

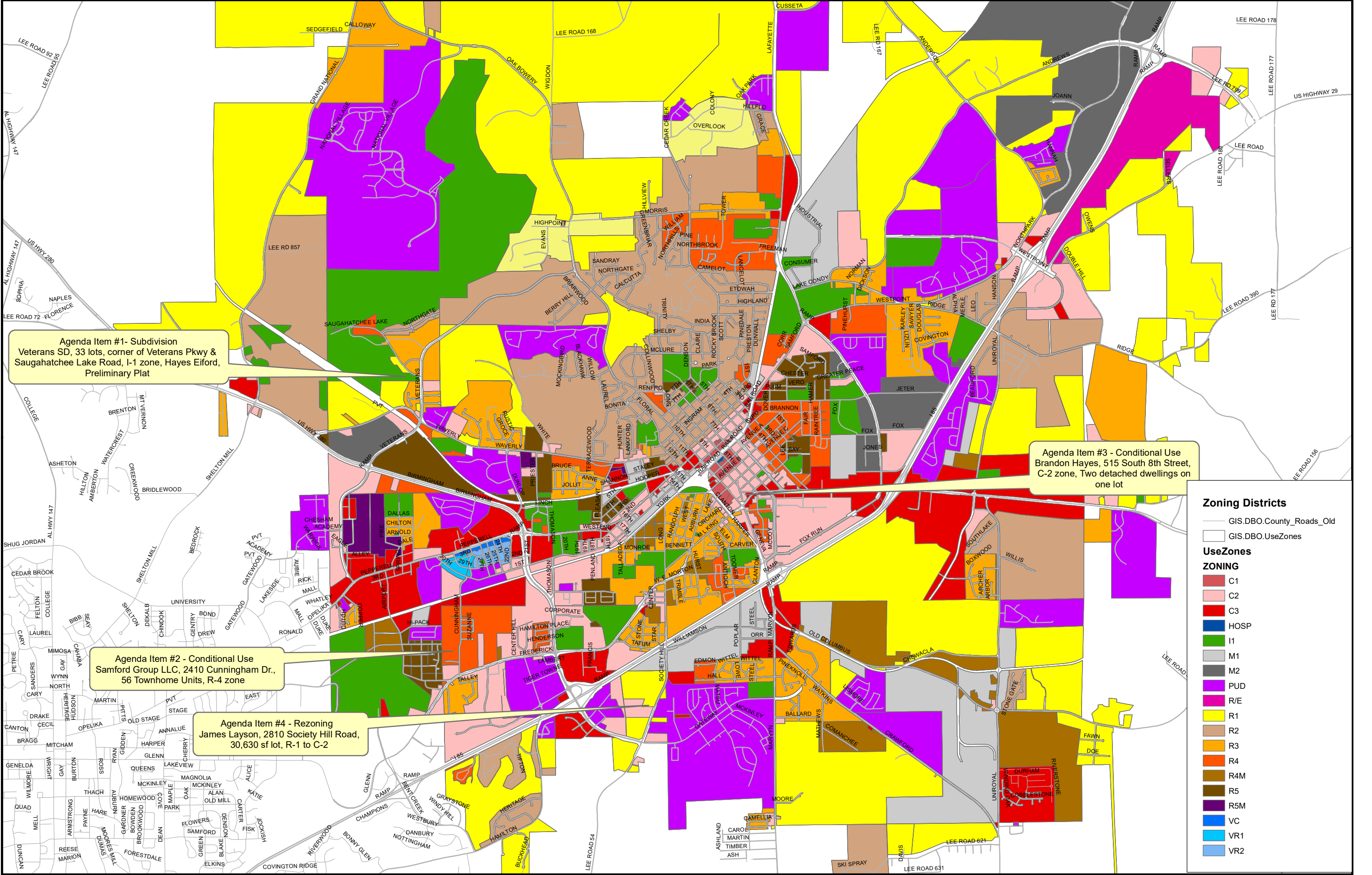


**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
January 28, 2025
TIME: 3:00 PM**

- 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. Elect Officers to Planning Commission (Chairman, Vice Chairman)
- III. APPROVAL OF MINUTES
- IV. UPDATE ON PREVIOUS PC CASES
- V. NEW BUSINESS
 - A. **PLAT (Preliminary Only) - Public Hearing**
 - 1. Veterans Parkway SD, 33 lots, 1000 block Veterans Parkway, Hayes Eiford-Samford Group Development, LLC, Preliminary Approval
 - B. **Conditional Use - Public Hearing**
 - 2. Samford Group Development, LLC, authorized representative for Aaron Adams, property owner, 2410 Cunningham Drive, R-4, 56 townhome units
 - 3. Brandon Hayes, authorized representative for Kevin Neel, property owner, 515 South 8th Street, Add a detached single family dwelling with a single family dwelling on a 10,574 sf lot in a C-2 zoning district
 - C. **Rezoning - Public Hearing**
 - 4. a. Amendment to the Future Land Use Map, 30,630 square foot, from a low density residential land use category to a light commercial land use category.
b. Rezoning request, James B. Layson, authorized representative for Raymond Trussell, property owner, 30,630 square feet, 2802 Society Hill Road, from R-1 to C-2.
- VI. Old Business
 - D. **Text Amendment to the Zoning Ordinance - Public Hearing**
 - 5. Bed and Breakfast Uses - A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Additions and revisions to definitions in Section 2.2 Definitions; revisions to Section 3.1 Building Permit Required; revisions to 7.3 C. Use Categories (matrix table);

revisions to Section 8.11.1 Temporary Structures/Temporary Uses; and add new section: Section 8.28.4 Bed and Breakfast

“In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130.”





PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

December 17, 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 December 17, 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. Jay Walters, Mr. Sheldon Whittelsey, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Michael Hilyer.

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.

Chair Cannon thanked Claire Barber for her work with the Planning Department.

Approval of Planning Commission Minutes November 19, 2024

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that there are no updates on previous cases.

IV. NEW BUSINESS

A. **Master Plan Revisions, Major Amendment and PLAT (Preliminary) - Public Hearing**

1. Major amendment to the Knollwood PUD Master Plan, accessed at 820 Crawford Road, Matthew Richardson, authorized representative of ASH-Evermore Homes of AL, LLC, The amendment decreases lot widths of Lots 2 to 11 from 60' to 55' to add one lot. Lot 44 (9150 sf) is changed from a single family lot to an open space amenity lot.

Mr. Mosley presented the staff report to the Planning Commission for the Major Amendment to the Knollwood PUD Master Plan, accessed at 820 Crawford Road. He stated that the applicant has withdrawn the request for the 5x50 property strip on the north property line. He stated that because of this, staff has changed its recommendation to the Planning Commission to send a positive recommendation to the City Council to amend the Knollwood PUD master plan subject to the following conditions:

1. **All utilities shall be underground.**
2. **Sidewalks required on both sides of the street.**
3. **Label/show a PUD residential buffer on master plan and plat as required from the buffer options provided in Section IX Landscape Regulations including the staff recommended buffer between the Waterford PUD zoning district and the Knollwood subdivision.**
4. **Label/show the 25 foot landscape buffer along the rear lot lines of lots adjacent to Crawford Road along Lots 1-15 and 49-50 on master plan and plat. The buffer planted must be an adequate size to provide a near impervious visual buffer in three years.**
5. **To be consistent with the adjacent Village at Waterford PUD zoning requirements the developer should add street trees. Specifically, one tree per two lots planted on private property.**
6. **Add a note on plat and master plan providing the minimum lot size (7,855 sf), lot width (55'), and minimum setbacks (20'F, 5'S, 25'R, 15'SS). The 55' minimum width is defined as minimum unless the lot is located on a cul-de-sac that prevents the 55' minimum width.**
7. **Revise the master plan exhibit to show the landscape requirements and existing sanitary sewer easement running along the east line of said property.**
8. **Remove the 5x50 property strip on the north property line and connect the proposed Jansen Avenue right-of-way in the Knollwood subdivision with the existing Jansen Avenue right-of-way in the Waterford subdivision.**

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

Chair Cannon opened the public hearing.

Queetta Boyd Malone, 849 Lismore Drive, asked if her property would be affected by this or if it was just the new lots?

Mr. Mosley stated that it would be reducing some of the lots along Crawford Road on their property, and it would not affect the size of your lot in any way.

Bill Jay, 713 Crawford Road, asked what kind of barrier will be along Crawford Road? He stated that the backs of the houses are facing Crawford Road. He asked if there will be a red

light and stated that the traffic gets bad there.

Mr. Parker stated that ALDOT will probably require turn lanes for this access to help with traffic. He stated that the access is not centered in this development because of the hill and to keep sight distance from that hill.

Matt Richardson, authorized applicant, stated that there will be a double row buffer of evergreens along Crawford Road and at the rear of the property. He stated that as of right now they don't have plans for a fence in addition to the evergreens, but that it could be a potential in the future. He stated that the additional open space lot addresses multiple concerns such as where to put the cluster mailbox units and an amenity space. He stated that they are committed to sticking with the requirements from previous approvals.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for the major amendment to the Knollwood PUD Master Plan to City Council with staff recommendations

RESULT: Passed

MOVER: Director John Sweatman

SECONDER: Mayor Gary Fuller

DISCUSSION: Chair Cannon asked if there will be an HOA?

Matt Richardson stated they will have an HOA which will be responsible for upkeep of the passive open space areas.

Chair Cannon stated that the new lots are 55 feet and won't match the lots across the street.

Matt Richardson stated yes, the new lots are 55 feet and the ones across the street are 60 feet.

Mr. Mosley stated that all the lots are above 8,000 square feet which is above the minimum for this PUD.

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

NAYS: None

ABSTAIN: None

2. Knollwood SD, 49 lots, accessed at 820 Crawford Road, Matthew Richardson, authorized representative of ASH-Evermore Homes of AL, LLC, preliminary approval

Mr. Mosley presented the staff report to the Planning Commission for the Knollwood Subdivision accessed at 820 Crawford Road. He stated that the applicant has withdrawn the request for the 5x50 property strip on the north property line. He stated that because of this, staff has changed its recommendation to the Planning Commission to a recommendation for preliminary plat approval subject to the following:

- 1. The City Council approve the amendment to the Knollwood PUD master plan.**
- 2. The Jansen Avenue right-of-way connection at the north property line is required before final plat approval is submitted.**
- 3. Add the name and address of the owner/developer on final plat.**

- 4. Show the existing dwellings on the property.**
- 5. Add a note stating the existing dwellings will be removed prior to final plat approval.**
- 6. Install underground utilities.**
- 7. Install sidewalks on both sides of the streets.**
- 8. Locate the existing sanitary sewer easement along the east line of said property.**
- 9. Approve the proposed minimum building setbacks on plat: 20 feet front yard, 5 feet side yard, 25 feet rear yard, and 15 feet side on street (corner lots). Add the 55-foot minimum lot width on the final plat.**
- 10. On final plat add a note providing the minimum building setbacks and lot width.**
- 11. Install a residential buffer along the perimeter property line of the PUD property as required from the buffer options as provided in Section IX Landscape Regulations. The buffer option selected must be shown on the site plan when a building permit is requested for approval.**
- 12. Preserve the 25 foot natural buffer along the rear lot lines of those lots that border Crawford Road, where a 25 natural buffer does not exist, add a 6 foot privacy fence and plantings to meet the equivalent of the 25 foot natural buffer. If a fence is proposed, then fence must be installed between the 25 foot buffer and residential home. Buffer must be shown on the site plan when building permit is requested.**
- 13. On final plat add a note detailing ownership and maintenance of all detention and open space, the Knollwood Subdivision HOA is owner of Lots 48 and 49 as shown on the Knollwood subdivision plat. Lots 48 and 49 are reserved as stormwater detention for the subdivision and open space for the Knollwood property owners. The Knollwood HOA is responsible for the maintenance of all detention/open space on Lots 48 and 49.**

Mr. Parker provided the reports for the 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. 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 by the Opelika Engineering Department.

The developer will be required to connect the new subdivision to Jansen Avenue (not Arlee as shown) to the north.

The access and turn lane requirements to connect to Crawford Road will be under the jurisdiction of Alabama Department of Transportation.

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

He stated that Water is available from the south side of Crawford Road (ALDOT Permit Required) and from the existing development on Arlee Ave. Connections at both locations will

be required.

Chair Cannon opened the public hearing.

Willie Joyner, 759 Lismore Drive, asked about the letter he received regarding this item.

Mr. Mosley stated that under state law, anytime someone comes in with a new subdivision plan or a new zoning change, we are required to send a letter out to adjoining property owners. He stated that what they are requesting is to change one of the home lots into an open space lot and then slightly decrease the width of some of the lots from 60 feet wide to 55 feet wide which would allow them to keep the same number of home lots. He stated that this will not affect the size or area of your property.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

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

B. TEXT AMENDMENTS TO THE ZONING ORDINANCE - Public Hearing

3. A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 5.1 B. Amendment Procedures Definitions; Section 8.17 C. Conditional Use Procedures.

Mr. Mosley presented the staff report to the Planning Commission for the proposed text amendments to the Zoning Ordinance: Section 5.1 B. Amendment Procedures Definitions; Section 8.17 C. Conditional Use Procedures. He stated that staff recommends the Planning Commission send a positive recommendation to City Council.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to send a positive recommendation for proposed text amendments to the Zoning Ordinance to City Council with staff recommendations

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

C. TEXT AMENDMENTS TO THE SUBDIVISION REGULATIONS - Public Hearing

4. A public hearing to consider a proposed text amendments to the Subdivision Regulations: Section 4.3 B. Preliminary Plat Review and Approval Procedure Requirements; Section 4.4 A. Final Plat Approval General and D. Final Plat Requirements

Mr. Mosley presented the staff report to the Planning Commission for the proposed text amendments to the Subdivision Regulations: Section 4.3 B. Preliminary Plat Review and Approval Procedure Requirements; Section 4.4 A. Final Plat Approval General and D. Final Plat Requirements. He stated that staff recommends approval of this change to the Opelika Subdivision Regulations.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant proposed text amendments to the Subdivision Regulations approval with staff recommendations

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

D. OTHER BUSINESS

5. Consider an amendment to the Planning Commission By-Laws, Article V Agenda

Mr. Mosley presented the staff report for an amendment to the Planning Commission By-Laws, Article V Agenda. He stated that this proposed change to the by-laws would ensure that the by-laws are consistent with the recommended changes to the Zoning Ordinance and Subdivision Regulations.

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

Motion to amend the Planning Commission By-Laws, Article V Agenda with staff recommendations

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

V. ADJOURN

Motion to adjourn at 3:30 p.m.

RESULT: **Passed**

MOVER: Mayor Gary Fuller

SECONDER: Sheldon Whittelsey

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

NAYS: None

ABSTAIN: None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary

RESOLUTION NO. _____

A RESOLUTION TO AMEND THE SUBDIVISION
RULES AND REGULATIONS OF THE CITY OF OPELIKA

BE IT RESOLVED by the Planning Commission of the City of Opelika as follows:

1. That Section 4.3, subsection B Preliminary Plat Review and Approval Procedure Requirements of the Subdivision Rules and Regulations of the City of Opelika, as amended, is amended to read as follows

B. Procedure Requirements

The subdivider or his agent shall submit four (4) full-size copies of the Preliminary Plan to the City Planner at least twenty-seven (27) calendar days prior to the Planning Commission meeting at which it is to be considered. Four (4) copies of the plat shall be on sheets at 24" x 36" in size and a digital copy in a .pdf or similar format.

The remainder of this section to remain as is.

2. That subsection 4.4, subsection A. General, of the Subdivision Rules and Regulations of the City of Opelika, as amended, is further hereby amended to read as follows:

A. General

The final plat shall conform substantially to the preliminary plat as approved and shall be submitted to the Planning Commission at least twenty-seven (27) calendar days prior to the meeting at which is to be considered. Four (4) copies of the plat shall be on sheets at 24" x 36" in size and a digital copy in a .pdf or similar format. One copy of which shall be the original drawings.

Final plat approval shall not be given at the same meeting as preliminary plat approval unless the plat does not involve the construction of any public improvements. When public improvements are constructed, a minimum of twenty (20) days shall elapse between preliminary and final approval.

4. This resolution shall take effect upon adoption and publication as required by law.
5. This resolution shall be published in the Opelika Observer, a newspaper published in and of general circulation within the City of Opelika, Alabama.
6. The Secretary of the Planning Commission is directed to file a certified copy of this resolution with the Probate Judge of Lee County, Alabama.

ADOPTED AND APPROVED this the _____ day of December 2024.

CHAIRMAN OF THE PLANNING
COMMISSION OF THE CITY OF OPELIKA,
ALABAMA

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 28, 2025

Subdivision: Veterans Parkway Subdivision

Agenda Item #: A-1

Action Requested: Preliminary Approval

Location of Property: 1000 block of Veterans Parkway

Property Owner(s):
Hayes Eiford, Samford Group Development, authorized applicant
Kelly Jackson (property owner)

Current Land Use: Undeveloped

Current Zoning: I-1

Flood Zone: Not listed

Staff Comments:

The applicant is requesting preliminary plat approval for a 37-lot subdivision including 33 single family lots and four unlabeled lots located in the I-1 zoning district. These lots will be primarily accessed from the new street labeled Road A (Lot 1 will access Veterans Parkway and Lots 2 and 3 will access Saughatchee Lake Road). There are 4 lots without titles, use, or size shown.

This property is located in the I-1 (Institutional) zoning district. Residential developments in the I-1 zoning districts can apply the R-5 zoning district standards. The R-5 zoning district standards are 7,500 square foot lot, minimum lot width of 60', front yard setback 25', rear yard setback 20', side yard setback 10', and side yard on street setback is 20' and a maximum building area of 50%. The zoning ordinance states that the Planning Commission may impose greater standards and setbacks where deemed necessary. In this instance, the surrounding zoning that is not I-1 is either R-1 or R-3. The proposed lots similar in size and lot width to the R-3 zone. As such, moving the minimum lot width from 60 to 70 feet is appropriate.

These lots appear to meet the minimum lot requirements for the R-5 zoning districts applied in the I-1 zoning districts, except for the unknown details of the four unnamed lots. A majority of the lots range in size from 10,000 to 11,000 square feet. The lot widths are approximately 70-80 feet in width with the exception of a few of the lots on curves or cul-de-sac lots.

