



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
March 25, 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. APPROVAL OF MINUTES
 - A. February 25, 2025 Minutes
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - B. FINAL PLAT
 - 1. Dickson Place SD, Phase 2A, 77 lots, 3500 Andrews Road, Ledge Nettles, Baseline Surveying, authorized representative for Andrews & Anderson Development, LLC, property owner, final approval.
 - 2. Wyndham Village SD, Phase 3, Section 1, 25 lots, Wyndham Village Drive, Mark Strozier, authorized representative for Tyler Findley, property owner, final approval.
 - 3. Southern Pines SD, Phase 2, 29 lots, 1700 Oak Bowery Road, David Slocum, authorized representative for Bryan Stone, property owner, final approval.
 - C. CONDITIONAL USE – Public Hearing
 - 4. Hayes Eiford, authorized representative for Bobby Joe Burdette, property owner, 2112 Cunningham Drive, R-4 zone, 50 townhome units.
 - D. REZONING – Public Hearing
 - 5. Rezoning Request, Bill Perry, authorized representative of James David Perry, property owner, 2505 Anderson Road, 20.1 Acres, from R-1 to R-3.
 - E. MASTER PLAN REVISIONS AND REZONING – Public Hearing
 - 6. (a) Spencer Cothran (Holland Homes, LLC), authorized representative for Opelika Mill, LLC., and Ericson LLC, property owners, Major Amendments to The Mill PUD Master Plan and Rezoning 1.37 acres, from C-2 to PUD., 2400 block 1st Avenue

(b) Amendment to Future Land Use Map, 2400 block 1st Avenue, 1.37 acres, from light commercial to mixed-use commercial and residential if Rezoning approved.

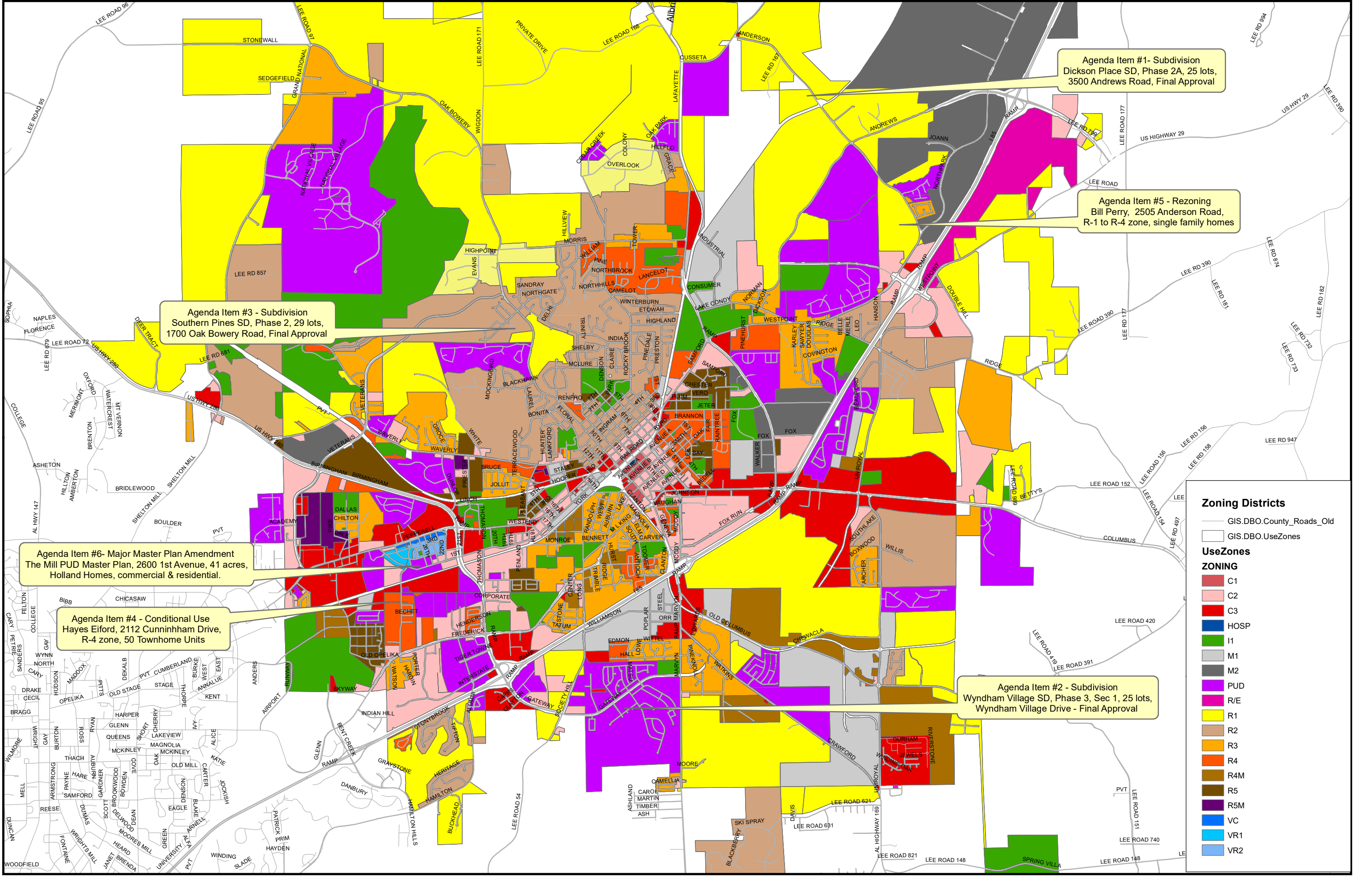
V. OLD BUSINESS

F. TEXT AMENDMENTS

7. Text Amendment to the Zoning Ordinance - Public Hearing

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 (*This item was tabled at the January 25th Planning Commission meeting*)

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



Agenda Item #1- Subdivision
Dickson Place SD, Phase 2A, 25 lots,
3500 Andrews Road, Final Approval

Agenda Item #5 - Rezoning
Bill Perry, 2505 Anderson Road,
R-1 to R-4 zone, single family homes

Agenda Item #3 - Subdivision
Southern Pines SD, Phase 2, 29 lots,
1700 Oak Bowery Road, Final Approval

Agenda Item #6- Major Master Plan Amendment
The Mill PUD Master Plan, 2600 1st Avenue, 41 acres,
Holland Homes, commercial & residential.

Agenda Item #4 - Conditional Use
Hayes Eiford, 2112 Cunninhhm Drive,
R-4 zone, 50 Townhome Units

Agenda Item #2 - Subdivision
Wyndham Village SD, Phase 3, Sec 1, 25 lots,
Wyndham Village Drive - Final Approval

Zoning Districts

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

UseZones

ZONING

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



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

February 25, 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.

The City of Opelika Planning Commission held its regular monthly meeting February 25, 2025, 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, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Michael Hilyer, , and Mr. John Sweatman.

MEMBERS ABSENT: Mayor Gary Fuller, Mr. Sheldon Whittelsey, Councilman George Allen, and Mr. Jay Walters

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mr. Scott Parker, City Engineer
Mr. Guy Gunter, City Attorney

CALL TO ORDER: Chair Lucinda Cannon called the meeting to order at 3:03 p.m.

II. APPROVAL OF MINUTES

Approval of Planning Commission Minutes January 28, 2025

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that he did not have any updates on previous cases.

IV. NEW BUSINESS

- A. PLAT (Preliminary) - Public Hearing

1. Firefly Phase II SD, 125 lots, 3000 Highway 280 East, Daniel Holland-Firefly Development LLC, property owner, Preliminary Approval

Mr. Mosley presented the staff report for Firefly Phase II. He noted that this was a request for preliminary plat approval of 125 lots and was the second phase in a large PUD. He explained that some of the area originally shown on the PUD for residential units was not part of an open space and detention area. He explained that the plat was largely in compliance with the PUD and Subdivision Regulations. Mr. Mosley stated that the Planning Department recommended preliminary approval subject to the following conditions:

1. Install underground utilities.
2. Install sidewalks on both sides of all public streets. Extend said sidewalks to open space lots/areas that are nearest to street sidewalks providing access from street sidewalks to open space areas.
3. Add a boundary line for the "100' Community Buffer" on the east side of Parcel E, and on the north side (adjacent to Hwy 280) of Parcel E, Parcel D, and Parcel A.
4. If it is unfeasible to show the remainder parcel to scale, then a reduced-scale breakout drawing should be added showing the relationship between the subdivided portion and the remainder, with an acreage given for said remainder. The adjacent property owner data also needs to be shown on the reduced-scale drawing.
5. A tie should be shown on plat.
6. Exterior materials of all dwelling units must meet the exterior "Materials and Cladding Requirements of Section 7.6 Gateway Corridor District.
7. Add a note on final plat providing minimum setbacks for twin home and single family lotstwin home - 10' front, 10' side yard on street & 10' side yard on end units, 20' rear yard) (all single family homes – 20' front, 10' side yard on street, 5' side yard, 20' rear)
8. The minimum front setback and lot width must be met at the front property line or the minimum front setback line of all residential lots.
9. For the 40' lots with minimum 5,000 sf lot size and the 50' lots with a minimum 6,250 sf lot size provide the actual square footage of all lots that meets the minimum lot size instead of labeling lots +/- square footage (5,000 SF +/-)
10. Revise Lot 214 shown at 6,228 square feet to meet the minimum 6,250 sf for 50' wide SFH lots.
11. Add note on plat, as stated on developer's narrative ("Overall Development Scheme"), that the developer is responsible for managing and maintaining the five open space lots, (Parcel A to Parcel F) until a homeowner's association is established to continue maintenance of said lots.
12. Add note providing the uses allowed on the open space lots, Parcels A to Parcel F
13. Add a note that a minimum of one street tree per single family home lot and one street tree twinhome lot are required. Street trees must be planted on private property not right of way.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Chair Cannon asked the Planning Commission if there was any discussion or a motion on the request.

Chair Cannon asked if the detention area would be fenced or secured.

Mr. Mosley stated that the City of Opelika typically discourages this if possible because it does not look attractive and can become overgrown.

Mr. Parker stated that a fence was not required.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

B. FINAL PLAT

2. Drake's Landing, Section two, Phase Two subdivision, 59 lots, Fuzzy Falls, Mark Strozier, authorized representative for Edger Hughston Builder, Inc., property owner, final approval.

Mr. Mosley presented the staff report for the Final Plat request for Drakes Landing, Section Two, Phase Two. He noted that this was a request for 59 lots located in Drakes Landing PUD and located on Fuzzy Falls. Mr. Mosley explained that there were initially a few conditions of approval for the plat, but he explained the revised plat addressed these comments. Mr. Mosley stated that the Planning Department recommended approval of the final plat.

Mr. Parker presented the report for the Engineering Department and Opelika Water and Opelika Power utilities.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Mike Hilyer
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

3. The Lakes at Anderson Road Phase 3 subdivision, 33 lots, Anderson Lakes Drive, Blake Rice, authorized representative for Anderson Lakes, LLC, property owner, final approval.

Mr. Mosley presented the staff report for the Final Plat request for the Lakes at Anderson Road, Phase 3. He explained that this was a request for 33 lots located in the Anderson Lakes PUD on Anderson Drive. He noted that this was the final phase of the neighborhood. Mr. Mosley noted that development was largely finished, but the plat did have a few comments. He stated that the applicant, BSI, Inc. had submitted a new plat, but staff had not had enough time to review it for completeness. He stated that the Planning Department recommended approval subject to the following conditions:

1. All utilities must be underground.
2. Sidewalks are required on both sides of the streets.
3. As stated in the PUD narrative, plant a street tree along the streets on private property with at least one tree planted every 100 feet. Add a note to the plat.
4. Adjust the lot area of Lot 28 to meet the minimum PUD lot size standards of 8,755 square feet.
5. Site plans for structures with any portion of the lot located within the Special Flood Hazard Area are required to designate the finished floor elevation for all lots with structures located in the flood zone.
6. An as built elevation certification shall be required at the batter board or form board stage before the slab is poured.
7. All lots located in the Special Flood Hazard Area shall fully comply with all requirements delineated in the Flood Damage Prevention Ordinance.
8. Add a landscape buffer or undisturbed buffer along the rear of Anderson Lakes Drive for Lots 12-17, as these lots are essentially double frontage lots.

Mr. Parker presented the Engineering Department and Opelika Water Board and Opelika Power reports.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE - Public Hearing

4. Blake Rice, authorized representative for BSI, Inc., 2750 Society Hill Road, C-2 zone, 79 unit rental townhomes phase 2.

Mr. Mosley presented the staff report for the Conditional Use request for the townhomes located on Society Hill Road. He explained that this was a request for 79 units and was a continuation of the previously approved townhouse project to the north. He stated that this would provide a full additional access to Society Hill Road from both phases. He also explained some of the landscaping and layout concerns that were reviewed. He did note that the engineer felt there was some ability to address the staff comment for an external sidewalk with better internal connectivity. He stated that the Planning Department recommended approval subject to the following conditions:

1. A buffer using landscaping or existing vegetation dense enough to screen the rear yards of any units backing up to Society Hill Road is required.
2. Submit a detailed landscape plan add landscaping as required with minimum base points and parking lot points and added buffers are shown and met in detail required by the Landscape Ordinance.

3. If dumpsters are installed, dumpsters must be enclosed on all sides and gated with an opaque fence
4. at a height so that the dumpster is not seen outside the enclosure. All garbage and trash collection must be coordinated through Opelika Environmental Services.
5. All utilities shall be underground except existing overhead required transmission lines.
6. Any gate is required to be approved by the City of Opelika Fire Department. This gate should be accessible to all residents for entry and exiting the premise.
7. Provide a public sidewalk meeting the requirements of the Opelika Engineering Department along Society Hill Road. Internal sidewalks shall connect to this sidewalk.
8. All units shall meet the Gateway Corridor cladding and screening requirements.

Mr. Parker presented the Engineering Department and Opelika Water Board and Opelika Power reports.

Chair Cannon opened the public hearing.

Blake Rice, BSI Inc., stated that he felt that better access could be provided internally through both a new road connection and sidewalks. He explained that initially there was concern by the gas utility, but those concerns had been addressed.

Chair Cannon closed the public hearing.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to grant conditional use approval with staff recommendations, but allowing an alternate internal connectivity if possible as presented by the applicant.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

5. Kirti Patel, property owner, 2010 Crawford Road (Hwy 169), C-3 zone, package liquor store.

Mr. Mosley presented the staff report for the Conditional Use request for a package store at M & M Grocery at 2010 Crawford Road (US Hwy 169). He explained that the grocery has a secondary unit that has been used for other uses over the years. He noted that the layout would allow a clerk to work at both the counter for the grocery and the package store, but that units would be separated for customers. Mr. Mosley stated that in most cases package stores are not allowed in many areas that would have the traffic to support them. He explained that this location was a conditional use. He further explained that there was a bar and some other commercial uses located outside the city limits in the area. He stated that part of the review of this use was an evaluation by the Opelika Police Department. He stated that the Planning Department recommended approval subject to the following conditions:

1. The package store's hours of operation must be the same as the grocery store hours.
2. Consumption of alcohol on the subject property is prohibited.

Mr. Parker presented the Engineering Department and Opelika Water Board and Opelika Power reports.

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

6. Clay Caswell, property owner, 3615 Pepperell Parkway, C-3, GC-P zone, Office of Contractor without Equipment and Material Yard

Mr. Mosley presented the staff report to the Planning Commission for the conditional use of an Office of Contractor without Equipment and Material Yard. He noted that this use was located at 3615 Pepperell Parkway in the C-2 zone with a Gateway Corridor Overlay - Primary. He explained that this property was adjacent to the new Fur Buds veterinary location and would share a driveway. He pointed out that this location shows a fenced area in the rear. He explained that there was some concern that this would be used for outdoor storage which is not allowed in the zone. He also noted that the building setbacks and bufferyards were incorrect, but there appeared to be plenty of room for these issues to be addressed. Mr. Mosley stated that there was not a concern with the use provided these issues could be resolved. He stated that the Planning Department recommended conditional use approval of the use with the following conditions:

1. Equipment or material yard stored outside is prohibited in the C-3, GC-P zoning district.
2. Provide the correct setbacks for the Gateway Corridor (Front 40 feet, all others 20 feet).
3. The dumpster must be enclosed with an opaque fence on all sides and an opaque gate installed; the fence and gate must be at a height so the dumpster is not visible when viewed outside the fence.
4. The front buffer is required to be 15 feet in depth to meet the Gateway Corridor requirements.
5. Revise the landscape plan to extend the parking lot buffer along Pepperell Parkway to the side lot lines as required.
6. If the fenced storage area is intended for vehicles, the parking area shall be paved.
7. No razor wire or barbed wire shall be used on the fencing.
8. Any gate access to 3rd Avenue shall be designed so that someone operating the gate will not be forced to park in the street to open the gate.

