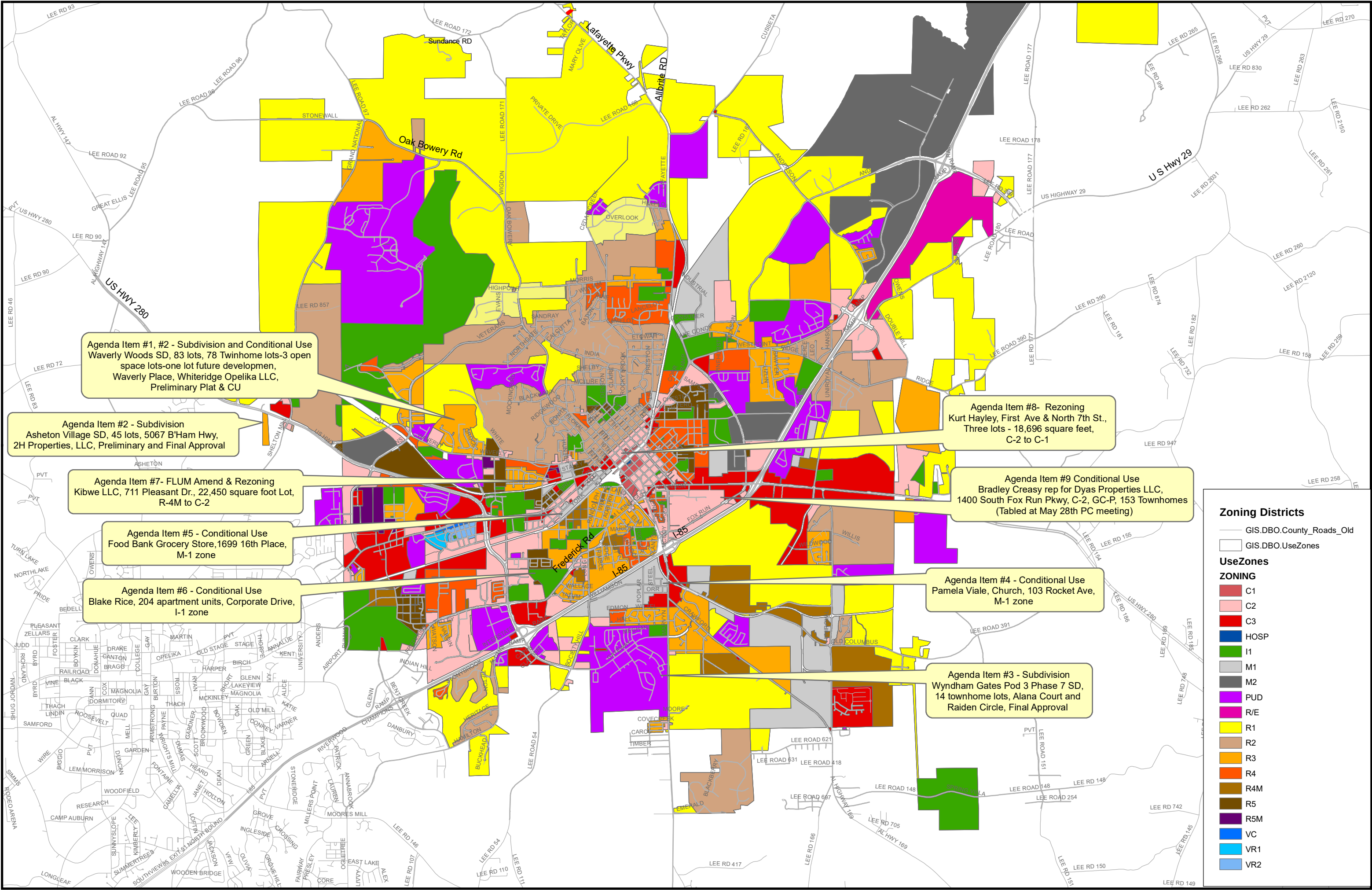
F. **CONDITIONAL USE - Public Hearing**

10. Bradley Creasy, authorized representative for Dyas Properties, LLC, accessed at the 1400 block of South Fox Run Parkway, C-2, GC-P, 153-unit townhouse development. *(This item was tabled by the applicant at the May 28, 2024 meeting.)*

G. **FINAL PLAT**

11. Firefly SD, Phase 1, 95 lots, accessed at 3169 Columbus Parkway, Daniel Holland, authorized representative for Firefly Development Lee, LLC, final approval *(This item was tabled by the applicant at the May 28, 2024 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.”



Agenda Item #1, #2 - Subdivision and Conditional Use
Waverly Woods SD, 83 lots, 78 Twinhome lots-3 open
space lots-one lot future developmen,
Waverly Place, Whiteridge Opelika LLC,
Preliminary Plat & CU

Agenda Item #2 - Subdivision
Asheton Village SD, 45 lots, 5067 B'Ham Hwy,
2H Properties, LLC, Preliminary and Final Approval

Agenda Item #7- FLUM Amend & Rezoning
Kibwe LLC, 711 Pleasant Dr., 22,450 square foot Lot,
R-4M to C-2

Agenda Item #5 - Conditional Use
Food Bank Grocery Store,1699 16th Place,
M-1 zone

Agenda Item #6 - Conditional Use
Blake Rice, 204 apartment units, Corporate Drive,
I-1 zone

Agenda Item #8- Rezoning
Kurt Hayley, First Ave & North 7th St.,
Three lots - 18,696 square feet,
C-2 to C-1

Agenda Item #9 Conditional Use
Bradley Creasy rep for Dyas Properties LLC,
1400 South Fox Run Pkwy, C-2, GC-P, 153 Townhomes
(Tabled at May 28th PC meeting)

Agenda Item #4 - Conditional Use
Pamela Viale, Church, 103 Rocket Ave,
M-1 zone

Agenda Item #3 - Subdivision
Wyndham Gates Pod 3 Phase 7 SD,
14 townhome lots, Alana Court and
Raiden Circle, Final Approval

Zoning Districts

- GIS.DBO.County_Roads_Old
- GIS.DBO.UseZones

UseZones

ZONING

C1
C2
C3
HOSP
I1
M1
M2
PUD
R/E
R1
R2
R3
R4
R4M
R5
R5M
VC
VR1
VR2



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

May 28, 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 May 28, 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. Sheldon Whittelsey, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Michael Hilyer and Mr. Jay Walters.

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 April 23, 2024

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that the Thomason Road rezoning passed at City Council and that the changes to the text amendment for the Institutional zone will be going to City Council next month. He stated that item 4 was withdrawn by the applicant and item 10 was requested to be tabled by the applicant.

IV. NEW BUSINESS

A. **PLAT (Preliminary) - Public Hearing**

1. Wyndham Village SD, Phase 3, 100 lots, accessed from Wyndham Village Drive, Brandon Bolt, authorized representative for Tyler Findley, Windham Gateway LLC, preliminary approval

Mr. Mosley presented the staff report to the Planning Commission for the Wyndham Village Subdivision Phase 3, accessed from Wyndham Village Drive. He stated that staff recommends preliminary plat approval subject to the following:

1. **Sidewalks are required on at least one side of the street.**
2. **All utilities shall be underground.**
3. **Add a note to the plat to state the ownership, maintenance, and use restrictions of the areas described as open space, park, and/or future amenity. Access needs to be preserved to the amenity as shown on the master plan.**
4. **The 50' Power Company transmission line area on the rear of Lots 10-20 will need to be addressed concerning ownership and maintenance, including fencing and structure restrictions in this area.**
5. **Add the remainder tract information.**
6. **Label the right of way width of Street J and Street I.**
7. **Add all required certificates and signature blocks to the final plat.**
8. **Add names and addresses of record owners of adjoining land, including property with frontage along rights of way which bound the subject property.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available through existing neighborhood streets. Water infrastructure installation must be reviewed and approved by Opelika Water before acceptance and approval of final plat.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Chair Cannon asked if there will be any trees in this area or if they will be clear cutting?

Mr. Mosley stated that this was approved in 2006 as a PUD and at that time staff wasn't consistently requiring a planting plan on lots, so there isn't one for this Master Development Plan.

Chair Cannon states that it would look better if there were trees.

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

NAYS: None

ABSTAIN: None

2. Fox Run SD, Phase 5, 134 lots, accessed from 1201 Foxrun Parkway, Spencer Cothran and Mike Maher, representative for Fox Run Phase V LLC, preliminary approval
Mr. Mosley presented the staff report to the Planning Commission for the Fox Run Subdivision Phase 5, accessed from 1201 Foxrun Parkway. He stated that staff recommends preliminary plat approval subject to the following:

- **Note the use, ownership and maintenance of the common/open space areas.**
- **Underground utilities shall be required**
- **Sidewalks shall be required on at least one side of the street.**
- **The existing right-of-way will need to be vacated.**
- **Add buffer along the rear of Lots 1-16.**
- **Woodland Circle will likely need to be renamed due to the configuration of the street in the other phase.**
- **No fences shall be allowed in easements, particularly Lot 101.**
- **Explain how the uneven number of lots will be handled along Meadow Lane.**
- **Note how Lot 134 will be used or if this will be open space/common area.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that ALDOT will manage and regulate the access to Fox Run Parkway via Brookstone Drive and may require additional turn lanes. He stated that water is available from Brookstone Drive and Woodland Circle. Connections must be at both streets for this development. Water infrastructure installation must be reviewed and approved by Opelika Water before acceptance and approval of final plat. He stated that this subdivision is not in Opelika Power Services territory.

Chair Cannon opened the public hearing.

Becky Ballas, 2916 Lakeview Terrace, stated that she was representing Legacy Senior Living and that they share Brookstone Drive that goes to the subdivision being added. She stated that they didn't have a problem with that but that after speaking with ALDOT they were concerned that the turn lane coming from the north might be blocked off, which would hinder people coming to their business. She stated that their other concerns were that they would take the curb out of Brookstone and that there would be other traffic problems that might cause safety issues.

Mr. Parker stated that ALDOT has requested the island be removed in between the two lanes and in place of that there will be a right and left turn lane to exit the center. He stated that there will be a left turn lane dedicated to that turn. He stated that they are going to add a left turn lane into Brookstone as well. He stated that most of the traffic will be exiting at the existing exit.

Becky Ballas asked if there were lots behind their building?

Mr. Parker stated that he thought the creek separated them from the lots.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee

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

B. Preliminary and Final Plat - Public Hearing

3. Drake's Landing SD, Section 2, 32 lots, accessed from Webbed Way, Mark Strozier, authorized representative for Edgar Hughston Builder Inc., preliminary and final approval

Mr. Mosley presented the staff report to the Planning Commission for the Drake's Landing Subdivision Section 2, accessed from Webbed Way. He stated that staff recommends final plat approval subject to the following:

- 1. Change signature line Opelika Utilities Board to Opelika Water Board**
- 2. Sidewalks are required on at least one side of the street where homes are constructed and provide sidewalks to access the designated open space areas shown on plat.**
- 3. Install underground utilities.**
- 4. Add a note on plat with the minimum building setbacks. Approved proposed minimum building setbacks: 25' front yard, 8' side yard, 20' rear yard, and 25' side on street (corner lots).**
- 5. Install a residential buffer as approved at the Dec 2021 PC meeting: Along the south perimeter property line install a 6' high opaque fence along the rear property lines of the following lots - Lot 64 to Lot 79 and install at least a 20.5 foot fence section beginning at the corner of Lot 80. For Lots 64 to 80, Label on the rear property line "6' fence" when the site plan for a lot is submitted requesting a building permit.**
- 6. Ensure all easements are shown and labeled on the final plat.**
- 7. Provide a temporary turnaround for any street stub exceeding 150 feet.**

Mr. Mosley stated that final testing on the manholes did not pass and representatives from the Public Works Department feel like this is something that can be held for signatures.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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.
- Maintenance Bond of 25% of the infrastructure construction cost will need to be submitted.
- 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

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Chair Cannon asked about the sewer issues?

Mr. Mosley stated that typically if there are minor issues with testing, the Public Works Department will not sign the plat until the sewer is installed and up to code.

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

NAYS: None

ABSTAIN: None

C. FINAL PLAT

4. Firefly SD, Phase 1, 95 lots, accessed at 3169 Columbus Parkway, Daniel Holland, authorized representative for Firefly Development Lee, LLC, final approval

Mr. Mosley stated that this item was withdrawn by the applicant and that staff expects it to be back at next month's Planning Commission meeting.

5. National Village 3A SD, 49 lots, accessed from Robert Trent Jones Trail and National Village Parkway intersection, Mike Maher and Ab Conner representative for Retirement System of Alabama, final approval

Mr. Mosley presented the staff report to the Planning Commission for the National Village 3A Subdivision, accessed from Robert Trent Jones Trail and National Village Parkway. He stated that staff recommends final approval subject to the following:

1. **Add a note that Outparcels A-E are open space lots, type of use, and add the property owner name.**
2. **Add a note with all minimum setbacks.**
3. **Certifications on the three plat sheets are not necessary. One sheet is adequate for certifications.**
4. **Install sidewalks on at least one side of all streets.**
5. **All utilities shall be underground.**
6. **Remove Note #8 – “The site is not in the Saugahatchee Watershed”.**
7. **Add a note that the site is served by Opelika public sewer.**
8. **Remove label for Lot 35**
9. **If trail remains on Lots 25 and 41 provide an access easement.**

10. **Ensure all easements are shown and labeled on the final plat. Easements may be missing or need clarification on the following lots:**
 - o Lot 4 has an easement that does not continue
 - o Lot 1 sanitary sewer easements point to different lines
 - o Easement between Lot 20 and road does not extend into the right-of-way
 - o Generally, clarify where utility easements and specific easements are adjacent or overlap.
11. **Add note preventing Lots 36-41 from taking access from National Village Parkway.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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.
- Maintenance Obligation letter is required for this subdivision.
- 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.

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed. He stated that this subdivision is not in Opelika Power Services territory.

Motion to grant final plat approval with staff recommendations

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

6. The Village at Waterford SD, Phase 4B, 60 lots, accessed from Stokes Avenue and Jansen Avenue, Jeff Adams, authorized representative for DRB Group Alabama, LLC, final approval

Mr. Mosley presented the staff report to the Planning Commission for the Village at Waterford Subdivision Phase 4B, accessed from Stokes Avenue and Jansen Avenue. He stated that staff recommends final approval subject to:

1. **Install underground utilities.**
2. **Install sidewalks on at least one side of all streets.**

3. **Add a note on final plat that street trees are required as described in the Village of Waterford Master Plan: At a minimum plant at least one street tree every two lots; trees must be planted on private property.**
4. **Change Opelika Utilities Board to Opelika Water**
5. **Add note listing setbacks**
6. **Account for the remainder property.**
7. **Ensure all easements are shown and labeled on the final plat.**
8. **Provide a temporary turnaround for any street stub exceeding 150 feet.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that 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.
- Maintenance Bond of 25% of the infrastructure construction cost will need to be submitted.
- 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.

He stated that installed water infrastructure must be approved by Opelika Water before Plat can be signed.

Motion to grant final plat approval with staff recommendations

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

D. CONDITIONAL USE - Public Hearing

7. David Slocum, authorized representative for Wayne Gentry, accessed at Fox Run Parkway, C-2, GC-P, 22 townhomes.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for townhomes accessed at Fox Run Parkway. He stated that staff recommends approval subject to the following:

1. The exterior materials must meet the gateway corridor cladding requirements as provided in Section 7.6
2. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.
3. The dumpsters should be screened with materials compatible with the buildings.
4. Create a near opaque screen consisting of a combination of evergreen trees and shrubs along McCoy Street and Stowe Avenue including right of way that is planned to be dedicated, buffer along the north and east property lines, and the east side of the private driveway that ends at Stowe Avenue. The screening should follow the description in this report.
5. Any fencing shall be located between the landscape buffer and the rear of the townhome unit including the townhomes that back up to McCoy Street or the street to be dedicated.
6. Ensure that the potential right-of-way for the extension of Stowe Ave is preserved.
7. The private street between this development and the apartments to the south shall be dedicated to the City prior to the Certificate of Occupancy being granted.

Mr. Parker provided the reports for Engineering, Opelika 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.

The Engineering Department has concerns with this proposed Conditional Use because the creation of the building for units 16, 17, and 18 will cut off the path of the extension of the roadway. This is not acceptable and these units will need to be removed for a positive recommendation for approval.

He stated that water is available from existing private drive and McCoy Street. He stated that this subdivision is not in Opelika Power Services territory.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Sheldon Whittelsey

DISCUSSION: Councilman Allen asked if Opelika Power would service this location?

Mr. Parker stated that their report stated this subdivision is not in Opelika Power Services territory but that staff would confirm this.

Chair Cannon asked if the parking would be in the front or if there would be on-street parking?

Mr. Mosley stated that it is not on-street parking and that the parking pads

	will be in front next to the private street. He stated that there is room for two cars.
AYES:	Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

8. Blake Rice, Barrett-Simpson, Inc., authorized representative for JD Real Properties, LLC, accessed at 4800 Birmingham Highway, C-3, GC-P, Extreme Power Sports off-road equipment sales

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for Extreme Power Sports off-road equipment sales accessed at 4800 Birmingham Highway. He stated that staff recommends approval subject to the following conditions (These conditions include the conditions approved at the July 26th and September 27th Planning Commission meetings.)

1. **Extend trees along the front property line of Highway 280 to the west side property line. The number of trees is based on the tree type as provided in Landscape Regulations.** Spacing should be generally meet the ordinance, although some grouping may occur to allow for better visibility.
2. **Add trees down the right of way of Grand National Parkway if that area is disturbed**
3. **ATV outdoor display is limited to the areas shown on drawing attached. No parts or tires shall be displayed or stored outside.**
4. **Enclose dumpster on all sides with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.**
5. **Wall signs are shown on the elevation drawings. This conditional use review does not include a review of signage. A Sign Permit application must be completed and approved by Planning staff and Building Inspections before any permanent signs are installed. Contact Planning staff to obtain approval for temporary signs before any temporary signs are installed.**
6. **If outside lighting is proposed for ATVs, brightness must not exceed 1 footcandle at the property line.**
7. **Fence material to secure ATVs must be a commercial architectural style (ex. Ornamental decorative fencing or rod-iron appearance). Wire mesh or chain link type fencing is prohibited.**
8. **The display area must be hard surface – concrete or asphalt - not gravel or yard area.**
9. **All equipment and mechanical areas must be screened from the public right-of-way not to be visible, including rooftop mechanical systems to meet the gateway corridor requirements.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that the roadway access and spacing meets the Public Works Manual requirements. No additional turn lanes will be required for this development. He stated that water is available from Grand National Parkway. He stated that this subdivision is not in 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: Mayor Gary Fuller

SECONDER: Director John Sweatman

DISCUSSION: Mr. Sweatman asked if there would be restrictions or limitations on what they are allowed to display in the display area?

Mr. Mosley stated that they would not be allowed to display parts or tires but that there aren't restrictions on the types of vehicles.

Mr. Whittelsey asked if there would be detention on site?

Mr. Parker stated that it needs to be designed and studied but that typically it will be on site.

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

NAYS: None

ABSTAIN: None

9. Foresite Group, LLC, authorized representative for Broad Metro, LLC, 3310 Society Hill Road, C-2, GC-P, 323-unit apartment development.

Mr. Mosley presented the staff report to the Planning Commission for the proposed conditional use request for a 323-unit apartment development accessed at 3310 Society Hill Road. He stated that staff recommends approval subject to the following:

1. **Approval of this conditional use is contingent on Zoning Board of Adjustments approval of a parking variance or meeting the standard parking requirements in the Zoning Ordinance.**
2. **Add residential buffers on the northeast and south sides per the requirements of the zoning ordinance. If an undisturbed buffer is used, additional planting will need to be added to insure the screening is appropriate.**
3. **Adjust the landscape plan to meet the minimum requirements of the plan.**
4. **Add trees along the Society Hill Road frontage consistent with the Gateway Corridor parking buffer requirements.**
5. **Note the materials proposed for the units. All four sides of the development we recommend meet the Gateway Corridor cladding requirements with use of masonry consistent with the provided elevations. Buildings shall be substantially similar in terms of materials, roofline, fenestration, and other design features with the provided elevations.**
6. **If dumpsters are installed, dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure.**
7. **All utilities shall be underground except overhead required transmission lines.**
8. **All mechanical and hvac units shall be screened from the public right-of-way.**
9. **Any gates will need to be coordinated and approved by Opelika public safety departments for emergency entry.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that a traffic study will be required, or an agreement for additional turn lanes on Society Hill Road can be reached by the applicant and Engineering Department. He stated that water is available from Society Hill Road and Freddie Way/Capps Dr. in Capps Landing. If

property access is available, it is preferred that water be fed from both directions for this development. Master meters for each building or sets of buildings may be required. Design review process will determine best configuration. He stated that this subdivision is not in Opelika Power Services territory.

Chair Cannon opened the public hearing.

Brett Basquin, Foresite Group, stated that only one of the buildings will be 4 stories and that the others will be 3 stories. He stated that this property is served by Opelika Power and that there is only one spot on the property that is outside their territory and that is the clubhouse, which will be served by Alabama Power. He stated that 70% of these units are one bedroom. He stated that in regard to parking, there will be two spaces per unit on the two and three bedroom units and on the one bedroom units there will be one space plus visitor parking.

Chair Cannon asked how many trees they would be putting up?

Brett Basquin stated that there are a lot required by the landscape ordinance.

Mr. Mosley stated that it is almost 200.

Brett Basquin stated that on Society Hill Road there is a power line and they will probably plant them behind the power line so they don't get cut.

Mr. Whittelsey asked if they are going to bridge over or culvert the creek?

Brett Basquin stated that it will be a culvert.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

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

10. Bradley Creasy, authorized representative for Dyas Properties, LLC, accessed at the 1400 block of South Fox Run Parkway, C-2, GC-P, 153-unit townhouse development.

Mr. Mosley stated that this property is in the floodplain and after discussion with the City floodplain manager and other public safety officials, staff felt there needed to be more discussion about this prior to giving approval. He stated that the applicant requested this item be tabled.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to table the item to the June 25, 2024 Planning Commission meeting at the applicant's request.

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

E. REZONING - Public Hearing

11. (a) Amendment to the Future Land Use Map accessed from North 29th Street and Cunningham Drive, 34.5 acres, from light commercial land use category to a mixed use category (residential and commercial).

(b) Rezoning request, Hayes Eiford, Samford Group LLC, representative for Saucier Investments, LLC, 34.5 acres, accessed from North 29th Street and Cunningham Drive, from C-2 to a PUD.

Mr. Mosley presented the staff report to the Planning Commission for the rezoning request for 34.5 acres accessed from North 29th Street and Cunningham Drive, from C-2 to a PUD. He stated that staff recommends a positive recommendation to rezone the property from C-2 to PUD, it should be subject to the following:

1. **Provide sidewalks on both sides of each street adjoining an amenity or residence. Additional internal sidewalks should connect parts of the commercial areas.**
2. **All utilities shall be underground.**
3. **All multi-family and commercial buildings shall meet the Gateway Corridor cladding requirements. The larger mixed use and multifamily buildings should have significant amounts of masonry on the front and visible facades.**
4. **Non-single family sections of the development shall meet the landscaping requirements at time of development unless a master landscape plan is submitted.**
5. **One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.**
6. **Open space shall be clearly marked and the use and maintenance shall be noted on the plat.**

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available along the perimeter of the proposed development. Water mains within the development are out of service and abandoned. New water mains will be required through proposed development streets. Details of connections and new mains can be developed during plan review.

Chair Cannon opened the public hearing.

Julie Stanley, 202 N 29th Street, stated that half of her backyard is where they will be moving 28th Street. She stated that these roads are small and need to be widened. She stated that she has concerns with the traffic, noise, water pressure and drainage. She asked how the City is going to address these problems?

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for rezoning to City Council.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Councilman Ward 1 Willie Allen
DISCUSSION:	Chair Cannon stated that she wanted to see 50-foot lots. She stated that she felt 40-foot lots didn't keep in character with the neighborhood.
	Daniel Holland, Holland Homes, stated that they are proposing plans that they specifically made to integrate with the Mill Village. He stated that he felt the 50-foot lots that they added last time help tie in and transition it.
	Chair Cannon stated that she felt the other lots on those blocks need to be 50 feet too.
	Daniel Holland stated that they are trying to meet the market and if the lot width increases, the cost of the homes will go up. He noted that they would lose two lots on each street if they did that.
	Mr. Whittelsey asked how these lots will be parked?
	Daniel Holland stated that there will be a driveway and parking for two cars on each lot. He stated that their typical concrete parking pad for residential units is 20 by 22 feet.
AYES:	Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	Chair Cannon, Whatley
ABSTAIN:	None

F. Master Plan Revisions - Public Hearing

12. The Villages at Opelika PUD, Minor Amendment to the Master Plan, Hi Pack Road, Joe Mazzucchelli, representative for Trust Homes Southcoast, LLC, The amendment changes the use of the 23,160 sf amenity lot from playground equipment & open space to a 1,440 sf office, gym, and storage building with an 800 sf open covered patio attached to the building and open space. The amendment provides more opportunities for the residents.

Mr. Mosley presented the staff report to the Planning Commission for the minor amendment to the Master Plan at Hi Pack Road. He stated that staff recommends approval of the minor amendment to the Villages of Opelika master plan to allow the construction of a 1,400 sf building for an office, storage area, gym, and an 800 sf open covered patio.

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 grant approval of the minor amendment to the Master Plan

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman

NAYS: None

ABSTAIN: None

G. ANNEXATION

13. Annexation, Antione Harvis, Sr., 48 acres, accessed from 2051 Highway 169, A commercial zone will be requested at a later time.

Mr. Mosley presented the staff report to the Planning Commission for an annexation request of 48 acres accessed from 2051 Highway 169. He stated that staff recommends the Planning Commission send a positive recommendation to the City Council to annex the 48.3 acres.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He stated that water is available from Highway 169. There is an existing 12-inch water main on the property that is active. Water main can be abandoned with proper planning and coordination. He stated that this subdivision is not in Opelika Power Services territory.

Motion to send a positive recommendation for annexation to City Council.

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Arturo Menefee

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

NAYS: None

ABSTAIN: None

V. OLD BUSINESS

H. Text Amendment to the Zoning Ordinance - Public Hearing

14. 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*)

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 section: Section 8.28.4 Bed and Breakfast. He stated that staff recommends the Planning Commission send a positive recommendation to City Council.

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

Councilman Allen made a motion to remove the item from the table.

Mr. Sweatman seconded the motion.

Ayes: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller, Councilman Ward 1 Allen, and Director Sweatman.

Nays: None.

Abstain: None.

Chair Cannon opened the public hearing.

Philip Rowton, 515 N 10th Street, stated that he was against the text amendment and that his concerns included the events, traffic, and lack of restrictions.

Tony McCarty, 505 N 10th Street, stated that he was against the text amendment and that his

concerns included the quality of his neighborhood, parking, and parties. He asked the Commission to vote against the text amendment.

Burt Boykin, 2001 Park Place N, stated that he was representing Mr. Rowton. He read a statement that addressed concern about events and parties in neighborhoods and the effects they will have on the City. He asked the Commission to recommend denial of the text amendment.

Clay Harper, 904 5th Avenue, stated that he was against the text amendment and that his concerns included trespassing and events. He asked the Commission to vote against the text amendment.

Jason Lanz, 410 N 9th Street, stated that he was against the text amendment and that his concerns included noise, on premise owner/operator, and events.

Brian Perdomo, 1015 4th Avenue, stated that he was against the text amendment and that it felt targeted towards the Renfro House. He asked the Commission to consider everyone and not just one person.

Gary Larude, 408 N 11th Street, stated that he supported the text amendment and that he was in favor of bed and breakfasts. He noted that they require use permits and that he didn't think Opelika would be flooded with bed and breakfasts. He stated that he supported the tourism industry.

Charlie Brewer, 315 N 10th Street, stated that he was against the text amendment and that his concerns included the number of people allowed for events, parking, and alcohol being served near churches.

Julie Lock, 501 N 10th Street, stated that she was against the text amendment and that she felt people would be interested in the house for residential use.

Megan Perdomo, 1015 4th Avenue, stated that she was against the text amendment and that her concerns included noise, traffic, and parties. She noted that she tried to buy the Renfro house as a residential property.

Chair Cannon closed the public hearing.

Motion to send a negative recommendation for text amendment to City Council.

RESULT: Passed

MOVER: Leigh Whatley

SECONDER: Sheldon Whittelsey

DISCUSSION: Mr. Mosley stated that for clarification, staff was directed by City Council to look at this. He stated that the reason we have conditional uses is that some uses don't work everywhere. He stated that allowing the use as a conditional use does not mean that it will be allowed everywhere.

Mr. Sweatman thanked staff for the hard work that was done on this text amendment.

Mr. Whittelsey agreed.

Chair Cannon stated that the commissioners were unaware of the meetings

that citizens were having regarding this item.

Mrs. Whatley stated that the lack of representation from the City at those meetings was disappointing.

AYES: Chair Cannon, Whatley, Whittelsey, Menefee, Mayor Fuller

NAYS: Councilman Ward 1 Allen, Director Sweatman

ABSTAIN: None

VI. ADJOURN

Motion to adjourn at 4:57 p.m.

RESULT: Passed

MOVER: Director John Sweatman

SECONDER: Sheldon Whittelsey

AYES: Chair Cannon, Whatley, Whittelsey, 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:	June 25, 2024
Subdivision:	Waverly Woods SD
Agenda Item #:	A-1
Action Requested:	Preliminary Approval
Location of Property:	Waverly Place
Property Owner(s):	Whiteridge Opelika LLC & R&S Properties, LLC Hayes Eiford and Mike Maher, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	R-3

Proposal

The applicant is requesting preliminary plat approval for 83 lots: 78 twin home lots, 3 open space lots, one common area lot (Lot 82), and one future phase lot (Lot 83). The lots will be accessed from a new street; the street is an extension of an existing stub-out street that intersects Waverly Place.

The total developed area is 70.5 acres. The total area of phase one is 39.3 acres. The developed area for twin home lots in phase one is 12.3 acres; the remaining 21.5 acres (Lot 82) in phase one will be preserved as open space and labeled an unbuildable area. A floodplain and severe elevations are on the north and west sides (Lot 82) of phase one. It was unfeasible for a new street to extend to the north and west property lines for home construction. A note will be added to the final plat that the 21.5 acres (Lot 82) will be preserved as unbuildable common area; Phase two (Lot 83) is 28 acres and shown as “Future Development” on plat.

Three smaller open space lots (40,222 sf, 5,150 sf, 25,197 sf – Lot 79, 80, 81) are located near the twin home lots. Agenda item #2 is a conditional use request for the twin home development.

Each twin home unit meets the 1,800 square foot minimum lot area and 20 foot lot width requirements of the townhouse development standards. Most lots are 35 feet wide or wider. The lot sizes range from 5,205 sf to 10,056 sf. Each twin home meets the minimum 30’ front yard, and 25’ rear yard, and 10’ side yard setbacks in the R-3 zone. Each twin home meets the minimum 20 foot separation as

required from an adjacent twin home. The rear yard of each twin home unit is larger than 50% of the first floor area as required.

Staff recommends preliminary plat approval subject to the approval of the conditional use and the following:

1. Add the street name on final plat.
2. Change Opelika Utilities Board signature line to Opelika Water Board
3. Sidewalks required on both sides of the street.
4. All utilities shall be underground.
5. Add the names and addresses of adjacent property owners on final plat.
6. Add on final plat the property owner name and address.
7. Label Lot 82 as “Unbuildable Parcel, Preserved as Common Area” on final plat.
8. Add a note on final plat who is responsible for the maintenance of the three open space lots (Lots 79, 80 and 81) and Lot 82.
9. On final plat add a note concerning the uses allowed on the open space lots.
10. Add a 20’ wide buffer area along the east lot lines from Lot 1 to Lot 15 and south property line from Lot 19 to Lot 28 of twin home lots as “20’ natural undisturbed buffer yard”. If a 20’ natural buffer is not provided add evergreen planting or select a residential buffer to install from options in Section 10 Landscape Regulations.
11. Provide access to Lot 81.

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.

- Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance.
- A traffic impact study will be required to determine the impact of this additional development at the intersection of Waverly Place and Waverly Parkway. Turn lanes may be required with this study.
- The road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

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

Opelika Water Report

An 8-inch water main is available at the proposed street connection to Waverly Place. Water services and meters must not be installed under concrete drives or parking pads. No other comments.