The application states these lots will be single-family homes. This subdivision has four lots without notation. These lots appear to be common area or future open space. All of the lots should be given a lot number, lot use if not residential, and note providing who will maintain the lot. Many of these lots include flood plain, easements, or are too small to be used for residential construction. The flood plain is not shown on the current plat, although there appears to be some impacted lots. These lots should be noted as unbuildable or for a particular use. Any areas of fill in the flood plain should be noted. Underground utilities and sidewalks are required on both sides of the street. The plat appears to meet most of the minimum requirements with modification recommended in the preliminary plat approval.

The new street would be a single, somewhat long straight street. The applicant should look at traffic calming either through design or by adding calming features such as chicanes or boulevard sections to slow potential traffic. The street is only allowed 30 lots based on the current fire code. The lots on other streets are required to take access from those streets.

Single family residential is allowed by right in the I-1 zone. While there are limited uses allowed by right in the zone, it does make sense for this development to be rezoned to R-3 based on the proposed layout and lot design. If the Planning Commission is in agreement, staff can initiate a rezoning or do so in a more comprehensive manner at a later date. Finally, the subdivision name is a prominent street name, revising the subdivision name might prevent future issues.

While staff feels the subdivision is within the density and layout of the current subdivision regulations and surrounding zoning, without greater information on the existing flood plain and any filling of it, we cannot recommend approval at this time.

Planning staff does not recommend preliminary approval, if the Planning Commission does approve preliminary plat it should do so subject to the following:

1. Street right of way widths are not given
 2. The proposed new street is unnamed.
 3. Adjoined information is not shown.
 4. Flood zone information is not shown. All areas of flood plain must be shown and any areas of fill noted meeting federal, state, and local regulations.
 5. Provide lot numbers for all un-labelled lots and add a note to clarify size, use, ownership, and maintenance.
 6. Sidewalks are required on both sides of the street.
 7. All utilities shall be underground.
-

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. 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 by the Opelika Engineering Department. The infrastructure and all subdivision completion items will be required to be submitted prior to Final Plat approval.

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

Opelika Utilities Board Report

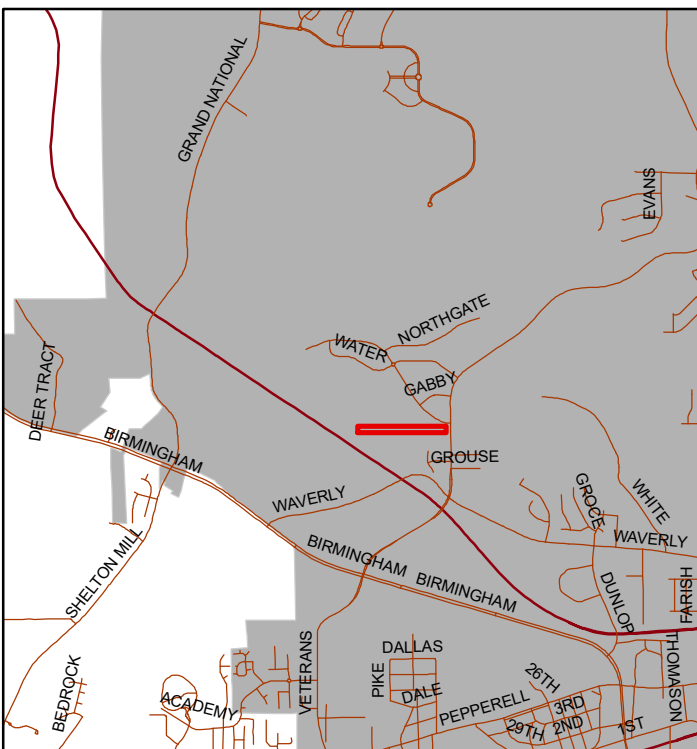
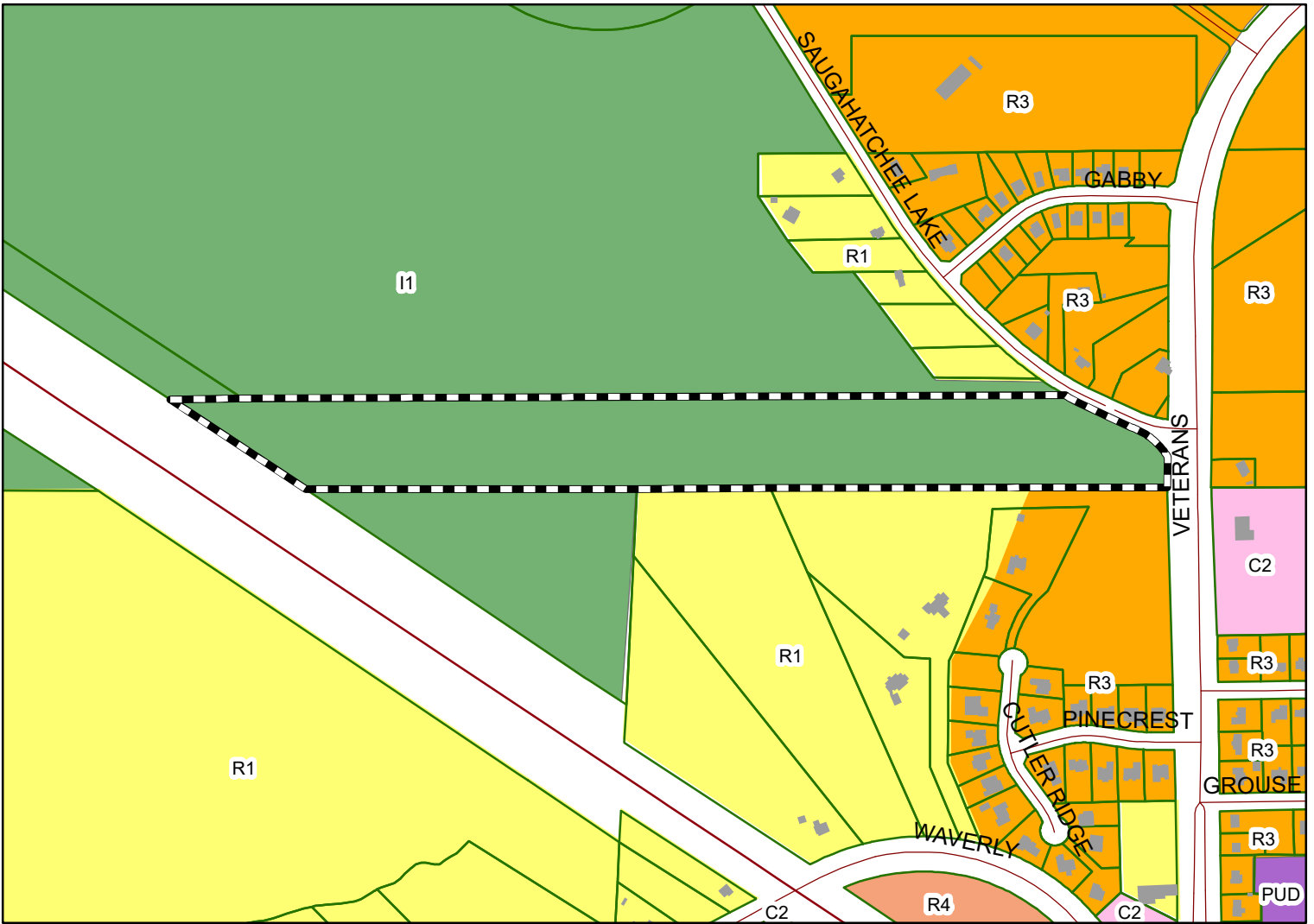
Water service is available from Saugahatchee Lake Rd.

Opelika Power Services Report

This property is located in the Opelika Power service territory.

#000013-2025
**APPLICATION FOR
SUBDIVISION APPROVAL
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801**

VETERANS PARKWAY SUBDIVISION VETERANS PARKWAY & SAUGAHATCHEE LAKE ROAD PRELIMINARY PLAT, A-1



The applicant is requesting approval for 33 lots for single family homes in a I-1 zone (Institutional). In the I-1 zone, residential developments follow the R-5 area standards (min 60' lot width and min 7,500 sf lot area). The 33 lots range from 10,000 sf to 2.1 acre. Minimum lot width is 70 feet.



Subject Property

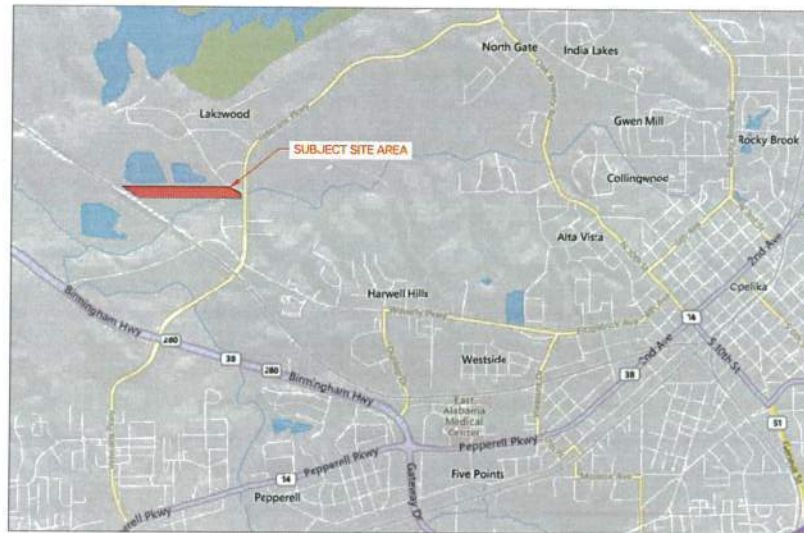
The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not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

PRELIMINARY PLAT FOR:
VERTERANS PARKWAY
O VETERAN'S PARKWAY
OPELIKA, ALABAMA 36801
PARCEL #: 43 09 02 03 0 000 023.002

CONTACT INFORMATION

CIVIL ENGINEER: HAYES EIFORD, PE
SAMFORD GROUP, LLC
1230 RUTH WAY AUBURN, AL 36830
PHONE: 229-221-8908
EMAIL: HAYES@SAMFORDGROUPLLC.COM

SURVEYOR: MIKE MAHER
PRECISION SURVEYING LLC
PHONE: 334-821-0105
EMAIL: MIKE.PRECISIONSURV@GMAIL.COM



VICINITY MAP

SITE INFORMATION:	
SITE AREA	
TOTAL SITE AREA:	23.3 AC.
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF OPELIKA
ZONING:	I-1
LOT SUMMARY	
MIN. LOT WIDTH:	50 FT.
MIN. PROPOSED LOT WIDTH:	70 FT.
MIN. LOT AREA:	10,000 SF.
MAX. BUILDING AREA:	50%
TOTAL PROPOSED LOTS:	33 LOTS
PROPOSED LOT DENSITY:	1.5 DU/AC
SETBACKS:	
FRONT SETBACK:	30 FT.
REAR SETBACK:	25 FT.
SIDE SETBACK:	10 FT.
SIDE SETBACK (STREET):	20 FT.

Sheet List Table

SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
1 OF 1	BOUNDARY SURVEY
C-3.0	OVERALL SITE PLAN
C-3.1	SITE PLAN
C-3.2	SITE PLAN
C-3.3	SITE PLAN



VETERAN'S PARKWAY
O VETERAN'S PKWY
CITY OF OPELIKA, LEE COUNTY, AL

SEAL:



Authorized By Gregory H. Eiford
Alabama License Number 53053

DESIGN TEAM

DRAWN BY: _____
DESIGNED BY: _____
REVIEWED BY: _____

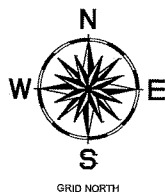


SCALE & NORTH ARROW:

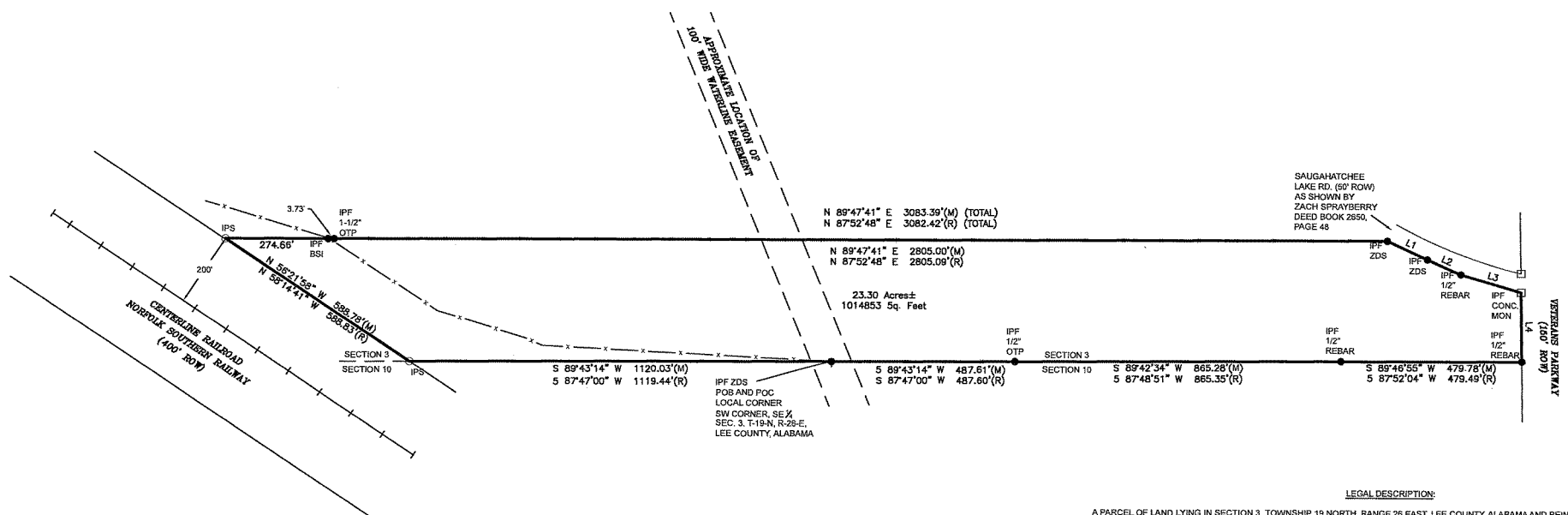
NORTH ARROW = N/A
SCALE = N/A

JOB NUMBER: _____
DATE: 1/2/2025
COVER SHEET

C-0



BOUNDARY SURVEY FOR SAMFORD GROUP DEVELOPMENT SECTION 3, T-19-N R-26-E LEE COUNTY ALABAMA



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 19 NORTH, RANGE 26 EAST, LEE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT BEGIN AT A FOUND 1/2" REBAR (CAPPED ZDS) LOCALLY ACCEPTED AS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 3 AND THE POINT OF BEGINNING OF PARCEL HEREIN TO BE DESCRIBED; THENCE RUN SOUTH 89° 43' 14" WEST A DISTANCE OF 1120.03 FEET TO A SET 1/2" REBAR (CAPPED RDR) ON THE NORTHEASTERLY MARGIN OF THE NORFOLK SOUTHERN RAILWAY (400' ROW); THENCE CONTINUE ALONG SAID MARGIN NORTH 86° 21' 58" WEST A DISTANCE OF 588.78 FEET TO A SET 1/2" REBAR (CAPPED RDR); THENCE LEAVING SAID MARGIN RUN NORTH 89° 47' 41" EAST A DISTANCE OF 274.66 FEET TO A FOUND 1/2" REBAR (CAPPED BSI); THENCE CONTINUE NORTH 89° 47' 41" EAST A DISTANCE OF 3.73 FEET TO A FOUND 1/2" OPEN TOP PIPE; THENCE CONTINUE NORTH 89° 47' 41" EAST A DISTANCE OF 2805.00 FEET TO A FOUND 1/2" REBAR (CAPPED ZDS) ON THE SOUTHWESTERLY MARGIN OF SAUGHATCHEE LAKE ROAD (50' ROW); THENCE CONTINUE ALONG SAID MARGIN SOUTH 65° 48' 15" EAST A DISTANCE OF 87.86 FEET TO A FOUND 1/2" REBAR (CAPPED ZDS); THENCE CONTINUE ALONG SAID MARGIN SOUTH 73° 21' 12" EAST A DISTANCE OF 167.15 FEET TO A FOUND CONCRETE MONUMENT AT THE INTERSECTION OF THE SOUTHERLY MARGIN OF SAUGHATCHEE LAKE ROAD (50' ROW) AND THE WESTERLY MARGIN OF VETERANS PARKWAY (150' ROW); THENCE CONTINUE ALONG THE WESTERLY MARGIN OF SAID VETERANS PARKWAY (150' ROW) SOUTH 01° 05' 54" EAST A DISTANCE OF 186.15 FEET TO A FOUND 1/2" REBAR; THENCE LEAVING SAID MARGIN RUN SOUTH 89° 48' 55" WEST A DISTANCE OF 479.78 FEET TO A FOUND 1/2" REBAR; THENCE RUN SOUTH 89° 42' 34" WEST A DISTANCE OF 865.28 FEET TO A FOUND 1/2" OPEN TOP PIPE; THENCE RUN SOUTH 89° 43' 14" WEST A DISTANCE OF 487.61 FEET TO THE POINT OF BEGINNING. CONTAINING 23.30 ACRES MORE OR LESS.

NOTES:

COPIES OF THIS SURVEY WITHOUT ORIGINAL SEAL ARE INVALID.
SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIONS WHICH EXIST AS A MATTER OF RECORD OR EXIST DE FACTO.
EASEMENTS ARE PRIVATELY MAINTAINED.
ALL STRUCTURES, INCLUDING FENCES, ARE PROHIBITED ON EASEMENTS.
ACCESS TO EASEMENTS SHALL NOT BE RESTRICTED.
NO UTILITIES OR EASEMENTS LOCATED AT THIS TIME OTHER THAN AS SHOWN.
PROPERTY IS SUBJECT TO 100' WIDE WATERLINE EASEMENT AS APPROXIMATELY SHOWN.