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.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

7. Aaron Adams, authorized representative for James G McClain Jr., property owner, 2410 Cunningham Drive, R-4, 56 Townhome Units

Mr. Mosley presented the staff report to the Planning Commission for the conditional use request for townhomes at 2410 Cunningham Drive. He stated that the applicant is requesting conditional use approval for 56 two-story townhome units on 7.5 acres. This agenda item was withdrawn from the January 25th PC meeting. The developer revised the layout for the Feb 25th PC meeting. The two-story townhomes with brick on all sides are attractive and a revised layout for the Feb 25th meeting is an improvement. However, the density is the same as presented at the Jan 25th meeting: $56 \text{ units} / 7.5 \text{ acres} = 7.46 \text{ dwellings per acre}$. Currently, most lots along this section of Cunningham Drive are larger undeveloped lots that range from 1 to 8 acres with one single family home. The future extension of Veterans and Thomason located about 1,600 feet from this development will change the traffic patterns. Significant redevelopment will likely occur in this section of Cunningham Drive. This townhome development will probably set the standard for future developments on Cunningham Drive.

The revised site plan has the same number of townhomes lots (56) as the January site plan. There are nine groups with 5-units in each group, two groups with 4-units, and one group with 3-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 exterior material is brick veneer on all sides of a townhome unit.

The proposed townhome property is in an R-4 zoning district located about 800 feet north of the intersection of Cunningham Drive & Frederick Road. 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 south and west side are single family homes. The uses on the east side across Cunningham Drive from the proposed townhome development are also single family homes. The adjacent east side has 66 single family homes with a density of 3.25 dwellings per acre. On the west and south property lines the adjacent single family homes share a rear property line with the townhome property. The density of the adjacent 20 single family homes on the south and west sides is 2.1 dwellings per acre. The adjacent SFH lots on all sides

range from 10,000 sf to 18,000 sf with a density less than 3.25 dwellings per acre. In the R-4 zoning district, the maximum density allowed is 9 dwelling units per acre. The density of the 56 townhomes is 7.46 dwellings per acre. The density for the adjacent surrounding dwelling units (single family homes) properties is between 0.25 and 2 units per acre.

The revised site plan is an improvement from the site plan submitted at the January 25th meeting. The first plan had two new streets accessing the 56 townhomes from Cunningham Drive and all off-street parking in the front yard; The revised plan shows one 24' street from Cunningham Drive and parking in the side or rear yard. Off-street parking on each townhome lot is accessed from a 20' driveway located between townhome groups; the driveway intersects with the 24' main street. The revised site plan also shows an emergency access driveway to Cunningham Drive. The revised site plan also shows sidewalks on both sides of the 24' main street. A sidewalk is also added in the front yard of the townhomes extending from the 24' street sidewalk to the townhome property line. The driveway between townhome groups adds more open space. The rear and side entry parking are an improvement from the January site plan.

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 Townhouse Development Standards require a minimum of 1,800 square foot townhome lot and 20 foot minimum lot width. The lot sizes are larger on the revised site plan (24x96=2,300 sf) than the January lot sizes (24x85=2,040 sf). The lot is about 11 feet longer than the January lot length. 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 the same as the January townhomes at 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. Garbage pick-up is City services not dumpster.

A revised landscape plan was not submitted. The landscape plan reviewed at the January PC meeting 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 January plan. The January plan also provides a landscape buffer next to Cunningham Drive 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 revised site plan shows a "6 foot privacy fence" along the south and west perimeter property lines on the open space lot to buffer the townhomes from the adjacent single family homes. A residential buffer is required on the south and west side. Next to the privacy fence a row of evergreen trees is required to complete the residential buffer as provided in the Landscape Regulations. The fence is located on a 10' to 20' wide open space lot instead of the townhome lot. This revision provides the townhome owner full use of the side yard (south side) or rear yard (west side) of a townhome lot. Along the west side perimeter property line (adjacent to Park Street homes) the buffer is 23' wide from the perimeter property line to the 20' driveway easement that provides access to townhomes. If conditional use is approved, the fence & buffer must be shown on the site plan review submitted when a townhome building

permit is requested. The layout is an improvement from the January site plan.

Now that the buildings face Cunningham Drive, there is no longer a need for a full screen buffer along the street. The buffer should now include trees and bushes more typical of a corridor frontage buffer.

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. The density proposed for this development has not changed from the January PC site plan. The townhome density is three times greater than any of the adjoining properties. It is likely that this development if approved will set the tone for the remainder of Cunningham Drive. The proposed townhomes are attractive and the revised layout is a significant improvement from the January site plan. While this proposed use is an improvement, the approval of this site is likely to shape the remainder of the street as many of the lots were developed prior to sewer and are either vacant or only contain a single home on 1-10 acre lots.

Mr. Mosley showed the Planning Commission where the new extension of Veterans Parkway and Thomason Street would intersect Cunningham Drive. He explained that staff has not provided positive or negative recommendation, but feels it is important to review the request with the Planning Commission on this request. If the Planning Commission approves the conditional use request, Staff 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. The landscape buffer shown along Cunningham Drive should soften the proposed use from the street, but is not required to be a full screen if the front of the building faces the road.
3. Install understory or medium trees on both sides of the 24' street spaced according to tree type.
4. Provide landscaping to include trees adjacent to all buildings.
5. Install sidewalks as shown on revised site plan. Move the sidewalk along Cunningham Drive into the right-of-way as a public sidewalk.

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.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Commissioner Sweatman asked if there would be full access to the northern driveway to this development.

Mr. Mosley stated that it would be gated for emergency access only.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	Chair Cannon
ABSTAIN:	None

D. REZONING - Public Hearing

8. (a) Amendment to Future Land Use Map, 513 Ermine Street, 14,822 square feet, from manufacturing to high density residential land use category

(b) Rezoning Request, Dan Hatcher c/o Auburn Habitat for Humanity, 513 Ermine Street, 14,822 square feet, from M-1 to R-5.

Mr. Mosley presented the staff report to the Planning Commission for a request to rezone a 14,822 square foot lot at 513 Ermine Street. The subject property is zoned M-1 and has a future land use classification of manufacturing. The applicant, Habitat for Humanity, requested to rezone the property to R-5 requiring a future land use classification of high density residential. Mr. Mosley stated that the original request was for R-5M. The "M" allows manufactured homes. Since Habitat wants to construct a single-family home, they were open to rezoning to R-5. Mr. Mosley noted that while there is some manufacturing located closer to the railroad, most of this area is either residential or commercial. He stated that the Planning Department recommended rezoning of the property from M-1 to R-5 and changing the future land use to high density residential.

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.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

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

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Mike Hilyer
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman

NAYS:	None
ABSTAIN:	None

Motion to amend the Future Land Use map from manufacturing to high density residential.

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Mike Hilyer
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

E. Text Amendments to the Zoning Ordinance - Public Hearing

9. A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Revisions to Section 3.1 Building Permit Required and revisions to Section 8.11.1 Temporary Structures/Temporary Uses.

Mr. Mosley presented the staff report to the Planning Commission for the

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.

Chair Cannon asked the Planning Commission if there was any discussion or a motion for this item.

Motion to send a positive recommendation for a zoning ordinance text amendment to City Council

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

IV. OLD BUSINESS

10. **Text Amendment to the Zoning Ordinance - Public Hearing**

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 (*This item was tabled at the January 25th Planning Commission meeting*)

This item remained on the table and no action was taken.

XI. ADJOURN

Motion to adjourn at 4:07 p.m.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Whatley, Hilyer, Menefee, Director Sweatman
NAYS:	None
ABSTAIN:	None

_____ Lucinda Cannon, Chair

_____ Matt Mosley, Secretary

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025

Subdivision: Dickson Place

Agenda Item #: B-1

Action Requested: Final Approval

Location of Property: Anderson Road

Current Zoning: PUD

Staff Comments: No report at this time. The development has not been completed and not ready for final plat approval.



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Anderson Rd. Lee Rd. 48
PROPERTY OWNER: Andrews & Anderson ,LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Baseline Surveying & Design, LLC , Arthur R. Nettles
MAILING ADDRESS: P.O. Box 1847, Auburn, AL 36831
PHONE NUMBER: 334-748-9200 **FAX NUMBER:** N/A
EMAIL ADDRESS: admin@baseline-llc.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Dickson Place S/D Phase 2A

Current Land Use: residential

Current Zoning: PUD

Proposed use of the Subdivision: residential

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

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

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

Fee: \$75.00

TOTAL = \$75.00

PAID RECEIPT ATTACHED

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Dickson Place Phase 2A Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE:

Arthur R. Nettles

(PRINT NAME)

Arthur R. Nettles

02/04/2025

DATE

DICKSON PLACE SUBDIVISION
PHASE 2A
SHEET 1 OF 2 (NOT VALID WITHOUT ALL SHEETS)

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE ____ DAY OF FEBRUARY, 2025.

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

STATE OF ALABAMA
LEE COUNTY

I, WARREN JOLLY AS MANAGING MEMBER OF ANDREWS & ANDERSON DEVELOPMENT LLC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF ____, 2025.

WARREN JOLLY, MANAGING MEMBER
ANDREWS & ANDERSON DEVELOPMENT, LLC

STATE OF ALABAMA
LEE COUNTY

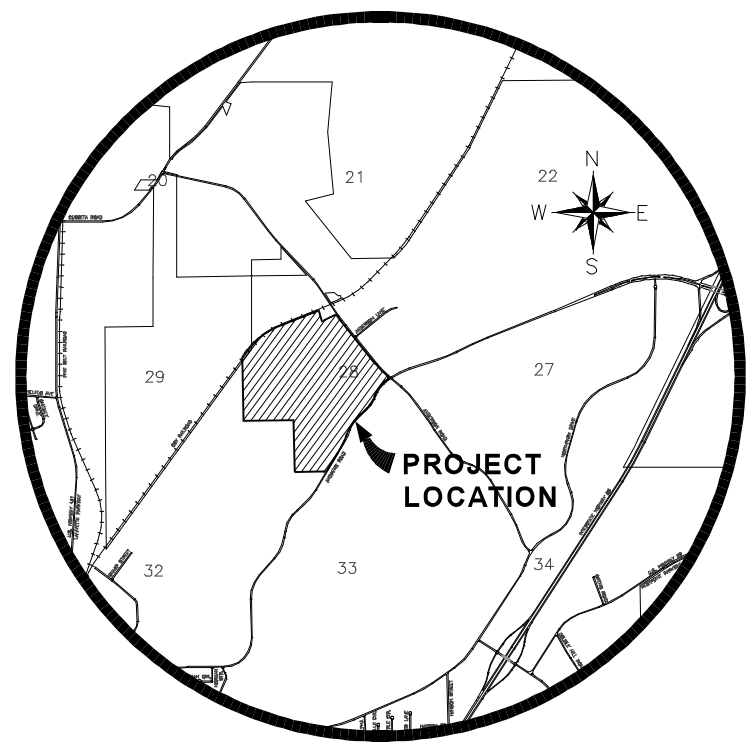
I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT WARREN JOLLY, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT, HAS EXECUTED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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF ____, 2025.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83. ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
3. SOURCES OF INFORMATION USED FOR PREPARATION OF THIS SURVEY INCLUDE:
 - SURVEY ENTITLED "BOUNDARY SURVEY FOR THE ELECTRA HOPSON ESTATE", BY ZACK SPRAYBERRY, AL. P.L.S. REG. NO. 12933
 - NO TITLE SEARCH WAS DONE AS PART OF THIS SURVEY.
 - NORTH IS BASED ON GRID NORTH.
 - AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES; EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
 - ACCORDING TO FEMA FIRM MAP NO. 0108100080G, FOR LEE COUNTY, ALABAMA, PANEL NUMBER 80 OF 281, EFFECTIVE DATE NOVEMBER 2, 2011, THE PROPERTY LIES IN ZONE X, WHICH IS NOT A FLOOD PRONE AREA.
 - OWNER/ DEVELOPER INFORMATION: ANDREWS & ANDERSON DEVELOPMENT, LLC, 456 WEST PACES FERRY ROAD, NW, ATLANTA, GEORGIA 30305.



VICINITY MAP
NOT TO SCALE

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

PLANNING DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

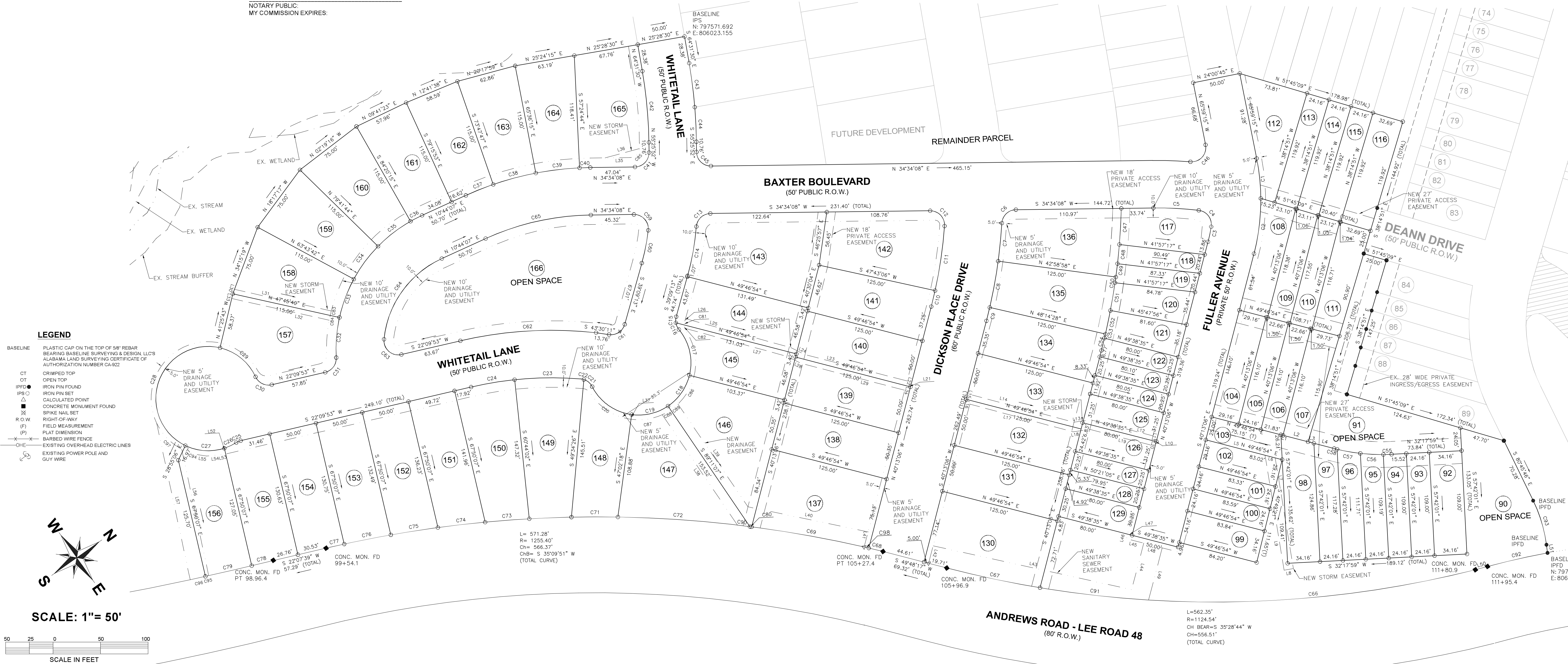
CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITIES BOARD: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____



THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC. THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF BASELINE SURVEYING & DESIGN, LLC.

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

BASELINE
SURVEYING & DESIGN, LLC

DICKSON PLACE SUBDIVISION
PHASE 2A

SEC. 28
OPELIKA
SCALE: 1"=50'

T 20 N
LEE COUNTY
FEBRUARY 4, 2025

Rg 27 E
ALABAMA
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

JOB NO.
B75923.04

DRAWN
CSM

CHECKED
RAB

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025

Subdivision: Wyndham Village, Phase 3, Section 1

Agenda Item #: A-2

Action Requested: Final Approval

Location of Property: Wyndham Village Drive and Rolling Hill Drive

Property Owner(s): Wyndham Gateway, LLC,
Tyler Findley, authorized representative
Mark Strozier, Strozier Surveying, Surveyor

Current Land Use: Undeveloped

Current Zoning: PUD

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0207G &
MAP#01081C0230G
Zone X – An area 0.2% or less annual chance of flood

Staff Comments:

The applicant is requesting final plat approval for a 26-lot (9.38 acres) subdivision. The 25 residential lots are a portion of a 523-lot development shown as Pod of the amended Wyndham PUD approved in January 2020. The lots in Pod 11 are designated as 65-foot-wide lots with a minimum area of 7,500 square feet. All these lots exceed the minimum lot size and generally meet the requirements for the larger 75-foot lots. The preliminary plat of 100 lots designates these lots to all have minimum front lot width of 75 foot.