Opelika Power Services Report

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



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: North of 699 Waverly Court
PROPERTY OWNER: Whiteridge Opelika LLC and R & S Properties LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Hayes Eiford and Mike Maher
MAILING ADDRESS: 1230 Ruth Way, Auburn, AL 36830
PHONE NUMBER: 1-229-221-8908 **FAX NUMBER:** 334-821-4044
EMAIL ADDRESS: hayes@samfordgroupllc.com

TYPE OF PLAT APPROVAL REQUESTED Preliminary SD plat

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

Does the subdivision require any other official action by the City? no

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Waverly Woods

Current Land Use: Vacant

Current Zoning: R4

Proposed use of the Subdivision: Twin Home Residential

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

Number of Lots: 83 x \$3.00 = \$ 249

Number of APO: 55 x \$7.00 = \$ 385
 (Adjacent Property Owners)

Fee: \$75.00

TOTAL = 709

PAID _____

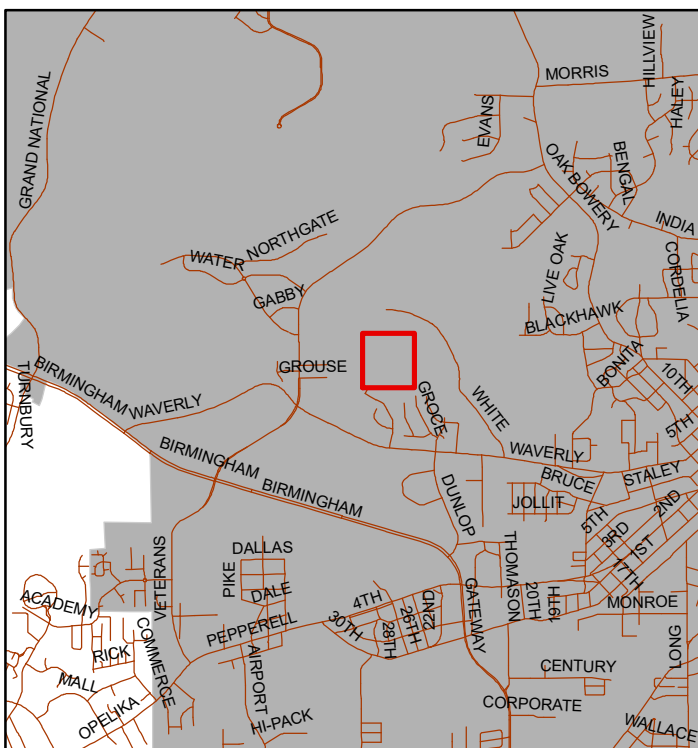
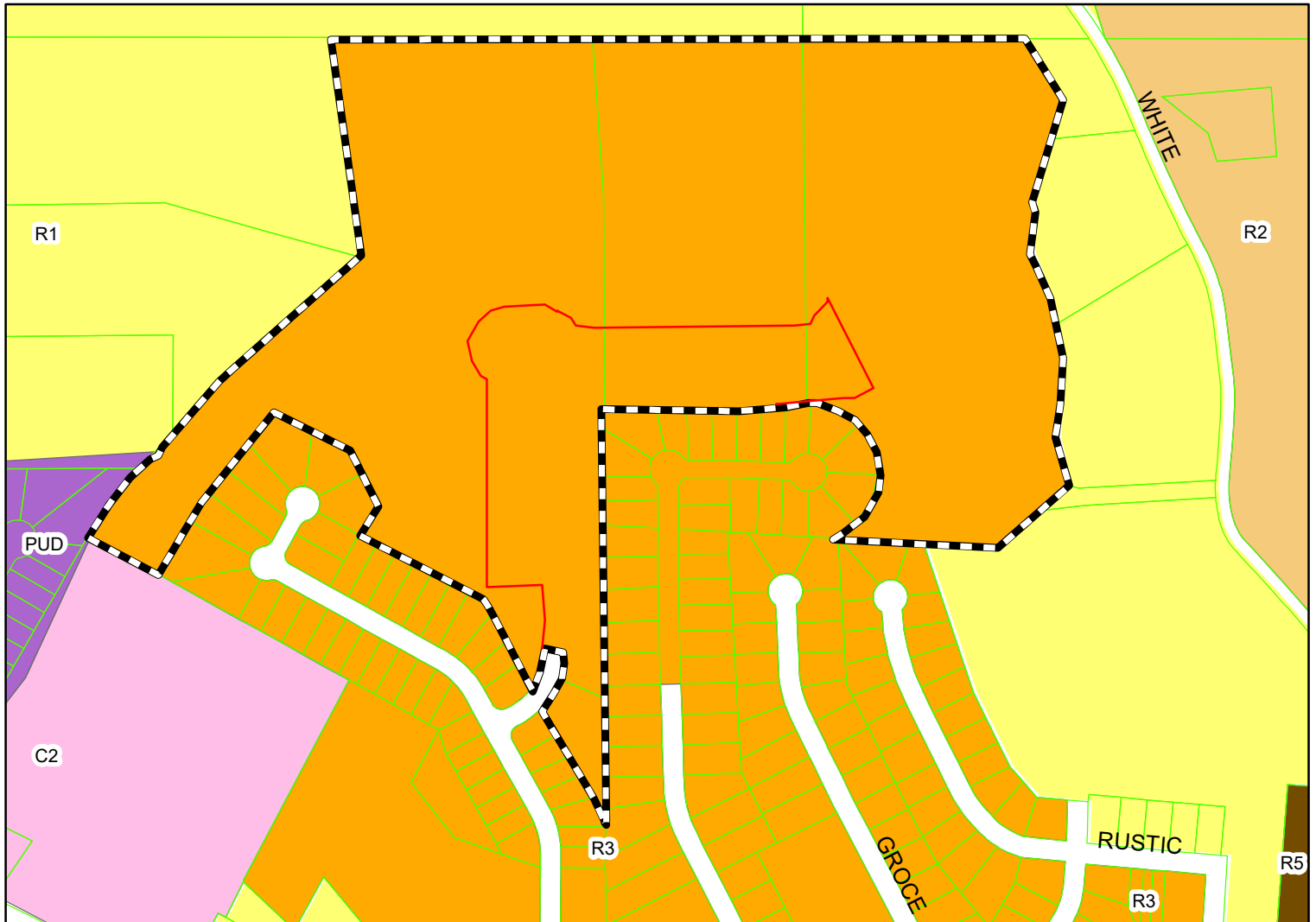
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Waverly Woods Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order 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) **Brandon Hays / Wayne Gentry**

6-4-2024
DATE

WAVERLY WOODS SUBDIVISION WAVERLY PLACE PRELIMINARY APPROVAL, A-1, A-2



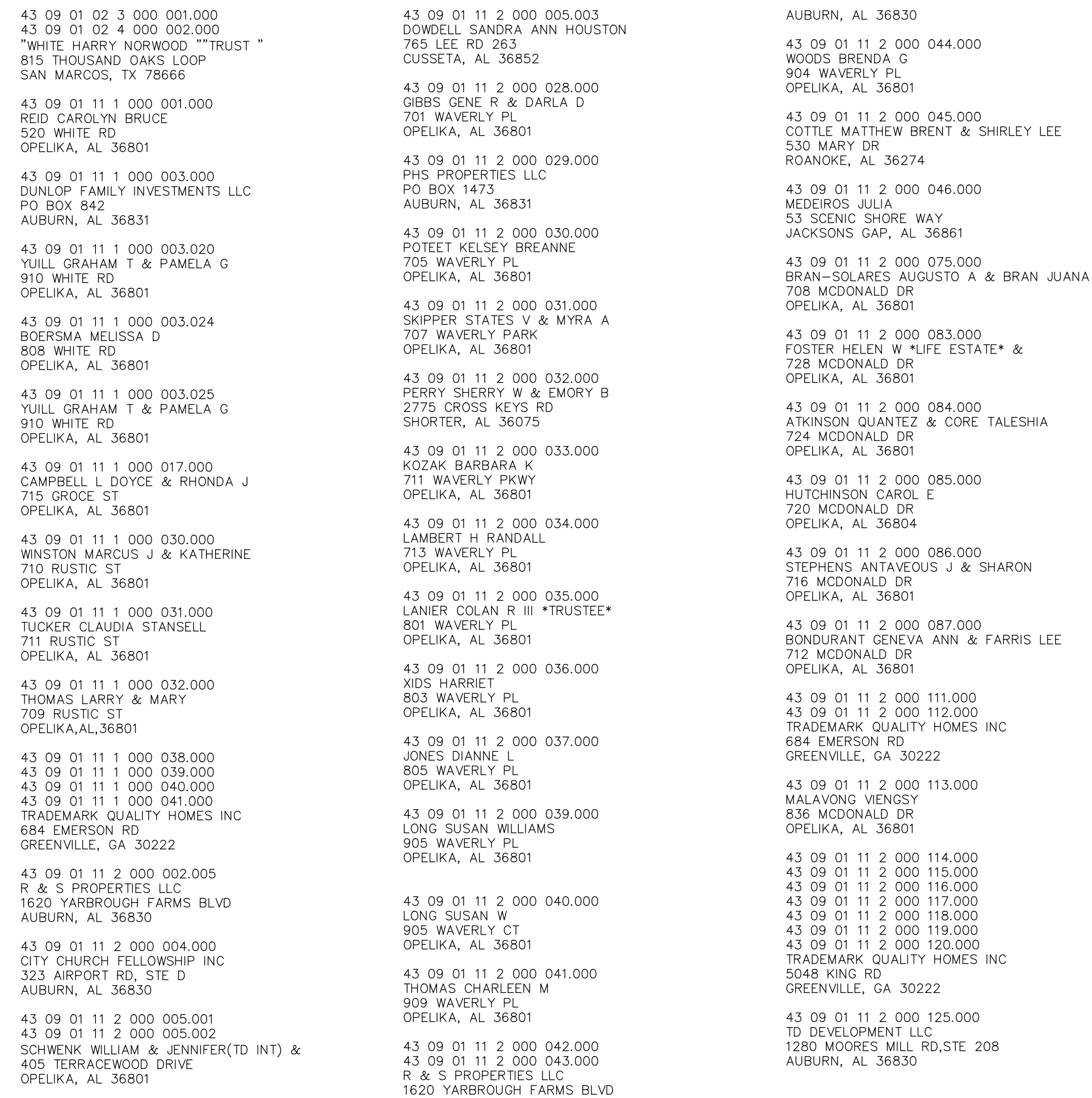
The applicant is requesting approval for 83 townhome lots. The subdivision is in a R-3 zonnig district and accessed from Waverly Place.



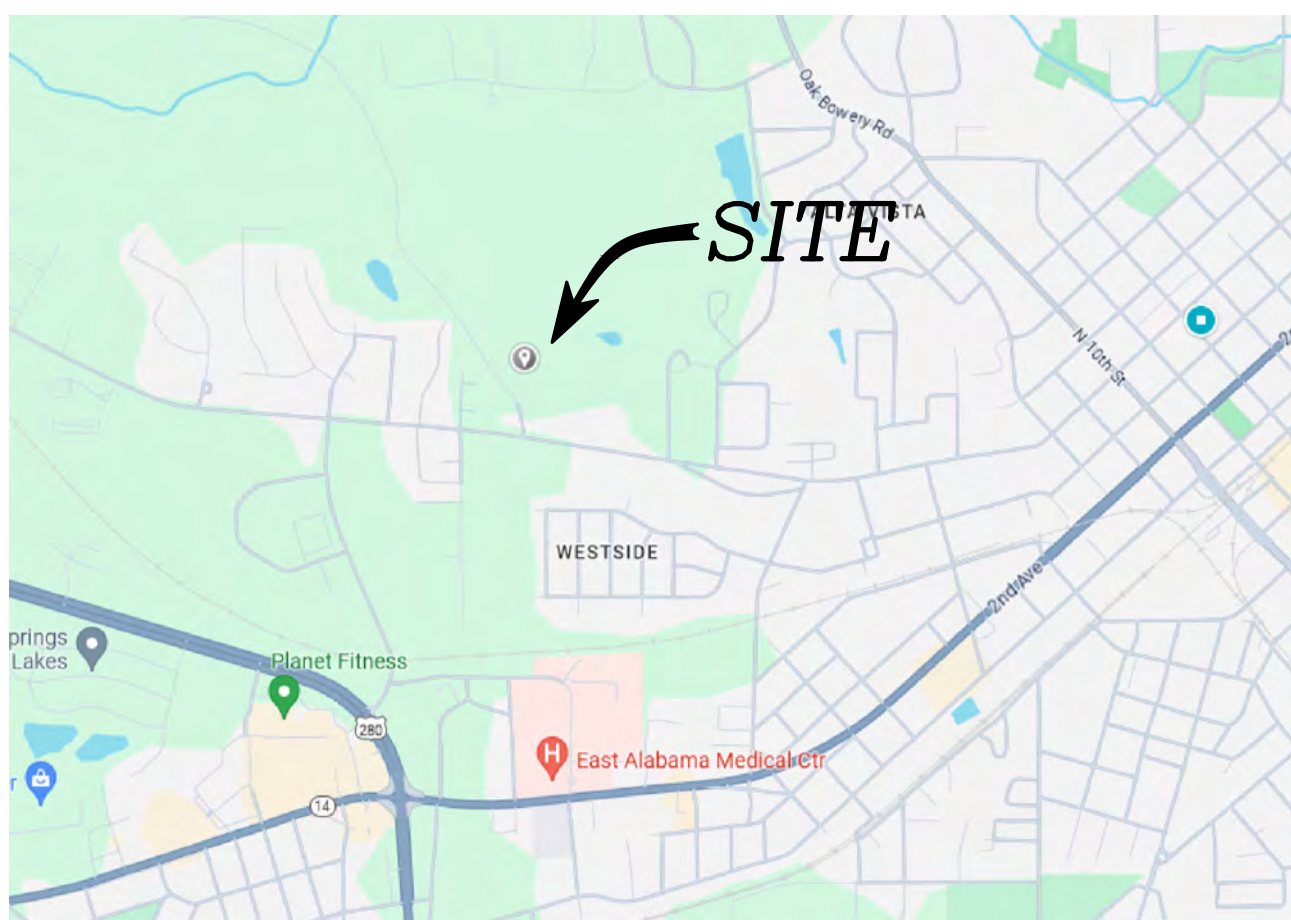
Subject Property

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

An aerial photograph of a coastal area with a red outline highlighting a specific region. An arrow points from the word "SITE" to a red dot within this outlined area.



\\PRECISION-NAS\Precision\Jobs\2024\24-0405\24-0405-LL1 apo and area.dwg, 6/4/2024 11:57:45 AM, 1:150

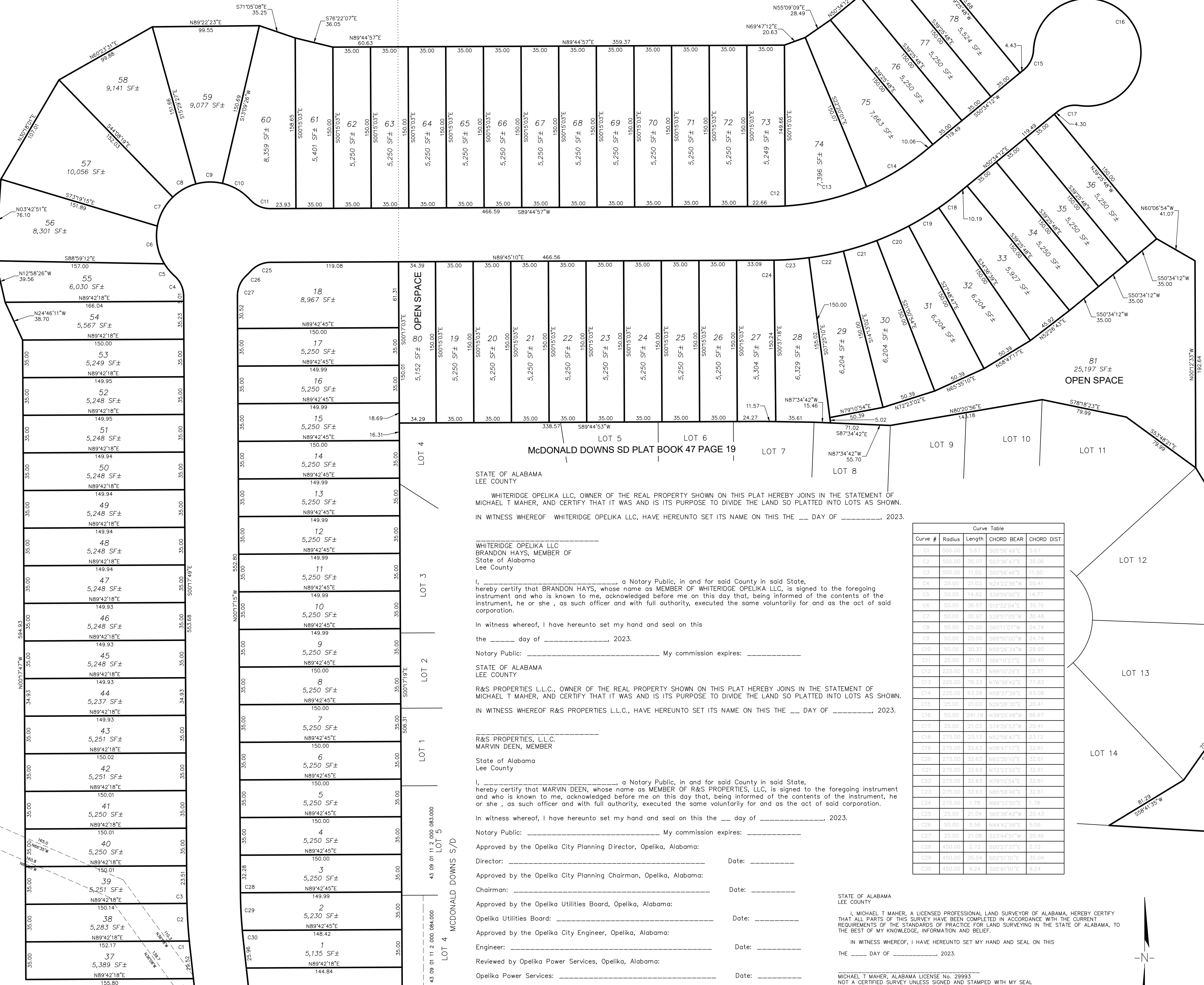


WAVERLY WOODS
OPELIKA LEE COUNTY ALABAMA
SEC 11 T 19 N R 26 E

OWNER/DEVELOPER:
R&S PROPERTIES
1620 YARBROUGH FARMS BLVD
AUBURN, AL 36830
AND
WHITERIDGE OPELIKA LLC
995 FAIRVIEW DRIVE
AUBURN, AL 36830

FUTURE DEVELOPMENT

82
1,186,906 SF±
OPEN SPACE



McDONALD DOWNS SD PLAT BOOK 47 PAGE 19

STATE OF ALABAMA
LEE COUNTY
WHITERIDGE OPELIKA LLC, OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF
MICHAEL T MAHER, AND CERTIFY THAT IT WAS AND IS ITS PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN.
IN WITNESS WHEREOF WHITERIDGE OPELIKA LLC, HAVE HEREUNTO SET ITS NAME ON THIS THE ____ DAY OF _____, 2023.

WHITERIDGE OPELIKA LLC
BRANDON HAYS, MEMBER OF
State of Alabama
Lee County

I, _____, a Notary Public, in and for said County in said State,
herby certify that BRANDON HAYS, whose name as MEMBER OF WHITERIDGE OPELIKA LLC, 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, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said
corporation.

In witness whereof, I have hereunto set my hand and seal on this
the ____ day of _____, 2023.

Notary Public: _____ My commission expires: _____

STATE OF ALABAMA
LEE COUNTY

R&S PROPERTIES L.L.C., OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF
MICHAEL T MAHER, AND CERTIFY THAT IT WAS AND IS ITS PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN.
IN WITNESS WHEREOF R&S PROPERTIES L.L.C., HAVE HEREUNTO SET ITS NAME ON THIS THE ____ DAY OF _____, 2023.

R&S PROPERTIES, L.L.C.
MARVIN DEEN, MEMBER
State of Alabama
Lee County

I, _____, a Notary Public, in and for said County in said State,
herby certify that MARVIN DEEN, whose name as MEMBER OF R&S PROPERTIES, L.L.C., 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, he
or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2023.

Notary Public: _____ My commission expires: _____

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

Director: _____ Date: _____

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

Chairman: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

Reviewed by Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

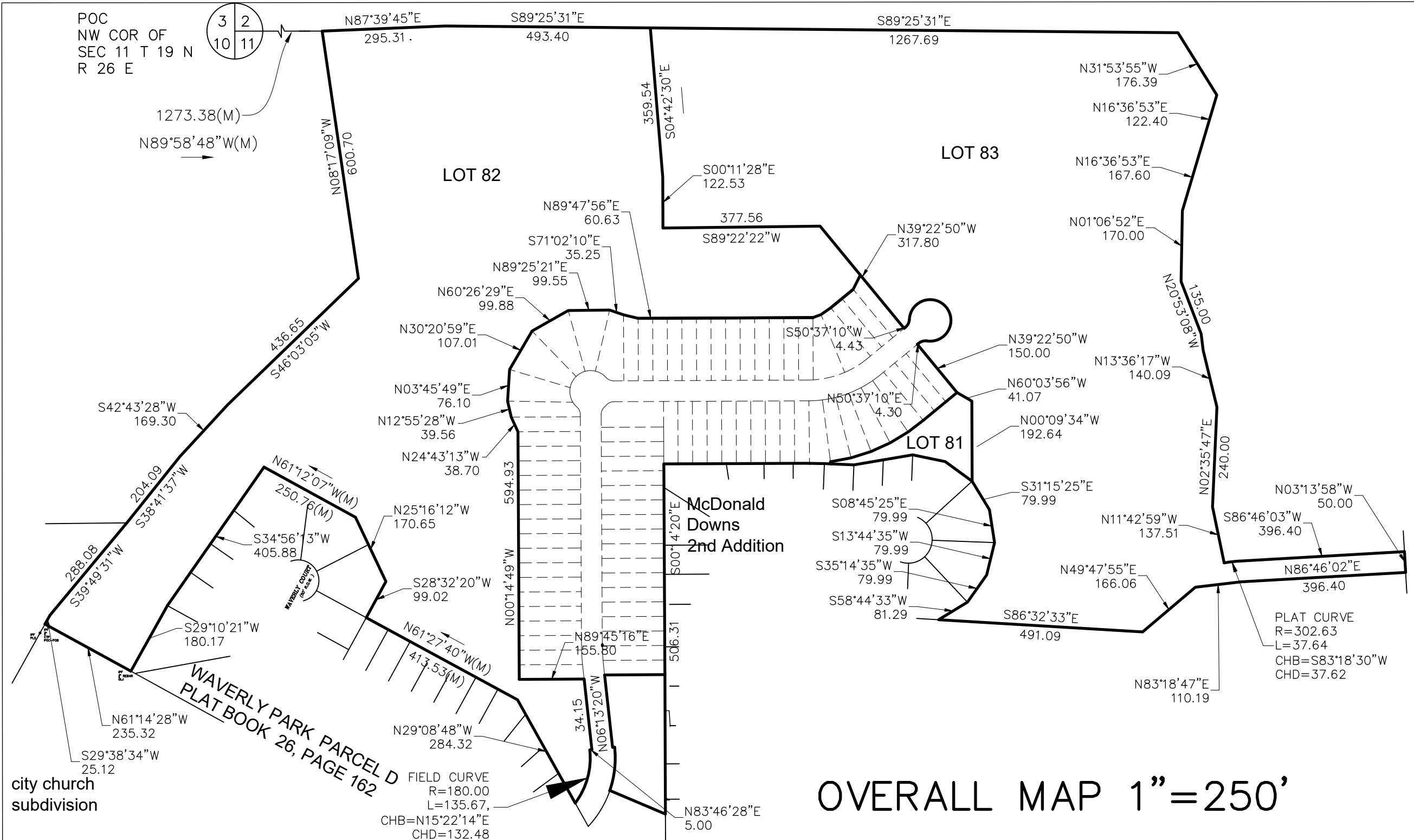
STATE OF ALABAMA
LEE COUNTY

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

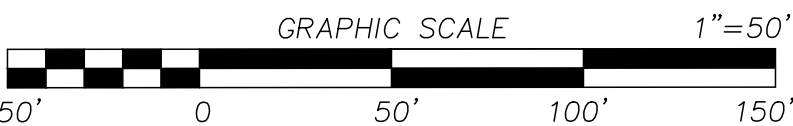
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THIS
THE ____ DAY OF _____, 2023.

MICHAEL T MAHER, ALABAMA LICENSE NO. 29993
NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL

Curve Table				
Curve #	Radius	Length	CHORD BEAR	CHORD DIST
C1	500.00	5.87	S00°56'46"E	5.87
C2	500.00	10.01	S01°36'47"E	10.06
C3	500.00	11.50	S00°56'46"E	11.50
C4	25.00	21.03	S24°22'56"W	20.41
C5	30.00	18.85	S39°30'57"E	14.73
C6	30.00	18.57	S10°23'04"E	15.76
C7	30.00	15.97	S28°07'05"W	16.45
C8	30.00	25.00	S30°11'07"W	24.74
C9	30.00	25.00	S89°02'00"W	24.74
C10	30.00	15.97	S39°28'51"W	16.86
C11	30.00	21.01	S66°02'27"E	20.40
C12	225.00	13.37	S88°10'29"E	13.37
C13	225.00	18.23	S76°38'42"E	17.83
C14	225.00	18.23	S68°07'39"E	18.08
C15	25.00	21.03	S69°58'30"E	20.41
C16	50.00	24.18	S39°52'48"W	20.41
C17	25.00	21.03	S74°39'53"W	20.41
C18	275.00	13.33	S29°38'47"E	13.33
C19	275.00	13.33	S38°41'17"E	13.33
C20	275.00	13.33	S69°28'10"E	13.33
C21	275.00	13.33	S72°33'03"E	13.33
C22	275.00	13.33	S79°10'54"E	13.33
C23	275.00	13.33	S89°04'06"E	13.33
C24	275.00	13.33	S89°03'00"E	13.33
C25	25.00	21.04	S69°38'42"W	20.43
C26	50.00	5.88	S44°42'38"E	5.88
C27	25.00	21.08	S13°44'51"W	20.46
C28	450.00	5.75	S00°57'33"E	5.75
C29	450.00	15.04	S02°51'51"E	15.04
C30	450.00	5.24	S05°01'01"E	5.24



OVERALL MAP 1"=250'



Seal
Drawn By:
MTM
Scale:
1"=50'
File Name:
24-0405-LL1
Date:
6-3-2024

PRECISION SURVEYING
2124 Moores Mill Road
Suite 110
Auburn, Alabama 36830
Phone (334) 821-0105
www.precisionsurveying.biz
Sheet Title:
WAVERLY WOODS
SESECTION 11 T 19 N R 26 E
SHEET 1 OF 2

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	June 25, 2024		
Agenda Item #:	A-2		
Action Requested:	Conditional Use – 78 Twin Homes		
Location of Property:	Waverly Place		
Property Owner(s):	Whiteridge Opelika LLC & R&S Properties, LLC Eiford Hayes and Mike Maher, authorized representatives		
Current Land Use:	Undeveloped		
Current Zoning:	R-3		
Surrounding Zoning Districts And Land Uses:	North	R-1	Undeveloped
	South	R-3	Single-family (Waverly Place)
	East	R-3	Undeveloped/Single-family
	West	R-1	Vacant/Undeveloped

Proposal

(This conditional use review is for phase one of the Waverly Woods subdivision; staff report for Waverly Woods SD is agenda #A-1.) The applicant is requesting conditional use approval for 39 twin homes or 78 homes in an R-3 zone. A twin home is a duplex that is split into separate lots for fee simple ownership. This is generally considered as it promotes home ownership options over rental only. A duplex is considered a conditional use in the R-3 zone. The homes will be accessed from a new cul-de-sac street that intersects with Waverly Place. About 2005 when Waverly Park subdivision was approved, a stub-out 60’ right-of-way was added on the plat from Waverly Place to access the north part of the property.

The new street for 78 homes stubs-out into phase 2 (28.5 acres) labeled “Future Development” on the Waverly Woods subdivision plat. The applicant said there are no plans to develop phase 2 unless the adjacent property south of phase 2 can be purchased so the applicant’s street can connect to Dunlop Drive. Dunlop Drive has access to Waverly Parkway as well as Waverly Place has access to Waverly Parkway; connecting phase 2 with Dunlop Drive will add another street for the townhomes to access Waverly Parkway. The applicant said that phase 2 development will most likely be single family homes. The total area of the two phases is 70.5 acres. This conditional use review is for phase one only.

Phase one is 39.3 acres. The developed area for the 78 twin homes is 13.5 acres. The remaining 25.8 acres in phase one will remain undeveloped. The 25.8 acres consists of flood plain on the north end and low elevations on the west side that creates development challenges. The flood plain and low elevation prevents a new street and home construction extending to the north and west property lines of phase one. The 25.8 acres will be preserved as a natural wooded area; a note will be added to the final plat (Waverly Woods SD) labeling Lot 82 as “Unbuildable parcel, preserved as Common Area”.

Twin homes are two homes attached together by a common or shared wall. A property line runs along the shared wall, so each dwelling unit is on a separate lot; the shared lot line extends to the front and rear property lines. When someone purchases a twin home, they are also purchasing the front and rear yard areas. The elevations of each twin home are the same.

In the R-3 zone, a maximum density of 3.5 dwelling units per acre is allowed. In phase one, the 78 proposed homes (or 39 twin homes) on 39.3 acres is 1.98 dwelling units per acre. For comparison, the density for our residential zoning districts ranges from one dwelling unit per acre in R-1 to 16 du/ac in the R-5 zone.

A landscape plan is required for phase one that meets the minimum requirements of the Landscape Regulations. Landscaping (base points) is determined from the 13.5 acre disturbed area for the twin home development. Trees and shrubs are encouraged along the new street near and near each twinhome.

The minimum lot size, lot width, and setback requirements for the 78 homes meet development standards. The 78 twin home lots exceed the minimum 20 foot lot width requirement and minimum 1,800 square foot lot size. Most lots are 35 feet wide along the front property line and lot area is 5,250 square feet (sf); Lot sizes range from 5,250 sf to 10,056 sf. Each twin home has at least a 20 foot separation from the adjacent twin home as required. The rear yard of each twin home unit is larger than 50% of the first floor area as required; a twin home’s first floor is about 1,220 square feet and the rear yard area is 2,240 sf. Minimum building setbacks in the R-3 zone are 30 feet front yard, 10 feet side, and 25 feet rear yard.

The applicant has not provided any elevations or building materials at this time. Staff feels that the units should compliment the existing Waverly Park development. This would include using high quality materials like wood, stone, and stucco with masonry (brick) elements. Staff also notes that most of the units throughout the neighborhood have garages.

Recommendation

In phase one, development is limited to 13.5 acres of the 39.3 acre property due to floodplain and severe elevations. The remaining 25.8 acres are designated as unbuildable common open area for residents in the twin homes.

The density of 78 dwelling units on 39 acres (phase 1) is 1.98 dwellings per acre which is comparable to the R-1 rural zoning district at 1 dwelling unit per acre. Staff does not anticipate any substantial adverse effect on the adjacent properties or the character of neighborhood from the twin home development.

The new street for the 78 homes (or 39 twinhomes) is accessed from Waverly Place on the the south side. Traffic will increase from the 78 dwelling units for the existing Waverly Place neighborhood; street improvements may be necessary to assist traffic at the intersection of Waverly Place and Waverly Parkway

Staff recommends approval subject to the following conditions:

1. Provide a landscape plan for the disturbed area in phase one. In addition, add at least one street tree for each twin home planted on private property.

The following recommendations for approval to the Planning Commission for the Waverly Woods subdivision preliminary plat (agenda #A-1) were included in the subdivision staff report:

1. Add the street name on plat.
2. Change Opelika Utilities Board signature line to Opelika Water Board
3. Sidewalks required on both sides of the street.
4. All utilities shall be underground.
5. Add the names and addresses of adjacent property owners on final plat.
6. Add on final plat the property owner name and address.
7. Label Lot 82 as “Unbuildable Parcel, Preserved as Common Area” on final plat.
8. Add a note on final plat who is responsible for the maintenance of the three open space lots (Lots 79, 80 and 81) and Lot 82.
9. On final plat add a note concerning the uses of the open space lots.
10. Add a 20’ wide buffer area along the east lot lines from Lot 1 to Lot 15 and south property line from Lot 19 to Lot 28 of twin home lots as “20’ natural undisturbed buffer yard”. If a 20’ natural buffer is not provided add evergreen planting or select a residential buffer to install from options in Section 10 Landscape Regulations.
11. Buildings shall complement the existing development to include the use of materials such as wood, stone, stucco, or fiber cement board with brick elements.

Engineering Department Report

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

Opelika Water Report

An 8-inch water main is available at the proposed street connection to Waverly Place. Water services and meters must not be installed under concrete drives or parking pads. No other comments.

Opelika Power Services Report

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



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: North of 699 Waverly Court

PROPERTY OWNER: Whiteridge Opelika LLC and R & S Properties LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Hayes Eiford and Mike Maher

MAILING ADDRESS: 1230 Ruth Way, Auburn, AL 36830

PHONE NUMBER: 1-229-221-8908 **FAX NUMBER:** 334-821-4044

EMAIL ADDRESS: hayes@samfordgrouppllc.com - mike.precisionsurv@gmail.com

PARCEL INFORMATION

Project name: Waverly Woods Address/Location: North of 699 Waverly Court

Current Land Use: Vacant Current Zoning: R3

Adjacent Zoning Districts: North: R1 South: R3 East: R1 West: R1

Description of Proposed Use: Twin Home (duplex) subdivision - 78 buildable lots

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 6/13/24

STATE OF ALABAMA,

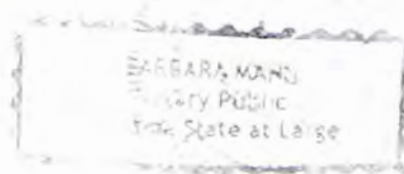
COUNTY OF LEE

I, Barbara Mann, a Notary Public in and for said County and State, hereby certify that Brandon S. Hays, 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.

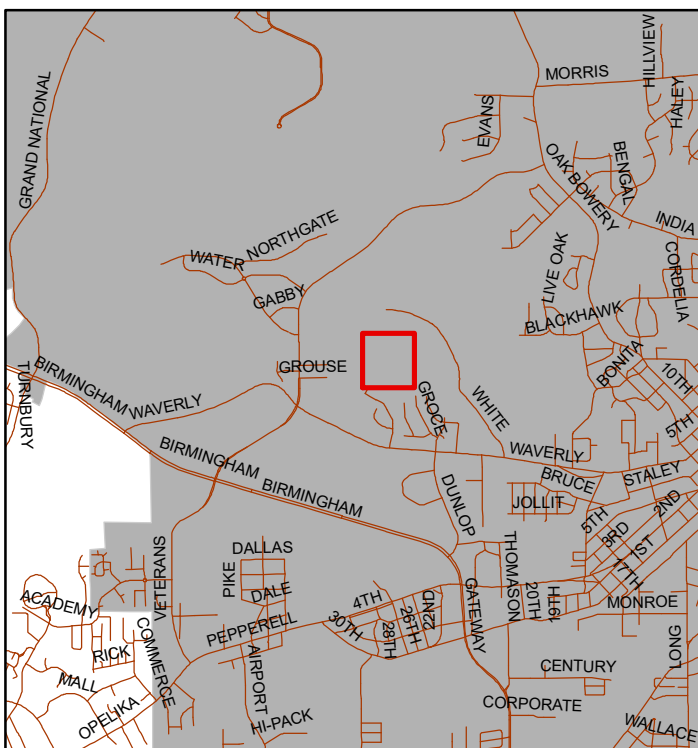
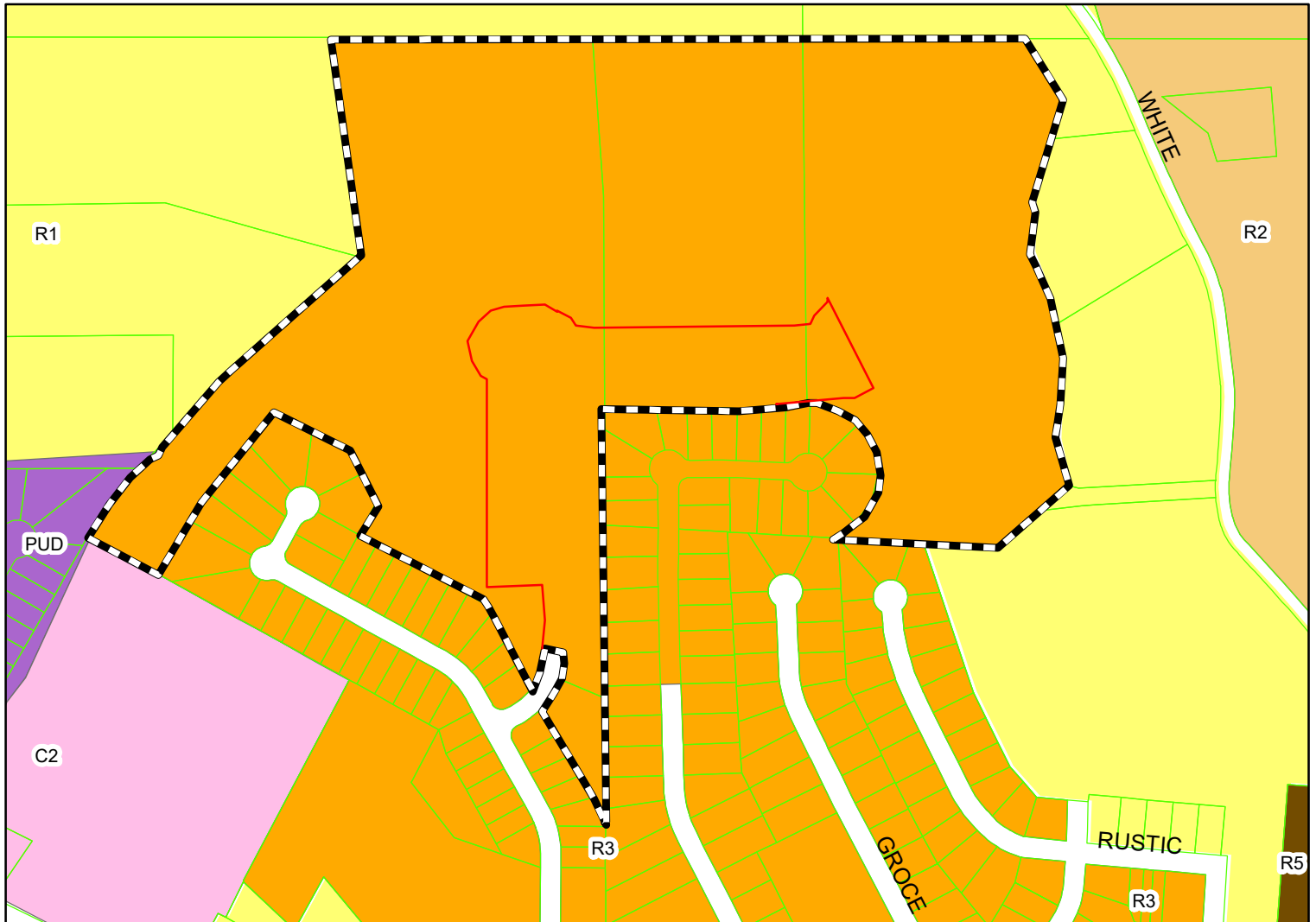
Given my hand and seal of office this 15 day of June, 2024

[Signature]
Notary Public

My Commission Expires: 06-22-2026



WAVERLY WOODS SUBDIVISION WAVERLY PLACE PRELIMINARY APPROVAL, A-1, A-2



The applicant is requesting approval for 83 townhome lots. The subdivision is in a R-3 zonnig district and accessed from Waverly Place.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 28, 2024 (Preliminary Approval March 23, 2021)

Subdivision: Ashton Village Subdivision (originally called Shelton Village)

Agenda Item #: B-3

Action Requested: Preliminary and Final Approval

Location of Property: 5067 Birmingham Highway

Property Owner(s): 2H Properties, LLC, property owner
Nick Howell, authorized representative
Ledge Nettles, Baseline Surveying and Design, LLC (surveyor)

Current Land Use: Vacant

Current Zoning: R-3, GC-P

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0064G in “Zone X”, zone X is outside the 0.2% annual chance floodplains except as shown on plat in 100-year flood plain.

Staff Comments:

This plat was previously given preliminary approval in 2021 for 52 lots. The applicant requests preliminary and final plat approval for 45 residential lots and four open spaces or detention lots. This subdivision is in zone R-3 with a minimum lot width of 70’ and minimum lot size of 10,000 square feet (sq. ft.).

The lot sizes, ranging from 10,360 sq. ft. to 20,768 sq. ft., and a lot widths of 70’ to 140’. The setbacks for an R-3 zoned development are 30’ front, 25’ to the rear, 10’ on each side, and 20’ for a side yard on street setback. The four open space lots, spanning from 21,609 sq. ft. to 43,589 sq. ft. The maintenance and ownership of the open space lots should be noted on the final plat. A development of this density requires sewer access. The plat also shows future street connections to the west and south when these properties are developed.

This subdivision takes access off Birmingham Highway (U.S. Hwy 280). Lot 1 and 45 front along Birmingham Highway, an additional buffer from Birmingham Highway is shown as 50-foot undisturbed. It appears portions of this buffer have been removed. In the areas that a 50 foot undisturbed landscape buffer is not present, the applicant should restore the missing buffer. At the very least this should include adding a residential buffer from Section 10.6, D., 1., b. staggered double row of Evergreen plantings at least six feet in height or a large berm with

similar plantings at the base and top of the berm. All the lots will be accessed from Masheton Drive.

At this time the site does not appear to be ready for final plat approval. Staff can only recommend preliminary plat approval.

