



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
April 22, 2025
TIME: 3:00 PM**

I. APPROVAL OF MINUTES

II. UPDATE ON PREVIOUS PC CASES

III. NEW BUSINESS

A. **PLAT (Preliminary Only) – Public Hearing**

1. Hidden Lakes-Lake Condry SD, Redivision of Parcel 5, 20 lots, 900 block Lake Condry Road, Blake Rice, BSI, Inc., authorized representative of SMB Land, LLC, preliminary approval.
2. Highline Townhome SD, 56 lots, 2410 Cunningham Drive, Aaron Adams authorized representative for James G. McClain, Jr., property owner, Preliminary approval.
3. Brookhaven Townhome SD, 49 lots, 2112 Cunningham Drive, 2112 Cunningham Drive, Hayes Eiford, authorized representative for Bobby Joe Burdette, property owner, preliminary approval.

4. **ANNEXATION and PLAT (Preliminary) - Public Hearing**

(a) Annexation, Edgar Hughston Builder Inc., 2800 block Lee Road 391 (Old Columbus Road), 94.4 Acres, R-1 zoning district requested.

(b) Summit Points SD, 46 lots, Edgar Hughston Builder Inc., 2800 block Lee Road 391 (Old Columbus Road), Preliminary Approval.

B. **FINAL PLAT**

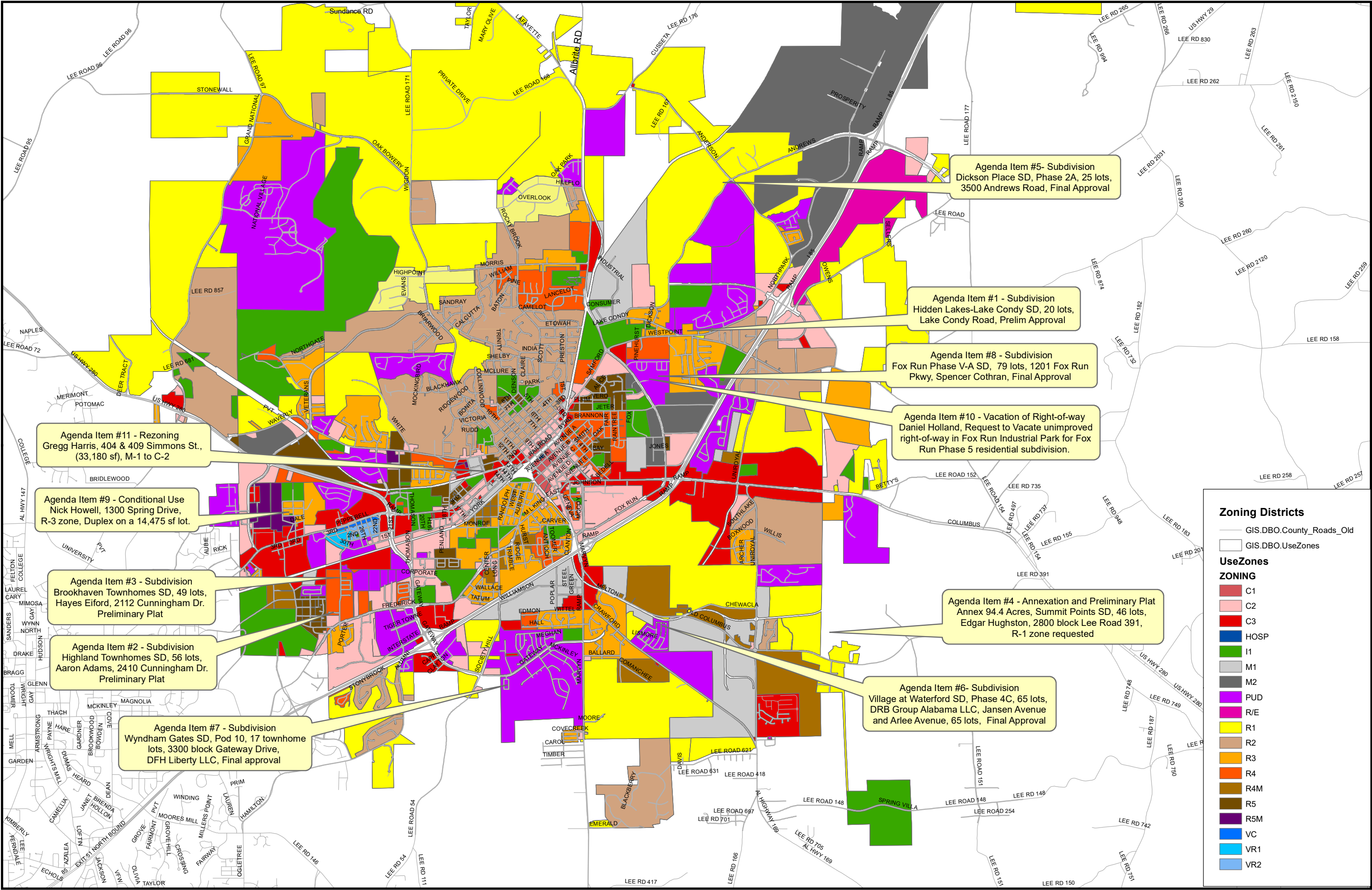
5. ~~Dickson Place SD, Phase 2A, 77 lots, 3500 Andrews Road, Ledge Nettles, Baseline Surveying, authorized representative for Andrews & Anderson Development, LLC, property owner, final approval.~~
6. The Village at Waterford SD, Phase 4C, 65 lots, Arlee Avenue and Jansen Avenue, Andrew Burk, authorized representative for DRB Group Alabama, LLC, property owner, final approval.
7. The Hamlet at Wyndham Gates SD, Pod 10 Phase 1, 18 lots, 3200-3434 Hamlet Drive, Precision Surveying, authorized representative for DFH Liberty, LLC, property owner, final approval.

8. Fox Run Phase V-A SD, 79 lots, 1201 Fox Run Parkway, Spencer Cothran (Holland Homes, LLC) authorized representative for Fox Run Phase V, LLC, property owner, final approval.
- C. **CONDITIONAL USE - Public Hearing**
9. Mike Maher, authorized representative for Nick Howell, property owner, Duplex in a R-3 zoning district.

- D. **VACATION OF RIGHT-OF-WAY**
10. Daniel Holland, authorized representative for Fox Run Phase V, LLC, property owner, 1000 block Fox Run Parkway, Requesting to vacate unimproved right-of-way in Fox Run Industrial Park.
- E. **AMENDMENT TO FUTURE LAND USE MAP and REZONING – Public Hearing**
11. (a) Amendment to Future Land Use Map, 401 & 409 Simmons Street, 33,810 sf, from a manufacturing land use category to a light commercial land use category.

(b) Rezoning Request, Gregg Harris - Farpoint Properties, LLC, 33,810 sf (two lots), 401 & 409 Simmons Street, from M-1 to C-2.

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





**PLANNING COMMISSION
MINUTES
300 Martin Luther King Blvd.
March 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 March 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, Mayor Gary Fuller, Mr. Sheldon Whittelsey, Mrs. Leigh Whatley, Mr. Michael Hilyer, Mr. Jay Walters, and Mr. John Sweatman.

MEMBERS ABSENT: Councilman George Allen, Dr. Arturo Menefee,

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 3:00 p.m. She explained that some items have a public hearing and speakers are allowed one five-minute turn at the microphone per public hearing.

II. **APPROVAL OF MINUTES**

A. February 25, 2025 Minutes

Approval of Planning Commission Minutes February 25, 2025

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Leigh Whatley
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

III. **UPDATE ON PREVIOUS PC CASES**

Mr. Mosley stated that Dickson Place Subdivision was withdrawn at this time until they could get some of the final items completed. Mr. Mosley also informed the Planning Commission that they would receive a copy of the recently drafted 2040 Comprehensive Plan for the City of Opelika. He noted that there would be two open houses planned for the public and a special called Planning Commission meeting on May 1st at 3pm to review the document.

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.

This item was withdrawn by the applicant and no action was taken at the meeting.

2. Wyndham Village SD, Phase 3, Section 1, 25 lots, Wyndham Village Drive, Mark Strozier, authorized representative for Tyler Findley, property owner, final approval.

Mr. Mosley stated that the first item was a final plat request for 26 lots in Wyndham Village Phase Three, Section One, part of the Wyndham PUD and master plan. He explained that the development included 25 residential lots and one remainder lot located off of Wyndham Village Drive and Rolling Hills Drive. He noted that these lots were initially intended to be smaller 65-foot-wide lots, but the developer made them 75-foot-wide lots. He stated that the Planning Department recommended final plat approval subject to the following:

1. Sidewalks are required on one side of the street.
2. All utilities shall be underground.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities. He explained that the Engineering Department has been inspecting the infrastructure of the subdivision while it was being constructed and the utilities have been doing likewise. He stated that they have all passed their inspections and the infrastructure is ready to approve. We have received bonds and as-builts on this site, so the Engineering Department has no other comments and recommends final plat approval. He added that Opelika Water states that the water system has been accepted by Opelika Water, and Opelika Power will service the subdivision.

There was no public hearing required.

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

3. Southern Pines SD, Phase 2, 29 lots, 1700 Oak Bowery Road, David Slocum, authorized representative for Bryan Stone, property owner, final approval.

Mr. Mosley stated that this request was also a final plat request. He stated that the applicant was David Slocum, Pinnacle Design, for BC Stone. He noted that the subject property was zoned R-2 and located between Northgate Subdivision and Cannongate Subdivision. He stated that the 2nd revision was a request for 29 lots. Mr. Mosley explained that the ZBA had granted a variance to allow the developer to shift the buildings towards one side to allow for side entry garages. Mr. Mosley stated that Planning Staff recommended approval of the final plat.

Mr. Parker stated that engineering and utilities have been inspecting the infrastructure and utility work that was installed, and it all has been approved. He noted that the developer had not yet provided bonds for the infrastructure and the maintenance bond for this phase of the subdivision so we will request approval of this final plat but we'll hold signatures until we receive these bonds and files. He also stated that Opelika Water has accepted their utility, and Opelika Power will service the development.

Chair Cannon stated that there was no public hearing required and asked the Planning Commission if there was any discussion or a motion on the request.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	None
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

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.

Mr. Mosley stated that this item was a conditional use request for 50 townhome units on 7.8 acres in the R-4 zone. He stated that property was owned by Bobby Joe Burdette and located at 2112 Cunningham Drive. Mr. Mosley explained that the property was located where a new street, an extension of Hi-Pack Drive would connect with Cunningham Drive before extending to Gateway Drive. He noted that the townhomes would all be rear loaded units and met the minimum standards for townhouses in the zoning ordinance. He stated that the Planning Department recommend conditional use 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.

Mr. Parker stated that the applicant will be required to submit a site construction and grading plan for the drainage, utility, post-construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. The 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. He also noted that water service (10" main) is available from the western side of Cunningham Dr and the subdivision is the Opelika Power and Alabama Power service territory.

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.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Mike Hilyer
SECONDER:	Mayor Gary Fuller
DISCUSSION:	Commissioner Sweatman asked how the City would prevent tenants from using their front yards along Cunningham Drive to store accessory structures. Mr. Mosley responded the City's Accessory Structure regulations in the Zoning Ordinance prevents these items from being located on front. He did note that it would be a potential enforcement issue. Chair Cannon asked if there were enough trees on the property, particularly near the buildings. Mr. Mosley stated that they have noted the need for plantings along Cunningham Drive. He also suggested that the area adjacent to the building

would need to meet the landscaping requirements.

Commissioner Whittlesey asked why the middle drive ended in "T" instead of a cul-de-sac.

Mr. Parker stated that a "T" or hammerhead turnaround is used in areas where there are limitations on space, but not a great deal of traffic. He stated that it would be acceptable in this instance as the street would likely only service those residents and occasional guests.

AYES: Chair Cannon, Walters, Whatley, Whittlesey, Hilyer, Mayor Fuller, Director Sweatman

NAYS: None

ABSTAIN: None

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.

Mr. Mosley stated the next item was a rezoning request. He stated that the applicant is requesting to rezone the property, 2502 Anderson Road from R1 to R3. He explained that the Future Land Use map shows this property as medium density residential. Mr. Mosley stated that the subject property is approximately 20 acres. Mr. Mosley pointed out that the property had R-1, which is our lower density residential, to the north and south on Anderson Road. He then pointed out that the property to the west, Hidden Lakes and Edgefield Farm, were PUDs with similar density to an R-3 zone. He added that across the street you have both M-2, which is the property along North Park Drive, and R-3 in the Northtown subdivision. Mr. Mosley stated that the applicant is proposing to rezone this from R1 to R3, which would be a medium density residential, similar to what the future land use shows. He stated that staff's largest concern with this has been ensuring that there is sewer connectivity to this property. Mr. Mosley stated that the Planning Department recommended sending a positive recommendation to City Council to rezone the property.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities. He stated that the Engineering Department and Water Board expressed no concerns with the rezoning. He added that Opelika Power Services would not serve this as it was outside of their territory.

Chair Cannon opened the public hearing.

Julie Moore, 2714 Anderson Road, stated that she had put up with the issues of development previously and did not want to go through this again. She was concerned with the number of homes and the impact it would have on the land and streams in the area.

John Moore, 2714 Anderson Road, stated he was opposed to the development and felt that it would be appropriate to develop it to the R-1 standards.

Linda Guy, 2422 Anderson Road, stated that she was concerned with the size and scale of the property. She did not feel it was in character with the neighborhood. She also was concerned

about the traffic that would be generated by this development. She noted that the road was already busy with the other residential developments and the industrial traffic from the nearby industry.

Forest Provo, 2709 Compass Point, stated that he had been in the area for about six (6) years. He thought the traffic was already problematic. He also thought the loss of natural habitat was a concern.

Thomas Causland, 2720 Anderson Road, stated that he lives on one of the larger lots in the area. He agreed with Mr. Provo about the traffic concerns. He said he liked to see the new jobs, but the traffic that came with them was a concern. He thought the development was too close to the intersection and it would lead to more accidents.

Chair Cannon closed the public hearing.

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

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

RESULT:	Passed
MOVER:	Leigh Whatley
SECONDER:	Jay Walters
DISCUSSION:	Mayor Fuller asked if all the property in the area was currently zoned R-1.
	Mr. Mosley stated that the properties to the north and south immediately adjacent were R-1. He noted that across the road and to the west were R-3 or similar zoning.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

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.

Mr. Mosley stated that this item was a request for rezoning and master plan amendment for the Mill development. It also includes an amendment of Future Land Use map. to a small portion. He stated that the subject property is where the former Pepperell Mill industrial site was located. He explained that the property is mostly zoned as a Planned Unit Development (PUD). Mr. Mosley stated that the applicant was proposing to purchase an additional 1.37 acres and add it to the PUD and development. He stated that the applicant is proposing to redevelop the property based on having a new design after going through the environmental review. He

stated that the overall development area is approximately 40 acres. He noted that much of northern part of the plan was very similar to the previously approved PUD. He explained that the area around 1st Avenue and south was reworked to create a more mixed use plan and a realignment of 1st Avenue. He stated that overall, there are 327 residential units proposed which is a very slight increase from the last development plan, but because of the additional area, the density is actually going down just slightly. Mr. Mosley stated that we found this plan to be an improvement over the previous plan, which was approved. He added that he felt this is a positive improvement to both the area and to the previous plan. We are recommending approval of amending the future land use plan and a positive recommendation to rezone the additional 1.37 acres from C-2 to a PUD and amend the master development plan as proposed with the following conditions:

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.

Mr. Scott Parker gave the reports for the Engineering Department, Water, and Opelika Power utilities and had no comments.

Chair Cannon opened the public hearing for both the rezoning and future land use amendment.

Julie Stanley, 202 29th Street, stated that she was opposed to the development. She said there were existing problems related to water pressure, drainage, and the roads. She felt that it would create more issues. She was also concerned with the realignment of 28th Street and the roundabout.

Dave Lindahl, 2604 3rd Avenue, stated he was concerned with noise from the outdoor entertainment area. He also said the roads needed attention due to their age and previous maintenance. He said he had issues with speeding, especially on the narrow roads.

Patrick, Hitchman-Craig, 2504 2nd Avenue, stated he had some questions related to the development. He asked if the single-family homes had enough parking. He also worried about businesses surviving in this area.. Finally, he was also concerned with disruptions during construction especially to 1st Avenue.

Mr. Parker stated that the new alignment of

Chair Cannon closed the public hearing.

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

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

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	None
DISCUSSION:	Commissioner Walters asked to confirm whether this area was already part of a PUD. Mr. Mosley stated that yes, most of the property was already part of a PUD that was somewhat similar. Mr. Parker stated that the new layout of 1st Avenue would be constructed in unoccupied space, so it should be able to be developed without significant impact to current traffic. He noted that the roundabout may cause some occasional delays or detours during construction. Commissioner Whittelsey stated he had concerns with stormwater and drainage. Mr. Parker stated that most of this site was largely paved at one point. He noted that the new plan probably added greenspace and less impervious to the area and would likely improve the drainage. Chair Cannon asked if Pepperell Village was part of a historic area. Mr. Mosley stated that Pepperell Village is on the National Historic Registry. He stated that it is recognition of the historic nature, but does not provide any real protection to the buildings.
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

Motion to approve the amendment the Future Land Use Map

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	None
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None

ABSTAIN: None

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*)

Mr. Mosley stated that there had been no change on the Bed and Breakfast text amendment and he recommended the item remain on the table.

No action was taken to remove it off the table.

VI. ADJOURN

Chair Cannon asked if there was a motion to adjourn.

Motion to adjourn at 4:20 p.m.

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Walters, Whatley, Whittelsey, Hilyer, Mayor Fuller, Director Sweatman
NAYS:	None
ABSTAIN:	None

Lucinda Cannon, Chair

Matt Mosley, Secretary



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



DEADLINE: 3/26/25 MEETING: 4/22/25

SITE ADDRESS: <u>Lake Condry Road</u>			
PROPERTY OWNER: <u>SMB Land, LLC</u>			
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, BSI, Inc.</u>			
MAILING ADDRESS: <u>223 S. 9th St. Opelika, AL 36801</u>			
PHONE NUMBER: <u>334-745-7026</u>		FAX NUMBER: <u>334-745-4367</u>	
EMAIL ADDRESS: <u>brice@bsies.com</u>			
TYPE OF PLAT APPROVAL REQUESTED			
☐ SKETCH PLAN	☐ ADMINISTRATIVE	☒ PRELIMINARY	☐ FINAL
Does the subdivision require any other official action by the City? <u>No</u>			
☐ Annexation		☐ Rezoning	☐ Other _____
PARCEL INFORMATION			
Subdivision Name: <u>Hidden Lakes-Lake Condry</u>		Number of Lots: <u>20</u> x \$3.00 = \$ <u>60.00</u>	
Current Land Use: <u>Vacant</u>		Number of APO: <u>6</u> x \$7.00 = \$ <u>42.00</u> (Adjacent Property Owners)	
Current Zoning: <u>PUD</u>		Fee: <u>\$75.00</u>	
Proposed use of the Subdivision: <u>Single-family Residential</u>		TOTAL <u>=\$177.00</u>	
☒ Residential ☐ Manufacturing/Industrial		☐ Commercial ☐ Office/Institutional	
		PAID _____	
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Hidden Lakes--Lake Condry</u> 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:		3/24/25 DATE	
<u><i>Blake Rice</i></u> (PRINT NAME) Blake Rice, BSI, Inc.			

City of Opelika Planning Commission Planning Commission Report

Action Requested:	Preliminary Plat “Hidden Lakes Addition Subdivision”
Location of Property:	Lake Condry Road
Property Owner:	SMB Land Blake Rice, BSI, Inc., Authorized Representative
Current Zoning:	PUD
Existing Land Use:	Undeveloped
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0090H Zone X – An area 0.2% or less annual chance of flood.

The applicant is requesting preliminary plat approval for 11.93 acres comprising the Hidden Lakes, Lake Condry PUD. The development consists of single family home lots and one open space lot. The development will have access from Lake Condry Road and connects to the original Hidden Lakes PUD through Brock Drive.

According to the approved master development plan, the typical lots for this development are 85 x 150 feet. Most lots meet this typical size, a few are slightly smaller, but not substantially. Lot 20 is an open space lot totalling 2.96 acres. Access to Lot 20 will need to be shown during final plat approval.

The minimum setbacks for all lots are:

Front:	20 feet
Rear:	25 feet
Sides:	7 feet
Side on Street:	15 feet

This master plan requirements included buffers along the outside of the PUD or at the entrance on Lake Condry Road. Add a 25-foot-wide landscape buffer along Lake Condry Road for the side lot lines of Lots 1 and 17. Provide an undisturbed landscape buffer for Lots 1 and 17 with the sides of homes fronting on Lake Condry. Provide an undisturbed

buffer surrounding the PUD development on the outside edges of Lot 20 and the rear of Lot 10,11, 12, 18, 19. The buffers along the street should better maintain the current character and hide uses common in the back yard of residences. These buffers should either be undisturbed buffers where plant material creates a near full screen or if the areas are graded or disturbed, they should utilize landscaping and berms to create a similar buffer. Any alternative landscape plans must be reviewed by the Planning Department.

A HOA (Homeowner's Association) will be established to provide property maintenance of all common areas and amenities. Also, covenants and restrictions for the PUD property will be prepared so the HOA can administer architectural guidelines, building regulations, and use restrictions for the PUD district. The PUD narrative states that the amenities of this subdivision area as well as amenities of the other Hidden Lake PUD neighborhoods are shared with all Hidden Lakes neighborhood.

Staff Recommendation

Staff recommend preliminary approval subject to the following:

1. Provide sidewalks on both sides of the street.
2. All utilities shall be located underground.
3. Provide a minimum of one tree per yard for single-family lots. Trees may be placed in the adjacent right-of-way with approval of city staff.
4. Vinyl or aluminum siding shall not be the primary cladding material for single-family homes.
5. Buffers shall be undisturbed unless an alternate plan is approved. The undisturbed buffers shall be supplemented in any areas where the buffer does not provide a near full screen. Landscape buffers should be shown on the plat to ensure property owners are aware of the buffer requirements.
6. Provide access to Lot 20 for final plat.

Engineering Department Report

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

- Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance.
- The road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

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

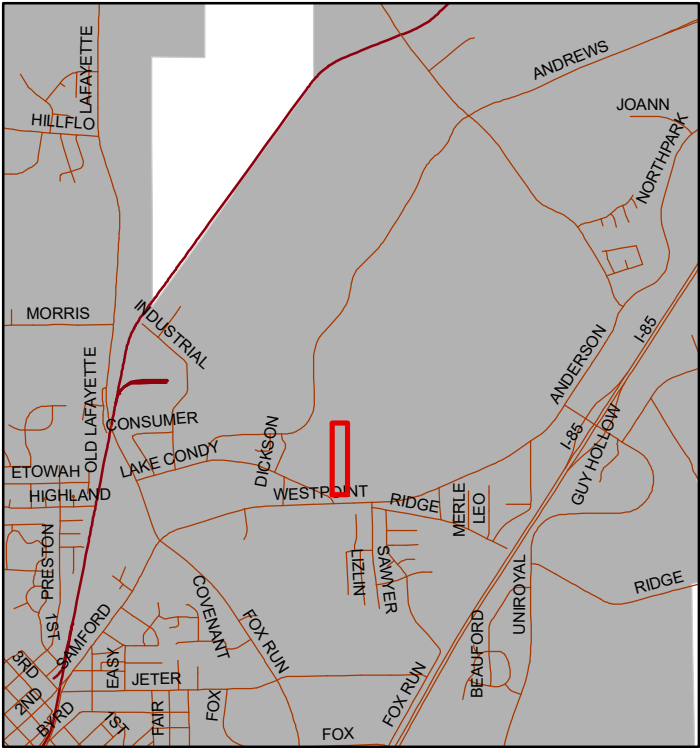
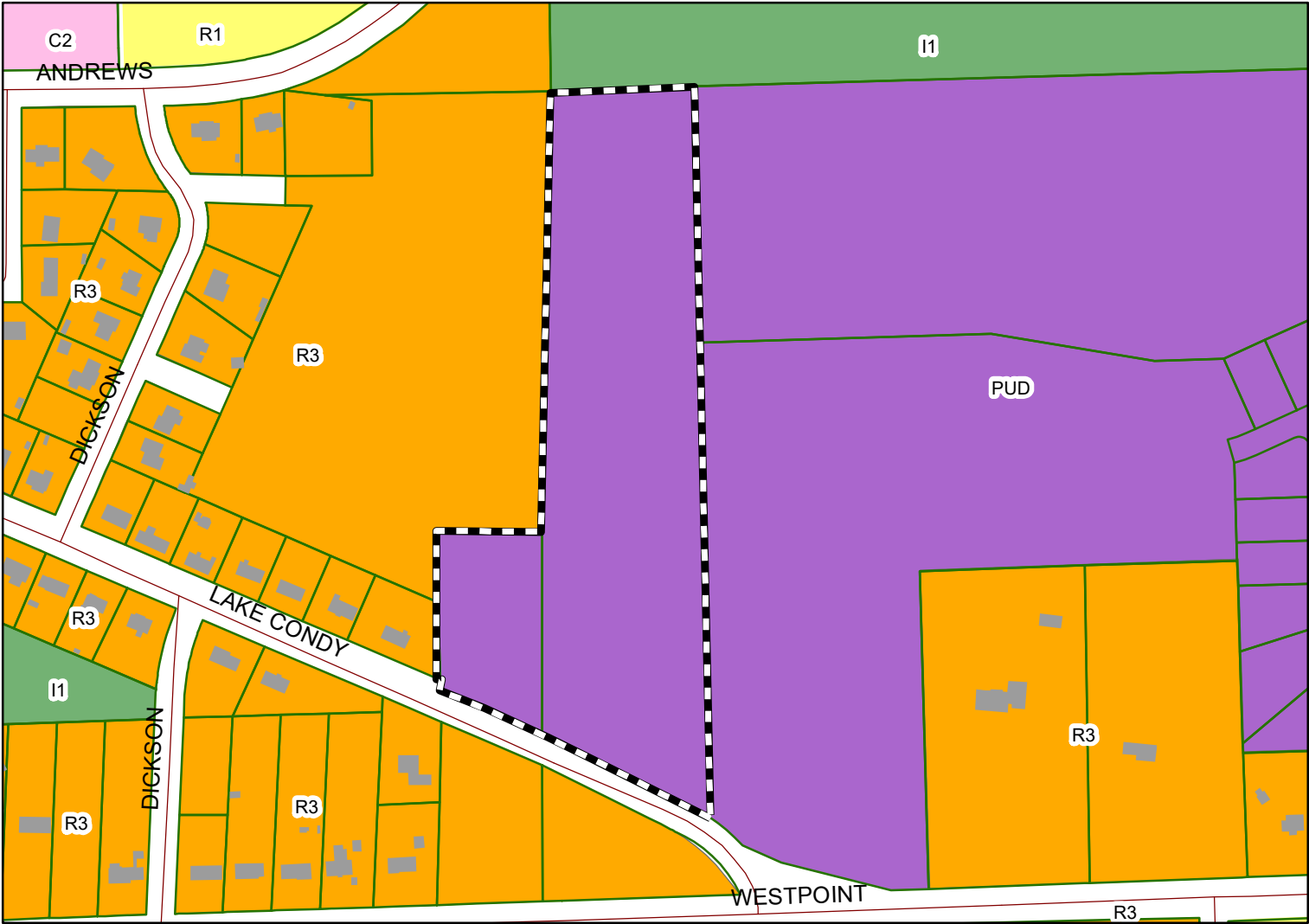
Opelika Water Board Report

Opelika Water Comments: Water service is available from 8" on north side of Lake Condry Rd and from 8" main on Brock Dr. within existing Hidden Lakes Phase 4. Connections to both mains will be required for this development.

Opelika Power Services Report

This subdivision is in the Opelika Power service territory.

HIDDEN LAKES-LAKE CONDY, REDIVISION OF PARCEL 5 SUBDIVISION
900 BLOCK LAKE CONDY ROAD
FINAL PLAT, A-1



The applicant is requesting preliminary approval for 20 single family home lots. The subdivision is zoned PUD Hidden Lakes.



Subject Property

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

- NOTES:**
- Survey North: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
 - Basis for Survey:
-Survey For The Mrs. Annie E. Varner Estate, Plat Book 6, Page 128, Probate Office, Lee County, Alabama.
 - According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0090H, effective January 17, 2025, the subject property is located:
-Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
 - Any common areas shown on this plat shall be maintained by the Homeowners Association adopted and/or established with this plat.
 - No wetland flags were observed during survey field work and no wetlands report provided by client.
 - An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
 - There is a ten (10) foot utility and drainage easement along the right-of-way of each lot.
 - This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
 - There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
 - This drawing becomes void if any alterations or changes are made by others.
 - This drawing may not be altered or added to without permission from BSI, Inc.
 - All future transferees of the Property shall be subject to the restrictive covenant that they will construct, maintain, repair, and reconstruct the BMPs in conformation with the applicable laws, the Permit, and any Agreement executed in conjunction with the development subject to this plat. Such restrictive covenants shall run with the land, provided however, that the approval of the Administrator, the Developer may transfer all responsibilities and obligations, hereunder, to another entity having the legal and financial ability and authority to assure fulfillment of Developer's responsibilities under the Permit and this Agreement.
 - Development Data:
-Total Number of Lots: 20
-Area of Largest Lot: Lot 20 - 2.94 Acres (127,984 Sq. Ft.)
-Area of Smallest Lot: Lot 6 - 0.21 Acres (9,018 Sq. Ft.)
-Total Acreage: 11.93 Acres (519,714 Sq. Ft.)

OPELIKA CERTIFICATES

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

Chairman: _____ Date: _____

Accepted by the Opelika City Planner, Opelika, Alabama:

Planner: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

City Engineer: _____ Date: _____

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

Public Works Director: _____ Date: _____

Accepted by the Opelika Water Board, Opelika, Alabama:

Opelika Water Board: _____ Date: _____

Accepted by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

DEDICATION

The State of Alabama
Lee County
}

We, SMB Land, LLC, an Alabama limited liability company, as owners of the real property shown on this plat hereby join in the statement of Jeffrey S. Ham and certify that it is our purpose to subdivide lands so platted into lots as shown.

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2025.

Nick Howard
Chief Financial Officer, SMB Land, LLC

ACKNOWLEDGEMENT

I, _____, a Notary Public, in and for said County in said State, hereby certify that Nick Howard, whose name as Chief Financial Officer of SMB Land, LLC, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the ____ day of _____, 2025.

Notary Public:
My Commission Expires: _____

SURVEYOR CERTIFICATE

I, Jeffrey S. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the Standards of Practice for Surveying in the State of Alabama, and that the information and belief.

**Preliminary
For Review Only**

Jeffrey S. Ham, PLS
Alabama License No. 21775
Date: 03/24/2025

PRELIMINARY PLAT OF
HIDDEN LAKES - LAKE CONDY
A REDIVISION OF PARCEL-5 OF SURVEY FOR THE MRS. ANNIE E. VARNER ESTATE
RECORDED IN PLAT BOOK 6, PAGE 128, PROBATE OFFICE, LEE COUNTY, ALABAMA.