MEASURED

LINE	BEARING	DISTANCE
L1	S 65°17'49" E	117.45'
L2	S 65°48'15" E	97.86'
L3	S 73°21'12" E	167.15'
L4	S 01°05'54" E	186.15'

RECORDED

LINE	BEARING	DISTANCE
L1	S 67°13'15" E	117.49'
L2	S 67°44'05" E	97.72'
L3	S 75°54'47" E	166.59'
L4	S 02°58'24" E	188.11'

LEGEND

(M) = MEASURED
(R) = RECORDED
OTP = OPEN TOP PIPE
CIP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (RDR)
RDR = R.D. ROBERTSON
● = IRON PIN FOUND
○ = 1/2" REBAR SET (RDR)
■ = HUB SET
▲ = CALCULATED POINT
□ = CONCRETE MONUMENT
— = POWER POLE
—E—E— = OVERHEAD ELECTRIC
—X—X— = WIRE FENCE
—○—○— = CHAIN LINK FENCE

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS: DEED BOOK 2650 PAGE 48; PLAT BOOK 30 PAGE 167; PLAT BOOK 47 PAGE 112.
BASIS OF BEARING USED: BEARINGS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE COORDINATE SYSTEM. NORTH IS BASED ON GRID NORTH.
DATE OF FIELD SURVEY: 11/15/24 DATE OFFICE WORK COMPLETED: 11/26/24

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN MADE 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.

SURVEYOR'S SIGNATURE: R. D. Robertson
R. D. ROBERTSON
ALABAMA LICENSE NUMBER 15722

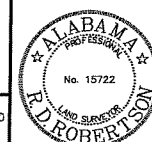


JOBY
R24-220

0 200 400 600

2100 KEYSTONE DRIVE
AUBURN, AL 36879
(205) 875-1403

CA#544



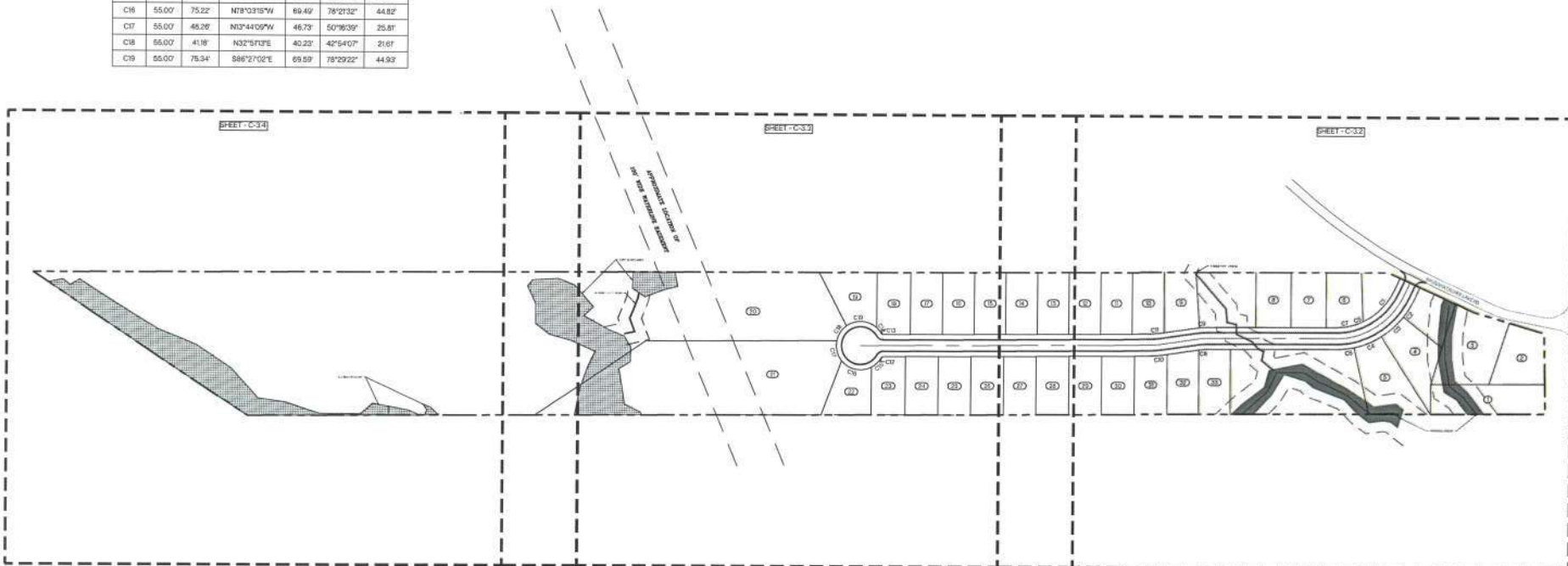
Curve Table					
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
C1	150.00'	103.65'	N44°29'32"E	101.60'	39°35'23"
C2	200.00'	47.42'	S31°22'46"W	47.31'	13°33'10"
C3	200.00'	67.33'	S47°56'03"W	67.02'	19°12'24"
C4	200.00'	52.18'	S65°03'11"W	52.03'	14°56'52"
C5	150.00'	21.86'	N56°24'36"E	21.54'	8°34'03"
C6	175.00'	37.71'	S63°37'19"W	37.63'	12°20'43"
C7	125.00'	37.67'	N81°09'39"E	37.53'	17°18'04"
C8	100.00'	20.22'	S85°55'57"W	20.21'	7°43'27"
C9	200.00'	18.82'	N87°00'54"E	18.82'	5°23'34"
C10	200.00'	28.07'	S85°42'30"W	27.99'	8°10'32"
C11	150.00'	21.07'	N85°42'30"E	20.99'	8°10'32"
C12	5.00'	5.24'	S59°43'16"W	5.00'	60°00'00"
C13	5.00'	5.24'	S60°46'44"E	5.00'	60°00'00"
C14	55.00'	16.25'	S38°44'33"E	16.19'	16°50'38"
C15	55.00'	31.72'	S46°14'38"W	31.29'	33°02'42"
C16	55.00'	75.22'	N78°03'15"W	69.49'	78°21'32"
C17	55.00'	48.26'	N10°44'09"W	46.73'	50°36'39"
C18	55.00'	41.19'	N32°57'13"E	40.23'	42°54'07"
C19	55.00'	75.34'	S86°21'02"E	69.59'	78°29'22"

Parcel Area Table	
PARCEL #	AREA
3	21479.86
4	13629.03
5	17679.09
6	10023.93
7	10000.00
8	10000.00
9	10047.84
10	10086.19
11	10096.62
12	10103.27
13	10109.91
14	10116.56

Parcel Area Table	
PARCEL #	AREA
15	10123.20
16	10109.85
17	10302.09
18	10662.79
19	11759.58
20	421975.01
21	94506.15
22	10377.69
23	10139.67
24	10063.87
25	10063.66
26	10062.66

Parcel Area Table	
PARCEL #	AREA
27	10061.53
28	10060.40
29	10059.27
30	10058.14
31	10037.10
32	10334.60
33	10784.29

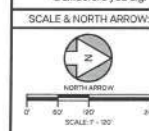
SITE INFORMATION	
SITE AREA	
TOTAL SITE AREA:	23.3 AC.
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF OPELIKA
ZONING:	I-1
LOT SUMMARY	
MIN. LOT WIDTH:	60 FT.
MIN. PROPOSED LOT WIDTH:	70 FT.
MIN. LOT AREA:	10,000 SF.
MAX. BUILDING AREA:	50%
TOTAL PROPOSED LOTS:	33 LOTS
PROPOSED LOT DENSITY:	15 DU/AC
SETBACKS:	
FRONT SETBACK:	30 FT.
REAR SETBACK:	25 FT.
SIDE SETBACK:	10 FT.
SIDE SETBACK (STREET):	20 FT.



VETERAN'S PARKWAY
 0 VETERANS PKWY
 CITY OF OPELIKA, LEE COUNTY, AL

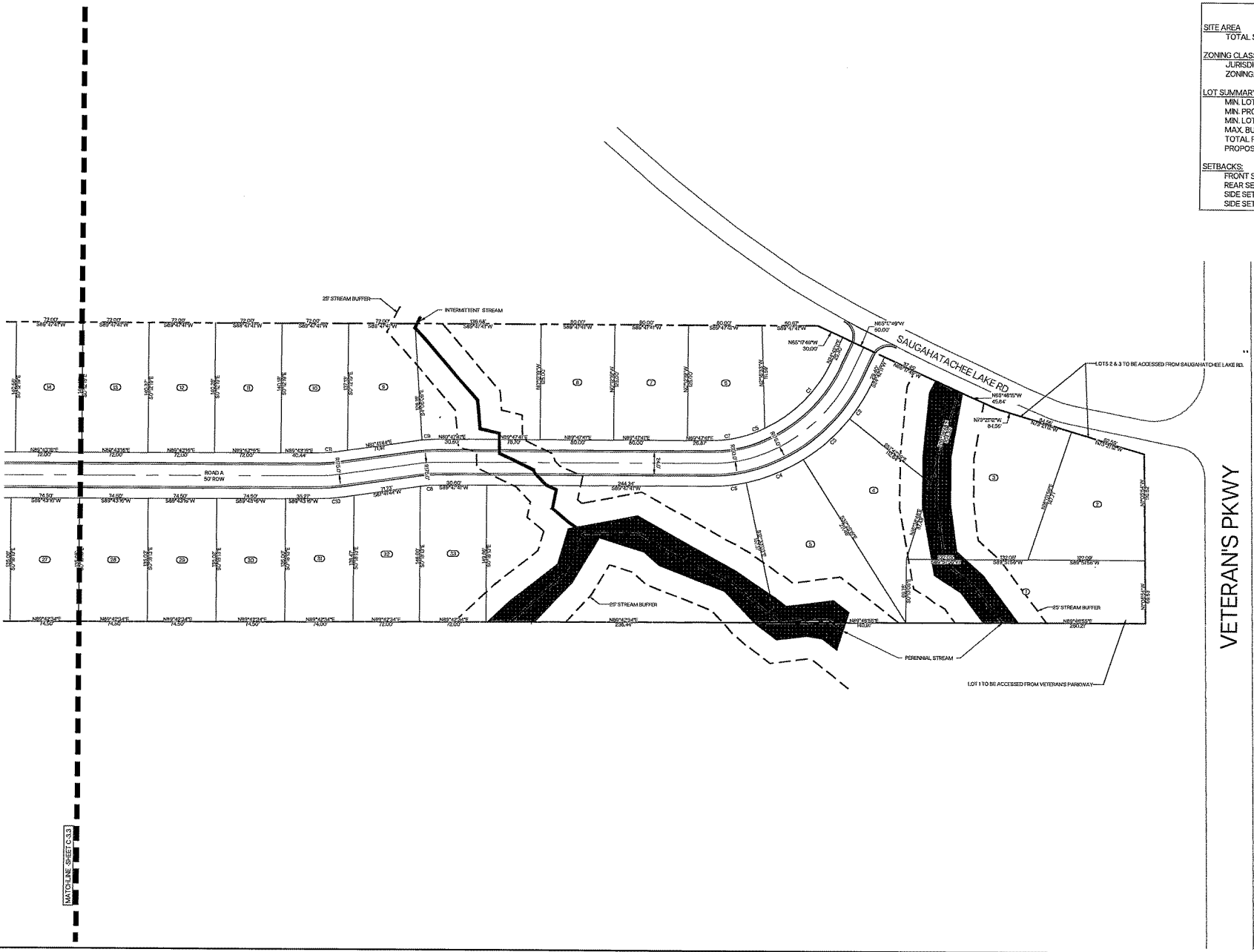
SEAL:
 AUTHORIZED BY: Gregory H. Eford
 Alabama License Number: 33032

DESIGN TEAM:
 DRAWN BY:
 DESIGNED BY:
 REVIEWED BY:



JOB NUMBER: 0
 DATE: 1/3/2015
 OVERALL SITE PLAN

C-31



MATCHLINE SHEET C-3.1

SITE INFORMATION	
SITE AREA	
TOTAL SITE AREA:	23.3 AC.
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF OPELIKA
ZONING:	H-1
LOT SUMMARY	
MIN. LOT WIDTH:	60 FT.
MIN. PROPOSED LOT WIDTH:	70 FT.
MIN. LOT AREA:	10,000 SF.
MAX. BUILDING AREA:	50%
TOTAL PROPOSED LOTS:	33 LOTS
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SETBACKS:	
FRONT SETBACK:	30 FT.
REAR SETBACK:	25 FT.
SIDE SETBACK:	10 FT.
SIDE SETBACK (STREET):	20 FT.



SAMFORD GROUP
SAMFORD GROUP, LLC
1230 RUTH WAY
AUBURN, AL 36830
SAMFORDGROUP.LLC@GMAIL.COM

VETERAN'S PARKWAY
0 VETERANS PKWY
CITY OF OPELIKA, LEE COUNTY, AL

SEAL:

Authorized by Gregory H. Elford,
Alabama License Number: 53032

DESIGN TEAM:
DRAWN BY: [Signature]
DESIGNED BY: [Signature]
REVIEWED BY: [Signature]

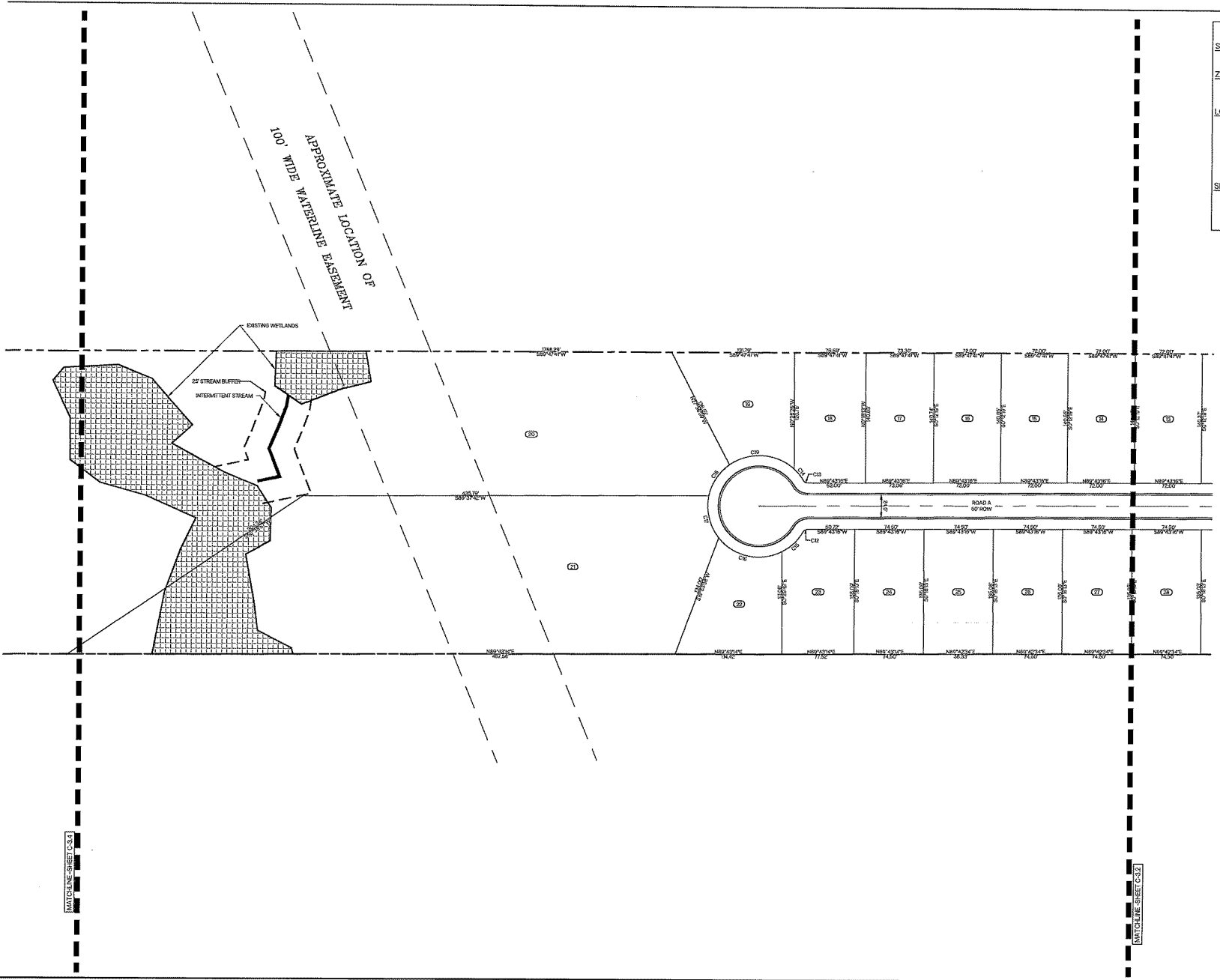

Know what's below.
Call before you dig.

SCALE & NORTH ARROW:

SCALE: 1" = 50'

JOB NUMBER: 0
DATE: 1/3/2025
SITE PLAN

C-3



SITE INFORMATION		
SITE AREA		
TOTAL SITE AREA:	23.3 AC.	
ZONING CLASSIFICATION		
JURISDICTION:	CITY OF OPELIKA	
ZONING:	I-1	
LOT SUMMARY		
MIN. LOT WIDTH:	60 FT.	
MIN. PROPOSED LOT WIDTH:	70 FT.	
MIN. LOT AREA:	10,000 SF.	
MAX. BUILDING AREA:	50%	
TOTAL PROPOSED LOTS:	33 LOTS	
PROPOSED LOT DENSITY:	15 DU/AC	
SETBACKS:		
FRONT SETBACK:	30 FT.	
REAR SETBACK:	25 FT.	
SIDE SETBACK:	10 FT.	
SIDE SETBACK (STREET):	20 FT.	

SAMFORD GROUP

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AUBURN, AL 36830
SAMFORDGROUP@LLC.COM

VETERAN'S PARKWAY

0 VETERANS PKWY
CITY OF OPELIKA, LEE COUNTY, AL

SEAL:

Authorized By: Gregory H. Eklund,
Alabama License Number: 53032

DESIGN TEAM:

DRAWN BY: _____

DESIGNED BY: _____

REVIEWED BY: _____

Know what's below.
Call before you dig.