The pool, pavilion, and park area are located in the previously approved Phase 2 portion of this development on Lot 1000. Lots 1-9 adjoin the dedicated open space required by the master plan. The utilities in Phase 3 will be underground. Sidewalks are required on at least one side of each street. Wyndham Village Drive and Rolling Hill Drive will connect a proposed future development in the proposed master plan of the 100 lots planned in Phase 3.

Recommendation:

Staff recommend preliminary plat approval subject to the following:

- 1. Sidewalks are required on at least one side of the street.**

2. All utilities shall be underground.
3. The 50' Power Company transmission line area on the rear of Lots 261-258 will need to be addressed concerning ownership and maintenance, including fencing and structure restrictions in this area.
4. Add the remainder tract information on page one Tract 1 (Remainder 201.58 acres).
5. Correct the title block to read Wyndham Village Subdivision, Phase 3, Section 1.

Engineering Department Report

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

- All drainage structures, aggregate base and pavement have been completed.
- All stop and roadway signs will need to be installed.
- Maintenance Bond of 25% of the infrastructure construction cost will need to be submitted.
- Performance Bond of 125% of the estimated cost to place the remaining roadway surface and sidewalks will need to be submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots have been graded, and stabilized with seed and mulch, and other erosion/sediment control items have been added to protect against erosion and sediment issues.

The Engineering Department has no other comments or concerns with this proposed final plat.

Opelika Water Board Report

Infrastructure has been inspected and accepted by Opelika Water.

Opelika Power Services Report

This Subdivision is located inside the Opelika Power Service territory.



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

AGENDA ITEM #

#2



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Wyndham Village Dr.
PROPERTY OWNER: Wyndham Gateway LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Mark Strozier
MAILING ADDRESS: 6009 Business Park Dr. Columbus, GA 31909
PHONE NUMBER: 706-573-1525 FAX NUMBER: _____
EMAIL ADDRESS: Markd@stroziersurveying.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Wyndham Village, Ph. 3 sec. 1

Current Land Use: cleared field

Current Zoning: PUD

Proposed use of the Subdivision: adding lots to existing subdivision.

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

Number of Lots: 25 x \$3.00 = \$ 75

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

Fee: \$75.00

TOTAL = _____

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) _____ Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:

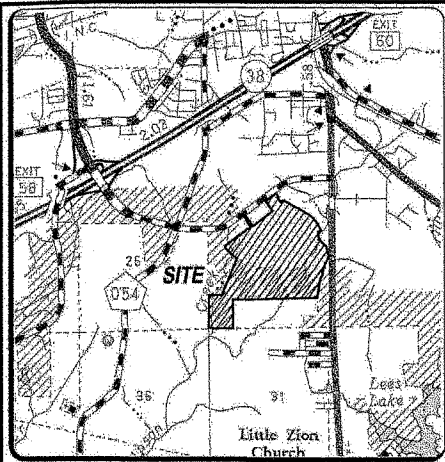
Mark Strozier

(PRINT NAME)

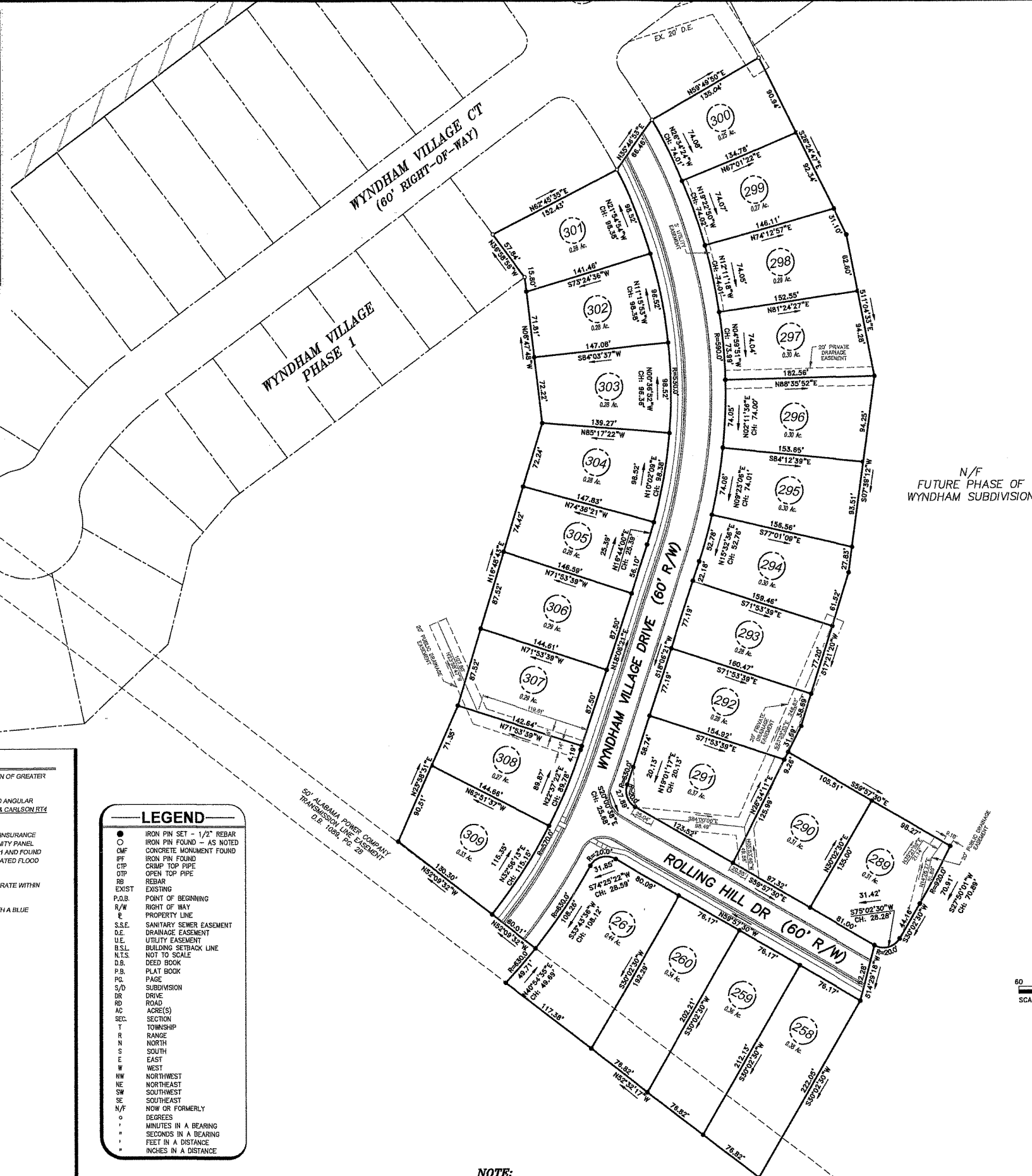
MARK STROZIER

3-4-25

DATE



VICINITY MAP
NOT TO SCALE



SURVEY NOTES

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF GREATER THAN ONE FOOT IN 75,000 FEET.
2. THE FOLLOWING TYPE OF EQUIPMENT WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT: TOPCON GT-503 & CARLSON RT4 DATA COLLECTOR.
3. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR LEE COUNTY, ALABAMA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 0101020370 AND 0101020380, EFFECTIVE DATE NOVEMBER 2, 2011 AND FOUND NO PORTIONS OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 40,374 FEET.
5. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR WITH A BLUE PLASTIC CAP STAMPED "STROZIER CA-1133-LS", UNLESS OTHERWISE NOTED.
6. PROPERTY DEED: DEED BOOK 2420, PAGE 701
7. TAX PARCEL ID: 43-10-09-30-2-000-004.000
8. PROPERTY OWNER: WYNDHAM GATEWAY LLC
8219 NORTH CROSSING CT
FORTSON, GA 31808
9. TOTAL LOTS: 25 LOTS
10. LOT AREA (THIS SECTION): 7.88 ACRES
11. PHASE 3 SECTION 1 AREA: 8.38 ACRES
12. RW AREA (THIS SECTION): 1.70 ACRES
13. PROPERTY HAS ACCESS TO PUBLIC RIGHT-OF-WAY:
- WYNDHAM VILLAGE DRIVE
- GATEWAY DRIVE
14. PROPERTY ZONED: PUD (LOW DENSITY RESIDENTIAL)
NOTE: 75' LOTS ARE SINGLE FAMILY DWELLING UNITS THAT HAVE A RESPECTIVE MINIMUM LOT WIDTH AS MEASURED AT THE BUILDING LINE.
SETBACKS:
FRONT = 25 FEET
SIDE = 8 FEET (75' LOTS)
SIDE STREET = 25 FEET
REAR = 20 FEET
MAXIMUM BUILDING HEIGHT: 40 FEET
MAXIMUM BUILDING AREA: 40%
MINIMUM LOT SIZE: 10,000 SQUARE FEET (75' LOTS)
15. UTILITIES PROVIDED BY:
ELECTRIC: OPELIKA POWER SERVICES & ALABAMA POWER
WATER: OPELIKA WATER BOARD
SEWER: OPELIKA PUBLIC WORKS - WASTEWATER DIVISION

LEGEND

●	IRON PIN SET - 1/2" REBAR
○	IRON PIN FOUND - AS NOTED
CMF	CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND
CTP	CRIMP TOP PIPE
OTF	OPEN TOP PIPE
REI	REBAR
EXIST	EXISTING
P.O.B.	POINT OF BEGINNING
R/W	RIGHT OF WAY
E	PROPERTY LINE
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
B.S.L.	BUILDING SETBACK LINE
N.T.S.	NOT TO SCALE
D.B.	DEED BOOK
P.B.	PLAT BOOK
P.O.	PAGE
S/D	SUBDIVISION
DR	DRIVE
RD	ROAD
AD	ACRES
SEC.	SECTION
T	TOWNSHIP
R	RANGE
N	NORTH
S	SOUTH
E	EAST
W	WEST
NW	NORTHWEST
NE	NORTHEAST
SW	SOUTHWEST
SE	SOUTHEAST
N/F	NOW OR FORMERLY
°	DEGREES
'	MINUTES IN A BEARING
"	SECONDS IN A BEARING
'	FEET IN A DISTANCE
"	INCHES IN A DISTANCE

UTILITY STATEMENT

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING AND MAINTAINING POLE LINES, GUY WIRES, DRAINAGE AND OTHER FACILITIES, EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE ALONG THE FRONT AND CENTERED ALONG SIDE LOT LINES OF EACH LOT.

NOTE:

AREAS LABELED AS DETENTION, OPEN SPACE, PARK, AND AMENITY AND WILL BE OWNED AND MAINTAINED BY WYNDHAM GATEWAY LLC.

SURVEYOR'S CERTIFICATION

I, MARK D. STROZIER, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY DECLARE THAT THIS PLAT OR MAP IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY CONDUCTED UNDER MY DIRECTION. I FURTHER DECLARE THAT THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENT BY BUILDINGS ON ADJOINING PROPERTY. THAT THE STRUCTURES NOW ERECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY OR EASEMENTS VISIBLE, BUT IS SUBJECT TO ANY SUCH RIGHTS OF WAYS AND EASEMENTS THAT MAY BE RECORDED OR UNRECORDED, OR JOINT DRIVE WAYS ON, OVER, OR ACROSS THIS PROPERTY, VISIBLE ON THE SURFACE EXCEPT AS SHOWN ON THIS PLAT.

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

Mark D. Strozier 03/04/2025
MARK D. STROZIER, ALABAMA PLS #22999 DATE
CERTIFICATE OF AUTHORIZATION NO. CA-1133-LS

CERTIFICATES OF APPROVAL

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

CITY DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA WATER BOARD, OPELIKA, ALABAMA:

OPELIKA WATER BOARD: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____

OWNER CERTIFICATE

I, EDGAR HUGHSTON, THE OWNER(S) OF SAID LANDS SURVEYED BY STROZIER SERVICES, LLC, DO HEREBY CERTIFY THAT TITLE WAS AND IS VESTED IN SAID OWNER(S) AND JOIN IN THE FOREGOING STATEMENT MADE BY SAID STROZIER SERVICES, LLC AND AS STATED IN CODE OF ALABAMA 1976, § 35-3-50 ET SEQ., DO HEREBY CERTIFY THAT IT WAS AND IS MY (OUR) INTENTION TO DIVIDE SAID LANDS INTO LOTS AS SHOWN BY SAID PLAT AND DO HEREBY DEDICATE, GRANT, AND CONVEY FOR PUBLIC USE THE STREETS, ALLEYS AND PUBLIC GROUNDS AS SHOWN ON SAID PLAT.

SIGNED AND SEALED IN THE PRESENCE OF:

PROPERTY OWNER

STATE OF GEORGIA
COUNTY OF MUSCOGEE

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

FINAL SUBDIVISION PLAT FOR SECTION THREE PHASE ONE WYNDHAM VILLAGE

SECTION 30, TOWNSHIP 19 NORTH
RANGE 27 EAST
SCALE: 1"=60'

LEE COUNTY
OPELIKA, ALABAMA
DATE: 03/04/2025

STROZIER SERVICES, LLC
8009 BUSINESS PARK DRIVE - COLUMBUS, GEORGIA - 31909 - (706)678-1525



FILE NO.: 24-114

DRAWN BY: MB
CHECKED BY: MDS
PAGE: 1 OF 2

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025

Subdivision: Southern Pines Subdivision, Phase 2

Agenda Item #: A-3

Action Requested: Final Approval

Location of Property: Briarwood Lane Extension off North Gate Drive

Property Owner(s): Bryan Stone, property owner
David Slocum, Pinnacle Design, Inc., authorized applicant

Current Land Use: Single Family Residential Development

Current Zoning: R-2

Flood Zone: No portions of this property are shown to fall into a flood plain per FEMA FIRM PANEL Nov 2, 2011 – MAP#01081C0067G

Staff Comments:

The applicant is requesting final plat approval for a 29-lot subdivision and one amenity lot located in the R-2 zoning district. These lots will be primarily accessed from the connection on Briarwood Lane. These lots meet the minimum lot requirements for the R-2 zoning districts. The lots range in size from 15,000 square feet to 1.3 acres; lot widths meet the minimum requirements. A variance was granted by the Zoning Board of Adjustments on May 14, 2024. The variance was a 5-foot side yard setback variance from the minimum 15-foot side yard setback required on one side yard for all single-family home lots in the Southern Pines Subdivision to allow for side entry garages. The setback lines shown should be removed prior to recording. Add a note to the plat explaining the variance granted for one side of each yard to allow for side entry garages.

The application states these lots will be single-family homes. Add a note to show who owns and maintains Lot 19 Amenity/Pool House. Underground utilities and sidewalks are required on both sides of the street. The plat appears to meet the minimum requirements with modification recommended for final plat approval.

Planning staff recommends final plat approval subject to the following:

- 1. Remove the minimum setbacks shown on the lots.**

2. Add a note: A 5-foot side yard setback variance from the minimum 15-foot side yard setback required on one side yard for all single-family home lots in the Southern Pines Subdivision to allow for side entry garages.
3. All utilities shall be underground.
4. Sidewalks are required on both sides of the street.
5. Opelika Utilities has reverted to Opelika Water Board.
6. Opelika Light & Power is now Opelika Power Services
7. Note 4 describes a Tract 3. Tract 3 is not listed on the plat. Please correct or delete note.
8. Correct note 10 to show the correct number of lots and acres in this section of final plat review.
9. The box labelled “Lee County Dedication”, you meant to title is as “Owner’s Certificate” or something similar.
10. Where appropriate, record courses & distances should be shown alongside measured ones for comparison.
11. Add a legend to explain all symbols and hatching.
12. Many points along lot lines are shown with a triangle, which commonly means a calculated point. Note that all points newly created or replaced must have an iron pin set.

Engineering Department Report

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

- All drainage structures, aggregate base and pavement have been completed.
- All stop and roadway signs will need to be installed.
- Maintenance Bond of 25% of the infrastructure construction cost will need to be submitted.
- Performance Bond of 125% of the estimated cost to place the remaining roadway surface and sidewalks will need to be submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots have been graded, and stabilized with seed and mulch, and other erosion/sediment control items have been added to protect against erosion and sediment issues.

Opelika Water Board Report

Infrastructure has been inspected and accepted by Opelika Water.

Opelika Power Services Report

This Subdivision is located inside the Opelika Power Service territory.