BEING A PART OF SECTIONS 4 & 5, TOWNSHIP 19 NORTH, RANGE 27 EAST,
OPELIKA, LEE COUNTY, ALABAMA

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	59.37'	291.55'	N60° 21' 40"W	59.26'
C2	39.36'	25.00'	N21° 05' 40"W	35.42'
C3	48.17'	206.00'	N17° 18' 27"E	48.06'
C4	22.00'	206.00'	N07° 33' 01"E	21.99'
C5(t)	70.16'	206.00'	N14° 14' 55"E	69.82'
C6	20.67'	206.00'	N01° 37' 03"E	20.66'
C7	48.63'	25.00'	N54° 28' 11"E	41.32'
C8	76.62'	206.00'	S80° 27' 33"E	76.18'
C9	63.48'	156.00'	N79° 24' 34"W	63.04'
C10	29.01'	25.00'	S34° 30' 16"E	27.41'
C11	15.65'	156.00'	S01° 37' 03"W	15.64'
C12	53.13'	156.00'	S14° 14' 55"W	52.88'
C13	39.18'	25.00'	S68° 54' 20"W	35.29'

Line Table		
Line #	Length	Direction
L1	9.79'	N24° 00' 21"E
L2	10.14'	S24° 00' 21"W



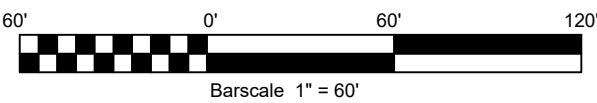
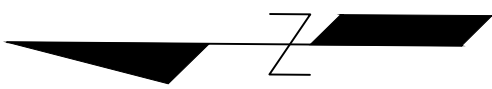
REZONING EXHIBIT OF
LAKE CONDY

BEING A PART OF SECTIONS 04, TOWNSHIP 19 NORTH, RANGE 27 EAST,
OPELIKA, LEE COUNTY, ALABAMA



- NOTES:
1. This Conceptual Plan was prepared for the exclusive benefit of BSI client. Boundary Information taken from Lee County Tax Maps, not surveyed Topographic Information taken from Lee County GIS Data.
 2. This drawing represents a conceptual plan for the development of the subject property. There may be factors that could affect the development, use and/or yield of the property which would only be disclosed by a thorough site assessment, including survey, topographic survey, environmental assessment, wetlands delineation and utility availability, which may have not been performed for the purpose of this conceptual plan. There is no assurance by Barrett-Simpson, Inc. that the property can be developed according to this plan, or a reasonable cost.
 3. Development Data:

-Total Property Area:	12.61 Acres±
-Proposed Use:	Single Family Residential
-Current Zoning:	R3
-Required Zoning:	PUD
-Typical Lot Size:	85' x 150'
-Total Area of Open Space & Buffers	2.86 Acres±
-Total Number of Residential Lots:	19
-Total Number of Open Space Lots:	1
-Total Number of Lots:	20





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

PC DEADLINE: 3/26/25 PC MEETING: 4/22/25

SITE ADDRESS: 2410 Cunningham Dr, Opelika, AL 36801

PROPERTY OWNER: James G McClain Jr.

APPLICANT/AUTHORIZED REPRESENTATIVE: Aaron Adams

MAILING ADDRESS: 3373 Society Hill Rd, Opelika, AL 36804

PHONE NUMBER: 205-506-1170 **FAX NUMBER:** _____

EMAIL ADDRESS: aaron@agxsiteworx.com

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: Highline Townhomes Number of Lots: 56 x \$3.00 = \$ 168.00

Current Land Use: Townhouse Number of APO: 17 x \$6.74 = \$ 114.58
(Adjacent Property Owners)

Current Zoning: R4 Fee: \$75.00

Proposed use of the Subdivision: To build a townhome community **TOTAL** = 357.58

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

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Aaron Adams 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:**

[Handwritten Signature]

(PRINT NAME) Aaron Adams

3/26/25

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, _____, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

_____ to act as my representative in all decisions concerning the subdivision of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County and State, hereby certify

that _____, 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: _____

SUBDIVISION 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. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 – 11 x 17 if legible; 4 – 24 x 36; 1 – 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$6.74 each certified letter, plus \$3 each lot** in subdivision. Checks payable to City of Opelika. For final plat approval only or administrative plat approval only: \$75 application fee.
8. Approval of a preliminary plat by the Planning Commission shall expire in one year after approval date; approval of a final plat by the Planning Commission shall be null and void if the plat is not recorded within 120 days after approval date.
9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	April 22, 2025
Agenda Item #:	A-2
Action Requested:	Highline Townhome SD, Preliminary Approval
Location of Property:	2410 Cunningham Drive
Property Owner(s):	James G. McClain, Jr. Aaron Adams, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	R-4
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0089G. No portion of property is in 100-year flood zone. Property in Flood Zone “X” which is outside the 0.2% annual chance flood plain

Proposal

The applicant is requesting preliminary plat approval for a townhome subdivision. At the February 2025 meeting, the Planning Commission granted conditional use approval for 56 townhomes subject to conditions.¹ There are 56 townhome lots and one open space lots. The development is accessed from Cunningham Drive.

The Townhouse Development Standards require a minimum of 1,800 square foot townhome lot and 20 foot minimum lot width. The lot sizes range from 2,254 square feet to 4,273 sf and the lot widths are 24 feet to 45 feet. The nine building 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 at least 50% of the townhome’s first floor area. The main floor of each townhome is 960 sf (24x40); the front or rear yard area ranges

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. 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. Install understory or medium trees on both sides of the 24’ street spaced according to tree type. Provide landscaping to include trees adjacent to all buildings. Install sidewalks as shown on revised site plan. Move the sidewalk along Cunningham Drive into the right-of-way as a public sidewalk. Exterior material must be brick on all sides as shown on elevation. Elevations on the side of buildings that face Cunningham Drive shall include architectural features or changes in depth or dimensions to prevent a blank wall from facing the drive. Provide additional detail on how the amenity sites and other common areas will be used. Ensure that the turnarounds meet Fire Code and Public Works Manual requirements. All utilities must be underground. Any fences constructed between townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.

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.

Staff recommends preliminary approval subject to the following:

1. Install a 5 foot sidewalk along Cunningham Drive right of way, Hi Pack Drive extension, and in front yard of all townhome groups, and connect sidewalk to open space lots as described in the February 2025 CU report.
2. All utilities shall be underground.
3. Add a note on plat about the HOAs allowed uses and maintenance responsibilities of the open space lots.
4. Add a lot number for the open space.
5. Add the following on the plat:
 - a. name and address of the owner/developer.
 - b. name and address of the adjacent property across Cunningham Drive.
 - c. addresses of all the adjacent property owners.
 - d. name and plat book/page number for adjoining subdivisions.
 - e. flood zone note.
 - f. certificates for the owner(s)/developer(s), notary statement, and certificates for the city officials are missing.
 - g. standard Opelika easement statement: *“An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines.”*
6. Final drawing(s) must be on a “D”-size (24’ X 36”).
7. Private streets and sidewalks require access easements.

Engineering Department Report

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

Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance.

- The City of Opelika has a proposed project that will add curb and gutter and a 5-ft sidewalk to this side of Cunningham Drive through this property. It is requested

that a 15-ft strip of right of way be deeded to the City and this curb and gutter and sidewalk facility be constructed as part of this development.

- The road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

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

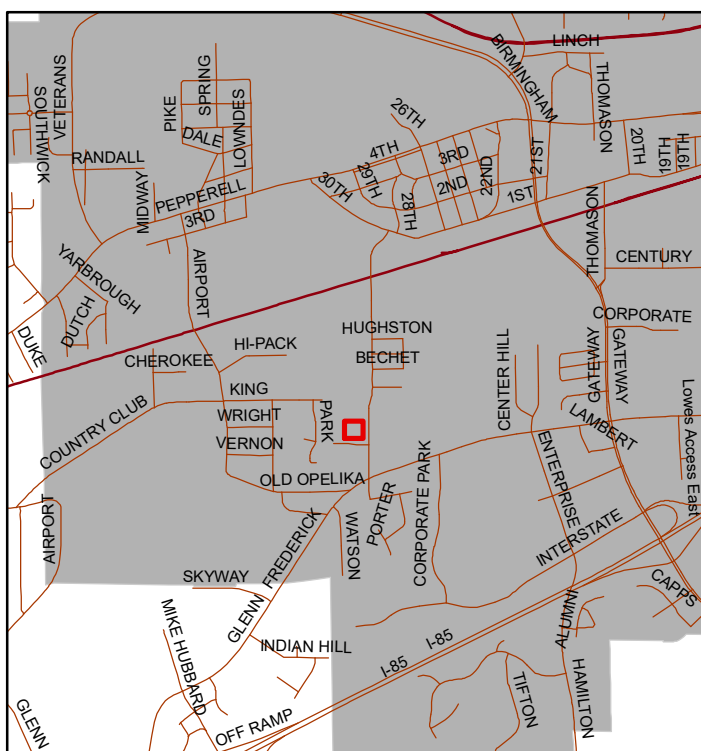
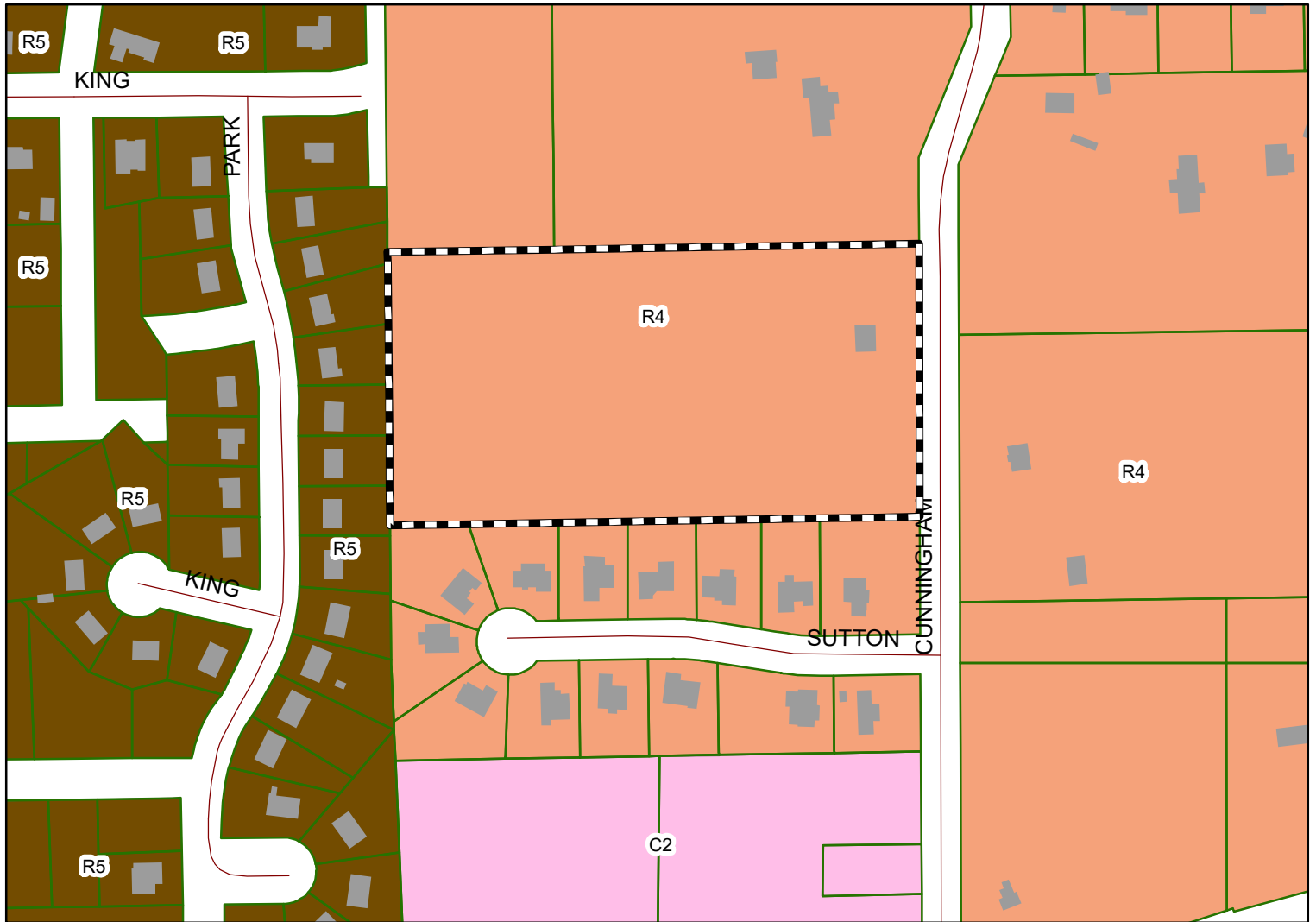
Opelika Water Board Report

Opelika Water Comments: Water service is available from 10" main on the west side of Cunningham Dr. Any existing water services to this site must be abandoned at the main.

Opelika Power Services Report

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

HIGHLINE TOWNHOME SUBDIVISION 2410 CUNNINGHAM DRIVE PRELIMINARY PLAT, A-2



The applicant is requesting preliminary approval for 56 townhome lots. The subdivision is zoned R-4 (high density residential).



Subject Property

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

PRELIMINARY PLAT FOR:

HIGHLINE (CUNNINGHAM TOWNHOMES)

2410 CUNNINGHAM DRIVE, OPELIKA, ALABAMA, 36801

ADEM PERMIT: TBD

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

DESCRIPTION:

DATE:

REV:

CONTACT INFORMATION

CIVIL ENGINEER: HAYES EIFORD, PE
SAMFORD GROUP, LLC
2449 MOORE'S MILL ROAD AUBURN, AL 36830
PHONE: 229-221-8908
EMAIL: HAYES@SAMFORDGROUPLLC.COM

GEN. CONTRACTOR: TBD

SURVEYOR: CORY E. RUSHING
PRECISION SURVEYING LLC
PHONE: 334-821-0105
EMAIL: CORY@PLSGROUPINC.COM



VICINITY MAP

SITE DATA:

TOTAL AREA: +/- 7.26 ACRES
PROPOSED UNITS:
TOWNHOMES (24' X 85'): 56 UNITS
ZONING: R4
DENSITY PROPOSED: 7.48 DUA
DENSITY ALLOWED: 9 DUA
OPEN SPACE: 2.04 AC (28.1%)
SETBACKS:
FRONT: 25 FT.
REAR: 20 FT.
SIDE: 10 FT.
SIDE STREET (PROPOSED): 10 FT.

Sheet List Table

SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
1 OF 1	SURVEY
C-3.0	SITE PLAN
L-1.0	LANDSCAPE PLAN

CUNNINGHAM TOWNHOMES

2410 CUNNINGHAM DRIVE
CITY OF AUBURN, 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:

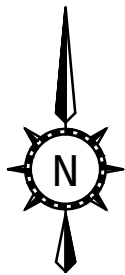
DRAWN BY: WB
DESIGNED BY: --
REVIEWED BY: --

SCALE & NORTH ARROW:

JOB NUMBER: 008
DATE: 03/24/2025

SHEET TITLE:
COVER SHEET

C-0.0



LEGEND OF ABBREVIATIONS

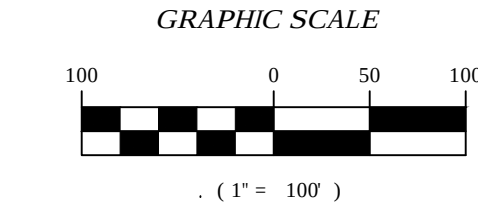
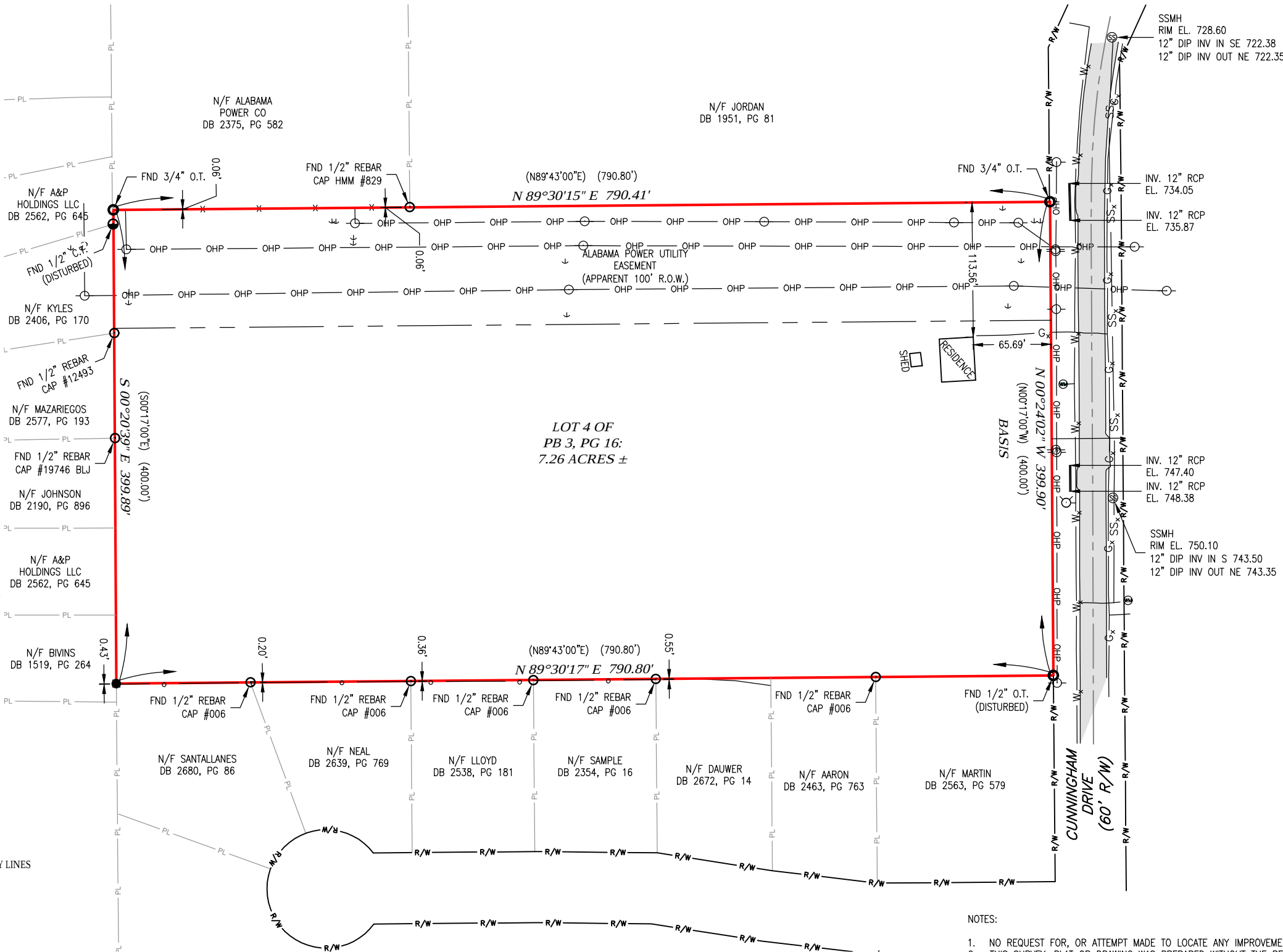
O.T. - OPEN TOP PIPE
C.T. - CRIMPED TOP PIPE
R/W - RIGHT OF WAY
N/F - NOW OR FORMERLY
PL - PROPERTY LINE
DB - DEED BOOK
PB - PLAT BOOK
PG - PAGE
SSMH - SANITARY SEWER MANHOLE
DIP - DUCTILE IRON PIPE
RCP - REINFORCED CONCRETE PIPE
N - NORTH
S - SOUTH
E - EAST
W - WEST
FND - FOUND
INV. - INVERT
EL. - ELEVATION
BASIS - ROTATION BASIS

LEGEND

● SET PROPERTY CORNER
○ 1/2" REBAR WITH CAP
○ STAMPED PLS CA#1067-LS
● FOUND IRON PIN
○ TYPE AND SIZE AS SHOWN
○ CRIMPED TOP PIPE (SIZE AS SHOWN)
○ FIRE HYDRANT
○ POWER POLE AND GUY (TYPICAL)
○ UTILITY POLE
○ OPEN TOP PIPE (SIZE AS SHOWN)
○ SANITARY SEWER MANHOLE
○ WATER METER
○ FEET / MINUTES
○ INCHES / SECONDS
○ AS MEASURED THIS SURVEY

N 16°39'36" E
(N00°00'00"E)

— R/W —
— PL —
— X — X —
— o —
— G_x —
— SS_x —
— W_x —
— OHP —
— FL — FL —
RECORD INFORMATION,
DEED OR OTHER
ASPHALT PAVING
RIGHT OF WAY LINE
CENTERLINE
APPROXIMATE ADJOINING PROPERTY LINES
BARBED WIRE FENCE
CHAIN LINK FENCE
EXISTING GAS LINE
EXISTING SEWER LINE
EXISTING WATER LINE
OVERHEAD POWER LINE
FLOOD ZONE LINE
PROPERTY LINE (THIS SURVEY)



LEGAL DESCRIPTION (AS RECORDED IN DEED BOOK 1939, PAGE 257)

LOT 4 IN THE FRISBY TRACT OF LAND OF PEPPERELL MANUFACTURING COMPANY AS SHOWN BY MAP OF SURVEY THEREOF, OF RECORD IN TOWN PLAT BOOK 3, AT PAGE 16, IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA; TOGETHER WITH ALL IMPROVEMENTS THEREON AND ALL APPURTENANCES THEREUNTO APPERTAINING.

NOTES:

- NO REQUEST FOR, OR ATTEMPT MADE TO LOCATE ANY IMPROVEMENTS OR UNDERGROUND INSTALLATIONS, OTHER THAN SHOWN.
- THIS SURVEY, PLAT OR DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND WAS SOLELY BASED ON THE INFORMATION OBTAINED FROM PUBLIC RECORDS AND/OR PROVIDED TO THE SURVEYOR. DEED REFERENCE MADE TO DEED BOOK 1939, PAGE 257.
- BEARINGS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATES EAST ZONE AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
- THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- HORIZONTAL DATUM: (NAD83)(2011) EPOCH 2010.00, VERTICAL DATUM: (NAVD88).
- REPRODUCTIONS OF THIS DRAWING ARE NOT VALID UNLESS SEALED WITH A ORIGINAL SEAL AND LIVE SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ELECTRONIC COPIES OF COPIES OF THIS DRAWING ARE NOT VALID WITHOUT A DIGITAL SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ANY MODIFICATIONS TO ORIGINAL DOCUMENTS, OTHER THAN BY THE SIGNING SURVEYOR, SHALL INVALIDATE THIS DOCUMENT.
- LIABILITY TO THE SURVEYOR SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
- THIS COPYRIGHTED © PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT FOR THE ENTITIES AND/OR INDIVIDUALS LISTED HEREON, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITIES AND/OR INDIVIDUALS WHOMSOEVER. THIS DRAWING IS INVALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL. THIS SURVEY SHOULD NOT BE RELIED UPON 6 MONTHS AFTER THE ORIGINAL SIGNATURE BY ANY PARTY OR ENTITY AND SHALL NOT BE USED IN ANY OTHER CLOSING OR TRANSACTION OTHER THAN SAMFORD GROUP - JOSH MURA, AS IT WAS ORIGINALLY INTENDED OR PREPARED FOR.
- THE USE OF THIS BOUNDARY SURVEY IN CONJUNCTION WITH AN "OWNERS AFFIDAVIT" OR ANY OTHER INSTRUMENT WHICH IS DESIGNED TO TRANSFER TITLE WITHOUT A CURRENT SURVEY IS NOT PERMITTED OR SUPPORTED BY THIS SURVEYOR, AND WILL INVALIDATE THIS SURVEY.
- THIS DRAWING IS INTENDED TO BE PRINTED ON 11X17. IF PRINTED ON A DIFFERENT SIZE THE SCALE WILL BE INACCURATE.
- ALABAMA 811 LINE LOCATE REQUEST SENT ON 03/07/2025 WITH TICKET NUMBER(S) 250661422 & 250661442. ALL ON SITE MARKED UTILITIES OR MAP LOCATIONS HAVE BEEN LOCATED ON 03/14/2025 AND SHOWN ON THIS SURVEY.
- PRIOR TO DESIGN OR CONSTRUCTION SETBACKS NEED TO BE VERIFIED WITH THE LOCAL ZONING, PLANNING AND DEVELOPMENT AUTHORITY.
- CONTRACTOR'S RESPONSIBILITY TO VERIFY DIMENSIONS SHOWN HEREON PRIOR TO FURTHER CONSTRUCTION.

STATE OF: ALABAMA
COUNTY OF: LEE

I CORY E. RUSHING A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA HEREBY CERTIFY TO SAMFORD GROUP - JOSH MURA 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.

ACCORDING TO MY SURVEY THIS THE 19TH DAY OF MARCH, 2025.

Cory E Rushing

Digitally signed by Cory E Rushing
Date: 2025.03.20 16:47:09 -05'00'

CORY E. RUSHING, PLS AL. LICENSE #26627

PLS GROUP, INC.
SURVEYING, MAPPING AND SOLUTIONS

4417 COUNTY ROAD 2214
TROY, AL 36079
OFFICE: 334-403-4204
FAX: 334-403-9851

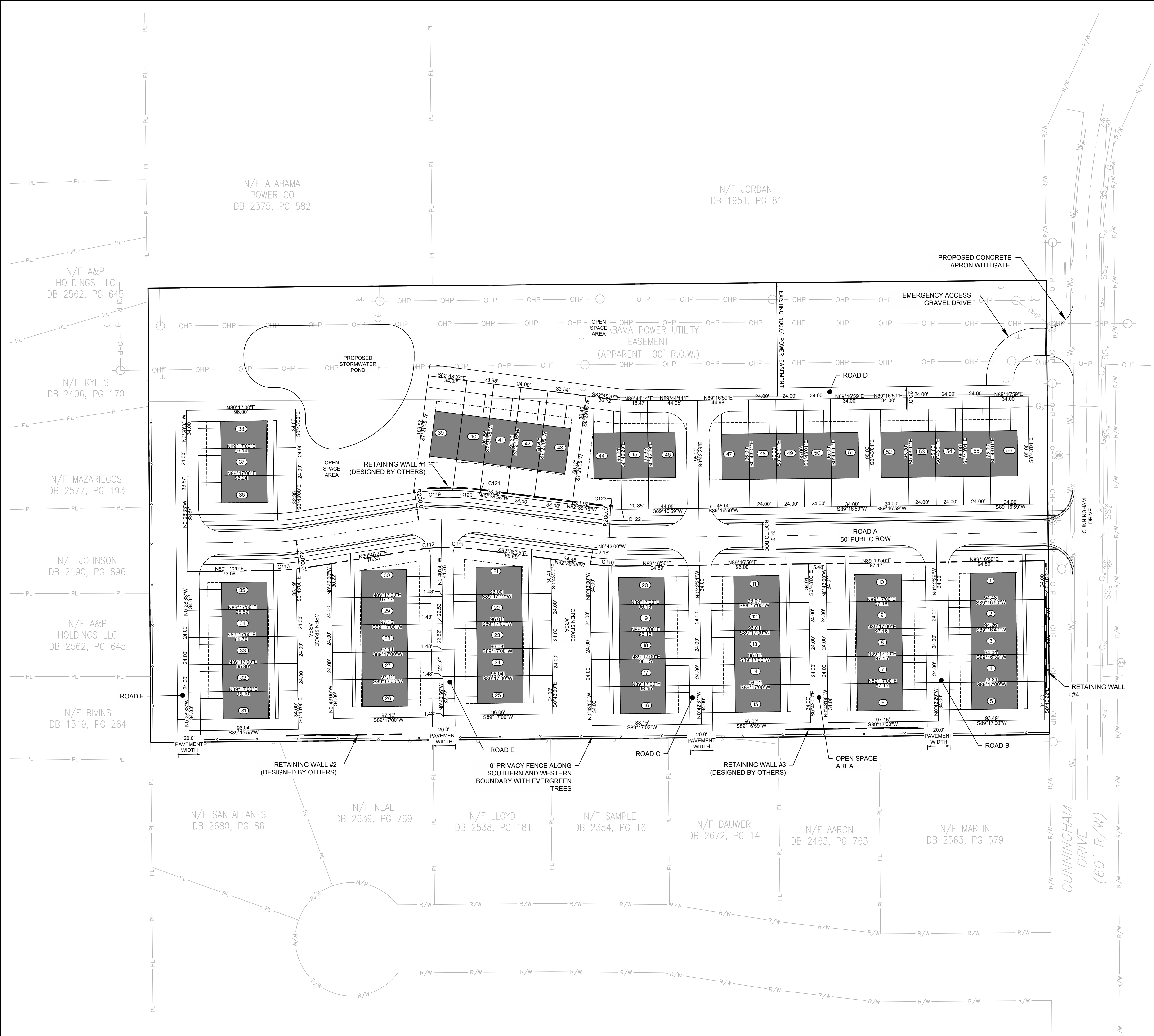
17799 PANAMA CITY BEACH PARKWAY
PANAMA CITY BEACH, FL 32413
OFFICE: 334-403-4204

179 HONEYSUCKLE ROAD SUITE 5
DOTHAN, AL 36305
OFFICE: 334-661-4030

34565 U.S. HIGHWAY 31, SUITE C
STAPLETON, AL 36578
OFFICE: 251-937-1434



SHEET TITLE: BOUNDARY SURVEY & UTILITY LOCATE		NO.	REVISIONS	DATE	2410 CUNNINGHAM DRIVE SAMFORD GROUP - JOSH MURA OPELIKA LEE COUNTY, ALABAMA PLS GROUP, INC. COPYRIGHT © 2025. ALL RIGHTS RESERVED	
SHEET NUMBER: 01						
SURVEY END DATE: 03/19/25		PROJECT NO.:	25-0146			
DRAWING SCALE: 1" = 100'		DRAWN BY:	LMW			
DRAWING END DATE: 03/19/25		CHECKED BY:	CER			



SITE DATA:	
TOTAL AREA:	+/- 7.26 ACRES
PROPOSED UNITS:	
TOWNHOMES (24' X 85'):	56 UNITS
ZONING:	R4
DENSITY PROPOSED:	7.48 DUA
DENSITY ALLOWED:	9 DUA
OPEN SPACE:	2.04 AC (28.1%)
SETBACKS:	
FRONT:	25 FT.
REAR:	20 FT.
SIDE:	10 FT.
SIDE STREET (PROPOSED):	10 FT.

Parcel Area Table	
Parcel #	Area
1	3217.85
2	2265.88
3	2259.54
4	2254.60
5	3184.18
6	3303.05
7	2331.67
8	2331.76
9	2331.84
10	3304.56
12	2304.12
13	2304.20
15	3264.56
17	2307.70
18	2307.78
19	2307.86
20	3292.24
21	3551.35
22	2304.43
23	2304.50
24	2304.84
25	3265.78
26	3301.81
27	2331.11
28	2331.45
29	2331.80
30	3631.97
31	3264.40
32	2300.33
33	2297.91

Parcel Area Table	
Parcel #	Area
34	2295.48
35	3263.14
36	2259.93
37	2308.65
38	3266.44
39	3409.82
40	2320.27
41	2311.71
42	2313.34
43	3273.03
44	3541.85
45	2292.65
46	4192.64
47	4273.87
48	2280.00
49	2280.00
50	2280.00
51	3230.00
52	3230.00
53	2280.00
54	2280.00
55	2280.00
56	3230.00

Curve Table						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C110	225.00'	31.38'	S86°43'19"E	31.35'	7°59'23"	15.71'
C111	175.00'	27.85'	S87°12'26"E	27.82'	9°07'02"	13.95'
C112	175.00'	22.79'	N84°30'15"E	22.77'	7°27'37"	11.41'
C113	225.00'	21.90'	N86°29'40"E	21.89'	5°34'38"	10.96'
C119	225.00'	34.63'	S86°40'46"W	34.60'	8°49'09"	17.35'
C120	225.00'	24.05'	N85°50'57"W	24.04'	6°07'26"	12.04'
C121	225.00'	0.54'	N82°43'04"W	0.54'	0°08'19"	0.27'
C122	175.00'	3.15'	S89°47'57"W	3.15'	1°01'55"	1.58'
C123	175.00'	21.49'	N86°10'00"W	21.48'	7°02'11"	10.76'

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

DESCRIPTION:	
DATE:	
REV.	

CUNNINGHAM TOWNHOMES
2410 CUNNINGHAM DRIVE
CITY OF AUBURN, 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:
No. 53032
PROFESSIONAL ENGINEER
GREGORY H. EFORD

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

SAFETY IS IN YOUR HANDS.
EVERY DIG. EVERY TIME.