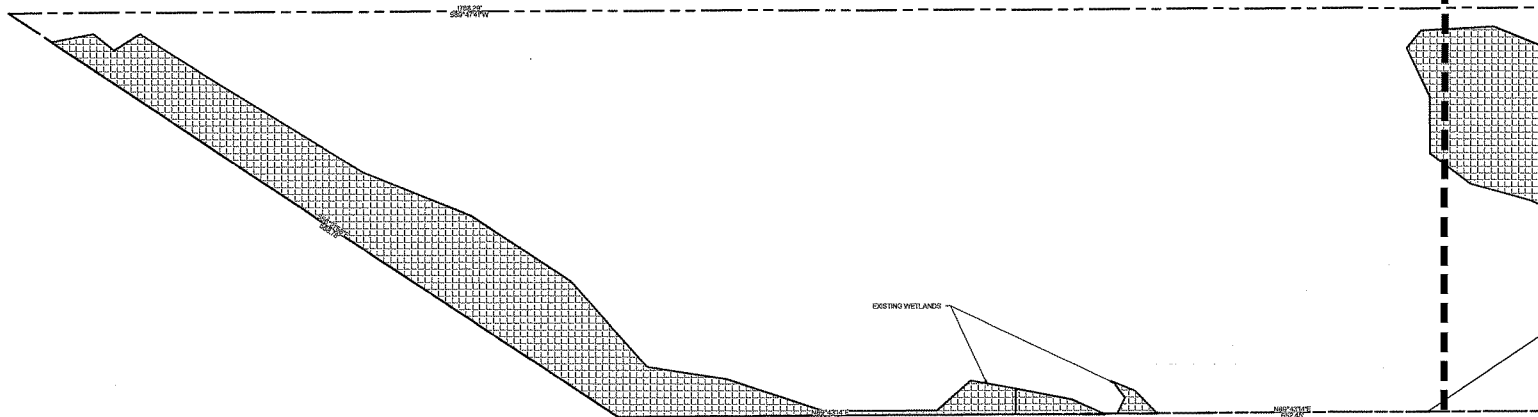
SCALE & NORTH ARROW:

SCALE: 1" = 50'

JOB NUMBER: 0

DATE: 1/3/2025

SITE PLAN



SITE INFORMATION:	
SITE AREA	
TOTAL SITE AREA:	23.3 AC.
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF OPELIKA
ZONING:	I-1
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SETBACKS:	
FRONT SETBACK:	30 FT.
REAR SETBACK:	25 FT.
SIDE SETBACK:	10 FT.
SIDE SETBACK (STREET):	20 FT.



SAMFORD GROUP, LLC
1530 RUTH WAY
AUBURN, AL 36830
SAMFORDGROUP,LLC.COM

VETERAN'S PARKWAY
0 VETERANS PKWY
CITY OF OPELIKA, LEE COUNTY, AL

SEAL:



Authorized By: Gregory H. Elford
Alabama License Number: 53032

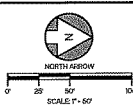
DESIGN TEAM:

DRAWN BY: _____
DESIGNED BY: _____
REVIEWED BY: _____



Know what's below.
Call before you dig.

SCALE & NORTH ARROW:



JOB NUMBER: 0
DATE: 1/3/2025
SITE PLAN

C-3.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 28, 2025

Agenda Item #: B-2

Action Requested: Conditional Use – 56 Townhomes

Location of Property: 2410 Cunningham Drive

Property Owner(s): Kevin Neel
Brandon Hayes, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-4

Surrounding Zoning Districts

And Land Uses:	North	R-4	Single family home on 5 acres
	South	R-4	Seven single family homes on Sutton Way
	East	R-4	Single family home on 7 acres
	West	R-5	Six single family homes on Park Street

Proposal

The applicant is requesting conditional use approval for 56 two-story townhome units on 7.5 acres. The townhomes are accessed from Cunningham Drive about 800 feet north of the intersection of Cunningham Drive & Frederick Road and less than a mile from Tiger Town. A 24' wide private street will be constructed from Cunningham Drive to the townhome units.

The property is in an R-4 zoning district. The adjacent north, south, and east properties are also zoned R-4. (medium density residential). A R-5 zone (high density) is on the west side. The adjacent uses on the west and south property lines are single family homes lots total that range from 10,000 sf to 18,000 sf. There is an Alabama Power substation north of this property. The remaining properties around this area are larger (1 acre more) single family homes. In the R-4 zoning district, the maximum density allowed is 9 dwelling units per acre. The density of the 56 townhomes is 7.4 dwellings per acre. The density for the surrounding properties is between 0.25 and 2 units per acre.

A 100' Alabama Power transmission line runs along the north property line that limits development on the north side. An 11,000 square foot (sf) detention pond is also on the north side. Two additional open space lots (3,300 sf and 20,500 sf) are adjacent to the townhome units. The total open space area is 1.9 acres of the 7.5 acre. Although, only about 0.5 acres is not encumbered with detention or transmission lines.

The site plan shows eight townhome groups with 5-units in each group, and four groups with 4-units (56 total townhome units). All townhome units are three bedrooms & 2 baths. A townhome owner also

owns the adjoining front and rear yard area (fee simple ownership). At a future PC meeting the applicant will submit for subdivision approval if conditional use approval is granted. The elevations show brick veneer as the exterior material on all sides for a townhome unit.

The Townhouse Development Standards require a minimum of 1,800 square foot townhome lot and 20 foot minimum lot width. The proposed lot size for all units is 2,040 sf (24x85) and lot width is 24'. The townhome groups meet the minimum building setback requirements (25', 10', 20') for the R-4 zoning district, and the minimum 20 foot separation between townhome groups. The Townhouse Standards require that either the front or rear yard area be no less than 50% of the first floor of a townhome. The main floor of each townhome is 960 sf (24x40); the front or rear yard area ranges from 500 sf to 620 sf exceeding the minimum 50% of the first floor. At least two parking spaces for each townhome unit is provided as required. One parking space is a one-car garage for each townhome; the 2nd parking space is the driveway behind the garage. A sidewalk is recommended on both sides of the private street between the street edge and the townhouse parking spaces. Garbage pick-up is City services not dumpster.

The landscape plan meets the minimum requirements of the Landscape Regulations concerning base and parking lot points. A total of 64 trees and 16 shrubs are shown on the plan. A landscape buffer next to Cunningham Drive is shown on the plan as required; the plant material installed should be evergreen trees and shrubs as labeled. No trees are shown on the lots to the north, potentially due to conflicts with the utility easement. The side exterior walls of townhomes and rear & side yards face Cunningham Drive. The plants in the buffer must be spaced apart adequately to visually screen the side wall and yard area of townhomes from Cunningham Drive. A residential buffer is also required on the west and south side perimeter property lines. The buffer screens the townhome lots from the adjacent single family home lots on the west and south property line. The size of trees and shrubs planted must meet the minimum size requirements as provided in the Landscape Regulation.

The rear setback of many of the units is 20 feet. This is the minimum setback for the zone and provided right at the required 50% yard for the unit. Due to the configuration, this layout also puts the required residential buffer in the rear setback along with the required access easement for interior units. The minimum residential buffer is only 4 feet in width when it includes both trees and fencing. That only allows a minimal useable yard area.

An H.O.A. (Homeowners Association) will be established for townhome development. HOA documents should include Declaration of Covenants, Conditions and Restrictions, responsibilities, and association fees. The H.O.A. will be responsible for the maintenance or repairs of all outside common area (townhome yard area, open space, private streets, parking spaces, sidewalks, etc.) and responsible for maintenance of the exterior building surfaces. A townhome owner owns the abutting front and rear yards.

Townhomes are potentially a reasonable use for this property based on the overall zone. However, the density proposed for this development is three times greater than any of the adjoining properties. Moreover, the proposed configuration of the property creates an area where the townhomes on the

northern half lack any larger landscaping and the lots on the southern half are pressed against the less dense residential on the adjoining property.

This area is also in transition. The extension of Veterans and Thomason will potentially add a significant amount of traffic to the area and likely change the overall feel of the street. Much of the development that occurred surrounding this property happened prior to sewer availability. These larger home sites are likely to see significant redevelopment once the traffic patterns change. It is likely that this development if approved will set the tone for the remainder of the street. While the proposed townhomes are attractive and appear to use good materials, the layout and density are not ideal. While the use may ultimately be appropriate, at this time, staff cannot recommend approval of the development due to concerns with density and layout.

Staff does not recommend conditional use approval at this time, but if the Planning Commission does approve the use, recommends the following conditions:

1. Install a residential buffer along the west and south property lines as described in this report to screen the townhome lots from the adjacent single family home lots. The buffer must be selected from the options provided in Section 10 Landscape Regulations.
2. Increase the rear yard so that any buffer is located outside of the required yard.
3. The landscape buffer shown along Cunningham Drive must be evergreen trees and shrubs adequately spaced apart to provide a visual screen from the front and rear yards and the side wall of the three townhome units that face Cunningham Drive.
4. Install a sidewalk on both sides of the private street.
5. Exterior material must be brick on all sides as shown on elevation. Elevations on the side of buildings that face Cunningham Drive shall include architectural features or changes in depth or dimensions to prevent a blank wall from facing the drive.
6. Provide additional detail on how the amenity sites and other common areas will be used.
7. Provide landscaping to include trees on adjacent to all buildings.
8. Ensure that the turnarounds meet Fire Code and Public Works Manual requirements.
9. All utilities must be underground.
10. Any fences constructed between townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.

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. 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 City of Opelika has a proposed project that will add curb and gutter and a 5-ft sidewalk to this side of Cunningham Drive through this property. It is being requested that a 9-ft to 14-ft strip of right of way be deeded to the City and this curb and gutter and sidewalk facility be constructed as part of this development.

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

Opelika Utilities Board Report

Water Service is available from the western side of Cunningham Dr.

Opelika Power Services Report

This property is located in the Opelika Power and Alabama Power service territory.



AGENDA ITEM # H000014-2025
APPLICATION FOR
CONDITIONAL USE APPROVAL
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

PC DEADLINE: 1/7/25 PC MEETING: 1/28/25

PROJECT NAME: Cunningham Townhomes
SITE ADDRESS: 2410 Cunningham Dr, Opelika, AL 36801
PROPERTY OWNER: James G McClain Jr.

APPLICANT/ AUTHORIZED REPRESENTATIVE: Aaron Adams
MAILING ADDRESS: 3373 Society Hill Rd, Opelika, AL 36804
PHONE NUMBER: 205-506-1170 **FAX NUMBER:** _____
EMAIL ADDRESS: aaron@agxsiteworx.com

PARCEL INFORMATION

Current Land Use: Single-Family **Current Zoning:** R4
Description of Proposed Use: Townhouse
Adjacent Zoning Districts: North: R4 South: R4 East: R4 West: R5

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 polices 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.

AGENDA ITEM #

ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY (BE SPECIFIC). YOUR ANSWERS PROVIDE THE PLANNING COMMISSION AND STAFF THE BASIS FOR REVIEWING YOUR REQUEST. ANY QUESTION UNANSWERED WILL BE RETURNED TO YOU FOR COMPLETION.

1) How is the proposed use appropriate in the location for which it is proposed? _____

The proposed use is appropriate in this location because the surrounding areas are similar and have the same zoning.

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? It will not.

3) What precautions will be taken to minimize any adverse affects from the proposed use on surrounding property owners? The proposed development will include landscaping along the entrance to enhance the aesthetics of the overall development. Additionally, green spaces will be utilized to not only enhance aesthetics but also to minimize impervious areas within the development.

APPLICATION REQUIREMENTS:

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month; Work Session is at 3:00 p.m. Thursday at 4:00 p.m. before each PC Meeting).
2. Application signed by property owner or authorized agent/representative.
3. Submit 26 copies of the Site Plan (21 – 11 x 17 if legible; 4 – 24 x 36; 1 – 8 x 11). Copies must accompany and be made part of this application.
4. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
5. Conditional use approval shall expire in one year after approval date.

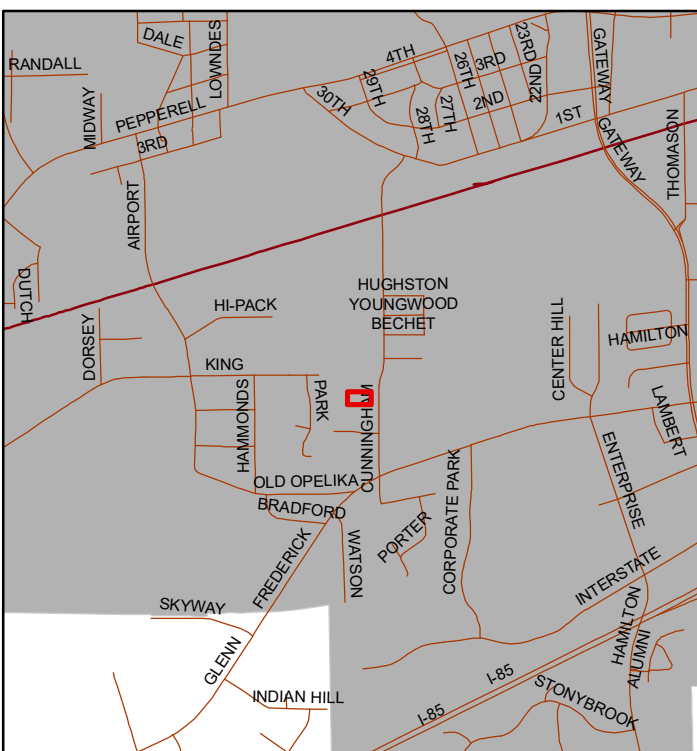
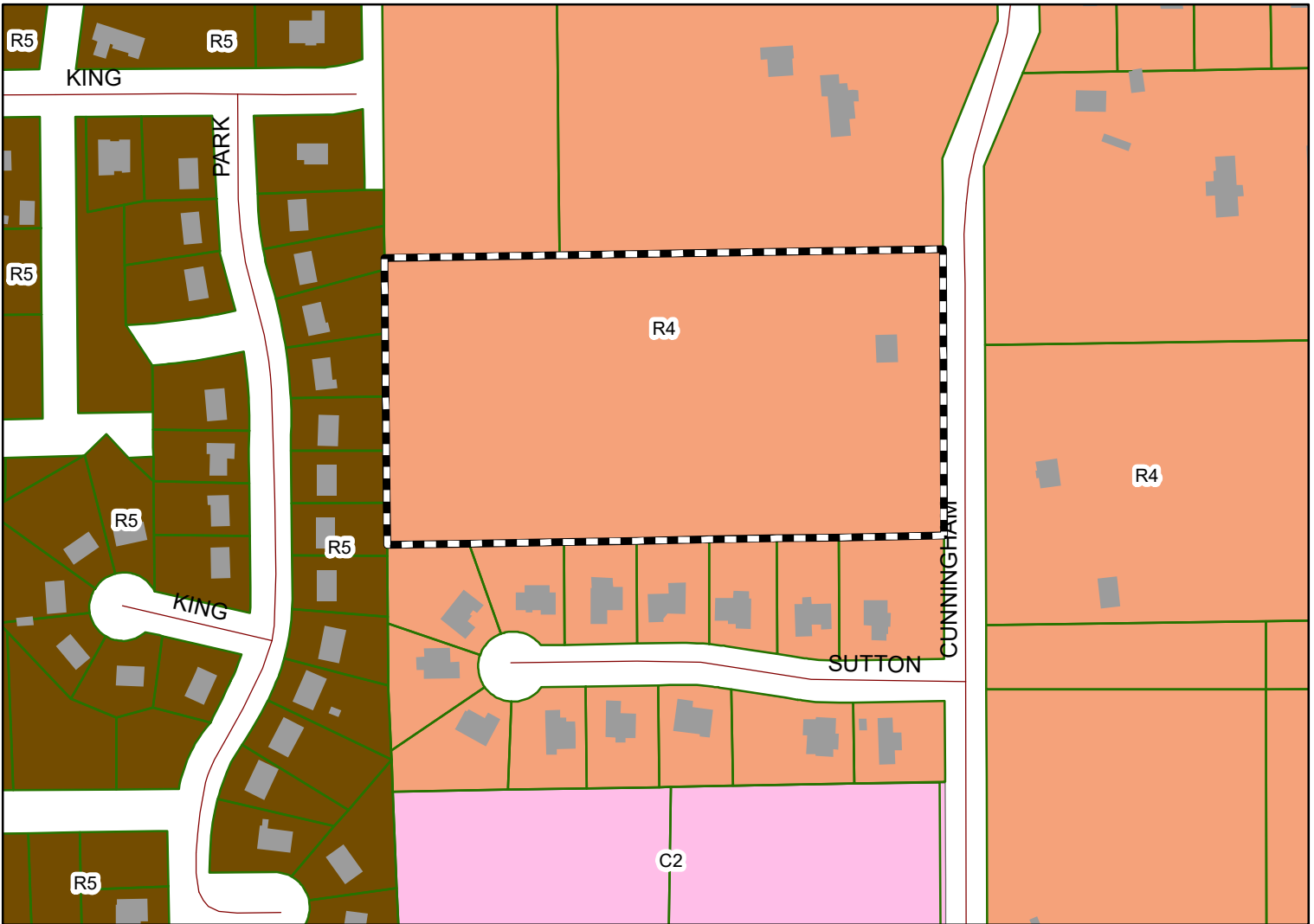
Fee: \$125.00 **PAID** _____

CERTIFICATION

I Aaron Adams, HEREBY CERTIFY that this application is made with my approval, as property owner or authorized applicant designated by the property owner, as evidenced by my signature below. This application, site plan, 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 the undersigned is authorized to make said application and submit said documents on this request. I certify that I have read and understand the contents of this application, and that this application together with the requirements set forth in Section 8.16 *Site Plan Review* and all supplemental information is a true representation of the facts concerning this request.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: <u>Aaron Adams</u>	DATE: <u>1/7/25</u>
(PRINT NAME) Aaron Adams	

CUNNINGHAM TOWNHOMES 2410 CUNNINGHAM DRIVE CONDITIONAL USE, B-2



The applicant requesting 56 townhomes on 7.5 acres in a R-4 zone. Maximum density in R-4 is 9 du/ac; Proposed density is 7.4 units per acre. Open space area totals 2.2 acres. The townhomes are near the Cunningham & Frederick Road intersection and less than a mile from Tiger Town.



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

SITE DATA:

TOTAL AREA: +/- 7.49 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 85'): 56 UNITS

ZONING: R4

DENSITY PROPOSED: 7.48 DUA

DENSITY ALLOWED: 9 DUA

OPEN SPACE: 2.26 AC (30.2%)

SETBACKS:

FRONT:	25 FT.
REAR:	20 FT.
SIDE:	10 FT.
SIDE STREET (PROPOSED):	10 FT.

SITE DATA:

TOTAL AREA: +/- 7.49 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 85'): 56 UNITS

ZONING: R4

DENSITY PROPOSED: 7.48 DUA

DENSITY ALLOWED: 9 DUA

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SIDE STREET (PROPOSED):	10 FT.