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

PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 1700 Oak Bowery Rd.

PROPERTY OWNER: Bryan Stone

APPLICANT/AUTHORIZED REPRESENTATIVE: David Slocum

MAILING ADDRESS: 106B W. Veterans Blvd. Auburn, AL 36830

PHONE NUMBER: (334) 703-8860 **FAX NUMBER:** _____

EMAIL ADDRESS: dslocum@pinnacle-inc.net

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Southern Pines Subdivision

Number of Lots: 29 x \$3.00 = \$87.00

Current Land Use: Vacant

Number of APO: 35 x \$6.74 = \$235.90
(Adjacent Property Owners)

Current Zoning: R1 and R2

Proposed use of the Subdivision: Single-family

Fee: \$75.00

TOTAL = 397.90

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

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Southern Pines Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE**

3-5-25

(PRINT NAME) David Slocum

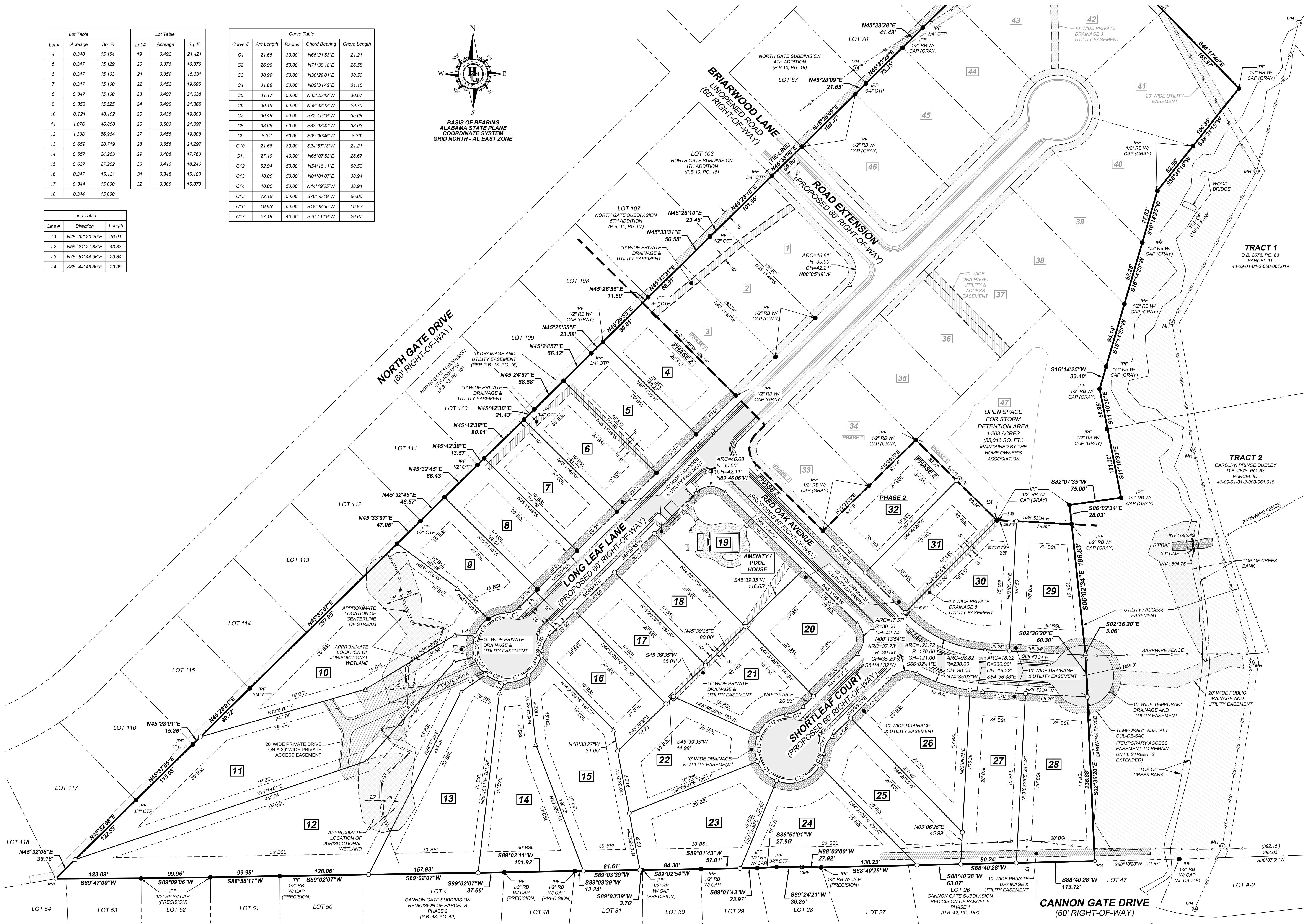
DATE

Lot Table		
Lot #	Acreage	Sq. Ft.
4	0.348	15,154
5	0.347	15,129
6	0.347	15,103
7	0.347	15,100
8	0.347	15,100
9	0.356	15,525
10	0.921	40,102
11	1.076	46,858
12	1.308	56,964
13	0.659	28,719
14	0.557	24,263
15	0.627	27,292
16	0.347	15,121
17	0.344	15,000
18	0.344	15,000

Line Table		
Line #	Direction	Length
L1	N26°32'20.20"E	16.91'
L2	N55°21'21.88"E	43.33'
L3	N75°51'44.96"E	29.64'
L4	S88°44'46.80"E	29.09'

Lot Table		
Lot #	Acreage	Sq. Ft.
19	0.492	21,421
20	0.376	16,376
21	0.359	15,631
22	0.452	19,695
23	0.497	21,638
24	0.490	21,365
25	0.438	19,080
26	0.503	21,897
27	0.455	19,808
28	0.558	24,297
29	0.408	17,760
30	0.419	18,245
31	0.348	15,180
32	0.365	15,878

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Length
C1	21.68'	30.00'	N66°21'53"E	21.21'
C2	26.90'	50.00'	N71°39'18"E	26.58'
C3	30.99'	50.00'	N38°29'01"E	30.50'
C4	31.68'	50.00'	N02°34'42"E	31.15'
C5	31.17'	50.00'	N33°25'42"W	30.67'
C6	30.15'	50.00'	N68°33'43"W	29.70'
C7	36.49'	50.00'	S73°15'19"W	35.69'
C8	33.66'	50.00'	S33°03'42"W	33.03'
C9	8.31'	50.00'	S09°00'46"W	8.30'
C10	21.68'	30.00'	S24°57'18"W	21.21'
C11	27.19'	40.00'	N65°07'52"E	26.67'
C12	52.94'	50.00'	N54°16'11"E	50.50'
C13	40.00'	50.00'	N01°01'07"E	38.94'
C14	40.00'	50.00'	N44°49'05"W	38.94'
C15	72.16'	50.00'	S70°55'19"W	66.06'
C16	19.95'	50.00'	S18°08'55"W	19.82'
C17	27.19'	40.00'	S26°11'19"W	26.67'



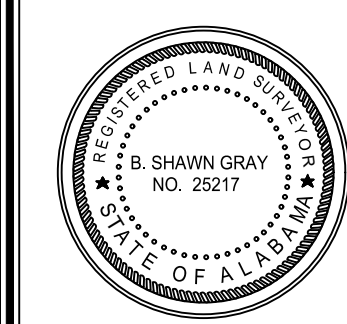
HARRIS GRAY, LLC
ENGINEERS - SURVEYORS - PLANNERS
CERTIFICATE OF AUTHORIZATION NO. LSF 001188
824 THIRD AVENUE - WEST POINT, GEORGIA 31833
PHONE: (706) 645-3865

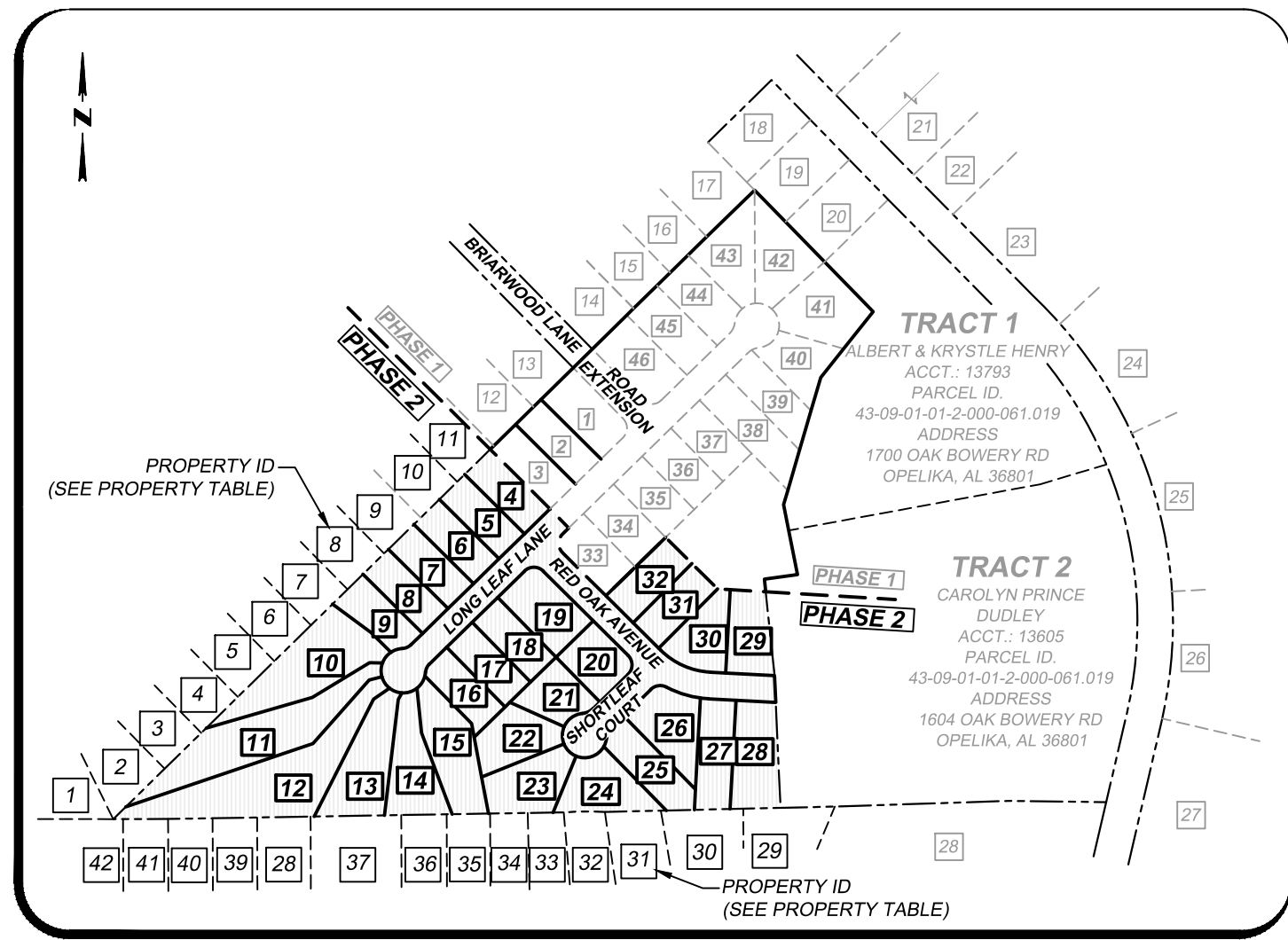
THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0' 30' 60' 120' 180'

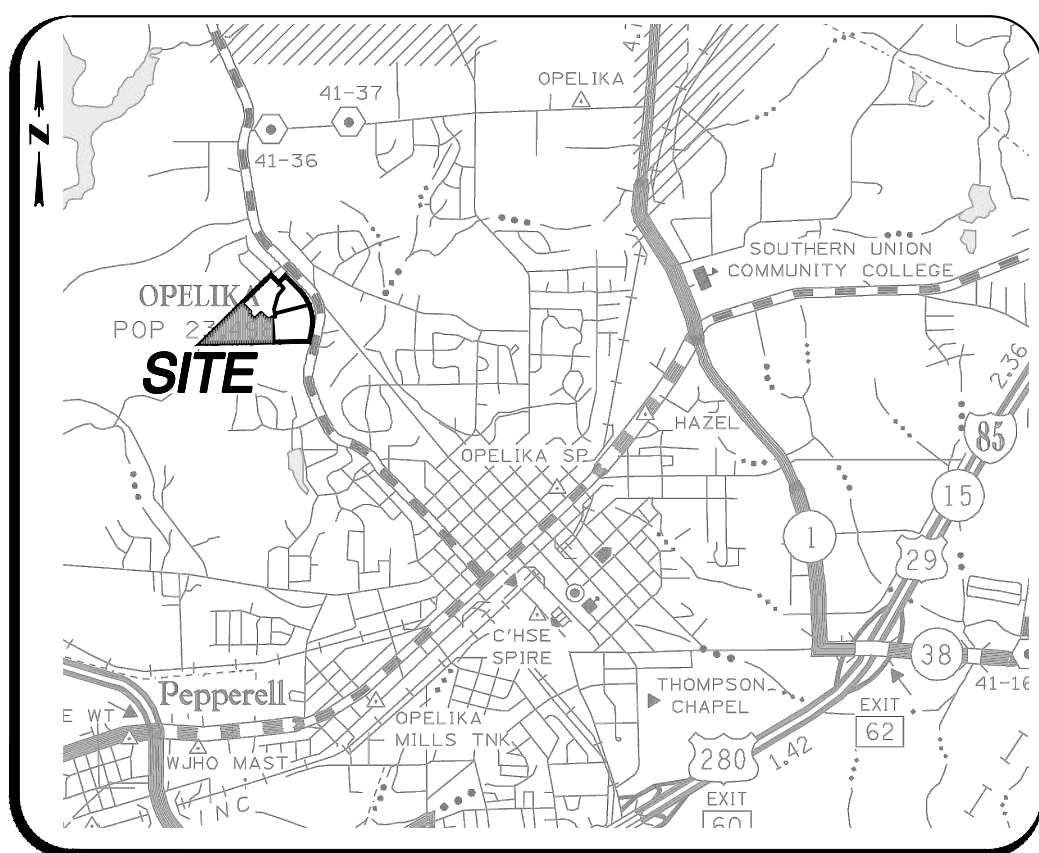
FINAL SUBDIVISION PLAT FOR
SOUTHERN PINES SUBDIVISION
PHASE 2
SECTION 1, T-19-N, R-26-E
CITY OF OPELIKA, LEE COUNTY, ALABAMA

DATE	2/11/2025
DRAWN BY	RLW
CHKD BY	BSG
FIELD CREW	MP
FILE NAME	SP FINAL PH 2
JOB NO.	AL230145
DWG. SCALE	1" = 60'





PROPERTY CHART &
SHEET INDEX
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

PROPERTY OWNER:

MM DEVELOPMENT, LLC
687 N DEAN RD STE 200
AUBURN, AL 36830
(334) 610-1715

SURVEYOR:

B. SHAWN GRAY
HARRIS GRAY LLC
824 THIRD AVE
WEST POINT, GA 31833
(706) 645-5885

PROPERTY TABLE

JOHN ROBERT DUDLEY							
43-09-01-01-2-000-061.019		13793	1700 OAK BOWERY ROAD	P.O. BOX 7	SALEM	AL	36874
CAROLYN PRINCE DUDLEY							
43-09-01-01-2-000-061.018		13605	1604 OAK BOWERY ROAD		OPELIKA	AL	36801
ID	ADJOINING/ADJACENT PROPERTY OWNERS	Parcel Number	Acct	Property Address	Mailing Address	Mailing City	Mailing State
1	MICHAEL MCGRAW & KATHRYN SMITH	43-09-01-01-2-000-061.051	33490	1918 NORTH GATE DRIVE		OPELIKA	AL
2	REGINALD L. & MARY TRAMMELL	43-09-01-01-2-000-061.050	3404	1916 NORTH GATE DRIVE		OPELIKA	AL
3	TAYLOR DANIEL & HOLLAND POWERS	43-09-01-01-2-000-061.049	36963	1914 NORTH GATE DRIVE		OPELIKA	AL
4	JULIA HILL	43-09-01-01-2-000-061.048	20312	1912 NORTH GATE DRIVE		OPELIKA	AL
5	YAOQI ZHANG	43-09-01-01-2-000-061.047	21140	1910 NORTH GATE DRIVE	2011 ST. PATRICK COURT	AUBURN	AL
6	PATRICIA VINSON	43-09-01-01-2-000-061.046	22629	1908 NORTH GATE DRIVE		OPELIKA	AL
7	ALEX & LAUREN CARTER	43-09-01-01-2-000-061.045	6387	1906 NORTH GATE DRIVE		OPELIKA	AL
8	ROBERT & AMBER BOOTHE	43-09-01-01-2-000-061.044	6962	1904 NORTH GATE DRIVE		OPELIKA	AL
9	JACIE & CHASE ANTHONY	43-09-01-01-2-000-061.043	10904	1902 NORTH GATE DRIVE		OPELIKA	AL
10	DONALD & JOYCE BRYAN	43-09-01-01-2-000-061.042	12844	1900 NORTH GATE DRIVE		OPELIKA	AL
11	MARIANNE & JEFFREY SASSER	43-09-01-01-2-000-061.041	35732	1808 NORTH GATE DRIVE		OPELIKA	AL
12	BOBBY & ROXANNE NIX	43-09-01-01-2-000-061.040	27076	1806 NORTH GATE DRIVE		OPELIKA	AL
13	MICHAEL & REBECCA GASTON	43-09-01-01-2-000-061.039	3839	1804 NORTH GATE DRIVE		OPELIKA	AL
14	CRAIG & ALESIA WALKER	43-09-01-01-2-000-061.020	8163	1802 NORTH GATE DRIVE		OPELIKA	AL
15	JOHN & ANGELIA PATRICK	43-09-01-01-2-000-061.003	24156	1800 NORTH GATE DRIVE		OPELIKA	AL
16	LLR PROPERTIES LLC	43-09-01-01-2-000-061.002	35481	1704 NORTH GATE DRIVE	1417 DEER TRACT ROAD	OPELIKA	AL
17	MICHAEL & ALLISON WILLIAMS	43-09-01-01-2-000-061.001	20088	1702 NORTH GATE DRIVE		OPELIKA	AL
18	KYLE MICHAEL KING & LEE MANN	43-09-01-01-2-000-058.000	39122	1710 OAK BOWERY ROAD		OPELIKA	AL
19	JOHN E. & JOSEPHINE NEWLAND	43-09-01-01-2-000-059.000	30181	1708 OAK BOWERY ROAD		OPELIKA	AL
20	WILLIE SAM & BRENDA PRIDGEN	43-09-01-01-2-000-060.000	33082	1706 OAK BOWERY ROAD		OPELIKA	AL
21	CHRISTOPHER AND PATRICIA WARREN	43-09-01-01-2-000-039.000	42420	1709 OAK BOWERY ROAD		OPELIKA	AL
22	CLIFFORD & MARY MCCOLLUM	43-09-01-01-2-000-037.000	27428	1705 OAK BOWERY ROAD		OPELIKA	AL
23	MARK NEWELL	43-09-01-01-2-000-036.000	31232	1703 OAK BOWERY ROAD		OPELIKA	AL
24	GRONIA LOUISE ULMER SAMFORD (CEMETERY)	43-09-01-01-2-000-035.015	18127	1503 OAK BOWERY ROAD		OPELIKA	AL
25	ABBEY & QUILLIE WENDELL MURRAY, III	43-09-01-01-2-000-026.000	38210	1605 OAK BOWERY ROAD		OPELIKA	AL
26	ROSAMOND LAWLER DUDLEY	43-09-01-01-2-000-025.000	13865	1505 OAK BOWERY ROAD		OPELIKA	AL
27	CHARLES W. LAWLER, JR.	43-09-01-01-2-000-008.000	24994	1503 OAK BOWERY ROAD		OPELIKA	AL
28	CANNON GATE SUBD. HOMEOWNERS ASSOCIATION	43-09-01-01-2-000-074.000	70717	0 LIVE OAK CIRCLE	715 AVENUE A, SUITE 200	OPELIKA	AL
29	CANNON GATE SUBD. HOMEOWNERS ASSOCIATION	43-09-01-01-2-000-080.000	87238	0 CANNON GATE DRIVE			
30	CANNON GATE SUBD. HOMEOWNERS ASSOCIATION	43-09-01-01-2-000-081.000	87239	1701 CANNON GATE DRIVE			
31	SMB LAND LLC	43-09-01-01-2-000-082.000	87240	1717 CANNON GATE DRIVE	13 NORTH 8TH STREET	OPELIKA	AL
32	JESSE & JILLIAN EDWARDS	43-09-01-01-2-000-083.000	87241	1721 CANNON GATE DRIVE		OPELIKA	AL
33	LANCER & TRACEY WRAY	43-09-01-01-2-000-084.000	87242	1755 CANNON GATE DRIVE		OPELIKA	AL
34	JEFFREY & MARIA LEWIS	43-09-01-01-2-000-085.000	87243	1777 CANNON GATE DRIVE		OPELIKA	AL
35	MICHAEL & DENNILLE SMITH	43-09-01-01-2-000-086.000	87244	1823 CANNON GATE DRIVE		OPELIKA	AL
36	SHIRLEY MAGNINIS	43-09-01-01-2-000-102.000	87759	1833 CANNON GATE DRIVE		OPELIKA	AL
37	MATTHEW & HILLARY HARD	43-09-01-01-2-000-103.000	87760	1845 CANNON GATE DRIVE		OPELIKA	AL
38	LENORA FRAZER & ELEY DANTZLER	43-09-01-01-2-000-104.000	87761	1907 CANNON GATE DRIVE		OPELIKA	AL
39	TOMMY & MONA ROWE	43-09-01-01-2-000-105.000	87762	1923 CANNON GATE DRIVE		OPELIKA	AL
40	EUGENE MATTOX, II & LAUREL ANNE MATTOX	43-09-01-01-2-000-106.000	87763	1937 CANNON GATE DRIVE		OPELIKA	AL
41	DOIS SKEWIS	43-09-01-01-2-000-107.000	87764	1953 CANNON GATE DRIVE		OPELIKA	AL
42	THOMAS & NINA MARTIN	43-09-01-01-2-000-108.000	87765	1965 CANNON GATE DRIVE		OPELIKA	AL

UTILITY EASEMENT STATEMENT

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING AND MAINTAINING POLE LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.

LEE COUNTY DEDICATION

I (WE), _____, THE OWNER(S) OF SAID LANDS SURVEYED BY HARRIS GRAY, LLC, DO HEREBY CERTIFY THAT TITLE WAS AND IS VESTED IN SAID OWNER(S) AND JOIN IN THE FOREGOING STATEMENT MADE BY SAID HARRIS GRAY, LLC, AND AS STATED IN CODE OF ALABAMA 1975, § 35-2-50 ET SEQ., DO HEREBY CERTIFY THAT IT WAS AND IS MY (OUR) INTENTION TO DIVIDE SAID LANDS INTO LOTS AS SHOWN BY SAID PLAT AND DO HEREBY DEDICATE, GRANT, AND CONVEY FOR PUBLIC USE THE STREETS, ALLEYS AND PUBLIC GROUNDS AS SHOWN ON SAID PLAT.

SIGNED AND SEALED IN THE PRESENCE OF:

MM DEVELOPMENT, LLC, REPRESENTATIVE _____

STATE OF _____
COUNTY OF _____

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____

CERTIFICATES OF APPROVAL

ACCEPTED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:

PUBLIC WORKS DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNER, OPELIKA, ALABAMA:

CITY PLANNER: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITIES: _____ DATE: _____

APPROVED ON BEHALF OF OPELIKA LIGHT AND POWER, OPELIKA, ALABAMA:

OPELIKA LIGHT AND POWER: _____ DATE: _____

SURVEY REFERENCES

- PLAT OF SURVEY FOR NORTH GATE SUBDIVISION, PREPARED BY T. RICHARD FULLER, DATED AUGUST 31, 1971, AS RECORDED IN PLAT BOOK 8, PAGE 72, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR NORTH GATE SUBDIVISION, THIRD ADDITION, PREPARED BY T. RICHARD FULLER, AS RECORDED IN PLAT BOOK 9, PAGE 169, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR NORTH GATE SUBDIVISION, FOURTH ADDITION, PREPARED BY T. RICHARD FULLER, DATED MAY 18, 1976, AS RECORDED IN PLAT BOOK 10, PAGE 16, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR NORTH GATE SUBDIVISION, FIFTH ADDITION, PREPARED BY T. RICHARD FULLER, DATED OCTOBER 10, 1983, AS RECORDED IN PLAT BOOK 11, PAGE 67, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR NORTH GATE SUBDIVISION, SIXTH ADDITION, PREPARED BY T. RICHARD FULLER, DATED JANUARY 9, 1987, AS RECORDED IN PLAT BOOK 13, PAGE 16, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR CANNON GATE SUBDIVISION, REDIVISION OF PARCEL A, PREPARED BY PRECISION SURVEYING, DATED SEPTEMBER 9, 2007, AS RECORDED IN PLAT BOOK 29, PAGE 187, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR CANNON GATE SUBDIVISION, REDIVISION OF PARCEL B, PHASE 1, PREPARED BY PRECISION SURVEYING, DATED AUGUST 28, 2019, AS RECORDED IN PLAT BOOK 42, PAGE 167, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- PLAT OF SURVEY FOR CANNON GATE SUBDIVISION, REDIVISION OF PARCEL B, PHASE 2, PREPARED BY PRECISION SURVEYING, DATED OCTOBER 11, 2019, AS RECORDED IN PLAT BOOK 43, PAGE 49, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.
- ADMINISTRATIVE SUBDIVISION PLAT FOR PROPERTY OF JOHN ROBERT DUDLEY AND CAROLYN PRINCE DUDLEY, DATED MAY 22, 2023, BEING RECORDED IN PLAT BOOK 46, PAGE 159, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.

SURVEYOR'S CERTIFICATION

I, B. SHAWN GRAY, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY DECLARE THAT THIS PLAT OR MAP IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY CONDUCTED UNDER MY DIRECTION. I FURTHER DECLARE THAT THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENT BY BUILDINGS ON ADJOINING PROPERTY. THAT THE STRUCTURES NOW ERRECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY OR EASEMENTS VISIBLE, BUT IS SUBJECT TO ANY SUCH RIGHTS OF WAYS AND EASEMENTS THAT MAY BE RECORDED OR UNRECORDED, OR JOINT DRIVE WAYS ON, OVER, OR ACROSS THIS PROPERTY, VISIBLE ON THE SURFACE EXCEPT AS SHOWN ON THIS PLAT.

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

B. SHAWN GRAY, ALABAMA PLS #25217 DATE _____

sggray@harris-gray.com

HARRIS GRAY LLC

https://harris-gray.com/

824 THIRD AVE, WEST POINT, GEORGIA 31833

CERTIFICATE OF AUTHORIZATION NO. 1052 LS

FINAL SUBDIVISION PLAT FOR

SOUTHERN PINES SUBDIVISION
PHASE 2

SECTION 1, T-16-N, R-2-E
CITY OF OPELIKA, LEE COUNTY, ALABAMA

DATE 2/11/2025

DRAWN BY RLW

CHKD BY BSG

FIELD CREW MP

FILE NAME SP FINAL PH 2

JOB NO. AL230145

DWG. SCALE 1" = 60'



SHT. 2 OF 2

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025

Agenda Item #: B-4

Action Requested: Conditional Use – 50 Townhomes

Location of Property: 2112 Cunningham Drive

Property Owner(s): Bobby Joe Burdette
Hayes Eiford, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-4

Surrounding Zoning Districts

And Land Uses:	North	R-4	One single family home, 10 acres
	South	R-4	One single family home, 6 acres
	East	R-4	Single family home neighborhood
	West	C-3	Undeveloped, 13 acres (Packaging Corporation of America)

Proposal

The applicant is requesting conditional use approval for 50 two-story townhome units on 7.86 acres. The townhomes will access Hi Pack Drive from three 20' private driveways after the Hi Pack extension project is complete. (The Hi Pack Drive extension project will extend to the east and intersect at the Gateway Drive & Thomason Drive intersection.) If conditional use is granted, a temporary entrance near Lot 50 by extending the Fire department turn-around will be provided so townhome construction can begin. After construction of Hi Pack Drive extension, the three driveways will provide access from the townhome units to Hi Pack Drive. The Cunningham Drive temporary entrance will change to a gated emergency access only.

The adjacent properties on the north, south, and east are zoned R-4. (medium density residential). On the west side, the adjacent property is a 13 acre undeveloped commercial parcel (Packaging Company of America, owner) zoned C-3 zone (general commercial). The adjacent uses on the north and south side are single family homes on 7.5 acres. On the east side across Cunningham Drive is a single family home neighborhood; the average lot size is 7,700 square feet and the density of the 66 single family homes is 3.25 dwellings per acre. In comparison, the density of the 50 townhomes on 7.86 acres is 6.48 dwelling units per acre.

There are twelve townhome groups that total 50 units: six groups with 5-units, three groups with 4 units, and three groups with 3 units. A townhome owner owns the adjoining front and rear yard area (fee simple ownership). All townhome units are two-story with three bedrooms & 2 baths. The townhomes are 1,700 square feet with an attached two-car garage (18' wide). *The garage is accessed from the rear yard (rear entry garage). The driveway for each townhome lot is accessed from a 20' private driveway; the three 20' driveways intersect with Hi Pack Drive extension.*

The Townhouse Development Standards require a minimum of 1,800 square foot townhome lot and 20 foot minimum lot width. The lot sizes are 2,064 square feet (24x86) 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 576 sf to 672 sf exceeding the minimum 50% of the first floor. Two parking spaces for each townhome unit is provided; the garage width is 18 feet for a two car garage and parking spaces behind garage. Garbage pick-up is City services not dumpster.

The exterior materials of the two-story townhomes is a combination of brick, lap siding, and board & baton siding on the front and rear and lap siding on the townhome end units (see elevations in your packet). The rear elevation of the townhomes may appear as a front elevation.

Sidewalks are not shown on site plan. Staff recommends a 5 foot wide sidewalks along Hi Pack Drive and Cunningham Drive. A sidewalk is also recommended in the front yard of each townhome group; When adjacent lots share a front property line (Lot 6 to Lot 21) one sidewalk is adequate. The sidewalks should connect to the Hi Pack Drive, Cunningham Drive sidewalk, and access to the open space lot.

The landscape plan meets the minimum requirements of the Landscape Regulations concerning base and parking lot points. A total of 46 trees and 82 shrubs are provided on site plan. Most of the landscaping is along Hi Pack Drive extension. A landscape buffer is required along Cunningham Drive according to options in Section 10 (See options in footnote #1). A 1.1 acre open space area is near the center of the development that includes an existing 28,200 square foot pond adjacent to Hi Pack Drive. The front yard of 18 townhome units face toward the open space.

A 20 foot wide open space area along the south perimeter lot line is provided. A residential buffer as provided in Section 10 Landscape Regulations is recommended along the south perimeter property line to buffer the townhomes from the adjacent 6 acre parcel. If conditional use is approved, the buffer must be shown on the site plan review submitted when an adjacent townhome building permit is requested.

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.

Staff recommends approval subject to the following conditions:

- 1. All utilities must be underground.**
- 2. Install 5 foot sidewalks along Cunningham Drive right of way and Hi Pack Drive extension.**
- 3. Install a landscape buffer from the options in Section 10.6, D.2. b.¹ along Cunningham Drive.**
- 4. Install a residential buffer as provided from the options in Section 10 Landscape Regulations along the south property line.**
- 5. Exterior building material must be as elevations presented – brick, lap siding, and board & baton siding. See #6 concerning exterior material for side walls**
- 6. Elevations on the side walls of townhome units Lot 5, 9, 16, 27, 21, 39, 22, 40, 43, 47, 48, and 50 visible from Cunningham Drive or Hi Pack Drive must include architectural features to a blank wall (100% lap siding on elevations) in order to provide depth and dimension to the side wall from Cunningham Drive and Hi Pack Drive.**
- 7. Provide detail on site plan and in the HOA guidelines on how the open space amenity lots will be used.**
- 8. Any fences constructed between townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines. Opaque fences are prohibited along public streets.**
- 9. The turnarounds meet Fire Code and Public Works Manual requirements.**

¹ A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

Engineering Department Report

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

The City is working with the applicant with a development agreement for the needed right-of-way and roadway extension of High Pack Drive that will be constructed by the City through this development to Cunningham Drive. A secondary access to Cunningham Drive at the south end of the development is approved to be connected.

Engineering has no other comments or concerns regarding the proposed Conditional Use approval.

Opelika Water Board Report

Water service (10" CI main) is available from the western side of Cunningham Dr.

Opelika Power Services Report

This subdivision is in the Opelika Power and Alabama Power service territory.