DESIGN TEAM:
DRAWN BY: WB
DESIGNED BY: --
REVIEWED BY: --

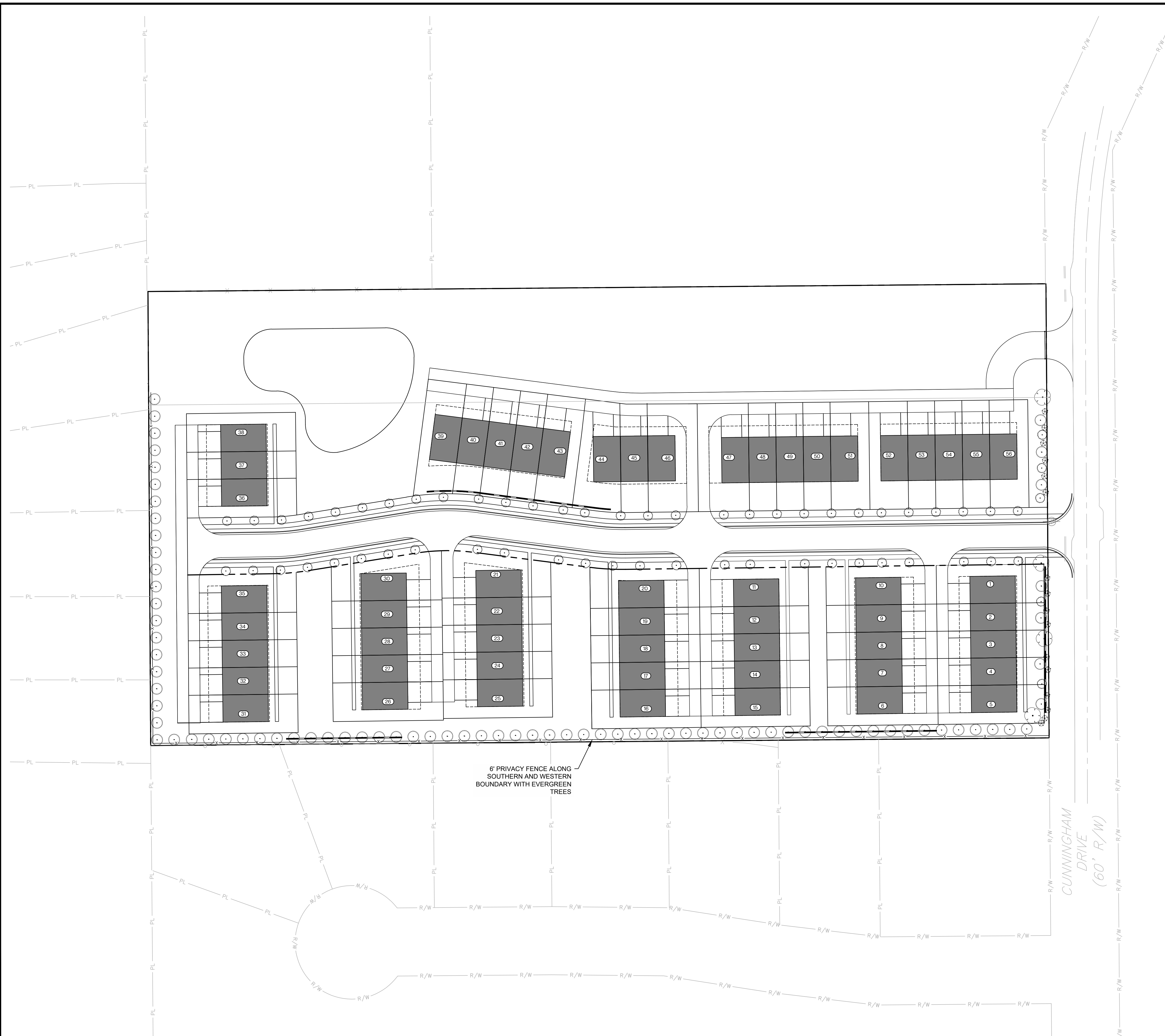
SCALE & NORTH ARROW:

NORTH ARROW
0 20 40 60 80
SCALE: 1"=40'

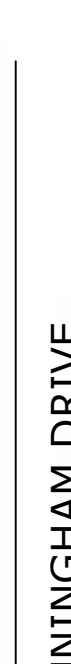
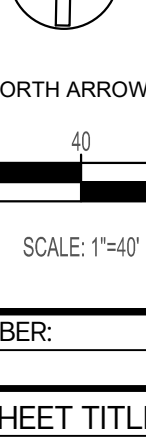
JOB NUMBER: 008
DATE: 03/24/2025

SHEET TITLE:
SITE PLAN

C3.0



<u>PLANT SCHEDULE</u>		
<u>TREE TYPE</u>	<u>QTY</u>	
2-2.5' CALIPER SHADE TREE	4 (44 PTS)	
1.25-1.5' CALIPER EVERGREEN TREE	123 (984 PTS)	
1.25-1.5' CALIPER UNDERSTORY TREE	63 (315 PTS)	
<u>SHRUB TYPE</u>	<u>QTY</u>	
MEDIUM EVERGREEN SHRUB	16 (16 PTS)	
<u>CALCULATIONS:</u>		
SF OF DEVELOPED AREA:	245,577 SF. (5.64 AC.)	
POINTS REQUIRED	512 PTS	
POINTS PROVIDED	1,359 PTS	

 SAMFORD GROUP SAMFORD GROUP, LLC. 2449 MOORE'S MILL ROAD SUITE 120 AUBURN, AL 36830 SAMFORDGROUPLLC.COM																															
CUNNINGHAM TOWNHOMES 2410 CUNNINGHAM DRIVE CITY OF AUBURN, 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																															
 SAFETY IS IN YOUR HANDS. EVERY DIG. EVERY TIME.																															
DESIGN TEAM:														<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 80%;">DRAWN BY:</td><td style="width: 20%;">WB</td></tr><tr><td>DESIGNED BY:</td><td>--</td></tr><tr><td>REVIEWED BY:</td><td>--</td></tr></table>												DRAWN BY:	WB	DESIGNED BY:	--	REVIEWED BY:	--
DRAWN BY:	WB																														
DESIGNED BY:	--																														
REVIEWED BY:	--																														
SCALE & NORTH ARROW:																															
 NORTH ARROW		 SCALE: 1"=40'																													
JOB NUMBER: 008																															
DATE: 03/24/2025																															
SHEET TITLE:		LANDSCAPE PLAN																													



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

PC DEADLINE: 3/26/25 PC MEETING: 4/22/25

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@samfordgroupplc.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: Brookhaven Townhomes Number of Lots: 49 x \$3.00 = \$ 147.00

Current Land Use: Townhouse Number of APO: 7 x \$6.74 = \$ 47.18
(Adjacent Property Owners)

Current Zoning: R4 Fee: \$75.00

Proposed use of the Subdivision: To build a townhome community **TOTAL** = 269.18

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

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

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

(PRINT NAME) Hayes Eiford

3/26/25

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, _____, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

_____ to act as my representative in all decisions concerning the subdivision of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County and State, hereby certify

that _____, 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: _____

SUBDIVISION 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. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 – 11 x 17 if legible; 4 – 24 x 36; 1 – 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$6.74 each certified letter, plus \$3 each lot** in subdivision. Checks payable to City of Opelika. For final plat approval only or administrative plat approval only: \$75 application fee.
8. Approval of a preliminary plat by the Planning Commission shall expire in one year after approval date; approval of a final plat by the Planning Commission shall be null and void if the plat is not recorded within 120 days after approval date.
9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Agenda Item #: A-3

Action Requested: Brookhaven SD, Preliminary Approval

Location of Property: 2112 Cunningham Drive

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

Current Land Use: Undeveloped

Current Zoning: R-4

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0089G. No portion of property is in the 100-year flood zone. Property in Flood Zone “X” which is outside the 0.2% annual chance flood plain

Proposal

The applicant is requesting preliminary plat approval for a townhome subdivision. At the March 2025 meeting, the Planning Commission granted conditional use approval for the Brookhaven townhomes subject to conditions.¹ There are 49 townhome lots and two open space lots. The townhome lots will have access to Hi Pack Drive from three 20’ private driveways after the Hi Pack extension project is complete. A temporary entrance to Cunningham Drive located adjacent to Lot 10 will be provided so townhome construction can begin.

The Townhouse Development Standards require a minimum 1,800 square foot townhome lot and minimum 20 foot lot width. The lot sizes range from 2,450 square feet to 6,909 sf (Lot 46). Most lots are 20’ to 35’ wide. The townhome footprints are not shown on lots, but all lots are large enough to

¹ All utilities must be underground. Install 5 foot sidewalks along Cunningham Drive right of way and Hi Pack Drive extension. Install a landscape buffer from the options in Section 10.6, D.2. b.¹ along Cunningham Drive. Install a residential buffer as provided from the options in Section 10 Landscape Regulations along the south property line. Exterior building material must be as elevations presented – brick, lap siding, and board & baton siding. See #6 concerning exterior material for side walls. 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) to provide depth and dimension to the side wall from Cunningham Drive and Hi Pack Drive. Provide detail on site plan and in the HOA guidelines on how the open space amenity lots will be used. 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. The turnarounds meet Fire Code and Public Works Manual requirements.

meet the requirement of at least one yard being 50% or more of a townhome first floor area. A townhome group minimum building setback requirement is (25' front yard, 10', 20') for the R-4 zoning district, and a minimum 20 foot separation between townhome groups.

Staff recommends preliminary approval subject to the following:

1. Install a 5 foot sidewalk along Cunningham Drive right of way, Hi Pack Drive extension, and front yard of all townhome groups, and connect sidewalk to open space lots as described in the March 2025 CU report.
2. All utilities shall be underground.
3. Add a note on plat concerning the HOAs allowed uses and maintenance responsibilities of the open space lots.
4. Include the name and address of the owner/developer.
5. Include the adjacent property owner and address that's directly across Cunningham Drive.
6. Add the addresses for the adjacent property owners listed.
7. Add the standard Opelika easement statement: *"An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating` and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines."*
8. Add the certificates for the owner(s)/developer(s), notary statement, and certificates for the city officials on the plat.
9. The final drawing(s) must be on a "D"-size (24' X 36").
10. Lot 47, 48, and 49 missing a bearing and distance along future road.
11. Label the triangle-shape lot across the future road.
12. Add easements on private streets and sidewalks.

Engineering Department Report

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

Construction of infrastructure and utilities will be monitored and approved prior to final plat acceptance

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. The road names shall be approved by the Engineering Department and are to be placed on the final plat for the public roadways to be accepted.

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

Opelika Water Board Report

Opelika Water Comments: Water service is available from 10" main on west side of Cunningham Dr. The developer will be required to install a water main from Cunningham Drive along the path of the "Future Road Extension" to the point of the last connection needed for this development.

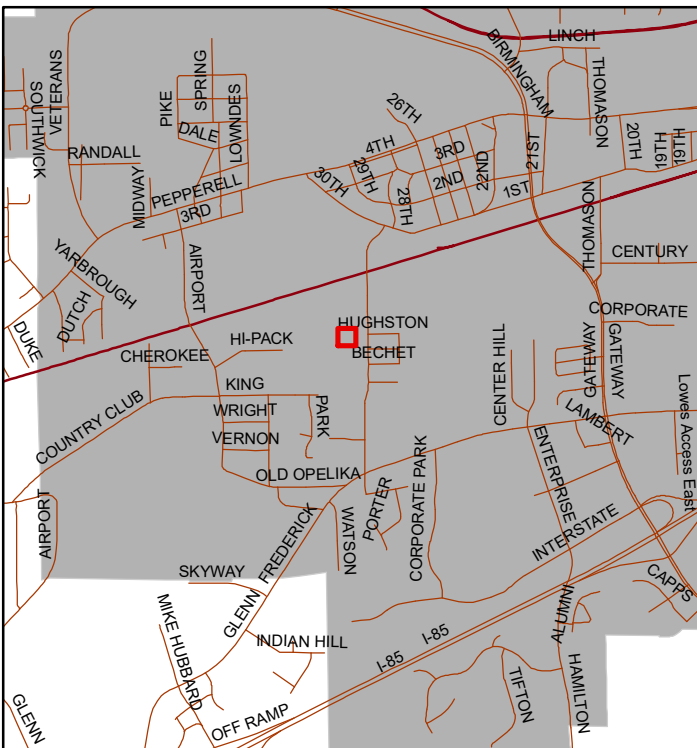
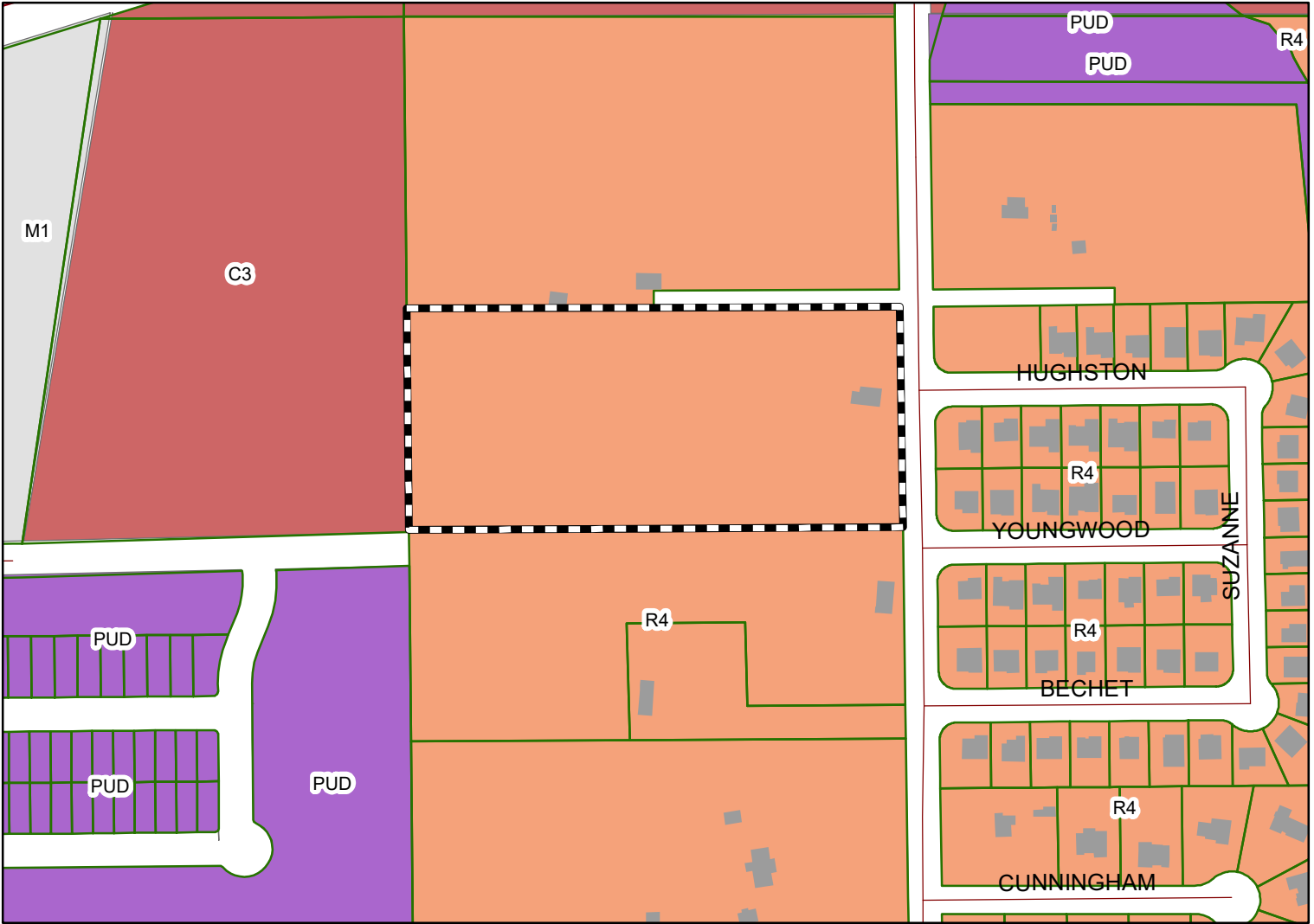
Opelika Power Services Report

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

BROOKHAVEN TOWNHOME SUBDIVISION

2112 CUNNINGHAM DRIVE

PRELIMINARY PLAT, A-3



The applicant is requesting preliminary approval for 49 townhome lots. The subdivision is zoned R-4 (high density residential).

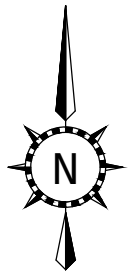


Subject Property

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

BROOKHAVEN TOWNHOMES
2112 CUNNINGHAM DRIVE, OPELIKA, ALABAMA, 36801

C-0.0



LEGEND OF ABBREVIATIONS

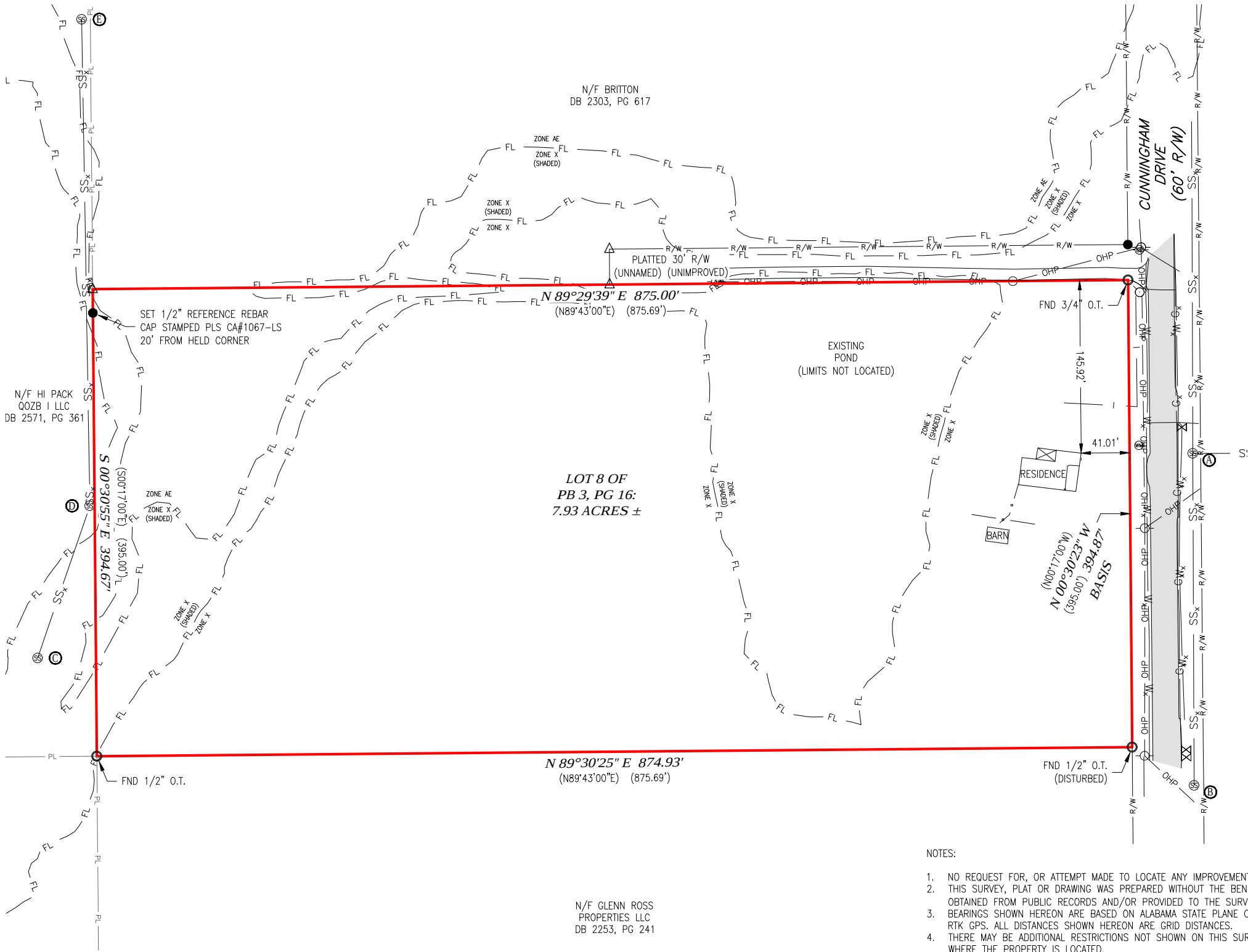
O.T. - OPEN TOP PIPE
C.T. - CRIMPED TOP PIPE
R/W - RIGHT OF WAY
N/F - NOW OR FORMERLY
PL - PROPERTY LINE
DB - DEED BOOK
PB - PLAT BOOK
PG - PAGE
SSMH - SANITARY SEWER MANHOLE
DIP - DUCTILE IRON PIPE
N - NORTH
S - SOUTH
E - EAST
W - WEST
FND - FOUND
INV. - INVERT
EL. - ELEVATION
BASIS - ROTATION BASIS

LEGEND

● SET PROPERTY CORNER
1/2" REBAR WITH CAP
STAMPED PLS CA#1067-LS
△ CALCULATED POINT NOT SET
○ FIRE HYDRANT
○ POWER POLE AND GUY (TYPICAL)
○ UTILITY POLE
○ OPEN TOP PIPE (SIZE AS SHOWN)
○ SANITARY SEWER MANHOLE
○ WATER METER
○ WATER VALVE
" FEET / MINUTES
" INCHES / SECONDS

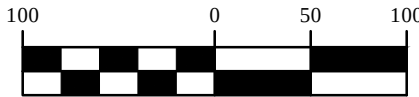
N 16°39'36" E
(N00°00'00"E)

— R/W —
- - - - - CENTERLINE
— PL — APPROXIMATE ADJOINING PROPERTY LINES
— I — NET WIRE FENCE
— o — CHAIN LINK FENCE
— G_x — EXISTING GAS LINE
— SS_x — EXISTING SEWER LINE
— W_x — EXISTING WATER LINE
— OHP — OVERHEAD POWER LINE
— FL — FLOOD ZONE LINE
— FL — PROPERTY LINE (THIS SURVEY)



VICINITY MAP NTS

GRAPHIC SCALE



SANITARY SEWER INVERTS

① SSMH #1
RIM EL. 717.97
12" DIP INV IN S 709.29
8" OR 10" INV IN E 709.28
12" DIP INV OUT N 709.25
② SSMH #2
RIM EL. 722.07
12" PVC INV IN S 712.55
12" PVC INV OUT N 712.53
③ SSMH #3
RIM EL. 705.11
10" DIP INV IN S 696.28
10" DIP INV OUT N 696.26
④ SSMH #4
RIM EL. 706.61
10" DIP INV IN S 695.71
10" DIP INV OUT N 695.70
⑤ SSMH #5
RIM EL. 701.05
10" DIP INV IN S 693.45
10" DIP INV OUT N 692.80

LEGAL DESCRIPTION (AS RECORDED IN DEED BOOK 1202, PAGE 792)

LOT NO. 8 IN THE SUBDIVISION OF THE FRISBY TRACT OF THE LANDS OF PEPPERELL MANUFACTURING COMPANY, AS SHOWN BY MAP OR PLAT THEREOF OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA, IN TOWN PLAT BOOK 3, AT PAGE 16.

NOTES:

- NO REQUEST FOR, OR ATTEMPT MADE TO LOCATE ANY IMPROVEMENTS OR UNDERGROUND INSTALLATIONS, OTHER THAN SHOWN.
- THIS SURVEY, PLAT OR DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND WAS SOLELY BASED ON THE INFORMATION OBTAINED FROM PUBLIC RECORDS AND/OR PROVIDED TO THE SURVEYOR. DEED REFERENCE MADE TO DEED BOOK 1202, PAGE 792.
- BEARINGS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATES EAST ZONE AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
- THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- HORIZONTAL DATUM: (NAD83)(2011) EPOCH 2010.00, VERTICAL DATUM: (NAVD88)
- REPRODUCTIONS OF THIS DRAWING ARE NOT VALID UNLESS SEALED WITH A ORIGINAL SEAL AND LIVE SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ELECTRONIC COPIES OF COPIES OF THIS DRAWING ARE NOT VALID WITHOUT A DIGITAL SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ANY MODIFICATIONS TO ORIGINAL DOCUMENTS, OTHER THAN BY THE SIGNING SURVEYOR, SHALL INVALIDATE THIS DOCUMENT.
- LIABILITY TO THE SURVEYOR SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
- THIS COPYRIGHTED © PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT FOR THE ENTITIES AND/OR INDIVIDUALS LISTED HEREON, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITIES AND/OR INDIVIDUALS WHOMSOEVER. THIS DRAWING IS INVALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL. THIS SURVEY SHOULD NOT BE RELIED UPON 6 MONTHS AFTER THE ORIGINAL SIGNATURE BY ANY PARTY OR ENTITY AND SHALL NOT BE USED IN ANY OTHER CLOSING OR TRANSACTION OTHER THAN SAMFORD GROUP — JOSH MURA, AS IT WAS ORIGINALLY INTENDED OR PREPARED FOR.
- THE USE OF THIS BOUNDARY SURVEY IN CONJUNCTION WITH AN "OWNERS AFFIDAVIT" OR ANY OTHER INSTRUMENT WHICH IS DESIGNED TO TRANSFER TITLE WITHOUT A CURRENT SURVEY IS NOT PERMITTED BY THIS SURVEYOR, AND WILL INVALIDATE THIS SURVEY.
- THIS DRAWING IS INTENDED TO BE PRINTED ON 11x17. IF PRINTED ON A DIFFERENT SIZE THE SCALE WILL BE INACCURATE.
- ALABAMA 811 LINE LOCATE REQUEST SENT ON 03/07/2025 WITH TICKET NUMBER(S) 250661473 & 250661487. ALL ON SITE MARKED UTILITIES OR MAP LOCATIONS HAVE BEEN LOCATED ON 03/14/2025 AND SHOWN ON THIS SURVEY.
- PRIOR TO DESIGN OR CONSTRUCTION SETBACKS NEED TO BE VERIFIED WITH THE LOCAL ZONING, PLANNING AND DEVELOPMENT AUTHORITY.
- CONTRACTOR'S RESPONSIBILITY TO VERIFY DIMENSIONS SHOWN HEREON PRIOR TO FURTHER CONSTRUCTION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR LEE COUNTY, ALABAMA, MAP NUMBER 01081C0068H, EFFECTIVE DATE 1/17/2025. THIS SITE LIES WITHIN ZONE X DEFINES AS "AREA OF MINIMAL FLOOD HAZARD"; ZONE X(SHADED) DEFINES AS "0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE"; AND ZONE AE DEFINES AS "WITHOUT BASE FLOOD ELEVATION".

STATE OF: ALABAMA
COUNTY OF: LEE

I CORY E. RUSHING A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA HEREBY CERTIFY TO SAMFORD GROUP — JOSH MURA 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.

ACCORDING TO MY SURVEY THIS THE 20TH DAY OF MARCH, 2025.

Cory E Rushing
Digitally signed by Cory E Rushing
Date: 2025.03.20 16:57:35 -05'00'

CORY E. RUSHING, PLS AL. LICENSE #26627



PLS GROUP, INC.
SURVEYING, MAPPING AND SOLUTIONS
LB#8096 LSF#1260 CA-1067-LS

4417 COUNTY ROAD 2214
TROY, AL 36079
OFFICE: 334-403-4204
FAX: 334-460-9851

17799 PANAMA CITY BEACH PARKWAY
PANAMA CITY BEACH, FL 32413
OFFICE: 334-403-4204

179 HONEYSUCKLE ROAD SUITE 5
DOTHAN, AL 36305
OFFICE: 334-661-4030

34565 U.S. HIGHWAY 31, SUITE C
STAPLETON, AL 36578
OFFICE: 251-937-1434

2410 CUNNINGHAM DRIVE
SAMFORD GROUP - JOSH MURA
OPELIKA
LEE COUNTY, ALABAMA

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SHEET TITLE: BOUNDARY SURVEY & UTILITY LOCATE			NO.	REVISIONS	DATE
SHEET NUMBER: 01 01 OF 01	SURVEY END DATE: 03/19/25	PROJECT NO: 25-0147			
	DRAWING SCALE: 1" = 100'	DRAWN BY: LMW			
	DRAWING END DATE: 03/20/25	CHECKED BY: CER			

Curve Table						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C5	673.00'	106.33'	S56°15'37"W	106.22'	9°03'09"	53.28'
C6	673.00'	107.65'	S65°22'08"W	107.54'	9°09'54"	53.94'
C7	673.00'	101.75'	S74°16'57"W	101.65'	8°39'44"	50.97'
C8	673.00'	129.34'	S84°07'10"W	129.14'	11°00'41"	64.87'
C11	10.00'	10.55'	N60°09'18"W	10.07'	60°26'24"	5.82'
C12	65.00'	35.93'	N45°46'17"W	35.48'	31°40'24"	18.44'

Parcel Area Table	
Parcel #	Area
1	5759.58
2	2619.34
3	3644.46
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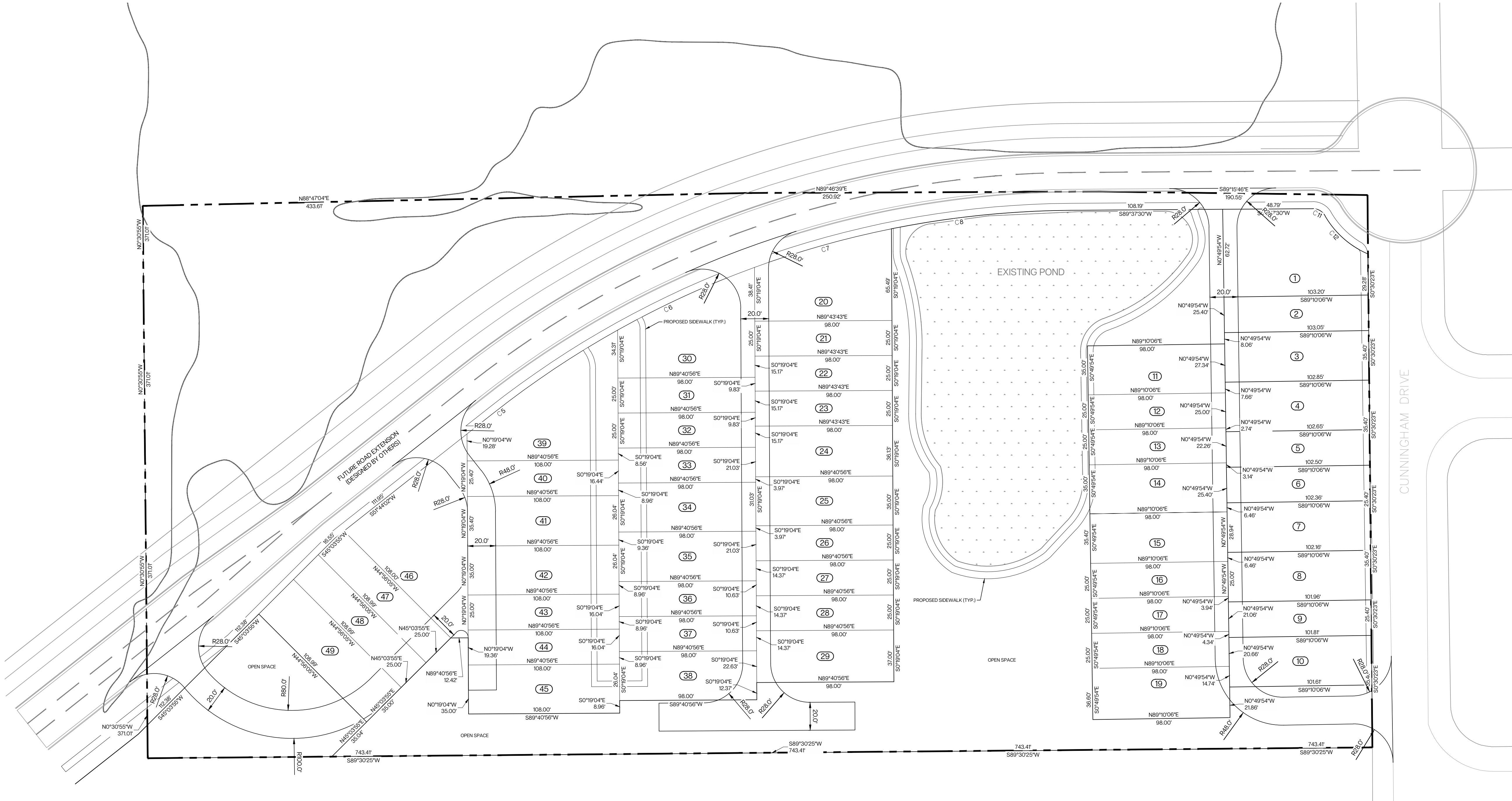
Parcel Area Table	
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18	2450.00
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20	5221.27

Parcel Area Table	
Parcel #	Area
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29	3626.00
30	5686.22

Parcel Area Table	
Parcel #	Area
31	2450.00
32	2450.00
33	2450.00
34	3430.00
35	3469.20
36	2450.00
37	2450.00
38	3430.00
39	6307.36
40	2743.20

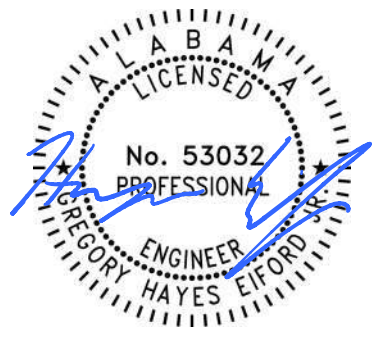
Parcel Area Table	
Parcel #	Area
41	3823.20
42	3780.00
43	2700.00
44	2700.00
45	3780.00
46	6909.09
47	2720.53
48	2724.71
49	3814.60

SITE DATA:	
TOTAL AREA:	+/- 7.93 ACRES
PROPOSED UNITS:	
TOWNHOMES (24' X 96'):	49 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.