SITE DATA:

TOTAL AREA: +/- 7.49 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 85'): 56 UNITS

ZONING: R4

DENSITY PROPOSED: 7.48 DUA

DENSITY ALLOWED: 9 DUA

OPEN SPACE: 2.26 AC (30.2%)

SETBACKS:

FRONT:	25 FT.
REAR:	20 FT.
SIDE:	10 FT.
SIDE STREET (PROPOSED):	10 FT.

SITE DATA:

TOTAL AREA: +/- 7.49 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 85'): 56 UNITS

ZONING: R4

DENSITY PROPOSED: 7.48 DUA

DENSITY ALLOWED: 9 DUA

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SIDE STREET (PROPOSED):	10 FT.

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FRONT:	25 FT.
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SETBACKS:

FRONT:	25 FT.
REAR:	20 FT.
SIDE:	10 FT.
SIDE STREET (PROPOSED):	10 FT.



**SAMFORD
GROUP**

SAMFORD GROUP, LLC.
1230 RUTH WAY
AUBURN, AL 36830
SAMFORDGROUPLLC.COM

[illegible]

CUNNINGHAM TOWNHOMES

CUNNINGHAM TOWNHOMES

SEAL

PRELIMINARY

DESIGN TEAM

DRAWN BY: HE

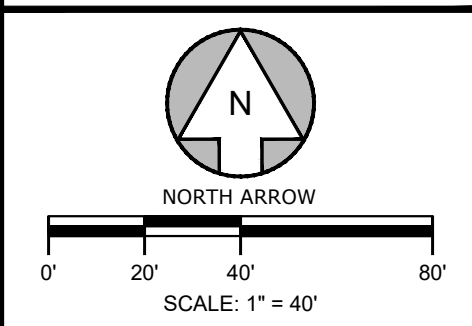
DESIGNED BY:	HE
--------------	----

REVIEWED BY: HE



Know what's below.
Call before you dig.

SCALE & NORTH ARROW



JOB NUMBER	001
------------	-----

DATE: 1/6/2025

CONCEPT DRAWING #5



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 28, 2025

Agenda Item #: B-3

Action Requested: Conditional Use – Add a detached single-family dwelling to a single-family dwelling on a 10,574-sf lot in a C-2 zoning district

Location of Property: 515 S. 8th Street

Property Owner(s): Kevin Neel, property owner
 Brandon Hayes, representative

Current Land Use: Single-family residential

Current Zoning: C-2

**Surrounding Zoning Districts
 And Land Uses:**

North	C-2	Vacant
South	C-2	Single-family and duplex residential
East	C-2	Single-family residential
West	C-2	single-family residential

Proposal

The applicant requests conditional use approval to add a detached garage apartment from a single-family home on a lot in a C-2 zoning district. Multiple buildings for multi-family are allowed conditionally on a lot that allows apartments. When one unit is much smaller or located within an accessory building like a garage, these units are called ancillary dwelling units by the Opelika zoning ordinance. Many other places refer to them as accessory dwelling units (ADUs). The City of Opelika currently allows ADUs in all residential zones by right if certain conditions are met. In this case, the applicant desires to potentially rent the unit out as a separate dwelling. The current requirement in residential zones limits the ADU only to lots that are owner occupied and the accessory unit cannot be rented out. In a commercial zone, like this, there is more flexibility, but it does require conditional use approval. This property is located within the Geneva Historic District and the plan requires architectural review by the Historic Planning Commission. While the home and garage have previously received approval, this design is slightly different and requires additional review. This will occur at the next HPC meeting in February.

Apartments are allowed conditionally in the C-2 zoning district. The configuration of these buildings would limit the ability to ever separate the home and garage. The subject property is located at 515 S. 8th Street. The property is approximately 10,574 square feet and the future single-family home is 2,576 square

feet. The single-family dwelling is located on the east side of the property and the garage apartment is located on the west side. The floor plans provided show base level garage area will be 735 square feet and the second-floor apartment unit would be approximately 526 square feet. The site plan provided meets the minimum setback requirements for both structures.

The proposed building should be in harmony with the character of the neighborhood, including building style, building materials, roof pitch, and orientation. Additionally, accessory structures like garages should be subordinate to the main house in size, location, and height. The applicant has provided specific plans for a garage/apartment building. They have provided proposed materials photos. This property is in the Geneva Street Historic District and all the exterior materials will be reviewed and to ensure the design guidelines are met by the February Historic Preservation Commission (HPC) Meeting. In evaluating a conditional use request, the staff looks at the general use standards. These criteria include whether the use is in harmony with the comprehensive plan and zoning ordinance, whether the use is needed and what effect it will have on the surrounding neighborhood, and whether there are adequate utilities and services to handle the use.

This zone does allow single-family homes by right, and apartments require conditional use approval. The neighborhood is primarily single-family homes and a few duplexes;, including the properties directly behind this lot. The Southside Development was originally approved to included mixed residential of single-family, townhomes, and an apartment building. Since the original plan, several changes have been made, and the overall density has been reduced to mostly single-family residential with two sets of attached homes.

This request would not create a substantial impact on traffic. The parking configuration shows a two-car garage and rear parking pad, both take access from the shared access easement for the Southside Development. The applicant submitted a revised site plan, elevations, and floor plan provided in the packet. The proposed use and site plan of a detached single-family garage apartment would be in character and harmony of the existing Southside Development and the surrounding area.

Recommendation

Staff recommends conditional use request approval subject to:

- 1. Historic Preservation Commission must approve a COA for all items as required prior to permit garage apartment structure.**
- 2. The building shall complement the character of the neighborhood, including building style, building materials, roof pitch, and orientation.**

Engineering Department Report

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

Opelika Utilities Board Report

Opelika Water Comments: Water service is available from South 8th St.

Opelika Power Services Report

This property is located in the Opelika Power service territory.

#000015-2025

AGENDA ITEM # _____



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 515 8TH ST, OPELIKA, AL 36801

PROPERTY OWNER: KEVIN NEEL

APPLICANT/ AUTHORIZED REPRESENTATIVE: BRANDON HAYS

MAILING ADDRESS: 1280 MOORES MILL RD, SUITE 209, AUBURN, AL 36830

PHONE NUMBER: 205-568-0551 **FAX NUMBER:** _____

EMAIL ADDRESS: BRANDON@HARTBROOKDEV.COM

PARCEL INFORMATION

Project name: 515 S 8TH ST - NEEL PROJECT Address/Location: _____

Current Land Use: SINGLE FAMILY RESIDENTIAL Current Zoning: C2

Adjacent Zoning Districts: North: C2 South: C2 East: C2 West: C2

Description of Proposed Use: APPROVAL FOR ACCESSORY DWELLING UNIT TO HAVE SEPERATE ADDRESS. PROPOSED ADDRESSES TO BE 515 "A" S 8TH ST. FOR THE HOME AND 515 "B" S 8TH ST FOR THE GARAGE APARTMENT.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, KEVIN NEEL, being owner of the property which is the subject of this conditional use application hereby authorize BRANDON HAYS, 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: Kevin Neel Date: 1/7/25

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: _____

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.

ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY. YOUR ANSWERS PROVIDE THE PLANNING COMMISSION AND STAFF THE BASIS FOR REVIEWING YOUR REQUEST. ANY QUESTION UNANSWERED WILL BE RETURNED TO YOU FOR COMPLETION.

1) How is the proposed use appropriate in the location for which it is proposed? THIS USE IS CONSISTENT WITH EXISTING NEIGHBORHOOD. ADJACENT PROPERTY WITH AN ADU ALSO CONSISTING OF AN "A" AND "B" ADDRESS.

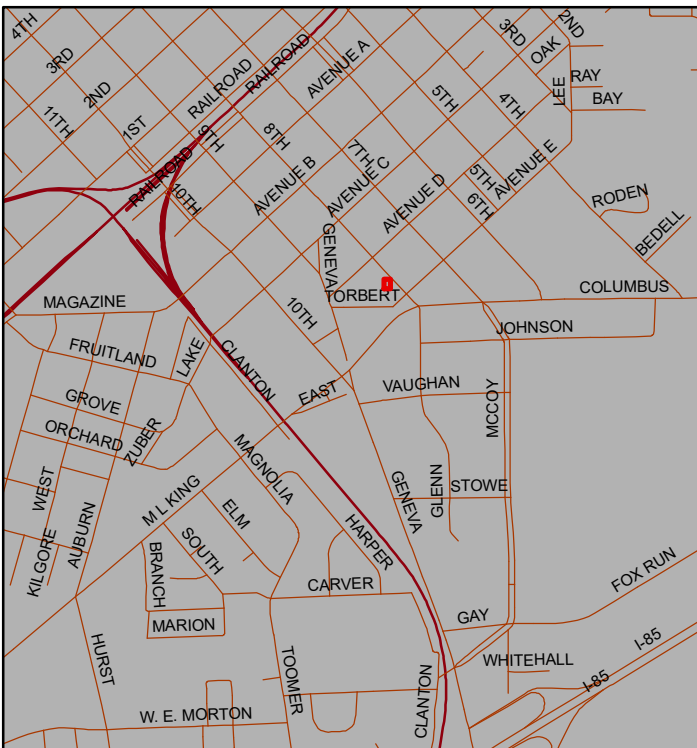
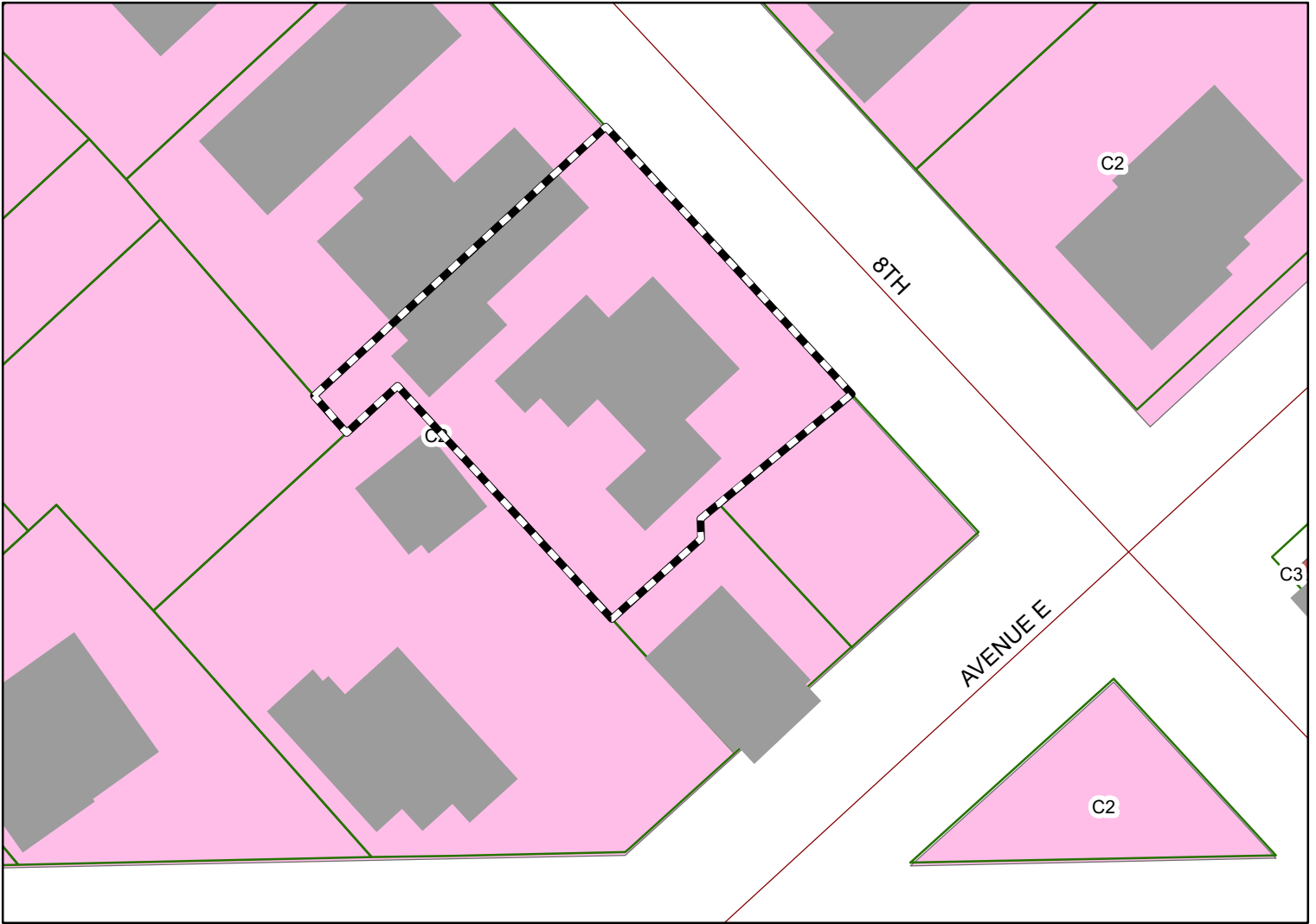
2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? NO

3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? N/A

APPLICATION REQUIREMENTS

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Authorization to Act as Applicant signed by property owner and notarized, if applicable
3. Copy of the current deed
4. Submit 26 copies of the Site Plan (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
5. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
6. Conditional use approval shall expire in one year after approval date. **FEE: \$125 Paid** _____

**TWO DETACHED DWELLINGS ON ONE LOT
515 SOUTH 8TH STREET
CONDITIONAL USE, B-3**



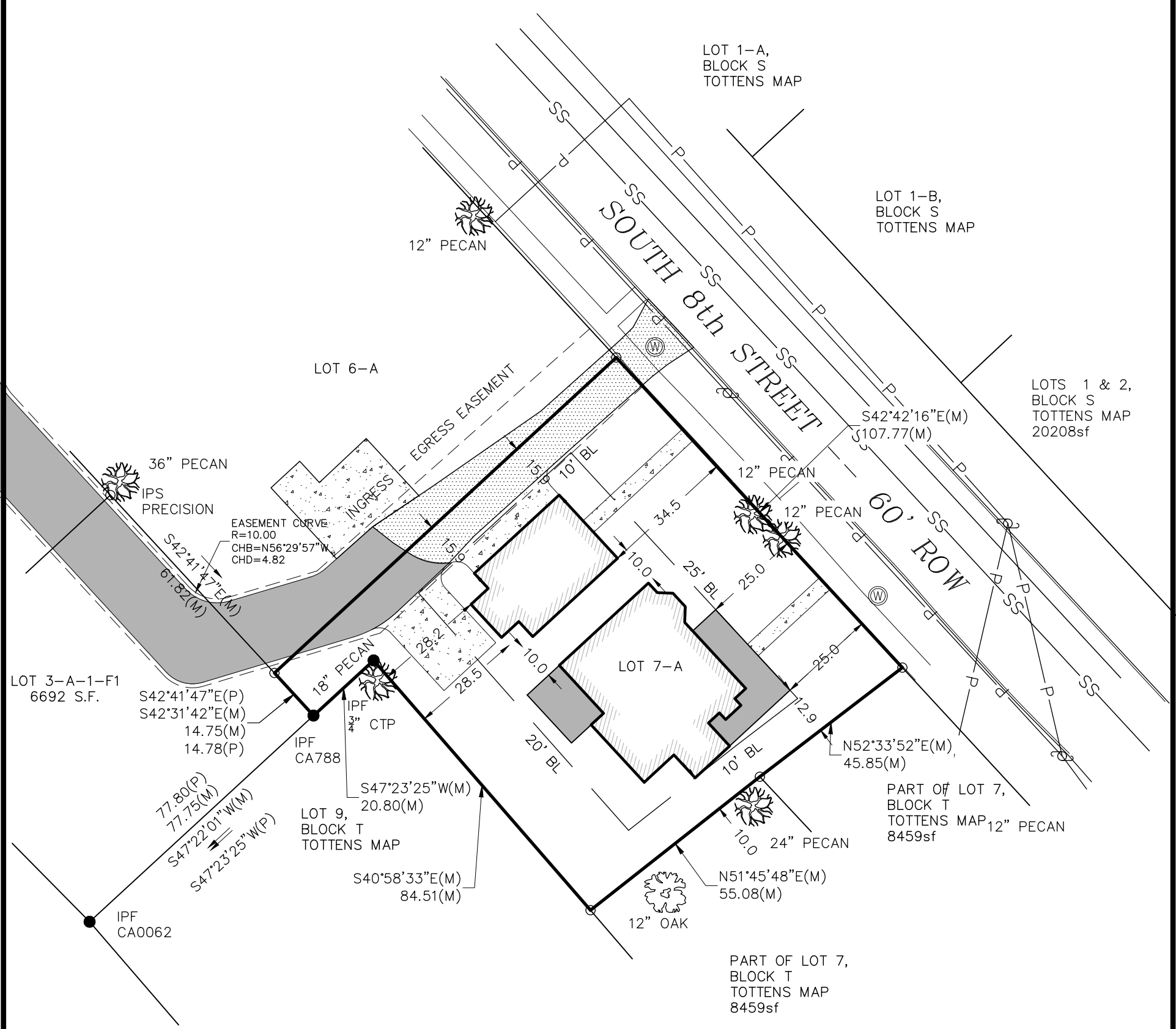
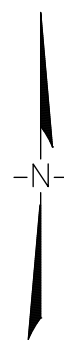
The applicant is requesting to construct two detached dwellings on the same lot. The 10,574 sf lot is in a C-2 zoning district and the Historic District. The main house is a 1,248 sf two-story dwelling. The 2nd dwelling is a detached garage with a 526 sf rental apartment on the 2nd floor.