Staff recommends preliminary plat approval subject to the following:

- 1. Note the ownership and maintenance responsibilities for the open space lots on final plat.**
- 2. Ensure all watercourses are documented.**
- 3. In the areas where 50-foot undisturbed landscape buffer is not present, restore the missing buffer that was originally required for preliminary approval.**
- 4. Sidewalks will be required on both sides of each street.**
- 5. All utilities shall be underground.**
- 6. Sewer access be provided.**
- 7. Add all the easements to the plat that are shown on the construction plans.**

Engineering Department Report

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 will need to be completed.
- All stop and roadway signs will need to be installed.
- Maintenance Bond of 25% of the infrastructure construction cost **will need to be submitted.**
- 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 Utilities Board Report

All fees must be paid and all water infrastructure must be tested and accepted before final plat can be approved.

Opelika Power Services Report

This Subdivision is located outside the Opelika Power Services territory.



000243-2024

AGENDA ITEM # 3

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



DEADLINE: 6/14/24 MEETING: 6/25/24

SITE ADDRESS: 5067 Birmingham Hwy
PROPERTY OWNER: 2H Properties, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Nick Howell
MAILING ADDRESS: 306 Greystone Lane, Auburn, AL 36830
PHONE NUMBER: 334-319-1840 **FAX NUMBER:** N/A
EMAIL ADDRESS: howie166@gmail.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Asheton Village Subdivision

Current Land Use: vacant

Current Zoning: R1

Proposed use of the Subdivision: residential

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

Number of Lots: 45 x \$3.00 = \$ _____

Number of APO: 25 x \$7.00 = \$ _____
(Adjacent Property Owners)

Fee: \$75.00

TOTAL = \$75.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Asheton Village 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.

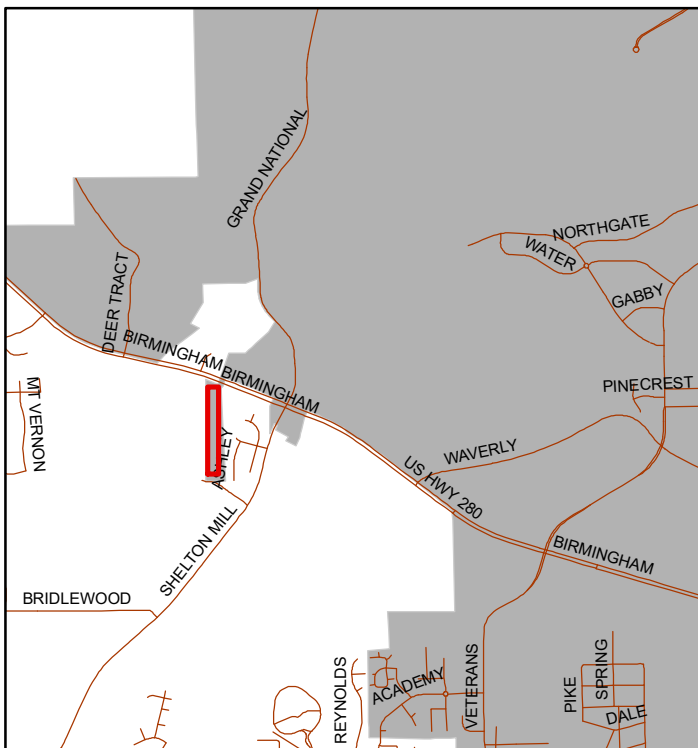
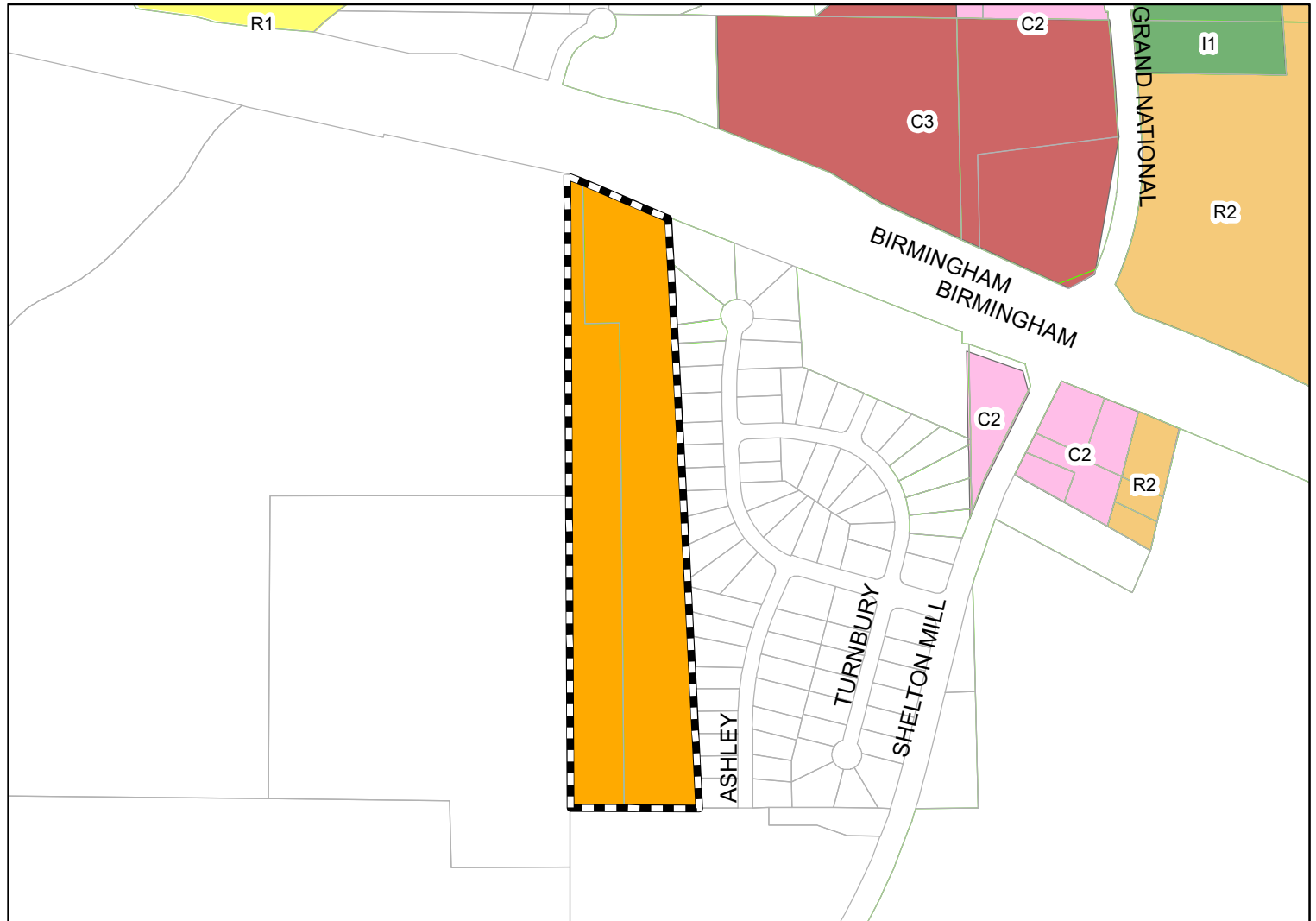
**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

(PRINT NAME)

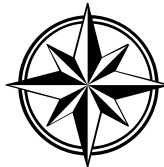
Nick Howell

05/30/2024
DATE

**ASHEATON VILLAGE SUBDIVISION
5067 BIRMINGHAM HIGHWAY
PRELIMINARY APPROVAL, B-3**



The applicant is requesting approval for 83 single family home lots. The preliminary plat approved at the March 2021 Planing Commission meeting has expired. The subdivision is accessed at Birmingham Highway.



Subject Property

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STATE OF ALABAMA
LEE COUNTY

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE __ DAY OF _____, 2024.

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

STATE OF ALABAMA
LEE COUNTY

I, NICK HOWELL, AS A MANAGING MEMBER OF 2H PROPERTIES, LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF _____, 2024

NICK HOWELL, MANAGING MEMBER
2H PROPERTIES, LLC

STATE OF ALABAMA
LEE COUNTY

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

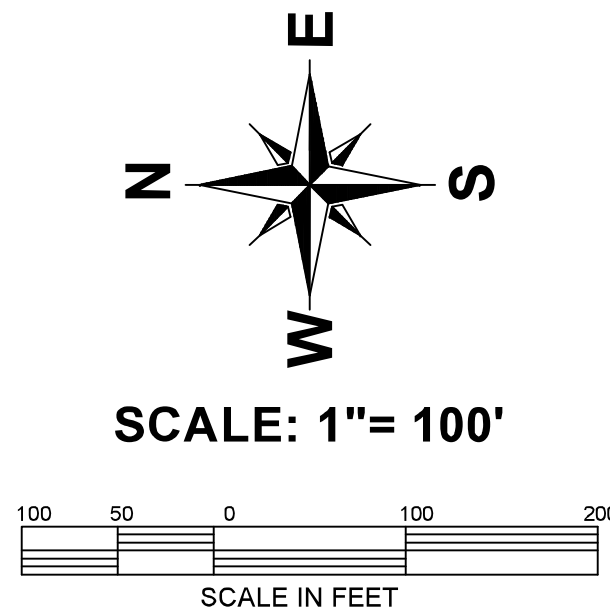
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF _____, 2024.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE.
3. PLANE COORDINATE SYSTEM.
4. NORTH IS BASED ON GRID NORTH.
5. THE SUBJECT PROPERTY'S ADDRESS IS 5087 U. S. HIGHWAY 280 W. PELIKLA, ALABAMA 36801.
6. THE SUBJECT PROPERTY IS LOCATED IN THE 2022 OFFICIAL MAP COMPLETED MAY 22, 2023.
7. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF PELIKLA, ALABAMA A MUNICIPAL CORPORATION, FOR THE PURPOSES OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES: EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES. OTHER UTILITIES CAN USE THIS AREA.
8. THE EASEMENT IS GRANTED TO THE CITY OF PELIKLA, ALABAMA.
9. ACCORDING TO FEMA FIRM MAP NUMBER 18081C00643, PANEL 64 OF 381, FOR LEE COUNTY ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PARCEL LIES IN ZONE X, BEING A ZONE OF MINIMAL FLOODING.
10. THE SIGNED WILL BE RESPONSIBLE FOR THE COST OF THE EASEMENT AND THE RECORDING FEE SPACE.
11. THE NAME OF THE PROPERTY OWNER IS 2H PARTNERS, LLC, 306 GRAYSTONE LANE, AUBURN, AL 36809.



- | | | | | | |
|----|----------------------------|---|----|----------------------------|--|
| 43 | 09 02 09 02 000 073 000 | COOK SARAH MERIWETHER &
880 SHELTON COVE LANE
AUBURN, AL 36830 | 12 | 43 09 02 09 02 000 084 000 | HOBBBS DONALD & TIA
745 SHELTON COVE LANE
AUBURN, AL 36830 |
| 2 | 43 09 02 09 02 000 074 000 | FARMER GREGORY LAMAR JR
888 SHELTON COVE LN
AUBURN, AL 36830 | 13 | 43 09 02 09 02 000 085 000 | APLIN CHRISTOPHER & CRYSTAL
752 SHELTON COVE LN
AUBURN, AL 36830 |
| 3 | 43 09 02 09 02 000 075 000 | FOURCHOUT RICHARD & LAUREE
692 SHELTON COVE LANE
AUBURN, AL 36830 | 14 | 43 09 02 09 02 000 097 000 | FUREIGH MICHAEL L & SUSAN D
2187 ASHLEY CT
AUBURN, AL 36830 |
| 4 | 43 09 02 09 02 000 076 000 | PARLEY SHANNON MICHELLE & BRECKENRIDGE
698 SHELTON COVE LN
AUBURN, AL 36830 | 15 | 43 09 02 09 02 000 095 000 | BRACKNELL RANDALL & JENNIFER PRESTON
2181 ASHLEY CT
AUBURN, AL 36830 |
| 5 | 43 09 02 09 02 000 077 000 | EASTBROOK HOMES SOUTHERN INC
1186 E PARIS AVE
SUITE 100
GRAND RAPIDS, MI 49546 | 16 | 43 09 02 09 02 000 095 000 | EDEN ADREW T & ASHLEY LANE
2175 ASHLEY CT
AUBURN, AL 36830 |
| 6 | 43 09 02 09 02 000 078 000 | SALMONCE CHRISTOPHER & FILIPPA
710 SHELTON COVE LANE
AUBURN, AL 36830 | 17 | 43 09 02 09 02 000 054 000 | HUNT JAMES THOMAS & EMMA JANE
2189 ASHLEY CT
AUBURN, AL 36830 |
| 7 | 43 09 02 09 02 000 079 000 | HWY 101 PROPERTY LLC
PO BOX 241085
MONTGOMERY, AL 36124 | 18 | 43 09 02 09 02 000 053 000 | MCGADE ERIC & MELISSA S
2165 ASHLEY CT
AUBURN, AL 36830 |
| 8 | 43 09 02 09 02 000 080 000 | CHILDS ELIZABETHANNE CATER
722 SHELTON COVE LN
AUBURN, AL 36830 | 19 | 43 09 02 09 02 000 052 000 | PAK SUNG JIN & KIM HAE JUNG
2159 ASHLEY CT
AUBURN, AL 36830 |
| 9 | 43 09 02 09 02 000 081 000 | TIDWELL DONALD D & ASHLEY B
728 SHELTON COVE LANE
AUBURN, AL 3683 | 20 | 43 09 02 09 02 000 051 000 | VALLAGE MICHAEL RALPH & STACEY PATTON
2151 ASHLEY CT
AUBURN, AL 36830 |
| 10 | 43 09 02 09 02 000 082 000 | SMITH LARRY S & JACKIE J
734 SHELTON COVE LANE
AUBURN, AL 36830 | 21 | 43 09 02 09 02 000 050 000 | BATCHELOR MICHELLE S & SMITH MICHAEL D
2145 ASHLEY CT
AUBURN, AL 36830 |
| 11 | 43 09 02 09 02 000 083 000 | CHO SUNG YONG & HAM KYOUNG AE
740 SHELTON COVE LANE
AUBURN, AL 36830 | 22 | 43 09 02 09 02 000 049 000 | WILLIAMSON DAVID M & JULIE S
2139 ASHLEY CT
AUBURN, AL 36830 |



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

BASELINE
SURVEYING & DESIGN, LLC

CASHETON VILLAGE SUBDIVISION
SEC. 9 T 19 N Rg 26 E
OPELIKA LEE COUNTY ALABAMA
SCALE : 1"= 100' MAY 23, 2024
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

SHEET
G-2

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024

Agenda Item #: C-4

Subdivision: Wyndham Gates Subdivision, POD 3, Phase 7 - Townhomes

Action Requested: Final Approval

Location of Property: Alana Court and Raiden Circle

Property Owner(s): Doug Ransom, DRB Group Alabama, LLC,
Ledge Nettles, Baseline Surveying

Current Land Use: Townhomes (under construction)

Current Zoning: Wyndham PUD (Planned Unit Development)

Flood Zone: FEMA – November 2, 2011 – MAP#01081C230G in “Zone X”,
zone X is outside the 0.2% annual chance floodplains except as
shown on plat in 100-year flood plain.

Staff Comments:

The applicant is requesting final approval for 16 townhome lots and one open space lot (Lot 173-A). Preliminary plat approval for the 64-lots was granted at the January 2021 Planning Commission meeting. The two-story townhomes are approximately 1,700-1,800 square feet (excluding two car garages).

The two sections of eight townhome units for phase seven include a front and rear yard. The 16 lots exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The lot area ranges from 2,500 sf to 3,500 sf. Lot width ranges from 25 feet to 35 feet. The 16 lots meet the minimum yard size requirement with one yard at least 50% the size of a townhome unit’s first floor. Each unit has two parking spaces as required. Underground utilities are installed, and sidewalks are required along the streets. Lot 173-A is the entire open space lot on the east, south, and west sides of the townhomes that have been approved. Note #9 is added on plat that the Wyndham POD 3 HOA (Homeowner’s Association) is responsible for the maintenance of open space. The exterior building material is a mix of brick and hardie

board with vinyl soffit and fascia. A minimum 20-foot front building setback along Alana Court is required as stated in note #10. The landscape plan submitted (see below) for the 16-unit townhome group meets minimum requirements concerning base and parking lot points.

Staff recommends final approval subject to the following added to final plat or installed before a CO (certificate of occupancy) is issued:

- 1. Sidewalks are required on at least one side of the street.**
- 2. All utilities installed underground.**
- 3. Add a note on plat providing the uses allowed in the open space.**
- 4. After site inspection including landscaping is approved, then plat signatures and recording of final plat is allowed.**



LANDSCAPE PLAN DETAILS

TOWNHOUSE BLOCK SIZE: (8 LOTS TOTAL, LOTS 108 - 115)	21,950± SQUARE FEET (0.50± ACRES)
REQUIRED POINTS (PTS):	80 PTS
REQUIRED PARKING POINTS:	16 PTS (2 PER LOT)
MEDIUM TREE (8 PTS):	0 PTS (0 TOTAL)
UNDERSTORY TREE (5 PTS):	45 PTS (9 TOTAL)
SHRUBS / GROUND COVER (1 PT):	51 PTS (51 TOTAL)
TOTAL LANDSCAPE POINTS:	96 PTS TOTAL (96 TOTAL REQUIRED)

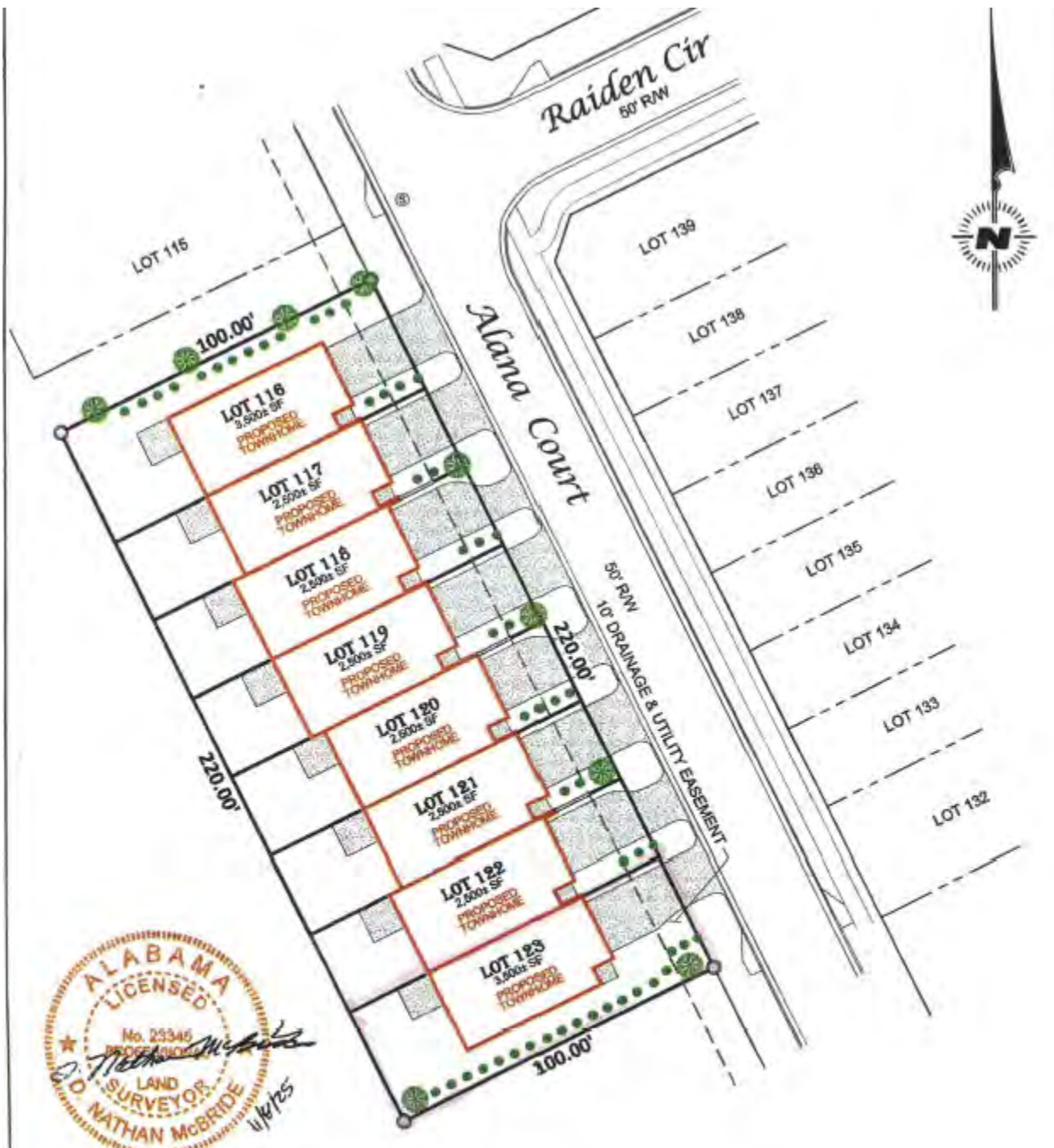
LEGEND

○	PROPERTY CORNER
R/W	RIGHT OF WAY
CONCRETE	CONCRETE
PROPERTY LINE	PROPERTY LINE
EASEMENT LINE	EASEMENT LINE

40 0 40

GRAPHIC SCALE IN FEET
1 inch = 40 ft.

1:33.06



LANDSCAPE PLAN DETAILS

TOWNHOUSE BLOCK SIZE: (8 LOTS TOTAL, LOTS 116 - 123)	21,950± SQUARE FEET (0.50± ACRES)
REQUIRED POINTS (PTS):	80 PTS
REQUIRED PARKING POINTS:	16 PTS (2 PER LOT)
MEDIUM TREE (8 PTS):	0 PTS (0 TOTAL)
UNDERSTORY TREE (5 PTS):	45 PTS (9 TOTAL)
SHRUBS / GROUND COVER (1 PT):	51 PTS (51 TOTAL)
TOTAL LANDSCAPE POINTS:	96 PTS TOTAL (96 TOTAL REQUIRED)

LEGEND

○	PROPERTY CORNER
RW	RIGHT OF WAY
■	CONCRETE
---	PROPERTY LINE
---	EASEMENT LINE
40 0 40	GRAPHIC SCALE IN FEET 1 inch = 40 ft.

Engineering Department Report

The infrastructure in this subdivision has previously been approved. The Engineering Department has no comments or concerns regarding this Final Plat.

Opelika Water Report

No Comments.

Opelika Power Services Report

This Subdivision is located in the Opelika Power Services and Alabama Power territory.



000240-2024
GEND ITEM # 4

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



DEADLINE: 6/14/24 MEETING: 6/25/24

SITE ADDRESS: Alana Ct. and Raiden Cir.

PROPERTY OWNER: DRB Group Alabama, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Jeff Adams

MAILING ADDRESS: 160 Whitney St. Fayetteville, GA 30214

PHONE NUMBER: 678-272-4559

FAX NUMBER: N/A

EMAIL ADDRESS: jadams@drbgroup.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation

☐ Rezoning

☐ Other _____

PARCEL INFORMATION

Subdivision Name: Wyndham Gates Subdivision, Pod 3, Phase 7

Current Land Use: vacant

Current Zoning: PUD

Proposed use of the Subdivision: residential

☒ Residential

☐ Commercial

☐ Manufacturing/Industrial

☐ Office/Institutional

Number of Lots: _____ x \$3.00 = \$ _____

Number of APO: _____ x \$7.00 = \$ _____
(Adj cent Property Owners)

Fee: \$75.00

TOTAL = \$75.00

PAID ck # 7932

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Wyndham Gates Subdivision, Pod 3, Ph7 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:

Jeffrey Adams

(PRINT NAME)

Jeff Adams

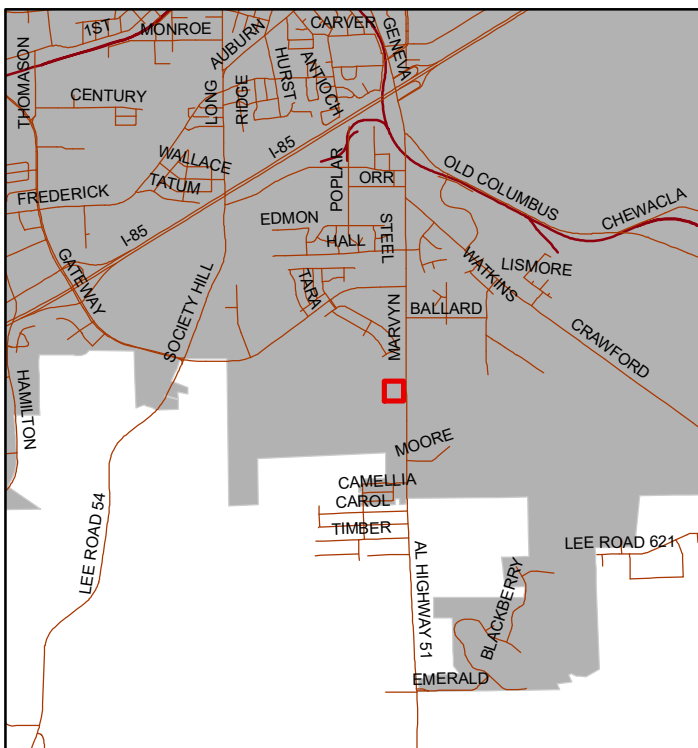
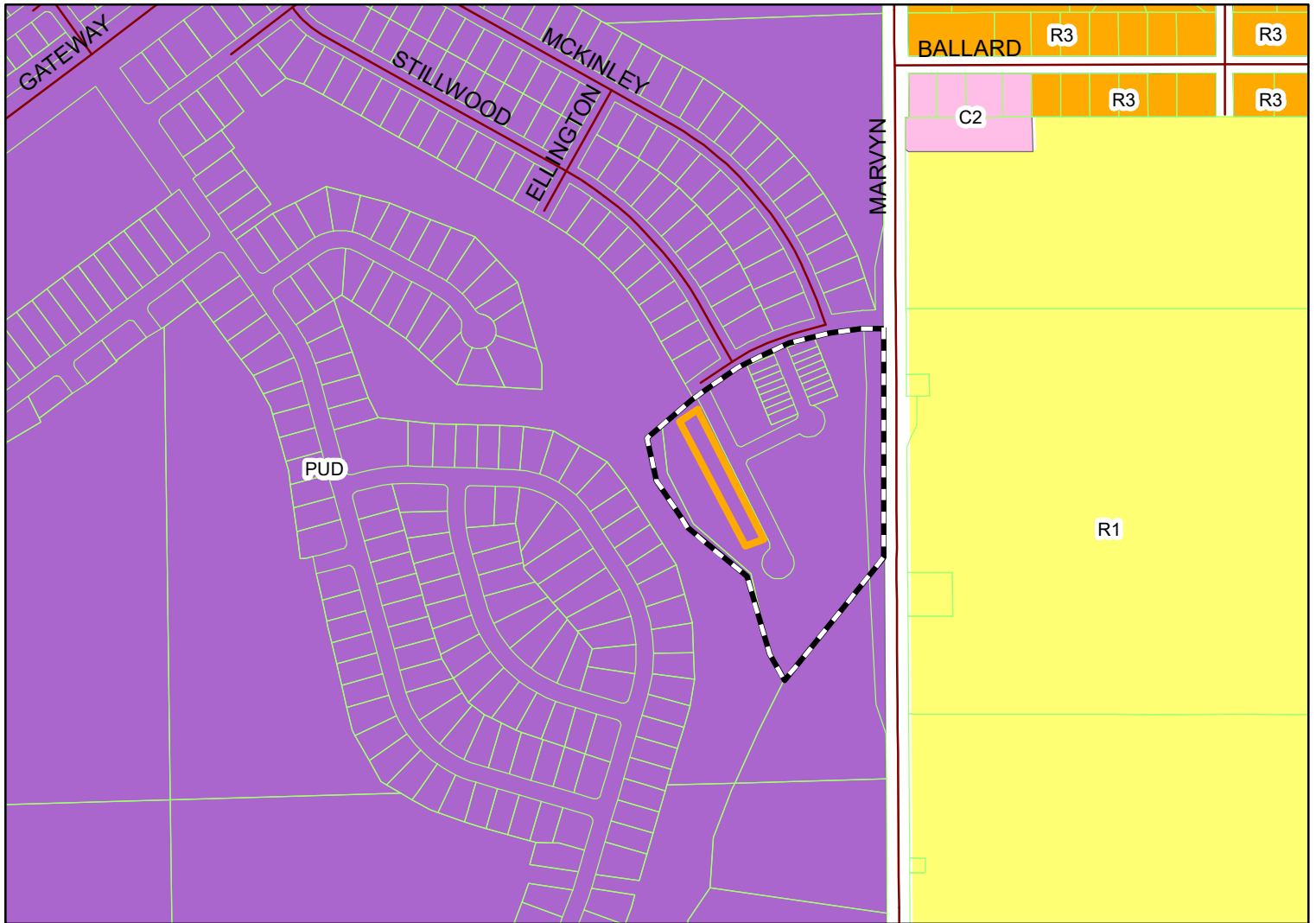
6-3-24

DATE

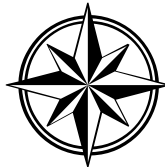
WYNDHAM GATES POD 3 PHASE 7 SUBDIVISION

ALANA COURT & RAIDEN CIRCLE

FINAL APPROVAL, C-4



The applicant is requesting final approval for 14 townhome lots (orange area, Phase 7) in a development with 64 townhomes. The property is located in the Wyndham PUD zoning district.



Subject Property

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

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE ____ DAY OF JUNE, 2024.

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

STATE OF ALABAMA
LEE COUNTY

I, MIKE BUSER, AS AUTHORIZED SIGNER FOR DRB GROUP ALABAMA, LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF JUNE, 2024.

MIKE BUSER, AUTHORIZED MEMBER
DRB GROUP ALABAMA, LLC

STATE OF ALABAMA
LEE COUNTY

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF JUNE, 2024.

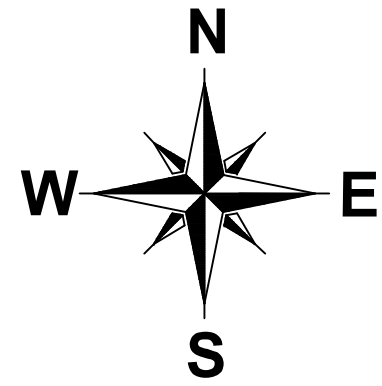
NOTARY PUBLIC:
MY COMMISSION EXPIRES:

NOTES:

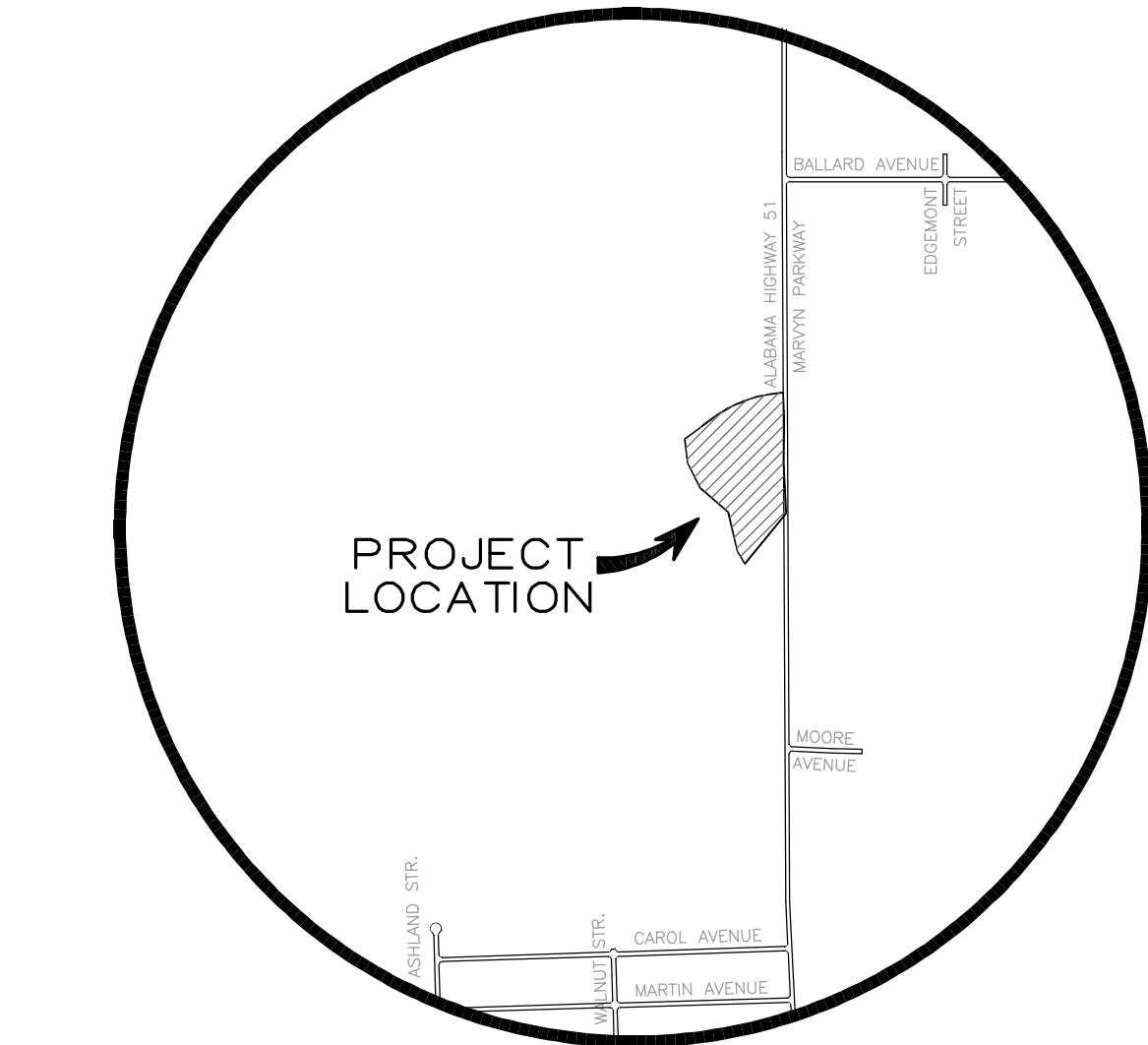
- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- BEARINGS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM.
- NORTH IS BASED ON GRID NORTH.
- OFFICEWORK COMPLETED JUNE 3, 2024.
- AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES: EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
- ACCORDING TO FEMA FIRM MAP NO. 01081C0230G PANEL 230 OF 381 FOR OPELIKA, LEE COUNTY ALABAMA, EFFECTIVE DATE NOVEMBER 11, 2011, THE PARCEL LIES IN ZONE X, WHICH IS AN AREA OF MINIMAL FLOODING AND IS NOT DESIGNATED AS A FLOOD PRONE AREA.
- THE GROSS AREA OF WYNDHAM GATES, POD 3 IS 595,546.5 ± S.F. OR 13.67 ± AC., WHICH INCLUDES NEW RIGHT-OF-WAYS FOR ROADWAYS.
- THE OWNER AND DEVELOPER IS DRB GROUP, INC. AND THEIR ADDRESS IS 9497 THORNTON BOULEVARD, JONESBORO, GA 30236.
- THE WYNDHAM GATES, POD 3 HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR MAINTENANCE OF ALL OPEN SPACE FOR THIS DEVELOPMENT.
- THE MINIMUM FRONT SETBACK FOR THE DEVELOPMENT IS TWENTY FEET (20').
- THE OPEN SPACE IS USED FOR RECREATIONAL PURPOSES.

LEGEND

- OT CRIMPED TOP
- OT OPEN TOP
- IPFD● IRON PIN FOUND
- IPSO IRON PIN SET
- △ CALCULATED POINT
- CONCRETE MONUMENT FOUND
- ⊗ SPIKE NAIL SET
- R.O.W. RIGHT-OF-WAY
- (F) FIELD MEASUREMENT
- (P) PLAT DIMENSION
- (S) EXISTING SANITARY SEWER MANHOLE
- (D) EXISTING STORM DRAIN MANHOLE
- OHE— EXISTING OVERHEAD ELECTRIC LINES



SCALE: 1"= 60'



VICINITY MAP
NOT TO SCALE



FOUNDATION DETAIL
SCALE: 1"=40'

WYNDHAM GATES SUBDIVISION, POD 3, PHASE 7

LOT #	SQ. FEET	ACRES
108	3,500.00	0.08
109	2,500.00	0.06
110	2,500.00	0.06
111	2,500.00	0.06
112	2,500.00	0.06
113	2,500.00	0.06
114	2,500.00	0.06
115	3,500.00	0.08
116	3,500.00	0.08
117	2,500.00	0.06
118	2,500.00	0.06
119	2,500.00	0.06
120	2,500.00	0.06
121	2,500.00	0.06
122	2,500.00	0.06
123	3,500.00	0.08
173-A	272,835.26	6.26

LINE	BEARING	DISTANCE
L1	N 53° 07' 55" E	111.82'
L2	N 53° 07' 55" E	60.83'
L3	N 53° 07' 55" E	27.75'
L4	S 22° 05' 35" E	9.31'
L5	N 67° 54' 25" E	100.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	969.49'	228.22'	227.70'	N 59° 52' 33" E	13° 29' 16"
C3	969.49'	50.01'	50.00'	N 68° 05' 50" E	2° 57' 19"
C4	964.78'	275.32'	274.39'	S 77° 42' 37" W	16° 21' 02"
C8	55.00'	60.13'	57.18'	N 41° 18' 14" W	62° 58' 24"
C10	55.00'	143.85'	106.22'	N 26° 13' 40" W	149° 51' 24"
C11	25.00'	32.82'	30.52'	N 11° 05' 21" E	75° 13' 23"

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

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

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

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

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

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

WYNDHAM SOUTH SUBDIVISION 1ST ADDITION

WYNDHAM SOUTH SUBDIVISION 1ST ADDITION
43 10 09 30 1 000 067.000
JOHNSON GREGORY THOMAS JR &
3028 MCKINLEY DR
OPELIKA, AL 36804

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THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC. THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BASELINE SURVEYING & DESIGN, LLC.	JOB NO. B72824.02
DRAWN CSM	CREW CHIEF RAB



WYNDHAM GATES SUBDIVISION,
POD 3, PHASE 7
SEC. 30 T19N Rg 27E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60' JUNE 3, 2024
ARTHUR R. NETTLES AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	June 25, 2024
Agenda Item #:	D-5
Action Requested:	Conditional Use - Church
Location of Property:	103 Rocket Avenue
Property Owner(s):	The Brown Agency, property manager Pamela Vialle, Carmmillia Pearson, authorized representative
Current Land Use:	Vacant building
Current Zoning:	M-1
Surrounding Zoning Districts And Land Uses:	North M-1 Nelson Electric South M-1 Manufacturing West M-1 Manufacturing, formerly Warehouse Bistro East M-1 Undeveloped

Proposal

The applicant is requesting conditional use approval for a new church in an existing building in a M-1 zone (manufacturing). For years, the property has been used by manufacturing type uses but is now vacant. Revolution Church will meet on Friday evenings and Sunday mornings for one to three hours each meeting. The church currently has about 30 members.