BROOKHAVEN TOWNHOMES

CUNNINGHAM DRIVE
CITY OF OPELIKA, LEE COUNTY, AL



DESIGN TEAM:

DRAWN BY: --

DESIGNED BY: --

REVIEWED BY: --

SCALE & NORTH ARROW:

NORTH ARROW

0 40 80

20 60

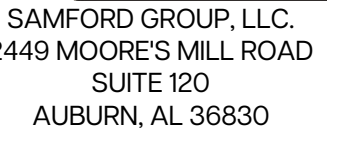
SCALE: 1"=40'

JOB NUMBER: 011

DATE: 3/24/2025

SHEET TITLE:

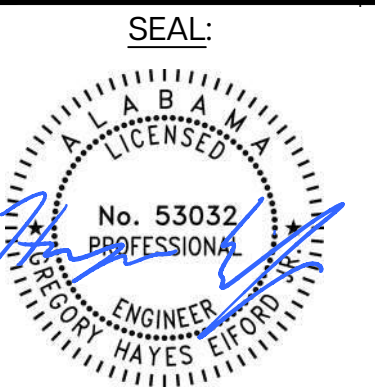
SITE PLAN

[illegible]

BROOKHAVEN TOWNHOMES

CUNNINGHAM DRIVE
CITY OF OPELIKA, LEE COUNTY, AL

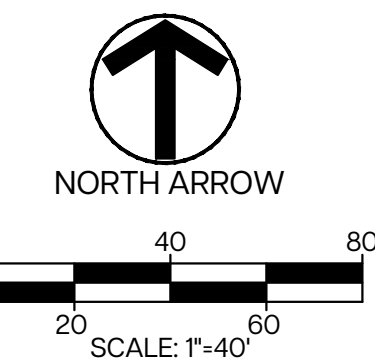
THESE DOCUMENTS ARE THE PROPERTY OF SAMFORD GROUP, LLC. ANY DISTRIBUTION OR USE BEYOND THEIR INTENT WITHOUT WRITTEN CONSENT IS A VIOLATION OF COPYRIGHT LAWS.



DESIGN TEAM:

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

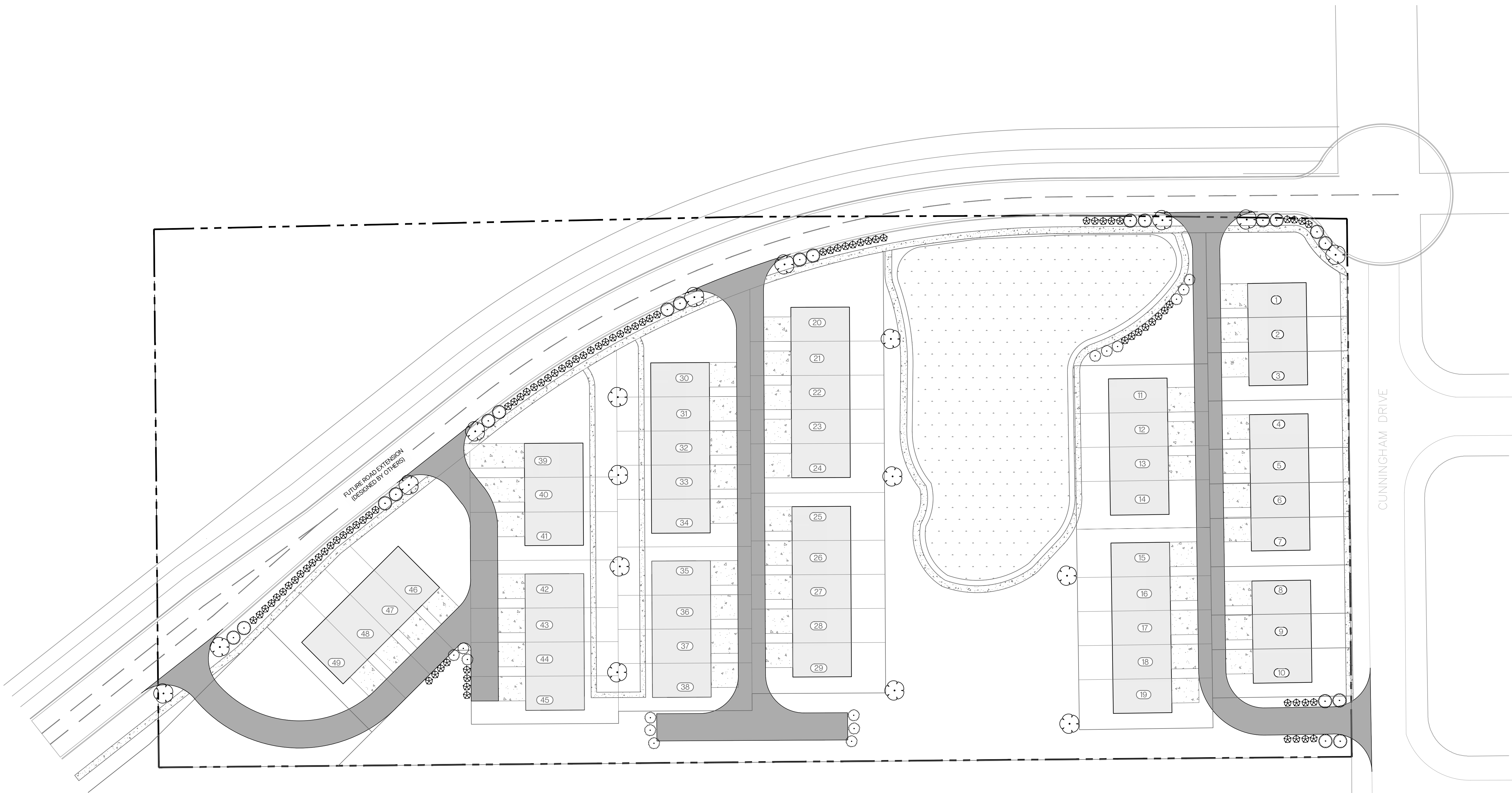
SCALE & NORTH ARROW:



OB NUMBER: 011
DATE: 3/24/20

SHEET TITLE:
LANDSCAPE PLAN

C-3.1



<u>PLANT SCHEDULE</u>		
<u>TREE TYPE</u>	<u>QTY</u>	
2-2.5' CALIPER SHADE TREE	18 (198 PTS)	
1.25-1.5' CALIPER EVERGREEN TREE	19 (155 PTS)	
1.25-1.5' CALIPER UNDERSTORY TREE	16 (80 PTS)	
<u>SHRUB TYPE</u>	<u>QTY</u>	
MEDIUM EVERGREEN SHRUB	85 (85 PTS)	
<u>CALCULATIONS:</u>		
SF OF DEVELOPED AREA:	202,989 (4.66 AC.)	
POINTS REQUIRED	426 PTS	
POINTS PROVIDED	518 PTS	

SITE DATA:

TOTAL AREA: +/- 7.93 ACRES

PROPOSED UNITS:

TOWNHOMES (24' X 86'): 49 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.



PETITION FOR ANNEXATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

P:(334) 705-5156 F:(334) 705-5159

PC DEADLINE: _____ PC MEETING: _____

AGENDA ITEM # _____



SITE ADDRESS: 0 LEE RD 391

PROPERTY OWNER: EDGAR HUGHSTON BUILDER INC

APPLICANT: TYLER FINDLEY W/EDGAR HUGHSTON BUILDER INC

MAILING ADDRESS: 6053 VETERANS PARKWAY, STE 300, COLUMBUS, GA 31909

PHONE NUMBER: 706.568.7650 **FAX NUMBER:** _____

EMAIL ADDRESS: TFINDLEY@HUGHSTONHOMES.COM

PARCEL INFORMATION

Tax Parcel Number: 43 10 08 27 0 000 001.000 & 43 10 05 22 0 000 008.000

Street Address: 0 LEE RD 391

Current Land Use: UNDEVELOPED Proposed Zoning: R1

Adjacent Zoning Districts (if applicable): North: _____ South: R1 East: R1 West: R1

Description of proposed use: PROPOSED NEW DEVELOPMENT WOULD INCLUDE 46 SINGLE-FAMILY RESIDENTIAL LOTS

Ownership Configuration: ☐ single parcel/single ownership ☐ multiple parcels/single ownership
☐ single parcel/multiple ownership ☒ multiple parcels/multiple ownership

1. Is this property(s) contiguous with Opelika City limits? YES
2. What is the population of proposed annexed area? 0
3. What is the population by race? 0 White, 0 Black, 0 Hispanic, 0 Asian, 0 Other
4. How many registered voters reside in proposed annexed area? _____
5. Are there any businesses in proposed annexed area? NO
List type of business and location: N/A

Proposed Zoning: R1 Fee: \$250.00 per dwelling or \$250.00 per business

TOTAL = \$0

PAID N/A

OWNERS SIGNATURE: 	DATE: 03/25/2025
(PRINT NAME) Richie Eubanks	

REQUIREMENTS

1. Copy of deed of property
2. Copy of legal description of property
3. Following annexation, the property owner is responsible to change the physical address of the property annexed (not just the mailing address). Complete a change of address form provided by the Post Office. Then notify the telephone company about the address change.
4. Fee for Loss of Revenues to Volunteer Fire Department \$250.00

NOTE: Pursuant to Section 8, Act No. 89-390 of the State of Alabama, the County Fire Tax Fee remains in effect for five years after a property is annexed into the Opelika City limits. This State requirement concerns properties with dwellings or commercial improvements not vacant land. After five years, a Fire Tax Fee will not be collected. The Fire Tax Fee is \$50 per year for properties with dwellings (5 yrs. = \$250) or \$50 for properties with commercial improvements, (building) (5 yrs. = \$250). For each annexed property, a check in the amount of \$250/\$250, payable to the City of Opelika, is due when the annexation application, deed, and legal description are submitted. Fee is refundable if annexation is denied.

I hereby request the Opelika Planning Commission to review my annexation application for property located at the (address/general location) 0 Lee Rd. 391
as described in the legal description submitted. I understand the requirements above that I may be required to provide additional information with my application. The City may require information or waive certain requirements at any time during the annexation process.



Signature (owner)

03/25/2025

Date

PETITION FOR ANNEXATION INTO CITY LIMITS OF THE CITY OF OPELIKA PURSUANT TO
THE PROVISIONS OF SECTION 11-42-20, ET SEQ OF THE CODES OF ALABAMA, 1975

STATE OF ALABAMA

LEE COUNTY

TO: THE CITY COUNCIL OF THE CITY OF OPELIKA, ALABAMA

Come now the undersigned (hereinafter referred to as the "Petitioners"), being all the property owners of all the land described below, and represent and show unto your Honors as follows:

1. The Petitioners are the owners of the property hereinafter described, which is located and contained within an area contiguous to the cooperate limits of the City of Opelika, an incorporated Municipality, situated in Lee County, Alabama, with a population of more than two thousand (2,000) according to the most recent Federal Census, which said property, is more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE (legal description)

2. There is attached hereto as Exhibit "B" and made a part of this Petition, a MAP of the above-described territory showing its relationship to the corporate limits of said Municipality of which it is proposed to be annexed.
3. The Petitioners certify that they are the owners of all the land within the above-described property.
4. The Petitioners certify that the territory to be annexed is contiguous to the existing corporate limits of the City of Opelika will form a homogenous part of the City.
5. The Petitioners represent and show it will be to the best interest of the City of Opelika and that the public good requires that the above-described territory be annexed into the City of Opelika, Alabama, a Municipal corporation.
6. The Petitioners understand that the city has not committed to provide sanitary sewer service to their property immediately, but will work to provide the service as soon as economically feasible.

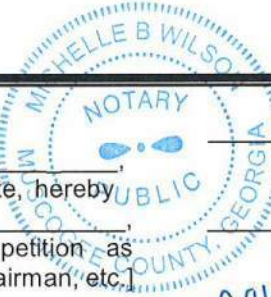
WHEREFORE, your Petitioners respectfully pray that the City Council of the City of Opelika adopt an appropriate annexation ordinance assenting to the annexation of the above-described property into said Municipality, and that the corporate limits of the City be extended and rearranged by said ordinances so as to embrace and to include the above-described property as part of the corporate area of said City. The Petitioners further show that such other acts is taken as are necessary or appropriate in order to accomplish the annexation of the above-described territory.

RESPECTFULLY SUBMITTED this the 25 day of march, 2025.

NOTARY SIGNATURES

Before me, Michelle B. Wilson,
a Notary Public in and for said County and State, hereby
certify that Richie Eubanks,
whose name is signed to the foregoing petition as
President [President, Chairman, etc.]
of Edgar Hughston Builder, Inc.,
[Corporation, City], and who is known to me, acknowledged
before me on this date that he executed the same voluntarily
for and as the act of said corporation, being duly authorized
to do so, all on the day they say bears date. Given under
my hand and official seal of office this the
25th
day of March, 2025

Michelle B. Wilson Notary Public
My Commission Expires March 12, 2029



Richie Eubanks
(print name)

6053 Veterans Rmwy
(address)

Columbus GA 31909
(city, state, zip)

BY: REA
(signature)

ITS: president
(title)

DATE: 03/25/2025

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,
he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,
he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,
he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

CITY OF OPELIKA
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Agenda Item: A-4a

Action Requested: Annexation

Location of Property: 2800 block Lee Road 391, Old Columbus Road

Property Owner: Tyler Findley, Edgar Hughston Builders, Inc.

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1

Existing Land Use: Undeveloped

Adjacent Zoning/Land Use: North: PJ (Planning Jurisdiction)
South: R-1
East: PJ(Planning Jurisdiction) and R-1
West: R-1

Staff Comments:

The applicant is requesting to annex a 94.4 acres into the City of Opelika. This property is located on Old Columbus Road (Lee Road 391) east of the intersection with South Uniroyal Road and south of the railroad. The city limits are adjacent to the annexation property on the west and south sides. Additionally, some of the properties on the east side are in, while most of it is still in the unincorporated county. The property owner plans to develop this property as single-family residential. The property owner is requesting to be annexed into the city.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The lot meets the requirements of the Code of Alabama to petition for annexation. It is contiguous to a property currently in the city limits.

There is no issues that would prevent the property from being annexed. The proposed development would not meet all city regulations, but the two items are separate actions. However, the applicant may not wish to proceed with the annexation if the subdivision is not approved.

Staff recommends the Planning Commission send a positive recommendation to the City Council to annex the 94.4 acres.

Engineering Department Report

Engineering has no comments regarding the proposed annexation.

Opelika Water Report

Water service is available from 8" main on north side of Old Columbus Rd.

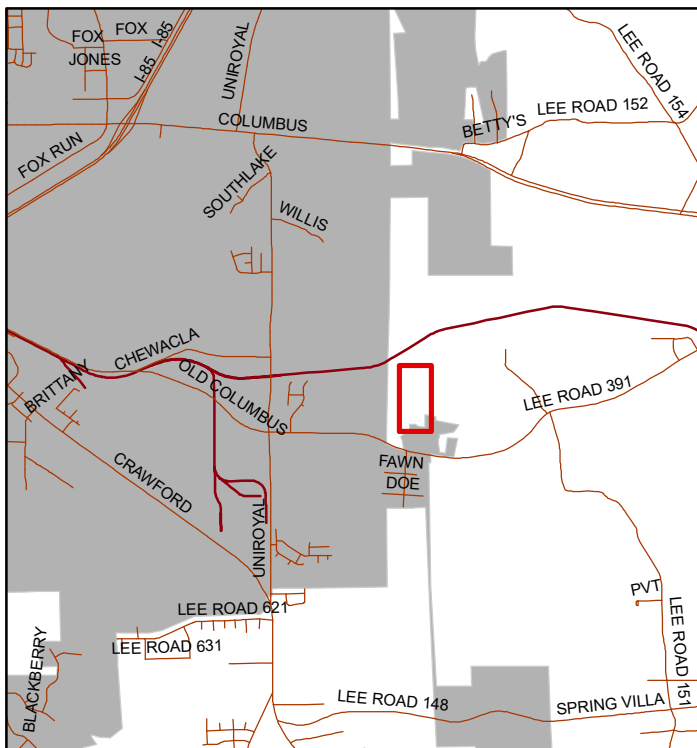
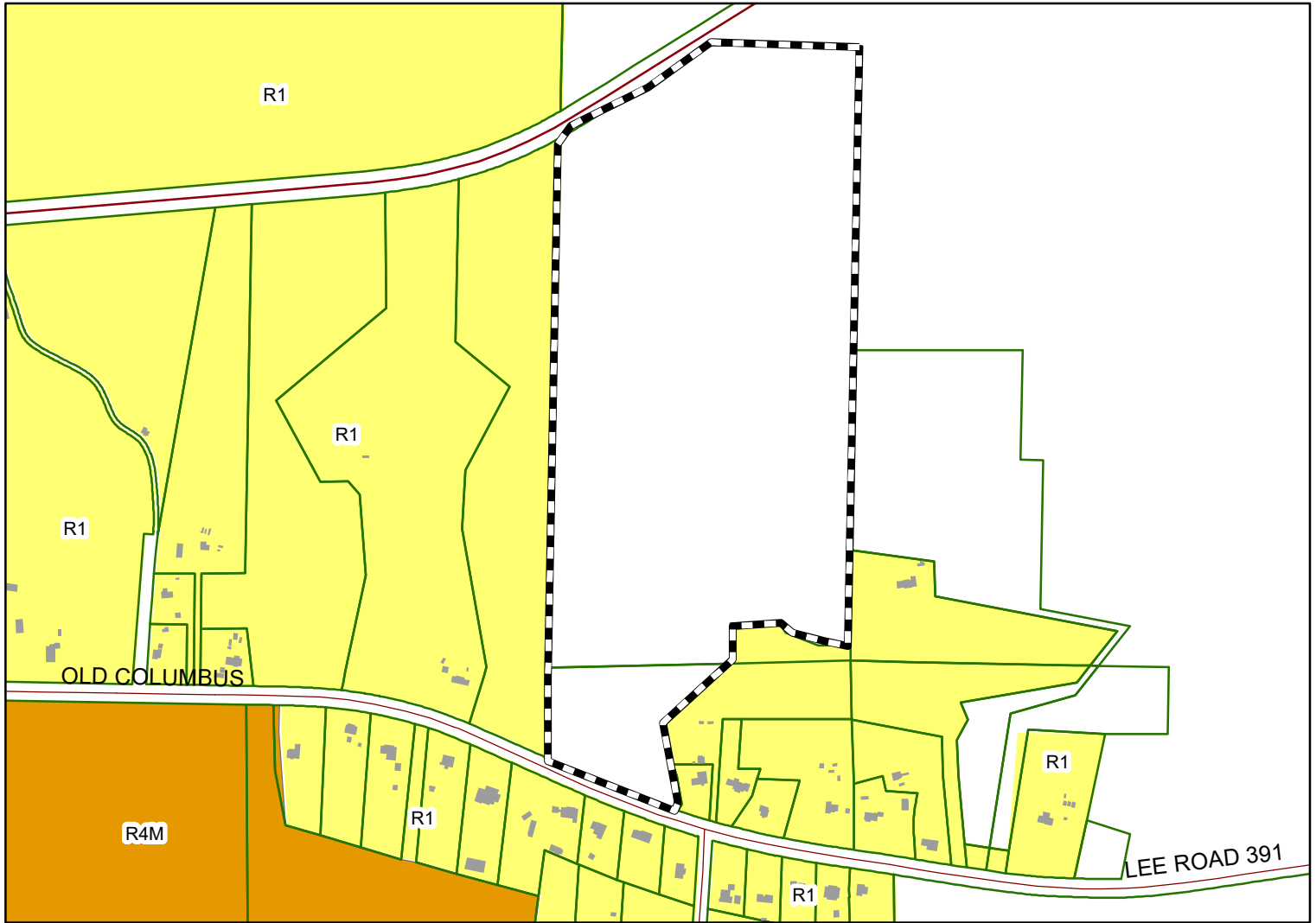
Opelika Power Services Report

This Property is located outside of the Opelika Power service territory.

SUMMIT POINTS - ANNEXATION AND SUBDIVISION

2112 CUNNINGHAM DRIVE

ANNEXATION & PRELIMINARY PLAT, A-4



The applicant is requesting preliminary approval to annex 94.4 acres for 49 single family home lots. An R-1 zone is requested. One acre is minimum lot size in a R-1 zone.



Subject Property

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



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: 0 LEE RD 391

PROPERTY OWNER: EDGAR HUGHSTON BUILDER INC.

APPLICANT/AUTHORIZED REPRESENTATIVE: TYLER FINDLEY with Edgar Hughston Builder Inc

MAILING ADDRESS: 6053 VETERANS PKWY, STE 300 COLUMBUS GA 31909

PHONE NUMBER: 706.568.7650 **FAX NUMBER:** _____

EMAIL ADDRESS: tfindley@hughstonhomes.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

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

☒ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATIONSubdivision Name: Summit PointeCurrent Land Use: VacantCurrent Zoning: naProposed use of the Subdivision: R1 - single family

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

Number of Lots: 46 x \$3.00 = \$ 138Number of APO: 14 x \$7.00 = \$ 98
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = \$236**PAID** _____

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

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

(PRINT NAME) Tyler FindleyDATE 03/25/2024

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, _____, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

_____ to act as my representative in all decisions concerning the subdivision of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County and State, hereby certify

that _____, 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: _____

SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$7.00 each certified letter, plus \$3 each lot** in subdivision. Checks payable to City of Opelika. For final plat approval only or administrative plat approval only: \$75 application fee.
8. Approval of a preliminary plat by the Planning Commission shall be effective for 24 months unless the applicant request and the Planning Commission grants an extension; if approval for final plat has not be granted within 24 months the Preliminary approval shall automatically be extended for a period of 12 months from the date of approval if such Final Plat of pat of the subdivision. .
9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Subdivision: Summit Point Subdivision

Agenda Item #: A-4b

Action Requested: Preliminary Approval

Location of Property: 2800 block of Old Columbus Parkway (Lee Road 391)

Property Owner(s):
Tyler Findley, Edgar Hughston Builder, Inc.

Current Land Use: Undeveloped

Current Zoning: Planning Jurisdiction (R-1 pending annexation)

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

Staff Comments:

The applicant is requesting preliminary plat approval for a 47-lot subdivision including 46 single family lots and one (1) detention/open space lot. The property is currently in the Planning Jurisdiction, but the applicant is proposing to annex it into the City limits. It would be annexed as an R-1 zone, which is the predominant zone in this area. These lots will be primarily accessed from the new street unlabeled road connecting to Old Columbus Road.

The lots in this development are being developed off of an R-1 standard on the presumption that they will be annexed into the City of Opelika. All lots exceed the minimum lot size of one (1) acre with some getting as large as five or six acres. They all meet the minimum lot width as well. There are two flag lots shown. These lots do not meet the minimum size for a flag lot, as those lots are required to be twice the size allowed in the zoning district (two acres). There is also a large lot that contains detention ponds and has significant topographic changes and streams. It is listed as unbuildable.

The new street would be a single, long street without any intersection. It does have some curves and crosses at least two streams. This street exceeds the block length allowed in the subdivision regulations. The maximum block length is 1,200 feet in length. This street is over three times as long at 3,800 feet. Typically, this would be remedied by adding cross streets to create blocks.

That property is much longer than narrow, which may be why the applicant has not added any side streets. The addition of side streets could also provide additional access to adjoining properties if added. The applicant should look at traffic calming either through design or by adding calming features such as chicanes or boulevard sections to slow potential traffic. The street is only allowed 30 lots based on the current fire code. The current layout would not be allowed due to the single access (fire access road). This could be fixed by removing some of the lots, adding sprinkler systems to the homes, or building a secondary fire access lane. It should be noted, that this regulation is based on the building and fire code. These codes are only enforced in the City of Opelika, not in the Planning Jurisdiction. If the subdivision were built in the county not meeting this code, staff would not support its annexation at a later time.

While the lot sizes and single family use are appropriate at this location, staff cannot recommend approval of this plat at this time. The street does not meet the block length in the subdivision regulations, the flag lots are not correct, and the number of homes exceeds the fire code. Should the applicant wish to proceed without annexation, the other items would need to be fixed.

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

1. Street right of way widths are not given
2. The proposed new street is unnamed.
3. All adjoiner info should include the address.
4. Add the standard Opelika easement statement: "An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating` and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines."
5. The certificates for the owner(s)/developer(s), notary statement, and certificates for the city officials are missing.
6. Sidewalks are required on one side of the street.
7. All utilities shall be underground.
8. The block length shall be reduced to a reasonable length.
9. The flag lots shall meet the standards of the subdivision regulations.

Engineering Department Report

Engineering has no other comments regarding the proposed Preliminary Plat.

Opelika Utilities Board Report

Water service is available from 8" main on north side of Old Columbus Rd.

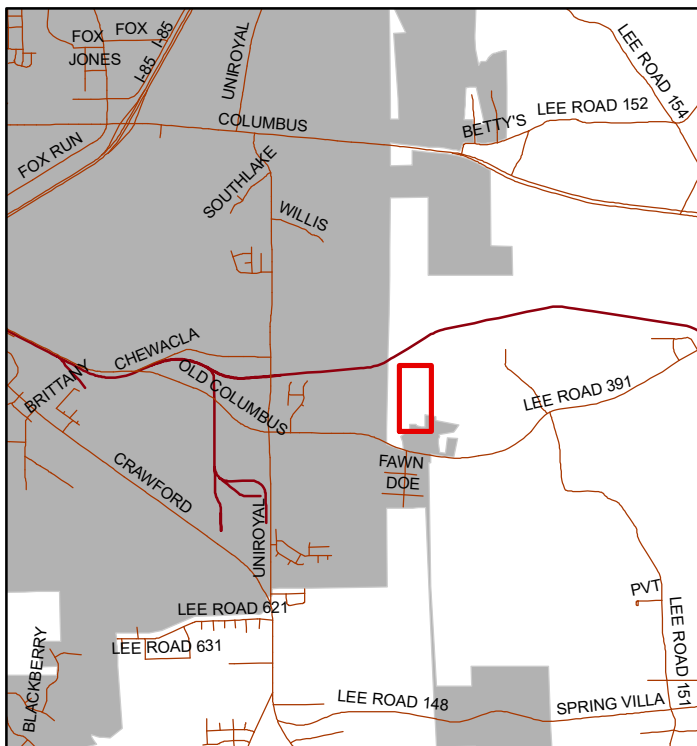
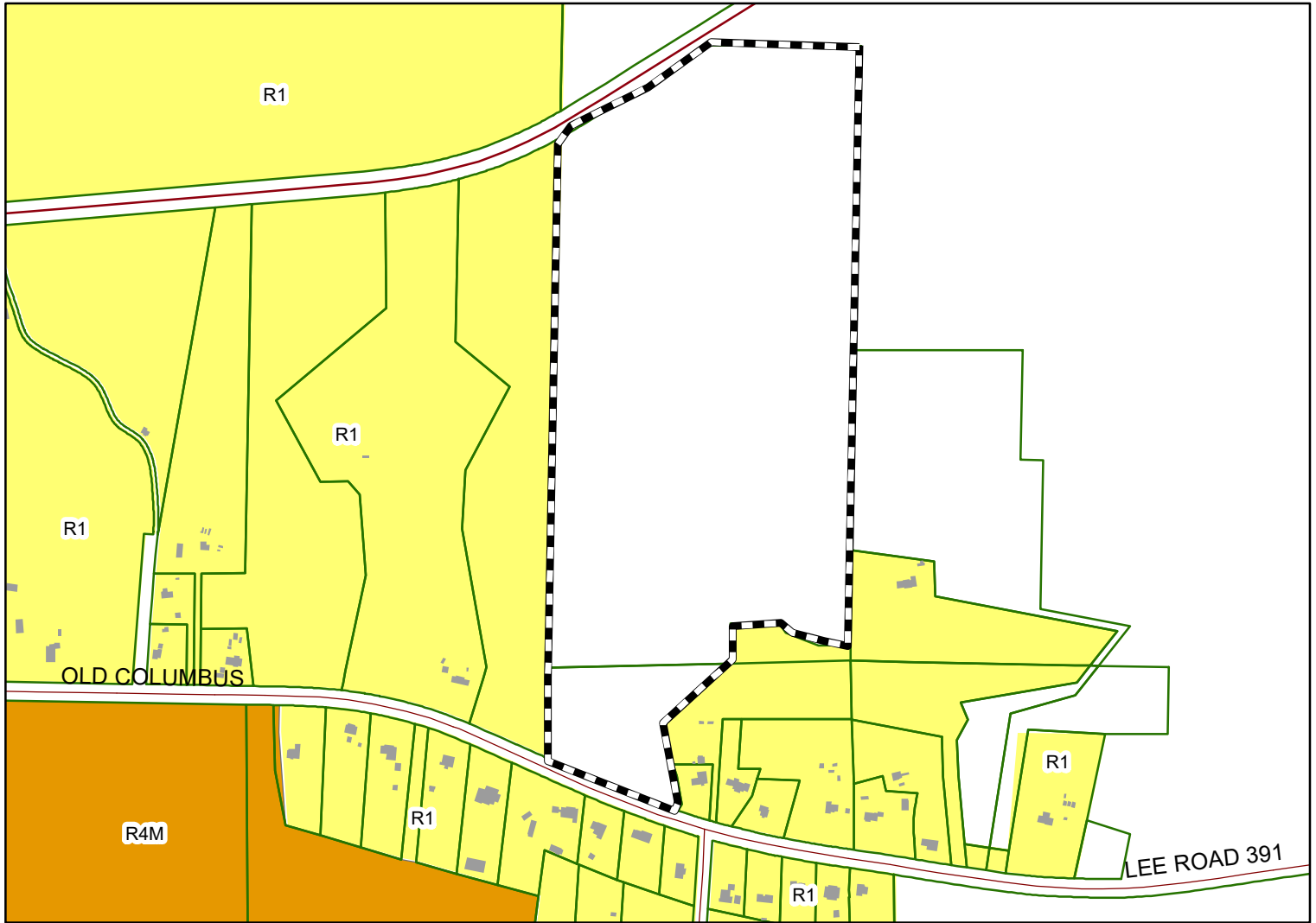
Opelika Power Services Report

This property is located outside the Opelika Power Service territory.

SUMMIT POINTS - ANNEXATION AND SUBDIVISION

2112 CUNNINGHAM DRIVE

ANNEXATION & PRELIMINARY PLAT, A-4

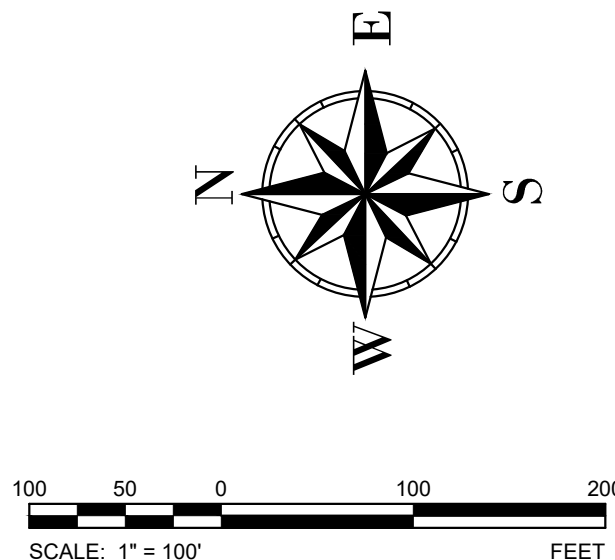


The applicant is requesting preliminary approval to annex 94.4 acres for 49 single family home lots. An R-1 zone is requested. One acre is minimum lot size in a R-1 zone.