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

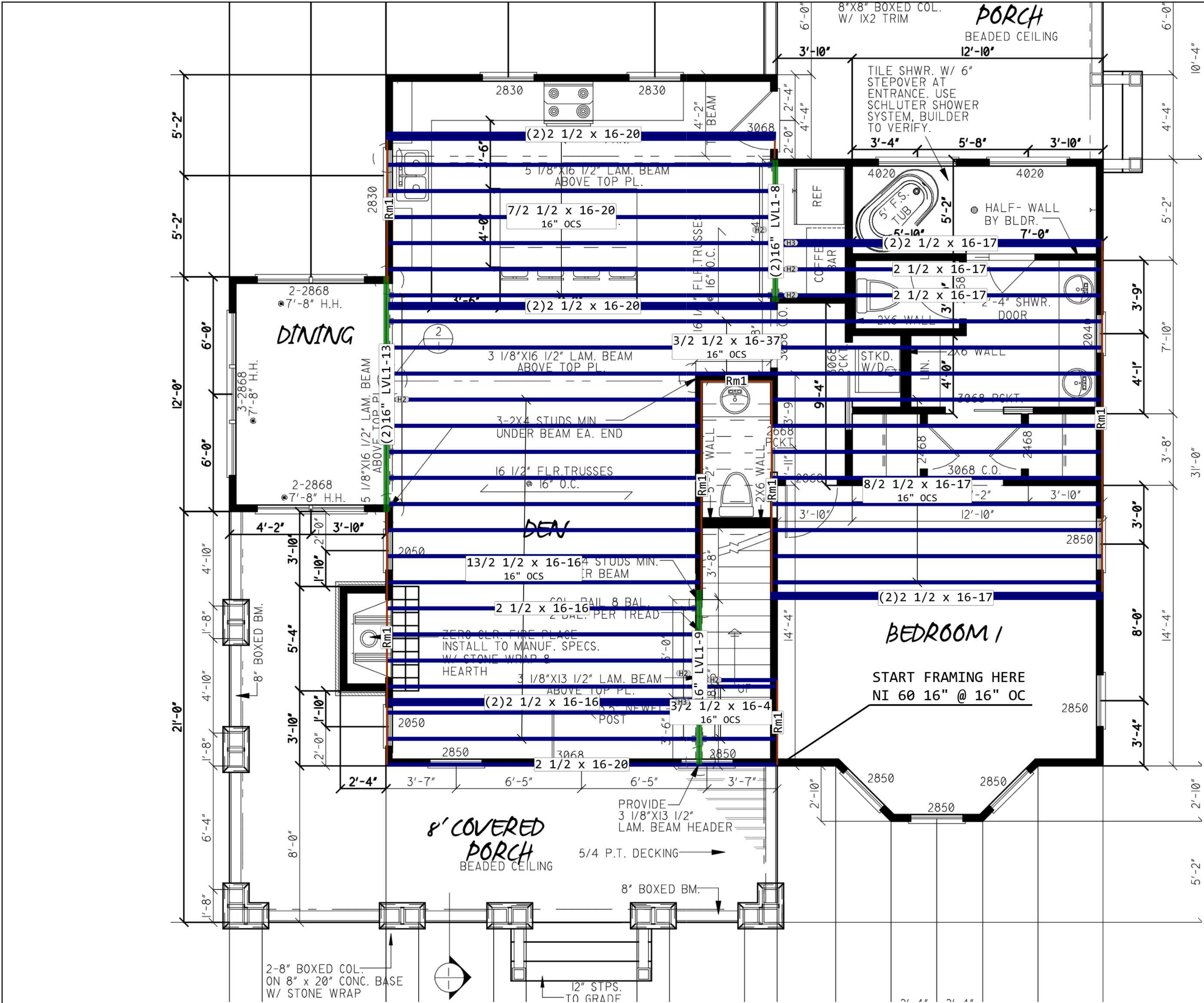
SITE PLAN FOR:
HARTBROOK
DEVELOPMENT
SOUTHSIDE OPELIKA
PHASE 2
LOT 7-A
513 S 8TH STREET
OPELIKA, LEE COUNTY, ALABAMA



DATE: 12-17-2024
PROFESSIONAL CONTACT: CODY HOLLY
LOT NUMBER & SUBDIVISION NAME:
LOT 7-A ~ SOUTHSIDE OPELIKA PHASE 2
HOUSING TYPE: SINGLE FAMILY RESIDENCE
LOT AREA: 10,574 SF±

WALK AREA: 221 SF±
DRIVEWAY AREA: 168 SF±
HOUSE IMPERVIOUS AREA: 2,836 SF±
TOTAL IMPERVIOUS AREA: 3,225 SF±
IMPERVIOUS SURFACE RATIO: 30.5%

Drawn By: ANW	PRECISION SURVEYING SHEET TITLE: SITE PLAN FOR: HARTBROOK DEVELOPMENT LOT 7-A SOUTHSIDE OPELIKA	2124 Moores Mill Rd Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105	Seal
Scale: 1"=30'			
File Name: 24-0782			
Date: 12-17-2024			



Tag	Qty	Product	Len	Cut Logic
Floor Joist				
2 1/2 x	32	12"x16" NI-60	38'3x(1/37)	
2 1/2 x	12	12"x16" NI-60	20'12x(1/20)	
2 1/2 x	14	12"x16" NI-60	18'14x(1/17)	
2 1/2 x	16	12"x16" NI-60	16'16x(1/16)	
2 1/2 x	4	12"x16" NI-60	4'4x(1/4)	
Beam				
16" LVL	1	11'-3/4"x16" LVL	18'1x(2/9)	
16" LVL	2	21'-3/4"x16" LVL	14'2x(1/13)	
16" LVL	2	11'-3/4"x16" LVL	8'2x(1/8)	
Rim				
Rm1	6	11'-8"x16" RigidRim® OSB Rimboard	12'6/12	
Hanger				
H2	27	TS2 56/16 Simpson Strong Tie		
H3	2	MTS 12/16 Simpson Strong Tie		

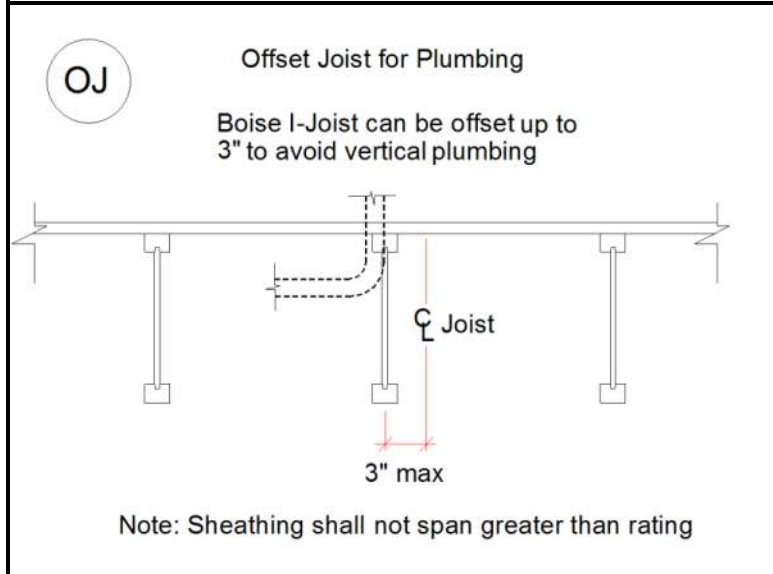


MY24-700 515 South 8th St. - Plans

ALPHA - MONTGOMERY



These placement plans for the products specified were based on the information provided to us. This service is solely intended for product application assurance. It is not intended to circumvent the need for a design professional as determined by the building codes. The designer is responsible for these plans and is not responsible for any errors or omissions that may be compatible with the overall project.



Material List Explanation				
1) Tag: Color, prefix/suffix and number that identifies a product	2) Qty: Quantity of product	3) Product: Product type and any special attributes	4) Len: Length of the product to be shipped	5) Cut Logic: A list of which pieces should be cut out of the different shipped lengths of product
Example Below: "1x(1/4 1/8)": use (1) piece of 2x10 at 10' shipped length to cut (1) piece at 4' and (1) piece at 6'. Next step: "1x(2/5)": use (1) piece of 2x10 at 10' shipped length to cut (2) pieces at 5'				
1) 2) 3) 4) 5)	1) 2) 3) 4) 5)	1) 2) 3) 4) 5)	1) 2) 3) 4) 5)	1) 2) 3) 4) 5)
Tag	Qty	Product	Len	Cut Logic
J2	4	2x10 DF #2	10'	1x(1/4 1/8) 1x(2/5) 2x(1/10)

FOR APPROVAL ONLY - NOT FOR CONSTRUCTION

Submittals are reviewed for conformance with the design intent and general compliance with the Contract Documents only.

Approval, comments and/or corrections is an integral part of the Sealed Shop Drawing process. The contractor is responsible for confirming and correlating all quantities, dimensions, tolerances, and methods, performance of work in a safe and satisfactory manner and for full compliance with the Contract Documents. Approval of this drawing is needed prior to the issuance of a "For Construction" set of drawings.

____ Approved
____ Approved as Noted
____ Revise and Resubmit

Date _____ Review By _____ Signature _____ Firm _____

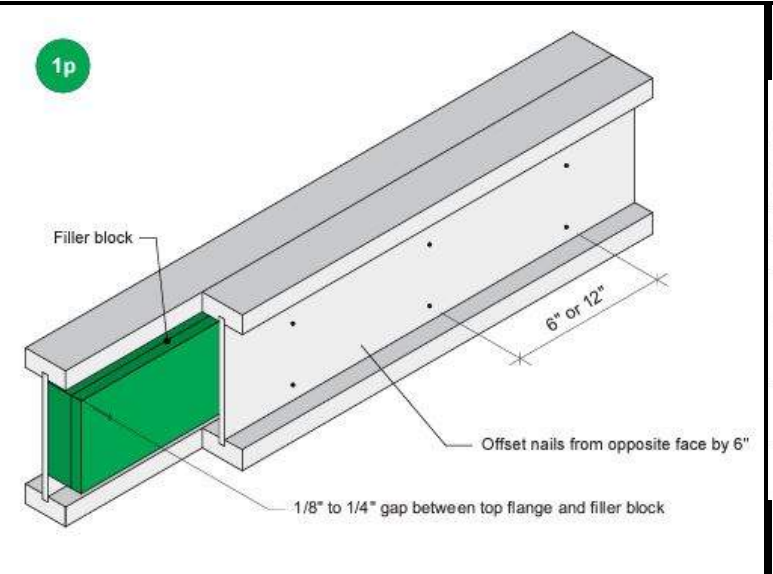
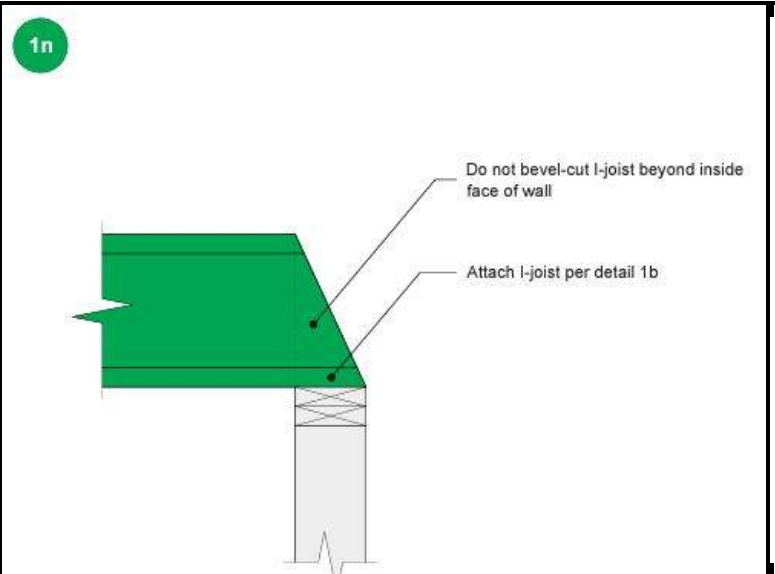
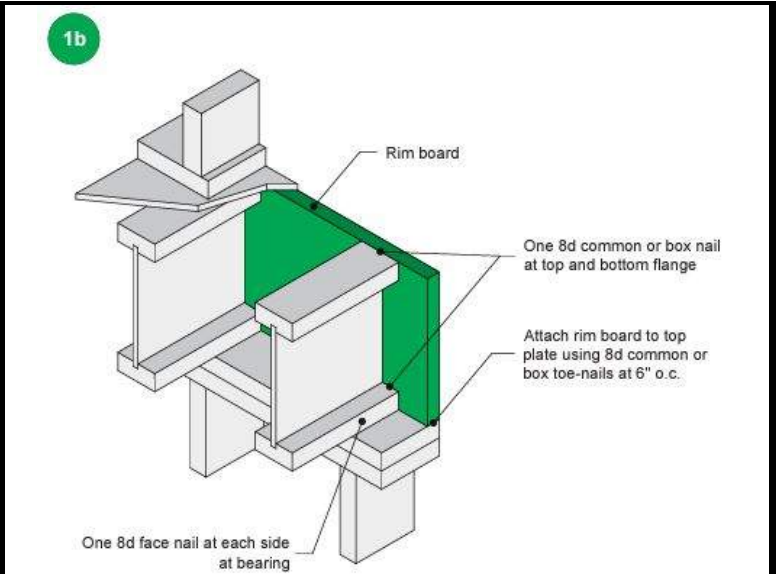
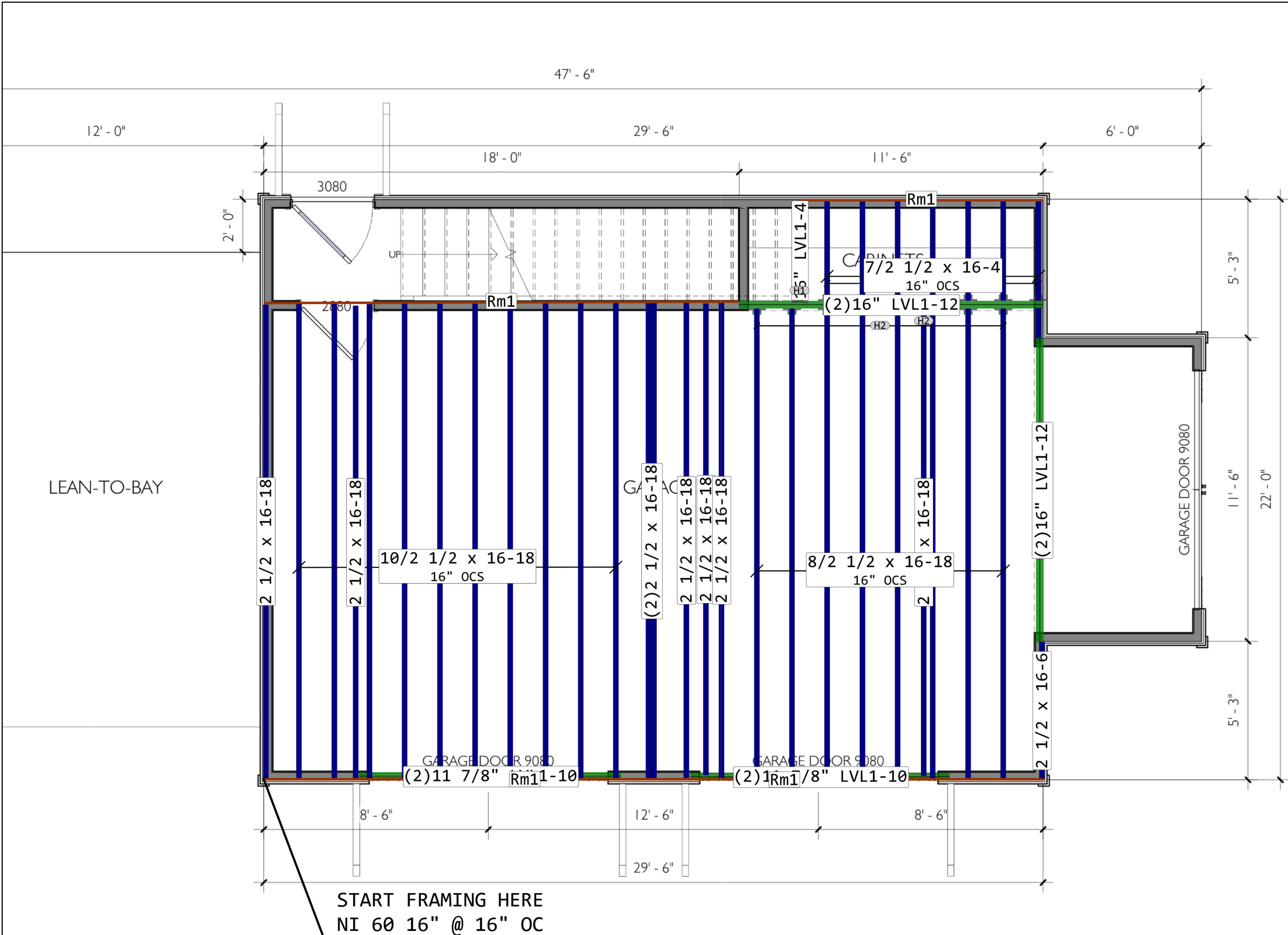


Table 6.1 - Location of Web Holes														
Span	1	2	3	4	5	6	7	8	9	10	11	12	13	14
8'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
10'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
12'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
14'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
16'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
18'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
20'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
22'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
24'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
26'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
28'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"
30'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"	1'-0"



Tag	Qty	Product	Len	Cut Logic
Floor Joist				
2 1/2 x	26	2-1/2"x16" NI-60	18'	26x(1/18)
2 1/2 x	1	2-1/2"x16" NI-60	6'	1x(1/6)
2 1/2 x	7	2-1/2"x16" NI-60	4'	7x(1/4)
2 1/2 x	2	2-1/2"x16" NI-60	2'	2x(1/2)
Header				
11 7/8"	4	11-3/4"x11-7/8" LVL	10'	4x(1/10)
Beam				
16" LVL	4	11-3/4"x16" LVL	12'	4x(1/12)
16" LVL	1	11-3/4"x16" LVL	4'	1x(1/4)
Rim				
Rm1	5	11-1/8"x16" RigidRim® OSB Rimboard	12'	5x(1/2)
Hanger				
H1	1	HL111 Simpson Strong Tie		
H2	16	TS2 56/16 Simpson Strong Tie		



MY24-700 515 South 8th St. - Plans

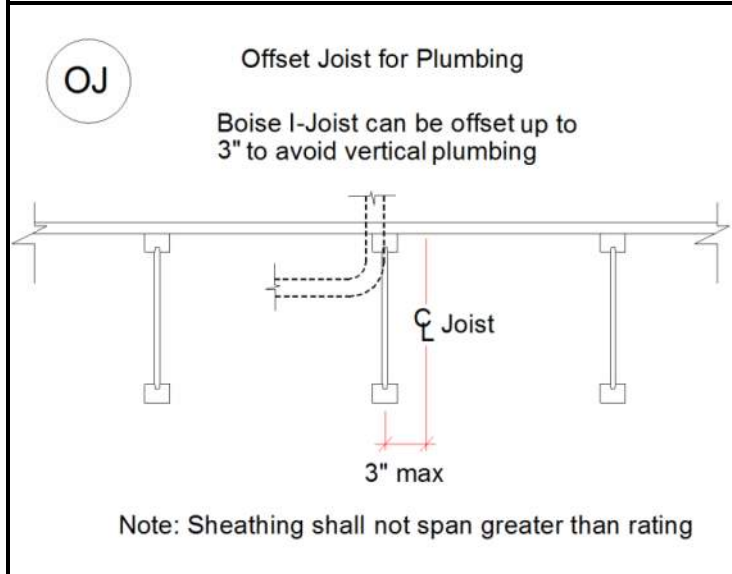
ALPHA - MONTGOMERY



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1st FLOOR

1'-0"



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1) Tag: Color, prefix/suffix and number that identifies a product	2) Qty: Quantity of product	3) Product: Product type and any special attributes	4) Len: Length of the product to be shipped	5) Cut Logic: A list of which pieces should be cut out of the different shipped lengths of product
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1)	2)	3)	4)	5)
Tag	Qty	Product	Len	Cut Logic
J2	4	2x10 DF #2	10'	1x(1/4 1/8) 1x(2/5) 2x(1/10)

FOR APPROVAL ONLY - NOT FOR CONSTRUCTION

Submittals are reviewed for conformance with the design intent and general compliance with the Contract Documents only.