The church will meet in the larger 3,360 square foot portion of a building on 1.4 acre lot. Two additions (3,400 sf) are attached to the larger building but will not be used by the church. The Fire department determined from fire codes that a maximum occupancy of 200 people is allowed for a 3,360 square foot building used for church meetings. The minimum off-street parking requirements for 200 people in the church is 50 parking spaces (1 ps per 4 people at maximum capacity). The off street parking shown on site plan provides 78 parking spaces. About 30 parking spaces are shared with the adjacent property. However, the church meets two days a week when businesses are closed. The church meets on Friday PM and Sunday AM.

The landscape Regulations were adopted in 1995 many years after the applicant's property was first developed in 1960. Most of the property is hard surface (pervious). Landscape areas are limited. The 1.4 acre lot consists of 6,760 square feet of building space, asphalt driveways and parking spaces, and an outside storage area. The building's front exterior wall that faces Rocket Avenue is rock veneer and serves as the church's front entrance. The front yard has some pervious areas in front yard to add landscaping to enhance the property.

Recommendation

The property is in a manufacturing zone with businesses in the area. The church meets only on Sundays AM and Friday PM when businesses are closed. At this time, the church has about 30 members. Staff does not expect any adverse effects to adjacent properties. **Staff recommends conditional use approval subject to the following:**

1. Re-stripe the parking lot and include four handicap parking spaces.
2. Provide landscaping in the front yard area that faces Rocket Avenue to enhance the property.

Engineering Department Report

The Engineering Department has no comments or concerns regarding this Conditional Use.

Opelika Water Report

No Comments.

Opelika Power Services Report

This Subdivision is located inside the Opelika Power Services territory.



000238-2024
APPLICATION FOR
CONDITIONAL USE APPROVAL
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



Money Order
\$125.00

PC DEADLINE: 6/4 PC MEETING: 6/25

SITE ADDRESS: Rocket Ave - 103 A-B, Opelika AL 36801
PROPERTY OWNER: Managed by The Brown Agency;
APPLICANT/ AUTHORIZED REPRESENTATIVE: Revolution Church Ministries / Pamela Viale
MAILING ADDRESS: 2428 East University Dr Apt #403, Auburn AL 36830
PHONE NUMBER: (754) 304-6030 / (754) 204-6522 **FAX NUMBER:** N/A
EMAIL ADDRESS: revolutionchurch1831@gmail.com

PARCEL INFORMATION

Project name: Revolution Church **Address/Location:** Rocket Ave - 103 A-B
Current Land Use: unoccupied currently **Current Zoning:** Commercial Wave house
Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: _____
Description of Proposed Use: Gathering space for Sunday Service at 10:30 am
and later on Fridays at 7:30 pm

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] **Date:** 6/3/24

STATE OF ALABAMA,
COUNTY OF LEE

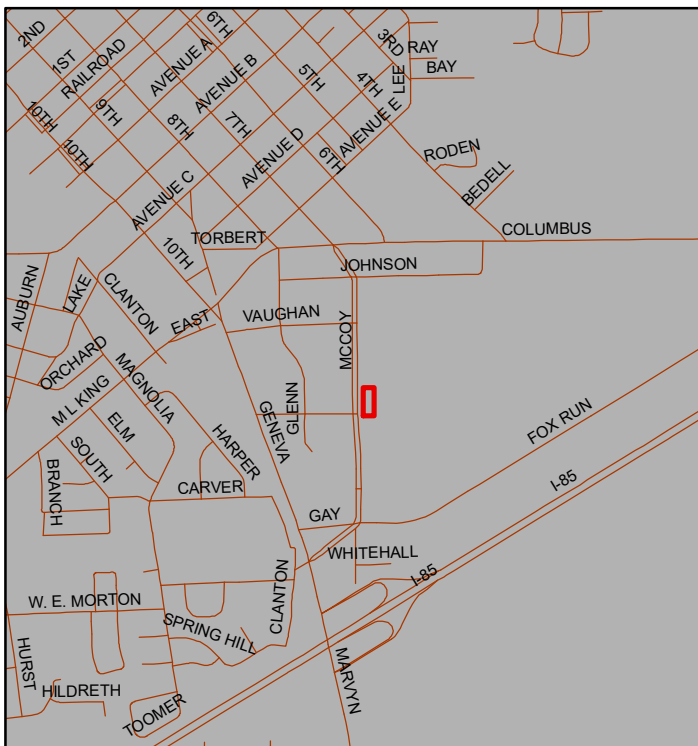
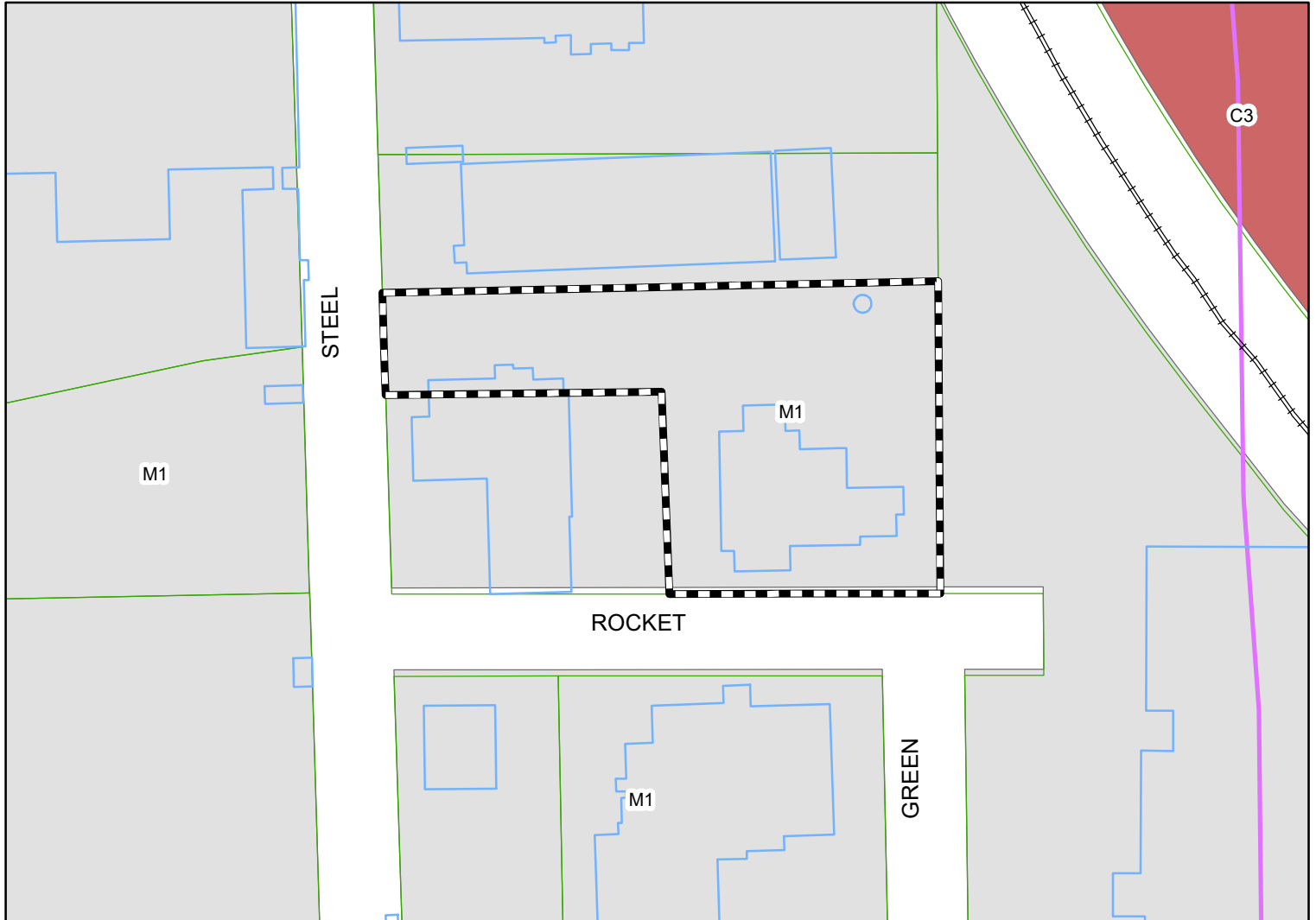
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

 Notary Public

My Commission Expires: _____

**REVOLUTION CHURCH
103 ROCKET AVENUE
CONDITIONAL USE, D-5**



The applicant is requesting approval for a church that meets on Fridays at 7:30 PM and Sundays at 10:30 AM. Currently the church has less than 30 people. From the Fire department, the maximum occupancy allowed in the building is 200 people. A child daycare for the week days (M to F) will not be provided.



Subject Property

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STEEL ST

ROCKET AVE

M1

M1

M1

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024

Agenda Item #: D-6

Action Requested: Conditional Use – Community Market (grocery store)

Location of Property: 1699 16th Place

Property Owner(s): Food Bank of East Alabama
David Slocum, Authorized Representative

Current Land Use: Vacant

Current Zoning: M-1, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North:	C-2, GC-P	Church (Central Baptist Church)
South:	M-1	Vacant
East:	M-1	Vacant and Church
West:	C-2	Residential (single family home)

Proposal:

The applicant requests conditional use approval to construct a permanent location for the Community Market at 1699 16th Place. The subject property is 2.17 acres. This property has an existing parking lot with no structures.

The Food Bank of East Alabama is a non-profit that serves to meet the needs of individuals in our community and throughout Alabama. This location would house a receiving and warehouse space, a loading dock area, a client shopping area, several office spaces, and a meeting room. On a daily average, this location will have three or fewer employees onsite. The community market provides appointment times or select days for clients to have shopping choices in the food pantry.

The site plan shows 30 paved parking spaces. For everyday operations they will be required to have 30 total parking spaces for the community market center with offices and a warehouse space based on the parking requirements in our zoning ordinance. The loading dock area is large, staff suggest the curb cut along 16th Street be reduced down to approximately 30 feet.

Landscaping is required for this use, and a plan has been provided. The plan which meets the base and parking lot points required, includes 208 landscape points and 30 parking lot points. Additionally, a street frontage buffer is required to be added along First Avenue. The frontage buffer plantings will need to be added to a revised landscape plan.

Recommendation:

Staff recommends approval subject to the following conditions:

Add the frontage buffer along First Avenue to the revised landscape plan.

Engineering Department Report

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

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

Opelika Utilities Board Report

Water is available from 16th Place, 16th Street, and 1st Avenue. No other comments.

Opelika Power Services Report

This Subdivision is located outside the Opelika Power Services territory.

000241-2024

AGENDA ITEM # 6

APPLICATION FOR CONDITIONAL USE APPROVAL PLANNING DEPARTMENT

700 FOX TRAIL
OPELIKA, AL 36801

PC DEADLINE: 6/14/24 PC MEETING: 6/25/24

PROJECT NAME: Food Bank of East Alabama

SITE ADDRESS: 1699 16th Pl.

PROPERTY OWNER: Food Bank of East Alabama

APPLICANT/ AUTHORIZED REPRESENTATIVE: David Slocum

MAILING ADDRESS: 106B W. Veterans Blvd. Auburn, AL 36832

PHONE NUMBER: (334) 703-8860

FAX NUMBER: _____

EMAIL ADDRESS: dslocum@pinnacle-inc.net

PARCEL INFORMATION

Current Land Use: Vacant

Current Zoning: M-1

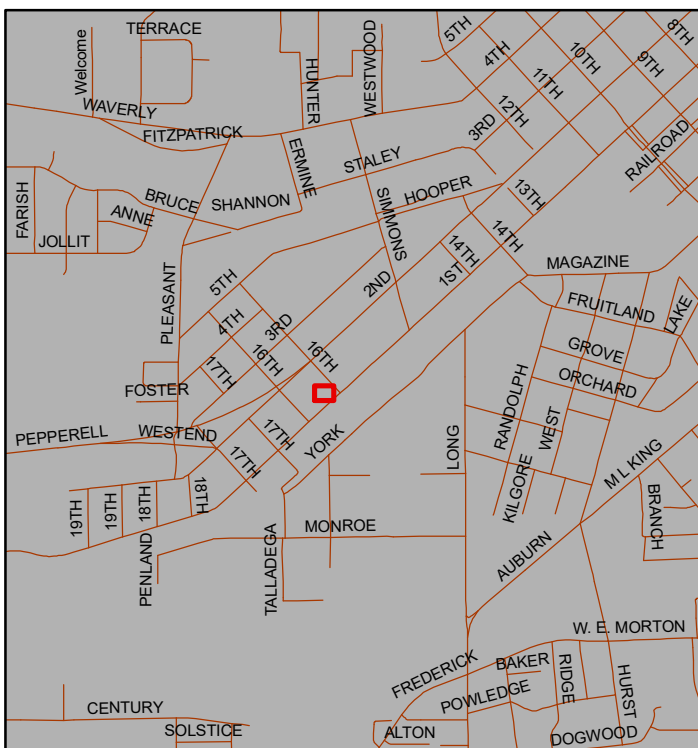
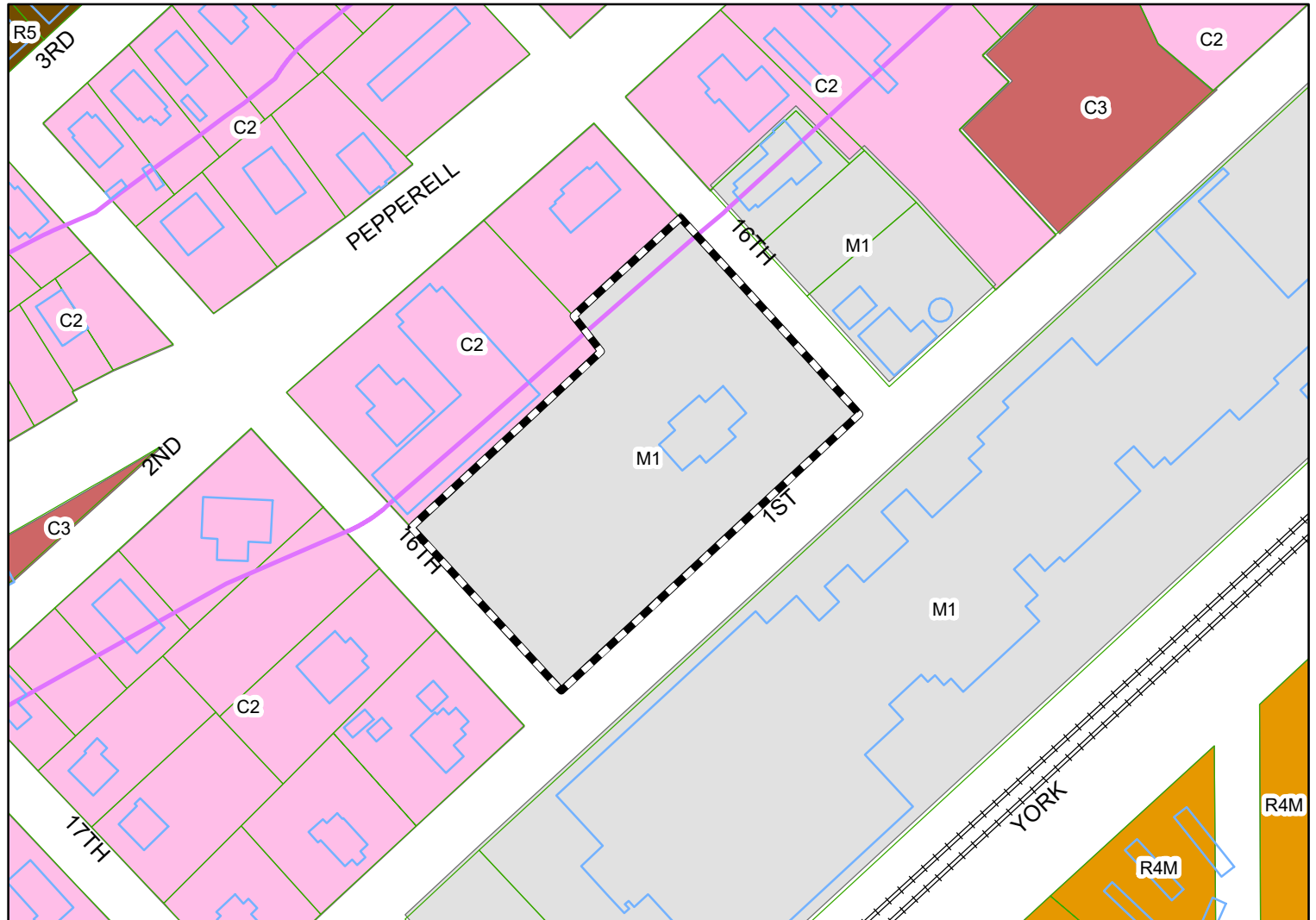
Description of Proposed Use: Food Bank of East Alabama grocery Store

Adjacent Zoning Districts: North: C-2 South: M-1 East: M-1 West: C-2

READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF **SUBSECTION 8.17 CONDITIONAL USES; E. General Use Standards.**

1. No application for a conditional use permit shall be approved unless the Planning Commission shall specifically find the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria.
2. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

**FOOD BANK GROCERY STORE
1699 16TH PLACE
CONDITIONAL USE, D-6**



The Food Bank is requesting approval for a grocery store. The property is near Piggly Wiggly, a car wash, and other commercial uses. The property is vacant and the new building and landscaping will enhance the area. The property is zoned M-1 (manufacturing).

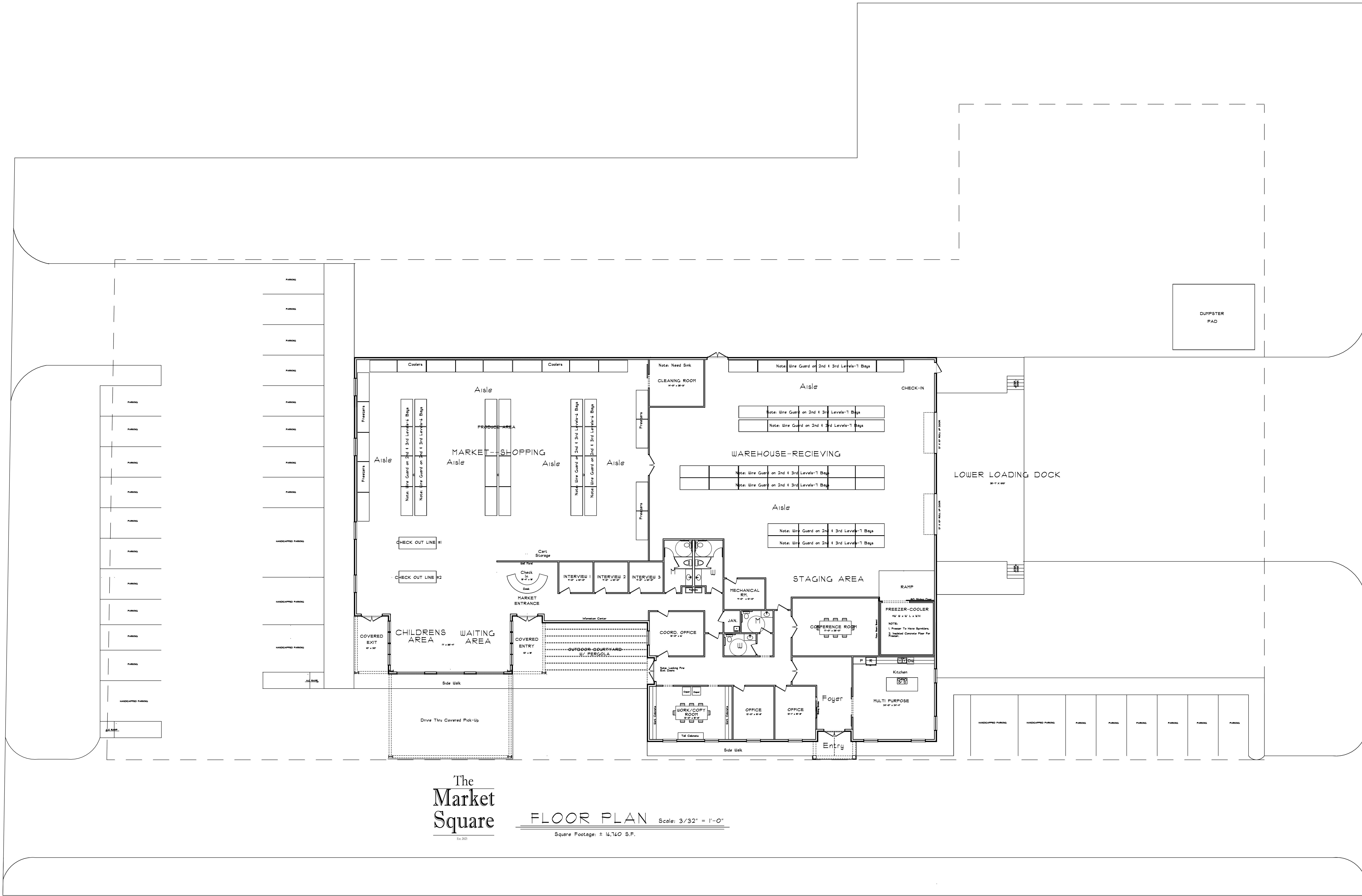


Subject Property

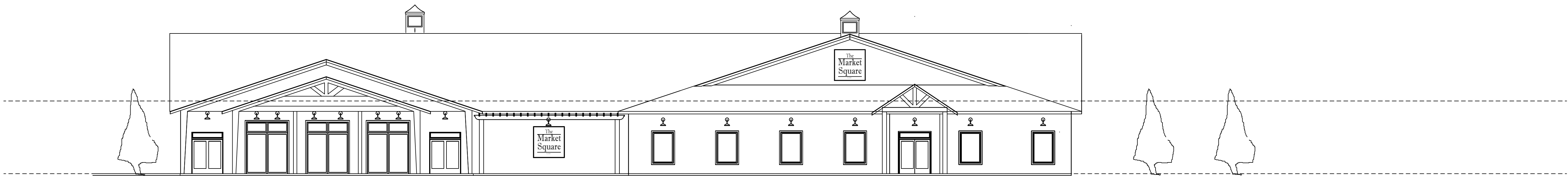
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16th Place

16th Street



1st Avenue

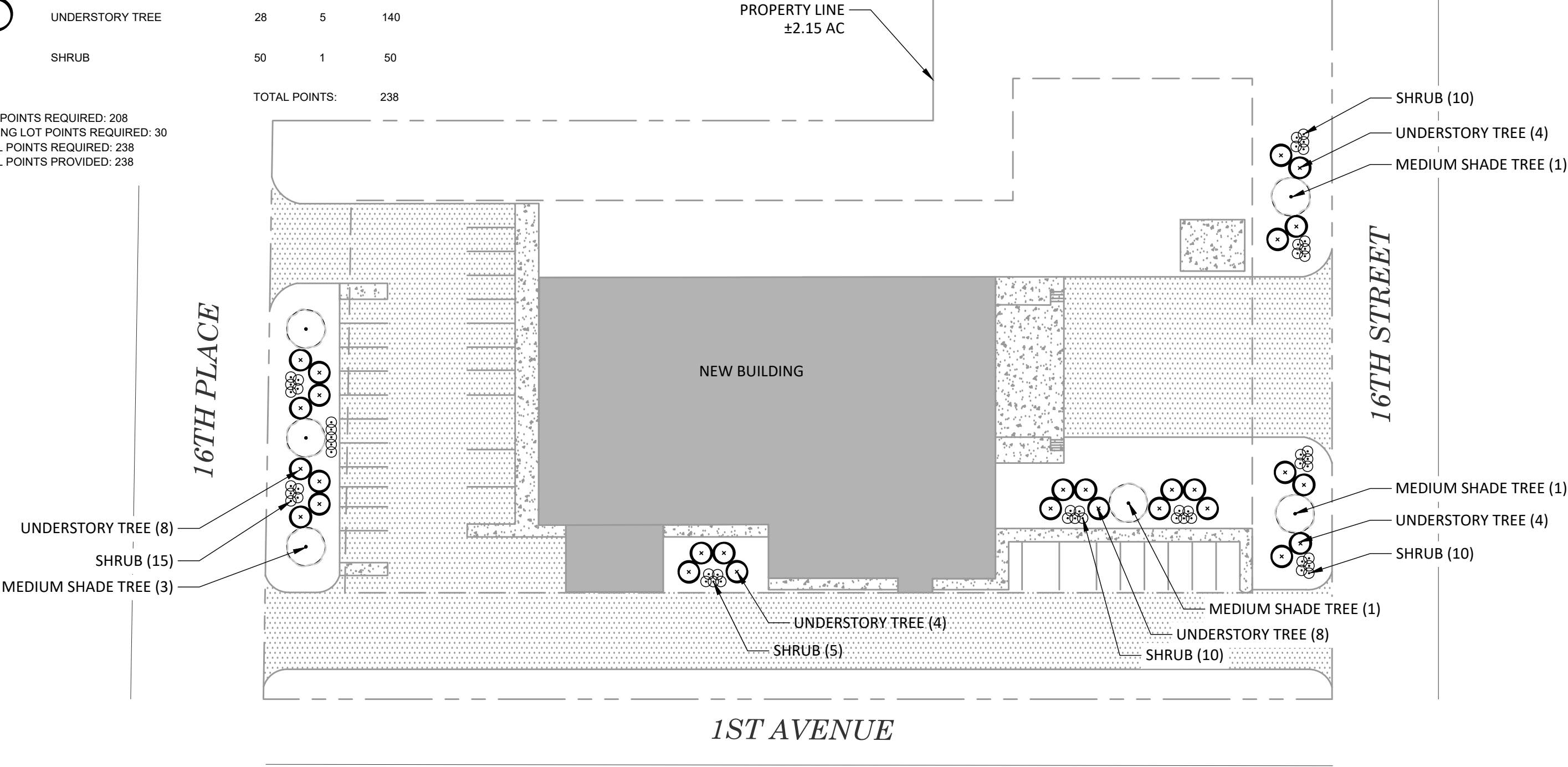


The Market Square FRONT ELEVATION Scale: 3/32" = 1'-0"

PLANT SCHEDULE

	TYPE	QTY	POINTS	TOTAL POINTS
	MEDIUM SHADE TREE	6	8	48
	UNDERSTORY TREE	28	5	140
	SHRUB	50	1	50
TOTAL POINTS:			238	

BASE POINTS REQUIRED: 208
PARKING LOT POINTS REQUIRED: 30
TOTAL POINTS REQUIRED: 238
TOTAL POINTS PROVIDED: 238



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024

Agenda Item #: D-7

Action Requested: Conditional Use – Apartments – 204 units.

Location of Property: Terminus of Corporate Drive

Property Owner(s): BH 55, LLC
Blake Rice, Barrett-Simpson, Inc, authorized representative

Current Land Use: Undeveloped

Current Zoning: I-1

**Surrounding Zoning Districts
And Land Uses:**

North	R-5	Shiloh (residential)
South	R-5 / C-2	Self Storage/singe family residential
East	I-1	Cemetery/Jeffcoat-Trant Funeral
West	C-2	Vacant

The applicant is requesting conditional use approval for a 204-unit apartment development on 13.2 acres. The property is located at the end of Corporate Drive across a small creek and floodplain area. The development will have 102 one-bedroom units, 82 two-bedroom units, and 20 three-bedroom units. The development consists of six (6) apartment buildings between 3-4 stories tall depending on the topography. The apartment amenities include a clubhouse next to a swimming pool.

The proposed development consists of six apartment building groups that with a total of 204 rental units. The apartment elevations show a mixture of brick and fiber cement siding which would be compliant with the Gateway Corridor, even though this is not within the corridor. The four story buildings do not exceed the maximum building height of 75 feet. The setbacks for I-1 are:

Front: 20 feet

Rear: 30 feet

Side: 30 feet

The setbacks are incorrectly drawn on the plan. There appears to be sufficient room on the site, but Buildings 2 and 5 appear to potentially be located within the setback. In the I-1 zone, 16 dwelling units

are allowed. The proposed density is 15.5 dwelling units per acre. The surrounding properties are zoned R-5, C-2 and I-1.

The site's location at the terminus of Corporate Drive creates some issues regarding access. The right-of-way for this lot does not connect to Corporate Drive at this time, but the applicant has made assurances that this has been resolved pending approval of the use. Without this connection, the development cannot be approved. The City is reviewing access in much more detail. In conversations with Public Safety and other departments, we have tried to push for multiple access points to developments with greater than 100 units. This site does not have very easy secondary access points. There is a 60-foot easement that extends along the Jeffcoat Trant property adjacent to the cemetery. This is currently the only access to the property, although it would take some work to even create an emergency access. There is an unopened right-of-way for Dorsey Drive to the north of the property, however it has been partially abandoned. Public Safety has significant concerns about access to this property, especially since the primary access goes through a flood plain area.

The minimum off-street parking requirements are 408 parking spaces required and they are providing 408 spaces. 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 site plan notes the required amount of total and parking lot landscaping. Based on the size the development is required to have 1,051 points. Undisturbed residential buffers are required and shown residential buffer as required along the north and southwest property lines to buffer the adjacent properties in a R-5 residential zoning district from the multi-family development. The landscape plan notes a total of 408 parking lot points (one point per parking space is required). The total landscape amount is off by one point. A full detailed landscape plan is required prior to any construction. The size of trees and shrubs on landscape plans must meet the minimum size requirements as provided in the Landscape Regulation. Staff also recommends that an undisturbed buffer or planted evergreen buffer be placed along the side adjacent to the cemetery.

The Planning staff does not have issue with the use of the property for apartments. Additionally, the building and design of the units appears to be attractive and consistent with recent standards we have recommended. However, there are some issues that need to be addressed prior to any recommendation for approval. Most concerning is the need for additional access or assurances that emergency services can reach the site when needed.

At this time staff cannot recommend approval. Should the Planning Commission decide to approve the use we recommend the following conditions:

- 1. Dedication of the right-of-way extending Corporate Drive to this site prior to any site development and issuance of a building permit. Completion of the road up to final platting prior to any certificate of occupancy being issued for the site.**
- 2. A secondary emergency access being provided or approval of access from Police and Fire Departments.**
- 3. Provide sidewalk access from the development to Corporate Drive.**
- 4. Setbacks shall meet the requirements of the I-1 zone.**
- 5. Add undisturbed or landscaped buffer to the side adjacent to the cemetery.**
- 6. Provide a full landscape plan meeting all requirements of the zoning ordinance and conditions of approval prior to issuance of any site development permit.**
- 7. Buildings shall be substantially similar in terms of materials, roofline, fenestration, and other design features with the provided elevations. All four sides of the development we recommend meet the Gateway Corridor cladding requirements with use of masonry consistent with the provided elevations.**
- 8. Dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure. Additional landscaping shall be installed around the enclosure.**
- 9. All utilities shall be underground.**
- 10. All mechanical and hvac units shall be screened from the public right-of-way.**
- 11. Any gates will need to be coordinated and approved by Opelika public safety departments for emergency entry.**

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 questions about if the roadway extension will be public or private. Regardless, there will need to be some ROW adjustments because only half of the roadway has ROW.

The Engineering Department has no other questions or concerns with this conditional use approval.

Opelika Water Report

Water is available from an 8-inch diameter main that terminates at cul-de-sac on Corporate Dr. The 8" Main will have to be extended for service to development. No other comments.

Opelika Power Services Report

This Subdivision is located in the Opelika Power Services and Alabama Power territory.

000242-2024

AGENDA ITEM # 7



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



PC DEADLINE: 6/14/24 PC MEETING: 6/25/24

SITE ADDRESS: Corporate Drive

PROPERTY OWNER: BH 55 LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.

MAILING ADDRESS: 223 S 9th Street Opelika, AL 36801

PHONE NUMBER: 334-745-7026 **FAX NUMBER:** 334-745-4367

EMAIL ADDRESS: brice@barrett-simpson.com

PARCEL INFORMATION

Project name: Corporate Drive Apartments Address/Location: Corporate Drive

Current Land Use: Vacant Current Zoning: I1

Adjacent Zoning Districts: North: R5 South: R5/C2 East: I1 West: C2

Description of Proposed Use: 200 Unit Multi-Family Development and amenity area.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____ Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

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

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

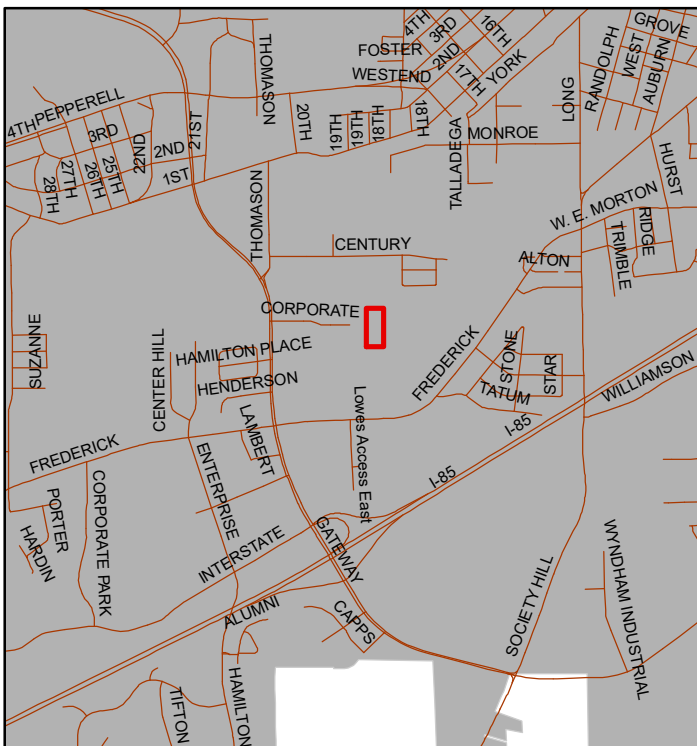
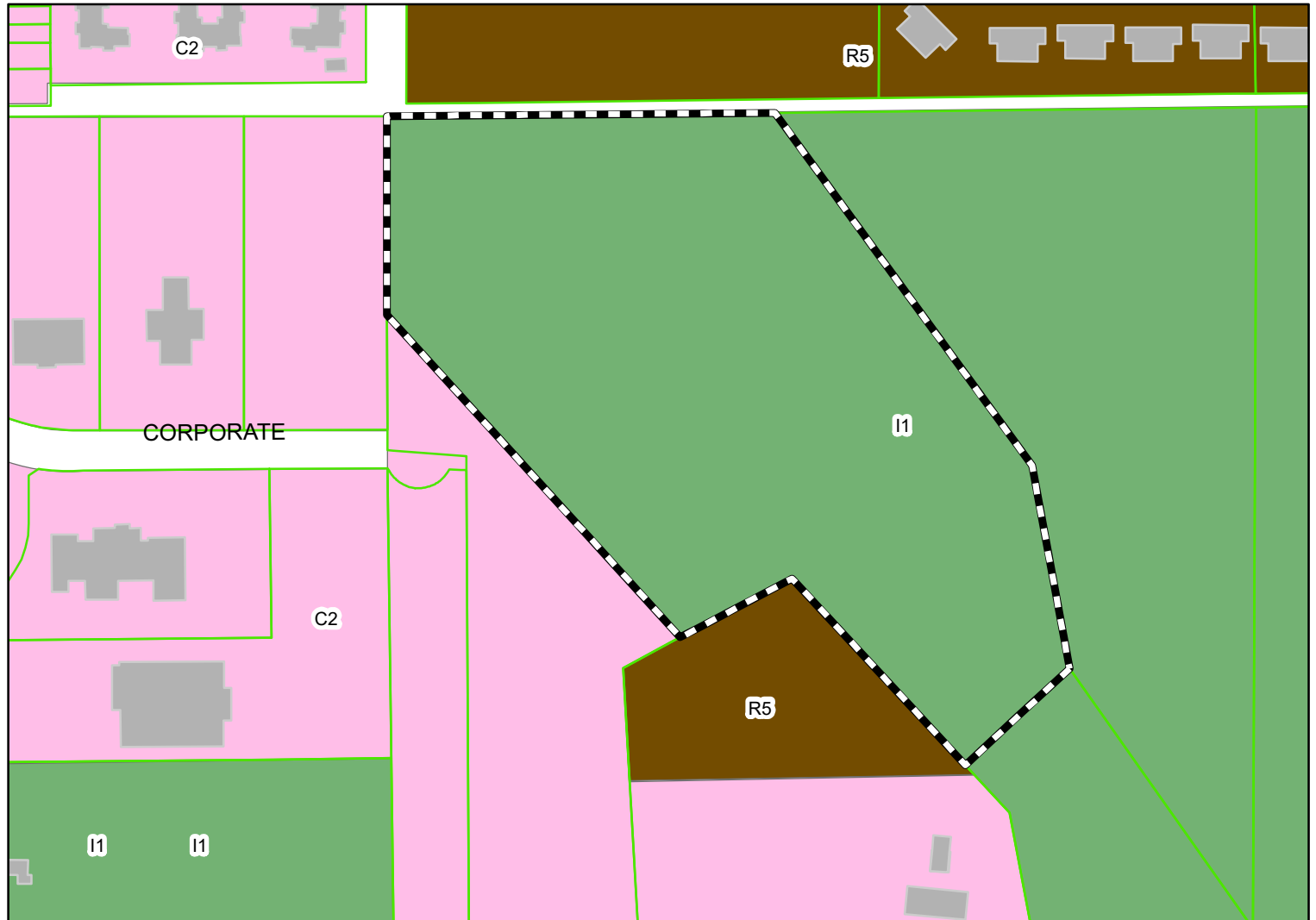
Notary Public

My Commission Expires: _____

CORPORATE DRIVE APARTMENTS

CORPORATE DRIVE

CONDITIONAL USE, D-7



The applicant is proposing 204 apartment units at the terminus of Corporate Drive. The six four-story apartment buildings consist of 102 one-bedroom units, 82 two-bedroom, and 20 three-bedroom units. A swimming pool and club house will be provided. The property is zoned I-1 (Institutional).