Subject Property

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CS-100



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Arlee Ave., Jansen Ave., and intersection of Stokes Ave. and Arlee Ave.

PROPERTY OWNER: DRB Group Alabama, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Andrew Burk

MAILING ADDRESS: 55 Ivan Allen Jr. Blvd., Suite 400, Atlanta, GA

PHONE NUMBER: 770-615-0711

FAX NUMBER: N/A

EMAIL ADDRESS: aburk@drbgroup.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation

☐ Rezoning

☐ Other _____

PARCEL INFORMATION

Subdivision Name: The Village at Waterford Phase 4C

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)

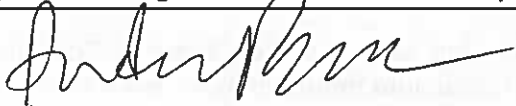
Fee: \$75.00

TOTAL = \$75.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) The Village at Waterford Phase 4C Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE: 

(PRINT NAME) **Andrew Burk**

3/26/2025

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, _____, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

_____ to act as my representative in all decisions concerning the subdivision of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County and State, hereby certify

that _____, 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: _____

SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$7.00 each certified letter, plus \$3 each lot** in subdivision. Checks payable to City of Opelika. For final plat approval only or administrative plat approval only: \$75 application fee.
8. Approval of a preliminary plat by the Planning Commission shall expire in one year after approval date; approval of a final plat by the Planning Commission shall be null and void if the plat is not recorded within 120 days after approval date.
9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	April 22, 2025
Agenda Item #:	B-6
Action Requested:	Villages at Waterford Subdivision Phase 4C, 65 lots final approval.
Location of Property:	Stokes Avenue and Jansen Avenue
Property Owner(s):	DBR Group Alabama, LLC Andrew Burk, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	PUD (Planned Unit Development)
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0230G Zone X – An area 0.2% or less annual chance of flood.

The plat consists of 65 single-family home lots and two detention lots. The plat shows 44 single family homes lots 36 to 40 feet wide. The remaining 21 lots are 50 to 55 feet wide. The minimum building setbacks are 18 feet front and rear yards and 5 feet on side yard for all of this plat.

The utilities in Phase 4C will be underground. Sidewalks are required on at least one side of each street. Stokes Drive and Jansen Avenue are continued from the previous phases. The master plan requires a minimum of at least one street tree every two lots; trees must be planted on private property. Add a note on the plat to state this.

Staff Recommendations

Planning staff recommends final approval subject to:

1. Install underground utilities.
2. Install sidewalks on at least one side of all streets.
3. Change Opelika Utilities Board to Opelika Water
4. Add a lot size and use to Lot 458 and Lot 197.
5. Complete installation of the pool for the development.
6. Correct Note 10 to read Phase 4C.
7. Correct the dimensions and labels from the line and curve tables, primarily on the fronts or rears of the narrower lots, overlap or should be shifted so they are readable.
8. The certificates for the surveyor, owner, and notary need to be updated from March to April.

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

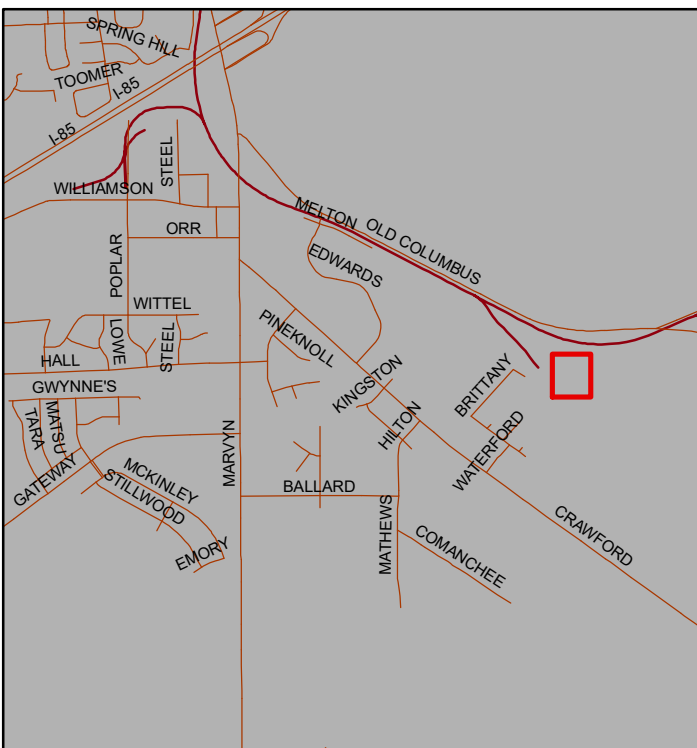
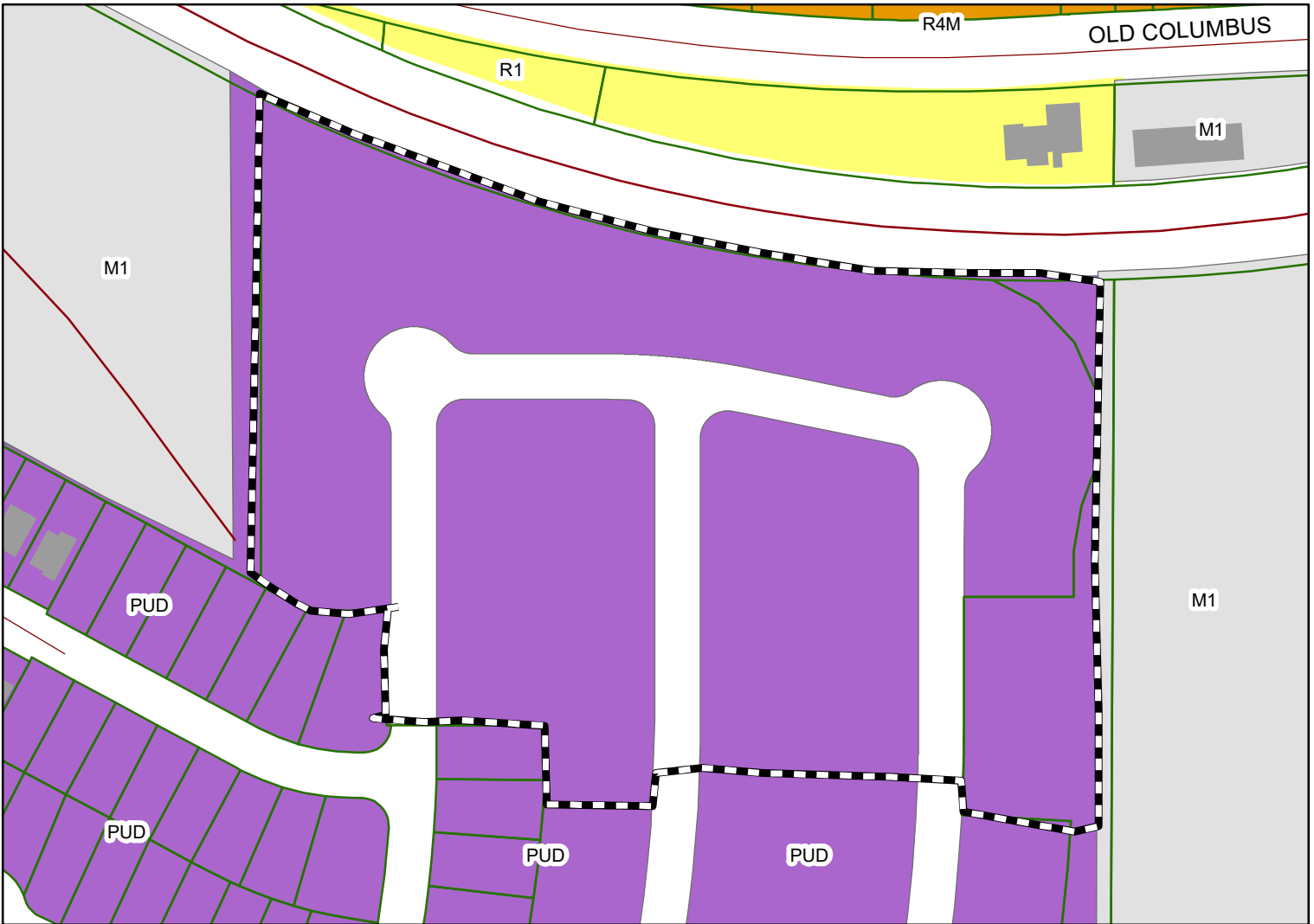
Opelika Water Report

Water infrastructure has been accepted by Opelika Water.

Opelika Power Services Report

This subdivision is located inside Opelika Power service territory.

THE VILLAGE OF WATERFORD PHASE 4C SUBDIVISION JANSEN AVENUE and ARLEE AVENUE FINAL PLAT, B-6



The applicant is requesting final approval for 65 lots - single family homes. The property is in the Waterford PUD zoning district.

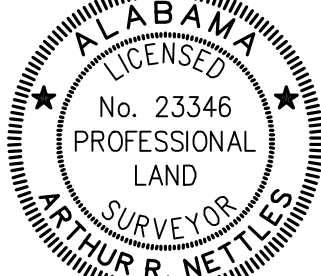


Subject Property

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

[illegible]

THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4 C
SEC. 20 T 19 N Rg 27 E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60'
HUR R. NETTLES, AL. P.L.S. REG. NO. 2
ALABAMA CERT. OF AUTH. CA. NO. 9225



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 IN WHOLE OR IN PART WITHOUT THE EXPRESSED CONSENT, EITHER WRITTEN OR
VERBAL, OF BASELINE SURVEYING & DESIGN, LLC.

CREW CHIEF	DRAWN	DATE	JOB NO.
TTM	ARN	03/26/25	B72825.01



THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4 C
 SEC. 20 T 19 N Rg 27 E
 OPELIKA LEE COUNTY ALABAMA
 SCALE : 1"=60'
 HUR R. NETTLES, AL. P.L.S. REG. NO. 23346
 ALABAMA CERT. OF AUTH. CA. NO. 922



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: 3200-3434 Hamlet Drive, Opelika, ALPROPERTY OWNER: DFH Liberty, LLCAPPLICANT/AUTHORIZED REPRESENTATIVE: Mike MaherMAILING ADDRESS: 2124 Moores Mill Rd Suite 110PHONE NUMBER: 334-821-0105FAX NUMBER: 334-821-4044EMAIL ADDRESS: mike.precisionsurv@gmail.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation☐ Rezoning☐ Other _____**PARCEL INFORMATION**Subdivision Name: The Hamlet at Wyndham Gate SD Pod 10 Phase 1Current Land Use: VacantCurrent Zoning: PUDProposed use of the Subdivision: Townhomes☒ Residential☐ Commercial☐ Manufacturing/Industrial☐ Office/InstitutionalNumber of Lots: 18 x \$3.00 = \$54.00Number of APO: 8 x \$7.00 = \$56.00
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = 185.00**PAID** _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) The Hamlet at Wyndham Gates Ph 1 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: Dolores W. Allen(PRINT NAME) Dolores W. AllenDATE 4/1/25

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, Dolores W. Allen, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

Michael Maher of Precision Surveying to act as my representative in all decisions concerning the subdivision of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature Dolores W. Allen Date 4/1/25

STATE OF ALABAMA
COUNTY OF LEE

I, Karen Sadat, a Notary Public in and for said County and State, hereby certify

that Dolores W. Allen, 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 1st day of April 2025

K. Sadat
Notary Public

My Commission Expires: 7-31-28

**SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION**

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
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9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Subdivision: The Hamlet at Wyndham Gates, Pod 10 Phase 1

Agenda Item #: B-7

Action Requested: Final Approval

Location of Property: 3200-3434 Hamlet Drive (accessed at 4000 block Gateway Drive)

Property Owner(s): DFH Liberty, LLC
Mike Maher, authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

Proposal

The applicant is requesting final approval for 16 townhome lots. A larger lot is a remainder parcel that will be subdivided for future townhomes. At the September 2022 Planning Commission, the applicant was granted preliminary plat approval for 200 townhome lots.

The 16 townhomes are two groups with eight townhome units. The lots front on a private street. Each lot includes a front and rear yard for a fee-simple lot. The 16 lots exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The lots area range from 1,915 square feet (sf) to 2,887 sf. Lot width is from 20 feet to 30 feet. The 16 lots meet the minimum yard size requirement with one yard area at least 50% the size of a townhome unit's first floor. The plat shows the first floor area of townhomes ranging from 615 square feet to 860 sf; the smallest yard area of the 16 townhome lots is 780 square feet exceeding 50% of first floor area. Each unit has two parking spaces as required. Underground utilities are installed and sidewalks are on one side of the street. A note should be added to the plat that the Wyndham POD 10 HOA (Homeowner's Association) is responsible for the maintenance of private streets and open space. The minimum setbacks for the townhome lots in this PUD are 40 feet from Gateway Drive, 22 feet from the rear property line, 20 foot setback from the perimeter property lines, and a 10-foot side setback for end townhome units.

The exterior building material is a mix of brick and hardie board as presented at the September 2022 PC preliminary plat review. The landscaping for the 16 townhome lots must include the plants on the landscape plan (see page 3).

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

- 1. Add the required 25' landscape buffer along Gateway Drive on Lot 201.**
- 2. Add a note about the ownership, use, and maintenance of the open space on remainder lots or amenities.**
- 3. Label the lots that are Lot 203 and Lot 204 referred to in note #6 on plat.**
- 4. After site inspection including landscaping is approved, then plat signatures and recording of final plat is allowed.**

Engineering Department Report

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

Opelika Water Board Report

Opelika Water Comments: Water infrastructure has been accepted by Opelika Water. Community is master metered and the water system inside the development is private.

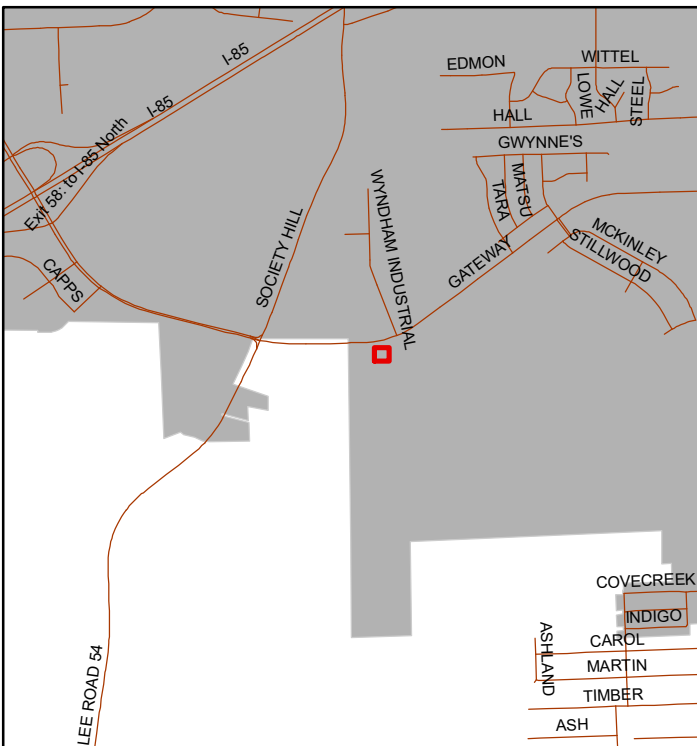
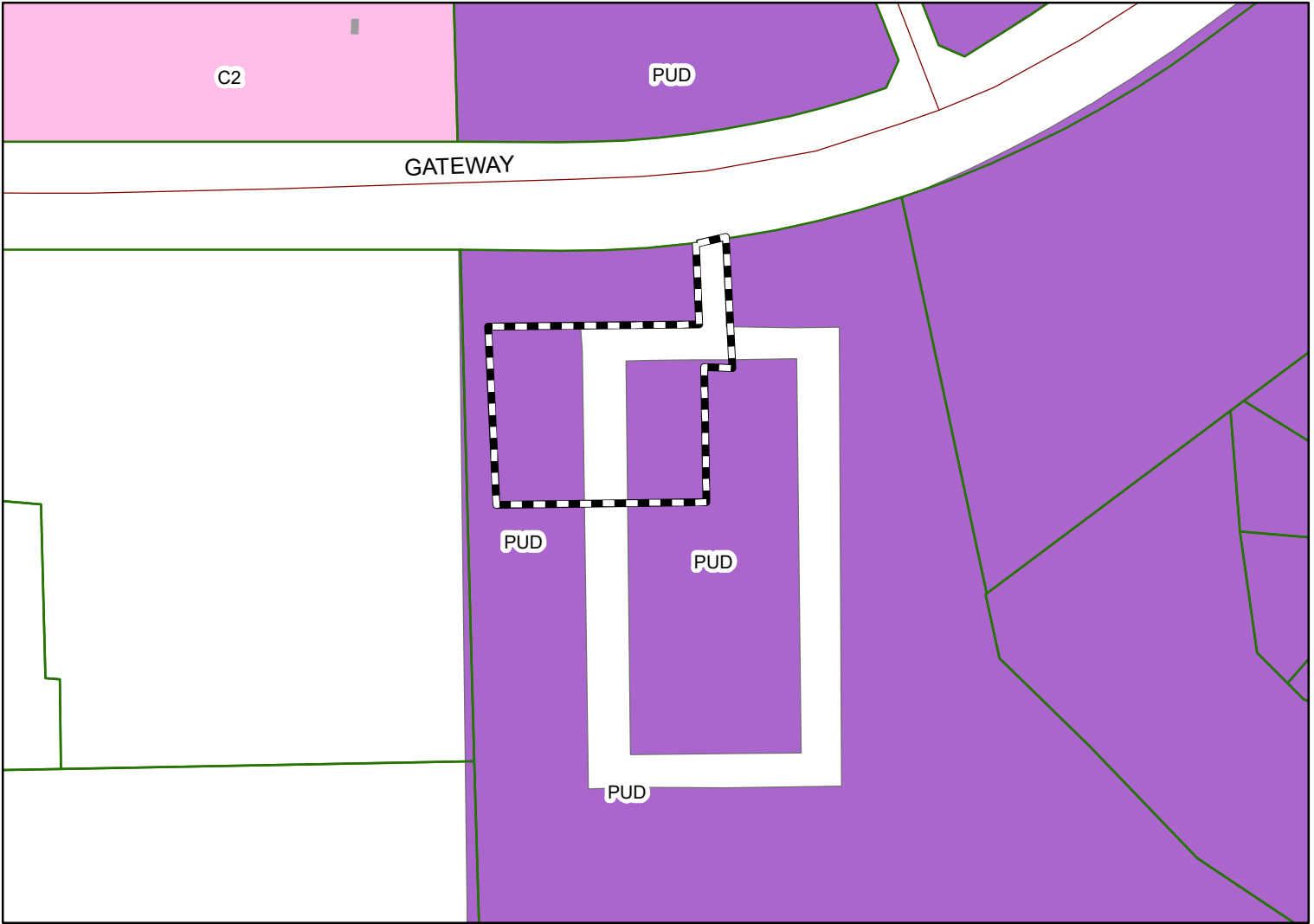
Opelika Power Services Report

This property is located outside the Opelika Power service territory.

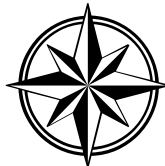
WYNDHAM GATES POD 10 SUBDIVISION

3200-3434 HAMLET DRIVE

FINAL PLAT, B-7



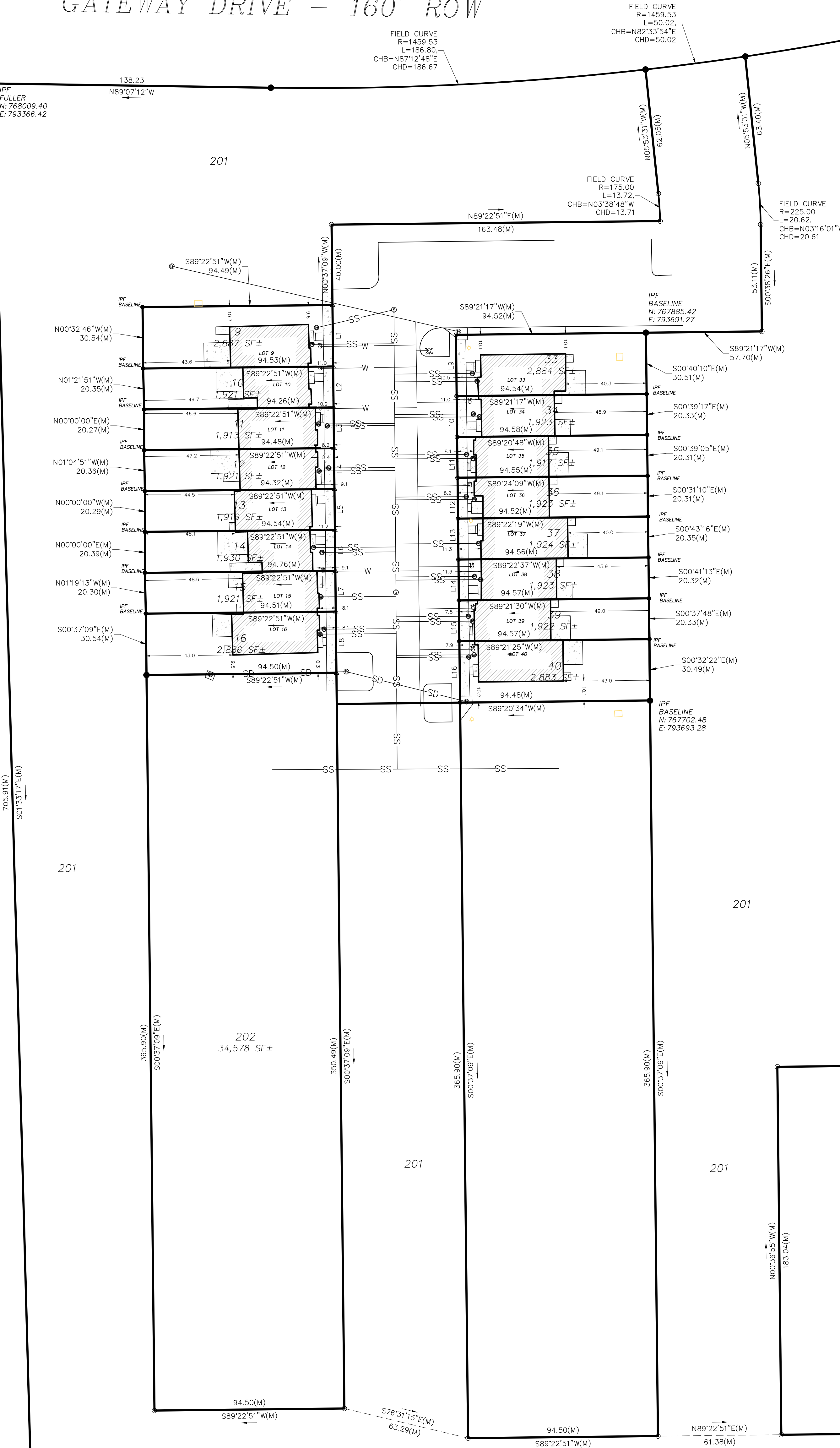
The applicant is requesting final plat approval for 17 townhome lots. The final plat is Phase 1 of a 200 unit townhome development. The property is in the Wyndham Gate PUD zoning district.



Subject Property

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GATEWAY DRIVE - 160' ROW



IPF
FULLER
N: 768009.40
E: 793366.42

FIELD CURVE
R=1459.53
L=186.80,
CHB=N87°12'48"E
CHD=186.67

FIELD CURVE
R=1459.53
L=50.02,
CHB=N82°33'54"E
CHD=50.02

FIELD CURVE
R=175.00
L=13.72,
CHB=N03°38'48"W
CHD=13.71

FIELD CURVE
R=225.00
L=20.62,
CHB=N03°16'01"W
CHD=20.61

FIELD CURVE
R=1459.53
L=186.80,
CHB=N87°12'48"E
CHD=186.67

FIELD CURVE
R=1459.53
L=50.02,
CHB=N82°33'54"E
CHD=50.02

FIELD CURVE
R=1459.53
L=245.43,
CHB=N76°45'57"E
CHD=245.14

705.91(M)
S01°33'17"E(M)

201

201

State of Alabama
Lee County

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

In witness whereof, I have hereunto set my hand and seal on this
the ____ day of _____, 2025.

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

State of Alabama
Lee County

I, Patrick Zalupski, Manager of DFH Liberty LLC, owner of the real property shown on this plat, hereby joins in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so platted as shown.

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2025.

Patrick Zalupski, Manager of DFH Liberty LLC

State of Alabama
Lee County

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

In witness whereof, I have hereunto set my hand and seal on this
the ____ day of _____, 2025.

Notary Public: _____ My commission expires: _____

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

Director: _____ Date: _____

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

Chairman: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

Reviewed by Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

201
1,594,604 SF±

NOTES:

- SOURCES OF INFORMATION: WYNDHAM VILLAGE PHASE 2, SECTION 2 (SEE PAGE 122); REDIVISION OF TRACT 2, OPELIKA GATEWAY PROPERTIES LLC (BASELINE SURVEYING) PLAT BOOK 48, PAGE 86; DEED BOOK 2242 PAGE 814 (CURRENT DEED).
- DATE OF FIELD SURVEY: 3-18-2025-30-2025-25-2025.
- BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL.
- NO PORTIONS OF THIS PROPERTY LIE WITHIN THE 100 YR FLOOD PLAIN PER FEMA FIRM PANEL 01081C0207H, DATED 01-17-2025.
- 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.
- LOTS 202, 203 AND 204 HAVE BEEN PREVIOUSLY DIVIDED BY INSTRUMENT AND ARE FUTURE DEVELOPMENT LOTS. LOT 201 IS A FUTURE DEVELOPMENT LOT FOR ROADS AND LOTS NOT YET DESIGNED.
- GROSS AREA IN LOTS AND RIGHT OF WAY IN THIS PHASE: 62,535 S.F.
- ALL UTILITIES SHALL BE UNDERGROUND.
- SIDEWALKS SHALL BE REQUIRED ON ONE SIDE OF EACH STREET.
- A 10 FOOT SIDE YARD ON STREET SETBACK IS REQUIRED AND FOUR 1" CALIPER TREES SHALL BE PLANTED AS A BUFFER ON CORNER LOTS.

The Hamlet at
Wyndham Gates Subdivisoin - POD 10
SECTION 30 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA

OWNER-DEVELOPER
DFH LIBERTY, LLC
ZALUPSKI, PATRICK
14701 PHILIPS HIGHWAY, SUITE 300
JACKSONVILLE, FL 32256

43 09 07 25 0 000 008.010
T FARMCO LLC
PO BOX 4707
COLUMBUS, GA, 31914

43 10 09 30 2 000 003.000
OPP INVESTMENTS LLC
PO BOX 510
WEST POINT, GA 31833

FIELD CURVE
R=1459.53
L=20.62,
CHB=N87°12'48"E
CHD=186.67

FIELD CURVE
R=1459.53
L=50.02,
CHB=N82°33'54"E
CHD=50.02

FIELD CURVE
R=1459.53
L=245.43,
CHB=N76°45'57"E
CHD=245.14

43 10 09 30 2 000 004.003
OPELIKA GATEWAY PROPERTIES LLC
PO BOX 117
MOUNT MEIGS, AL 36057

43 09 07 25 0 000 008.000
CHURCH OF GOD AT OPELIKA
114 17TH PL
OPELIKA, AL 36801

612°06'34"E(M)
562.63(M)

512°06'36"E(M)
90.76(M)

S43°53'15"E(M)
217.06(M)

366°16'58"E(M)
186.12(M)

43 09 07 25 0 000 008.001
CHURCH OF GOD AT OPELIKA
114 17TH PL
OPELIKA, AL 36801

512°06'36"E(M)
90.76(M)

S43°53'15"E(M)
217.06(M)

366°16'58"E(M)
186.12(M)

43 09 07 25 0 000 009.001
BROWN SANDRA MANN
3595 LEE RD. 54
OPELIKA, AL 36804

512°06'36"E(M)
90.76(M)

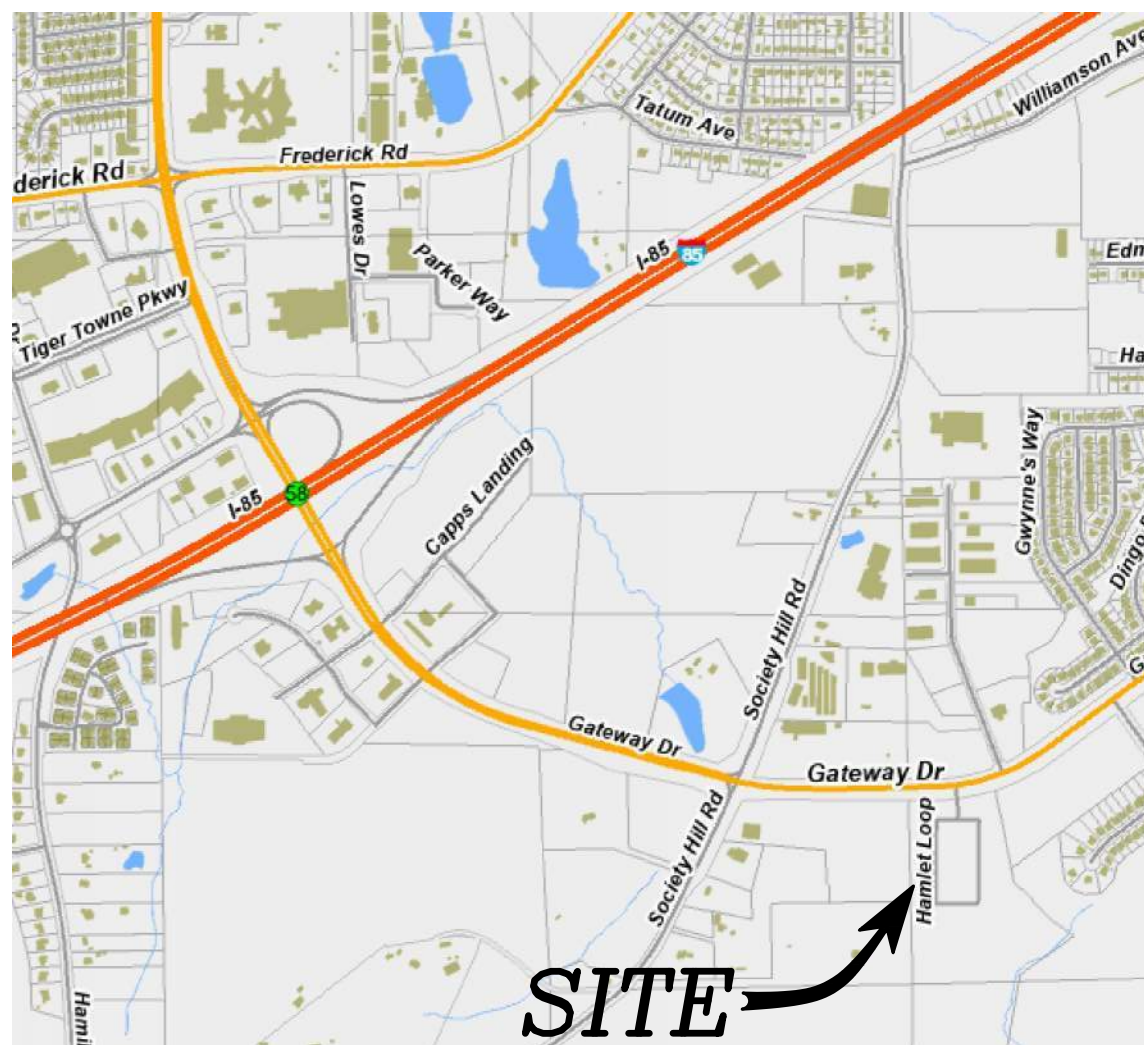
S43°53'15"E(M)
217.06(M)

366°16'58"E(M)
186.12(M)

Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	30.54	S00° 37' 09"E	L9	30.51	S00° 37' 13"E
L2	20.35	S00° 37' 09"E	L10	20.34	S00° 33' 34"E
L3	20.27	S00° 37' 09"E	L11	20.22	S00° 44' 11"E
L4	20.35	S00° 37' 09"E	L12	20.36	S00° 35' 51"E
L5	20.29	S00° 37' 09"E	L13	20.34	S00° 36' 14"E
L6	20.39	S00° 37' 09"E	L14	20.35	S00° 39' 08"E
L7	20.30	S00° 37' 09"E	L15	20.33	S00° 38' 22"E
L8	30.54	S00° 37' 09"E	L16	30.51	S00° 42' 15"E

VICINITY MAP

NOT TO SCALE



SITE

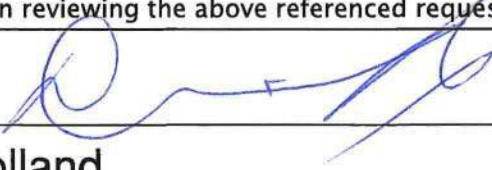
Seal	Drawn By: MTM	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	Scale: 1"=30'		
	File Name: 24-0701-SD1		
	Date: 3-30-2025		
		Sheet Title: THE HAMLET AT WYNDHAM GATES SUBDIVISION POD 10 - PHASE 1 FINAL SUBDIVISION PLAT	



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



DEADLINE: 3/26/25 MEETING: 4/22/25

SITE ADDRESS: <u>1201 Fox Run Parkway</u>		
PROPERTY OWNER: <u>Fox Run Phase V LLC</u>		
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Spencer Cothran (Holland Homes LLC)</u>		
MAILING ADDRESS: <u>421 Opelika Rd. Auburn, AL 36830</u>		
PHONE NUMBER: <u>405-509-0134</u>	FAX NUMBER: _____	
EMAIL ADDRESS: <u>spencerc@hollandhomesllc.com</u>		
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: <u>Fox Run Phase V - A</u> Current Land Use: <u>vacant</u> Current Zoning: <u>PUD</u> Proposed use of the Subdivision: <u>Single Family Residential</u>		Number of Lots: <u>79</u> x \$3.00 = \$ <u>237</u> Number of APO: <u>13</u> x \$7.00 = \$ <u>91</u> (Adjacent Property Owners) Fee: _____ \$ <u>75.00</u> TOTAL = <u>403</u> PAID _____
☒ Residential ☐ Commercial ☐ Manufacturing/Industrial ☐ Office/Institutional		
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Fox Run Phase V - A</u> 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: 		DATE <u>3/18/25</u>
(PRINT NAME) Daniel Holland		

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Subdivision: Foxrun Subdivision, Phase V-A

Agenda Item #: B-8

Action Requested: Final Approval

Location of Property: 1201 Fox Run Parkway

Property Owner(s): Fox Run Phase 5 LLC
Mike Maher, Precision Surveying authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0090G. A portion of property is in in 100-year flood zone. Property in Flood Zone “AE”

Staff Comments:

The applicant is requesting final plat approval for 79 lots in the Fox Run Phase V subdivision that total 139 lots. The 79 lots in Phase V-A consist of 40 twin home lots, 36 single family home lots, and 3 open space lots. Also, a 5.4 acre area labeled “Future Development” is the next phase of Phase V that will have about 40 lots. This Future Development area also shows an unimproved, unopened right of way that was recorded on a Fox Run Industrial plat that in the 1980s. (Agenda item #10 is a request to vacate the right-of-way.).