Approval, comments and/or corrections is an integral part of the Sealed Shop Drawing process. The contractor is responsible for confirming and correlating all quantities, dimensions, tolerances, clearance sequences of construction, compatibility of materials and methods, performance of work in a safe and satisfactory manner and for full compliance with the Contract Documents. Approval of this drawing is needed prior to the issuance of a "For Construction" set of drawings.

___ Approved
___ Approved as Noted
___ Revise and Resubmit

Date Review By (Please Print) Signature Firm

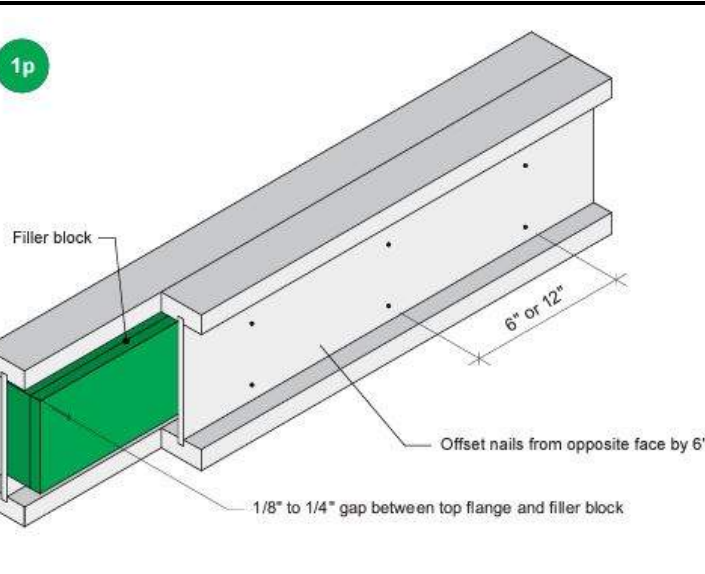
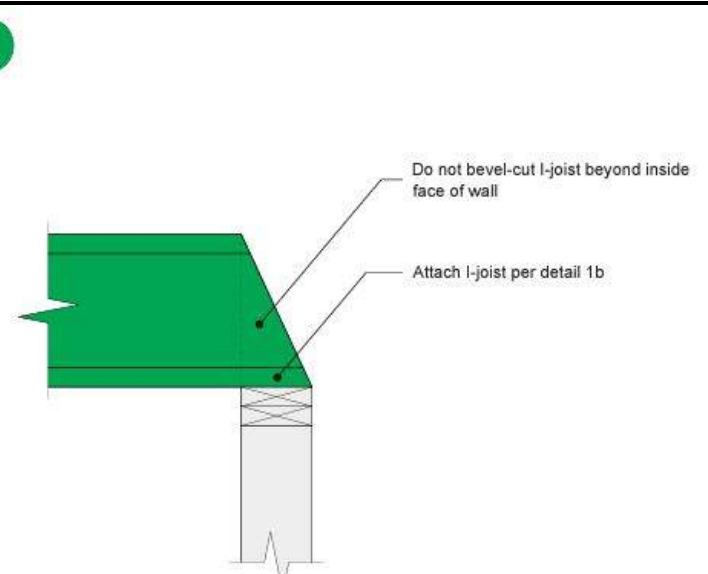
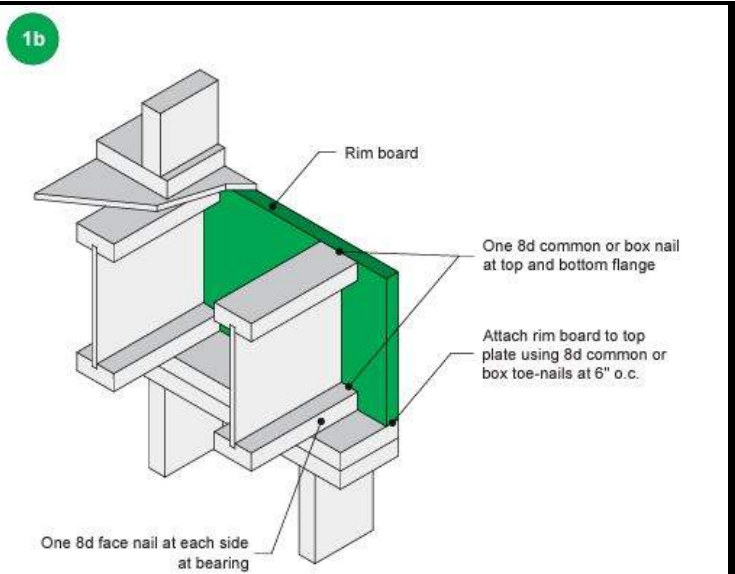


Table 6.1 - Location of Web Holes														
Joist Depth	2	3	4	5	6	8	10	12	14	16	18	20	22	24
Minimum distance from inside face of any support to center of hole (in.)	10	15	20	25	30	35	40	45	50	55	60	65	70	75
Maximum distance from inside face of any support to center of hole (in.)	10	15	20	25	30	35	40	45	50	55	60	65	70	75

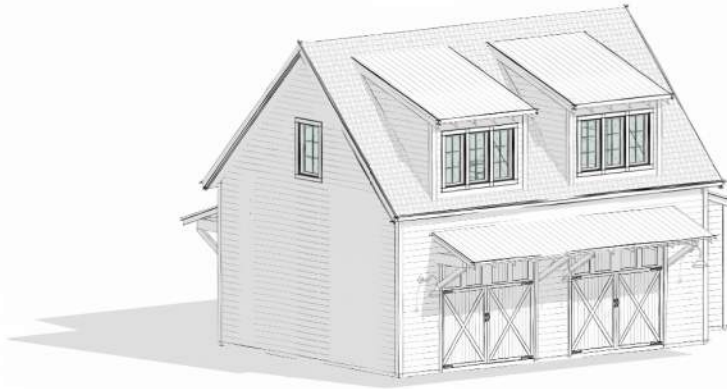


BUILDING SITE LOCATION AND SURROUNDING AREA

HARTBROOK DEVELOPMENT

Sheet List Cover Page	
Sheet Name	Sheet Number
COVER	A0-1
FLOOR PLANS	A1-1
ELEVATIONS	A2-1

Area Schedule H&C Cover Page	
Name	Area
GARAGE	735 SF
LEAN-TO-BAY	Not Placed
UPPER FLOOR	526 SF
	1261 SF



1 3D ORTHO 1



2 3D ORTHO 2



AREA CALCULATIONS:

SUMMARY

REVISIONS	1
OPTIONAL REVISIONS	1
REVISIONS	1

EMPHASIS AREA

LEAN-TO-BAY	2 SF
UPPER FLOOR	526 SF
GARAGE	735 SF

DIMENSIONS

WIDTH	47'0"
DEPTH	22'0"

NEW GARAGE

WALL LEGEND

OUTDOOR LEAN-TO WALL	
1" INTERIOR WALL	
REINFORCED WALL	
1" EXTERIOR WALL	
1" INTERIOR WALL	
OUTDOOR TILT WALL	

DRAWINGS INDEX

COVER	12/03/2024
12/03/2024	

DESIGN SET

A0-1	COVER
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AREA CALCULATIONS:

SUMMARY	
BASE FLOOR	2,410
UPPER FLOOR	529
ROOF AREA	1,110

EMPA AREA

EMPA TO BASE	2.00
UPPER FLOOR	529
EMPA AREA	1,058

DIMENSIONS

WIDTH	44'-0"
DEPTH	32'-0"

NEW GARAGE

WALL LEGEND

EXTERIOR BRICK WALL	
INTERIOR WALL	
RETAINING WALL	
FOUR-POSTER FRAMEWORK	
UPPER	
INTERIOR WALL	
EXTERIOR WALL	

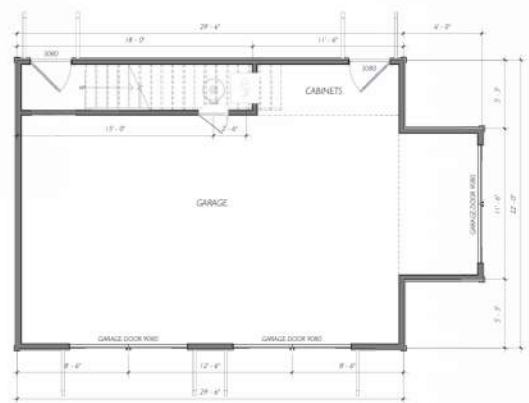
DRAWINGS INDEX

NO.	DESCRIPTION	DATE
1	BASE FLOOR	01/11/24
2	UPPER FLOOR	01/11/24

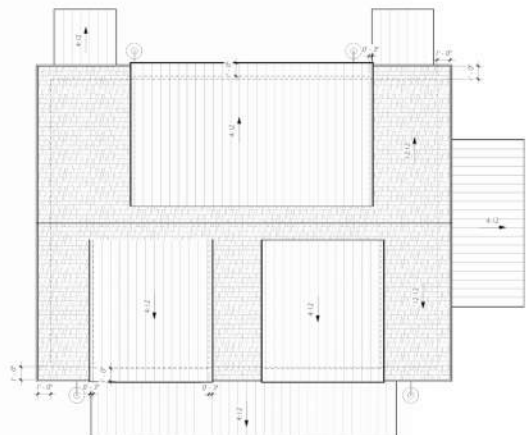
12030024

DESIGN SET

A1-1 FLOOR PLANS



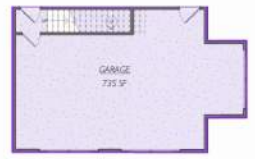
1 MAIN FLOOR
10'-0" x 10'-0"



2 ROOF PLAN
10'-0" x 10'-0"



3 UPPER FLOOR
10'-0" x 10'-0"



4 MAIN FLOOR
10'-0" x 10'-0"



5 UPPER FLOOR
10'-0" x 10'-0"



AREA CALCULATIONS:

SUMMARY

BASEMENT	0
OPTIONAL SECONDARY	0
ATTACHMENTS	0

EMPHASIS

UPPER FLOOR	20'-0"
UPPER FLOOR	18'-0"
UPPER FLOOR	18'-0"

OVERALLS

WIDTH	44'-0"
DEPTH	22'-0"

NEW GARAGE

WALL LEGEND

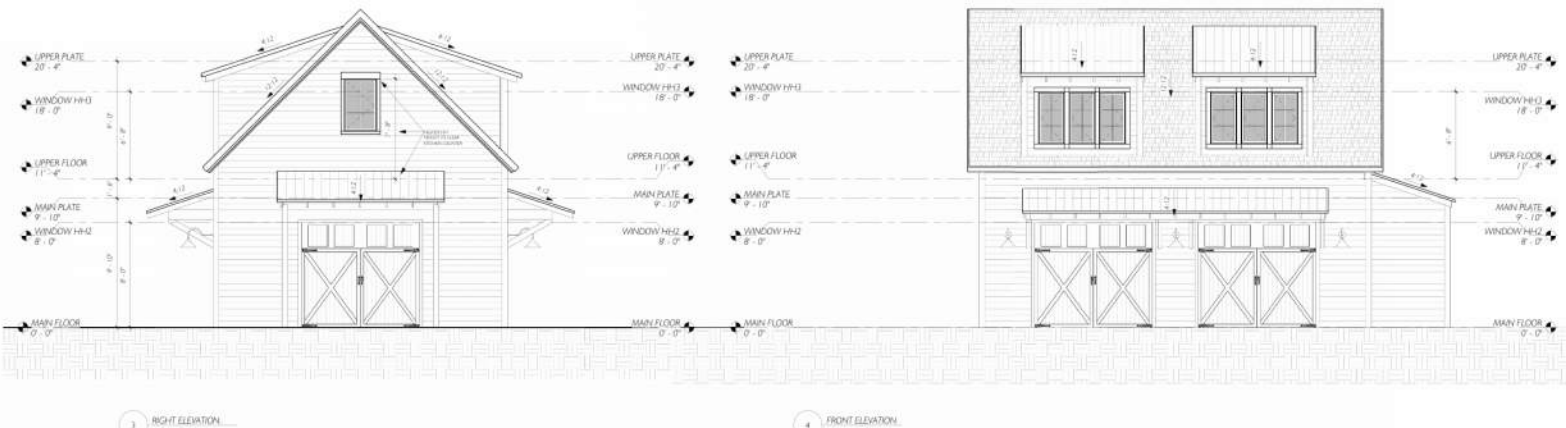
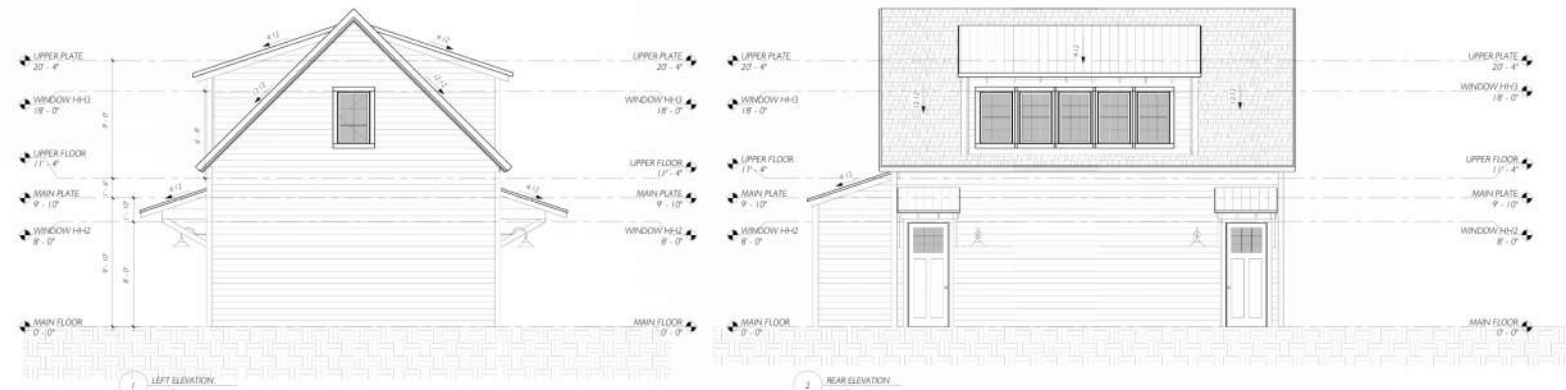
EXTERIOR BRICK WALL	
INTERIOR BRICK WALL	
RETAINING WALL	
FOUR-POSTER BRICK WALL	
UPPER	
EXTERIOR BRICK WALL	
EXTERIOR TIE WALL	

DRAWINGS INDEX

DATE	DATE	DATE
12/03/2024	12/03/2024	12/03/2024

DESIGN SET

A2-1	ELEVATIONS
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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: January 28, 2025

Agenda Item #: C - 4a & 4b

Action Requested: Amendment to the Future Land Use Map and Rezoning -
30,630 square feet: lot at
Amendment- from Low Density Residential to Light Commercial
land use category,
Rezoning - from R-1 to C-2

Location of Property: 2802 Society Hill Road

Property Owner(s): Raymond Trussell
James B. Layson, authorized representative

Current Zoning: R-1

Proposed Zoning: C-2 (office-retail)

Existing Land Use: Single family home

**Surrounding Zoning Districts
And Land Uses:**

North	C-2	Undeveloped (townhomes approved)
South	R-1	Single family home
East	R-1	Single family home
West	C-2	Undeveloped

Amendment to the Future Land Use Map

The 2030 Future Land Use Map shows the 30,630 square foot rezoning property in a “low density residential” land use category. Since 2022 three rezonings from R-1 to C-2 were approved on Society Hill Road that total 400 acres. The rezonings changed the land use category from low density residential to light commercial. Townhomes and apartments are proposed for most of the 400 acres, but some areas will be commercial uses. The adjacent properties on the south and east sides are single family homes on 34,000 sf lots or larger lots. In May 2024, the adjacent 67 acres on the north side of the rezoning property was rezoned from R-1 to C-2 for townhomes.

Commercial uses were expected on Society Hill Road when Tiger Town PUD was developed in 2002. Then, in 2005 Wyndham PUD (640 acres) was approved primarily for a mix of residential uses, but the master plan included commercial areas. An 18-acre commercial area on the PUD master plan fronts on Society Hill Road. The rezoning property is nearly across Society Hill

Road from the Wyndham PUD commercial property. The light commercial land use category allows commercial uses that have less impact on nearby residential properties.

Staff Recommendation

Staff recommends approval of an amendment to the Future Land Use map for the 30,630 sf lot if the rezoning is approved by City Council.

Rezoning

The applicant is requesting rezoning a 30,630 square foot lot from an R-1 (residential) zoning district to a C-2 (office/retail) zoning district. If the rezoning request is approved, an existing 825 square foot single family home will be converted into an Alfa Insurance office. The adjacent properties are single family homes on at least 34,000 sf lots; other nearby properties are undeveloped. The rezoning property is about 200 feet from Wyndham PUD commercial property (Dixie Electric and Storage World) on Society Hill Road. A commercial use on nine acres and zoned C-2, GC-P is also on the corner of Society Hill Road & Gateway Drive - Johnston Supply (HVAC distributor) about ½ mile from the rezoning property. The C-2 zone limits the types of commercial uses allowed; C-2 is less likely to impact the existing residential uses or the future townhomes and apartments recently approved.