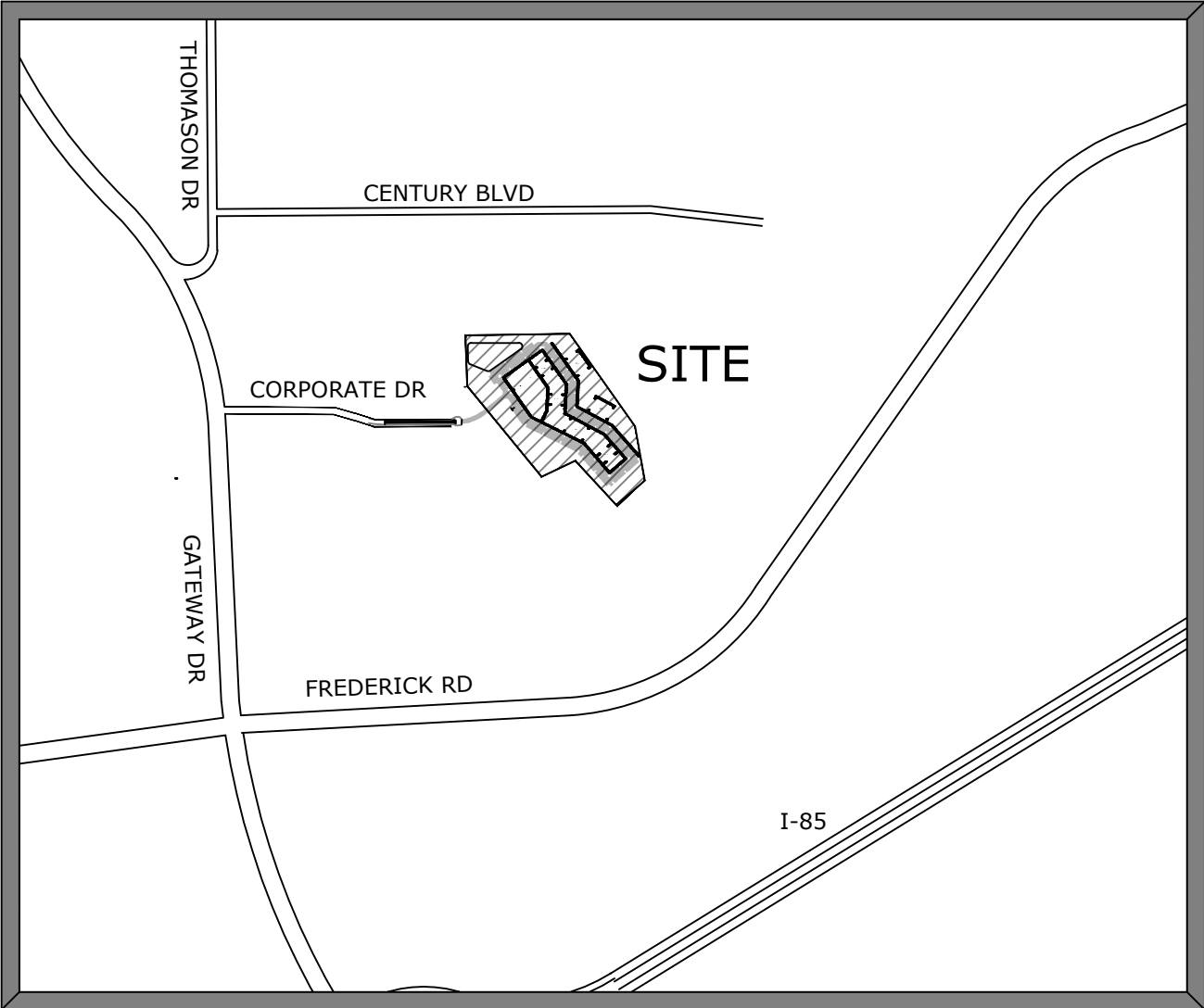


Subject Property

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:**
1. This drawing represents a conceptual plan for the development of the subject property. There may be factors that could affect the development, use and/or yield of the property which would only be disclosed by a thorough site assessment, including boundary survey, topographic survey, environmental assessment, wetlands delineation and utility availability, which may not have been performed for the purpose of this plan. There is no assurance by Barrett-Simpson, Inc. that the property can be developed according to this plan, or at a reasonable cost.
 2. Property lines and contours shown were taken from various online data sources and are shown for informational and planning purposes only. Data not field verified by Barrett-Simpson, Inc. at this time.

SITE PLAN
CORPORATE DRIVE APARTMENTS
BEING A PART OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA



VICINITY MAP
NOT TO SCALE
CORPORATE DRIVE
OPELIKA, AL

DEVELOPMENT DATA

TOTAL RESIDENTIAL BUILDINGS	6
TYPE 1 3 STORY 36 UNITS PER BLDG	1
TYPE 2 4/3 STORY 42 UNITS PER BLDG	2
TYPE 3 4/3 STORY 28 UNITS PER BLDG	3

TOTAL NUMBER OF UNITS	204
ONE BED/ONE BATH	102
TWO BED /TWO BATH	82
THREE BED/TWO BATH	20

CURRENT ZONING	I1
-----------------------	-----------

MAX DENSITY	16 UNITS/ACRE
ACTUAL DENSITY	15.5 UNITS/ACRE

SETBACKS	
FRONT	25
SIDE	10
REAR	20

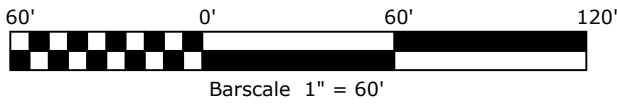
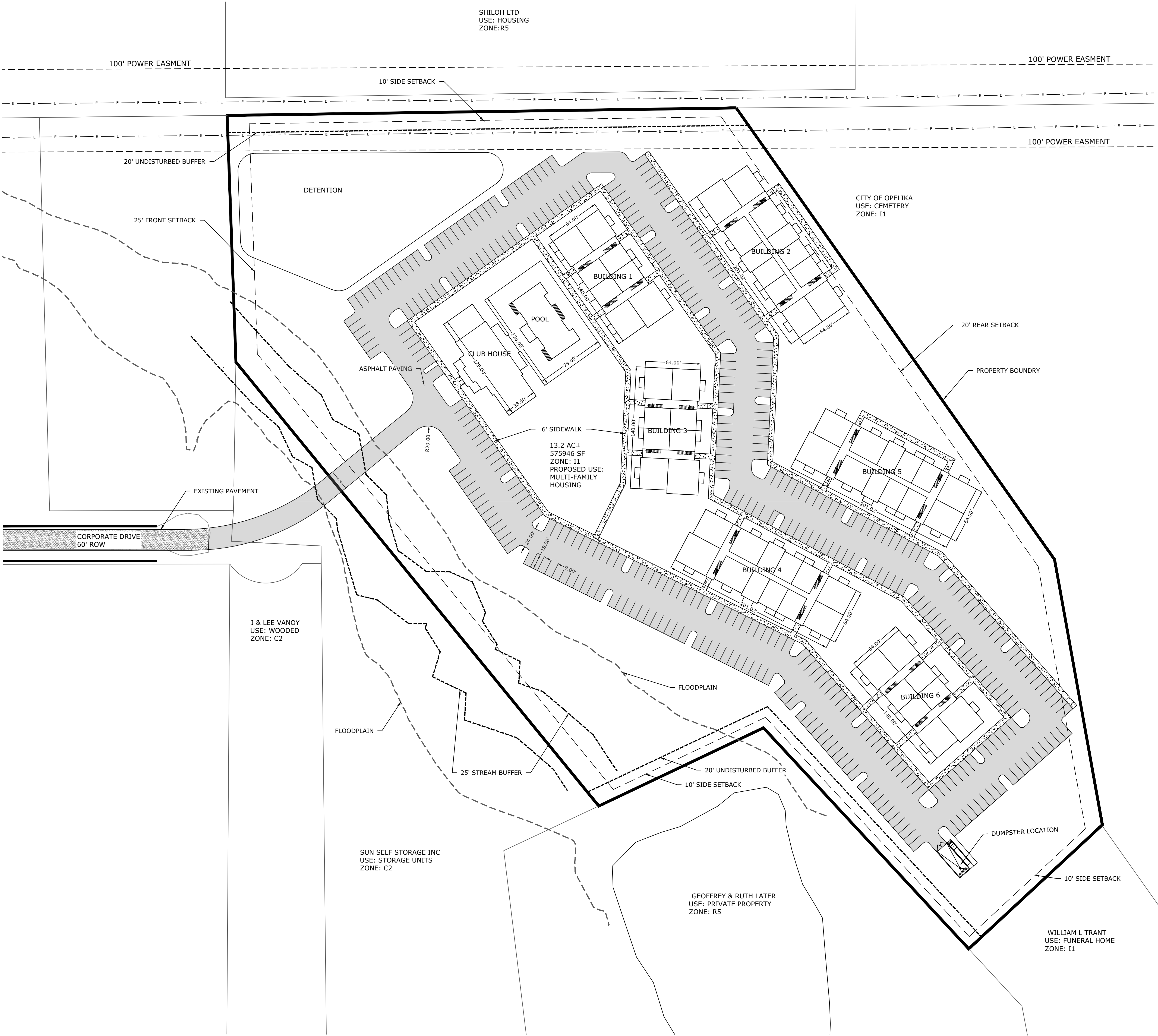
BUILDING HEIGHT	
MAXIMUM	
PROPOSED	

PARKING	
SPACES REQUIRED	408 (2/UNIT)
SPACES PROVIDED	408

LANDSCAPE REQUIREMENTS

LANDSCAPE REQUIREMENTS	
DEVELOPED AREA	515,700 SF
BASE POINTS REQUIRED	1,051
PARKING POINTS REQUIRED	408
TOTAL POINTS	1,458

*EACH PARKING LOT ISLAND SHALL HAVE AT LEAST ONE TREE





4 EXTERIOR ELEVATION - REAR
1/8" = 1'-0"



3 EXTERIOR ELEVATION - RIGHT
1/8" = 1'-0"



2 EXTERIOR ELEVATION - LEFT
1/8" = 1'-0"



1 EXTERIOR ELEVATION - FRONT
1/8" = 1'-0"

MATERIAL LEGEND

1	FC LAP SIDING - SMOOTH ALTERNATING 4" & 8" EXPOSURES
2	FC LAP SIDING - SMOOTH 4" EXPOSURE
3	FC SMOOTH BOARD & 1X3 BATTEN W/ 12" SPACING
4	FC SMOOTH BOARD & 1X3 BATTEN W/ 24" SPACING
5	FC SMOOTH PANEL
6	BRICK
7	FIBERGLASS ARCHITECTURAL SHINGLES
8	STANDING SEAM METAL ROOF

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024

Agenda Item #: E8a – E8b

Action Requested: Amendment to the Future Land Use Map and Rezoning: 22,450 square feet
(a) Amendment to Future Land Use map - from high density residential to light commercial
(b) Rezoning - from R-4M to C-2

Location of Property: 711 Pleasant Drive

Property Owner(s): Kibwe, LLC

Current Zoning: R-5M

Proposed Zoning: C-2 (office-retail)

Existing Land Use: Single family home

Surrounding Zoning Districts

And Land Uses:	North	R-3	Single-family homes
	South	M-2	I-85
	East	M-2, I-1	Undeveloped (I-85)
	West	R-3, M-2	Undeveloped

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) shows the 22,450 square foot rezoning property in a “high density residential” land use category. The adjacent properties on the north and west sides are single family homes also in a high density residential category. On the east and northeast side, the adjacent properties (8 acres) are in a “general commercial” category (zoned C-3). In 2008, about 8 acres adjacent to the rezoning request were rezoned from R-5M and M-1 to C-3. The 8 acres consisted of vacant mobile homes and single family homes or undeveloped areas. Also, the rezoning was adjacent to a more intensive M-1 zone (an older manufacturing area on Ermine Street and Staley Avenue). Since the 2008 rezoning about two acres of the eight acres have developed as tenant spaces for office & warehouse type uses. The adjacent property south of the rezoning property across Shannon Court is Wright’s grocery in a ‘light commercial’ land use category. On the west side across Pleasant Avenue, is a large older neighborhood (Westside SD, 100+ homes) in a “high density” residential.

Staff Recommendation

The rezoning request requires an amendment to the 2030 FLUM (Future Land Use Map) from a “high density residential” land use category to “light commercial”. The proposed light commercial land use category is the same category as the adjacent properties on the south side. The east-northeast adjacent properties are in a more intense category “general commercial”. If the rezoning request is approved, staff recommends the 2030 Future Land Use map be amended for the 22,450 square foot lot from a “high density residential land use category to a “light commercial” land use category.

Rezoning

The rezoning property is one lot (22,450 square feet) at the corner lot on Pleasant Drive and Shannon Court. A single family home is adjacent to the rezoning property on the north side. The adjacent properties (8 acres) on the east and northeast side are in a C-3 zone (general commercial). The property on the south side is Wrights Grocery store in a C-2 zoning district. The C-2 zone is defined as office-retail uses. The C-2 prohibits automobile sales, auto repairs, and manufacturing type of uses that require outside storage of equipment or material. The outside display or outside storage of other uses require conditional use review in the C-2 zone. A contractor’s office with outside storage requires conditional use approval. The property is small so a use that requires outside uses on the property is (ex. equipment/material storage or product display) is limited. Also, on the west side of the rezoning lot across Pleasant Drive is a single family neighborhood in the R-5 zone so outside uses are questionable. Pleasant Avenue is the zoning boundary between the R-5M and C-2 zoning districts.

Recommendation

The land uses that are allowed in a C-2 zone are compatible with the adjacent R-5M zone. Those uses that require conditional use approval may be approved with conditions. Several areas in Opelika zoned C-2 are adjacent to properties that are zoned residential. **Planning staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the property from R-5M to C-2.**

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed Rezoning request.

Opelika Water Report

Property is served from water main on Pleasant Avenue. No other comments.

Opelika Power Services Report

This Property is located inside the Opelika Power Services territory.

600231-2024

AGENDA ITEM # 8

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 6/4/24 PC MEETING: JUNE 25

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Kibwe LLCMAILING ADDRESS: 708 Herndon Street, Opelika, AL 36801PHONE NUMBER: 334-413-2938Email: Kibwellc2023@gmail.comrmfullerthomas@gmail.com**PARCEL INFORMATION**Site Address: 711 Pleasant Drive

Description of proposed use: _____

Tax Parcel Number: 43-09-01-12-3-000-062-000Adjacent Zoning Districts: North: R-5M South: C-2/C-3 East: C-3 West: R-3Current Land Use: ResidentialCurrent Zoning: R-5MProposed Zoning: C211,300 sq ft of property in the rear to C3Number of APO: 5 x \$7.00 = \$ 35.00
(Adjacent Property Owners)Fee: \$125.00**TOTAL**\$160.00

PAID: _____

I hereby request my property located at (street address) 711 Pleasant Drive,Tax Map parcel number 43-09-01-12-3-000-062-000 be rezoned fromR-5M to C2. A copy of the tax area map, a survey of the property, a copy of the deed

for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE: Robbie M Thomas

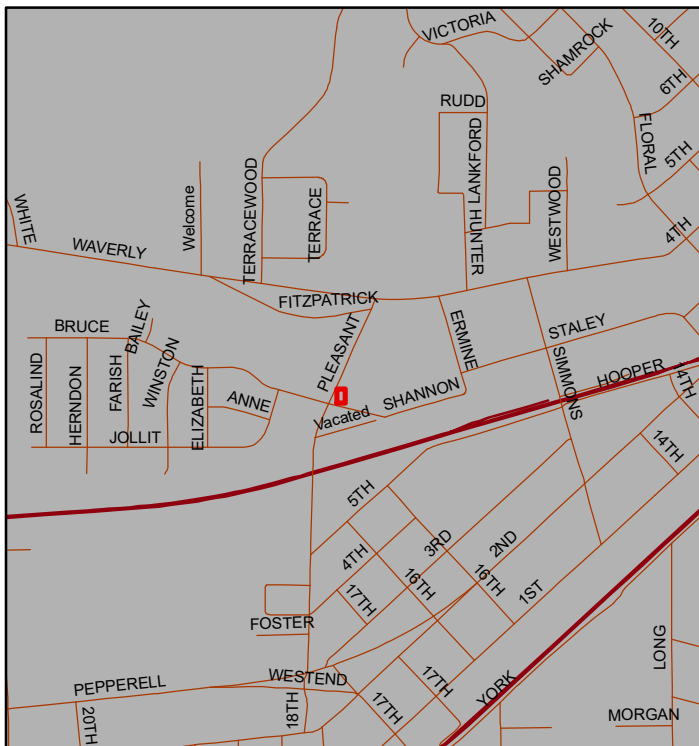
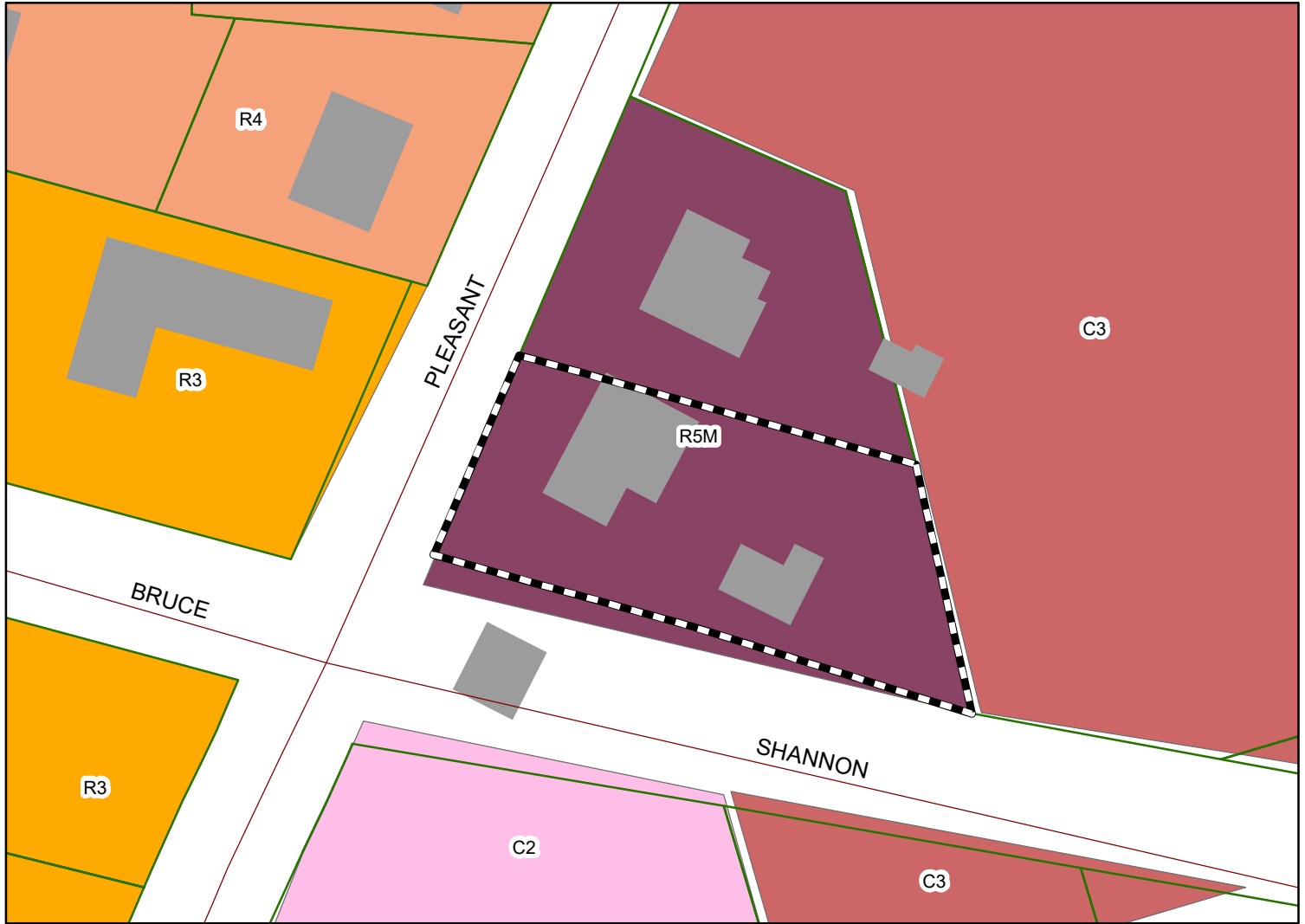
(PRINT NAME)

Robbie M. Thomas

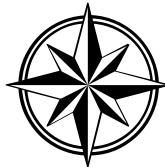
DATE

5/24/2024

KIBWE LLC REZONING 711 PLEASANT AVENUE R-5M TO C-2, E-8



The applicant's request is to rezone a 22,450 square foot from R-5M to C-2. A single family home and detached garage is on the lot.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024

Agenda Item #: E-9

Action Requested: Rezoning to C-1(Downtown Commercial District)

Location of Property: 704 1st Avenue, 104 North 7th Street, and a 3rd parcel on North 7th Street

Property Owner(s): Hayley Investments, LLC

Current Land Use: Restaurant/Retail and vacant

Current Zoning: C-2 (Office Retail)

Adjacent Zoning/Land Use: North: C-2 (South State Bank)
South: C-1 (Brewery Garden)
East: C-2 (PNC Bank)
West: C-2 (Warehouse space)

Staff Comments:

The applicant requests to rezone the property at 704 1st Avenue, 104 North 7th Street, and a vacant lot on North 7th Street from the standard C-2 Office Retail to C-1 Downtown Commercial District. The Downtown Commercial District is characterized by lot line to lot line construction. The applicant has proposed a restaurant to occupy the 704 1st Avenue structure, but the 7th Avenue buildings appear vacant. The rezoning from C-2 to C-1 would allow the proposed uses for these structures to extend the downtown commercial uses and downtown commercial connections along the northern side of 1st Avenue. This area is slowly being restored and will be used to expand our Downtown Commercial Core.

The opposite side of 1st Avenue is in the C-1 zoning district. Staff believes allowing these properties the same benefits as the nearby downtown restaurants and retail will continue reinvestment and add to our thriving downtown. The lots surrounding this area to the north and east are established banks and zoned C-2. This block is primarily commercial businesses. The parking downtown is adequate to accommodate additional C-1 zoning shared parking standards.

The C-1 zone is characterized by urban buildings that often extend from property line to property line. They also lack onsite parking but generally have on street parking available. These parcels

fit the typology envisioned by the C-1 district in the Zoning Ordinance. The rezoning would also cure some of the existing nonconformities of these buildings in relation to the C-2 zone, particularly in regards to setbacks and parking.

The Downtown Commercial District of C-1 uses that would be allowed by right in this zone are defined in the ordinance as “central business core of Opelika located in the old historic downtown area. Uses include retail, office, banking, insurance, government, food service, high density residential, service, and limited light assembly and manufacturing. This zone can be characterized by lack of off-street parking and mixed uses (Section 6.4 Purpose and Intent of Zoning Districts).

Staff recommends a positive recommendation to City Council to rezone from C-2 to C-1.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed Rezoning request.

Opelika Utilities Board Report

Property is served from water main on 1st Avenue. No other comments.

Opelika Power Services Report

This Property is located inside the Opelika Power Services territory.

060233-2024



REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: 6/14/24 PC MEETING: 6/25/24

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Hayley Investments LLC
 MAILING ADDRESS: PO BOX 3634 Auburn Alabama 36831
 PHONE NUMBER: 334-750-4626 Email: kurt@hayleyrealestate.com

PARCEL INFORMATION

Site Address: 704 1st Avenue, 104 North 7th Street, 0 North 7th Street Opelika Alabama 36830
 Description of proposed use: Restaurant/Retail

Tax Parcel Number: 431003073001004.000, 431003974002100001, 431003073001003.000

Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: _____

Current Land Use: Office/Retail District

Current Zoning: C2

Proposed Zoning: C1- Downtown Commercial District

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

Fee: \$125.00

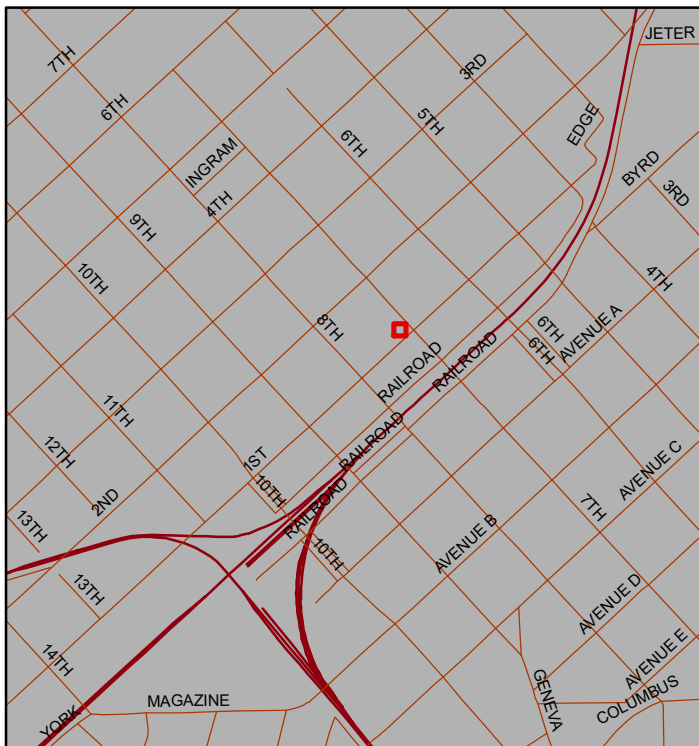
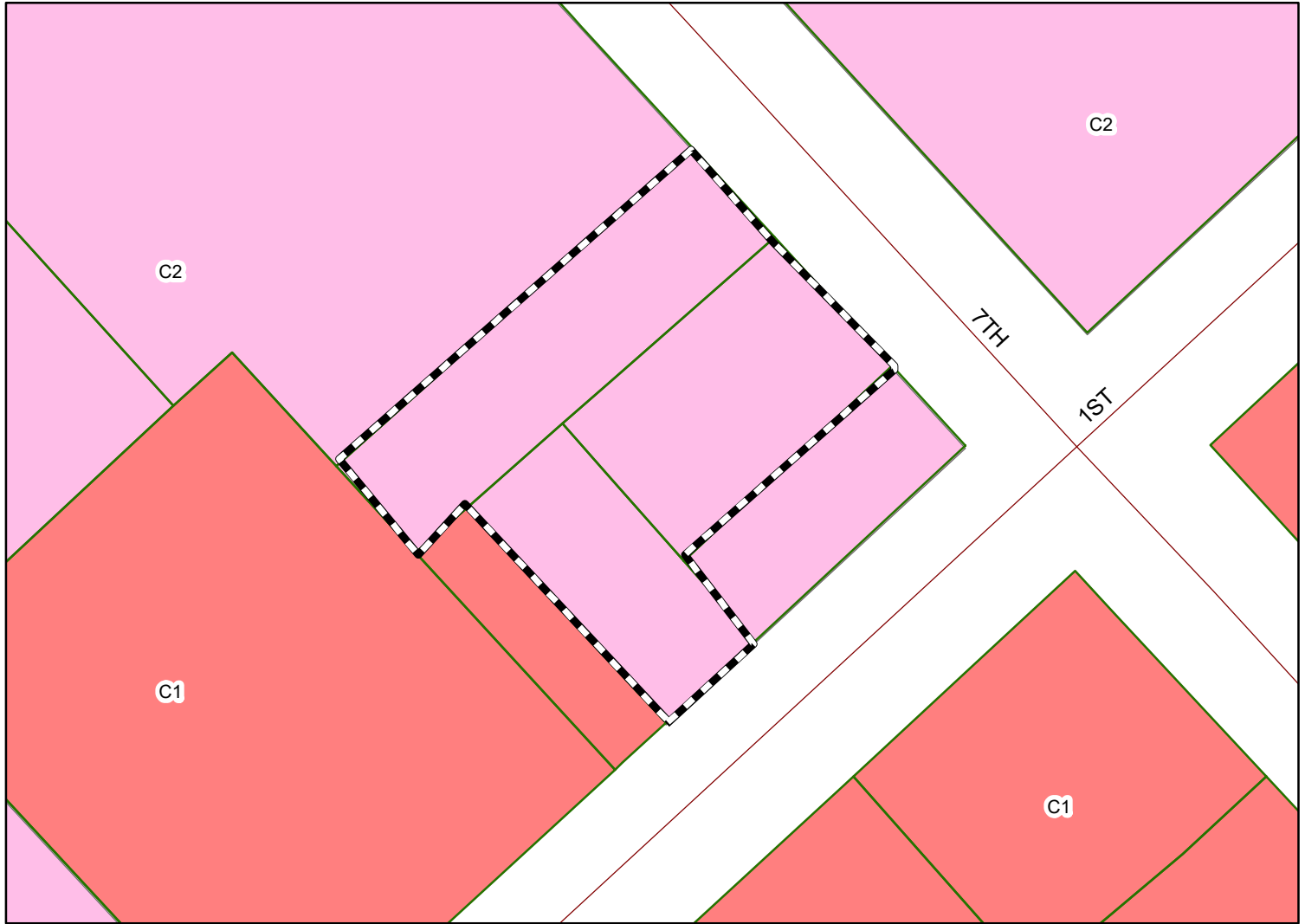
TOTAL = 153

PAID: _____

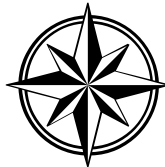
I hereby request my property located at (street address) 704 1st Avenue, 104 North 7th Street, 0 North 7th Street Opelika Alabama 36830,
 Tax Map parcel number 431003073001004.000, 431003974002100001, 431003073001003.000 be rezoned from
C2 to C1. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE:	
(PRINT NAME) <u>Richard Kurt Hayley</u>	
DATE	

HAYLEY REZONING FIRST AVENUE AND NORTH 7TH STREET C-2 TO C-1, E-9



The applicant is requesting to rezone three lots that total 18,696 square feet from C-2 to C-1.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 25, 2024 (previously tabled)

Agenda Item #: F-10

Action Requested: Conditional Use – 153 apartments in townhouse configuration

Location of Property: 1400 block of South Fox Run Parkway

Property Owner(s): Dyas Properties, LLC
Bradley Creasy, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2 with GC-P overlay

Surrounding Zoning Districts

And Land Uses:	North C-2	Auto sales and repair
	South C-2	Church and vacant
	East C-3	Vacant
	West C-2	Vacant and detention pond

The applicant is requesting conditional use approval for a 153-unit apartment development with a townhouse configuration on 20.2 acres. The property is located on the north side of South Fox Run Parkway across from Heritage Baptist Church. The property is largely wooded with a branching creek and some floodplain running through the property. The units are rental units not condo or fee simple ownership. The development will have 43 one-bedroom units, 74 two-bedroom units, and 36 three-bedroom units. The amenities include an office/clubhouse next to a swimming pool, walking trails, pickleball courts, and a dog park. Sidewalks are shown in front of all apartment buildings.

The proposed development is somewhat different from many plans that have been submitted to the City. Instead of having larger buildings with many units, this development has 11 building types with between 2-7 units per building. Some of the units appear to be one story duplexes while others are two story townhouse or loft configurations. This creates much more variety than most apartment or townhouse style developments.

In a C-2 zone, 16 dwelling units are allowed. The proposed density is 7.6 dwelling units per acre. The surrounding properties are zoned C-2 or C-3. The site meets the overall setbacks for the GC-P zone as well.

The development greatly exceeds the parking requirement. The minimum off-street parking standards require 306 parking spaces. They are showing 341 parking spaces. The site does show any dumpsters enclosures. These containers need to be enclosed and screened with corridor approved materials and landscaping.

The applicant has not included a landscape plan, but does note that they plan to leave very large, wooded buffers along all the edges of the property. Staff recommends this include the 40 setback area in the front and then at least 20 feet on each side. Based on the size the development is required to have 1,780 points. The site would also require 341 parking landscape points. If they leave the edges intact as proposed, they will likely exceed the general landscape planting requirements and would then only need to meet the parking area landscaping. This would include adding trees to peninsulas and islands in the parking lot. If they do have to remove landscaping from the exterior buffers, they will need to provide more information and potentially more trees. If the buffers along S. Fox Run Parkway are removed corridor plantings will be required and additional plantings may be required where the rear of building are visible from the street. At the very least a plan a landscape plan will be required showing parking landscaping and the areas where trees will be preserved. The applicant should also provide some general foundation plantings around the building. The size of trees and shrubs on landscape plans must meet the minimum size requirements as provided in the Landscape Regulation.

The most glaring concern with this development is the significant portion of floodplain on the property. Additionally, approximately 40 units are located within the current bounds of the floodplain. Staff has serious concerns about how this will be handled to ensure that the structures and future residents are not at risk. The applicant does show some retaining walls that appear to try to get the property out of the base flood elevation. There are other acceptable ways to build within the floodplain, but at this time we feel we need more information before granting full approval. The Fire Department has significant concerns about the number of units accessible from only one entrance and the fact that many of those units are located in areas currently shown as flood plain.

Overall Planning staff believe the location and density proposed are appropriate for this site. Additionally, the unit mix is a unique concept for Opelika. We feel we do need some additional information on landscaping. We do have reservations about how the construction in the floodplain will be accomplished to ensure the units are not at risk. Additionally, the Fire Department has expressed great concern over the ability to access half of the development as there is only a single entry point.

Staff feels this is an appropriate use at this location but cannot recommend approval without additional information on the development within the floodplain. If Planning Commission does grant conditional use approval staff recommends approval subject to the following:

- 1. A secondary emergency access being provided or approval of access from Police and Fire Departments.**
- 2. Provide a landscape plan showing the buffers as stated in the written report and to include parking lot landscaping to meet the regulations and foundation plantings.**
- 3. If the buffer along S. Fox Run Parkway is not a large undisturbed buffer, additional plantings meeting the Gateway Corridor standards will be required.**
- 4. Note the materials proposed for the units. All four sides of the development we recommend meet the Gateway Corridor cladding requirements.**
- 5. Dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure.**
- 6. All utilities shall be underground except overhead required transmission lines.**
- 7. All mechanical and hvac units shall be screened from the public right-of-way.**
- 8. Any gates will need to be coordinated and approved by Opelika public safety departments for emergency entry.**
- 9. Approval of floodplain modification by the City of Opelika and FEMA.**

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.

There is a concern that many of the proposed units are in the current flood plain. This will need to be permitted by the City Flood Plain administrator and FEMA prior to construction.

A traffic study will be required, or an agreement for additional turn lanes on South Fox Run Parkway can be reached by the applicant and Engineering Department.

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

Opelika Water Report

Water (6" Main) is available along South Fox Run Parkway but does not have capacity to feed the full development. It is recommended that access to Columbus Parkway (to north) be secured where there is abundant capacity in the existing water main. This would also provide duplicate feeds to the development.

Opelika Power Services Report

This Subdivision is located inside the Opelika Power Services territory.