The 36 single family home lots meet the minimum 4,200 sf lot size and 40 foot lot width, and the twin homes meet the minimum 3,000 sf lot area and 25 foot lot width. For this PUD zoning district, Notes #8 through 14 are added on plat that addresses comments at the preliminary plat public hearing. The comments include the following: Minimum lot size and setback for single family homes and twinhomes, utilities underground, sidewalks on one side of street, four trees required in the side yard of all corner lots, and the three open space lots (Parcel A, B, and C - 8 acres) maintained by a Homeowners Association. A landscape buffer is also added along the east

perimeter property line of Lots 117 to 129 as required for the PUD zoning district; the buffer installed needs to be from the residential buffer option in Section 10, Landscape Regulations. Note #16 provides that Parcel D (16,000 sf) may be subdivided into 4,200 sf single family home lots at a later time.

Staff recommends final plat approval subject to the following:

1. Label the sanitary sewer easement located near the west boundary of Parcels A and B and add the easement width. Also, show that the easement extends to the north property line of Parcel A.
2. Change signature line “Opelika Utilities” to “Opelika Water Board”.
3. Install a residential buffer along the rear property line of Lots 117 to 129. Select one of the Buffer options from Section 10 Landscape Regulations.
4. Fences are not allowed in easements, particularly on the rear lot line of Lot 88.
5. The existing right-of-way needs to be vacated (agenda item #10) before the plat is recorded.

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

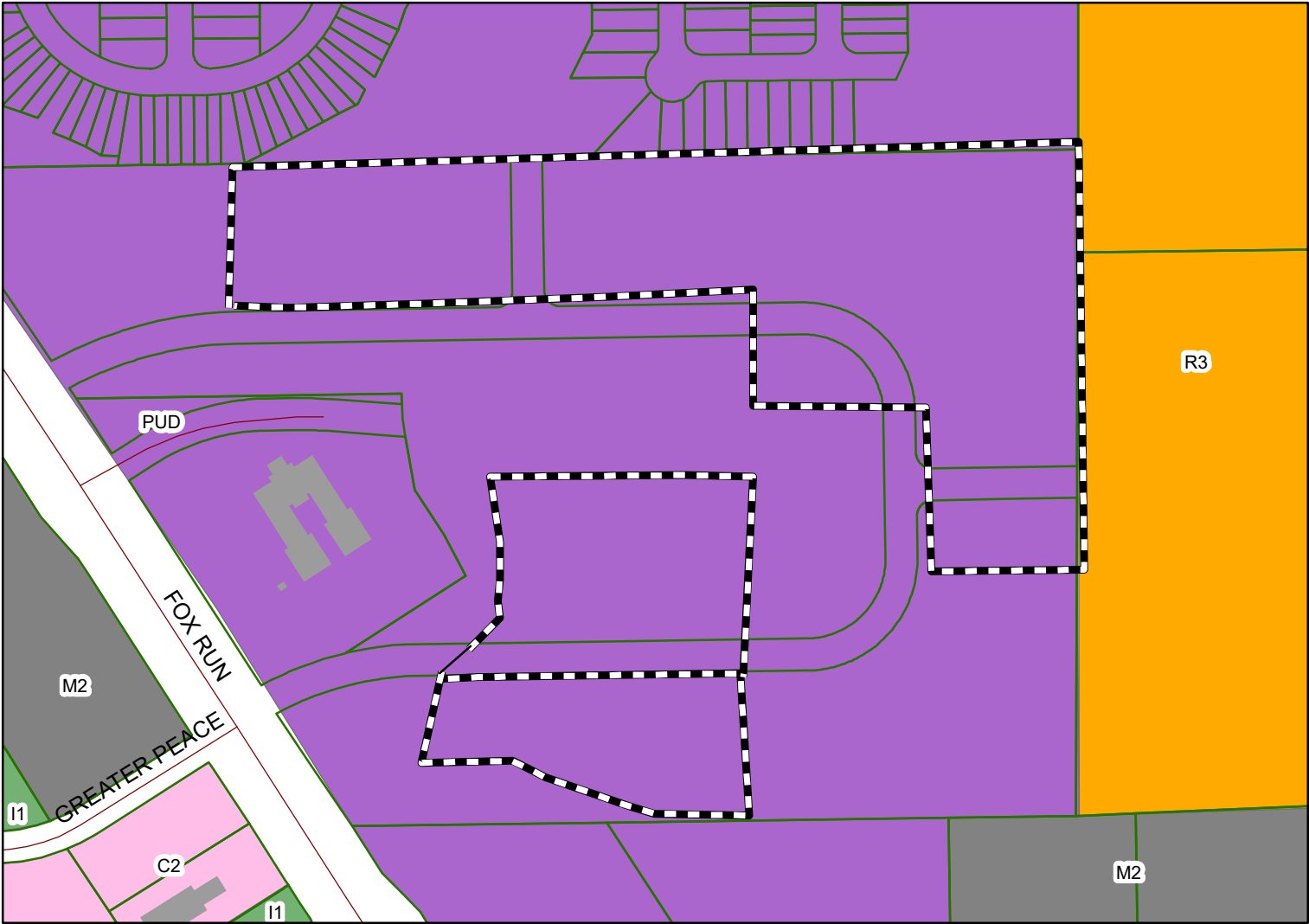
Opelika Water Board Report

Opelika Water Comments: Water infrastructure must be inspected and accepted by Opelika Water before final plat can be approved.

Opelika Power Services Report

This property is located outside the Opelika Power service territory.

FOX RUN PHASE V-A SUBDIVISION
1201 FOX RUN PARKWAY
FINAL PLAT, B-8



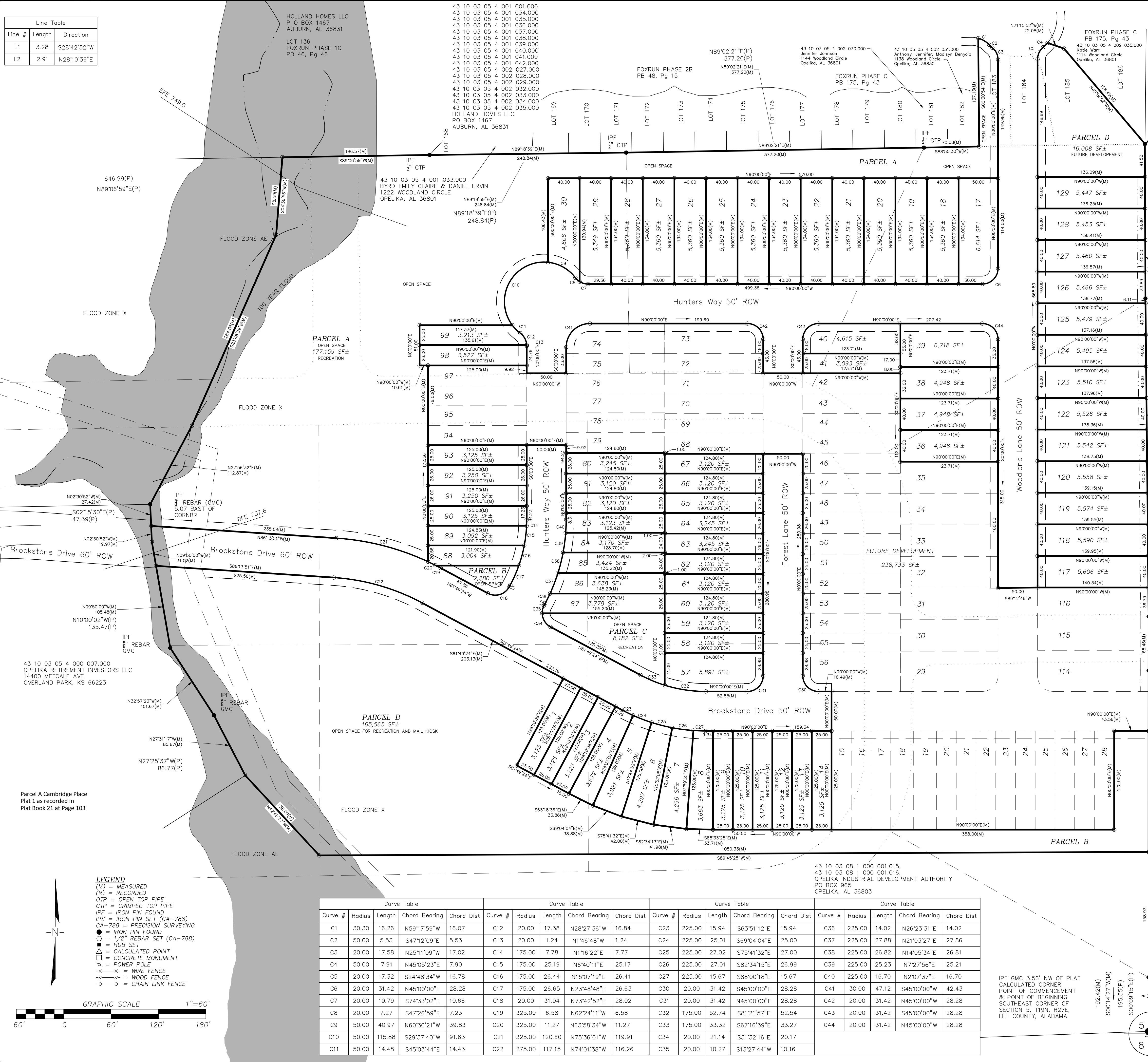
The applicant is requesting final plat approval for 79 single family home lots. The property is in the Fox Run Village PUD zoning district.



Subject Property

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

Line #	Length	Direction
L1	3.28	S28°42'52"W
L2	2.91	N28°10'36"E



FOXRUN SUBDIVISION PHASE V - A SECTION 5 T 19 N R 27 E OPELIKA LEE COUNTY ALABAMA

OWNER-DEVELOPER
FOX RUN PHASE V LLC
412 OPELIKA ROAD
AUBURN, AL 36830

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

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2025.

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

I, Daniel Holland, Manager of Fox Run Phase V LLC, owner of the real property shown on this plat, hereby joins in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so plotted as shown.

In witness whereof, I have hereunto set my hand on this the ____ day of _____, 2025.

Daniel Holland, Manager of Fox Run Phase V LLC

State of Alabama
Lee County

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

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2025.

Notary Public: _____ My commission expires: _____

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

Director: _____ Date: _____

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

Chairman: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

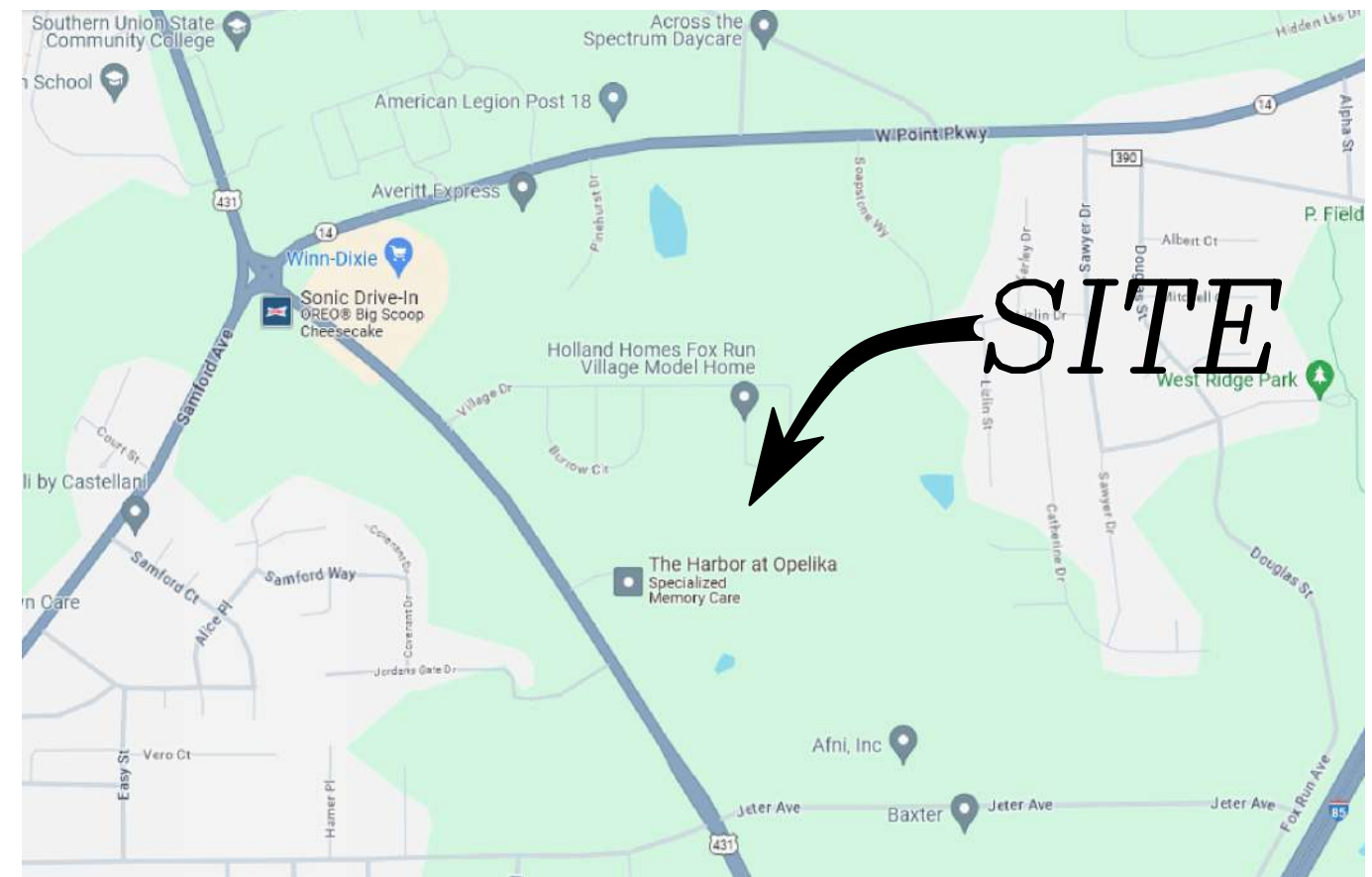
Reviewed by Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

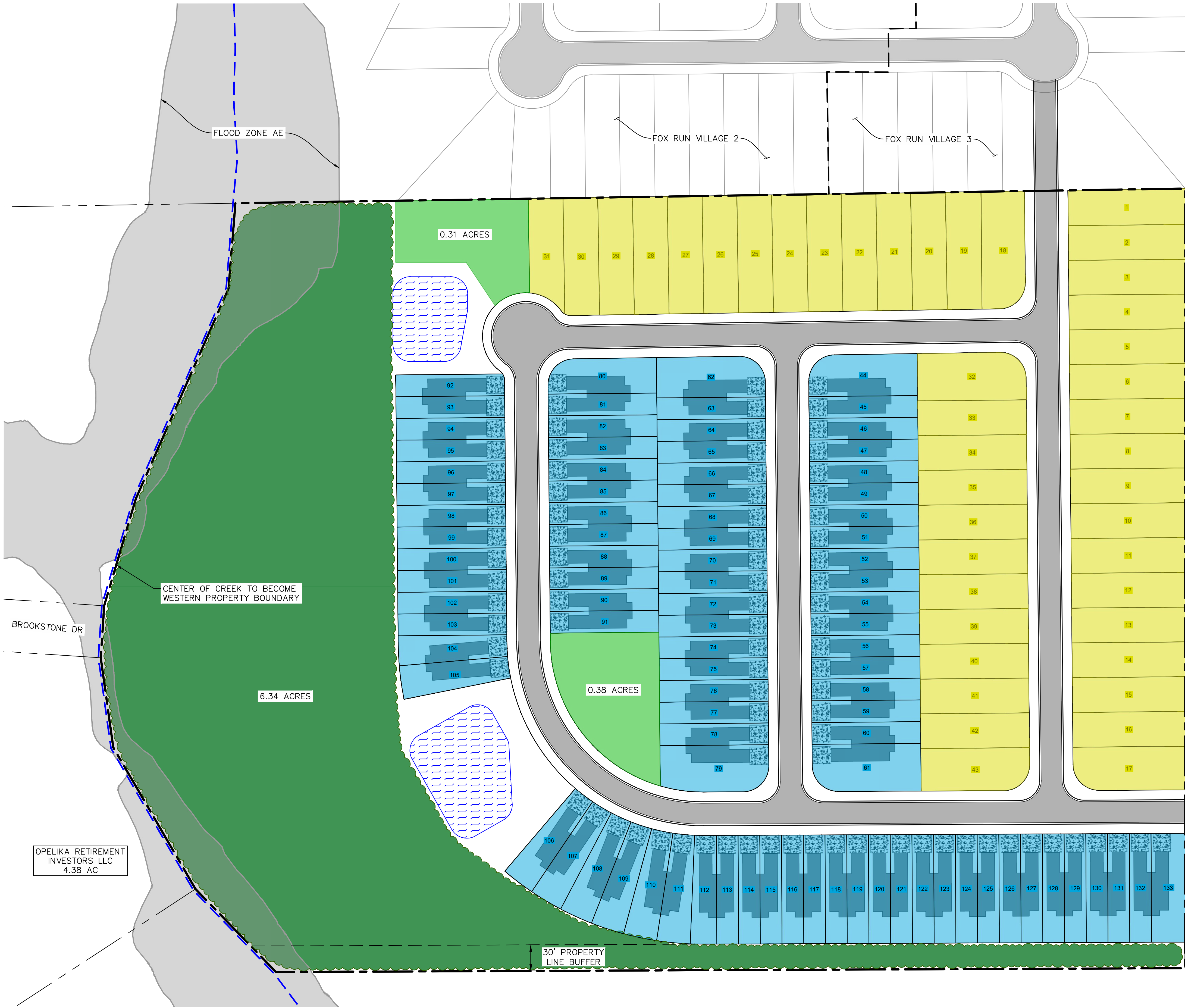
- NOTES:
- SOURCE OF INFORMATION: DEED BOOK 2536 PAGE 112 (ADJACENT); FOXRUN INDUSTRIAL PARK PLAT BOOK 13, PAGE 48 (SUBJ); FOXRUN INDUSTRIAL PARK PLAT BOOK 21, PAGE 103
 - 1ST REV 1ST ADD PLAT BOOK 13, PAGE 48 FOX RUN SUBDIVISION PHASE 1C RECORDED IN PLAT BOOK 46 PAGE 46; FOX RUN SUBDIVISION PHASE 1B RECORDED IN PLAT BOOK 45 PAGE 60 FOX RUN SUBDIVISION PHASE 2A RECORDED IN PLAT BOOK 48 PAGE 1; FOX RUN SUBDIVISION PHASE 2B RECORDED IN PLAT BOOK 48 PAGE 15.
 - DATE OF FIELD SURVEY: 3-18-2025
 - DATE OFFICE WORK COMPLETED: 3-25-2025.
 - BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS. ADJUST CORRS AS CONTROL
 - A PORTION OF PARCELS A AND B LIE WITHIN THE 100 YR FLOOD PLAIN PER FEMA FIRM PANEL 01081C0090H, DATED 01-17-2025. ALL NUMBERED LOTS ARE OUTSIDE THE SPECIAL FLOOD HAZARD AREA IN FLOOD ZONE X.
 - 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.
 - OPEN SPACE LOTS (PARCELS A, B AND C) SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 - TWIN HOUSE SETBACKS = 10' FRONT, 20' REAR, 5' SIDE & 10' SIDE ON STREET SETBACK.
 - SINGLE FAMILY SETBACKS = 20' FRONT, 20' REAR, 5' SIDE & 10' SIDE ON STREET SETBACK.
 - GROSS ACREAGE: 24.50 AC 1,067,145 S.F.
 - ALL UTILITIES SHALL BE UNDERGROUND.
 - SIDEWALKS SHALL BE REQUIRED ON ONE SIDE OF EACH STREET.
 - A 10 FOOT SIDE YARD ON STREET SETBACK IS REQUIRED AND FOUR 1" CALIPER TREES SHALL BE PLANTED AS A BUFFER ON CORNER LOTS.
 - THIS PLAT ALSO REVIDES LOTS 183, 184 AND 185 OF FOXRUN PHASE 3B (PLAT BOOK 48, PAGE 175).
 - PARCEL D MAY BE DIVIDED INTO SINGLE FAMILY LOTS IN THE FUTURE.
 - THE PORTION OF THIS PROPERTY NOTED AS FUTURE DEVELOPMENT WILL BE DIVIDED AFTER THE RIGHT OF WAYS FOR FOX RUN INDUSTRIAL PARK ARE VOIDED AND VACATED.



VICINITY MAP
NOT TO SCALE

Drawn By: MTM Scale: 1"=60' File Name: 24-0354-SD1 PRELIM Date: 3-25-2025	Sheet Title: FOXRUN PHASE V-A SEC 5 T19N R27E FINAL PLAT	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
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Curve #	Radius	Length	Chord Bearing	Chord Dist	Curve #	Radius	Length	Chord Bearing	Chord Dist	Curve #	Radius	Length	Chord Bearing	Chord Dist	Curve #	Radius	Length	Chord Bearing	Chord Dist
C1	30.30	16.26	N59°17'59"W	16.07	C12	20.00	17.38	N28°27'36"W	16.84	C23	225.00	15.94	S63°51'12"E	15.94	C36	225.00	14.02	N26°23'31"E	14.02
C2	50.00	5.53	S47°12'09"E	5.53	C13	20.00	1.24	N1°46'48"W	1.24	C24	225.00	25.01	S69°04'04"E	25.00	C37	225.00	27.88	N21°03'27"E	27.86
C3	20.00	17.58	N25°11'09"W	17.02	C14	175.00	7.78	N1°16'22"E	7.77	C25	225.00	27.02	S75°41'32"E	27.00	C38	225.00	26.82	N14°05'34"E	26.81
C4	50.00	7.91	N45°05'23"E	7.90	C15	175.00	25.19	N6°40'11"E	25.17	C26	225.00	27.01	S82°34'15"E	26.99	C39	225.00	25.23	N72°27'56"E	25.21
C5	20.00	17.32	S24°48'34"W	16.78	C16	175.00	26.44	N15°07'19"E	26.41	C27	225.00	15.67	S88°00'18"E	15.67	C40	225.00	16.70	N2°07'37"E	16.70
C6	20.00	31.42	N45°00'00"E	28.28	C17	175.00	26.65	N23°48'48"E	26.63	C30	20.00	31.42	S45°00'00"E	28.28	C41	30.00	47.12	S45°00'00"E	42.43
C7	20.00	10.79	S74°33'02"E	10.66	C18	20.00	31.04	N73°42'52"E	28.02	C31	20.00	31.42	N45°00'00"E	28.28	C42	20.00	31.42	N45°00'00"W	28.28
C8	20.00	7.27	S47°26'59"E	7.23	C19	325.00	6.58	N62°24'11"W	6.58	C32	175.00	52.74	S81°21'57"E	52.54	C43	20.00	31.42	S45°00'00"W	28.28
C9	50.00	40.97	N60°30'21"W	39.83	C20	325.00	11.27	N63°58'34"W	11.27	C33	175.00	33.32	S67°16'39"E	33.27	C44	20.00	31.42	N45°00'00"W	28.28
C10	50.00	115.88	S29°37'40"W	91.63	C21	325.00	120.60	N75°36'01"W	119.91	C34	20.00	21.14	S31°32'16"E	20.17					
C11	50.00	14.48	S45°03'44"E	14.43	C22	275.00	117.15	N74°01'38"W	116.26	C35	20.00	10.27	S13°27'44"W	10.16					



MASTER PLAN BREAKDOWN

SINGLE FAMILY DETACHED (40' X 125' TYPICAL)	-	43 LOTS (32%)
TWIN HOME LOTS (25' X 125' TYPICAL)	-	90 LOTS (68%)
TOTAL SITE AREA	-	24.05 ACRES
TOTAL DWELLING UNITS	-	133 (5.53 DU/A)
OPEN SPACE/AMENITY LOTS	-	7.03 ACRES (29.23%)

	40' WIDE SINGLE FAMILY DETACHED
	TWIN HOMES
	AMENITY/GREEN SPACE
	RETENTION POND
	NATURAL GREEN SPACE

TIGER TOWN
DEVELOPMENT LLC
17.51 AC

TRADEMARK
QUALITY HOMES
24.23 AC

PROPOSED PROPERTY BOUNDARY

POTENTIAL CONNECTIVITY TO WILLOWS DR -->



BROOKSTONE/
CAMBRIDGE
DEVELOPMENT

SEAL:

Authorized By: Thomas J. Johnson
Alabama License Number: 36317

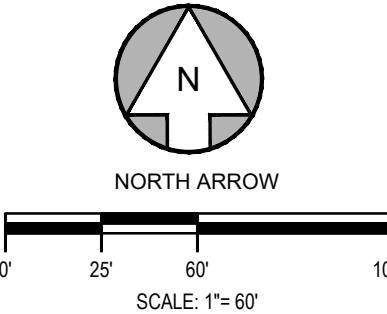
DESIGN TEAM:

DRAWN BY:	WB
DESIGNED BY:	WB
REVIEWED BY:	TJ



Know what's below.
Call before you dig.

SCALE & NORTH ARROW:



DATE: 12/18/2023

MASTERPLAN



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 1300 Springhill Drive

PROPERTY OWNER: Nick Howell

APPLICANT/ AUTHORIZED REPRESENTATIVE: Mike Maher

MAILING ADDRESS: 2124 Moores Mill Rd Suite 110

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

EMAIL ADDRESS: mike.precisionsurv@gmail.com

PARCEL INFORMATION

Project name: 1300 Springhill Address/Location: 1300 Springhill Dr & Chilton Ave

Current Land Use: Vacant Current Zoning: R3

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

Description of Proposed Use: Duplex House

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____ 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: _____

READ THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION

8.17 CONDITIONAL USES; E. General Use Standards.

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

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

1) How is the proposed use appropriate in the location for which it is proposed? This is a residential neighbor hood
and the proposed structure will be residnetial

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? The proposed structure will create less impact on the neighborhood since the previous uses was a house of worship

3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? Landscape buffering will shield the homes to the South and West

APPLICATION REQUIREMENTS

1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given in the agenda documents).
2. Authorization to Act as Applicant signed by property owner and notarized, if applicable
3. Copy of the current deed
4. Submit 26 copies of the Site Plan (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
5. Conditional Use fee = \$125 application fee. Checks are payable to the City of Opelika.
6. Conditional use approval shall expire in one year after approval date. **FEE: \$125 Paid** _____

CERTIFICATION

I, Nick Howell, HEREBY CERTIFY that this application is made with my approval, as property owner or authorized applicant designated by the property owner, as evidenced by my signature below. This application, site plan, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore the undersigned is authorized to make said application and submit said documents on this request. I certify that I have read and understand the contents of this application, and that this application together with the requirements set forth in Section 8.16 *Site Plan Review* and all supplemental information is a true representation of the facts concerning this request.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	DATE: 4-1-2025
(PRINT NAME) Nick Howell	

STATEMENT OF UNDERSTANDING

I, Nick Howell (property owner or authorized applicant) UNDERSTAND this Conditional Use Request must be filed with all to the requirements of the Opelika Zoning Ordinance and all other information requested or required by City Departments in order to be considered complete. I UNDERSTAND that this application will not be filed until all required information has been received and further understand that the City reserves the right to postpone this request until such time as the requirements are met. I UNDERSTAND that City Department staff is available for the purpose of reviewing my site plan prior to submission deadline. I UNDERSTAND that if the request is approved the approval applies only to the property(s) shown on the site plan submitted and reviewed by the Opelika Planning Commission. I UNDERSTAND that at a later date if adjacent or other property(s) are expected to be used in association with an approved conditional use then a Conditional Use request must be submitted for the use of such adjacent or other property(s). I UNDERSTAND that the City may require additional information, requirements, or require modifications to the site plan at any time during the process as deemed necessary to accomplish the proper and orderly development of this proposal. I UNDERSTAND that if conditional use is granted by the Opelika Planning Commission then I must submit structural drawings (building plans) as required for review and approval by the applicable departments prior to issuing a Building Permit. The said drawings shall be submitted to the Building Inspection Division for review (Building Inspection 705-5420). I UNDERSTAND that if a request for conditional use is approved or approved subject to conditions, I must acknowledge such approval in writing and unconditionally accept and agree to any conditions imposed on the approval within fifteen (15) days following approval by the Opelika Planning Commission. In the event the conditional use request is not approved or is approved subject to conditions not acceptable to me, I may within the fifteen (15) days either appeal such decision to Circuit Court or abandon the application at the expiration of this fifteen (15) day period.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	DATE: 4-1-2025
(PRINT NAME) Nick Howell	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	April 22, 2025
Agenda Item #:	C-9
Action Requested:	Conditional Use – Duplex
Location of Property:	Corner of Spring Drive and Chilton Ave
Property Owner(s):	Nick Howell, Eagle Properties of AU, LLC., property owner Mike Maher, Precision Surveying, surveyor
Current Land Use:	Vacant
Current Zoning:	R-3

**Surrounding Zoning Districts
And Land Uses:**

North	R-3	Single-family residential
South	R-3	Single-family residential
East	R-3	Single-family residential
West	R-3	Single-family residential

Proposal

The applicant requests conditional use approval to build a duplex on a lot in the R-3 zoning district. Duplexes are only allowed conditionally in the R-3 zoning district. The subject property is part of the Spring Hill Heights Subdivision. The lot is approximately 14,533 square feet, although it was previously two separate lots. In 2024, a home was located on the subject property, but was demolished due to issues related to property maintenance. Many of the lots and homes in this area have been redeveloped in recent years.