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

PC DEADLINE: 3/4/25 PC MEETING: 3/25/25

PROJECT NAME: Brookhaven Townhomes
SITE ADDRESS: 2112 Cunningham Dr, Opelika, AL 36801
PROPERTY OWNER: BURDETTE BOBBY JOE

APPLICANT/ AUTHORIZED REPRESENTATIVE: Hayes Eiford
MAILING ADDRESS: 2449 Moore's Mill Road, Suite 120, Auburn, AL 36830
PHONE NUMBER: 229-221-8908 **FAX NUMBER:** _____
EMAIL ADDRESS: hayes@samfordgroupllc.com

PARCEL INFORMATION

Current Land Use: Single-Family **Current Zoning:** R4
Description of Proposed Use: Townhouse
Adjacent Zoning Districts: North: R4 South: R4 East: C3 West: R4

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 (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:

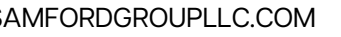
1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month; Work Session is at 3:00 p.m. Thursday at 4:00 p.m. before each PC Meeting).
2. Application signed by property owner or authorized agent/representative.
3. Submit 26 copies of the Site Plan (21 – 11 x 17 if legible; 4 – 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 Hayes Eiford, 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 setforth 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>Hayes Eiford</u> (PRINT NAME) Hayes Eiford	DATE: <u>2/28/25</u>
--	----------------------

[illegible]

CUNNINGHAM
CUNNINGHAM DRIVE
CITY OF OPELIKA, LEE COUNTY, AL

INTENT WITHOUT WRITTEN CONSENT IS A VIOLATION OF COPYRIGHT LAWS.

SEAL:

Authorized By: Gregory H. Eiford Jr.
Alabama License Number: 53032



DESIGN TEAM:

DRAWN BY: _____

DESIGNED BY: _____

REVIEWED BY: _____

SCALE & NORTH ARROW:



JOB NUMBER: --
DATE: 3/3/202

SHEET TITLE:

CONCEPT PLAN



<u>TREE TYPE</u>	<u>QTY</u>	
2-2.5" CALIPER SHADE TREE	18 (198 PTS)	
1.25-1.5" CALIPER EVERGREEN TREE	15 (120 PTS)	
1.25-1.5" CALIPER UNDERSTORY TREE	13 (65 PTS)	
<u>SHRUB TYPE</u>	<u>QTY</u>	
MEDIUM EVERGREEN SHRUB	82 (82 PTS)	
<u>CALCULATIONS:</u>		
SF OF DEVELOPED AREA:	202,989 (4.66 AC.)	
POINTS REQUIRED	426 PTS	
POINTS PROVIDED	465 PTS	

TOTAL AREA: +/- 7.86 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 86'): 50 UNITS

ZONING: R4

DENSITY PROPOSED: 6.36 DUA

DENSITY ALLOWED: 9 DUA

OPEN SPACE: 3.2 ACRES (41%)

SETBACKS:

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



SAMFORD GROUP, LLC.
2449 MOORE'S MILL ROAD
SUITE 120
AUBURN, AL 36830
SAMFORDGROUPLLC.COM

DESCRIPTION:

DATE:

REV.

CUNNINGHAM
CUNNINGHAM DRIVE
CITY OF OPELIKA, LEE COUNTY, AL

THESE DOCUMENTS ARE THE PROPERTY OF SAMFORD GROUP, LLC. ANY DISTRIBUTION OR USE BEYOND THEIR INTENT WITHOUT WRITTEN CONSENT IS A VIOLATION OF COPYRIGHT LAWS.

SEAL:

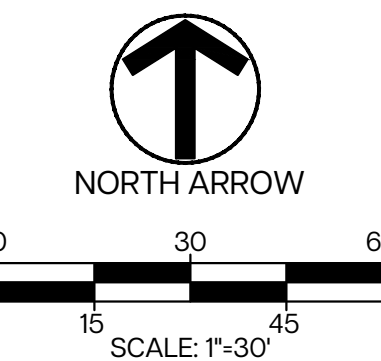
Authorized By: Gregory H. Eiford, Jr.
Alabama License Number: 53032



DESIGN TEAM:

DRAWN BY: --
DESIGNED BY: --
REVIEWED BY: --

SCALE & NORTH ARROW:



JOB NUMBER: --
DATE: 3/3/2025

SHEET TITLE:

CONCEPT PLAN



SITE DATA:

TOTAL AREA: +/- 7.86 ACRES
PROPOSED UNITS:
TOWNHOMES (24' X 96'): 50 UNITS
ZONING: R4
DENSITY PROPOSED: 6.36 DUA
DENSITY ALLOWED: 9 DUA
OPEN SPACE: 3.25 (41%)
SETBACKS:
FRONT: 25 FT.
REAR: 20 FT.
SIDE: 10 FT.
SIDE STREET (PROPOSED): 10 FT.









City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025

Agenda Item #: B-5

Action Requested: Rezoning from R-1 to R-3

Location of Property: 2502 Anderson Road

Property Owner(s): Bill Perry representative for James David Perry

Current Land Use: Vacant

Current Zoning: R-1

Adjacent Zoning/Land Use: North: R-1 (Residential)
South: R-1 (Residential)
East: M-2 (Industrial)
West: R-1 and PUD (Residential and Residential PUD)

Staff Comments:

The applicant requests to rezone the property at 2502 Anderson Road from the R-1 (Rural District) zoning to R-3 (Low Density Residential) zoning district. The lot is large and currently will meet the R-3 zoning requirements. The applicant has provided the use would be residential. The rezoning from R-1 to R-3 would allow the proposed use of a residential on this lot or any other uses currently allowed by right in our Zoning Ordinance.

The 2030 Future Land Use Map shows the subject property in a “Medium Density Residential” land use category. This aligns with the rezoning request to an R-3 zoning district classification. If you look at the area, the primary uses surrounding this lot are residential with an existing vacant manufacturing zone parcel that is part of the Industrial Park. There is also R-3 across Anderson Road and the PUDs behind this property have a similar medium densities. A development to the density and lot size of R-3 would require the infrastructure be improved to ensure that capacity is available. A future subdivision into R-3 size lots would not be allowed unless the infrastructure requirements are met, or capacity is available. The owner did not provide any future development plans at this time other than the application information. Planning staff believes the R-3 zoning is appropriate if the infrastructure and capacity are confirmed and installed at the time of a future development of lot sizes and density beyond the R-1 standards.

Staff recommend approval of the rezoning from R-1 to R-3, but notes that no development will be allowed until infrastructure is improved.

Engineering Department Report

Engineering has no other comments or concerns regarding the proposed Rezoning application.

Opelika Utilities Board Report

Opelika Water Comments: No objections.

Opelika Power Services Report

This subdivision is located outside of the Opelika Power Service territory.

RZN-000103-2025



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: 3-25-25

PROPERTY OWNERS/
AUTHORIZED REPRESENTATIVE: Bill Perry

MAILING ADDRESS: 1611 Jemison PL

PHONE NUMBER: (334) 750-6464 Email: billcperry@gmail.com

PARCEL INFORMATION

Site Address: 2505 Anderson Road

Description of proposed use: Residential Subdivision

Tax Parcel Number: 0308340000005000 Delta pin 32024

Adjacent Zoning Districts: North: R1 South: R1 East: M1 West: PUD

Current Land Use: undeveloped

Current Zoning: R1

Proposed Zoning: R3

Number of APO: \$ x \$7.00 = \$ 35.00
(Adjacent Property Owners)

Fee: \$125.00

TOTAL

= 160.00

PAID: 160.00 RECEIPT
attached

I hereby request my property located at (street address) 2505 Anderson Road

Tax Map parcel number 0308340000005000 be rezoned from

R1 to R3. A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME)

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, James David Perry, being owner/authorized manager of the rezoning property(s) as described in this Rezoning Application hereby authorize William (Bill) Perry to act as my representative in all decisions concerning the rezoning of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's **Signature** X **Date** _____

STATE OF ALABAMA**COUNTY OF LEE**

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

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

Notary Public

My Commission Expires: _____

REZONING APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular 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. Complete the 'Authorization to Act as Applicant', if applicable
3. Complete the Rezoning Petition below including signature(s) of property owner(s) and signature(s) notarized
4. Provide Legal Description of rezoning property (same as Exhibit A on petition) *Legal description(s) on deed(s) may serve as legal description if complete.*
5. Provide Map of Rezoning area (same as Exhibit B on petition)
6. Provide copy of the current Deed(s) for the rezoning property
7. Provide List of Adjacent Property Owners on separate sheet.
8. Rezoning Fee = \$125 application fee plus \$7.00 each certified letter. Checks payable to the City of Opelika.

Lee County Alabama
2024 - Public GIS
W18/M1111 - 116.2-024.1.1 - LeeAL - 09-15-2024
Parcel Details

FavLink NewSrch Back Print

Parcel

Parcel Pin: 32024

Parcel No: 43 03 08 34 0 000 005.000

Prop Addr: 2505 ANDERSON RD

Acres: 20.00

Assessed Info: B 2602 P 640 D 07-10-2020

Lat Info: B P D --

Neighborhood: OP--

Assessor District: 01-Opelika

Owner

Name: PERRY JAMES DAVID

Address: 62 N BAY BLVD

City, State, ZIP: SPRING, TX 77380

Valuation

Land and Total: \$197,900.00

Building Total: \$0.00

Appraised Value: \$197,900.00

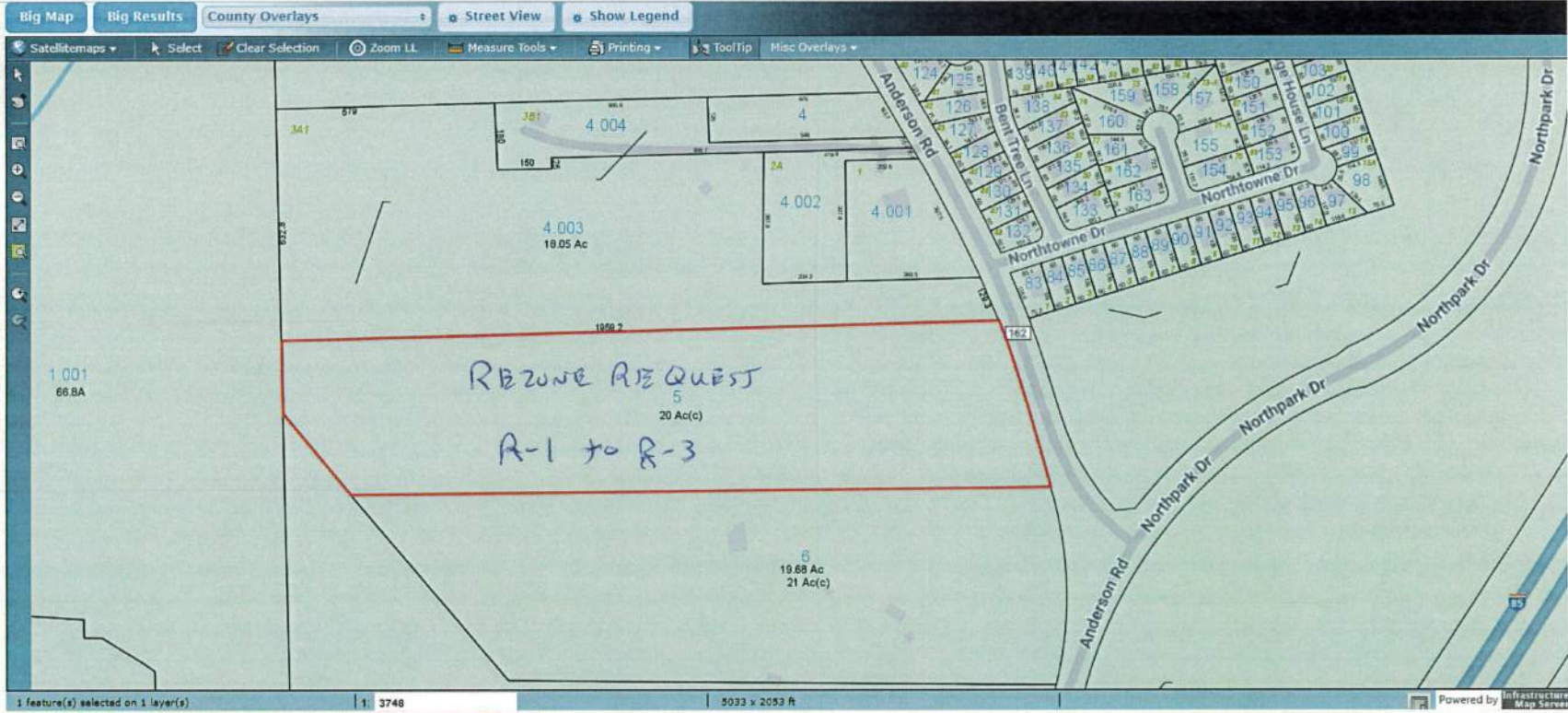
Property Tax: \$4.14

Assessment History

Tax Year	Date Paid	Amount Paid
2024		\$64.14
2023	11/10/2023	\$66.56
2022	11/07/2022	\$60.48

Basic | Parcel | Land | Bldg | Info

Subscription Site has more data, features and high resolution aeriels; Go to Subscription Website



LeeAL - 2024 - BASIC PARCEL SUMMARY - 1 Records

Subscription Site has more data and features: Go to Subscription Website

Info	Pin	Parcel	Name	Parcel Address	Land	Imo	TMkt	Acres	Tax Dist
Q i	32024	43 03 08 34 0 000 005.000	PERRY JAMES DAVID	2505 ANDERSON RD	\$197,900	\$0	\$197,900	20	Opelika

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	March 25, 2025		
Agenda Item #:	D-6		
Action Requested:	a. Rezoning – from C-2 to PUD & Master Plan Amendment b. Amendment to the Future Land Use Map – 1.37 acres Amendment- from Light Commercial to Mixed Use land use category		
Location of Property:	First Avenue		
Property Owner:	Opelika Mill LLC and Ericson, LLC. Spencer Cothran with Holland Homes		
Current Zoning:	PUD and C-2		
Proposed Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Former Mill Site		
Surrounding Zoning Districts And Land Uses:	North	VR-2	Single Family and Church
	South	R-5	Former Mill property (across RR)
	East	C-2	Single-family and vacant
	West	R-5	Airview Baptist Church

The proposed request adds a small portion of a block between North 23rd and North 24th Streets along 1st Avenue to the overall develop. The master plan is also proposed to be adjusted to change the layout and design of streets and change the mix of uses.

Amendment to the Future Land Use Map:

The majority of this property was rezoned to a PUD and the future land use was adjusted in summer 2024. The property owner is proposing to add 1.37 acres currently zoned C-2 with a future land use of light commercial into the development. As part of this, they are requesting that it be rezoned to a PUD and the future land use correspond. The property to the east currently has multiple medical offices. The proposed use at this location would be single-family homes and town houses. The proposed master plan is truly a mixed use

project that contains single-family residential, townhouses, apartments, office, and other commercial uses. Overall, the proposed uses within the masterplan of the PUD would fall within the medium density residential. Medium density residential is classified as residential up to nine (9) units per acre. Most of the existing residential in this area is actually closer to a low-density residential classification. The proposed density for the residential portion of the development is 7.98 units per acre. This falls in middle of the density for medium density residential and is similar to an R-4 zoning district.

Staff Recommendation:

Staff recommends approval of an amendment to the Future Land Use map for the 1.37 acres from a “low density residential” and “light commercial” land use category to a ‘mixed use’ land use category if the Planning Commission recommends the following rezoning to City Council.

Rezoning and Master Plan amendment:

The applicant is requesting rezoning an additional 1.37 acres from a C-2 (office-retail) zoning district to a planned unit development (PUD) zoning district. The overall development is proposing 327 residential units. This is a small increase of 18 units from the previous approval. This change includes 24 50-foot single family homes, 43 40-foot single family homes, 114 townhomes, and 146 multi-family/apartment units. Overall, the development will have a density of 7.98 units per acre which is a small decrease from the previous density approved. The site also contains a variety of commercial uses including a restaurant in the existing building near the water tower and smokestack. This revision changes most of the commercial areas to more of a mixed use type set along a redesigned 1st Avenue. After performing an environmental assessment, the owner needed to move some of the areas that included residential along the ground floor. This reduces some of the smaller 40 foot lots and increases some of the townhomes in the northern part of the property.

The development uses the existing block grid. This change includes a significant alteration to the street patterns in the development. The developer is still working with the City of Opelika to realign 28th Street and add a roundabout. The applicant is also proposing to realign 1st Avenue into a street that slows traffic down and creates a more downtown feel. The residential areas are also modified from a street connectivity perspective. With the new change, most of the residential is now accessed by rear alley or rear parking lot. This is a significant design improvement.

The applicant is showing four common greens plus an event lawn in the commercial area. The common areas are mostly for residential amenities including two pools. The common

green is a commercial open space that can be used for events while also creating additional space for retail and residential units.