000200-2024



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



PC DEADLINE: 05/07/2024 PC MEETING: 05/28/24

SITE ADDRESS: <u>0 Columbus Parkway, Opelika, AL 36801 Parcel ID: 1004171000002001</u>	
PROPERTY OWNER: <u>Dyas Properties, LLC</u>	
APPLICANT/ AUTHORIZED REPRESENTATIVE: <u>Bradley Creasy</u>	
MAILING ADDRESS: <u>215 Richard Arrington Jr. BLVD N, STE 301, Birmingham, AL 35203</u>	
PHONE NUMBER: <u>205-218-8029</u>	FAX NUMBER: _____
EMAIL ADDRESS: <u>bcreasy@gladstone-ep.com</u>	

PARCEL INFORMATION

Project name: The Cottages at Fox Run Address/Location: 0 Columbus Parkway, Opelika, AL
Current Land Use: Vacant Current Zoning: C-2, GC-P
Adjacent Zoning Districts: North: C-2 South: N/A East: C-3 West: C-2
Description of Proposed Use: We are seeking a zoning variance to allow for a low-density, class A+ cottage-style townhouse multifamily community as a conditional use under the existing C-2/GC-P zoning district.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Chris Selman, attorney-in-fact, being owner of the property which is the subject of this conditional use application hereby authorize Bradley Creasy, 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: Chris Selman, attorney-in-fact Date: May 7, 2024

STATE OF ALABAMA,

COUNTY OF ~~LEE~~ JEFFERSON

I, DAVID SPIVEY, a Notary Public in and for said County and State, hereby certify that CHRIS SELMAN, 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.

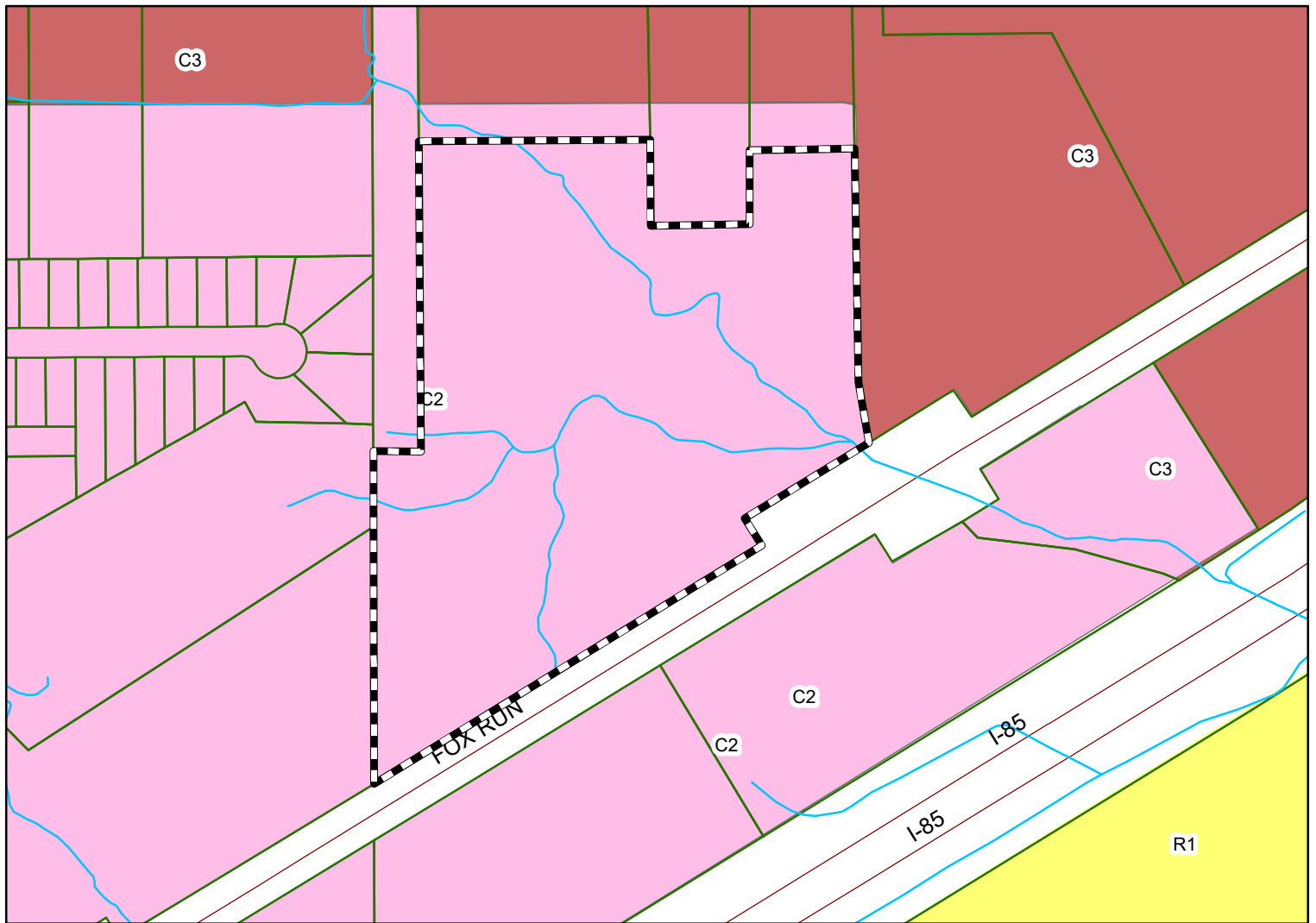
Given my hand and seal of office this 7 day of MAY 2024

Notary Public

My Commission Expires: 7/15/24



**THE COTTAGES AT FOX RUN BUILD-TO-RENT DEVELOPMENT
1400 BLOCK SOUTH FOX RUN PARKWAY
CONDITIONAL USE, F-10**



The applicant is requesting approval for 153 build-to-rent attached dwelling units on 20 acres in a C-2, GC-P zoning district. Density is 7.6 units per acre, 58% of area is open space, walking trails provided along streams.
(This item was Tabled at the May 28th PC meeting).



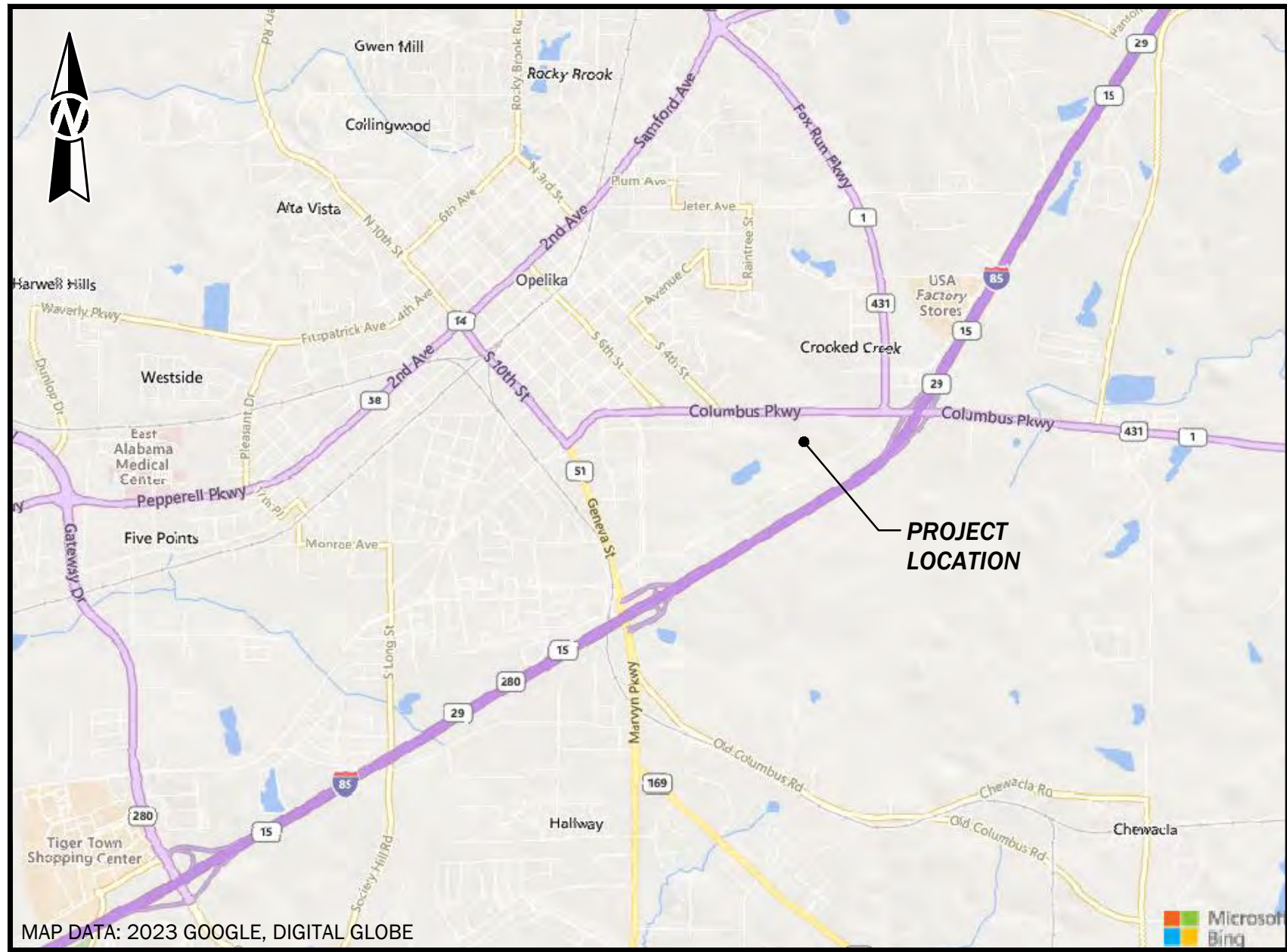
Subject Property

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

Bldg Type	Level	3BR-1	3BR-2	3BR-3	3BR-5	3BR-3	3BR-1	3BR-2
BUILDING 2								
TYPE I				2				
Bldg TOTAL	2	2	2	2	2	2	2	2
# of Bldgs	1	-	-	-	-	-	-	-
TOTAL			2					
BUILDING 2								
TYPE II	2	3					2	
Bldg TOTAL	5	3					2	
# of Bldgs	3	-	-	-	-	-	2	-
TOTAL	3	9	-	-	-	-	6	12
BUILDING 2								
TYPE III	2		3					
Bldg TOTAL	3	-	3	-	-	-	-	-
# of Bldgs	9	-	-	-	-	-	-	-
TOTAL			27					27
BUILDING 2								
TYPE IV	2			4				
Bldg TOTAL	4	-	-	4	-	-	-	-
# of Bldgs	1	-	-	4	-	-	-	-
TOTAL				27				27
BUILDING 2								
TYPE V	2			2	2			
Bldg TOTAL	4	-	-	2	2	-	-	-
# of Bldgs	5	-	-	2	2	-	-	-
TOTAL				10	10	-	-	20
BUILDING 2								
TYPE VI	2					2		
Bldg TOTAL	4	-	-	2	-	2	-	-
# of Bldgs	12	-	-	24	-	24	-	-
TOTAL				24		24		48
BUILDING 2								
TYPE VII	2						2	
Bldg TOTAL	2	-	-	-	-	-	2	-
# of Bldgs	2	-	-	-	-	-	4	-
TOTAL							4	
BUILDING 2								
TYPE VIII	2						2	
Bldg TOTAL	2	-	-	-	-	-	2	-
# of Bldgs	7	-	-	-	-	-	14	-
TOTAL							14	
BUILDING 2								
TYPE IX	2				1	2		
Bldg TOTAL	3	-	-	3	-	2	-	-
# of Bldgs	2	-	-	2	-	4	-	-
TOTAL				2	4			
BUILDING 2								
TYPE X	2				6			
Bldg TOTAL	6	-	-	6	-	-	-	-
# of Bldgs	1	-	-	6	-	-	-	-
TOTAL				6				6
BUILDING 2								
TYPE XI	2						2	
Bldg TOTAL	7	-	5	-	-	-	2	-
# of Bldgs	1	-	-	-	-	-	2	-
TOTAL							2	
UNIT TOTALS								
		1 BEDROOM	2 BEDROOM	3 BEDROOM		3 BEDROOM	3BR-2	TOTAL
FOOTPRINT		18R-1	3BR-2	2BR-3	2BR-3	3BR-1	3BR-2	153
		14	29	46	14	14	28	8
RATIO		49	74	95	36	24%	100%	
AVERAGE UNIT GROSS		728.7	1,382.0	1,382.0	1,382.0	1,382.0	1,382.0	1,382.0
AVERAGE UNIT NET AREA		683.9	1,130.1	1,130.1	1,130.1	1,130.1	1,130.1	1,130.1
% TYPE A UNITS		NA	NA	NA	NA	NA	NA	NA

Fox Run Parkway Development LLC
Parcel: 10041720000021006
Db. 1281, Pg. 0000243
Zoning: C-2
Use: Undeveloped

Pyramid Financial Trust LLC
Parcel: 10041720000021000
Db. 2562, Pg. 0000731
Zoning: C-2
Use: Undeveloped



COTTAGES AT FOX RUN

GLADSTONE EQUITY PARTNERS

FOX RUN PARKWAY
OPELIKA, ALABAMA

PRELIMINARY
(NOT FOR CONSTRUCTION,
RECORDING PURPOSES
OR IMPLEMENTATION)

No.	Date	Revision Description

Drawn By: JTS Checked By: T A R
 Date: 04/16/24 Proj. No.: 24-11-00443.00
 File Name: 2404143_Concent Layout.dwg

Sheet No.
C1.1

The Cottages at Fox Run

Project Description:

The Cottages at Fox Run (“Fox Run”), located on Fox Run Parkway and in close proximity to the Highway 280 corridor, is a proposed cottage-style community consisting of **153 units (7.5 units/acre) totaling ~173,000 square feet**. The Fox Run BTR project will feature a mixture of 1, 2 and 3-bedroom cottage, townhome and duplex units. These spacious units will feature large floor plans, unique “new urbanism” design elements, private outdoor yard + patio and Class-A finishes. The community is designed to create a traditional neighborhood feel and the privacy of a single-family home without the constraints that come with homeownership. High-end amenities, on-site management, and resident events will transform residents into neighbors, encouraging a sense of community in the greater Opelika market, while also filling a gap for additional housing options not currently presented.

Prospective Community Amenities:

- Community green, clubhouse with fitness center, resident lounge, pool, outdoor kitchen and fire pits
- Dog park with pet washing station and play area, pickleball courts & pocket parks throughout
- Gated access with sidewalks and walking trails throughout
- Car charging station, package lockers, valet trash service, smart home packages

Gross Square Footage: Residential: 169,942; Clubhouse & Maintenance: 3,000

Proposed Residential Units: 153 (7.5/units per acre)

Avg. Unit Size (SF): 1,111 Avg. (716-1,442 SF; 1 to 3 bedroom, respectively)

Location | Parcel | Current (& Proposed) Zoning:

- **Address:** N/A
- **Parcel #(s):** 1004171000002001
- **Site Size:** 20.25
- **Current Use:** Vacant land
- **Current Zoning:** C-2 / GC-P
- **Proposed Use:** Residential (Permitted as Conditional Use)

What is Build-To-Rent?

A “Build-To-Rent” community, also known as BTR, is a type of real estate development in which an entire community of high-quality single-family rental properties is purposefully designed, constructed, and operated by a single developer. The primary focus of a build-to-rent community is to provide high-quality, well-designed, and professionally managed rental housing for tenants amidst the current U.S. housing market conditions resulting from lack of inventory, increased construction costs, high interest rate environment and rising inflation.

Why did we choose Built-To-Rent?

BTR presents a unique and modern approach to multifamily development by providing a visually appealing community for municipalities, as well as a distinct style of living for all of our tenants. Our BTR projects provide a charming and thoughtful design to our communities boasting fashionable architecture and a wide array of amenities for our residents.

Who manages Build-To-Rent?

BTR communities are owned and professionally managed by a single entity. The community operators are responsible for all the management including leasing, maintenance, repairs, and landscaping to ensure a hassle-free living experience to all our residents.

Build-to-Rent Demand Drivers:

- Favorable Demographics/Renters by Choice
- Rising For-Sale Housing Costs/High Cost of Homeownership/Interest Rates & Down Payments/Insurance/Taxes/Maintenance
- Increase Need for Financial Flexibility
- Population Migration Patterns/Appeal of Less Dense Multi-family options
- Access to Outdoor Space/Amenities
- Remote Work – And the Need for More Space Traditional Multifamily Lacks

Amenities & Advantages:

- Clubhouse
- Fitness Center
- Pool
- Outdoor Kitchen
- Communal Fire Pits
- Community Green
- Walking Trails
- Dog Park
- Pickleball/Basketball Courts
- Gated Access
- Car Charging Station
- Package Lockers
- Valet Trash Service
- Smart Home Packages
- Ample Parking (2.3 Spaces/Unit)
- Private Backyard Space
- Private Patio

Preliminary Construction Schedule:

Milestone	Date	Months from Start
Begin Construction		
	November '24	0
Deliver First Units		
	November '25	12
Complete Construction		
	January '26	14

Remainder of Page Intentionally Left Blank

Area Coverage Breakdown:

SETBACKS:

FRONT: 40'
SIDE: 20'
REAR: 20'

IMPERVIOUS COVERAGE:

SIDEWALK AREA:	±42,650 SF
PAVING/CURBING AREA:	±146,650 SF
TOTAL:	±189,300 SF

IMPERVIOUS COVERAGE %: $189,300 \text{ SF} / 880,000 \text{ SF} = \pm 21.5\%$

BUILDING COVERAGE:

BUILDING AREA: ±149,000 SF

BUILDING COVERAGE %: $149,000 \text{ SF} / 880,000 \text{ SF} = \pm 16.9\%$

LANDSCAPE/OPEN SPACE COVERAGE:

TOTAL AREA (880,000 SF) - IMPERVIOUS AREA (189,300 SF) - BUILDING AREA (149,000 SF)
= 541,700 SF

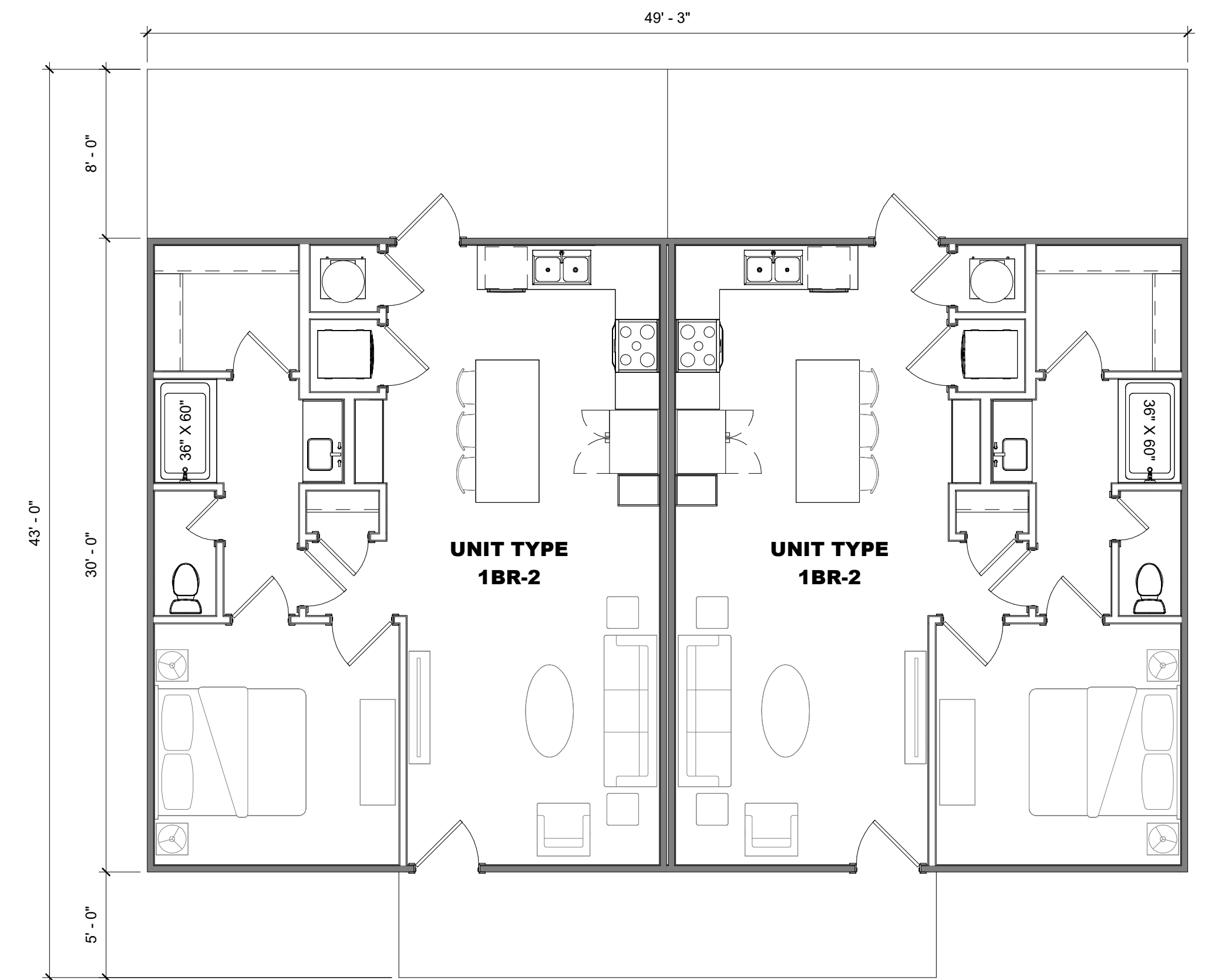
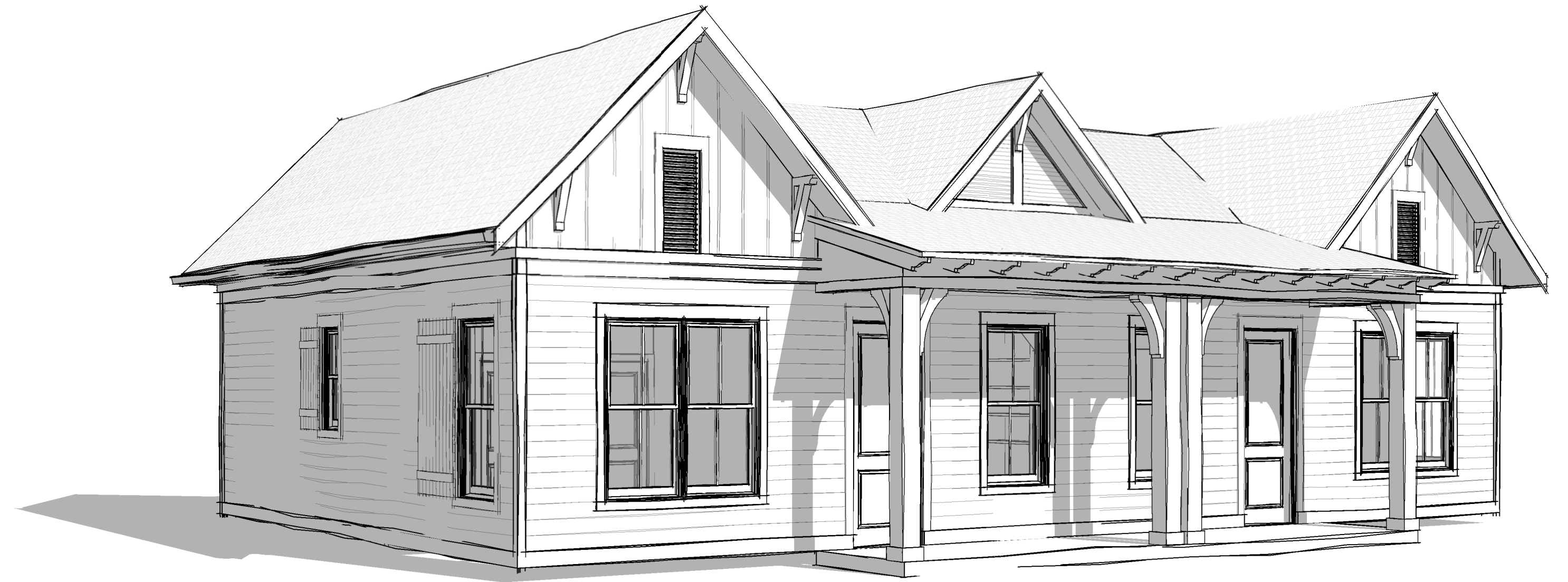
LANDSCAPE/OPEN SPACE COVERAGE %: $541,700 \text{ SF} / 880,000 \text{ SF} = \pm 61.6\%$

Intended Usage of Water & Sewer:

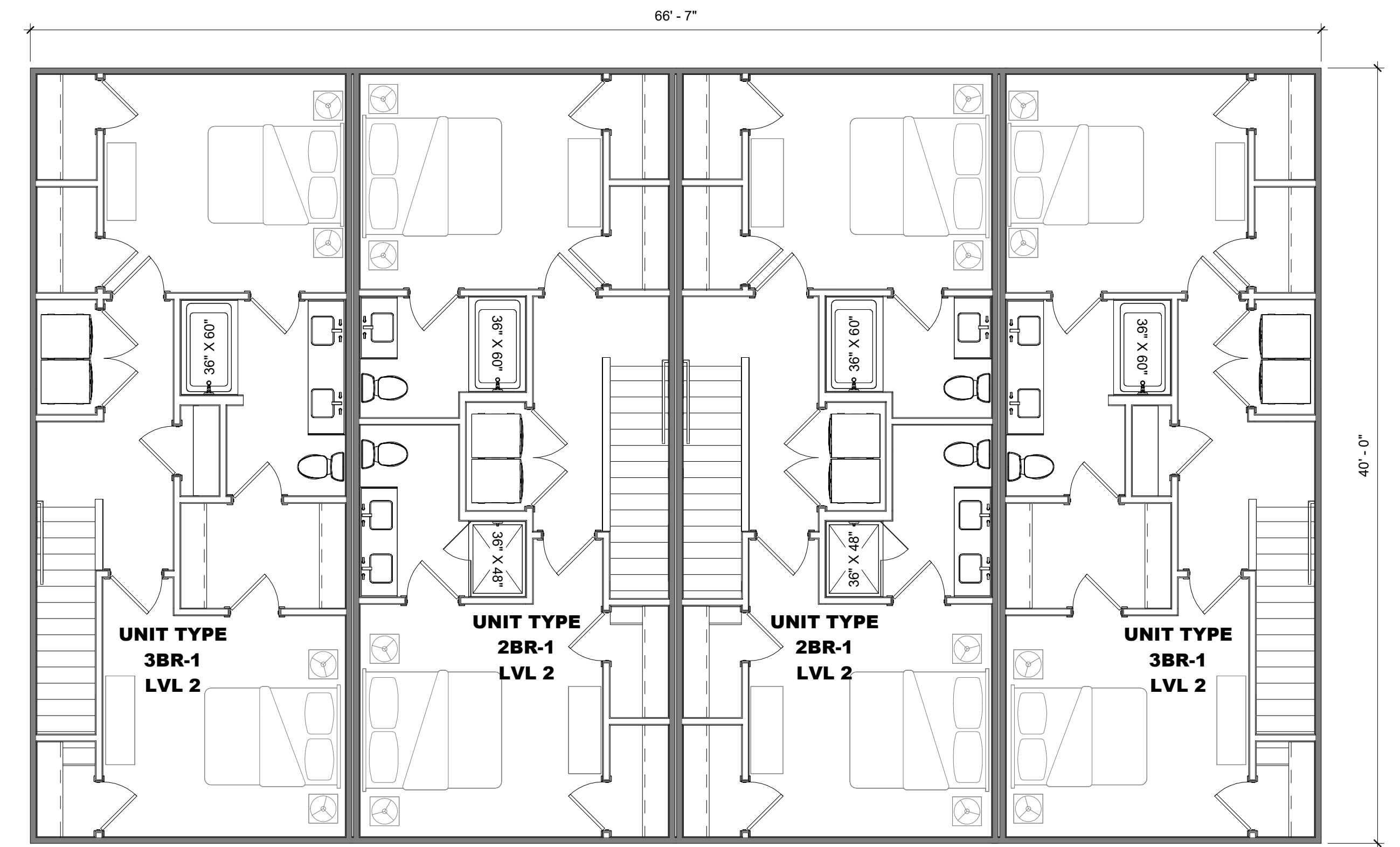
- We intend to use connections accessible to the site with all sanitary sewer, water and fire distribution to be designed in accordance with City of Opelika standards.

Property Boundary Plan:

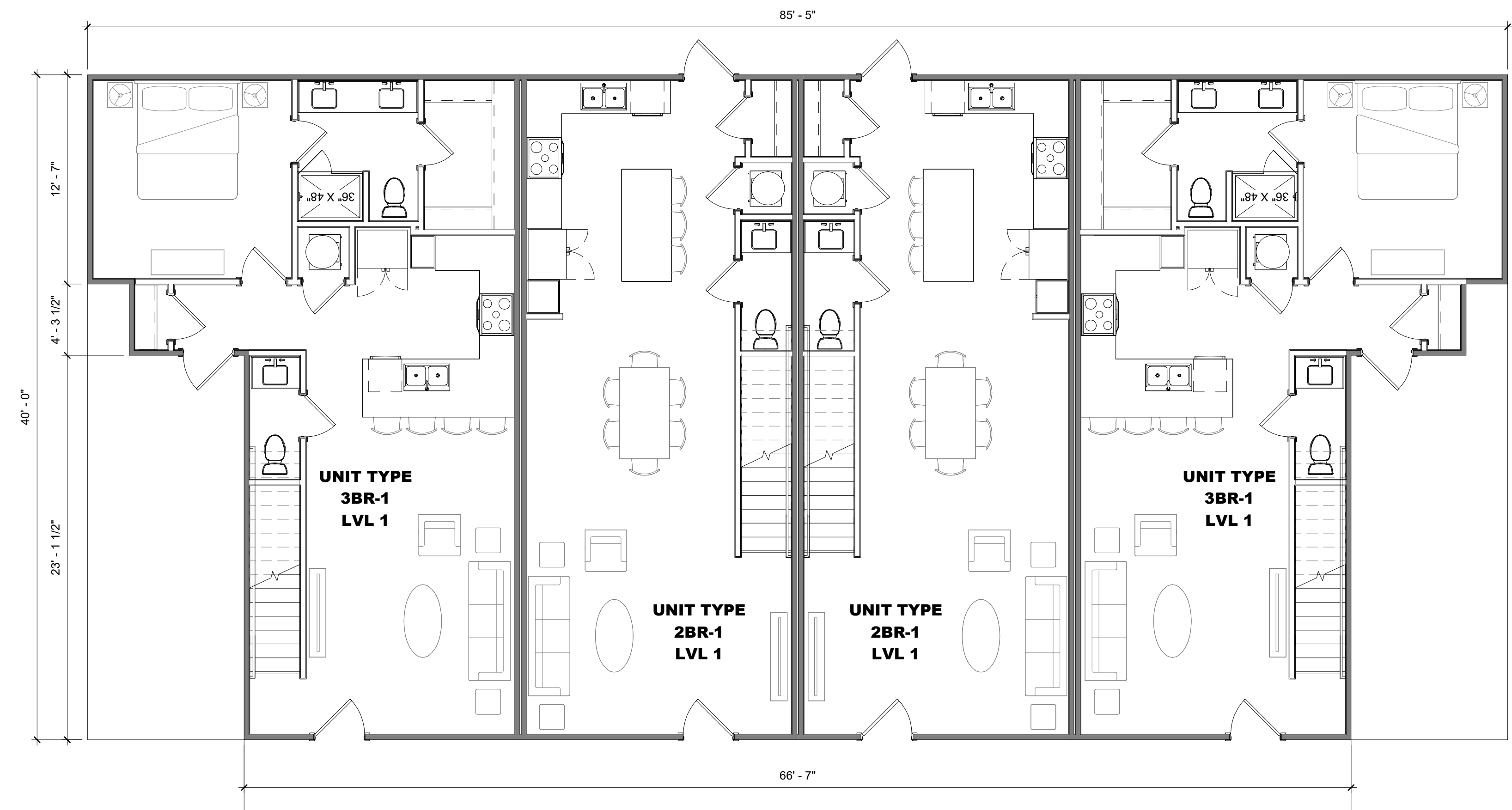
- We intend to maintain the natural landscaping buffer around the boundaries of the property, as well as increasing the landscaping buffer using native plants, in order to provide the adjacent property owners and the residents with an aesthetically pleasing boundary.



1 BUILDING TYPE I
SCALE: 3/16" = 1'-0"



2 BUILDING TYPE VI - LEVEL 2
SCALE: 3/16" = 1'-0"



1 BUILDING TYPE VI - LEVEL 1
SCALE: 3/16" = 1'-0"





The Cottages at Fox Run

*Class-A Build-to-Rent Cottage-Style Community
Opelika, AL*

Strictly Private & Confidential



The Cottages at Fox Run BTR project ("Fox Run"), located on Fox Run Parkway and in close proximity to the Highway 280 corridor, is a proposed cottage-style community consisting of 153 units totaling ~173,000 square feet. The Fox Run BTR project will feature a mixture of 1, 2 and 3-bedroom cottage, townhome and duplex units. These spacious units will feature large floor plans, unique "new urbanism" design elements, private outdoor yard + patio and Class-A finishes. The community is designed to create a traditional neighborhood feel and the privacy of a single-family home without the constraints that come with homeownership. High-end amenities, on-site management, and resident events will transform residents into neighbors, encouraging a sense of community in the greater Opelika market, while also filling a gap for additional housing options not currently present.