The applicant proposes building a one-story duplex. The total duplex would be approximately 3,200 heated square feet with each unit having 1,600 square feet. The two three bedroom, three bath units also have a single car garage on the front. The buildings are clad in cementitious lap siding. The proposed building appears to be in harmony with the character of the neighborhood, including building style, building materials, roof pitch, and orientation.

In evaluating conditional use, the staff looks at the general use standards. This section includes criteria for review. These criteria include whether the use is in harmony with the comprehensive plan and zoning ordinance, whether the use is needed and what effect it will have on the surrounding neighborhood, and whether there are adequate utilities and services to handle the use. This request would not likely create a

substantial impact on traffic. The off-street parking configuration is in the garage and the driveway for each unit in the front of the duplex.

The area around the subject property is zoned R-3. This zone does allow single-family homes by right, and duplexes require conditional use approval. The neighborhood is a mix of single-family homes, multiple single-family homes on a single lot, a few duplexes, and an apartment complex to the south. The Future Land Use Map describes this area as Medium Density Residential, potentially allowing up to 3.5 dwelling units per acre. Calculated on a single lot, the duplex would exceed the density. However, this property was previously two lots.

Overall, the development would be in character with the surrounding neighborhood. Adding some landscaping to this property would help make the lot appear more established quickly. Staff recommends some foundation plantings and two trees on the property which can include any existing trees preserved during construction.

Recommendation

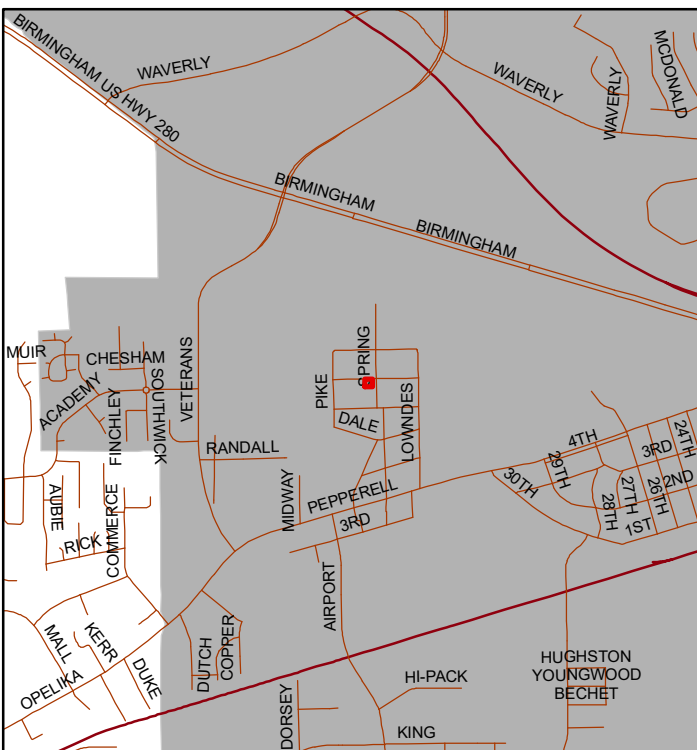
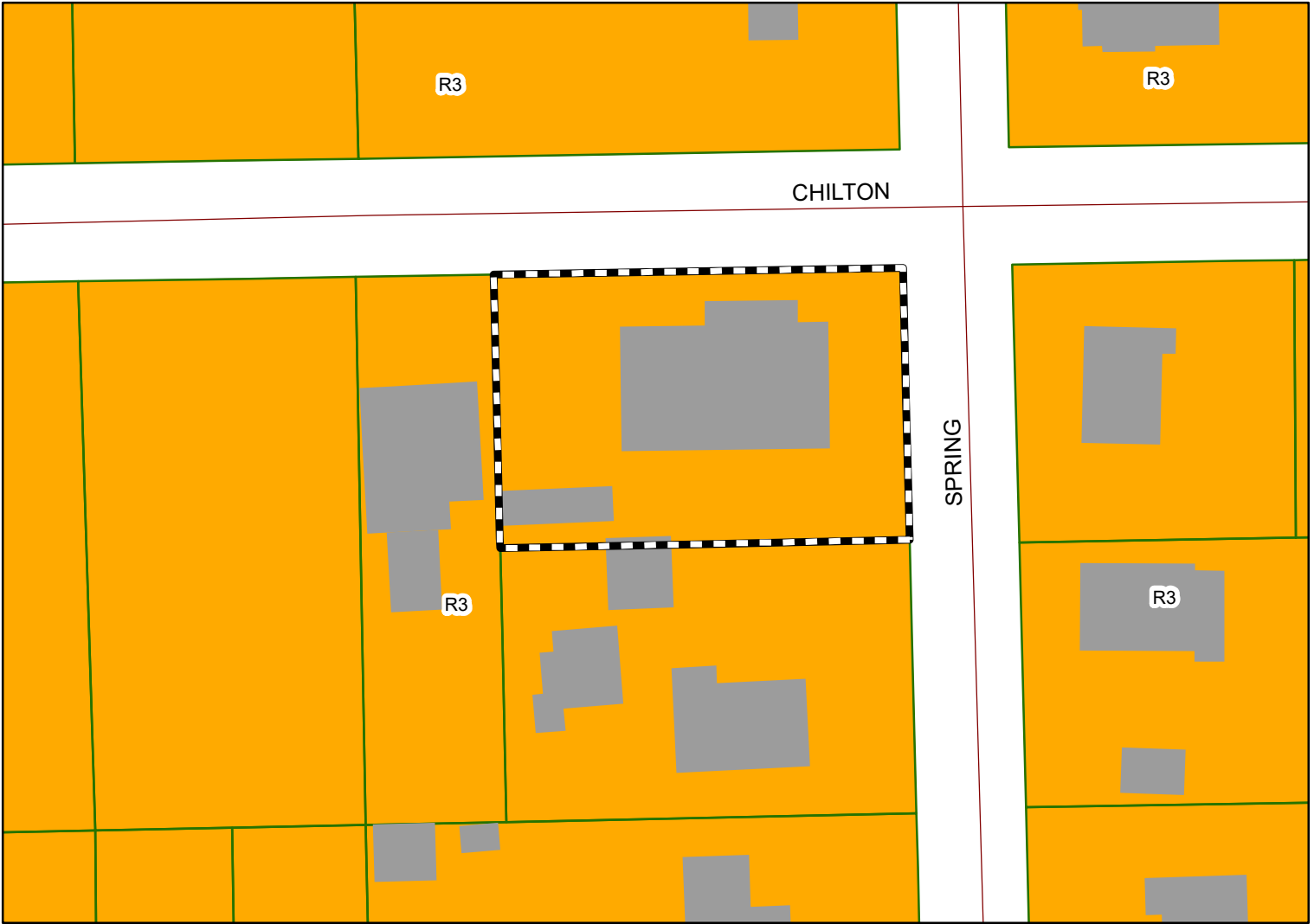
Staff recommends conditional use request approval subject to:

- 1. Exterior cladding materials shall primarily be brick, stone, wood, or fiber cement siding to be in harmony with the surrounding single-family homes.**
- 2. The site shall include additional foundation landscaping and at least two trees which can include any existing trees preserved during construction.**

DUPLEX IN R-3 ZONING DISTRICT

1300 SPRING DRIVE

CONDITIONAL USE, C-9



The applicant is requesting a duplex on a 14,475 sf lot (or .332 acres). Density is a maximum of 3.5 dwelling units per acre.



Subject Property

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

CONDITIONAL USE SITE PLAN FOR:
EAGLE PROPERTIES

1300 SPRING DRIVE
OPELIKA, LEE COUNTY, ALABAMA

43 09 05 15 1 000 017.000
BEARD WILLIAM J JR & BETTY J
1212 SPRING DR
OPELIKA, AL 36801

CHILTON AVENUE
40' ROW

PLANTER BOX

N85°31'08"E(P)
150.04(P)
N84°43'08"E(M)
150.17(M)

30" OAK

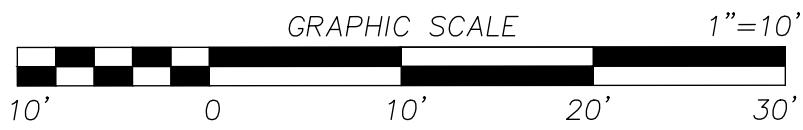
0.3

0.9

CALC POINT

SHED

43 09 05 15 1 000 033.000
LEE MICHAEL D & LYNN M
1308 SPRING DR
OPELIKA, AL 36801



HOUSING TYPE: MULTI UNIT TOWNHOME
LOT AREA: 14,533 SF±
WALK AREA: 90 SF±
DRIVEWAY AREA: 558 SF±
HOUSE IMPERVIOUS AREA: 3,612 SF±
TOTAL IMPERVIOUS AREA: 4,260 SF±
IMPERVIOUS SURFACE RATIO: 29.3%

NOTES:

- SOURCE OF INFORMATION: DEED BOOK 2459 PAGE 544.
 - BASIS OF BEARING: NORTH LINE OF THIS LOT. (S85°31'08"W)
 - DATE OF FIELD SURVEY: 1/17/2025; DATE OF OFFICE WORK: 1/27/2025.
- 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 DATE: _____
PLS NO. 29993
NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL.

LEGEND

- (M) = MEASURED
(R) = RECORDED
OTP = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
○ = 1/2" REBAR SET (CA-788)
■ = HUB SET
△ = CALCULATED POINT
⊗ = WATER METER
⊙ = POWER POLE
-X-X- = WIRE FENCE
-//-- = WOOD FENCE
-O-O- = CHAIN LINK FENCE

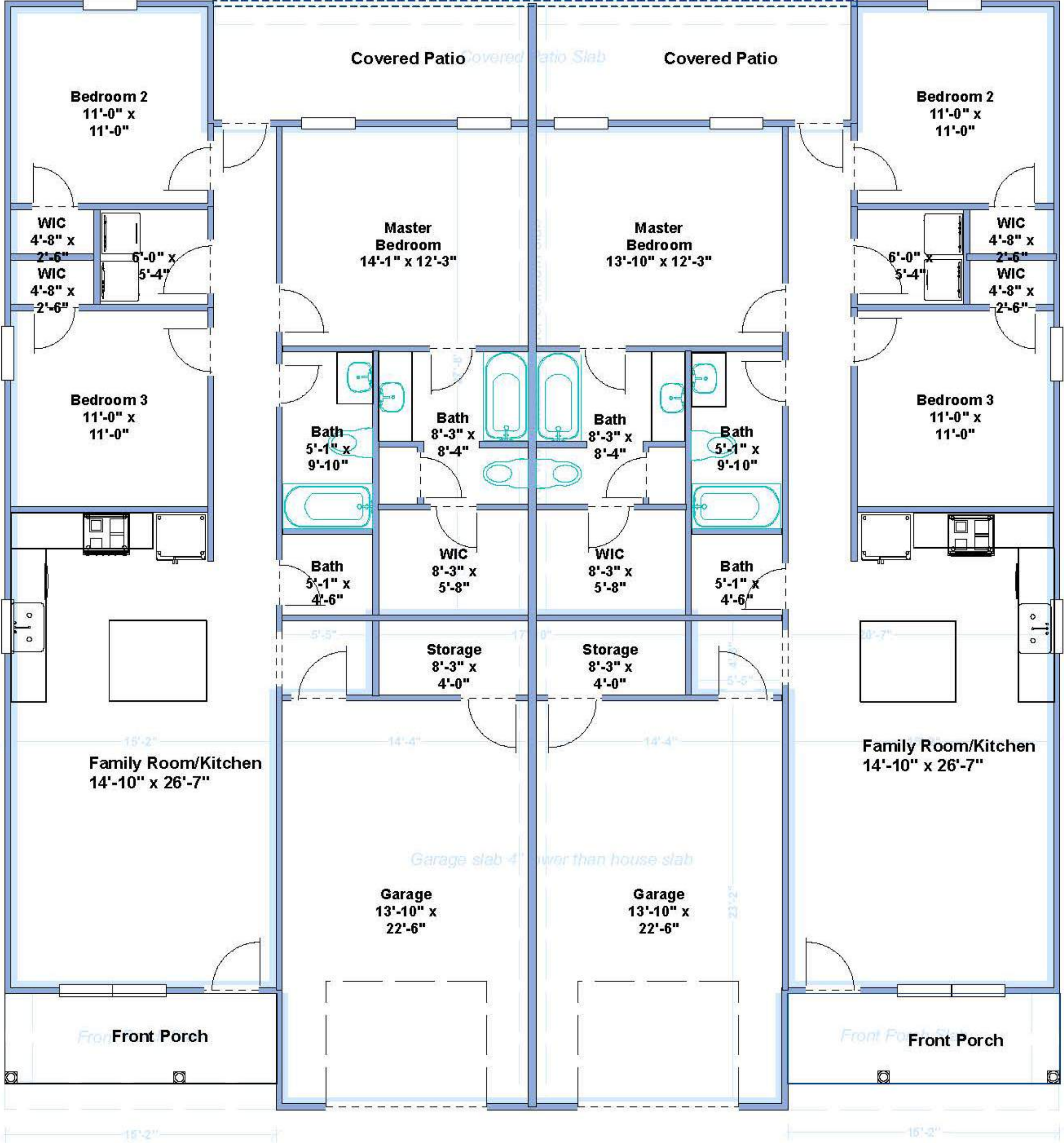
Seal	Drawn By: MTM - ANW	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	Scale: 1"=10'		
	File Name: 25-055-SITE		
	Date: 4-1-2025		
	Sheet Title: SITE PLAN FOR 1300 SPRING DRIVE OPELIKA LEE COUNTY ALABAMA OPELIKA PLANNING ZONE R3		

Construction Specifications: Foundation

- This house is to be built on a monolithic slab, unless otherwise specified.
- On **slab** (monolithic or raised), the footings will meet local/state code for depth and width. Concrete in the footings will be poured around no less than 2 runs of ½” rebar, raised on chairs, and will be at least 3000 mix.
- On raised **slab**, 8” block will be used, capped with an L-block. Where block will be above finish grade, brick ties will be inserted. Reinforcing wire between courses will be used where local/state code requires.
- On **slab**, the concrete will be poured no less than 4” thick over a layer of sand which has been termite treated, the sand will be covered with no less than 6 mil thick plastic, and 5 x 5 inch wire remesh will be suspended in the slab.

Construction Specifications: Framing

- Stud walls will be of 2x4 construction, consisting of bottom plates, studs no more than 16”OC, and doubled top plates, using no less than 12p common nails.
- Door and Window openings will consist of at least on king stud on each side, paired with at least one trimmer on each side beneath the header. Headers will be constructed of 2x10s with 2x4 on bottom edge and 1x4 along top edge. Cripple studs no less than 16” OC on wall layout beneath window sill plates.
- Wall height is 9’ throughout, except for walls rising to meet cathedral ceilings and slopes in ceilings.
- Ceiling joists of 2x8s, no more than 24” OC.
- Rafters of 2x6s, no more than 24”OC.
- Roof decking of ½” OSB, with hurricane clips, nailed with 8p common nails, felted, and shingled.
- Purling blocks will be installed halfway up all exterior and weight bearing walls.
- Disappearing staircase to be located in hallway outside guest bath.
- Ridge vents to be used.
- The gables will be either covered with vinyl or Hardi materials, at the owner’s discretion.
- Gables will have either wood or vinyl gable vents
- Soffits will be vinyl or Hardi clad and will be ventilated.



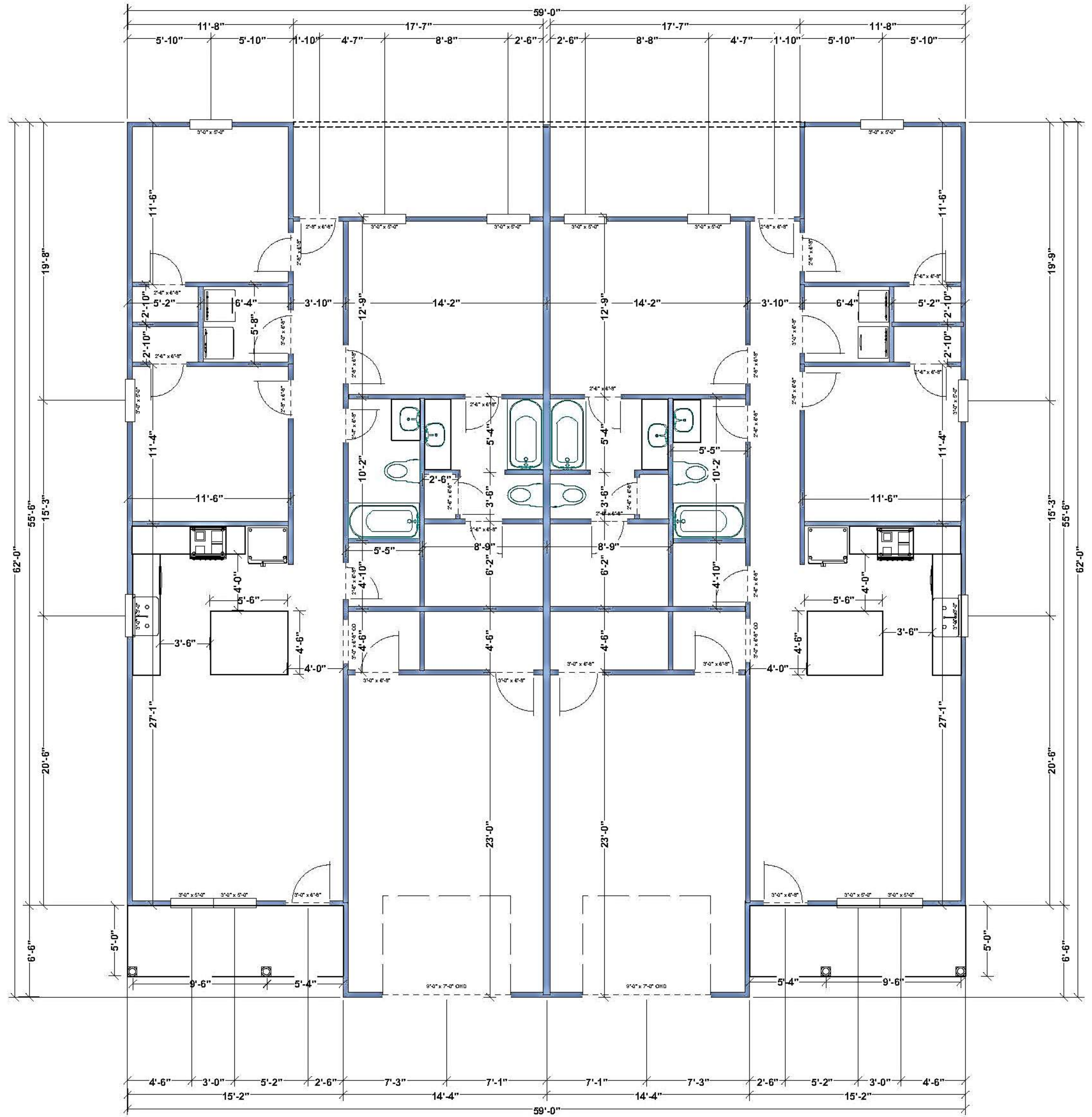
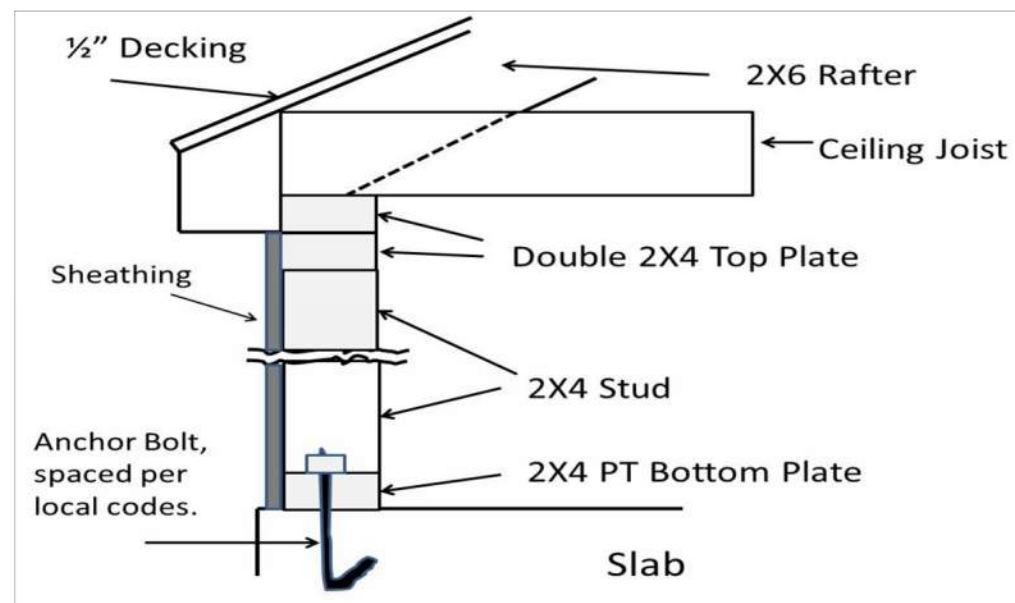
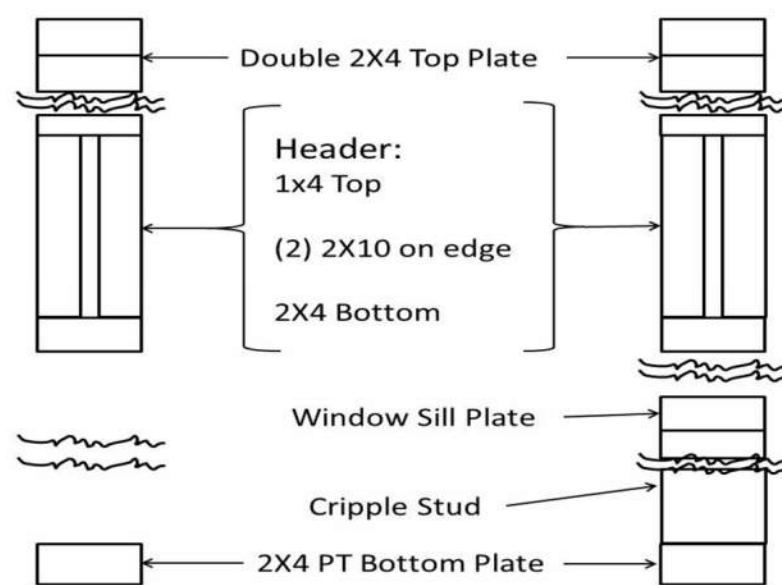
Not to scale

Square Footage was calculated within the drawing software and is an approximation. The builder, bank, or appraiser may all use different methods of calculation, leading to differing numbers.

Framing X-Sections

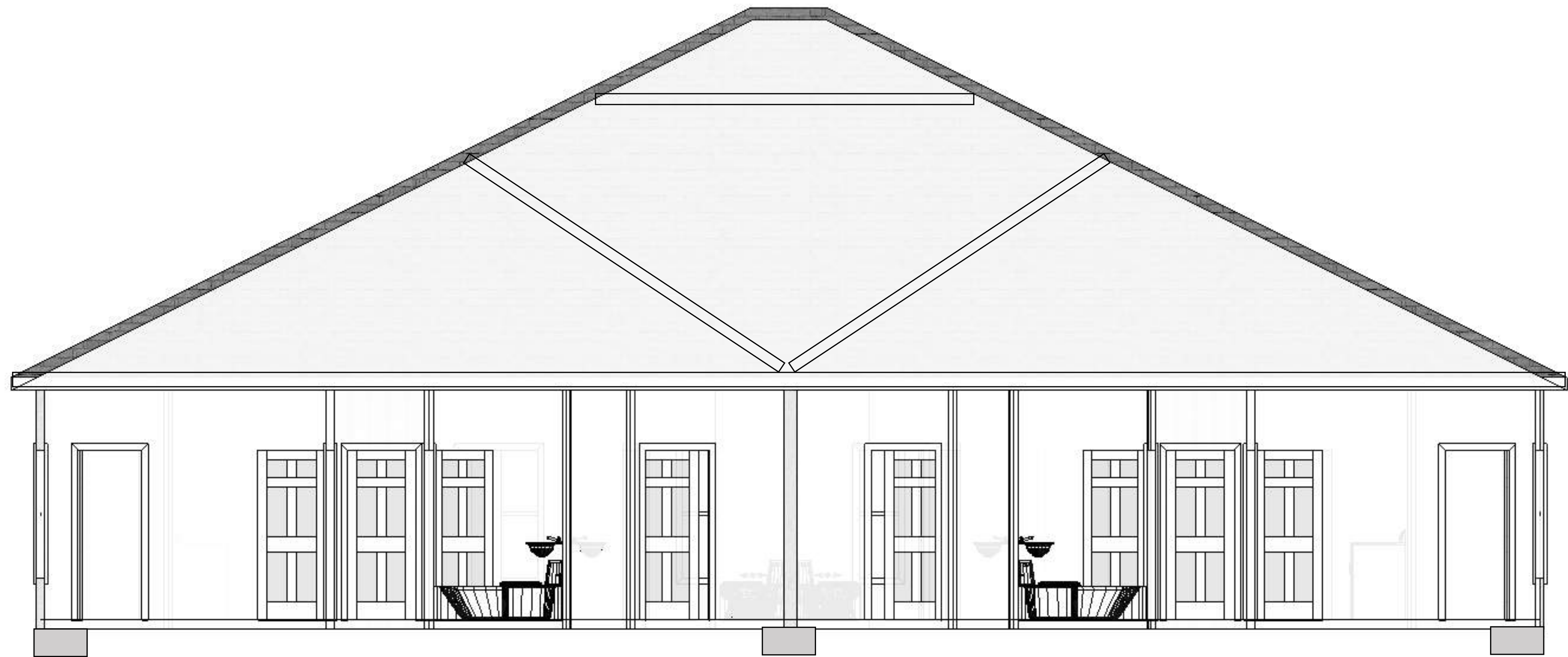
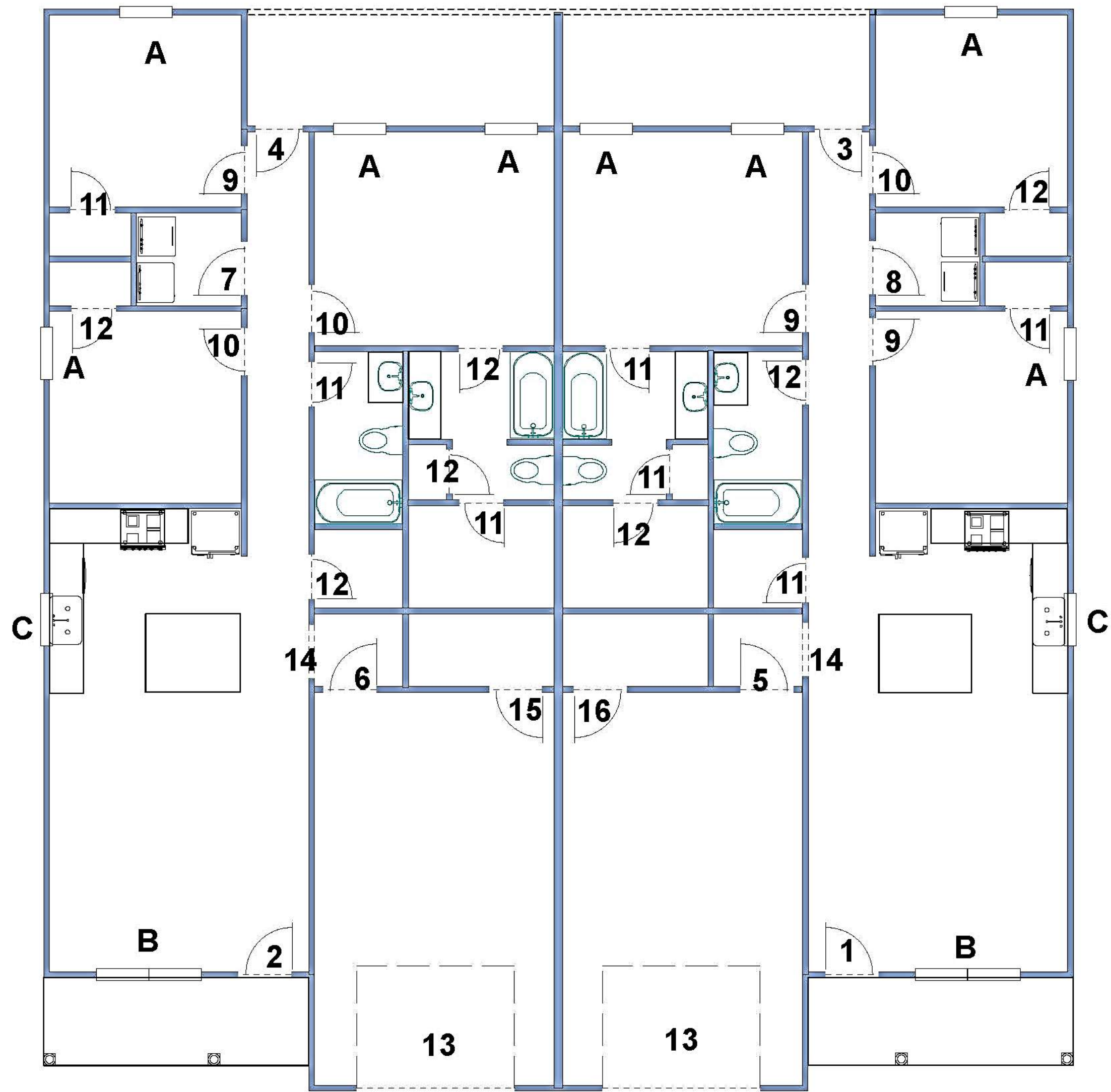
Door Framing

Window Framing



Main Floor

Scale: 1/4" = 1'



Cross-section showing wind bracing and collars in attic, footings and girder beneath slab.