This development mixes four different housing types throughout the development. This is becoming somewhat more common in newer developments. The single-family homes and townhouses would be located on individual lots for sale. The multi-family apartments would be in two buildings in the commercial area and possible over mixed use buildings. The single-family homes are requesting a mix of lot widths including some 40 and 50 foot wide lots. The larger lots were required by Planning Commission at the last meeting to front the existing Mill Village homes. This would also include 20 feet front and rear setbacks and 5 feet side setbacks. The C-2 zone uses the standard for R-5 which are 60-foot-wide lots with 7,500 square feet. The nearby VR-2 zoning in the Mill Village requires 7,500 square foot lots, with 65 ft widths, 12 ft front setbacks, 35 ft rear setbacks and 10 ft side setbacks.

The townhouses proposed have similar minimum lots sizes and widths to the current City standards. The lots are proposed to have 10 ft front setbacks, 20 ft rear setbacks and 10 ft side setbacks on end units. The applicant is requesting to have no rear yards due to the rear loaded alleys. The applicant has placed common space in areas near most of the townhomes that can replace the use of the yard.

The commercial and multi-family buildings are proposed to have zero-lot line setbacks that will allow them to create an aesthetic similar to a small downtown. This type of development is common in many mixed-use developments with neighborhood town centers. One item that has not been disclosed is the height/number of stories of the proposed commercial and multi-family buildings. Staff generally believes that three (3) stories would be consistent with the area and similar to the scale of the original mill building.

The plan does provide some basic landscaping form. These are key components of developments that are denser. Staff also believes that landscaping is extremely important. The street trees shown appear to be approximately 60 feet on center. This typical spacing is consistent with many new urban developments. Additionally, the right-of-way may not be wide enough for street trees. Staff is recommending that there be at least one large/canopy tree placed either in the right-of-way between the street and sidewalk with approval by city departments. If this cannot be done, a similar tree should be placed in the front and side yards on street for each unit. The commercial, townhouse and multi-family areas should meet the general and parking landscape requirements of the zoning ordinance, but some flexibility should be provided. Typically, a buffer would be required on the perimeter of the PUD. However, this PUD is bound by streets and the railroad on almost all sides. In this

case, buffers are more likely to be appreciated by the proposed residential units than help buffer the adjacent property from this development. Staff is recommending internal sidewalks between buildings in the commercial areas.

The applicant has provided a list of requested uses for the commercial areas in the PUD. These include hotels, office, retail, restaurant, event space, food/dining/alcohol sales, food trucks and an open-air market. Staff would also recommend any use within Section 7.8.B.1 which lists the uses allowed in the Village Commercial zone. The applicant lists uses that will not be allowed including funeral home, agricultural, mining, quarrying, laundromat, animal services, adult business and auto related uses. Staff recommends that drive-thru restaurants, outside storage, alternative financial services, and mini-storage be prohibited. All commercial uses shall be limited to the areas shown as commercial unless the PUD is amended.

The applicant has requested a master signage plan to include specific signage. The plan includes the maintenance of the Pepperell sign on the existing smokestack. The plan also proposes a sign on the proposed water tower and two arching gateway signs into the development. Any additional signage for the commercial spaces or other uses shall meet the general requirements for signage.

The applicant is currently working on designs and elevations to show how this development will fit with the surrounding properties. Staff believes these design elements are critical to the integration of the development and its overall success. Staff recommends that the development generally meet the corridor overlay material and design criteria. All utilities shall be installed underground. Staff also notes that the more urban land use pattern should be reinforced with urban design characteristics for the buildings. This includes ensuring that all residential units 10 feet or less shall be set at least 18 inches above the street grade either through changes to topography or a raised foundation. Front entries for residential units shall face the street and have entry details such as doors, windows, front porch, covered entries, or other entry features. The commercial areas along 1st Avenue shall have traditional storefront windows or regularly spaced windows and doors along the street. No section of wall along the 1st Avenue shall have unadorned or blank walls exceeding 30 feet in length.

Overall, the development is well below the density of 16 units per acre in the C-2 zoning district. Staff feels this development generally provides a good re-use of the Pepperell Mill property and finds the development to transition in an orderly method from less dense to more dense.

Staff Recommendation:

Staff recommends a positive recommendation to rezone the property from C-2 to PUD, it should be subject to the following:

- 1. Provide sidewalks on both sides of each street adjoining an amenity or residence. Additional internal sidewalks should connect parts of the commercial areas. Sidewalks in the commercial areas along 1st Avenue should be 8 feet or greater.**
- 2. All new utilities shall be underground unless they are located along the railroad tracks.**
- 3. All multi-family and commercial buildings shall meet the Gateway Corridor cladding requirements. The larger mixed use and multifamily buildings should have significant amounts of masonry on the front and visible facades.**
- 4. The commercial areas along 1st Avenue shall have traditional storefront windows or regularly spaced windows and doors along the street. No section of wall along the 1st Avenue shall have unadorned or blank walls exceeding 30 feet in length.**
- 5. Non-single family sections shall meet the parking lot landscaping requirements and meet the general requirements unless they cannot based on layout. In such instances, an alternative landscape plan to the Planning Director.**
- 6. Street trees shall be planted as shown generally on the site plan at a spacing of one tree every 60 feet unless there is a conflict with overhead utilities. Where street trees are not an option one large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.**
- 7. Open space shall be clearly marked and the use and maintenance shall be noted on the plat.**
- 8. Residential units 10 feet or closer to a public street shall be raised above the street at least 18 inches either through a raised foundation or through site grading.**

Engineering Department Report

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

Opelika Water Board Report

Water is available along the perimeter of the proposed development. Water mains within the development are out of service and abandoned. New water mains will be required through proposed development streets. Details of connections and new mains can be developed during plan review. No other comments.

Opelika Power Services Report

This subdivision is in Opelika Power Services territory.

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: _____
 MAILING ADDRESS: _____
 PHONE NUMBER: _____ Email: _____

PARCEL INFORMATION

Site Address: _____

Description of proposed use: _____

Tax Parcel Number: _____

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

Current Land Use: _____

Current Zoning: _____

Proposed Zoning: _____

 Number of APO: _____ x \$7.00 = \$ _____
 (Adjacent Property Owners)
Fee: \$125.00**TOTAL** = _____**PAID:** _____

I hereby request my property located at (street address) _____,
 Tax Map parcel number _____ be rezoned from
 _____ to PUD. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

 OWNERS OR AUTHORIZED
 REPRESENTATIVE SIGNATURE:

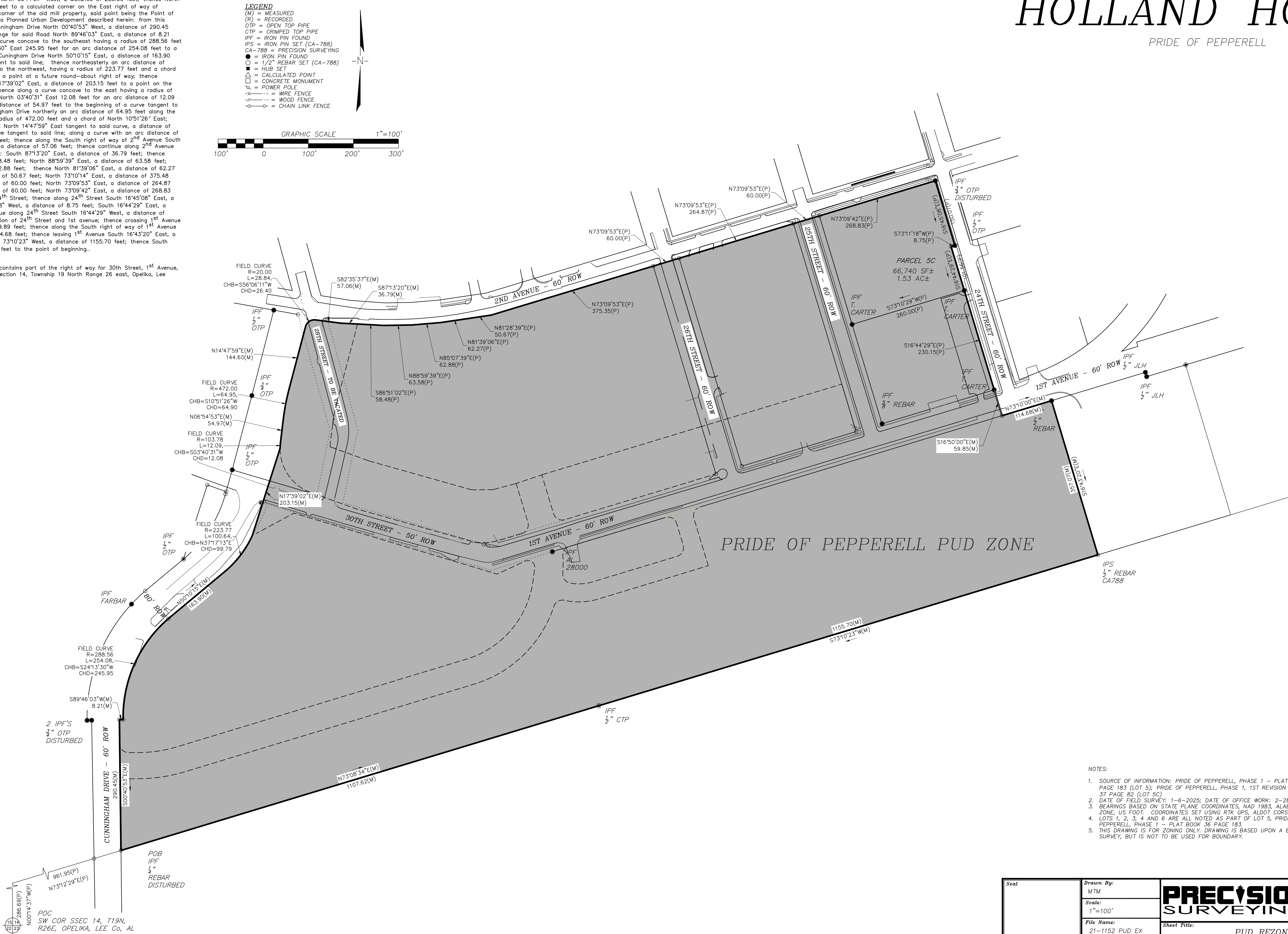
(PRINT NAME)

DATE

PUD Description.
The Mill at Pride of Opelika

Commencing at the calculated Southwest corner of Section 14, Township 19 North, range 26 East, Opelika, Lee County, Alabama, thence North 00°14'37" West, a distance of 286.69 feet; thence North 73°12'29" East, a distance of 961.95 feet to a calculated corner on the East right of way of Cunningham Drive and the Southwest corner of the old mill property, said point being the Point of Beginning of a description of land for a Planned Urban Development described herein: from this POINT OF BEGINNING, thence along Cunningham Drive North 00°40'53" West, a distance of 290.45 feet; thence along a right of way change for said Road North 89°46'03" East, a distance of 8.21 feet; thence along said Road along a curve concave to the southeast having a radius of 288.56 feet and a chord which bears North 24°10'30" East 245.95 feet for an arc distance of 254.08 feet to a point of cusp; thence continue along Cunningham Drive North 50°10'15" East, a distance of 163.90 feet to the beginning of a curve tangent to said line, thence northeasterly an arc distance of 100.64 feet along the curve concave to the northwest, having a radius of 223.77 feet and a chord of North 37°17'13" East, 99.79 feet to a point at a future round-about right of way; thence crossing the future roundabout North 17°39'02" East, a distance of 203.15 feet to a point on the North side of a future round about; thence along a curve concave to the east having a radius of 103.78 feet and a chord which bears North 03°40'31" East 12.08 feet for an arc distance of 12.09 feet; thence North 06°54'53" East, a distance of 54.97 feet to the beginning of a curve tangent to said line; thence along future Cunningham Drive northerly an arc distance of 64.95 feet along the curve concave to the east, having a radius of 472.00 feet and a chord of North 10°51'26" East; thence continue along said future road North 14°47'59" East tangent to said curve, a distance of 144.60 feet to the beginning of a curve tangent to said line; along a curve with an arc distance of 28.84 feet, having a radius of 20.00 feet; thence along the South right of way of 2nd Avenue South 82°35'37" East tangent to said curve, a distance of 57.06 feet; thence continue along 2nd Avenue on the following courses and distances: South 87°13'20" East, a distance of 36.79 feet; thence South 86°51'02" East, a distance of 58.48 feet; North 88°59'39" East, a distance of 63.58 feet; North 85°07'39" East, a distance of 62.88 feet; thence North 81°39'06" East, a distance of 62.27 feet; North 81°28'39" East, a distance of 50.67 feet; North 73°10'14" East, a distance of 375.48 feet; North 73°09'53" East, a distance of 60.00 feet; North 73°09'53" East, a distance of 264.87 feet; North 73°09'53" East, a distance of 60.00 feet; North 73°09'42" East, a distance of 268.83 feet to the Western right of way of 24th Street; thence along 24th Street South 16°45'08" East, a distance of 150.07 feet; South 73°11'18" West, a distance of 8.75 feet; South 16°44'29" East, a distance of 101.56 feet; thence continue along 24th Street South 16°44'29" West, a distance of 230.15 feet to the Northwest intersection of 24th Street and 1st Avenue; thence crossing 1st Avenue South 16°50'00" East, a distance of 59.89 feet; thence along the South right of way of 1st Avenue North 73°10'00" East, a distance of 114.68 feet; thence leaving 1st Avenue South 16°43'20" East, a distance of 357.07 feet; thence South 73°10'23" West, a distance of 1155.70 feet; thence South 73°08'41" West, a distance of 1107.68 feet to the point of beginning..

Said parcel contains 39.64 acres and contains part of the right of way for 30th Street, 1st Avenue, 25th and 26th Street and lies within Section 14, Township 19 North Range 26 east, Opelika, Lee County, Alabama



LEGEND

- 50' SINGLE FAMILY LOT
- 40' SINGLE FAMILY LOT
- TOWNHOME - FOR SALE
- TOWNHOME - FOR LEASE
- MULTIFAMILY UNIT
- OFFICE
- RETAIL/FOOD & BEVERAGE
- CLUBHOUSE/AMENITY



Holland Homes, LLC

421 Opelika Rd
Auburn, AL 36830

MEMO TO: City of Opelika
Planning Commission
Attention: Mr. Matt Mosley, AICP

FROM: Spencer Cothran (Holland Homes, LLC)

RE: PUD Request for The Mill Development – Opelika, Alabama

DATE: March 25, 2024

As described in the City of Opelika Zoning Ordinance, Section 8.18 Planned Unit Development Regulations we are submitting for your review and request approval for a Planned Unit Development currently identified as The Mill Development

Overall Development Scheme

1. Location and intensity of proposed uses and activities

The property is approximately 40.98 acres within the Pepperell Village Historic District and is located south of N 29th St, east of Cunningham Drive, and north of the railroad tracks. The proposed use of the property is a mixed-use development consisting of commercial and multi-family frontage along 1st Avenue and two types of single-family residential products. The single-family residential products will consist of single-family detached houses and townhomes.

The property is divided primarily into two sections. The commercial and multi-family section is located along 1st Avenue and is comprised of approximately 17.35 acres including 163,750 square feet of commercial space and 1.1 acres of open space. The remaining residential section is approximately 23.63 acres that includes approximately 1.4 acres of open space.

The total number of residential units is 327 with a total development density of 7.98 units per acre. The individual development densities for the residential areas are as follows:

- | | |
|-------------------------------|--------------------------------|
| • Single-family Detached Area | 5.5 units per acre |
| • Town Homes Area | 8.9 units per acre |
| • Commercial Area | 8.4 multifamily units per acre |

2. Physical Description of proposed facilities

The buildings in each section shall complement each other in appearance and the three sections shall come together to make the overall aesthetics blend into a common theme or architectural style.

The requested development standards are as follows:

- Single-Family Detached Home Area Standards
 - Minimum Lot Size = 4,500 SF
 - Minimum Lot Width = 40 Feet
 - 20' front yard setback
 - 20' rear yard setback
 - 5' side yard setback
 - 10' side yard on street setback
 - Floor Area Ratio (FAR) maximum of 0.60
 - Impervious Surface Ratio (ISR) maximum of 0.80
- Townhouse Area Standards
 - Minimum Lot Size = 1,800 SF
 - Minimum Lot Width = 20 Feet
 - 10' front yard setback
 - 20' rear yard setback
 - 10' side yard setback on end units
 - 10' side yard on street setback
 - Floor Area Ratio (FAR) maximum of 1.50
 - Waiver of Section 8.13.C.5 Yards, due to rear loaded parking
 - Impervious Surface Ratio (ISR) maximum of 0.95
- Commercial and Multi-Family Area Standards
 - Area requirements in accordance with C-1 (Section 7.3.A)
 - No Minimum Lot Size, Lot Width
 - No Maximum Floor Area Ratio
 - 0' front yard setback
 - 0' rear yard setback
 - 0' side yard setback on end units
 - 0' side yard on street setback
 - 100% Maximum Building Area

3. Statement of location and general configuration of lands to be dedicated for public open space and other public uses

The development will include seven platted open space areas totaling approximately two and a half (2.5) acres and will also include at least one (1) acre of open area for recreation and entertainment within the commercial area including food truck parking, landscaped green space, and a pavilion to encourage gathering and outdoor dining. The platted open space lots will be relatively flat and grassed to encourage recreation. There will be sidewalks along the rights-of-way throughout the development to connect residents to the open spaces and the commercial areas.