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Project Overview: The Cottages at Fox Run





Regional Location

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- Rising For-Sale Housing Costs/High Cost of Homeownership/Interest Rates & Down Payments/Insurance/Taxes/Maintenance
- Increase Need for Financial Flexibility
- Population Migration Patterns/Appeal of Less Dense Multi-family options
- Access to Outdoor Space/Amenities
- Remote Work – And the Need for More Space Traditional Multifamily Lacks

Build-to-Rent: Demand Drivers

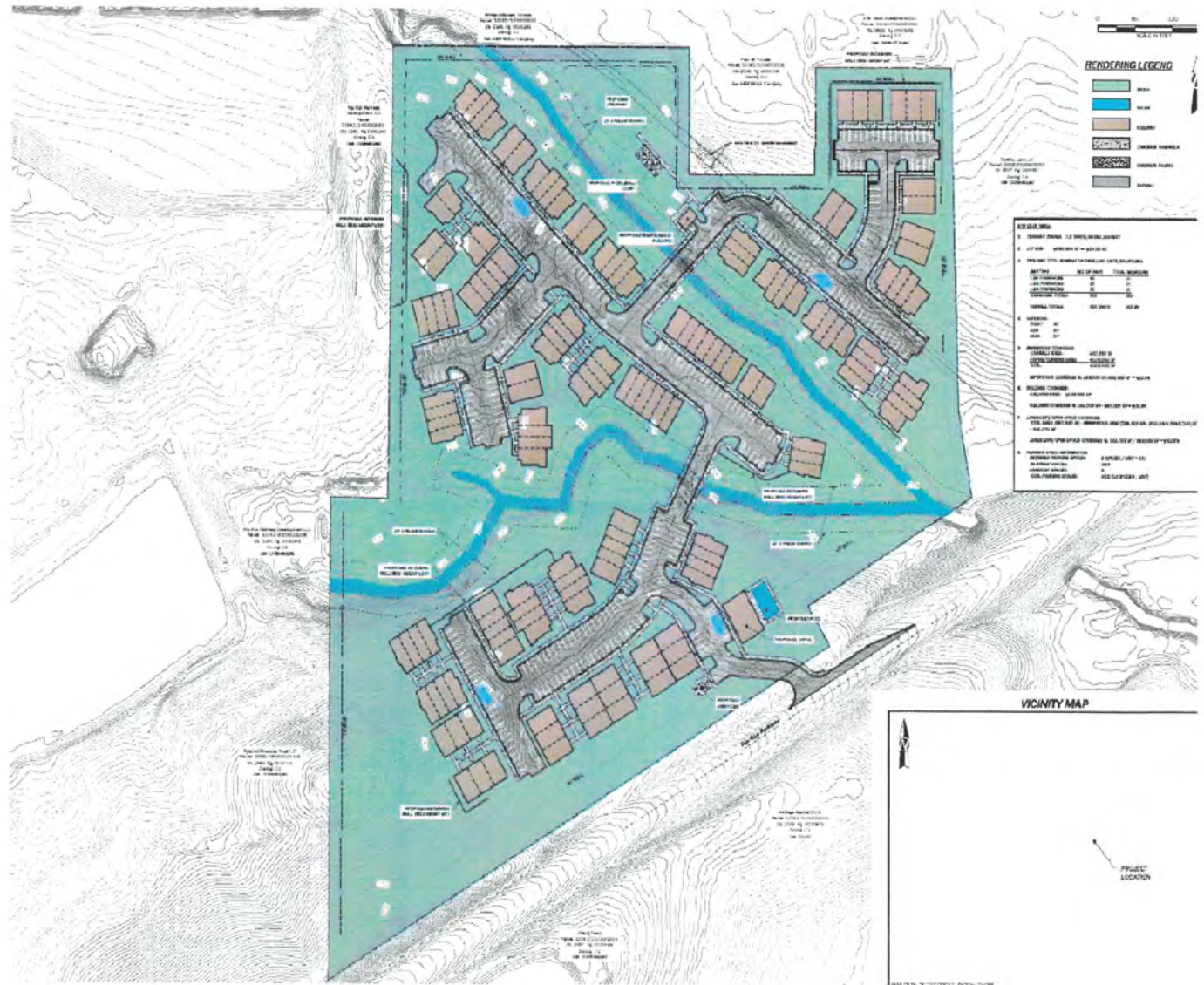




Site Plan & BTR Concepts

1873

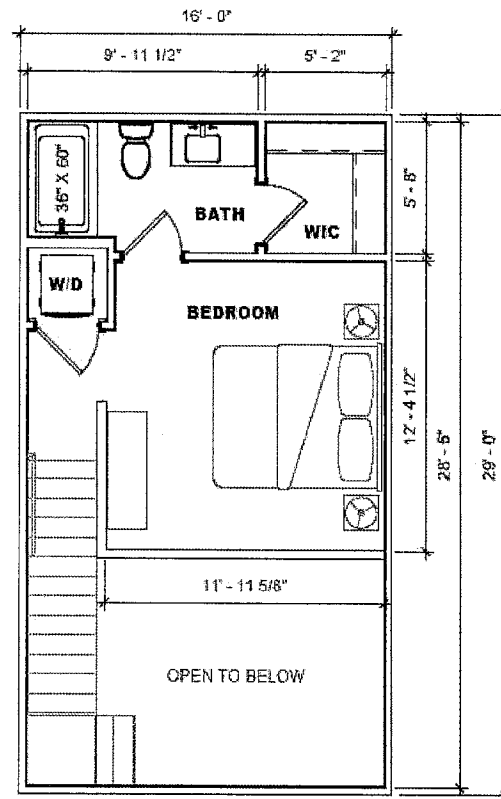
Current
Site Plan:
BTR Multifamily &
Amenities



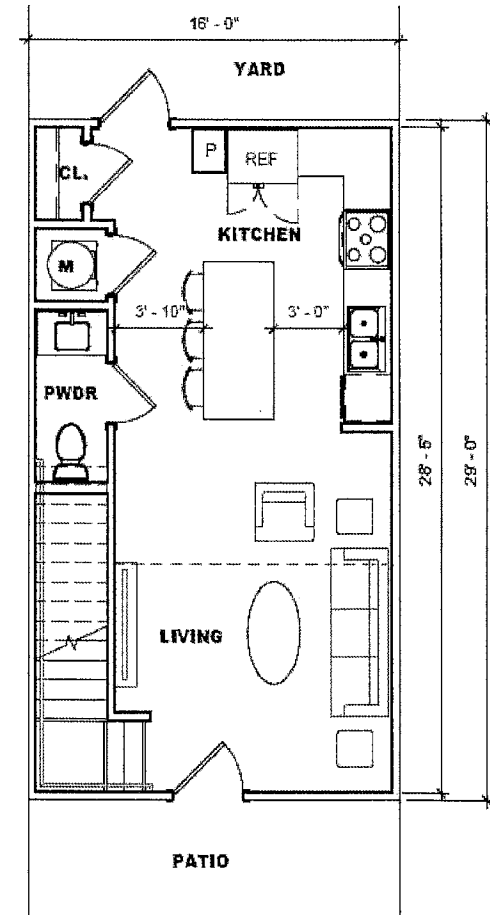
Unit Matrix:

UNIT TYPE	# OF UNITS	% OF TOTAL UNITS	Current % by FLOOR PLAN	UNIT SF
1 BEDROOMS				
1BR/1BA-1	14	9%	33%	755
1BR/1BA-2	29	19%	67%	716
1 Bedrooms total:	43	28%	100%	729
2 BEDROOMS				
2BR/2BA-1	46	30%	62%	1,248
2BR/2BA-2	14	9%	19%	1,181
2BR/2BA-3	14	9%	19%	1,013
2 Bedrooms total:	74	48%	100%	1,191
3 BEDROOMS				
3BR/2BA-1	28	18%	78%	1,391
3BR/2BA-2	8	5%	22%	1,442
3 Bedrooms total:	36	24%	100%	1,402
Totals	153	100%		169,942
Weighted Averages				1,111

1-Bedroom Floor Plan #1

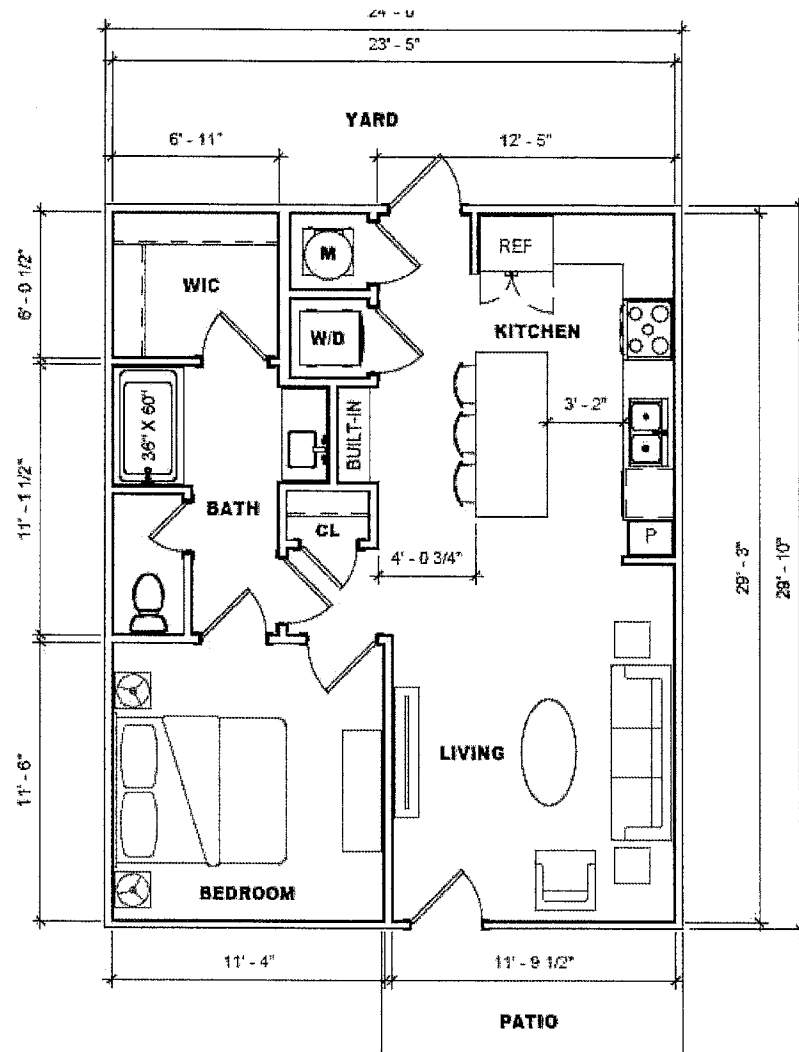


LEVEL 2

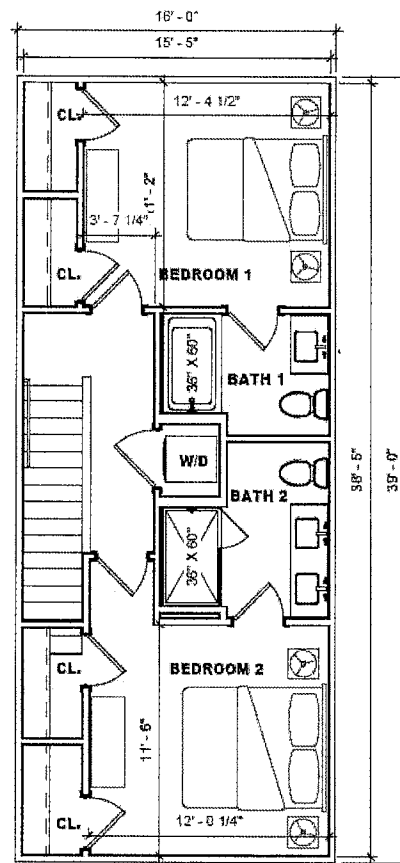


LEVEL 1

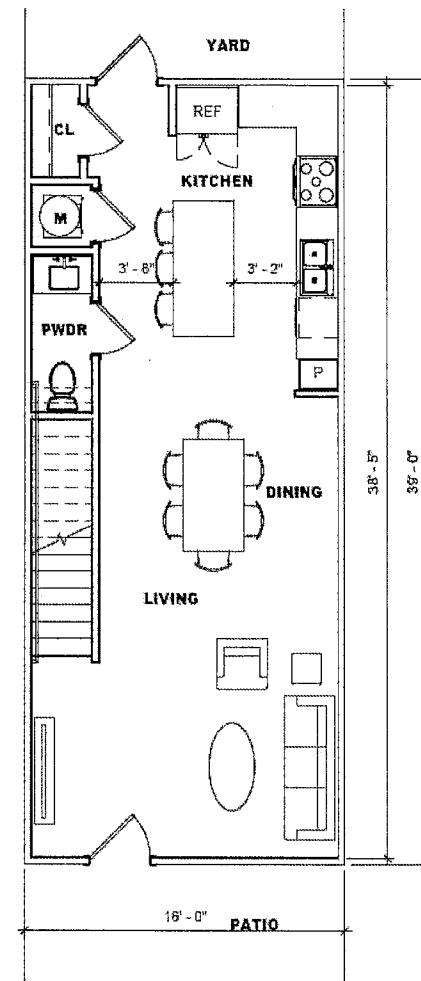
1-Bedroom Floor
Plan #2



2-Bedroom Floor Plan #1

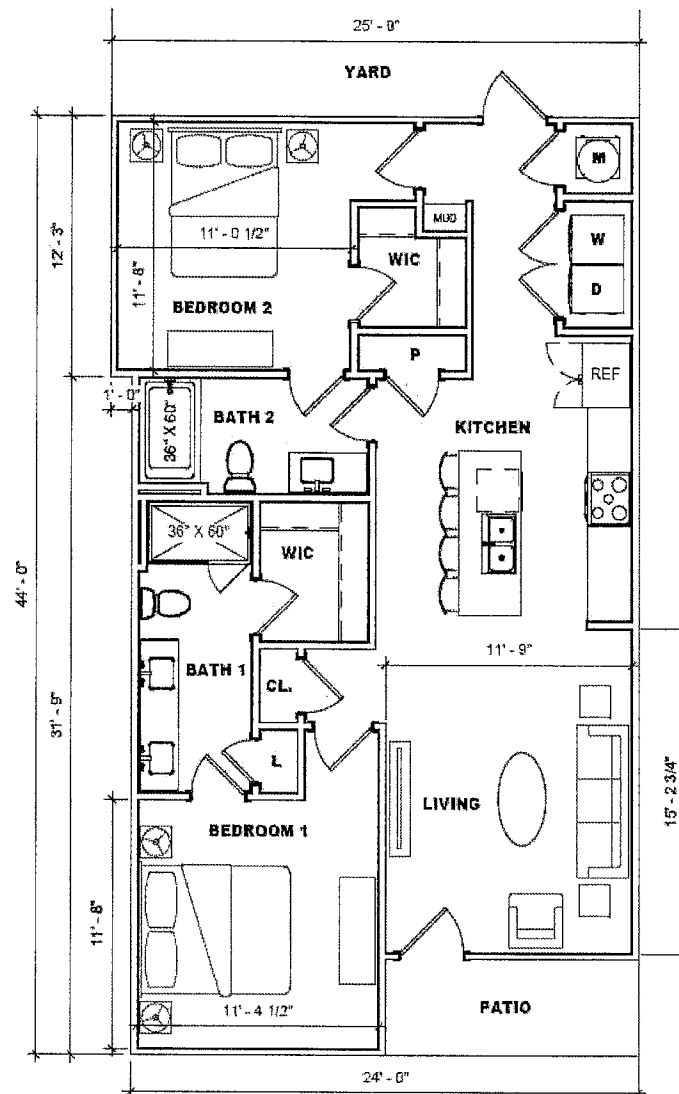


LEVEL 2

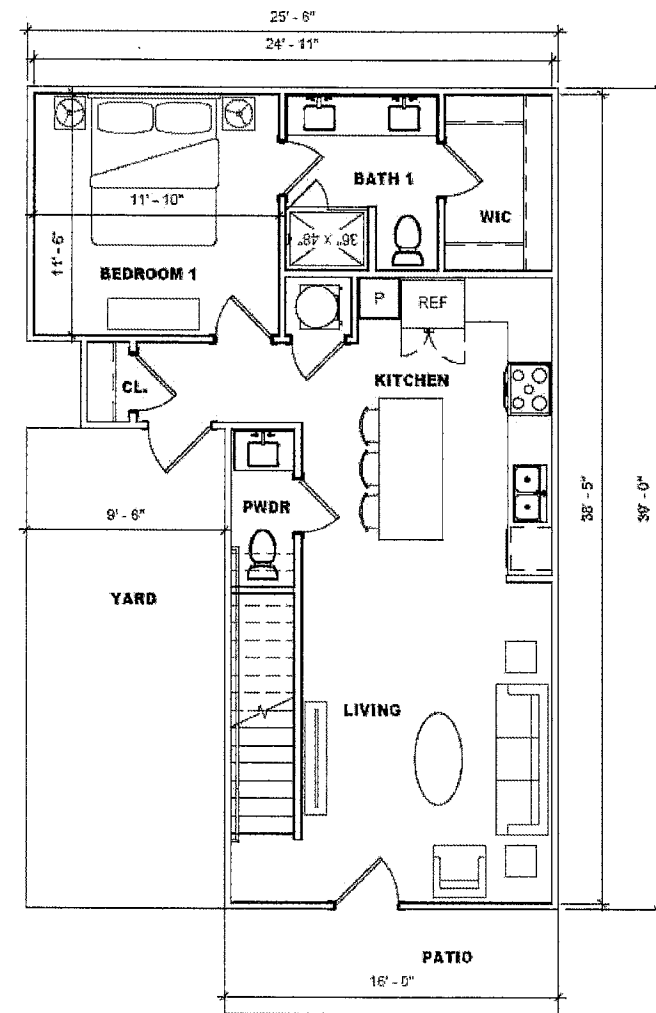
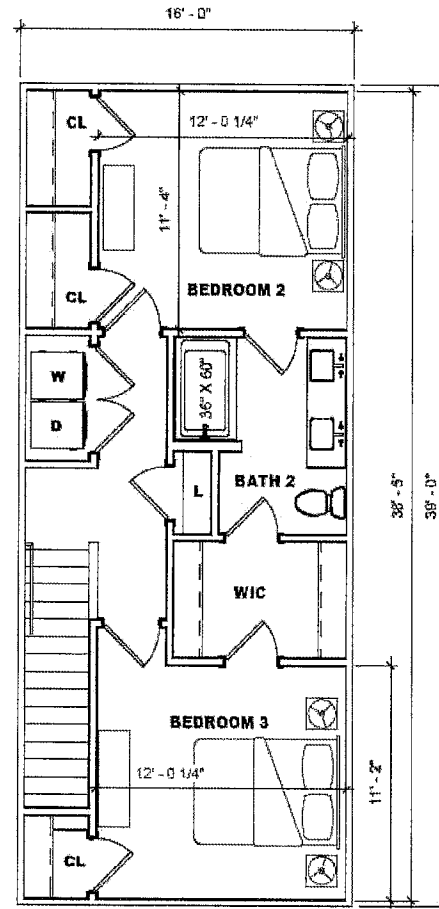


LEVEL 1

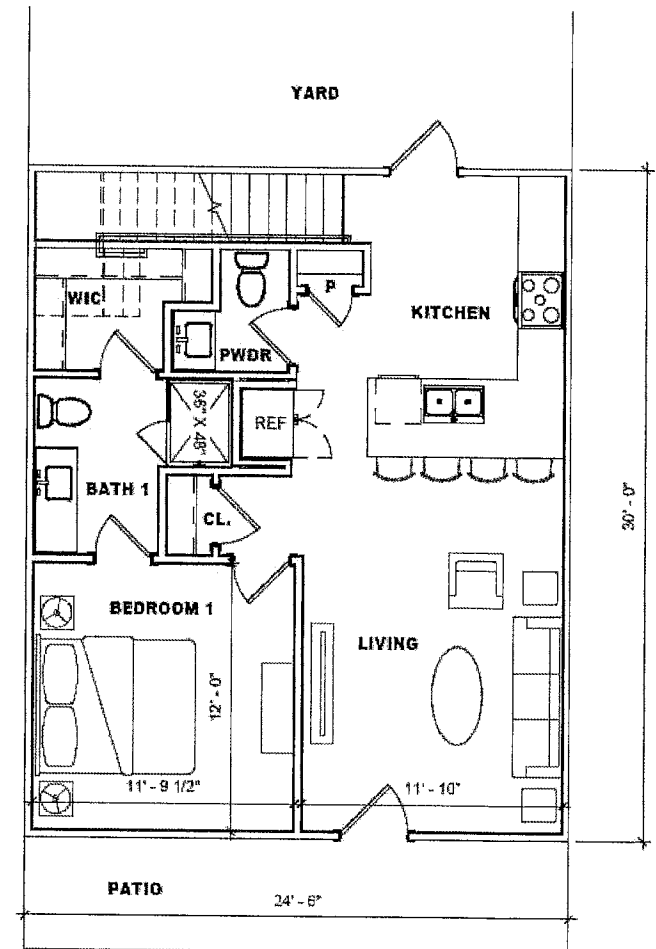
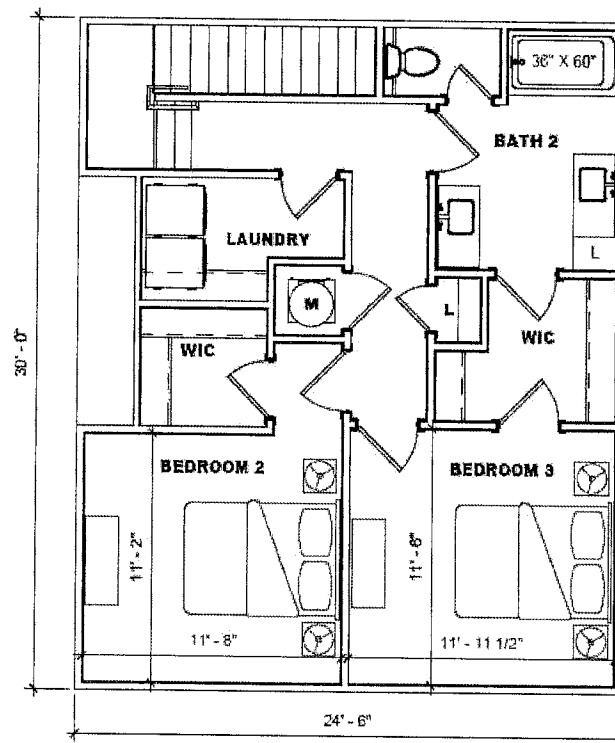
2-Bedroom Floor Plan #3

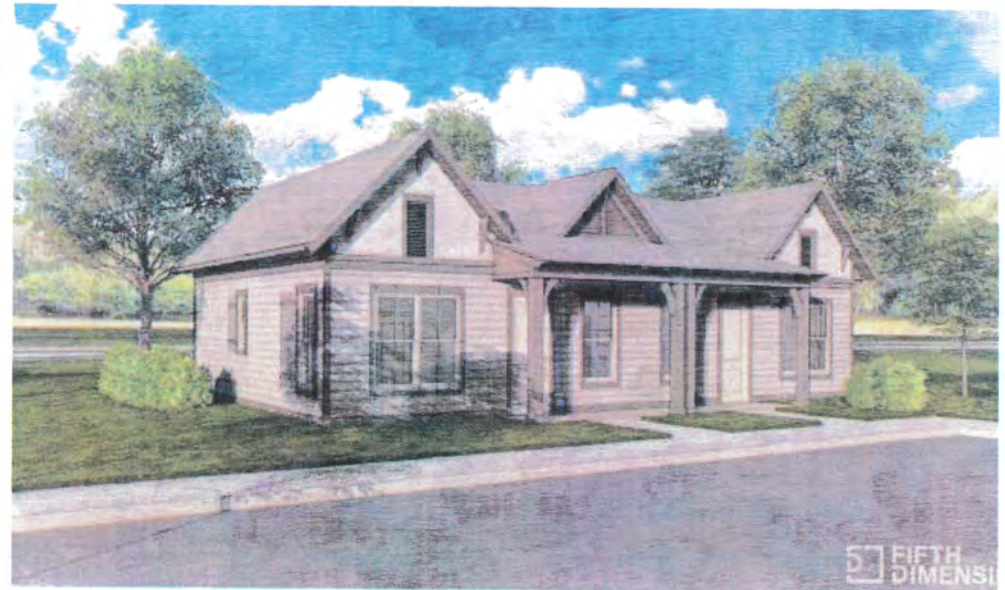
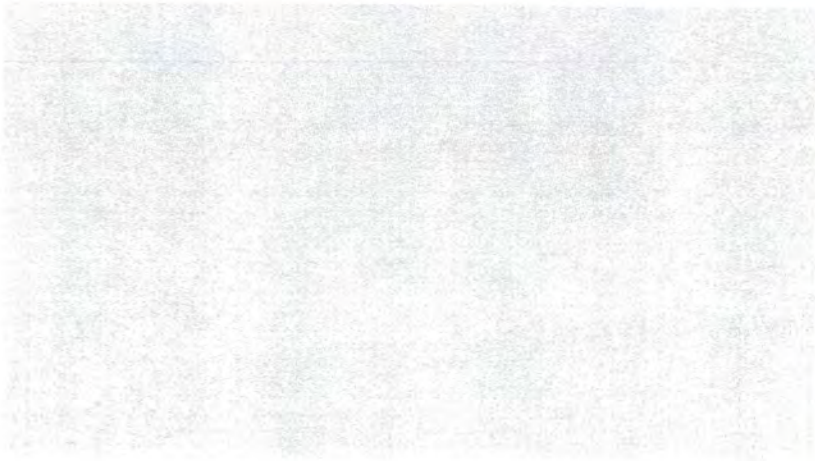
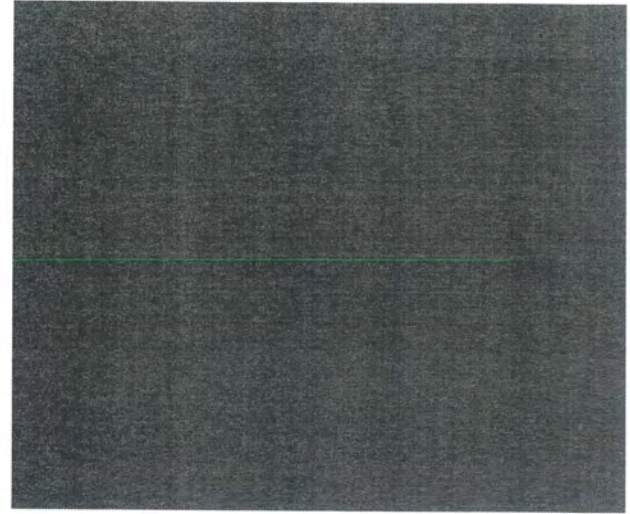


3-Bedroom Floor Plan #1



3-Bedroom Floor Plan #2















Amenities:

- Pickleball courts
- Dog park with pet wash stations
- Clubhouse (Community Pool, Entertainment Room, Fitness Center, Lounge, Refreshments)
- Gated access
- Greenspaces / Pocket Parks
- Fire Pits & Grilling Areas
- Streamside trails
- Electric car charging stations
- Package Lockers & Valet Trash



Gladstone Equity Partners ("GEP"), is a private equity real estate investment and development firm focused on acquiring, developing & operating real estate assets throughout the Southeast U.S. GEP seeks to acquire well-located sites and high-quality assets in a variety of formats and settings, including high-growth primary, secondary, and tertiary markets that exhibit supply constraints and strong growth fundamentals within close proximity to retail and workplace hubs. With our experienced team, we are positioned to respond quickly, find innovative solutions and complete complex transactions, with a hands-on approach in each state of the process, ensuring a timely, seamless closing and delivery on budget simultaneously.



Asset Classes of Interest:

- Multi-family / Build-to-Rent
- Retail
- Self-Storage
- Mixed-Use
- Historic & Adaptive Reuse Redevelopment Projects
- Industrial

Investment Strategies:

- Value-Add / Opportunistic
- New Development
- Opportunity Zones
- Distressed Debt
- Tax Credit Projects



Gladstone Equity Partners



Fifth Dimension Architecture embraces the future of architecture and construction through the continuous evolution of design and technology. Focusing on a comprehensive approach to creative design solutions, they are harnessing revolutionary tools and concepts that will provide long-term benefits to the entire project team. Their expertise in creative and collaborative BIM modeling, along with a new dimension of architectural visualization allows our team to enhance the workflow and relationships between architect, client and contractor. At Fifth Dimension they are creating a symbiotic new dimension in the way the design team functions, while paralleling the ongoing transformation of digital society and its relationship to the evolving urban fabric.

Featured Projects:



Marriot Trilogy
Huntsville, AL



Primrose
Miramar Beach, FL



Folksong At Flowery Branch
Flowery Branch, GA



Connection At Southside
Pittsburgh, PA

Architect & Design Team



Originally incorporated by Capstone Development Corporation in 2005 as Cottage Builders, Inc., CBI Construction Services has grown to become one of the nation's premier builders of multifamily, student housing, senior housing and built-for-rent "cottage-style" communities. To date, our team has built, or is in the process of building, 36 projects consisting of 8,000+ units and over \$1.3 billion in construction costs across 15 states.

Featured Projects:



The Cottages At Greystone
Huntsville, AL



Cottages At Monrovia
Huntsville, AL



The Cottages At Myrtle Beach
Myrtle Beach, SC

Construction Team



TTL has been engineering a better environment for our clients, community, and people since 1973. Our diverse makeup of scientists and engineers work together to serve our communities by providing technical and professional consulting services throughout the United States. TTL provides civil and structural engineering services on a wide variety of project types for architects, engineers, contractors, commercial developers, public and private institutions and local, state and federal governments.

Services:

- Structural Engineering
- Civil Engineering
- Protective Design
- Construction Engineering
- Environmental
- Geotechnical

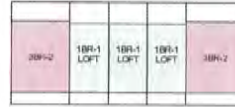
Engineering Team

UNIT MATRIX								
	1 BEDROOM		2 BEDROOM			3 BEDROOM		
	1BR-1	1BR-2	2BR-1	2BR-2	2BR-3	3BR-1	3BR-2	
UNIT NET AREA	700	679	1,173	1,106	1,013	1,310	1,366	
UNIT GROSS AREA	755	716	1,248	1,181	966	1,391	1,442	
TYP. BALCONY AREA	-	-	-	-	-	-	-	
DEFINITIONS	UNIT NET AREA - THE AREA OF A UNIT THAT IS BOUNDED BY THE INSIDE FINISHED SURFACE OF THE PERIMETER WALLS OF THAT UNIT. UNIT NET AREA EXCLUDES BALCONIES AND INCLUDES UNFINISHED OR UNCONDITIONED SPACES, SUCH AS ATTACHED STORAGE CLOSETS.							
	UNIT GROSS AREA - THE AREA OF A UNIT BOUNDED BY THE CENTERLINE OF DEMISING WALLS, OUTSIDE FACE OF SHEATHING AT EXTERIOR WALLS, AND THE EXTERIOR FACE OF STUD OF A WALL BETWEEN THE UNIT AND AN ADJACENT COMMON AREA. DOES NOT INCLUDE BALCONY AREA.							
	BALCONY AREA - MEASURED FROM EXTERIOR FACE OF EXTERIOR WALL TO EDGE OF BALCONY OR PATIO. NOTE THAT AREAS INDICATED ABOVE ARE FOR TYPICAL CONDITIONS ONLY AND MAY VARY ACROSS INDIVIDUAL UNITS.							

BLDG TYPE	LEVEL	1BR-1	1BR-2	2BR-1	2BR-2	2BR-3	3BR-1	3BR-2	
BUILDING TYPE I	2								-
	1		2						2
	BLDG TOTAL	2	-	2	-	-	-	-	2
	# OF BLDGS	1							
TOTAL		-	2	-	-	-	-	-	2
BUILDING TYPE II	2								-
	1	3						2	5
	BLDG TOTAL	5	3	-	-	-	-	2	5
	# OF BLDGS	3							
TOTAL		9	-	-	-	-	-	6	15
BUILDING TYPE III	2								-
	1		3						3
	BLDG TOTAL	3	-	3	-	-	-	-	3
	# OF BLDGS	9							
TOTAL		-	27	-	-	-	-	-	27
BUILDING TYPE IV	2								-
	1			4					4
	BLDG TOTAL	4	-	-	4	-	-	-	4
	# OF BLDGS	1							
TOTAL		-	-	4	-	-	-	-	4
BUILDING TYPE V	2								-
	1			2	2				4
	BLDG TOTAL	4	-	-	2	2	-	-	4
	# OF BLDGS	5							
TOTAL		-	-	10	10	-	-	-	20
BUILDING TYPE VI	2								-
	1			2			2		4
	BLDG TOTAL	4	-	-	2	-	2	-	4
	# OF BLDGS	12							
TOTAL		-	-	24	-	-	24	-	48
BUILDING TYPE VII	2								-
	1						2		2
	BLDG TOTAL	2	-	-	-	-	2	-	2
	# OF BLDGS	2							
TOTAL		-	-	-	-	-	4	-	4
BUILDING TYPE VIII	2								-
	1					2			2
	BLDG TOTAL	2	-	-	-	2	-	-	2
	# OF BLDGS	7							
TOTAL		-	-	-	-	14	-	-	14
BUILDING TYPE IX	2								-
	1			1	2				3
	BLDG TOTAL	3	-	-	1	2	-	-	3
	# OF BLDGS	2							
TOTAL		-	-	2	4	-	-	-	6
BUILDING TYPE X	2								-
	1			6					6
	BLDG TOTAL	6	-	-	6	-	-	-	6
	# OF BLDGS	1							
TOTAL		-	-	6	-	-	-	-	6
BUILDING TYPE XI	2								-
	1	5						2	7
	BLDG TOTAL	7	5	-	-	-	-	2	7
	# OF BLDGS	1							
TOTAL		5	-	-	-	-	-	2	7
UNIT TOTALS									
	1 BEDROOM		2 BEDROOM			3 BEDROOM		TOTAL	
	1BR-1	1BR-2	2BR-1	2BR-2	2BR-3	3BR-1	3BR-2		
SUBTOTAL	14	29	46	14	14	28	8	153	
TOTAL	43		74			36		153	
RATIO	28%		48%			24%		100%	
AVERAGE UNIT GROSS		728.7			1,182.0		1,402.3	1,106.43	
AVERAGE UNIT NET AREA		685.8			1,130.1		1,322.4	1,050.48	
% TYPE A UNITS		NA		NA		NA		NA	
NOTES									



BUILDING TYPE I -
1 BEDROOM DUPLEX COTTAGE
SINGLE STORY



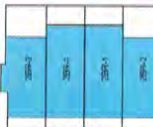
BUILDING TYPE II -
1 BED/3 BED FIVEPLEX
2-STORIES



BUILDING TYPE III -
1 BEDROOM TRIPLEX COTTAGE
SINGLE STORY



BUILDING TYPE IV -
2 BEDROOM FOURPLEX
2-STORIES



BUILDING TYPE V -
2 BEDROOM FOURPLEX W/ END CAPS
2-STORIES



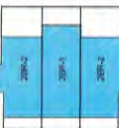
BUILDING TYPE VI -
2 BED/3 BED FOURPLEX
2-STORIES



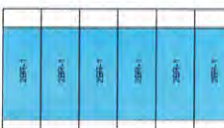
BUILDING TYPE VII -
3 BEDROOM DUPLEX
2-STORIES



BUILDING TYPE VIII -
2 BEDROOM DUPLEX COTTAGE
SINGLE STORY



BUILDING TYPE IX -
2 BEDROOM TRIPLEX W/ END CAPS
2-STORIES



BUILDING TYPE X -
2 BEDROOM SIXPLEX
2-STORIES



BUILDING TYPE XI -
1 BED/3 BED SEVENPLEX
2-STORIES

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	June 25, 2024
Subdivision:	Firefly Phase 1 (96 lots)
Agenda Item #:	G-11
Action Requested:	Final Approval
Location of Property:	3169 Columbus Parkway
Property Owner(s):	Firefly Development Lee, LLC Daniel Holland, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	PUD
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0089G and 01081C0084H--_. No portion of property is in in 100-year flood zone. Property in Flood Zone “X” which is outside the 0.2% annual chance flood plain

Staff Comments:

Firefly subdivision, Phase 1 was tabled by the applicant at the May 25th Planning Commission meeting. The developer’s engineer said the ALDOT permit and construction of the right turn access into the subdivision and water line extension should begin ‘end of the week’ or Friday, June 14th. The Planning staff’s report below is the same report as presented at the May 28 PC meeting.

The applicant is requesting final approval for 96 lots that is Phase 1 of a 600 lot subdivision (Firefly PUD) on 209.7 acres¹. The primary street access to Phase 1 is from Columbus Parkway; the street is a two-lane 60’ wide boulevard about 120’ long separated with a landscaped median.

Phase 1 consists of 93 residential lots, two open space lots (Lot 95 and Lot 96, 3 acres each), and Lot 94 (1.1 acres) is an amenity lot providing a swimming pool, clubhouse, and mail kiosk location. Lot 1-A (55 acres) and Lot 3-A (118 acres) (on sheet 1 of 3) are the remaining PUD area for future residential lots. On page 4 is the Master Plan of the entire 209.7 acre PUD showing the location of Phase 1

The following are the types of dwellings and minimum lot requirements for the 93 residential lots:

- 25 single family home (sfh) lots, 70’ lot width, 7,000 sf lot size

¹ City Council approved PUD in April 2023. The Firefly master plan has 423 single family home lots, 142 twin home lots (duplex), and 34 townhome lots. Total density is 2.86 dwelling units per acre; 95 acres is designated open space.

- 34 sfh lots, 50' lot width, 6,250 sf lot size,
- 34 townhome lots, 20' lot width, 1,800 sf lot size; minimum setbacks 10' front, 20' rear, 10' side on street & end units

For all single family home lots (50' & 70'wide), the minimum setbacks are 20' front, 20' rear, 5' side, 10'side yard on street.

The 25 single family home (sfh) 70' lots range from 7,002 sf to 14,358 sf. All lots meet the 7,000 sf minimum lot size requirements. The 70' minimum lot width must be met at the front property line or

minimum front setback line. The 25 lots front on the primary entry street from Columbus Parkway. This street ends or stubs-out on the west property line. The adjacent subdivision on the west side is Fenwick SD (160 sfh) that is approved for construction. The Firefly SD street will connect with a future Fenwick subdivision street; the street is accessed from Coumbus Parkway. The connection of the two streets and subdivisions provides another outlet to Columbus Parkway for the Firefly lots.

Phase 1 has 34 single family homes with a minimum 50' lot width and minimum 6,250 sf. lot size. The 34 lots range in size from 6,140 sf to 7,242 sf. All lots meet the minimum 6,250 sf lot size requirement except Lot 92 at (6,140 sf); Lot 92 needs to be resized to a minimum 6,250 sf. The 50' minimum lot width for all lots must be met at front property line or minimum front setback line. For five 50 foot lots (Lot 77 to Lot 81), a 20 foot wide power easement runs through the lots and a 20' sewer easement runs along the rear property line of three of the five lots. The location of dwellings on these lots, especially Lot 80, is limited. The minimum building setbacks must be met; setback variance approval is unlikely.

The lot area of 34 townhome lots meet minimum lot size requirements ranging from 2,186 sf to 5,562 sf and lot width 20' to 54' (minimum 1,800 sf lot size and 20' lot width is required). All townhome lots are accessed from a private street to a rear entry driveway; lots do not have direct driveway access from a public street. Each townhome lot must meet the minimum requirements of Section 9 Landscape Regulations. Landscaping includes a residential buffer between the townhome's lots and the west property line as stated in the Firefly master plan narrative. The west adjacent property (Fenwick SD, 111 lots) will be single family home lots. A residential buffer is also recommended between the townhome lots and the 50' and 70' sfh lots on the east side of townhomes. The buffers on the east and west sides are selected from the Residential Buffer options as provided in Section 9 Landscape Regulations.

Sidewalks are required on both sides of the street and utilities underground required for the single family home lots and townhome lots.

The exterior wall material for the single family homes and townhomes must follow the requirements of the Gateway Corridor (Section 7.6).

At least one street tree (1" caliper) is required on each single family home lot and two street trees (1" caliper) for each townhome lot i.e., two street trees required per townhome unit. Street tree requirements should be added to the landscape package for each lot and installed after home construction is complete (or street trees added to the setback review site plan that is required before a building permit is issued.)

A 100 foot wide community buffer is shown on the plat as required along Columbus Parkway right-of way. (100 foot perimeter buffer also included on other perimeter property lines as shown on Master Plan.)

At the time of this writing (May 21st), the developer is waiting on ALDOT approval to begin construction of a new right turn lane on Columbus Parkway and extend water line from right of way to the subdivision. The applicant asked about the City bonding the remaining improvements instead of tabling this agenda item in case right-of-way improvements are complete before the next Planning Commission meeting on June 25th. Building permits for homes are allowed when all public improvements are approved by City departments and accepted by the City, and the subdivision plat is recorded.

Recommendations

Staff cannot recommend final plat approval until construction of the right turn lane on Columbus Parkway and water is extended to the subdivision and approved by City departments. The applicant has requested that the item be tabled at this time.