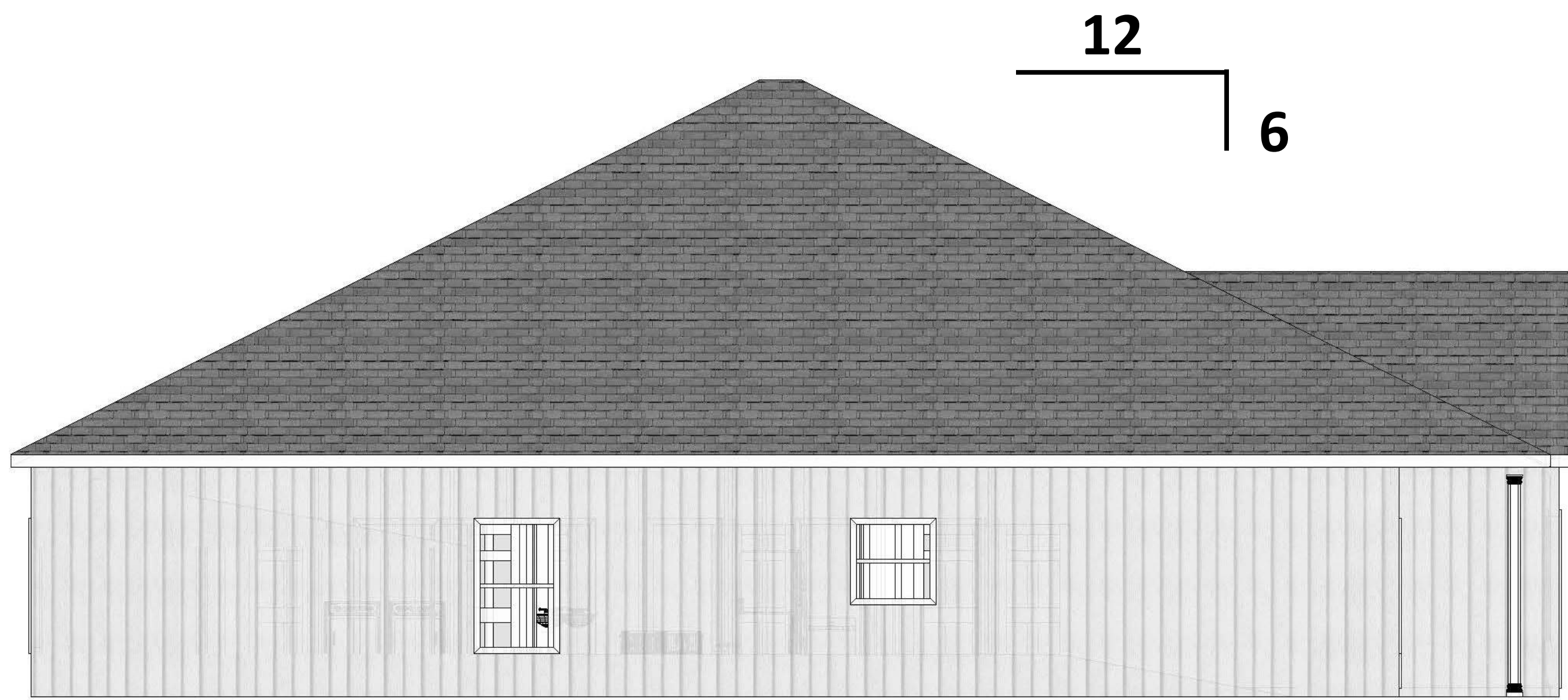
Not to scale

Door & Window Schedule							
Windows			Qty.		Doors		Qty.
ID	Description	Sill Height			ID	Description	
A	3050 Dbl-Hung Single	1'-6"	8		1	3068 LH Exterior Front Door with Deadbolt	1
B	3050 Dbl-Hung Twin	1'-6"	2		2	3068 RH Exterior Front Door with Deadbolt	1
C	3030 Dbl-Hung Single	3'-8"	2		3	3068 LH 9-Lite Exterior with Deadbolt	1
					4	3068 RH 9-Lite Exterior with Deadbolt	1
					5	3068 LH Exterior 6 panel	1
					6	3068 RH Exterior 6 panel	1
					7	3068 LH Interior	1
					8	3068 RH Interior	1
					9	2868 LH Interior	3
					10	2868 RH Interior	3
					11	2668 LH Interior	6
					12	2668 RH Interior	6
					13	9070 Garage Door	2
					14	3068 Cased Opening	2
					15	3068 LH Exterior Outswing	1
					16	3068 RH Exterior Outswing	1

Door & Window Schedule

Cross-Section, Door & Window Schedule

Howell Duplex



Left Elevation



Front Elevation

ALL Roof Pitches – 6/12

Siding

- Siding style to be chosen by owners
- Hardi-board or real wood siding
- Vertical or horizontal orientation to be chosen by owners



Right Elevation



Rear Elevation



**APPLICATION FOR
VACATION FOR STREET, ALLEY
OR EASEMENT**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



Date Submitted:	Meeting Deadline:
Agenda Item#	Meeting Date:

PART I. OWNER/APPLICANT INFORMATION:

Fox Run Phase V, LLC	421 Opelika Rd.	334-332-7157
Owner Name	Address	Phone
Daniel Holland	421 Opelika Rd.	405-509-0134
Agent Name (if applicable)	Address	Phone

PART II. STREET/ALLEY/EASEMENT INFORMATION:

Street/Easement Address: O Fox Run Pkwy

Current Zoning: PUD

Current Land Use: Vacant

a) Is the Petition signed and notarized by all Property Owners listed on the deed of adjoining the proposed Street/Alley/Easement? Yes

b) Does the Vacation of Street/Alley/ Easement deprive other property owners of their rights of ingress/egress or adversely affect other properties? No

If yes, explain: _____

PART III. PROVIDE AN EXPLANATION FOR THE REQUEST:

Request to vacate existing ROW from "Foxrun Industrial Park - Re-Subdivision of Lots 4 & 7" that

has never been utilized in order to record a Final Subdivision Plat in accordance with the

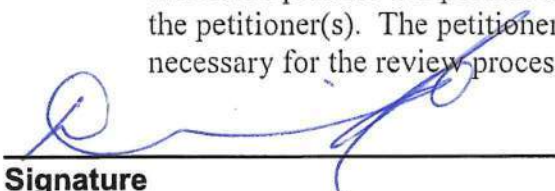
updated PUD zoning.

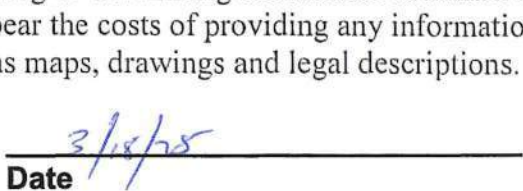
**PART IV. ATTACH A MAP SHOWING THE STREET/ALLEY/EASEMENT
PROPOSED TO BE VACATED:**

PART V.:

I hereby request the Opelika Planning Commission to review my Vacation of Street/Alley/Easement request for property located at (street address/location) 0 Fox Run Pkwy. I understand that I may be required to provide additional information with my application. The City may require additional information or requirements, or waive certain requirements, at any time during the process.

1. The Planning Department will administer all requests to vacate right-of-way. Requests to vacate by abutting property owners will be processed according to §23-4-20 and §35-2-54 of the *Code of Alabama*.
2. In order to vacate the City of Opelika's interest in a public street right-of-way or alley, a completed Petition to Vacate must be submitted to the Planning Department along with other required documentation.
3. The Petition to Vacate Application shall be accompanied by a non-refundable filing fee of \$50.00 to the Planning Department to process the vacation request. In addition, the person(s) filing the Petition shall pay to the Planning Department a non-refundable fee (advertising fee) in the amount of \$700.00 to cover the estimated cost of advertising and the serving of notices on interested parties and utilities. The advertising fee includes the cost of publishing four (4) legal notices in a newspaper of general circulation. The advertising fee is an estimate only. If there are additional costs in excess of the \$700.00 advertising fee, such costs must be paid by the petitioner(s) prior to the mailing of notices of the public hearing to interested parties. No portion of any filing or advertising fee shall be refunded to the petitioner(s). The petitioners also bear the costs of providing any information necessary for the review process such as maps, drawings and legal descriptions.


Signature


Date

Filing Fee (non- refundable)
Advertising Fee (non-refundable)
TOTAL

\$ 50.00
\$700.00
\$750.00

Payment Type
Received By:

AUSTIN MEEK
Notary Public, Alabama State At Large
My Commission Expires Feb. 3, 2020

NOTARY SIGNATURES

Before me, AUSTIN MEEK,
a Notary Public in and for said County and State, hereby
certify that DANIEL HOLLAND,
whose name is signed to the foregoing petition as
OWNER [President, Chairman, etc.]
of FOX RUN PHASE V, LLC,
[Corporation, City], and who is known to me, acknowledged
before me on this date that he executed the same voluntarily
for and as the act of said corporation, being duly authorized
to do so, all on the day they say bears date. Given under my
hand and official seal of office
this the 18TH

day of MARCH, 2025

Austin Meek

Notary Public

DANIEL HOLLAND
(print name)

421 OPELKA RD.
(address)

AUBURN, AL 36830
(city, state, zip)

BY: [Signature]
(signature)

ITS: MANAGER MABC
(title)

DATE: 3/19/28

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and who is
known to me, acknowledged before me on this day, that
being informed of the contents of said petition, he/she
executed the same voluntarily on this date. Given under
my hand and official seal of office this _____ day of
_____.

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and who is
known to me, acknowledged before me on this day, that
being informed of the contents of said petition, he/she
executed the same voluntarily on this date. Given under
my hand and official seal of office this _____ day of
_____.

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
said County and State, hereby certify that
_____,
whose name is signed to the foregoing petition, and who is
known to me, acknowledged before me on this day, that
being informed of the contents of said petition, he/she
executed the same voluntarily on this date. Given under
my hand and official seal of office this _____ day of
_____.

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

CITY OF OPELIKA
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Agenda Item: C-8

Action Requested: Vacate existing unimproved right-of-way from 1000 block of Fox Run Parkway, in the Fox Run Industrial Park Subdivision., Re-Subdivision of Lots 4 & 7.

Location of Property: Brookstone Drive

Petitioners Fox Run Phase V, LLC
Daniel Holland, representative

Existing Land Use Vacant

Proposal:

The petitioners are requesting the City to vacate existing unopened right-of-way from Foxrun Industrial Park- Re-Subdivision of Lots 4 & 7. The right-of-way was originally platted during the initial design of the park, but was never constructed. Fox Run Phase V, LLC., purchased the property from the Opelika Industrial Development Authority last year and received approval of a new master development plan that created an extension of the original Fox Run Village development. The proposed roads for the new development do not align with the existing unopened right-of-way.

As this right-of-way was never constructed, it has not been used for access to any parcels. No utilities are present in the right-of-way either. The newly proposed subdivision will connect to Brookstone Drive and Woodland Circle. The planning staff are supportive of closing. The property owners own both sides of the existing unopened right-of-way and would receive the property if vacated by City Council.

Recommendation: Planning staff recommends the Planning Commission send a positive recommendation to the Opelika City Council to vacate this unopened right-of-way.

Engineering Department Report

The Engineering Department has no other comments or concerns with this ROW vacation

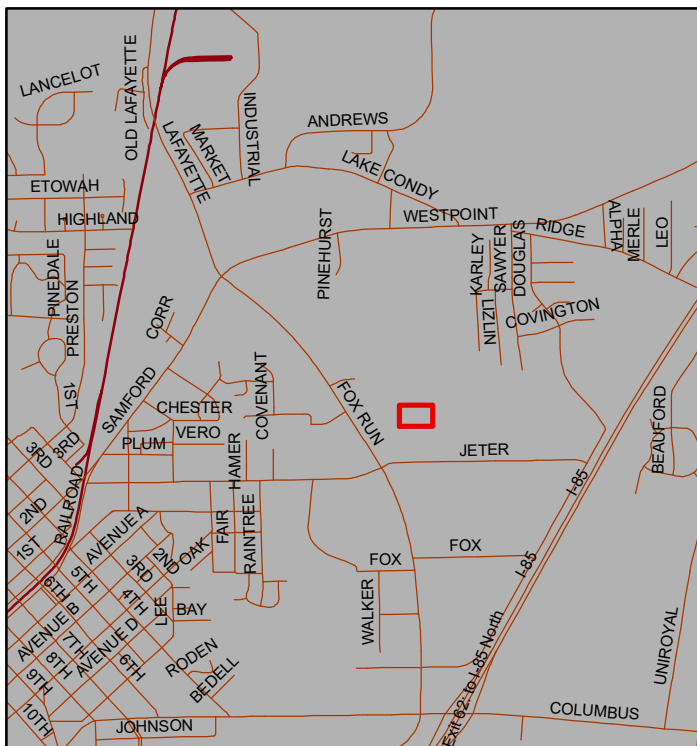
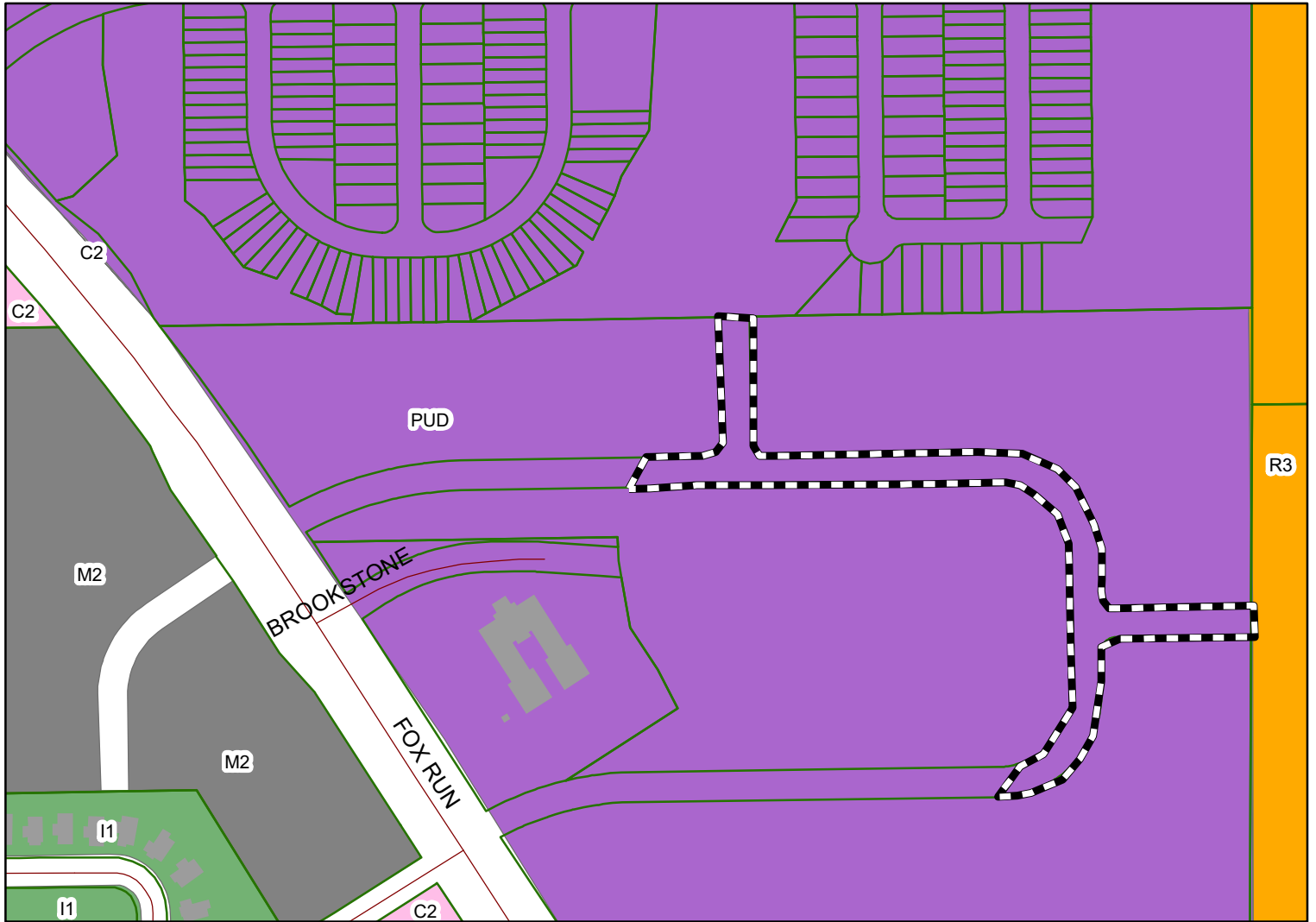
Opelika Water Board Report

No objections.

Opelika Power Services Report

This property is located outside the Opelika Power service territory.

FOX RUN INDUSTRIAL PARK VACATION OF RIGHT-OF-WAY 1000 BLOCK FOX RUN PARKWAY VACATION OF RIGHT-OF-WAY, D-10



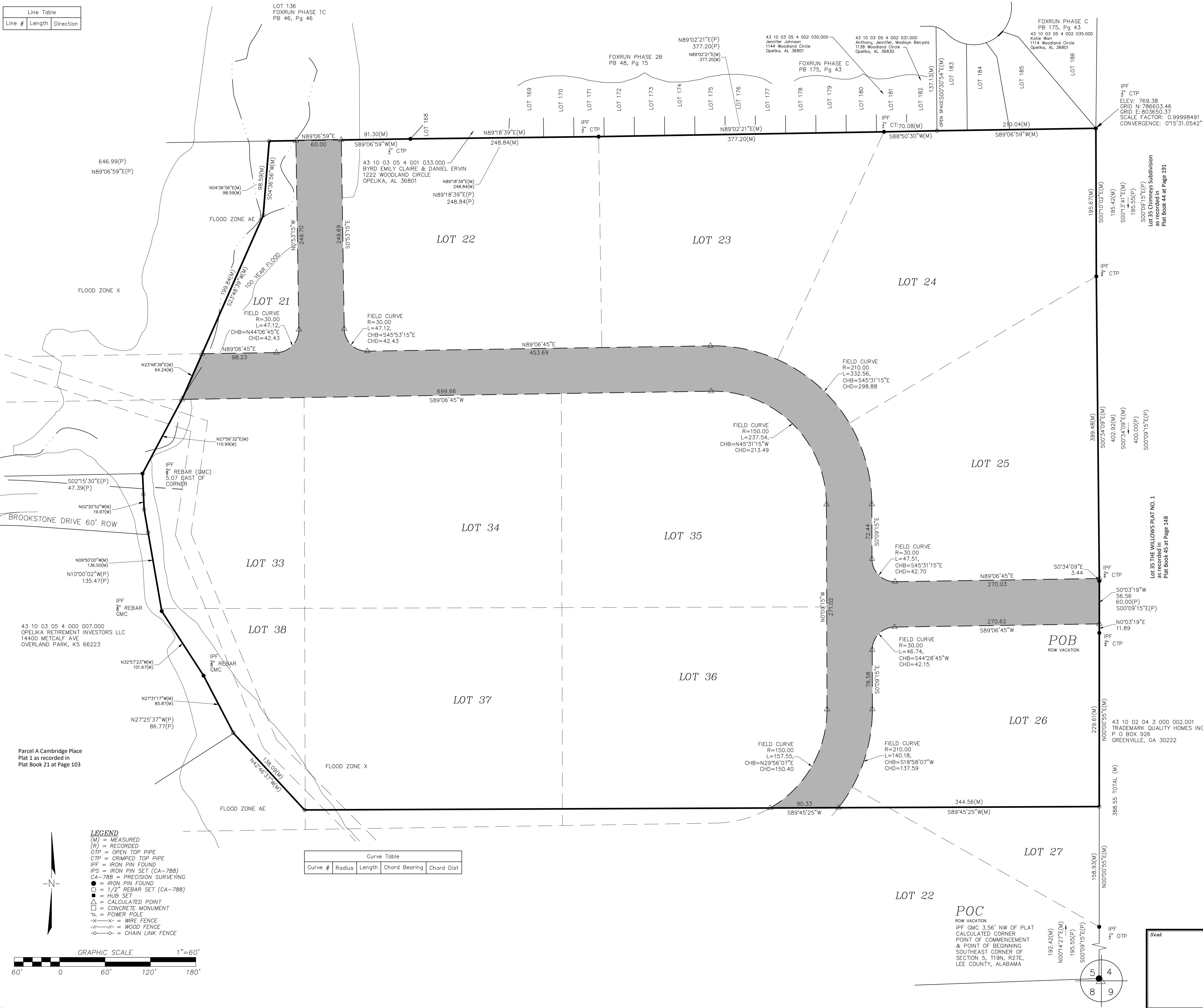
The applicant, Daniel Holland (Holland Homes) is requesting approval to vacate undeveloped ROW in Fox Run Industrial Park (plated in 1990s). Approval of the vacation allows the Fox Run Subdivision Phase V plat (agenda #8) to be approved for single family homes.



Subject Property

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

Line Table		
Line #	Length	Direction



Right of Way Vacation
FOXRUN INDUSTRIAL PARK
A RE-SUBDIVISION OF LOTS 4 AND 7
FIRST REVISION - FIRST ADDITION
SECTION 5 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA
OWNER-DEVELOPER
FOX RUN PHASE V LLC
412 OPELIKA ROAD
AUBURN, AL 36830

State of Alabama
Lee County
I, Michael T. Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.
In witness whereof, I have hereunto set my hand and seal on this
the ____ day of _____, 2024.

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

- NOTES:
- SOURCE OF INFORMATION: DEED BOOK 2536 PAGE 112 (ADJACENT); FOXRUN INDUSTRIAL PARK PLAT BOOK 13, PAGE 61 (SUBJECT); FOX RUN SUBDIVISION PHASE 1B RECORDED IN PLAT BOOK 45, PAGE 60 FOX RUN SUBDIVISION PHASE 2A RECORDED IN PLAT BOOK 48 PAGE 1; FOX RUN SUBDIVISION PHASE 2B RECORDED IN PLAT BOOK 48 PAGE 15.
 - DATE OF FIELD SURVEY: 12-30-2024.
 - DATE OFFICE WORK COMPLETED: 3-12-2025.
 - BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL.
 - A PORTION OF LOTS 136 AND 133 LIES WITHIN THE 100 YR FLOOD PLAIN PER FEMA FIRM PANEL 0108030000, DATED 11-2-2011.
 - THE PURPOSE OF THIS PLAT IS TO DEFINE A PORTION OF THE RIGHT OF WAY OF FOXRUN INDUSTRIAL PARK FIRST ADDITION, FIRST REVISION IN PLAT BOOK 13, PAGE 48 FOR THE PURPOSE OF VACATING SAID RIGHT OF WAY.

Vacation Description
Right of Way in Foxrun Industrial Park
A Re-Subdivision of Lots 4 and 7
First Revision - First Addition
Plat Book 13, Page 61 - Lee County, Alabama Probate
Commencing at a found Goodwyn Mills and Cawood iron pin at the Southeast corner of Section 5, Township 19 North, Range 27E, Opelika, Lee County, Alabama, said point being the Southeast corner of Lot 27 of Foxrun Industrial Park, thence N00°14'27"E, 192.42' to a 1/2" pipe; thence N00°00'55"E, 158.93' to a 1/2" rebar; thence N00°00'55"E, 229.61' to a 1/2" pipe; thence N00°03'19"E, 11.89' to a calculated point in the un-named right of way to be vacated, said point is the Point of Beginning of said right of way being vacated herein; from this POINT OF BEGINNING thence following the right of way being vacated on the following courses and distances: S89°06'45"W, 270.62' to the beginning of a curve; following said curve on a radius of 30.00', an arc distance of 46.74' and a chord of S44°28'45"W, 42.15'; S00°09'15"E, 78.58' to a curve; following said curve a radius of 210.00', an arc distance of 140.18' and a chord of S18°58'07"W, 137.59' to a point in the South line of the Holland Portion of Foxrun Industrial Park; thence following the south line of the Holland property S89°45'25"W, 90.33' to the right of way being vacated; thence along said right of way on the following courses and distances: following a curve on a radius of 150.00', an arc distance of 157.55' a chord of N29°56'07"E 150.40'; N00°09'15"W, 271.02' to a curve; following said curve on a radius of 150.00' an arc distance of 237.54' and a chord of N45°31'15"W, 213.49'; S89°06'45"W, 699.66' to the Western line of the Holland portion of Foxrun Industrial Park; thence following the Western line of the Holland Property N23°55'40"E, 66.10' to the right of way being vacated; thence N89°06'45"E, 98.23' to a curve; thence along a radius of 30.00' on arc distance of 47.12', a chord of N44°06'45"E, 42.43'; N00°53'15"W, 249.70' to the South line of Foxrun Subdivision, Phase 1C (plat book 46, Page 46); thence along said Subdivision N89°06'45"E, 60.00' to the right of way being vacated; thence along said right of way on the following courses and distances: S00°33'15"E, 42.70'; N89°06'45"E, 270.03' to an arc distance of 30.00' on arc distance of 47.12' and a chord of S45°31'15"E, 42.43'; N89°06'45"E, 453.69' to a curve; following said curve on a radius of 210.00' and an arc distance of 332.56' and a chord of S45°31'15"E, 298.88'; S00°09'15"E, 72.44' to a curve; following said curve on a radius of 30.00' and an arc distance of 47.51' and a chord of S45°31'15"E, 42.70'; N89°06'45"E, 270.03' to the Eastern line of Foxrun Industrial Park; thence along said Eastern line S00°34'09"E, 3.44' to a found 1/2" pipe; thence continue along said eastern line S00°03'19"W, 56.56' to the Point Of Beginning.



Vicinity Map NOT TO SCALE		2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
Seal		Drawn By: MTM Scale: 1"=60' File Name: 24-0354-ROW VAC Date: 3-12-2025
PRECISION SURVEYING		Sheet Title: Right of Way Vacation FOXRUN INDUSTRIAL PARK A RE-SUBDIVISION OF LOTS 4 AND 7 FIRST REVISION - FIRST ADDITION

RZN # 000129-2025

AGENDA ITEM #

10



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: _____ PC MEETING: APRIL 22ND

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: GREGG HARRISMAILING ADDRESS: 1011 SECOND AVE, OPELIKA AL 36801PHONE NUMBER: 334-319-3267 Email: GREGGHARRIS33@CHARTER.NET**PARCEL INFORMATION**Site Address: 409 & 401 SIMMONS STREET, OPELIKA AL 36801Description of proposed use: CONTRACTOR STORAGE"SHEETROCKER, ELECTRICIAN, PLUMBERS, PAINTERS, LAWN MAINTENANCE" ETC...Tax Parcel Number: 430901124002-062.000 & 069.000 (TWO LOTS)Adjacent Zoning Districts: North: RS South: M1 East: M1 West: M1Current Land Use: VACANTCurrent Zoning: M1Proposed Zoning: CZNumber of APO: 6 x \$7.00 = \$ 42⁰⁰
(Adjacent Property Owners)Fee: \$125.00

TOTAL

= 167⁰⁰PAID: CASH 167⁰⁰
3-20-25I hereby request my property located at (street address) 409 SIMMONS STREET, OPELIKA,Tax Map parcel number 430901124002062.000 be rezoned fromM1 to CZ. 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:Gregg Harris

(PRINT NAME)

GREGG HARRIS

DATE

3-14-25

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: April 22, 2025

Agenda Item #: E11a and E11b

Action Requested: Amendment to the Future Land Use Map and Rezoning: 33,810 sf
(a) Amendment to Future Land Use map - from Manufacturing to Light Commercial
(b) Rezoning - from M-1 to C-2n (two lots, 33,810 sf)

Location of Property: 401 & 409 Simmons Street

Property Owner(s): Greg Harris, Farpoint Properties LLC

Current Zoning: M-1 (manufacturing)

Proposed Zoning: C-2 (retail & office)

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	M-1	Residential (apartment triplex)
South	C-3	Railroad ROW & Undeveloped
East	R-5	Single family homes
West	M-1	Warehouse (Hans America)

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) provides the rezoning property, two lots (33,810 sf), are in a “manufacturing” land use category. The land use category of the adjacent properties on the west and north sides are also in a manufacturing category. On the west side across Simmons Street are two warehouse buildings (97,900 sf total) on 3.4 acres occupied by Hans America. Also, on the west side are manufacturing uses on seven parcels (6 acres total) in an older manufacturing zone (M-1) area with building constructed between 1950 to 1985. The north side adjacent property is a 3-unit apartment constructed in 1992. The adjacent property on the south side is a 90 foot railroad right-of-way and undeveloped property. The east side adjacent properties are single family homes or undeveloped property.

The rezoning request to C-2 requires an amendment to the 2030 FLUM concerning the ‘land use category.’ If the rezoning request is approved by City Council, then the 2030 FLUM will be amended so the parcel is in the “office-retail” land use category; this use category usually serve the nearby

residential uses. In most cases, the office-retail category does not require the outside display or storage of goods and equipment.

Staff Recommendation

Staff recommends the Future Land Use map amended for the 33,810 square foot rezoning property (two lots) from a “manufacturing” land use category to a “office-retail” land use category if the rezoning is approved.

Rezoning

The applicant is requesting to rezone 33,810 square foot area (two lots) from M-1 to C-2 zoning district. The adjacent properties on the east and north side of the rezoning property are in an older M-1 (manufacturing) zoning district that was established about in the 1970s. The M-1 zone is expected to have outside activity that may generate noise and impact the immediate area. The C-2 zone uses basically are more interactive with the public such as retail stores, offices, and restaurants. In a C-2 zone business activities are inside a building, and the outside storage of goods or materials not related to sales is prohibited in a C-2 zone. Outside storage not related to sales require conditional use approval in a C-2 zone. If rezoning is approved, the applicant plans to combine two lots and build four or five office & warehouse tenant spaces with no equipment and material yard outside allowed. All storage of equipment and material will be in a warehouse. An office of contractor with no equipment and material yard is outright allowed in a C-2 zone.

Staff Recommendation

Planning Staff believes a rezoning change from M-1 to C-2 zone will be more consistent with the existing adjacent and nearby uses. Uses allowed in the current M-1 are more intense than uses allowed in a C-2 zone. A C-2 zone will be more compatible with the adjacent residential zoned uses than uses allowed in a M-1 zone. The applicant’s proposed use (*office of contractor without equipment and material yard*) is allowed in the C-2 zone. There are many areas in Opelika where a C-2 zoning boundary line is shared with a residential district boundary line. Also, the improvements proposed for the rezoning property will likely improve property values.

Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the two lots (33,810 sf area) from M-1 to C-2.

Engineering Department Report

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

Opelika Water Board Report

No objections.

Opelika Power Services Report

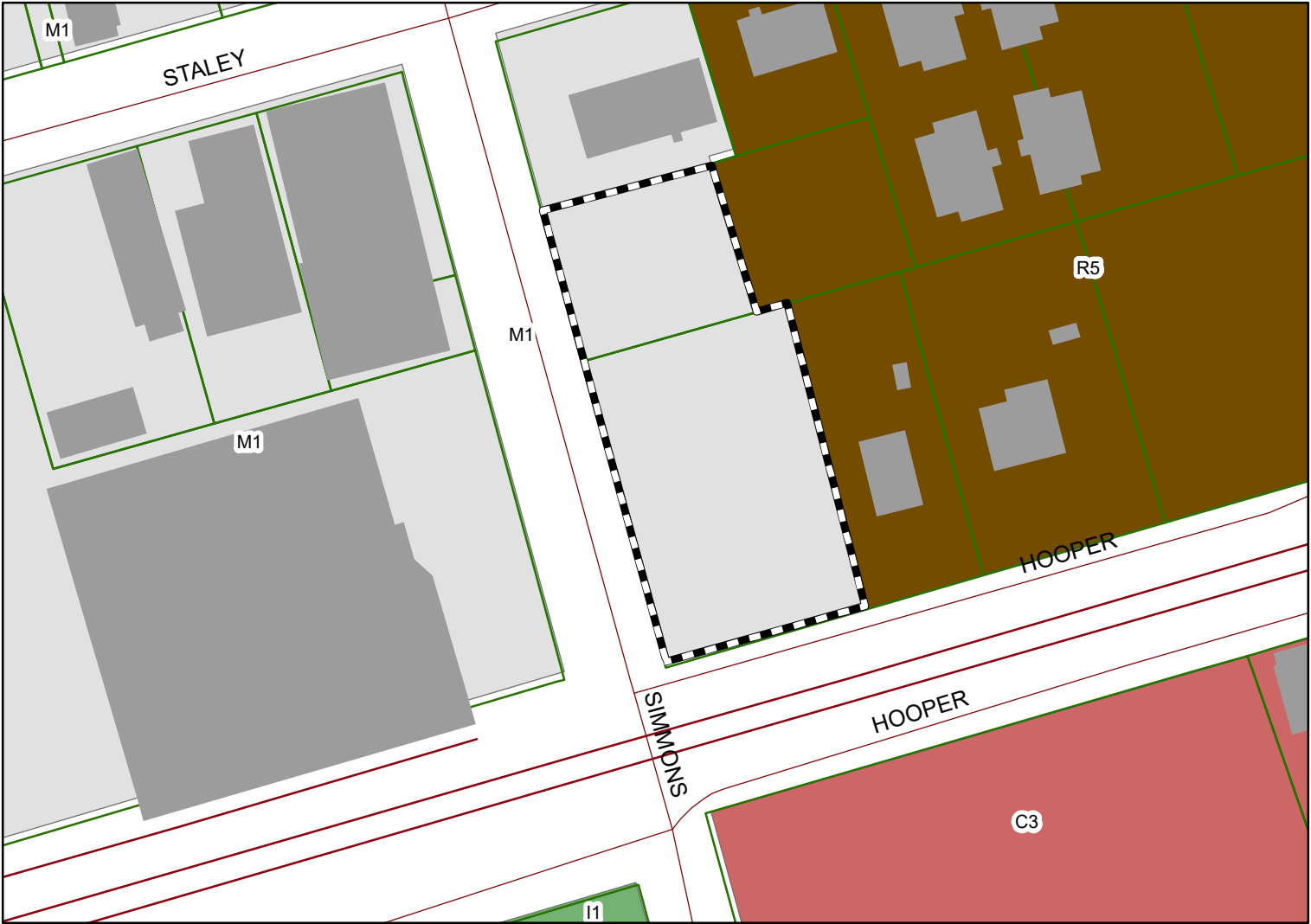
This property is located inside Opelika Power service territory.



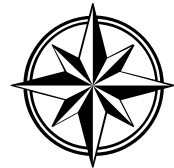
HARRIS REZONING

401 & 409 SIMMONS STREET

M-1 TO C-2, CONDITIONAL USE, E-11



The applicant is requesting rezoning two lots or 33,810 sf from M-1 to C-2. The lots will be combined and tenant spaces for office of contractor without equipment and material yard will be constructed. An M-1 zoning district is adjacent to the rezoning property .



Subject Property

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