4. General designation of utilities

Sanitary sewer, water, and storm sewer for the site will tie into existing nearby City of Opelika utilities. Stormwater detention is not anticipated as this is a re-development project; however, a stormwater assessment will be performed by a licensed and registered professional engineer. Utilities such as power, gas, phone, and cable will be run throughout the site by their associated companies.

5. General statement of form of site management proposed for common open spaces and facilities

The Developer will remain responsible for the overall management and maintenance of the planned open spaces and common commercial spaces. No commercial owners, condo association, homeowners' association, and/or property management company is established to take over these areas.

6. Additional Information

- Signage: It is the intention of the developer to preserve the aesthetic of the existing water tower and smokestack that previously served The Pepperell Mill. The water tower will remain and will be painted and used as signage with full height painted letters and uplighting. The smokestack will remain unaltered with the current 'Pepperell' lettering in brick and will also have uplighting. There will be gateway signage into the development on the East and West ends. Additionally, wayfinding signage and traditional entry monument signage will be in place for the residential areas. See attached for regulations on the commercial district signage.
- Off-street parking: A 75% sharing factor between office uses and restaurant/entertainment/event/alcohol sales uses is requested for calculating off-street parking requirements within the commercial area. Additionally, two off-street parking spaces shall be provided for each single-family residential unit.
- Conditional Uses Requested: Proposed uses for the commercial area include: multi-family apartments, hotel, office, retail, restaurant, event space, food/dining/alcohol sales, food trucks, and open air market.
- Voluntarily Restricted Uses: Uses that will not be allowed include: funeral home, agricultural/mining/quarrying, laundromat, services related to animals, adult businesses, and automobile related uses.
- Requesting entertainment district status, or equal, from Opelika.
- Cladding Requirements: The proposed development shall abide by Gateway Corridor cladding requirements.

TOWN CENTER & RETAIL SIGNAGE

Primary storefront facades shall be limited to a total of three signs: one primary sign (a flush-mounted sign, an awning sign, or a painted sign) and two secondary signs not to exceed one blade sign and one window sign.

Secondary storefront facades that do not occupy a business's primary entrance shall be limited to two signs.

Flush-mounted signs on a secondary business that do not occupy a business's primary entrance are prohibited on secondary facades.

Painted signage on secondary storefront facades is encouraged.

Pedestrian signs should be a primary form of signage. Window signage and blade signage are considered pedestrian signs.

Window signage shall cover no more than 60% of a storefront window.

Blade signs shall not exceed 3'x3' and the lowest portion of the sign must be located a minimum of 8' above the finished grade immediately below it.

Signage size maximums for flush-mounted and awning signage are 8' x 2'. Signage size maximums for painted signs are 10' x 4'.

Painted signage and/or bold lettering mounted (or stenciled) onto friezes and/or head casing of storefronts, as well as painted lettering on awnings over entrances and storefront glass, should be the most common types of primary storefront facade signage.

Pole or landmark signage is not permitted.

No signs shall have backlighting or contain internal illumination, but instead should be down or up lit, or contain backlit lettering (halo).

Modest door signage does not count as a business' window signage.

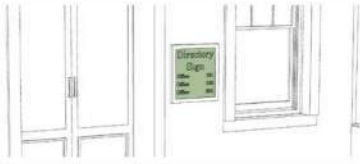
Signage shall be constructed only using material that complements the building and the district. Materials should consist of one or more of the following: wood, steel, aluminum, wrought iron, and/or metal grill work.

AWNINGS

Awnings can range from flat metal planes held out from the wall surface by links or chains to soft, striped, curved canopies that move in the breeze. There are no hard and fast typical rules for such a variety of design possibilities, hard or soft, shallow or deep, low or high pitch, sign or no sign, but the awning should relate to and enhance to overall building composition.

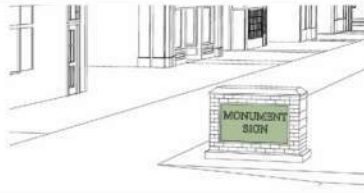
Overview of Sign Types

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

Sign Type Description	Illustration
Awning Sign: A sign that is part of or attached to the front face of an awning attached to a building	
Band Sign: A sign that is flat against the facade and placed directly above a ground floor main entrance of a retail storefront/tenant space and runs horizontally	
Canopy Sign: A sign that is attached to the front face of a canopy attached to a building	
Convenience Sign: A small, ground-mounted sign for pedestrian and vehicular circulation within a site	
Development Entrance Sign: A ground-mounted sign located at the entrance to a development, typically associated with subdivisions	
Directory Sign: A small sign that is flat against the building facade and mounted or applied directly to the building	
Flag: A piece of cloth, typically rectangular, attached by one edge to a pole	



Monument Sign: A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure



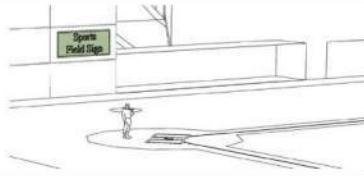
Sandwich Board Sign: A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space



Small Hanging/Projecting Sign: A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building



Sports Field/Sports Court Sign: A sign that is attached to a sports field or sports court fence



Vertical Blade Sign: A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and fronts a street intersection



Wall Sign: A sign that is flat against the building facade and mounted or applied directly to the building



Window Sign: A sign placed within, affixed to, in contact with, or located within 12 inches of a window and intended to be seen from the exterior

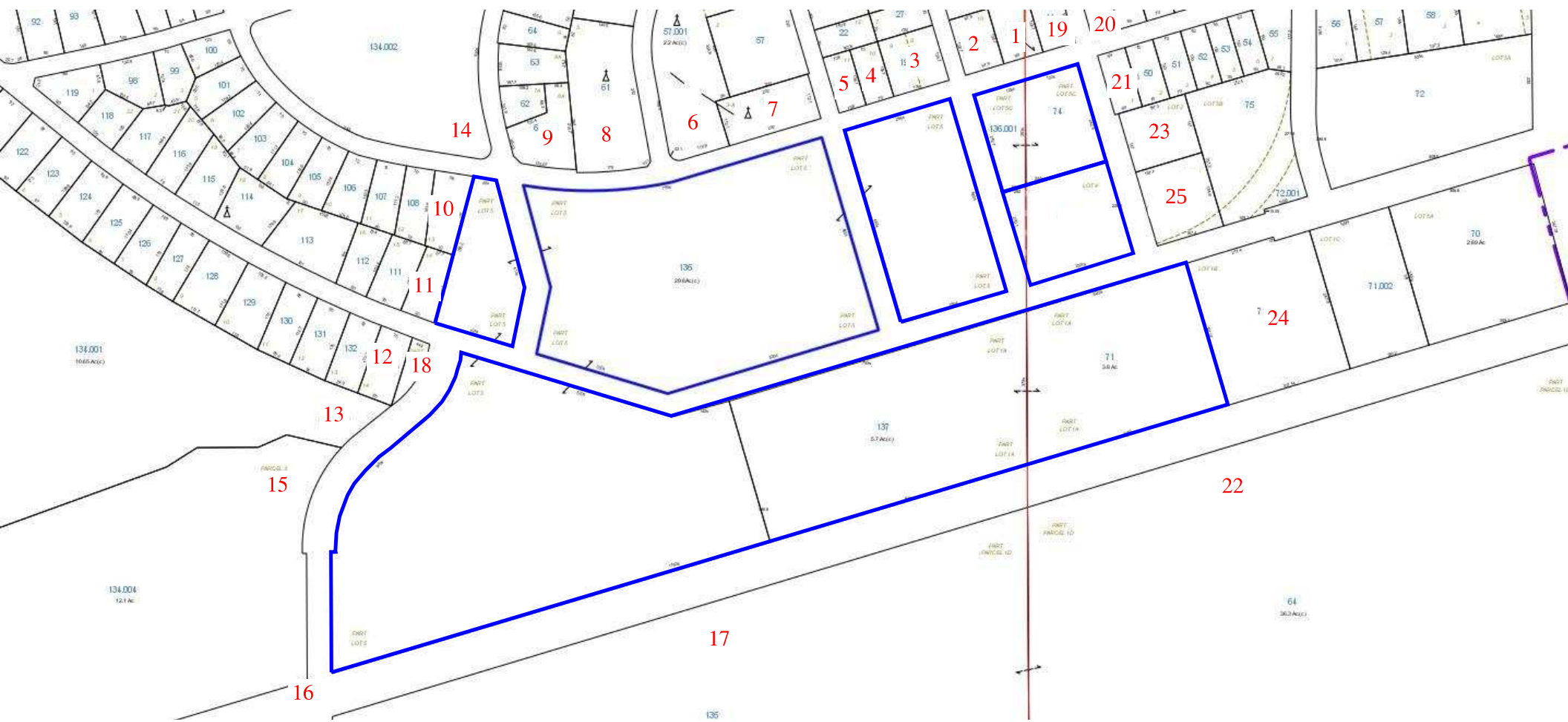


Temporary Construction Site Sign: A sign on an active construction site intended for temporary use during the construction period. Permitted in all districts

Temporary Sign: A sign intended for temporary use other than temporary construction site signs and campaign signs. Permitted in all districts

Prohibited signs and signage elements include, poll, billboard, digital, banner, roof mounted, changeable type, vinyl, and backlit signage.

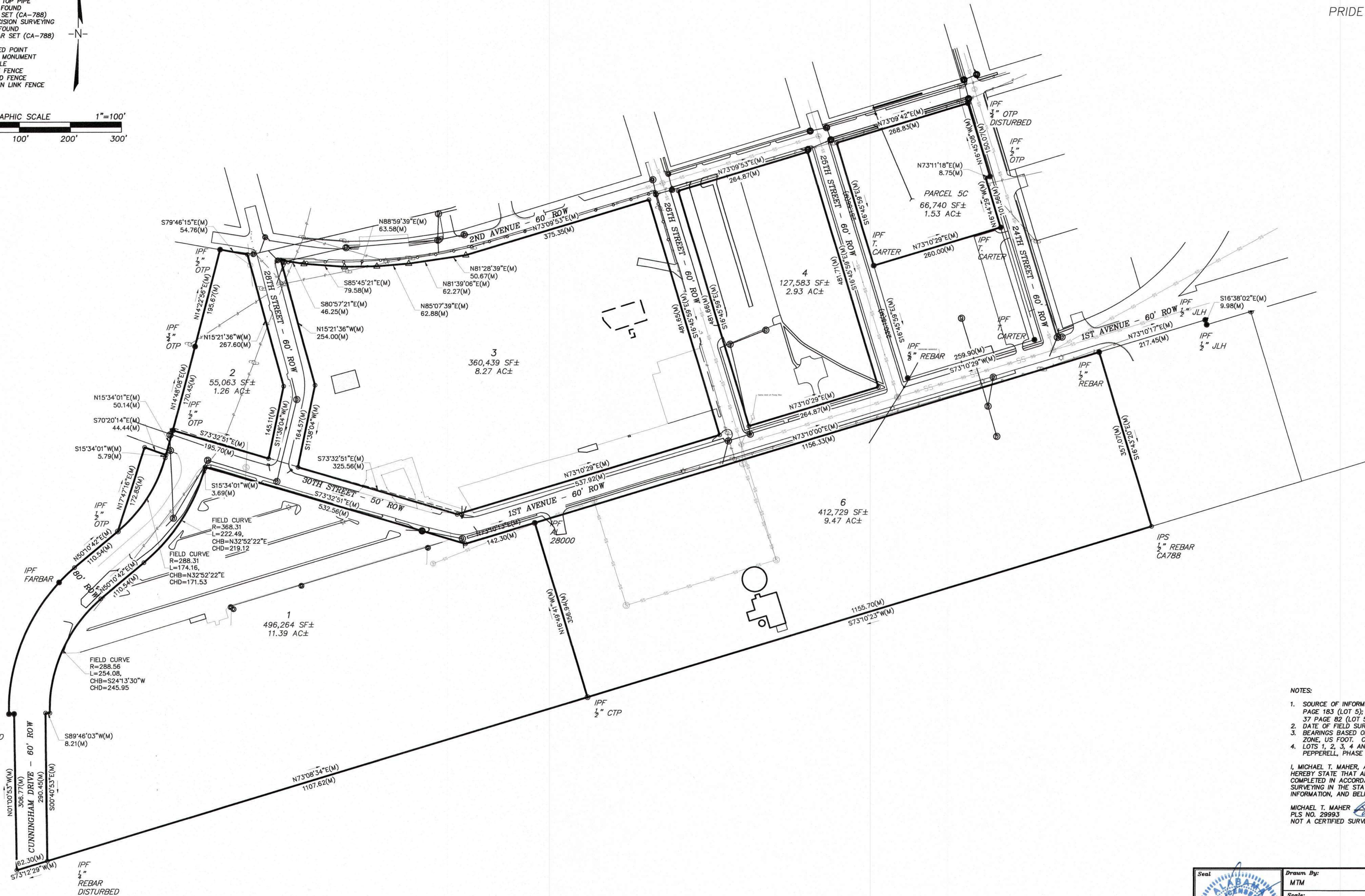
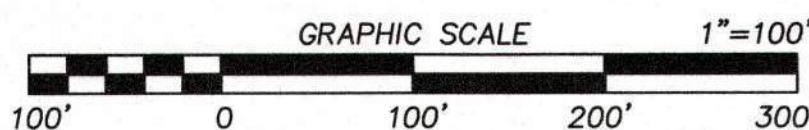
All exterior temporary signage must be approved by The Mill Architectural Review Committee.



BOUNDARY SURVEY FOR:
HOLLAND HOMES
PLAT OF SURVEY

LOT NUMBER 5
PRIDE OF PEPPERELL PHASE 1
AND
LOT NUMBER 5C
PRIDE OF PEPPERELL PHASE 1
1ST REVISION

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

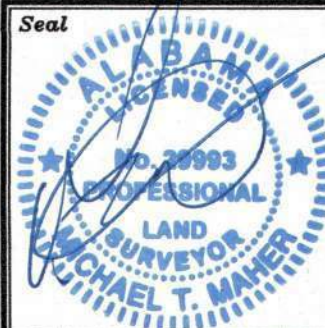


- NOTES:
- SOURCE OF INFORMATION: PRIDE OF PEPPERELL, PHASE 1 - PLAT BOOK 36 PAGE 183 (LOT 5); PRIDE OF PEPPERELL, PHASE 1, 1ST REVISION - PLAT BOOK 37 PAGE 82 (LOT 5C)
 - DATE OF FIELD SURVEY: 1-28-2022; DATE OF OFFICE WORK: 2-25-2022
 - BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL
 - LOTS 1, 2, 3, 4 AND 6 ARE ALL NOTED AS PART OF LOT 5, PRIDE OF PEPPERELL, PHASE 1 - PLAT BOOK 36 PAGE 183.

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

MICHAEL T. MAHER
PLS NO. 28993
NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL.

DATE: 2/25/2022



Drawn By:
MTM
Scale:
1"=100'
File Name:
21-1152-BDY
Date:
FEB 25, 2022

PRECISION SURVEYING

Sheet Title:
SURVEY OF LOT 5 AND LOT 5C OF
PRIDE OF PEPPERELL, PHASE 1
FOR HOLLAND HOMES

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



TEXT

UPLIGHTS

UPLIGHTS



"THE MILL" Arch Sign
Black wrought iron
Entering and exiting The Mill

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 25, 2025
(tabled at January 28, 2025 meeting)

Agenda Item #: E-7

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 (Hertiage 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.

UPDATE: At this time there has been no change to the proposed ordinance. Staff recommends this remain on the table at this time.

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

No report.

Added – Underlined

Removed - ~~Strikeout~~

SECTION 2.2 DEFINITIONS

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

Bed and Breakfast Inn. ~~A house~~ private residence or portion thereof, where short-term lodging, rooms and meals are ~~provided~~ 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.

Removed - ~~Strikeout~~

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.

Not Allowed – N

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

Removed - ~~Strikeout~~

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

Removed - ~~Strikeout~~

- 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

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