Staff Recommendation

Planning staff believes that the rezoning request from R-1 to C-2 is appropriate. C-2 allows smaller-scale, stand-alone type commercial uses (ex. office use and retail stores) that are compatible with residential uses. Other properties along Society Hill Road have been rezoned to C-2.

Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the property from R-1 to C-2.

Engineering Department Report

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

Opelika Utilities Board Report

Opelika Water has no objection to the proposed rezoning.

Opelika Power Services Report

This property is served by Opelika Power Services.

#000008-2025

AGENDA ITEM # _____



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: 1-28-2025

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: JAMES B LAYSON

MAILING ADDRESS: PO Box 746 Opelika AL 36803

PHONE NUMBER: 334 444 5500 Email: James.Layson@hotmail.com

PARCEL INFORMATION

Site Address: 2802 Society Hill Rd Opelika AL 36809

Description of proposed use: ALFA Insurance Office

Tax Parcel Number: 09-06-24-0-000-011.001

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

Current Land Use: Residential

Current Zoning: R1

Proposed Zoning: C2

Number 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) 2802 Society Hill Rd Opelika
Tax Map parcel number 09-06-24-0-000-011.001 be rezoned from 3680

R1 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:

James B Layson

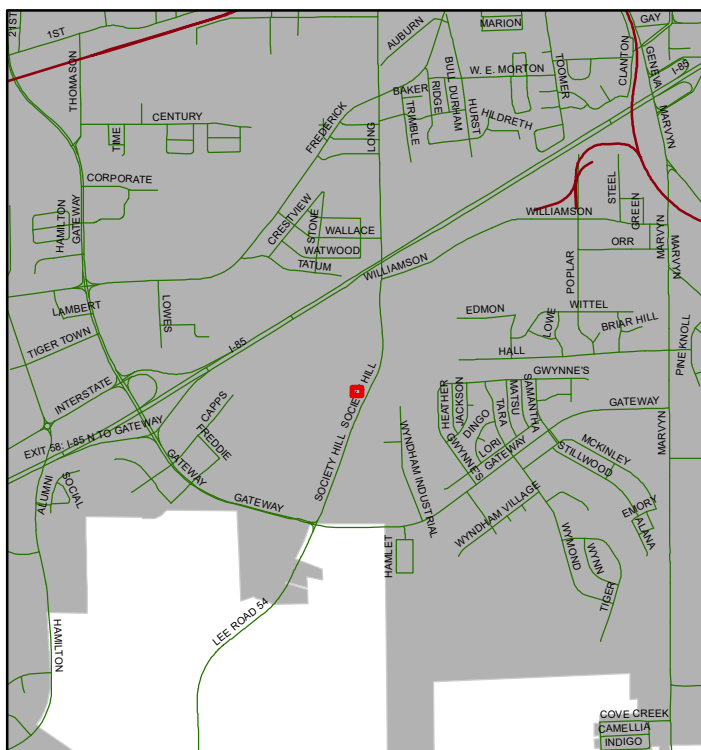
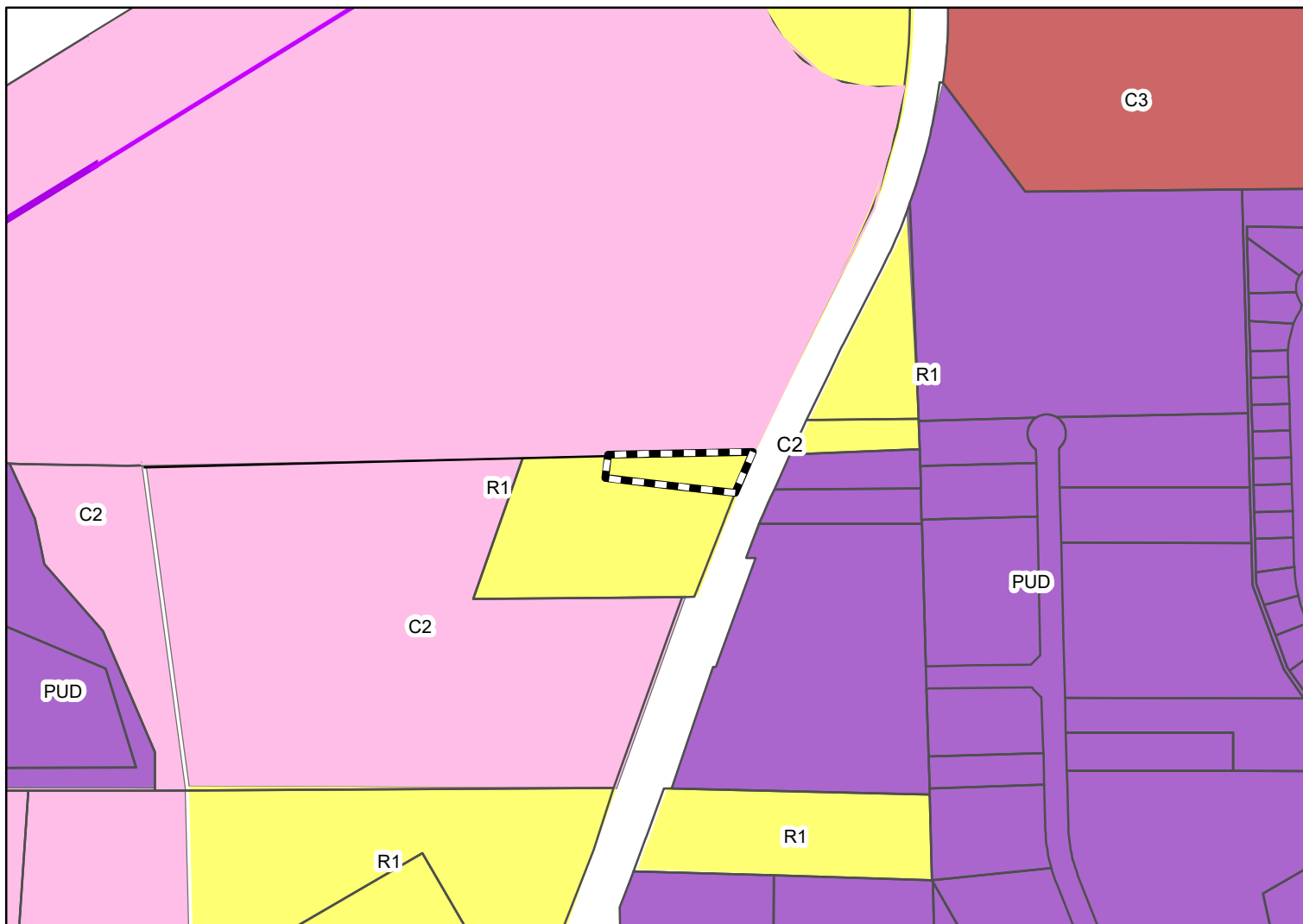
(PRINT NAME)

JAMES B LAYSON

DATE

1/5/25

R-1 TO C-2 , C-4a, b



The applicant is requesting approval to rezone one 30,630 sf lot from R-1 to C-2. An Alfa Insurance office will occupy the property. About a year ago, the adjacent property north of the rezoning property was rezoned to C-2,



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: January 28, 2025

Agenda Item #: D-5

Action Requested: Text Amendment –
Amend Section 2.2 Definitions
Amend Section 3.1 Building Permit Required
Amend Section 7.3 Use Categories
Amend Section 8.11.1 Temporary Structures/Temporary Uses
Add Section 8.28.4 Bed and Breakfast

During last year’s discussion regarding the Renfro House rezoning, it came to light that our current Bed and Breakfast regulations needed to be updated. A set of revisions were reviewed by the Planning Commission in May 2024. A negative recommendation was sent to the City Council. The City Council to date has not taken up those recommendations. Staff has withdrawn those proposed amendments and tried to provide some alternative amendments. While this topic was spurred by discussion of the Renfro House, this amendment should be viewed separately as it has much wider ranging implications. This concerns the future location and operation of potential bed and breakfast uses community wide.

Bed and breakfast uses are commonly found in areas that have tourism draws or close to unique or distinct areas. In most cases, these uses are found either close to downtown area, in historic districts, or occasionally in very bucolic, rural settings. The use is a common adaptive reuse of older larger and stately homes. As the use often operates in a residential manner, they do not tend to have negative effects on adjacent uses.

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

In most zoning ordinances, bed and breakfast uses are required to meet common special development standards. These would be base conditions required of all new requests. These conditions can limit how many rooms and guest can utilize the site. They may also require food service, specify parking requirements, limit locations to certain capacity roads, or other items that may allow the use to better blend into a neighborhood setting without disrupting adjoining residential uses. Staff has provided some basic standards as a starting point for discussion or review. We have looked at other municipalities and current bed and breakfast uses (Heritage House). Some of the largest changes from the previous ordinance are removing the requirement that the home be owner-occupied, adjusting the number of bedrooms allowed to what is designated at the time of conditional use approval and allowed by building code, limiting bed and breakfast uses to buildings 75 years or older, and requiring a registration log.

Staff has asked for feedback on previous proposals of the bed and breakfast ordinance. While we have not received much direct feedback, general concerns about the ability to host events or gatherings has been raised as a potential issue. In an effort to mitigate these concerns, we looked at other ordinances that address events. In some cases, events were either not allowed at all. Others were silent on the issue and some put in specific regulations to reduce potential issues. One key difference to this change, is that in the current ordinance's temporary use section, a bed and breakfast is allowed to host events on a regular basis. It is classified in the same regard as places of worship, country clubs, hotels, and conference centers as a "celebration site." Staff felt the need to restrict this beyond the current limitations in the zoning ordinance.

While crafting these regulations, we tried to also insure that we did not restrict a bed and breakfast greater than the potential neighboring resident is. With this in mind, the we looked at existing regulations for noise to ensure that the allowable noise would be similarly regulated to a residential home in a neighborhood. We also to distinguish between larger outdoor gatherings and smaller indoor gatherings. For indoor gatherings, the size limitation would be set by the existing building and fire codes. There appear to be homes within many residential areas that regularly host groups of about this size for social or religious study groups. Larger events were restricted to no more than 10 per year. Additionally, these events are restricted to sites greater than one (1) acre and able to either provide parking on site or through an adjacent non-commercial use. Additionally, these sites are limited to site located on streets large enough to handle traffic. Those sites with only local residential streets do not have the capacity for occasional larger gatherings. These events would be required to be permitted to ensure that proper facilities, parking, and other issues could be reviewed by City staff. We also limited the hours any outdoor events could occur and required specific buffering if the area used for private parties was adjacent to another residential home.

This issue has created a great deal of discussion and concern. This amendment tries to tie many of the standards back to existing codes and standards. It also greatly limits the locations, in which, larger events could occur while requiring a more specific approval process and potential appeal process.

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

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

No report.

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SECTION 2.2 DEFINITIONS

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

Bed and Breakfast Inn. ~~A house~~ private residence or portion thereof, where short-term lodging, rooms and meals are ~~provided-offered~~. The property owner of the inn shall live within Opelika City Limits. The operator of the inn shall live on the premises or in adjacent premises. The inn keeper or operator shall be available and on-call within the Opelika city limits at all times during any guest occupancy.

Bed and Breakfast Operator – A person who manages the daily operation of a bed and breakfast establishment and shall be available and on-call within the Opelika city limits at all times during any guest occupancy.

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

SECTION 3.1 BUILDING PERMIT REQUIRED

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or temporary structures¹ or to commence the moving, demolition, alteration, or repair (except painting or wallpapering) of any structure, including accessory structures, until the Building Official of the municipality has issued for such work a building permit including a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of this ordinance. Application for a building permit shall be made to the Building Official of the municipality on forms provided for that purpose. All building plans shall also be approved by the Zoning Administrator if that person is not the Building Official.²

¹ Exemptions. Temporary uses located in Temporary Structures that do not exceed 3 days in a 12-month period AND the temporary structure is 800 square feet or less in size will not require a building permit nor a zoning ~~certificate~~ approval, unless otherwise required by the zoning ordinance. If the event is to be held at a recognized celebration site for special events, observances, days and the like, the 12-month time separation requirements between events will be waived. Celebration sites include all places of worship, county clubs, hotels, conference centers, bed and breakfast facilities, recognized places of receptions, public parks, etc.

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

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

<u>A</u>	<u>C</u>	<u>N</u>
-----------------	-----------------	-----------------

C. Use Categories.

SECTION 8.11.1 TEMPORARY STRUCTURES/ TEMPORARY USES

Temporary structures and/or temporary uses are permitted only as expressly provided in this section. No temporary use or temporary structure shall be established unless a zoning ~~certificate~~ permit evidencing the compliance of such use with the provisions of this section and other applicable provisions of this Ordinance shall have first been issued, as provided in Section 3.1, Building Permit Required.

Exemptions. Temporary Uses located in Temporary Structures that do not exceed three (3) days in a twelve (12) month time period and the temporary structure is eight hundred (800) square feet or less in size will not require a building permit nor a zoning certificate approval, unless otherwise required by the zoning ordinance. If the event is to be held at a recognized celebration site for special events, special observances, special functions, special days and the like, the twelve (12) month time separation requirement between events will be waived. Celebration sites

Added – Underlined

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include all places of worship, country clubs, hotels, conference centers, bed and breakfast facilities, recognized places of receptions, public parks, etc.

The following are temporary uses, which are subject to the following specific regulations and standards, in addition to the other requirements specified in this Ordinance.

SECTION 8.28.4 BED AND BREAKFAST

A. Purpose and Intent

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

B. Use Standards

1. Location – Guest lodging shall be restricted to the principal dwelling unit only; guest rooms shall not be in any accessory structures.
2. Operational Requirements
 - a. Bed and Breakfast uses shall only be permitted for owner-operated or manager-operated dwelling units, the operator shall reside within Opelika City limits. The Innkeeper/Operator shall be available and on-call within the City limits at all times during any guest occupancy.
 - b. Breakfast shall be offered daily to guest and the cost of such service shall be included in the overall lodging rate.
 - c. The maximum number of guest rooms shall be limited in accordance with building and fire safety codes as determined by the Opelika Building Inspection Department and Opelika Fire Department.
 - d. The number of guest rooms shall be noted at the time of application for use approval. The number of guest rooms shall not be increased without going through the same approval process.
 - e. The maximum stay for any guest shall be 29 days.
 - f. No guest rooms shall contain their own cooking facilities.

Added – Underlined

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- g. The operation of the facility shall be in character with the adjoining residential properties. Lighting, parking, and waste collection shall be handled in similar methods to the adjacent properties. The applicant shall provide a plan and/or narrative that shall describe how these issues will be addressed. Additional landscaping, fencing, or screening may be required through the conditional use process or by the Planning Director for locations where the use is allowed.
 - h. The use shall be in compliance with all federal, state, and local laws, including, but not limited to all building, fire and life safety codes, and environmental health regulations for the level of occupancy of the lodging.
 - 3. Parking – The use shall be required to provide one (1) on-site parking space per guest room in addition to the required parking for the residential use requirement. No parking shall be located within a front yard. All parking shall be screened from the public right-of-way and adjoining residential properties. On street parking shall not be allowed to meet the required amount of parking for the primary or any accessory uses.
 - 4. Bed and Breakfast uses shall only be allowed in structures that are at least seventy-five (75) years old or older.
 - 5. Guest Registry - The owner shall maintain a reservation book or a registration log. The book or log shall show the arrival and departure dates of the primary guest and shall be open for inspection by a City of Opelika Code Enforcement Officer.
 - a. The minimum age to register or book a room as the primary guest shall be 19. Children under 19 years of age must be accompanied by at least one adult.
- C. Additional requirements for Private Events:
 - 1. Private events at a Bed and Breakfast Inn in a residential zone are subject to the maximum attendees, times, and durations described below:
 - b. Maximum number of attendees (including overnight guests) for indoor events shall be limited in accordance with the building and fire safety codes and regulations as determined by the Opelika Fire Department and/or Opelika Building Inspection Department.
 - c. A maximum of ten (10) outdoor private events are allowed per year. The minimum lot size to host outdoor private events is one (1) acre. Private outdoor events shall be limited to properties that abut a roadway classified as an arterial, major collector, or minor collector by the City of Opelika.
 - d. The maximum number of guests for an outdoor private event shall be 200, unless further restricted by other limiting factors including parking, building, fire, or life safety regulations.
 - e. Parking for private events shall be one (1) parking space per three (3) guests. All parking for private events shall be identified either on site or through written agreement with an adjoining nonresidential use. No on-street parking shall be counted towards the required parking for private parties or events.
 - f. Hours of operation for private events are limited to between 7:00 a.m. and 11 pm.

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- g. Landscaping/Buffering/Screening. Outdoor private event areas adjacent to single family residential uses shall install a 10 foot buffer to include an opaque wood and/or masonry fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within two full growing seasons planted on the inside of the fence. This buffer may be modified upon written agreement by the affected adjoining residential property.
 - h. No outdoor private event shall be allowed without approval of a temporary event permit.
 - i. No amplified sound shall be allowed after 10 pm. All events shall be required to meet the noise standards in effect at the time of the event.
 - j. All electrical connections and temporary structures shall be inspected and approved by the Building Inspection Department as required by adopted building codes.
- 2. Permit Application. An application for a temporary private event permit shall be made to the planning director at least forty-five (45) days before the event.
 - a. An application for a temporary event permit shall not be processed and shall be summarily denied if ten (10) events have already occurred at the location in question during the calendar year.
 - b. The applicant shall submit a site plan specifying the location of all tents, temporary structures, equipment, performance area and/or the location of any outdoor service or activity to be performed. Any structure or activity shall not occupy required parking spaces, nor interfere with driveway aisles, ingress and egress, sight triangles, or required buffer yards.
 - c. Requirements for Approval. The planning director shall approve an application for a temporary event permit if:
 - i. The application limitation discussed in Section 8.28.4 C.2. of this section has not been exceeded;
 - ii. There is no pending code enforcement action on the property underlying the proposed event location;
 - iii. An access and parking plan has been approved;
 - iv. A fire protection and life safety plan has been approved by the fire chief;
 - v. Adequate temporary or permanent sanitary facilities are provided.
- 3. Appeals. An applicant or any interested person may appeal the decision of the planning director to the City Council within ten (10) days of the date of the decision. The appeal shall be made on the forms provided by the Planning Department. Upon receipt of a completed appeal form, the Planning Director shall forward the matter for hearing before the City Council not less than five nor more than thirty (30) days thereafter and shall give written notice of the hearing

Added – Underlined

Removed - ~~Strikeout~~

to the appellant. The City Council shall render its decision within thirty (30) days following the close of the appeal hearing.