Final Approval is subject to the following items:

1. Install underground utilities.
2. Install sidewalks on both sides of all public streets. Extend said sidewalks to open space lots/areas (labeled on plat) that are nearest to street sidewalks providing access from street sidewalks to open space areas.
3. Install a residential landscape buffer along the west and east property lines of the townhome Lots 41 to 59 and Lots 26 to 40 to buffer townhome lots from the adjacent single-family lots.
4. Exterior materials of all dwelling units must meet the exterior "Materials and Cladding Requirements of Section 7.6 Gateway Corridor District.
5. Add approved street names on final plat.
6. Add the right-of-way width on all streets.
7. Complete the missing deed data on Note 1.
8. Change "Opelika Utilities Board" to Opelika Water Board.
9. Add the corner markers on Sheets 2 & 3.
10. Complete the book and page numbers in Note 1.
11. Show Lot 2, Firefly SD, PB 48, Pg 110 as an adjacent property owner
12. Delete the label "60' Power Easement" near Lots 84 to 91 on page 2
13. Add the owner/developer's name and address on plat

14. Lot 2, Firefly Subdivision needs to show adjoiner data.
15. The duplicate certification on sheet 2 is not necessary. Remove certification on sheet 2
16. Change label "Tallapoosa River...20' power easement" (east of Lot 22 and 23) to 60 feet.
17. Add a note providing minimum setbacks for townhouse lots and single-family lots. (townhouse - 10' front, 10' side yard on street & 10' side yard on end units, 20' rear yard) (all single-family homes – 20' front, 10' side yard on street, 5' side yard, 20' rear)
15. The minimum front setback and lot width must be met at the front property line or the minimum front setback line of all residential lots.
16. Revise the 6,240 sf lot size for Lot 92 shown on plat to meet the minimum 6,250 sf lot area for 50' wide lots.
17. Add a darker lot line on Lot 78 and Lot 79 to match line weight of adjacent lots.
18. Add current name of property owner(s) on final plat
19. Delete "Lot 2-A" on note #5 and add "Lot 3-A"
19. Add note on plat, as stated on developer's narrative ("Overall Development Scheme"), that the developer is responsible for managing and maintaining the open space lots, (Lot 94, 95, and 96) until a homeowner's association is established to continue maintenance of said lots.
20. Add note providing the uses allowed on the open space Lot 94, 95, and 96.
21. Add note that a minimum of one street tree per single family home lot and two street trees per townhome building are required. Street trees must be planted on private property not right of way.
22. Ensure all easements are shown and labeled on the final plat.
23. Provide a temporary turnaround for any street stub exceeding 150 feet.
24. Add ingress/egress easement to rear of townhome lots.

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.
- Maintenance Bond of 25% of the infrastructure construction cost **will need to be submitted.**
- 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 Engineering 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

Connection to existing main along Columbus Parkway and approval of all installed infrastructure must be completed before Plat can be signed.

Opelika Power Services Report

This subdivision is located outside the Opelika Power Services territory.



000202-2024

AGENDA ITEM # 11

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

PC DEADLINE: 5.7.24 PC MEETING: 5.28.24

SITE ADDRESS: 3169 Columbus parkway Opelika, AL 36804

PROPERTY OWNER: Firefly Development Lee, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Daniel Holland

MAILING ADDRESS: 2124 Moores Mill Road Suite 110

PHONE NUMBER: 334-821-0105 **FAX NUMBER:** 334-821-4044

EMAIL ADDRESS: mike.precisionsurv@gmail.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other

PARCEL INFORMATION

Subdivision Name: Firefly Phase 1 Number of Lots: 95 x \$3.00 = \$

Current Land Use: PUD Number of APO: 13 x \$6.74 = \$
(Adjacent Property Owners)

Current Zoning: PUD Fee: \$75.00

Proposed use of the Subdivision: Residential **TOTAL** = \$75

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

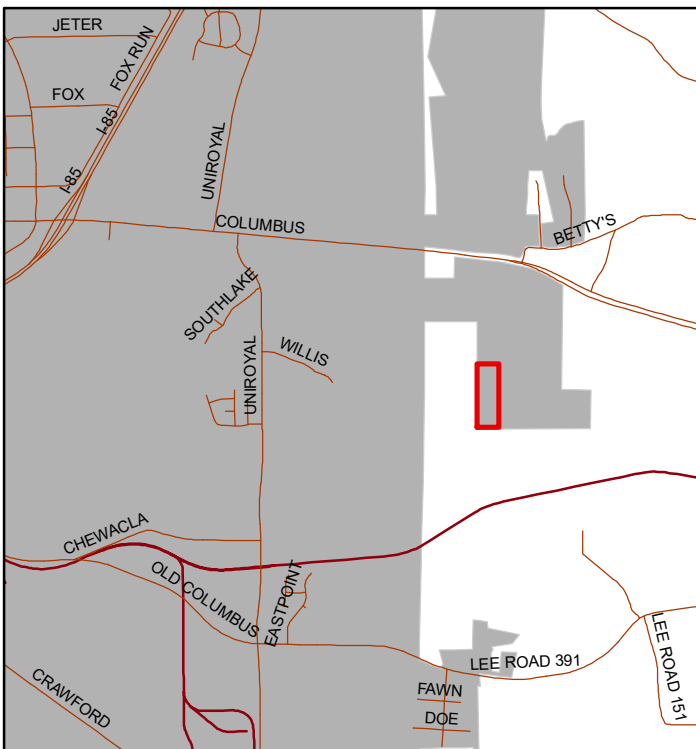
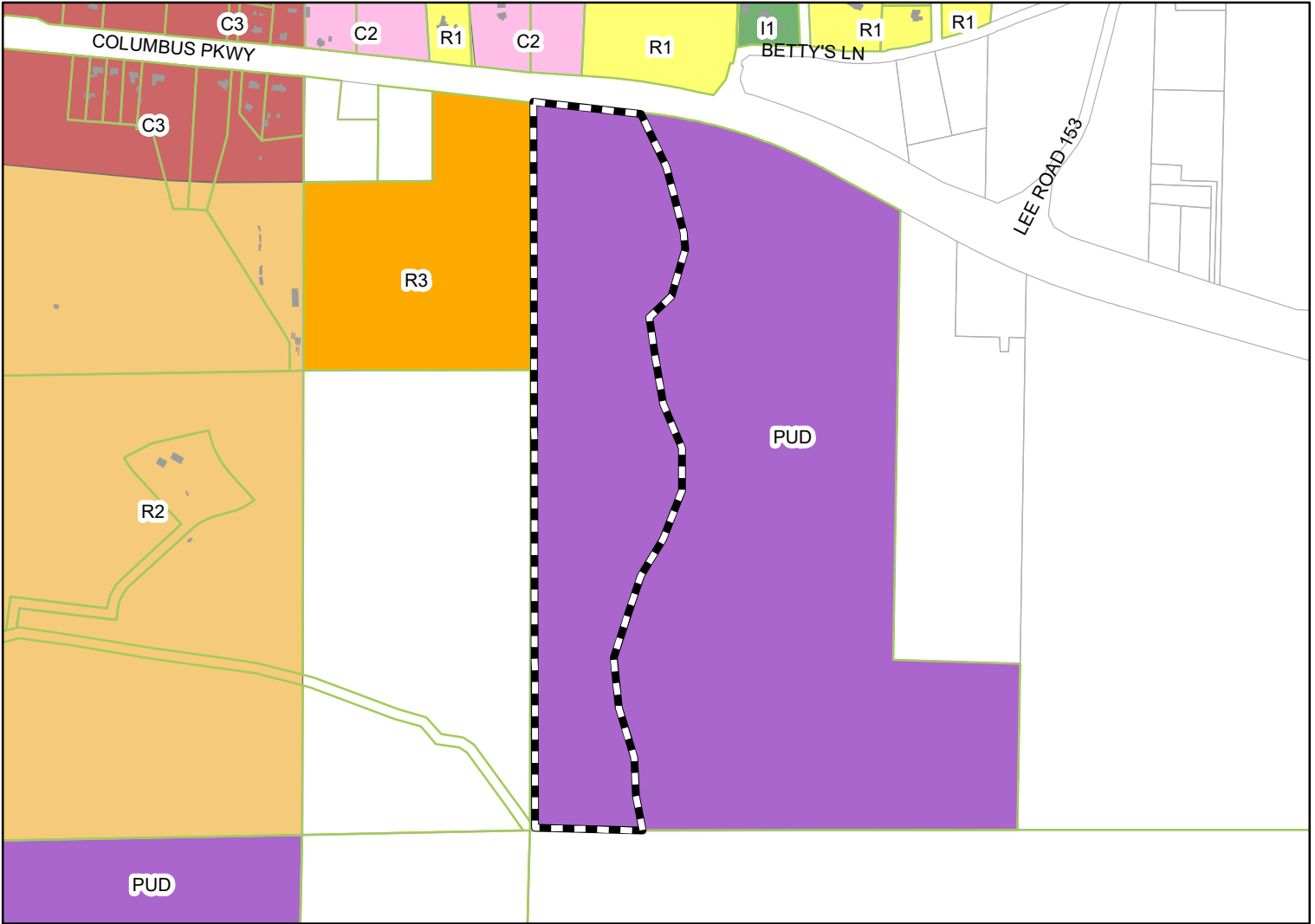
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning 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: <u></u>	DATE <u>5/6/2024</u>
(PRINT NAME) <u>Daniel Holland</u>	

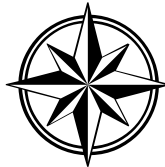
FIREFLY PHASE 1 SUBDIVISION

3200 BLOCK COLUMBUS PARKWAY - HWY 280 EAST

FINAL APPROVAL, G-11



The applicant is requesting final approval for 95 residential lots (61 single family homes and 34 townhomes). The plat is the first phase of a 209 acre PUD development with 600 dwelling units - Firefly PUD.



Subject Property

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

State of Alabama
Lee County

I, Michael T Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Michael T Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.
State of Alabama
Lee County

I, Daniel Holland as member of Firefly Development Lee LLC, owner of the real property shown on this plat, hereby join in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so plotted as shown.

In witness whereof, I have hereunto set my hand on this the _____ day of _____, 2023.

Daniel Holland as member of Firefly Development Lee LLC

State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Daniel Holland as member of Firefly Development Lee LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Notary Public: _____

My commission expires: _____

State of Alabama
Lee County

I, Daniel Holland as member of Holland Holding Company LLC, owner of the real property shown on this plat, hereby join in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so plotted as shown.

In witness whereof, I have hereunto set my hand on this the _____ day of _____, 2023.

Daniel Holland as member of Holland Holding Company LLC

State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Daniel Holland as member of Holland Holding Company LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Notary Public: _____

My commission expires: _____

FIREFLY SUBDIVISION REDIVISION OF LOTS 1 AND 3 SHEET 1 OF 3

SECTION 14 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA

NOTES:

- SOURCE OF INFORMATION: PLAT BOOK 48, PAGE 110 (FIREFLY SUBDIVISION); DEED BOOK _____ PAGE _____ (JONES TO HOLLAND); DEED BOOK 1295, PAGE 3 (JONES).
- DATE OF FIELD SURVEY: 7-25-23; DATE OF OFFICE WORK: 7-31-2023.
- BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL.
- AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLE LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.
- ACCESS TO LOT 2-A TO BE GRANTED BY DEDICATED RIGHT OF WAY.
- NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA. ALL PARTS OF THIS PROPERTY IS IN FLOOD ZONE X (AREA OF MINIMAL FLOODING) PER FEMA FIRM 01081C0089G DATED 11-02-2011. THE PROPOSED FEMA FIRM 01081C0084H ALSO PLACES NO SPECIAL FLOOD HAZARD AREAS ON THIS PROPERTY.
- NO DRIVEWAY ACCESS IS PERMITTED TO U.S. HIGHWAY 280. ACCESS TO HIGHWAY TO BE BY DEDICATED PUBLIC RIGHT OF WAY.

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

Director: _____ Date: _____

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

Chairman: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

Reviewed by Opelika Power Services, Opelika, Alabama:

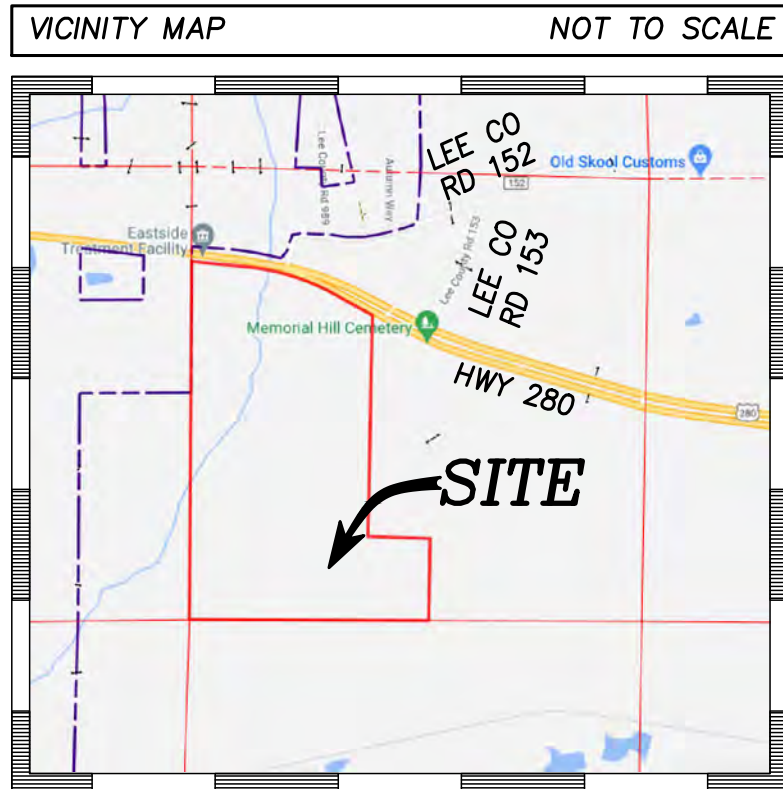
Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

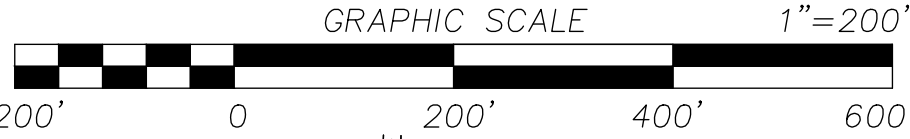
Public Works Director: _____ Date: _____

Line Table		
Line #	Length	Direction
L1	135.24	S06°56'53"W
L2	125.00	S83°03'07"E
L3	53.28	N00°42'22"E
L4	44.34	N10°43'41"W
L5	70.00	N15°55'14"W
L6	43.18	N12°49'35"W
L7	90.65	N03°13'34"W
L8	50.01	S06°51'50"W
L9	122.89	N19°17'04"E
L10	93.09	N34°48'11"E
L11	84.00	N45°20'18"E
L12	91.41	N46°18'07"E
L13	125.00	N82°27'14"E
L14	66.62	N03°43'35"W
L15	66.62	N03°54'47"E
L16	66.62	N11°33'09"E
L17	66.62	N19°11'31"E
L18	66.62	N26°49'53"E
L19	66.62	N34°28'15"E
L20	66.62	N42°06'37"E
L21	53.08	N47°10'42"E
L22	45.06	N45°34'07"E
L23	43.89	N40°02'07"E
L24	43.89	N34°26'43"E
L25	43.89	N28°51'20"E
L26	43.89	N23°51'57"E
L27	43.89	N17°40'33"E
L28	45.86	N11°57'37"E
L29	41.91	N06°22'13"E
L30	44.17	N00°53'18"E
L31	120.00	S83°01'03"E
L32	87.18	S83°01'03"E
L33	66.27	N70°11'42"W
L34	146.28	N36°30'07"W
L35	93.40	N15°15'43"E
L36	333.52	N08°29'09"E
L37	16.88	N12°51'57"W
L38	172.93	N17°55'13"E
L39	395.45	N34°20'12"E
L40	234.96	N12°39'33"E
L41	28.45	N19°34'30"W
L42	21.17	N89°31'48"E
L43	35.38	N19°34'30"W
L44	234.96	N12°39'33"E
L45	395.45	N34°20'12"E
L46	139.36	N17°55'13"E
L47	67.81	N12°51'57"W
L48	23.92	N89°31'48"E
L49	123.76	N12°51'57"W
L50	333.52	N08°29'09"E
L51	93.40	N15°15'43"E
L52	146.28	N36°30'07"W
L53	66.27	N70°11'42"W
L54	125.00	N88°04'31"E

Curve Table				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	30.00'	47.11'	N38°02'05"W	42.41'
C2	30.00'	47.14'	S51°57'55"W	42.44'
C3	70.00'	75.17'	N39°25'50"W	71.61'
C4	190.00'	111.73'	N53°20'55"W	110.13'
C5	120.00'	108.41'	N10°37'12"W	104.76'
C6	510.00'	60.32'	N11°52'26"E	60.28'
C7	710.00'	264.59'	N21°12'24"W	263.06'
C8	65.00'	18.62'	N26°07'43"E	18.56'
C9	85.00'	32.16'	N23°29'52"E	31.97'
C10	85.00'	47.82'	N3°27'28"W	47.19'
C11	65.00'	36.57'	N32°27'28"W	36.09'
C12	65.00'	24.59'	N23°29'52"E	24.45'
C13	85.00'	24.35'	N26°07'43"E	24.27'
C14	610.00'	215.78'	N22°59'59"W	214.66'
C15	590.00'	221.62'	N23°37'36"W	220.32'
C16	690.00'	257.13'	N21°12'24"W	255.65'
C17	490.00'	57.95'	N11°52'26"E	57.92'
C18	140.00'	126.48'	N10°37'12"W	122.23'
C19	210.00'	123.49'	N53°20'55"W	121.72'



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
P = POWER POLE
-x-x- = WIRE FENCE
-//-- = WOOD FENCE
-o-o- = CHAIN LINK FENCE



PARCELS		PARCELS		PARCELS	
PARCEL	AREA	PARCEL	AREA	PARCEL	AREA
1	10069	34	2400	68	6744
2	10313	35	4320	69	6744
3	9649	36	4320	70	6744
4	9000	37	2400	71	6731
5	10810	38	2400	72	6731
6	8070	39	2400	73	6744
7	8167	40	4257	74	6744
8	14358	41	4059	75	6761
9	8807	42	2207	76	6744
10	9249	44	5193	77	7242
11	7002	45	5484	78	7242
12	9590	46	2204	79	7242
13	9464	47	2186	80	7242
14	9001	48	2198	81	7242
15	10185	49	5955	82	7242
16	10837	50	4833	83	7242
17	8427	51	2300	84	6439
18	8479	52	2300	85	6265
19	8750	53	2300	86	6266
20	8564	54	4140	87	6266
21	8942	55	4140	88	6266
22	11858	56	2300	89	6266
23	9672	57	2300	90	6266
24	9803	58	2300	91	6391
25	9834	59	4077	92	6140
26	4285	60	6628	93	6307
27	2481	61	6250	94	50452
28	2500	62	6250	95	133068
29	2483	63	6690	96	138690
30	5562	64	6744	97	2399895
31	5044	65	6744	98	5144933
32	2400	66	6744		
33	2400	67	6744		

43 10 05 22 0 000 001.000
EDGAR HUGHSTON BUILDER INC
8219 N CROSSING CT
FORTSON, GA 31808

43 10 06 23 0 000 001.000
TIMBERLANDS II LLC
C O FOREST RESOURCE CONSULTANT
P.O. BOX 545
LUMPKIN, GA 31815

Seal	Drawn By: MTM
	Scale: 1"=200'
	File Name: 23-0534-S1 FINAL - ALL
	Date: 5-6-2024

PRECISION SURVEYING

2124 Moores Mill Road
Suite 110
Auburn, Alabama 36830
Phone (334) 821-0105
www.precisionsurveying.biz

FIREFLY SUBDIVISION
REDIVISION OF LOTS 1 AND 3
SHEET 1 OF 3
FINALPLAT

State of Alabama
Lee County

I, Michael T Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Michael T Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.

State of Alabama
Lee County

I, Daniel Holland as member of Holland Holding Company LLC, owner of the real property shown on this plot, hereby join in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so plotted as shown.

In witness whereof, I have hereunto set my hand on this the _____ day of _____, 2023.

Daniel Holland as member of Holland Holding Company LLC
State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Daniel Holland as member of Holland Holding Company LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Notary Public: _____
My commission expires: _____

State of Alabama
Lee County

I, Daniel Holland as member of Firefly Development Lee LLC, owner of the real property shown on this plot, hereby join in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so plotted as shown.

In witness whereof, I have hereunto set my hand on this the _____ day of _____, 2023.

Daniel Holland as member of Firefly Development Lee LLC
State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Daniel Holland as member of Firefly Development Lee LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.

Notary Public: _____
My commission expires: _____

FIREFLY SUBDIVISION

REDIVISION OF LOTS 1 AND 3

SHEET 2 OF 3

SECTION 14 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA

Approved by the Opelika City Planning Director, Opelika, Alabama:
Director: _____ Date: _____

Approved by the Opelika City Planning Chairman, Opelika, Alabama:
Chairman: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:
Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:
Engineer: _____ Date: _____

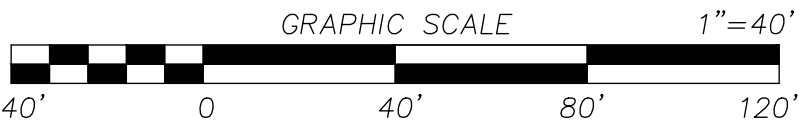
Reviewed by Opelika Power Services, Opelika, Alabama:
Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:
Public Works Director: _____ Date: _____

- NOTES:
- SOURCE OF INFORMATION: PLAT BOOK 48, PAGE 110 (FIREFLY SUBDIVISION); DEED BOOK 2696, PAGE 557 and 554 (JONES TO HOLLAND HOLDING AND FIREFLY DEVELOPMENT); DEED BOOK 1295, PAGE 3 (JONES).
 - DATE OF FIELD SURVEY: 4-19-2024; DATE OF OFFICE WORK: 5-6-2024.
 - BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL.
 - AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLE LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.
 - ACCESS TO LOT 2-A TO BE GRANTED BY DEDICATED RIGHT OF WAY.
 - NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA. ALL PARTS OF THIS PROPERTY IS IN FLOOD ZONE X (AREA OF MINIMAL FLOODING) PER FEMA FIRM 01081C0089G DATED 11-02-2011. THE PROPOSED FEMA FIRM 01081C0084H ALSO PLACES NO SPECIAL FLOOD HAZARD AREAS ON THIS PROPERTY.
 - NO DRIVEWAY ACCESS IS PERMITTED TO U.S. HIGHWAY 280. ACCESS TO HIGHWAY TO BE BY DEDICATED PUBLIC RIGHT OF WAY.

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
■ = HUB SET
△ = CALCULATED POINT
□ = CONCRETE MONUMENT
○ = POWER POLE
-x-x- = WIRE FENCE
-||-||- = WOOD FENCE
○-○- = CHAIN LINK FENCE



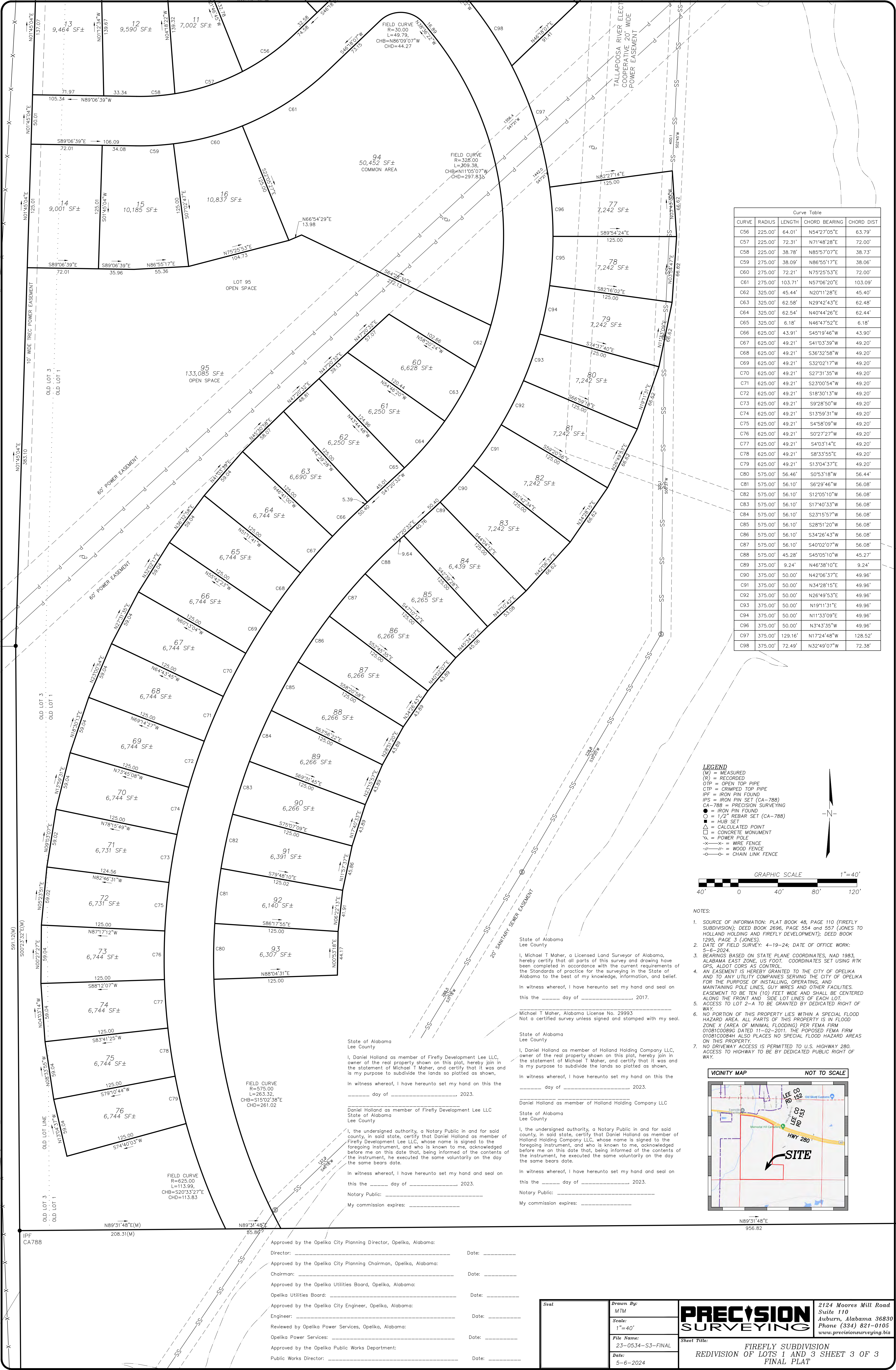
Curve Table				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DIST
C20	30.00'	47.14'	S51°57'55"W	42.44'
C21	370.00'	80.62'	S0°42'22"W	80.46'
C22	370.00'	67.06'	S10°43'41"E	66.97'
C23	275.00'	29.70'	N12°49'35"W	29.69'
C24	275.00'	31.51'	N6°26'57"W	31.50'
C25	30.00'	42.44'	S43°41'53"E	38.99'
C26	30.00'	40.92'	S56°41'39"W	37.82'
C27	275.00'	50.41'	N22°52'10"E	50.34'
C28	275.00'	64.15'	N34°48'11"E	64.00'
C29	275.00'	23.12'	N43°53'37"E	23.11'
C30	30.00'	44.46'	S3°50'53"W	40.50'
C32	30.00'	47.11'	N38°02'05"W	42.41'
C33	420.00'	61.05'	S2°47'03"W	60.99'
C34	420.00'	72.09'	S61°7'49"E	72.00'
C35	420.00'	34.50'	S13°34'02"E	34.49'
C36	225.00'	77.21'	N6°05'25"W	76.83'
C37	225.00'	88.83'	N15°03'00"E	88.25'
C38	225.00'	78.31'	N36°19'52"E	77.92'
C39	225.00'	17.82'	S41°25'45"E	17.81'
C40	225.00'	46.23'	S33°17'48"E	46.15'
C41	225.00'	20.09'	S24°51'11"E	20.08'
C42	225.00'	20.01'	S19°44'52"E	20.00'
C43	225.00'	20.08'	S14°38'36"E	20.08'
C44	225.00'	54.34'	S51°04'04"E	54.21'
C45	30.00'	25.39'	S26°00'00"W	24.64'
C46	30.00'	25.39'	N22°29'52"W	24.64'
C47	275.00'	26.79'	S1°02'23"E	26.78'
C48	275.00'	20.05'	S5°55'07"E	20.04'
C49	275.00'	34.09'	S10°05'28"E	20.00'
C50	275.00'	20.07'	S14°15'57"E	20.07'
C51	275.00'	33.97'	S19°53'45"E	33.95'
C52	275.00'	34.09'	S26°59'11"E	34.07'
C53	275.00'	20.02'	S32°37'25"E	20.02'
C54	275.00'	20.01'	S36°47'39"E	20.01'
C55	275.00'	23.13'	S41°17'19"E	23.12'
C56	225.00'	64.01'	N54°27'05"E	63.79'
C57	225.00'	72.31'	N71°48'28"E	72.00'
C58	225.00'	38.78'	N85°57'07"E	38.73'
C59	275.00'	38.09'	N86°55'17"E	38.06'
C60	275.00'	72.21'	N75°25'53"E	72.00'
C61	275.00'	103.71'	N57°06'20"E	103.09'
C96	375.00'	50.00'	N3°43'35"W	49.96'
C97	375.00'	129.16'	N17°24'48"W	128.52'
C98	375.00'	72.49'	N32°49'07"W	72.38'

Drawn By: MTM
Scale: 1"=40'
File Name: 23-0534-S2 FINAL
Date: 5-6-2024

PRECISION SURVEYING

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Sheet Title: FIREFLY SUBDIVISION
REDIVISION OF LOTS 1 AND 3 SHEET 2 OF 3
FINAL PLAT

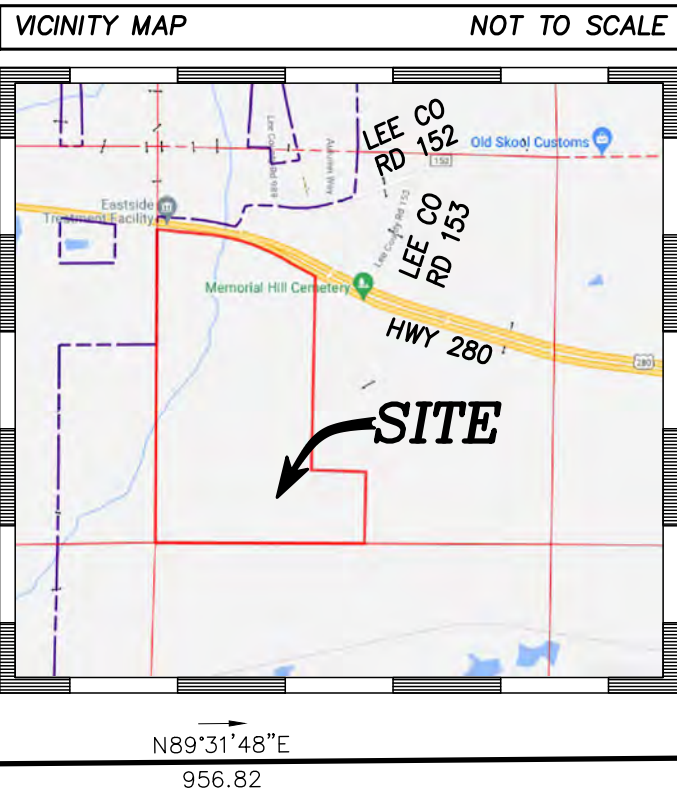


Curve Table				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DIST
C56	225.00'	64.01'	N54°27'05"E	63.79'
C57	225.00'	72.31'	N71°48'28"E	72.00'
C58	225.00'	38.78'	N85°57'07"E	38.73'
C59	275.00'	38.09'	N86°55'17"E	38.06'
C60	275.00'	72.21'	N75°25'53"E	72.00'
C61	275.00'	103.71'	N57°06'20"E	103.09'
C62	325.00'	45.44'	N20°11'28"E	45.40'
C63	325.00'	62.58'	N29°42'43"E	62.48'
C64	325.00'	62.54'	N40°44'26"E	62.44'
C65	325.00'	6.18'	N46°47'52"E	6.18'
C66	625.00'	43.91'	S45°19'46"W	43.90'
C67	625.00'	49.21'	S41°03'39"W	49.20'
C68	625.00'	49.21'	S36°32'58"W	49.20'
C69	625.00'	49.21'	S32°02'17"W	49.20'
C70	625.00'	49.21'	S27°31'35"W	49.20'
C71	625.00'	49.21'	S23°00'54"W	49.20'
C72	625.00'	49.21'	S18°30'13"W	49.20'
C73	625.00'	49.21'	S9°28'50"W	49.20'
C74	625.00'	49.21'	S13°59'31"W	49.20'
C75	625.00'	49.21'	S4°58'09"W	49.20'
C76	625.00'	49.21'	S0°27'27"W	49.20'
C77	625.00'	49.21'	S4°03'14"E	49.20'
C78	625.00'	49.21'	S8°33'55"E	49.20'
C79	625.00'	49.21'	S13°04'37"E	49.20'
C80	575.00'	56.46'	S0°53'18"W	56.44'
C81	575.00'	56.10'	S6°29'46"W	56.08'
C82	575.00'	56.10'	S12°05'10"W	56.08'
C83	575.00'	56.10'	S17°40'33"W	56.08'
C84	575.00'	56.10'	S23°15'57"W	56.08'
C85	575.00'	56.10'	S28°51'20"W	56.08'
C86	575.00'	56.10'	S34°26'43"W	56.08'
C87	575.00'	56.10'	S40°02'07"W	56.08'
C88	575.00'	45.28'	S45°05'10"W	45.27'
C89	375.00'	9.24'	N46°38'10"E	9.24'
C90	375.00'	50.00'	N42°06'37"E	49.96'
C91	375.00'	50.00'	N34°28'15"E	49.96'
C92	375.00'	50.00'	N26°49'53"E	49.96'
C93	375.00'	50.00'	N19°11'31"E	49.96'
C94	375.00'	50.00'	N11°33'09"E	49.96'
C96	375.00'	50.00'	N3°43'35"W	49.96'
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LEGEND
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(R) = RECORDED
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IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
○ = 1/2" REBAR SET (CA-788)
■ = HUB SET
▲ = CALCULATED POINT
□ = CONCRETE MONUMENT
⊕ = POWER POLE
-x-x- = WIRE FENCE
--- = WOOD FENCE
○-○ = CHAIN LINK FENCE

GRAPHIC SCALE 1" = 40'
40' 0 40' 80' 120'

- NOTES:
- SOURCE OF INFORMATION: PLAT BOOK 48, PAGE 110 (FIREFLY SUBDIVISION); DEED BOOK 2696, PAGE 554 and 557 (JONES TO HOLLAND HOLDING AND FIREFLY DEVELOPMENT); DEED BOOK 1295, PAGE 3 (JONES).
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 - ACCESS TO LOT 2-A TO BE GRANTED BY DEDICATED RIGHT OF WAY.
 - NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA. ALL PARTS OF THIS PROPERTY IS IN FLOOD ZONE X (AREA OF MINIMAL FLOODING) PER FEMA FIRM 010810089G DATED 11-02-2011. THE PROPOSED FEMA FIRM 010810089H ALSO PLACES NO SPECIAL FLOOD HAZARD AREAS ON THIS PROPERTY.
 - NO DRIVEWAY ACCESS IS PERMITTED TO U.S. HIGHWAY 280. ACCESS TO HIGHWAY TO BE BY DEDICATED PUBLIC RIGHT OF WAY.



Approved by the Opelika City Planning Director, Opelika, Alabama:
Director: _____ Date: _____
Approved by the Opelika City Planning Chairman, Opelika, Alabama:
Chairman: _____ Date: _____
Approved by the Opelika Utilities Board, Opelika, Alabama:
Opelika Utilities Board: _____ Date: _____
Approved by the Opelika City Engineer, Opelika, Alabama:
Engineer: _____ Date: _____
Reviewed by Opelika Power Services, Opelika, Alabama:
Opelika Power Services: _____ Date: _____
Approved by the Opelika Public Works Department:
Public Works Director: _____ Date: _____

State of Alabama
Lee County
I, Michael T. Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.
In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2017.
Michael T. Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.
State of Alabama
Lee County
I, Daniel Holland as member of Holland Holding Company LLC, owner of the real property shown on this plat, hereby join in the statement of Michael T. Maher, and certify that it was and is my purpose to subdivide the lands so platted as shown.
In witness whereof, I have hereunto set my hand on this the _____ day of _____, 2023.
Daniel Holland as member of Holland Holding Company LLC
State of Alabama
Lee County
I, the undersigned authority, a Notary Public in and for sold county, in said state, certify that Daniel Holland as member of Firefly Development Lee LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.
In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2023.
Notary Public: _____
My commission expires: _____

Seal
Drawn By: MTM
Scale: 1"=40'
File Name: 23-0534-S3-FINAL
Date: 5-6-2024

PRECISION SURVEYING
2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
Sheet Title: FIREFLY SUBDIVISION REDIVISION OF LOTS 1 AND 3 SHEET 3 OF 3 FINAL PLAT